

**REPORT OF PROCEEDINGS BEFORE**

**GENERAL PURPOSE STANDING COMMITTEE No. 4**

**INQUIRY INTO PACIFIC HIGHWAY UPGRADES—COFFS  
HARBOUR**

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**At Coffs Harbour on 21 November 2005**

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**The Committee met at 10.30 a.m.**

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**PRESENT**

The Hon. J. A. Gardiner (Chair)  
The Hon. J. C. Burnswoods  
Mr I. Cohen  
The Hon. G. J. Donnelly  
The Hon. A. R. Fazio  
The Hon. M.J. Pavey  
Ms L. Rhiannon

**CHAIR:** Ladies and gentlemen, welcome to the fourth public hearing of the inquiry into the Pacific Highway upgrades by the General Purpose Standing Committee No. 4. Before we commence, I would like to make some comments about the inquiry and procedures for today's hearing. In relation to the conduct of the inquiry, this Committee is currently undertaking two inquiries into the Pacific Highway upgrades, one related to the Far North Coast and the other relates to this area around Coffs Harbour. The two inquiries examine similar issues, and are being conducted concurrently. This is the first hearing specifically relates to the Coffs Harbour area.

The purpose of today's visit is to allow the Committee to speak to the people directly affected by the proposed upgrades and further familiarise the Committee with the Coffs Harbour area. To enrich the Committee's understanding, this morning we conducted an independent tour or inspection of sections of the Pacific Highway from the Bonville deviation to Woolgoolga and back. In relation to how the inquiry works, we are a Committee of the upper House comprising seven members of Parliament representing The Nationals, the Liberal Party, the Australian Labor Party and the Greens. This Committee does not represent the Government, the Roads and Traffic Authority [RTA] or the Minister for Roads.

The Committee is not empowered to choose a route for the Pacific Highway upgrades. We will examine the possible impact of proposed roads and then write a report on our findings that will be given to the Parliament and to the Government. Our findings might include comments on the Government's process for determining route options as well as the factors we think that the Government should consider when deciding a route. The Government does not have to accept the recommendations made in our report, but it must respond to the recommendations within six months of tabling of the report. If anyone wishes to have a copy of the report mailed to them, please advise the secretariat of your names and addresses. I would also advise that anyone who has made a submission will automatically be sent a copy of the report.

In relation to audience comments, we are aware that people hold strong and diverging views regarding the proposed highway upgrades. I wish to emphasise that although this is a public hearing, it is not an open forum for comment from the floor. The role of the parliamentary Committee is to provide citizens with an opportunity to participate in the parliamentary process. While the Committee welcomes the audience here today, and welcomes you very sincerely, the primary purpose of this hearing is to give individual witnesses an opportunity to give their evidence on oath before the Committee. Only questions from the Committee and evidence of the witnesses are recorded in the transcript. Uninvited interruptions are not recorded and will only disrupt the hearing. The appropriate channel for commenting on the evidence of any witness is by making a written submission to the Committee. That submission will then become part of formal evidence of this inquiry.

In relation to adverse mention, I point out that the privilege to speak freely as part of this parliamentary proceeding exists so that Parliament can properly investigate matters such as those being examined by this inquiry. This privilege protects witnesses from legal action such as defamation but is not intended to provide a forum for witnesses to make attacks and references that reflect on others. The protection afforded to witnesses under parliamentary privilege should not be abused. I therefore request that witnesses avoid naming third parties except immediate family members unless it is absolutely essential to address the terms of reference. If a witness makes serious allegations which the Committee believes reflect adversely upon a specific person, then as a matter of procedural fairness, the Committee may elect to provide that person with an opportunity to respond to the criticisms. This process is complex and lengthy and may delay completion of the Committee's report.

In relation to adverse mention outside the hearing, it is important to remember that parliamentary privilege does not apply to what witnesses may say outside the Committee hearing. Therefore I urge witnesses to be cautious about their comments to the media and others after they complete their evidence, even if it is said in the confines of this building. Such comments would not be protected if, for example, another person decided to take an action for defamation. In relation to broadcasting guidelines, the Committee has previously resolved to authorise the media to broadcast sound and video excerpts at these public proceedings. Copies of the guidelines covering of the broadcasting of proceedings are available from the table by the door. In accordance with Legislative Council *Guidelines for Broadcasting Proceedings*, a member of the Committee and witnesses may be filmed or recorded. The people in the audience should not be the primary focus of any filming or photographs. In reporting the proceedings of this Committee, the media and must take responsibility

for what they published and for what interpretation is placed on anything that is said before the Committee.

In relation to documents tendered to the Committee, under the standing orders of the Legislative Council, any documents presented to the Committee that have not yet been tabled in Parliament may not, except with the permission of the Committee, be disclosed or published by any Committee member or by any other person. In relation to in camera deliberations, the Committee prefers to conduct its hearings in public. However, the Committee may decide to hear certain evidence in private, if there is a need to do so. If such a case arises, I will ask the public and the media to leave the room for a short period. In relation to mobile phones, I ask everyone to turn off their mobile phones—and that includes me. I welcome our first witnesses this morning, the Mayor of Coffs Harbour, Councillor Keith Rhoades, and Mr Stephen Sawtell, the general manager. I thank them both for being here.

**KEITH DAVID RHOADES**, Mayor, Coffs Harbour City Council, 9 Ramornie Drive, Toormina, 2452, and

**STEPHEN MICHAEL SAWTELL**, Acting General Manager, Coffs Harbour City Council, Locked Bag 155, Coffs Harbour, 2450, sworn and examined:

**CHAIR:** Are you conversant with the terms of reference for this inquiry?

**Mr RHOADES:** I am.

**Mr SAWTELL:** I am.

**CHAIR:** If either of you should consider any stage that certain evidence you may wish to give or any document you may wish to tender should be heard or seen only by the Committee, please indicate that fact and the Committee will consider that request. Mayor Rhoades, I think you have an opening statement to make to the Committee.

**Mr RHOADES:** I do, thank you, Madam Chair. First I would like to thank the Committee for the opportunity to be able to present, on behalf of the community of Coffs Harbour, a story that goes back for some 8 to 10 years—or some would say even longer. We have been trying to find a solution to the existing Pacific Highway that goes through the local government area of Coffs Harbour.

Predominantly over the past three years council has been very much involved as a partner with both the Department of Infrastructure, Planning and Natural Resources [DIPNR] and the Roads and Traffic Authority [RTA] in the steering committee to try to find a route for the deviation or bypass of the city of Coffs Harbour—which includes, from our most southern point, the city of Coffs Harbour proper and the northern beaches and the town of Woolgoolga—to link up with the Pacific Highway to the north of that town.

During that time, the council, the steering committee and the community—and I emphasise the word "community"—have spent a lot of time going through the process of selections, listening to views of the community with regard to options, preferred options, possible route selections and the like. It was disappointing when the Coffs Harbour City Council made a stand and a resolution on 16 December 2004 at its council meeting, when it stated publicly for the first time where it stood in relation to its position, on the proposed two routes for the Pacific Highway deviation.

Following the council's resolution and public statement—basically announcing the preferred option of the RTA as we now know it—to include support for the interim upgrade of the Pacific Highway from Sapphire to Woolgoolga and further consideration of the Coffs Harbour part of it or down the bottom part—the route selection of Inner South 2 [IS2] over Inner South 1 [IS1] being the most southern part because it has very much had a dramatic effect on over 20-odd years of residential planning for the selection of the bottom part being taken—council also had concerns for the bypass of the northern township of Woolgoolga.

For our involvement, Madam Chair, because we had taken a stand which obviously did not coincide with the direction that was being taken by the Government and/or the RTA, the council was dropped as a partner from the steering committee and we took no further place on the steering committee. It might have been a slap on the wrist because we had not conformed. Whatever the case might be, council has always, while I have been mayor of the city, worked in with the community's viewpoint. If we were penalised by being discarded and disbanded from this steering committee, so be it, but that did not stop the relentlessness of council in still being able to portray the views of the community.

When the resolution came out, the RTA made an announcement early in 2004. Unfortunately council was made aware of that some 60 minutes prior to the media release where only the media were invited. Forget the council, forget the councillors, forget everybody who had spent hundreds—and I repeat "hundreds"—of hours of work, of their time at night, through winters and through summers, to be able to present their case on behalf of the people, whether for their patch in the

community or for the overall community who were totally discarded from that. So, very much tongue in cheek, we still fronted to the media release.

We were absolutely astonished at the announcements made by the RTA. Those announcements were an absolute slap in the face for the value management workshop process that we had been through some three months previously with members of the various government departments. Some of the solutions and recommendations coming from that were totally rejected by those who are unknown.

We have moved on from there. As I said, council will continue to maintain its status. Our motion refers to the direction in which we are going—an interim upgrade of the Sapphire to Woolgoolga section. A lot of people are now saying that this has the potential of sitting—if it has not already—in the category of being called Bonville No. 2. I say that in the context of the carnage that has occurred and the potential for that carnage to increase at a dramatic rate on the section from Sapphire to Woolgoolga. The community is totally supportive of government funding to come into it; the community is not supportive of the proposed plans in total.

For some 10 years Coffs Harbour has had a moratorium on the development of our northern beaches. Council has been able to put a sewerage and water infrastructure into place to allow for urban and residential development of our northern beaches. That moratorium was lifted after council now has a state-of-the-art sewerage system—it could even be leading the State in sewage reclamation. We have the support of and we have been working with our neighbouring councils of Clarence and Grafton for 11 years. We now have a water supply that will enable our city and those cities to progress for the next 50 years.

We, as a council, are faced with the possibility of government interfering and stating, "You cannot approve development applications because you know the coastal policy and that will put undue pressure on the existing Pacific Highway." Again, as a city, we might find ourselves going backwards instead of moving forward professionally and at low speed. It is not development at all costs by any means; it is very low speed development of our city's northern beaches. Some landowners have been waiting in excess of 20 years. They have been paying taxes on land that has been zoned 2A residential that they have been unable to develop.

On four occasions over the past 12 months council has made representations to the RTA in written correspondence seeking its review of the speed limit on the Sapphire to Woolgoolga section. As I am addressing this Committee the speed limit still remains at 100 kilometres an hour. We believe, and our community believes, that this is out of whack with current conditions on that highway. On the four occasions we have written to the RTA we have been unable to get a favourable outcome. But that is something council will continue to pursue. I refer to the position of the Pacific Highway at Bonville.

Unfortunately, it has reached the stage—and this saddens a lot of people—where it has been dragged to a level where people's lives and the lives of their family members are now coming into the equation. Work that should have been done years ago has not been done. I have been in the unfortunate situation—that is probably the best way of putting it—of being involved with the New South Wales Fire Brigades in fire rescue for some 31 years. I do not intend to sit here and explain to the Committee what I have seen over that time. On behalf of the community I have become involved in taking this case forward and adding my weight, as the city's mayor, to try to find an outcome to this issue.

On 27 June, when I was looking at the remains of four deceased people in a van after a head-on collision with a bus, I was asked, "Why? Why will somebody not do something about the existing Pacific Highway at Bonville?" Another question that was asked was, "Why do we not have somebody who can do something to have this issue resolved, to do something to implement some safety measures?" In my position as the city's mayor I can state that council is not a builder of highways and it is not an instigator to get major safety measures put in place. We reached a situation where we had to become a part of the process. I had to become part of the process to try to assist, where possible, to achieve some outcomes.

In recent times we have had some responses from the Government. Thankfully, the communities of Coffs Harbour local government area and Bellingen local government area have addressed this issue. We appreciate the measures announced by the Minister about 2½ months ago to reduce the speed limit on the existing highway, to implement speed cameras by Christmas—currently those cameras are under installation—and to monitor safety measures to implement, if required, further safety upgrades. That is appreciated. I again express the thanks of the two communities of Coffs Harbour and Bellingen.

We have seen a dramatic decrease in fatalities. We have no fatalities and we do not want fatalities. The changes in those so easy to do situations are having an impact. The main thing is to save lives and to prevent families from going through the traumas that so many of them have been through before. We appreciate the Federal Government's recent announcement of \$5 million to assist us further with the implementation of safety works. This is one of those issues that should never have reached this stage. The same people—grown-up and smart-thinking people—should have been able to get together many years ago. They should have seen what was happening down there. They should have established the need for a joint approach by all levels of government—all those involved in the decision-making process—to stop the carnage that was happening. I thank the Committee for the opportunity to make an opening statement.

**CHAIR:** Mr Sawtell, do you wish to add anything to that?

**Mr SAWTELL:** No, I will wait until the conclusion.

**CHAIR:** Mr Rhoades, in your submission you talked about the timing, for example, for the program upgrade from Sapphire to Woolgoolga, which you say might commence within the next five to six years, whilst the Coffs Harbour deviation proposal has a 10-year to 20-year planning time frame. Given the delays to the Bonville deviation, do you see as realistic that Sapphire to Woolgoolga time frame of five to six years?

**Mr RHOADES:** We are in a position as members of the community that if something is out of our control governments have the willpower and the determination to make those decisions. We said in our submission five to six years, but we would like to say that it is two to three years. We understand from a civil point of view construction sometimes takes longer than that. We would be seeking from the Government a decision to have these works carried out in the shortest possible time and at the earliest possible time. Overall, council still has some concerns, and so does the community, about the route selection, in particular, the one I outlined in my opening statement—the IS1 over the IS2—and the proposed deviation through option E of the township of Woolgoolga.

Those are issues that we as a council and as a community still see as being unresolved. The RTA and the Government might see them as being resolved, but we would still like an opportunity to have that dialogue. We want to continue to pursue what we believe is right for our community. We are the people who live here. We are the people who have to put up with this on a daily basis. Referring again to the Sapphire to Woolgoolga section, I reiterate that we need a commitment from Government to stop the carnage that has the potential of increasing from its present unacceptable levels north of our city to even greater levels.

**CHAIR:** You mentioned that council was dropped off the consultation process and that when the preferred route was announced the RTA gave you only one hour's notice. Is that symptomatic of the way in which the RTA deals with council?

**Mr RHOADES:** I have to correct the statement that you made. We were not given one hour's notice by the RTA. Thankfully, council has some good associations with friends in the media in this town.

**CHAIR:** So it was the media that tipped you off?

**Mr RHOADES:** Nobody other than the media was tipped off to be there at a certain time for the announcement. But we finished up with a quite a good representation of local government and community representatives who were present for that announcement. In regard to our relationship with the RTA, I believe in the past 12 months it has got stronger. I say that from a local government

perspective as a result of the involvement I have had with the RTA's general manager for the Pacific Highway. We do not dig a hole, hop in the hole, cover ourselves up and say, "We are out of this process. We have had our say, it has been ignored, why continue?" Well, we do continue.

I believe that the relationship with RTA bureaucrats from the construction point of view is still quite solid and open. We are now in a position where we have room to move forward. There is no brick wall between us. We are quite happy and we constantly strive for dialogue between those organisations.

**The Hon. MELINDA PAVEY:** Do you believe we need to upgrade the Sapphire to Woolgoolga section anyway, even though it might put at risk the western bypass option? Over the next five to six years the RTA and the Government will probably be spending money on duplication and putting in traffic doughnuts on the Sapphire to Woolgoolga section. Does that have to go ahead anyway, even though it might put at risk the imminent implementation of a western bypass?

**Mr RHOADES:** I can only speak as mayor with respect to pursuing the resolution of council. I can speak as an individual. Council's resolution on 16 November 2004 was that it supports an interim upgrade of the Pacific Highway between Sapphire and the northern beaches. Leaving aside my role as mayor at present, Government was to build a western bypass. This community put forward a very good proposal called the coastal ridge option, which was rejected because of construction costs and the inability of government to do certain things. People still do not agree with that.

By saying that we could not have it, that was one way in which the Government got around it. But no exercise was really carried out. More than likely council would then have taken over responsibility for the existing highway. We are not in a position to do that. Some good developments on the northern beaches have been happening at present. In your tour this morning I do not know whether you got to travel over the northern section. If you did you would have seen a rather large shopping centre going in at Mooney and traffic will be entering the highway. That development is costing in excess of \$2 million and there have to be road upgrades there.

Upgrade works are to commence at Emerald Beach following a resolution of council last week. It is predicted that in 2030 the population of Coffs Harbour will be 107,000 and that road will be a major road in our local network. I do not know whether that will hamper the construction of the far western bypass. I can only state that that decision is outside the control of the local council and the community. That is a decision that only the government of the day can make. I hope that the blinkers do not go on and that we can pursue that matter.

**Mr SAWTELL:** I reiterate the mayor's comments about the long-term recommendations for the far western bypass. The issue on the table is to upgrade Sapphire to Woolgoolga. That is what is before us and we have to get on with it. We have been working with the RTA to deal with this increase in population on two levels. First, we have to address the current traffic access onto it, so we have an operational committee with the RTA; and, second, we have to look at long-term strategic plans. Where there are developments along the highway we might be able ensure that the road renovations occurring in Mooney include a longer and better planned roundabout to try to alleviate critical issues on the existing highway and to incorporate the growth of the city.

**CHAIR:** Mr Rhoades I note that, in the past 12 months, there have been three Ministers for Roads—Minister Scully, Minister Costa and Minister Tripodi. Has that in any way affected the momentum of these discussions?

**Mr RHOADES:** I think any sane person would say, "Yes, we would like to have continuity with the Minister with whom we are dealing." It is a disappointment. When we think we are seeing some light at the end of the tunnel, all of a sudden the end of the tunnel has gone and we have to go back to start of the tunnel and commence our journey again with a new person. We can only hope that the dialogue between the new Minister and his senior advisers and departmental staff will bring him up to speed with his portfolio relating to projects going on within his department. It could be said that three Ministers in 12 months has been difficult, yes.

**Mr IAN COHEN:** Mr Rhoades, you referred to being disbanded from council and the steering committee by "those who are unknown". You went on to say that, over the past 12 months,

the relationship you had with the RTA had become stronger. Who are those persons unknown? Why were you rejected and how does that mesh in with the overall campaign you are undertaking and your communications with the RTA?

**Mr RHOADES:** I know it was only some 20 minutes ago, but I cannot recall saying the words "to persons unknown". I have been talking in the context of organisations. One can only presume that—

**Mr IAN COHEN:** "... who are unknown", you said.

**Mr RHOADES:** I have no problem with that. It is like three kiddies playing in kindergarten. All of the sudden, if one of the kiddies is not playing the game the way it should be played, the other two gang up and say, "Thank you very much, we will continue to play without you." We have never been initially told as to why council was dropped from the steering committee. One can only assume that it was because the council's resolution of 16 December outlining publicly our stance on it prior to, I suppose, the February-March announcement by the RTA of the approved route.

**Mr IAN COHEN:** Are you having ongoing discussions about the actual upgrade of the existing road?

**Mr RHOADES:** For a period of time there was not a lot of dialogue between council and the RTA with regard to the upgrading of the Pacific Highway. That has taken a fairly positive step forward over the past few months with more regular briefings and updates, even with the latest one being on the five new options coming out with Wells Creek and so forth, which is the closest one here, to bring us up to speed on that. As I said before, and I reiterate, I personally believe the relationship between the RTA and the council is at a very strong, workable level.

**Mr IAN COHEN:** You have obviously had a lot of involvement and there has often been a challenge of the figures. In this case refer to the through traffic figures that the RTA is claiming are only about 10 per cent, given that the Pacific Highway runs right through the middle of your town. Do you have any of your own figures on the mix of local and through traffic? Do you agree with those figures, or do you challenge those assessments?

**Mr SAWTELL:** We challenge those figures. We have continually put to the RTA that their figures are continually out in our belief, and that their time frames in presenting those figures—for example, in one of the figures presented to us pre-Chinderah, that is absolutely useless to us in consideration. For example, on 2004 figures trucks went up from 1,450 per day to 1,700 per day. But on other issues, such as policing, we were informed by the police at the time that most of their resources were up on the Newell and not down on the coast. So I believe that the statistics are outdated.

**Mr IAN COHEN:** Where are your statistics coming from, and was there a jump? For example, there has been a fair bit of discussion about the August 2002 regulation to allow certain categories of trucks back onto the Pacific Highway. Obviously, it was Chinderah that allowed it, but it was a regulation. Could you inform the Committee about your opinion of the impact of those two events, the Chinderah bypass opening and the change of regulation by the Government?

