



Please quote our reference in your reply
Our Ref: OUT22/8318

10 November 2022

Assistant Director – Inland Rail Review Secretariat
Department of Infrastructure, Transport, Regional Development, Communications and
the Arts
GPO Box 594
CANBERRA ACT 2601
Sent via email: IR.Review@infrastructure.gov.au
Submitted via online portal

Dear Dr Schott,

**MITCHELL SHIRE COUNCIL – SUBMISSION TO THE INDEPENDENT REVIEW OF
INLAND RAIL**

Please find attached Mitchell Shire Council's submission to the *Independent Review of the delivery of the Inland Rail Program*.

We appreciate the limitations of the review process, and our submission considers issues within scope of the Terms of Reference. Council would, however, like to note that our concerns, and those of our community, are more fundamental and far-reaching.

Mitchell Shire Council and our community will be one of the most heavily impacted communities along the entire inland rail route. Our municipality is home to 7 of the 12 Tottenham to Albury project sites, and by 2041 we will have over 154,000 people living immediately adjacent to the Inland Rail route, or within townships through which the route runs.

The Inland Rail project is the single largest infrastructure project to ever come through our municipality. Inland Rail will fundamentally and permanently change our townships. The changes will be felt through visual impacts, noise impacts, vibration impacts, and connectivity impacts.

Our community will not only deal with these impacts throughout the construction phase, but will also have to live with the permanent changes to their communities as a result of new infrastructure, an increase in train length and weight, and more frequent trains.

Mitchell Shire Council's submission to the review highlights a number of serious concerns which Council and community have with regards to all stages of the project. Fundamentally Council and community have felt disempowered, with stakeholder and community engagement being unplanned, under-resourced, and often disingenuous.

Council and community have serious and real issues with regards to the decision-making process, and whether meaningful consultation and engagement has occurred in order to value the views and opinions of the community and stakeholders.

With the project sites in our municipality rapidly passing the concept planning phase, and the primary concerns of community and Council relating to the decisions in this phase, the Inland Rail project is veering towards delivering permanent infrastructure in our communities which are unwanted and will be an everlasting and irredeemable scar.

This, however, is not the inevitable result and there are still opportunities, if appropriate steps are taken to remedy some of the fundamental process challenges, to ensure that the outcomes are beneficial at both a local and national level.

Whilst Council is worried about and disappointed with the progress and planning with regards to the project sites, we do greatly appreciate the value which Inland Rail will bring to our community and the nation, and support the project and its desired outcomes. We do, however, have a responsibility to ensure that our community interest is heard and valued.

Our submission identifies numerous concerns which the Independent Review has asked us to consider and presents a series of proposed interventions which could begin rectifying some of the substantial issues explored.

On behalf of our community, we hope that our proposed recommendations and concerns are genuinely considered, and that action is taken to remedy some of the very serious issues noted in our submission. Please note that the Councillors will be considering a 'Notice of Motion' at the November Council meeting, seeking a review of the proposed route for the Inland Rail through Mitchell Shire. While we understand this is outside the terms of reference for this review it does highlight the depth of feeling about this project and the failure to date to adequately engage with our community.

Mitchell Shire Council would welcome the opportunity to present to, or participate in any further consultation with, the review in order to further explore the issues and concerns identified in our submission. To make a time, please contact Juliana Hummerston on [REDACTED].

Yours sincerely



BRETT LUXFORD
CHIEF EXECUTIVE OFFICER

Enc: Mitchell Shire Submission to the *Independent Review of the delivery of the Inland Rail Program*

**INDEPENDENT REVIEW INTO THE DELIVERY OF INLAND RAIL
MITCHELL SHIRE COUNCIL SUBMISSION**

Mitchell Shire Council makes the below submission to the *Independent Review into the Delivery of Inland Rail*.

