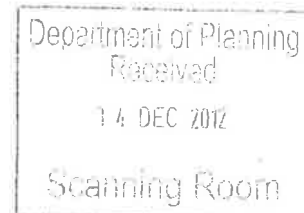


To
Infrastructure Projects
Department of Planning and Infrastructure
GPO Box39 Sydney NSW 2001



From
Greg and Cherie Smart
A390 Princes Hwy
Berry NSW 2535



9/12/12

To Whom It May Concern

Please find enclosed our submission for the proposed Foxground / Berry Bypass. The submission is in two parts and also with photos taken of our property when purchased by us in 1992 and as it is now after our efforts to re-establish habitat. We neither support nor object to the project but hope our comments and requests will be held in good faith and given proper consideration as our views go beyond personal gain or loss.

We request:

Negotiation and discussion with RMS re possible alternatives for the acquisition of the land earmarked for containing the proposed run-off pond (shaded in pink on RMS drawing). An area of remnant forest adjacent to the proposed wildlife underpass in this land has been maintained and re-planted by our selves and our children, over a period of nearly 20 years.

The continuing ownership and custodianship of the remnant forest is preferred by us over acquisition, as the remnant area is part of an ongoing plan (for the property as a whole) of returning some of the degraded farming land back to a reflection of its original state and to assist in providing a wildlife corridor to Broughton Creek (at the rear of our property) from the escarpment (linking in with the efforts in this regard of Phil Bragg and Caroline Ridge on the northern side of the highway to us).

Possible alternatives proposed by us:

*We maintain ownership of the area containing the run-off pond and allow access as necessary to RMS

*Taking / purchasing smaller section of land by RMS as only necessary for maintenance of the run-off pond so that ownership of the remnant area remains with us

*In the event of RMS purchasing the remnant area we be consulted and involved in ongoing maintenance and custodianship of the remnant forest.

We request:

The configuration and location of the run-off pond be constructed to be as natural as possible in terms of its function and appearance so that it can more easily become part of the natural landscape in form and function whilst adequately draining towards the small creek in the remnant area rather than into the paddock during flood events.

In the event of acquisition of the land around the run-off pond, that this land be planted by RMS with local tree species and vegetation which will serve as a habitat area and a screen for our property.

That the trees along the current highway boundary in the proposed acquisition area (marked HF70 on RMS drawing) be disturbed as little as possible whether this area is ultimately acquired or not. Two distinctive Norfolk Island pine trees here may be as much as 130 years old. We understand these trees were part of an original planting that was gifted to the Berry community by Alexander Berry and may therefore be of some heritage value.

The replacement of any trees removed at the current property entrance due to the proposed entrance re-alignment and acquisition. The trees currently growing along the property entrance road were planted by us 18 to 19 years ago and are habitat for many for birds and small mammals.

RMS provide tree plantings to serve as a screen and habitat area between and along both sides of the proposed turning circle near the entrance and new highway where the proposed cutting merges with the filled road.

RMS plant out area (marked as HF69 on RMS drawing – formerly the proposed Heavy Vehicle Rest Area) with local trees and vegetation for the purpose of and in the interest of, environmental mitigation, remediation and goodwill toward flora and fauna in the face of damage caused to, especially during the construction phase.

We look forward to further communication regarding our comments and are committed to a process that will hopefully provide a long-term net benefit for the natural environment on the other side of the construction.

Yours Faithfully
Cherie Smart

P.S. Please note Greg's comments attached and also the photos as mentioned – before in 1992 and those taken on 10/12/12 property in the same locations.

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A390 Prince's Highway
Berry 2535

To whom it may concern.

It has come to my attention, recently, the decision by certain authorities to seize a portion of the land we call home. While understanding some of the logic for this process, I personally still find it very disturbing, at a number of levels. The primary concern is the destruction of habitat, both flora & fauna. I have witnessed first hand the toll taken & borne by our indigenous precious heritage.

Having had at the forefront of my conscious intention for the best 20 years the restoration of some natural connection to this tract of land which had been a veritable wasteland it is frightening to witness the consequences of our so called progress on this process.

When we moved here, many hours were spent researching, sitting in the remnant bush & pondering what had been & developing a vision of what could be based on an approach that considered all other forms of life that had a belonging to this place & include in this the plants, animals & original people of this land.

We were fortunate to have understanding & forward thinking neighbours in Phil & Carolyn Bagg who not only were interested in a similar process, but actually gave us some of the original trees we planted. Speaking to many learned people of the bush including Richard Scarborough,

local bushman & local tree expert. Richard was able to supply to us some of the local species that formed part of our planting.

The main vision was to provide a lateral connection of vegetation to the existing highway which would provide a connecting link ~~from~~ from the escarpment to the Broughton Creek. This would serve as a wildlife corridor for the local species. This has been very successful & many happy live birds & animals are an indicator of the need for such projects.

Part of the key to this safe corridor are the trees on the north end of our property adjacent to the road, this is where our primary concern exists. Many of the trees on our property have been planted over the dead bodies of road kill that I have been able to pick up over the years. In recent times the presence of the local birds and animals have been paying for our increased mobility has risen dramatically. I personally have picked up more than 12 dead owls on our local stretch of highway.

I consulted a learned Aboriginal elder over this catastrophe to get a further perspective. He said to me "You know humans are the only animal with a voice box, why do you think that is?", this was a question I had already pondered, the Barn Owls I had been finding dead are essentially a fairly voiceless

birds with excellent vision & hearing. They
well & truly see, hear & feel the
results of our destruction, much of
which we will come to regret, but
are unable to voice their concerns.
They pay with their lives for our
lifestyles! I am more than happy
to attempt to speak on their
behalf & other voiceless life.

I ask for due consideration to
be given to the escarpment to
create corridor of which our
property is a part.

The current habit of planting
vegetation parallel to highways &
horse stall between lanes on highway
seems to me to be inviting the
birds & animals to an early death
with metal.

I'm hoping you can see from my
words & the accompanying photos
the basis of my concern.

Yours faithfully
Greg Smart

















