

Meeting title: Illabo to Stockinbingal (I2S) Community Consultative Committee meeting 2
Attendees

Garry West, Independent Chair	Grant Johnson (Junee Shire Council)
Rod Chalmers (Community Member)	Cr Pamela Haliburton (Junee Shire Council)
David Carr (Community Member)	
James Coleborne (Community Member)	Patrick Leahy (ARTC)
Geoffrey Larsen (Community Member)	James White (Transport for NSW) OBSERVER
Rene Provis Stakeholder Engagement Advisor (ARTC)	Shane Sykes (Department of Infrastructure, Transport, Cities and Regional Development) OBSERVER
Cameron Simpkins Project Director (ARTC)	Tony Hill (Landholder) OBSERVER
Heath Martin Stakeholder Engagement Advisor (ARTC)	Eric McKenzie (Landholder) OBSERVER
Daniel Lumby, Project Environmental Advisor (ARTC)	

Apologies

Mark Ellis (Cootamundra-Gundagai Regional Council)	Tony Nichols (Community Member)
David Carter (NSW Farmers)	Annie Jacobs (Landcare)
Martin Honner (NSW Farmers)	Grace Foulds (Cootamundra-Gundagai Regional Council)

Location

Cootamundra Library, Cootamundra

Date & time

8 August 2019 @ 1pm

Topic	Discussion
1. Welcome and Apologies	<ul style="list-style-type: none"> The Chair welcomed all to the meeting and acknowledged the presence of Observers from Government agencies and Landowners The Chair noted the apologies as recorded above Chair apologised for the length of time from the previous meeting which resulted due to the Federal Election and the requirement for Government Agencies to go into “Caretaker Mode” in terms of project activity
2. Conflicts of interest	No new declarations
3. Introductions	<ul style="list-style-type: none"> Heath Martin and Rene Provis were introduced in their respective

Topic	Discussion
	roles with the I2S Project
4. Minutes of meeting 28 February 2019	Minutes Agreed on a motion moved by Rod Chalmers and seconded by Cr Pam Halliburton.
5. Business Arising	<ul style="list-style-type: none"> • Land Acquisition process – is on agenda for the meeting • Project SEARs sent to CCC members. Done • Investigate how and if a community fund could operate – <i>report is included in presentation by Heath Martin (details below)</i> • The Inland Rail Community Sponsorships and Donations Program will support community events or activities, which: <ul style="list-style-type: none"> ○ Are one-off and short-term ○ Contribute to the community's wellbeing, prosperity and/or sustainability ○ Priority based on project location and benefit to community • Funding requests: \$1,000 - \$4,000 • Eligibility: Project, Organisation (not-for-profit), Application • Rounds: 4 per year (last round closed 31 July) and successful applicants to be announced soon • Details & guidelines are on website: https://inlandrail.artc.com.au/sponsorships and donations
6. Proponent's report	<p><i>Heath Martin, Cameron Simpkins, Daniel Lumby and Patrick Leahy from ARTC presented the Proponent's report (see the Inland Rail website, I2S page)</i></p> <ul style="list-style-type: none"> • Heath Martin commenced with an overview of the Inland Rail Project and its aim in meeting Australia's freight challenge based on a solid business case that was assessed by Infrastructure Australia • The Inland Rail benefits are to provide a road competitive service; reducing congestion; reducing burden; being globally competitive for producers; and connecting cities, farms, mines and ports • The CSIRO study of the Parkes to Narromine (P2N) identified potential for greater regional freight cost savings than the business case forecast. A similar snapshot of the I2S will be done when construction is due to commence • A Master Schedule showing each project with description and construction start dates was presented together with forecast completion dates • It was indicated the benefits weren't contained just to each project section as there is already a business from Illabo providing

