



I hereby give notice that an Extraordinary Meeting of Council will be held on:

Date: Tuesday, 15 February 2022

Time: 1:00pm

Location: Narrabri Shire Council Chambers
46-48 Maitland Street
Narrabri

AGENDA

**Extraordinary Council Meeting
15 February 2022**

PUBLIC FORUM (held outside formal Council Meeting)

The Council may hold a public forum prior to each Ordinary Meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting (listed on the Agenda).

Public forums may also be held prior to Extraordinary Council Meetings and meetings of committees of the Council.

Public forums are to be chaired by the mayor or their nominee.

Request to Speak in the Public Forum

To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received by 5pm on the working day before the date on which the public forum is to be held and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.

Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council, and to identify any equipment needs at 5pm on the working day before the Public Forum.

The General Manager or their delegate may refuse to allow such material to be presented.

A person may apply to speak on no more than 2 items of business on the agenda of the Council Meeting.

Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

The General Manager or their delegate may refuse an application to speak at a public forum.

No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council Meeting.

If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.

Each speaker will be allowed three (3) minutes to address the Council. This time is to be strictly enforced by the Chairperson.

The Chairperson of the meeting can grant one extension of up to a maximum of two (2) minutes, should further information, be considered to be important to the Council. This is solely at the discretion of the Chair.

Speakers at public forums must not digress from their nominated item on the agenda. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a Public Forum. Questions put to a speaker must be direct, succinct and without argument. Debate will not be permitted by the speaker, Councillors or staff.

Speakers are under no obligation to answer a question. Answers by the speaker, to each question are to be limited to three (3) minutes.

Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.

The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to 5 minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.

Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.

The “*Request to Speak in Public Forum*”, at an Ordinary Council Meeting, can be obtained, from Council’s Administration Office, or by downloading it from Council’s website at:

<http://www.narrabri.nsw.gov.au/speaking-at-public-forum-1232.html>



USE OF MOBILE PHONES AND UNAUTHORISED RECORDING OF MEETINGS

Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.

(Clause 15.20 Code of Meeting Practice)

A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the Council.

(Clause 15.21 Code of Meeting Practice)

AUDIO RECORDING NOTICE

Council advises that this Meeting will be recorded for the purpose of webcasting, and made available on the Internet. As such, all those present should refrain from making any defamatory statements. It is requested that Councillors within the duration of the Meeting, limit discussions to only the business on the agenda and what is permissible under our Code of Meeting Practice.

(Clause 5.20 Code of Meeting Practice)

Mayor
Cr Ron Campbell

Cr Rohan Boehm

Cr Robert Browning

Cr John Clements

Cr Brett Dickinson

Cr Greg Lamont

Cr Catherine Redding

Cr Lisa Richardson

Cr Darrell Tiemens



General Manager
Mr Stewart Todd



Director
Infrastructure Delivery
Mrs Eloise Chaplain



Director Corporate &
Community Services
Mr Lindsay Mason



Director Planning, Strategy
& People
Mr Andrew Brown

Corporate values



Integrity

Ensuring transparency and honesty in all our activities.



Leadership

Providing guidance and direction to our community and our people.



Customer Focus

Delivering prompt, courteous and helpful services and being responsive to the community's changing needs.



Accountability

Accepting our responsibility for the provision of quality services and information.



Respect

Treating everyone with courtesy, dignity and fairness.



Excellence

Being recognised for providing services, programs and information which consistently meet and exceeds standards.

Strategic *direction*

OUR VISION

A strong and vibrant regional growth centre providing a quality living environment for the entire Shire community.



Theme 1: OUR SOCIETY

Strategic Direction 1: Safe, Inclusive and Connected Community

A safe, supportive community where everyone feels welcomed, valued and connected.



Theme 2: OUR ENVIRONMENT

Strategic Direction 2: Environmentally Sustainable and Productive Shire

Maintaining a healthy balance between our natural and built environments.



Theme 3: OUR ECONOMY

Strategic Direction 3: Progressive and Diverse Economy

A strong, diverse economy that attracts, retains and inspires business, industry and tourism growth.



Theme 4: OUR CIVIC LEADERSHIP

Strategic Direction 4: Collaborative and Proactive Leadership

Working pro-actively together to achieve our shared vision with strong strategic direction.

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1 OPENING PRAYER BY A MEMBER OF THE NARRABRI MINISTER'S FRATERNAL

Members and officers are asked to be upstanding for the opening prayer.

2 ACKNOWLEDGEMENT OF COUNTRY

I'd like to begin by acknowledging the Traditional Owners of the land on which we meet today, the Kamilaroi people, and pay my respects to Elders past and present.

3 RECOGNITION OF SERVICE MEN & WOMEN

Council acknowledges the sacrifice made by Australian service men and women, in particular those who gave their lives in defence of the freedom we enjoy today.

4 APOLOGIES/GRANTING OF LEAVE OF ABSENCES

5 DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillors are reminded of their obligation to declare their interest in any matters listed before them.

In considering your interest, you are reminded to include pecuniary, non-pecuniary and conflicts of interest as well as any other interest you perceive or may be perceived of you.

Councillors may declare an interest at the commencement of the meeting, or alternatively at any time during the meeting should any issue progress or arise that would warrant a declaration.

Councillors must state their reasons in declaring any type of interest.

6 ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL (PUBLIC EXCLUDED) MEETING

Extract from Council's Code of Meeting Practice

Part 4 Section 17a.

17a. Which parts of a meeting can be closed to the public?

- (1) A Council, or a Committee of the Council of which all the members are Councillors, may close to the public so much of its meeting as comprises:
 - (a) the discussion of any of the matters listed in Sub-Clause (2) below, or
 - (b) the receipt or discussion of any of the information so listed.
- (2) The matters and information are the following:
 - (a) personnel matters concerning particular individuals (other than Councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:

- i. prejudice the commercial position of the person who supplied it, or
 - ii. confer a commercial advantage on a competitor of the Council, or
 - iii. reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (3) A Council, or a Committee of the Council of which all the members are Councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.
- (4) Members of the public may be allowed to make representations to or at a Council or Committee meeting for a period of up to three (3) minutes, immediately after the motion to close the part of the meeting.
- (5) is moved and seconded, as to whether that part of the meeting should be closed at the discretion of the Council

7 OUR SOCIETY



THEME 1: OUR SOCIETY

STRATEGIC DIRECTION 1: SAFE, INCLUSIVE AND CONNECTED COMMUNITY

By 2027, we will provide a safe, supportive community where everyone feels welcomes, valued and connected.

COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several social priority areas to be actioned over the 2017 - 2018 financial year.

COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Community development
- Community health and safety
- Community arts, events and entertainment
- Community care services and transport
- Parks, open spaces and sporting facilities
- Children, youth and aged care services
- Disability access services
- Library services

COMMUNITY OUTCOMES

In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following social strategic outcomes:

- Increased community arts, events and entertainment
- Reduction in anti-social behaviour and public offences
- Improved community accessibility and inclusiveness
- Improved sport and recreational services and facilities
- Improved educational services and learning pathways
- Improved community health and support services

7.1 NOTICE OF MOTION - PUBLIC INTERESTS DISCLOSURE POLICY

Attachments: 1. Internal Reporting Management - Public Interest Disclosures Policy and Procedure  

Authors: Councillor John Clements, Councillor Rohan Boehm, Councillor Robert Browning

Councillors John Clements, Rohan Boehm, and Robert Browning give notice that at the Extraordinary Meeting of Council being held on 15 February 2022, intend to move the following motion:-

MOTION

That the General Manager submit a report to the 22nd February 2022 Ordinary meeting on the current Council policy on Public Interest Disclosures by staff, former staff, community, current and former Councillors, focussing on procedures for reporting, protection of the individual reporting and protocols for dealing with these reports in accordance with the Public Interest Disclosures Act 1994 (PIDS).

RATIONALE

We are concerned with the level of complaints received as new councillors concerning the Council and are unclear about the processes, whistle blower protections, how complaints are being managed, the number of complaints being made, how they have been handled and addressed, by whom etc. Have the complainants, the public and government agencies being informed of them in accordance with the PIDS in order to ensure confidence in the community with Councils processes and the level on transparency required is being applied.

Councillors John Clements, Rohan Boehm, and Robert Browning commend this Notice of Motion to Council.

EXECUTIVE MANAGEMENT COMMENT

Attached is the current policy and if the motion is adopted the report requested should be submitted to the March Ordinary Meeting as insufficient time is available to have a report prepared for the February meeting.



INTERNAL REPORTING MANAGEMENT – PUBLIC INTEREST DISCLOSURES POLICY AND PROCEDURE

Responsible Department:	Corporate and Community Services
Responsible Section:	Corporate and Community Services
Responsible Officer:	Director Corporate and Community Services

Objective

To provide a mechanism that encourages and facilitates the disclosure, in the public interest, of corrupt conduct, maladministration, serious and substantial waste and government information contravention within Narrabri Shire Council by the following:

- Both council staff and councilors.
- Permanent employees, whether full-time or part-time
- Temporary or casual employees.
- Consultants working for Council
- Individual contractors working for council.

This policy also applies to other people who perform public official functions where their conduct and activities could be investigated by an investigating authority. This includes volunteers and those contracted to work for the Council.

Policy

1. What should be reported

You should report any suspected wrongdoing you see within the *Narrabri Shire Council Reports* about the five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention, and local government pecuniary interest contravention – will be dealt with under the PID Act as public interest disclosures and according to this policy.

a. Corrupt conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:





- the improper use of knowledge, power or position for personal gain or the advantage of others.
- acting dishonestly or unfairly, or breaching public trust.
- a council official using their position in a way that is dishonest, biased or breaches public trust.

For more information about corrupt conduct, see the NSW Ombudsman's guideline on [what can be reported](#).

b. Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful.
- refusing to grant an approval for reasons that are not related to the merits of their application.

For more information about maladministration, see the NSW Ombudsman's guideline on [what can be reported](#).

c. Serious and substantial waste in local government

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in the loss or wastage of local government money. This includes all revenue, loans and other money collected, received or held by, for or on account of the council.

For example, this could include:

- poor project management practices leading to projects running over time.
- having poor or no processes in place for a system involving large amounts of public funds.

For more information about serious and substantial waste, see the NSW Ombudsman's guideline on [what can be reported](#).

d. Government information contravention

A government information contravention is a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* (GIPA Act).

For example, this could include:





- destroying, concealing or altering records to prevent them from being released.
- knowingly making decisions that are contrary to the legislation.
- directing another person to make a decision that is contrary to the legislation.

For more information about government information contravention, see the NSW Ombudsman's guideline on [what can be reported](#).

e. Local Government pecuniary interest contravention

A local government pecuniary interest contravention is a failure to fulfil certain functions under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, lodge written declarations and disclose pecuniary interests at council and council committee meetings. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior council staff member recommending a family member for a council contract and not declaring the relationship.
- a general manager holding an undisclosed shareholding in a company competing for a council contract.

