

Meeting title		Narromine to Narrabri (N2N) Community Consultative Committee – Narromine Sub-committee meeting 1	
Attendees			
Michael Silver OAM (Independent Chair)		Alexander Scott (NSW Planning & Environment)	
Andrew Knop (Community Member)		Justin Woodhouse (NSW Planning & Environment)	
Paul Brydon (Community Member)		Tim Collins (NSW Planning & Environment)	
Andre Pretorius (Narromine Shire Council)		Elisha Bailey (Department of Infrastructure, Regional Development and Cities)	
Guy Marchant (Narromine Shire Council)		Matthew Errington, Environmental Adviser (ARTC)	
Helena Orel, NSW Stakeholder Manager (ARTC)		Kyle-James Giggacher, Project Delivery Engineer (ARTC)	
Scott Divers, Senior Project Manager (ARTC)			
Apologies			
Shelly Bayliss			
Location	Narromine United Services Memorial Club, Narromine	Date & start time	22 January 2019, 1.45pm

Topic	Discussion
1. Welcome	<ul style="list-style-type: none"> The Chair welcomed all to the inaugural meeting. The Chair introduced Alexander Scott and Justin Woodhouse and Tim Collins from NSW Department of Planning & Environment (DPE).
2. Declarations of interest	<ul style="list-style-type: none"> Michael Silver – pecuniary interest - expenses of Independent Chair borne by ARTC. Andrew Knop – non-pecuniary interest. Property located within study corridor.
3. Introductions	<ul style="list-style-type: none"> All members introduced themselves and provided a brief biography and their interest in the Inland Rail project.
4. Presentation (Department of Planning & Environment)	<p><i>Alexander Scott provided a presentation (see the Inland Rail website, N2N page) in respect of State Significant Infrastructure (SSI) process and the role of Community Consultative Committees (CCCs).</i></p> <ul style="list-style-type: none"> Mr Scott highlighted the addition of Commonwealth requirements in respect of the Environmental Protection & Biodiversity Conservation Act 1999 (EPBC Act) into the Secretary's Environmental Assessment Requirements (SEARs) in November 2018. He indicated that the Department will assess the proposal in respect of this legislation requirements in conjunction with the Commonwealth Department of Environment and Energy (DoEE). Mr Scott also focussed on the important role the CCC plays in detailed and ongoing interaction between ARTC and the community. He suggested that the Community members examine the SEARs for the proposal and other important information at: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9487
5. Community Consultative Committee Functions	<ul style="list-style-type: none"> The Chair outlined the role of the CCC and highlighted the Community Consultative Committee Guidelines. He reinforced Mr Scott's earlier comments regarding the important role that Sub-committee members have in community interaction with the proponent. Andrew Knop requested advice on the status of the CCC. In reply Mr Scott advised that the formation of the CCC, in accordance with the Community Consultative