**Mr SAWTELL:** It first swept upon us in an anecdotal sense, just by observation and community representation. Some of the speakers later in the day will probably confirm some of those figures. We can obtain the figures in relation to truck movement. But they were by far in excess of what we were given, and that did create a problem. For example, we presented that there had been, anecdotally by complaint, trucks running lights in the city. The figures we were given were pre-Chinderah, as I understand it, and they did not have those major problems of trucks running red lights, and consequently they brought a red light camera in. I must reiterate, I believe that their statistics are outdated and they need to be currently reviewed.

**Mr IAN COHEN:** Is that a significant problem in terms of the design, based on agreements of the mid-1990s, to what we are faced with now in terms of mix of traffic volume?



**Mr SAWTELL:** If I could refer the Committee to a cumulative impact statement that was prepared in about 1998 for further details on that. It was based on 1995 figures, and in summation today I was going to ask that the Government be asked to review that because it does not adequately address noise, traffic, truck movements, safety, and separation, which we believe should be addressed.

**Mr IAN COHEN:** We toured around the various areas north and south today. I was previously well aware of the issues of Bonville and Pine Creek. With regard to the Moonee development, for example, how does that mesh in with, relating to the RTA, the development of that section of road? That is a major development, and you are going to get a lot of traffic on that road. At the present time it looks to me like a black spot waiting to happen. Could you comment on how you work through that under the current debate with the RTA, and how do you resolve that size of development on that type of road?

**Mr SAWTELL:** Firstly, there has been a very strong dialogue with the RTA and commitment of assistance in the last three to five months. I will go back and walk you through that. The development you see there visually, as in the shopping centre, is only one small part of the overall development area, a development of the south to Sapphire and a development to the north as well. Each of those proponents has put in traffic management studies that identified X number of cars on the road and what can be done. The RTA then started adjudicating those studies. We had some major difficulties in relation to restrictions or non-restrictions. The RTA, with the council's involvement, had an independent consultant review the figures that were put, and at the moment they are in draft and about to be released. That called for considerable design adjustment onto the road, which you will see taking place now.

We used Moonee as an example of one that is happening pre-construction. We believe that if we came together in a stronger fashion, which the RTA has committed to in the a strategic sense—for example, if it is costing about \$2 million for that construction at Moonee, would it not be wiser, if there was an overall plan for a major intersection, for that money to go into that? As at three weeks ago, in meetings with council the RTA committed to sit down and look towards that benefit. There has been a review, the RTA has come to the table, and there is a commitment into the longer term to see where the best value for dollar is.

It does not take much to work it out. If a developer is spending \$2 million on an intersection, would it not be better for that to go into a larger intersection, with the idea that you might have a series of intersections done even if you have the upgrade? But I reiterate on that. The driver is: unless we have design, we cannot develop costs, we cannot have budgets, and that goes into years upon years.

**Ms LEE RHIANNON:** In any of your meetings with the RTA or other meetings about the rerouting of the Pacific Highway, has there been any mention of a toll being imposed?

**Mr RHOADES:** Not in discussion with the RTA. It has been mooted. A meeting I went to back in May with Minister Costa—some weeks prior to that there were some articles between the then Deputy Prime Minister and Minister Costa which were supportive of a North Coast motorway. We could not get any direct credentials as to its starting point: was it the end of the M3, was it at Sydney, or where did it go to? Issues were raised. I remember having to speak to Sydney media at the Armidale local government conference with respect to a similar issue. If it meant that there were tollways to speed up the construction of the Pacific Highway, my answer to them on that occasion was that it should not be taken off the table until it is addressed, looked at, then discarded or embraced as a possible alternative.

There were concerns that if local communities had to pay to come from Woolgoolga to Coffs Harbour, that was simply not on. But there is some mention made that, for argument's sake, you could travel from Coffs Harbour to Grafton, but if you continued your journey beyond that you would then be classed as making a substantial trip, which would incorporate the toll. So in dealings with the RTA, there were no discussions with respect to tollways.

**Ms LEE RHIANNON:** When you meet with Minister Costa, did it clarify the uncertainties about the project and the proposal?

**Mr RHOADES:** No. I would say it is like some articles floating around at the moment, about a far western bypass of the northern end of New South Wales. Some say that that could put the whole process back 20-plus years. As I said, you cannot just take something off the table because you are looking at focusing on something. There is always that day that something new will come along that no-one has ever looked at before. It could be the answer you are looking for to achieve the outcome you are trying to achieve. But I do not believe it has run any legs and gone anywhere from the infancy which it was at with regard to that.

**CHAIR:** Mr Sawtell, did you say you would like to sum up?

**Mr SAWTELL:** Yes, if I may. We seek the Committee's support for a number of things: Firstly, that the cumulative impact statement would at least be reviewed to take into consideration noise, accidents, trucks, and current statistics, and to consider timing as a major factor in impacts upon a society such as Coffs Harbour. Once a footprint is put out, it stops the exchange of properties, whether or for of the people want to sell and move on, or buy and come in. That is put on hold until there is some surety coming towards that development, in this case the highway. That is a major critical factor for families to get on with their lives.

With emergence of the plan, the IS2 or the IS1 south of Gosford, with a 20-year time frame, that is a great difficulty for our society. We would like the Committee to consider that vehicles are a workplace and that the pertinent OH&S issues should be brought into that consideration as well. We would also like to make the Committee aware that Hoffman Drive is an alternative bypass for the highway. We estimate that in about 2011 up to 15,000 cars will bypass that. To date there has been a commitment by the State and Federal governments to support that \$15 million construction, \$5 million from each party, and we thank those levels of government and council itself for putting in \$5 million.

In any construction there has to be a short-term approach as well as a long-term approach. Bonville is an example of short-term approaches, and we seek that Committee's support to achieve these in other areas—not just in Coffs Harbour but right up to Ballina or wherever. Again it comes back to statistics. Statistics are put to us that it is not warranted, but commonsense has to prevail. Issues that need to be addressed are separation, speed limitation, consideration of black spots, and cameras where necessary.

I think the terms of reference for the Ewingsdale to Tintenbar C2I are as pertinent here as they were there. I would like to sum up with a couple of social and economic impacts if I may. Firstly, every year 1,750 people are killed nationally in road crashes on our roads. You probably know these facts. There are 200,000 injuries, and 22,000 people require long-term care and treatment. The total cost of accidents every year is \$15 million, based on 2004 figures, which equates to 3 per cent gross domestic product—the same amount as is spent on defence and three times more than is spent on education. For every dollar spent on black spots, we save \$14 in lives and injuries.

**Mr RHOADES:** I can only reiterate from a local government perspective. As I stated, we are not the builders of highways; that is a State and Federal government responsibility, from a construction perspective and from a joint funding or majority funding process. What we at a local level in council do—and this is very hard hitting; it is a fact of what we can be involved in, and that is the simple fact of saving lives on the Pacific Highway. These things here were becoming a daily occurrence when we used to go to our mailboxes every single morning of every single day of every single week.

**CHAIR:** For the benefit of Hansard, Mayor Rhoades is holding up some articles from the *Coffs Harbour Advocate*.

**Mr RHOADES:** When you woke in the morning, walking down to the mailbox you would say to yourself, "Who is it today? Which member of which family?" These are all front-page articles. This was happening far too often with respect to that.

So what did we have to do in the end? We had to try to find some way of getting some attention from government to be able to work through proper dialogue, to be able to come up with the answers to what we are trying to do here, not just for the community of Coffs Harbour but for the

community of the Bellingen shire as well. That started off that process. We have a situation where farmers, as stated there, will not allow their children to travel from some of our northern beaches to Coffs Harbour for fear that may be the last time they see them. And then there are the costings that are involved in these accidents and fatalities that are happening.

Finally, that is what we basically say: that is a plea. We really think that what I am showing you hits the spot, just the "No More Plea". Governments can work together. We implore you to do that on our behalf as a community. We open our arms, we open our city, to work with you to resolve these issues of safety measures on the Pacific Highway because it has got to the stage where we do not want it to be a member of our family, and we do not want it to be a member of anybody's family.

Madam Chair, you mentioned earlier that the recommendations of this Committee can absolutely fall over when it gets to the Government; that they do not have to accept your recommendations. But if there was a fairly strongly worded message to come from today and from the outcome of the inquiry in Ballina on the safety aspects especially, we plead with you to make that recommendation—that the Government address these issues of safety concerns in relation to the Pacific Highway now.

**CHAIR:** Thank you very much. Would you mind tabling those *Coffs Harbour Advocate* headlines, or sending us a copy of them?

**Mr RHOADES:** I can get some copies organised and send them down to you personally.

**CHAIR:** Mr Sawtell, I note in your submission you have referred to letters from the Minister for Roads and you detailed the answers of the council to those letters. Would you mind providing the Committee with the actual letters from the Minister so that we have a complete picture?

**Mr SAWTELL:** By all means.

**CHAIR:** I thank the Mayor and the acting general manager. The Committee very much appreciates your time and your assistance here today.

**(The witnesses withdrew)**

**ANDREW RAYMOND GORDON FRASER, MP**, Suite 1, 9 Park Avenue, Coffs Harbour, 2450, sworn and examined:

**CHAIR:** Mr Fraser, welcome.

**Mr ANDREW FRASER:** Thank you very much.

**CHAIR:** You are familiar with the terms reference?

**Mr ANDREW FRASER:** I am, thank you.

**CHAIR:** Do you have a brief opening statement that you would like to make?

**Mr ANDREW FRASER:** I do, thank you very much. Firstly I would like to thank the Committee for attending Coffs Harbour and for expanding the terms of reference for the Committee to include the Coffs Harbour and Bonville deviations. I wrote you earlier this year requesting that on behalf of the community, and I must express my gratitude on their behalf and on my own behalf.

Today has given you a perfect opportunity to actually travel this section of the highway from Bonville right through to Woolgoolga, which has a number of names, the latest of which is the black ribbon of death. I think this morning, as you drove along it, you would have seen the local traffic that we see on a daily basis just travelling to the workplace from Bellingen and north back to Coffs Harbour. When you mix that traffic with through traffic, you have a recipe for disaster.

It would be absolutely brilliant for the Committee to stay around this afternoon from about three o'clock until midnight because Monday is one of the worst days you will see. You will see over 3,000 trucks travelling north and south, and mixing with that traffic is school traffic. When you have school buses and school traffic mixing with that at three o'clock, when you see school buses mixing with that on that highway, it sends shivers up your spine. You will also have an opportunity to notice the unique geographic situation of the coastal area. This is commonly known as the place where the mountains meet the sea, and it gives you a very small or a very narrow area for development.

The proposals put forward for the internal bypass for Coffs Harbour are short-sighted and will have a severe economic effect on the community—one that I do not believe has been addressed by the Roads and Traffic Authority [RTA], but which has been addressed by the local community who have found that it will have a \$2 to \$4 billion effect on the social and economic needs of people in the Coffs Harbour electorate. I wish to register my concern with the way in which the RTA has been lacking in its consultation process, the way the RTA has, in years past, budgeted the money not only for the Bonville deviation road but for the Sapphire to Woolgoolga upgrade. That money has never been spent.

I would also like to register my alarm at the construction figures for the Pacific Highway. Dating back from the year 2005 to November 1995, there has been an overspend of \$876 million and \$1.6 billion for the project. There has been an overspend of \$876 million but it is probably more than that. Those figures are part of the surveys and a study, yet we are not getting any answers from the RTA and the Government as to when that is happening. With what I have said about the geographical nature of the area and the mixing of local and through traffic, I think it is obvious to everyone who lives along that coastal fringe that we should have a bypass that takes through traffic away from local traffic.

You saw this morning the development on the northern beaches. That is one of the fastest-growing areas. You heard from the mayor and the acting general manager of the council that they are undertaking development on the northern beaches. Even though the intersections are upgraded, if you have an internal bypass, you will have much of the traffic, especially from the development under State environmental planning policy [SEPP] 71 at Emerald Beach, being a mix of elderly drivers with through traffic that is travelling at 100 or 110 kilometres an hour on an upgraded highway. That, to me, is a recipe for disaster, and it is an option that the community cannot accept.

Some of our major concerns with regard to the highway is the fact that we have had \$280 million allocated from the Sapphire to Woolgoolga stretch since about 2000, yet none of that money has ever been spent. We have had a figure of \$87 million allocated for the Bonville deviation. That figure has varied up to \$138 million in the budget papers currently and \$12.9 million has been spent. We have seen nothing for it. I think the RTA really needs to advise the people of New South Wales how the money has been overspent and where this \$12.9 million allocation from the budgetary process of New South Wales has actually gone.

We have got to the stage in this community that, quite frankly, we do not trust the RTA any more. We do not believe they are really addressing the concerns. We think their public consultation process is one that I have seen, in Government and in Opposition, whereby they set the goal of the agenda for a deviation, and at the end of the day the process has been skewed toward what they want, what the engineers want. They give scant attention to community concerns.

Just anecdotally, we had a meeting at Woolgoolga one night with regard to the northern areas progress. There were probably 500 to 700 people in a hall out there. When I got up and questioned the RTA, number one, about their costing, which was shown at \$286 million initially but had been blown out to \$910 million for Sapphire to Woolgoolga, and I suggested to them it was rather short term thinking, they said, "Yes, but we think that somewhere 20 years on, we will have to go to a western bypass." My suggestion to the Committee is that if you are going to spend a billion dollars or near enough to it on an upgrade of the highway now, that is a waste of money.

We need an upgrade between here and Woolgoolga because of the increase in traffic since the Chinderah bypass opened, but what we do not need is for that to come at the expense of a true bypass, not a bypass that hits the foothills of Coffs Harbour and continues up on the mainland strip to the northern beaches where they have thousands of houses and blocks of land that have been planned for the future, and in fact have been already approved by the council. We need an upgrade now and we need a true bypass. Anything less than that is a slap in the face for the people of New South Wales because the vast majority of deaths that occur on this road involve people travelling up here from other areas.

Nine times out 10 it is not the fault of the truck driver in a heavy vehicle accident. The truck driver normally survives the accident and has to live with the knowledge that they have taken a number of lives. I think one of the accidents that really frightened a lot of our community was one recently at Bonville where four people were killed and one was injured. It was a school bus and the children on the school bus had minor injuries. I dread every day the time that we may have a heavy vehicle and a school bus in an accident somewhere along this stretch.

Until such time as we can get an amelioration of the travelling conditions and whatever has to be addressed immediately, that risk really does exist on a daily basis—more so, as I said, on a Monday and a Tuesday and Thursdays of an evening. But this community has had a gutful of the inaction from the RTA. I will leave it at that, and once again I thank you all for your attendance here today.

**CHAIR:** Thank you very much. You have mentioned the overspending on the Pacific Highway. To the best of your knowledge, what is the explanation from the RTA or the State Government for so many of the projects running over budget?

**Mr ANDREW FRASER:** Madam Chair, the correspondence that I have had in the past with the RTA and the Ministers, et cetera, with regard to the issues of overspending or where the \$12.9 million has gone on Bonville have been unanswered. In fact, late last year—I will have to check my diaries as to the exact date—I had the Minister's Mr Higgins, the manager of the Pacific Highway upgrades, and a policy adviser, Leann Sherwin, of Minister Scully's office, to have a look at Bonville. While they were there I tried to get some information from them as to where the \$12.9 million had gone, and neither from the political arm nor the RTA could I get an answer.

I showed them several black spots on this highway that need to be addressed and there are no answers. For example, the Raleigh deviation was originally estimated—I think, from documents I have in my Sydney office—at about \$26 million. They then duplicated, which was good and that should have brought it out to something like \$52 million, but the eventual cost was \$73 million. Local knowledge told them where they wanted to put the bypass, and that the route the RTA described at the

time was not the best one—they would have ongoing maintenance problems and they would have construction problems, et cetera. The RTA, even after seeing the flood level down there, decided that the original costing was on a metre of fill across the flood plain. That is now 3 or 4 metres of fill across the flood plain and the cause for concern is that it will eventually sink.

If you have travelled that way—I do not think you travelled that way this morning—you would have found that the bridges where they cross some creeks are now at a level where they are stable, but for the road that has probably had up to a metre of this hot mix fill in there—this is a road that cost \$73 million and Taree is a little bit the same—the maintenance costs are huge. I suggest that the construction costs of this particular section, the Taree section, this one, have blown out because they failed to listen to local advice as to that the local geographic problems are. The Northern Rivers Electricity, as it was known years ago, would not put a pole on the Raleigh Flat with putting a concrete floor on it because it would sink, but the RTA was not interested in that.

I just think the RTA is unaccountable. I do not think they are giving us any information because of that overspend—concerning that overspend of \$876 million. It is almost as if they are untouchable. They will spend what it takes to achieve what it gets. I will give you another example of overspend, or a question that maybe the Committee can follow through. We had flood damage on the Waterfall Way in 2001, I think it was, and that damage was fairly severe. The RTA was given the job of repairing that particular section of road, and the cost of that project when it was finalised was \$5.6 million.

When you look at what was paid to the contractor, he was given \$3.2 million, so there is a \$2.4 million question mark over where that money was channelled back to the head office of the RTA. The question I asked is: Why was it? It was probably done on the basis of the supervision, which I would suggest is non-existent because it is a contract and because of the fact that the Federal Government paid for that out of disaster funding. So the RTA can siphon \$2.4 million from a \$5.6 million project. It is quite happy if no-one understands that or is given any information about the \$860 million overspend.

**CHAIR:** You have also been critical of the RTA's consultation process. You have been the member for the Coffs Harbour electorate for a number of years now. Do you think the RTA's consultation process has improved over the years, or is it constantly bad? How would you generally assess its community consultation process?

**Mr ANDREW FRASER:** I think they are extremely poor. The RTA makes a decision on where it would like to put a road and then it goes out and designs that whole process. To some extent the Environmental Planning and Assessment Act enables the RTA to do that. It selects a route. If six or seven routes are proposed all those routes will be put to one side and the RTA's preferred route is adopted. So, to some extent, its preferred route will always come up trumps. It goes out to the community with its preferred routes and selects a group of people who are purportedly representative of the community.

Let us go further south to Urunga bypass and to other bypasses. I am getting phone calls from people on a fairly regular basis. They are saying that the RTA has a focus group, but the people who really count are not on that focus group. When a focus group was set up for the Coffs Harbour bypass and the Woolgoolga deviation, the Sandy Beach people and the Sikh community were not invited to be part of that. However, members of the Sikh community will be severely affected because they are the ones who are growing bananas and small crops north of Woolgoolga. The road will go right through that productive and arable land.

I am not suggesting that that land will always remain agricultural land, but its current purpose is agricultural. It is highly productive land, yet that community was not given an opportunity to make a submission. When the routes north were first proposed, as local member I received an invitation from the Sandy Beach Progress Association to attend a meeting. I went along and asked by the community to comment. Connell Wagner and council were in attendance at the meeting. When members of the community asked me to speak to them about the process, the RTA, Connell Wagner and council representatives left the meeting. To me that was blatantly political. I was there to reflect the community's concerns.

At that time I declared my interest because one of the footprints for that bypass included my front paddock, even though I did not know it until that day. I was there to say, "We have to get the best possible option for the community." However, the consultants, Connell Wagner, the RTA and council would not stay and listen to my views. I am not saying that my views are fantastic but, at the end of the day, I try to reflect what the community is saying. So we had that sort of attitude from a bureaucracy that I believe is there to find the best possible solutions to this problem. It walked out of the meeting and failed to listen to what I was saying to the committee. That, to me, is a flawed process and one in which we, as members of a community, as individuals and as elected representatives cannot have any confidence.

**The Hon. MELINDA PAVEY:** Just picking up on that, do you think the RTA's lack of respect for and appreciation of community concerns is coming at a political level? As I understand it, you and other North Coast members of Parliament are not allowed to speak directly to the RTA's North Coast regional manager. So you cannot speak directly, by writing or by telephoning, to the head honcho in the region on a regular basis, whereas I understand previously you could do that regularly?

**Mr ANDREW FRASER:** Unfortunately, when Carl Scully became Minister for Roads those were his instructions to the RTA and senior managers relayed that to me. In fact, at the time Peter Collins was the regional manager and I believe he still is. When I rang him to speak to him about something he said, "I am sorry I cannot respond to you. You must go through the Minister's office." If I wrote to the RTA locally it would write back to me and say, "Sorry, we cannot answer this correspondence. You must go through the Minister's office." That to me is a blatant, political push.

