Submission to the Independent Review of the Delivery of the Inland Rail Program.

8 November 2022

Introduction

This Submission has been made by the Lockyer Valley Regional Council (Council) to the Review being undertaken by Dr Kerry Schott in order to:

- emphasise the concerns Council hold over the project,
- seek recognition that an alternate alignment around the towns of Gatton and Forest Hill is warranted, and to
- seek ongoing meaningful engagement as the project proceeds.

Council has long recognised the potential for national benefits from an Inland Rail Project. Our approach has always been to reduce and mitigate as far as possible the negative impacts of the project on our communities and to look for any potential benefits from the project. To date these benefits have proved elusive, however the impacts of the proposed railway are already being felt in our communities.

This Submission will provide some brief information on the Lockyer Valley to provide context and will then respond to the *Key Themes* that the Review is targeting within the Terms of Reference.

Lockyer Valley Region

For the Committee's benefit, and by way of context, the Lockyer Valley is a modestly sized local government area in South-East Queensland. The region is a key agricultural area for the State and Nation, growing produce for domestic and international markets. The region also has significant manufacturing, construction, and transport industries. Some relevant statistics include:

- A population of over 42,000 people - growing by approximately 2.2% per year
- An expected population by 2036 approaching 60 000 people
- A workforce with strong ties to agriculture, manufacturing, construction, and transport
- Unemployment in 2021 was at 5.3% though historically this has been 1% - 2 % higher than the State average
- 18.7% of families have children under 15 and no parent employed (State 13.8%)
- Significantly lower median family income than the State and National averages, and
- A SEIFA Index of disadvantage considerably lower than State and National averages.

Key Project Characteristics

While the Review team will be familiar with the project, some project specifications and details are provided below as context for the responses to the *Key Themes*.

Inland Rail is a proposed railway travelling 1700 km from Melbourne to Brisbane via regional Victoria, New South Wales and Queensland.

Key design specifications are listed below to provide context for an understanding of the impacts:

- Corridor minimum width 40 metres
- Dual gauge with axle loads sufficient to provide for coal/bulk product
- Clearance to allow for double stacked containers (min 7.1M above rail)
- Train maximum speed of 115 km/h
- Trains 1.8 km long (potentially 3.6km)

The current reference design indicates the railway traversing the entire Lockyer Valley local government area from west to east. This involves two of the projects Gowrie to Helidon (G2H) and Helidon to Calvert (H2C). The corridor is to enter the valley from the west emerging from the Great Dividing Range at Toowoomba via a 6km tunnel - crossing the entire region through the townships of Helidon, Gatton, Forest Hill, and Laidley - to exit the Valley through another tunnel in the Little Liverpool Range where it enters the Ipswich City local government area.

The route will both utilise some existing rail corridor and will also have significant greenfield rail corridor development. For example, there will be more than 200 freehold titles that will require complete or partial acquisition and clearly far more properties affected by loss of amenity caused by the railway construction and operation.

In July 2018 Council adopted a Position Paper to clearly articulate Council and community concerns over the project. That Policy Paper highlighted 5 key principles to be considered with respect to Inland Rail. It is recognised that these principles can at times be competing and in such cases a balance will need to be struck.

The principles are, that with respect to the proposed Inland Rail projects, there should be:

1. **No loss of connectivity (where the proposed corridor severs existing access, alternate access should be provided of comparable or better standard)**

2. **No flood impacts (from new rail corridors and where existing rail corridor is utilised the opportunity should be taken to improve flood resilience)**

3. **Mitigated amenity impacts (noise, vibration, light, visual, dust, smell)**

4. **Limited (as far as possible) loss of good quality agricultural land**

5. **Promotion of integrated transport planning (to allow for future passenger transport and the support for active transport)**

A link to the Position Paper on Council's website is found below.

https://www.lockyervalley.qld.gov.au/search?addsearch=position+paper

An attachment containing a number of photos has been included with this Submission to enable the Review Team to better understand some of the impacts of an alignment through town.

The following submission sections are provided under the *Key Themes* specified.

