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Submission via web form

### **Response to the *Independent Review of the delivery of the Inland Rail Program***

The Country Women's Association (CWA) of New South Wales (NSW) is the State's largest rural issues advocacy group with well over 8000 members and close to 400 branches across NSW. There is no other member-based organisation that has the breadth and depth of membership on matters affecting country people. Our policy positions and prioritised advocacy areas are determined by our grassroots members, via a democratic process.

CWA of NSW advocates for positive action on a range of issues that impact the lives of women, children and families throughout NSW and welcomes the opportunity to respond to the ***Independent Review of the delivery of the Inland Rail Program***.

#### **INTRODUCTION**

CWA of NSW believes Inland Rail is a significant "nation-building" infrastructure project. A project with the potential to better connect producers to markets and create new opportunities for businesses, industries, and regional communities, in the process transforming many communities. CWA of NSW has repeatedly and publicly supported this project and has invested considerable time and resources in engaging with members, local communities, and contracting experts to examine and respond to thousands of pages of reports in particularly with respect to the Narrabri to Narromine (N2N) route planning approval processes.

Based on expert advice and lived experience CWA of NSW has raised well-founded concerns on certain aspects of this project with Australian Rail Track Corporation (ARTC), and Federal Ministers. Issues related to flooding and hydrology, impacts on agricultural lands and associated severance concerns and fencing standards to name a few areas that have real implications for rural communities across the alignment (which runs from one side of the state to the other), and serious impacts on hundreds of NSW constituents.

The CWA of NSW response to this review is focused on ensuring that best practice management, governance, route selection, and stakeholder engagement processes are implemented to mitigate and manage the impacts of the project and provide key benefits to the communities along the proposed alignment. We note the request of no more than a 2 page response to each identified theme and provide the following comments:

**THEME 1: ARTC governance and management arrangements for the delivery of the Inland Rail Program.**

*How could ARTC improve its management arrangements and structures to better facilitate the delivery of the Inland Rail Program?*

An independent review administered by Holding Redlich<sup>1</sup> and partly commissioned by the CWA of NSW found and highlighted several weaknesses in the knowledge base underpinning specific aspects of the project and therefore impacting on project design and delivery. These weaknesses existed in the economic modelling (reliance on Multi Criteria Analysis rather than a Cost Benefit Analysis); environmental impact (inadequate flood & hydrology, groundwater, soils and erosion, air quality and noise assessments); agricultural impact (failure to adequately address reduced farming capacity, severance issues, fencing and lack of understanding of compulsory land acquisition legislation) each impacting on route selection and ultimately project viability and delivery.

Without addressing these fundamentals, it will not be possible for the project to develop a strong foundation to guide management decisions and improve the structures associated with project delivery.

There are undoubtedly economic benefits to the state of NSW if this project is executed correctly, and in a way that is designed to extract maximum benefit for the communities and landholders impacted. That said, on its present trajectory, and under the current planning and management, this value will not be realised, and this opportunity will be lost.

To a large degree, these issues arise because the ARTC have chosen routes that favour extensive areas of greenfield development of track. The costs of the project are enormous (now with predictions closer to \$20 billion). Consideration of existing rail corridors has not been adequately considered as there is an apparent obsession with delivering a sub-24-hour line between Brisbane and Melbourne, no matter the cost. The evidentiary basis for the importance of this 24-hr transit time has never been provided to stakeholders. There are also significant cost concerns in relation to the section between Acacia Ridge and Brisbane.

This project has been developed with a limited regional business case and no comprehensive socio-economic study to determine the actual benefits available to regional areas. Without these studies it is not possible for ARTC substantiate the claim that a journey of less than 24 hours is essential to move freight from road to rail and thus pay for project construction.

The 2015 Business Case points to estimates of benefits to regions, but significantly more detail needs to be provided by ARTC or the Government about the actual economic benefits directly attributable to the local communities along the corridor. Noting that the ARTC preferred-route option bypasses existing

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<sup>1</sup> <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SUB-14156426%2120210207T050606.217%20GMT>

grain receipt and intermodal facilities, it is difficult for our members to see how their communities will benefit from the project.

To improve accountability an essential component of good management and governance, the CWA of NSW believes that the ARTC must provide stakeholder communities with the following:

- the value of product transported via existing intermodal facilities;
- the value of agricultural commodities already produced in the region, but particularly regions that are close to the line but have no physical way of using the line;
- the benefits of post-construction jobs to regional communities through which the line will pass through or adjacent to:
- the relative cost of upgrading existing infrastructure compared to the potential economic loss attributable to (potentially) reduced agricultural production on impacted farm businesses; and
- the flow-on consequences for road freight arising from the route selected, for example whether the location of the line would lead to increased or decreased movements of local/intra-regional road freight.

