

SUBMISSION TO INDEPENDENT REVIEW INTO DELIVERY OF INLAND RAIL

Executive Summary

To realise its obligations the ARTC needs to produce infrastructure in brownfields sites like Euroa in north-east Victoria.

EuroaConnect, representing the Euroa community has produced a community concept plan for road under rail in the centre of the town which allows the ARTC to deliver on its charter.

The ARTC accepts that road under rail is a viable design option. It is the only option the community wish to entertain as it delivers connectivity, heritage protection, economic opportunities and an abiding legacy.

The ARTC has failed in its efforts to socialise the community to its preferred option of a massive new railway bridge. The ARTC should sit down with the community and deliver the community's preferred option of road under rail.

The ARTC has available to it an organised community group in EuroaConnect which has the support of the community and it should act immediately.

In this submission we respond to Terms of Reference (e), (f) and (d ii).

Introduction

EuroaConnect offers this submission on behalf of the 3,500 people who live or work in our town (one of the few 'brownfield' development sites along the Inland Rail route) and other community members across the Strathbogie Shire catchment.

Responding to your specific inquiry our interest is in the effectiveness of ARTC's community and stakeholder engagement and opportunities for improvement in addressing community concerns about infrastructure and railway precinct design, enhancement not further disruption of community connectivity, and heritage protection.

In particular this submission responds to your Inquiry Terms of Reference (e), (f) and (d ii) (in that order).

At the outset we note the requirements imposed on the ARTC through the relevant Statement of Expectations (SOE 2017). The ARTC is required to act with a 'high degree of transparency' (para 2). It is also required to 'minimise impact' (para 3).

The ARTC has spent the best part of its time in our town (3 years) working to 'socialise' our community to the acceptance of the ARTC's preferred option for a massive new railway bridge in the centre of our small town (refer [ARTC 2019-20 annual report](#) page 19). The community has demonstrated time and again its rejection of that proposal and produced a solution which entails road under rail as the infrastructure solution to double stacked container freight trains passing through our town.

It is the view of our community that, whatever it has reported to the Minister (SOE 2017), the ARTC has failed to meet its obligations. As an illustration of its persistence and the lack of sophistication of the ARTC's campaign to 'socialise' our community to its preferred option of a massive bridge, it has used the Euroa Gazette (a weekly newspaper) to carry its advertising campaign. In 2019 it paid for 14 ¼ page, 1 full page and 1 ½ page advertisements. In 2020 it paid for 5 ¼ page ads. In 2021, following the establishment of EuroaConnect it posted 26 ½ page, 3 ¼ page and 6 full page ads. This year (2022) it funded 4 ½ page and 2 ¼ page advertisements.

Over this period ARTC has rented a shopfront presence in Euroa, which remained unused during COVID lockdown periods and was only staffed for a part day each week at other times. Much of this rented presence was in what is

known locally to be one of the most expensive retail sites on the fringe of our shopping area.

Further, it is our submission that the concerns we raise about the ARTC's response to our community's concerns are echoed in brownfield (Euroa, Benalla, Glenrowan and Wangaratta) and greenfield sites all along the Inland Rail route.

We also submit that the failures in the ARTC's operational methodology span the organisation, from the highest level of its executive to its 'delivery' on the ground. The ARTC's operation requires fundamental revision.

Background

Euroa sits on the north-south rail line half way between Melbourne and Albury.

The east-west VicRoads arterial road linking Mansfield and Shepparton crosses the rail line near the centre of Euroa. The Victorian Government (V-Line) constructed an out-of-scale and dangerous road over-rail bridge in the 1960's. This bridge will need to be removed and a different crossing solution found if the Inland Rail follows the present route. Photos of the existing bridge can be viewed at <https://www.dropbox.com/sh/adj3xv40x2ewwyj/AAApiMo2iIP2-IGuxqu2Xjrla?dl=0>.

The ARTC announced in 2019 that its preferred outcome was a higher bridge at the same site, in the centre of Euroa. Although the ARTC was less than candid about the structure it was actually proposing, it is now clear the proposed bridge would be three metres higher than the existing structure, with a vehicle safety barrier, suicide barriers, and flood lighting above that level.