For more information about local government pecuniary interest contravention, see the NSW Ombudsman's guideline on [what can be reported](#).

f. Other wrongdoing

Although reports about the previous four categories of conduct can attract the specific protections of the PID Act, you should report all activities or incidents that you believe are wrong.

For example, these could include:

- harassment or unlawful discrimination.
- reprisal action against a person who has reported wrongdoing.
- practices that endanger the health or safety of staff or the public.

These types of issues should be reported to a supervisor, in line with the Narrabri Shire Council's policies.

Even if these reports are not dealt with as public interest disclosures, Narrabri Shire Council will consider each matter and make every attempt to protect the staff member making the report from any form of reprisal.





2. When will a report be protected?

The Narrabri Shire Council will support any person that reports wrongdoing. For a report to be considered a public interest disclosure, it has to meet all of the requirements under the PID Act. These requirements are:

- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing.
- The report has to be made to a position nominated in this policy or an investigating authority.

Reports by staff and councillors will not be considered to be public interest disclosures if they:

- mostly question the merits of the policy of the governing body of the council.
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

3. How to make a report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure and ask the person making the disclosure to sign this record. The individual making the report should keep a copy of this record.

4. Can a report be anonymous?

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by the Narrabri Shire Council, it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about the outcome of any investigation into the allegations.

It is important to realise that an anonymous disclosure may not prevent you from being identified. If we do not know who made the report, it is very difficult for us to prevent any reprisal action.

5. Maintaining Confidentiality

Narrabri Shire Council realises many staff will want their report to remain confidential. This can help to prevent any action being taken against you for reporting wrongdoing.





We are committed to keeping your identity, and the fact you have reported wrongdoing, confidential. However, there may be situations where this may not be possible or appropriate. We will discuss with you whether it is possible to keep your report confidential.

If confidentiality cannot be maintained, we will develop a plan to support and protect you from risks of reprisal. You will be involved in developing this plan. You will also be told if your report will be dealt with under the Council's Code of Conduct, as this may mean certain information will have to be tabled at a council meeting.

If you report wrongdoing, it is important that you only discuss your report with the staff of the Narrabri Shire Council responsible to deal with it. This will include the disclosures coordinator and the General Manager. In the case of a report about the General Manager, you should only discuss your report with the Disclosures Coordinator and the Mayor.

Where your complaint is made under the Council's Code of Conduct and relates to the General Manager or a Councillor, you may be required to discuss it with a conduct reviewer.

6. Who can receive a report within Narrabri Shire Council

You are encouraged to report general wrongdoing to your supervisor. However the PID Act requires that for a report to be a public interest disclosure, it must be made to a public official in accordance with the Council's disclosure policy.

Any supervisor who receives a report that they believe may be a public interest disclosure must refer the individual making the report to one of the positions listed below. If your report involves a Councillor, you should make it to the General Manager. If your report relates to the General Manager, you should make it to the Mayor.

The following positions are the only staff within the Narrabri Shire Council who can receive a public interest disclosure.

a. General Manager

You can report wrongdoing directly to the General Manager. The General Manager is responsible for:

- deciding if a report is a public interest disclosure.
- determining what needs to be done next, including referring it to other authorities.
- deciding what needs to be done to correct the problem that has been identified.
- ensuring there are systems in place in to support and protect people who report wrongdoing.





- dealing with disclosures made under the Council's Code of Conduct in accordance with the Council's adopted Code of Conduct procedures.
- referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

General Manager: Stewart Todd
Post: 46-48 Maitland Street Narrabri NSW 2390
Telephone: 02 67 996 833
Email: council@narrabri.nsw.gov.au

b. Mayor

If you are making a report about the General Manager, you should make your report to the Mayor. They are responsible for:

- deciding if a report is a public interest disclosure.
- determining what needs to be done next, including referring it to other authorities.
- deciding what needs to be done to correct the problem that has been identified.
- dealing with disclosures made under the council's code of conduct in accordance with the Council's adopted Code of Conduct procedures.

The Mayor must make sure there are systems in place in the Narrabri Shire Council to support and protect people who report wrongdoing.

If the report is about the General Manager, the Mayor is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

Mayor: Cr Ron Campbell
Post: 46-48 Maitland Street Narrabri NSW 2390
Telephone: 02 6799 6833
Email: cr.campbell@narrabri.nsw.gov.au

c. Disclosures coordinator

The Disclosures Coordinator has a central role in dealing with reports made by staff and Councillors. They receive them, assess them, and refer them to the people within or contracted by the Council to





be dealt with appropriately.

Disclosures Coordinator: Director Corporate and Community Services - Mr Lindsay Mason
Post: 46-48 Maitland Street Narrabri NSW 2390
Telephone: 02 6799 6866
Email: dcs@narrabri.nsw.gov.au

d. Disclosures officers

Disclosures officers are responsible for receiving, forwarding and/or dealing with reports made in accordance with this policy.

Disclosure Officer 1: Director Infrastructure Delivery – Mrs Eloise Chaplain
Post: 46-48 Maitland Street Narrabri NSW 2390
Telephone: 02 6799 6866
Email: did@narrabri.nsw.gov.au

7. Who can receive a report outside of the Narrabri Shire Council

Staff and Councillors are encouraged to report wrongdoing within the Narrabri Shire Council, but internal reporting is not your only option. If you follow the guidance below, you can make a public interest disclosure to:

- an investigating authority. If your report is about both the General Manager and the Mayor, you may wish to consider making the report to an investigating authority.
- a Member of Parliament or a journalist, but only in limited circumstances outlined below.

a. Investigating authorities

The PID Act lists a number of investigating authorities in NSW that staff and Councillors can report wrongdoing to and the categories of wrongdoing each authority can deal with.

In relation to Council, these authorities are:

- The Independent Commission Against Corruption (ICAC) — for corrupt conduct.





- The Ombudsman — for maladministration.
- The Chief Executive of Office of Local Government, **Department** of Planning, Industry and Environment, for disclosures about local government agencies.
- The Information Commissioner — for disclosures about a government information contravention.

You should contact the relevant authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that it is very likely the investigating authority will discuss the case with the Narrabri Shire Council. We will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. We will also provide appropriate support and assistance to individuals who report wrongdoing to an investigating authority.

b. Members of Parliament or journalists

To have the protections of the PID Act, a person reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- the General Manager.
- a person nominated in this policy.
- an investigating authority in accordance with the PID Act.

Also, the Narrabri Shire Council or investigating authority that received the report must have either:

- decided not to investigate the matter.
- decided to investigate the matter, but not completed the investigation within six months of the original report.
- investigated the matter but not recommended any action as a result.
- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.

If you report wrongdoing to a person or an organisation that is not listed above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or our Code of Conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the Narrabri Shire Council, contact the disclosures coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact

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details are provided at the end of this policy.

8. Feedback to the individual who reported wrongdoing

The individual who reported wrongdoing will be told what is happening in response to their report. When you make a report, you will be given:

- an acknowledgement that your disclosure has been received.
- the timeframe for when you will receive further updates.
- the name and contact details of the people who can tell you what is happening.

The PID Act requires that you are provided with an acknowledgement letter and a copy of this policy within 45 days after you have made your report. We will attempt to get this information to you within two working days from the date you make your report.

After a decision is made about how your report will be dealt with, you will be given:

- information about the action that will be taken in response to your report.
- likely timeframes for any investigation.
- information about the resources available within Narrabri Shire Council to handle any concerns you may have.
- information about external agencies and services you can access for support.

This information will be given to you within 10 working days from the date you make your report.

During any investigation, you will be given:

- information on the ongoing nature of the investigation.
- information about the progress of the investigation and reasons for any delay.
- advice if your identity needs to be disclosed for the purposes of investigating the matter, and an opportunity to talk about this.

At the end of any investigation, you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified.
- advice about whether you will be involved as a witness in any further matters, such as disciplinary or criminal proceedings.

Behaviour of all people involved in the PID process needs to adhere to Council's Code of Conduct. A breach of the Code of Conduct could result in disciplinary action.





9. Protection against reprisals

The PID Act provides protection for people reporting wrongdoing by imposing penalties on anyone who takes detrimental action substantially in reprisal for them making the public interest disclosure. It may also be a breach of the Council's Code of Conduct.

The Narrabri Shire Council will not tolerate any reprisal action against a person who report wrongdoing. The criminal penalties that can be imposed include imprisonment or fines. Detrimental action is also misconduct that justifies disciplinary action. People who take detrimental action against someone who has made a disclosure can also be required to pay damages for any loss suffered by that person.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss.
- intimidation or harassment.
- discrimination, disadvantage or adverse treatment in relation to employment.
- dismissal from, or prejudice in, employment.
- disciplinary proceedings.

a. Responding to reprisals

The Narrabri Shire Council will act to protect those who report wrongdoing from reprisals.

When a report is received, we will ensure that a thorough risk assessment is conducted. This will identify any risks to the member of staff or Councillor who reported the wrongdoing, as well as strategies to deal with those risks.

If you believe that detrimental action has been or is being taken against you or someone else who has reported wrongdoing in reprisal for making a report, you should tell your supervisor, the Disclosures Coordinator or the General Manager immediately, or in the case of an allegation of reprisal action by the General Manager, the Mayor.

All supervisors must report any suspicions they have that reprisal action against a staff member is occurring, or any reports that are made to them, to the Disclosures Coordinator or the General Manager, or in the case of an allegation of reprisal by the General Manager, to the Mayor.

If the Disclosures Coordinator becomes aware of or reasonably suspects that reprisal action is or has been taken against a person who has made a disclosure, they will ensure that the matter is reported under the Council's Code of Conduct and dealt with in accordance with the Council's Code of





Conduct procedures.

If you report reprisal action, you will be kept informed of the progress of any investigation and the outcome.

The General Manager may issue specific directions to help protect against reprisals, including:

- issuing warnings to those alleged to have taken reprisal action against the individual who made the disclosure.
- relocating the member of staff who made the disclosure or an officer the subject of the allegations within the current workplace.
- transferring the member of staff who made the disclosure or the staff member who is the subject of the allegations to another position for which they are qualified.
- granting the member of staff who made the disclosure or the subject officer leave of absence during the investigation of the disclosure.

In relation to staff who make reports, such directions will only be made if the member of staff agrees to it. The Disclosures Coordinator will make it clear to other staff that this action was taken in consultation with the staff member and with management support – and it is not a punishment. If you have reported wrongdoing and feel that any reprisal action is not being dealt with effectively, contact the Ombudsman, the ICAC, or the Chief Executive of the Division of Local Government – depending on the type of wrongdoing you reported. Contact details for all these investigating authorities are included at the end of this policy.

b. Protection against legal action

If you make a disclosure in accordance with the PID Act, you will not be subject to any liability and no action, claim or demand can be taken against you for making the disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

10. Support for those reporting wrongdoing

The Narrabri Shire Council will make sure that staff who have reported wrongdoing, regardless of whether they have made a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management, counselling services, legal or career advice.

