



Wando Conservation and Cultural Centre Inc (Narrabri)

With particular reference to the Narrabri to Narromine (N2N) section of track

Introduction

Wando Conservation and Cultural Centre Inc (Wando) is concerned that the apparent interference of fossil fuel interests in the planning of the Inland Rail has resulted in decisions which render the project unfit for purpose and fail to properly consider environmental impacts and the long-term interests of the regional economy. Elements of fossil fuel interference with the Inland Rail, a project which will have a life of many generations, include the co-location of the Narrabri to Narromine route to the Leewood Ponds area adjacent to Santos' toxic brine processing facility, and the overreliance on coal transportation in the business case; for example, the Parkes to Moree leg of the route decisions appear to have been manipulated to benefit the coal industry (Whitehaven Coal) and Santos gas. All of these issues were raised in original submissions concerning N2N, and none were adequately addressed in the Response to Submissions.

We were disconcerted in discussion (*engagement and consultation*) with ARTC at employees' lack of understanding of political processes and of the economic and environmental issues involved despite their being stationed locally. Observations on this ToR are based, in part, on a zoom meeting between 3 members of Wando and representatives of ARTC on 2 September 2021 in which we outlined our concerns regarding a proposed re-routing of the line through Pilliga State Forest.

In this submission Wando addresses two Terms of Reference:

c) review the processes for selecting the Inland Rail route to confirm it is fit for purpose and has considered both impacts and potential broader economic benefits to regional economies and communities;

f) review ARTC's engagement and consultation approach, including options to improve engagement with communities and other stakeholders along the route; and develop a pathway to consider community concerns with the alignment.

Much of the information below is drawn from Wando's submission objecting to proposals to re-route the line through the Pilliga Forest. We hope the Independent Review panel accesses the submissions presented to the NSW Department of Planning during this process.

Impacts on Pilliga Forest

We regard the Inland Rail's planned route through the Pilliga Forest as profoundly irresponsible; Wando draws attention to the consideration of alternatives, and in particular the route option Parkes to Moree via Burren Junction, using existing track to Narromine, and predominately new track via Coonamble and Burren Junction to Moree, which would completely avoid the Pilliga Forest. We argue that the reasons for the decision for the route to pass through the Pilliga Forest have not been transparent as required under a proper environmental impact assessment. In a discussion with ARTC on 2 September, members of Wando were informed that fewer landholders were affected by the chosen route. This is inadequate justification for a decision which appears to have **not** been subjected to a transparent risk-weighted process.

We are further concerned that the planned diesel-operated system, if ever completed, is destined to become a stranded asset and that the construction of the section from Narrabri to Narromine is predicated on facilitating fossil fuel industries. The explanation that *A comparison of the additional options indicated that: The routes through the Pilliga East State Forest would result in a favourable combination of reduced transit time and lower construction cost and Routes via Dubbo and Coonamble would increase travel times and substantially increase construction cost* is completely inadequate as an explanation for the choice of route.

The current flooding crisis across the area reinforces our concerns.

Wando considers that the Inland Rail must be re-routed to avoid Pilliga Forest:

- **Proximity to Santos brine facility at Leewood Ponds is concerning and raises the possibility of undisclosed corporate interference**
- **The failure of the Inland Rail team to realise the implications for the Forest of the recent NSW Auditor General report on Biodiversity Offsets causes concern**
- **The Inland Rail Lines' proximity to Australian Wildlife Conservancy is counter to the organisation's ecological goals**
- **Pilliga Forest, in its entirety, is a place of cultural significance for the Gomerioi, indivisible and not to be physically fragmented further**

Fossil fuels and the Inland Rail

The Inland Rail as a diesel-powered form of transport (rather than electrifying the rail corridor) is one element of our concern. The other elements of fossil fuel interference with the InlandRail are the co-location of the Narrabri to Narromine route to the Leewood Ponds area adjacent to Santos' toxic brine processing facility and the over-reliance on coal transportation in the business case.

Diesel to run multi-generational infrastructure, in 2022

The design concept of Inland Rail as a diesel-operated railway is misguided, contrary to Australia's Paris commitments to reduce carbon emissions, and is a sure recipe for a major

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stranded asset and sovereign risk. We believe the EIS has been extremely deficient in terms of assessment of the air pollution which will be attributable to the Inland Rail. There do not appear to have been considerations of particulate pollution, and the greenhouse gas and the climate implications have been studiously downplayed.

