



Transport
Roads & Maritime
Services

SUBMISSIONS REPORT

Nambucca Heads to Urunga Upgrade Rest Area and Interchange Refinement

JANUARY 2013



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Document Controls

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Executive Summary

The Warrell Creek to Urunga Pacific Highway Upgrade Project was approved by the Minister for Planning and Infrastructure on 19 July 2011 under Part 3A of the Environmental Planning and Assessment Act and is a critical infrastructure project. Nambucca Heads to Urunga is being progressed as the first stage of this project.

The former Roads and Traffic Authority¹ (RTA) conducted a design review workshop on 17-18 May 2011. This identified 11 locations within the current concept design with potential safety, design or environmental issues. One of these locations was the Nambucca Heads interchange and proposed rest area.

RMS reviewed the original concept design and investigated a number of alternatives for the interchange and rest area. After assessment of potential alternative configurations, it was apparent that there were significant advantages in a design refinement that comprised:

- Relocation of the interchange about 80-100 metres to the south, avoiding a previously affected environmentally sensitive area (Subtropical Coastal Floodplain Forest EEC (endangered ecological community) adjacent to Boggy Creek)
- Relocation of the proposed rest area, shifting it from the eastern side of the upgrade to the western side, and generally to the immediate northwest of the relocated interchange.

The refined design was detailed in an RMS community update which was mailed out to residents and interested parties registered on the project database. The community update was issued on 6 September 2012 and invited feedback on the design refinement. Information relating to the design refinement was also made available through the RMS website. The community was given two weeks to provide comment.

A total of eight private submissions were received in regard to the refined interchange and rest area design, these are addressed in this submissions report, including issues raised and responses to those issues. Seven of the submissions were from individuals. The majority of submissions indicated support for the refinements. The eighth submission was from the Macksville Chamber of Commerce and raised a number of concerns regarding the overall project.

The issues raised in submissions related to the following matters:

- Consultation
- Design
- Property
- Noise
- Social and Economic

In addition to this community consultation, the draft Environmental Assessment for the refinement was distributed to the relevant authorities. Their issues raised and responses are collated and summarised in this report.

¹ The part of the RTA that managed delivery of road network infrastructure was incorporated into Roads and Maritime Services (RMS) when it was created on 1 November 2011.

1 Introduction

1.1 Project overview

The Pacific Highway is part of the National Land Transport Network. The Australian and NSW governments have been jointly upgrading the Pacific Highway since 1996.

Both governments have a shared commitment to upgrade the 667 kilometre section of the Pacific Highway between Hexham (near Newcastle) and the Queensland border, as part of the Pacific Highway Upgrade Program to four-lane divided road.

Currently, 346 kilometres of the highway has been upgraded to a dual-lane divided road. A further 73 kilometres are being constructed and environmental assessments or concept designs are being prepared on the remaining kilometres.

The proposed upgrade of the Pacific Highway between Warrell Creek and Urunga is 42 kilometres in length, commencing at the northern end of the existing dual carriageway highway at Allgomeria (referred to as the Allgomeria deviation), connecting with the existing Waterfall Way interchange, north of Urunga.

The Project was approved by the Minister for Planning and Infrastructure on 19 July 2011.

1.2 Background to the refinement

Planning for the Project commenced in 2003 and throughout this process there was ongoing community and stakeholder involvement. As part of the preferred route development process, various options were investigated and a concept design for the preferred alignment was prepared by RMS. This concept design formed the basis of the Environmental Assessment and subsequent project approval.

Just north of Nambucca Heads, the original concept design presented in the Project EA comprised a grade-separated interchange with a roundabout either side of the highway connecting to local roads and an interconnecting bridge across the highway.

RMS has continued to review this original concept design and investigated a number of alternatives for the interchange and rest area. After assessment of potential alternative configurations, it was apparent that there were significant advantages in a design refinement that comprised:

- Relocation of the interchange about 80-100 metres to the south, avoiding a previously affected environmentally sensitive area (Subtropical Coastal Floodplain Forest EEC (endangered ecological community) adjacent to Boggy Creek)
- Relocation of the proposed rest area, shifting it from the eastern side of the upgrade to the western side, and generally to the immediate northwest of the relocated interchange.

