

Coffs Bypass Action Group (CBAG) Coffs Harbour Bypass Environmental Impact Statement (EIS) Submission



Coffs Bypass Action Group acknowledges the traditional custodians of this land, the Gumbaynggirr people and pays respect to their Elders, past and present.

Section 1 Introduction – Context and Content

Context

The Coffs Bypass Action Group (CBAG) is a community-based organisation whose mission is to ensure the best outcome is achieved for the Coffs Harbour Bypass (the project) for the benefit of the community at large.

CBAG represents the Coffs Harbour community of over 70,000 people and includes Aboriginal people, farmers, and residents that will be directly and indirectly affected by the project. CBAG members also include subject matter experts, and people from areas not affected by the project.

CBAG has a Steering Committee (SC) and its role is to support CBAG to achieve its mission.

Currently CBAG SC is composed of:

- Brian Polack,

- Cheryl Cooper,
- Craig Murray,
- Marina Rockett,
- Marnie Cotton, and
- Rod McKelvey.

Previous CBAG SC include:

- Graham Stubington, and
- Peter Walsh.

CBAG SC representatives have, among many other things:

- lived in the area for over 50 years,
- continuously and proactively kept informed about the progress of the development of the project and been “involved” since circa 2004,
- consulted with Roads and Maritime Services (RMS) now Transport for NSW (TfNSW),
- consulted with and advised Coffs Harbour City Council,
- consulted with the Coffs Harbour & District Local Aboriginal Land Council,
- undertaken independent noise testing, reviewed current international best practices and recommendations, reviewed EIS noise testing methodologies and modelling and undertaken analysis of same,
- consulted with local suburb and residential estate groups and representatives,
- personally, met many residents in their homes, and farmers on their land, kept them informed, and genuinely listened to understand their concerns,
- devised and proposed potential alternate solutions, supported with estimates, to preserve Aboriginal cultural heritage, minimise environmental impacts, and address residents and farmers concerns,
- engaged directly with Department of Planning Industry & Environment (DPI&E),
- participated in the Coffs Harbour Bypass Community Consultative Committee, and
- reviewed the current TfNSW Refined Concept Design and EIS.

Ever since the publication of the then RMS (now TfNSW) September 2018 Refined Concept Plan CBAG has lost trust in, and there has been a severe lack of transparency from TfNSW. This lack of transparency has been demonstrated by the reluctance by TfNSW to provide both information and documents relating to the project including individuals having to make formal requests for information and applying, attending and bearing costs for hearings by the New South Wales Civil and Administrative Tribunal to obtain documents that the Tribunal agreed were in the public interest.

Although some trust has been restored with the release of the September 2019 Refined Concept Plan (which includes 3 “proper” tunnels) and the EIS, transparency continues to be

of concern. Recently (over three weeks ago) CBAG SC representatives have formally requested information from TfNSW, and other than receiving an almost generic response *“Thanks for your e-mail. Following up with the project team on your requests below and will get back to you.”* the requested information has still not been provided (to midnight Saturday 26 October 2019).

CBAG continues to be hopeful of a future of improved transparency from, and trust of, TfNSW but unfortunately much of CBAG’s submission to the September 2019 Refined Concept Plan and the EIS (CBAG’s Submission) is from this current perspective.

Content

The CBAG’s submission content is composed of:

- **Section 1 Introduction – Context and Content** (this document) compiled by Craig Murray on behalf of CBAG.
- **Section 2 Submissions.** This section is composed of specific submissions relating to various attributes, elements, aspects, or parts (concerns) with the September 2019 Refined Concept Plan and/or EIS.

