



4. Statutory and community consultation

This chapter provides an overview of community consultation and stakeholder engagement processes that have been undertaken for the project and outlines the identified issues and how these have been addressed. It also provides details on future community consultation for the project.

4.1 Community engagement overview

A range of engagement techniques were used to inform the affected community and stakeholders and to identify issues and concerns during preparation of the Environmental Assessment. These activities included meetings with landowners, community workshops, establishment of a Project Information Centre, carrying out a community survey, a community information session and providing fact sheets about the project and environmental assessment process.

The objectives of the community and stakeholder engagement activities were to:

- ▶ Identify interested stakeholders and appropriate methods of communication;
- ▶ Provide the community with up to date and timely information;
- ▶ Provide a direct avenue for feedback;
- ▶ Recognise Indigenous people's spiritual and cultural connection to their country, and their aspirations to be actively involved in managing the environment;
- ▶ Provide local communities with the opportunity for input to development of the project; and
- ▶ Find a balance between social, cultural and environmental needs, as well as national interests, to ensure there is equity in the way that the project is delivered.

4.1.1 Community and stakeholders

Community and stakeholders were identified as individuals or groups who would be potentially impacted by, or have an interest in, the project. This includes surrounding landowners, individual members of the community, special interest groups and organisations, businesses, government agencies and other authorities.

The proponent undertook a stakeholder scan to attempt to ensure that all stakeholders and community groups were considered and captured in a stakeholder database. The stakeholder scan identified landowners, local community groups, environmental groups, local councils and agency contacts.

Table 4-1 lists the key engagement activities and tools, outlines the purpose of each tool and describes how each tool has been used to engage with the community and stakeholders.



Table 4-1 Key community and stakeholder engagement tools/activity

Tool	Purpose and activity to date
Contact mechanisms	A hotline telephone number and email facility were established at the commencement of the project to enable all stakeholders to provide feedback to the project team for consideration in the environmental assessment. A database was established to manage contact and issue information received. Since project inception, contact has been made with over 190 separate stakeholders and details of this consultation have been recorded in the project's consultation database.
Landowner workshops	Landowner workshops to explore stakeholder interests were held in Womboota, Caldwell and Barham throughout March and April 2009. A total of 47 landowners attended these four meetings. A follow up meeting was held in Barham to discuss specific issues and was attended by 30 people. A briefing session was held in Barham in April 2009 to discuss design issues relating to the proposed Barham levee. Nine landowners attended. The workshops were organised and run by representatives from the Murray Catchment Management Authority.
Community Newsletter # 1	A community newsletter was prepared in March 2009 which outlined the proposed works and progress to date. This newsletter was prepared by the Murray Catchment Management Authority and was distributed to about 280 families in the rural community using local media.
Fact Sheet	A fact sheet describing the project was prepared in April 2009. This has been distributed at community meetings, local government presentations, the Project Information Centre, and meetings with individuals. It was also placed on the MDBA, Murray CMA and project websites.
Gunbower–Koondrook-Perricoota Storylines Launch	Environment Victoria asked people to share their personal connection to the wetland forests of Gunbower-Koondrook-Perricoota. Participants were given the opportunity to script and produce their own digital story (short film). The launch for the overall Storylines program was held in Bendigo and was attended by over 200 people. The local launch of the Gunbower–Koondrook-Perricoota Storylines program was held in Barham on 23 June 2009 in which 114 community representatives and landowners attended.
Feature in local newspapers	A feature was included in local newspapers in August 2009 to provide further information about the project and to promote the opening of a Project Information Centre. The media release was sent to all local and regional media outlets.
Feature in Murray Shire newsletter	Two feature articles have been published in the Murray Shire's Enterprise newsletter and distributed to 3,910 residents.
Community Newsletter # 2	A second community newsletter was distributed in November 2009 and outlined progress to date, as well as providing information on the environmental assessment and community involvement process. The newsletter was distributed via the Project Information Centre, River Red Gum Showcase stall, and was available on the MDBA, Murray CMA and project websites.
Gunbower–Koondrook-Perricoota Reference Group	A Community Reference Group made up of interested stakeholders and community members met quarterly to discuss the progress of works. This group provided advice on the most effective methods of engagement and upcoming opportunities for consultation.



