

**Submission
No 12**

INQUIRY INTO PACIFIC HIGHWAY UPGRADES

Organisation:

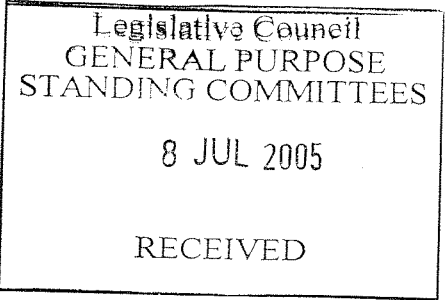
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Summary

SUBMISSION



Inquiry into the Pacific Highway Upgrades

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Submitted by:

Yvonne and Jack Harper

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KEEP THE HIGHWAY ON THE HIGHWAY

Yvonne and Jack Harper

**Summary
T2E UPGRADE**

**REMOVE THE EXTENDED STUDY AREA FROM THE AREA UNDER
INVESTIGATION**

KEEP THE HIGHWAY ON THE HIGHWAY

- We live on a farm located at Piccadilly Hill in the extended study area.
- We bought our 100 acre property in 1992 which is located 4 km. east of the Pacific Highway well out of sight and hearing of Pacific Highway traffic.
- After the determination of the Ballina Bypass and the St. Helena upgrades in 1997-2000, reinforced by the building of the Bangalow Bypass and the security which was consequently offered with respect to the future joining of the North and South ends by the zoned 9A Pacific Highway corridor, we made a number of large investments related to the development of our property.
- The RTA's conduct in investigating route options in the extended study area is causing us great financial and emotional harm. It is creating uncertainty which is affecting our future investment decisions and therefore detracting from the potential viability of our farm and our amenity. This investigation will continue for at least another twelve months.
- The RTA's threatened conduct in selecting a route which could run across or near to our Eastern boundary has already caused a substantial loss to our property's value. The building of the highway in that location would cause us incredible financial hardship as well as destroy our amenity as we would be left sitting on top of a 35m. deep cutting, 20 m. from our bedroom window further reducing our property's market value. Our property represents our life's savings of 40 years of full time work.
- In 1992, we paid a price for our property that was commensurate with our location, i.e. away from the Pacific Highway. People on the Pacific Highway paid a much lower price because of their location. Building the new highway along our Eastern boundary would result in loss of market value that we would never recoup.
- Building the highway through our neighbour's property, would mean for us, no compensation, no noise reduction action, no help to relocate our house and no assistance to relocate our crops with their extensive irrigation systems, which lie along that Eastern boundary.
- The RTA has given no reason to depart from its gazetted route plans and constructions which could possibly justify the destruction of our lives and amenity.
- We have no avenue of redress except through this enquiry to remove the extended study area from the current area of investigation.
- We sincerely hope that the Parliamentary Enquiry will weigh up all the facts fairly and put forward its recommendations which will uphold our rights and reasonable expectations as citizens of NSW.

Yvonne and Jack Harper

SUBMISSION: The Removal of the Extended Study Area from the T2E

Introduction: The Human Side

In May 2005, the Minister for Roads announced that the Study area for the T2E upgrade would be extended eastwards.

People were told that personal situations would count for little in the final decision on where the T2E upgrade would finally go, yet if one stops to listen to people like Audrey Boyes who lives on a property called, 'Grasspan', which was bought by her Grandfather in 1906, one must wonder at the justice of a system that punishes the Aussie battler in the name of economic rationalism.

Audrey Boyes' family has given unstintingly to the community and the country over the years. Her father fought in the First World War and on his return, like his father before him, he served on Byron Shire Council as well as on Rous County Council and the Far North County Council. Together, they accrued 70 years of service on Council.

Audrey Boyes and her husband are now elderly and are still working 'Grasspan'. Their ancestors have earned the right to their land. Audrey and her husband and their family deserve the benefits of family labour but in her own words, 'the insecurity, anxiety, with noise and pollution, along with visual impact and ultimate property value loss and financial insecurity, is too great a hurdle'.

