

# Aboriginal Community and Stakeholder Engagement Preliminary Framework

## Narromine to Narrabri Project





## COVER IMAGE

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## ACKNOWLEDGEMENT OF COUNTRY

Inland Rail acknowledges the  
Traditional Custodians of the  
land on which we work, and pay  
our respect to their Elders past,  
present and emerging.

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## Glossary

Specific terms and acronyms used throughout this strategy are listed and described in the table below.

Abbreviation	Definition
ACHAR	Aboriginal Cultural Heritage Assessment Report
ALR Act	<i>Aboriginal Land Rights Act 1983</i>
ARTC	Australian Rail Track Corporation
CCC	Community consultative committee
CEMP	Construction environmental management plan
DECCW	Department of Environment, Climate Change and Water (former)
DPIE	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
ICOMOS	International Council on Monuments and Sites
LALC	Local Aboriginal Land Council
NAIDOC	National Aborigines and Islanders Day Observance Committee
NNTT	National Native Title Tribunal
NSW	New South Wales
OCHRE	Opportunity, Choice, Healing, Responsibility, Empowerment Plan
OEH	Office of Environment and Heritage (former)
RAP	Registered Aboriginal Party
SIMP	Social impact management plan

# 1 Introduction

## 1.1 The proposal

The Australian Government has committed to delivering a significant piece of national transport infrastructure by constructing a high performance and direct interstate freight rail corridor between Melbourne and Brisbane, via central-west New South Wales (NSW) and Toowoomba in Queensland. Inland Rail is a major national program that will enhance Australia's existing national rail network and serve the interstate freight market.

Australian Rail Track Corporation Ltd (ARTC) ('the proponent') is seeking approval to construct and operate the Narramine to Narrabri (N2N) section of Inland Rail ('the proposal'). The proposal consists of about 306 kilometres of new single-track standard gauge railway with crossing loops. The proposal also includes changes to some roads to facilitate construction and operation of the new section of railway, and ancillary infrastructure to support the proposal.

The proposal has been declared as critical state significant infrastructure under section 5.13 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and is subject to approval by the NSW Minister for Planning and Public Spaces. It has been assessed by an environmental impact statement (EIS), which was placed on public exhibition in December 2020. The proposal is also determined to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) and requires approval from the Australian Minister for the Environment. The proposal is currently in the response to submissions phase.

## 1.2 Purpose of this document

The purpose of this document is to provide an overarching framework for the establishment of collaborative engagement with Aboriginal stakeholders and communities for the upcoming phases of the N2N proposal. The framework also draws together commitments for the detailed design and construction phases of the N2N proposal that are considered most relevant to Aboriginal communities in the N2N study area.

Figure 1-1 shows how this document fits into the overall integrated management system for the proposal.

A detailed Aboriginal community and stakeholder engagement strategy and action plan would be prepared by ARTC in consultation with Aboriginal stakeholders and communities during the detailed design phase in line with this framework.

For the purpose of this document, the term 'Aboriginal' is most commonly used in recognition of the project location, however the term 'Indigenous' is also used to refer to Aboriginal and Torres Strait Islander people, or Indigenous Australian people.