	<p>Committee Guidelines, is a requirement under the SEARs as part of the Environmental Impact Statement (EIS) consultation process for the project.</p> <ul style="list-style-type: none"> • The Chair outlined the contents of the guidelines regarding the attendance of observers, having particular regard to members of the general community. Mr Silver indicated that the Sub-committee had several options as to how it may wish to manage the attendance of observers. • Mr Scott noted that the guidelines provided for attendance of government agencies, specialist technical experts and members of the general public. • Mr Silver suggested that the Sub-committee may wish to consider observer access for specific presentations or only components of a meeting or for the whole meeting. • There was general agreement that members of the community may attend Sub-committee meetings as observers, subject to prior knowledge and agreement of the Sub-committee members. A request to attend a Sub-committee meeting as an observer may be made directly to the Chair or through a Committee member, who shall advise the Chair prior to the meeting. The Chair shall then seek the concurrence of the Sub-committee to confirm the attendance of the observer.
<p>6. Proponent's Report</p>	<p><i>Scott Divers, Kyle-James Giggacher, Matthew Errington and Helena Orel from ARTC presented the Proponent's Report (see the Inland Rail website, N2N page)</i></p> <p>General Overview</p> <ul style="list-style-type: none"> • Scott Divers opened the presentation and provided an overview of the project with its primary focus being to reduce rail freight travel time between Melbourne and Brisbane from 33 hours to 24 hours. • Mr Divers advised that the project is at the Feasibility Design stage with environmental and engineering site investigations, preparation of a reference design and the EIS being undertaken by Jacobs-GHD Joint Venture. • He highlighted that the 307 kilometres long greenfield study area will be narrowed to 100 to 150 metres in width (or focus area of investigations) over the next five months. Refinement of the area for the final rail corridor will be based on a number of factors – Service Offering/Cost/Multi Criteria Analysis (MCA). This will involve one on one discussion with directly affected landholders. • It is anticipated that the EIS will be 70% completed by September 2019 with the design finalised by mid-2019. Lodgement of the EIS for DPE Adequacy Assessment is expected in late 2019 with Public Exhibition in 2020. • Mr Divers advised that expressions of interest had been invited from landholders for potential sites for material borrow pits (MBPs) from which to source suitable material during construction. Materials will need to meet specific requirement. Expressions of interest clos on 25 January 2019. • Approval for the development and use of the MBPs would be sort within the Inland Rail N2N EIS and would only be valid for the term of construction of the N2N project. Continued operation of the MBPs beyond the project would require a separate development consent from the local council. • Flood modelling has commenced with considerable data obtained. • Andrew Knop sought advice on the accuracy of LIDAR (light detection and ranging), an optical remote-sensing technique that uses laser light to densely sample the surface of the earth, producing topographic measurements to used as a basis for the flood modelling and other design aspects. Mr Divers advised he would confirm the accuracy level later in the meeting.

- Andrew Knop noted that the flood catchment above the Blackwater Cowal was approximately 300 square kilometres in area. It converges in an alluvial fan South of Narromine where an existing rail bridge negotiates the flood waters. The catchment includes extensive granite uplift area (Sappa Bulga Range) which sheds relatively high velocity flows. He sought advice as to the criteria to be used in the hydrology and flooding study. Mr Divers indicated that it would analyse the Annual Exceedance Probability (AEP). That is, the probability of a flood event occurring in any year, viz. 1% AEP or a 1% chance to occur in any one year.
- Mr Knop asked for clarification as to how rainfall intensity will be addressed given the nature of the flood channel, where large downfalls result in massive amounts of flood water. He advised that the community was most concerned about the impacts of flooding, their local experience is the area is frequently inundated (approximately every 2nd year) with flows causing considerable issue to existing infrastructure such as roads and fences. In response, Mr Divers indicated that these issues will be addressed in the hydrology and flooding study.
- Mr Divers indicated that detail on the flood modelling would be available in March 2019 with a presentation to be made by the hydrologist to the Sub-committee.
- Mr Knop advised that locals believe that the eastern study area presents far more serious issues than the previously proposed western study area due to the frequency, extent and velocity of flooding in the Backwater Cowal.

Engineering

- Kyle Giggacher-James provided a presentation on the engineering and field investigations already undertaken and planned to start shortly.
- Mr Giggacher advised that geotechnical investigations, hydrological surveys, topographical surveys and flood risk analysis had commenced. Thirty piezometers will monitor groundwater and surface water and groundwater data will be collected.
- Andrew Knop questioned who is responsible for the repair of fences along the alignment that may be damaged by flood waters. Mr Giggacher indicated that ARTC was committed to repairing damaged fencing in a timely manner.
- Mr Knop also questioned how weed infestations along the corridor will be dealt with, indicating there is a higher expectation on a greenfield corridor that there is a prompt response with effective action to eradicate the infestation. Mr Giggacher advised that ARTC was responsible for the management of weed infestations within the corridor. Mr Knop suggested a procedure and time protocol was required to address issues such as fencing repair and weed infestation in order to provide clarity and certainty for landholders.
- In response to a question on ensuring that stock was excluded from the corridor, Helena Orel indicated it was not in ARTC's interest to have stock within the corridor. Mr Woodhouse advised that livestock exclusion from the corridor was an identified requirement in the SEARs and the DPE would be closely assessing how this issue is to be addressed.

