Pacific Highway Upgrade – Coffs Harbour Bypass

Community Consultative Committee Meeting
29 April 2019
State Significant Infrastructure Process

- Under the *Environmental Planning and Assessment Act 1979* some infrastructure projects can be classified as State significant infrastructure (SSI) if they are important to the State for economic, environmental or social reasons.

- All State significant infrastructure applications have to go through a comprehensive assessment process with extensive community participation and evaluation of the economic, environmental and social impacts of the construction and operation of the proposal.
• Roads and Maritime Services (RMS) is the proponent for the SSI application which was lodged with the Department on 16 May 2016.

• The Coffs Harbour Bypass proposal was declared to be critical State significant infrastructure (CSSI) by the then Minister in *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP).
The Secretary’s Environmental Assessment Requirements (SEARs) identify the key issues and assessment requirements for the Environmental Impact Statement (EIS).

SEARs are prepared in consultation with and in consideration of key issues raised by public agencies and councils.

The Department issued the SEARs for the proposal on 16 August 2016.

The SEARs were reissued on 30 October 2017 to include the Commonwealth’s Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) assessment requirements.
The EIS must be prepared in accordance with the SEARs and the *Environmental Planning and Assessment Regulation 2000* and includes:

- Detailed description of the project and project area
- Statement of the objectives of the project, including strategic need and justification
- Analysis of feasible alternatives and options
- Environmental risk analysis
- Assessment of environmental impacts
- Measures to avoid, minimise and offset impacts
- Community consultation and issues raised
State Significant Infrastructure Process

- Proponent lodges SSI Application
- DPE Issues SEARs
- Proponent Prepares EIS
- Proponent Lodges EIS
- DPE Exhibits EIS
- DPE Forwards Submissions to Proponent
  - Proponent Prepares and Lodges RTS
  - Proponent Prepares and Lodges PIR
- DPE Assesses Proposal
- DPE Makes Recommendation
- Decider Make Determination

Once the Proponent has completed the preparation of the EIS they will lodge the documents with the Department through its Major Projects Website.
The EIS will be publicly exhibited for a minimum period of 28 days during which time the Department will accept submissions.

The EIS will be publicly exhibited on the Department’s Major Projects Website as well as in hard copy at selected display locations such as local council offices and libraries.
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- On the closure of the exhibition period, the Department will collate submissions and forward these to the Proponent with a formal request for a Response to Submissions (RTS).
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- The RTS provides the Proponent with a right of reply to the issue raised in submissions.
- The format and length of this document is largely dictated by the number of issues raised in submissions.
- The Department will make the RTS publicly available on its Major Projects Website once it has been received.
State Significant Infrastructure Process

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Additional Information:
- Any changes to the project to address submissions and design refinements required by the Department must be addressed in a Preferred Infrastructure Report (PIR).
- Depending on the scope and scale of any changes proposed in the PIR, the Department may also exhibit the PIR.
State Significant Infrastructure Process

- Following receipt of the RTS, and a PIR where applicable, the Department will assess the proposal.
- The proposal will be assessed under Division 5.2 of the *Environmental Planning and Assessment Act 1979*.
- This assessment will take into the account the EIS, and PIR, and all issues raised in submissions as well as the Proponent’s response to these (RTS).
- The assessment will focus on the expected impacts from the proposed project and any measures proposed to mitigate them.
State Significant Infrastructure Process

- On completion of the assessment, the Department will make a recommendation to the Minister for Planning and Public Spaces to either refuse or approve the proposed project.
- The Department will provide its assessment report and an instrument of determination, which contains any recommended conditions for the proposal, to the Minister for Planning and Public Spaces.
State Significant Infrastructure Process

- If approved, the approval will be based on the conditions that were informed by the Department's assessment and are aimed at managing impacts from the proposal.
- A separate determination will need to be made by the Commonwealth Minister for the Environment following NSW's determination of the project.
Consultation

• The Department is committed to community engagement in the NSW planning system.
• The project is to be developed with meaningful and effective engagement during project design and preparation of the EIS.
• The SEARs require wide consultation, including with affected landowners, businesses and the community.
• RMS must document the consultation process and demonstrate in the EIS how the project has responded to the inputs received.
• RMS advised that it intended to establish a Community Consultative Committee to assist in the consultation process.
Community Consultative Committee

- Community Consultative Committees (CCC) have played an important role in proponent engagement with the community on State significant projects.
- The Department has developed a *Community Consultative Committee Guideline for State significant projects* (January 2019) to clarify the roles and responsibilities of CCCs.
- The purpose of a CCC is to provide a forum for discussions between the proponent and representatives of the community and stakeholder groups and the local council on issues directly related to a State significant project.
- A CCC is not a decision making or regulatory body.
- It has an advisory and consultative role.
Department website

Major Projects Website


Department of Planning and Environment Website

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