CONTEXT

- [1] Mitchell Shire is Victoria's fastest growing municipality. The Shire's population is projected to grow by over 230% within the next two decades. There are currently 53,480 residents in Mitchell, however by 2041 this is projected to grow to 181,591.¹ This growth will occur across all of the Shire's townships, but will be focused in Beveridge, Wallan, Kilmore, Wandong, Broadford, and Seymour.
- [2] Mitchell Shire straddles the national rail freight route. The townships of Seymour, Tallarook, Broadford, Wandong, Heathcote Junction, Wallan, and Beveridge all have the rail line running through them. Inland Rail is the single largest infrastructure project to ever come through Mitchell Shire.
- [3] Mitchell Shire is home to the vast majority of the Tottenham to Albury project sites. 7 of the 12 sites are located within Mitchell Shire:
- a. Seymour-Avenel Road bridge, Seymour
 - b. Broadford-Wandong Road bridge, Wandong
 - c. Hamilton Street bridge, Broadford
 - d. Short Street bridge, Broadford
 - e. Marchbanks Road bridge, Broadford
 - f. Hume Freeway, Tallarook
 - g. Hume Freeway, Seymour²
- [4] By 2041 Mitchell Shire could have 154,271 residents living immediately next to the freight line, or within a township which the freight line runs through.³ This would represent one of the largest population catchments along the entire length of the Inland Rail route.
- [5] The Mitchell Shire community is one of the most significant stakeholders with regards to both the Inland Rail project construction phase, and the operation of the future double-stacked freight line.

¹ .idcommunity, *Mitchell Shire population forecast*, <https://forecast.id.com.au/mitchell>.

² ARTC Inland Rail, *Works and planning: Tottenham – Albury*.

³ .idcommunity, *Mitchell Shire population forecast*, <https://forecast.id.com.au/mitchell>.

PROCESSES AND ASSUMPTIONS RELATED TO IMPACTS AND POTENTIAL BENEFITS TO REGIONAL ECONOMIES AND COMMUNITIES (TERMS OF REFERENCE C)

- [6] Mitchell Shire Council has been informed that a key assumption determining both route selection and project site concepts is the ARTC freight rail 60-hour possession window. This possession window has clearly imposed significant restrictions upon decision making processes with respect to project site concepts.
- [7] Whilst the possession window clearly benefits and protects freight concerns, the impact which this imposes on communities by limiting apparent available decisions regarding project site concepts is severe. Council is concerned that communities in Mitchell Shire are being unnecessarily negatively impacted due to this highly restrictive assumption. Mitchell Shire Council firmly believes that better equity is achievable, and that this assumption should not remain unchallenged.
- [8] Aligned to the favouring of the 60-hour possession, the assumption that impacts on passenger services is a less preferred option to alternative project site concepts has remained unfounded. Due to the lack of comprehensive community engagement processes, discussed below in paragraphs [26] to [31], there is little to no evidence that impacted communities would prefer a compromised concept for the new infrastructure over a temporary, albeit extended, impact upon passenger rail services. Experience with the Victorian Government's level-crossing removal project suggests that the alternative may be true. Communities appear willing to accept extended passenger service impacts in return for superior and preferred new infrastructure. The lack of evidence either way is a serious failing of the project process, and should be immediately remedied.
- [9] Mitchell Shire Council and the local community are concerned about the noise impact that will occur through both the construction phase and the on-going operation of the double-stacked freight route. Whilst noise assessments have been completed and explained with regards to the specific project sites, neither Council nor community have been presented with comprehensive analysis within our townships regarding the impact the ongoing double-stacked operation will have. With the Inland Rail route running directly through the heart of a number of our townships this is a serious oversight, and Council would expect that more detailed and thorough

analysis outside of the limited project sites would be completed. Assessments should occur where any sensitive receptors are within a reasonable radius of the track, not only within a radius of the project sites.

[10] The identification of project sites within Mitchell Shire appears to have been limited to locations where double stacked trains are unable to pass under existing structures safely. There are, however, numerous sites where the Inland Rail track is crossed by level-crossings. Whilst it is not expected that all, or even the majority of level crossings would be removed, there are level crossings within townships, and within the Urban Growth Boundary which will be severely impacted by the length and increased number of trains.