Even in the earliest stages of this proposal community opposition was loud, clear and immediate. In less than transparent consultation with the Strathbogie Shire, the ARTC established the Euroa Working Group (EWG) after expressions of interest were requested. At the very first EWG meeting (20th June 2019) the Minutes note that "[not a single community person in the room is happy with the current reference design](#)". The ARTC imposed its own chair, an employee of the ARTC, and later nominated a paid consultant as the 'independent chair', while continuing to progress its agenda of 'socialising' the community to its preferred outcome. It did this by micromanaging meetings, selectively reporting minutes, and consistently ignoring matters raised. Reflecting the failure of this process to meet community expectations, five of the ten members resigned and a new group, EuroaConnect, stepped up to provide a much-needed focus for community input.

EuroaConnect sources community views through forums, small sectoral and specialist group meetings, and an email group which informs and seeks the views of 380 subscribers and their families. This email list is organic and EuroaConnect constantly adds people to it after meetings and discussions. Our purpose is to ensure that the views and interests of the local community are represented to, and given due priority by, the ARTC and federal, state and local government representatives.

EuroaConnect has established a broad representative steering committee. This committee comprises people with deep local associations, business and specific skills (see brief biographies attached). We have developed strong links with subject specialisations in disciplines including civil and construction engineering; hydrology and geotechnical investigation; law, mediation and arbitration; architecture and design; town planning and regulation; logistic considerations, environmental sustainability; heritage; education, the arts and culture; and robust links to Traditional Owners.

EuroaConnect – the ARTC and community opportunity in the brownfields site at Euroa

EuroaConnect has worked to ensure that members of the local community have a clear understanding of the ARTC's proposal and potential alternative solutions. Noting the failure of the ARTC's methodology of 'consulting' the

community and the advice our town was receiving that a building plan was imminent, EuroaConnect started coordinating community responses as soon as the ARTC's working group imploded. The ARTC was at that time publicising its view that 'the vast majority' of the community supported the building of a bigger bridge. Community members knew this was yet another of the ARTC's fictions.

A Covid-SAFE community forum was organised by EuroaConnect with only 3 days' notice in January 2021. 150 people attended this meeting at the Euroa Sports Oval where they heard speakers for and against the ARTC's proposal of a bigger bridge. The community voted 148:2 in favour of the ARTC installing road under rail and not the proposed bigger bridge.

Reflecting the community view and the work that has been done to support it as the preferred outcome for promoting connectivity, heritage enhancement and economic and other opportunities, EuroaConnect takes the view that any new rail crossing infrastructure will sit within the rail precinct and therefore the outcome must improve the amenity of the area. The only infrastructure that delivers this outcome is road under rail.

After the Sportsground meeting, EuroaConnect's first major undertaking was to work with community researchers to produce a solution to the problem the Inland Rail presented. With the pro bono support from local architects and designers, *NEAD Architecture + Design*, a railway precinct community concept plan was developed for road under rail. This 'community concept plan', presented as an A3 booklet with supporting posters and visualisations, has provided the basis for an extended period of consultation and it has been shared widely with federal, state and local governments, with public servants in community, design and engineering sectors, with others in brownfield sites along the Inland Rail route in Victoria and more broadly with those experiencing ARTC intransigence in greenfield sites..

Since January 2021 EuroaConnect steering committee has met weekly, called for and attended meetings with the ARTC, conducted meetings with federal, state and local politicians, engaged with other community action groups, encouraged the community to meet with the ARTC and express their views, and taken opportunities to present at forums.

Consultation about the need to promote 'connectivity' not further division; the importance of elevating the possibilities of public transport; and the opportunity the designing a railway precinct presents, has focused on the community concept plan and involved the following activities:

- A pop-up shop provided pro bono by a business member in Euroa's main street, operated by EuroaConnect members over a period of nearly six months
- Establishment of an email information network of 380 subscribers
- Advertising in the Euroa Gazette and promoted media coverage in Euroa, Shepparton, Melbourne and nationally
- Designed and circulated a Q and A sheet and other collateral material
- Invited RMIT Architecture Masters Students to undertake a design studio which resulted in ten portfolios highlighting the design possibilities for the Euroa Rail precinct.