We also have staff that will provide support for those who report wrongdoing. They are responsible for initiating and coordinating support, particularly to those who are suffering any form of reprisal.





Support Officer: Director Strategy, Planning and People – Mr Andrew Brown
Post: 46-48 Maitland Street Narrabri NSW 2390
Telephone: 02 6799 6866
Email: andrewb@narrabri.nsw.gov.au

All supervisors must notify the Disclosures Coordinator if they believe a staff member is suffering any detrimental action as a result of disclosing wrongdoing.

11. Sanctions for making false or misleading disclosures

It is important that all staff and Councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. It may also be a breach of the Council's Code of Conduct and may result in disciplinary action. In the case of Councillors, such disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.

12. Support for the subject of a report

The Narrabri Shire Council is committed to ensuring people who are the subject of a report of wrongdoing are treated fairly and reasonably. If you are the subject of a report, you will be:

- Reasons supporting the implementation of the Alcohol-Free Zone or Alcohol-Free Area
- treated fairly and impartially.
- told your rights and obligations under our policies and procedures.
- kept informed during any investigation.
- given the opportunity to respond to any allegation made against you.
- told the result of any investigation.

Review

This policy will be reviewed by Council with each newly elected Council or change of Legislation. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.



More information

More information around public interest disclosures is available on our intranet. Staff and councillors can also access advice and guidance from the disclosure's coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

References:

- Government Information (Public Access) Act 2009.
- Public Interest Disclosures Act 1994

For Disclosures about Corrupt Conduct: Independent Commission Against Corruption (ICAC)		For Disclosures about maladministration: NSW Ombudsman	
Phone:	02 8281 5999	Phone:	02 9286 1000
Toll Free:	1800 463 909	Toll Free:	1800 451 524
Facsimile:	02 9264 5364	Facsimile:	02 9283 2911
Email:	icac@icac.nsw.gov.au	Email:	nswombo@ombo.nsw.gov.au
Web:	www.icac.nsw.gov.au	Web:	www.ombo.nsw.gov.au
Address:	Level 7, 255 Elizabeth street Sydney NSW 2000	Address:	Level 24, 580 George street Sydney NSW 2000
For Disclosures about breaches of the GIPA Act: Information and Privacy Commissioner		For Disclosures about Council: Office of Local Government	
Phone:	1800 472 679	Phone:	02 4428 4100
Toll Free:	1800 472 679	Toll Free:	02 4428 4100
Facsimile:	02 6446 9518	Facsimile:	02 4428 4199
Email:	ipcinfo@ipc.nsw.gov.au	Email:	olg@olg.nsw.gov.au
Web:	www.ipc.nsw.gov.au	Web:	www.olg.nsw.gov.au
Address:	Level 7, 201 Elizabeth street Sydney NSW 2000	Address:	5 O'Keefe Avenue, Nowra NSW 2541

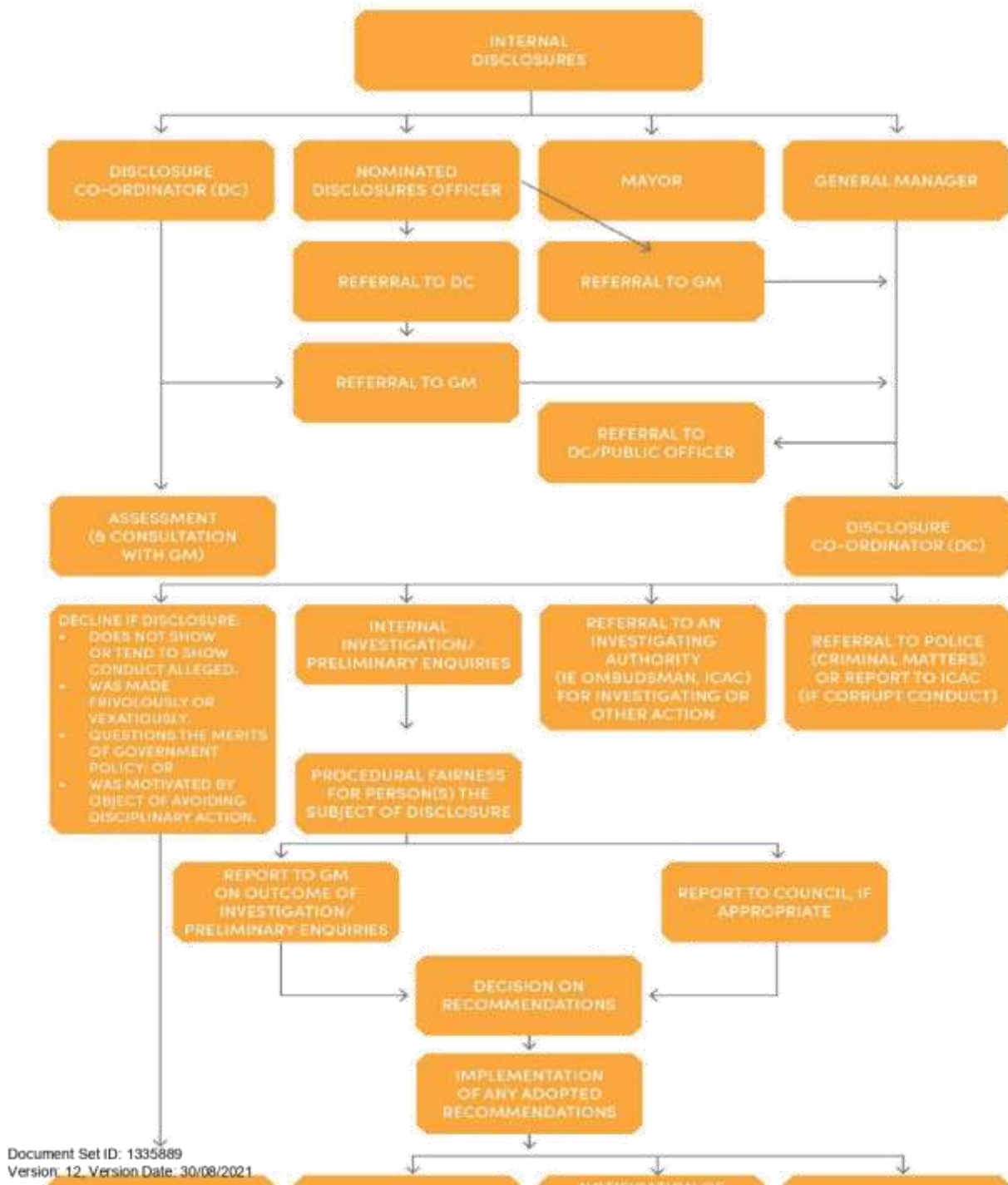


For Disclosure about Police Misconduct: Law Enforcement Conduct Commission	
Phone:	02 9321 6700
Toll Free:	1800 657 079
Email:	contactus@lecc.nsw.gov.au
Web:	www.lecc.nsw.gov.au
Address:	Level 3, 111 Elizabeth Street Sydney NSW 2000

History:

Minute Number	Meeting Date	Description of Change
811/2011	December 20, 2011	Adopted
58/2013	February 5, 2013	Reviewed
953/2013	December 17, 2013	Reviewed
		Amended – 10 March 2017- Administrative amendments made to staff contact details within policy
164/2017	August 15, 2017	Reviewed
	April 17, 2020	Amended – Administrative amendments made to staff contact details within policy and change to name of government cluster that Office of Local Government belongs to.
	May 11, 2020	Rebranded
	February 25, 2021	Amended – Administrative amendments made to staff contact details within policy.
	August 30, 2021	Amended – Administrative amendments made to staff contact details within policy.





8 OUR ECONOMY



THEME 3: OUR ECONOMY

STRATEGIC DIRECTION 3: PROGRESSIVE AND DIVERSE ECONOMY

By 2027, we will have developed a strong, diverse economy that attracts, retains and inspires business, industry and tourism growth.

COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several economic priority areas to be actioned over the 2017 - 2018 financial year.

COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Economic development
- Planning and development
- Entertainment and conferences
- Local and regional tourism and events
- Saleyards
- Airport

COMMUNITY OUTCOMES

In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following economic strategic outcomes:

- Increased community events, conferences and entertainment
- Increased employment through industry innovation, investment and value adding
- Established freight hub for the Northern Inland Region
- Increased housing availability and affordability
- Broadened economic base

8.1 NOTICE OF MOTION - INLAND RAIL

Attachments: 1. Report to ECM 27 January 2021 - EIS Submission N2N [!\[\]\(feabb98897b440bc8695a03336a6e2df_img.jpg\)](#) 

Authors: Councillor John Clements, Councillor Rohan Boehm, Councillor Robert Browning

Councillors John Clements, Rohan Boehm, and Robert Browning give notice that at the Extraordinary Meeting of Council being held on 15 February 2022, intend to move the following motion:-

MOTION

That the General Manager present the documentation relating to a prior minute no 006/2021 on Inland Rail from the Council meeting on the 27th of January 2021 to this extraordinary meeting.

(Note that this documentation is to include any correspondence to the Commonwealth government, State government and to the project managers of the inland rail project and any correspondence, internal discussion or relevant documentation relating to discussions of support or concerns by Council over the current route selection through Narrabri.)

RATIONALE

This request relates to the tabled report on the Inland Rail Narromine to Narrabri Project of the former Council relating to the support or otherwise for the Inland Rail corridor and actual alignment through Narrabri. The proposed route is a major issue of concern in Narrabri.


Councillors John Clements, Rohan Boehm, and Robert Browning commend this Notice of Motion to Council.

EXECUTIVE MANAGEMENT COMMENT

EIS Submission N2N (Item 7.1) submitted to the Extraordinary Council Meeting (15 February 2022) is attached however, the other documentation is not submitted as staff time should not be expended until the Council has resolved to adopt the motion.

EXTRAORDINARY COUNCIL MEETING AGENDA

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7.1 EIS SUBMISSION N2N**Responsible Officer:** Amanda Hannay, Director Planning & Environment**Author:** Cara Stoltenberg, Strategic & Major Projects Planner**Attachments:** 1. Inland Rail – Narromine to Narrabri Project Environmental Impact Statement [📄](#) **DELIVERY PROGRAM ALIGNMENT****3 Economy****Objective** 3.2 We will become a logistics hub for the northern inland region**Strategy** 3.2.3 Explore opportunities for increasing the efficiency of freight movements**EXECUTIVE SUMMARY**

The Australian Rail Track Corporation (ARTC), the proponent for the Inland Rail (IR) from Melbourne to Brisbane, has released the Environmental Impact Statement (EIS) prepared for the Narromine to Narrabri (N2N) reach of the proposed rail. Council received written correspondence on 26 November 2020 from ARTC that the EIS would be on public exhibition and available on the New South Wales (NSW) Department of Planning, Industry and Environment (DPIE) Major Project website from 8 December 2020 until 7 February 2021. The main areas for Council to focus its submission are:

- Traffic, Transport and Access.
- Flood impact.
- Social and economic impact.