Topic	Discussion
	<p>services to the other sections of Inland Rail</p> <ul style="list-style-type: none"> • Clarification was sought as to where the Illabo section of I2S commenced. Cameron advised it is East of Harris Gates, approximately 6km from Illabo • Geoffrey Larsen indicated he remained concerned about the impact on the properties it will pass through, particularly relating to farming impacts and practices and the health of landowners • Cameron Simpkins provided an overview and update on the Illabo to Stockinbingal (I2S) Project which is one of 13 projects in the Inland Rail programme which has been declared a State Significant Infrastructure Project • The Phase 2 Feasibility stage is nearing completion which includes community consultation, site investigations, reference design (which is only for the EIS for gaining approval, not a design for construction) and ongoing development of the Environmental Impact Assessment with over 100 field engineering and environmental investigations completed • The refining of the route from a 2km wide route to a 250m Focus Area Investigation (FAI) is now completed utilising three elements of service offering, cost and a multi-criteria analysis which is a broad range of qualitative and quantitative criteria that is recognised as industry standard used widely in Australia and internationally • The refined study area was detailed including a rail-over/road-under bridge at Ironbong Road, similarly on Dirnaseer Road, the Old Cootamundra Road and a road bridge on Burley Griffin Road at Stockinbingal • The proposed road bridge on Burley Griffin Way will significantly change the road/rail interface at Stockinbingal representing a significant safety improvement for motorists • Noise from wheel squeal in Stockinbingal will be buffered with the new design • Refining the route also involved avoidance of some areas of trees known to be areas containing Ecological Endangered Species, known as EEC areas • Bridge heights are planned to be 5.5m as submitted by NSW Farmers to allow farm machinery to pass underneath • Cameron confirmed the FIA has been signed off and approved • Geoffrey Larsen expressed concern that with so many cuts being made there will obviously be damming and possibly flooding effects. Daniel Lumby explained that flood and hydrology

Topic	Discussion
	<p>modelling informs the EIS and the design. Flood mitigation is a key consideration of the design including the type of structure used (i.e. bridges and culverts) and the number and size of design structures.</p> <ul style="list-style-type: none"> • Tony Hill (Observer) noted the road bridges are not high enough in regards to farm machinery to future-proof the project. • James White (Transport for NSW) noted the layout of the junction in Stockinbingal is not yet resolved in terms of the design • Rod Chalmers noted that if Burley Griffin Way is so important there needs to be more money spent on it • Heath Martin provided an overview of the engagement and consultation history which commenced in 2016 • There have been numerous meetings with MPs, Councils, one on one meetings with landowners, Government agencies, and community drop-in sessions over that time • From June 2019, stakeholder and landowner consultation has been occurring for both the 250m wide FAI and the 70% reference design • The key issues, concerns and feedback from the recent consultations are: concerns about access over rail line for stock, large machinery and firefighting; concerns about land severance, the impact on farming operations and farm infrastructure; acquisition compensation; employment opportunities; noise and vibration, and positive feedback on the Stockinbingal connection • Landowner and stakeholder feedback is to be provided to the design team. • Daniel Lumby provided an update on the EIS development which is planned for 70% completion for 30 August 2019, 100% submission in March 2020, with public exhibition likely in Q2 2020. It is anticipated that project determination would be considered in Q4 2020. • The Chair indicated the proposed EIS schedule will fit well into the forward meetings of the CCC being 28 November 2019 and tentatively 27 February 2020 • Most of the field-based studies to support the EIS assessments are completed or nearing completion. • A further round of regulator (i.e. DPIE, EPA) workshops are scheduled for early Q4 2019 and it is planned to include flooding and hydrology, noise and vibration, agricultural assessment, biodiversity and cultural heritage • David Carr raised the issue of the health and wellbeing of those

Topic	Discussion
	<p>affected by the project (i.e. landholders within the alignment) and asked how do you assess and quantify that. Daniel advised that a social impact assessment will form part of the EIS however the question would be taken on notice.</p> <ul style="list-style-type: none"> • The Project team advised they have partnered with an organisation called Public Health Network to address those issues and who will be available to impacted landowners • David questioned what opportunity existed for the community to raise those wellbeing issues if they are not adequately addressed in the EIS. There needs to be more emphasis on the personal impacts. The social impact assessment being conducted as part of the EIS provides opportunity to raise these issues, and there would be further avenue for input during the EIS public exhibition. • The committee request to know what work is being done in the I2S area about addressing the negative impacts and report back to our next meeting on what is being done to help landowners • The Project Team stressed that telling the truth and being transparent is vital even though landowners don't necessarily like the message • Patrick Leahy provided a property update including how the property acquisition process will operate once it is confirmed that either part or all of a property has been identified for acquisition • The request to acquire land will only occur once the project design is well enough advanced to clearly identify the land required • Where landowners agree to sell to ARTC, entitlement to compensation will be determined in accordance with the <i>Land Acquisition (Just Terms) Compensation Act 1991 (NSW)</i> which has been updated in 2018 • The types of compensation available under the Act include: market value, special value, loss attributable to severance, loss attributable to disturbance (e.g. legal, valuation, relocation and financial costs incurred in connection with the acquisition); disadvantage resulting from relocation; any increase or decrease in the value of any other property • Landowners and ARTC will have a minimum six months to reach an agreement and if agreement cannot be reached, a compulsory acquisition process will commence • The value of partial property acquisitions are commonly assessed using a 'before and after' method • Landowners may request that ARTC purchase the entire property but such a decision is at the discretion of ARTC