Tool	Purpose and activity to date
Presentations to community groups and adjacent landholders	The Murray Catchment Management Authority presented the project to community groups, Wakool and Murray Shire Councils, and indigenous groups including the Murray Aboriginal advisory group. Meetings were also held with 22 adjacent landholders in early 2009.
Information session	A community information session was held in Barham on 4 September 2009 to launch the Project Information Centre. The session provided an opportunity for the community to meet representatives from Forests NSW, the Murray Catchment Management Authority and the project's environmental assessment team to discuss any aspect of the project or to raise any concerns. Attendees were asked to complete surveys so that feedback could be included as part of the environmental assessment.
Community survey	On 21 September 2009, a fact sheet and community survey was issued to 170 stakeholders including adjoining landowners to the Koondrook-Perricoota Forest. A total of 38 surveys were completed (22% response rate). The results from the community survey were used to establish how the community uses the Forest and get feedback on support for the project.
Project Information Centre	A Project Information Centre was opened in Barham on 4 September 2009. The centre is operated two days per week and [provides an opportunity for members of the public to 'drop in' to obtain information about the project and provide direct feedback.
Project website	A project website www.kpforest.com.au was developed in October 2009 and officially launched on 2 December 2009. The site provides detailed information about the project, the environmental assessment process and the Living Murray Initiative.
The Living Murray Conference	Forests NSW presented the project at The Living Murray conference.
Project DVD	A DVD was developed to outline the project and launched in December 2009.

Table 4-2 provides a summary of the main issues raised by the community during consultation activities and where they are addressed in this environmental assessment.

Table 4-2 Summary of issues raised by the community

Summary of issue	Where addressed
Information was requested on the location of project infrastructure, including regulators and levees	Section 6.3
How would the project operate during managed events, and how would it operate during large 'natural' events?	Section 6.4
How high and wide would the downstream levee be?	Section 6.3
Where possible, project infrastructure should be located in existing cleared areas.	Section 6.3
What time of the year would flooding occur? There was concern that the flooding would occur at the wrong time of year (summer).	Section 6.4
There was concern regarding the cost of the project and that it is not justified.	Section 16.1



Summary of issue	Where addressed
Fishways should be installed to provide fish passage through the Forest	Section 6.4.5
Potential impacts of blackwater on ecology and potable water supplies	Sections 8.5 and 10.2.4
Impacts of erosion due to land disturbance	Section 11.2
Cultural heritage impacts, including the need to conserve Little Bonum Sand Hill for its cultural significance	Section 12.3
Where would the water for the project be sourced from?	Section 6.4
Concern that the inlet channel would divert excessive flood water away from the main river channel and put too much pressure on other levee banks.	Section 9.2
Concern that the project would restrict the floodplain and reduce inundation of surrounding properties	Section 9.2
Insufficient water would be supplied on an irregular basis	Section 6.4
Concern that the project would reduce the volume of water that is available for agricultural uses such as stock and food production.	Section 6.4
Concern that the project would reduce the volume of water that is available for domestic water use by adjacent landholders	Section 6.4
Concern that the project would affect 'natural' flood patterns	Section 9.2
More water should be diverted down Barbers Creek to the Wakool River	Section 6.4
Concern regarding impacts on biodiversity due to clearing that would be required.	Section 8.4
More resources should be put into weed and feral animal control.	Section 6.4
Concern regarding access to the forest during construction and operation. This included access for activities such as timber harvesting and fire fighting.	Sections 6.3 and 6.4
There is the potential to harvest timber cleared from the construction footprint.	Section 6.3
Ongoing community consultation and communication is required	Section 4.3
There were considered to be benefits associated with tourism and employment opportunities	Section 14.1

4.2 Consultation with government agencies

4.2.1 Project partners

There are a number of government agencies that are project partners with responsibility for the successful delivery of the project. As detailed in Table 4-3 and Table 4-4, each of the project partners has a distinct role to play in the delivery of the design and construction phases of the project.



