



Ms Beverly Duffy
Director
General Purpose Standing Committee No 4
Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Ms Duffy

I refer to the Committee Chair's letter to Chris Clark, Pacific Highway Office, RTA of 14 December 2005 regarding the current inquiry into Pacific Highway upgrades, including an invitation to respond to statements recorded in the transcript of the public hearing held on this matter in Coffs Harbour on 21 November 2005.

I wish to make a personal submission to specifically address comments made during Mr Scanlon's evidence before the Inquiry as they relate to my involvement in the proposed upgrade of the Pacific Highway from Coffs Harbour to Woolgoolga. I understand the Roads and Traffic Authority (RTA) will provide its submission responding to other issues raised at the hearing.

Community consultation activities for the Coffs Harbour Highway Planning Strategy have been undertaken by Pramax Communications Pty Ltd, a communications company engaged by the RTA through its professional services contractor Connell Wagner Pty Ltd to undertake community consultation for the development of the Planning Strategy. Mr Andrew Smith, a former principal of Pramax Communications, was the facilitator for all except 3 of the 40 Community Focus Group (CFG) meetings held for the Strategy to date.

The first and only time concerns were raised regarding Mr Smith's independence as the facilitator was at the Woolgoolga CFG meeting held on 10 May 2005. At that meeting, Mr Scanlon asserted that Mr Smith was not independent and had a "vested interest". Mr Smith disagreed and informed the meeting he does not have a position in relation to the project. Mr Smith explained his role was to facilitate discussion and encourage input, in accordance with a formal meeting agenda provided for each meeting

At the meeting I then stated that I felt Mr Smith had given members of the CFG the opportunity to have input and Mr Smith was mindful of the need to facilitate input from the community. I also advised the CFG that I had every faith in Mr Smith and asked that the group work with him.

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The allegations concerning Mr Smith were made in general terms and did not include any detail or examples of the alleged lack of independence and "vested interests". I invited Mr Scanlon to submit his concerns in writing to the RTA, to enable them to be appropriately considered.

The minutes of the meeting recorded as an action item that Mr Scanlon was to write to the RTA concerning the issues he had raised.

No written complaint regarding this matter has been received by the RTA at this stage. No further meetings of the Woolgoolga CFG have been held since the meeting of 10 May 2005.

I would like to thank the Committee for the opportunity to make a written submission to this inquiry. If you require further information or clarification, please do not hesitate to contact me.

Yours sincerely



Chris Clark
RTA Project Development Manager

27/1/06

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Meeting Minutes

Project:	Sapphire to Woolgoolga Upgrade Project	Reference:	1093.40.GE
Location:	Cinema Room, Woolgoolga Bowling Club, Boundary Street, Woolgoolga	Date:	10 May 2005

Present: Apology: Copy: Name:

SAPPHIRE TO WOOLGOOLGA NORTHERN CFG (Woolgoolga Bypass)

	✓		Graham Ashton
			Rebecca Pickering (proxy)
✓			Parvinder Lalli
		✓	Tony Johnson
			John Shipway (proxy)
✓			Paul Norton
	✓		Ron Gray
✓			Margaret Murphy
✓			Robert Forrest
	✓		Steven Moody
✓			Phillip Pearce
✓			Des Saunders
✓			Bruce Scanlon
✓			Satpal Singh Gill
✓			Paramjeet Singh Bhatti
✓			Rashmere Bhatti
PROJECT TEAM			
✓			Chris Clark RTA
	✓		Bob Higgins RTA
✓			Adam Cameron RTA
✓			Tim Paterson Connell Wagner
✓			Barry Hancock Connell Wagner
	✓		Nick Hearfield Connell Wagner

✓			Andrew Smith	Pramax Communications
✓			Janice Smith	Pramax Communications
Recorded By: Pramax Communications				Total Pages: 17
Subject: Community Focus Group Meeting No 17 (Woolgoolga Bypass)				

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1. INTRODUCTION

- 1.1 Andrew Smith (Pramax Communications) (AS) opened the meeting at 5.50pm.
- 1.2 Apologies were received from Graham Ashton, Steven Moody, Ron Gray, Bob Higgins and Nick Hearfield.

