

## 6

This chapter describes the objectives and extent of the consultation undertaken for the project.

Director-General's Requirements	Where addressed
The Environmental Assessment must reflect an appropriate and justified level of consultation with relevant stakeholders during the preparation of the Environmental Assessment, including:	Sections 6.3 and 6.5, and Appendix C
<ul style="list-style-type: none"> <li>• Department of Environment, Climate Change and Water.</li> <li>• Department of Industry and Investment.</li> <li>• NSW Office of Water.</li> <li>• Clarence Valley Council.</li> <li>• Richmond Valley Council.</li> <li>• Special interest groups including Aboriginal stakeholders.</li> <li>• The public and affected landholders.</li> </ul>	
The Environmental Assessment must:	
<ul style="list-style-type: none"> <li>• Outline the consultation process.</li> </ul>	Section 6.1
<ul style="list-style-type: none"> <li>• Document all consultation undertaken to date.</li> </ul>	Sections 6.1 and 6.3
<ul style="list-style-type: none"> <li>• Identify the issues raised (including where these have been addressed in the Environmental Assessment).</li> </ul>	Sections 6.4 and 6.5

Consultation for this project commenced in November 2004 during the preliminary investigations for the broader Iluka Road to Woodburn Pacific Highway Upgrade. Consultation for the project, specific to Devils Pulpit, commenced with the RTA media release notifying of the lodgement of a project application with the Department of Planning, 16 October 2009.

This is available for viewing on the Pacific Highway Upgrade Program website, at [www.pacifichighwayupgrade.com.au/iluka/html/public.htm](http://www.pacifichighwayupgrade.com.au/iluka/html/public.htm).

Included in this section (below) is a description of the consultation undertaken for the broader Iluka Road to Woodburn upgrade, relevant to the project. Consultation activities undertaken during preparation of the Environmental Assessment are also detailed. Key issues raised throughout the consultation process are summarised. Future consultation activities are outlined.

## 6.1

Consultation is an integral aspect of the assessment of major projects in NSW under Part 3A of the *EP&A Act*. Consulting stakeholders of a project enhances project outcomes by:

- Facilitating input by relevant stakeholders.
- Avoiding delays by addressing stakeholder concerns before lodgement.
- Building relationships between the proponent and stakeholders.

The consultation process involves the following steps:

- Definition of consultation objectives for the project.

- Identification of relevant stakeholders.
- Communication and liaison with identified stakeholders to determine and document interests and needs.
- Communication and liaison with identified stakeholders to confirm and document intended delivery actions to address needs and interests.
- Communication and liaison with identified stakeholders to provide project updates and obtain feedback.

Consultation for the project conforms with the community involvement plan established in 2004 for the broader Iluka Road to Woodburn Pacific Highway Upgrade. It is also consistent with the RTA Community Involvement and Communications Draft Resource Manual (2008).

The principles guiding the development of the community involvement plan included inclusiveness, trust, transparency and responsiveness. These principles were maintained during the various stages of the development of the Iluka Road to Woodburn Pacific Highway Upgrade and will continue to shape consultation during subsequent stages of project planning and delivery.

The community involvement plan identified all stakeholders for the Iluka Road to Woodburn Pacific Highway Upgrade and provided a range of opportunities for these stakeholders to express their views and be heard. These included a planning focus meeting, community information sessions, community updates (news releases) and the establishment of a telephone enquiry line. Elements of these consultation activities were replicated in the consultation process for the project.

A Devils Pulpit Project Consultation Management Plan was developed in December 2009 as an addendum to the Iluka Road to Woodburn community involvement plan. Communications and reporting protocols are clearly outlined in the Consultation Management Plan to maintain consistency in communications and reporting. Importantly, the Consultation Management Plan provides a framework that enables the management of all aspects of the stakeholder consultation process to be undertaken in a structured and transparent manner.

The Consultation Management Plan is evidence of the RTA's fulfilment of the duties of a proponent as specified in the Guidelines for Major Project Community Consultation (DoP 2007). This chapter reports on the consultation process in accordance with these guidelines.

The approach to consultation to date has been to actively involve stakeholders and the wider community in each phase of the project. The RTA has welcomed community feedback at any time during the project development process.

## 6.2 Consultation objectives

The key objectives of the stakeholder consultation process for the investigations phase of the Devils Pulpit Upgrade include:

- Ensuring stakeholder input received during the concept design is carried over into subsequent development stages for consistency and continuity of information and relationships.