The project partners have been intimately involved in throughout development of the concept design and subsequent preparation of the Environmental Assessment. These organisations have provided input to the project in a range of forums, including:

- Preparation of the Investment Proposal (DWE 2008) for the project;
- Preparation of the tender for the Environmental Assessment, including the scope of works;
- Attendance at project meetings during preparation of the Environmental Assessment; and
- Review of the Environmental Assessment prior to public exhibition.

Issues raised by the project partners have been addressed as part of the internal process of scoping, preparing, and reviewing the Environmental Assessment.

Table 4-3 Role of the proponents

Project partner	Description	Role on the project
NSW Office of Water (NOW)	NSW Water Manager. Leads the NSW commitment to the Living Murray Environmental Works and Measures Program out of which the project is funded. Ensures compliance with <i>Water Management Act 2000</i> . Balances responsibilities between NSW Water Clients. Directs the operations of NSW State Water in accordance with Water Sharing Plans, legislation and policies. Custodian of water management data and information – including hydrometric and licensing. Is responsible for reporting and budgeting.	Project Director. Project Delivery. Project Reporting and budgeting. Project co- proponent.
Forests NSW	Land owner and co proponent. Responsible for sustainable forest management in accordance with NSW policies and legislation and Ramsar commitments. Water manager within forests boundaries. Member of the The Living Murray Environmental Watering Group	Project proponent. Land Manager of the site. Manage forest assets to maximise project outcomes.

Table 4-4 Role of project partners other than the proponents

Project partner	Description	Role
DECCW	DECCW, (inter alia) manages the state's natural resources, including biodiversity, soils and natural vegetation manages natural and cultural heritage across the state's land and waters acts to minimise the impacts of climate change promotes sustainable consumption, resource use and waste management Regulates activities to protect the environment conducts biodiversity, plant, environmental and cultural heritage research to improve decision making. Member of the The Living Murray Environmental Watering Group	Environmental Legislation oversight Responsible for environmental water management and as such will be instrumental in providing direction and guidance on wider watering strategies.



Project partner	Description	Role
NSW State Water	NSW's rural bulk water delivery corporation that also manages, operates, and maintains NSW water regulation infrastructure. Manages and operates Murray Darling Basin Authority identified assets in accordance with the Murray Darling Basin Agreement. NSW State Construction Authority.	Design and Construction project manager.
Murray Catchment Management Authority (CMA)	The Murray CMA is a statutory authority with a responsible and accountable board reporting directly to the Minister for Environment and Climate Change. The Murray CMA engages regional communities in the key natural resources issues facing the catchment.	Directly liaise with the local community in aspects of the project that are of local interest.
Department of NSW Public Works – Project Management / Procurement	Project Management – NSW State infrastructure projects.	Draw all of the elements together and oversee the delivery of the project - including planning, financial management, steering committee coordination and management. Procurement and probity. Due diligence. Reporting. Risk Management. Program Management. Integration Management.
NSW Public Works – Water Solutions	Dams; geotechnical, mechanical and electrical engineering; natural waterways and river management; surveying; water management. Water infrastructure designs to Internet based information management providing real time data for environmental monitoring, among other services.	Provision of water infrastructure design and hydrological modelling.
Murray Darling Basin Authority (MDBA)	Reports to and advises the Basin Officials Committee (BOC) whose role it is to engender cooperation between jurisdictions in relation to the Murray Darling Basin Agreement and to make decisions about water sharing. The BOC is directed by the Murray Darling Basin Ministerial Council. Reports to and is directed by the Murray Darling Basin Ministerial Council.	The Living Murray EWMP program coordinator. Manages the funding for the EWMP and is responsible for the River Murray Directorate (formerly River Murray Water) which has oversight of the Murray shared storages and water management assets.