2. MINUTES OF PREVIOUS CFG MEETINGS No.15 and No.16

- 2.1 AS advised at the last meeting held on 2nd March, 2005, the CFG had decided that members with any issues or concerns regarding the minutes of the CFG meeting held on 15th December 2004 should advise Pramax. Two members had done so. A copy of the matters arising from that meeting and also the meeting held on 2nd March 2005 and the resulting actions had been provided to members at the door. He moved through each of the items.
- 2.2 Des Saunders (DS): Regarding item 5.28 on provision of information to members and gaining community feedback on that information, would that mean the CFG might have to have another meeting to provide that feedback?
- 2.3 AS: Members could make it clear that they needed more time.
- 2.4 Robert Forrest (RF): Asked for an example of confidential information.
- 2.5 Chris Clark (RTA) (CC): Potential impacts on people's properties.
- 2.6 Tim Paterson (Connell Wagner) (TP): Also preliminary findings of investigations before they had been finalised such as flora and fauna.
- 2.7 Bruce Scanlon (BS): Referred to the CFG charter and the need to consult with the community and for CFG members to bring community response back.
- 2.8 AS: The presentation BS would make tonight was an example of that.
- 2.9 CC: The role of the CFG was two-fold. Sometimes information would be provided to CFG members to take back to their communities and receive feedback and sometimes the CFG members themselves would be used as a 'sounding board' on confidential information.
- 2.10 BS: Regarding the provision of information for feedback, the maps provided at the last CFG meeting was an example of the project team being unwilling to give them out to gain community feedback. The project team had to be pressured into providing them.
- 2.11 CC: Didn't have a problem providing the CFG with the maps to take back to their communities. The maps had been brought to the CFG meeting for the members to provide input. When the members had asked if they could have copies to enable more time to consider them, they had been provided. There had been a need to put disclaimers on them to ensure the community knew they were preliminary designs

Attached: Matters Arising from previous meetings

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- only.
- 2.12 BS: The project team initially said they didn't want them taken to the community but after pressure from the CFG, changed their mind and that discussion had been omitted from the minutes. Other CFG members would recall that.
 - 2.13 CC: That was not his recollection. There was no confidentiality about the preliminary designs as they had been widely circulated since December 2004.
 - 2.14 Rashmere Bhatti (RB): That was why some members had been surprised the comment was made.
 - 2.15 CC: His concern had been to put notations on the plans to show they were preliminary designs only.
 - 2.16 AS continued to move through matters arising from previous meetings.
 - 2.17 CC: regarding Item 5.36 on provision of presentation materials prior to meetings, often presentation materials needed to have more detailed explanations and there were risks involved if explanations were not given in conjunction with the materials.
 - 2.18 Margaret Murphy (MM): The maps provided at the last meeting were an example of the CFG being asked to comment on technical data that was made available at short notice and it was such materials that the RTA should be providing in advance.
 - 2.19 CC: The matter arising was saying that suitable presentation materials would be made available but there was a qualifying statement that not all material was appropriate to provide beforehand because they were aids to a more detailed explanation to be provided at meetings.
 - 2.20 TP: Some materials provided at meetings also were work in progress and often were put together on the day of the meeting so that the information was up-to-date.
 - 2.21 RB: At the last meeting, the meeting went on and on about the minutes and for the last 15 minutes they were asked to look at the preliminary designs. If they had had the information prior to the meeting, it could have enhanced their understanding.
 - 2.22 CC: They had said they would make appropriate information available prior to meetings to enable that to happen.
 - 2.23 AS: Members needed to make it clear if they needed that.
 - 2.24 CC: Regarding Item 5.61 of matters arising regarding the issuing of media releases following meetings - this was not practical or feasible. But the RTA was trying to put out Progress Updates when it could to provide information on the project and CFG activities.
 - 2.25 BS: The RTA issued media releases almost immediately following incidents on the highway. Why not after CFG meetings?
 - 2.26 CC: The RTA was a State-wide organisation that dealt with a lot of issues. The RTA had to prioritise. The best option to provide feedback was a Progress Update.
 - 2.27 BS: But even a week after?
 - 2.28 CC: They had tried in the past and the CFG knew how often it had happened.
 - 2.29 MM: Was the RTA the only one able to issue a media release on behalf of the CFG meeting or could members issue a media release?

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- 2.30 CC: The RTA was the only one able to issue a media release on behalf of the CFG but individuals could talk to the media and he had never said they couldn't.
- 2.31 AS: There had been plenty of times when CFG members had done that over the years and still worked comfortably within the CFG. The agenda showed an allocation of time for each item to enable all items to be addressed tonight. Could the Notes from the December 15 meeting now be accepted?
- 2.32 BS: Regarding notes and minutes, the minutes had just been referred to as notes but even when CFG members referred to minutes, the word was changed to notes in the record.
- 2.33 AS: It was semantics. What did the members want them called?
- 2.34 BS: The charter referred to them as minutes.
- 2.35 MM: Why was there an objection to calling them minutes?
- 2.36 CC: Didn't have a problem with calling them minutes. Item 2.4 in matters arising regarding the format of meeting minutes, stated that the record was not going to be word for word.
- 2.37 BS: They were talking about the record of the meeting that complied with the charter.
- 2.38 AS: Whether they were minutes or notes, it was the content that was important.
- 2.39 Phillip Pearce (PP): There had been so much discussion about the minutes and their accuracy. BS had asked for a copy of verbatim minutes and because of the time lag between meetings and receiving the minutes, there was a preference expressed for abbreviated minutes.
- 2.40 CC: The Item referred to an extract from the minutes of meeting No.9. At the last meeting, it had been raised that the minutes in their current format were not user-friendly to those outside of the CFG but the CFG decided they wanted to keep the current format.
- 2.41 BS: Could not accept why it was difficult to get the minutes out in a reasonable timeframe.
- 2.42 CC: There were two meetings in a week and sometimes when the Coffs CFG met, three meetings in a week. It took time to transcribe them. Last time the meeting minutes were provided within two weeks.
- 2.43 BS: How long did it take to transcribe the meeting minutes?
- 2.44 Janice Smith (Pramax Communications) (JS): That depended on the length of the meeting. The last minutes had taken about 12 hours to transcribe. When the stenographers were taking the minutes, it had taken weeks to receive the minutes back and proved much more costly.
- 2.45 RB: Wasn't it a management issue?
- 2.46 CC: It was a resource issue. Last time the minutes had been provided within two weeks.
- 2.47 RB: They weren't there to lessen the RTA's responsibility to have a proper record of meetings.
- 2.48 CC: The CFG needed to bear in mind that the reason for the meetings was to provide