The design refinement impacts a single property (5 Boggy Creek Road, Valla) which has been wholly acquired by RMS. The topography is locally variable but generally slopes downward in a south-west to north-east direction toward Boggy Creek. The property has been subject to previous rural development including construction of two farm dams. The proposed rest area location would require a refinement to the Project boundary. The required boundary refinement has been assessed separately together with other Project boundary changes under the *Nambucca Heads to Urunga Refined Project Boundary Environmental Assessment*.

The interchange remains within the Approved Project boundary and its configuration is largely unchanged apart from the local road and rest area connections, mostly at the western roundabout. A stub is provided from the western roundabout terminating at the south-western corner of the rest area to provide for future development.

1.3 Purpose of this document

All submissions received have been collated and reviewed to identify the issues raised. Consideration of these issues is documented in this report together with the associated RMS responses. An overview of the issues raised is provided in Section 2. Detailed responses to issues raised are provided in Section 3.

2 Exhibition of the refined design

The draft alignment review report was placed on public exhibition (on the RMS project website) from 6 September 2012 to 21 September 2012. Printed copies were also distributed via an RMS community update to all residents and interested parties registered on the project database.

Submissions were invited from the community and other stakeholders.

The existing toll free project information line for the Pacific Highway Upgrade allowed members of the community and other stakeholders to contact the project team with any comments or questions they might have regarding the design refinement.

A total of eight submissions were received in response to the exhibition of the design refinement. All but one submission were from individuals. The exception was from the Macksville Chamber of Commerce.

All submissions have been considered.

It should be noted that it is RMS policy not to identify the authors of submissions where these are made by individuals.

Consultation with key authorities was carried out by RMS following the exhibition period. This included distribution of the draft Environmental Assessment to:

- Nambucca Shire Council
- Environment Protection Authority (EPA)
- Aboriginal Heritage Unit (North East) of the Office of Environment and Heritage (OEH)
- Department of Primary Industries-Fisheries Conservation and Aquaculture (DPI Fisheries).

3 Responses to issues

3.1 Overview of issues raised

Each submission has been examined to identify the issues raised. These have been extracted and collated, and corresponding responses to the issues have been provided. Where similar issues were raised in different submissions, only one response has been provided. The issues raised and the RMS response to these issues forms the basis of this section of this report.

The majority of submissions indicated support for the approved alignment.

Table 1 lists the issues raised, the submission(s) in which they were raised and where in this section the response is provided. Submissions 1 and 3-8 are from private individuals (note: numbering is arbitrary). Submission 2 was from the Macksville Chamber of Commerce.

Table 1 Issues raised in submissions

Issue	Submission	Where addressed
<i>Consultation</i>		3.2
1. Lack of consultation and transparency regarding the project.	2	
<i>Design</i>		3.3
1. Suggestion to refine the eastern roundabout to more evenly distribute the entry and exit points.	4	
2. Request for an on ramp and off ramp to the new highway at Valla Road.	8	
<i>Property</i>		3.4
1. Expression of interest received to establish a truck sales yard, service centre and body shop at a site near Cow Creek and Boggy Creek.	1	
<i>Noise</i>		3.5
1. Request for a smoother road surface or sound barrier due to the level of noise at a residence 7km away.	7	
<i>Social and economic</i>		3.6
1. Request for consideration of land being made available for a highway service centre.	6	
2. Concern over loss of identity for Macksville due to the location of the interchange.	2	
3. Concern over access restrictions, including increased emergency services response times, should the existing bridge be closed.	2	

3.2 Consultation

The following issues were raised in relation to consultation:

1. That there had been a lack of consultation and transparency by RMS on the decision to locate the interchange so distant to the existing commercial centres. It may be that authorities are desirous of developing that area near Boggy Creek, however, they have ignored the cost this will have to the existing commercial centres.

Response

2. It is noted that the Chamber's concerns relate to the initial Environmental Assessment and not the proposed design refinement as the interchange and rest area were included in the project at similar chainages north of Macksville. In addressing the concerns raised, it is noted that RMS has undertaken extensive Environmental Impact Assessment and community consultation for the Warrell Creek to Urunga Pacific Highway upgrade. This work included a detailed assessment of the Nambucca Heads Interchange and rest area at locations close to the refined design.² The detailed consultation is outlined within the project Environmental Assessment and Submissions Report included as part of the project approval and available on the RMS website.

