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Contact: David Neeves

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Department Of Planning And Environment
Mr Glenn Snow
Director – Transport Assessments
GPO Box 39
SYDNEY NSW 2001

Dear Mr Snow

SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS INLAND RAIL NARROMINE TO NARRABRI

This submission to the standard Secretary's Environmental Assessment Requirements (SEARs) for the proposed Inland Rail Project which has been deemed a Critical State Significant Infrastructure Project. This submission is intended to highlight the particular issues that will confront Gilgandra Shire Council and affected stakeholders with the proposed Inland Rail development.

Gilgandra Shire is potentially one of the most impacted communities from this development with, under current proposals, 95km of Greenfield line potentially impacting 91 landowners directly and indirectly affecting many more. In addition, based on Council's interpretation of the proposed alignment, nearly 60km of our road network will be directly impacted with the alignment potentially following existing road reserves. One third of the Narromine to Narrabri project will occur in the Gilgandra Shire LGA.

Gilgandra Shire Council has been involved in numerous discussions with landowners, ARTC, Federal Government and strongly advocated for improvements in community consultation regarding Inland Rail.

Gilgandra Shire Council does not believe that it represents every single landowner's individual issues and concerns. This submission is a summary Council believes are the common issues and also the most important or significant and need to be addressed through the planning process.

Gilgandra Shire Council has the responsibility to represent the views of landowners, residents and ratepayers. As such, is advising the NSW Department of Planning that there are a number of impacted landowners that believe the Inland Rail route should follow existing rail alignments. These landowners are seeking further clarification from ARTC and the Federal Government as to why the existing corridor cannot be used in the Gilgandra Shire and they have also requested ARTC and the federal government provide additional information regarding the route selection process.

Council has highlighted to ARTC that, where possible, existing rail alignments should be used to minimise the impact on landowners.

Communication and Stakeholder Engagement

- Council has been critical of the community engagement process undertaken by ARTC to this point. A project of this scale in our community requires a physical presence. At a recent planning focus meeting held at Narrabri and Narromine, ARTC announced there was a new community engagement team taking over.

It is disappointing for the community and particularly affected landholders that there is no consistency where face to face on-site discussion have taken place. What reassurance do stakeholders have that their message isn't lost in the handover?

The lack of a visible presence in the Gilgandra community has greatly hindered ARTC's ability to communicate with landowners and the wider community about the project. Gilgandra Shire Council strongly urge that ARTC establish a visible presence in Gilgandra in the form of a shop front. With 1/3 of the entire N2N project proposed to occur in the Gilgandra Shire, our organisation is of the view this project can not sufficiently be planned, designed and managed remotely, whilst effectively dealing with the significant community concerns. The current unwillingness to commit to a visible presence also gives a perception of a reluctance to invest and have an involvement with our community on an ongoing basis. Council feel that in any other project of this scale, be that mining, resource / energy or other infrastructure, establishing a presence would have been one of the first actions.

Land Owner Impact

- **Methodology for compensation** - There is significant community concern that a simple land valuation will be the methodology for compensation. It has been communicated by ARTC that the process will follow NSW Legislation and in particular the *Land Acquisition Just Terms Compensation Act 1991*. The corridor goes through the heart of the Gilgandra Shire and potentially directly impacts approximately 91 businesses. The land is not just where people live, it is their business and their livelihood. Simply compensating people for the loss of land does not consider the cumulative impact on the ongoing profitability of their businesses and the total impact to the Gilgandra Shire economy.

- In addition, it has been discussed in the community, those living in close proximity to the alignment who feel they may be impacted by noise (construction and operational) and other disturbances may have limited options for compensation as the line may not run through their property.
- **Property severance** - Where a rail line dissects a property or properties operated by the one business, there may result significant issues in relation to moving stock, plant and equipment across the rail line. During community consultation some landowners were advised that gates would be installed to assist in moving stock however this action in itself is potentially troublesome.

In contrast, some landowners have been advised that interaction with the railway will be restricted for obvious reasons. This would mean there is potential for existing farmers to have to travel significant distances to move stock, move farm machinery between properties and potential for increased travel time to markets. Even an extra 5 or 10 km can have a huge impact on the profitability of farm operations and as we understand it, will play little role in any compensation and mitigation strategies, with safety overriding farm business profitability.