Our members have significant concerns about the accuracy and robustness of hydrological modelling that has informed route selection for the rail corridor. Local knowledge and ground-truthed data that our members can provide.

An independent hydrologist advising CWA of NSW on this issue has highlighted many alarming deficiencies in ARTC modelling. Members are concerned that computer models based on incomplete or outdated information will be given precedence over landholders with many generations or longstanding family knowledge of flood movement in this landscape. Additionally, of concern, is the significant amount of water required to building a new rail line. Members have concerns that ARTC have not fully considered the level of water required or the potential that their water usage could lower the water table levels and impact landholders over a wide area beyond the immediate route

Loss of access and the fragmentation and severance of properties remains a considerable concern to many, if not all, of the landowners along the proposed alignment. This covers circumstances where, for example, the rail corridor would have the effect of cutting off a property from its principal access point to a public road. However, it also extends to cover access within a property itself, including access to internal road networks as well as farming infrastructure such as stock yards, dams, bores etc. In our view, it also covers connectivity between properties where farms are run as family cooperatives or community enterprises across multiple properties in different ownerships.

Speaking with numerous landowners along the N2N alignment, we understand that these concerns regarding access, fragmentation and severance principally relate to:

- a) how properties, or parts of properties, are to be accessed where they become landlocked as a result of the N2N Project;
- b) how parts of properties are to be accessed and used where they are severed and sterilised by the proposed alignment;
- c) how access between paddocks and farms is to be maintained where existing access points will be impeded by the alignment (and its embankments);
- d) how and where the level crossings are proposed to be constructed and what are the proposed design parameters (will they accommodate the transport of machinery as well as livestock);
- e) the viability of paddocks for their existing land use as a consequence of interference or inconvenience caused by the alignment of the rail corridor;

- f) the extent to which any proposed access points will be serviceable during flood or heavy rain fall events; and
- g) how access to travelling stock reserves will be impacted by the N2N Project and the consequences of this on farming operations.

More rigorous and robust processes around land access, biosecurity, on farm safety, risk management, privacy, and confidentiality need to be implemented by ARTC. Advice received from members indicates that there is an increasing incidence of ARTC contractors and others associated with ARTC entering properties without advance warning. This conduct creates unacceptable safety and biosecurity risks.

Members have persistently raised concerns with ARTC about management of risks during project construction, including how essential rural infrastructure such as level crossings on roads and private property will manage increasingly large machinery that will be required for project construction, how stock crossings will be kept open to allow the free movement of stock from one side of the line to the other, and how machinery and loading locations will be treated.

We understand that the ARTC will be required to construct fencing along the entire rail corridor, however insufficient detail has been provided about the type of fencing to be installed and whether it will be appropriate for farm management despite repeated requests for this information. There has been some additions to the level of detail provided to landholders in recent months, however this has taken literally years to resolve. It is also presumed that maintenance of new fencing will be the responsibility of adjacent landholders. In this case we expect that maintenance activities and insurance will be taken into consideration in determining appropriate compensation. ARTC has also indicated that fencing may be done on a risk assessment basis, which suggests that some areas will not be fenced. This is further evidence of ARTC cutting costs ahead of the interests of farmers.

To ensure the maintenance, access, and safety of Travelling Stock Reserves (TSR) CWA members believe risk mitigation strategies need to be put in place by ARTC to address the proximity of sections of new track to regular trains travelling at 115km per hour and deemed wholly incompatible with the realities of moving stock along these necessary routes.

ARTC need to ensure that telecommunications infrastructure is not negatively impacted across different sections of the route during construction. For example, existing telephone towers around North Star will likely not be sufficient to service the several hundred construction workers on the line as well as at the camp sites, affecting locals and construction workers for the duration of construction.

To date ARTC have not demonstrated an understanding of the telecommunication realities of living outside of urban centres including suggesting an “app” to track train movements as a solution landholder concerns about crossing the line. Unreliable connectivity and mobile blackspots will make this type of technology unviable and unsafe in many areas. This may have disastrous consequences if farmers are required to make decisions on when they can move heavy machines or stock across the Inland Rail line based on an unreliable “app”.

In addition to the points above, and to improve governance, accountability and demonstrate transparent decision making the CWA of NSW believe that the ARTC must:

- take independent advice on the various route options as against cost and time and that a cost/benefit analysis of each route from end to end be conducted in full.