[11] At 1.8km long, with the future option of extending to 3.6km long, the increased train length will contribute to increased times during which the level-crossings will be closed. The ARTC Inland Rail project has an obligation to consider and remedy the impact which it will directly cause at level crossings through both increased train lengths and increased number of trains. At a minimum, assessments should be completed, and community and Council consulted, where level crossings exist within townships or the Urban Growth Boundary.

SCHEDULE ASSUMPTIONS INCLUDING TIMING FOR APPROVALS (TERMS OF REFERENCE D.III)

[12] Consultation and schedule assumptions, particularly with respect to expectations applied to Councils, have been consistently demanding and often unreasonable.

[13] Mitchell Shire Council has often been provided substantial environmental, planning, and technical documents to review with extremely limited timeframes for response. For example, these timeframes have often been limited to 10 days, despite requiring expert input which may, on occasion, require outsourcing by Council to ensure that appropriate and considered responses are provided.

[14] The expectation from Council is that ARTC will provide a full, detailed Environmental Impact Report addressing the impact of the project and each project site on all environmental, social, and economic values in our Shire and our townships prior to the preliminary design phase being completed. To date this level of consideration and detail has not been provided. This is also a primary concern for local communities and residents who have regularly

- raised the lack of specific and localized social and economic assessments with ARTC. This is an ongoing and serious issue, which needs to be resolved.
- [15] There have been scheduling issues regarding feedback being required prior to any relevant detail or information being available. For example, stakeholders including Council were asked to comment on environmental impacts before the full extent of proposed works was determined and their ensuing and associated environmental impacts could be assessed; this included feedback being sought on the impact the project would have on vegetation before the loss or impact on vegetation was assessed or even assessable.
- [16] Beyond the scheduling assumptions, the workload requirements from ARTC of Council have, at times been excessive. This has occurred across numerous areas of Council including planning, technical support, and engagement support. Projects of this scale would normally be expected to provide affected Councils with resourcing so that technical expertise can either be seconded or obtained. ARTC should provide greater resourcing support in order to deliver on the timeframes, and level of feedback and input required.

POTENTIAL INTERMODAL TERMINALS IN MELBOURNE (TERMS OF REFERENCE D.VII)

- [17] Mitchell Shire Council supports the Federal Government's 'two terminals' strategy for intermodal terminals in Melbourne.
- [18] As noted in the *Inland Rail Programme Business Case*, 'Intermodal terminals are critical elements of the freight supply chain network as they enable optimal mix of modes to provide an overall decrease in transport costs to the supply chain.'⁴
- [19] The future Beveridge Intermodal Freight Terminal (BIFT) is located within Mitchell Shire and City of Whittlesea, and lies immediately adjacent to the Inland Rail route and the Hume Freeway.
- [20] The BIFT was identified in the business case,⁵ is consistent with and supported by Victorian Government planning,⁶ and aligns with the recommendations by Infrastructure Victoria who noted that the BIFT, along with the western terminal, was strategically located and would be able to

⁴ ARTC, *Inland Rail Programme Business Case*, 2015, p 106.

⁵ ARTC, *Inland Rail Programme Business Case*, 2015, p 107.

⁶ Victorian Planning Authority, *Northern Growth Corridor Plan*, 2012.

accommodate double stacked, 1.8km trains, which is not currently a possibility in Victoria.⁷

[21] The BIFT land is currently undeveloped, and access is not encumbered due to surrounding urban or industrial activity. It is Council's understanding that the BIFT is ready and suitable for early activation in line with the Inland Rail schedule. If seeking any opportunities to improve the early activation of the Inland Rail, BIFT presents a key opportunity which should be explored.

