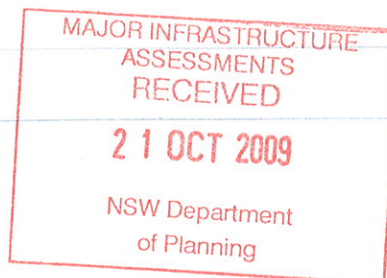


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Chris Clark (02) 6690 7013
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20 October 2009



Director General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Kylie Seretis

PACIFIC HIGHWAY SAPPHIRE TO WOOLGOOLGA UPGRADE – REQUEST FOR MODIFICATION OF MINISTERS CONDITION OF APPROVAL NOS. 5.5 AND 5.6.

Dear Kylie,

The NSW Minister for Planning approved the Pacific Highway Sapphire to Woolgoolga upgrade on 13 January 2009. The approval is subject to a number of conditions, including conditions in regard to community information, consultation and involvement.

The RTA recognises the extensive and rigorous consultation processes undertaken to date throughout the development of the concept design and Environmental Assessment process.

However, the RTA also recognises the following key factors of importance in preparing the communication strategy in delivering the project to the community:

- There will be local and regional community that will be impacted by construction activities.
- There will be community directly impacted by the upgrade, including residents and businesses adjacent to the construction area, motorists using the road, cyclists and pedestrians using existing facilities; and
- There will also be community with an interest in the project due to the nature of their work, travel and general interests with special interest groups such as – Aboriginal groups, Local Council, and organised groups such as the Ulitarra Society, Chambers of Commerce and local community groups, all requiring consultation.

Therefore the RTA recognises the diverse information and consultation needs of all these communities and commits to a robust plan of consultation which would be inclusive and participative in nature.

Targeted and on going consultation with the community and key focus groups, on issues of relevance to them, would assist in ensuring that a wider audience is able to participate in the engagement process, as the issues they would be invited to provide input to would be relevant to their needs.

A Communications Strategy consistent with the requirements of Condition of Approval 5.6 would guide community relations activities for the life of the project, would be regularly updated to be relevant and would include measurable performance indicators.

In view of the proposed extensive engagement program and the ongoing maintenance of specific interest group engagement, the RTA recommends to the Department of Planning that a Community Interest Group for the project would not be the most effective consultation method for the project. It is the RTA's considered position that the purpose of establishing a Community Interest Group is for the dissemination of project information; design issues and mitigation measures; the Construction Environmental Management Plan (CEMP) and construction activity information could be more effectively undertaken for 'whole' community by implementing the above engagement strategies.

The RTA considers the changes would be consistent with current best practice and would not result in a decrease in the communication performance for the project. It is also understood that this proposed change has recently been accepted by the Department of Planning for the Pacific Highway Banora Point upgrade and other Major Projects.

The attached table shows the existing Conditions of Approval Nos. 5.5 and 5.6, which discuss the establishment and maintenance of a community interest group and the preparation and implementation of a Community Communication Strategy, the proposed revision to the Conditions of Approval and provides detailed discussion on the justification for the proposed revision.

Should you require further information, please contact the RTA's Project Development Manager, Mr Chris Clark on 02 6690 7013 or 0438 710 479.

Yours faithfully



Robert (Bob) Higgins

General Manager Pacific Highway 20/10/09

Existing Conditions	Proposed Revised Condition	Discussion
Community Consultation	Community Consultation	The RTA considers that the establishment of a Community Interest Group for the project would not be the most effective method of communication with the community.
5.5	Delete existing Condition 5.5.	
The Proponent shall establish and maintain a Community Interest Group for the duration of construction of the project unless otherwise agreed by the Director-General. Membership of the group shall comprise:	Replace existing Condition 5.6 with:	
a) representatives of the Proponent;	5.5 5-6	The RTA recognises the diverse information and consultation needs of the various communities with an interest in the project and commits to a robust plan of consultation which would be inclusive and participative in nature. The proposed community communication strategy would be consistent with current best practice would provide greater certainty in ensuring that a wider audience is able to participate in the engagement process and would not result in a decrease in the communication performance for the project.
b) the Environmental Representative required in Condition 6.1;	The Proponent shall prepare and implement a Community Communication Strategy for the project. This Strategy shall be designed to provide mechanisms to facilitate communication between the Proponent, the Contractor, the Environmental Representative, Council and the local community (broader and local stakeholders particularly adjoining landowners) on the detailed design, progress and the related environmental management of the project. The Strategy shall include, but not necessarily limited to:	
c) Council officers representing the relevant Council; and	a) identification of community stakeholders to be consulted as part of the Strategy;	Some of the issues which would interest the community during construction are identified as: - • changes to design;
d) community representatives (equal to or greater in number than the Proponent representatives) identified and drawn from relevant community and business groups, individual members of the community adjoining the project.	b) including affected and adjoining landowners; procedures and mechanisms for the regular distribution of information to stakeholders the community and adjoining land-owners on the progress of the project, detailed design and matters associated with environmental management;	• detailed design (including Urban and Landscape design);
Issues for discussion by the Group include:	c) procedures and mechanisms through which stakeholders the community and/or adjoining landowners can discuss or provide feedback to the Proponent and/or Environmental Representative in relation to	• changes to traffic and access;
i. project information dissemination to the community;		• noise, dust and vibration during construction;
ii. design issues and mitigation measures related to this approval;		• hours of construction;
iii. the Construction Environmental Management Plan required in Condition 6.2; and		
iv. construction activities.		
Comments made by the group regarding these issues must be considered by the Proponent and feedback provided to the group.		