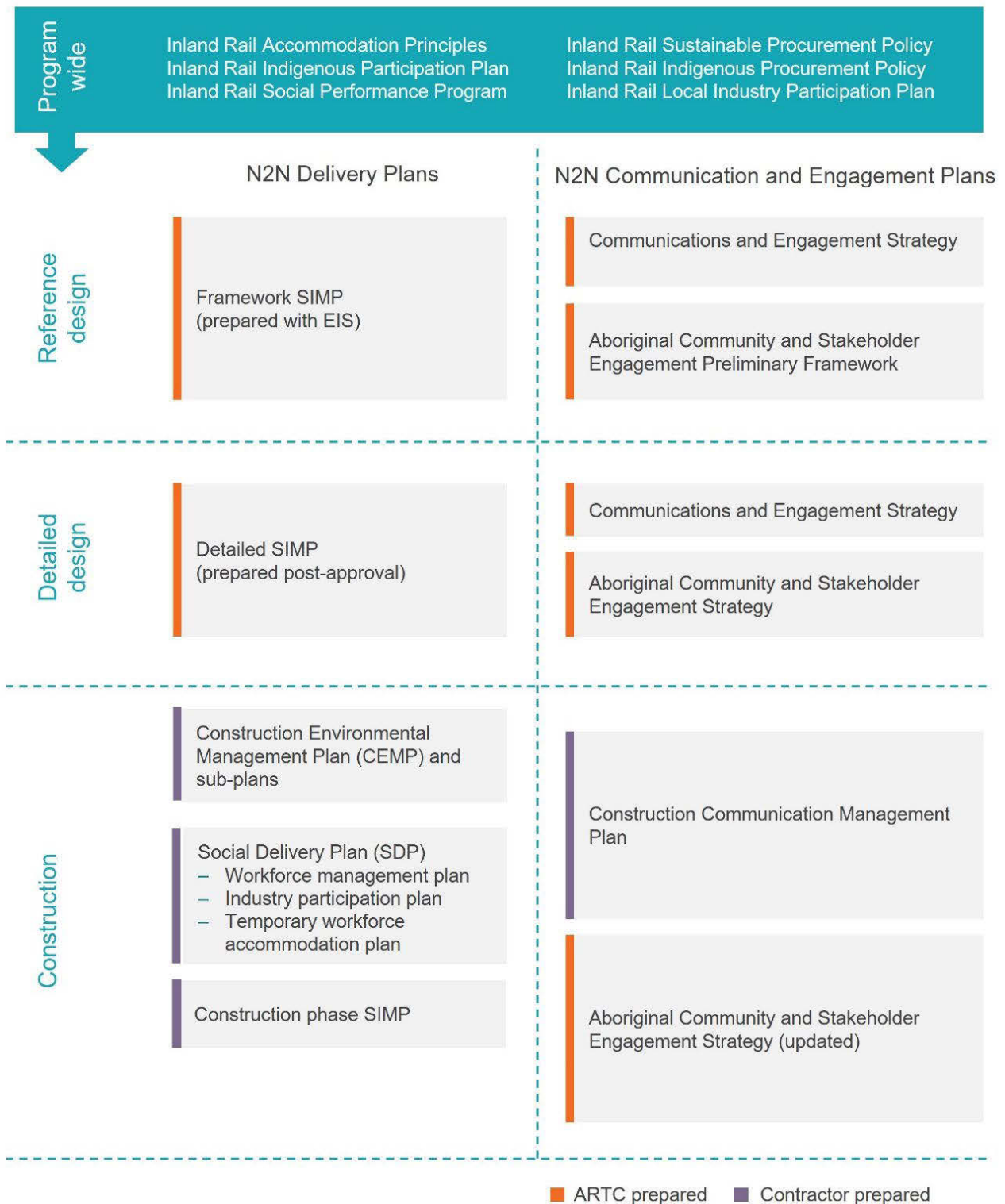


Figure 1-1 Diagram showing integrated management system for N2N

## 2 Background

### 2.1 Aboriginal Countries

The Inland Rail N2N proposal is located on the lands of the Gamilaroi, Kamilaroi and Gomeroi Nations.

It is acknowledged that Country is at the core of every Aboriginal person's identity and sense of belonging. It is the place from which Aboriginal language and culture is derived (Department of Planning, Industry and Environment (DPIE), 2020). ARTC does not speak for Country, or for the Traditional Owners, however ARTC recognises and respects Aboriginal people's inherent connection to the land. This includes their historic and ongoing responsibility of stewardship and care for Country.

The northern portion of the study area falls within the lands of the Gamilaroi who are one of the largest language groups in Australia. The Gamilaroi Nation traditionally extends north to the townships of Quirindi, Tamworth, and Narrabri, Moree and Mungindi in northern NSW, south to Muswellbrook and west to Walgett.

The Kamilaroi Nation lies within northern NSW and southern Queensland, extending from the Hunter Valley in NSW through to Nindigully in Queensland, and west to the Warrumbungle Mountains near Coonabarabran in NSW (Carpenter, n.d.).

Gomeroi Country extends broadly from the Queensland/NSW border region to Tamworth, Aberdeen/Muswellbrook, Coonabarabran and Walgett (Gomeroi Tribal Nation Secretariat, 2009).

### 2.2 Guidelines and policies

#### 2.2.1 National Agreement on Closing the Gap

The *National Agreement on Closing the Gap* (Australian Government, 2020) (the National Agreement) has been prepared to enable Aboriginal and Torres Strait Islander people and governments to work together to overcome the inequality experienced by Aboriginal and Torres Strait Islander people, and achieve life outcomes equal to all Australians.

The National Agreement has 17 targets across the following outcome areas: education, employment, health and wellbeing, justice, safety, housing, land and waters, and languages.

The *Closing the Gap in NSW: 2021-22 Implementation Plan* (NSW Government, 2021) has overarching objectives outlining the work in partnership to develop, implement and monitor the plan, with the focus placed on Aboriginal and Torres Strait Islander self-determination. The priority reforms to transform the way government work with Aboriginal and Torres Strait Islander communities are:

- ▶ Formal partnerships and shared decision making
- ▶ Building the community controlled sector
- ▶ Transforming Government organisations
- ▶ Shared access to data and information at a regional level
- ▶ Employment, business growth and economic prosperity.

ARTC supports these priorities and identifies 'Employment, business growth and economic prosperity' as the priority that is best aligned with ARTC's business and to which it is most able to contribute. The policies and management measures described in the remainder of this section accordingly reflect this priority.

#### 2.2.2 OCHRE—NSW Government Plan for Aboriginal Affairs: Education, employment and accountability

In 2011 the NSW Government released the *OGHRE (Opportunity, Choice, Healing, Responsibility, Empowerment) Plan* (NSW Government, 2011) to support strong Aboriginal communities in which Aboriginal people actively influence and fully participate in social, economic and cultural life.

The OCHRE Plan is focused on:

*'revitalising and promoting language and culture, creating opportunities, increasing people's capacity, providing choice and empowering people to exercise that choice, as well as giving them the tools to take responsibility for their own future'* (NSW Government, 2011).

The OCHRE Plan has three terms of reference – education, employment and service delivery.

ARTC supports the aims and priorities of the OCHRE Plan and has developed specific strategies and policies that align with ARTC's business including social procurement, economic participation, employment and supporting pathways from education into meaningful employment (refer section 2.3).

The N2N proposal offers the opportunity to create economic opportunities for Aboriginal communities along the proposed rail corridor.

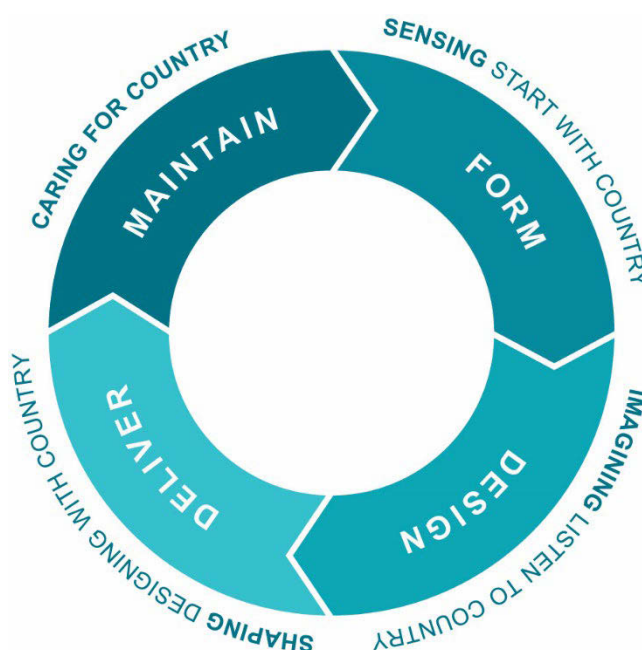
ARTC is committed to authentic and transparent engagement with local communities to deliver positive outcomes.