As I said earlier, it was only really with the concurrence of the then roads Minister Carl Scully that this policy was set up. Because of all these deaths I went to see Mr Higgins, manager of the Pacific Highway, and said to him, "I have had enough. This road has been mooted for so long. Deaths are occurring. I want you to come out and have a look at it." The RTA came out and had a look at it but, unfortunately, once again that was a political process.

There are a couple of bad spots, for example, where the Bonville deviation should commence. If you go there this evening at dusk and in wet weather you will find it is an accident waiting to happen, especially with all those heavy vehicles. That is bad stretch. The RTA was asked to look at it. I was given an assurance that something would be done, but nothing has been done. At that meeting I asked the RTA to look at reducing the speed limit from 90 kilometres an hour, but it would not do so. It has now become a political process. The Minister is telling bureaucrats that they cannot speak to the local member about genuine matters of safety on the Pacific Highway.

At the moment the intersection, which I think is being upgraded, is still a recipe for disaster in the future. The Rural Fire Service contacted me and said it was fearful of potential major accidents out there, yet the RTA cannot respond to me on those issues. Council and the RTA are supposed to be designed to do those things, but the local member cannot reflect those concerns to the RTA. We have to go through that bureaucratic process. The only Minister I had any real opportunity to address was the former Minister, the Hon. Michael Costa. On 6 April I arranged a meeting for the mayor of Bellingen and the mayor of Coffs Harbour so we could openly express our concerns. The Minister asked them to go away and to look at alternatives for Bonville to ameliorate those safety conditions. Thank God he was in office at that time. I wish he were still there, but unfortunately he is not.

**The Hon. MELINDA PAVEY:** I refer to the benefit cost ratio of the western bypass and the coastal corridor, as has been proposed by the RTA. The RTA says that the ratio is only 0.5 for the far western bypass, which is very poor, whereas the benefit cost ratio for its option is 1.4 to 1.8, which is fair. Obviously that is worked out on traffic figures and traffic flow. What faith do you have in the traffic flow estimates of the RTA? Do you think there should be a review of traffic flows and projections?

**Mr ANDREW FRASER:** I have been calling on the Government and the RTA to redo those figures. The figures that were put forward allowed them to come up with that 1.4 verses 1.5 ratio. There is a lot of angst about B-doubles on that highway, which have the ability to scare many people. I think a 65-tonne vehicle trying to stop in a hurry is more of a problem than a 45-tonne vehicle. I do not know how relevant that is. I believe that about one-third of the B-doubles on that highway should be taken off. As I said earlier, these are the figures of the RTA and there is no double check on them.

The RTA says there are about 27,000 traffic movements a day, of which between 10 per cent and 20 per cent are heavy vehicles. Those vehicles really travel at night, so let us say they account for only 10 per cent of traffic movement. Trucks going past homes at 2 o'clock in the morning are affecting people living between here and Sapphire. They say that they cannot go to sleep. Over 2,000 heavy vehicles are travelling on that road late in the evening and in the early hours of the morning. Those figures were not taken into account when the RTA and council decided on an internal bypass.

The previous council and this council properly supported that internal bypass. What we should have, however, is an immediate upgrade of this road. I believe it can be done quickly and cost effectively and it will remove black spots between here and Woolgoolga. According to some RTA officials, if that delays the project for five years I think the western bypass can still be done economically and in a time frame that matches the proposed 2016 completion of the Pacific Highway.

So I do not believe the figures we get from the RTA can be trusted. No-one in this area really trusts the RTA. One of the stories being told in this area is that if you want to have a bit of fun with your neighbours, bang a white peg on their lawn and write "RTA" on it. They would then ring up the RTA office and say, "We are not on the bypass route." We are still unsure about what the preferred route will be north of Coffs Harbour. It is disgusting that this community should be left in that situation.

**Mr IAN COHEN:** A number of submissions have been made to the inquiry about the Coffs Harbour area and the aggressive style of truck drivers when mixing with normal traffic. Do you have any answer to that? We know there is some sympathy for their deadlines but we need a more in-depth analysis of the problem than we have. Essentially, heavy trucks are mixing with normal vehicles. Would you agree or disagree with the statement that in many instances those trucks are causing accidents, even though they might not be statistics in those accidents?

**Mr ANDREW FRASER:** One of the earliest accidents I remember occurred 20-odd years ago on the Sandy Beach bypass. A truckie had white line fever. It was revealed later that he ran up the back of a number of cars where a stop-go traffic controller was relieving somebody else and a tractor driver was killed. There are some idiots on our roads. You might find that a local kid going to Bonville—a kid who was aware of the fact that 13 deaths had occurred in that area—drives through at 110 kilometres an hour. Some truck drivers do not obey the laws.

I think the whole of the North Coast is seeing an increase in the number of elderly people, so our demographics are changing. They are fearful of a semi-trailer sitting on their tail. Those trucks have to come through Coffs Harbour, which has 11 sets of traffic lights. That can delay their trip by half an hour or more and sometimes they get somewhat aggressive. I have seen a person running red lights late at night, which is a recipe for disaster. We must reduce the speed limits between here and Woolgoolga, which is what we have called for in the past.

We should have reduced the speed limits at Bonville and Pine Creek, which is what the public requested in the first place, to give local drivers travelling through that area some confidence. It was recently demonstrated that until there is a division of the carriageway in areas where those deaths are occurring, it would not matter whether you were doing 60 kilometres an hour or 100 kilometres an hour, accidents between heavy vehicles and family sedans will still occur.

**Mr IAN COHEN:** You referred to the Raleigh floodplain area and said it would require three to four metres of fill across that floodplain and that a hot mix would have to be added to prevent subsidence of the soil structure. Have adequate flood plans been put in place to change the hydrology of the area as a result of this highway development? Have those plans been adequately assessed?

**Mr ANDREW FRASER:** I think they have been but initially they were not. At that time the Coalition was in government. The community was distressed about the adverse effect that a flood might have and thought that the road might act as a dam. As a result, the floodways or escape routes for water were significantly modified. At the time the community put in a lot of hard work to ensure that occurred because I do not believe the RTA had done the proper studies. It thought that a metre would be enough and that the water would go over it, but it had to go up to four metres because of the



height of that one in 100-year flood. Even though it will still create problems I believe the RTA has adequately provided an escape route for the water. But we will never know until the next flood.

**The Hon. AMANDA FAZIO:** In your evidence you expressed concern about the mixture of heavy vehicles and family cars in the Coffs Harbour town centre. You said particularly, in relation to the trucks going through 11 sets of lights, that you felt aggravated drivers became very aggressive in the way they drive. In the *Daily Telegraph* you were reported as saying that you believe the State Government should be called on to scrap through-plans for a Pacific Highway bypass in Coffs Harbour in favour of a road further west. That was reported as your proposal to delay construction by at least five years, which would be the time necessary for environmental and feasibility studies. What do you say to the people of Coffs Harbour who are at the moment having to deal with that mix of heavy traffic going through the town centre and the 11 sets of traffic lights? Are you considering any proposal to come through the bypass, or would it be better to stick with the approved road?

**Mr ANDREW FRASER:** I honestly and firmly believe that a far western bypass is where we need to go. I believe that for a fairly small proportion of the money that is being talked about for the internal bypass being spent—as I said, initially we had a \$280 million estimated expenditure between Sapphire and Woolgoolga. We now have \$5 million for the division of the carriageway on Deadman's Corner and through the Bonville area. If you were to spend some money in the short term to improve the safety of that section of highway north, which you saw, it would give us a bypass that in 40 or 50 years time people will say, "What? The Government actually looked to the future of this area?"

The proposed routes that have been put forward by the community and me have been dismissed in a very short time frame on the basis of, for example, within probably two weeks. The suggested western bypass would cost \$1.6 million compared with \$900 million internally. I do not believe them. I know that the Deputy Prime Minister was told by the RTA, or by advisers from the Minister's office in New South Wales, that five tunnels would be required on the western bypass. That is nonsense. Where this information is coming from I do not know, but I think it demonstrates clearly that the RTA has decided that this is the route they want. They have decided that they do not want to go west. Whereas, I could take them out with a number of locals and engineers, who I believe made a belated submission to the inquiry, who have proposed two, if not three, different routes that can be looked at.

If they are to be more expensive than the existing one, or what the RTA is costing, it would only be because of the length of new road involved. I still believe that in the short-term you could start work on dividing the carriageway, improving the intersection, and widening the road where it needs to be widened between here and Woolgoolga. If they have done the studies and the costings that they claim they have done to dismiss a western route, I cannot see a five-year delay. That figure I saw in the paper—I do not know where the reporter who wrote that story got it from. But, as I said earlier, even if it was five years, in the interim you could improve the road safety between here and Woolgoolga, those black spots, by spending a minuscule amount in comparison with the bypass as an interim measure.

**The Hon. JAN BURNSWOODS:** You said earlier that the RTA traffic counts and so on seem to be saying they were done before the Yelgun-Chinderah bypass opened. In the RTA's submission we have there are studies from this year, 2005, and also from 2004. Given the agreement that there would be at least a five-year delay if a new route is to be in built—Mr Oakeshott, for example, is also on record this morning talking about the delay that would follow. From what I can gather, the RTA has argued against the far western bypass on the grounds that, apart from the extra cost and so on, it would have relatively low traffic volumes, it would be longer of course, and therefore the trucks would use it, and in the worst-case scenario that traffic would still come through the Coffs Harbour roads because they would be shorter. If you look at the RTA figures, 87 per cent-plus of the traffic is related to Coffs Harbour roads; it is not related to through traffic. It seems you are being in responsible the now suggesting a completely different routes that would delay any substantial upgrade for a period of five years.

**Mr ANDREW FRASER:** I am not now suggesting it. I have had this on the public agenda for the last three or probably five years.

**The Hon. JAN BURNSWOODS:** Why do you not accept the umpire's decision?

**Mr ANDREW FRASER:** First, the cost benefit analysis that was done in relation to the internal bypass was done for Chinderah. I would think before looking at the cost benefit analysis on the figures they have provided, you would find that that cost benefit analysis would be far more favourable to the western bypass than before. To suggest that Coffs Harbour will be a shorter route for heavy vehicles, I have already said to you that 11 sets of traffic lights can delay a vehicle by up to half an hour. If you have through traffic, especially for a heavy vehicle or even, for that matter, a tourist pushing to go through to Byron Bay or from Byron Bay through to Sydney or wherever—

**The Hon. JAN BURNSWOODS:** You are inconsistent. You are suggesting an upgrade to get rid of traffic lights, and now you are trying to argue about traffic lights that would slow things down. You cannot have it both ways.

**Mr ANDREW FRASER:** I am sorry. I suggest you have a good look and talk to the people I have spoken to. I am saying that a bypass will take the vast majority. If the RTA is saying 80 per cent of the traffic is cost related, I do not think it would be number one, especially for heavy vehicles. If you have a western bypass and you use the current figures for a cost benefit analysis, rather than the figures they use and pushed down our throats to have an internal bypass, you will find it is far more productive to have a bypass in Coffs Harbour, rather than mixing that traffic with local traffic. You heard from the mayor this morning that the northern beaches is a fast-growing area. You have school buses and aged people. If you are going to have that mix, it is a recipe for disaster.

**The Hon. JAN BURNSWOODS:** You are planning to delay it for five years—

**Mr ANDREW FRASER:** No. I am saying to the RTA, "If you can cost a route suggested by me and the community to \$1.6 million, tell me how there is going to be a five-year delay." That five-year delay is not attributed to anyone, apart from Alan Bell, the reporter. What I am saying is that if you start to do an upgrade now—

**The Hon. JAN BURNSWOODS:** How long do you think—?

**CHAIR:** Order! This is the last question.

**Mr ANDREW FRASER:** If you start to do an upgrade of the northern beaches route now, to make it acceptable, to provide a carriageway, to slow the traffic down, it will save lives. I cannot see why you cannot currently design a western bypass, to expend the huge amount of money there, \$910 million at least, on that side of it and in the interim spend perhaps—I do not know; I am not an engineer—\$150 million upgrading the northern section.

**The Hon. GREG DONNELLY:** With regard to the western bypass you said that the RTA had explained that the further out to west it went, there would be a need for tunnelling. You said that that would not be the case. On what basis do you say there would be no need for tunnelling?

**Mr ANDREW FRASER:** There is a natural saddle at Dairy Bell. From there, there are a number of routes that could be taken. As I said, Mr Armstrong, an engineer of some repute in this area, has put in a submission relating to this. He has sent in maps to the Federal Minister, and also to the State Minister, showing at least three other routes that would not require a tunnel. There could be tunnels through the Dairy Bell area, but the proposed route now would have at least three tunnels, as I understand it. I am saying you could go further west. If you follow the route to there, even if you follow the existing railway line, and then tunnel it back to Halfway Creek, given the geography of that area you would not need tunnels. That is local knowledge. I am saying to the RTA, the Government and anyone who wishes to listen: come and have a look, speak to the local engineers; do not take the RTA's words as gospel.

**The Hon. GREG DONNELLY:** You are saying no tunnelling is required at all?

**Mr ANDREW FRASER:** On the routes that are being shown to me, I doubt it. I am not an engineer, but I am also a person who has a reputation for listening to people in my community and those who are qualified with engineering skills. You will have heard from a number of them today that there are

alternatives that would be cost effective both economically and socially, in the interests of the long-term growth of this area.

I think we, as a community, deserve the same regard as the people of western Sydney or anywhere else deserve. If there are major bypasses there which the Government likes to take credit for, it must give us the same consideration. You must remember, I might be the local member at the moment, but on a two-party preferred basis probably 40 per cent of people vote for the Labor Party as well. Let us make sure we get an absolutely mutual decision made here that is in the best interests of the people, not just for the future. That is the plea I make.

**(The witness withdrew)**

**LUKE HARTSUYKER**, Federal Member for Cowper, P.O. Box 2056 Coffs Harbour, sworn and examined:

**CHAIR:** If there is any information you need to give the Committee in confidence, please let us know and we will take that into consideration. You have made a submission. Do you wish to make a brief opening statement?

**Mr HARTSUYKER:** Yes. I will not read from my submission except in one small part. I thank you for the opportunity to appear before the Committee. The issue of the Pacific Highway is probably one of the most critical issues for the North Coast of New South Wales, and certainly one that has been the subject of a great deal of disillusionment with the political process on behalf of the people who live on the North Coast. In my short address I wish to concentrate on some of those issues of disillusionment.

In my conclusion I say it is hard to underestimate the degree of the disillusionment and contempt for the political process as a whole with regard to the handling of the Pacific Highway in and around Coffs Harbour. In the face of such obvious need and in the face of ultimate fatalities, people cannot understand the lack of action and apparent lack of willingness to proceed. This Committee has a very important role to play in ensuring that governments get this project moving at a much faster rate and get this project delivering for the people of New South Wales and the people of Australia. I would like to focus for a moment on how we got to this point. I think basically the community is very frustrated by the slow rate of progress.

Stupidity has been defined as doing the same thing repeatedly and somehow expecting a different result. We have had an issue where we have had endless cost overruns and endless time overruns. This just seemed to continue. If you look down the list of projects, it is a chronicle of cost overruns, it is a chronicle of time overruns and it is a chronicle of broken promises. That needs to change. Certainly in the area between Kempsey and Ballina there seems to be a lack of commitment to projects in that area. If you look at the works that have been done, there are various projects along the way, but if you look at the area of Kempsey to Ballina, there has been a lack of progress on the projects in that area.

When I became a Federal member, I set myself three priorities. One was to achieve a separation of local traffic from through traffic through local measures, and we were able to achieve funding for the Hogbin Drive extension. My second priority was to see the Bonville deviation upgraded. I am delighted that we have been able to deliver on that issue. The third element that I have been focusing on is a short-term measure and that is the upgrade from Sapphire to Woolgoolga. We still need to achieve resolution of that. They are three vital local projects. Two are in the pipeline. One is still some way off and that is something that we need to address.

How can we improve the road situation and how can we improve the public's view of the way this has been handled? I think we need much stronger co-operation between State and Federal governments to achieve construction of the road in the quickest possible time. I think we need a strong commitment and a timetable with regard to Bonville. Let us not have Bonville slip out, month after month, year after year, into endless delays and cost overruns. We need a very strong program. We need it to be out there in the public domain. We need it to be reported on month by month so that the public can feel assured that work on this vital piece of local road—or our local road and, for the rest of the country, a through road—is actually being achieved and it will not be allowed just to slip out and just become another statistic, just another cost overrun, just another time overrun.

Also with regard to Sapphire to Woolgoolga, we have a situation where probably nowhere else along the highway are we seeing such rapid change. We are seeing a major shopping centre and we are seeing a major subdivision, and the character of that road is changing. The profile of the traffic on that road is changing. There will be far more local trips occurring now by virtue of the new developments that are occurring. Whether we like it or not, drivers who are undertaking local trips are travelling with a different frame of mind and a different mindset to those who are actually focused on a much longer trip. We are getting drivers with that short-term mentality who are just ducking down to the shop for a carton of milk and they are interfacing with B-doubles of up to 65 tonnes that are hurtling down the highway. It is a formula for disaster.

This Committee has it within its power to make very strong recommendations in relation to that stretch of road. Unfortunately we have a tendency to wait for the statistics. We wait for the statistics to occur and run along after the horse has bolted and solve the problem. We can see a problem happening here. This Committee should be able to view that as part of its deliberations this morning. We have the opportunity as leaders, but this Committee has the opportunity to make a positive contribution, to be proactive in solving the problem of Sapphire to Woolgoolga now before the statistics start to mount. That may be through the upgrading of the existing highway. It may be works that are done in addition to or parallel with whatever major bypass options are resolved, but it is an important problem and we can be proactive.

For once, as leaders, for once, as a Government, you have the ability to actually provide a solution before the problem has arisen. I can tell you that it is my view that that rapid growth will cause us major problems and will be another Bonville. We do not want to be talking about it in years to come in relation to extra fatalities. If you look at the planning priorities, there are a range of priorities that currently rank above Sapphire to Woolgoolga. We have the Bonville deviation, which fortunately is about to start. We have Karuah to Bulahdelah, the Ballina bypass, Cooperook to Moorland, the Bulahdelah bypass, Kempsey to Eungai, Moorland to Herons Creek, the Banora Point deviation, Iluka Road to Woodburn, Harwood to Iluka, Herons Creek to Stills Road, Failford Road to Tritton Road. A lot of these projects at the moment are more advanced than Sapphire to Woolgoolga.

I maintain that we have a 15-kilometre stretch, and 37 small and medium roads coming into that section of highway. It is a formula for disaster. It needs to be rapidly escalated up the priority list. It needs to be addressed now. It needs, basically I believe, that detailed design work to start it off immediately and it needs construction to start as soon as possible. I will conclude my remarks there and go to questions.

**CHAIR:** There is strong public opposition to the proposed Sapphire to Woolgoolga bypass, that is, the State Government RTA proposal for the bypass of Coffs Harbour. The popular alternative, the far western option, would rejoin the existing highway north of Woolgoolga, possibly making the improvement of Sapphire to Woolgoolga redundant. Can you tell the Committee if you believe that there is any point in pursuing the Sapphire to Woolgoolga solution until the strong objections to the city bypass issues are resolved?

**Mr HARTSUYKER:** I think it is important to start work on this road just as quickly as possible. There will always be a strong local need to handle traffic between Sapphire to Woolgoolga and build whatever the bypass option that is ultimately selected will be. I think we have a large number of dormitory suburbs whose people regularly commute to Coffs Harbour for work and recreation and for other reasons. I think we need to get that project going just as quickly as possible. I think that whichever route is selected, the ultimate bypass solution for Coffs Harbour city will require a major upgrade of the current route from Sapphire to Woolgoolga.

**CHAIR:** The Committee has heard quite a lot of evidence about heavy transport and through traffic issues, not just regarding Coffs Harbour but also farther north. You mentioned in your submission to the Committee that the development of the rail network will play an important role in reducing pressure on the highway. Do you see the New South Wales Government having a role to play in that regard?

**Mr HARTSUYKER:** Certainly, the Federal Government has been very proactive with regard to the use of rail. The Federal Government took a lease over the east coast rail line and is investing under AusLink about \$450 million on the upgrading of the east coast rail lines and some \$123 million on the North Coast of New South Wales. The aim of that is to take 120,000 containers a year off the road and onto rail by the year 2011. If we do not do that, if we do not address rail, whatever road solutions we come up with will only be clogged by the ever-increasing transport task.

