

## APPENDIX A

PR & WG GALLEY  
RK & RC GALLEY  
BP GALLEY  
Coboco & Kickabil NSW 2830

Dear Committee

We thank the committee for the opportunity to present a submission for the inquiry into the Inland Rail project and regional NSW. Inquiry issues addressed for your consideration are;

e) any other related matters.

### **INTRODUCTION - OUR FAMILY'S STORY**

We have continually insisted on an inquiry into Inland Rail and are hoping the inquiry will look into the collated information and the results ARTC have used to determine their preferred chosen route. ARTC is playing the most significant role in this "nation building project" its integrity, honesty and reliability is paramount if this project is to succeed. ARTC and its employees should have conducted proper thorough analytical studies, conducted extensive landowner one on one consultations and reported with honesty and integrity in order to fulfil its obligation to the people of Australia and the government that has engaged them. Regardless of the current government's intent to hurry up and push the project through, we would hope our political representatives and those who run organisations like ARTC have good ethical morals and strive to do their best as the commitment they have undertaken requires

Our family are fourth generation farmers. Our land lies directly on the path of ARTCs Narromine to Narrabri (N2N) preferred green-field route between Burroway to Curban. Our family over the generations have farmed here for approximately 100 years.

We farm with our three adult children who also intend to continue farming on our properties with their own families in the future. We own and operate our properties with our parents. We all reside closely together on these properties. Our network of land ownership and farming operations have improved and grown considerably over our family's existence and we are absolutely devastated that Inland Rail now threatens to take all of that away from us.

We operate our family properties as a group of farms. Ownership of each property is held in different names but the properties are farmed together as a collective group. We have a mixed farming operation of livestock and cropping across all properties.

The current chosen corridor of Gilmours Road Alternative creates major operational severance for our family's farming enterprise. Our day to day activities of accessing all of our properties will be significantly impacted. Two of our properties (where we and our parents currently reside) hold all plant and machinery, workshops, storage sheds and silos as well as homesteads. These two same properties contain all of our cattle and sheep holding yards, ramps for transport loading, fodder storage sheds & silos and shearing sheds. Our core property (where our parents reside) will have the current chosen rail alignment corridor wrap around it on both sides – severing operations and access to our other properties (one of these is where our son and partner reside). All livestock

movements and heavy machinery movements between all of our properties pass through our core property.

### **MAIN COMMUNITY THROUGHFARE**

We are only one of the many multi-generational farming businesses in our area that will be significantly impacted by Inland Rail and ARTCs current chosen corridor.

The Burroway to Curban section of Inland Rail is a highly productive farming area which includes many multi-generational family businesses, particularly in the Coboco and Kickabil area. These farms are well established successful farming enterprises that have operated and contributed to agriculture in our local regions for over 100 years.

Many of these multi-generational farms involve ownership of a network of interconnecting (smaller to medium sized) properties throughout the district. A lot of these properties are owned/purchased in different names (as the family grows) but nevertheless are used to operate as a collective group of farms within the families. Most have been purchased as family businesses grow through the generations and when other property, preferably and usually neighbouring, becomes available for purchase. Therefore, when ARTC along with local government and Political representatives state, for example – only 100 landowners will be impacted – then that is simply not true!

Operational severance and farm economic viability can be significantly impacted by a whole family group, even though Inland Rail may pass over or along only one or two of their property boundaries. You may have only one family member residing on that one property (or ownership of that property being in one name) but unfortunately the livelihoods and business of all the other family members (who haven't been counted for in that example of 100) within the farming group will be impacted as well.

A main community thoroughfare including Mawbeys Rd, Old Mill Rd and Gilmours Rd is used for community, families and landowners as access to their network of properties in our area.

### **USE OF EXISTING RAIL CORRIDORS AND MAJOR ROAD CORRIDORS**

The majority of our area's community and landowners disagree with Inland Rail's green-field corridor passing through this farming district and particularly through this community's main thoroughfare when an existing rail corridor and a main highway/road corridor already exist for our area. The majority of landowner preferences in our area support the use of these options for Inland Rail – please see later notes in this submission under Section 2: Consultation/Route Selection – Alternatives & Options. NSW Farmers and Country Women's Association (CWA) also support this preference.

The Committee need to know owners of properties along these already existing corridors have adapted their properties and businesses to those corridors. Operational severance for these properties may not be as significant as a new green-field corridor will impose.

Very minor time delays or adjustments to the serviceability of Inland Rail for this N2N section, simply by choosing these preferred corridors or a combination of them, were not properly assessed or ignored by ARTC in their Phase 1 stage of route selection. These alignments were not favoured also by our local government and federal representatives and unfortunately this has led to the detriment of many farming and multi-generational businesses, community and landowners in this area.

We now have Inland Rail entering a community's main thoroughfare whereby access to a network of properties occur. These multi-generational businesses use these roads to access their network of properties continuously all day every day. The safety aspects alone are a very serious concern.

Unfortunately, big business and their 24 hour ultimatum has captured The Nationals, political representatives and local councils at whatever cost, regardless of the impact to livelihoods.

