

4 Consultation

4.1 Overview

A comprehensive community and stakeholder involvement program has been undertaken for the proposed upgrade. The principal objective of the community consultation process has been to keep people well informed and to involve them in the proposed upgrade during each stage of its development. The program commenced from early in the development of the proposed upgrade and has continued into the preparation of this environmental assessment.

The community has provided considerable knowledge that has been reviewed and considered by the project team and provided important input to the development of the proposed upgrade.

A community liaison group, agricultural focus group and Aboriginal focus group were formed. These groups were made up of representatives of the local community.

The groups and the broader community have raised a number of important issues regarding the planning process and the overall direction of the project. These included broad issues such as the extent of the study area and the project objectives, through to specific concerns regarding the assessment methodology and implementation.

In addition to community consultation, extensive stakeholder consultation was undertaken throughout the duration of the project starting during the inception stages. Stakeholder consultation is still an ongoing process and to date has played an important role in delivering the proposed upgrade with minimal impacts. Stakeholders involved in the consultation process have included a range of organisations such as local and state authorities, local schools, fire brigade and the water authority.

Overall, there has been a high level of community interest and involvement in the proposed upgrade.

4.2 Parties consulted

During the preparation of the environmental assessment, numerous parties were consulted to provide information on the development of the proposed upgrade and discuss issues and possible management options. Consultation mechanisms included meetings between the party and project team, workshops such as the value management, corridor assessment and planning focus meetings, and verbal and written correspondence to the project team and the Department of Planning during the development of the Director-General's requirements for the environmental assessment. No direct consultation was undertaken with Commonwealth agencies, with no referral to the Commonwealth being deemed appropriate under the *Environment Protection and Biodiversity Protection Act, 1997*. **Table 4.1** provides a summary of the parties consulted the level of consultation and the key topics discussed.

Table 4.1 Summary of consultation with relevant parties

Party consulted	Level of consultation	Key topics discussed
Rous Water	Direct engagement through meetings, workshops and written and verbal correspondence Consultation between project team including specialists and Rous Water	<ul style="list-style-type: none"> > Need for a water quality impact assessment > Water quality issues in Emigrant Creek and Wilsons River drinking water catchments > Outcomes of water quality impacts assessment > Formal comments from Rous Water on water quality assessment and their requirements for a risk management process > Identification and quantification of the risks associated with the proposed highway upgrade > Final acute and chronic pollution risk assessment > Land use planning / remnant land strategy > Route options development > Value management issues > Preferred route > Environmental assessment and concept design
Department of Environment and Climate Change (DECC)	Direct engagement through workshops and written correspondence	<ul style="list-style-type: none"> > Route options development > Value management issues > Preferred route > Environmental assessment and concept design
Department of Primary Industries	Direct engagement through workshops and written correspondence	<ul style="list-style-type: none"> > Route options development > Value management issues > Preferred route > Environmental assessment and concept design > Land use planning / remnant land strategy
Department of Water and Energy	Direct engagement through workshops and written correspondence	<ul style="list-style-type: none"> > Route options development > Value management issues > Preferred route > Environmental assessment and concept design

Table 4.1 (cont)

Party consulted	Level of consultation	Key topics discussed
Department of State and Regional Development	Direct engagement through workshops and written correspondence	<ul style="list-style-type: none"> > Expanded study area > Regional issues relating to specific agricultural industries and consultation with members of the industry within the study area > Route options development > Preferred route > Environmental assessment and concept design
Byron Shire Council	Direct engagement through meetings, workshops and written and verbal correspondence	<ul style="list-style-type: none"> > Project inception and expanded study area > Council involvement within the project > Selection process for short list of route options including pairwise and corridor assessment workshop > Summary of community feedback > Interchange locations and local road access options > Traffic volumes > Project progression and future timetable > Value management issues > Preferred route > Environmental assessment and concept design development > Land use planning/remnant land
Ballina Shire Council	Direct engagement through meetings, workshops and written and verbal correspondence	<ul style="list-style-type: none"> > Project inception and expanded study area > Council involvement within the project > Selection process for short list of route options including pairwise and corridor assessment workshop > Summary of community feedback > Interchange locations and local road access options > Traffic volumes > Project progression and future timetable > Value management issues > Preferred route > Environmental assessment and concept design development > Land use planning/remnant land

Table 4.1 (cont)