### 2.2.3 Connecting with Country Draft Framework

The *Connecting with Country Draft Framework* (Government Architect NSW, 2020a) was released in late 2020 for discussion. The Draft Framework is a guide for developing connections with Country that can inform the planning, design and delivery of built environment government projects in NSW.

The document aims to help all of us – Aboriginal and non-Aboriginal people –work together collectively, respectfully, and with open minds to unite our complementary knowledge.

The Draft Framework includes a proposal to consider project life cycles with an Aboriginal perspective, as illustrated in Figure 2-1.



Source: DPIE 2020

FIGURE 2-1: PROJECT LIFE CYCLES WITH AN ABORIGINAL PERSPECTIVE

The Draft Framework emphasises that “because cultural connections with Country are different for all Aboriginal people and communities, all projects and their strategy to connect with Country must be guided by Aboriginal people who are acknowledged by their communities as knowledge-holders for Country, or the nominated spokespeople for knowledge-holders (for example, local area land councils)”.

The Draft Framework identifies the following commitments to Country to be considered in government projects:

1. We will respect the rights of Aboriginal peoples to Indigenous cultural intellectual property, and we will support the **right of Country to be cared for**.
2. We will prioritise Aboriginal people's relationship to Country, and their **cultural protocols**, through education and enterprise by and for Aboriginal people.
3. We will prioritise **financial and economic benefits** to the Country where we are working, and by extension to the Traditional Custodians of that Country.
4. We will share **the tangible and intangible benefits** with the Country where we are working, and by extension the Traditional Custodians of that Country, including current and future generations.



5. We will respect the diversity of Aboriginal cultures, but we will prioritise the local, place-specific **cultural identity of the Country** we're working on.

Aboriginal people will determine the representation of their cultural materials, customs and knowledge.

6. We will prioritise recognition and **responsibility of Aboriginal people**, supporting capacity building across Aboriginal and non-Aboriginal community, and across government project teams.
7. We will support Aboriginal people to continue their practices of managing land, water, and air, through their ongoing **reciprocal relationships with Country**.

We will create opportunities for traditional first cultures to flourish.

These commitments to Country would guide the ongoing engagement with Aboriginal communities involved in the N2N proposal and would be reflected in the detailed Aboriginal community and stakeholder engagement plan that would be prepared during the detailed design phase.

#### 2.2.4 Designing with Country Discussion Paper

The *Designing with Country Draft Discussion Paper* (Government Architect NSW, 2020b) outlines a series of questions and engagement processes that will help inform a set of Cultural Design principles and a framework to apply them to all built environment projects delivered by government.

The discussion paper acknowledges that through current planning processes under the EP&A Act, "*Aboriginal values are identified only in specific locations of archaeological and heritage value. As a result, current planning and design approaches have a narrowly defined consideration of Aboriginal understanding of landscape and environment during the planning process or design of the built environment.*"

As the Inland Rail N2N proposal moves into the detailed design phase, there is an opportunity to open up wider engagement conversations with Aboriginal community members and recognised cultural knowledge holders to consider and respond to opportunities to incorporate Aboriginal values into the final design of the proposal.

ARTC recognises that success will take commitment, planning and strong partnerships with Aboriginal communities, industry and government. ARTC will design, build and operate the rail line with proactive and frequent engagement from our communities to ensure best outcomes are achieved.

#### 2.2.5 Aboriginal Cultural Heritage Consultation Requirements for Proponents

The *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010a) establishes the requirements for consultation under part 6 of the *National Parks and Wildlife Act 1974* with Aboriginal stakeholders as part of the heritage assessment process to determine potential impacts of proposed activities on Aboriginal objects and places.

ARTC is committed to achieving excellence in Cultural Heritage management. We recognise Indigenous peoples' inherent connection to their traditional lands, which includes their continuing responsibility of stewardship and caring for Country.

The guidelines have been implemented throughout the engagement activities for Aboriginal cultural heritage to date and would continue to provide the framework for any future cultural heritage investigations and surveys.

#### 2.2.6 Ask First: A Guide to Respecting Indigenous Heritage and Places

*Ask First: A guide to respecting Indigenous heritage places and values* (Australian Heritage Commission, 2002) provide guidance on allowing the relevant Indigenous people to determine the significance of places in accordance with their culture before moving to achieving agreements between parties on how places and heritage values should be managed. It is intended to complement the Australian Natural Heritage Charter and the Burra Charter (Australia ICOMOS, 2013).

The principles of the Ask First guide have been implemented throughout the engagement activities for Aboriginal cultural heritage to date and would continue to provide the framework for any future cultural heritage investigations and surveys.

## 2.3 ARTC strategies

### 2.3.1 Inland Rail specific plans and policies

For Inland Rail ARTC has developed a number of specific plans and policies that establish the commitment and approach to Indigenous engagement over the life of the Inland Rail project in respective communities. These include:

- ▶ Inland Rail Program **Indigenous Participation Plan** (ARTC, 2019)
- ▶ Inland Rail Communications and Engagement Strategy
- ▶ Inland Rail **Sustainable Procurement Policy** (0-9000-PCM-00-PO-0002)
- ▶ Inland Rail **Australian Industry Participation Plan**
- ▶ Inland Rail Programme Indigenous Procurement Policy (0-9000-PCM-00-PO-0001)
- ▶ Inland Rail Programme Local Industry Participation Plan (0-9000-PCM-00-PL-0008)

The following plans are considered most relevant to this framework.