### **SOCIAL & ENVIRONMENTAL (INCLUDING HYDROLOGY) IMPACT STUDIES**

Necessary social impact studies prior to choosing study corridors, especially in the green-field corridor, have not been thoroughly assessed. The importance of how this project will affect people's way of life, community cohesion and character, culture, people's health and well-being, people's surroundings and people's personal and property rights should have been considered extensively. The effects of property and operational severance for the green-field alignment will ultimately change this rural sector as people's livelihoods and well-beings are impacted. Population changes will be expected and therefore the impact of these new corridors should have been properly assessed for these rural regions.

As well, thorough environmental (including hydrology) studies have not been fully conducted. The effects of this alone has caused an enormous response particularly because the cost consequence and ramifications of these impacts will be never ending for both local and state governments in order to rectify damage caused.

### **ECONOMIC IMPACT AND REGIONAL BENEFIT STUDIES**

Economic benefit studies including regional benefit & development studies of rural towns on the existing Dubbo to Coonamble line - prior to choosing study corridors should have been fully assessed and opportunity made available to all landowners, community, as well as local government, to provide input and feedback in a timely and unbiased manner.

One of the Australian Rail Track Corporation's (ARTC) main focus points when selecting a path from Melbourne to Brisbane for Inland Rail was to utilise existing rail corridors where possible. Existing rail corridors have been used in Victoria and in both the southern and northern ends of NSW

Importantly consideration must be given here to the economic and regional **cost of bringing Inland Rail through a green field corridor rather than using existing rail corridors.**

Assessing the economic and regional benefits of using the Dubbo to Coonamble line was not thoroughly conducted.

Failure of ARTC to adequately carry out these thorough assessments prior to choosing study corridors is a critical flaw of their management and route selection process.

There should have been thorough "engagement with rural communities to understand how new infrastructure associated with upgrading existing rail corridors to accommodate double-stacked trains can be used to benefit these communities and improve wider regional connectivity".....Opportunities to improve associated infrastructure, such as bridges and rail

crossings, do not appear to be part of ARTCs consideration” (NSW Farmers Inland Rail Update – May 2019)

There has been no robust economic cost-benefit analysis of using the existing line through to Gilgandra and then to Coonamble, primarily because the focus has always been to gain time in line with ARTCs service offering. Landowners and community cannot currently see any real benefit for our area in Gilgandra from ARTCs chosen N2N corridor.

On the project as a whole we must then ask - has the economic viability of the project been thoroughly considered? Infrastructure Australia has identified a number of risks which could impact on the economic viability of the project. Factors such as a decrease in demand for Australian coal exports, weak oil prices, a reduction in demand for interstate freight and upgrades to the Newell Highway could adversely impact the economic case for Inland Rail. (see 2016 Inland Rail Project Business Case Evaluation). Taking into consideration these points, we then ask with reference to our area - why would our Federal and local government representatives not support and push for the options proposed by ARTC through 2016/17 (please see following information on route selection) - to utilise existing line between Dubbo and Coonamble thus maximising existing grain handling infrastructure. This would;

(1) Boost freight opportunities for Inland Rail, as well as

(2) Maximise opportunities for local communities along the existing Dubbo to Coonamble line

### **COMPENSATION**

What will the overall compensation costs to Inland Rail actually be to the taxpayers of Australia when you consider all of these multi-generational farming businesses - which now have their entire family business viability and family livelihoods significantly impacted by this N2N green-field alignment? Remember some of these family businesses have evolved over a hundred years. These businesses are the backbone of our regional communities and towns - Inland Rail threatens every aspect of these farming businesses and their family's livelihoods. Many in our area will be devastated by Inland Rail, operational and property severance will be significant. The regional disadvantage of impacting these farms have not been fully investigated.

We believe costs to the Australian Taxpayer & Government have not been fully assessed and included in the Inland Rail Business Case. Our multi-generational farmers who have long standing successful businesses and who have committed their entire families lives to building and supporting agriculture in Australia won't be bowing down in the compensation courts.... *they simply have too much to lose*. We believe an Inland Rail court battle is something the taxpayers and government will not want.

### **COST BLOWOUTS**

Thorough assessment of all of the above mentioned studies would obviously assist in limiting or preventing cost blowouts in the future for Inland Rail. Existing Rail corridors should be fully utilised and upgrades conducted if necessary to help minimise costs.

