

Meeting Minutes

Inner Darling Downs and Southern Darling Downs Community Consultative Committee

Date / Time

5 December 2023

6.00pm – 8.00pm

Location

Millmerran Cultural Centre

Co-Chair

Mr Bill Armagnacq

Mr Graham Clapham

Minute taker

Ms Clare Siddins/Ms Isabella Hall

Distribution

All Committee members

Attendees

Inner Darling Downs Committee

- ▶ Mr Gary Garland
- ▶ Mr Ken Murphy
- ▶ Ms Kylie Schultz
- ▶ Mr Clinton Weber
- ▶ Ms Myf Rigby
- ▶ Mr Rob Loch
- ▶ Mr Paul Hanlon
- ▶ Mr Kev Loveday
- ▶ Mr Brett Kelly

Southern Darling Downs Committee

- ▶ Mr Robert Barrett
- ▶ Mr Rick McDougall
- ▶ Ms Maria Oliver
- ▶ Mr Jeffrey Chandler
- ▶ Mr Andrew McCartney
- ▶ Mr Justin Saunders
- ▶ Ms Rosalie Millar
- ▶ Mr Robert Webb
- ▶ Ms Georgina Krieg
- ▶ Mr Lindsay Krieg

Apologies (Show organisation if not ARTC)

- ▶ Garth Hamilton MP – Federal Member for Groom
- ▶ James Lister MP - Member for Southern Downs
- ▶ Lance McManus – Inner Darling Downs Committee member

- ▶ Chris Joseph – Inner Darling Downs Committee member
- ▶ Vicki Battaglia – Inner Darling Downs Committee member

Guests (Show organisation if not ARTC)

- ▶ Drue Edwards, Department of Infrastructure, Transport, Regional Development, Communication and the Arts
- ▶ Michael Hawkins, Office of Coordinator General

Inland Rail

- ▶ Mr Bill Quince, Program Property Director
- ▶ Mr Rob Smith – Senior Project Manager
- ▶ Ms Phoebe Moore – Border to Gowrie EIS Lead
- ▶ Ms Myf Jagger – Social Performance Principal
- ▶ Ms Naomi Tonscheck, Acting Head of Stakeholder Relations
- ▶ Ms Isabella Hall - Stakeholder Engagement Lead
- ▶ Ms Clare Siddins - Stakeholder Engagement Advisor
- ▶ Ms Kirsten Elliott – Stakeholder Engagement Officer

Observers

- ▶ Jim Keefer
- ▶ Michael Smith
- ▶ Paul Clapham
- ▶ Gail Barrett
- ▶ Jon Andison
- ▶ Bill Good
- ▶ Ross Berghofer
- ▶ Robyn Berghofer

Agenda items

NO.	AGENDA
1	<p>Welcome and introductions</p> <p>Acknowledgement of Country</p> <ul style="list-style-type: none"> ▶ Bill Armagnacq (BA) provided an Acknowledgement of Country. ▶ BA welcomed guests Drue Edwards (DE) from the Department of Infrastructure, Transport, Regional Development, Communication and the Arts (Dept of Infrastructure) and Michael Hawkins (MH) from the Office of the Coordinator General. <p>Committee member updates</p> <ul style="list-style-type: none"> ▶ BA welcomed new member Myf Rigby (MR), who is the new President of the Toowoomba Chamber of Commerce and replaces Kate Venables.