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- input. The minutes seemed to be actually making it more difficult to achieve that. The issue was for the RTA to get feedback.
- 2.49 BS: There had been things said by CFG members and denied at a later stage. If there was no record of it, it was gone. There were continual inaccuracies.
- 2.50 MM: The suggestion was made at the last meeting that meetings be taped and if there was a problem later, they would have a tape.
- 2.51 AS: There were difficulties in picking up everything that was said with microphones.
- 2.52 BS: All that was needed was a tape recorder on the table and a background mike. There was no need for special equipment.
- 2.53 RB: Could they bring along a tape and do it?
- 2.54 CC: He did not have a problem with them doing that. It was important to keep in mind it would be a recording of discussions at a meeting and would not be for broadcast far and wide.
- 2.55 MM: Of course not. But there had been a lot of discussion on accuracy.
- 2.56 DS: It sounded like an excellent suggestion. He looked at the minutes from any meeting and they were chock-full of arguing about the minutes. If there was a recording, the minutes could be in an abbreviated form and if any arguments came up, they could listen to the tape. There would not be any of this time wasting. If they had a three-hour meeting, they were lucky to have one hour that was productive. A tape would mean an end to listening to recollections and wasting pages of stuff and hours of time.
- 2.57 AS: To say that the minutes were fraught with inaccuracies was incorrect. By looking at the previous minutes, members could see how few issues had been raised. Sometimes there were a few things that needed to be amended. Could the CFG accept that the minutes arising from the December 15, 2004, meeting had been accepted?
- 2.58 MM: Could they use the term minutes instead of notes?
- 2.59 CC: As long as there was an understanding the minutes were not a verbatim record.
- 2.60 DS: If there was a tape and the minutes were circulated and there was a violent objection, someone could have a listen to the tape and then amend the minutes.
- 2.61 BS: Thought they should be trying to get the minutes correct and then they didn't have to go further.
- 2.62 AS: There seemed to be an issue of the minutes always being inaccurate. As said previously, a check of previous minutes would find there were some amendments, not gross inaccuracies.
- 2.63 BS: He hadn't said there were gross inaccuracies.
- 2.64 Paul Norton (PN): You said there were continual inaccuracies – you did say that.
- 2.65 AS: Did the CFG think there had been adequate discussion now on the minutes? Could they now accept the minutes from the December 15, 2004 meeting?
- 2.66 BS: Item 2.4 regarding meeting 'notes' was contrary to the charter which referred to minutes.

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- 2.67 AS: The meeting records had got longer and longer. In regards to the record of the December 15, 2004, meeting which had been a combined meeting of the Woolgoolga group with the Sapphire-Moonsee CFG, the Sapphire-Moonsee CFG had adopted the notes without any amendments. It was recognised that within this group there were people who had issues but much of it was semantics. The meeting was getting bogged down in definitions.
- 2.68 MM: Referred to the charter – if there were minutes and they recorded actions and they were distributed within two weeks, it was all they could ask for. If there was anything a member wanted specifically recorded, they could ask for it to be recorded that way.
- 2.69 CC: That was not a problem. He had suggested the same thing at the last meeting. He would try to get the minutes out in two weeks and if someone felt there was something important that had been missed, they could say they wanted it recorded as an amendment.
- 2.70 AS: Did the group now feel there had been enough discussion on the December 15 2004 minutes?
- 2.71 MM: Asked if every time the word 'notes' appeared in the December 15, 2004, meeting record, it could be replaced with 'minutes' and then the minutes be re-issued.
- 2.72 PN: To do that was way out of accepted meeting protocols.
- 2.73 CC: Agreed to replace 'notes' with 'minutes' and re-issue the record.
- 2.74 December 15, 2004, minutes accepted by CFG.
- 2.75 AS then moved through the matters arising from the meeting on 2nd March 2005.
- 2.76 TP: Item 2.11 regarding length of 6% grade on Coastal Ridge Way, the issue was the assertion made was not correct and the error was acknowledged in the forum.
- 2.77 MM: At the presentation the error was acknowledged but hadn't there been a slide that had the incorrect information on it?
- 2.78 TP: No, it had been a verbal comment made during the presentation.
- 2.79 MM: Thought she had seen a copy of a presentation slide with the incorrect information.
- 2.80 PN: He had been at the meeting and did not recall incorrect information being on a slide.
- 2.81 MM: Regarding Item 2.14 concerning the procedure for placing minutes on the website, she had concerns that minutes were posted on the website and people would read them as accurate and then amendments were made at the following meeting.
- 2.82 BS: The extract said the feedback from the other two (CFG) groups had been that the process that had operated previously should continue.
- 2.83 AS: Yes, when the matter had been discussed at CFG meeting #10, the other two CFGs had also discussed the issue at their meetings and decided to continue the status quo. The Woolgoolga CFG also decided to do the same.
- 2.84 BS: Couldn't understand why some groups might decide to do something and the