Topic	Discussion
	<ul style="list-style-type: none"> • Compulsory acquisition is a statutory process under the Act and provides the means for resolving disputes about the amount of compensation payable. In such situations, the Valuer General independently determines the amount of compensation offered and if the parties are not able to reach agreement an objection can be lodged with the Land and Environment Court • Useful Resources: ARTC Inland Rail Property Acquisition fact sheet – inlandrail.artc.com.au and Property Acquisition – A guide for residential owners – propertyacquisition.nsw.gov.au • Where isolated parcels of land are no longer accessible to a landowner, the ARTC can be approached to purchase it. Each property acquisition is assessed on the individual merits relating to that land and the operations conducted • The ARTC can purchase land under private treaty but cannot compulsorily acquire land. Compulsory acquisitions are done through an agreement that is in place with the NSW Government • No properties have yet been purchased by compulsory acquisition • David Carr questioned if the total area of land to be acquired has been identified. Cameron confirmed that no final figures are yet determined • Acquisitions are not dependent on the EIS being approved and can commence as soon as the land is identified, the purchase processes can commence • David Carr. Has the project got a budget and has it been approved for this I2S section and how much will it cost and when it become public? Also, what is the acquisition portion of the budget? The project team confirmed there is a budget but at this stage it is an estimate and more work is required before it is finalised and therefore it is not appropriate to speculate with figures at this stage • Is there a chance the project will not go ahead? No, the project is funded and approved by Government and will proceed • Geoffrey Larsen. Will loss of production be taken into consideration? Every property is assessed individually and carrying capacity is a part of that consideration • James White advised that as a result of the 2018 amendments to the Act every property considered for acquisition will be allocated a personal case manager. Their role is to assist landowners with the full range of personal issues that arise from acquisition
7. Actions required	<ul style="list-style-type: none"> • Hard copy of future presentations to be available for CCC members at the meeting as the font on overheads is sometimes too small • Review overbridge heights to accommodate movement of farm

Topic	Discussion
	<p>equipment</p> <ul style="list-style-type: none"> • Project Team to enlist professionals to conduct workshops with affected landowners regarding health & wellbeing and report to next CCC meeting
8. General business	<ul style="list-style-type: none"> • Chair tabled questions submitted by David Carter (Attached) • James Coleborne tabled submission from Tony Nichols re communication between ARTC and CCC (Attached) • James Colborne tabled a report on discussions he held with Mr Eric and Mrs Dianne McKenzie concerning the proposed route of the I2S Inland Rail (Attached) • Mr Eric McKenzie spoke briefly in regard to his submission • I2S Project Team will prepare a response to the attachments for circulation to the CCC • The Chair indicated the submissions attached as above will form part of the meeting minutes • Concern was expressed that there were no representatives from Cootamundra-Gundagai Regional present at the meeting, the Chair will address this with Council. Rod Chalmers advised he will reinforce that message at the next Council meeting
9.	<p>Next meeting: Thursday 28 November 2019 at location to be advised.</p> <p>Meeting closed 3.35pm. The Chair thanked all for their attendance</p>
10. Meeting minutes approved	<p>Garry West</p> <p>Independent Chair</p> <p>16 August 2019</p>



Communication from Tony Nichols to share at I2S CCC Meeting 8 August 2019

Tony sends his apologies for the meeting due to his work commitments in Canberra preventing him travelling to today's meeting in Cootamundra.

Tony states:

I would like to mention the communication between the ARTC and the CCC.

There was no reason, that I am aware of, as to why the ARTC could not have shared with us what the ARTC intended to present at this meeting today.

That way the announcement of the Stockinbingal ARTC village Information Session could have come from the CCC, to at least give the perception that the CCC and our local representation was serving some purpose.

