

INQUIRY INTO PACIFIC HIGHWAY UPGRADES

Organisation:

Name: Mr Col Dorey

Telephone:

Date Received: 18/08/2005

Subject:

Summary

Glenda Baker - Fwd: Enquiry into the Pacific Highway Upgrade - General Purpose Standing Committee Number 4

From: Jenny Gardiner
To: Steven Reynolds
Date: 18/08/05 11:54:15
Subject: Fwd: Enquiry into the Pacific Highway Upgrade - General Purpose Standing Committee Number 4

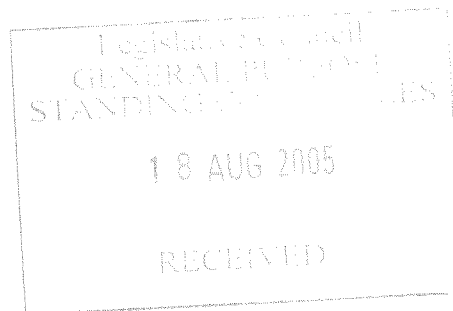
steven,
sub from Col Dorey.
Jenny

11:24:07 am Thursday, 18 August 2005 >>>

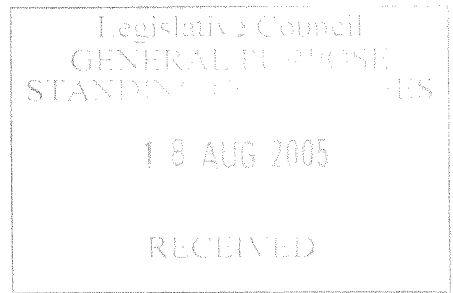
Hello,

Please find attached submission RE: Parliamentary Inquiry into Pacific Highway Upgrade.

Regards,
Col Dorey



SUBMISSION



Inquiry into the Pacific Highway Upgrade

**General Purpose Standing Committee No. 4
Parliament House
Macquarie Street
Sydney, NSW, 2000**

Due: 19th August 2005

Submitted by:

Col Dorey

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Introduction

Property Owners

This submission and attached constraints report on TW Dorey & Sons Newrybar Swamp farms were compiled by Col Dorey on behalf of my father, five brothers and myself, the owners and operators of the Dorey family farms under the name TW Dorey & Sons PTY LTD.

Submission Content

The submission is in three parts, the first being reasons for expanding the upgrade study area St Helena to Tintenbar.

The second being the RTA reneging on the critical Northern section of the Ballina Bypass that was gazetted and publicly announced in 2002.

The third part of the submission is the RTA expanding the Tintenbar to Ewingsdale pacific highway upgrade investigation area further to the east to include Newrybar Swamp where the Dorey family have 9 farms for 908 acres of prime agricultural land that is dramatically affected by the decision.

Author

I Col Dorey am a fourth generation farmer and have been farming for 41 years. In 1996 at request from the Department of Agriculture I represented farmers on the Ballina bypass forum as well as attended the two day value management workshop as our family also owns and operates farms in the Teven Valley that was a part of the Ballina bypass options. I am currently serving on the CLG and AFG for the Tintenbar to Ewingsdale pacific highway upgrade as well as attending the two day corridor assessment workshop on the 2nd and 3rd of August 2005.

Reasons for Expanding the Upgrade Study Area St Helena to Tintenbar

As a member of the new CLG the AFG and having attended the 2 day corridor assessment workshop it is very clear the only reason the RTA expanded the study area is a vocal Ewingsdale residents group who incited and drove the noise task force, and the original CLG who lived on the existing highway who took the opportunity to say *'put the highway somewhere else'*.

Ironically the Ewingsdale resident's noise is coming from a completed upgrade interchange and grade immediately opposite Ewingsdale. A problem the RTA has stated they may not be able to help with. This won't be changed by expanding the study area to the East.

The other issue I have is the original CLG were allowed to work outside their charter and terms of reference in demanding the study area be expanded, refer original CLG minutes.

When the RTA were questioned by the new CLG about why the study area was expanded to the East, they stated over 600 signatures had requested this, some weeks later the RTA admitted these signatures dated back to 2002 and included the Bangalow bypass, that was 2 years prior to the Tintenbar to Ewingsdale upgrade announcement. When pushed further on how many signatures were involved in expanding the new study area, sometime later the RTA stated there was still over 600 signatures. The RTA then admitted that it included opposition letters to the expanded study area.

We still don't know how many signatures requested an expanded study area to the East. However we now know some of the expanded study area supporters in fact wanted the trucks back on the national highway to the west, not on the pacific highway or expand to the East into Newrybar Swamp.

I believe it is a sham that the driver for expanding the study area is the reasons mentioned above, and nothing to do with constraints on the existing highway corridor. In fact it is unbelievable to even consider expanding the study area into a fog and flood prone, soft soiled and environmentally sensitive area like Newrybar swamp and associated escarpments, and then have to renege on previously gazetted highway upgrade routes to achieve this end.

Ballina Bypass

In announcing the expanded study area for the Tintenbar to Ewingsdale pacific highway upgrade the RTA have reneged on the 2002 gazetted and publicly announced route for the Ballina bypass on the crucial Northern 2km section, Sandy Flat to Ross lane.

This Northern 2km section of the Ballina bypass was the key to the original Tintenbar to Ewingsdale pacific highway upgrade following the existing highway, 9A corridor on the escarpment North of Ross lane.

Once the Ballina bypass was gazetted and publicly announced in 2002 the future position of the pacific highway North of Ross lane was established, that it would stay on the escarpment, for some who were looking to purchase property in the area this was confirmed by enquiries to the RTA.