NO.	AGENDA
	<ul style="list-style-type: none"> ▶ Graham Clapham (GC) welcomed new member Lindsay Krieg who is representing the Central Downs Irrigators. ▶ GC noted that it has been some time since the Committees met, combined with a period of considerable change for Inland Rail, GC hoped that DE and MH could bring some clarity for Committee members. ▶ GC suggested that members should ask relevant questions of the presenters. ▶ BA commented that Brett Kelly was now part of the IDDCCC. <p>Declaration of conflicts of interests</p> <ul style="list-style-type: none"> ▶ Rob Loch (RL) advised that a company he is involved with is completing work for Inland Rail but he will have limited involvement in the work itself but he is a shareholder. ▶ Graham Clapham advised that he holds a Land Access Agreement with Inland Rail for the purposes of flood verification.
2	<p>Department of Infrastructure update</p> <p>Inland Rail review</p> <ul style="list-style-type: none"> ▶ DE noted that it was his privilege to attend the meeting and thanked members for their time. ▶ DE provided background on the independent review of Inland Rail that was completed early this year by Dr Kerry Schott. ▶ DE advised that the Government responded and agreed to all Dr Schott's recommendations, this was announced on 6 April this year, the review and the response can be found on the Dept of Infrastructure website. ▶ As a result of the review a separate company has been formed with a Board who have exhaustive experience in delivering infrastructure projects. ▶ The review found that Inland Rail is still a nationally significant project that is needed to address our freight needs. ▶ It recommended new end points for double-stacked trains – Beveridge and Ebenezer, however single stacked freight will still be carried to Kaguru. ▶ The review found that costs have increased however this is common across all infrastructure projects. ▶ The Government has agreed to implement Inland Rail through a staged approach and is presently seeking to construct from Beveridge to Parkes (B2P). ▶ DE noted that B2P is primarily upgrades to a series of individual structures, such as bridges and station upgrades. ▶ Present focus north of Narromine is to complete construction already commenced, undertake surveys to inform later stages and secure the corridor. ▶ DE noted that major construction has been completed on Narrabri to North Star Phase 1 (N2NS Phase 1), excepting Stage 2C and N2NS Phase 2, the latter of which is subject to further approvals. <ul style="list-style-type: none"> ▶ Gary Garland (GG) asked whether the Dept of Infrastructure has been negotiating with the Queensland Department of Transport and Main Roads (TMR). ▶ DE responded that this is Inland Rail's responsibility but confirmed that compulsory land acquisition in Queensland can only occur after potential Environmental Impact Statement (EIS) approval. ▶ GG outlined his understanding of TMR's role in the acquisition process, asking whether the Department of Infrastructure has a committee with TMR? GG spoke to his knowledge of the update of the Act in 2020 that governs land acquisition. ▶ DE advised no, the Dept of Infrastructure does not have a committee with TMR and outlined that there is an agreement in place between the Federal Government and State Governments around project approvals.

NO.	AGENDA
	<ul style="list-style-type: none"> ▶ DE added that Inland Rail and the Queensland Government have agreed to use TMR to acquire the corridor. ▶ GG also asked whether we gazette all the land acquisition that has already occurred? ▶ GG commented that the land acquisition process has caused some people to be ill and that a class action may be in order. ▶ DE noted that property matters would be addressed further in the meeting by Bill Quince. ▶ Referring to DE's slides Ken Murphy asked whether there was any certainty around when the cost estimator would be engaged? ▶ DE responded that the work will go out to tender in 2024, there is no mandated time for completion. ▶ Paul Hanlon asked if it was usual practice to have a route before you have EIS approved? ▶ DE advised that yes, it is important to have a route to assess the impacts and mitigations required. ▶ DE advised that the route is not subject to change as per Dr Schott's review but will be assessed as part of a normal EIS process. ▶ Kevin Loveday (KL) commented that Dr Schott is just one individual who has determined this beyond her capability. ▶ DE responded that Dr Schott's review encompassed a wide range of sources, including Flood Panel recommendations, EIS materials and submissions from the public and came to the conclusion that the route is fit for purpose. ▶ DE concluded that the EIS not about the route but assessing the impact and design. ▶ KL asked what happens if an issue is found, to the point where there is no mitigation? KL added that the route around Inglewood has been changed already. ▶ DE noted that the likelihood of an unsolvable problem is small. ▶ KL asked what is Inland Rail doing about koalas? KL added that there are huge cuttings involved in the build of Inland Rail. ▶ DE noted the number of studies Inland Rail is completing around koalas and koala habitat and that he didn't believe the impact to koalas was impossible to mitigate. DE noted that there are koalas on the Narramine to Narrabri route and the Federal Government is likely to approve that project in the near future. ▶ KL asked what is the agreed budget and timeframe? Adding that the project cost is up to \$34 billion. ▶ DE clarified that the cost could be up to \$31 billion, the initial cost has been increased over time to reflect reality, 14.5 billion, which was the recast budget prior to the Schott review, was never going to be the final cost, we will know further detail on costs once we have contracts in place. ▶ A member of the public asked if trains can use the Narrabri to North Star line? ▶ DE advised yes. ▶ A member of the public advised that there were Inland Rail team members in the area within the last 12 months promoting Inland Rail as an opportunity for businesses. The member of the public suggested this was inappropriate noting uncertainty around timeframes. ▶ DE advised he is not able to comment on this as is not familiar with the details but can say that these types of matters were considered by the review which had a focus on efficient and effective review of monies spent. Dr Schott's review found that Inland Rail is necessary to carry the amount of freight that is projected, trucks alone will not carry it.