As the enquirer you met on Friday said, "What do you guys do anyway?" Given the last meeting was six months ago, the ability for us to provide some detail beforehand would have been beneficial to the perception that at least we are engaged to do something.

Shortly after I sent the email to Garry about stating you and I weren't aware of the planned ARTC Village Meeting, I'm sure it was Heath who rang me and stated that the ARTC needed to operate independently of the CCC at times, as all project decisions could not wait until a CCC meeting was held to discuss.

I fully understand that, but what's the harm in them, every now and then, when certain milestones are reached or important decisions are agreed upon, that they share that information with the village representatives of the CCC.

All they're doing now is showing that they are making decisions without consultation which only undermines the credibility of the CCC.

Tony Nichols

Questions for the Illabo – Stockinbingal Community Consultation Committee

(From David Carter)

My apologies for not being able to attend this meeting, I do however have several questions that I would like the meeting to consider.

1. In watching the 'YouTube' presentation for the proposed I2S Alignment I noticed the distinct lack of crossing for those affected producers along the alignment – is this being rectified with suitable crossing for the producers affected by the rail line.
 - a. Is consideration being given for over rail crossing due to the large number of cuttings that align the corridor or
 - b. More level crossings ?
2. What happens to those smaller parcels of land that will become isolated once the line is built namely?
 - a. That section at the southern end – near the Billabong Creek
 - b. That section near the Eulomo Settlement Rd corner
 - c. That section of land between the Dudauman Rd and the railway line
3. Will the embankments on the proposed Bridge over the Ironbong Rd be 'angled' to allow at least a 10m ground clearance between the edge of the embankment and the boundary fence?
4. Will the various bridges over the numerous creeks along the route have room for a gravel road placed under them for easier movement of vehicles at these locations?
5. What management plans are in place for the treatment of
 - a. noxious weeds (St John's Wort, Bathurst Burr, Wild Radish to name a few) along the corridor.
 - b. Excess grass growth along the corridor.
6. What provision is Inland Rail making for access by emergency service vehicles into and out of the areas named below considering that these vehicles can't get out by going to the east due to the terrain and that they may have to come by an alternate route.
 - a. That area of land to the east of the line in the Junee Shire fronting the Bethungra Range
 - b. That parcel of land at the southern end of the line that will become 'landlocked' between the new and the old railway lines
 - c. That parcel of land into the eastern section of 'Ferndale' and the southern section of the Cootamundra-Gundagai Shire in the Dudauman Range.
7. Is there a possibility that the Ironbung Road bridge may not be built and a realignment of the Ironbung Road may be needed, with a road level crossing, which could place an undue burden on those travellers wanting to use this section of road.
8. Will the Junee and Cootamundra-Gundagai Councils be compensated for local road damage during the construction phase??
9. Are telecommunications towers going to be installed to enhance the construction process and will they be available for use as mobile phone towers during and after the construction phase.
10. Is 'solatium' being used as part of the compensation being paid to those affected farmers
11. If carbon offsets are being used along the corridor what management practices will be put into place to counter
 - a. Noxious weeds
 - b. Noxious animals
 - c. Fire control

Report on Discussions with Mr Eric and Mrs Dianne McKenzie held at

**“Grasmere”
1673 Dirnaseer Road
Dirnaseer NSW 2666**

**Wednesday 7 August 2019
9am to 11.am**

Also present at this meeting was Scott Sharman from Premier Advisory, Business and Property Adviser and Certified Practising Valuer and James Coleborne, member of the I2S Community Consultative Committee.

At the ARTC Information Session held at the Ellwood Hall, Stockinbingal on 5 August 2019, Mr Eric McKenzie approached me as a member of the I2S Community Consultation Committee. He expressed deep concerns about the location of the freight line proposed to be constructed through their property Grasmere at Dirnaseer. I agreed to meet with him at his property as soon as convenient to discuss and take note of his concerns. This report summarises that discussion.

Mr McKenzie said that two years ago the ARTC visited and stated what they were proposing covering a distance of around 6 kms on their property Grasmere. Grasmere is a 3,000 acre property on the edge of the Bethungra Range.

Mr McKenzie believes that the ARTC could use an unused and still Gazetted line from Narranderra to Echuca. This is an old inactive railway line. He believes that the cost would be about the same, although he understood that the final amount is never the same as the original cost estimates.