- disclose a full and detailed description of the decision-making processes relating to the route selection across the whole of the inland rail area, and in particular, the greenfield section between Narromine and Narrabri
- publicly release any, and all, multi criteria analyses (MCA's) relied upon when making decisions about route selection for all 13 project sections
- provide full and comprehensive answers, including any, and all, evidence relied upon, when making the decision to not use existing rail corridor, particularly in the Narromine to Narrabri section of track
- fund an independent expert to consult with stakeholder and establish a best-practice land access agreement template for landholders.
- provide documentation including any economic modelling done that supports the assertion that the Inland Rail would provide large benefits to regional communities along the route.

## **THEME 2: The role of Inland Rail in meeting Australia's growing freight task and providing a Service Offering to meet freight sector needs.**

*How could Inland Rail and access to intermodal terminals create new opportunities and benefits for your region/industry/community?*

The Inland Rail Project can and should deliver substantial benefits to regional economies. That said, we have seen very little detail about what, specifically, those benefits may look like and what work needs to be undertaken to capture the full potential that this project could bring. If the rail is simply transporting containers of general freight between Melbourne and Brisbane, we fail to understand benefits to rural and regional NSW.

CWA of NSW has requested information from ARTC on what economic and social modelling has been done to support the claim of the increased benefits to regional communities along the rail corridor. We particularly referenced agricultural commodity movements and other possible benefits to towns along the route. The response to this question was confused and offered no answers, referencing a five-year-old publication. There was also a reference to the need for complementary investment benefits, but again with no detail as to what this means. Questions remain about the actual benefit to rural communities. If the Inland Rail project is going to deliver on its promises this information is critical.

We note that there is no real or meaningful consideration of, or alignment with, the NSW Freight and Ports Plan 2018-2023 and State Infrastructure Strategy 2018-2038 or connections with other freight infrastructure, including ports and intermodal hub NSW government policies in the planning and execution of Inland Rail.

Freight costs represent up to 40 per cent of post-farm gate costs for growers. Finding more efficient means of transporting goods from the farm gate to the customer, whether they're in Sydney or Singapore, is essential to drive on farm productivity, innovation, and competitiveness. We recognise the benefits for farmers, and the rural communities in which they operate, that come from better transport connectivity, greater competition, and improved supply chain efficiency. However, as currently designed the Inland Rail project will not deliver significant benefits to the agriculture industry – only 8% of the total proposed freight will be agricultural produce.

While moving freight from road onto rail has many benefits, too much misinformation about intermodal facilities and the ability for farmers to directly load grains onto trains has fed doubts about who will stand to benefit from the project. Communities bypassed by the rail see the Inland Rail as a missed

opportunity to sustain their towns, but their concerns have been largely ignored by the Government, who appear disinterested in Inland Rail's capacity to both improve freight movement and develop regional community sustainability.

Our members are anxious to understand exactly how they will gain access to the inland rail; indeed, when asking existing rail operators about how they will utilise inland rail, many of these existing operators remain similarly uncertain. We would like ARTC and Government to make clear how the Inland Rail project will provide improved port connectivity for farmers, connectivity with branch lines and what investment will be made into new intermodal infrastructure. As an end-to-end project, the Inland Rail project will not deliver tangible benefits to regional communities along the rail route.

Without a clear strategic vision for transport of food and fibre and integrated transport infrastructure planning with the NSW Government, there is a clear risk of missed opportunities to drive the success of regional communities.

Our members are also concerned that the significant investment made by grain-handling facilities in the north-west of the state will be devalued by the lack of integration with the new rail alignment, leaving infrastructure as stranded assets, and communities in this area missing the opportunities for jobs and diversified economic opportunities that are essential if regional communities are to become resilient to drought and grow their economies.

Lack of a sensible strategy for expanding and improving intermodal infrastructure and the lead in infrastructure that supports it, will leave trucks on the road, and deny the benefits of the rail line for the communities it most affects.

**THEME 3: The processes for the selection and refinement of the Inland Rail route and whether these processes are fit-for-purpose, including consideration of benefits and impacts.**

*Do you consider ARTC's approach to engaging communities on the route is fit-for-purpose?*

The extent of community engagement undertaken by the ARTC specifically in relation to the N2N Project has been grossly inadequate. There has been an express reluctance on the part of the ARTC to produce documents and disclose material which would allow landowners, as well as stakeholders such as the CWA, to consider and respond to concerns regarding the impacts of the N2N Project.

Speaking with landowners along the proposed alignment, we understand that there are significant differences in the amount of information disclosed by the ARTC to different landowners. Some landowners have been provided with access to specific plans showing the location of the alignment on their properties, some are only being shown corridors. Even during the period of the exhibition of the EIS for this project, we are aware that a landholder was provided with plans reflecting amended alignments that were different from the ones on exhibition. Further, almost no landowners were given specific particulars regarding the design of the infrastructure proposed to be constructed on their land.