The transport task will double by the year 2020, so no matter what our road solutions are, we need to use rail to relieve the pressure on the roads system. I think the New South Wales Government has a role to play in so far as there has been a rundown in our branch line network. We have to aim to have seamless freight from regional destinations that need not be on the main line to other capital cities so that we give the rail network every opportunity to compete with road and so that we give the

rail network every opportunity to relieve the pressure on our roads network. It is vital that the State Government play its role in upgrading branch lines so that they can work in with the Federal Government's investment in east coast rail lines.

**The Hon. MELINDA PAVEY:** I am wondering about claims by the New South Wales Government that the Australian Government's funding priorities are a major impediment to progress on the highway. As I understand it, \$160 million is coming from the Federal Government which is being matched by the State Government for the Pacific Highway, and I also heard Minister Joe Tripodi on the radio earlier this week claiming that the Federal Government is short-changing the State by \$460 million in relation to the Pacific Highway. Have you any comments to make on these claims?

**Mr HARTSUYKER:** Really I am at a loss to understand Mr Tripodi's comments because there has been something like a 77 per cent increase in funding for New South Wales under AusLink. It is a very important issue in so far as one of the real problems is that a cause of disillusionment with the political process is a very much the false claims made in relation to the highway issue. Only recently we had Bob Carr saying that the lack of Federal funding was the reason why Bonville had not started—the big bad Federal Government had not provided any money—whereas on his own web site he was actually saying that the Bonville deviation was being constructed by the New South Wales State Government.

When I pointed that out on the ABC Radio, mysteriously the web site vanished but then it reappeared, and it reappeared in a slightly different format. It said that planning was then the responsibility of the New South Wales Government, rather than the construction of Bonville. Another claim made in relation to that claim also is that to get the job done faster, Jim Lloyd had offered \$30 million up front to allow the State Government to put the work in hand and start Bonville straightaway. What was the response by the New South Wales State Government? They were not ready to start.

When you actually look at it, they had no detailed design work. In the tendering process, once the successful tenderer is appointed, they will have to design the road because the RTA has not done that. So we have had an extended period of time when the Federal Government was actually being blamed for the failure to start Bonville because of an alleged lack of money, yet they were not in a position to start, and are still not. We are still some months and months away from the start of that project. The detailed design work on Bonville is yet to begin and probably will not begin until next year.

I think those sorts of statements, which are grossly incorrect, are a major source of concern. We now have some \$960 million, State and Federal, which will be committed to Bonville and we are looking at three years, starting on 1 July 2006. I quickly ran some numbers myself. While I am not an engineer, when you actually look at the stage of the current planning process, it would appear that the State Government will be hard pressed to actually spend the money that is currently allocated to the highway by the Federal and State governments. Really at this point in time we have almost \$1 billion ready to start over three years from 1 July next year. There is a lot of money on the table.

It is time to stop whingeing and get on with the job. I will just repeat the point that I think the RTA is really going to struggle to spend the funding that has been allocated to them. We really need to look at that total project management process so that we do not have an underspend or we do not have a cost overrun.

**Mr IAN COHEN:** Mr Hartsuyker, I think it is reasonable to say that your government has the whip hand at the Federal level. That has been well demonstrated in recent times. When you are mentioning spending \$200 million or more on rail on the North Coast—

**Mr HARTSUYKER:** It is \$123 million.

**Mr IAN COHEN:** —and compare that with \$960 million, State and Federal, for Bonville—

**Mr HARTSUYKER:** The Pacific Highway.

**Mr IAN COHEN:** —do you not have a responsibility in terms of rail, an inland route and upgrading to actually pour more support at a Federal level into a strategy overall that also takes into account the freight needs of Queensland and Victoria in this whole equation and get a strategy that actually works in separating freight transport and personal transport off this road? You are still focusing on this road when in actual fact you have to have a bigger strategy—look at rail, look at an inland route, and look at upgrading the New England Highway. It is not the only answer, but it is one of the answers for a strategy that will really work. What you are saying here in many cases will funnel more trucks onto the Pacific Highway.

**Mr HARTSUYKER:** What I said was we are spending \$450 million, Sydney-Brisbane.

**Mr IAN COHEN:** It sounds like a lot when you hear \$450 million, but when you keep hearing about the amount of money that is made available for this highway and the grand plans, it is not necessarily going to solve the problem. I am talking about a Federal Government which is in a very powerful position right now to really get stuck into rail and alternative roads—to share the load between the various highway routes—and work out an overall strategy, which the Federal Government can do to really resolve these problems in the long term.

**Mr HARTSUYKER:** I agree with you. We are doing precisely that. That \$450 million for the Sydney-Brisbane route will get 120,000 containers a year off the road and onto rail, increasing its share of the competitive market.

**Mr IAN COHEN:** I am comparing that, Mr Hartsuyker—

**Mr HARTSUYKER:** Can I finish my answer? You have asked the question.

**Mr IAN COHEN:** You can see my point—

**Mr HARTSUYKER:** No, I am trying to answer it, if you will stop interrupting.

**Mr IAN COHEN:** —when you compare road funding with rail funding.

**Mr HARTSUYKER:** No, no.

**Mr IAN COHEN:** It is a big issue, I think.

**Mr HARTSUYKER:** It is a big issue, but we are also undertaking a feasibility on a new corridor, Melbourne-Brisbane, so there is a lot happening on rail. Obviously you cannot do that overnight. If you are saying that we should remove money from the Pacific Highway and put it into rail—

**Mr IAN COHEN:** I am not saying that at all.

**Mr HARTSUYKER:** —I would suggest that many of the people in this room would take strong objection.

**Mr IAN COHEN:** I do not think you should verbal me on that one, Mr Hartsuyker. I am saying that your quotes of amounts from the Federal level are not really getting to the crux of the issue in making the Pacific Highway a lot safer. I am not saying that you should take the finance off the Pacific Highway. I am saying where is the funding, where is the really adventurous effort to spread the load?

**Mr HARTSUYKER:** I would say that we are making a very adventurous effort. Half a billion dollars is a lot of money, and there is the feasibility study on the Melbourne-Brisbane corridor additionally, which is another huge area that we are looking at. I mean it has only been discovered and focused on, upgrading our degraded rail network, and this is the first time it has been done.

AusLink is the first co-ordinated national transport plan. It has not been done before. It was a totally piecemeal approach but now we are doing it. You could always argue that we need more resources. Every government sector could argue that it wanted more resources. We are very focused

and our money is on the table. At the last election campaign our political opponents were not going to fund AusLink. We put a big focus on putting more money into roads and more money into rail, thus taking the load off highways.

**Mr IAN COHEN:** Does that include an integrated transport strategy for all States along the eastern seaboard—Queensland, New South Wales and Victoria? Are they talking to each other? Are you co-ordinating that strategy?

**Mr HARTSUYKER:** Absolutely. We are about seamless rail transport for products in regional New South Wales, ultimately being able to be transported to Perth. That is very much what AusLink is about. That is why I raised the point earlier. New South Wales has its role to play by chiming in with its branch lines to work in with the national rail network, as it currently exists. So State governments have as much of a role to play as the Federal Government. We are focused on products from Perth being delivered to Brisbane, Darwin, or whatever the case may be. That is what we are about. This is the first time it has been attacked.

**The Hon. AMANDA FAZIO:** You said earlier that when you became a member of Federal Parliament you set yourself a priority.

**Mr HARTSUYKER:** Three short-term priorities.

**The Hon. AMANDA FAZIO:** You listed three things. In order to achieve those things adequate funding must go into the road system. What have you done to lobby the Federal roads Minister to ensure that the Pacific Highway is treated in the same manner as other roads under AusLink funding? You are probably aware that the Pacific Highway is only being funded at 50 per cent.

**Mr HARTSUYKER:** Fifty per cent uncapped.

**The Hon. AMANDA FAZIO:** Things like the F3 widening and the Albury upgrade are examples of projects that receive 80 per cent funding. The Federal Government is funding projects like the F3 to Sydney orbital at a higher level. What have you done for your constituents in Cowper to try to get funding upgraded from 50 per cent to 100 per cent?

**Mr HARTSUYKER:** The bottom line is that basically I talk to the roads Minister and to the transport Minister almost on a daily basis. I certainly have contact with their staff. I have been lobbying constantly for more resources for the Pacific Highway. What you neglected to note was that some of those projects that have higher percentages have capped amounts, whereas Pacific Highway funding is uncapped. Carl Scully asked the Federal Government to increase its funding from \$60 million to \$160 million a year. At the time that was the request by your transport Minister. The Federal Minister met that request.

The State Minister's public utterances were that that was fantastic. So he greeted the increase in funding with great approval. I hark back to the earlier point that I made. The RTA will have some difficulty in spending \$1 billion in three years. If you look at the projects that are about to come on line for 1 July 2006 to 30 June 2007 you will see that quite a number of projects will need to be ramped up in the planning stage if they are to get work under way and to have that money spent. Let us take Bonville as an example. Joe Tripodi announced he was going to do the work earlier this year, yet construction will be flat out to start on time on 1 July. There are very long lead times. Much of the documentation still has to be done. It is not only a matter of money; it is a matter of money plus proper project management. We have seen a disastrous history—

**The Hon. JAN BURNSWOODS:** You and Mr Fraser should confer so you can start the western bypass immediately.

**CHAIR:** Order! We are here to ask questions and to get answers, not to yell at one another.

**The Hon. JAN BURNSWOODS:** It makes sense that one of you has to be totally wrong.

**CHAIR:** Order! Mr Hartsuyker has the call.



**Mr HARTSUYKER:** I would appreciate it if the honourable member did not verbal me.

**The Hon. JAN BURNSWOODS:** Maybe in that case I have to verbal Andrew Fraser. You cannot both be right.

**CHAIR:** Order!

**Mr HARTSUYKER:** I am saying that any government that does not have a strong project management focus—

**The Hon. AMANDA FAZIO:** Mr Hartsuyker—

**Mr HARTSUYKER:** Can I finish my answer?

**CHAIR:** Order!

**The Hon. AMANDA FAZIO:** I want to ask a question; I do not want to get another lecture.

**CHAIR:** Mr Hartsuyker, have you finished your answer?

**Mr HARTSUYKER:** I would like to do so quickly, if I may.

**The Hon. AMANDA FAZIO:** The witness said exactly the same thing in his introduction.

**CHAIR:** Let the witness finish.

**Mr HARTSUYKER:** I would just like to highlight again the importance of proper project management.

**The Hon. JAN BURNSWOODS:** You had better tell Andrew Fraser that.

**The Hon. AMANDA FAZIO:** It has been suggested that we implement the original proposal for a dual carriageway. There was an agreement between the Federal and State governments to try to have the dual carriageway program for the Pacific Highway completed by 2016. At the moment the amount of money that is being put in by the Federal Government will never allow that to happen. It would make it a 30-year program. In the past the Federal Government has only funded about 28 per cent of the Pacific Highway upgrade. I do not want any more mumbo jumbo about project management.

**CHAIR:** Order! Ask the question.

**The Hon. AMANDA FAZIO:** Are you going to lobby more strongly on behalf of your constituents to get the Federal Government to cough up enough money so we can have a dual carriageway on the Pacific Highway from Sydney to the Queensland border? What specifically have you done to get that extra money or to get that commitment?

**Mr HARTSUYKER:** As I said to you previously, and I repeat, I am in constant contact with the roads Minister.

**The Hon. AMANDA FAZIO:** He is probably an ineffective man.

**Mr HARTSUYKER:** I am in constant contact with the transport Minister. We have increased the amount of funding from \$60 million to \$160 million—the amount that your roads Minister then asked for. He said it was fantastic. I am continuing to lobby for further funding. I also said you would be flat out spending the \$1 billion that you have within three years. That is a fact. You will struggle to spend that. In the future I certainly will be lobbying for greater funding for the highway.

**The Hon. AMANDA FAZIO:** I wish it would prove successful.

**The Hon. JAN BURNSWOODS:** Today you have thrown around quite a lot of figures. I assume you would agree that since 1995 the New South Wales Government has invested \$1.66 billion in the Pacific Highway, but the Federal Government has only put in \$660 million. I assume you would also agree that the Federal Government's contribution to the Pacific Highway has been only 28 per cent. I assume you would also agree that the New England Highway has been funded at 100 per cent and other highways have funded been at 80 per cent. This morning you boasted a lot about the present \$480 million.

So you are pleased that for three years the Federal Government is funding up to 50 per cent of one road, even though as the Hon. Amanda Fazio pointed out, funding is up to 100 per cent on other roads? I just ask you to confirm that all those figures are correct. Stop trying to bludgeon the Committee and the audience into believing that the Federal Government is doing its job. As Mr Ian Cohen said earlier, the Federal Government has not been doing its job. It is short-changing people on the North Coast.

**CHAIR:** Order! The Hon. Jan Burnswoods will ask a question.

**The Hon. JAN BURNSWOODS:** I ask you to agree that all those factual statements are correct?

**Mr HARTSUYKER:** You made some statements that you are tendering to support your own argument. I repeat: We have provided the funding over three years that your Minister asked for.

**The Hon. JAN BURNSWOODS:** What did you do in the last 10 years?

**Mr HARTSUYKER:** Would you let me finish my answer?

**CHAIR:** Order!

**The Hon. JAN BURNSWOODS:** You have not given the money.

**CHAIR:** Order! Mr Hartsuyker has the call.

**Mr HARTSUYKER:** If I wanted to compare other roads that are funded at 100 per cent, I would say that over the next three years the New England, the Newell and the Sturt highways have a total of \$100 million being contributed to them. Over the next three years total State and Federal government funding for the Pacific Highway will be \$960 million.

**The Hon. JAN BURNSWOODS:** I did not ask you about those roads; I asked you about those that were funded at 100 per cent.

**Mr HARTSUYKER:** I would say that—

**The Hon. JAN BURNSWOODS:** Once again you are going a mile away from the question.

**CHAIR:** Order! Mr Hartsuyker has not finished his answer.

**Mr HARTSUYKER:** I was specifically answering the question. The Federal Government is funding the Sturt, Newell and New England highways at a rate of 100 per cent. The expenditure—

**The Hon. JAN BURNSWOODS:** Do you agree with the figures—

**CHAIR:** Order! Mr Hartsuyker has not finished his answer. This is the last question.

**The Hon. JAN BURNSWOODS:** Do you agree that the Federal Government has put in only 28 per cent of what has been spent on the Pacific Highway over the past 10 years? That is largely the reason why the Pacific Highway is in the state that it is in. Can you deny those figures?

**Mr HARTSUYKER:** I would say that a lifetime of neglect by the New South Wales State Government is a good reason why the Pacific Highway is in the state that it is in.

**The Hon. JAN BURNSWOODS:** Would you deny that the Federal Government's contribution has—

**Mr HARTSUYKER:** The poor management of the money under its charge is a very good reason why it is in the state that it is in.

**The Hon. JAN BURNSWOODS:** Can you deny that the Federal Government's contribution has only been 28 per cent?

**Mr HARTSUYKER:** The fact that you support the incompetent administration by the RTA is a good reason why it is in the state that it is in. You are a disgrace. You are supporting cost blowouts and you are supporting time overruns. You are a disgrace!

**The Hon. AMANDA FAZIO:** You took an oath on the *Bible* and I think you have just shown your disregard for that oath.

**CHAIR:** Order! That was the final question.

**The Hon. JAN BURNSWOODS:** You still have not managed to deny one of the figures that I put to you.

**CHAIR:** Order! That was the final question and the final answer. I thank Mr Hartsuyker for his submission and for his evidence today.

**(The witness withdrew)**

**KASHMIR SINGH GILL**, Banana grower, 34 Crabbe Street, Woolgoolga and

**RASHMERE BHATTI**, Community Development Officer, 34 Crabbe Street, Woolgoolga, affirmed, and

**BAWA SINGH JAGDEV**, retired, 179 Ninth Avenue, Austral,

**MICHAEL JOHN BURT**, Regional Service Manager, New South Wales Farmers Association, PO Box 387 Macksville, and

**GERIO PETER ROSSI**, Banana grower, 299 North Boambee Road, Coffs Harbour, sworn and examined:

**CHAIR:** Mr Gill, are you conversant with the terms of reference of this inquiry?

**Mr GILL:** Yes.

**CHAIR:** If you should consider at any stage that certain evidence you wish to give or documents you may wish to tender should be seen or heard only by the Committee, let us know and we will take that into account.

**Mr GILL:** Thank you.

**CHAIR:** Ms Bhatti, are you familiar with the Committee's terms of reference?

**Ms BHATTI:** Yes.

**CHAIR:** Mr Jagdev, are you conversant with the terms of reference of this inquiry?

**Mr JAGDEV:** Yes.

**CHAIR:** Mr Burt, are you conversant with the terms of reference of this inquiry?

**Mr BURT:** Yes, I am.

**CHAIR:** Mr Rossi, are you conversant with the terms of reference of this inquiry?

**Mr ROSSI:** Yes.

**CHAIR:** Mr Gill, would you like to proceed with your opening statement?

**Mr GILL:** Option E goes straight through my banana farm. Woolgoolga is a great town for a Punjabi Sikh person to live in. It is special because of the way the banana farms slope down to the sea, and where we live is so close to where we work. It means a person like me can maintain a happy family life and also build a business to support my family and me. I have lived in the Woolgoolga area since arriving from India in 1970. In India I gained a degree in electrical engineering, and these skills helped me to establish myself in Australia and also helped me to buy my banana farm. My family have a great family life in Woolgoolga. I could not imagine not owning land and living in Woolgoolga.

I think life has developed so well in Woolgoolga for Punjabi Sikh people because of a combination of things. First, Woolgoolga's unique land form, where our farms are so close to our homes, creates an opportunity for Punjabi Sikh people to live according to our social, cultural and family traditions. It is possible to work in the nearby hills and return home for the care of children or our elderly, or social obligations or religious gatherings. The agricultural industry provides virtually full employment for the Punjabi Sikh community, creating stability in a financial, family and cultural way.

Self-employment, and the knowledge and skills we have learned about banana and blueberry farming, is a way of linking father to son. Our youth see a future for themselves, and the old can also remain active and proud. This makes our family life very happy and stable. Most importantly, this stability has made a very good relationship between the Punjabi Sikh community and the non-Punjabi Sikh community based on mutual respect because of what we have achieved with our farms, and the shared purpose of our agricultural industry and pride in the natural beauty of our towns and area.

Owning land is in our blood; it is not about buying and selling land. For a true Punjabi Sikh person, if you sell your land you have "had it"; you I have gone in the eyes of the community. To explain more, my son did a degree in financial management while working on the farm; however, when he was thinking about his future he decided to stay in Woolgoolga and join me in farming. He is now baptised Sikh, and works together with me on the farm and is actively participating in life at our temple and enjoys reading the holy book.

The whole process of deciding this option E1 has confused and made me very angry. I feel these people have not listened, or even cared to understand, the impact on farmers like me, my family and my community. I hope the Legislative Council will see the error of what the RTA has done and puts things right. A highway bypass so close to Woolgoolga, going through so much valuable land, is simply stupid and will destroy all that we have tried to create in Australia.

**CHAIR:** Ms Bhatti, would you like to proceed with your opening statement?

**Ms BHATTI:** On behalf of the members of the Punjabi Sikh community I take this opportunity to express our gratitude to the Legislative Council for establishing this inquiry and giving the Punjabi community a voice. Woolgoolga is a successful, vibrant and dynamic town based essentially upon agriculture and tourism. At the core of the agricultural prosperity is the Punjabi Sikh community. Agriculture defines the Punjabi Sikh community, as well as providing enormous financial security and economic stability. Agriculture is the dominant shape of our daily life and family structure, and supports the social, cultural and religious fabric of the community.

The Punjabi Sikh community in Woolgoolga is healthy and prosperous. Our agricultural heritage, willingness to work hard, and commitment to the family and cultural ethos of our religion, have shaped our success. Importantly—and I cannot emphasise this is enough—Woolgoolga is recognised both internationally and nationally for its successful Punjabi Sikh community, and as such provides a grassroots model of cultural harmony and successful multiculturalism. In this respect, Woolgoolga is unique and has flourished and achieved this naturally, without political intervention and support. I will table an article from the local *Advocate* in letters to the editor—which very much highlights a paragraph that is in stark contrast to the way the letter starts off—which supports what a wonderful example Woolgoolga is.