Mr McKenzie has tried on numerous occasions to have conversations with the Hon Michael McCormack MP, Member for Riverina, New South Wales, who is also the Leader of The Nationals, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development.

Mr McKenzie started this process in 2009. Around mid November 2018, Mr McKenzie contacted Mr McCormack's office and asked for an individual meeting. Mr McCormack said he would only have a group meeting of around 12 people.

At this meeting, he was asked about matters of compensation, but never answered any of the questions, or followed them up later. Mr McCormack stated that he would discuss this question with the Treasurer. Mr McCormack stated that he did not know whether any compensation would be subject to income tax as income, or not. Mr McKenzie believes that capital gains are not compensated, which is a critical issue since the McKenzies acquired Grasmere with 3,000 acres some 17 years ago.

Last year Mr McKenzie attended the Cootamundra Show and spoke with Mr McCormack in the ARTC tent. Mr McCormack stated quite dismissively that “the studies have all been done and we're not changing any of it”. Mr McKenzie felt he was simply ignored and brushed off by Mr McCormack, who didn't want to listen to any of his legitimate concerns about the location of the high speed freight line through their property.

At the ARTC Information Session held at Stockinbingal on 5 August, an ARTC Official told Mr McKenzie “It's going through Grasmere in two years time; it is all done and finished”. Mr McKenzie was also told that “the ARTC will have to buy your property”.

Mr McKenzie believes that if the freight line goes through their area, then it will be a “white elephant”, as trains will not be able to stop here to load grain. Mr McKenzie believes that the project will not eventuate in this form and that there are better ways to build the high speed freight line in other locations.

Mr McKenzie believes that the freight line has not yet been signed off in Queensland, as it has to go through the Lockyer Valley which is a major food producing area where considerable disruption will occur.

Mr McKenzie stated that their property will be split down the middle, with only one location at the northern end to move heavy machinery under the roadway through a 5.5 metre high tunnel. He stated that the fold-up Air Seeders, large augurs and headers would not be able to move through this access way.

He also asked how B Doubles and semitrailers that are used to load grain would gain access to and from their property. He stated that unless new roads were developed, one of their neighbours would no longer have access to their home.

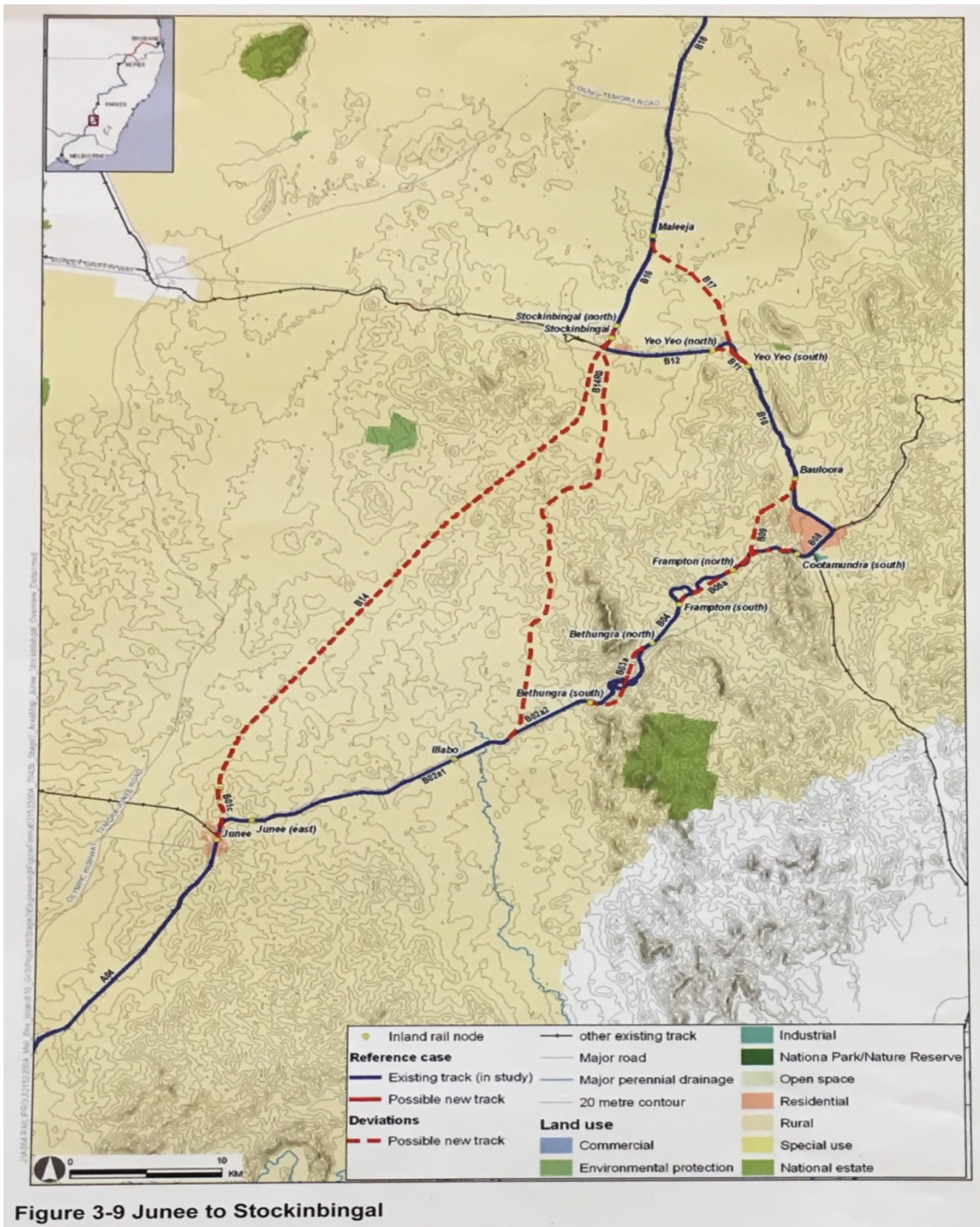
In addition, the movement of livestock such as sheep to the shearing sheds would require a long 6 km route with no underpasses.