In the extended study area, this kind of story is not unique. There are many farms which have been passed down through family generations just as there are many stories of people who have earned the right to their land through hardship, war service, hard work and sacrifice. In our own case, both my husband and I have worked full time for 40 years to get enough money together to be able to purchase in 1992, a 100acre farm in Coopers Shoot. Our property is a viable farm, specializing in niche crops, mainly asparagus and bamboo shoots. We also market garden and run cattle for vealer production. Though we have not been on our farm as long as many families in this area, we too believe that we have earned the right to our land. We are also Aussie battlers, coming from stock forged by the Depression and both World Wars. We deliberately bought our land away from the Pacific Highway and paid a commensurate price, yet we are told that all this counts for nothing.

All the efforts, the sacrifices, the hardships endured by all the people in the extended study area, it would seem, now count for nothing.

It is hard not to feel bitter, particularly, when the RTA is using an English socialist model which has a basic premise that the traffic noise impact should be spread evenly around. Firstly, this is an English model which does not relate to the Australian landscape and population distribution. Secondly, it totally ignores the fact that the Bangalow and the Ewingsdale residents, who are now complaining about traffic noise, purchased their properties after the Pacific Highway was upgraded to dual carriage way in their area and are in effect 'double dipping'.

NSW is a democracy, not a socialist state. In a democracy, hard work and sacrifice is supposedly valued and effort repaid. Using an English, socialist model to assess road traffic noise is both wrong and unfair to the people who located away for the highway! Outcomes arising out of socialist principles imposed upon a market economy are neither fair nor justified.

The Highway Issues

The Pacific Highway is a designated regional highway.

By opening up the Pacific Highway to interstate heavy traffic, Mr. Costa has created a pseudo-National highway on a **designated Regional highway**. Mr. Craig Knowles directed coastal councils to develop draft local environment plans using the Pacific Highway as a designated Regional Highway (Commercial /Retail Development along the Pacific Highway, from the Queensland Border to Hexham (Sydney, 3/8/1998).

Could it be that the NSW government lacks the funds to upgrade the Pacific Highway and by allowing heavy interstate traffic to move in from the New England Highway, the designated National Highway, bring pressure to bear on the Commonwealth government to take over the upgrade? Was due legal process followed by Mr. Costa when he changed the status of the Pacific Highway?

Mr. Costa and his duty of care as Roads Minister

How much notice does Mr. Costa take of the opinions of the affected local community in the processes the RTA is now using to establish possible routes through the extended study area?

Mr. Costa has 'plenty of time for the transport industry' which has unlimited access to him (Hansard, 6 May 2005) but Mr. Costa has 'no time for locals' and local knowledge when it comes to liaising with locals over Pacific Highway upgrade issues (The Myall Way, Hansard, 6 May 2005).

Mr. Costa has stated categorically that he will only take advice from the experts, that is, the RTA on the Pacific Highway upgrade.

It follows then, that community liaison over the Pacific Highway upgrade with Mr. Costa is a sham. Mr. Costa says that actions taken over the Pacific Highway upgrade are 'stunts by the Greens' to build their support for seats in parliament (Hansard, 6 May 2005). That is a blatant lie. The actions taken are by NSW citizens, the majority of whom are Aussie battlers from a traditional labor background and who are very concerned at the flawed processes being used by the RTA which will rob them of their security and livelihoods.

How can local communities have confidence in this Minister? The sooner Mr. Costa is replaced and some one with a 'human face' is appointed, the better.

Loss of life on the Pacific Highway

More lives are being lost because the Ballina Bypass and the St. Helena upgrade have been put on hold as a consequence of the extension of the T2E section.

The upgrade of the Pacific Highway has been frozen because of the extension to the east. The Ballina Bypass gazetted in 1997/8 has been put on hold as has the St. Helena upgrade which was supposed to be opened by 2004. The validity of the reasons for the extension east has yet to be tested and an FOI notice has been served on the RTA. The RTA says that the extension eastward was the result of 400+ submissions including 360 form letters which related to the Bangalow Bypass project completed 2000/2002. These unrelated submissions were then used as evidence to extend the study area in November, 2004.