Environmental Assessment

- Matthew Errington provided an outline on progress of the EIS. He advised most of the studies had commenced.
- Mr Errington advised that the SEARs had been reissued in November 2019 with the inclusion of requirements to assess the project as a controlled action under the EPBC Act in order to address matters of national environmental significance. The Commonwealth

considers that the project will significantly impact listed threaten species and ecological communities.

- Mr Errington highlighted the need for the community to be informed of the content and requirements of the SEARs for the project. The Chair indicated he would send a link to committee members.
- In terms of biodiversity assessment methodology, Mr Errington noted that the proponent did not have access to some private property in the study area and consequently can't ground truth all areas of ecological interest. He also highlighted the implications of the drought on biodiversity assessment. He advised that ARTC is working with the NSW Office of Environment and Heritage (OEH) in the development of a suitable biodiversity methodology (including dry condition benchmarks) to satisfy regulatory requirements.
- Paul Brydon enquired as to progress on the Aboriginal Heritage assessment. Mr Errington advised that 22 Register Aboriginal Participants (RAPs) have registered for involvement and that field investigations would commence in March 2019. ARTC would be working collaboratively with the OEH and the RAPs on this study.

Chair's note: ARTC now advise that around 30 RAPs have been appointed for the project (including Local Aboriginal Land Council's and Native Title Claimants). A detailed field survey methodology will be prepared for review by the RAPs followed by their involvement in field investigations

- Andrew Knop questioned the extent of biodiversity assessment, particularly whether there would be condition assessment of woodlands and ground truthing of ecology. Mr Errington confirmed this work would be undertaken as part of the ecological impact assessment to be completed around September 2019.

Communications

- Helena Orel provided an overview on the project's consultation history.
- Ms Orel advised that from late February/early March 2019 and over the following four to six months ARTC will meet directly with the 180 (approximate) landholders along the proposed alignment regarding narrowing of the study area to a 100 to 150 metres wide area where further intensive investigation will be carried out. Discussions on potential impacts, mitigation measures and acquisition matters will be undertaken with affected landholders.
- Those landholders outside the 100 to 150 metres wide corridor will not be subject to compensation, however they will be consulted with in the future regarding noise and visual impact mitigation, if required.
- A project update on the narrowing of the study area will be provided to the community in February 2019.
- Ms Orel indicated that Inland Rail is still recruiting staff, with CCC members encouraged to advise community of the employment opportunities.
- New Inland Rail offices are proposed to be opened in Narramine and Narrabri.
- Ms Orel also highlighted recent economic benefits from the commencement of the inland Rail Parkes to Narramine (P2N) project, with 65 people from INLINK now residing in Parkes. She advised that ARTC was conscious of the implications and the pressures on local accommodation due to the construction workforce. She advised that ARTC would explore workforce accommodation options with local councils.
- Andrew Knop expressed concern that Dubbo appeared to be the focus for accommodation for workers for Inland Rail. Ms Orel responded that ARTC employees were encouraged to stay in Narramine and other centres along the Inland Rail alignment