#### **Inland Rail Communications and Engagement Strategy**

ARTC recognises that through stakeholder and community engagement, ARTC can reduce risk, optimise the route alignment, minimise social and environmental impacts, secure statutory approvals and gain and maintain a social licence to operate Inland Rail.

ARTC would continue to manage and deliver programme wide community and stakeholder engagement for Inland Rail throughout the detailed design, construction and operation phases of the proposal. ARTC would continue to facilitate the community consultative committees (CCCs) through the construction phase to ensure local stakeholder and community issues are addressed.

ARTC would require the principal contractor to prepare a project-specific communication management plan to provide a framework for communication of construction activities, and responding to complaints and managing impacts on communities.

#### **Inland Rail Indigenous Participation Plan**

The Inland Rail Indigenous Participation Plan sets out ARTC's commitment to Indigenous communities, industry and government across four key areas of Respect and Recognition, Cultural Heritage, Indigenous Employment and Indigenous Business. To achieve the Respect and Recognition goals, ARTC has committed to:

- ▶ proactively engage with Indigenous communities and their leadership, including Elders, to develop partnerships based on mutual respect and understanding
- ▶ make an Acknowledgement of Country at our meetings and events, and ensure there is a Welcome to Country for significant events
- ▶ encourage cross-cultural exchanges and cultural learning opportunities for all Inland Rail employees and contractors
- ▶ celebrate our Indigenous cultures at a local and regional level, supporting and participating in NAIDOC celebrations and other community events
- ▶ where practical, work with Traditional Owners to find suitable names in traditional language and incorporate Indigenous cultural design in key pieces of infrastructure
- ▶ encourage participation of Indigenous community members in our Community Consultative Committees.

## 2.4 Outcomes of previous engagement activities

ARTC has been consulting with Aboriginal communities and stakeholders about the N2N proposal during preparation of the EIS, including for the Aboriginal cultural heritage assessment and Social Assessment. A summary of the consultation activities, stakeholders involved, and consultation outcomes provided below.

## 2.4.1 Aboriginal cultural heritage consultations

Consultation for the *Inland Rail N2N Aboriginal Cultural Heritage Assessment Report (ACHAR)* (JacobsGHD, 2020a) was completed in accordance with the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW, 2010a). Groups contacted included the relevant Local Aboriginal Land Councils (LALCs), legislated bodies, referred Indigenous interest groups and interested community members. In addition to the eight LALCs and two Native Title groups, a total of 23 registered Aboriginal parties (individuals and groups) registered to be involved with the proposal. Full details of Aboriginal cultural heritage consultation and engagement is provided in section 4 of the ACHAR (JacobsGHD, 2020a). Engagement opportunities including Aboriginal Focus Groups and project updates, email and phone updates, reviews of draft and final reports and opportunities to be involved in site survey work on Country.

Cultural significance can be associated with or attached to any place, places, and objects by any individual, group or groups of people. Cultural significance is embodied in the place itself; its fabric, setting, use, associations, meanings, records, connected places and objects. Place is a geographically defined area and may include tangible features that embody the physically identifiable landscape; as well as intangible features such as conceptual ideas or spiritual beliefs held over places or landscapes irrespective of observable physical evidence (Australia ICOMOS, 2013). Indigenous heritage values include spirituality, law, knowledge, practices, traditional resources or other beliefs and attachments (Australian Heritage Commission, 2002).

Through a combination of Aboriginal stakeholder consultation, fieldwork, and desktop research, several cultural values relevant to the project area were identified.

### 2.4.1.1 Universal Aboriginal values

The following values are universally applied by Aboriginal people across the continent:

- ▶ Aboriginal heritage is inseparably connected to nature (OEH 2012: 11)
- ▶ all lands and waters are connected to Aboriginal spirituality, mythology and identity
- ▶ natural resources, landforms and landscapes are foundational elements for the transmission of cultural knowledge which includes kinship and social systems, landscape knowledge, resource procurement, risk mitigation and the strengthening of social bonds see also (OEH 2012: 11)
- ▶ natural resources provide for:
  - ▶ the use and enjoyment of foods and medicines
  - ▶ the provision of raw materials for manufacture of tools and art
  - ▶ commodities to support exchange networks, and materials to facilitate ceremony.

### 2.4.1.2 Summary of known cultural values

On-site discussions with Aboriginal knowledge holders have identified a variety of cultural heritage values within the study area. The understanding and perception of the cultural landscape expressed by the knowledge holders is that it is an area traversed by an interconnecting network of physical, social and spiritual places. Cultural values identified during on-site discussions with knowledge holders regarding the types of sites considered to be of significance include:

- ▶ campsites
- ▶ resource gathering locations and techniques
- ▶ modified (scarred) trees
- ▶ pathways through the landscape
- ▶ water courses, water holes or springs
- ▶ aboriginal plants and animals
- ▶ burial sites
- ▶ Aboriginal ceremony and Dreaming
- ▶ post-contact sites.



### **2.4.1.3 Aboriginal cultural values within or adjacent to the proposal**

In-field discussions during the archaeological survey identified that all Aboriginal knowledge holders maintained a cultural affiliation to the Warrumbungle Ranges, and that the cultural values applied to the Ranges should be extended to the areas and waterways surrounding and connecting it to the study area.