The first meeting of the group shall be held prior to the commencement of construction unless otherwise agreed by the Director-General. The Proponent may review the group's membership and/or need for the group at any time during construction. The Group may only be dissolved with the Director-General's approval.	d) the environmental management, detailed design and delivery of the project. This may include focused discussion forums and site inspections;	• blasting and impacts; • property impacts; • access to businesses; • water quality impacts; • Heritage preservation; and • Flora and fauna preservation.
5.6 The Proponent shall prepare and implement a Community Communication Strategy for the project. This Strategy shall be designed to provide mechanisms to facilitate communication between the Proponent, the Contractor, the Environmental Representative and the local community (particularly adjoining landowners) on the progress and the related environmental management of the project. The Strategy shall include, but not necessarily limited to:	e) the formation of community-based forums (focus groups) that focus on key design and environmental management issues for the project. The Strategy shall provide detail on the structure, scope, objectives and frequency of the community-based forums; procedures and mechanisms through which the Proponent can respond to any enquiries or feedback from stakeholders the community and/or adjoining landowners in relation to the environmental management, detailed design and delivery of the project; and	In addition to complying with the Minister's Conditions of Approval, the RTA will be developing and delivering a holistic plan to engage impacted and interested communities. An on-site Community Relations professional, as part of the Community and Stakeholder team, will be a key member of the project team in ensuring that impacts on the community of construction activities are minimised.
a) identification of community stakeholders to be consulted as part of the Strategy, including affected landowners; b) procedures and mechanisms for the regular distribution of information to the community and adjoining land owners on the progress of the project and matters associated with environmental management; c) procedures and mechanisms through which the community and/or adjoining landowners can discuss or provide feedback to the Proponent and/or Environmental Representative in relation to the	f) procedures and mechanisms that would be implemented to resolve any issues/disputes that may arise between parties on the matters relating to environmental management and the delivery of the project. This may include the use of an appropriately qualified and experienced independent mediator. Issues that should be addressed in the Community Communication Strategy may include (but not necessarily be limited to): - traffic management (including property access); - property acquisition - landscaping/urban design matters;	The RTA would continue engagement with the community, including key focus groups, on a regular basis. Targeted and on going consultation with the community and key focus groups, on issues of relevance to them, would assist in ensuring that a wider audience is able to participate in the engagement process as the issues they will be invited to provide input to would be relevant to

environmental management and delivery of the project. This may include focused discussion forums and site inspections; procedures and mechanisms through which the Proponent can respond to any enquires or feedback from the community and/or adjoining landowners in relation to the environmental management and delivery of the project; and e) procedures and mechanisms that would be implemented to resolve any issues/disputes that may arise between parties on the matters relating to environmental management and the delivery of the project. This may include the use of an appropriately qualified and experienced independent mediator. Issues that should be addressed in the Community Communication Strategy may include (but not necessarily be limited to): i. traffic management (including property access); ii. property acquisition iii. landscaping/urban design matters; and iv. noise and vibration mitigation and management. The Proponent shall maintain and implement the Strategy throughout construction. The Strategy shall be approved by the Director-General prior to the commencement of any construction associated with the project.	iv. heritage; v. construction activities; and vi. noise and vibration mitigation and management. The Proponent shall maintain and implement the Strategy throughout construction. The Strategy shall be approved by the Director-General prior to the commencement of any construction associated with the project. [NB: Additions to existing Condition 5.6 in bold; Deletions from existing Condition 5.6 in strikeout.]	their needs. The RTA would proceed to develop the Community Communication Strategy on the basis of the above community involvement which would be further detailed and submitted to the Director General of the Department of Planning for approval, along with measurable performance indicators to ensure the broader community and key interest groups are being engaged and are actively participating in the design and construction process.
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