	<p>where possible to provide local economic benefits.</p> <ul style="list-style-type: none"> • Mr Knop also suggested that the Inland Rail proposal would have a deleterious effect on future subdivision potential of rural lifestyle blocks between Dubbo and Narromine. The proposal would negatively impact on demand for rural lifestyle lots in key landscapes East of Narromine which are located within attractive rural settings, 20 minutes from Dubbo CBD. This will have a long-term negative impact on the community which is readily observable by the number of families and extent of infrastructure the High Park Estate has invested. High Park Estate has almost 30 family homes with over half having children attending local schools. • Guy Marchant advised that Narromine Shire Council had taken the Inland Rail corridor into account in the preparation of its R5 (Large Lot Residential) development strategy. He indicated that there was not a high demand for rural lifestyle lots, however Narromine Shire Council was concerned about a perceived lack of support for Narromine.
<p>7. Actions required</p>	<ol style="list-style-type: none"> 1. That ARTC deliver a report and presentation from its hydrologist on the flood modelling for the project to the March 2019 meeting of the CCC. 2. That the Chair forward the link to the SEARs to Sub-committee members with distribution of the meeting minutes.
<p>8. Other Agenda Items</p>	<p>Members' questions on matters specific to project</p> <p>1. Procedural Fairness</p> <ul style="list-style-type: none"> • Andrew Knop tabled correspondence from A & G Nicholls residents of High Park Estate who expressed significant concern over the lack of consultation in the adoption of the preferred alignment option to the east of Narromine. They also raised issues regarding the project's negative impacts on landholder's mental health due to the lack of consultation leaving landholder feeling isolated and powerless to be heard combined with potential erosion of property values impacting families. • Mr Knop brought to the Sub-committee's attention the legal concept of procedural fairness which the Australian Law Reform Commission (ALRC) describes as follows <i>"In 2015, the High Court succinctly stated that, in 'the absence of a clear, contrary legislative intention, administrative decision-makers must accord procedural fairness to those affected by their decisions'"</i>. ALRC describes the content of procedural fairness to include <i>'the fair hearing rule and the rule against bias'</i> <i>'The hearing rule requires a decision maker to afford a person an opportunity to be heard before making a decision affecting their interests.'</i> <i>'The rule against bias ensures that the decision maker can be objectively considered to be impartial and not to have pre-judged a decision'</i>. ALRC describes a 'fair hearing' would generally have the following attributes: <ol style="list-style-type: none"> 1) Prior notice that a decision that may affect a person's interests will be made; 2) Disclosure of the 'critical issues' to be addressed, and of information that is credible, relevant and significant to the issues; 3) A substantive hearing—oral or written—with a reasonable opportunity to present a case. • Mr Knop stated that many landholders in the Narromine to Burroway section have indicated that had received no consultation prior to the decision to adopt the east corridor as the preferred option announced December 2017. • Mr Knop suggested that up to 50 people, who were not consulted, could individually challenge on the grounds of a lack of procedural fairness. Mr Knop then outlined an alignment proposition which may alleviate the major concerns of these impacted

parties.

- The issues raised were taken on notice by the ARTC representatives.

2. Freight Operation and Benefits

- What are the primary factors that drive rail freight rates, e.g. loading time, axle weights, speed, train length and bulk vs container freight?
- On completion of the inland rail, what will be the various distances from grain receival centres to various ports, e.g. Coonamble to Port Kembla and Baradine to the Port of Newcastle?
- What will be the potential grain freight rates from local siloes to various ports when the inland rail is completed?
- Will the Port of Newcastle receive containers in the future?
- Is the grain terminal at the Port of Newcastle going to be upgraded to receive longer trains?
- Does or will the Port of Brisbane have train access for bulk or container grain?
- Ms Orel provided an oral overview of ARTC's response to the questions and a written response will be distributed with the minutes. (*see the Inland Rail website, N2N page*)

3. Flooding issues

- Adequacy of flood mitigation along alignment
- Danger of diversion of floodwater from normal flow paths. (implications for landholders and local economy, towns and communities)
- Erosion risks
- Noted that the flooding issues were considered earlier in the meeting and the proponent will make a presentation on flooding at the May meetings of the CCC.
- Mr Divers advised that the LIDAR was accurate to 150mm vertically. Mr Knop commented that this level of accuracy was insufficient to alleviate community concerns regarding flood modelling

4. Access and amenity of landholders

- Access to land for stock, machinery and heavy high transport to properties
- TSR access and maintenance
- Disruption during construction phase
- Scott Divers advised that property access will be resolved collaboratively with landholders by assessing land uses and practices to ascertain where rail crossings should be located. Mr Divers indicated that it will be a negotiated process in order to satisfy landholder needs, however there will be instances where design requirements specify areas of land not suitable for a level crossing (i.e. inadequate approach sighting distance).
- TSR access issues will be discussed with the Crown and NSW land Local Land Services. Access for stock movements will be maintained where needed.
- A range of specific Management Plans will be prepared for the construction phase to manage and mitigate potential impacts and disruption.