For the Dorey's it was a case of knowing in 1996 that the Ballina bypass was to follow the route publicly announced in 2002, as I had accepted a request from the Department of Agriculture to represent farmers on the Ballina bypass forum, as well as participated in the value management workshop, this participation established there was design constraints at Sandy Flat and the upgrade would bypass these constraints, resulting in the Ballina bypass concluding at Ross lane. The same route was gazetted and publicly announced in 2002. Ironically it is the same Sandy Flat area that was previously rejected in 2002 that is now the new route options that are required in considering routes through Newrybar swamp flood plain in the expanded study area of the Tintenbar to Ewingsdale upgrade.

The 2km Northern section of the Ballina bypass Sandy Flat to Ross lane is the key to the pacific highway upgrade staying on the escarpment North of Ross lane. This is confirmed by the RTA now reneging on that section in considering options to the East through Newrybar Swamp in the Tintenbar to Ewingsdale expanded study area.

The recent decision to renege on a gazetted route regardless of when, how or why is a concern to every property owner, or potential property owner in NSW as the route of a highway once removed from it's existing corridor, or gazetted route has the ability to destroy or even bankrupt a investment, wether a farm as reported on pages 5 and 7 in the attached constraints on TW Dorey & Sons farms in the Newrybar Swamp, a tourist home stay facility, or a dwelling purchased for it's lifestyle. These three examples are actually happening to our neighbours and our selves in the expanded study area.

In the case of the Ballina bypass numerous investments were made in the knowledge that a government Department had gazetted and publicly announced, even purchased property for a selected highway route, to have this reneged on takes away any future certainty or closure that property owners may have had. In the Dorey's case we made large long term investment decisions on our farms with the knowledge that the pacific highway upgrade would not go through the Newrybar Swamp.

The reneging of the gazetted Ballina bypass route allowing for the Tintenbar to Ewingsdale highway upgrade to expand the study area to the East effectively sterilises all properties in the short term with possible long term implications, if a route is selected through Newrybar Swamp.

The decision to renege on the Ballina bypass has now set a new standard if not challenged, even after 10 years who is to say the RTA may change their minds again effectively holding properties in a permanent state of sterilisation and uncertainty.

The Affects on Prime Agricultural Land

On the 12th of April 2005 the Minister for Roads secretary announced the Tintenbar to Ewingsdale pacific highway study area is to be expanded to the East from its original corridor to take in Newrybar Swamp and surrounding escarpments.

The decision to expand the study area reneges on the previously gazetted Ballina, bypass route. I believe this is morally wrong, possibly illegal and leaves property owners with no certainty or closure even when the RTA do announce a gazetted route for any road in NSW.

If the RTA are allowed to continue with this injustice then the repercussion to property owners will be to an extent that is unacceptable in today's society, in particular the affects on prime agricultural land.

Our family own nine farms for 908 acres in Newrybar Swamp that is in the expanded study area of the Tintenbar to Ewingsdale pacific highway upgrade. If the upgrade takes the form of a new freeway through Newrybar Swamp it is possible all nine of our farms could be cut in half by up to five kilometres of freeway. The result would be devastating to ourselves and the nine farms as outlined in more detail in the attached *Constraints on TW Dorey & Sons Farms in Newrybar Swamp* that was presented to RTA and ARUP in may 2005.

The Dorey family have owned and operated these farms for over 30 years. The primary crop over that time has been sugar cane production, however in recent years the Dorey family have pioneered the growing of Macadamias on flood plain peat soils with farming techniques handed down from previous generations.

Neighbouring farms in Newrybar Swamp are now following the Dorey's farming technique and are planting Macadamias instead of Sugar Cane thus increasing the agricultural intensity over ten-fold.

As stated in the attached constraints report a freeway through Newrybar Swamp will not only cut farms in half affecting farm viability, it will also put at risk the farming techniques that are used to grow Macadamias on the flood plain, as a freeway will alter flooding as well as the very important water table, as road loading will stop the transfer of water through the soil raising the water table upstream that would be detrimental to the Macadamia root system, and lowering it downstream. I believe in both instances acid sulphate will be brought to the surface.

Environmentally the freeway through Newrybar swamp will be catastrophic not only for flora and fauna, but also for the integrated pest management that is used to control pests in our plantation.

The Dorey's have planted over 10,000 native trees in the past 15 years in re-vegetating, enlarging and protecting big scrub remnant's, to encourage farm biodiversity and to enhance wildlife corridors from Broken Head nature reserve across Newrybar Valley to the escarpment. A freeway will cut at least three recognised wildlife corridors in Newrybar Swamp in half. Photos and a more comprehensive report are contained in pages 25-29 in the attached constraints report.

I can not understand why a government department would want to choose a new freeway corridor that will cut every farm in half for its entire 17km length, when there is already an existing corridor and assets for a highway upgrade without the constraints that are in Newrybar Swamp.

Conclusion

In concluding, I am left with a mind searching question. Why would a government department even consider expanding the Tintenbar to Ewingsdale highway upgrade study area (new freeway) to the East cutting every farm in half for it's entire length in some of the most productive agricultural land in NSW, as well as severing wildlife corridors, isolating remnant vegetation and gene pools, and violating some of the most scenic escarpment in Australia.

If the idea was to satisfy a few people making a lot of noise then this has failed miserably, as the announcement to expand the Tintenbar to Ewingsdale highway upgrade study area has bought unbelievable heartache to hundreds of people, disrupting their lives, sterilising their properties, splitting a community. For what?

Is there a hidden agenda? Why would the RTA even consider a freeway through Newrybar Swamp with the constraints of fogs, flooding (30th June 2005 flood attached), soft soils. When they already have the current highway corridor asset, have purchased numerous properties, have land gazetted 9A, and Bangalow bypass dual carriageway completed.

SO WHY?

NOTE:

Submission and other attachments will be forwarded by post.