



Kimba Consultative Committee and Kimba Economic Working Group Meeting

Date: Thursday 17 February 2022

Time: 9:00am– 12:30pm (local time)

Location: Kimba Gateway Hotel, 40 High Street, Kimba

MINUTES

KCC Independent Convener: Allan Suter

KCC Deputy Convener: Dean Johnson

KEWG Chair: David Schmidt

Item	Lead	Key points
1. Welcome	Allan Suter	<ul style="list-style-type: none"> Housekeeping
2. ARWA update	David Osborn + Kirsty Braybon	<ul style="list-style-type: none"> Acknowledgement of Country Update on judicial review Minister and CEO visits to Kimba EPBC referral NCE legislation update Update to the national inventory Extension of CBP (and new date for assessment workshop) Recruitment and staff (action item)
3. Site post-rain event	David Osborn	-
4. Indigenous Engagement	Shane Holland / Amelia Yaron (VC)	<ul style="list-style-type: none"> Cultural heritage assessment Aboriginal community information sessions
5. Sponsorship program launch	Nicholas Crowther (VC)	<ul style="list-style-type: none"> Launch of program Details/explainer
6. Visitor Centre	David Osborn	-
7. Other business	Allan Suter	-
8. RCC regulations discussion	Stacey Zaniewski	-

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Committee Member	Attendance
Allan Suter (Convener)	Accepted
Dean Johnson (Deputy Convener)	Accepted
Symon Allen	Accepted
Jeff Baldock	Accepted
Heather Baldock	Accepted
Pat Beinke	Accepted
Randall Cliff	Accepted
Kellie Hunt	Apology
Sally Inglis	Accepted
Jeff Koch	Apology
Meagan Lienert	Accepted
Kerri Rayson	Accepted
Toni Scott	Apology
Peta Willmott	Accepted
Peter Woolford	Apology
Amy Wright	Apology
David Schmidt (Chair KEWG)	Accepted
Laura Fitzgerald	Apology
Debra Larwood	Accepted
Christine Lehmann	Accepted
Charlie Milton	Accepted

Australian Radioactive Waste Agency

Staff attending:

- David Osborn, General Manager, Safety and Technical
- Kirsty Braybon, Principal Legal Counsel
- Stacey Zaniwski, Assistant Manager, Strategic Policy
- Jim Haskett, Site Supervisor
- Deb Francis, Community Liaison Officer

Staff attending via VC:

- Jodie McAlister, General Manager, Governance and Policy
- Tim Brown, A/g Manager, Radioactive Waste Policy
- Nicholas Crowther, Manager Public Relations, Media and Community Engagement Section (PRM&CE)
- Shane Holland, Manager, Indigenous Engagement
- Amelia Yaron, Assistant Manager, Indigenous Engagement
- Clare Butterfield, Assistant Manager, PRM&CE
- Daniel Pond, Manager, Design and Site

Outstanding action items

Item number	Detail	Status
KCC20210826/A02	Provide detailed radionuclide descriptions for the ILW coming to Kimba	IN PROGRESS
KCC20210826/A05	Look at getting UQ to update the social impacts of the facility aspect of their report	PENDING
KCC20211014/A04	Work to further develop the CSDP, including whether Tier 1 projects for the CSDP can be used to attract skills, such as health services and what the definition of regional is	IN PROGRESS
KCC20211118/A04	Circulate finalised RDA-EP visitor information centre report	PENDING
KCC20211118/A05	KCC&ARWA to invite Department of Transport to a KCC meeting to impress the need to know where the road diversion will be	PENDING

New action items

Item number	Detail
KCC20220217/A01	Advise Business Grants Hub of seeding dates for their consideration of the CBP assessment workshop date.

1 Welcome and Acknowledgement of Country

The Convener opened the meeting at 9:00am (local time). The Convener proposed an alteration to the agenda to bring the RCC regulations discussion to the mornings session to accommodate members who had to leave the meeting early. The convener outlined housekeeping arrangements and proposed breaks throughout the day. Members agreed to have photographs taken throughout the day. The Convener then invited David Osborn to deliver an Acknowledgement of Country.