- Continuing existing stakeholder involvement, and initiating new involvement, as early as possible to enable genuine input to the design of the project.
- Being explicit about the purpose of the process and the level of stakeholder involvement and influence.
- Providing avenues for two-way communication with all stakeholders to understand their issues and, as far as possible, addressing them.
- Ensuring all communication with stakeholders is systematically documented in the stakeholder consultation database.
- Building trust through open and fair processes with all stakeholders.
- Being flexible in the design of the consultation process to respond to emerging needs.

The objectives for the Devils Pulpit Environmental Assessment exhibition phase are to:

- Build interest in the project within the wider community and among key stakeholders.
- Raise awareness of the Environmental Assessment exhibition, and associated events and displays.
- Provide interested parties with information on how to make a submission on the Environmental Assessment.

Following the Environmental Assessment exhibition phase, all stakeholders will be advised whether or not the project is approved. Further consultation would occur during the detailed design and construction phase, should the project proceed.

## 6.3 Consultation for Iluka Road to Woodburn project to date

Consultation for the Iluka Road to Woodburn Pacific Highway Upgrade has changed in focus and method throughout its different stages. The implementation of the consultation process has evolved along with the development of the project to a preferred option, and then to refinement of the concept design. The opportunity for two-way information flow between stakeholders and the project team has been ongoing throughout this process.

The RTA has maintained an 'open door approach' whereby feedback has been welcomed at all stages of the project. The findings of the consultation process to date indicate no major objections to the Devils Pulpit upgrade and general support for the project and its location.

### 6.3.1 Identification of key stakeholders

Key stakeholders with an interest in the project were identified during the early phases of the wider Iluka Road to Woodburn Pacific Highway Upgrade project and recorded in the stakeholder database for the project. This has been continually updated during the development of the concept design and preferred concept design.

The key stakeholder groups identified included local residents and businesses in the vicinity of the project corridor, local councils and numerous government departments. Stakeholders engaged thus far and identified as relevant to the Devils Pulpit Upgrade are listed in **Table 6-12**.

**Table 6-12 Stakeholders of the Devils Pulpit Upgrade**

Stakeholder group	Specific stakeholders
State Government agencies	NSW Department of Environment, Climate Change and Water (including National Parks and EPA) NSW Department of Planning, including NSW Heritage Branch NSW Industry & Investment (Forests)(Fisheries)(Minerals) NSW Office of Water NSW Ambulance Service NSW Fire Brigades Rural Fire Service
Local government	Clarence Valley Council Richmond Valley Council
Local community	Local businesses (eg New Italy Museum Complex and Driver Reviver) Property owners in the immediate vicinity of the project
Aboriginal Groups	Yaegl Local Aboriginal Land Council Ulgundahi Elders Bogal Local Aboriginal Land Council Bandjalang Aboriginal Corporation Jali Local Aboriginal Land Council Ngulingah Local Aboriginal Land Council
Public and private utility authorities and providers	Telstra Country Energy

## 6.3.2 Key consultation activities before commencement of Environmental Assessment

### Concept design phase

Consultation for this project commenced in November 2004 in the preliminary investigations for the broader Iluka Road to Woodburn Pacific Highway Upgrade project. These preliminary studies investigated the key technical and environmental characteristics of the study area including geotechnical, traffic and transport, ecology, heritage, archaeology, land use, planning and zoning, socio-economic, water quality, hydrology, and acoustic, leading to the development of a Concept Design Report (RTA 2006).

The key consultation activities undertaken in the preparation and review of the concept design are described below.

#### Information releases

Access to project information was through community updates, public displays and the project internet site: <[www.pacifichighwayupgrade.com.au/iluka/html/public.htm](http://www.pacifichighwayupgrade.com.au/iluka/html/public.htm)>. These activities commenced in November 2004, with information updated throughout the route investigation and concept design phases. A community update was released as part of the concept design display phase in March 2006. Other progress updates have been released on three occasions via mail and internet (October 2005, December 2005, February 2007 and July 2008).

### **Community information sessions**

Structured community forum sessions open to the general public provided a range of opportunities for exchange of information, where study team members provided information and answered questions. The community information sessions have included presentations, display material and community input.