RECOMMENDATION

1. That Council make a submission to the NSW Government on the Environmental Impact Statement for the Narromine to Narrabri Inland Rail Project generally in accordance with this report.

BACKGROUND

ARTC is seeking approval to construct and operate the N2N section of IR. ARTC has lodged an Application for State Significant Infrastructure, Number SSI 9487. The proposal is subject to assessment under Part 5 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). The capital investment value of the proposal is estimated to be over \$50 million, and as a result the proposal is State Significant Infrastructure under *State Environmental Planning Policy (State and Regional Development) 2011*. The proposal is therefore subject to Part 5.2 of the EP&A Act and an EIS has been prepared addressing the Secretary's Environmental Assessment Requirements (SEARs). The proposal consists of about 306 kilometres of new single-track with seven crossings loops. It includes bridges over rivers and floodplains, roads and rail lines, new level crossings, road realignments and ancillary works.

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ARTC states that it “remains committed to open and ongoing community engagement”. The EIS for the N2N project is currently on public display from Tuesday 8 December 2020 to Sunday 7 February 2021.

CURRENT SITUATION

The main areas for Council to consider in the preparation of its submission are:

Traffic, Transport and Access

Lack of consultation with Council and a significant amount of assumptions have been made by ARTC regarding the use of local roads. ARTC state that “it is recommended that a traffic, transport and access management plan be produced to guide the interaction of construction activities with the public road network. The plan should be prepared in consultation with the local councils, bus and other transport operators and Transport for NSW and be subject to periodic review and update as agreed between the stakeholders.” This statement is considered the most important statement with regards to traffic, transport and access. Council needs to ensure that council officers are involved in the development of this plan (which is yet to commence).

It is imperative that all construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

Council has already objected to the use of the existing rail line through the residential sections of town and is currently working with Ernst and Young to resolve the issue. No approval for use of this section of track should be issued until such time as the Ernst and Young submission is finalised.

Flood impact

A presentation was given by the IR N2N project team to the Flood Committee on 29 April 2020 outlining the status of the project and their flood investigations so far. The Flood Committee questioned the proposed location of the railway line immediately downstream of the township of Narrabri and highlighted the potential negative flood impacts on the town. Preliminary results showed a 1cm to 10cm increased afflux impact on Wee Waa Road and 1cm to 5cm impact for the Millicent Drive residential area for the 1% Annual Exceedance Probability (AEP) event

IR have maintained that their target for all projects is to limit the afflux on existing buildings to 10mm (1cm). The results show some buildings having an afflux of between 1cm and 5cm. Discrepancies between N2N's flood modelling and Council's flood modelling were also apparent, potentially due to different LIDAR data used.

The Flood Committee concluded to continue to hold discussions with the IR N2N project team regarding flood impacts on the township of Narrabri with the hopes of mitigation any negative flood impacts on the local community. However, the Committee do not feel that IR have been as transparent as Council with regards to facilitating the sharing of information with the view to ensure potential flood impacts caused by the N2N project are mitigated.

While the IR N2N project team may have carried out various community consultation activities on the project in Narrabri and with Narrabri residents, such impacts as the increased afflux during the 1% AEP flood event were never discussed with landowners, even those who would be affected by the predicted afflux. The Flood Committee is extremely concerned with this lack of transparency by

EXTRAORDINARY COUNCIL MEETING AGENDA

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IR to its residents and feels that this is in contravention to the NSW Government's Flood Prone Land Policy and the Floodplain Development Manual.

The Flood Committee is further troubled that IR refused its's numerous requests to include Mulgate Creek and local tributary flooding in their model and therefore flood impact assessment for the EIS. On 23 November 2020 Council received the following comments from IR's Design Manager, Joel Acosta;

"We checked the schedule to see if we could add it without impacting the EIS submission date, but unfortunately it was not possible..... The updated flooding and hydrology assessment report will be included in the Submissions and Preferred Infrastructure Report (SPIR) in 2021. As the name suggests, that is the document where Inland Rail will have to reply to all the formal submissions received during the EIS public exhibition period. For this particular example, Council will add a submission requesting Mulgate Creek scenario to be included, and Inland Rail will reply "done, please refer to updated document".

Council should request that:

- Mulgate Creek and local tributary flooding be investigated in the detailed design flooding and any changes to the conclusions made in the EIS be put out again for public exhibition.
- Flood mitigation measures form part of the conditions of consent for the Project to ensure that impacts on buildings and properties are appropriately managed.
- Council asks that all necessary flood modelling be undertaken to confirm the extent of any impacts on properties and that all necessary flood mitigation measures are implemented to ensure that impacts are appropriately managed and that these be required as a condition of consent.

IR be require to investigate any potential opportunities to mitigate flooding for towns within the project area through the alignment of the project or other works as a

Social and economic impact

Council has consistently been a strong advocate for IR to the point that it is developing an industrial activation estate called the Northern NSW Inland Port (N2IP). A part of the strategic intent of IR is to assist communities that the IR infrastructure traverses to leave legacy items for current and future generations.

The EIS concludes that the key potential benefits of the Project include:

- Increased employment opportunities through demand for construction and operation workforce and business opportunities through demand for goods and services mainly during the construction phase.
- Potential of reduced freight road traffic along regional and local roads as some freight would be transported by rail during operation.

The possible adverse social impacts include:

- Impacts on properties and landholders due to property acquisition and land access required during construction.
- Altered access during operation for some rural properties due to fewer level crossings, and associated potential impacts to agricultural operations.

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- Amenity impacts due to changes in noise levels, air quality, views and landscape during construction and operation.
- Potential stresses in range of areas, including but not limited to the following:
 - i. Education and training
 - ii. Medical
 - iii. Policing
 - iv. Childcare
 - v. Ambulance
 - vi. Private enterprise businesses
 - vii. Miscellaneous government departments.

Council should request that:

- Landholders are provided with a level playing field and fully consulted in any property acquisition and land access discussions and that as far as is reasonably practicable the operation of rural properties is not detrimentally effected by operation of the IR.
- IR initiate and lead a whole of government task force to address the very real local government and community concerns of the N2N project.
- The IR infrastructure grade when separates over the Walgett Branch Line, it does so at a height that allows for double stacking from the N2IP site.
- Infrastructure is included in the project to facilitate access in a northerly and southerly direction directly from the Walgett Branch Line.
- The multi-function site compound proposed to be developed at Narrabri West be repositioned to Council's N2IP site. This to include the following:
 - i. IR's multi-function offices and amenities building
 - ii. Laydown areas
 - iii. Materials storage
 - iv. Fixed and mobile concrete batching facilities
 - v. Fuel and hazardous materials storage
 - vi. Maintenance facilities
 - vii. Welding yard
- Strategic water bores be positioned to allow community organisations like the NSW Rural Fire Service to access water to fight forest fires. Further community benefits could be attained by providing water supply for residential consumption and to Council's N2IP site for commercial/industrial usage and economic growth.
- All existing surplus residential rooms available at CIVEO be taken up prior to the development of any new facility. If a new facility is required, then strong consideration should be given to the legacy aspect of that development. Therefore, a temporary workforce accommodation facility should be designed, situated and constructed to allow for the

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potential future use as an aged care facility, motel accommodation or units etc. Council requests that it be consulted to ensure the most appropriate design and location is established for this potential long-term, community benefit.

FINANCIAL IMPLICATIONS

Draft damage estimations calculated show the following results for a 1% AEP flood in Narrabri;

- i. Regional Flooding (Namoi River):
 - There are in excess of 2,190 flood affected buildings, of which;
 - Over 900 residential buildings would be inundated above floor level, and
 - Over 300 non-residential buildings would be inundated above floor level.
 - The total flood damage costs would be in the order of \$137 million (excluding road, bridge and agricultural flood damages).
 - 96% of the flood damage costs are associated with residential properties.
- ii. Local Flooding (Mulgate Creek and Long Gully):
 - There are in excess of 180 flood affected buildings, of which;
 - Over 130 residential buildings would be inundated above floor level, and
 - Over 40 non-residential buildings would be inundated above floor level.
 - The total flood damage costs would be in the order of \$24 million (excluding road, bridge and agricultural flood damages).
 - 97% of the flood damage costs are associated with residential properties.

The above estimates do not take in to account the increased afflux predicted by the installation of the IR N2N section of rail immediately downstream of the township of Narrabri in its proposed alignment.

Estimates of damage to and/or relocation of Council owned infrastructure is unable to be determined using the information provided by the proponent.

STATUTORY AND POLICY IMPLICATIONS

Nil.

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CONSULTATION

The Environmental Impact Statement (EIS) for the N2N project is currently on public display from Tuesday 8 December 2020 to Sunday 7 February 2021.

External Consultation

- Council has participated in the Narromine to Narrabri (N2N) Community Consultative Committee (CCC) since its inception and is represented by Deputy Mayor Staines.
- The Flood Committee.

Internal Consultation

The Planning Proposal has been prepared incorporating input and advice from relevant sections across Council. Including but not limited to;

- Bill Birch, Manager Economic Development.
- Michael Davis, Manager Waster Services.
- Anthony Smetanin, Manager Design Services.
- Sue Jackson-Stepowski, Heritage Advisor.
- Erika Dawson, Assessment and Monitoring Coordinator.

Inland Rail – Narromine to Narrabri Project
Environmental Impact Statement

NARRABRI SHIRE COUNCIL
DRAFT SUBMISSION REPORT

*Version 1.0
January 2021*

EXTRAORDINARY COUNCIL MEETING AGENDA

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Inland Rail – Narrabri to Narrabri Project – Environmental Impact Statement Submission – DRAFT

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Inland Rail – Narramine to Narrabri Project – Environmental Impact Statement Submission – DRAFT

INTRODUCTION

1. BACKGROUND

The Environmental Impact Statement (EIS) reviewed considers the potential impacts of the proposal to construct and operate the Narramine to Narrabri section of Inland Rail (‘the proposal’). The EIS has been prepared to support Australian Rail Track Corporation’s application for approval of the proposal in accordance with the requirements of Division 5.2 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act).

The proposal is State significant infrastructure and is subject to approval by the NSW Minister for Planning and Public Spaces. The EIS addresses the environmental assessment requirements of the Secretary of the Department of Planning, Industry and Environment (‘the SEARs’). The EIS was prepared based on the draft SEARs, which were finalised on 9 September 2020. The proposal is also determined to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) (EPBC Referral 2018/B259) and requires approval from the Australian Minister for the Environment.