Note: The word 'notes' in the December 15, 2004, meeting record to be replaced with the word 'minutes' and be re-issued.

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- Woolgoolga group couldn't do something different.
- 2.85 MM: Some of them weren't at meeting #10. Could they revisit the decision? Posting the minutes on the website before they were adopted was misleading.
- 2.86 BS: If someone read the minutes, they would not go back two months later to read the amendments.
- 2.87 AS suggested they deal with it under Other Issues/Matters Arising at the end of the meeting.
- 2.88 The CFG continued to work through the matters arising.
- 2.89 CC: Item 2.33 regarding the purpose of the Arup report, it was an extract from an engineering report to Coffs Harbour City Council and set out the purpose of the report.
- 2.90 BS: So they were saying the Arup report only addressed the Coffs Harbour section?
- 2.91 CC: Yes, it had only addressed the Coffs Harbour section and followed the decision in March 2002 that the inner corridor was the only corridor worthy of further investigation and it would be compared with an upgrade of the existing highway.
- 2.92 BS: That was not his recollection. He believed Arup had also looked at the northern section. He believed his original statement was that Arup looked at the process undertaken to that date.
- 2.93 CC: In March 2002, the assessment report had said the outer and central corridors were not worth pursuing and the inner corridor and the existing highway should be further investigated. Council had engaged Arup to review the process undertaken to reach that decision. He knew there had been some discussions between the Woolgoolga Area Residents (WAR) group but the options within the original corridors for the northern section had not been released at that stage, they were only corridors.
- 2.94 BS: He had said the initial purpose was to look at the process.
- 2.95 TP: And the project team had said the purpose was also to examine the technical issues relating to the Coffs section.
- 2.96 BS: It was confusing him.
- 2.97 AS: Perhaps BS could look at the report on Council's website.
- 2.98 BS: He had a copy of the Arup report. Okay, he was happy to move on.
- 2.99 The CFG continued to move through the matters arising from 2nd March 2005 meeting.
- 2.100 JS: Regarding Item 2.61 concerning verbatim records being supplied to BS, the agreement demonstrated by the extract of CFG meeting #9 showed that when verbatim records were taken, they were to be supplied to BS and BS had agreed to provide a response within 3 days if he had issues. It was not as BS had suggested that verbatim minutes were to be supplied within three days of a meeting.
- 2.101 BS: He hadn't had any problems with the accuracy of the minutes taken by stenographers or the timeframe they had been supplied in.
- 2.102 JS: Suggested the members should refer to all previous minutes regarding whether amendments had been made to them or not.

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- 2.103 AS: Regarding Item 2.81 on identification of members in meeting minutes, the extract showed the request had initially been made by the Coffs CFG. The Woolgoolga group had now made the same request and so members, for example Bruce Scanlon, would now be identified by their full name first and then their initials (BS) afterwards in the meeting minutes. Could the minutes of the 2nd March 2005 meeting now be adopted?
- 2.104 BS: Had raised the issue of the provision of maps to members.
- 2.105 CC: Did not agree that he had said they couldn't go out. He had expressed a reservation that the maps should be suitably notated and there was no reason why he would have objected to their release.
- 2.106 BS: It had only been when the CFG had objected that CC had relented.
- 2.107 DS: Thought that by reading 3.6 and 3.7 in the previous meeting minutes that he would assume it had been agreed to provide them and the plans would have been sent out.
- 2.108 CC: The plans were made available and that was the important thing.
- 2.109 BS: But CC had objected.
- 2.110 CC: That was not correct.
- 2.111 BS: A number of CFG members here would agree that CC was unwilling to give them out.
- 2.112 AS: Was that the feeling?
- 2.113 MM: There was a feeling that this was not a true consultative process.
- 2.114 BS: The RTA was reluctant to release the plans and maps and only did so after much persuasion.
- 2.115 CC: Had to insist that he did not agree with the comments made.
- 2.116 MM: There had been discussion (at the last meeting) about the length of time everything was taking and Steve Moody(SM) said he was not happy with the level of the consultative process and that statement was not recorded in the minutes. She had written the statement down in her notes of the meeting. And there was an omission that Connell Wagner agreed the minutes were a low priority.
- 2.117 AS: There was an undertaking at the last meeting to get the minutes out quicker and that was done.
- 2.118 MM: But that comment was made by SM and it was omitted. She also wanted to mention that in a discussion at the previous meeting regarding Option E that it was not the community's preferred option.
- 2.119 BS: That was well documented.
- 2.120 RB: Item 2.95 of the previous meeting regarding the socio-economic outcomes of Option E, she had raised the issue and yet there had been nothing noted in the action column of the minutes. While she knew there had been discussion about what studies had been done she felt it should have been noted as an item in the action column. Why wasn't it?
- 2.121 CC: An assessment of socio-economic impacts of the options had been included in