#### **2.4.1.4 Macquarie River**

The Macquarie River represents a major traditional thoroughfare for the Wiradjuri people. The area is considered to have been culturally significant to the Wiradjuri people an important site due to the presence of standing water late in the season.

#### **2.4.1.5 Castlereagh River**

Consultation completed for the ACHAR (JacobsGHD, 2020a) identified that the Castlereagh River was a major traditional thoroughfare for the Ngemba, Ngiyampaa, Wangaaypuwan, Wayilwan and Gomeroi people. The Castlereagh River is considered an important hydrological link to and from the Warrumbungle Ranges and a place of resources and ceremony according to knowledge holders.

The Castlereagh River and its catchments such as the Gulargambone, Baronne and Tenandra Creeks are integral elements of the traditional cultural landscape, and by extension, integral to the very identity of people who consider themselves part of these language/cultural groups.

#### **2.4.1.6 Table Top Mountain**

Consultation completed for the ACHAR (JacobsGHD, 2020a) identified Table Top Mountain as significant to Gomeroi culture. Table Top Mountain may be linked to, and share cultural values with, the Warrumbungle Ranges. The mountain is known for stone resources (basalt), use as a signalling station, and as a vantage point for a large section of Gomeroi Country where landscape-based knowledge transference can occur, and the location of distant visitors or occupants can be identified.

#### **2.4.1.7 Namoi River**

The broader Namoi River drainage system represents a major traditional thoroughfare for the Gomeroi people. Namoi River is considered particularly important to Gomeroi men, being a place where Aboriginal men once worked to create both ceremonial and utilitarian implements. The community hold a certain cultural responsibility for the well-being of their members and visitors to this region, and cultural practices should be respected in these areas.

The area is purported to be the home of an ancestral demon (Yowie, Yaya) and care must be exercised by people working in this area. The community hold a certain cultural responsibility for the well-being of visitors to this region and believe that remedial ceremony should be abided by in order to mitigate harm.

### **2.4.2 Social Assessment consultations**

ARTC with the Social Assessment team met with several LALCs in the N2N study area during preparation of the *Inland Rail N2N Social Assessment* (JacobsGHD, 2020c) during 2019 and 2020. These consultations primarily focused on confirming the skills and capacity of the local Aboriginal workforce, understanding local social issues, sensitivities and potential social impacts during construction and operation.

The following issues and themes were raised by LALC representatives and members consulted for the *Inland Rail N2N Social Assessment* (JacobsGHD, 2020c):

- ▶ Overall, most Aboriginal communities living in the study area are based in local towns, however there may be some Aboriginal people living in the Pilliga East State Forest.
- ▶ There is negative sentiment amongst Aboriginal stakeholders in the northern end of the study area regarding the Narrabri Gas Project. This project has created angst and mistrust about large infrastructure projects as they feel their values and concerns are being ignored.
- ▶ There is sentiment amongst Aboriginal stakeholders in the southern end of the study area that employment and business opportunities associated with the Inland Rail Parkes to Narromine project were not effectively communicated to Aboriginal communities, and opportunities were missed.
- ▶ There is some sentiment that Inland Rail's definition of 'local' does not align with cultural boundaries and connection to Country. Some stakeholders indicated it is disrespectful to allow Aboriginal people from outside of Country to work on their Country. Similarly, there is concern that some non-Indigenous people may claim Aboriginality to gain employment on the proposal.

- ▶ There is a general willingness from Aboriginal communities to pursue employment opportunities brought by the proposal. There is also a willingness to extend the employment opportunities for Aboriginal people who were employed for Aboriginal heritage investigations for the proposal into further employment opportunities during construction.
- ▶ Early engagement and support will be important for the community to understand and access training and ticket requirements.
- ▶ The LALCs are generally willing to work with Inland Rail and their community to disseminate information about employment opportunities. Some LALCs are willing to support and organise necessary training and transport.
- ▶ There is interest from a number of LALCs along the proposal site to benefit from Inland Rail's community Sponsorship and Donations Program.

## 2.5 Relevant N2N mitigation measures

The *Inland Rail N2N EIS* (JacobsGHD, 2020b) presents the environmental impact assessment of the N2N proposal in accordance with the SEARs and relevant legislation, guidelines and policies. The EIS contains recommendations for measures to avoid, minimise, manage or offset the potential impacts that were identified in the EIS, as well as providing a compilation of the performance outcomes of the proposal.

The key mitigation and management measures relevant to this framework strategy are discussed below.

Mitigation measures were refined in the *Inland Rail N2N Response to Submissions Report* (JacobsGHD, 2021) and reference is made to the updated mitigation measures presented in Table A.1 to A.3 of that report.

### 2.5.1 Social impact management plan (SE3)

A social impact management plan (SIMP) framework has been prepared by ARTC to manage the implementation of the proposed socio-economic mitigation measures, and the specific management actions and targets that would be developed in response to these measures. The SIMP serves as the overarching management plan for Inland Rail's Social Performance Program for the N2N proposal, and defines specific actions, roles and responsibilities, and a monitoring and reporting framework for the design and construction phases.

#### 2.5.1.1 Relevant socio-economic management plans

The *Inland Rail N2N Social Assessment* (JacobsGHD, 2020c) recommended a number of specific management plans be prepared by the principal contractor to manage social performance elements of the proposal during construction in order to maximise the social benefits and minimise the social impacts. The requirements for these plans have been identified in the SIMP and are aligned with ARTC's social performance principles, including those related to community and stakeholder engagement, Indigenous employment, and Indigenous business participation. These management plans, and the aspects relevant to Aboriginal stakeholders and communities, are summarised below:

- ▶ **Industry participation plan**—to manage the potential employment and regional economic benefits of the proposal. It would identify an achievable list of goods and services that could be subcontracted, as well as targets for local and Indigenous business participation.
- ▶ **Workforce management plan**—to manage aspects such as local and Indigenous employment opportunities.
- ▶ **Communication management plan**—to manage consultation with key stakeholders and communities (including Aboriginal stakeholders and communities) affected by construction activities (e.g. property impacts, access changes, noise, vibration, dust).