Mr Osborn thanked members for their continued engagement and introduced colleagues Nicholas Crowther, Shane Holland, Amelia Yaron, Clare Butterfield, Tim Brown, Jodie Mcalister, and Daniel Pond joining the meeting via Skype, and the ARWA team members in person: Kirsty Braybon, Stacey Zaniewski, Jim Haskett, and Deb Francis.

2 ARWA Update

UPDATE ON ECONOMIC DEVELOPMENT OFFICER

Mr Osborn invited Mr Nicholas Crowther to update the members on the recruitment of an Economic Development Officer.

KCC20211004/A04: Work to further develop the Community Skills and Development Program (CSDP), including whether Tier 1 projects can be used to attract skills, such as health services, and what the definition of regional is.

Mr Crowther explained that ARWA is currently recruiting an Economic Development Officer who will take on this work and the recruitment for this position has been a difficult process. To address this, ARWA is also looking at procuring a consultancy to undertake this work, should a suitable applicant not be able to be found.

Update on judicial review

Ms Kirsty Braybon updated members on the judicial review process, explaining that the Barnjarla Determination Aboriginal Corporation (BDAC) were granted their request for a judicial review on the process of the site acquisition. BDAC requested an adjournment for further time, which was granted, and ARWA expects a mid to end of year court appearance.

Minister and CEO visits to Kimba

Mr Osborn thanked everyone for their engagement during the visit to Kimba by Minister Pitt, Rowan Ramsey, Sam Usher (ARWA's CEO) and himself.

Mr Osborn explained the Minister was pleased to speak with a cross-section of the community about the social and economic benefits of the project and how they can be maximised for the community. The Minister also found it useful to hear from people both for and against the facility, to assist in progressing it in a way that respects the views of those who have concerns about the project.

Mr Osborn advised that Mr Usher enjoyed both of his trips to Kimba. He got a sense of the passion for, and the community spirit in, Kimba. The timing of the trips worked quite well, as it provided an opportunity to look at the infrastructure in and around the town during a time of stress on it. Mr Usher has now returned to the UK and will be working remotely from there until his return to Australia mid-year.

EPBC referral

Mr Osborn explained that ARWA's Environmental Protection and Biodiversity Conservation (EPBC) referral was submitted to the Department of Agriculture, Water and the Environment in December 2021. This is the first stage of the EPBC application process.

The referral sets out the scope for assessment of the National Radioactive Waste Management Facility (NRWMF) project proposed for the acquired site near Kimba, and the potential implications of the project as a controlled action under the EPBC Act.

ARWA is currently working through a series of initial questions from DAWE, and after these have been answered, DAWE will validate the application and list it on their website for a public comment period. DAWE will then assess the referral and comments, and publish its assessment.

DAWE will provide ARWA / DISER with guidance on the scope and form of any further work needed at the next stage of the application process, such as an Environmental Impact Statement. Once any requirements have been addressed, DAWE will make an assessment and provide the Minister for Environment with information on which to base a decision as to whether to grant approval under the EPBC Act.

ARWA will also apply for additional regulatory licenses, authorisations, and permissions that are needed for the NRWMF including those from ARPANSA and ASNO.

NCE legislation update

Mr Osborn advised that following the out of session consultation on the non-corporate Commonwealth entity (NCE) Bill, the Bill was introduced in the House of Representatives on 16 February.

Update to the national inventory

Mr Osborn advised the committee that the 2021 update to the national inventory of radioactive waste is in an advanced stage of preparation and is expect to be published on ARWA’s website shortly.

Community Benefit Program – extension

Mr Nicholas Crowther reminded the committee that the Minister announced a one month extension to the Community Benefit Program (CBP) application close date, which will now be 3 March 2022.

Mr Crowther noted that this is in response to the considerable rainfall the area has experienced recently. Mr Trevor Smith from Regional Development Australia – Eyre Peninsula (RDA-EP) is still available to assist with applications, and his contact details can be obtained from Deb.

Mr Crowther advised that as a result of the change in closing date, the assessment workshop for KCC members is likely to now be 5 May.

Members noted that this is not ideal as seeding takes place from roughly the third week in April until the first week of June, meaning many on the committee will be unavailable.

Action item number	Details
KCC20220217/A01	Advise Business Grants Hub of seeding dates for their consideration of the CBP assessment workshop date.