Proximity to Santos' brine processing facility

Wando notes the proximity of the route which runs close to a brine processing facility owned by Santos, the gas company which are located at the aptly named "Leewood Ponds", a site which has traditionally been a wetland-like area.



The suggestion that the flood issues of this route have not been considered adequately were examined in many submissions: the identification of Narrabri as the second most flood prone location (after Lismore) in NSW in the current climate conditions must surely cause concern.

Image 1: Santos' Leewood brine processing site; the Inland Rail passes close by (see image 2).

During our meeting on the 2 September, The ARCT team were initially adamant that Santos was not in close proximity to the proposed line and Leewood facility was not in existence

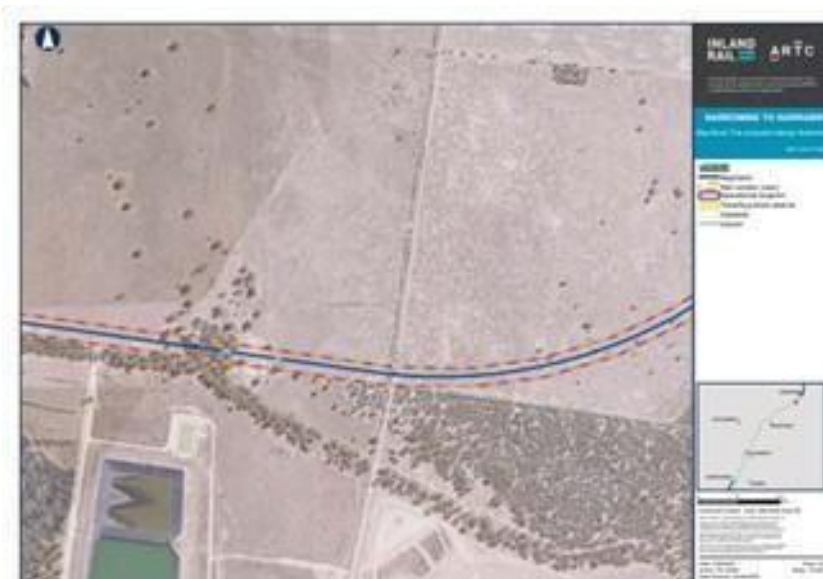


Image 2: Map Book 5 Map 188 brine waste water ponds bottom left

when the Concept Design for the rail line commenced (2016). After being corrected on these points it was suggested that the only trains using the line would be travelling at over 100km/hr past Leewood- i.e. that the only trains using the line would be transporting goods between Brisbane and Melbourne. This is a non-sense.

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In fact their own glossy advertising ([here](#)) suggests otherwise: over an image of a busy local supermarket foregrounding lettuce being stacked on a shelf: *It (Inland Rail) will help ensure everyday goods get to where they are needed more efficiently.*

We remain suspicious that decisions are being made that are in the best interests of Santos; particularly in regard to the disposal of waste. Protestations, such as those we heard at the meeting on 2 September from Inland Rail staff, that we need have no suspicions that the re-routing of the line to pass close to Santos' Leewood Water Processing Facility was politically or commercially motivated to the advantage of the gas company are not persuasive.

Apparent Advantaging of coal interests in planning

Discussion: Major upgrades are underway on the Moree to Newcastle railway, specifically between Narrabri and Baan Baa. This is the location of Whitehaven Coal's Narrabri Underground mine (currently under review by the Federal Minister for the Environment). The upgrade is purported to be due to necessary track upgrades. However, Inland Rail and ARTC were unable to provide any explanation – let alone a satisfactory explanation – as to why this portion of rail track is prioritised for repair when it does not have a record of derailments or other major track problems, such as occur in the Quirindi and Willow Tree areas. With the coal mine planning to expand, we are firmly of the view that the Narrabri to Baan Baa upgrade has been motivated to prepare for massive enlargement of coal transportation from Whitehaven Coal's mines to the Inland Rail. We call on Inland Rail /ARTC to provide satisfactory responses to the questions that have been asked about the Narrabri to Baan Baa upgrade and request that this include the official project justification for the upgrade.

