

26 October 2022

Mr Peter Hawke
Department of Planning & Environment
Locked Bog 5022
PARRAMATTA NSW 2124

Our ref: HAK/JAB
Matter no: 9640612
Your ref: SSI-9406

Dear Mr Hawke

Submission: SSI-9406
Project: Inland Rail – Illabo to Stockinbingal

We refer to the current public exhibition of the Environmental Impact Statement (EIS) for SSI-9406, Inland Rail – Illabo to Stockinbingal Project (**Project**).

We act for [REDACTED] the registered proprietors of an aggregation of land impacted by the proposed Project at Cootamundra. The properties are collectively [REDACTED] mixed farming business with livestock and grain production.

[REDACTED] has owned and worked the property for over 100 years and intends to continue farming this property with succession plans in place. The land is highly productive and the family prides themselves on sustainable and proficient business and farming practices.

We are instructed to raise the following issues in relation to the Project:

1. Route selection

It appears that the Project brief has focused on meeting 24-hour end destination arrivals, without further consideration of how the Project could benefit other areas of NSW. The concentration of the end destination arrival time has resulted in narrowed opportunities and possibilities for servicing other areas of NSW.

This large scale Project should be supporting the agricultural and rural communities across Australia.

2. Project alignment

[REDACTED] as seen in Annexure A. [REDACTED] is currently navigated using planned strategies developed over the lifetime of the farm, for moving livestock and heavy machinery from one side to the other. There are currently eight access points where our clients traverse [REDACTED] during regular farming practices.

An overview of the property is provided at Annexure A, including the proposed track alignment. The proposed track runs directly through [REDACTED] between chainage [REDACTED] and [REDACTED], dividing the aggregation into an eastern and western portion.

Our [REDACTED] head of merino sheep. Our clients currently move a mob of approximately 3,000 head at a time between the western and eastern portions of the property for numerous reasons including animal husbandry, shearing, crutching, grazing, lambing, and

livestock management during periods of drought. The movement is required due to the location of infrastructure across the farm.

As per Chapter 7 of the EIS, the proposed track alignment and construction of the Project proposes to reduce the number of access points for crossing from [REDACTED]. The two crossings within the [REDACTED] are at chainage [REDACTED] and chainage [REDACTED] in Figure 7.1 of the EIS.

The new rail alignment will greatly impact on the day-to-day operation and long-term use [REDACTED] including:

(a) *Increased expense of farming operations*

Once the Project has been constructed it will mean increased time and cost in moving livestock and heavy machinery from east to west, particularly in relation to the increased need and cost in labour when moving livestock across the rail line.

This may result in the need to duplicate farm infrastructure and purchase further heavy machinery to be used separately on either side of the rail alignment due to the dramatically reduced access.

Additionally, there are further increased costs expected with the upgrading of internal roads within the [REDACTED] to accommodate wide machinery that will need to take different routes around the property, as they will no longer be able to have access through open paddocks.

(b) *Long term maintenance costs*

The track alignment will introduce weeds into the farm that will increase the need for weed control spraying in surrounding areas.

Fencing will also require ongoing maintenance in the future.

Both of these will add to the cost and workload in running the property and business.

(c) *Increased biosecurity risk*

Section 18.3.6.2 of the EIS discusses biosecurity risks for livestock in the area. Our clients closed flock of sheep currently traverses [REDACTED] through private gates located either side of [REDACTED].

The construction of the Project will mean that there will be limited options for crossing east to west which will exacerbate the logistical challenges of stock movement strategies and lead to an increased higher risk of exposure to disease by forcing [REDACTED] to use the public crossing at [REDACTED] to move livestock between the eastern and western portions of the [REDACTED].

This could impact our clients' accreditations in relation to biosecurity and have cost implications if disease is spread to the [REDACTED].

(d) *Increased fire risk & limited emergency evacuation routes*

We disagree with the statement of section 25.5.2.1 that the Project will not increase the likelihood of bushfires. The Project will cause an increased fire risk along the rail alignment. We request that adequate fire breaks are included and maintained on the

ARTC land. While the EIS provides for the clearing of vegetation during construction, there is no specific consideration of what an appropriate fire break would be and if there if this can be located and maintained in the ARTC corridor. Further details should be considered as part of the assessment of the Project.

Additionally, we request that emergency routes and emergency planning are considered as part of the assessment process, as escape routes will be reduced with the introduction of the rail. We are instructed that an additional occupational (private) crossing located south of [REDACTED] (chainage [REDACTED]) at the double gates on the west of [REDACTED] at approximate chainage [REDACTED] where the proposed rail alignment passes through [REDACTED], would help to dramatically reduce the above expected impacts of the Project on the farming practices of [REDACTED]. These gates currently provide access to the eastern laneway network and existing infrastructure on the eastern properties. This would also reduce the need for [REDACTED] to use the public crossing at [REDACTED] providing a better outcome for [REDACTED] as well as the public.