5. Cultural Impacts

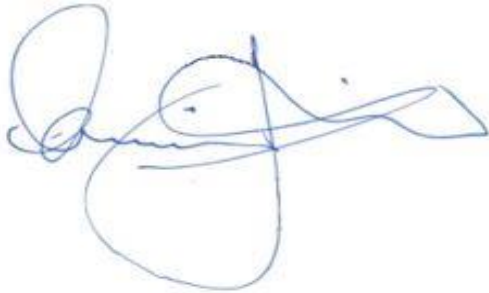
- Impact on burial sites and other culturally significant places
- It was noted that ARTC had established a list of RAPs as part of the procedure for Aboriginal cultural heritage consultation process. The RAPS will be involved in the Aboriginal heritage field investigations and assessment.

Communications

- What is the protocol to engage with landholders?
- Helena Orel advised that an access protocol has been established by ARTC given some issues with sub-contractors accessing properties. The problem has been raised at senior management level with a greenlight/red light process in place to track when access occurs and is completed.
- Ms Orel also advised that communication and interaction with landholders had improved.

6. Local Government and Community Impacts

- Impacts on local road networks – how are landholders and Councils being engaged on this issue.
- Establishment of resource quarries and provision of resource material – how is this being addressed? What assessment and consent processes will be required? Does inclusion of resource quarries require a modification to the project application?
- Implications on local planning provisions – subdivision standards, residual lots, dwelling entitlements – what is the approach to these issues?
- Construction Camps/Accommodation – where will these be located? What is the consultation process for location of these camps?
- Voluntary Planning Agreements – agreements with Council to mitigate development impacts. Is this proposed?
- Scott Divers advised discussions are progression with local government authorities regarding impacts on local roads, particularly during the construction phase. The implications for local roads during the grain harvest period is also a consideration with ongoing discussions with local councils. ARTC will identify potential construction access/haulage roads and discuss potential impacts with local councils.
- Mr Divers advised that approval for potential borrow sites for construction material will be sought as part of the EIS for the project. The approval will only relate to the Inland Rail Project. Subsequent operation of a quarry post the Inland Rail project will require a separate approval.
- ARTC took on notice the implications for local planning provisions as a consequence of the development. Tim Collins of DPE’s Regional Office in Dubbo will provide some initial advice to ARTC and support local councils. In terms of residual lots as a result of subdivisions created by the rail corridor alignment the DPE will discuss with ARTC a residual land management framework for inclusion into the EIS.
- Mr Divers advised that evaluation of possible locations for construction workforce accommodation camps was occurring in the Narromine, Gilgandra, Warrumbungle and Narrabri LGAs in consultation with local councils. Mr Marchant indicated that Narromine Shire Council would prefer a camp location to be close to Narromine township.

	<p>7. Pilliga Forest</p> <ul style="list-style-type: none"> • What State and Federal Environmental Impact Statements are required for the leg through the Pilliga State Forests? Do these differ from those on private land? What has already been prepared for this section? • Given the existence of endangered species in the Pilliga, what are the requirements of the project under the EPBC Act? Are there plans to address these issues? • Matthew Errington advised that the approach to the biodiversity assessments would be the same along the alignment. The requirements of the controlled action under the EPBC Act to address matters of national environmental significance will be applied as advised earlier in the meeting. <p>8. Warrumbungle Shire Council</p> <ul style="list-style-type: none"> • Buy up of land by ARTC in the Baradine district • Proposed Workers Camp at Baradine • Passing lane off Kenebri Road ○ Questions specific to Warrumbungle Shire – no consideration given at meeting.
<p>9. General business</p>	<ul style="list-style-type: none"> • Nil • Meeting closed: 3.15 pm. The Chair thanked all for their attendance.
<p>10. Next Meeting</p>	<p>Next meeting: Tuesday, 19 March 2019 at Narromine</p>
<p>11. Meeting minutes approved</p>	<div style="text-align: center;">  </div> <p>Michael J Silver Independent Chair 16 February 2018</p>