Research by economists and Holding Redlich (see Holding Redlich submission to EIS Feb 2021 and our membership in their representative group for EIS submission purposes (mentioned later in this submission)) have stated that:

- the focus of Inland Rail is currently more about moving containerised freight from Melbourne to Brisbane than moving grain from region to export markets.
- ARTC has not undertaken a proper cost benefit analysis (**CBA**) for the N2N Project. Rather, the ARTC have engaged in optimism bias and relied on a multi-criteria analysis (**MCA**) that has enabled them to ignore costs, important assumptions and unbiased economic modelling in order to generate skewed results.
- There are numerous benefits for the Dubbo to Coonamble existing line rather than principally relying on new green-field track;
- No relevant flooding has been reported on the existing Dubbo and Coonamble corridor and the line has been properly maintained.
- Less land needs to be acquired, meaning that the impacts (and legal costs) associated with severance are also less significant. This is because the farms that already adjoin the existing alignment have been historically developed with this limitation in mind and no accidents
- Coonamble already has significant infrastructure in and around the vicinity of the existing rail line including large depots, silos and other storage infrastructure.
- The location of the alignment to the west of the Castlereagh River up to Coonamble would also avoid the crossing of the Castlereagh River at Curban which we understand may have significant flooding and hydrology issues; and
- The existing rail line has already been earmarked for significant upgrade works as part the Country Lines Improvement Program. This means that some of the funding for this part of the Project could be redirected towards this alignment, rather than the proposed alignment, thereby reducing costs
- The current budget for the Inland Rail Project has blown out to \$14.5 billion and is far greater than previous capital cost comparisons used in May 2016 Infrastructure Australia Project Business Case Evaluation which was \$9.89 billion (P50) and \$10.66 billion (P90).
- Even prior to the recent announcement of the budget increase in December 2020, the Inland Rail Project was already a project with a Net Present Value (**NPV**) of zero and (assuming a budget of \$10 billion) a Benefit Cost Ratio (**BCR**) of 1.02, indicating that there are possibly superior alternative projects that can make society much better off.
- A low NPV flags that NSW welfare is not maximised and the project is inefficient
- From an economic perspective, the Inland Rail project should be stopped and money spent on other more worthwhile projects, as there are many other capital projects with much higher BCRs and large positive NPVs
- There are a number of important assumptions that underpin the Inland Rail Business Case that no longer hold true.

#### **LOCAL AND FEDERAL GOVERNMENT PARTICIPATION**

Given that Gilgandra Shire has the most significant amount of impacted landowners on the N2N green-field section, it is believed that both the actions of local government representatives and their communications with both ARTC and our Federal government

representative should be taken into consideration by the committee under this inquiry.

Some Gilgandra shire councillors have had a significant amount of contact with ARTC in organised meetings. Undoubtedly this is necessary we agree for the project. Mark Coulton MP and The Nationals have been in regular contact for them as well. Have their dealings influenced or encouraged the acceptance of the greenfield corridor path in Gilgandra Shire, in line with big business 24 hour ultimatum, rather than the council fully assessing and being open minded toward the regional and economic benefits Inland Rail and the use of the existing Dubbo to Coonamble railway (with slight variations) could bring to Gilgandra and its surrounding districts and towns?

Can acceptance of the green-field corridor regardless of the extensive impacts it will impose on Gilgandra Shire's farming sector have been a possible driving force behind the actions of local government and federal government dealings? Could promises of extra government funding for future projects for example have been at the forefront of agendas? Is it therefore imperative that an inquiry investigate these dealings?

The rushed process experienced by Gilgandra Shire landowners, the lack of consultation and the neglect to include landowner representatives in the planning of corridor options obviously creates a lot of suspicion in areas (please see section 2 of this submission)

A lot of meetings have been closed to affected landowners/ rate payers and brushed off as informal, but landowners cannot help but feel the gatherings/discussions are not as they appear and that other underlying issues may have been the main focus. The process of discounting possible green-field corridor options over other so-called preferred options of the landowners, community and regional areas has left a considerable amount of unanswered questions that may possibly refer to interference and by who?

Can organised meetings in Canberra with Federal government Minister(s) prior to approval of the study corridor be seen as a way of "smoothing over" rather than informing of the main issues disgruntled landowners have expressed in gatherings - of which our local and federal government representatives have either been included in or made aware of? Access by the committee to minutes of meetings could help. If there aren't any – should there be?

Public meetings involving landowners and local and federal government representatives and ARTC, after the corridor announcement, have shown disregard and ignorance to the concerns of those present.

A majority vote in a Gilgandra Shire Meeting supported landowner's requests for an independent inquiry. Mayor Doug Batten did say to landowners he did not support an inquiry.

### **COMMUNITY CONSULTATIVE COMMITTEES (CCC)**

Attendance at CCC meetings have left doubt in the minds of those genuinely interested in Inland Rail and ARTC. These events are found to be another box ticking episode of ARTC to

make it look like they are dealing with the issues and keeping landowners, shires and the community informed. It is merely a way of informing the community of what ARTC are planning to do but never really address the more serious issues arising around route choices and the issues ARTC and community will have to deal with.

ARTC are ignorant to questions which relate at all to their Phase 1 stage. Community specifically have asked numerous questions regarding ARTCs route alternatives and none if barely any are answered or followed up. Observers are frustrated and gain really no useful information.

A meeting we attended at Gilgandra was very disappointing. Many impacted landowners and community attended as observers, hoping to get some answers from ARTC (from questions addressed at previous meetings) only to have the Chair redirect ARTC and not allow them to answer. What is the purpose of these meetings after all? Another waste of taxpayer's money.