We request that the Project be amended to include an additional occupational (private) crossing at this location.

Additionally, we request that all of the occupational (private) crossings are designed to allow for large machinery and hoofed livestock to use the crossings to assist with minimising the impact on current farming practices.

3. Construction impacts

There will be significant impacts from the Project construction on our clients' property and farming practices, especially from vibration, dust, noise, and inhibited access.

Noise and vibrations can impact livestock, particularly causing stress to lambing ewes. Historically [REDACTED] have used paddocks in the vicinity of the proposed rail alignment for lambing..

We request that these constructions impacts are ameliorated to a high standard during the construction phase of the Project and that notification and communication is provided ongoingly throughout construction of the Project by:

- (a) Ensuring access to homesteads, machinery and paddocks during construction.
- (b) Not constricted access to the whole of [REDACTED] at once to minimise the impact on farming practices;
- (c) Installation of appropriate secure fencing for livestock throughout the construction phase;
- (d) Consultation and communication of changes to the property well in advance to allow for amendments to livestock and cropping programmes. Accurate and early communication can help reduce impacts on the farming practices;
- (e) Robust 24/7 complaints management system for reporting of issues during the construction phase.

Our clients are also concerned about the demand for water that the construction of the Project will bring, with our clients' relying on local mains water for livestock and households.

4. Proposed property adjustments

Our clients have not received any proposed property adjustment plan to indicate how they will be able to cross the rail alignment, other than what is currently available in the EIS.

The EIS indicates in Chapter 18 that property adjustments will only be discussed with affected landowners during the detailed design stage. We suggest that this is too late in the process and that these conversations need to be happening now, with information about how the impacts on affected landholders included in the EIS and assessment process for the Project. Waiting until detailed design is too late to reduce impacts of the Project. Appropriate access solutions and management of severance impacts should be included and addressed now, not at the time of detailed design as suggested by section 18.6.5 of the EIS.

Gates along [REDACTED] that are currently used to cross from east to west will become redundant due to the alignment of the rail and new infrastructure such as holding pens and extension of existing laneways may be required for stock to be able to navigate the new alignment.

Further and early consultation is required on these issues.

Additionally, the Project will result in the loss of paddock shade trees to the rail corridor. We request that lost vegetation on properties affected by acquisition for the Project, such as [REDACTED], are provided with replacement trees to provide for future shelter for livestock.

5. Project operation

It is unclear from the EIS how communication will work between the operator of the line and the users of the surrounding land. It is [REDACTED] experience with the level crossing at one of their properties that co-ordination and adequate information can be lacking, causing logistical issues for farming practices.

Our clients will need to use level crossings for heavy machinery as well as livestock, that are moved in mobs of 3,000 head at a time.

Further consideration of this interaction with the alignment should be considered as part of the assessment of the Project.

Appropriate fencing amendments should be provided to landowners and users at no cost as part of the Project.

6. Hydrology and flooding

[REDACTED] runs through [REDACTED] on the western side of the proposed alignment. [REDACTED] is referred to at Table 12-8 of the EIS. At chainage [REDACTED] it is expected that there will be isolated increases of flood velocity of more than 20% due to concentrations of flows. This is within the vicinity of [REDACTED].

Table 12-11 of the EIS also predicts increased erosion in channels of the watercourse due the expected increased velocities at the bridge.

Figure 7.1 of EIS shows a culvert on [REDACTED] at approximately chainage [REDACTED].

[REDACTED] have developed collection and drainage systems across their property in consultation with Soil Conservation Service to address surface water flow.

We raise issue with the limited number of culverts across the rail alignment, which will impact the natural water flow and concentrate water in specific sections of the alignment.

The Project area has been impacted by flooding in August 2022. Our clients requested that the project team visit the area at the time to ensure that flood knowledge is known and taken into account. ARTC did not attend.

There is concern that the Project will exacerbate flood impacts by trapping water on either side of the rail.

7. Unsatisfactory consultation

Our clients report unsatisfactory consultation from ARTC in relation to the Project. They believe this is greatly caused by lack of meaningful engagement and constant staffing changes. The Project lacks social licence in the community.

Our clients report that consultation with ARTC reveals a lack of understanding of the greater value of productive farming land, the intricacies of farming business structures and daily farming practices, with ARTC adopting a very narrow perspective in relation to agricultural land.

Their experience is that there is a lack of understanding about how the multiple holdings across the aggregation are used collectively.

██████████ is subject to a proposed partial acquisition for the Project. ██████████ express the difficulty in the delay in payment of reasonable legal and valuation costs as part of this process.

██████████ invite the assessing team to inspect the property as part of the consultation process. Please contact the writer below to organise an inspection of the property.

Yours faithfully
Hunt & Hunt



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Annexure A - Redacted