3.3 Design

The following issues were raised in relation to aspects of the rest area and interchange design:

1. Improve spacing on the eastern roundabout by realigning the existing highway connection.
2. Request for an additional on ramp and off ramp to the new highway at Valla Road.

Response

1. It is noted that the design will be subject to refinement during the concept and detail design phases. The design of the roundabout will comply with RMS and AUSTRROADS publications and relevant Australian Standards. It is also noted that the roundabout configuration will be reviewed during the independent road safety audit process both during design and prior to opening the new road to traffic.
2. It is noted that the interchanges on the project have required careful planning, including the interchange the subject of this refinement. From Valla Road vehicles will be able to travel north or south along the existing Pacific Highway which will become a service road as part of the project. This will enable vehicles to access the new highway from either the Nambucca Heads interchange to the south or the Ballards Road interchange to the north.

3.4 Property

The following issues were raised in relation to property:

1. Expression of interest received for establishing a truck sales and service yard on land between Cow Creek and Boggy Creek.

² See, for example, Section 4.5 of Volume 1 of the Warrell Creek to Urunga Upgrading the Pacific Highway, Environmental Assessment, January 2010.

Response:

1. The establishment of a truck sales and service yard is not part of the current project or the proposed design refinement to the interchange and rest area. The potential for future development has been considered in developing the refined design.

3.5 Noise

The following issues were raised in relation to noise:

1. Request for consideration of a smoother road surface or noise walls at the rest area.

Response:

1. The noise and vibration impacts associated with the refinement have been assessed in detail by Renzo Tonin and Associates and their report is attached to the Environmental Assessment. It is noted that the project must meet strict construction and operational noise requirements. The new road surfaces will be designed to produce noise levels and tonal noise characteristics that contribute to noise mitigation and compliance with RMS and project operational noise level requirements.

3.6 Social and economic

The following issues were raised in relation to social and economic impacts:

1. Request for consideration of land being set aside for a future highway service centre.
2. Concern over the loss of Macksville's identity due to the location of the interchange.
3. Concern over access restrictions, including increased emergency services response times, should the existing bridge be closed.

Response

1. It is noted that the incorporation of a highway service centre is not currently part of the proposed project or the rest area design refinement. RMS will continue to work closely with Nambucca Shire Council and review the potential for such a centre being developed in the future.
2. The location of the interchanges on the project were confirmed following an extensive project Environmental Assessment process and associated community consultation for the Warrell Creek to Urunga Pacific Highway upgrade. This work included a detailed assessment of the Nambucca Heads Interchange and rest area at locations close to the refined design.
3. It is noted that there are no plans to close the existing bridge which becomes a service road at the completion of the project.

4 Authority consultation

Consultation has also been undertaken with the local government/ regulatory authorities listed below:

- Nambucca Shire Council
- Environment Protection Authority (EPA)
- Aboriginal Heritage Unit (North East) of the Office of Environment and Heritage (OEH)
- Department of Primary Industries-Fisheries Conservation and Aquaculture (DPI Fisheries).

A copy of the draft Nambucca Heads to Urunga Upgrade Rest Area and Interchange Environmental Assessment was forwarded to each of the authorities on 25 May 2012.

A table of the issues raised and RMS responses forms Appendix 2.

4.1 Nambucca Shire Council

A meeting was held with Nambucca Shire Council on 14 October 2011 at which the refined design of the interchange was presented for comment. Council did not have any issues of note with regard to the new location of the interchange. A second meeting was held with Council on 21 March 2012 to present a revision of the refined design. This incorporated the relocated rest area on the western side of the upgraded highway. Council did not raise any issues with this further design refinement. Further contact was made with Nambucca Shire Council via email on 2 October 2012 providing an update of progress with the project. This included reference to RMS seeking further community feedback with regard to the proposed changes to the approved Nambucca Heads interchange and rest area identified in the Environmental Assessment. Council was invited to provide any feedback it may have had concerning the proposed changes. To date, no response has been received from Council. RMS will continue to update Council of any further issues relating to the relocated interchange and rest area, and with regard to other project-related matters within the Nambucca local government area (LGA).