Note: the issue was raised by the CFG member in her response to the minutes of the 2nd March 2005 meeting. A written response was provided in correspondence to the CFG member dated 29th March 2005 which referred the member to the relevant reports

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- the Route Options Development Report and the associated working papers. At that stage, there had not been an Option E. In February 2004 when Option E was released, there was a Supplementary Options Report which addressed the socio-economic impacts of the option. The Preferred Options Report included the assessment of socio-economic impacts as well as the Value Management Workshop report. What action did RB feel should have been minuted?
- 2.122 RB: Had there been a study of the socio-economic impacts of Option E and if so why had it ignored one-third of the population of the area (the Sikh community)?
- 2.123 CC: Did not agree that it had ignored any section of the community or that the Value Management process had ignored input from any section of the community.
- 2.124 AS: Were there any more issues? Could the minutes be accepted?
- 2.125 Minutes of 2nd March 2005 meeting accepted.
- 2.126 BS: Wanted to raise an issue as far as the independence of the facilitator, AS, was concerned. A facilitator needed to be independent, skilled and flexible and with no vested interests. He had two issues with AS – firstly his independence and secondly that he had a vested interest. This had been demonstrated at recent meetings and some of the newer members shared his view.
- 2.127 AS: Was surprised. He had not had that comment before from any of the community groups he had facilitated.
- 2.128 PN: Asked BS to define 'vested interests'.
- 2.129 BS: Pramax was a PR company for the RTA.
- 2.130 AS: That was incorrect.
- 2.131 BS: Well, a promotions company.
- 2.132 AS: Pramax was not a public relations company. It carried out community consultation for large infrastructure projects.
- 2.133 BS: Said AS often steered discussion in different directions.
- 2.134 AS: His role was to facilitate discussion and encourage input. He was given an agenda and his role was to move through the agenda.
- 2.135 RB: In his position, it could change people's minds that he had access to the minutes before CFG members did. It could make a difference to what he said and didn't say.
- 2.136 TP: Found the whole discussion amazing. Was it being purported that there was an independence issue? What had AS done that was different in recent meetings that he hadn't done in earlier meetings?
- 2.137 BS: He had a problem with the facilitator.
- 2.138 TP: Why was there a problem now that wasn't there before? Why was AS's facilitation an issue now?
- 2.139 Phillip Pearce (PP): It had been a learning process for the group and the issues had changed. Previously there had been a number of options and now there was a preferred route.
- 2.140 AS: The group's purpose was to provide feedback and he tried to encourage discussion, not to produce a desired result but to have debate and obtain fair

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- comment from all members. If members went back through the minutes of previous meetings they would find equitable comment had tried to be encouraged from all members. Often some members said a lot at meetings and others did not. It was his job to give other people a chance. He did not have a side in the project. He was interested in sticking to the agenda.
- 2.141 DS: Was surprised to hear the matter being raised. He wanted to speak in AS's defence. AS had been impartial. If anything, AS could be annoying by allowing things to go on too long and here BS had gone on and on. People could take tonight as an example. The group had been discussing previous meeting minutes. They had started at 5.45pm and it was now 7.20pm and that was not peculiar to this meeting. He was frustrated that they couldn't move on and he was sick of the backchat.
- 2.142 BS: AS often cut off member discussions but did not do the same thing to project team members.
- 2.143 MM: She found responses seemed to be ambiguous, not clear and contradictory and therefore the CFG kept asking questions and were not getting an answer. There seemed to be a lot of double-speak.
- 2.144 AS: Because of the issues involved, there were times when people might have to agree to disagree on something or a response might have to be taken on board.
- 2.145 MM: It did have to do with moving on. If a response couldn't be given, it could be put in the action column for the next meeting.
- 2.146 RB: The CFG had been told by (the Pacific Highway General Manager) Mr Bob Higgins what its role was but why did they have to be part of a four-year process? The RTA set the agenda for the meetings. If the facilitator was independent, agenda items should be open for discussion.
- 2.147 AS: CFG members had always had the opportunity to contribute items for the agenda. While the meeting's agenda had set 15 minutes for adoption of the minutes of previous meetings, the group had already spent an hour and a half on them and that happened quite often. In contrast, the Sapphire-Sandy Beach CFG, which had taken part in the same 15th December 2004 meeting, had adopted the minutes of the meeting without any amendments. DS had pointed out that he was letting such debate go on for too long.
- 2.148 Adam Cameron (RTA) (AC): If the group looked at the amount of time AS had given them on debate and acceptance of the minutes, it was difficult to comprehend that it had been said AS did not allow discussion.
- 2.149 RB: It was the aim of moving the RTA's agenda.
- 2.150 CC: The discussion needed to be concluded. He believed AS handled facilitation of a difficult project well and in an unbiased manner and had given members opportunity to have input and AS was mindful of the need to facilitate input from the community. He had every faith in AS and asked that the group work with him.
- 2.151 BS: Believed AS had a vested interest. He was employed by the RTA and Pramax was employed as a promotions company by the RTA.
- 2.152 AS: Pramax was not a promotions company. It was engaged to carry out the community consultation for the project and within the company there were very different roles filled. His role was to facilitate the CFG meetings.