After a neighbour sold their property, Mr McKenzie was contacted by a senior ARTC Officer to enquire if he wanted to commence the acquisition process. Mr McKenzie stated that the ARTC officer wanted the acquisition process to start, even before the line was approved. He stated that if the property was sold and the line was not approved, Mr McKenzie would have to try and buy it back if he wanted it.

A Civil Engineer was drilling sample holes on Grasmere and Mr McKenzie asked him “Is the freight line was in the right place?”. Mr McKenzie said that the engineer looked him in the eye and stated “It’s the right track politically, but not environmentally”.

In this context, Mr McKenzie raised discussion about the alternative routes that the ARTC had had on display at the meeting in the Ellwood Hall in Stockinbingal, on 5 August 2019.

Melbourne – Brisbane Inland Rail Alignment Study Final Report Appendix E: Route Development



Mr McKenzie stated that he did not believe that sufficient consideration had been given to the alternative routes, and that the Illabo to Stockinbingal route had been chosen for reasons of political expediency, as there were less land owners affected. He stated that the other routes may well be more environmentally sustainable.

Mr McKenzie signed a form to prevent the ARTC having access to his property. He said since he had “shut the gate”, the ARTC had no access to undertake the Environmental Impact Study, as they would not have had appropriate indemnity coverage. As the owner, he was not convinced that they had the proper indemnity. Thus the ARTC would only have been able to do the EIS from their property boundaries.

Mr McKenzie's concerns need to be considered in the context of their Poll Merino Stud which they have been developing for the past 17 years. This is managed by one of their daughters and they want to be able to maintain it, with the customary well attended yearly ram sales.

Their business is self reliant with cropping, enabling livestock to be fed from their harvesting. Oats, wheat and canola are used, stored and sold. The property also has extensive lucerne flats on either side of Ironbong Creek, benefiting from water flows and ground water seepage from the adjacent Bethungra Range, which may be affected by the construction of the freight line.

The whole process has had a debilitating effect on both Mr and Mrs McKenzie's health and their family of three daughters, one of whom assists as an Animal Health Consultant, undertaking extensive DNA testing on their rams.

Overall, Mr McKenzie believes that they would not be able to move their livestock about the property as needed, as they currently do, if the freight line is constructed. They would be unable to maintain the current livestock husbandry management aspects of their farm, or it would place incredible hardships on their overall agricultural operation.

Mr McKenzie stated that when considering any injurious affectation of the construction of the freight line on their property Grasmere, these factors must be taken into account.



James Coleborne
Member of the I2S Community Consultative Committee

7 August 2019