### **MEMBERSHIP OF A COLLECTIVE GROUP**

We wish to advise this committee - As stated in our EIS submission on 7 February 2021 - We are members of NSW Farmers and members of a collective group (comprising members of NSW Farmers and the Country Women's Association (CWA)) being represented by Holding Redlich. We wish to inform The Department that we therefore are relying on the submission of Holding Redlich for its technical and professional approach and we fully support their listed objections in that submission. We would like this committee to consider its findings also with regards to this inquiry.

Furthermore, as members of the Central West Inland Rail Realignment Group we'd like to inform this committee that approximately 1700 odd signatures requesting an inquiry into Inland Rail was gathered for our local Gilgandra Shire area by our group – emphasising the need for it.

In the following - Section 2 of our submission, we wish to make further comment for your consideration regarding consultation/route selection – alternatives & options. This section was submitted to the Minister of The Department of Planning with regards to our objection to ARTCs Inland Rail N2N EIS on 7 February 2021, along with a majority of the information already given above.

## **SECTION 2**

### **CONSULTATION / ROUTE SELECTION – ALTERNATIVES & OPTIONS**

**1) We disagree entirely with ARTCs account of their Consultation Approach (A4) and declare their consultation process unacceptable for such a project as significant as this, especially for the Burroway to Curban section of N2N.**

They have stated in the EIS:

Consultation Approach (see A4.1)

-ARTCs overall Approach and Objectives (see A4.1.1)

ARTC is committed to active engagement in accordance with the IAP2 spectrum of public participation:

Build trust: through quality engagement and interactions with our primary stakeholders, including landowners and communities. Providing stakeholders with meaningful avenues for input and accurate honest information that allows them to have some certainty about what is happening and what they can expect so that they can make appropriate plans and decisions

**ARTC did not do this**

The strategic engagement principles that apply include: }

- \* Timing—early and regular engagement
- \* Inclusivity—ensuring relevant stakeholders are consulted or involved
- \* Transparency—views and opinions captured from the public are reflected during the engagement process and are available to participants.

***This did not occur.***

A4.2 Consultation during the options development, design and environmental assessment process

TABLE A4.1 CONSULTATION TOOLS

Inland Rail website (inlandrail.artc.com.au - Updated, as required, to reflect the stages of the proposal. ***This did not occur.*** Documents were not made available in a timely manner for landowners and community to be fully informed. Transparency and justification of timeline events were not available when necessary.,

**2) We also disagree entirely with ARTCs account under Alternatives and options (A6), specifically their Options Assessment (A6.2.3 Phase 1 concept design assessment) and declare their alignment refinement process unacceptable for such a project as significant as this, especially for the Burroway to Curban section of N2N**

They have stated in the EIS:

A6.2.3 Phase 1 concept design assessment

Options assessment (p.A6-12)

The shortlisted options were subject to further alignment refinements and were considered by the December 2016 MCA workshop. The purpose of this workshop was to determine the options to take forward for further investigation and consultation. The shortlisted options developed as an outcome of the assessment are shown in Figure A6.5. Further information on the options considered, and the results of the assessment, is provided in the Melbourne to Brisbane Inland Rail Route History 2006–2019 (ARTC, 2020a). ***This Report has been created well after all the inconsistencies and discrepancies with their consultation process became apparent and were questioned. It was created well after all their reports relating to MCA workshops and preferred corridors were released. This History Report has information – created by ARTC, in an attempt to justify their own reasoning and refute those discrepancies brought to everyone’s attention regarding consultation, route selection and refinement – especially for Burroway to Curban. There are specifically incorrect tables & maps, referring to Dec 2016 and May 2017 MCA Reports, and incorrect (adjusted) MCA scores for options which do not correlate with the original MCA Workshop Reports released by ARTC to the public.***



*Note: FIGURE A6.5 – (pA6-13) shows “Gilmours Road Alternative”. This was not the shortlisted options OR recommendation stated for the Burroway to Curban Section from the December 2016 MCA workshop - to take forward for further investigation and consultation. Option 109 was recommended to be consulted on. Option 109 is not the Gilmours Road Alternative. Option 109 was never brought to community and landowner attention at the time of consultation in April 2017 for Burroway to Curban - The December 2016 MCA recommendations were never consulted on. **ARTC were neglectful in their duty.***

Following the December 2016 MCA workshop, over 400 meetings were held with landholders, local councils, government agencies and other key stakeholders. Additional field surveys were also completed. Feedback from the consultations and surveys was considered in the final MCA held in May 2017. A summary of the outcomes of the assessment, including the options considered and the preferred options identified, is provided in Table A6.1 (pA6-14). **ARTC need to prove these meetings took place if their reports and recommendations are to be taken seriously as an honest representation of their actual findings.** *If they don't have the evidence and records regarding these meetings then surely the department cannot accept such statements as a true account of the events. There needs to be transparency and justification for route selection – it needs to be evidenced. Proof will show ARTC did not consult on the recommended options from Dec MCA 2016 for Burroway to Curban*

**3) In order for us to explain why we disagree we feel it is important and necessary that The Department of Planning be given an overview of how ARTCs consultation and reporting process panned out for our Burroway to Curban area.**

Firstly, ARTC advocate that service offering, construction cost, and Multi-criteria analysis on a like for like basis are used to determine the Inland Rail Route (confirmed in A6.2.2 Refining the route pA6-10). Through MCA workshops, MCA scores of preferred options are compared against the 2016 Concept Alignment and eventually options are narrowed down and report recommendations made. Alterations and refinement decisions are made after further consultation until finally a preferred study corridor is chosen.