Recruitment and staffing

Mr Osborn provided an update of ARWA’s recent recruitment activities and current staffing levels, showing an updated organisational chart to the members.

Mr Crowther advised that this is in response to action item KCC20211118/A01, and as such, this item is now closed.

ARWA continues to build its staffing numbers, consistent with the government’s commitment to establishing ARWA as a separate agency in Adelaide and to the 45 jobs that will be required to operate the NRWMF.

A detailed capability mapping process, with key partners and stakeholders, has been undertaken to ensure ARWA has the skills needed to undertake its role in managing radioactive waste for Australia.

There has been an intensive recruitment campaign to fill the roles in Adelaide and there are now almost 35 staff on board, with 6 new employees starting this week.

The exact specifications for the 45 jobs at the facility will be developed as the work on the design of the facility progresses and the licencing requirements are met.

3 Site post-rain event

Mr Osborn presented some drone footage and photos of the site, and extended ARWA's sympathies to those adversely affected by the flooding.

From the reports, photos, and videos from those living nearby Napandee, ARWA is pleased to see the site held up as expected, and the water drained away from it. This is due to the site sloping and draining rainwater away from a central ridgeline.

Mr Osborn also advised that the change in height from the central high point to the low points near the site boundaries are approximately 8m, 20m, and 22m, and that ARWA will be working with the District Council of Kimba in coming months to develop an upgraded design for Tola Rd.

4 RCC regulations and discussion

Mr Osborn invited Ms Stacey Zaniewski to discuss the RCC regulations.

Ms Zaniewski outlined the purpose of the RCC, advising that it is primarily a consultative committee. It is tasked with facilitating communication between the ARWA and the community living near the site. The committee's focus will be representing the views of the regional community in and around Kimba.

Ms Zaniewski also noted that the RCC will be consulted on the regulations to setup the entity. The selected entity will determine how the \$20m funding is disbursed.

ARWA is developing regulations that will detail the functions, governance, and membership of the RCC. This will ensure fair and equal regional representation, set-up the governance framework, and provide certainty on the RCC's functions.

As part of this process ARWA tabled a discussion paper listing a range of issues, including the 'definition of relevant region', and what skillsets are important for members to hold.

Ms Zaniewski opened the floor to hear the KCC's views on the discussion paper.

Members expressed disappointment that the discussion paper was provided so close to the meeting. Members were also concerned that the option proposed in the discussion paper seeks to dilute the Kimba community's input and previous feedback. Other key concerns with the paper included:

- The need for representatives from neighbouring councils. It is understood that it's a regional discussion, but the Kimba community should have control of the Community Fund that will be received when the facility receives its operational licence.
- The Kimba district is most affected by the facility, and has been involved for over 6 years with the facility, so questioned why other communities that haven't been interested now get a say.
- Regulations and guidelines haven't been provided alongside the discussion paper, so they cannot fully understand them, and adequately engage.
- Members claimed the committee's views haven't been heard – "we've always said the definition of regional should be the Kimba district."
- Concern that with changeover of administrative staff, politicians, and ministers over the 6-7 years of the project, community input has been lost and there are now people working on this that don't understand how many times community feedback has been provided.

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- The skills and capabilities listed don't seem to match what is actually required for the committee. Members noted in particular that if specialist advice is needed, the committee can engage outside experts, however those outside experts don't need to be on the committee full time and with voting rights.
- Government officials and departmental advisors have a role in providing advice to the committee, but they shouldn't have a membership or voting role.
- Despite it not being a decision-making committee, it will be asked for opinions on a range of things, so it's important that it's a strong part of the Kimba community – the community most directly affected by the facility.
- Regulations and guidelines needs to be provided so that they can make informed recommendations.
- Maybe 2 people from outside to talk about regional development or economics.
- The role of the RCC vs the role of the Community Fund entity needs to be clarified.
- The skillsets being suggested ignore the capability and capacity in Kimba.
- People from outside of Kimba wouldn't have as much information about the facility, benefits, opportunities, and risks – they would be getting a lot of their information from the media or published information, rather than community meetings.
- People from outside the Kimba region can share information with the RCC, or talk to individual members to have their views heard, but they don't need to be on the committee.
- There needs to be some way to include people close to the facility who aren't in the Kimba LGA, but that doesn't mean there's a need for the whole outside district to be included.