There were three community information sessions before the release of the Preferred Concept Plan in July 2008, in December 2004, March 2005 and April 2006. The first community information session (14 December at Woodburn) was to introduce the community to the project. The second (8 March 2005 at New Italy) was to discuss route option planning; the third (April 2006 at Woodburn) involved discussion of the published Concept Design Report (RTA 2006). Local residents were notified by mail and advertisements were placed in local newspapers for these information sessions.

### **Property visits**

Directly affected property owners and residents were individually consulted at their properties. This activity has been used to engage the potentially affected landholders along the Pacific Highway in the initial phases of the project.

### **Feedback opportunities**

The RTA has provided stakeholders with a range of means to obtain information or make submissions. These include the face-to-face opportunities described above and the provision of access to key project staff. The project has a dedicated telephone information line with direct contact to the RTA Project Manager and the project Community Liaison Coordinator, project website, email address and mail address. These have been available since November 2004.

### **Aboriginal focus meeting**

This meeting was held in June 2007. In accordance with DECCW 'Interim Community Consultation Requirements for Applicants', persons with a registered interest as well as members from the Local Aboriginal Land Councils were invited to attend. Representatives from Bandjalang Aboriginal Corporation, Ulgundahi Elders, and Bogal, Jali and Ngulingah Local Aboriginal Land Councils were invited. Aboriginal heritage was discussed at the meeting and a bus tour of the route was held.

### **Concept design display**

This display ran from 30 March to 28 April 2006. The advertised display locations were:

- RTA Woodburn Community Information Centre.
- New Italy Museum Complex.
- Clarence Valley Council.
- RTA Pacific Highway Office.

Posters were also displayed at the Richmond Valley Council (Evans Head office) and the RTA Ballina Motor Registry. The RTA Woodburn Community Information Centre was staffed with study team members from 7–8 April 2006. Advertisements were placed in local newspapers to advise of the concept design display.

### Other meetings and correspondence

Meetings involved councils, government agencies and other key stakeholders as identified in Table 6-13.

## Preferred concept design phase

### Preferred concept design display

This display ran from 30 July to 29 August 2008. The advertised display locations were:

- RTA Woodburn Community Information Centre.
- New Italy Museum Complex.
- Clarence Valley Council.
- RTA Pacific Highway Office.
- Richmond Valley Council (Evans Head office).
- RTA Ballina Motor Registry.

Advertisements were placed in the *Northern Star* and *The Daily Examiner* (both 31 July 2008) to advise of the preferred concept design display.

### Consultation with property owners

As part of the preferred concept design display, community updates and feedback forms were sent to about 290 landowners and residents surrounding the study area. About 58 properties with around 32 owners were identified as potentially directly affected by the proposed upgrade of the highway.

On the day of the announcement, all of these property owners were telephoned and sent information to advise of the potential acquisition of a portion of their property to accommodate the proposed upgrade. Subsequent property owner meetings were held at the RTA Woodburn Community Information Centre or at the subject properties. Letters were also sent to about 33 property owners adjacent to the highway to advise that, at this stage, their property would not be directly affected by the currently proposed upgrade.

### Consultation with government agencies

The Preferred Concept Design Report (RTA 2008) was sent (on CD) to relevant government agencies, including:

- Richmond Valley Council.
- Clarence Valley Council.
- Department of Primary Industries (Fisheries, Forests and Minerals) (now Industry & Investment NSW).
- Department of Planning (including Heritage Branch).
- Department of Environment and Climate Change (now DECCW).

Responses were recorded, collated and addressed in the Preferred Concept Design Submissions Report (RTA 2008).

### Community updates

Community updates were sent to 168 businesses, community groups and other stakeholders in July 2008.

### Meetings

A meeting was held with one stakeholder in response to the preferred concept design display (New Italy Museum Complex and Driver Reviver, 30/09/08).

### Archive of past consultation activities

Copies of these reports, community updates, information releases and notes from various meetings have been available for viewing or downloading on the project website:

<[www.pacifichighwayupgrade.com.au/iluka/html/public.htm](http://www.pacifichighwayupgrade.com.au/iluka/html/public.htm)>. Interested parties who did not have access to the internet were able to request that reports and associated information be sent to them on CD or hardcopy.