As all of these actions were taken, EuroaConnect also sought (through and FOI request) to access to the material which was being shared between the ARTC and the Victorian Department of Transport. At the request of the ARTC, the DOT initially refused access to some data and this necessitated EuroaConnect taking the matter on appeal to the Victorian Information Commissioner where access was granted.

EuroaConnect recognises that the Inland Rail is a project which has federal, state and local implications. For this reason we have delivered our message in a number of ways.

- A petition to the federal parliament. This was signed by 2277 people all of whom supported the road under rail option. This was lodged on the record by the member for Indi Dr Helen Haines in May 2021, a strong supporter

of the community's preference.

- A presentation to the Senate Standing Committee on Transportation and Regional Development (in Melbourne) on 22nd April 2021.

EuroaConnect also recognises that the ARTC has needed to hear from the Euroa community. To this end EuroaConnect called for locals to respond to the ARTC's survey of views about the possibilities of design in respect of the railway crossing. This resulted in 444 people responding to the ARTC. Again, the outcome of that consultation, encouraged by EuroaConnect, was overwhelmingly in support of the road under rail option.

EuroaConnect has also encouraged local people to attend forums held by the ARTC to discuss the options of a massive new bridge or road under rail. These small discussion forums held by the ARTC were well attended and again the ARTC heard there was overwhelming support for the road under rail option. <https://inlandrail.artc.com.au/where-we-go/projects/tottenham-to-albury/regions/north-east-victoria/#anderson-st>.

The community in Euroa has continued to respond to ARTC's calls for consultation. This has been our stance, notwithstanding there have been frequent changes in personnel which actively erodes community confidence and demonstrates the ARTC's lack of organisational integrity. The result is clear. The legacy project for the railway precinct in Euroa should be road under rail. The ARTC should simply act to deliver the outcome.

The ARTC:

- Has misrepresented and disrespected community views and is not capable of conducting objective community 'consultation';
- has spent a great deal of money to 'socialise' our community to the ARTC preferred option, and failed because its option is not just rejected, it is simply inappropriate;
- continues to obfuscate and its officers have on occasion clearly misrepresented its own processes, the timeline for resolution of this matter, the lines of authority and its role as a decision maker.

In all these circumstances we submit that the ARTC is not complying with the requirements set out in the Statement of Expectations and it should be made accountable for its actions.

Terms of Reference (e), (f) and (d ii)

Terms of Reference (e) - Assess opportunities for enhancing community benefits

The ARTC has not engaged with the community concept plan put forward by EuroaConnect on behalf of the Euroa and Strathbogie Shire community. That concept plan was professionally drafted, reviewed by several prominent design and architectural specialist and it has been in the possession of the ARTC since mid-2021.

A meeting should be convened to discuss the highly significant issues raised in the community's concept plan. This meeting should be facilitated by an independent design and architectural consultant from the Office of the Victorian Government Architect (or similar).

The possibilities which would enhance community benefits and which should be explored, in line with the community concept plan include:

- **Enhancing connectivity across the railway precinct** by seriously entertaining the construction of road under rail; by consulting proactively with people with disabilities and with those who currently reside on the west side of the railway line and in doing so have limited access to the majority of town services, which are located on the east side of the railway line.
- **Protecting and enhancing heritage values** across the railway precinct and the town of Euroa, again by the construction of road under rail which would 'disappear' the road, and work to reunite the physical attributes of the

heritage buildings on either side of the railway line.

- Creating a modern, environmentally sustainable design for the Euroa railway precinct (in collaboration with state and local government) which would promote liveability and cultural and artistic possibilities in this regional setting.

Terms of Reference (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.

These issues are discussed in the text above, EuroaConnect remains committed to getting the best infrastructure for the town and the community.

The build for the Inland Rail in brownfield sites such as Euroa is a once in a lifetime opportunity to design for a future which will involve growth in the regions, potential changing demographics, and regional arts and cultural opportunities.

The economics of building something which is visually appealing is critical.

The ARTC has the EuroaConnect community concept plan available to it. It just needs to make a decision and move to deliver road under rail.