4.2 Environmental Protection Authority (EPA)

The Environment Protection Authority response raised the following issues in response to the draft EA:

- They requested more information on the modified version of the Random Meander Method;
- They requested the results of searches for fauna signs via hollows, tracks, and scats;
- They asked how the precautionary principle has been applied with regard to the biodiversity assessment;
- They stated that feasible and reasonable mitigation measures should be implemented to minimise construction noise impacts;
- They noted the potential future development adjacent to the rest area and the requirement for appropriate mitigation, particularly with regard to night time use of the rest area;
- They queried whether nest boxes would be installed prior to construction;
- They queried the methodology for dewatering the two farm dams;

- They requested details regarding the diversion of the drainage line around the rest area;
- They suggested incorporating pollutant traps, spill containment units and trash racks in the design of the interchange and rest area;
- They recommended consideration of tributary impacts with regard to hydrological changes; and
- They queried what modifications would be made to basin 48 in relation to its proximity to the rest area.

These issues raised have been considered and addressed in the Environmental Assessment, in particular sections 4.1 (biodiversity), 4.2 (noise and vibration), 4.3 (hydrology), and 4.6 (geology and soils) have been updated. EPA have been provided with a response to each issue raised.

4.3 Aboriginal Heritage Unit (North East), OEH

Issues were raised with regard to Aboriginal heritage by the Aboriginal Heritage Unit (North East), OEH:

- They noted that currently undetected cultural material may be present within areas where Aboriginal objects have not been previously identified;
- They requested that an appropriate management strategy be developed in consultation with the registered Aboriginal parties with regard to the identified impact on an isolated artefact;
- They noted that the EA does not address the impacts on site 'WC-U-PAD 16' (a PAD), the southern portion of which is within the Project area and likely to be affected by the design refinement;
- They noted that there is a possibility that Aboriginal objects are located within the area affected by the design refinements and it is expected that RMS would develop an appropriate assessment strategy to address this possibility;
- They stated that representatives of the local Aboriginal community have requested a walkover of the Project area to address this possibility, and the OEH strongly recommends that this additional assessment is undertaken promptly to inform the EA process;
- They requested that the results of this assessment identify the nature and extent of any additional likely impacts on Aboriginal objects across the Project area and clearly articulate strategies proposed to avoid/minimise these impacts developed in consultation with the local Aboriginal community; and
- They noted that Sensitive Area Map 15 for the Warrell Creek to Urunga Pacific Highway Upgrade Project does not accurately identify the location of the 'Boggy Creek Artefact 1' isolated artefact and should be amended as a priority.

Subsequent to the OEH being provided with the draft EA for review and comment, a walkover survey of the area was conducted on 14 June 2012 with the findings documented in a report prepared by SKM. The above issues have been considered and are now addressed in Section 4.4 (Aboriginal heritage) of the Environmental Assessment. With regard to the final bullet point, the site referred to has been salvaged and cleared; accordingly it is considered there is no longer a need to amend the map referred to. OEH have been provided with a response to each issue raised.

4.4 DPI Fisheries

No specific issues were raised by DPI Fisheries, however, advice was provided on matters relating to the translocation of freshwater fish. This will be required as a result of dewatering the two farms dams that would be filled in as part of construction of the rest area. This is discussed in Section 4.3 of the EA. DPI Fisheries have been provided with a response to their advice.

4.5 Nambucca Heads Local Aboriginal Land Council

Consultation with the Nambucca Heads Local Aboriginal Land Council (LALC) is discussed in Section 4.4 of the Environmental Assessment for matters relating to Aboriginal cultural heritage.

5 Conclusion

The issues raised in submissions have been considered in this report and responses provided by RMS. Where considered appropriate, clarification has been provided on specific aspects of issues raised and adjustments made to the Environmental Assessment and/or Determination Report.

On balance, it is considered that there has not been any issue raised that would have material bearing on progressing the design refinement to the approval stage.

APPENDIX 1: Community Update

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APPENDIX 2: Authority Response Table

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