The Ballina Bypass EIS, 1997/8 by Connell Wagner showed that there was no economically, ecologically or socially justifiable route for the T2E upgrade through the urban investigation lands south of Ross Lane. Therefore, it should be immediately deleted from the expanded study area which would in effect make any upgrade through the extended study area also unfeasible.

Letter from

The Impact of the Highway on Prime Agricultural Land in the Extended Study Area

The Northern Rivers Farmland Protection Project, which is part of the Far North Coast Strategy and which will supercede Section 117 Direction under the Environmental Planning and Assessment Act by late 2005, says categorically that 'agricultural land is a finite resource' and that 'a great deal has been lost to production already'. Loss of farming land will have a significant impact on the economic and social viability of agriculture on the North Coast. In particular, the loss of critical mass of farms can make it difficult to maintain and support services and infrastructure. Keeping agricultural land available for farming will help to maintain the agricultural land as a resource for the long term.

A report put together by Pam Brook of Brook Farm which value adds its macadamia crop, highlights the general issues facing agriculture and the economic and social repercussions to the region if the highway were to cut through the extended study area. It must be noted here that the soils in the extended study area are classified as either State significant or Regionally significant and that the area still has a significant rainfall despite global warming.

Pam Brook points out that six years ago, there was certainty for farmers to invest in developing their properties. The Bangalow Bypass was completed and the St. Helena and Ballina Bypass ready to go. The State Government also recognized the area as a Centre of Excellence. Today, all that has changed. The threat to agriculture is immense if the highway cuts through the extended study area.

Cattle

This is a fattening area for vealers contributing over \$10m p.a. to the local economy. It is a unique area with high rainfall, rich pastures and good access to local and export markets. One farm in particular, the Jarrett farm will be devastated by any upgrade through the extended study area. It will cease to exist and it is not relocateable.

110 farmers in the region depend on this operation which turns over \$1.6m p.a. The equation is simple, if the Jarretts are lost then the cattle industry in this region is lost too.

Crops

Much of the extended study area is under macadamias which contribute over \$30m p.a. Other major crops include coffee, stone fruit and bush foods. It is estimated that value adding over the next 6 years will contribute over \$50m to the economy. It will be export orientated and heavily relying on the region's 'clean, green image'.

It is anticipated that the developing farming activity will stimulate the local economy and enhance the associated local industries such as tourism and hospitality.

Social contribution

Local farmers make up the majority of the members of the Land Care Groups.

The intention of the Farmland Protection Policy is to protect the land's farming potential, so that land uses that alienate farming will be eliminated. Permitting a 6-lane upgrade through the extended study area would decimate farming activity, destroying not only current economic and social viability but also the potential of the land to provide for future generations in an increasingly dryer landscape with escalating energy costs.

The Farmland Protection Policy goes on to say that public infrastructure should only go ahead on State or Regionally Significant land if there is no feasible alternative.

In this instance, there is a feasible alternative and that is the existing Pacific Highway corridor which is already zoned 9A for highway upgrade. The farmers have built their livelihoods around that route remaining in situ. To put a highway through the extended study area would be to devastate the future potential of the region's agricultural resources to the detriment of our children and their children's children.

The Impact of the Highway on the Natural Environment in the Extended Study Area

One of the objectives in the Environmental Planning and Assessment Act 1979 (NSW) is to encourage the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats.

The Byron Biodiversity Strategy, an initiative of Byron Shire Council, was completed in September 2004 and identified high conservation value vegetation and habitats, wildlife corridors along with existing environmental protection zones throughout the Byron part of the extended study area. It went on to list threatened flora and fauna species. Rehabilitation, enlargement of remnant areas and reconnection between remnants is recommended by the Council, a process which is currently being undertaken by farmers throughout the Byron extended study area. Wild life and potential wildlife corridors have been identified, linking the coastal vegetation corridor with core native vegetation areas in the hinterland.