All of these issues were raised in original submissions, and none were adequately addressed in the Response to Submissions.

'The Pub Test'

The assertion that the re-routed rail has been determined solely by considerations of travel time and cost arguably 'doesn't pass the pub test'; a perception which is heightened by the involvement of high-profile figures including former Deputy PM, Barnaby Joyce, owner of controversial land near the south-western corner of the Pilliga; former Deputy PM, John Anderson, who is Chair of the Inland Rail Implementation Committee, and Mark Vaile who was Federal Transport Minister when the route design commenced. John Anderson is known to have been a Santos shareholder and was the chairman of Eastern Star Gas until it was sold to Santos in 2011. Mr Vaile is the current chairman of Whitehaven Coal, which appears to stand to be a major beneficiary of the Inland Rail.

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Photo credit: “An incredible piece of nation-building infrastructure”: former Deputy PM Barnaby Joyce MP. (Reference: Ferguson, M., Lester, T., Joyce, B., Pappin, L., & Di Natale, R. (2018). Project on track: Deputy Prime Minister Barnaby Joyce says the Turnbull Government will build the promised multibillion-dollar inland rail despite an outcry over the planned route for the freight corridor. Seven News. 15th January 2018.)

Biodiversity offsets

A number of submissions to DPE canvassed the issue of biodiversity loss and the inadequacies of the process to date of identifying and mitigating against these.

Inland Rail’s response to concerns about biodiversity loss is staggering in its lack of recognition of the fundamental collapse of the NSW biodiversity offsets scheme. It is inconceivable that consultation has not been undertaken with the Department of Planning and Environment’s Biodiversity, Conservation and Science Directorate concerning problems experienced in New South Wales in relation to biodiversity offsets credits. The statement that “biodiversity offsets would be finalised in accordance with the New South Wales Biodiversity Offsets Scheme” is of no substance in the light of revelations in a recently published report by the New South Wales Auditor General.

At the meeting on 2 September with a project team from ARTC, members of Wando were made aware that, within the Inland Rail’s team, there was no knowledge of what is occurring in NSW in relation to the biodiversity offsets scheme. We strongly urged the Inland Rail project team to read the damning report, which makes perfectly clear that any promises of biodiversity offsets for Pilliga Forest are highly unlikely to be achieved.

[The Report](#) dated 30th August 2022 concluded (see report highlights) that:

- **96%** – proportion of developer demand for species credits not met by current supply
- **97%** – proportion of species credits that have never been traded on the biodiversity market
- **60%** – proportion of the 226 Biodiversity Stewardship sites under active land management
- **\$90m** – value of developers’ obligations paid directly into the Biodiversity Conservation Fund
- **20%** – proportion of developer obligations transferred to the Biodiversity Conservation Trust that have been acquitted.

At the meeting on 2 September the Inland Rail team were very dismissive of Wando’s concerns. The Auditor General’s report must not be lightly dismissed. Among its conclusions the Auditor General’s report found that:

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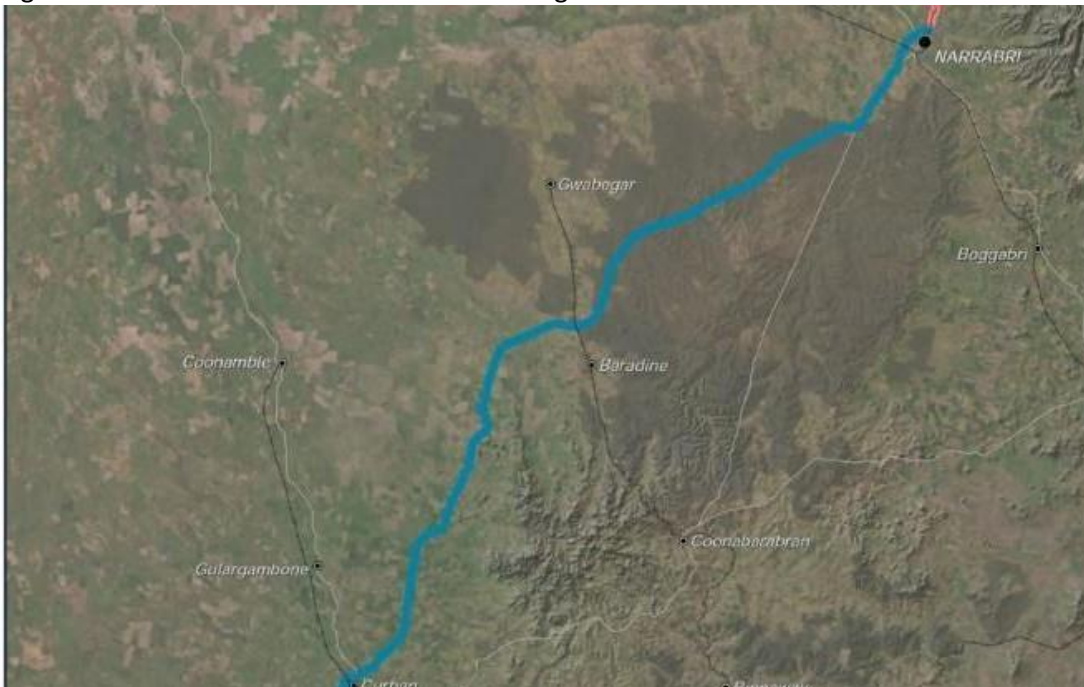
“DPE (Dept of Planning and Environment) has not effectively designed core elements of the Scheme. DPE did not establish a clear strategic plan to guide the implementation of the scheme.” Therefore, any statements in the Response to Submissions about what measures might be undertaken in future to ensure the adequate offsetting of Pilliga Forest are meaningless as they are contingent on an entirely dysfunctional scheme whose future is not assured.

Section 6.1 of the Auditor General’s Report states:

“DPE has not developed a clear decision-making framework that ensures the adequacy of funds held in the Biodiversity Stewardship Payments Fund. The BCT raised concerns about this in 2020, under previous economic conditions, but the underlying sources of risk have not been addressed. Both DPE and the BCT have provided more recent consultant reports about the adequacy of Total Fund Deposits and the fund’s short-term solvency. However, neither agency can confirm its long-term sustainability to provide in-perpetuity management payments to landholders. This presents a risk to biodiversity outcomes being achieved under the Scheme.”

It is imperative that Inland Rail’s redesign the route in light of the knowledge that there are only minimal biodiversity offsets available in this State to account for the loss of habitat which will be caused by the railway going through Pilliga Forest.

Image 3: Inland Rail Narramine to Narrabri through the forest



Section 6-4 Biodiversity Offsets

This entire response needs to be reformulated as the assumptions embodied within it are not tenable in the light of the Auditor General’s report. We refer to the response in Section

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6-4 of the Response to Submissions which examines reliance on the *Biodiversity Assessment Method (DPIE,2020b)*, which is discussed by the Auditor General:

“DPE has advised that the ‘no net loss’ of biodiversity standard that is used in the Biodiversity Assessment Method is not intended to provide a standard for the Scheme as a whole. This standard means that offset obligations, if acquitted in a like-for-like manner, should ensure that biodiversity loss is not accelerated by development activities.” (p 3 Key Findings)

We also note that Inland Rail envisages that it might be possible to source suitable offsets for the proposal and there may be applications in future for retirement of some ECO system and species credits, particularly those credits associated with native grasslands but, in all likelihood, the evidence suggests finding offsets will be exceedingly difficult. The Pilliga Forest is too valuable an asset to allow it to be destroyed in the name of a speculative and failed biodiversity offset scheme. It is not possible to envisage any safe way of going forward with the route that dissects the Pilliga.

Discussion: Having regard to the likely decline and ultimate extinction of much of Pilliga Forest due to cumulative impacts from gas field expansion, involving intensive bushland fragmentation, the burden of responsibility weighs heavily on decision-makers who will bear responsibility for approving and facilitating extinction events and the decline of a major carbon sink.

GOMEROI TRADITIONAL OWNERS CLAIM ENTIRE PILLIGA

Currently the Pilliga Forest in its biophysical form is broken up into artificial ownership and control as shown in the map above. These legal boundaries do not reflect the identity of the forest, the largest remaining inland temperate forest in NSW. The Gomeroi people, who are the traditional owners, do not recognise these artificial constructs and are seeking protection under the Aboriginal and Torres Strait Islander Cultural Heritage Act (Cth) for protection of the entire remaining forest for posterity.