[22] The benefits of BIFT go beyond the opportunity provided for early activation of Inland Rail. Whilst the broader economic benefits from intermodal terminals was not considered in the economic appraisal within the business case,⁸ the BIFT presents a unique opportunity to support and enhance industrial and commercial investment in Melbourne's rapidly growing north. The BIFT would be able to connect to the Merrifield employment precinct, the Cloverton Metropolitan Activity Centre, and leverage close access to the Melbourne Wholesale Fruit, Vegetable and Flower Market in Epping.

[23] The BIFT would also provide local employment to a region which is projected to be home to more than 1.5million people by 2036.⁹ Melbourne's north accounts for over 20% of Melbourne's total population, and the BIFT will be perfectly situated to not only support this community, but also will benefit from having an in-situ workforce.

OPPORTUNITIES TO ENHANCE COMMUNITY BENEFITS (TERMS OF REFERENCE E)

[24] Inland Rail presents an opportunity to improve the safety, accessibility, and urban design outcomes for often ageing road infrastructure. The construction of compliant new bridges, which include shared footpaths on both sides of the road as a bare minimum presents the opportunity to provide a lasting benefit to communities.

[25] Mitchell Shire, and the Tottenham to Albury portion of the Inland Rail route more broadly, incorporates a unique section of the Inland Rail route where freight and passenger services come together in one corridor. Whilst this presents obvious challenges, it also presents a benefit which, in Mitchell Shire, has yet to be explored. The enhancement of train stations, pedestrian crossings, and other locations where key passenger infrastructure combines with the Inland Rail route presents an opportunity for the delivery of real and

⁷ Infrastructure Victoria, *Victoria's Infrastructure Strategy 2021 – 2051*, 2021, p 178.

⁸ ARTC, *Inland Rail Programme Business Case*, 2015, p. 24

⁹ Northern Councils Alliance, *Melbourne's North*, <https://www.northerncouncils.org.au/melbourne-north>.

tangible benefits to communities on the route. This could include funding for master-planning, improved urban design, and improved safety. Funding should be provided at all key intersections between passenger services and the Inland Rail route. So far, Mitchell Shire and the key passenger infrastructure in our municipality has not been considered for such opportunities.

ARTC'S ENGAGEMENT AND CONSULTATION APPROACH WITH COMMUNITY (TERMS OF REFERENCE F)

- [26] ARTC's community engagement has often struggled to delivery clarity for the community, and has failed to make community feel genuinely and authentically heard.
- [27] Mitchell Shire's community will be the most impacted community in Victoria during the construction phase of the project, being home to 7 of the 12 Tottenham to Albury project sites.
- [28] Despite this there has not, to Council's knowledge, been developed a comprehensive communications and engagement strategy which incorporates communities as a whole. Whilst engagement has occurred in smaller 'impacted areas' the true impact at a community level demands structured, considered approaches to ensure that appropriate engagement occurs.
- [29] ARTC's engagement has also failed to empower communities as equal partners in the decision-making process. Council have regularly heard from community that they feel decisions regarding project sites are presented as a *fait-accomplie*, with a detailed understanding of the project impacts on the local community failing to be appropriately captured, or genuinely considered.
- [30] This challenge is exacerbated by the lack of approachable content with which to engage community. The most significant project site decisions have been occurring at the concept stage, and yet this stage is not accompanied by any perspectives or visualizations which would assist in community appreciating the options being considered. Unfortunately, the lack of approachable, genuine consultation at concept stage and earlier has resulted in communities often remaining naïve about decisions which, for ARTC, have already been decided and concluded.
- [31] The lack of appropriate, planned, and resourced community engagement by ARTC is putting the onus back on councils to provide this support to their

communities. This is an unreasonable outcome, and is leaving councils in an untenable position.