### 2.5.2 Aboriginal cultural heritage archaeological investigations, salvage and surveys (AH2, 3, 4, 5, 6, 7 and 8)

A number of measures were proposed in the EIS to manage targeted archaeological survey, test excavation and salvage in specific locations along the alignment. All investigations would be undertaken with registered Aboriginal parties in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010b).

In order to effectively co-ordinate these important investigations on Country, ARTC would appoint a designated Indigenous Participation Advisor to serve as the central point of contact.

### 2.5.3 Aboriginal cultural heritage management plan (AH9)

An Aboriginal cultural heritage management plan would be prepared prior to construction and implemented as part of the CEMP. The plan would include measures to minimise the potential for impacts and manage Aboriginal heritage, including:

- ▶ a salvage methodology (mitigation measure AH2)
- ▶ an unexpected finds procedure (mitigation measure AH11)
- ▶ plans and installation procedures for fencing and protective coverings
- ▶ induction package for construction workers and supervisors (mitigation measure AH10). Cultural heritage awareness training would be provided by an Aboriginal representative at the commencement of substantial works for the proposal (mitigation measure AH10)
- ▶ measures to manage the potential for impacts to potential Aboriginal heritage items (including burial sites) located in sensitive landscapes (such as alluvium landscapes)
- ▶ measures to protect sites close to the proposal site from inadvertent impacts
- ▶ measures to minimise and mitigate potential impacts to plant species that hold medicinal and food value (guided by a cultural plant survey)
- ▶ outcomes of further investigations (mitigation measures AH3 and AH4).

The plan would be prepared in consultation with registered Aboriginal parties and the Department of Planning and Environment.

## 3 Engagement objectives and principles

The objective is to establish a framework that facilitates a collaborative engagement process that allows the:

- ▶ Sharing of information about the N2N proposal with Aboriginal stakeholders and communities in a timely manner, particularly project activities and opportunities that may affect Aboriginal stakeholders and communities.
- ▶ Building and maintenance of strong relationships between ARTC and Aboriginal stakeholders and communities in the vicinity of the proposal.
- ▶ Engagement with Aboriginal stakeholders and communities to understand local Aboriginal cultural and community values.
- ▶ Involvement of Aboriginal stakeholders and communities' in the identification of opportunities to reflect Aboriginal community and cultural values in infrastructure or other outcomes of the N2N proposal.
- ▶ Implementation of the identified opportunities in conjunction with Aboriginal stakeholders and communities.

Engagement with Aboriginal stakeholders and communities for the N2N proposal will be guided by the following principles:

- ▶ **Building relationships**—ARTC is committed to developing and maintaining relationships with local Aboriginal stakeholders and communities throughout the detailed design and construction phases. Building trust is essential to developing these relationships. Trust is built through ongoing and transparent conversations throughout the project, and a commitment to listen to what is shared and implement actions appropriately.
- ▶ **Respectful engagement**—Engaging in culturally appropriate ways is fundamental to building trust and relationships. It is important to be flexible to the needs of communities, and to engage in a mutually respectful way. ARTC will share information with Aboriginal stakeholders and communities to keep them up to date with progress over time. ARTC will also listen to stakeholders and understand how, when and where they want to be engaged about the proposal. Respectful engagement also involves seeking consent from participants to report on and interpret the information they share.
- ▶ **Meaningful engagement**—ARTC will engage with communities about the various opportunities across the N2N proposal for Aboriginal stakeholders and communities to be involved in. Engagement activities will clearly articulate the negotiable and non-negotiable aspects of the project, and how information shared by communities will be used. ARTC will listen to the communities' priorities, and will implement actions appropriately within the scope of the N2N proposal. For issues raised that are beyond the scope of the N2N proposal, ARTC will seek permission to share relevant engagement outcomes with other agencies and organisations as relevant and appropriate.



## 4 Stakeholders

There are a range of Aboriginal stakeholders and communities located in the N2N study area who would be engaged through this framework. Key stakeholder groups are identified below<sup>1</sup>. Descriptions and definitions have been provided based on current published and best practice usage. However, ARTC recognises that individual communities and groups have preferences in language and usage that will be discussed and adapted in consultation with the respective Aboriginal communities and stakeholders involved in the Inland Rail Narramine to Narrabri proposal and future revisions of this framework and the detailed strategy will be updated to reflect the mutually agreed language.