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3	<p>Inland Review Implementation</p> <ul style="list-style-type: none"> ▶ Naomi Tonscheck (NT) advised the Committees that there have been significant changes within Inland Rail as a result of the review and the staged approach that is now been taken. NT outlined that there have been some staffing changes, NT introduced Isabella Hall, Clare Siddins and Kirsten Elliot as the new secretariat for the CCCs. ▶ Isabella Hall (IH) advised that much of the content that we had prepared had been covered by DE however IH was happy to answer any questions the Committee had in relation to Inland Rail's implementation of the review. ▶ IH also provided a brief overview of the Board's qualifications. ▶ RL asked how we would ensure the independence of the person brought on to perform the independent assessment of scope, design and cost of Inland Rail to give delivery certainty. RL further queried as to whether they would have past connections to Inland Rail which may hinder their impartiality. ▶ IH passed to DE to respond to this question. ▶ DE advised that he is currently working on the scope for this position. ▶ RL asked if it would be public? ▶ DE responded that yes as a tender it would be publicly available. ▶ A further question was asked around the Ebenezer business case. ▶ DE advised it is being finalised by the State Development Corp
4	<p>Approvals Update</p> <ul style="list-style-type: none"> ▶ Phoebe Moore (PM) advised that the current focus is finalising the EIS and there has been some good progress made during the year. ▶ Many chapters have been submitted to the OCG for early adequacy checks and adjustments have been made as a result. ▶ The next step will be submitting these chapters for formal adequacy and the majority of the chapters will be submitted prior to Christmas with the exception of ecology, noise and vibration and hydrology which will follow in early 2024. Following OCG adequacy review the EIS will be available in full for public exhibition later in 2024. ▶ Inland Rail is working closely with the OCG to progress towards the EIS public notification period. ▶ PM referred to KL's statements around the purpose of the EIS and advised that its key purpose is to assess impacts and propose mitigations. ▶ PM advised that the revised draft EIS is larger than the previous draft EIS and is more comprehensive in line with regulator and community expectations. ▶ Inland Rail are also looking at strategies for digital delivery, including an online flood portal. ▶ The revised draft EIS will fully replace the previous draft EIS so the community will not need to refer to both documents. ▶ PM also noted that there is a comprehensive compliance management framework that forms chapter 24 of the EIS, the Outline Environmental Management Plan, which details roles and responsibilities, reporting and auditing requirements, and details regarding the Environment Monitor. ▶ Inland Rail's current priorities are finalising the remaining chapters, including ecology and flooding. The flora and fauna EIS components includes the updated fauna connectivity strategy which details how fauna will continue to move through the landscape and not be unduly constrained by the linear nature of the rail alignment. ▶ GG asked how do we ensure our original submissions are addressed? ▶ PM and NT advised that responses will be provided in the revised draft EIS (without disclosing personal details of submitters), and you will receive a letter advising where it is addressed as well as the opportunity to meet with a Subject Matter Expert. You will then