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- 2.153 BS: Did not believe AS could be independent and that someone else should facilitate the meetings.
- 2.154 DS: Who else would facilitate the meetings?
- 2.155 RB: Perhaps someone from the community.
- 2.156 DS: If it was someone else, they would still be being paid by the RTA. Would that mean they would then not be independent?
- 2.157 CC: Suggested the CFG take a break.

Break from 7.45-8.05pm

3. FEEDBACK ON PRELIMINARY CONCEPT DESIGN

- 3.1 AS: BS would make a presentation put together by SM regarding feedback received at a WAR meeting held on 5th April 2005.
- 3.2 Presentation by BS.
- 3.3 AS: Thanked BS.
- 3.4 TP: The issues raised in the presentation would need to be looked at in assessing the impacts of the proposal.
- 3.5 CC: He accepted and understood the issue raised in the presentation regarding the lack of detailed information on the plans. The RTA had made the decision to make the information available as soon as possible so that it could receive input on the preliminary design rather than waiting until further down the track. It was felt it was the best thing to do to enable the CFG to have the earliest possible input into the design process.
- 3.6 BS: Council already had the correct boundary information. Anyone could get the necessary information through Council. There were boundary changes made 10 years ago that were not on maps. (Another CFG member indicated then that it was his property boundary that was not shown.) The aerial photos used were five years old.
- 3.7 DS: How could the RTA come to the conclusion that Option E could had such low socio-economic impacts when the information was so out of date. It was scandalous. The (preferred option) decision had been made by the Minister on the RTA's recommendations.
- 3.8 CC: The information that the RTA had at the time was adequate and appropriate for the process of route selection. A lot of issues raised by WAR had been addressed as part of the route option selection process and they would be addressed through the environmental assessment process.
- 3.9 BS: Wouldn't it be appropriate to advise WAR what had been addressed and not addressed?
- 3.10 MM: How could the RTA make a decision if it didn't know the number of residences impacted?
- 3.11 RB: If the community could walk into Council's offices and access the information, why couldn't the RTA?
- 3.12 TP: The project team had relied on Council's records which were updated on a six-

Note: presentation, covering letter and spreadsheet attached.

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monthly basis. If there was something incorrect, it may be because it was incorrect on Council's records. If the CFG member whose property was in question could supply them with the correct information, it would be checked. (Discussion was held following the meeting.) It was acknowledged there was a lot of information which could have been overlaid on the plans and plans that would address the things that the presentation had raised. There were a suite of investigations that would be carried out that would feed into the environmental assessment process over the next six months.

- 3.13 RF: They wouldn't change the decision (regarding the preferred option).
- 3.14 TP: The CFG needed to understand the process. The decision on a preferred option was based on the route options assessment. An environmental assessment needed to now be applied to that option and that was the phase they were now entering into.
- 3.15 RB: Could they build a proper socio-economic assessment into that process?
- 3.16 TP: That was one out of 10 of the requirements.
- 3.17 RB: Would it be responsive to the socio-economic impacts on the community – a formal process to measure those impacts?
- 3.18 TP: There would be a socio-economic impact assessment.
- 3.19 BS: In his extensive involvement with the process, he could not comprehend how the RTA could come to a decision if it hadn't gathered all the information. He thought it would have been gathered and assessed before a decision would be made.
- 3.20 TP: He had heard this before. In his 20-plus years of highway planning experience, the level of investigation on this project had been as comprehensive as any he had seen. If anyone could identify a more thorough investigation, he would like to hear it.
- 3.21 BS: It might be a reflection on the shortcomings of other RTA projects.
- 3.22 TP: That was a generalisation he could not respond to.
- 3.23 CC: BS was entitled to his opinion but the level of information was at least comparable to similar projects and it was adequate and appropriate for the route selection process that had been completed.
- 3.24 RB: Did CC call leaving one-third of the population out of representation on the VMW adequate? There had been no Sikh representation at the April 2004 VMW that recommended Option E. Council on the other hand had had lots of representation.
- 3.25 BS: You couldn't compare the project with other projects. They (the CFG) weren't interested in other projects, they were interested in this project.
- 3.26 TP: The route planning and route selection process undertaken represented best practice in infrastructure planning.
- 3.27 RB: Disagreed.
- 3.28 MM: Was Option E assessed as thoroughly as the others?
- 3.29 TP: There was a balanced assessment of all options.
- 3.30 BS: More assessment had been made of Option A so it wasn't balanced and the data obtained had been used selectively to highlight the negative aspects of Option A.
- 3.31 TP: In regards to all the public documents, it was interesting that there had been little