**TABLE 4-1: ABORIGINAL STAKEHOLDER GROUPS FOR THE N2N PROPOSAL**

Stakeholder group	Description
<b>Traditional Owners</b>	Traditional Owners are those people who, through membership in a descent group or clan, have responsibility for caring for particular Country. Traditional Owners are authorised to speak for Country and its heritage. Authorisation to speak for Country and heritage may be as a senior Traditional Owner, an Elder, or in more recent times, as a registered Native Title claimant (Australian Heritage Commission, 2002).
<b>Knowledge holders</b>	Knowledge holders are defined as Aboriginal people who are engaged in maintaining and, in some cases, reclaiming Indigenous knowledge traditions. Indigenous knowledges, sometimes called traditional or local knowledges, refers to the understandings and practices developed by Indigenous peoples through thousands of years of experience. Indigenous knowledge systems are characteristically holistic, relational, and rooted in a strong and continuing connection with the land, sky and waters. Knowledge is often passed down orally and can be collectively owned. It can include or be embodied in language, song, story, ritual, lore, and customary practices. (University of Melbourne, n.d.). <i>(This definition is subject to revision based on consultation with Traditional Owners).</i>
<b>Local Aboriginal Land Councils</b>	LALCs are corporate bodies constituted under the <i>Aboriginal Land Rights Act 1983</i> (ALR Act). Under the ALR Act, LALCs have defined boundaries within which they operate (Department of Environment, Climate Change and Water, 2010). The objectives of each LALC are to improve, protect and foster the best interests of all Aboriginal persons within the Council's area and other persons who are members of the Council. LALCs oversee operations of land acquisition, land use and management, Aboriginal culture and heritage, financial stewardship and management of property. The LALCs in the N2N study area include: <ul style="list-style-type: none"> <li>▶ Baradine LALC</li> <li>▶ Coonabarabran LALC</li> <li>▶ Coonamble LALC</li> <li>▶ Dubbo LALC</li> <li>▶ Gilgandra LALC</li> <li>▶ Narrabri LALC</li> <li>▶ Narramine LALC</li> <li>▶ Pilliga LALC</li> <li>▶ Wee Waa LALC</li> <li>▶ Weilwan LALC.</li> </ul>
<b>Native Title Claimants</b>	There are two current registered native title claims in the N2N study area. The Gomeroi (Federal Court file no. NSD2308/2011, NNTT file no. NC2011/006) which was registered on 20 January 2012, and the Ngemba, Ngayampaa, Wangaaypuwan and Wayilwan claim (Federal Court file no. NSD38/2019, NNTT file no. NC2012/001) which was lodged on 12 April 2012 and registered on 14 March 2012.
<b>Registered Aboriginal Party (RAP)</b>	Under the NSW cultural heritage legislation an individual or organisation can register an interest for being involved in the heritage assessment at a development site. This provides an opportunity to be consulted during the heritage assessment required for a development application.

<sup>1</sup> Adapted from *Recognise Country Guidelines* unless otherwise specified.

Stakeholder group	Description
<b>Broader Aboriginal and Torres Strait Islander community</b>	The broader Aboriginal and Torres Strait Islander community refers to Aboriginal and Torres Strait Islander people as a collective who live in or have interests in an area. The broader community may include Aboriginal people who have cultural obligations and connections to that Country (such as Traditional Owners) as well as Aboriginal people who may have moved to the area from other Countries, but still hold strong connections to community, culture and place.
<b>Aboriginal service providers/businesses</b>	Aboriginal and non-Aboriginal owned and operated businesses and services which offer targeted services and facilitate opportunities for Aboriginal communities. These service providers and businesses are often very well connected to Aboriginal stakeholders and communities.

## 5 Engagement approach

This framework outlines an overall approach to engaging with Aboriginal stakeholders and communities throughout the detailed design and construction phases of the N2N proposal. The approach consists of four phases, shown in Figure 5-1.

The engagement approach outlined in this framework is high level and will inform a detailed Aboriginal community and stakeholder engagement strategy to be prepared by ARTC during the detailed design phase.

ARTC will implement the strategy during the detailed design and construction phases. These phases have been identified as those most appropriate to identify and implement opportunities to reflect Aboriginal cultural and community values in the N2N proposal, as it is expected that these opportunities will be limited during operation of the N2N proposal.



**FIGURE 5-1: OVERVIEW OF ENGAGEMENT APPROACH**

The engagement strategy will be continually updated based on the outcomes of engagement during each phase to reflect the preferences of stakeholders for how, when and where they would like to be engaged about the proposal (refer to principles in section 3).

Key to the engagement approach will be coordination between N2N activities and management plans which involve Aboriginal stakeholders and communities, as outlined in section 2.5. ARTC will employ an Indigenous Participation Advisor who will be responsible for implementation of the Aboriginal community and stakeholder engagement strategy, and liaison between the relevant N2N management plans.

Table 5-1 outlines the objectives of engagement for each phase, indicative tasks that would be undertaken in each phase, outcomes of engagement, and high-level timing. This approach will inform a detailed engagement strategy.

**TABLE 5-1: ABORIGINAL COMMUNITY AND STAKEHOLDER ENGAGEMENT APPROACH**

Phase	Phase 1—Early engagement	Phase 2—Understand cultural and community values and priorities	Phase 3—Confirm opportunities and initiatives	Phase 4—Implement initiatives
<b>Objective of engagement</b>	Establish relationships and seek interest from Aboriginal stakeholders and communities in being involved in engagement activities	Engage with stakeholders to understand cultural and community values and priorities. Collaboratively identify opportunities to include initiatives in the N2N proposal which contribute to enhancing identified values and priorities.	Confirm engagement outcomes and initiatives with Aboriginal stakeholders and communities	Implement opportunities and initiatives identified and agreed with Aboriginal communities and stakeholders and share progress updates
<b>Engagement activities</b>	<p>Tasks likely to include:</p> <ul style="list-style-type: none"> <li>▶ Build and maintain contact database of Aboriginal stakeholders</li> <li>▶ Collate findings from ACHAR and Social Assessment to understand values already shared during EIS engagement</li> <li>▶ Initial meetings with key Aboriginal stakeholder groups to share progress and timing of N2N proposal, introduce Aboriginal engagement strategy, understand preferences for engagement</li> <li>▶ Prepare detailed engagement strategy (including protocols for protecting Indigenous Cultural Intellectual Property)</li> </ul>	<p>Tasks likely to include:</p> <ul style="list-style-type: none"> <li>▶ Implement engagement activities detailed in engagement strategy, likely to involve a range of engagement tools (e.g. face to face / virtual meetings and workshops, walks on Country etc)</li> <li>▶ Identify community values and priorities, and potential opportunities to enhance these in the N2N proposal. In line with ARTC's policies and outcomes of the EIS and Social Assessment, potential material areas for discussion may include (but not limited to): <ul style="list-style-type: none"> <li>▶ employment and training opportunities</li> <li>▶ business procurement opportunities</li> <li>▶ broader social investment opportunities</li> <li>▶ cross-cultural exchange and cultural awareness in ARTC business practices</li> <li>▶ heritage and cultural heritage values interpretation and Indigenous cultural design in key pieces of infrastructure</li> </ul> </li> <li>▶ Implicit in these discussions is the understanding that Aboriginal communities and stakeholders are best placed to understand and identify their own interests and priorities</li> <li>▶ Prepare engagement outcomes report/s</li> </ul>	<p>Tasks likely to include:</p> <ul style="list-style-type: none"> <li>▶ Engage with Aboriginal stakeholders and communities to share outcomes of previous engagement activities, including community priorities and potential initiatives and seek interest to be involved in implementation. These initiatives will depend on what is identified by Aboriginal community and stakeholders, and within the scope of the N2N proposal.</li> </ul>	Implement initiatives that have been agreed with Aboriginal communities and stakeholders.
<b>Ongoing activities through all phases</b>	<p>Share relevant findings from engagement activities with ARTC project teams, construction contractor and other agencies/stakeholders as appropriate (noting some information may be sensitive and require permission to be shared)</p> <p>Report on engagement activities and initiatives</p>			