With this in mind we provide the below summary of events;

#### **SUMMARY OF EVENTS FOR THE BURROWAY TO CURBAN SECTION OF N2N**

\* 2 x Casual Community drop in sessions in Gilgandra started in the end of 2016.

These sessions were very informal. In the November session maps were displayed indicating the options and recommendations ARTC were studying according to the outcomes of the MCA Workshop of 27 October 2016. For our section they were Option 101, using existing Coonamble line via Eumungerie Road, and the 2016 Concept Alignment (known as Gilmours Rd) with a possible variation including Option 107.

\* Our next contact with ARTC was *actually organised by the landowners* on the 5<sup>th</sup> April 2017, *one month before the final MCA Workshop of May 2017 was to occur.*

At this meeting an option called the “Gilmours Road Alternative (including Mawbey's Rd)” first became known to landowners and was presented on an official map of ARTC

**This alignment was not included in any of ARTCs prior MCA Workshop or Options Reports. At no stage prior to April 2017 were landowners made aware of this alternative**

ARTC claim that a landowner suggested this alternative route at the information drop in session in Gilgandra in November 2016 (see ARTC Phase 1 Narromine to Narrabri: Preferred Corridor Report August 2017p33-34 of 74).

Landowners began to question if someone had an influence over ARTC by making the suggestion and believed the investigative process was obviously being jeopardised.

*We ask*

1. What evidence does ARTC have to support this claim
2. How does a ONE LANDOWNER SUGGESTION carry enough weight in a casual community drop in session to trigger an official map to be drawn up and for consultation to now switch to this focus area.
3. Was THE landowner encouraged to make the suggestion with support or backing from others like Gilgandra Shire Council members or a political representative(s)?

\* Community and landowners expressed major concern about the hydrology, biosecurity, economic, environmental, social impacts and *especially the safety issues of bringing Inland Rail into our community's main thoroughfare of Mawbey's Road, Old Mill Road and Gilmours Road via this new alternative.*

\* Those who made contact with ARTC expressed how farms would be devastated through *property and operational severance*. We were advised by ARTC that this was just a starting point and there would be **opportunity for further consultation**. That was in April 2017!

\* The Department needs to know very minimal consultation had been conducted in the lead up to the May 2017 MCA workshop for Burroway to Curban, some landowners were not even aware of Inland Rail being in the area and others who were not previously impacted by Inland Rail now realised they were.

\* If existing railways could not be utilised then major roads such as Option 101 with a possible variation running along the western side of the Newell Highway (and linking back up to existing line) was the **preference of the majority of landowners in the Coboco and Kickabil area**.

\* Landowners reached out to our Federal member Mark Coulton MP continually for assistance. *We believe organised meetings for Gilgandra Council (in the lead-up to Chester's signing) implied a general acceptance of the green-field corridors and not address the real issues.*

\* **ARTC advised landowners that the release of the MCA Workshop Report 11 May 2017 would be made available to landowners for further consultation prior to the Federal Minister of Infrastructure and Transport's (Darren Chester MP) review.** *This was never done and this report along with the N2N Options Report November 2017 was not available to landowners prior to this event on 7th November 2017.*

#### **After the announcement of Inland Rails Preferred Study Corridor approval by Chester MP (7 Novemeber 2017)**

\* It became evident that the original *Gilmours Road Alternative path had changed to exclude Mawbeys Rd and now include Old Mill Rd* in the MCA Workshop Report 11 May 2017- why?

Option B - Gilmours Road Alternative (including Old Mill Rd) - Consultation for this *change in path* had not occurred with landowners. We believe the MCA scores for Gilmours Rd Alternative in the May 2017 MCA would therefore not be reflective of this change. Some **MCA scoring criteria were not even given weightings in the final** scores of this MCA Workshop 11 May 2017 (see Phase 1 N2N: Preferred Corridor Report August 2017 p33 of 74). Safety assessment, operational approach and Approvals and stakeholder *risk for a community's main thoroughfare were not weighted at all!*

*We ask*

1. What evidence does ARTC have as to why this path was realigned?
2. Who influenced the change in this path and why was it not brought to landowner and community consultation before the MCA workshop and report was released?
3. Why would a community's main thoroughfare not have MCA scoring criteria weighted?

We believe *ARTC have failed in their duty* and again **ARTC have not been transparent, negotiating changes for the benefit of one/a couple but to the detriment of the majority without any thorough explanations or reasoning given...interference?**

\* Between November 2017 and June 2018 a lot of very concerning issues with Inland Rail and ARTCs role particularly for the N2N green-field sections evolved.