Party consulted	Level of consultation	Key topics discussed
Department of Education and Training/Newrybar School	Direct engagement through formal meetings, written and verbal correspondence	<ul style="list-style-type: none"> > Establishment of a project consultative group for consultation > Preferred route selection process > School issues raised during route options development phase > Issues and concerns with the preferred route > Assessment process for noise, traffic, air quality and visual and landscape > Noise and visual impacts from location between two highways > Construction issues > Future consultation
Local Aboriginal Land Council (Jali)	Direct engagement through meetings, workshops and written and verbal correspondence	<ul style="list-style-type: none"> > Project inception and expanded study area > Route options development > Site investigations > Aboriginal heritage > Preferred route > Environmental assessment and concept design
Aboriginal focus group	Direct engagement through formal meetings, workshops and written and verbal correspondence	<ul style="list-style-type: none"> > Preferred route > Presentation and review of draft Cultural Heritage working paper > Environmental assessment and concept design
Bundjalung Elders Council Aboriginal Corporation	Telephone call	<ul style="list-style-type: none"> > Happy to be represented by Jali
Arakwal Aboriginal Corporation	Telephone call and meeting arranged	<ul style="list-style-type: none"> > No successful contact achieved
Burabi Aboriginal corporation	Telephone call	<ul style="list-style-type: none"> > Invitation to be involved
Tweed Byron Local Aboriginal Land Council	Telephone call	<ul style="list-style-type: none"> > Invitation to be involved

Table 4.1 (cont)

Party consulted	Level of consultation	Key topics discussed
Agricultural focus group	Direct engagement through formal meetings, workshops and written and verbal correspondence	<ul style="list-style-type: none"> > Project inception and expanded study area > Route options development > Preferred route selection > Agricultural constraints and opportunities > Farmland protection project and DPI agricultural land classification > Project team agricultural industries presentation > Agricultural evaluation criteria > Agriculture assessment process methodology > Regional economy modelling > Environmental assessment and concept design
Community liaison group	Direct engagement through meetings, workshops and written and verbal correspondence	<ul style="list-style-type: none"> > Project objectives > Meeting procedure issues > Vote of no confidence and community feedback > Update on project milestones > Project progression including specialists' presentations > Design criteria presentation > Expanded study area > Outcomes from workshops eg. corridor assessment workshop and value management workshop > Constraints identification and mapping > Evaluation criteria and pairwise process for short list of route options > Advantages and disadvantages of shortlist for value management workshop > Presentations of agricultural assessment, noise impact assessment and hydrology assessment > Ongoing consultation with the community

Table 4.1 (cont)

Party consulted	Level of consultation	Key topics discussed
NSW Fire Brigade	Direct engagement through meetings, workshops and written and verbal correspondence	<ul style="list-style-type: none"> > Environmental assessment and concept design > Tunnel design > Transportation of dangerous goods through tunnel
Directly and indirectly affected property owners	Direct engagement through workshops and written correspondence	<ul style="list-style-type: none"> > Route options development > Site investigations > Preferred route > Environmental assessment and concept design > Ongoing consultation through communication and feedback mechanisms
Northern Rivers Regional Development Board	Direct engagement through workshops and written and verbal correspondence	<ul style="list-style-type: none"> > Regional issues relating to specific agricultural industries > Route options development > Preferred route > Environmental assessment and concept design

During the environmental assessment and concept design phase, the project team invited stakeholders to provide comments. In addition to the above parties the project team attempted to consult with the following parties; however no responses were received:

- > Northern Rivers Tourism.
- > Northern Rivers Catchment Authority.
- > Australian Rail Track Corporation.
- > Optus.

4.3 Consultation process

A communications strategy was established at the beginning of the project and was revised after the preferred route was selected. Three key aspects of consultation activities were identified. These were:

- > Information provision.
- > Direct engagement with the project team.
- > Opportunities to provide input into the environmental assessment and concept design activities.

4.3.1 Consultation process during route selection

During the selection of the shortlisted route options, the following consultation activities were undertaken:

- > Distribution of community update.
- > Community information sessions at project inception and after announcement of the expanded study area.
- > Establishment of project information line.
- > Community liaison and agricultural focus group meetings.
- > Progress updates in local media.
- > Corridor assessment workshop.
- > Property owner meetings.
- > Route options display (staffed and static displays).
- > Planning focus meeting.

A route options display was held once the shortlist of route options was selected and published in the *Route Options Development Report* (RTA 2005). The public display commenced on 21 October 2005 and concluded on 2 December 2005.