ARTC'S ENGAGEMENT AND CONSULTATION APPROACH WITH COUNCIL (TERMS OF REFERENCE F)

- [32] Engagement with Council has been hampered by a range of challenges including a lack of clarity around what feedback was being sought, a lack of appropriate materials when required, and, as discussed above at paragraph [13], unreasonable timeframes.
- [33] There have been numerous moments throughout the engagement process with Council where understanding on the feedback being sought by ARTC has been difficult to achieve. For example, Council was provided with Environmental Performance Requirements to review and provide comment, however this document went beyond environmental performance and included matters relating to heritage, social and economic impacts, traffic management, and other, broader considerations. Lack of clarity regarding the feedback being sought in this matter has resulted in the broader concerns failing to be adequately addressed.
- [34] There have consistently been moments where essential materials to support Council's understanding have not been provided. Comment and feedback has been sought by ARTC where important information either does not exist, or is not provided to Council. For example, perspectives for proposed bridge structures were not available post-concept phase which would have supported Council in assessing the impact that future structures would have upon existing dwellings, Council assets, or the townships' urban design outcomes. Critical design details are often included in technical drawings that are not readily understood by the community, and the absence of quality design visualisations make it difficult for the community to gain a full appreciation for the visual bulk of some of the infrastructure at key locations within townships. In one such example proposed road levels are as much as 3.7m higher than existing road levels. This type of new infrastructure will have a significant impact on the visual and landscape values within our townships, yet they are being ignored during the critical early phases of concept design development. Equally, as discussed in paragraph [15] above, Council was asked to provide feedback on matters relating to potential vegetation loss where detail on the scale and scope of loss was not available.

PROPOSED REQUIRED INTERVENTIONS

[35] There are a range of immediate interventions which would begin to remedy some of the above issues. Please note, however, that this list is not comprehensive in response to the concerns raised above.

[36] Some proposed interventions could include:

- a. Development of a comprehensive consultation and engagement plan targeted to deal with the impacted townships within Mitchell Shire;
- b. Implement more rigorous and genuine engagement with local Mitchell Shire communities noting that communities currently feel that this type of engagement has not occurred and, therefore, without limiting the relevant project stage to which they are responding;
- c. Review and assess assumptions related to both the 60-hour possession window, and the preference for limited impacts on passenger services, with respect to how these impact local community outcomes and whether these are community preferred options;
- d. Implement more thorough and open engagement processes with Councils focusing on more reasonable review timeframes, clearer detail on what responses are required, and provision of all relevant and required information;
- e. Immediately expand noise assessments to, at a minimum, consider impacts beyond solely project sites and incorporate townships and other built-up areas;
- f. Review and incorporate new project sites at level-crossings where the combined impact of both the increased length of trains and number of trains will have a serious detriment on the community, particularly within townships and within the Urban Growth Boundary;
- g. Progress planning for the Beveridge Intermodal Freight Terminal, potentially including the development of a business case which remedies that lack of consideration for broader economic and community benefits in the 2015 Inland Rail business case;
- h. Assess the opportunity which the BIFT presents for early activation of the Inland Rail and the economic benefits which that activation would provide;
- i. Address oversights caused by requiring feedback on documents, including the Environmental Performance Targets, prior to relevant detail and information being available;
- j. Consider options and opportunities to provide increased resourcing support to Council, in particular focused on planning, urban design, technical, and

engagement resourcing, in order to support councils to appropriately and adequately engagement with the project; and

- k. Explore opportunities to provide enhanced outcomes in Mitchell Shire, including requiring shared footpaths on both sides of all new structures, and enhancing locations where key passenger rail infrastructure is located in the same corridor as the inland rail including at train stations.

Mitchell Shire Council sincerely hopes that our submission is carefully considered. We see the great economic benefits which Inland Rail will bring to the nation, however we are concerned that these benefits are being achieved to the environmental, economic, and social detriment of our Shire and its residents.

On behalf of our community, we hope that our proposed recommendations and concerns are genuinely considered, and that action is taken to remedy some of the very serious issues noted in our submission.

If you require any further information or to discuss any of the items raised, please make a time by contacting Juliana Hummerston on [REDACTED]

Yours sincerely



BRETT LUXFORD
CHIEF EXECUTIVE OFFICER