- **Discrepancies and inconsistencies surfaced** especially once landowners, impacted communities and representative groups became aware of and analysed ARTC Reports, Statements, presentations and Freedom of Information (FOI) documents.

- **Unanswered questions were mounting**

ARTCs Phase 1 N2N Preferred Corridor Report of August 2017 (submitted to Chester for review before signing) lists the feedback provided for the green-field sections and states **"Overall the project is supported and the rationale behind the route selection process is understood"** – **this was not true**. Local government representatives for our area knew this - as they either took part in, or were aware of disgruntled landowner meetings prior to Minister Chester's signing. *Did they convey this to Minister Chester? Was Chester kept informed?*

\* We believe **the non-disclosure of these reports to landowners prior to Minister Chester's signing was crucial** – *if landowners were aware of the contents of those reports then submissions to Minister Chester could have been made in a timely matter – notifying him of the discrepancies.*

\* Access to Freedom of Information (FOI) documents were not available also to impacted landowners at that time (see Freedom of Information Disclosure Log – Documents relating to the inland rail route from Narromine to Narrabri – disclosure date 20/4/18).

\* Landowners in the Burroway to Curban section, specifically Coboco and Kickabil areas, **immediately compiled and submitted a petition** to ARTCs Community Engagement Lead Mary Diab on December 13 2017. It stated the preference of landowners for our area. To date we do not know what happened to that petition or how it was received by Inland Rail management. We have followed it up with ARTCs Mary Diab and ARTC but to no avail. Mark Coulton MP was also advised of this but nothing was done about it – why?

*We ask*

1. What happened with this petition?
2. Why wasn't it acknowledged by ARTC?
3. Did ARTC treat landowners fairly?

\* In a community organised meeting with Mark Coulton (May 2018) accompanied by Brendan Nerdal (advisor to Minister McCormack) and ARTC – landowners in our area again had lengthy discussions about the significant impact issues of farm operational severance, multi- generational farming families, government compensation costs, only slight delays in time in using existing rail and major road corridors compared against new greenfield construction and cost blowouts. Our concerns were meant to be relayed to McCormack. Further meetings evolved, some excluding landowners, promises were made to landowners and the story goes on.

### **Reports don't actually represent their release date by ARTC.**

\* It's important for the department to know this.

ARTCs MCA Workshop Report 15 December 2016 became available for review by landowners around June 2018. **Released eighteen months after the workshop occurred.** Landowners, at the time of consultation were not even aware it existed or informed of it....

\* Burroway to Curban landowners were shocked again to realise that *this report's contents included another four options (109, 108, 112 and 113) for study for the Burroway to Curban section. All of these options would take Inland Rail out of our community's main thoroughfare, have reduced hydrology issues and should of at least been brought to landowners attention!*

\* **Its contents were never relayed to landowners by ARTC staff in our April 2017 meetings.**

\* *Its contents not relayed to the community also in our Mark Coulton May 2018 meeting when we were still discussing the preferred option of community to use existing rail and major road corridors. Brendan Nerdal – Minister McCormack's advisor did not mention it either. ARTC staff never mentioned it in this meeting as well.*

### **Release of MCA Workshop Report 15 December 2016 (mid 2018)**

\* This workshop *recommended Option 109 "Paper Roads" and the 2016 Concept Alignment be subject to further investigation and community consultation in early 2017.* By ARTCs account it followed the preliminary MCA held on 27 October 2016 and feedback received from the 14-19th November information sessions.

- Option 109 was an option that ran parallel to both the 2016 Concept Alignment and Gilmours Road Alternative, but further east. It scored a higher MCA then both the 2016 Concept Alignment (see December 2016 MCA Report) and the Gilmours Rd Alternative (see May 2017 MCA Report) ... BUT WAS NEVER CONSULTED ON WITH LANDOWNERS AS RECOMMENDED – *regardless of whatever reasoning ARTC give today, the fact is they did not consult and they did not follow their own policy recommendations for route selection and refinement!*

- Options 108 and Option 113 were not directly evaluated by the attendees as they were considered “intermediate solutions between Option 109 and Option 101”. **ARTC Staff discarding genuine options merely because attendees felt it not necessary.-**

- **Option 113 stems off Option 101 and represents the most preferred route encouraged for investigation by landowners, if the existing Eumungerie to Gilgandra railway line could not be utilised for this section (avoiding grade separation of the Newell Highway).** *These two options mirror the community’s petition request given to ARTC in December 2017 but option 113 was not even known to exist by landowners at the time of making the petition. (We later found out it was an alternative option of the Dec 2016 MCA – but not advised of this at any time by ARTC)*