The EIS focuses on the key assessment requirements specified by the SEARs. It is supported by specialist technical assessment reports; the proponent has requested that the proposal be declared by the Minister for Planning and Public Spaces as critical State significant infrastructure under section 5.13 of the EP&A Act.

2. AIM

The report aims to provide details of the Narrabri Shire Council response to the Environmental Impact Statement (EIS) for the Inland Rail – Narramine to Narrabri Project.

The aim of this submission is not to examine the complex scientific information in great detail or specific modelling methods involved in the project but rather to identify any potential issues that may directly or indirectly impact Council or Narrabri Shire or the surrounding community. Council is relying upon the Department to have more critical sections of the EIS peer reviewed by independent experts in relevant fields and for those peer reviews to be available to the community for review.

This document has been prepared to raise with the Department any concerns that Council and community representatives have with regards to the project and its potential impacts on the amenity, economic development and environment.

3. METHODOLOGY

Council has extensively review the EIS with chapters being considered by the relevant department professionals within Council. It should be noted that Council does not have the technical capability to deal with complex issues such as ground water system interconnectivity and human health impacts. Council has simply identified issues that warrant further investigation and/or agreement due to their importance in the local area.

Council are reliant on the relevant consent authorities to provide technical guidance and

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appropriate rigorous review of the more complex science upon which the industry relies in their determination of the application.

CHAPTER REVIEW

1. ROUTE ALTERNATIVES AND OPTIONS

KEY CONCERN/S:

- The proposed route does not provide an optimum outcome for Narrabri Shire. It is imperative that the serious omissions from the EIS be adequately addressed. Further that to realise a benefit to Narrabri Shire and its surrounds, Council respectfully requests that the proponents be required to demonstrate that:
 1. the rail operations will not negatively impact on the local community, by ensuring (1) all rail infrastructure is located outside the higher density commercial and residential areas; and (2) all construction impacts are mitigated and any residual damage to the road network is repaired;
 2. the rail infrastructure does not increase the flooding; and
 3. all construction infrastructure and services setup are located so that should Narrabri Shire be able to benefit from their ongoing use, ownership is transferred to Council.

OBSERVATIONS:

While it is acknowledged that considerable time and effort has been expended on determining a suitable route it is clear from our (1) flood modelling; (2) road network; and (2) future development that the route proposed is not optimised for the local community.

Furthermore, due to its proposed location, Narrabri will have significant impacts to the extent that several properties will be worse off.

It was expected that the Inland Rail N2N would have a positive overall nett outcome for our Shire and while this is possible in many cases that opportunity has not been realised.

Appendix A offers a flood map to show the extent of the issue that needs to be addressed and unfortunately not only does the EIS statements not concur with this modelling, there is insufficient information provided for an assessment of the routes to provide any comment.

In a location immediately downstream of the Narrabri Township and crossing the Namoi River Floodplain in the widest location available. It seems counter-intuitive to cross Bohena Creek with a bridge near the Newell, then the Namoi River, the Island Road floodplain, Narrabri Creek and the floodplain between Wee Waa Road and Auscott Sheds, with a enormous bridge immediately downstream of the town, rather than going downstream.

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and crossing these with one structure less than half the length of the existing small bridge across the Namoi and Narrabri Creek.

The following benefits may be achieved with such an alignment:

- I. There is no bridge over Bohena Creek near the Newell Highway;
- II. There is no need to squeeze past Bohena Creek again 5.7 kms past the proposed Bohena Creek Bridge;
- III. There is no need to cross Spring Creek near this same location;
- IV. The crossing of the Namoi River is now downstream of where the Namoi River, Narrabri Creek and Bohena Creek join and the bridge length required can be shortened by around 2.0 kilometres compared to the bridge length required at the current location on the edge of town;
- V. There are no flooding and/or noise issues or land valuation reductions on the north-western edge of Narrabri Town;
- VI. Access requirements to the Narrabri Sewage Treatment Plant across the line is no longer required and the Stock Route access is simplified;
- VII. There is no longer any need to drag the large trains up over Knights' Hill opposite the Wheat Research Station;
- VIII. Potential cost savings in construction cost and costs to Narrabri Residents;
- IX. Potential shortening of track distance by approximately 4km;
- X. Nil disruption from noise on the edge of Narrabri; and
- XI. Most importantly, the removal of any potential flood impacts on the township of Narrabri.

2. STAKEHOLDER ENGAGEMENT

KEY CONCERN/S:

- The alignment can not be confirmed by the proponent as there has been insufficient consultation with Narrabri Shire Council to gain agreement on the local interfaces with the proposed alignment.

Further consideration is required to ensure that:

- a) The significant amount of assumptions made by Inland Rail on many local issues are agreeable with the asset owner such as;
 - i. the use of local roads,
 - ii. the identification of any potential local heritage items and discussions with heritage practitioners, historical societies and the like.
- b) All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

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- c) There is no use of the existing rail line through the residential sections of town. No approval for use of this section of track should be issued until such time as the EY submission is finalised.
- d) The proposed temporary construction camp is subject to the same conditions as those applied to the MAC (CIVEO) development.
- e) The proposed Narrabri borrow pit may require a Development Application from the property owner prior to use.

3. BIODIVERSITY

KEY CONCERN/S:

- The extent of vegetation clearing is excessive and there is no justification given to support this approach nor is there a Vegetation Management Plan to assess.

OBSERVATIONS:

The proposed project includes a large amount of vegetation to be removed. The number of hollow bearing trees to be removed (13,000-30,000 estimated) is considered excessive, it is therefore imperative for the proponent to ensure appropriate consultation is made with all relevant stakeholders prior to any vegetation being removed, and that all legislative requirements are adhered to.

4. FLOODING

KEY CONCERN/S:

- Even with data being made available, the flood modelling and subsequent conclusions are incorrect, as the model does not appear to include the impact of the rail on Mulgate Creek flooding of properties.
- Some of the assumptions are not consistent with recommendations in Australian Rainfall & Runoff (ARR 4th edition) Guidelines.
- The stated design criteria has not been used in determining the alignment.
- The flood level impacts at residential and commercial properties shown in the EIS would suggest that the proposed N2N alignment and design would not comply with the Narrabri Local Environmental Plan 2012 (LEP).
- Despite the reported increased flooding impact during construction, no suitable mitigation measure has been proposed.
- The impact of the rail on Mulgate Creek flooding of properties was not calculated by the proponent and needs to be included.
- The detrimental flooding impact on Narrabri Shire properties is not acceptable to Council.

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OBSERVATIONS:

- a) Table 1 shows the number of buildings within Narrabri showing that the rail impact would increase above floor level flooding by more than 10 mm. The results have been separated by properties flooded by Bohenia Creek and by Namoi River. The impact of the rail on Mulgate Creek flooding of properties was not calculated by the proponent.

Table 1 - No. buildings subject to above floor flooding and impacted by more than 10 mm for Bohenia Creek and the Namoi River

Source	No. of buildings subject to above floor flooding and impacted by more than 10 mm ^a							FMP
	10% AEP	5% AEP	2% AEP	1% AEP	1% AEP +CC	0.5% AEP	0.2% AEP	
Bohenia Creek	0	29 (35)	29	29 (47)	25	20	294	400
Namoi River	0	8 (14)	20	22 (133)	53	34	245	5,880

^a Numbers in brackets refers to the buildings flooded for the construction phase

- b) The flood impact of the rail is potentially underestimated. Research by TUFLOW suggests that both form loss coefficient and a blockage factor should be used. The proponent has only used a form loss for the bridge impact assessment. The inclusion of a conservatively low blockage factor of 5% would increase the number of properties impacted by the rail.
- c) The proponent has assumed that the bridge piers would not accumulate debris and cause additional blockage, which is not consistent with recommendations in ARR. The inclusion of additional 5% debris blockage (total 10%) would further increase the flood afflux and the number of impacted properties.
- d) It is critical the modelling is corrected to properly reflect the impact of Mulgate Creek flooding. The most recent three floods in Narrabri, which caused above floor flooding, has been from Mulgate Creek. Mulgate Creek flooding generally occurs with minimal Namoi River flows. Modelling of the local Mulgate Creek catchment excluding Namoi River flows shows that the rail (assuming 5% blockage of the piers) would cause flood impacts on a number of properties along Wee Waa Road.
- e) The number of properties that would be flooded above floor level under existing conditions both within Narrabri and along Bohenia Creek has been grossly overestimated.
- f) For the Namoi River, the number of buildings flooded above floor level estimated by the proponent is some 4 times higher for the 5% AEP event and some 3 times higher for the 1% AEP when compared to the numbers estimated for the Narrabri FMP. The reasons for the discrepancy are not clear. However, the overestimation tends to suggest that the flood level impacts are not significant when compared to the existing problems.

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- ii. Along Bohena Creek, the proponent estimated some 72 buildings flooded above floor level by the 20% AEP event and 199 buildings for the 5% AEP event. This is not consistent with local observations and is not likely correct. It appears that the proponent have not considered the recorded flows at the Bohena Creek gauge when defining their design discharge estimates. For instance, the proponent's 20% AEP discharge estimate of 1,392 m³/s is about 2.8 times the largest flow recorded at the Bohena Creek gauge over the past 25 years. The use of this data would significantly reduce design discharges and the number of properties flooded above floor level under existing conditions along Bohena Creek.
 - iii. the proponent have predicted more properties potentially impacted during the construction phase. Although these impacts would only occur if a flood event occurred during the construction phase, the number of potential properties is significant.
- f) The EIS states that the proponent have adopted the following afflux (flood level impact) performance criteria when designing the rail (Table 3.1 of Technical report 3) for events up to and including the 1% AEP event:
- i. Afflux less than 10 mm for:
 - properties flooded above the habitable floor level;
 - sensitive infrastructure; and
 - highways and sealed rural roads.
 - ii. Afflux less than 200 mm for urban and recreational areas.

Table 1 shows that the the proponent rail design does not comply with their own design objectives with afflux exceeding the criteria at multiple properties. They have also not provided any justification for not meeting their own non-compliance. Meeting their design objectives could be met by relocating the rail downstream or extending the rail viaduct to the north.

- g) The proposed rail embankment crosses the Lower Namoi Valley floodplain, which is a declared floodplain under the Water Management (General) Regulation 2018. Under this plan, any flood works on the floodplain are regulated by the Floodplain Management Plan for the Lower Namoi Valley Order 2020 issued under the *Water Management Act 2000* (FMP). A 'flood work' within the FMP means a work that is:
- i. situated in or in the vicinity of a river, estuary or lake, or within a floodplain, and is
 - ii. of such a size or configuration that (regardless of the purpose for which it is constructed or used), it is likely to have an effect on the flow of water to or from a river, estuary or lake, or the distribution or flow of floodwater in times of flood.