## 6.3.3 Issues raised during concept design and preferred concept design phases

The community, government agencies and councils have raised a range of issues throughout the development of the project. The project team has responded by investigating the issues and, where practicable and appropriate, by implementing the idea/option. The key issues relating to the project were:

- Property access and impacts.
- Impacts on flora and fauna (especially threatened species) and potential loss of biodiversity.
- Heritage value of the New Italy area.

Issues such as access and property impacts were generally addressed during meetings by the provision of more specific details to individual landholders. In a few cases, the issues informed the design and the Environmental Assessment.

## 6.3.4 Consultation during Environmental Assessment preparation

During the preparation of this Environmental Assessment, consultation with various stakeholders was undertaken (**Table 6-13**) and the outcomes recorded (detailed further in section 6.3.5).

**Table 6-13 Consultation during Environmental Assessment preparation**

Consultation	Details
Public stakeholders (affected landowners and special interest groups)	<p>Media Release announcing funding for the Devils Pulpit upgrade – 16 October 2009.</p> <p>Telephone discussions and visits with landowners advising of proposed environmental and geotechnical investigations.</p> <p>Project Application report placed on the NSW DoP website and notification in the <i>Grafton Daily Examiner</i>, 17 October 2009.</p> <p>Devils Pulpit Upgrade Preliminary Environmental Assessment – September 2009. Available on RTA website.</p> <p>Letter notification and subsequent visit for discussion with affected property owners regarding Devils Pulpit upgrade – week beginning 18 January 2010.</p>
Clarence Valley Council and Richmond Valley Council	Input received via stakeholder workshop held with government departments 26 November 2009. Request for update presentation pre-exhibition.
DECCW and I & I (Fisheries)	Devils Pulpit Upgrade Agency Workshop held on 26 November 2009. The Alliance clarified the purpose of this workshop, aims of consultation and established possibility of early involvement with these stakeholders beyond the agencies' submissions in response to the Preliminary Environmental Assessment. Biodiversity connectivity workshops were held 22/12/09, 07/01/10 and 03/02/10.
Commonwealth Department of Environment, Water, Heritage and the Arts (DEWHA)	Invited to attend Agency workshop on 26 November 2009. Additional consultation with respect to potential referral under <i>EPBC Act</i> held on 12 February 2010.

### 6.3.5 Issues raised during environmental assessment preparation

Issues raised by stakeholders that were specific to the context of the project are summarised in **Table 6-4**. A reference to sections and/or chapters of the Environmental Assessment that address the respective issues is also provided in **Table 6-14**. This list reflects the issues raised in agency submissions to the Preliminary Environmental Assessment that helped guide the establishment of the Director-General's Requirements for the Environmental Assessment, as well as those issues raised during the consultation activities undertaken during Environmental Assessment preparation.

**Table 6-14 Issues raised during the preparation of the Environmental Assessment**

Issues raised	Environmental assessment reference
Department of Environment Climate Change and Water	
Impact on Aboriginal cultural heritage values	Section 10.4
Impact of particulates and/or other air emissions	Section 10.8
Integration of water quality control design and management into the design solution during construction and operation	Chapter 9 and Section 10.3
Connectivity	Chapter 7
Impact on existing flooding and drainage patterns	Chapter 8 and Appendix E
Management of vegetation waste produced from clearing	Section 10.11
Statement of commitments	Chapter 12



Issues raised	Environmental assessment reference
Impact on threatened species (Purple-spotted Gudgeon and Oxleyan Pygmy Perch) and their habitats	Chapter 7 and Appendix D
Mitigation of noise and vibration impacts during construction	Section 9.1
Impact on riparian vegetation, fish passage and water quality in the watercourses for the duration of the construction works	Section 9.3, Chapters 7 & 8 and Appendices D & E
Impact of acid sulphate soils	Section 9.3
Resourcing of materials/fill and storage of surplus and/or balances within sections of the project	Section 4.5
Separation of carriageways	Chapter 4
Provision of ancillary facilities	Chapter 4
Department of Primary Industries (Forests)	
Management of vegetation waste produced from clearing	Section 10.11
Department of Primary Industries (Fisheries)	
Impact on threatened species (Purple-spotted Gudgeon and Oxleyan Pygmy Perch) and their habitats	Chapter 7 and Appendix D
Office of Water	
Impact on groundwater resources and groundwater dependent ecosystems	Chapters 7 & 8 and Appendices D & E
Sustainability of water usage during construction, particularly with regards to impact on equitability of existing distribution of water licences	Chapter 9 and Section 10.6
Richmond Valley Council	
Transfer of capital assets	Section 10.6
Clarence Valley Council	
No issues raised	
Landowners	
Local road access and road safety	Sections 3.4 and 10.6
Property acquisition	Sections 3, 4 and 10.6
New Italy Driver Reviver	
Impact on New Italy Driver Reviver	Sections 4, 9 and 10.6