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- reaction to the technical information. Yes, there had been reaction to the recommendations.
- 3.32 PP: Had they received much technical comment from the public?
- 3.33 Barry Hancock (Connell Wagner) (BH): It came down to confidence. There was more data on this project than he had experienced on any project before. The project team had pointed out when the maps and plans were provided to CFG members that they were very preliminary. They had said they showed limited cadastre and were aimed primarily at showing the engineering design of the road.
- 3.34 MM: What sort of comment had they been expecting back if it was just engineering details? Weren't they expecting other impacts?
- 3.35 TP: Yes, there had been good information received from the presentation.
- 3.36 RB: What was the timeframe of the process?
- 3.37 TP: There would be 4-6 months of baseline studies. As the designs were refined, they would produce an environmental assessment and that became similar to a DA for a house. The RTA would submit that application to DIPNR. DIPNR would then make a response to the issues raised and a decision on the proposal.
- 3.38 CC: BH's team would be redefining the design from the issues raised at the WAR meeting.
- 3.39 Parvinder Lalli (PL): Because of the issues raised, would they be conducting the assessment just on Option E or the other options as well?
- 3.40 CC: The preferred option (Option E) had been selected and the investigations would be carried out on it.
- 3.41 RF: So the decision had been made.
- 3.42 DS: The RTA looked at options, picked one and then carried out an environmental assessment. They moved a little here and a little there and there she was, the decision was made. The community was trying to say it was a rotten decision because there was not enough hearing of socio-economic issues.
- 3.43 RF: Did public opinion mean anything? Was there any opportunity to have a vote?
- 3.44 CC: It was not a vote. Public opinion was important but it was not a vote.
- 3.45 RF: Once the RTA built it, they would walk away. The local community had to live with it.
- 3.46 TP: The infrastructure process was a well-defined process that had to be followed.
- 3.47 RB: CC had said it was not a vote, so what they thought did not matter.
- 3.48 TP: The environmental assessment was conducted in accordance with the specifications issued by DIPNR. It was a legally binding process.
- 3.49 RB: Independent facilitation was about listening to a community's view. TP had said consultation was a legal process.
- 3.50 TP: It was a discretionary process. It was not a vote.
- 3.51 DS: In 20 years, how many projects had TP experienced where EISs had been knocked back?

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- 3.52 TP: The M4 East project was the most recent. In fact, there were many instances. With RTA projects, there were projects where the nature of the impacts were such that they were not willing to proceed. He suggested they approach DIPNR to ask for the number of specifications issued for EIS's exhibited and correlate that to the number of EIS's exhibited. There would be a great number that did not come to fruition.
- 3.53 RF: It was the social impacts on the community that were a concern.
- 3.54 MM: One of the aims was to have extensive and ongoing community consultation to ensure the best overall outcome as a whole. Wasn't the community important?
- 3.55 CC: A number of people did not believe Option E provided the best outcome and he understood that. The assessment of the options was that, of those available, Option E provided the best overall outcome and it was detailed in the reports he had referred to earlier.
- 3.56 BS: He had asked a number of times for a quantitative assessment of socio-economic issues.
- 3.57 CC: BS had been involved in the process from the start and had attended the VMWs and knew the assessment of social aspects was part of the process.
- 3.58 BS: The VMW process was the subject of objections raised with the Government.
- 3.59 RB: Thirty out of 38 properties affected by the preferred option belonged to a group that wasn't represented at the VMW and so they were the ones who got dumped with Option E.
- 3.60 CC: An invitation had been issued to a representative of the local agricultural industry and an opportunity provided for him to have input into the VMW process. The representative nominated was a member of the Sikh community. At every information release, there had been translations made and information distributed in Punjabi.
- 3.61 RB: The discrepancy was when the RTA was seeking input into the VMW process, there was no translation into Punjabi. It wasn't consistent.
- 3.62 CC: Every time they went out on display, there had been translations into Punjabi.
- 3.63 RB: Everyone was asking why they hadn't made the extra effort.
- 3.64 CC: They had.
- 3.65 BS: Had issues concerning the weightings used and the process followed at the April 2004 VM once it looked like the RTA's preferred option was not going to be selected.
- 3.66 CC: The RTA did not have a preferred option going into the workshop. The process that had been followed had been sound. It was part and parcel of the standardised VM process.
- 3.67 AS: While some members were in an unenviable position where they might not agree with the preferred option decision, the CFG had a role to provide input into the design and environmental assessment. A letter had been sent out advising there were other avenues, outside of the CFG, to raise concerns with the preferred option decision. It had been stated at the meeting that there were investigations being undertaken which could answer off on some of the issues raised. It was difficult to move on but it was the members who would decide how the group worked and whether it would