- **Capital improvements** - Many business operators have chosen to put any plans for capital improvements on hold, pending a decision on the alignment. Despite a verbal assurance at consultation sessions that any costs would be reimbursed through the compensation process, business operators are naturally dubious of such an assurance. This delay unfortunately also has a flow on impact to our agricultural businesses and local associated support and supply chain industries.
- **Contacts with authority** – Impacted land owners, businesses and to some degree Council are frustrated that consultants they have been dealing with up to this point have no authority. A project of this scale, significance and impact on the community requires ARTC to have people with authority available to discuss issues and give detailed and meaningful responses in a timely manner.
- **Dwelling permissibility/Devaluation of land** - Landowners are also concerned with property severance and the impact on the issue of dwelling permissibility and the creation of potentially sterile land. Gilgandra Shire Council's LEP 2011 currently has a minimum lot size of 500ha in RU1 Primary production zone for dwelling permissibility. If a property was divided, hypothetically a landowner would have no dwelling permissibility to construct a dwelling on the newly created parcel of land.

In addition the parcel of land with the existing dwelling would potentially see a reduction in size that would fall under the minimum lot size. This outcome is opposite to the guidance and advice from the Department of Planning in relation to maintaining the minimum lot size with existing dwellings. Whilst this is a Local and State Government issue, the Federal Government need to provide support to undertake the laborious and costly land use planning work to examine this issue to ensure the impacted landowners are not disadvantaged.

This has significant potential to cause an instant devaluation of the land if it has no dwelling permissibility or the land becomes sterile as a result of the separation. In addition, if landholders want to subdivide, the planning laws would prevent it if it was to see the creation of a dwelling on a lot less than the minimum lot size. There needs to be clear guidance by the State on these issues and also adequate financial, technical and other resources provided to Gilgandra Shire Council by the proponent if this projects requires a review of the LEP in order to deal with the land planning issues.

- **Social impact of dividing neighbours** - There is also a significant social impact of literally dividing neighbours. The generational friendships, support and linkages to community should not be forgotten in this process. Farms are not just blocks of land on maps; they are part of communities that have formed over generations, usually by the families of the people that are still on these properties. The uncertainty of the alignment is adding stress to an already stressful occupation, lifestyle and business, particularly in the current drought environment where people are under enormous financial and emotional stress.
- **Financial assistance for legal support**- The agricultural businesses would like guarantees they will have all reasonable legal and associated costs of dealing with land purchase issues are covered including Stamp Duty, survey and subdivision fees in any subsequent land purchases resulting from land acquisitions for the alignment. The assistance may also extend to, but not limited to, assistance to seek financial advice and modelling to measure long term business impact, develop new business plans and assist in the restructuring of farm and business operations.

Safety

- **Best design options** - Build it using the best available design options not the most economical. The community should not be forced to deal with issues and be forced to lobby for safety improvements in the future as a result of accidents and deaths. The proposed development will create a large number of level crossings in the Gilgandra Shire on Council's rural road network, thus creating additional safety hazards.

In addition, it needs to be remembered that crossings need to accommodate a minimum of 6 metre farm machinery and implements and need to have a gradient that allows them to travel over level crossings without getting stuck. The movement of farm machinery around the district is both common practice and essential to current farming activities.

The EIS must address these safety concerns for the community and demonstrate avoidance and minimise these impacts on public and green roads in the form of crossings.

Community Economic Impact

- **Tangible economic outcomes** - we believe there needs to be a greater emphasis on delivering tangible economic outcomes for our community. The community is concerned that whilst the Inland Rail offers national benefits and also potential local economic benefits, it is also a risk and a potential economic disruptor impacting the extremely valuable agricultural sector.
- **Potential population loss** - There is a real and genuine fear that our community will lose families who decide to leave as their business is no longer sustainable as a result of the impact of the project. We have witnessed this with the failed Cobbora mine project where 30 plus families left the Dunedoo district as the result of a compulsory or negotiated acquisition processes. It is understood that this is a different project but the potential for a similar impact is real.

There needs to be consideration to a program to support Local Government retain displaced families by encouraging residential and business activity locally. Essentially there need to be a mechanism in place to monitor and mitigate if people choose to sell their entire farm and leave. ARTC saying that was the individual's choice is not acceptable as it is a forced choice.

The impact is felt for years to come when population decline results in the community's inability to retail essential services.