In providing feedback on the paper, members advised:

- 11 members is too many and will lead to unwieldy consultation and engagement – especially as it's a non-decision making committee.
- Someone from RDA-EP who has extensive networks and knowledge of economic development in the region would be useful to have on the committee. If this were the case, there would be no need for people from other regions across the Eyre Peninsula, as the RDA-EP person would have knowledge of the perspectives of those regions.
- 7-9 members would be most appropriate, with the majority from Kimba.
- Getting the right people is important, so serious effort is needed to define governance arrangements, application eligibility, and requirements.
- A KCC sub-committee could be setup to officially respond to the options paper.

Members asked for additional time to consider the paper, and to perhaps obtain legal advice on the matter. Members also asked for information about timeframes and next steps. In particular, what stage of the process the discussions are in and whether there will be further opportunity for consultation on this matter.

A member noted the short response timeframe, advising that it isn't reasonable to ask committee members to drop everything in their busy lives – especially considering the importance of this conversation and large amount of consultation previously.

Mr Osborn thanked members for their passionate views and comments, and advised that these will certainly be taken on board and fed back to the Minister's office. He also advised that this is an iterative process between ARWA and the Minister's office, and ARWA will be coming back to them for further consultation.

Mr Osborn noted that the RCC will not have a say in deciding how the Community Fund is spent, nor will it be deciding what entity manages the Community Fund. Rather, it will have a consultative role.

A member questioned Indigenous representation on the RCC – particularly who, eligibility requirements, and whether members of the local Indigenous community were eligible, or did they need to be Barngarla people. Mr Osborn advised that he was unable to answer at the moment as the specifics would be part of the regulations and guidelines development process.

Ms Zaniewski thanked members for their responses and comments, and advised that the document has been designed as a deep thought discussion paper. The Policy Team will take the feedback to the Minister's office to formulate the draft regulations, as approval from the Minister is needed, and then the draft regulations will be provided to the KCC for further consultation.

The Convener summarised the discussion, reiterating committee concerns that more time is needed to consider the proposal for the RCC, and the Minister's timeframe needs to be extended. The RCC should be smaller than proposed, and should be more Kimba-oriented. The KCC should have more input into the recommendations going to the Minister.

Mr Suter also added as a personal statement – as the independent convener. He believes he's been truly independent, but he has concerns with the unnecessary haste of the process. He also believes there needs to be more time and earnestly requested the Minister consider extending timeframes.

5 Indigenous engagement

Cultural Heritage assessment

Mr Suter invited Mr Shane Holland to provide an update on the Cultural Heritage Assessment (CHA). Mr Holland presented a video that has been released which outlines the process for the CHA and ways in which knowledge holders can get involved. Mr Holland explained that AECOM has been contracted to undertake the CHA for ARWA, and they have published notices outlining ways for knowledge holders to get involved. AECOM has drafted a preliminary desktop assessment as part of the CHA and AECOM Aboriginal consultants and archaeology and anthropology experts will engage with Traditional Owners and other Aboriginal knowledge holders. Consultation will take place over approximately a month, and then on-ground surveys will follow. These are also expected to take about a month to complete. Mr Holland advised that ARWA expects to have an initial CHA report by April, and to finalise it mid-year. Mr Osborn reiterated that no significant site disturbing work would be done on site until the CHA was complete.

Aboriginal community information sessions

Ms Amelia Yaron provided members with an update on the Information sessions that were held in late last year. Ms Yaron advised that in December the Indigenous Engagement team travelled across the Eyre Peninsula to host Aboriginal Community Information sessions.

The sessions were single day, drop-in style events, held in Port Lincoln, Ceduna, Whyalla, and Port Augusta. 12 people attended over 4 days: 6 in Port Lincoln, 1 in Ceduna, 3 in Whyalla, and 2 in Port Augusta. Approximately 50% of attendees were members of the general community and interested in learning about the facility. 2 people from BDAC attended the sessions.

Ms Yaron advised that discussions included opportunities for the wider community, safety, transport plans, environmental considerations, and heritage protection. The sessions also provided advance notice of the cultural heritage assessment.