NO.	AGENDA
	<p>have further opportunity to provide a submission on the revised draft EIS if the matter has still not been adequately addressed.</p> <ul style="list-style-type: none"> ▶ Brett Kelly (BK) asked how do we ensure the Coordinator-General is across the many untruths within the EIS. BK stated that DE had said there's no problem with koalas. ▶ DE corrected BK and advised that is not what he said, he had in fact said there are mitigations in place. ▶ BK responded that he can get DE across the historic alignment development and selection, there are many untruths in there. ▶ BK asked how do we get a right of reply? BK referenced a letter from Robert Smith which he stated had untruths about afflux that is not in the hydrology model. ▶ PM responded that there is a further submission process which MH will outline. ▶ BK again asked who has the authority to say what's truthful? ▶ PM responded that this is the role of the EIS, which has numerous technical assessments and robust data which is then assessed by the OCG which is independent of Inland Rail. ▶ GC suggested that MH could provide a level of comfort in this regard in his upcoming presentation. ▶ KL asked if there would be a Summary of Findings? ▶ NT advised yes, it would be very much like the last Summary document, a summary of each chapter as well as information on what has changed.
5	<p>Office of the Coordinator-General Update</p> <ul style="list-style-type: none"> ▶ GC introduced MH and advised the Committee not to ask questions on EIS content but rather the process. ▶ MH introduced himself, noting he leads a small team that looks at benefits and impacts of projects, where the balance isn't right, they don't proceed. ▶ MH advised that in their assessment of the Border to Gowrie Inland Rail project, the Office of the Coordinator-General has engaged with a lot of interested third parties and has provided a response on the draft EIS which included a substantial request for information. MH noted there has been a lot of work completed by Inland Rail to address these requests and the revised draft EIS is a brand new document. ▶ MH advised that it is expected that the earliest possible date for the public notification period for the revised draft EIS would be late April. Thereafter Inland Rail will run a public exhibition process. He noted that IR is best to advise as to how this will be conducted. ▶ MH noted the next step will be consideration of the submissions received during the notification period and the Coordinator-General will ultimately make a decision which will include an evaluation report, along with conditional approval and imposed conditions or alternatively reasons for refusal will be provided. A recommendation will then be provided to the Commonwealth. ▶ MH advised that there is technical expertise within his team but some parts of the EIS are provided to external experts for their review. This will include flooding and hydrology, noise and vibration, traffic and transport and chapters dealing flora and fauna and Matters of National Environmental Significance (MNES). ▶ A formal adequacy process will occur. ▶ The Coordinator-General will make the decision to release the revised draft EIS on behalf of the QLD state. ▶ MH noted that it is expected that there will be an exhibition period of approximately 8-10 weeks, he would expect that this will provide sufficient time for the community to view the document. MH added that he understands there will be additional tools to aid ease of comprehension including the web-based flood mapping tool (Plan Engage) that Inland Rail will make available to the public.

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	<ul style="list-style-type: none"> ▶ BK noted that the majority of the community are lay-people and don't get paid to read the document, they are also extremely busy and can work up to 100 hours per week. ▶ BK suggested that six-twelve months may be a sufficient period for exhibition, particularly noting there is no haste to construct in this area. ▶ BK asked that consideration be given to a long exhibition period. ▶ Georgie Krieg (GK) added that April is a busy time for farmers, and many will be involved in planting and other activities at this time. ▶ KL agreed asking what is the hurry when you have to complete construction down south by 2027 before constructing north of Parkes? ▶ DE clarified that the requirement to finish construction on the southern portion by 2027 does not necessarily preclude the progression of activities in the north, it's not one or the other. ▶ KL went on to suggest that all the QLD EIS' were 'chucked.' ▶ MH responded that the EIS' were reviewed and further information was requested, this is normal practice for large EIS' and there are quite often secondary public notification periods. ▶ KL asked again who will make the decision. ▶ MH repeated that the Coordinator-General will make the decision as to whether the document is appropriate and if so, will release it for the period the Coordinator General believes appropriate. ▶ GC advised that last time the EIS was on public exhibition an extension was sought and received, GC enquired of the Committee as to whether this was something they would like to do again. ▶ There was broad consensus to this. ▶ MH interjected and advised that no decision had yet been made on exhibition timeframe. ▶ BK spoke to truth again in the document, asking MH how do you ensure there is truth? ▶ MH responded that the OCG makes a value judgement on the quality of the work within the EIS. ▶ BK asked if MH could come out and look at issues on the ground. ▶ MH advised he would take this on notice. ACTION ▶ MO asked DE about the timeline for the independent assessor? ▶ DE advised it will go out to tender next year. ▶ MO noted she is concerned about the impacts to the community due to the long timeframes for the project, adding that there is significant stress around acquisitions and livelihood. ▶ DE acknowledged this but advised that it is a large project that we are trying to complete responsibly and appropriately. ▶ MO advised she has heard it may take more than ten years from now to complete, MO herself has already been involved for nine years. ▶ DE advised that this is why the review occurred, but it is also important not to rush. ▶ BK referred to the refusal for the Traveston Dam project due to a species of fish. ▶ MH advised this was a refusal at the Federal level due to <i>Environment Protection and Biodiversity Conservation Act</i> matters, acknowledged there is always the potential for a fatal flaw. ▶ RL noted that there was a terrible design for the Traveston Dam project, he was involved in the assessment of it. ▶ RL asked if DE would be seeking comment on the scope for the independent assessor. ▶ DE advised no, the tender will be public but there will be no opportunity to comment on the scope. ▶ GC asked the Committee if a formal request for a long exhibition should be submitted. ▶ There was general agreement.