- **Advantages from construction** - Our community should be one that sees significant advantages from the construction process. We are concerned that without leadership from the Federal Government and ARTC it will be up to our community to compete against larger regional communities to extract benefits for our community. History tells us that communities like ours lose out to nearby regional cities. One third of 100km of the N2N project is in the Gilgandra Shire, so if our community is to feel 1/3 of the pain, it is justifiable to say we should as a minimum see 1/3 of the gain. That is a rudimentary analysis's but it's something the proponent need to be mindful of in their decision making process.
 - Workers Camps – Gilgandra Shire Council see there is a need to develop a strategy within our community as to how the expected workers required on this project will be accommodated. Gilgandra has 11 motels and three caravan parks. In addition there is a 55 lot residential subdivision DA approved that provides a potential site for temporary workers' accommodation facilities.
 - Given the combination of existing accommodation facilities and the ability to develop workers' accommodation on a DA approved site, Council would strongly oppose construction of remote work camps on sites along the alignment remote of established townships. There are numerous examples all over Australia where remote work camps act as economic ring fences and should out local communities from economic benefits. Gilgandra Shire Council feel the EIS process should identify work camp locations and allow

communities to prepare for the challenges and opportunities. Allow contractors to select these site at short notice once construction contracts are awarded will result in significant community issues.

- Sourcing of local materials – The construction phase of the proposed development will require significant raw material. There is a number of local businesses within the Shire that, given the opportunity, would be able to expand their business to be in a position to supply material to the project. Assistance from the proponent would be required in some cases to develop these facilities to a point where they have the required approval to operate at the scale required for this project.
- **Social** - Consideration should be given to these options to assist our community benefit in the short term and in the longer term. This could include:
 - a local participation plan to form part of all construction contracts
 - legacy infrastructure that benefits the community, particularly our agricultural community and includes water infrastructure that will be needed to undertake the significant civil works.
 - consideration in the design to facilitate additional local rail access at key strategic points such as Curban to provide connectivity between the existing rail line and Inland Rail line.
 - Consideration for design to allow for private investment in grain loading facilities off line. This could be achieved at key locations such as passing loops and breakdown wagon parking lines. All standard design features of freight rail lines but with vision provide positive opportunities for our local farming businesses.
 - Targeted strategies to promote and facilitate Indigenous and youth employment.

Environment Issues

Water -Water has emerged as a critical issue that requires a collaborative approach in the development of a solution for the construction of Inland rail.

GSC understand that ARTC and the selected contractors will need approximately 1 - 2 megalitres per day per construction area during construction of the N2N project. At our own cost, Gilgandra Shire Council engaged an independent Geohydrologist to assess the NSW Office of Water bore data for the Inland Rail alignment in the Gilgandra Shire. A copy of this report has been attached for your information but in summary, for most of the 95km of the alignment in our Shire, existing bores from readily accessible ground water sources simply do not produce sufficient flows to meet the expected usage during construction.

In the design and development of the N2N project Gilgandra Shire Council has the following objectives in relation to construction water:

- To see water sourced from aquifers not currently used by existing landowners for stock and domestic uses to avoid cannibalising or competing with current existing stock and domestic sources.
- To see water bores developed with best practice techniques to preserve the integrity of shallow aquifers that are used by landowners.
- To develop high flow bores and infrastructure that would leave a legacy to the Gilgandra community for agricultural and domestic supply post construction.
- To develop a project that has community support and is seen as a benefit of Inland Rail rather than posing a threat to existing water sources and therefore agricultural businesses and lifestyles.
- To improve access to reliable water sources for Gilgandra Shire Council's road maintenance activities. This will allow road works to continue through dry times.
- Provide a reliable source of water, the length of the Shire to improve bushfire fighting capabilities.
- **Biosecurity challenges and risks** - With a number of existing highways in the Shire, farmers are very familiar with the biosecurity challenges and risks infrastructure corridors pose. From landowner observation of the existing rail corridor in the Gilgandra Shire, the spread of noxious weeds by train movements and vehicles that access the line for maintenance is a real issue. Maintenance of the residual land in the existing corridor appears not to be a priority. This issue requires meaningful consideration in the management of the corridor. During a construction phase this is of a real concern with vehicles driving from all over the corridor and potentially spreading weeds and other biosecurity risk such as animal disease.
- **Hydrology implications** - There has been significant discussion in the consultation process about the hydrology implications of putting a "levee bank" through the heart of agricultural land. Interruption of overland water flows has the potential to cause significant impacts on agricultural businesses, particularly those farms who do not have bores and rely only on rainfall to exist. It could also concentrate flows creating localised flooding or hold back flows, inundating crops and grazing land.