*We ask*

1. What would the MCA scoring of these two combined options 113 and 101 be? We did ask ARTC this very same question, but it has always been ignored. *A fellow landowner had an MCA conducted and the score was greater than Option 109 – it was rejected by ARTC!*
2. **Why were the findings of the MCA December 2016 workshop ignored by ARTC and not consulted on** as per recommendations in that report – regardless of what excuse ARTC use now?
3. Why were maps showing the options recommended from the MCA Dec 2016 Workshop not shown to community at our 5<sup>th</sup> April 2017 meeting and considered for consultation by ARTC?
4. **Why was the December 2016 Report not released before June 2018 and more importantly before the MCA May Workshop May 2017 and Chester’s approval in November 2017?**
5. Why did Mark Coulton and ARTC staff fail to notify landowners in our May 2018 meeting of MCA December 2016 findings? **Were they not aware of them?**
6. **Is it suspicious that all of the above occurred?**

**We believe ARTCs process for route selection had been interfered with.**

\* We believe there wasn’t any real intention of ARTC to do proper investigations – it was just a box ticking exercise to make it look like they had assessed the areas accordingly.

\* After the May 2017 MCA Workshop had been conducted and in ARTCs Phase 1 N2N: Preferred Corridors Report August 2017 ARTC state “The geotechnical conditions are better to the east and will provide more opportunity for capital cost savings and reduced maintenance costs”... “The hydrology and flooding issues are reduced” – when referring to preference for the Gilmours Rd Alternative. **It does not make sense then that further eastern options weren’t properly studied, and consulted on.** Option 109 is further east of Gilmours Rd Alternative (and scored a higher MCA in Dec 2016 MCA Report and was the recommended option to be further studied and consulted on) and so is the community’s preferred option comprising 101 and 113 if existing rail could not be used.

\* There seems to be a lot of confusion around the understanding by ARTC staff and our local council and political representatives of refinements in the Burroway to Curban section.

- In a Freedom of Information (FOI) Document (No.3 dated 6 September 2017) - a Meeting brief regarding the proposed Inland Rail route through Gilgandra Shire for Darren Chester MP is given by

Mark Coulton and Ash Walker (Deputy Mayor of Gilgandra). Under "Background" it is stated..." In 2016 ARTC consulted with local councils, farmer representatives and community, which resulted in other route options being put forward. These options were reviewed by ARTC internally in Oct 2016, which led to further consultation, investigation and feedback to narrow down options. ARTC held a multi-criteria analysis workshop on the shortlisted options in May 2017 and will soon report to the Minister for Infrastructure and Transport with a recommended route"... *please note they do not mention the December 2016 MCA Workshop at all, an important workshop analysis at the start of community consultation and engagement in early 2017.*

- Furthermore, in Mark Coulton's update in another FOI Document (No.10) - ARTC Inland Rail N2N Project Update Briefing Notes dated 10 October 2017 (see pages 3 to 6 especially *Figure 1 clearly shows option 109 for section B as the Corridor options assessed in May 2017 MCA against the concept alignment, p.5*). He states also..."The alternative Gilmore's Rd option was a suggestion progressed to minimise impact. As a result of this situation, landowners first heard of the new Gilmore's Road alternative option when the March – April 2017 consultation occurred. **This option has not been canvassed with the broader community.** There are questions in the community about the origin of this alternate option"... **note he doesn't mention anything about the Dec 2016 findings or recommendations but shows a map (Figure 1) clearly depicting Option 109 as the corridor assessed in May 2017.**

**\* Option 109 for Section B – Burroway to Curban is the corridor path that appears on the map The Hon Minister Chester signed off on in November 2017.** (FOI Document 13 Unclassified For: The Hon Darren Chester MP, Subject: Inland Rail – N2N Preferred Corridor. See Key issues 1. – map at Attachment A).

\*Similar maps showing Option 109 appear in other reports as well (NOTE: this contradicts the response given to Senate Estimates Monday 18 February 2019 regarding the error with this map). Those reports are;

- N2N Options Report November 2017, Figure 12 December 2017 MCA outcome (p19 of 47)
- Phase 1 Narromine to Narrabri: Preferred Corridor Report August 2017, Figure 3 Corridor Options Reviewed in Final MCA Workshop (p16 of 74)
- Inland Rail – N2N MCA Workshop Report (15 December 2016) (piii), Figure ES-1 Options to progress to landowner consultation, p39 Figure 7-1 Options for landowner consultation
- Power point presentation - Narromine to Narrabri: Development of the Route and Alignment March 2018 (p19), MCA Analysis 2- December 2016, selected options for presentation to the community in early 2017
- Freedom of Information Documents – various.