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- h) the proponent has stated that the rail is NOT a 'flood work' as defined by the FMP. However, the N2N rail embankment on the Namoi River floodplain would appear to fit within this definition and therefore would be a flood work. Although the project is a State Significant project and is not subject to the conditions of the FMP, it would be expected that the Minister would need to consider these criteria for this type of flood work. Under the FMP, the proposed works within the AD zone would generally not be permitted. The works in the B, C and CU management zones stipulate that the Minister would need to consider (amongst other criteria) whether the flood works would likely:

- i. increase flood levels by greater than 20 cm on adjacent landholdings and other landholdings; and
- ii. increase flood levels resulting in impacts on high value infrastructure (buildings).

The EIS demonstrates that the N2N rail does not comply with either of these criteria in Narrabri Shire from the Namoi River or Bohen Creek.

- i) The proposed N2N rail is located within the Narrabri Flood Planning Area as given in the Narrabri Local Environment Plan 2012. LEP states that *"is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties"*. The flood level impacts at residential and commercial properties shown in the EIS would suggest that the N2N would not comply with the Narrabri LEP.
- j) A Floodplain Management Plan has recently been completed for Narrabri Shire (Narrabri FMP). The current recommendation within the Narrabri FMP being considered by Council would mean that the proposed rail would not be approved as it proposes flood impacts exceeding 10mm on external property.

5. HERITAGE

KEY CONCERN/S:

- The majority of the conclusions made are based on desktop reviews and existing literature by the same authors.
- Consultation with local heritage practitioners, historical societies and the like, has been missed.
- No previous heritage studies completed by Council have been referenced.
- Any potentially impacted site requires more input/history from locals and/or any descendants to determine if the alignment is acceptable.

OBSERVATIONS:

- a) It is stated that during the field survey, and also the borrow pit investigation, that sites and/or artefacts were identified from roadways or by using a desktop only assessment and that *"consequently, thorough inspections were not able to be*

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undertaken". Ground-truthing of this information was not undertaken throughout the entire investigative process.

The information presented in the EIS is confusing, noting in separate sections that visual assessments were undertaken around key construction infrastructure, and also that no site visits occurred.

Majority of the conclusions made are based on desktop reviews and existing literature by the same authors. Consultation with local heritage practitioners, historical societies and the like has been missed. No previous heritage studies completed by Council have been referenced.

- b) The NSW Resource and Conservation Assessment Council commissioned Pauline Curby and Andrea Humphreys to undertake a Non-Indigenous Cultural Heritage Study for Stage 2 of the Brigalow Belt South Bioregion in 2002 (Curby and Humphreys, 2002). Categorised into forestry areas, the study found a total of 188 heritage items. Of those, the following eight sites are located within or in close proximity to the current study area:

- i. Item No. 140 – Fire Tower Ruins (Pilliga East State Forest (SF));
- ii. Item No. 142 – Robinson Hut Ruins and Rubbish Dump (Pilliga East SF);
- iii. Item No. 143 – Dam Dug by Hand (Pilliga East SF);
- iv. Item No. 148 – The Albes Picnic Site and pastoral station (Cumbil SF);
- v. Item No. 150 – Graves: Samuel Cormie d.1872 and unknown (ref Narrabri LEP as 'Aloes Well');
- vi. Item No. 151 – Rocky Creek Mill Site (Euligal SF)
- vii. Item No. 152 – House Site (Euligal SF)
- viii. Item No. 153 – Grave (Euligal SF).

Only the general locations of these items were given in this report. One of the tasks of the field surveys for the current proposal was to ground truth these items.

- c) With regards to Travelling Stock Route land, outdated documentation is referenced.
- d) No reference is given to any potential heritage impacts of the proposed construction and accommodation compound/s.
- e) It is noted that project specific management plan/s, including heritage management plans are yet to be written or made accessible. Council requests input into the development of these plans. It is further requested that Council have input and the ability to review draft interpretation prior to final production of any sign within the Narrabri Shire and all associated web site content.
- f) Council requests thematic survey of the proposed alignment be carried out and provided to Council. All identified cemeteries and isolated grave sites are to be surveyed and inventoried. Details of the removal of any graves/cemeteries is to be provided to Council before any such removal takes place. A Heritage Interpretation

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Strategy is to be prepared particularly where heritage items are proposed to be removed or archaeology site excavated.

- g) It is requested that a copy of the archival photographic recording of the "two-storey barn, Bohena Creek", to given to Council for its records. The heritage assessment has not considered 'scarcity or rarity' of 19thC and early 20thC heritage places. For example; how scarce is the barn locally, regionally or Statewide?
- h) It is noted that the natural world has not been considered as part of 'heritage' in this assessment unless noted under a specific piece/s of legislation or policy. For example: under visual assessments, or Bridge Aesthetics: design guideline to improve the appearance (and curtilage) of bridges in NSW Technical report Landscape and Visual Assessment.
- i) There is no heritage assessment of 'cumulative impacts' within the Shire. Cumulative impacts are solely "defined as the successive, incremental, and combined effect of multiple impacts, which may in themselves be minor, but could become significant when considered together". However, this is only taken as a consequence of other major projects under construction, and only considered if in combination with 7 other major infrastructure developments within the area and in terms of scale and timing. For example; Narrabri Gas Project, Silverleaf Solar Farm, Narrabri Inland Rail – Narrabri to North Star, APA - Western Slopes Pipeline, wind farms. This is not, and is rather entirely different to, general heritage assessment and not considered as part of heritage best practice.

6. TRAFFIC AND TRANSPORT

KEY CONCERN/S:

- The Concept Design referred to in the EIS has not been issued to Council for review which is necessary to make a response to the EIS.
- It needs to be clear that the haul road is accessed off the Newell Highway to minimise the impact to local residential streets.
- No opportunity has been provided to input regarding the design to ensure the proposal is acceptable.
- The EIS states that "Access for trains travelling from west to north is possible via the existing track through Narrabri" despite Council's previous objection to this. No details of how unacceptable impacts will be mitigated are provided.
- The EIS states that "Construction traffic access routes have been developed to minimise the impact to the road network and major population centres" however no details are provided in the EIS nor has Council been consulted.
- There is insufficient traffic analysis and consultation acknowledged by the EIS to confirm routes and impacts on the transport network making it imperative that a *Traffic, Transport and Access Management Plan* is required and approved by Council as a pre-requisite to the project approval.

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- The EIS implies that the location of the workforce accommodation camp has been agreed. As it is yet to be finalised it is imperative that a location be agreed prior to the project commencement as the associated permanent infrastructure and services needs to provide an ongoing benefit and not displace or detract. It is expected that the site is subject to the same conditions as those applied to the MAC (CIVEQ) development.
- A significant increase in traffic (specifically heavy vehicles) on the network is proposed. Accordingly, pavement testing will be required on any local road that is proposed as a construction route and a contribution be made by the proponent for maintenance and repair.

OBSERVATIONS:

Technical Report 10 – Traffic and Transport Assessment

- Page ii – This section states *“Additional traffic generating construction activities would include the delivery of water, spoil and plant and equipment. Movements associated with these activities would mainly travel via the construction haul road which would run along most of the proposal site with gated access to public roads.”*
A condition is required to ensure the haul route is accessed off the Newell Highway to minimise the impact to local residential streets.
- Page iii – This section states *“Input would be sought from relevant stakeholders (including local councils and, Transport for NSW) prior to finalising the detailed design of those aspects of the proposal...”*
To date there has been no request for input regarding the design to ensure that comments on the design are received.
- Page 9 – Figure 1.3b – This diagram indicates the location of a proposed borrow pit (Borrow Pit D) located along Perimeter Road. Details on the volume extracted from the borrow pit are required as this may require a Development Application from the property owner to be submitted.
- Page 53 – Table 5.1 states *“Access for trains travelling from west to north is possible via the existing track through Narrabri”*.
Council has already objected to this option and is currently working with EY to resolve the issue. No approval for use of this section of track should be issued until such time as the EY submission is finalised.
- Page 59 – This section states *“For the duration of construction, public roads would be used as access routes to transport people and materials to the proposal site.”*
All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

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- f) Page 65 – Table 5.5 identifies the predicted number of vehicles that will access the local road network during construction. This table indicates a total of 374 vehicles.
- All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.
- g) Page 68 – Table 5.6 identifies the proposed construction access routes and nominate the following local roads: Mooloobar Street, Yarric Lake Road, Gibbons Street, The Island Road, Old Gunnedah Road, Saleyards Lane (and other roads forming part of the Newell and Kamilaroi Highways). These roads front the hospital, aged care and alike suggesting that no consideration has been given to the impact of using local roads. Sensitive uses and emergency access routes must be avoided.
- All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing and should form part of determining the Traffic Management Plan consultation.
- h) Page 69 – This section states *"Public roads would be used for travel between the source/origin and the nearest haul road access point."* Local streets should only be used where no alternative is permissible. It is recommended that the haul road is accessed off the Newell Highway where accessible.
- i) Page 83 – This section states *"Prior to planning the use of any local roads, consultation with the council would be undertaken to determine their suitability for use."* *"Prior to construction an existing pavement condition survey would be undertaken on all impacted roads."* Currently there is no detail sufficient to ensure that no construction approvals (e.g. Section 138) are issued until such time as the condition survey is completed. It should also be noted that this condition survey needs to be conducted with the assistance of Narrabri Shire Council officers, as some pavements may need upgrading prior to use by construction traffic.
- j) Page 97 – Table 7.2 states *"A traffic, transport and access management plan would be prepared and implemented as part of the CEMP."* This is a key document in finalising any traffic and transport related issues and needs to be reviewed by Council prior to construction.
- k) Page 101 – This section states *"It is recommended that a traffic, transport and access management plan be produced to guide the interaction of construction activities with the public road network. The plan should be prepared in consultation with the local councils, bus and other transport operators and Transport for NSW and be subject to periodic review and update as agreed between the stakeholders."* This is the most important statement in the entire document. Council needs to ensure that council officers are involved in the development of this plan (which is yet to commence).