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

The principal concern held by Council is the proposed design construction and operation of the G2K section by a Public Private Partnership (PPP).

The successful consortium will design, build, finance and maintain this section of the Inland Rail for a specified period. It is understood that the basis for this delivery mechanism is in recognition of the technical complexity of the project in this location and to effectively allocate risk. ARTC have advised the PPP approach was to in order to seek innovative design and to deliver the reference project cost effectively. ARTC provided a reference design, and three consortia have each undertaken their separate concept designs. It may be of significant interest to the Review team to consider what changes to alignment or construction have been adopted by ARTC to justify this enormously costly approach or secondly whether the reference design has largely been adopted with simply attempts made at cutting costs. To date there has been no changes to the reference design announced. The risk is that a profit driven PPP will simply underbid competitors by cutting corners on the reference design with corresponding impacts on communities. The effectiveness of the procurement strategy must be questioned if alternate alignments or design elements were proposed and dismissed by ARTC evaluators in order to simply retain the reference design.

Council holds strong reservations over the PPP model of project delivery given the anticipated life of the project - and of the infrastructure. As ARTC have indicated, the project design in this location is complex and accordingly there is capacity for serious disbenefit to the community in terms of amenity, safety, flood impacts etc.

It is well understood that PPP bids are based on bidding consortia looking to design the reference project to minimise their respective costs - to deliver 'value for money'. This can lead to innovative design. However, it can also potentially lead to significant community impact. One concern is the trade-off between cost and quality that may arise with a private sector entity that only intends to operate the infrastructure for a limited time while the infrastructure may be expected to provide service for 100 years. This also translates potentially into the delivery of substandard road transport infrastructure to be managed and maintained by local governments long into the future. For example, tunnels, large cuttings and structures will be targeted for cost reduction in design. The concern is that with a PPP the impacts of the project on the community will be of secondary importance to a private sector entity with a profit motivation.

Council is concerned that there is a significant risk that, without appropriate government oversight and without ongoing local government input, there will be substantial negative impacts on the community and direct cost to local governments.

The PPP approach seems too far removed from government oversight. The PPP will contract with ARTC (a government owned corporation) which is already distanced from direct government oversight. A degree of regulatory capture has already been evidenced with the Department seemingly looking to progress the project and becoming reliant on advice from ARTC rather than looking to regulate ARTC and keep the project on track to deliver community benefits.

For example, given many concerns expressed over the flood modelling, an Independent Panel was established in Queensland to review the flood modelling work done by ARTC. The Panel's Draft Report found a significant number of issues of concern with the flood modelling ranging up to "very high importance". Yet, the then Minister, presumably with Departmental advice, sent assurances to LVRC that all was well and followed up with platitudes about the national benefits

of the project. In our view the Department should have been equally concerned about this issue from both a community and project level and should have directed ARTC to address these fundamental problems before proceeding to procurement.

A key concern for the Lockyer Valley remains the potential impact of flooding. Following the catastrophic floods of 2011 and 2013, and two Commissions of Inquiry, communities in the Lockyer Valley remain extremely sensitive to the contribution railways may have to the impacts of flood events. This issue has been raised consistently throughout the design process to date. It remains of fundamental importance to the region.

Dismissing flood concerns is simply unacceptable to our communities. The Final Report of the Flood Panel indicates that a significant number of issues are still to be addressed in the flood models at detailed design. Yet where will the independent oversight be at that point? After years of work ARTC were unable to develop flood modelling that withstood independent scrutiny. This responsibility is apparently to be transferred to the PPP who will be undertaking the detailed design work in a considerably shorter time frame.

That consortium will be both seeking to minimise costs through design and seeking to design and construct without delay. Without appropriate independent, expert review and appropriate oversight by the government this is putting our communities in danger.

Council will be seeking a thorough independent review of both the flood model outputs and a review of the model itself to confirm adequacy at detailed design. That review should be independent, thorough and not constrained by the threat of compensation to the consortium for time delay. Stronger Australian Government oversight and independent expert review is warranted and will be demanded by our communities.