NO.	AGENDA
	<ul style="list-style-type: none"> ▶ MH reiterated that no decision has been made on timeframe and would suggest that the request should come after that decision has been made. ▶ GC commented that it is a large amount of material to digest.
6	<p>Forward Activity</p> <p>The Program</p> <ul style="list-style-type: none"> ▶ Robert Smith (RS) advised that the current priority for the project team is assisting with EIS finalisation however there may be the requirement to do further investigations in the next twelve months to support future design and potentially the EIS. ▶ RS noted that the bulk of the survey work has been completed. ▶ If surveys are required Inland Rail will contact landowners to discuss and obtain agreement. <p>Securing the Corridor</p> <ul style="list-style-type: none"> ▶ Bill Quince (BQ) advised that throughout his presentation he would seek to address some points made throughout the meeting. ▶ BQ advised that the Government has provided clear direction to secure the corridor north of Parkes, BQ added that this is generally completed in QLD through the compulsory acquisition process via TMR once EIS approvals are obtained. ▶ BQ noted that there is opportunity for landowners to put requests forward for early acquisition. ▶ GG commented that many people did not know of amendments to the Acquisitions of Land Act, GG believed people were under the impression that it would be compulsory. ▶ BQ asked if GG could provide an example to clarify meaning. ▶ GG advised he would prefer not to as it would be a breach of their confidence. ▶ NT advised would follow up with GG after. ▶ KL asked RS what was meant by design verification. ▶ RS responded that it may be to test assumptions for example. ▶ An observer of the meeting spoke and advised that she and others went to a meeting at Pittsworth where they were all told that if they proceeded through the early acquisition process they would have more power to negotiate as opposed to the compulsory process through TMR. It was suggested this was virtual blackmail. The observer had asked the question of Katie Unipan (previous stakeholder team member), as to whether you can be forced to go through early acquisition, the observer spoke highly of Katie but despite her efforts she had been unable to find the answer of TMR. ▶ The observer also asked if your land can be taken? ▶ BQ advised that his strong advice is to seek early legal advice if discussing acquisition matters. ▶ BQ suggested that some unfortunate statements have been made in the past but that it was true that your land can be compulsorily acquired there is however a process of natural justice and landowners do have the right to reject acquisition. ▶ BQ said the best thing you can do is engage, he added that it was his great hope that things will improve and referred to lessons learnt. ▶ Justin Saunders (JS) noted that acquisition also affects Native Title land and asked how can we avoid extinguishment? He further asked how is Inland Rail working alongside TMR to avoid compulsory acquisition? ▶ BQ responded that the decision to use TMR to acquire land was made some time ago and we are now at a reset point, TMRs role is to build roads and acquire corridor, Inland Rail is now taking more of a lead role on how we run the project. BQ noted it would be great if we could secure voluntary acquisitions. BQ asked JS if this answered his question?