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Chapter A7 – Proposal features and operation

- a) *Page A7-2 – This section states "Design work to date has involved producing a reference (also known as a concept) design." This concept design has not been issued to Council for review.*
- b) *Page A7-2 – This section states "Detailed design would include further engineering, construction planning and detailed assessment work, and would be subject to further input from key stakeholders and the community." This is yet to occur, and consultation should be occurring at the concept stage before it enters the detailed design phase.*
- c) *Page A7-7 – Table A7.1 "Narrabri to Walgett Line: The proposal would cross the Narrabri to Walgett Line on a bridge to the west of Narrabri. About 1.8km of new track would be provided to allow trains from the west to access the proposal and travel south. Access for trains travelling from west to north is possible via the existing track through Narrabri." Council has already objected to this option and is currently working with EY to resolve the issue. No approval for use of this section of track should be issued until such time as the EY submission is finalised.*

Chapter A8 – Construction of the proposal

- a) *Page A7-2 – This section states "Design work to date has involved producing a reference (also known as a concept) design." This concept design has not been issued to Council for review.*
- b) *Page A8-24 states "The proposed locations were identified in consultation with councils..." These negotiations regarding the location of the workforce accommodation camp have yet to be finalised (e.g. possible use of the NZIP site).*
- c) *Page A8-24 states "Each temporary workforce accommodation is expected to operate for the duration of construction and accommodate up to 500 people." This site should be subject to the same conditions as those applied to the MAC (CIVEO) development.*
- d) *Page A8-31 states "The existing public road network would be used for external delivery of all materials from commercial suppliers and borrow pits, and for the movement of the workforce." All construction traffic must utilise the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.*
- e) *Page A8-32 states "New access from public roads would be provided via a new temporary connection. All connections to public roads would be designed to the appropriate standard and in consultation with the road manager." Access to local roads should be kept to a minimum, however where this is the only alternative for access temporary intersections/vehicle access points shall be constructed in accordance with Council specifications.*

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Chapter B11 – Traffic and transport

- a) Page B11-11 states *"Narrabri – up to 82 light vehicle movements and 336 heavy vehicle movements per day."* This is a significant increase in traffic (specifically heavy vehicles) and pavement testing will be required on any local road that is proposed as a construction route to ensure the pavement can withstand this impact. All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.
- b) Page B11-12 states *"To minimise the potential for traffic and access impacts, short-term closures would be undertaken during the night..."* Road closures will be subject to review and will require alternate access (e.g. detour, side-track, stop/slow) for local traffic.
- c) Page B11-12 states *"The remainder of the surrounding road network is not expected to be significantly impacted by construction traffic. This is because the roads have sufficient capacity to absorb the increased traffic..."* The proposed traffic volume increases will have an impact to local traffic, and the road pavement will be subject to additional stresses that it may not have been constructed to withstand. Pavement testing will be required on any local road that is proposed as a construction route to ensure the pavement can withstand this impact. All construction traffic must utilise the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.
- d) Page B11-12 states *"Construction traffic access routes have been developed to minimise the impact to the road network and major population centres."* These routes have not been identified in the report and consultation with Council on the use of these roads has not been undertaken.
- e) Page B11-13 states *"...access would be provided from secondary roads where practicable to minimise potential disruptions on the arterial road network."* This has not been consulted with Council, and all construction traffic must utilise the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

7. LAND USE AND PROPERTY

KEY CONCERN/S:

- Council has not been consulted in its role of Land Owner other than the receipt of a notification.
- There has been no discussion on utilities, network service severance and whether it is possible to maintain the existing services. It is assumed that the proponent will undertake a 'Utilities Investigation' similar to the road audit they are currently

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completing, as part of the detailed design which includes gaining agreement on a suitable approach to maintain all services.

- The EIS does not appear to address conflicts of use whereby an adjoining land owner (to the route) is adversely affected by the construction and/or operation of the rail and its infrastructure such as redirection of water flows, redirection of air flow, dust and noise. This needs to be addressed prior to completion of the detailed design.
- Due to the resultant lot size of residual land it may be necessary to limit future uses. For example, a small lot may not be commercially viable and therefore it proposed to be used as 'lifestyle/ rural residential in an area not suitable for such development. Council therefore may require such lots to be amalgamated and/or rezoned before being made available for sale. Accordingly, all resultant lot sizes must comply with the zoning and approval must be sought from Council before any non-compliant residual land is made available for sale.
- Mitigation measure - *opportunities to refine the design to avoid construction footprint impacts on travelling stock reserve R9489 'Narrabri West' would be investigated* should be clarified to provide more certainty that current and future uses can be maintained after construction.
- There is little evidence of the consideration of maintaining or enhancing pedestrian and recreational connectivity. This needs to be considered and opportunities to improve liveability factors such as land use, built form, quality and conservation of public spaces and natural environments, cultural characteristics, efficiency of transport networks, accessibility to work, education, health and community services and social and recreational opportunities should be included.

8. LANDSCAPE AND VISUAL AMENITY

KEY CONCERN/S:

- There is insufficient information in the EIS and available in the public domain to adequately assess the landscape and visual amenity. While there is now mock aerial images available (outside the EIS) this does not replace the need for Landscape Sectional and Perspective Plans nor Landscape Management Plan to be submitted for approval. Council requests the opportunity to review and comment on these Plans.

OBSERVATIONS:

It is unclear what the proposed treatment for crossing of the Narrabri-Walgett Line would look like. There does not appear to be any information on this. The visual impact assessment certainly doesn't address it.

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The assessment shows an indicative bridge over Yarrie Lake Road (figure B13.5), but nothing for the rail crossing.

9. WASTE MANAGEMENT**KEY CONCERN/S:**

- No consideration of the proposed waste management can be undertaken as there has been no consultation nor details of the *Waste Management Plan* found in the EIS.

OBSERVATIONS:

The EIS states that:

- i. The waste management plan will define the processes, responsibilities and management measures that would be implemented to manage waste. This would include procedures for the assessment, classification, management and disposal of waste in accordance with the Waste Classification Guidelines.
- ii. Waste management during construction and operation will follow IR procedure and relevant environmental protection licenses and regulatory requirements.
- iii. Inland Rail will engage appropriately licensed waste contractors to manage the collection, recycling or disposal of waste. Contractors will also be required to provide evidence of the works compliance with legislative requirements, conditions of approval and standards and guidelines.

Council's responsibilities for waste management require greater control over the transportation and disposal of waste.

No consultation has been undertaken with Council regarding the Waste Management Plan (WMP). In developing the WMP the following minimum information needs to be adequately addressed:

- i. Nomination of the disposal site.
- ii. Record of the volume of each waste type being transport by the contractor.
- iii. Contractor proof of disposal at the nominated site including evidence of disposal, including tax invoice.
- iv. A procedure for how payment will be made to the Council.

10. SOCIO-ECONOMIC ASSESSMENT & CUMULATIVE IMPACTS

The additional projects identified in the table below will affect the socio-economic assessment and cumulative impacts of the Narramine to Narrabri development.

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Project and status	Nature of potential cumulative impacts
Narrabri South Solar Farm	<ul style="list-style-type: none"> Construction expected to take 12 months. Start period proposed to be third or fourth quarter of 2021. Majority of labour expected to be accessed from local and regional catchment.
Shenhua Watermark Coal Project	<ul style="list-style-type: none"> Construction expected to take 18 months. Start period proposed to be second quarter 2021. Specialist and non-specialist labour to be drawn from a wide catchment of which Narrabri Shire will be one.
Narrabri Underground Mine Stage 3 Extension	<ul style="list-style-type: none"> Construction expected to take over 2 years. Start period proposed to be second quarter 2022. There will be a potential draw on construction materials from the region.
Vickery Mine Project	<ul style="list-style-type: none"> Construction expected to take 2 years. Start period proposed to be third quarter 2022. There will be a potential draw on construction materials from the region.
Perdaman	<ul style="list-style-type: none"> Construction expected to take 4 years. Start period proposed to be for the first half of 2023. Majority of labour expected to be accessed from local and regional catchment. There will be a potential draw on construction materials from the region.
Northern NSW Inland Port	<ul style="list-style-type: none"> Initial construction expected to take approximately 2 years. Start period proposed for the third quarter of 2023. Majority of labour expected to be accessed from local and regional catchment. There will be a potential draw on construction materials from the region.

The Inland Rail organisation require everyone who works on their projects to attain certain tickets or undertake training to be able to work in the rail corridor. An example being the Rail Industry Safety Induction. To ensure local training organisations can deliver the upskilling required, an assessment of current capabilities should be undertaken. This will ensure that any local person who wants to benefit from the construction of Inland Rail will not be hindered by not being able to access basic and required training.

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Within the Narramine to Narrabri EIS Project Summary of Findings additional key infrastructure is proposed, namely a Borrow Pit at Perimeter Road and:

1. A multi-function compound at Narrabri West
2. Temporary workforce accommodation within the Narrabri West multi-function compound

As discussed with all levels of Inland Rail representatives from the CEO (Richard Wankmuller) Duncan Mitchell (Project Director) and his team, Narrabri Shire is in the process of developing an employment precinct, the Northern NSW Inland Port (N2IP). A part of the strategic intent of Inland Rail is to assist communities that the Inland Rail infrastructure traverses to leave legacy items for current and future generations.

Therefore, it is recommended that the multi-function site compound proposed to be developed at Narrabri West be repositioned to Council's N2IP site. This is to include the following:

- Inland Rail's multi-function offices and amenities building
- Laydown areas
- Materials storage
- Fixed and mobile concrete batching facilities
- Fuel and hazardous materials storage
- Maintenance facilities
- Welding yard, etc

A further important legacy item to benefit the whole of the Narrabri community is that of access to water. It is proposed that strategic water bores be positioned to allow community organisations like the NSW Rural Fire Service to access water to fight forest fires. Further community benefits could be attained by providing water supply for residential consumption and to Council's N2IP site for commercial/industrial usage and economic growth.

In relation to the temporary workforce accommodation it is proposed that existing surplus rooms be taken up prior to the development of any new facility. If a new facility is required, then strong consideration should be given to the legacy aspect of that development. Therefore, a temporary workforce accommodation facility should be designed, situated and constructed to allow for the potential future use as an aged care facility, motel accommodation or units etc. Council requests that it be consulted to ensure the most appropriate design and location is established for this potential long-term, community benefit.

Apart from the direct cumulative impacts of labour and accommodation, stresses will be felt in a range of other areas, including but not limited to the following:

- Education and training
- Medical
- Policing
- Childcare
- Ambulance
- Private enterprise businesses

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- Miscellaneous government departments

In an effort to address these wide ranging and broad community issues, it is proposed that Inland Rail initiate and lead a whole of government task force to address these very real local government and community concerns.

Table on Page 51 of the Narraminy to Narrabri Project, Summary of Findings states that the benefits of Inland Rail are:

- Offering better access to and from regional markets
- Enabling regional economic development along the Inland Rail corridor

Council has consistently been a strong advocate for Inland Rail to the point that it is developing an industrial precinct, the Northern NSW Inland Port (N2IP). This development is situated within 4 kilometres of the Inland Rail corridor and will be used to attract businesses to the Shire that want access to Inland Rail to send their product to major cities like Brisbane and Melbourne and/or from there, export to the world. However, when the Inland Rail infrastructure grade separates over the Walgett Branch Line, it does so at a height that does not allow for double stacking from the N2IP site. Council believes that the raising of the Inland Rail line is not only a viable proposition but by doing it now will eliminate future retrofitting and associated infrastructure costs. Council has raised this repeatedly with the Inland Rail organisation as the height (being less than needed for double staking) appears to be a design flaw that needs to be rectified to allow not only Narrabri Shire and Inland Rail but the broader north west region opportunity to maximise the development of this new rail infrastructure.