#### **Document tabled.**

The RTA's proposal for fixing the Pacific Highway includes a bypass, which is option E, of the township of Woolgoolga. Option E is little more than an expensive off-ramp, skirting and severing our community. It is approximately 10 kilometres, at a cost of approximately \$300 million, which is only 1.5 metres from the existing highway, as we pointed out to you this morning. But it passes through prime agricultural land, making unavailable almost 200 hectares and destroying viable agricultural concerns owned and operated by approximately 15 Punjabi Sikh family units representing approximately 30 per cent of the community. The Punjabi Sikh community bears an enormous impact from the RTA's option E, and we will suffer the financial loss, upheaval and displacement.

Further, the RTA's decision is of utmost concern to the Punjabi Sikh community as they have not been meaningfully engaged in the consultation process, and the result of this impact so heavily upon them as a community. I raise a couple of points. There has been an omission and disregard of the Punjabi Sikh community on the part of the RTA in the decision-making process. Although right at the beginning of the process the RTA identified the Sikh community as a significant group, there has not been any substantial involvement over the three years. There is a complete lack of substantiation for the RTA's assessment that option E "had better socioeconomic outcomes". We strongly dispute and question that. The RTA has failed to acknowledge, investigate and take due consideration of the social, cultural and economic impacts of option E on the Punjabi Sikh community.

As we have heard referred to all morning, community consultation is a vital and necessary planning process of government, and has specific levels of expectation when involving diverse groups, as endorsed by the Principles of Multiculturalism Act 2000, which requires that government agencies engage in appropriate consultation with groups of diverse backgrounds to ensure their participation in the decision-making process. We cannot ignore this. We have to respect that part of the consultation. It should not simply be paid lip service; it is part of the governmental structure.

The consultation processes undertaken by the RTA have been mere tokenism and have failed the Punjabi Sikh community. With all respect, we do not apologise for our anger over this. We believe a road planning process should place emphasis upon creating highways solutions that serve and enhance the development of communities, rather than tear them in half, creating pollution, limiting development, devaluing and destroying natural community and land value, and displacing successful, vibrant communities such as ours.

A solution to making the Pacific Highway safer is critical to the Punjabi Sikh community, but it must be recognised by government that option E is a very poor bypass solution for Woolgoolga, on the basis of the factors outlined today and the factors outlined in my submission. It is a tragic bypass solution for the Woolgoolga of Punjabi Sikh community.

As explained at length, at the core of our success and future as a community is agriculture. The proposed bypass solution has failed to recognise this simple fact, and has the potential to displace and devalue this community, Woolgoolga. This will diminish us and make a mockery of any pretence of supporting Australian multiculturalism on the part of this Government. We urge all members of the Legislative Council, with respect, to please consider our issues and recognise and address the threat of option E to this very successful and vibrant community. Option E is not an option for the Punjabi Sikh community.

**CHAIR:** Mr Jagdev, would you like to make an opening statement?

**Mr JAGDEV:** On behalf of the Punjabi Sikh community, I would like to make a statement but I do not know whether time will permit me—

**CHAIR:** You could give us a quick summary of it. However, if you table the statement, it will be taken into account as evidence before the Committee.

**Mr JAGDEV:** Given the constraints of time, I would like to table the document.

**Document tabled.**

**CHAIR:** Any tabled document is taken into account as part of the evidence before the Committee. Mr Burt, do you wish to make an opening statement?

**Mr HARTSUYKER:** No. I would like to table the New South Wales Farmers Association's support for the concerns of the Coffs Harbour banana industry and the Punjabi Sikh community.

**Documents tabled.**

**CHAIR:** Mr Rossi, would you like to make an opening statement?

**Mr ROSSI:** I would like to table these documents. I have been a banana grower for 46 years. My parents were banana growers before me, and my sons are banana growers. I am very concerned about the loss of banana lands in the Coffs Harbour basin, which will be inevitable due to the inner corridors that are proposed. I have brought along a map to show you, if I may demonstrate on the map where the road is to go. This is the Roberts Hill area, this is Red Hill, then it comes back through McKays Gully, then it crosses over into west Korora.

The proposed bypass goes over the hill here, follows the hill right around, follows the railway right around through McKays Gully, and goes back into west Korora. As you can see, it is all prime banana growing area. All of this will be lost, some 600 to 700 acres.

There are about 900 acres altogether of banana-growing land in the Coffs Basin, but there will be 600 to 700 acres lost through this inner corridor, which will devastate the industry. We cannot afford to lose these lands. There are no other or better lands in New South Wales for growing bananas than this Coffs Basin.

**CHAIR:** Thank you for that, Mr Rossi. We will now proceed to the questions, but before we do that, Ms Bhatti, your friends and colleagues, I would like, on behalf of the Committee, to thank the Sikh community at Woolgoolga for their hospitality to the Committee earlier today. We very much appreciated the opportunity to stop at the temple and your hospitality, so thank you very much. I have a question for Mr Gill. If the proposed route proceeds, what will happen to the farmers? Where will they go? What will they do for their livelihood?

**Mr GILL:** That is a very hard question. I am 58 years old now, and my son and my two granddaughters, we all live together. Without that farmland, our family will be separated and I do not know what my son is to do. I will not be able to build a house somewhere else and then go somewhere else to keep the family together. That is my concern.

**CHAIR:** Ms Bhatti, you mentioned that the so-called consultation process has been going on the several years and that, even though the RTA identified the Sikh community as a significant group, you have been mainly left out, or your community has been mainly left out, of the consultation process over a period of several years. That sounds to me to be rather extraordinary. Has the RTA attempted to improve the level of consultation during the process?

**Ms BHATTI:** Working heavily in community development, where consultation is such a key issue especially in supporting ethnic communities, I have to say that the process undertaken by the RTA has more than amazed me. When the Punjabi Sikh community became aware of option E passing through so many Punjabi Sikh farms earlier this year, we approached the RTA—I did, actually—and wrote a letter. We had a Punjabi Sikh community meeting and elected some representatives to go on the community focus group. We actually received a letter—I think it was from Mr Bob Higgins, but I can verify that if you want to quote it—just saying that, "Sorry, no, you are not allowed to be on the community focus group", and it actually took a lot of pressure through our State MP to get us happening on the current community focus group.

Right from the beginning, I have seen, or realised after exploration, that one member was hand-picked to represent the Punjabi Sikh community and he was also one of the ones who was in the New South Wales Farmers Association at the time. But after, that person only ever attended one community focus group—one meeting out of 30. The RTA did not address that—I mean, something as simple as just coming along to the main meeting place at the Guru Nanak Sikh Temple or the First Sikh Temple and putting a call out there to say, "Look, this is what we are doing. Can you guys get a delegate together or a representative group or a focus group", something like what they did with the indigenous community. I just do not understand that all, given that the Punjabi Sikh community were identified as significant. What a failure. Why has there been this failure?

**CHAIR:** Did they give you any explanation?

**Ms BHATTI:** We have asked Stepan Kerkyasharian, the Chairperson of the Community Relations Commission of New South Wales, to take this argument up on our behalf, but the RTA maintain that they have consulted properly with the Punjabi Sikh community. We do not see it as such. I do not call a couple of translations—probably twice—about the project and the hand-picking of one member—and the community did not endorse that member as representing the community—as being community consultation. It is not even tokenism.

**CHAIR:** Mr Jagdev, in the Sikh Council's submission, you say that in terms of social and cultural impacts of option E, the farmers who will be directly affected, as we have heard, have lived all their lives on the farms.

**Mr JAGDEV:** Yes.

**CHAIR:** You say that without giving any thought to giving even the basic education, they have a very poor command of the English language, and that for them to find a job once they have been uprooted will be next to impossible and an uphill battle. Would you like to expand on that?

**Mr JAGDEV:** Madam Chair, as I said, these farmers have been there for the last 50 years, working all the time on their farms. They never thought about giving an education to themselves or their children. If they are uprooted, there are couple of things which will happen. If they go anywhere—suppose they are uprooted from Woolgoolga—settling in any other city or town will be next to impossible because it is a simple fact—it is a fact of life—that new migrants, or in this case the new settlers, if they go somewhere and they look different from the common norm, they will attract rejection and a hostile reception. So if one or two families moved to some other city, they will have that, and this will affect their children as well. Their children will lose their education.

They will be deprived of the basic right to have an education—not because the schools will not accept them, but because they will not be accepted in the classes. No amount of persuasion or force from the parents will tell them to go to school because they are afraid of being bullied and they will be discriminated over there. Their families will be separated. Also, this racial discrimination, which is considered to be a thing of the past, believe it or not, whether you agree with this or not, is still very prevalent in our society.

I can give you an example of the unfortunate incident in 1982 in Woolgoolga when a turbaned Sikh was refused entry into and RSL club. It can be said that is a story that is a long time back, but there is the refusal of the RTA supervisor to photograph our priest, Reverend Teja Singh, when he went to get his driving licence renewed unless he removed his turban. An articles of faith, this too is still very fresh in the minds of the Sikh community, and it is a stark reminder to the Sikh community that if they go outside Woolgoolga, which is their hometown, they will be still considered as aliens.

**CHAIR:** The community has been established here in Woolgoolga since the mid 1940s. Is that right?

**Ms BHATTI:** Yes.

**Mr JAGDEV:** Yes, of course.

**CHAIR:** So you feel your community is part of the broader community. You are well accepted, and you would have to start all over again if you had to go somewhere else.

**Mr JAGDEV:** Yes, that is what I think.

**CHAIR:** Ms Bhatti, do you have something to add?

**Ms BHATTI:** If I may Madam Chairman, I would just add to that response that, before we get to the community moving anywhere else, I would like to take a step back and think about Kashmir's example and the example of the witness that I tabled with the submission, where there are three generations living together harmoniously. The elderly gentleman is 70 and he goes out and helps to tie the bags and make the cartons for the bananas. He is active, he is emotionally and mentally engaged, he is socially relaxed and is doing what he is used to doing for all of these over 50 years. You have Jaswinder, who is 50 years old. He gave up training as an accountant in Brisbane when he was 20 and moved to Woolgoolga. He is one of the most prosperous farmers in the district—as are all of them, really—and they have wives who come out from India. It is just the cultural traditions. These women work seven days a week alongside their husbands while caring for the house and caring for the children.

I am trying to highlight here how the whole structure intertwines. You cannot take out, say, the 45-year-old person who is, say, the main banana grower, or the 50-year-old person and put him on Centrelink benefits somewhere. But what about the rest of the family he supports that works as an interchange? We are not talking about one or two of these people. We are talking approximately 200, or 30 per cent of the community. Where do they go? Where do the women go? Where do the elderly go? The structures in Woolgoolga and Coffs Harbour and the services are not even there, after all



these years, to meet some of the language needs and the cultural needs about even such a simple thing as caring for the elderly or child care, let alone this.

The Federal Government has a whole emphasis on skilled migration to Australia. One of the first things they are looking at is proficiency in the English language and it is a skill match. The Woolgoolga womenfolk do not have that level, so where do they go? We are talking huge numbers; we are not talking one, or two, or three people. I just have the utmost respect for Australian multiculturalism. We have a perfect example here, and severing 30 per cent of the community just does not seem correct, especially when that 30 per cent of the community was not engaged in the consultation process. This is a governmental process. It is an act of multiculturalism. Legislated policy is in place where ethnic communities must be consulted, and yet we have not even been shown any respect by the RTA in this process. I am just trying to highlight the effect it is going to have. There is nowhere for them to go, really. I guess that is the argument.

**CHAIR:** Thank you. Mr Rossi, you have indicated that to cut a swath through the banana plantations you have indicated would in fact be devastating to the industry.

**Mr ROSSI:** That is right.

**CHAIR:** It is important to get onto the record how important the banana industry is to this district. Could you indicate to the Committee the extent of the economic imports into the Coffs Harbour district from your industry?

**Mr ROSSI:** I got these figures from the Department of Primary Industries this morning. Growers have declined over the last 20 years. Some have moved to Queensland. The total growers in Woolgoolga and Coffs Harbour are 310 growers now. The total acreage is 1,098 hectares. The value of the industry is worth \$50 million to the town. These are not my figures; I got these from the Department of Primary Industries this morning. These are not accurate figures because, to be accurate, you have to actually know how many cartons have left the district and the prices received. This is an estimate, but it is as close as they can estimate it without counting each carton and each carton price. But I can tell you that even though the industry has declined here, growers are now switching to growing ladyfingers, which are much better money-spinners.

I have got my last 12 months returns here if you would like me to verify the figures. We are getting \$40 a carton for a 12 kilogram carton of lady fingers. The Cavendish growers are getting \$6 to \$8. This industry can switch all to ladyfingers. I have developed short ladyfingers which are half the height of the normal ladyfingers so that they can be grown on steep slopes. So the whole of the Red Hill, Roberts Hill and Coffs Basin area would be suitable to plant these. I am prepared to give these short ladyfingers to the industry free of charge.

**CHAIR:** Obviously the industry is still significant in the local economy. With a change in the product and switching over to a different product, as you have mentioned, you believe it is still a sustainable industry with the future in this district?

**Mr ROSSI:** It certainly is.

**The Hon. MELINDA PAVEY:** And disease-free.

**Ms LEE RHIANNON:** Ms Bhatti, you spoke about 30 per cent. Was that your estimation of farmers and their families who will be forced off because they lose their land? Are you also taking into account people who might feel a loss of a sense of community and who then may lose their willingness to stay here? I just wanted you to expand on that for me, please.

**Ms BHATTI:** I am talking about people who will be directly affected by option E. There are approximately 15 family units along the route of option E. When you look at the extended family it is a very conservative figure. We work it out at about 10 people per household, although some will have 16, some will have eight and some will have nine.

**Ms LEE RHIANNON:** So 30 per cent of those 15 families will be affected by option E?

**Ms BHATTI:** Yes.

**Ms LEE RHIANNON:** Considering it is such tight community, can you suggest any flow-on effect for other members?

**Ms BHATTI:** Of course. The flow-on effects are massive if you take out 30 per cent of the community. For this purpose I am talking specifically about the people who are affected. But, yes, there are the same cultural differences. If you take out 30 per cent of the economy, the infrastructure, the schooling and the vehicles, part of the community will be so dispersed that the numbers will not be there to give the community its vibrant nature and its colourful heritage. So there will be an impact on the community. There are only 750-odd Punjabi Sikh people in the Coffs Harbour district, but because of the topography—it is a small seaside village—they are a lot more visible. There are about 550 in Woolgoolga and the rest are in Coffs Harbour.

**Mr IAN COHEN:** I refer to the option that would cut through your land. Would that render that land totally unviable for farming? Has the RTA, in its planning process, allowed for access from one side to the other?

**Mr GILL:** At this stage I do not know. This bypass will go through the middle of the fence on both sides of the banana plantations, so it will not be viable. A few factors are involved. If the bypass cuts through those areas banana plantations on both side of the road will not be able to survive. It will render that land unusable and we will not be able to grow any more bananas.

**Mr IAN COHEN:** Where would your nearest access point be on either side A or side B? What would you be looking at?

**Mr GILL:** I do not know. I have not seen any maps. The RTA has not shown me any maps.

**Mr IAN COHEN:** Mr Rossi, do you have anything to add to that? Are there difficulties involving farming techniques that would make farming unviable in those circumstances?

**Mr ROSSI:** If the RTA put a corridor through the Coffs Harbour Basin there would be no aerial spraying 300 metres either side of this road. Ground spraying would be allowed 150 metres from the road if one were willing to take the risk of being sued. The RTA said it might only need an acre of somebody's property. It is willing to double the price of what the land is worth for that one acre, but one would be left with nine acres out of the 10 that are unsuitable for anything else.

You would not be able to grow bananas on it or put up a house or buildings because no buildings would be allowed within 150 metres of the road anyway. So that land would be worthless. We cannot afford to lose these banana lands because there are no more. The lands in the Tweed and Richmond area are full of diseases. They have race 1 and race 4 Panama and bunchy top. Down here we do not have those diseases. God is not making any more land for us, so we have to preserve what we have.

**Mr IAN COHEN:** Ms Bhatti, do you wish to add anything?

**Ms BHATTI:** Basically, I was going to say what Mr Rossi said. In option E one of the main issues is the lack of access and the consideration of putting it through the banana farms. If a shed is located on one side of the bypass, how would you cross over there? You might then have to go 10 kilometres to buy farm supplies on the other side of the road. It has not been worked out.

**The Hon. AMANDA FAZIO:** This morning when we visited the temple you showed us some areas in the zone where the road is supposed to go that are being used for blueberry farming. Would there be any scope for blueberry farming in the vicinity near to the road? I do not think you have to aerial spray blueberries. Would that be a possibility?

**Ms BHATTI:** Let me refer to the way in which the community is working in relation to option E. Currently, most of the farmers along there have already spent the money to put in blueberry farms. So option E will be tearing not only through banana farms but also through blueberry farms. At Kashmir's relative's place it will be going through the wire nets that we pointed out this morning. I

think I referred in detail in my background reading to the downtrend in the banana industry. People in that industry are fine but the Punjab Sikh community seem to have turned in a big way to blueberry farming to supplement their banana income. Along option E massive blueberry farming operations have already been established. They have bought up this year and in the last two years because the industry is so vulnerable.

**Mr ROSSI:** Blueberries need spraying every two weeks.

**CHAIR:** Every two weeks?

**Mr ROSSI:** In wet conditions, yes.

**Ms BHATTI:** We are currently putting ours in, but they need spraying.

**CHAIR:** Mr Burt, did you wish to say anything?

**Mr BURT:** I refer to our concerns about the impact on prime agricultural land. Precious little agricultural land is left. I would like in particular to back up Jerry's statements that this is disease-free banana country. It has northern aspects and soil types that are ideal for banana production and other horticultural pursuits. These farms simply cannot be replaced. You cannot just go up the mountain and plant bananas elsewhere because bananas require specific conditions. So it is just that prime agricultural land is precious these days.

Even though the Coffs Harbour banana industry has declined over the years it is still an important industry. As Jerry said, they are averse to buying into ladyfingers. Even though north Queensland is now a dominant player in the industry, if it gets a disease outbreak—which happened a few years ago; it got a massive outbreak of black Sigatoka—banana production will fall on the shoulders of the Coffs Harbour industry, which makes it extremely vulnerable. The key concern for us is the destruction of prime agricultural land, whether it is in the Woolgoolga Basin or the Coffs Harbour Basin.

**Ms BHATTI:** There are two documents that we wish to table. Today I forgot to bring along a PowerPoint presentation that we made relating to the consultation process and to what we are doing. Might I table that?

**CHAIR:** You can send that or email it to us.

**Ms BHATTI:** Thank you.

**CHAIR:** I thank each and every one of you for your assistance and also for your assistance today to the Committee. We appreciate it.

**(Luncheon adjournment)**

**BRUCE ALEXANDER SCANLON**, Sapphire to Woolgoolga Community Focus Group representative, 134 Newmans Road, Woolgoolga, and

**STEVEN MICHAEL MOODY**, Technical Officer, Coffs Harbour Bypass Action Network Woolgoolga and Area Residents Group, 237 Woolgoolga Creek Road, Woolgoolga, sworn and examined:

**CHAIR:** Are you familiar with the terms of reference for this inquiry?

**Mr SCANLON:** I am.

**Mr MOODY:** I am.

**CHAIR:** If either of you should consider at any stage that certain evidence you wish to give or documents you may wish to tender should be heard or seen only by the Committee, please indicate that fact and the Committee will consider your request. Mr Scanlon, do you wish to make an opening statement?

**Mr SCANLON:** I have an opening statement, but it is not as brief as some others.

**CHAIR:** See how you go. If it is too long, the remainder of it can be incorporated in the transcript.

**Mr SCANLON:** I also have an expanded statement, together with some other documents I would like to table.<sup>1</sup>

**Documents tabled.**

As far as the community consultation process by the RTA on this project is concerned, there is a view that there has been none. There have been plenty of meetings and the RTA has presented technical information on its plans, but it has not been prepared to accept feedback from the community. It seems that if members want to discuss during the meeting a matter they are not clear on, and the RTA wants to shut down discussion, we are told by the facilitator, "We are running short of time. We have a lot to cover tonight. We will have to move on." That is commonly quoted at the meetings.