The Inland Rail Lines’ proximity to Australian Wildlife Conservancy

It has recently been drawn to our attention that the area selected by the Australian Wildlife Conservancy for a rewilding project is within 500 metres of the line. It is of concern that the noise, vibration, light and atmospheric pollution levels have not been assessed (or, at least, these assessment have not been made public). We wonder if the stakeholders of the Australian Wildlife Conservancy are aware of the potential undermining of ecological values that risk their conservation efforts and compromise their investment in achieving the rewilding program.

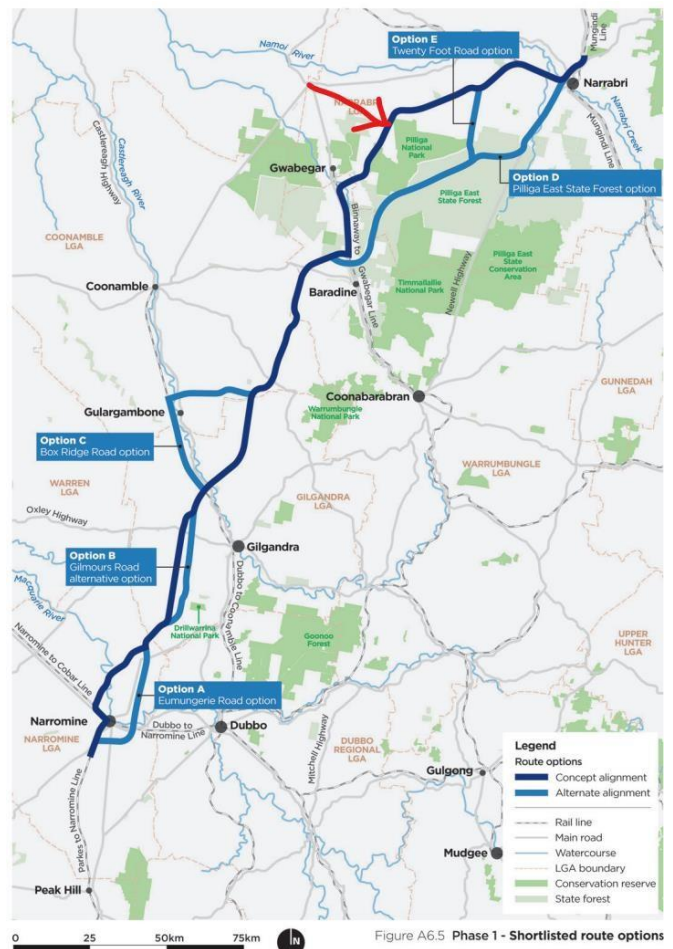
Wando's Conclusion to DPE submission

Wando unreservedly rejects Option E and Option D. (Refer to Image 4)

Should the project proceed the Rail Line must use the Concept alignment and pass to the north-west of the Pilliga Forest.

However, as our submission demonstrates, there is no place in 2022 for an infrastructure development which is embedded in a fossil fuel paradigm which must be transcended in the interests of intergenerational equity, the rights of First Nation's people and the undertakings Australia has made on the world stage in the current climate crisis.

Image 4: Route options



NARROMINE TO NARRABRI ENVIRONMENTAL IMPACT STATEMENT A6-13

Wando considers our experience of the processes for selecting the Inland Rail route demonstrate that they are not fit for purpose, lack transparency and are not underpinned by any understanding of important environmental, political and economic factors. To reiterate the conclusion of our submission to DPE *there is no place in 2022 for an infrastructure development which is embedded in a fossil fuel paradigm which must be transcended in the interests of intergenerational equity, the rights of First Nation's people and the undertakings Australia has made on the world stage in the current climate crisis.*

A footnote: a check following the close of submissions to DPE indicated that Wando's current submission was not unloaded and that a submission to the initial stage of the process had been uploaded to the public site instead. Wando was informed that this was an IT problem; not at all reassuring. We wonder if the proponents of the re-routing of the line through the Pilliga saw our objections.