## 6.4 Consultation proposed during Environmental Assessment exhibition

Under section 75H of the *EP&A Act*, the Department of Planning requires public exhibition of the Environmental Assessment for a minimum of 30 days. The Environmental Assessment will be available for viewing at the following locations:

- Department of Planning, Head Office, 23–33 Bridge Street, Sydney (Monday–Friday, 8.30am–4.30pm).

- RTA Pacific Highway Office, 21 Prince Street, Grafton (Monday–Friday, 8.30am–4.30pm).
- Clarence Valley Council, 2 Prince Street, Grafton (Monday–Friday, 8.30am–4.30pm).
- Clarence Valley Council Maclean Office, 50 River Street, Maclean (Monday–Friday, 8.30am–4.30pm).
- RTA Ballina Motor Registry, Shop 1–4 Ballina West Shopping Centre, Pacific Highway, Ballina (Monday–Friday, 8.30am–4.30pm).
- New Italy Museum Complex, Pacific Highway, New Italy.
- Richmond Valley Council Evans Head office, 19–25 Woodburn Street, Evans Head (Monday–Friday, 8.30am–4.30pm).
- Richmond Valley Council Casino office, Grahams Place (corner of Walker Street) (Monday–Friday, 8.15am–4.30pm).

Staffed displays and stakeholder meetings will be held during the exhibition of the Environmental Assessment to enable community representatives to ask questions and to provide further information for consideration in the assessment process. Staffed displays will be at the following locations:

- New Italy Museum Complex, Pacific Highway, New Italy (9am–1pm on one Friday in June).
- RTA Pacific Highway Office, 21 Prince Street, Grafton (Monday–Friday 8.30am–4.30pm).

The Environmental Assessment will also be available on the Department of Planning's website as follows:

- <<http://www.planning.nsw.gov.au>> (to access this, click on 'Development Assessment', then 'On Exhibition', then 'On Exhibition Major Projects Part 3A').

There is also a direct link for Part 3A projects on exhibition:

- <<http://www.majorprojects.planning.nsw.gov.au/page/on-exhibition/>>

During the Environmental Assessment exhibition, the community, government agencies and other interested parties are invited to make written submissions on the project to the Department of Planning.

Following exhibition of the Environmental Assessment, the Director-General, Department of Planning will consider the submissions received and provide copies of submissions or a report containing a summary of the issues raised to the RTA. These submissions will be addressed and responded to by the RTA in a Submissions Report and forwarded to the Department of Planning for its consideration.

The Director-General, Department of Planning will prepare a report on the project. The Minister for Planning will consider any advice from the Minister for Roads and the Director-General's report. The Minister for Planning will then decide whether or not to approve the project and the conditions to be attached. Further details on the exhibition of the Environmental Assessment and what happens afterwards can be found in the executive summary of this report.

## 6.5 Consultation proposed during construction

Should the project be approved by the Minister for Planning, then ongoing consultation would be undertaken with the community and stakeholders as part of the construction of the project to assist in managing impacts and delivering an effective and timely project. The methods employed and stakeholders targeted as part of this consultation and communication would be documented in the Construction Environmental Management Plan. As a minimum, consultation would include:

- NSW Fire Services, Rural Fire Brigade and NSW Ambulance Service – to enable compliance with up-to-date emergency response procedures during construction and operation, and to ensure that the construction of the upgrade facilitates do not constrain emergency services response in this area.
- Richmond Valley and Clarence Valley Councils – to manage and minimise any impacts on infrastructure.
- The surrounding community – they would be provided with regular updates throughout the remainder of the planning and construction phases.
- Nearby landowners and residents, businesses, and community facilities – they would be notified at least five days before the commencement of construction activities in order to minimise any disruption to access. In addition, notices relating to road works and road network access changes would be placed in local newspapers and letterbox dropped at least five days before the change.

Further details of the communication and consultation procedures proposed are provided in the draft statement of commitments in Chapter 12