Questions and answers on the matter do not get resolved. During CFG meetings the RTA will often raise a matter, deal with it briefly, and then the facilitator will move on, preventing adequate discussion by the CFG members. The facilitator has continually shown bias towards the RTA in his role. This has occurred continually over the last four years. There have been many examples during other CFG meetings.

The Government's white paper "Plan First: Review of Plan Making in New South Wales", under the principles for effective community consultation for planning, states: "It is important that all participants control the agenda and content, because this will give the process more credibility. An independent, skilled and flexible facilitator, with no vested interests, is essential in order to achieve this."

The facilitator of the CFG meetings over the last four years has not been independent, he has not been flexible, and he does have vested interests. His company, Pramax Communications, a PR company, is employed by the RTA as part of the project team, to promote the views of the RTA, for which the company is paid.

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<sup>1</sup> See correspondence from Mrs Janice and Mr Andrew Smith (23 January 2006), Mr Tim Paterson (23 January 2006) and Mr Chris Clark (27 January 2006) responding to the allegations made in this transcript. This correspondence is available on the Committee's website, in the same location as the transcript, at [www.parliament.nsw.gov.au](http://www.parliament.nsw.gov.au)

When a complaint of lack of independence, lack of flexibility and the facilitator's vested interests was made during a CFG meeting, Chris Clark, the project manager for the RTA, said that he was very pleased with the manner in which the facilitator had done his job, and if any complaints were to be made against the facilitator they should only be made directly to Mr Clark. A CFG member then pointed out that it was pointless, as Mr Clark had just endorsed the facilitator's actions. Mr Clark abruptly closed the meeting and the matter still remains unresolved.

The minutes of CFG meetings are according to the charter to be "distributed to CFG members within two weeks of the meeting". They are not. On occasions they have taken up to six months to reach members making it difficult for members to check them for their accuracy of a meeting held six months prior. When the RTA has been asked why it takes so long to circulate the minutes, they say they have to be checked by many different people and departments within the RTA. Some of these people have nothing to do with the community focus group, nothing to do with the projects, and they are not present at the meetings. Their role is to cleanse the minutes in favour of the RTA, regardless of whether the minutes are a correct record or not.

When asked why the RTA did not comply with the charter which they drew up in relation to supplying the minutes within two weeks, the RTA's reply was that it took that much time for the minutes to be checked by the RTA before they could be released to CFG members. The minutes are a record of the meeting and should only be endorsed by the members present, not by people outside. The minutes presented to the CFG meetings for adoption represent a record that the RTA would like published. They are not a true record of the meetings.

That is why at some meetings it has taken up to three hours of discussion to put the minutes of a previous meeting, and the minutes still have not been adopted. In the past the RTA also has been in the practice of publishing the minutes on the RTA web site before they have been adopted or corrected. When challenged on this, the RTA says they can read them afterwards. But that is after the horse has bolted because people have already read the minutes; they are not going to go back to the web site and read them six months later when they are corrected or adopted.

The minutes were previously taken by an independent stenographer, but for some time they have been recorded by Janice Smith, the wife of Andrew Smith, the facilitator. She is also a partner in Pramax Communications employed by the RTA to handle their publicity and push their view. This is also a conflict of interest by both parties.

The route recommended by the RTA has a very adverse effect on the Sikh community, both from an economical and cultural aspect. The RTA has pressured the CFG to make endorsements of RTA decisions without supplying them with sufficient data to do so. This includes maps that are incomplete and out of date. On occasions the maps have been more than 10 years out of date. They have also produced aerial photographs which the RTA says are actual and up to date, but the most recent aerial photographs are five years old. They do not allow for any development within the last five years, which in this area has been substantial.

Under the heading "Make it matter" in the Government's white paper "Principles of effective community consultation", it says, "Faith in the process is important by both the power holders and the participants." The CFG members do not have faith in the process.

There are many examples of the RTA abusing and manipulating the community consultation process to achieve its preconceived objectives, but none more blatant than on 17 October 2001. That night the RTA had called the first public meeting in Woolgoolga to explain to the public the consultation process for the highway upgrade. About 130 members of the public attended, plus a project team of the RTA, Connell Wagner, and a few other people.

Earlier that afternoon at Sydney airport terminal, and later on the flight from Sydney to Coffs Harbour, Mr Ken Oldfield, the then project manager for the highway upgrade, and Mr Tim Patterson, the consultant engineer with Connell Wagner, which had been engaged for the project, were heard by me discussing how they would manipulate the public consultation process on the project to achieve their preconceived ideas. When Mr Patterson challenged Mr

Oldfield on exactly how they were going to do it, he said it was quite simple, and he went through naming a number of other projects that they had done the same thing with. This was in spite of the requirements of the public consultation process which they were proposing.

I raised this matter publicly that night at the meeting in front of more than 130 local residents, and the RTA project team, about the discussion being contrary to what they discussed that night at the public meeting. Mr Oldfield and Mr Patterson did not deny it at the time, nor have they since denied it, that is, the conversation and the content of it.

The matter was reported to the ICAC, as this behaviour is deemed as corrupt under the Independent Commission Against Corruption Act. The ICAC did not interview me, Mr Oldfield or Mr Patterson, but decided not to investigate the matter even though the allegation was made by signed statutory declaration. The ICAC was apparently told by Mr Bob Higgins, the Pacific Highway manager, that his staff would not say that sort of thing. The ICAC did not interview any of the parties involved in the incident. The conversation has never been denied by the staff involved.

I still stand by the allegations made in relation to that conversation. The RTA project team has clearly shown over the last four years—in fact, prior to any public meeting—that they have no intention of following the required public consultation process. They have gone through the motions simply to justify their final and preconceived ideas. The actions of the RTA over the last four years have been in total accord with that conversation between Mr Oldfield and Mr Patterson on that flight from Sydney to Coffs Harbour. That is why I say the public consultation process is not only grossly flawed, it has virtually been non-existent.

**CHAIR:** Mr Moody, do you wish to make an opening statement?

**Mr MOODY:** Yes. Firstly, thank you for the opportunity of making a presentation to this inquiry; it is most welcome to the people of Coffs Harbour. The New South Wales Roads and Traffic Authority preferred Pacific Highway upgrade for the Coffs Harbour area passes through the city from its southern to its northern coastal limits, transecting regionally important hilly coastal topography, impacting wildlife linkages, agriculture, human culture, scenic value, tourism, and the quality of life for all those who come to this area to visit or settle. The RTA's 2003 strategic cost assessment for the 53-kilometre upgrade from Englands Road south of Coffs Harbour CBD to Arrawarra is \$700 million to \$900 million. Additionally, the indirect economic cost of the Coffs Harbour local government area has been independently assessed at \$2.4 billion.

The Bypass Action Network submits an alternative, more cost-effective interim solution until a proper Coffs Harbour bypass is constructed west of the coastal range. This involves extending the existing dual carriageway north of Coffs Harbour CBD from Sapphire to Woolgoolga using at-grade protected intersections at an RTA strategic cost estimate of \$145 million. This will provide 16 kilometres of additional dual carriageway along the stretch responsible for 11 deaths from 2001 to May 2005.

None of the so-called bypasses—for inner south 1 and inner north 1 for Coffs Harbour's CBD, costing \$425 billion and an option E at Woolgoolga costing \$135 million—will return these immediate benefits. However, we strongly object to a major upgrade of the section of highway to motorway standard, as it will prolong the use of the coastal route option for non-local traffic.

It will continue to attract heavy vehicles and involve a major land take for service roads and grade-separated intersections. Because it will be consuming dwindling coastal habitat, the highway deviation known as option E through Woolgoolga west is also totally unacceptable as it transects agriculture that is important to the area, the Sikh community, urban development and threatens dwindling wildlife habitat.

It is apparent that the North Coast road strategy fails to meet the challenges of meeting road transport and the community needs, consistent with ecologically sustainable development. Further, while community consultation is essential, experience has shown in the past four years that, contrary to Government's aims, it has failed to streamline the resolution of planning issues

and bring about a community that is satisfied with the outcome. The ill-conceived RTA highway planning strategy for Coffs Harbour involves the long-term use of the coastal route, commencing with an upgrade to a class A dual carriageway, but from the outset engaging in land acquisition and clearing for further upgrades to a class M motorway.

A class M motorway upgrade consists of two to three lanes in each direction of 110 kilometres per hour, with controlled access at grade separated flyover intersections. The means by which the RTA intends to separate the local slow traffic from high-speed long distance traffic is with an additional two-way carriageway alongside the motorway. The land take for this will involve providing in places up to eight lanes—that is, 6 for the motorway and 2 for the service road. We submit that planning for an ultimate class M motorway for the Coffs Harbour highway upgrade is totally unacceptable and inappropriate for the narrow strip of land that exists on the coast between the mountain range and the shores of the Solitary Islands Marine Park.

There are 31 intersections along 16 kilometres of Pacific Highway north of Coffs Harbour between Sapphire and Woolgoolga—a stretch of highway where the current speed limit is 100 kilometres an hour, these intersections are unprotected, several of which are situated on or near crests and curves, with poor sighting distances. A motorway is not needed to remove these highway black spots. The Bypass Action Network, comprising 10 community groups affected by the Pacific Highway on the Coffs northern coast line, require of Government: one, an immediate reduction in the posted speed limit from 100 kilometres an hour to 80 kilometres an hour on the highway between Woolgoolga and Sapphire until the highway is upgraded, with speed enforcement measures; two, a moratorium on large-scale urban and commercial development along the existing highway between Sapphire and Arararra until the highway is upgraded; three, an urgent upgrade of the Pacific Highway between Sapphire and Woolgoolga to no more than class A dual carriageway standard consisting of two lanes in each direction with at-grade intersections and noise mitigation in urban areas; four, interim improvements to the existing highway through Coffs Harbour and Woolgoolga to improve traffic flow and noise mitigation. This includes reduction of the five per cent gradings into and out of Woolgoolga and the extension of the 80 kilometres an hour speed limit zone north to Mullaway; five, rejection of the RTA Pacific Highway coastal route options incorporating costly deviations around Coffs Harbour CBD and Woolgoolga and commencement of immediate planning for a proper highway bypass for the region to the west of the coastal range, with construction to commence within 10 years. Thank you, Madam Chairman.

**CHAIR:** Thank you very much. Mr Scanlon, firstly can I ask you do all of members of the focus group agree with the views that you have put before the Committee today in relation to the consultation process?

**Mr SCANLON:** I think the discussions that we have had in the past have had 100 per cent agreement—some more strongly than I—of the present community focus group, we are talking about.

**CHAIR:** Yes. It is a pretty damning picture that you paint of the consultation process.

**Mr SCANLON:** It is.

**CHAIR:** As time has gone by, has there been any apparent improvement in the process?

**Mr SCANLON:** In the early stages of the process, a number of the community focus group [CFG] members met independently, as opposed to a CFG meeting, to see whether we had individually the same collective view. Most of them had the same views that I have expressed today. We put this to the RTA at the next meeting and they actually called a special meeting to deal with problems that we perceived with the process. After that meeting, there was a slight improvement in a manner in which the meetings were run and the minutes were coming a little bit quicker, but it is still the same offering.

**CHAIR:** Do you think that there was a preconceived agenda and that the focus group process was a bit of a charade?

**Mr SCANLON:** Definitely.

**CHAIR:** I wonder what the point of having it is, if it is really just going through a process, is it, from the groups point of view?

**Mr SCANLON:** I did have some hope raised some time ago when the matter was referred to the Independent Commission Against Corruption [ICAC]—that the matter would be investigated and the air cleared as to what was actually happening—but much to my surprise and disappointment, ICAC decided not to pursue the matter. The fact is that someone could make an allegation by a sworn declaration—a person of good standing in the community—against two other people and ICAC does not even interview the person who makes the allegation, or the two people about whom the allegation is made. As far as I am aware, they were not even interviewed before a decision was made by ICAC not to pursue it. I was told by ICAC, after I was informed that it was not going to be pursued, that there was a right of appeal. However, appealing would be to the same committee that decided not to pursue it in the first place. I was told off the record that it would be waste of time.

**CHAIR:** You were told that by an ICAC officer?

**Mr SCANLON:** Yes, I was. That was a verbal conversation. It was not in writing.

**CHAIR:** It was on the phone?

**Mr SCANLON:** Yes.

**CHAIR:** I advise you that your evidence is now on the public record. It will be interesting to follow that up.

**Mr SCANLON:** I would welcome any attempts to clarify it.

**CHAIR:** Mr Moody, your impressions of the consultation process, do they concur to any extent with those of Mr Scanlon?

**Mr MOODY:** I believe that the consultation process is one which the RTA is required to go through. However, as somebody from a technical viewpoint, I am involved in many meetings on technical issues. It is apparent that the project team has not given an adequate opportunity for input from the community. By that I mean, for example, on a couple of occasions now they have tabled drawings and aerial maps of proposed routes. As an engineer, I can look at these maps and interpret what a cutting is, et cetera, but there are many people on these consultative committees that do not have that level of technical interpretation knowledge.

It just astounds me that the technical team has presented these drawings and is expecting input from the community within the time frame of about 20 minutes. It is only by people such as myself who have made a request of the CFG project team that they make this information available for CFG members to go and share that information with their community members, so that they can bring fact some value-added information, that they have done so. But quite often they have presented this information, being shared with the broader community, on the basis of it being privileged information.

**CHAIR:** I do not want to be unduly provocative, but it sounds to me like it is just a classic snow job. Would that be a fair description?

**Mr MOODY:** I have watched this process over the last three years or so. I believe they are going through this community consultation process because they are required to, but most of the consultation sessions are of the nature of a presentation where the project team presents an update of where they are, and they facilitate questions being asked. But whether or



not the input from the community is being properly serviced is the question. There is certainly not that opportunity for input.

**Mr SCANLON:** If I can add to that—that is the impression, as Steve mentioned. We were presented with maps of the proposed routes to assess for noise impact in the area of the houses. However, the maps did not have any residences marked on them. There were no buildings marked on the maps, whether they were farm sheds, houses or homes, and that was very difficult without local knowledge to assess what impact any noise would have on the area when the RTA does not put houses on the maps. We queried this and they said, "You will get other maps with those on it."

**CHAIR:** And did you?

**Mr SCANLON:** No.

**CHAIR:** Did you get any other maps?

**Mr SCANLON:** No, not to assess for noise impacts. Some of the maps were supplied at a later date and were supposed to have all buildings within 500 metres of the proposed highway. That was not the case because I know, through local knowledge, that some houses had been built 20 to 25 years previously that were not there.

**Mr IAN COHEN:** The nature of your CFG, were people selected by the RTA, or elected to that? What is the nature of that committee or group?

**Mr SCANLON:** At that meeting of 17 October 2001 when the RTA explained what they said was going to happen, they invited people to make representations to a community focus group, and those representations ideally should be supported by documentation that the individual represents the group or a number of people or an area. So it is not just the individuals' voices being put forward. I was put forward as representing a certain area and certain communities and, because of my involvement in the local Rural Fire Service—we are often called to accidents on the highway—I have some idea of what is involved as far as road safety and consequences are concerned.

However, at a later stage during the process, a vacancy occurred and the RTA did appoint an individual—I use the word "individual"—to the community focus group who apparently did not represent any community or any broad spectrum of the community, other than himself. Also his property was also in line with one of the options that the RTA did not like and subsequently rejected.

**Mr IAN COHEN:** During this time, obviously you received certain information. Was there any agreement with the RTA or focus group organisers that you were restricted to what you could say back to your community? Was there any privacy agreement at that point?

**Mr SCANLON:** It was explained at the beginning of the process that we would be given a lot of information, some of which, because of its nature, would be confidential because it was at the stage of planning. However, I can say that over the past four years there has been very little information that has been presented to us that has not been presented to the public as far as the planning is concerned.

**Mr IAN COHEN:** You did not have to withhold on potential routes and options and such like to stop a panic in the community?

**Mr SCANLON:** Well, there was some talk about the possibility, but we said we were there, as the charter I have supplied illustrates I think, as a conduit to the community. We were supposed to get the community feeling, relay that to the RTA, and also convey the information from the RTA back to the community and get a response from it. There were very few opportunities to take information back to the community.

The only exception I can think of this when they presented a number of route options and we were told that we had to make a decision on which we preferred. This was at a CFG meeting and we said, "Look, this is of such importance that as individuals we are not prepared to make a recommendation and endorsements without going back to the community because that is part of our role, as I see it." They said, "Well, you can do that, but you cannot take the papers away because so we do not want the information to get out." We said, "How are we supposed to consult with the community about what is proposed if we cannot show them?" The RTA very reluctantly supplied the maps and the aerial photographs of those routes.

**CHAIR:** In your submission you gave some history of the upgrade process and you went back to the days when Wal Murray was Minister for Roads. In February 1993 he released the North Coast road strategy, which included an option to have a toll road from Hexham to the Queensland border. You go on to state there was a suggestion that a very fast train infrastructure should be built into that. You commend to the Government serious reconsideration of Motorway Pacific and improved rail infrastructure to accommodate the increased need for freight transport in this State. You pointed out that perhaps the upgrading of the coastal route might have reached its use-by date as a concept, particularly in relation to intrastate freight haulage, at the expense of communities along this route. Would you like to expand on that contribution?

**Mr MOODY:** Yes. What has to be realised is that the original Pacific Highway route was developed a long time ago. It was developed not quite in the horse and cart days, but it was certainly developed a long time ago. It was developed as a roadway to link communities along the coastal route. It must be realised that we reach a point in time when that original design location is no longer appropriate for the scale of development that is necessary to turn it into a high-volume super structure, one might say, of motorway standard. There are sections along the coast where it is no longer practical from an engineering or environmental point of view, or on a social or economic basis, to leave that alignment in its present position.

So I think the solution here is twofold. First, we have to recognise that, with the increased growth of settlement along the coast, we must provide for that. That means in some areas there is a need to go to dual carriageway standard. But I think there has to be a cap on that. Contrary to the position of the RTA—it believes there should be an ongoing and continual upgrade—I remember, going back to the 1970s, when I towed my boat up the Pacific Highway to get to Queensland and I took this winding road. Over a period we have seen all these improvements. We have gone from a narrow, winding two-lane road to a three-lane road with some of the curves taken out of it.

We must realise there will come a point in time—I think we are reaching it now—when we are reaching the limit of development, from a road builder's point of view, as to how far we can go. In recognition of ecologically sustainable development, if we really walked the walk and talked the talk on that, we would draw a line and say, "The current location of that Pacific Highway in certain areas is no longer practical." We must recognise the local infrastructure needs of having a suitable road, such as a dual carriageway. But when it comes to a major arterial road between Brisbane and Sydney we would have to consider the structure required for it, as is done in the United States of America with the use of turnpikes.

I used to live in Boston and I could drive all the way to Seattle without stopping because of the tollway. Basically, I could get off when I wanted to go to a city. We are getting to a point where we need to look forward and say, "It is no longer practical to use that original alignment." I think that is certainly the case on some of these northern coastal areas. We have to bite the bullet. That is why I commended the article that was mentioned in *Hansard* about the 1993 North Coast road strategy. I think that was fine at that point in time but I think we are rapidly approaching a situation where not only do we have to improve local infrastructure for North Coast roads; we also have to think in the long term about putting in a proper Motorway Pacific from Sydney to Brisbane. We need to start planning on that very soon.

**The Hon. MELINDA PAVEY:** Mr Moody, you made reference to the need to upgrade the section between here and Woolgoolga with a dual carriageway, not necessarily a motorway with high grade interchanges. According to the submission of the RTA it has

budgeted \$145 million for that Korora to Woolgoolga upgrade, with another \$40 million to \$80 million for high-grade interchanges on the route.

**Mr MOODY:** Yes.

**The Hon. MELINDA PAVEY:** Given that you have some technical expertise, if we are to take it to dual carriageway status instead of full motorway status, do you have any idea or any thoughts about the costings of that so that those savings could then be put into a western bypass?

**Mr MOODY:** Using the RTA data, the \$145 million is to bring it to an A grade standard road, to provide for dual carriageway, two lanes north two lanes south, and at-grade intersections, with protected seagull intersections. It would cost somewhere in the region of \$220 million if they started putting in the so-called doughnuts on the side, elevated roadways, which we believe are totally inappropriate. The land take for these grade-separating intersections is quite large. The impacts, not only the socioeconomic impacts but also the environmental impacts, are quite enormous. People do not realise that the amount of land take you need to develop these structures is quite large.