A study by T.W. Dorey & Sons, 2005, in the Newrybar Swamp area, has identified a series of lateral ecotones and parallel vegetation corridors that are important for local fauna and the migration of other species along the east coast of Australia. The movement and maintenance of bird species throughout the Newrybar Swamp are of particular interest to farmers who consider biodiversity a major factor contributing to viable farming. Biodiversity plays a major role in an Integrated Pest Management program. Like the Byron farmers on the plateau, the Newrybar Swamp farmers have undertaken extensive tree planting and reforestation projects which are now functioning as significant resources for sedentary migratory wildlife. These replanted areas are now functioning as 'stepping stone' wildlife corridors that link the Broken Head Nature Reserve with the escarpment and big scrub remnants of the Alstonville plateau.

A 6-lane highway constructed through this ecological sensitive and valuable farming land would have irredeemable and catastrophic consequences.

Other Related Matters

Compensation

We are including a statement which outlines our personal and financial situation. We invested in our farm's infrastructure feeling secure in the knowledge that we were situated away from the Pacific Highway and well out of range of any future upgrade.

We purchased our 100 acre property in 1992. It is located approximately 4 km. east of the Pacific Highway out of sight and hearing of the Highway traffic.

Our purchase was specifically influenced by the amenity offered in terms of:

- arable land of Regional significance for farming
- excellent water supply with springs running into Byron Creek which supplies part of the catchment for the Richmond Valley
- remnant sclerophyll forest with some endangered species
- 360 degree coastal and country views
- a tranquil and private location.

After the determination of the Ballina Bypass and St. Helena upgrades in 1997-2000, reinforced by the building of the Bangalow Bypass and the security which was consequently offered with respect to the future joining of the North and South ends by the zoned 9A highway corridor, we made the following investment decisions:

1999-2004	home	\$50,000
1999-2004	rural tourist facility	\$210,000
1998-2004	re-afforestation	\$8,000
2004	farm sheds	\$30,000
2004	fencing	\$14,000
2004	equipment	\$105,000 inc. Case tractor and Toro diesel mower
2003	irrigation	\$45,000 inc. windmill, 5 meg. Dam and reticulation system
supplying 5 acres of bamboo for shoots and a 5 acre market garden		

The consequences of a coastal/hinterland highway cutting through Coopers Shoot would be devastating to us because:

- of pollution, namely, noise, air and visual as a result of a 35m. deep cutting, approximately 20 m. from our bedroom window
- the cutting would be on our neighbour's property and under the RTA compensation rules, we would not be entitled to any compensation
- the market value of our farm would decline markedly
- our organic farm products would be polluted by exhaust emissions
- the upgrade would bisect protected environmental corridors, there would be a consequent reduction in wildlife including endangered species.

Mr. Costa said on National radio (27 June 2005) that people would be compensated. This is blatantly untrue. There will be NO COMPENSATION for hundreds of people located adjacent to the highway as we are, if it goes through the extended study area. His is a typical urban response from a person who clearly has no respect for the environment nor regard for his fellow man. He is influenced totally by the transport industry and motivated purely by economic considerations.

How can people, present and future, be compensated for the loss of long term natural resources for short term economic gain? Where are the oil resources that will be needed to fuel a 6-lane highway in the future? Oil, like agricultural land, is a finite resource. Once gone, it is gone forever.

Where is the long term planning by the Carr government or is the government solely driven by the needs of the transport industry as the interstate trucks thunder along the Pacific Highway?

Conclusion

There is agreement that the Pacific Highway needs to be upgraded but NOT to cater for inter-state heavy transport vehicles. Inter-state heavy transport needs to go back to the New England Highway leaving the Pacific Highway to be upgraded to service inter- and intra- regional freight movements, residents, tourists and people in general. Putting a 6-lane highway which combines residential, tourist and local freight with heavy interstate traffic is not in the best interests of safety. This is a blatant and unwarranted destruction of the environment along with people's lives and livelihoods at a time when the land and its resources are becoming more and more important for the sustainability of life as we know it today.

In the name of humanity and democracy, we call upon the members of the Parliamentary Enquiry to recommend that the extended study area be removed from the current area of enquiry and to keep the T2E Upgrade in the Pacific Highway corridor which is already zoned 9A for highway upgrade and which is the land of least community value.

KEEP THE HIGHWAY ON THE HIGHWAY

Yvonne and Jack Harper

*Yvonne Harper.
Jack Harper.*