4.2.2 Consultation required by the Director-General's requirements

The Department of Planning convened a planning focus meeting for the project in April 2009. A site visit was also held on 22 April 2009 and was attended by the following organisations:

- ▶ Department of Planning;
- ▶ DECCW;
- ▶ Murray CMA;
- ▶ MDBA;
- ▶ State Water Corporation;
- ▶ Murray Shire Council;
- ▶ Wakool Shire Council;
- ▶ NOW;
- ▶ Forests NSW;
- ▶ Department of Industry and Investment - Fisheries; and
- ▶ NSW Office of Public Works.

The meeting provided an opportunity for the proponent to outline the need for the project and those issues considered to be key to the Environmental Assessment. It also provided an opportunity for discussion of potential impacts and the scope of investigations to be undertaken as part of the Environmental Assessment. Issues raised at the planning focus meeting and in subsequent responses to the Department of Planning were considered during preparation of the Director-General's requirements.

The Director-General's requirements (22 May 2009) specify that the following agencies must be consulted during preparation of the environmental assessment:

- ▶ Wakool Shire Council;
- ▶ Murray Shire Council;
- ▶ Murray CMA;
- ▶ DECCW;
- ▶ Department of Environment, Water, Heritage and the Arts (Federal);
- ▶ Department of Industry and Investment;
- ▶ NSW Office of Water;
- ▶ Department of Sustainability and Environment (Victoria);
- ▶ Department of Lands;
- ▶ MDBA; and
- ▶ South Australian Murray Darling Basin Natural Resources Management Board.

As indicated in Section 4.2.1, a number of these organisations are project partners and their issues have been identified and addressed as part of the internal process of developing the concept design and preparing the Environmental Assessment.



Key issues raised by agencies that are not project partners which have been raised during preparation of the Environmental Assessment are summarised in Table 4-5. These items are cross-referenced to the section where they are addressed in the environmental assessment.

Table 4-5 Summary of issues raised by government agencies

Issue	Where addressed
Wakool Shire Council	
Impact of construction traffic on road pavements should be considered.	Section 14.2
Murray Shire Council	
Construction planning should consider whether any roads need to be upgraded to accommodate construction traffic, such as Nineteen Mile Road and Perricoota Forest Road.	Section 14.2
Damage to roads due to construction traffic should be rectified following completion of construction.	Section 14.2
Department of Environment, Heritage, Water and the Arts	
What vegetation communities would be cleared for construction of the upstream and downstream infrastructure?	Section 8.4
Would any endangered ecological communities protected under the EPBC Act be cleared?	Section 8.4
To what extent does the potential procurement of private land for alignment of the downstream levee reduce the 170 ha of vegetation to be cleared?	Section 8.4
Is the design of the structures appropriate for Murray Cod, Murray Hardhead and Macquarie Perch and, if so, how was this determined?	Section 6.4.5
Does the design of the structures give invasive species a competitive advantage in excess of what already exists?	Section 8.5
Clarification as to whether the source of water drawn from the River Murray is via environmental flows purchased as part of buybacks/water efficiency savings or existing flows.	Section 6.4
Victorian Department of Sustainability and Environment	
Offered opportunity to comment on specialist studies. No response received.	NA



Issue	Where addressed
South Australian Murray Darling Basin Natural Resources Management Board	
Project briefings have been provided in various forums relating to The Living Murray initiative, including the Icon Site forum, which includes representatives from relevant government agencies from South Australia. Ongoing consultation would be undertaken with representatives from the South Australian Murray Darling Basin Natural Resources Management Board.	NA
Roads and Traffic Authority	
Roads used during construction should be upgraded to a standard suitable for use by heavy vehicles to meet any reasonable requirements that may be specified by the relevant roads authority	Section 14.2
Access road intersections are to be located, constructed and maintained so as to comply with RTA requirements.	Section 14.2
Flood events should be managed such that water does not pond against road infrastructure for extended periods of time due to the presence of the downstream levee and associated infrastructure.	Section 9.2

4.2.3 Consultation with the Fish Passage Taskforce

The Murray Darling Fish Passage Task Force (FPTF) was established to provide advice regarding river structures for the Living Murray Initiative to ensure that designs of structures are appropriate for fish passage. The FPTF is made up of specialist freshwater fish scientists, including Dr Martin Mallen-Cooper (Fishway Consulting Services), Dr Lee Baumgartner (NSW Industry and Investment - NSW Fisheries) and Dr Ivor Stuart (Senior Scientist Arthur Rylah Institute Victoria).