The three levels of government in Australia are committed to the N2IP development with the Federal and State governments allocating a combined total of \$24.61 million in infrastructure funding for the project.

The following is stated in the Federal Government's Statement of Expectations:

"The Government considers that the development of infrastructure that is complimentary to Inland Rail will be important to achieving the project benefits".

Council believes that to assist Inland Rail achieve its project benefits, it needs to access the Inland Rail infrastructure in a northerly and southerly direction directly from the Walgett Branch Line. Narrabri Shire has been advocating for this complimentary infrastructure over an extended period of time and believes that both the Narrabri Shire community and Inland Rail will jointly benefit from this addition. By not constructing access to Inland Rail off the Walgett Branch Line means that rolling stock will be operated through the town of Narrabri. This is in stark contrast to the Commonwealth Governments Statement of Expectations which is to:

"improve sustainability and amenity for the community".

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CONCLUSION

This review assumes that the aim of this submission is not to examine the complex scientific information in great detail or specific modelling methods involved in the project but rather to identify any potential issues that may directly or indirectly impact Council or Narrabri Shire or the surrounding community.

The Department is being relied upon to have more critical sections of the EIS peer reviewed by independent experts in relevant fields and for those peer reviews to be available to the community for review.

In concluding the review of the Environmental Impact Statement (EIS) for the Inland Rail – Narramine to Narrabri Project, Narrabri Shire Council, it is noted that over twenty-seven (27) key concerns among many other observations have been identified that need to be addressed to ensure the proposal is successful.

Of particular concern is that the proposed route does not provide an optimum outcome for Narrabri Shire. It is imperative that the serious omissions from the EIS be adequately addressed, namely the erroneous flood modelling and subsequent conclusions.

Further, to realise a benefit to Narrabri Shire and its surrounds, it is highly recommended that the proponents be required to demonstrate that:

- a) the rail operations will not negatively impact on the local community, by ensuring (1) all rail infrastructure is located outside the higher density commercial and residential areas; and (2) all construction impacts are mitigated and any residual damage to the road and service networks are repaired;
- b) the rail infrastructure does not increase potential flooding;
- c) the opportunity to interface efficiently and effectively with the Inland Rail, not only from the Narrabri Inland Port, is incorporated into the design at an early stage; and
- d) all construction infrastructure and services setup are located so that should Narrabri be able to benefit from their ongoing use, ownership is transferred to Council.

11. APPENDIX A – FLOOD MODELLING MAP



8.2 NOTICE OF MOTION - SPECIAL ACTIVATION PRECINCT**Attachments: Nil****Authors: Councillor John Clements, Councillor Rohan Boehm, Councillor Robert Browning**

Councillors John Clements, Rohan Boehm, and Robert Browning give notice that at the Extraordinary Meeting of Council being held on 15 February 2022, intend to move the following motion:-

MOTION

That a Committee of Council for the Special Activation Precinct (SAP) be established by Council and that the General Manager submit a report to the 22nd February 2022 Ordinary meeting on the options and draft terms of reference for this to occur.

RATIONALE

Council has an opportunity to embrace the potential that the SAP provides to the community in terms of what it can bring to the economy, jobs, industry, grants and benefits and for greater transparency. The formation of a committee working with the State government agencies and stakeholders will ensure this occurs in a timely and consultative manner.

Councillors John Clements, Rohan Boehm, and Robert Browning commend this Notice of Motion to Council.

EXECUTIVE MANAGEMENT COMMENT

If approved, the report requested should be submitted to the March Ordinary Council Meeting as insufficient time is available to have a report prepared for the February meeting.

9 OUR CIVIC LEADERSHIP



THEME 4: OUR CIVIC LEADERSHIP

STRATEGIC DIRECTION 4: COLLABORATIVE AND PROACTIVE LEADERSHIP

By 2027, we will proactively together to achieve our shared vision with strong strategic direction.

COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several civic leadership priority areas to be actioned over the 2017 - 2018 financial year.

COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Integrated strategic planning and reporting
- Community engagement and consultation
- Representation and governance
- Human resource management
- Customer services
- Information services
- Financial services
- Risk management
- Compliance and regulation

COMMUNITY OUTCOMES

In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following civic leadership strategic outcomes:

- Improved community engagement and decision-making processes
- Well established community, industry, government and non-government partnerships
- Well maintained core infrastructure and service provision that delivers public value
- Transparent and accountable planning and reporting
- Financial efficiency and sustainability

9.1 NOTICE OF MOTION - REINSTATE COMMITTEES OF COUNCIL**Attachments: Nil****Authors: Councillor John Clements, Councillor Rohan Boehm, Councillor Robert Browning**

Councillors John Clements, Rohan Boehm, and Robert Browning give notice that at the Extraordinary Meeting of Council being held on 15 February 2022, intend to move the following motion:-

MOTION

That the General Manager provide a report to the Ordinary meeting on 22nd February to re-establish the Committees of Council decision making process with recommendations on the terms of reference options for these committees with a view to endorsing the terms of reference at the February general meeting.

RATIONALE

The decision-making processes that exist at Council do not currently satisfy the transparency requirements of the Local Government Act 1993, as these existing arrangements that rely on Council briefings do not provide adequate levels of transparency for the community to understand why/how decisions are made and these arrangements lack sufficient input from elected members in their role of representing the community.

The starting point for this is the previous committee structures and terms of reference for Narrabri Shire Council Committees of Council which need to be reinstated e.g., Finance; Engineering Works & Plant; Planning & Economic Development; Water & Sewerage, Community Services, etc.

Councillors John Clements, Rohan Boehm, and Robert Browning commend this Notice of Motion to Council.

EXECUTIVE MANAGEMENT COMMENT

If approved, the report requested should be submitted to the March Ordinary Meeting as insufficient time is available to have a report prepared for the February meeting.

9.2 NOTICE OF MOTION - USE OF IPAD TECHNOLOGY BY COUNCILLORS

Attachments: Nil

Authors: Councillor John Clements, Councillor Rohan Boehm, Councillor Robert Browning

Councillors John Clements, Rohan Boehm, and Robert Browning give notice that at the Extraordinary Meeting of Council being held on 15 February 2022, intend to move the following motion:-

MOTION

(i) That the General Manager provide a report to the 22nd February 2022 Ordinary meeting detailing the following:- the details of how emails and other Council documents are auto-archived for the purposes of complying with any legal requirements and details of all relevant legislation and other responsibilities that are relevant to this. Also, that offsite backup and protection from tampering be detailed in the report.

(ii) That the General Manager present a report outlining a new or existing Policy for approval or modification on proposed protocols that would need to be observed to allow access to auto-archived material. This should include penalties for access outside of the finalised policy.

(iii) That the General Manager provide a report to each Ordinary Meeting of Council detailing the number of accesses to auto-archived material that have been undertaken, by whom and the reason for access, ensuring process that excludes any detail in reports that could identify an individual.

RATIONALE

There are seven out of the total of nine councillors that are new councillors and not familiar with the workings of council in this area. As councillors we are required to be fully conversant with the emails, archiving and iPad usage systems in order to properly represent the community without fear of prosecution or penalty if incorrectly and/or innocently misuse the electronic devices provided to councillors.

As well there is a concern that unauthorised or unjustified access to the devices provided to councillors may be possible under the current arrangements and are likely to impede the roles of councillors in representing the community transparently and efficiently.

Councillors John Clements, Rohan Boehm, and Robert Browning commend this Notice of Motion to Council.

EXECUTIVE MANAGEMENT COMMENT

If approved, the report requested should be submitted to the March Ordinary Meeting as insufficient time is available to have a report prepared for the February meeting. With respect to point 3 of the motion, the mechanism for providing this data to Council should be included in the March ordinary meeting by the General Manager.

9.3 NOTICE OF MOTION - APPOINTMENT OF INTERIM GENERAL MANAGER**Attachments: Nil****Authors: Councillor John Clements, Councillor Rohan Boehm, Councillor Robert Browning**

Councillors John Clements, Rohan Boehm, and Robert Browning give notice that at the Extraordinary Meeting of Council being held on 15 February 2022, intend to move the following motion:-

MOTION

That the Mayor outline to Council the process he allegedly undertook to seek advice from the Office of Local Government (OLG) to send the General Manager on Special Leave for three weeks and appoint an interim General Manager from 28th January 2022 and how that meets the legal role of the mayor in accordance with Section 226 Local Government Act. – to exercise, in cases of necessity, the policy making functions of the governing body of the council between meetings of the council.

RATIONALE

What was the necessity and what Policy was the Mayor following that was urgently in need of his actions without convening an Extraordinary meeting to consult with Council who legally appoint the General Manager it is not the Mayor but the Council, (refer Section 334 LGAct)? Does the Mayor have delegated authority to do this?

We are concerned with the Mayor's actions and that we were not consulted on the need to do this nor have we received any brief that may have given to the OLG or Agency that the interim General Manager was recruited from. This has not been a transparent process for the community and a detailed explanation of the actions are required.

Councillors John Clements, Rohan Boehm, and Robert Browning commend this Notice of Motion to Council.

EXECUTIVE MANAGEMENT COMMENT

Nil.

9.4 NOTICE OF MOTION - REVIEW GENERAL MANAGER'S CONTRACT OF EMPLOYMENT

Attachments: Nil

Authors: Councillor John Clements, Councillor Rohan Boehm, Councillor Robert Browning

Councillors John Clements, Rohan Boehm, and Robert Browning give notice that at the Extraordinary Meeting of Council being held on 15 February 2022, intend to move the following motion:-

MOTION

That the Council move into Committee of the Whole in a closed session to allow examination of the current General Managers contract for the purposes of Councillors' knowledge and this is to include the performance management process, any bonus scheme or other support payments.

RATIONALE

We ask that the General Manager have ready all relevant materials to allow the immediate discussion of this matter. Relevant materials would include the details of any bonus discussed in minutes of the last meetings of the former council as presented to the current council on 11th January 2022

Councillors John Clements, Rohan Boehm, and Robert Browning commend this Notice of Motion to Council.

EXECUTIVE MANAGEMENT COMMENT

If the discussion proposed in the notes following the motion is pursued, the council must be cognisant of the provisions of Sec 10A "*Which parts of a meeting can be closed to the public?*" of the Local Government Act 1993 as follows:

"(1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises--

(a) the discussion of any of the matters listed in subclause (2), or

(b) the receipt or discussion of any of the information so listed.

(2) The matters and information are the following--

(a) personnel matters concerning particular individuals (other than councillors),

(b)"

10 MEETING CLOSED