Section 2 Submissions is composed of:

- **2.1 Submission 2019 Refined Concept Design & EIS Checklist.** This submission is a high-level summary of the main concerns and subject matter of discussions at CBAG SC and General Meetings. This checklist was developed by CBAG SC as a methodology to recognise and identify key Coffs Harbour Bypass community concerns and the perceived status of same. Green representing community support, orange representing some community concerns, and red representing major community concerns.
- **2.2 Submission compiled by Rod McKelvey on behalf of CBAG** covering Noise and Vibration, Biodiversity, Urban Design, Aboriginal Cultural Assessment, Hydrology, Dangerous Goods, Air quality and other concerns. This submission has a referenced attachment 2.2A Attachment A EIS Vol 5 Biodiversity maps and also refers to 2.5 Submission jointly prepared by, and on behalf of, the Coffs Harbour & District Local Aboriginal Land Council and associated (see below).
- **2.3 Submission compiled by Brian Polack on behalf of CBAG** covering Operational Noise Assessment concerns. This submission has a referenced attachments 2.3A CBAG Operational Noise Assessment Submission by EIS Chapter, 2.2B.A CBAG Data Appendix A, 2.2B.B CBAG Data Appendix B, 2.2B.C CBAG Data Appendix C, and 2.2B.D CBAG Data Appendix D.

- *2.4 Submission compiled by CBAG SC Craig Murray on behalf of CBAG* covering Vibration, Flooding, Noise, Detailed Design including Coramba Road Interchange, RMS 2018 Preferred Concept Design submissions, and Contract Delivery Methodology.
- *2.5 Submission jointly prepared by, and on behalf of, the Coffs Harbour & District Local Aboriginal Land Council and associated* covering Aboriginal cultural heritage, potential unidentified ancestral burials and archaeological deposits and other concerns.
- *2.6 Submission compiled by Paul Sparke on behalf of a North Korora Estate resident group* covering the road alignment design of the section that runs adjacent to Coachmans Close, Korora and other concerns. This submission has a referenced attachment 2.6A Attachment A 2018 Submission.
- *2.7 Submission prepared by Brian Polack CBAG SC representative* covering operational traffic noise. This submission has a referenced attachments 2.7A Appendix A, 2.7B Appendix B, 2.7C Appendix C, and 2.7D Appendix D.
- *2.8 Submission prepared by Cheryl Cooper CBAG SC representative* covering noise, detailed and interchange designs, construct only contract, Roselands Estate, the current design and condition of Coramba Road, vehicles carrying dangerous goods and other concerns.
- *2.9 Submission prepared by Marina Rockett CBAG SC representative* covering transparency and consultation, noise and vibration, design speed limit, interchange designs, construct only contract, the current design and condition of Coramba Road, vehicles carrying dangerous goods and other concerns.
- *2.10 Submission prepared by Marnie Cotton CBAG SC representative* covering communications, trust, noise and traffic, construct only contract, consultation, biodiversity and other concerns.

It is acknowledged that some of the submissions and covered concerns are in some cases repeated across submissions and on occasions may not consistently cross reference. This is due to the limited time available to prepare CBAG's Submission compared with the complexity of the project, the significant quantum of documentation released with the 2019 Refined Concept Design and EIS, the sensitive environment and Aboriginal Cultural Heritage significance of the corridor that the Coffs Harbour Bypass project will impact upon, and the number of people that will be directly and indirectly affected by the project.

Consistent with CBAG's hope for a future of improved transparency and trust, CBAG remains open and available to clarify or discuss any inconsistencies or concerns with TfNSW or DPI&E. Similarly, if TfNSW or DPI&E form the view that any part of CBAG's Submission may have misinterpreted the EIS content, then CBAG is also open and available to clarify or discuss.

- **Section 3 Draft Ministerial Conditions of Approval.**

This section, compiled by Craig Murray on behalf of CBAG, is composed of three draft suggested specific Ministerial Conditions of Approval (CoA) that CBAG requests the DPI&E to use in preparation of the recommended Ministerial CoA for the project. The draft suggested CoA are intended to address only some of the major concerns raised in CBAG's Submission. CBAG is counting on DPI&E to ensure that TfNSW, as the proponent for the project, fulfils its obligations in a diligently and comprehensively in open and transparent consultative manner. Also, where necessary, to prepare complementary Ministerial CoA to cover the other concerns raised in CBAG's Submission.