The Commonwealth government must retain the power to directly step-in and resolve serious issues during design and the long-term operation of this railway.

2. The Role of Inland Rail in meeting Australia's growing freight task and providing a Service offering to meet freight sector needs.

The Lockyer Valley community has voiced to Council many negative consequences of the Inland Rail project. However, to date benefits have been difficult to identify. Council accessed funding under the Inland Rail Interface Improvement Program (IRIIP) seeking to identify opportunities for both business and potential employees. Council is appreciative of the funding to at least try to identify benefits. The final report has not yet been submitted to government. However, what has been clear is that there appear to be no clear benefits to the broader region and no interest in utilisation of the railway by our region's agricultural industry. This is due to a combination of factors including geographic location, the transport requirements of our produce and the existing efficient and safe door-to-door road transport.

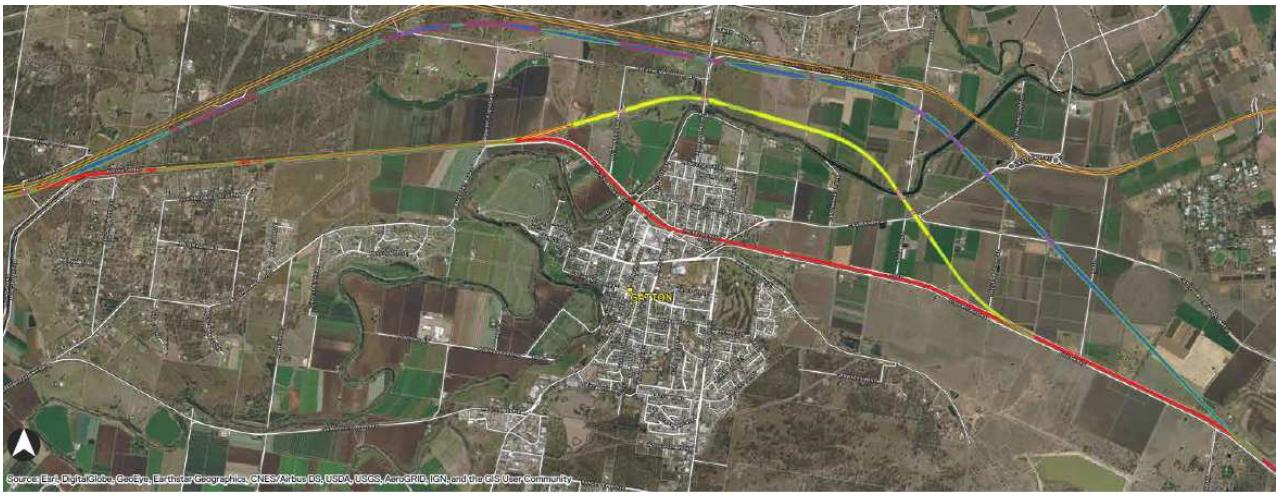
Council has always noted the potential for national benefits of an inland railway, and for the transport of certain types of products and materials along an inland corridor. However, there are no benefits to the Lockyer Valley communities and industries – simply enormous environmental and community impacts.

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.

Council retains serious concerns over the route planning and selection processes and the level of impact on our communities. We do not believe the impacts on the current alignment can be adequately mitigated.

The Reference design for Inland Rail provides an alignment through the centres of Gatton and Forest Hill. The Helidon to Calvert (H2C) Environmental Impact Study (EIS) demonstrated major impacts on these communities. The extent of impacts outlined in that EIS convinced Council to advocate strongly for a change in alignment. Given the total number of train movements (including existing coal and bulk grain movements together with the anticipated new train movements) it is clear that nowhere else between Melbourne and Brisbane is a community to be so heavily impacted.

We do not believe the impacts of an average 47 trains daily (up to 1.8 Km long and traveling at up to 90kph) can be mitigated through approval conditions. It is considered that the Co-ordinator-General should refuse any approval based on that alignment particularly given the number of impacted residents in Gatton and Forest Hill. A change in the alignment would allow the project to proceed outside of the town centres with demonstrable benefits to both the community and to ARTC.