A range of consultation tools were used to facilitate and encourage feedback on the route options, including advertisements, information brochures, landowner meetings (over 100 meetings were held), route options displays, a community information centre, and staffed and static displays. Other activities included:

- > Project information line.
- > Community liaison and agricultural focus group meetings.
- > Aboriginal focus group meetings.
- > Community update.
- > Corridor assessment workshop.
- > Property owner meetings.
- > Ewingsdale Progress Association and Ewingsdale residents meeting.
- > Value management workshop.
- > Progress updates in local media.
- > Preferred route display (staffed and static displays).
- > Phone calls to directly affected landowners and community liaison group.
- > Letters with property maps to directly affected landowners.
- > Meetings with Rous Water, Ballina Shire and Byron Shire councils and Newrybar Public School.



Staffed display of the preferred route at Newrybar Hall in 2006.

The preferred route was announced by the Minister for Roads on 26 September 2006 and was displayed until 3 November 2006. Project team members staffed the display to attend to any questions or queries by community members. Immediately prior to the announcement community liaison group members and directly affected landowners were contacted by telephone to inform residents of the display. During the display period, directly affected landowners were encouraged to meet with the project team to discuss property impacts, acquisition processes and the next steps for the project.

4.3.2 Consultation during the environmental assessment and concept design

The community involvement approach for the concept design and environmental assessment phase of the project sought to address issues identified during the route selection phase, and to respond to any further issues raised by the local community.

In particular, it focussed on addressing the issues of affected landowners and key interest groups during the development of the concept design. Consultation activities during this phase include:

- > Community update.
- > Landowners meetings.
- > Landowner letters and property maps.
- > Rous Water workshops.
- > Council meetings.
- > School meetings and presentations.
- > Strategic access display.
- > Value management workshops.
- > Planning focus meeting.
- > Project information line and project website.
- > Media advertisements.
- > Aboriginal focus group and stakeholder meetings.

Landowner meetings

Landowner meetings during the environmental assessment and concept design phase were a dominant component of consultation. Individual landowner meetings were held through this phase to identify and discuss individual property issues for consideration in the concept design development.

Rous Water meetings

The project team held several meetings with Rous Water to present and discuss the technical investigations undertaken to assess water quality and the impacts on the Emigrant Creek dam drinking water catchment. Rous Water was also consulted during the environmental assessment and concept design phase, regarding the possible management options and technical reports (see **Section 10.6** and *Working Paper 2 – Water Quality Assessment*).

Aboriginal consultation

In addition to the ongoing meetings with the Aboriginal focus group, consultation with Aboriginal organisations was undertaken during the environmental assessment and concept design phase, as specified by the DECC in the *Interim Guidelines for Aboriginal Community Consultation- Requirements for Applicants* (DEC, 2005a). Meetings were held with representatives from the Aboriginal community and Jali Local Aboriginal Land council's site officer participated in the heritage field survey of the proposed upgrade. Further details of the Aboriginal consultation are reported in *Working Paper 9 – Heritage Assessment*.

Planning focus meeting

After the submission of the Project Application Report, a planning focus meeting was organised by the Department of Planning. In addition to representatives of the project team and the Department of Planning, this meeting was attended by the key government agencies, Rous Water and both Ballina Shire and Byron Shire councils.

Based on the outcomes of the planning focus meeting agencies were invited to make a submission to the Department of Planning to highlight their issues and concerns with the proposed upgrade. These submissions were used by the Department of Planning to prepare the Director-General's environmental assessment requirements.

Ballina Shire and Byron Shire councils

Following the announcement of the preferred route, the project team continued to consult with both councils, providing presentations on the preferred route and facilitating discussions on key issues. These issues included interchanges and access, water quality and remnant land.

Newrybar Public School

As part of the consultation plan developed in initial meetings with Newrybar Public School and the Department of Education and Training, formal meetings were held to present the selection process and the next stages of the project, and to discuss issues and management relating to visual amenity, noise and construction timing.

4.4 Issues raised during consultation

As outlined above, a route options display and a preferred route display were held to communicate project milestones to the community and present an opportunity for both stakeholders and community members to provide feedback.

During the route options display, 19,192 submissions were received including two form submissions and one petition. The *Route Options Submissions Report* (RTA 2006b) provides a detailed summary and response to the community and stakeholder issues raised.