Members have raised with us concerns in relation to the proposed greenfield development along the N2N section of track. There are several concerns with the proposed corridor, including the fact that existing rail corridors have been overlooked for a full greenfield option that cuts farms in two and stands to save minimal amounts in time for maximum cost. There is a stubborn refusal from decision-makers on this project to move (even slightly) from an aspiration of a sub-24-hour journey along the track, despite the impacts to farms and communities and despite significant financial impacts on the costs of the project.

Route selection decisions do not just impact the owners of the lands that a track is proposed to cross. These impacts are of course, the largest, and should be considered (including impacts on traditional owners), but the impacts to the wider community are also significant. Adding travel time to people who may have to drive extra distances to reach a crossing has a significant impact on access to services and education and their safety. Many of these issues have not been addressed, and communities are concerned that in an environment where they are already struggling with equity of access to basic services, a project such as Inland Rail in its current form has the potential to exacerbate these issues.

The ARTC claim (A4.3.2 of Chapter A4 of the EIS) that the reference design process has evolved over a period of two and a half years and that consultation has been carried out with affected stakeholders to identify key potential impacts at an early stage, and that this has resulted in several design changes being made to mitigate potentially significant impacts. Given that reference designs were not provided to affected landowners or exhibited as part of the EIS, design changes made cannot be said to have resulted from community engagement. Rather, design changes can only have been made by unilateral decision of the ARTC without any transparent discussions with affected parties.

*How could ARTC improve its engagement with communities and stakeholders along the route in regard to the processes used to consider benefits and impacts?*

In our view, meaningful community engagement is typified by transparent discussions whereby landowner/stakeholder concerns are listened to, and options are proposed as to how these impacts can be addressed. In the context of the N2N Project, it would include discussions of:

- a) the location of the proposed alignment and why this alignment has the least adverse environmental, social, and economic impacts (as per Item 2 of the SEARs); and
- b) how the design of the infrastructure minimises adverse environmental impacts, including in relation to flooding and hydrology, scouring and erosion, noise and vibration, and biodiversity (as per Items 6, 9 and 15 of the SEARs).

However, contrary to this, we understand that the ARTC held meetings where they were given a platform to restate the assertions contained in the EIS, without engaging with the matters raised by the affected landowners or key stakeholders. Community participation without genuine engagement cannot be said to be adequate, particularly given the scale of the N2N Project and the serious environmental impacts that will eventuate should these matters not be effectively considered at the pre-approval stage.

#### **THEME 4: The effectiveness of ARTC's community and stakeholder engagement processes, and opportunities for improvement, including ARTC's approach to addressing community concerns.**

*What has ARTC done well in engaging with communities, including addressing community concerns?*

It is difficult to identify any positive aspects of ARTC engagement with communities and individuals on this project as it has been extremely inadequate. It is not suggested that engagement hasn't been attempted, it has, and the ARTC has put significant resources of time and money into their engagement strategy. Unfortunately, despite this investment, the strategy is demonstrably failing.

ARTC has seen a revolving door of engagement staff with limited handover, which has left many of our members very dissatisfied with how they have been treated.

*In what ways could ARTC improve its communication and engagement processes with communities and stakeholders?*

ARTC needs to honestly assess performance in this area and recalibrate their approach to improve the community and stakeholder communication and engagement process. The failure of engagement is an inevitable outcome of questions and concerns not being adequately addressed and viewing stakeholders and community members asking questions as objectors when in fact all they are doing is seeking information.

*How could ARTC improve its engagement with communities and stakeholders in responding to concerns?*

The Community Consultative Committee (CCC) engagement process in NSW has been ineffective to resolve concerns about the project. The minutes of the CCC attest to this – it will be apparent that questions tabled by volunteers have never been satisfactorily answered. Unfortunately, to date the community engagement about the Inland Rail project has been characterised by very poor communication and a lack of transparency by ARTC and the Government.

In this context, ARTC claims that there is broad community support for the preferred options, and that they have engaged extensively with impacted landholders.

The DPIE Response to the ARTC, however, post exhibition of the NS2B EIS, is quite revealing. It is notable that there is no database which records any formal feedback endorsing the proposed options – leading our members to raise concerns that they suspect ARTC has equated attendance at community forums with consultation and endorsement, in the absence of more formal discussions with affected stakeholder groups.

In conclusion, we thank you for the opportunity to provide our feedback on this important matter. If you have any further questions we would be more than willing to provide further details as necessary.

Kind Regards,

A handwritten signature in purple ink, appearing to read 'D Leys'.

Danica Leys  
Chief Executive Officer