When you look at the narrow neck of land that we have to deal with on our North Coast I think it is going to the point of ridiculousness to try to squeeze in those structures. To answer your question, \$145 million for at-grade separations, which I think should be proceeded with, and around \$200 million to \$220 million to go to the grade separating scale.

**CHAIR:** Mr Moody, in your submission the Bypass Action Network gives 10 reasons why it rejects the RTA's preferred options and you go through those 10 reasons. Can you think of one reason why they should be accepted?

**Mr MOODY:** No.

**The Hon. AMANDA FAZIO:** Mr Scanlon, you talked a lot about this conversation you heard on a plane between RTA staff and a consultant. You said that the Independent Commission Against Corruption [ICAC] declined to investigate the matter. Is it not true that you gave us a copy of a letter to Andrew Fraser from the then commissioner for the ICAC in relation to this matter, in which it is stated that the ICAC is of the view that this matter does not involve corrupt conduct? Does that not explain to you that that was the reason why it was not pursued any further?

**Mr SCANLON:** No.

**The Hon. AMANDA FAZIO:** So you think you understand the ICAC better than the commission?

**Mr SCANLON:** No, I did not say that. On that point I cannot see how it can make a determination without interviewing the people concerned and seeing what has been said.

**CHAIR:** I wish to make a comment in relation to the media. Mr Scanlon made some remarks about various individuals alleging certain conduct in relation to the RTA consultation process. While Mr Scanlon's comments are protected by parliamentary privilege I advise members of the media and the public that they should be mindful of reproducing or repeating those statements in the public domain, as they might not be protected. If you have any questions in relation to that matter direct them to the Committee staff.

**The Hon. AMANDA FAZIO:** I ask Mr Scanlon whether that letter stated:

Mr Scanlon has not provided any specific information to indicate corrupt conduct on the part of the RTA. Mr Scanlon appears to be unhappy with the public consultation process and the RTA's preferred route.

It then goes on to explain that the Minister makes a decision about the consultation process before the RTA. Given that fact and also given the fact that in the letter to the editor—a copy

of which you supplied to us in the submission you tabled today—you took great care not to name any individuals, is it not a fact that you came here today to name them in your submission and in your evidence? Is that not simply an attempt by you to use parliamentary privilege to name those two individuals, about which you were not able to say anything earlier because the ICAC found that you did not have a case? Is that not the case?

**Mr SCANLON:** No, that is not correct. They were actually named in the statutory declaration, which was completed in 2003.

**The Hon. AMANDA FAZIO:** Yes. You provided that to the ICAC, did you not?

**Mr SCANLON:** Yes, I did.

**The Hon. AMANDA FAZIO:** Which you made public, did you not?

**Mr SCANLON:** No, I did not make it public.

**The Hon. AMANDA FAZIO:** You came here today and named those two individuals under parliamentary privilege which, quite frankly, I think is an abuse of parliamentary privilege.

**CHAIR:** Order!

**The Hon. AMANDA FAZIO:** I do not have any further questions of you.

**Mr SCANLON:** Madam Chair, I came here today to try to bring this matter to public notice. I thought it should be brought to public notice. I find it offensive to have such an accusation made against me. The fact that I am prepared to make a statutory declaration to try to get the matter resolved I think shows where I am trying to get on this matter. I am not making false accusations. I could very easily have gone about it in another way.

At another public meeting on 17 October 2001 I could have gone through the exact conversation that was made publicly at the time. But in fairness to the people concerned I did not. I have tried to be fair today. I have tried to be fair in this matter for the last four years. But being fair does not mean that you do not say anything and you are prepared to let the RTA roll over the top of you and use the tactics that it has without standing up and being counted. I am purely here to stand up and be counted.

**The Hon. JAN BURNSWOODS:** Madam Chair, I point out that the issue to which the Hon. Amanda Fazio drew attention was well expressed by you earlier. There are very real problems if people make allegations against named individuals, as you pointed out, and anyone in the audience or anyone else repeats them outside this room. I think that is the point we are trying to make. There are problems. We are not a court.

**CHAIR:** I thank both Mr Scanlon and Mr Moody, first, for their submissions and, second, for assisting the Committee by appearing here today. We appreciate it very much.

**(The witnesses withdrew)**

**HUGH RICHARD HEADING**, Polysomnographer and Laboratory Technician, 2/3 North Bonville Road, Bonville, and

**NEVILLE JOHN NEAL**, Chief Executive Officer, Coffs Harbour Students Association, affirmed, and

**BEVERLEY JUNE MILES**, retired, 46 Old Pacific Highway, Raleigh,

**LORRAINE WOOD**, Teacher, PO Box 80, Bonville, and

**LOREN CHRISTINE REDWOOD**, Unemployed, 16 Waterloo Street, Woolgoolga, sworn and examined:

**CHAIR:** Mr Heading, in what capacity are you appearing before the Committee?

**Mr HEADING:** As a private citizen.

**CHAIR:** Are you conversant with the terms of reference of this inquiry?

**Mr HEADING:** Yes, I am.

**CHAIR:** If you should consider at any stage that certain evidence you wish to give or documents you may wish to tender should be heard or seen only by the Committee, indicate that fact to the Committee and it will consider your request. Mr Neal, are you conversant with the terms of reference of this inquiry?

**Mr NEAL:** Yes.

**CHAIR:** Mrs Miles, in what capacity are you appearing before the Committee?

**Mrs MILES:** As a private citizen.

**CHAIR:** Are you conversant with the terms of reference of this inquiry?

**Mrs MILES:** Yes.

**CHAIR:** Ms Wood, in what capacity are you appearing before the Committee?

**Ms WOOD:** As a private citizen.

**CHAIR:** Are you conversant with the terms of reference of this inquiry?

**Ms WOOD:** I am.

**CHAIR:** Ms Redwood, in what capacity are you appearing before the Committee?

**Ms REDWOOD:** As a private citizen.

**CHAIR:** Are you conversant with the terms of reference of this inquiry?

**Ms REDWOOD:** Yes.

**CHAIR:** Mr Heading, would you like to tell us about the impacts of the existing highway and the proposed highway?

**Mr HEADING:** My appearance here is in connection with the Bonville deviation. My invitation to this Committee is as a result of the accident that occurred on 27 June this year. My wife was the first person on the scene there. As I work nightshift, she woke me up. The police asked her to

go down there. She had seen from a distance the inside of a Tarago van against the front of a bus. Because I have previously worked in a hospital—in fact, I was in charge of the surgical dressers at the base hospital here for a number of years, which included responsibility for the mortuary, and therefore death is something I have seen a lot of—she felt I was better equipped to deal with the situation we were faced with on that day. I cannot convey the sheer horrific nature of what I was faced with on that occasion. The only good thing I can take away from that is that the young 15-year-old girl, Delana Redmon, survived. How she managed to do that, I cannot answer. I basically remained with her in the car for the 10 or 15 minutes—I do not know how long it was—until the paramedics arrived. I am not here to give facts and figures. I am not going to try to paint a picture of what I actually saw; it is pretty much beyond words.

In line with the affirmation I have just taken, the simple truth is that I should not be here today. Had the Bonville deviation gone ahead as planned, that accident would not have occurred. 33 days later, a local man exited North Bonville Road—unfortunately, straight into the path of a B-double travelling south. He was an extremely fortunate man in that his seat collapsed and he was thrown out of the back of his van. His van cleared the guardrail and hit a telegraph pole on the banks of Bonville Creek. The accident did not receive media attention because the man survived. Had that telegraph pole not been there, or had other factors not occurred, that would have been one more fatality.

When I returned from the scene of that accident, I escorted the driver of the truck back to the police. He was extremely shaken, as you can imagine. The first comment my wife made to me was, "Well, that's two. When is the third one going to happen?" We only had to wait about a week and a half: a young girl was killed within a kilometre of our house as a direct result of a head-on collision. I can only say again, I should not be here.

Although this is not strictly within the terms of reference for this inquiry, there is an issue I would like to raise that relates directly to the safety of our schoolchildren, and I would ask the Committee's indulgence to raise that. After speaking with the principal of our local school, he made me aware of the fact that according to existing laws schoolchildren are allowed to stand on a bus where the speed limit is 80 kilometres an hour or less. With the reduction in speed limits at Bonville, that is now an 80 kilometre per hour stretch, where we have school buses and B-doubles passing within inches of each other. You do not need to be a mathematician to know that that equals a 160-kilometre-per-hour impact. If those children are standing, they become instant missiles.

I refer back to Mr Moody's comments. If the highway north is made into an 80 kilometre per hour zone, the same situation will apply there. I would ask people concerned to look into this and, at the very least, can we make our kids sit down.

**CHAIR:** Obviously, in both areas there would be quite a few school buses every day.

**Mr HEADING:** Yes, there are. I do not know the numbers. As I said, I am not here to give facts and figures, but there are numerous schools within Bonville itself, and the majority of children at some point must travel along the highway.

**CHAIR:** Mrs Miles, would you like to present your information?

**Mrs MILES:** Yes. My submission regards personal incidents that have occurred on the Pacific Highway. I did not realise I would be here today to present it. If you do not mind, I will read my submission to make sure it is everything I want to say. We moved from Sydney four years ago, and in the last six months even the locals who have lived here for 30 years have noticed the increased number of trucks, semitrailers, et cetera, that are now on the Pacific Highway, especially between Urunga and Coffs Harbour. I personally had two very frightening near-fatal accidents that I would like to tell you about. Two weeks after moving, my husband Peter had a heart attack and was in Coffs Harbour hospital. I was travelling to see him not only during the day but also at night. I will digress by advising that although we are in our sixties we have lived in Sydney for over 60 years and we are used to heavy traffic and consider ourselves to be good, responsible drivers. In fact, in over 40 years of driving we have been very, very lucky to have never been in, or caused any serious accidents.

I have never been so frightened driving back home on my own from the hospital, a 20-minute trip south of Coffs Harbour, on a road I really did not know. The number of trucks, semitrailers, et cetera, driving two inches from my tail was frightening. Only because I pulled off the road on occasions and let them have the road did I save myself from any accidents. We decided I was only to go to the hospital during the day.

The most frightening experience in my whole life—and I have driven stock cars in my youth—was two months ago when I was in a car with a family consisting of a mother in her thirties, and her seven-year old and five-year-old boys and three-year-old twins. We had decided to go on a picnic at Nambucca Heads. It started to rain and we quickly got in the car, which is no mean feat with four children under seven. When driving on the Pacific Highway, after coming from the Nambucca turnoff it started to absolutely pour down, and at the same time the windscreen wipers decided to pack it in.

At the same time, a huge semitrailer loaded with cattle came right up on our bumper bar and started to toot all the time at us as we were trying to find somewhere to pull over. All this time, the semitrailer was tooting and driving so close to us, there was no way he was able to see our left-hand blinker. You can imagine how frightening this was for the mum, with this huge truck tooting us right on our bumper bar, with nowhere to go, not to mention the pouring rain and no windscreen wipers.

Finally we found a break and started to pull over. Just as we did, the truck came off the Pacific Highway on our left-hand side, knocking down bushes and small trees and taking out the left-hand side mirror, still tooting at us. How this truck driver did not hit us and throw us into oncoming traffic is a miracle. When we stopped, still shaking and angry, as this family and I could have been completely wiped out and no-one would have known the reason, I rang the Coffs Harbour police station and reported the incident. I was able to give them the description and the first three numbers on the number plate. This was all I could see as it was pouring with rain and we had no windscreen wipers.

My description was a semitrailer transporting cattle, with a red canvas covering, and the time and where we were, which gave them ample information to wait for this truck when it got to Coffs Harbour. They even had time to catch the driver at Urunga, as when we got there, there was a police car stopped on the side. When I told him what had happened, and asked him whether he had heard from Coffs Harbour police, not only had he not heard but he was not in the slightest bit interested.

A month later, after my again contacting Coffs Harbour police, nothing had been done. They did not even have my report. So much for asking us to report drivers who are being irresponsible! So you can see from the above that, although this is only one complaint, how many other similar incidents have happened without anything being done. Many stories have been written about when these truck or semitrailer drivers, after smashing and killing other people, often are not registered. We often see reports of fatalities when a car crosses to the other side of the road and hits head-on into a semitrailer or truck, yet there are no witnesses to say the car was not pushed off to the other side of the road. I am sure that with our near-fatality, no-one would have seen from behind the semi that it nearly hit us, nor would the oncoming traffic on the other side of the road have witnessed this incident.

As we all know, putting speed cameras on this section is only a bandaid solution. We also know that all trucks and semitrailers know where these cameras are situated. Why is it necessary to advertise that cameras are ahead? Trucks and semitrailers all slow down for these cameras, only to speed up again. We regularly shop at Toormina, and the number of heavy vehicles and cars that pass us when we are observing the 60 and 80 kilometre speed zone is unbelievable.

It is not only the state of the Pacific Highway, but it is more that the trucks, semitrailers, et cetera, are blatantly ignoring safety, particularly from Urunga to Coffs Harbour. We could have been a statistic and no-one would have known the reason, and the semitrailer would have gone on its merry way again. I also think a report should be carried out on the remarks made by a councillor that the majority of semitrailers and trucks are delivering locally. These accidents are occurring because these heavy vehicles are probably driving from Sydney to Brisbane or vice versa to time deadlines hence their burry and dangerous driving.

There have been 29 deaths on the Pacific Highway north of Hexham this year, and 10 on the New England Highway. Twelve of those 29 accidents involved semitrailers or B-doubles. And we still have five weeks to go—not to mention school holidays and Christmas traffic. Last year there were 32 deaths on the Pacific Highway compared with only 13 on the New England Highway. We look forward to the end result of these submissions, which should have three parts: first, the upgrading of the Pacific Highway; second, taking the freight from the trucks and putting it on rail; and third, making sure irresponsible and dangerous truck and semitrailer drivers are taken off the road. Thank you for the opportunity of being able to speak to you regarding this dangerous stretch of the Pacific Highway. Hopefully, with the submissions and end results we can all be safe in the future.

**CHAIR:** Ms Wood, would you like to make a presentation?

**Ms WOOD:** I would like to congratulate myself on making it here because I have driven from Nambucca Heads through Pine Creek State Forest. Whenever I arrive, I congratulate myself on making the journey safely. For those who are not familiar with Pine Creek State Forest, the stretch of highway there is notoriously dangerous: it is very narrow, it has sharp curves, and there have been a lot of accidents there. I have lived in the area since 1988. I travel from Bonville to Nambucca Heads to my place of employment five days a week; that is 10 trips I make through Pine Creek State Forest, so I consider myself an expert on that stretch of road. I continually have been caught up in traffic due to accidents. Some of those hold-ups have been due to accidents where people have lost their lives due to trucks overturning, head-on collisions, and trucks running off the road. I have lost count of the number of times it has happened. My place of employment is quite used to my ringing up and saying, "I will be a couple of hours late because I have to wait in a queue and then be led through the State Forest."

On many occasions it has taken me four to five hours to get home, so this places quite an amount of stress on my family and plus my workmates. There is also the horror of knowing that someone has lost their life and I have to continue on to work. Also there is the frustration of being caught in lines of traffic behind slow-moving vehicles and trucks, and the added stress of course of having to overtake them.

I also have to travel along with large semitrailers and B-doubles. If anybody thinks that having a B-double sitting on your tail while you are going around a narrow stretch of road is not a scary experience, you try it. I have also had to take alternative routes as far out as Bellingen along secondary gravel roads to make it safely home. I myself have had to take quick evasive action to avoid a head-on collision twice. The first time there was oil on the road and the car came towards me sideways. The second time was in the wet in the same area, called the Pine Creek State forest. As Hugh mentioned, we have also had to suffer the knowledge that people we know have been killed in the Bonville area. Going to the post office or our local shops, you are also taking your life in your hands because you are going through an area where people are going from south to north. They just want to get there quickly. You just want to post a letter.

The speed cameras are bandaid fixes. The accidents in Valla have been within 100 metres of speed cameras. The police presence on the road has been a slight improvement, but to my way of thinking the only improvement that can be made to that particular stretch of road I am talking about is dual carriageway. It is a goat track. It is not designed to take B-doubles and the amount of traffic it has. I have travelled that length of road for 18 years. I used to leave at 7.30 in the morning when there were very few cars on the road. Now when I leave, it is a continuous stream of traffic. I do not stay at work past five o'clock because that is when the B-doubles hit and I know from experience not to be on the road then.

**CHAIR:** Loren Redwood, you have something you want to tell us.

**Ms REDWOOD:** No.

**CHAIR:** You do not want to?

**Ms REDWOOD:** No.



**CHAIR:** Okay, that is fine. We have your submission, so that is now part of the testimony. Mr Neal?

**MR NEAL:** I represent the students of Coffs Harbour—the university, the senior college and TAFE. There are approximately 2,000 students who attend there of which 80 per cent are under age 23, which makes them very inexperienced drivers. Most of them have to use the Pacific Highway to get to whichever campus. Some of our students have been involved in these accidents, but many more suffer indirectly as a result of the trauma of seeing their friends and their parents have an accident or get killed on that section of the highway. Students and parents are fearful of the road.

It is a state of fear that exists out of the campus. They text to each other when they get there safely. It is a constant sort of fear. The number of accidents that have happened on that stretch of road makes it very simple, in my opinion. If you have got a head-on, traffic coming head on, they can crash and they can kill, yet the RTA tells us that if you separate that traffic you can reduce the fatalities and the head-on collisions by about 90 per cent. At the campus, what we would like to see is the roads divided. We have heard today from lots and lots of people who have made incredibly detailed analyses of the data and all the things that can take place to fix up the road, and it is not going to happen tomorrow. We have heard about the five-year delays and things like this, but in the interim what we need is to separate the traffic because, while you have that sort of traffic—B-doubles coming in one direction and an 18 -year-old who has just got his licence going in the other direction—people are going to get killed.

We need to put a stop to it now. We have got the money. Mr Hartsuyker has told us how he has all this money to throw at us. We can divide the road and do it straightaway to start with. If we divide that road, deaths are going to go down, and that is what I would like to see happen, and happen really quickly.

**CHAIR:** The Federal Government does not build the road. The State Government does.

**Mr NEAL:** The State Government, yes.

**The Hon. JAN BURNSWOODS:** But you cannot build anything without the money.

**CHAIR:** That is right.

**The Hon. MELINDA PAVEY:** Ms Miles, your testimony about contacting the police, that is fairly concerning. I have had a similar experience where it was actually a P-plater I was trying to report. Maybe we do need to develop better lines of communication between the public and the police when we ring in because it takes quite a commitment to ring in and report an incident.

**Mrs MILES:** I was shaking and angry, and I was on the mobile. They had ample time. We were just around Valla when it happened.

**The Hon. MELINDA PAVEY:** Would you like to see more patrolling by police and more roaming of the highway—travelling, rather than sitting stationary with the speed cameras that the trucks can report on to each other, although I would say that it is a small number of truck operators who are doing the wrong thing and who call to their buddies and tell them that the police are sitting on the side of the road?

**Mrs MILES:** Yes, I would. Every day we travel on that road and I very rarely see a police car. Perhaps I am there at the wrong time and in the wrong place, but also the frightening thing was that I did pull over and ask the policeman in the police car had he heard from Coffs police. We were in tears and we had a whole family of kids, but he was not even interested. He did not even sort of say, "I will ring up the police and see if the they are doing anything out there." He just shrugged his shoulders and was not even interested.

**Ms WOOD:** Can I make an additional comment relating to Hugh's comments about the number of students. We have a lot of students travelling from Bonville to Toormina to the high school and the primary school, but we also have a lot of students travelling on that road from Nambucca Heads that attend the private schools, John Paul College and Bishop Druitt College, and I am talking

lots and lots of busloads. I am not sure of the statistics but I see them coming up the highway, so there would be a lot of students travelling long distances from Bellinghen, Nambucca Heads and Macksville.

**CHAIR:** That is something that we can check the statistics on. Loren, would you like to tell the Committee anything about how events on the Pacific Highway have actually affected you or people you know?

**Ms REDWOOD:** Exactly eight months ago today at 4.30, my best friend was killed on the Pacific Highway at Moonee. You do not know how hard it is to have to go through life and drive that road every day and see that same place every single day when you have lost your friend because of a semitrailer. You do not have to live here and drive that road. You do not know how scary it is. I want all of you to go home and think about your kids or your grandkids, or any family that you have, and think how it would affect you if your daughter or your son was killed on that highway, and then think whether you want it fixed.