NO.	AGENDA
	<ul style="list-style-type: none"> ▶ JS appeared to indicate no and advised that the Bigambul people have traditionally had strong relationships with other landowners, who have enabled them to fish and access their properties but because Inland Rail is dealing with traditional owners and landowners separately it is creating division. There has as a result been a change in the relationship between traditional owners and landowners. JS would like to see a more cohesive approach that does not lead to division. ▶ David Dodd offered to explore this further with JS after the meeting. ▶ BQ added that there is some process change required and JS comment has made him think further. ▶ Jeff Chandler (JC) advised that as most committee members knew he had sold his property for the purposes of offsets. He had received legal advice throughout the process and noted that the Inland Rail and independent valuation were very close. ▶ JC added that he was sorry that other people had been having issues as his had been a positive experience although agreed that it is still an emotional process. ▶ BA noted that there had been a session approximately 18 months on the importance of legal advice if discussing acquisition. ▶ A committee member asked how much corridor is secured? ▶ BQ responded that approximately 20% of the corridor in Queensland.
7	<p>Actions arising from previous meetings</p> <ul style="list-style-type: none"> ▶ BA advised that a question had been received from Vicki Battaglia who had been unable to attend in relation to one of the action items, the question was as follows: <p>Canning Creek:</p> <ul style="list-style-type: none"> ▶ With respect to koalas, if they live in this area they will be at capacity, so adding more would be unlikely and certainly result in death. To achieve the uplift mentioned, especially to increase the density of the koala trees it would require water. What are the plans to provide water for the increase of koala trees? <p>In general</p> <ul style="list-style-type: none"> ▶ Is offset country specific for a project i.e. is this property just for Inland Rail or could it be used by ARTC for other projects? ▶ PM responded that Inland Rail has completed a significant amount of work around koalas and there will be offset plans detailed in the EIS which will be available for comment. ▶ PM added that Canning Creek will not be the only offset property and there is a detailed strategy that is multi-faceted. ▶ RS then proceeded to address the other action items as detailed in the slide pack. <p>Questions were as follows:</p> <ul style="list-style-type: none"> ▶ KL suggested that 11,800 jobs in Queensland was a large number, he said he understood this, if this was China, where they can get things done in a day but not sure that it makes sense in this context. ▶ RS responded that the figure included indirect jobs as a result of flow-on benefits but as the report is now outdated it is no longer available. ▶ KL asked what is uplift? ▶ PM advised this means improvement. ▶ KL asked if Inland Rail has started planting Eucalypts? ▶ PM responded that we haven't commenced this, this will likely occur once offsets are required post EIS. ▶ KL asked how far have you progressed at Canning Creek? ▶ PM advised the EIS will have a detailed plan.

NO.	AGENDA
	<ul style="list-style-type: none"> ▶ JS asked if the same ecological planning and rigour (distinct from cultural heritage survey) is applied to Native Title land affected by the project? ▶ PM responded yes. ▶ RL advised that there is no real answer provided on the weed compensation action item. ▶ PM responded that this was a difficult action item to answer as we hope that such a thing will not occur. Our focus presently is on preventative action and the Environmental Management Plan will detail roles and responsibilities, performance targets, monitoring and corrective actions. ▶ GC offered to assist as had experience on gas projects where this issue had been addressed. ▶ PM thanked GC and said that collaboration on this matter would be valuable to capture lessons learned.
8	<p>General business</p> <ul style="list-style-type: none"> ▶ GC advised that IH had asked if the members would like to consider virtual meetings in the future. ▶ GC added that it had been very valuable having DE and MH in the room. ▶ There was general agreement that in-person meetings are valuable. ▶ GC asked if members could please detail any thought and provide to IH. ▶ KL referred to the questions he had submitted previously and asked about the cost estimator/independent assessor and the Ebenezer business case. ▶ DE noted that the tender will be out next year for the independent assessor and the Ebenezer business case is being finalised.
9	<p>Questions from observers</p> <ul style="list-style-type: none"> ▶ No further questions.
10	<p>Conclusion and confirmation of actions</p> <ul style="list-style-type: none"> ▶ GC thanked DE and MH for their attendance ▶ Noted there was an action to write to the OCG around exhibition timeframes.

Next meeting proposed: prior to B2G EIS public notification