(Current reference design alignment in red – possible alternatives in yellow and blue)

Earlier in the design process ARTC briefly considered alternate alignments to bypass Gatton (refer above) and Forest Hill. The alternate alignments were rejected by ARTC following a short Multi Criteria Analysis process without meaningful community input.

We believe the concept design was fundamentally flawed from the outset as the Queensland Government's Gowrie to Grandchester (G2G) alignment was adopted by ARTC as the starting point. This alignment was intended to service passenger rail as well as freight rail – hence an alignment through the towns. Unfortunately, in developing their concept design prior to the EIS findings, ARTC did not consider the enormous community impacts of a dedicated freight line through these towns. ARTC have only strayed from that original G2G alignment for technical and cost reasons despite the project being purely for freight.

Accordingly, we have a concept design that has been generally constrained to the G2G corridor and running directly through the communities of Helidon, Gatton, Forest Hill and Laidley with rollingstock planned to transport double stacked containers, coal and commodities rather than passengers.

It is considered important to distinguish the towns in Lockyer from other towns along the alignment. The EIS indicates that an average of 47 trains a day will go through these towns 24 hours a day 365 days a year. As indicated, this is a mix of rollingstock ranging from coal and grain trains to 1.8 km long double stacked container trains - not stopping but traveling at an estimated 80 – 90 kph at these locations. This is in communities where there are to be no benefits. Other communities between Melbourne and Brisbane will be affected but generally there will be industry, employment and regional economic benefits that will mitigate the impacts to some extent and other communities will have a fraction of the train movements in a given day.

The processes for the selection of alignments have therefore been flawed as they started from a false premise (a passenger train alignment) did not take into account the significant impacts (detailed in part in the EIS) and did not consider the potential benefits of a change in alignment to both ARTC and the community as outlined below:

Community Benefits of a change in alignment

A range of community benefits would flow from a change in alignment including:

Amenity
Freight train operations are not conducive to community amenity. The EIS has highlighted a range of amenity impacts- in particular noise and vibration impacts, as well as loss of visual amenity. For example, Council has been advised that up to 4000 Gatton residents will be impacted by noise from a 24/7 operation of up to 47 freight trains through the centre of town. These community members will be looking to ARTC and the PPP for redress and mitigation. Any proposed noise barriers will then impact on visual amenity and represent risk of increased flooding.

A bypass alignment clearly represents an enormous reduction in amenity impact both in increasing distance of the operations (and passing loop) from sensitive receptors and by providing the ability to mitigate noise at the source alignment. This would reduce the sensitive receptors from 4000 down to very small numbers - that could then be managed appropriately.

Connectivity
The reference design through Gatton and forest Hill would quite literally divide the towns in two - especially with the proposed closure of Gaul Street the main access way to North Gatton.

The alternate rail route to the north, which parallels the Warrego Highway, represents a vast improvement on connectivity impacts for our community. By aligning close to the Warrego Highway there is limited further loss of connectivity. A Bypass option means there would be no need to close Gaul Street level crossing or to duplicate the Eastern Drive overpass thus reducing the loss of connectivity.

Reduced Flood Risk
The Independent Flood Panel has raised a series of concerns with the ARTC flood modelling in Gatton and Forest Hill. The reference design seeks to construct a duplicated road overpass and a railway through the most difficult flooding focal point in Gatton.

While a bypass option will carry with it flood impacts, by virtue of its location and distance from town, and as a greenfield site, it is envisaged that flood modelling would demonstrate significantly less risk exposure to the community – one that could be managed through design.

Less Disruption During Construction
Clearly building a new freight railway, demolishing the existing road overpass, constructing 2 new road overpasses, constructing Burgess Street bridge, all in the urban footprint of Gatton will be incredibly disruptive to the residents.

A greenfield construction of rail to the north of town will be infinitely less disruptive to the community.