Representatives of the FPTF have provided advice on the need and type of fish passage required for each of the structures for the project. To assist with development of appropriate designs, representatives of the FPTF considered the likely model of fish movement and the likely impacts on fish passage.

Discussions were held with representatives of the FPTF regarding the fish passage requirements for each of the structures during development of the concept design. The FPTF representatives identified that the main issue for the design of the upstream structures is the ability of both small and large bodied fish to leave the forest during the recession phase of flood events. The other main objective for fish passage is to minimise mortality as fish leave the forest through the regulator structures.

Specific elements of the project that have been designed to ensure there is adequate provision for fish passage are detailed in Section 6.4.5.



Detailed design of the project would be overseen by a design and construction committee. This committee would include a representative of NSW Industry and Investment (NSW Fisheries) who would:

- ▶ Have input to the design process for the fishways;
- ▶ Ensure that the design has appropriate review within NSW Industry & Investment as it is developed; and
- ▶ Once a design has been agreed, present it to the FPTF.

4.2.4 Consultation with DECCW regarding development of an offset strategy

The Director-General's requirements stipulate that the project must include a strategy to offset adverse ecological impacts and achieve an improve or maintain outcome. This is referred to as an offset strategy. Representatives from DECCW, Forests NSW, NSW Office of Public Works and GHD discussed the scope of the offset strategy on 17 November 2009. The outcome was an agreement that the strategy should focus on offsetting the area of Inland Grey Box Woodland which is an endangered ecological community listed under the TSC Act that would be permanently removed to allow construction of the inlet channel. This vegetation community is not dependent on flooding and so would not benefit from the project

The area of Inland Grey Box Woodland set aside for the offset strategy would be located on the former private property known as Toorangabby that was purchased for the project. It would be managed in accordance with Forests NSW's Forest Management Zoning 3A – Harvesting Exclusion.

DECCW agreed that the strategy did not need to offset the effects of clearing other vegetation communities such as River Red Gum because they would benefit substantially from operation of the project.

The offset strategy agreed to with DECCW is detailed in Section 8.8.4.

4.3 Ongoing consultation

The proponent would continue to identify, address and manage issues of interest or concern to the community, landowners, government agencies or other interested parties during the assessment and approval process and during construction.

4.3.1 Consultation during exhibition of the Environmental Assessment

The Environmental Assessment would be advertised and placed on public exhibition for a minimum period of 30 days as required under Part 3A of the EP&A Act. The dates and venues of the public exhibition would be advertised in local and metropolitan media and would be available from the project website (www.kpforest.com.au).

During the exhibition period, government agencies, interested groups and organisations, and the community would be invited to make written submissions to the NSW Department of Planning in response to the assessment. Further community consultation would be held during the exhibition period to enable the community to comment and ask questions about details in



the Environmental Assessment. The planned consultation activities during the Environmental Assessment exhibition would include:

- Distribution of an Environmental Assessment summary brochure;
- Community information sessions;
- Meetings with stakeholders;
- Newspaper, radio and television advertisements – public exhibition notification;
- Website information; and
- Project information hotline.

4.3.2 Community engagement during construction

If the project is approved, the proponent would continue to work closely with stakeholders and the community to ensure they are kept informed about the project in a timely manner. Key activities and tools would include:

- Development and implementation of a detailed Community and Stakeholder Involvement Plan for the construction phase of the project;
- Aboriginal representatives engaged in on-site monitoring and consultation;
- Notification of any works that may later reduce access to the forest or disturb nearby landowners and forest users (such as noisy activities and changed traffic conditions);
- 24-hour toll-free community information phone line;
- Complaints management process;
- Regular updates to the project website (www.kpforest.com.au);
- Regular community newsletters, information brochures and fact sheets;
- Signage at construction sites;
- Media releases and regular newspaper advertisements in local papers;
- Regular government agency meetings; and
- Regular briefings for key stakeholders (including councils and landowners).