Terms of Reference (d (ii)) – having regard to current market constraints and regulatory environment, assess program scope. Schedule and cost - including review program costs, contingencies and escalation

Without the plans for the proposals in front of us it is difficult to determine the relative merits in terms of cost of the two options in Euroa – a massive new railway crossing bridge or road under rail.

EuroaConnect has, however, sought the advice of civil engineers and been advised that the cost of constructing road under rail is significantly less than the cost of building a new railway bridge.

Cost estimates undertaken for EuroaConnect by John Dunn, Director of Civil Works Pty Ltd of Violet Town can be summarised as follows:

	Sub-total, exc provisional and pre-construction items	Sub-total, all items	Contingency @ 40%	Total ex GST
Road over rail bridge	\$17,889,975	\$20,303,975	\$8,121,590	\$28,425,565
Underpass - 6.5 m vertical clearance	\$10,244,545	\$12,126,745	\$4,850,698	\$16,977,443
Underpass - 5.4 m vertical clearance	\$9,807,545	\$11,658,545	\$4,663,418	\$16,321,963

Mr Dunn’s calculations can be referenced at <https://www.dropbox.com/sh/zimv4ikb3r6joh/AADZWiHm7DrLYsYTw3m-D70ka?dl=0>

In offering this advice to EuroaConnect Mr Dunn makes the following qualifications:

- These cost estimates have been determined from aerial imagery only and are not informed by any feature survey.
- This is a concept estimate prepared without any drawings. These estimates are to be used for the comparison of underpass and bridge options and for no other purpose.
- The cost estimate does not include any consideration for: land acquisition, rail track realignment, station reconstruction and any new pedestrian underpasses. It is assumed that these costs will be the same for all options.

Conclusion

While the people of Euroa and surrounding areas understand and are supportive of the need for Inland Rail, we have been frustrated and disappointed with the ARTC's unwillingness to undertake full and open consultation with our community in order to achieve a result that meets project requirements while addressing local community preferences and expectations.

We remain willing to work with ARTC and their representatives to achieve a mutually beneficial outcome but believe, given the lack of cooperation experienced to date, such collaboration would need to be facilitated by an independent body or person who demonstrates an understanding of and commitment to appropriate sustainable design that is in-scale for a small regional town.

We would be pleased to provide any additional detail that will assist with this inquiry.

*John A Simpson AM
Chair EuroaConnect*

11 November 2022

Attachment - Introducing EuroaConnect:

John Simpson AM (Chair), has more than 45 years professional experience as a community advocate. He is immediate past president of *Blind Citizens Australia* and a past director of the *Australian Federation of Disability Organisations* and *Australian Blindness Forum*. John served for four years as a director and deputy chair of *Euroa Health*.

Professor Kate Auty, enjoyed a distinguished career in the law, including as the inaugural *Koori Court* magistrate in Victoria, Kate served as Commissioner for environmental sustainability in both Victoria and the ACT. She currently chairs the board of Victoria's *Environment Protection Agency*; is a Professorial Fellow with the *School of Law* at the University of Melbourne; a director of the *Urban Climate Change Research Network Oceania Hub* (Columbia University); and a member of *Euroa Energy* (Premier's Sustainability Award 2022). She has chaired and been a member of various boards, including the *Banksia Foundation* and the *Business Council for Sustainable Development Australia*.

Charlie Brydon, is a retired Lawyer who now runs a cattle property in the Euroa area. Charlie has previously acted as a worker's compensation arbitrator and mediator in both Victoria and Western Australia and he has provided legal advice (including pro bono) to many Aboriginal corporations and community members. He is a past member of the *Euroa Health* board and the executive committee of the *Euroa Agricultural Show*. He is also active with *Farmers For Climate Action* and other farming groups concerned about sustainable production.

John Dunn, holds qualifications in Civil, Municipal and Water Engineering. He worked as a design (including bridges) and Construction Engineer for local government from 1977 – 92 and then as Municipal Engineer from 93 – 95. He has since owned and operated his own Civil/Structural Engineering Consultancy, Rural Works Pty Ltd.