Future passenger transport

While it is recognised that Inland Rail is a freight railway, it will be important to ensure that it does not compromise future passenger rail options in Gatton. A freight train operating at speed through the centre of a passenger rail station would compromise both tasks. Either the freight speed will need to be limited or passenger rail safety would be compromised. Attracting more people to the location of a high-speed freight train is not desirable.

A bypass alignment would allow for safe high-speed freight operations (for the 100 year life of the project) and the future development of passenger rail services within Gatton. A recent rail fatality of pedestrian close to town highlights inherent dangers of rail through communities.

Benefits to ARTC of a change in Alignment

LVRC has also identified a range of benefits to both ARTC and the PPP in changing the alignment to bypass the town of Gatton. While PPP proponents may have considered these to varying degrees- from an LVRC perspective these benefits are significant and conclusive.

De-risks Construction

A rail alignment to the north of Gatton is a greenfield site. Rather than constructing a freight railway in a heavily constrained urban environment, the construction location is well removed from residences and the commercial centre of Gatton. This location would have better access to both the Warrego Highway and Eastern Drive.

No utility relocation etc

Construction on a bypass alignment would enormously enhance the constructability of the railway without the need for time consuming, costly and protracted, relocation of power, sewerage, water supply and stormwater services from the urban heart of Gatton.

Faster construction with less disruption to program.

Without the need to construct in an urban environment, and without the relocation of a range of utilities, it is envisaged that a simpler construction program would see significant reductions in program timelines providing the PPP with flexibility in their delivery program.
It is recognised that additional EIS work would be required although initial work was done in 2018 and the COG has already advised ARTC that significant additional EIS work will be required for both H2C and G2H. (517 additional items to be addressed for H2C and 501 additional items for G2H).

Less interaction in road management

Eastern Drive provides the main access for the population of Gatton to Brisbane and SEQ. Substantial traffic volumes utilise Eastern Drive. A program of works to construct an overpass, demolish the existing overpass, and build another overpass on this arterial road will result in considerable disruption (for years) and cost to the proponent. All of this cost can be saved in utilising a Bypass alignment.

Substantial Infrastructure cost savings

An alignment to the north of Gatton will result in considerable infrastructure cost savings. ARTC will be well placed to estimate these savings though we would be able to provide input to these estimates given our knowledge of the road network, flooding, utility constraints etc in this location.

A revised alignment would mean the proponent has:

- No need to demolish the existing Eastern Drive Overpass;
- No need to construct a duplicated Eastern Drive Overpass to accommodate double stacked containers;
- No need to conduct these works in an area that is the focal point of town flooding;
- No need to close Gaul Street Open Level Crossing;
- No need to construct Burgess Street Bridge;
- No need to construct a new rail bridge in an urban environment;
- No need to carry out significant works on a QR owned operational rail bridge across Lockyer Creek;
- No need to rebuild a pedestrian overpass with lifts etc at Gatton station; and
- No need to build a pedestrian /cycleway under the railway.

It is recognised there will be infrastructure costs on the Bypass alignment including road works, a substantial cutting and structures across the flood plain and Lockyer Creek. This will be significant infrastructure (although modest in comparison to structures proposed in the G2H section). It is estimated that there would be substantial net infrastructure savings for this alternative alignment when all costs are properly taken into account.

Significantly reduced costs of noise mitigation

Council has estimated that up to 4000 Gatton residents will be impacted by noise from a 24/7 operation of up to 47 freight trains through the centre of town as indicated in the reference design. These community members will be looking to ARTC and the PPP for redress and mitigation. Council will be pressing the Coordinator-General to ensure these residents are adequately compensated for this impact through mitigation at source (eg noise barriers) and/or at the receptor (eg double glazing and air conditioning).

Noise barriers are an impact on visual amenity and connectivity and also represent a risk of increased flooding impact. A substantial amount of this cost and impact can be avoided through the use of the Bypass alignment.

Operational benefits

The alignment route is marginally longer but due to enhanced geometry trains should be able to maintain higher speed and trains operational cost and time savings could be realised. A speed differential of 20 kph for that distance provides time savings on the alternative route (100 kph v 80 kph and 80kph v 60 kph). There would also be fuel savings from locomotives needing to decelerate on approach and accelerate on departure. This is all significant over a 100 year period of rail operation.