We have waited so long. I am only 20 and I have driven that road a million times with my family and on my own. Tyne drove that road every day for four years and it only took one day for her life to be gone forever. She does not get a chance to sit here and have her say. She does not get a chance to have the rest of her life because of one single truck and one highway that did not used to be as busy as it is now, and did not have the trucks on it that we have to see every single day. She does not get that chance. That is what I want people to realise. This is not just about money and fixing the roads. It is about saving people's lives. That is all I want to say.

**CHAIR:** Are there any other questions or comments?

**Ms WOOD:** I would also make a comment that I have lost two work colleagues, two teachers from my school. I did not want to add that, but now I am crying anyway.

**Mr IAN COHEN:** There is strong pressure, obviously, for a solution, but the questions are how it will come about and how long it will take. Obviously you people are using that road daily, as is your whole community. There has been mention of speed cameras and that they have limited effect. There has been mention of police patrols, mobile patrols. Is there anything else in the immediate sense that may be of assistance under the circumstances? Granted we are not going to get the road built tomorrow, as much as everyone would like to see a reduction of the danger level at that site. Are there any other strategies that you can suggest based on your practical experience?

**Mr HEADING:** I think one of the most effective and important things that could be done immediately is to put a concrete barrier down the middle of the road at Pine Creek. I am not talking about the steel and wire that is being used at Wrights Corner, Macksville. I rode motorbikes for many years and the thought of coming into contact with one of those contraptions on a motorbike is horrifying. A concrete wall down the middle of the road would at least have the effect of separating traffic. I have talked to some emergency service workers. Whilst they agree they are better than nothing, they are of the opinion that a concrete barrier can in fact provide a ramp and launch vehicles into the air, but I do believe that in the immediate future it would at least provide some separation of traffic, particularly on the Pine Creek curves.

**Ms WOOD:** I support Hugh's suggestion. I have noticed that there are speed cameras that are being put up just north of Bonville. Can I also suggest that they also be posted at Pine Creek as an interim measure? Our community was told that the Bonville deviation would be finished in 2003. I am still waiting.

**Mr NEAL:** There is one significant thing that we can do, very easily and very quickly. We can send all the B-doubles and semitrailers onto the New England Highway and that can be enacted straightaway.

**CHAIR:** I might have to have a hearing in Tamworth.

**Mr HEADING:** One other thing, referring back to my time in the hospital, any day that we did not have an accident on the highway was a good day. The number of people that we had to put into the fridge is simply un-countable. It happens just far too often and needs to be stopped.

**Mrs MILES:** Also on what you were saying about police cars, we all know that as soon as you see a police car, you slow down, or everyone slows down. After that, they all resume fast driving again. They changed the speed limit down from 80 to 60 and from 60 to 80 but it hasn't made any difference. All the people who live in the area do slow down for the speed limit, but the other people drive past you as soon as there is an overtaking lane. It says 60, but they go past you at over 80.

**Mr HEADING:** There has been an increase in the number of minor accidents within Bonville as a result of the speed reductions.

**CHAIR:** Because people come from the higher speed zone?

**Mr HEADING:** Yes. They get into the 60 kilometres an hour zone. The general opinion seems to be that they relax. They are not as aware or are not taking as much notice of what is going on around them because they are in a 60 kilometres an hour zone. As was stated, a lot of us are just simply going down to the shop to post a letter or pick up a loaf of bread or some milk, and we have to turn right, across the highway.

**The Hon. AMANDA FAZIO:** I do not have any questions. I would just like to thank you for coming here and putting the human perspective on the issues before this inquiry. This morning we got bogged down in funding and planning and all the rest of it. The real reason that the highway is being upgraded is road safety and saving lives, and thank you for telling your stories.

**Mr HEADING:** That is why we are here. We just want the bloody road built.

**CHAIR:** Are there any other questions? If not, I would like to endorse what the Hon. Amanda Fazio said. We really do appreciate your evidence. It is a very difficult thing to come before a public hearing like this, but obviously the bottom line is about saving people's lives. That is what the whole subject is about. We really do appreciate the perspective of each of you.

**Mr HEADING:** I have just one final comment to reiterate. Could you please look into the issue of school children standing in buses.

**CHAIR:** I can promise you that I will look into it personally, and I am sure that other members of the Committee will be happy to do so as well. That is a very important issue that you have raised.

**(The witnesses withdrew)**

**ROGER ALLEN**, Nursery Proprietor and Landscaper, Waterside Garden Nursery, PO Box J240, Coffs Harbour, sworn, and

**PHILLIP BRIAN GALL**, Local government employee and part owner, Sapphire Convenience Store, PO Box 1292, Coffs Harbour, and

**ROBERT CLIFFORD EARL FORREST**, Business Owner and Secretary, Woolgoolga Chamber of Commerce, PO Box 483, Woolgoolga, affirmed and examined:

**CHAIR:** Mr Allen, are you appearing in your capacity as a private citizen?

**Mr ALLEN:** Yes.

**CHAIR:** If you should consider at any stage that certain evidence you may wish to give or documents you may wish to tender should be heard or seen only by the Committee, indicate that fact and the Committee will accede to your request. Mr Gall, are you appearing in your capacity as a private citizen?

**Mr GALL:** That is correct.

**CHAIR:** Are you conversant with the terms of reference of this inquiry?

**Mr GALL:** Yes.

**CHAIR:** Mr Forrest, in what capacity are you appearing before the Committee?

**Mr FORREST:** I represent the Woolgoolga Chamber of Commerce.

**CHAIR:** Are you conversant with the terms of reference of this inquiry?

**Mr FORREST:** Yes, I am.

**CHAIR:** Mr Allen, do you have an opening statement, or will you just answer questions?

**Mr ALLEN:** I have an opening statement and I wish to table eight copies of a document that I have. Basically, I will not go over all the points that were made previously. My concern is that as a businessperson the Roads and Traffic Authority has no obligation to conclude its proposals to any set time limits. Therefore, I am running my business in a fashion in which it has indicated it will acquire the land in full. To keep running a business for no set time period and having no business plans makes it hard to run a business.

The RTA does not acknowledge any compensation for hardship during this process, whether or not the process takes two or three years. It might be another four or five years before it comes to some conclusion. I am in a position that, because of the RTA's actions, my employees have difficulty in securing a full-time future. That is all I have to say.

**CHAIR:** Mr Gall, would you like to make an opening statement?

**Mr GALL:** Yes, I would just like to support my submission to the Committee. There are three key issues that I raised in my submission, those being issues that directly affect our lifestyle and the residences that are attached to our businesses. Noise is one issue that we have taken up with the RTA. Hopefully we will get an outcome there. It would also have a greater impact if the RTA were to upgrade the highway to the standard that has been proposed, that is, two lanes each way, possibly going to three at a later date.

The other issue that I raised in my submission is purely the lifestyle issue. I believe we have a council that is pushing Coffs Harbour as a lifestyle. I believe it has won a couple of awards internationally and it has been recognised for that. To put a motorway or a freeway through the centre of a narrow strip of coastal land, which is being pushed as one of the major development areas of Coffs Harbour, I do not believe will overcome any of the conflict problems we have at the moment

with interstate heavy vehicles and local traffic. Those are the main points that I have listed in my submission.

**CHAIR:** Mr Forrest, would you like to make an opening statement?

**Mr FORREST:** Yes. I will tell you a bit about Woolgoolga. It is a community of about 5,500 people but it has a service area in the range of 13,000 to 14,000. It includes a service area to all the little coastal communities of Moonee, Emerald Beach Sandy Beach, Safety Beach, Mullaway, Arrawarra, Corindi and Red Rock. It is a growing area. With the recent council upgrades to sewerage and water systems it tends to be an area where a lot of new housing developments have been approved. The main industries are agriculture, in particular, bananas and fruit, and some cattle.

This new deviation that is being planned around Woolgoolga will severely impact on that industry, with 35 plantations affected, of which 28 will become unviable. The banana industry is a rather fragile industry. It had some problems with imports from other countries that have recently been resolved, but it is still a fragile industry. If anything were to happen to that industry it would affect our whole town. The flow-on effect would certainly cause some businesses to close down. Some banks have indicated that they would move or shut down their services if there were not that level of industry in our town.

The other part of our economy is tourism. There are nine caravan parks in our service area mostly catering to older travellers and to younger families. Having a freeway going through our back door will not help that industry as well. I mentioned the construction industry. New subdivisions have been approved in Safety Beach and in the west Woolgoolga area. Hearn Lake is under discussion at the moment, Emerald Beach, Mooney and Corindi. All these areas are now growing and a lot of these housing developments that have been approved are very close to the proposed highway.

The other thing about our area is aged care. We have an ageing population. Recently a large aged care facility opened in our area. That industry tends to be growing. If you are going to put in a high-speed highway and mix it with local traffic, especially with aged persons, you have a recipe for danger.

**CHAIR:** Mr Allen, you said that, because of the uncertainty as to what might happen, your employees have also been subjected to uncertainty. I guess that is because you cannot say from your point of view how your business might or might not thrive in the future. Is that what you were getting at?

**Mr ALLEN:** You cannot really plan a marketplace for the future at this point in time. Four or five of my employees are employed on a casual basis. I cannot offer them full-time or long-time employment. The nursery was set up roughly 10 years ago and we were waiting for all this future development to take place. The RTA virtually told me in the last two or three years that it would fully acquire the place and shut it down, of which my employees are fully aware.

**CHAIR:** The RTA gave you a fairly clear idea that it would acquire the place?

**Mr ALLEN:** Verbally, yes. I have discussions with the RTA on the phone all the time and it says that this is a full acquisition. I have made phone calls about the noise pollution alterations for the house in which I am living on the premises. The RTA said that since I was under a full acquisition it was not obligated to do any alterations for noise pollution to the house.

**CHAIR:** Mr Gall, among other things I was interested to read in your submission that you drive along the highway five days a week between Sapphire and Macksville?

**Mr GALL:** That is correct yes.

**CHAIR:** How many kilometres is that and how long does it generally take you to do that drive?

**Mr GALL:** It is about 68 kilometres each way. Generally I leave at about 6.45 a.m. and it takes me about 45 minutes to an hour.

**CHAIR:** How long have you been doing that sort of trip?

**Mr GALL:** I started work in Macksville on 11 October last year, so just on 12 months.

**CHAIR:** So you would find that fairly stressful, would you not?

**Mr GALL:** It is different from what I have been used to. I come from out west where the traffic levels are not as high, but at least it keeps me alert.

**CHAIR:** You are of the view that there should be a small bypass to the west of the city with an upgrade on the current alignment north of Woolgoolga, is that right?

**Mr GALL:** I believe that what goes in will be the only work that is done in the next 50 to 100 years. We need to look at taking the highway further west, yes. I cannot see any advantage in upgrading a highway in such a narrow strip of land between the coast and the hills when the major push seems to be for residential development in that area. A number of development control plans have been put forward and approved by Coffs Harbour City Council to increase residential density through the Mooney and Korora Basin. Here we are going to put this massive concrete structure right through the centre of it, which to me is not reasonable.

**CHAIR:** You say that the biggest deterrent for speeding is the visual presence of the highway patrol and unmarked police vehicles with mobile radar units. Given that you travel the route you just mentioned regularly, is it normal for you to come across highway patrol vehicles?

**Mr GALL:** In the last month or so there has been an increase in activity around the Bonville-Pine Creek area. I would say that it is a rare occurrence that I would not spot a highway patrol active in that area on my way home each day.

**CHAIR:** Just recently?

**Mr GALL:** Yes. There was one active this afternoon on my way through, and there was also one active this morning on my way through.

**CHAIR:** And before that, say, six months ago?

**Mr GALL:** Six months ago they were patrolling but not as actively as they have been in the last month or so.

**CHAIR:** Mr Forrest, you mentioned the significance of the banana industry to Woolgoolga. Would I be right in saying that nearly half of the local district's production comes from around Woolgoolga?

**Mr FORREST:** It is the area that has probably kept the industry going strongly in this area. Certainly around Coffs Harbour some of the plantations do not seem to be as active as the ones around Woolgoolga. A lot of that has to do with the Sikh population, who own the majority of the plantations. They are very hardworking people; they manage to keep the industry going.

**CHAIR:** I note for the record that in your submission from the Chamber of Commerce there is a cartoon of a house near Woolgoolga looking into the future. The cartoon shows a big highway going past the house, and the caption says, "The view was breathtaking when we bought the property. These days we just have trouble breathing".

**The Hon. AMANDA FAZIO:** Mr Forrest, you said you thought that if the highway upgrade went ahead there would be a dangerous mix of heavy traffic and aged residents. But that is what we have already, is it not? What would be the difference?

**Mr FORREST:** I guess what you are doing is limiting the access to the highway. Let me give you an example. My mother-in-law is 80 years old. At the moment she is reliant on public transport to get from one place to another. I do not see how that will work with a freeway running

through the middle of our coastal communities. We live in a small area off to the side. Buses will not be able to go in and out of the communities to pick up these people, so the only way they will have access is by somehow being able to get onto the highway and crossing the highway to flag down the bus. I do not and how that will happen.

I am also in the NRMA, so I am up and down the highway all the time. I can see what happens in some of these areas where people pull out and have to get from zero to 100 kilometres an hour in a very short time while high-speed traffic is coming up behind them. It is frustrating now driving between Coffs Harbour and Woolgoolga because a lot of people choose to drive at slow speeds over that stretch of road. I think that will increase as the population ages. Also, older drivers, as we know, tend to drive a little slower. I think the whole problem will tend to increase. We are a coastal community. With the sea change, as they talk about, most of the growth in our areas is from older people moving to the area from larger communities.

**CHAIR:** Mr Forrest, obviously tourism is important to Woolgoolga. You say that the option E deviation would directly impact on established and potential bed and breakfast and other tourism accommodation. Can you give us an indication of how many accommodation establishments might be affected?

**Mr FORREST:** There are three that I can think of offhand. Most of the growth in the Woolgoolga area, because of our topography, has to occur on the western side of the highway; that is where the land is available. That is exactly where the freeway is proposed. It is only about 1.5 kilometres west of the existing highway and it runs very close to our area. The beauty of our area is the beach and the hinterland that is very close by. The bed and breakfast establishments tend to be on the edge of the hinterland, and that is where the freeway is proposed to cut through. But there are three bed and breakfast establishments that I know of. They tend to be smaller industries. I do not know whether there is a record of some of them, but certainly some of them are very well known and will be affected by the highway and the noise levels.

**CHAIR:** Mr Gall, we went past your convenience store this morning to look at the proposed route. You have mentioned how the existing road affects you in terms of noise, grit and grime, and so on. How would the proposed upgrade affect your business?

**Mr GALL:** Apart from the heavy vehicles that are on the new alignment, there is a proposal to bring a flyover where the old coast road currently connects to the highway. That would be closed off and a flyover would be brought to the roundabout in front of our store, which means that any traffic that normally goes on to the highway from the old coast road at the moment would have to come over the roundabout in front of our store and go down the side and back onto the existing highway alignment to either travel south, merging with the new alignment, or go north up to a proposed major interchange at Gardeners Road to go further north. So it will bring a lot of local traffic past the side of our residence and business.

**CHAIR:** Apart from the huge infrastructure involved, do you see that as a good thing from a business plan perspective?

**Mr GALL:** The people who go that way at the moment to use our business would do so, but anyone who normally wants to go into Coffs Harbour at the moment would turn right on to the highway and would not go past our premises. So, from a lifestyle point of view, although we are only a residence, we will still get additional traffic because of this new proposal.

**CHAIR:** Do any of you have comments to make about the Moonee intersection that is being upgraded at the moment, whether that is a satisfactory upgrade for the time being?

**Mr FORREST:** Of the intersections that we have the most trouble with, Emerald Beach is certainly one of them and Moonee is a close second. Trying to get onto the highway now is difficult, especially turning north out of that intersection. At the moment there is no acceleration lane, so you really have to pull cross the traffic and get up to speed very quickly. What they are doing at the moment is providing some seagull intersections as part of the upgrade, but I think you will have tenfold more traffic going in and out of there with the development that is going in. Because it is on a sweeping curve to the north, visibility is very difficult. I would have thought that if they were going to

do something with that intersection they would have tried to slow down the traffic as they approach, by putting perhaps a large roundabout in there to let the traffic merge. Certainly the new development and the new store they are putting in there will attract a lot of people. Getting back onto the highway going south will not be that difficult, but going north will be difficult.

**Mr GALL:** I am not totally familiar with the design of the intersection there, but I would say that with regard to intersections in general on the highway, a lot of the turning lanes, given the volume of traffic and the type of traffic coming down the highway now, are totally inadequate. I quote the intersection of Headland Road and the Pacific Highway. You turn right off the highway, and there would probably be room for three or four cars to queue in that turning lane. It is quite scary if you are sitting there waiting and there is a truck coming at 100 kilometres an hour behind you. There is not a lot of room for them to get off the road. The acceleration lane coming out again is pretty short. That is a major issue with these residential precincts along the highway at the moment: access on and access into these residential precincts, with the short turning lanes and acceleration lanes.

**The Hon. AMANDA FAZIO:** In your discussions with the RTA about the proposals, has the RTA mentioned to you any offer to install noise abatement measures or airconditioning for residents?

**Mr GALL:** No. I have taken steps following some other residents in the area being approached or having made application when they have had success in getting funding for that double glazing or airconditioning to be done. I have made an approach through the Grafton office, and I have had a letter back saying we can expect a visit in the coming weeks. That letter is about three or four weeks old now. But I have had some verbal discussions with the manager of the area office there, and there are apparently two programs and perhaps a program looking at it at the moment, which appear to me not to have much money in them, or perhaps they are not applicable to us because it could be construed not to be an upgrade of the highway but instead just a noise abatement program.

**CHAIR:** Mr Forrest, you said that the Woolgoolga Chamber of Commerce calls on the State Government to make an immediate commitment to a proper western bypass or tollway of the Coffs Harbour coast to take the volume of interstate traffic, including large traffic, away from the highway. Has there been much discussion of that idea of a tollway in the local community? Can you give us a feel for people's response to that concept?

**Mr FORREST:** Not necessarily a tollway. But certainly the majority of people in our community strongly support a western bypass and are very strongly opposed to the deviation, or option B as they call it, around our area. It really does not solve the problem; in fact, it creates more problems than it solves. It now hems in our community so that we have no way of extending westward as we are doing. If you have been to the area you will have noticed it is very hilly country. How they will resolve the noise problems with those hills, I am not sure. Noise will travel, and it will travel upwards. I do not know how many barriers they can put in, but it will not be enough to stop the noise. It comes very close to the Country Club estate, which has very nice homes on three or four acres of property. It really comes very close to those properties, and they will not be able to stop the noise from getting to them.

**CHAIR:** We have heard from the Sikh community today. Do you think that the Woolgoolga community as a whole is of much the same view as the Chamber Of Commerce?

**Mr FORREST:** We have not taken an official poll, but certainly the unofficial polls we have taken in talking to people, I have rarely come across anybody who supports the highway as proposed; most people are very much opposed to it. There is, unfortunately, a silent majority though: a lot of people will speak but will not do anything about it.

**CHAIR:** So there are quite a lot of people about whom you cannot really assess what they might think?

**Mr FORREST:** Anybody we have spoken to, certainly as a group—as the Woolgoolga Chamber of Commerce from the business people's point of view, there are very few people who support it. Woolgoolga is not reliant on the highway traffic. In fact, our biggest problem at the moment with the existing highway is that we cannot get people off the highway to come into our



community. But we have managed to live with that. Having a western bypass will not change the economy within Woolgoolga; it will help the economy. It has been shown in other communities. Because it is a specific destination for people, it will continue to be so, and it may be more attractive because the highway traffic has been moved away from it.

**CHAIR:** If there are no other questions, I would like to thank each of you for your submissions and also for your input today. Your perspective has helped us a great deal. Thank you very much.

**(The witnesses withdrew)**

That brings us to the conclusion of the hearing in Coffs Harbour today. I would like to thank all the witnesses who have appeared during the day and also I would like to thank members of the public because your attendance is appreciated and I trust that you found it interesting to see a parliamentary inquiry under way. Obviously the Committee has a lot of work to do in analysing all the evidence that has been given to us today and indeed throughout the inquiries. We look forward to making our report in due course, taking on board a lot of the input that we have had. Thank you very much. I declare the hearing closed.

**(The Committee adjourned at 4.00 p.m.)**

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