**\* The Minister of Infrastructure and Transport's advisor** Brendan Nerdal in FOI Document 14, in an email from Scott Mashford (General Manager/Communication and Stakeholder Engagement Inland Rail Unit) sent 8th November 2017 **became aware of the lack of consultation for the Burroway to Curban section ...**"the consultation concerning the alternative route prior to the MCA workshop was limited. By setting the wider 5km study corridor, **ARTC seeks to minimise the risks associated with community not being fully engaged in the development of the refinements**". Has this happened in other sections along the green field alignment? Was Brendan Nerdal or Scott Mashford aware of the MCA Dec 2016 recommendations at this point, if not - then why not? *Errors should have been picked up and then disclosed!*

## **ARTC Staff and Obligation during Consultation and Route Selection.**

*We ask*

1. Does anyone oversee ARTCs obligation of their engagement?
2. Was staff familiar with the process ARTC was following to refine the alignment for certain sections, the use of their own MCAs, recommendations and the flow on effect from one workshop to the other?
3. Wouldn't workshop attendees notice a discrepancy in the recommendations of outcomes especially if they weren't being followed accordingly?
4. Were staff actually qualified to make those workshop decisions?
5. Who is accountable if attendee's names are not released after workshop decisions are made?
6. Did the consistent change of ARTC staff throughout their investigations mean previously collated information regarding route selection was lost?
7. Did new staff understand entirely where the project was up to, especially with regard to ARTCs recommendations, landowner consultation and route selection for each section – or were they just focused on the end picture and getting approval passed regardless?
8. Was ARTC staff encouraged to hurry things up, just get on with it kind of interference – to get it approved regardless?
9. Can ARTC methodology, consultation and reports be relied on?
10. Did ARTC conduct their obligation with honesty and integrity and is that considered important by the government?
11. Did political pressure to hurry the project up encourage ARTC staff to neglect their responsibility of fully assessing all route options thoroughly?

## **A Review of ARTCs reports should be conducted by an independent qualified professional(s) (who is unbiased) as there are many inconsistencies**

- The MCA Workshop Report May 2017 only acknowledges the Concept Alignment and the Gilmours Rd Alternative, other options (including 109, 113) are not mentioned or explanations given as to why? Option 101 is described but not defined as Option 101(p11). No mention is made of option 109 or option 113, why?

- In previous MCA Workshop reports there is usually a summarisation of previous recommended options and discounted options to get to the current findings of the MCA at that time. Note Option 113 was not discounted at all according to the November Options Report of November 2017 (p18) – it just vanishes from the reports (there is no mention of it at all from the MCA Workshop Report of December 2016)

- ARTC declares in their November 2017 Options Report that it has consulted with over 90% of the landowners between Burroway to Curban on both the Concept Alignment and the Gilmours Rd Alternative. The general feedback is that local residents do not want Inland Rail to pass near their properties, irrespective of the alignment chosen and would like to see the alignment moved to the East to join the existing Coonamble line. In the MCA Workshop Report May 2017 (p11) in comments, quote "Consultation with landowners indicate that none of the residents are in favour of either option and their preference would be for the alignment to be further east along the existing Coonamble line. This option was considered in at the Inland Rail N2N MCA December 2016 and was eliminated due to the additional length of track, the requirement of two additional grade separations of the Newell Highway and impacts of the residents of Gilgandra" end quote. **ARTC here fail to mention that landowners were not made aware of the other four options for the**

**Burroway to Curban section from the Dec 2016 MCA. Particularly, that the recommended option of 109 was not presented to landholders for consultation at all AND Options 101 with a variation at Option 113 not even given the importance of been evaluated by ARTC workshop attendees – even though it represented the community’s main preference, if the existing rail from Dubbo to Coonamble could not be utilised.**

- The Melbourne to Brisbane Inland Rail Route History 2006–2019 (ARTC, 2020a) document shows clear errors and false information, particularly for the Burroway to Curban section of N2N.

Overall, ARTC argue they use Service offering, construction costs and MCAs for route selection. We hope by highlighting the consistent errors and omissions of ARTCs process for Burroway to Curban everyone can see just how poorly their route selection process was managed and carried out. Choosing the right corridor is paramount. Interference should not play any part in the process. How can the government and taxpayers rely on ARTCs process if there is any doubt at all in their findings. Options not being consulted on and brought to all of the community and landowners attention in a fair and timely manner is unacceptable. All landowners should be given the same opportunity as everyone else (including local government and businesses) to contribute their opinions so as to avoid biased judgements being made.

## **CONCLUSION**

- We believe ARTCs process for route selection, refinement and reporting was interfered with.
- We don’t believe ARTC conducted thorough analytical studies, extensive one-on-one landholder consultations & reported with honesty and integrity in order to fulfil its obligation it was engaged to complete.
- ARTC’s lack of consultation, transparency and the inaccuracies of ARTC’s data collection and reports in an attempt to rush and lock- in last minute route selections and study corridors, especially in the greenfield N2N corridor, is unacceptable.
- ARTC kept forging on regardless of all the discrepancies and the many unanswered questions. Reports are tailored to fit, to assist with their box ticking and to fast –track the project.

**We therefore disagree with ARTCs account of the consultation, alternatives & options refinement process and deem that ARTC should not of proceeded into the Phase 2 Reference design assessment (A6.2.4) as is it quite evident Phase 1 and the route selection process cannot be thoroughly and fully relied on. *This should not be acceptable for a project as significant as this by The Department of Planning.* We object to the project in its current form.**

Yours sincerely,

PR & WG Galley  
RK & RC Galley  
BP Galley

**END OF SUBMISSION**

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