De-risks Project

In addition to de-risking construction, it is considered that a Gatton Bypass alignment would substantially de-risk the project more generally. For example, the reference design envisages carrying out major infrastructure works in the focal point of urban flood waters (Eastern drive overpass). The alternative would see works on a flood plain but works not constrained by urbanisation, existing utilities, existing infrastructure, an arterial road and residential areas.
As another example, the EIS recognised significant safety risks associated with construction and rail freight operation in the urban environment of Gatton. Construction and operation away from this populated area would see substantial reductions in safety impact and cost savings for the railway.
There are also significant strategic, corporate and reputational risks that would be exacerbated by using the reference design and relieved by utilising an alternative bypass alignment.

The ARTC Response

Given Council's advocacy for a change in an alignment, ARTC have met with Council to advise that they have undertaken a Multi Criteria Analysis (MCA) process comparing an alignment to the North of Gatton with the reference design. They have advised that the MCA was "line ball" for the alternative. It begs the question then - why would you not vary the alignment to keep the communities happy? It appears that the only limiting factor is one of cost. Unfortunately, despite repeated requests for the MCA outputs, the associated evaluations, the alternate design and its relative costs, nothing has been provided to Council.

Council is of the view that the Minister for Infrastructure, Transport, Regional Development and Local Government should use her powers to direct ARTC (a GOC) to change the alignment around Gatton and Forest Hill.

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

Concerns have been raised about the level of meaningful community engagement that has been achieved throughout the Lockyer Valley. At an ARTC officer level there appears to have been strong efforts made and there is responsiveness and genuine concern for impacted communities. It is understood local ARTC officers have individually contacted all directly affected people on a 'one-on-one' basis.

However, it appears that the community engagement at a strategic level for the project has not been successful. There has been a lack of information available at key times leading to poor

community engagement outcomes. Many residents and businesses have expressed publicly and to Council that the community engagement sessions have seemingly been held to 'tick the boxes' to enable ARTC to point to these sessions as 'community engagement'.

Clearly members of our communities also have a responsibility to respond to genuine, informed engagement sessions. The lack of available information at critical times has meant that this has simply not been possible.

Genuine community engagement is not achieved when limited information is available and generic messaging is delivered. Such sessions have led to disengagement by sections of the affected community resulting in poor attendance at subsequent information and consultation sessions, particularly in Gatton. When community members feel their time and interest is disrespected, they tend to remove themselves from the process.

The Community Consultative Committee (CCC) meetings were an effort by ARTC to seek improved community engagement. It is understood that the intention was to utilise the members of those Committees to act as conduits back to their respective networks. Council is not represented on the Committee, but officers have attended meetings as observers. It is Council's view that the CCC approach has not been successful.

Observer numbers for the Lockyer Valley CCC varied. Initially there were higher numbers when the community anticipated relevant information being available. However, over time it appeared there was a level of frustration by both CCC members and observers about the scope of the meeting and the limited level of detail that was able to be discussed. Members also seemed to lack role clarity and there appeared to be limited community feedback to stakeholders. Some ideas put forward by CCC members may have been personal views rather than views more representative of the wider community.

It is considered that having significant numbers of community members in attendance but unable to contribute meaningfully was a wasted opportunity for engagement. This in turn has led to some degree of consultation frustration and fatigue. This may have contributed to poor attendance levels at subsequent community engagement sessions. Over the last 2 years there is generally more ARTC representatives present than community members.

There also remains a perception in some parts of the community that the vast majority of the project will proceed in line with ARTC's designs regardless of community concerns.

To demonstrate how ineffective the consultation and community engagement has been, significant segments of the community remain uninformed of even basic aspects of the project. The discussions following any Council Facebook post on Inland Rail are revealing. Many people still believe it is a passenger railway. Others say the farmers will benefit (Council is yet to meet a grower from the region who intends to utilise Inland Rail to move produce). Most are unaware of the traffic impacts it will have on the town's road network. Many simply say the project will never happen.