The EIS must address the impacts of flooding on existing water ways and water courses from the proposed development.

Impacts to local roads, compensation to Local Government to upgrade roadside drainage and road formation to handle the increased flows.

- **Operational noise** - With proposed 24 hour operations and the size and speeds of the trains that have been discussed, noise is a legitimate concern. Agricultural businesses that have developed over 150 years have placed infrastructure such as houses, shearing sheds and stockyards in locations away from the major highways. This project will now see, at numerous locations, these vital pieces of infrastructure subject to noise impacts. It would be very hard to shear sheep or muster cattle with a 1.8km train doing 110km passing in close proximity.

Obviously there are train lines all round Australia and the world and agriculture continues. The difference in most scenarios is that train line was built many years ago and the critical farm infrastructure was developed in suitable locations. Now we have extremely expensive shearing sheds, cattle yards and other buildings that may end up unusable when impacted by noise. The noise could also potentially affect livestock in the lambing/calving season.

Revegetation and a commitment to reinstate divided land with a vegetation offset of newly planted trees, a procurement process which supports the propagation of such trees and shrubs locally.

Directly affected landholders will have the highest impact from noise and vibration. ARTC has nominated operational noise to include the following:

- Wheel rail interaction
- High frequency wheel squeal on tight radius curves and brake squeal from freight wagons at low speed.
- Horn noise
- Maintenance activities(eg rail grinding, inspections)
- Ground vibration from train movements
- Idling diesel engine, exhaust system, cooling system and motor system noise.

Operational noise and vibration from the proposed development will have a significant impact on landowners. The EIS must address the impacts on sensitive receivers from noise and vibration. Particularly residential properties that will have a negative impact from construction and operational noise and vibration. Current farming practices with sheep has the potential for farmers to suffer production losses at lambing time as the noise and vibration may separate the ewe from the lamb with no reconnection. Thus making this area of the farm non-productive. The proponent would need to demonstrate measures to avoid and mitigate these impacts.

- **Construction noise** - Similar concerns have been raised in relation to the construction. 100km of civil works through the heart of the agricultural production area of the Gilgandra Shire is a significant risk to agricultural operations with soil disturbance leading to the emergence of invasive weed species, additional land access requirements, impacts on rural roads that farm businesses rely on and various other issues that a project of this scale present.
- **Aboriginal Cultural Heritage** – The community and affected stakeholders require reassurance that the EIS will address identified areas of aboriginal cultural heritage significance pre construction and during construction. It is suggested that consultation with all local indigenous groups be held during the EIS and prior to construction.

- **Biodiversity** - The community and affected stakeholders require reassurance that the EIS will address impacts on flora and fauna and demonstrate measures to avoid and minimise the impacts on flora and fauna.
- **Dust** - The community and affected stakeholders require reassurance that the EIS will address dust impacts during construction.
- **Transportation and Traffic** – During construction there will be a significant impact on Council’s road network. Council will require post construction that the roads be returned to as good or better condition prior to construction of the proposed development.

4G network

- ARTC has discussed that a network of 3G or 4G towers would be constructed to facilitate operational communications. It should be guaranteed that the community could benefit from the 4G network and that ARTC work with telecommunication service providers to ensure the community has access to improved mobile coverage.

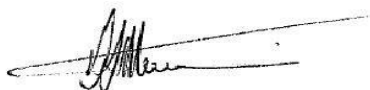
Local Based Office

At the time the route is announced, the community feel it would be appropriate for ARTC to have appropriate staff representation in the area so that affected landowners and businesses are able to obtain reliable information and discuss the impacts to their property on an individual basis.

Dedicated staff, locally based in Gilgandra on a fulltime or predetermined schedule is viewed as an essential action by landowners to gain some continuity and consistency in communication.

Thank you for the opportunity to provide input into the SEARS process. Should you seek further clarification on anything raised in this submission, please contact, Randall Medd – Economic Development Manager, email rmedd@gilgandra.nsw.gov.au, phone 02 681788800.

Yours faithfully



D Neeves
General Manager