The announcement and public display of the preferred route resulted in 14 submissions, including 13 from community members and one from the NSW Department of Primary Industries.

A summary of issues raised to date by the community and stakeholders and where they are addressed in the environmental assessment is shown in **Table 4.2** opposite.

Table 4.2 - Key issues raised by the community and stakeholders during the concept design and environmental assessment process

Issue category & specific issue raised	Where addressed
Access	Chapters 5 and 13
<ul style="list-style-type: none"> > Access to the proposed highway only at two interchanges > Adequate access provisions, such as underpasses and culverts for stock, trucks and machinery 	
Traffic	Chapter 13
<ul style="list-style-type: none"> > Increase in traffic volumes on the local road network 	
Ecology	Chapter 12
<ul style="list-style-type: none"> > Increased habitat fragmentation > Introduction of weeds and animals > Disturbance of ecologically significant areas > Disturbance of riparian zones > Impact of landscaping design on the value of flora and fauna > Measures to restore, maintain and reconnect areas of native vegetation > Impacts on threatened and endangered species > Feasibility of mitigation measures during both construction and operation > Impacts on biological ecological and physical characteristics of local streams and bushland > Impact on areas containing subtropical rainforest > Need for protection and rehabilitation of riparian zones > Impacts on wildlife corridors > Impacts of construction runoff on fish > Impacts on groundwater dependant ecosystems 	
Aboriginal and non-indigenous heritage	Chapter 16
<ul style="list-style-type: none"> > Exclusion of the Byron Shire Council draft Community-Based Heritage Study > Assessment of the significance of potential heritage items > Impacts on Aboriginal cultural values 	
Land acquisition	Chapter 14
<ul style="list-style-type: none"> > Need for a land acquisition plan > Severance effects on individual properties 	
Agricultural issues	Chapters 14 and 17
<ul style="list-style-type: none"> > Loss of regionally significant land > Decrease in farm size and the resulting decrease in production > Changes to farm layout and the impacts on operation > Interference with spray drift buffers > Impacts are unique to each property and need to be assessed accordingly > Interference with macadamia research 	

Table 4.2 (cont)

Issue category & specific issue raised	Where addressed
Construction	Chapter 6
<ul style="list-style-type: none"> > Source and amount of construction material > Appropriate quality material is used > Impact of demand on the local minerals supply industry > Minimisation and management of waste streams created during construction > Cut/ fill balance of the project 	
Hydrology	Chapter 9
<ul style="list-style-type: none"> > Potential for flooding during and after construction > Impacts on land, infrastructure and assets from any changed flooding regime > Application of best practice for stormwater management > Impacts associated with contaminated runoff > Loss of potential increase in the storage of the catchment > Impacts on surface water hydrology due to increased hard surfaces > Severance to water by construction of upgrade 	
Contamination	Chapter 20
<ul style="list-style-type: none"> > Assessment and treatment of contaminated soils 	
Water quality	Chapters 5 and 10
<ul style="list-style-type: none"> > Potential risk of impacts on water quality from road run off > Requirements and sources for construction > Site disposal and waste water re-use opportunities > Impact on riparian zones and water quality > Water quality risk assessment workshop was over simplified > Protection of drinking water supplies > Impact of vehicle accidents on water quality > Comprehensive water quality monitoring > Potential contamination from air borne sources 	
Air quality	Chapter 19
<ul style="list-style-type: none"> > Emissions generated during construction and operation > Location of sensitive receptors > Impacts on air quality due to increased traffic 	
Noise and vibration	Chapter 15
<ul style="list-style-type: none"> > Location of high generating noise sources > Impacts on building structures from blasting > Timing of activities in relation to sensitive noise receptors > Feasibility of mitigation measures prior to construction > Landscaping of noise barriers 	

Table 4.2 (cont)

Issue category & specific issue raised	Where addressed
Social	Various
<ul style="list-style-type: none"> > Highway safety in relation to vehicle incidents > Hazardous vehicle use of the highway > Emergency response plan for fuel and chemical spills > Provision of timely and accurate information > Mental health impacts on the community in relation to uncertainty of land tenure > Road signage to inform users of appropriate authority to contact in the occurrence of an incident > Interference with community rescue projects > Telephone and power interference during construction > Request for self appointed legal aid to be covered by RTA > Compensation for adjacent land owners 	
Visual amenity	Chapter 18
<ul style="list-style-type: none"> > Visual impact of the proposal 	