A member asked whether BDAC has been approached and asked how they would like to engage, as some Indigenous people may not like to speak in an open forum and at a drop-in type event. Ms Yaron advised that BDAC has engaged in robust and respectful discussions

6 Sponsorship program launch

Mr Crowther explained that ARWA has noticed that some of the community programs available, like the CBP and other state and federal programs, sometimes miss the really grassroots activities, such as uniform sponsorship for the tennis club, support of small events, or assistance to provide new equipment for sporting clubs.

To address this, ARWA is excited to launch a quarterly sponsorship program with \$17,500 available for projects and events (with a maximum value of \$2,000) available four times a year. Mr Crowther advised that applications will open in February, May, August and November, and that we welcome applications from a wide range of local not-for-profit community groups. Mr Crowther directed members to ARWA's website for further details and the application form.

7 Visitor information centre update

Mr Osborn advised that ARWA is currently working with ANSTO and Jacobs to prepare the initial design options and cost estimates for construction and operations of a facility visitor centre in Kimba. This is being supported by an existing sub-contractor to ANSTO, Altus Group, who have prepared cost estimates in the past and are experienced and qualified quantity surveyors.

Mr Osborn noted that there is more or less a consensus among the committee that having the visitor centre in Kimba is preferred to having it at Napandee, however there are divergent views on the type and location of the visitors centre within Kimba.

Mr Osborn advised that before recommending an approach to the Minister, ARWA needs to consider the following:

- What costs would be associated with the acquisition or lease of land in Kimba? Who would be responsible for those costs?
- What limitations would there be on the visitors centre in Kimba, e.g. height and footprint, design, parking, etc.?
- If a combined Kimba/NRWMF visitor centre is the preferred option, what additional costs would there be for construction, operation and maintenance? And who would be responsible for those costs?

Mr Osborn invited members to share their views at this stage but noted that he's not asking the KCC to make a decision, simply to identify issues and share views.

A member noted that there is a new planning code in South Australia which will need to be taken into consideration once a location is identified. A member noted that the District Council of Kimba (DCK) has not yet been asked to look into any options, and that DCK's budget and priority will be roads for the foreseeable future.

A member noted that a Kimba tourism section of a combined centre would not have to be extensive, perhaps only 20% of the overall space. The member also noted that they hoped whoever works at the visitor centre would also promote Kimba.

Another member stated that the facility is a major part of our community, so co-location of a facility and Kimba tourism section would bring in the tourists and provide strong education around the facility – particularly that it's safe, secure, environmentally safe etc. – but while in town, here is what else Kimba has to offer.

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A member advised that co-location is essential, as it will draw people off the highway. The member also noted that it could be good to approach an existing local business to be a part of the visitor centre to provide the café/coffee shop, similar to the new Cowell visitor centre.

A member said that there are places that could be purchased in Kimba to site the visitor centre, and asked whether – should the Kimba community have to contribute to the operational costs of a co-located centre – CSDP funding could be used.

Mr Osborn advised that these are all helpful questions for ARWA to consider. He also advised that one of the biggest challenges that ARWA will have is gaining approval for the extra expenditure that a co-located visitor/tourism centre would require, and how a co-located centre would work in the longer term.

Members noted that there would be community expectation that visitor centre staff would be knowledgeable about Kimba, regardless of the type of centre it is.

Other questions raised during the visitor centre discussion included what the government's aim for having a visitor centre is and what are the expected outcomes? Members noted that having a visitor centre in town would draw people in to share info about radioactive waste, and this greater economic diversity could mitigate additional costs for a co-located centre.

Mr Osborn thanked the members for their comments and advised it provides a lot for ARWA to consider. He also noted that long term funding for a co-located visitor centre is important, and ARWA is mindful of putting any burden on DCK for contribution to that funding.

A member suggested that with more information about resources required, funding options, estimated costs, sample designs etc, they could provide more detailed opinions. Mr Osborn noted this, and advised that additional costs need to be as low as possible, so the large cost of a piece of land may not be attainable.

Mr Suter summed up the conversation, stating that the preferred option is bringing the visitor centre into Kimba and having facility and Kimba information co-located.

8 Other business and meeting close

There being no further business, the Convener thanked the members for their attendance, participation and input, and the meeting closed at 12.30pm (local time).