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- provide input into the design, such as BS's presentation had.
- 3.68 RB: Nothing would happen, it was minuted.
- 3.69 RF: Had a letter from Bob Higgins ...
- 3.70 MM: AS had mentioned a letter. If he was so independent, how did he know about the letter?
- 3.71 AS: He had picked up a copy of the letter at the meeting. It was the first time he had seen it. Of course he knew that a letter had been sent to members. It was part of the background information he needed to be able to facilitate the meeting because it might be raised.
- 3.72 RF: What other avenues were available to members to raise their concerns?
- 3.73 CC: Members could write to the Minister, their local Member, participate in WAR (and other opponent group) activities. It had been agreed the purpose of the forum was to provide input into the design and the environmental assessment and that was the priority.
- 3.74 RF: Had taken offence that the letter was telling them what they could say.
- 3.75 CC: The letter was not telling them what they could or could not say. The last two meetings had been held to give the members ample opportunity to have input into the preferred option design – otherwise the RTA would have to develop the preferred option design without their input. The CFG members, the communities they represented and the RTA would all be disadvantaged if that happened.
- 3.76 MM: A response had been drawn up to the letter and she wanted it tabled. She then read it out.
- 3.77 PN: Wanted it noted that the letter did not represent the views of all the CFG members.
- 3.78 MM: It was on behalf of those who had signed it.
- 3.79 RB: What actions would be taken to the letter and some of the issues raised?
- 3.80 CC: The design issues raised would be discussed. The RTA would make a response to the letter.
- 3.81 RB: And the issues raised by Des Saunders regarding socio-economic issues?
- 3.82 CC: What issues was RB referring to?
- 3.83 DS: The issues raised on the spreadsheet. How could the RTA make a decision without such information and the first they had found about it was when the WAR group made the presentation?
- 3.84 CC: There was a lot of information that had gone into the selection of the preferred option and it was available in the documents he had referred to. Now they were looking at the preferred option in more detail. The group had provided feedback and that was what he had asked for. They were aware of the vast majority, if not all, of the issues raised and now had a checklist.
- 3.85 DS: When assessments were made, they were never quantitative impacts taken to the extent they should be. There was more concern over a greenie and his tree than over the livelihoods that would be affected.

Note: copy of letter attached.

Note: Issues raised in presentation to be assessed. RTA to respond to the letter from some of the CFG members.

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- 3.86 CC: Disagreed. Appropriate weightings were given to all issues.
- 3.87 AS: Asked members if they could move on to the Update on Field Investigations on the agenda.
- 3.88 RF: It was getting too late.
- 3.89 AS: Was there a consensus then that the update on field investigations be left until the next meeting?
- 3.90 The group agreed.
- 3.91 RB: What about the CFG having input to agenda items?
- 3.92 AS: That had always been an option.
- 3.93 BS: Regarding AS's vested interest, Pramax had been employed by the RTA. There was a conflict with AS's role as facilitator which should be totally independent. There was a conflict there.
- 3.94 TP & JS: Was BS suggesting there was a probity issue?
- 3.95 BS: Yes.
- 3.96 TP: That was a spurious comment.
- 3.97 RB and MM: He didn't say probity.
- 3.98 PN: He was asked was it probity and he said 'yes'.
- 3.99 BS: What was the role of Pramax?
- 3.100 CC: To assist the project team in the community consultation process. The person who was managing that role was JS.
- 3.101 DS: If AS wasn't acceptable, surely it would be a function of the RTA to engage someone else to facilitate the meetings. Would they then too have a vested interest?
- 3.102 TP: The discussion was totally outside the spirit of the meeting and what had been said was a serious claim.
- 3.103 CC: As he had said earlier, he had total confidence in AS. He judged AS on his performance. If BS had issues, he should put them in writing and the RTA would consider the issues raised.
- 3.104 MM: But CC had just said he had confidence in AS so any issues they raised would not be seriously considered.
- 3.105 CC: That was his personal view but as a representative of the RTA, he would look at what was submitted.
- 3.106 TP: Wanted it actioned that BS submit in writing to the RTA what AS's probity issues were. **Note:** BS to provide the RTA in writing of the probity issues concerning AS
- 3.107 CC: It was time to close the meeting.
- 3.108 RB: If we have agenda items?
- 3.109 AS: They could notify Pramax. The six presentation slides on the field studies would be sent out with the meeting minutes. **Note:** Presentation slides attached

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4. CLOSE OF MEETING

Meeting closed at 9.45 pm.