Janet Fogarty, taught and co-ordinated Art, Design and Technology at Shepparton and Euroa Secondary Colleges and GO. TAFE Shepparton. She was also Regional Curriculum consultant for Arts, Technology and Environmental Studies. Janet established and operated the Euroa Flour Mill Gallery/Restaurant for 20 years. She is a founding member of the Euroa Arboretum, Friends of the Sevens and DesignEuroa.

Professor Peter Hill, is an artist (Latimer Award, Royal Scottish Academy), writer, and independent curator. He is an Honorary Enterprise Professor at the *Victorian College of the Arts* University of Melbourne and an award-winning author (Saltire Award, National Libraries of Scotland). For over four decades he has written about art and cultural tourism for *The Financial Times* (London), *The Age*, *The Sydney Morning Herald*, and *The Bulletin/Newsweek* as well as many specialist journals. Peter was commissioned to manage (with Denton, Corker, Marshall architects) public art for the new Hoppers Crossing Station, and the \$750,000 public art initiative on the Mornington Peninsula called FRONT BEACH/BACK BEACH (with Deakin University and Mornington Peninsula Regional Gallery).

Annie Mahon, is a business owner and entrepreneur in the hospitality sector, having owned and operated successful entertainment venues in Melbourne and regional Victoria for the best part of 50 years. Her present business interests include the *Seven Creeks Hotel* and the *North Eastern Hotel* in Euroa.

Jack Monte, Jack is a local resident and advocate for thoughtful, artful and sustainable design. He holds a Bachelor of Architecture from Monash University and is currently completing his Masters with Curtin University. His career includes three years with Craig Tan Architects and eight years with Bergman & Co. as their Head Designer. He is now establishing his own practice, *Studio Heck*.

Kathi Clark-Orsanic, graduated from the Rhode Island School of Design in 1981. She has worked extensively in

New York City, London (awarded the White Rose for women in Project Management, Leeds Corn Exchange), and Melbourne. In Melbourne and across Victoria she has worked in both private industry and local government. Kathi and her partner Zvonco Orsanic established *NEAD architecture+ design* in Strathbogie Shire. *NEAD* gave time pro bono to prepare the initial Euroa Railway Station Precinct Concept Plan with EuroaConnect. Kathi is involved *Design Euroa* and the *Euroa Arboretum*.

Zvonco Orsanic, is a design architect having worked on projects in New York, London and Melbourne. A founding Director of *dKO Architecture*, Melbourne, he is now a partner *NEAD architecture + design* focusing on residential, local government, school refurbishment and master planning. Zvonko is a member of the *Australian Institute of Architects*. In 2019 *NEAD* won the award for renovation/modernisation of a school under \$5million.

Frank Pierce, had 28 years with *VicRoads Major Projects Group* as Laboratory Manager Hume Freeway and Quality Manager and Lead Auditor (Quality Assurance Services Australia). Past roles include president of *Euroa Arboretum*, chairperson of Euroa school councils (primary and secondary), chairperson of the successful *No Pokies for Euroa* campaign. He remains a member of *Friends of the Seven Creeks* and operates his own massage therapy business.

Shirley Saywell, was the inaugural president of the *Euroa Environment Group* (1992-present) and she is a foundational member of the *Euroa Arboretum*, *Euroa Energy* and *Design Euroa*. Her first involvement in the Inland Rail project was as a community member on the *ARTC's Euroa Working Group* from which she and others resigned to engage in the campaign for better design outcomes. Shirley has run her own logistics company for 24 years.

Ann Shovelton, is a fourth-generation farmer in the Euroa district and secretary of the *Creighton's Creek Recreation Centre*. She holds a Bachelor of Arts and Diploma of Education and has occupied several senior teaching positions across Victoria. Ann was a board member and then life member of the *Euroa Continuing Education Centre*, a volunteer teacher at *Aboriginal Sport Health and Education*, (Shepparton); and a sessional lecturer at Latrobe University.

Jim Shovelton, is a fourth-generation farmer in the Euroa District. Presently he is senior consultant and a director with *Meridian Agriculture*. He was a board member of *Euroa Health*, including as board chair, served as chair of the hospital's Clinical Governance Committee and as chair of the Fundraising Committee. Jim continues as a board member of the *Gecko Clan Landcare Network*; vice president of *Creighton's Creek Landcare*; and member of *Creighton's Creek CFA*.