Phase	Phase 1—Early engagement	Phase 2—Understand cultural and community values and priorities	Phase 3—Confirm opportunities and initiatives	Phase 4—Implement initiatives
<b>Outcomes</b>	Build relationships between ARTC and local Aboriginal stakeholders and communities Increased awareness and understanding amongst Aboriginal stakeholders and communities about N2N proposal activities	Increased understanding of local Aboriginal cultural and community values relevant to the N2N study area Identify potential opportunities to incorporate local values into aspects of N2N proposal	Confirm opportunities and initiatives Increased participation of Aboriginal stakeholders and communities in N2N activities	Respectful and appropriate responses to local Aboriginal community and stakeholder priorities and values in the N2N proposal
<b>Timing</b>	Detailed design	Detailed design and construction		
<b>Key considerations</b>	ARTC to engage Indigenous Participation Advisor	Incorporate outcomes of early engagement activities (Phase 1) into planning for Phase 2 activities (i.e, reflect preferences of stakeholders, locations of interest, etc) Consult with Indigenous businesses to promote the work packages and ensure they have access to relevant information to enable meaningful participation. Develop database of local and Indigenous businesses to be shared with primary contractors and provide basis for identifying and engaging Indigenous businesses through the construction phase Engage with LALCs to provide mentoring to Indigenous businesses in the region to assist with preparing for meeting procurement requirements for the proposal Consider engaging a cultural values engagement specialist to assist with discussions and interpretation of information i.e. consent considerations, etc.	Identify opportunities to incorporate findings of engagement outcomes with enhanced mitigation measures/ recommended management plans from EIS engagement Involve local Aboriginal stakeholders and businesses in opportunities	Identify potential opportunities to provide short term or ongoing support Monitor and report on implementation and outcomes

## 6 Monitoring and reporting

ARTC is committed to monitoring and measuring social performance to understand and manage negative impacts and maximise the benefits associated with Inland Rail.

The SIMP (refer to section 2.5) outlines how ARTC will report on social performance outcomes, such as local Indigenous procurement and employment, and community and stakeholder engagement. Social performance outcomes will be reported through a monthly social performance snapshot, as well as quarterly and annual reports. The SIMP also outlines a review process based on quarterly reviews, with the SIMP to be updated on an annual basis through the design and construction phases to reflect changes in the proposal scope or progress in meeting stipulated targets.

Table 6.1 shows several performance indicators and targets to monitor and report on the success of the Aboriginal community and stakeholder engagement framework. These indicators would be reported through the established social performance reporting process outlined in the SIMP.

**TABLE 6-1: ENGAGEMENT OBJECTIVES AND PERFORMANCE INDICATORS**

Desired outcome	Engagement objective	indicators	Target	Method	Monitoring frequency	Monitoring and reporting
Strong relationships between ARTC and Aboriginal stakeholders and communities are built and maintained	Sharing of information about the N2N proposal with Aboriginal stakeholders and communities in a timely manner, particularly project activities and opportunities that may affect Aboriginal stakeholders and communities.	Number of project updates shared with Aboriginal stakeholders	At least one project update per quarter during the construction phase targeted to Aboriginal communities and stakeholders	ARTC and Primary Contractor engagement records	Six monthly	ARTC
	Building and maintenance of strong relationships between ARTC and Aboriginal stakeholders and communities in the vicinity of the proposal.	Number and type of engagement activities undertaken with Aboriginal stakeholders	Minimum of 2 engagement activities held with Aboriginal communities and stakeholders during the detailed design phase			
	Engagement with Aboriginal stakeholders and communities to understand local Aboriginal cultural and community values.	Attendance at Aboriginal community and stakeholder engagement activities	Provide advance notification and targeted invitation and RSVP process for Aboriginal stakeholders at least one month prior to activities			
		Engagement process during detailed design demonstrates how feedback from Aboriginal stakeholders has confirmed or revised targets	Minimum of 2 strategy focussed engagement activities held with Aboriginal communities and stakeholders during the detailed design phase			
	Involvement of Aboriginal stakeholders and communities in the identification of opportunities to reflect Aboriginal community and cultural values in infrastructure or other outcomes of the N2N proposal.	Initiatives for the N2N proposal that directly reflect local Aboriginal values and priorities	At least 2 initiatives for the N2N proposal that directly reflect local Aboriginal values and priorities			
	Implementation of the identified opportunities in conjunction with Aboriginal stakeholders and communities					

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