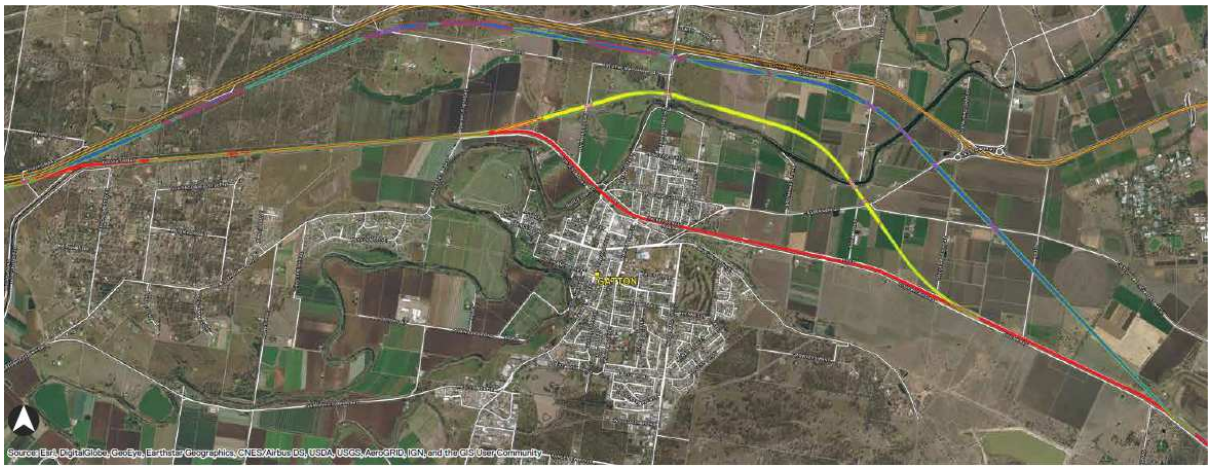
Since the release of the Draft EIS that demonstrates significant impacts on the towns of Gatton and Forest Hill, Council has been pushing for a change in alignment around those towns. As described in Section 3 above, Council as a key stakeholder, and despite multiple requests, has not received details of costs or alternate alignments around Gatton or even the Multi Criteria Analysis outputs.

Clearly, this is unsatisfactory and demonstrates a failure of engagement.

Attachment to LVRC Submission

2018 ARTC Options

Reference design alignment in red proceeding directly through the centre of town.
Alternate alignments to the north in yellow and blue with the Warrego Highway in brown



Below are extracts from the H2C EIS demonstrating some of the visual impacts of the project.

Laidley

Existing residence at Laidley and the visualisation of Inland Rail once constructed.

Please note the height of the embankment and the proximity of the corridor – 47 Trains per day.

Forest Hill

Below are further extracts from the H2C EIS demonstrating some of the impacts of the project at Forest Hill.

The Existing rail corridor

With Double stacked containers

With Noise Barrier

Please note **cumulative** impacts - when you consider connectivity, noise (47 trains per day), visual and flooding impacts. If ARTC seek to address noise from the source with noise barriers - this will exacerbate flooding.

If they seek to address noise at the receiver it would need noise treatment for virtually the entire town (which still does not address noise outside of buildings). Visually, the noise barriers, even without graffiti, are objectionable.

No one has demonstrated how these cumulative impacts can possibly be resolved with an alignment through the town of Forest Hill.

Gatton Rail Bridge over Lockyer Creek

Part of the works in Gatton involves a new rail crossing beside this existing structure. Works will be required on and around this bridge structure to ensure road network connectivity as the town centre is immediately to the east.

Flooding earlier this year reached almost to the rail line. (Note the debris).

Gatton

Some of the proposed construction of rail and associated road works within the town of Gatton.

The previous picture of the Gatton rail bridge is to the left of the picture.
Note the scale of the works to demolish the existing road overpass and the duplication of the road overpass - both at the most flood vulnerable point in Gatton.

Please also note the laydown areas (hatched pink) and the passing loop to the right of the picture.