

ED.LI.1 (DB:JP)

Contact: Doug Batten

31 August 2017

Mr Mark Coulton MP  
Federal Member for Parkes  
Unit 3/153 Brisbane Street  
DUBBO NSW 2830

Dear Mark

### **MELBOURNE-BRISBANE INLAND RAIL IMPACT ON LAND OWNERS IN GILGANDRA SHIRE**

I am pleased to provide the following briefing notes to assist in the meeting you have kindly arranged with Minister Chester. Unfortunately I will be on leave and unable to attend however Cr Walker will be representing me at these discussions.

In attendance at the meeting from Gilgandra will be **Cr Ashley Walker** – Deputy Mayor, **David Neeves** – General Manager and potentially impacted agribusiness operators: **Doug Wilson, Grant Thomas** and **Neville Younghusband**.

Gilgandra Shire is potentially one of the most impacted communities from this development with, under current proposals, 95km of greenfield line impacting 91 land owners directly and indirectly affecting many more. In addition, based on Council's interpretation of the proposed alignment, nearly 60km of our rural road network will be directly impacted with the alignment potentially following existing road reserves.

Gilgandra Shire Council has been listening to the concerns and issues raised by the approximately 91 impacted land owners and a summary of discussions is outlined below.

#### Communication and Stakeholder Engagement

- **Delay in announcement** - Community opinion is that ARTC has done a reasonable job in their community consultation and engagement with land owners however with the generic nature of information presented in these consultations and now with a delay in further announcements after the major funding announcement at the 2017 Federal Budget, there is a high degree of uncertainty and a growing level of frustration.

With the project being split into 13 packages, announcements of progress in other sections and a lack of clarification about the alignment in the Narramine to Narrabri section is creating significant disharmony in our community.

- **New interest** – Business operators who weren't previously engaged with the project at the level they should have been prior to the budget commitment have now realised the project is a reality and are now seeking additional information.

- **Capital improvements** - Many business operators have essentially had 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.
- **Contacts with authority** – Business operators are frustrated that consultants they have been dealing with 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.

#### Land Owner Impact

- **Methodology for compensation** - There is growing concern that a simple land valuation will be the methodology for compensation. The corridor goes through the heart of the Gilgandra Shire and 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. In addition, those living in close proximity to the alignment who feel they may be impacted by noise 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 is the issue of moving stock across the rail line. During community consultation some land owners were advised that gates would be installed to assist in moving stock however this action in itself is potentially troublesome.

In contrast, some land owners 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.

- **Dwelling entitlements/Devaluation of land** - Land owners are also concerned with property severance and the impact on the issue of dwelling entitlements. Gilgandra Shire Council, under the guidance and influence of the NSW Department of Planning currently have a minimum lot size in the Agricultural Land zone of 500ha for a dwelling entitlement. If a property was divided, potentially a land owner would have no entitlement to build a new house on one of the new properties. 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 land owners are not disadvantaged. This has significant potential to cause an instant devaluation of the land if it has no dwelling entitlement.
- **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.
- **Financial assistance for legal support**- The agricultural businesses would like guarantees they will have all reasonable legal and associate cost of dealing with land purchase issues are covered including Stamp Duty 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 modeling 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.

In addition, it needs to be remembered that crossings need to accommodate 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.

## Community Economic Impact

- **Tangible economic outcomes** - we believe there needs to be 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 acquisition process. It is understood that this is a different project but the potential for a similar impact is real.
- **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.
- **Options to assist Gilgandra** – Consideration should be given to the options to assist our community benefit in the short term and the longer term. This could include:
  - a local participation plan to form part of all construction contracts
  - legacy infrastructure that benefits the community, particularly 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.
- **Gilgandra economy** - Agriculture is still the largest sector of the Gilgandra Economy contributing:
  - 30% of the LGA's total Employment
  - 30% of the LGA's Total Economic Output
  - 65% of the LGA's Regional Exports

## Environmental Concerns

- **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 land owner 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 actual land in the existing corridor appears not to be a priority. This issue requires meaningful consideration in the management of the corridor.
- **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.
- **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 shed 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.
- **Construction noise** - Similar concerns have been raised in relation to the construction. 90km of civil works through the heart of the agricultural production 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.

## 4G network

At the Australasian Railway Association's Freight Rail Conference held in Sydney on 17 and 18 August 2017, Olivia Newman, Programme Delivery Manager NSW/VIC ARTC Inland Rail, informed the conference that a network of 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 land owners 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 land owners to gain some continuity and consistency in communication. Gilgandra Shire Council is willing to assist ARTC in locating suitable office accommodation.

Summary

Gilgandra Shire Council is a long time supporter of the Inland Rail Project being a founding member of the Melbourne to Brisbane Inland Rail Alliance. As I am sure you can appreciate, Council also has the responsibility and desire to assist our residents, land owners and businesses to voice their concerns and seek the best outcomes for their businesses and family.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Doug Batten', with a long horizontal flourish extending to the right.

Doug Batten  
Mayor



ED.LI.1 (DB.JP)

Contact: Doug Batten

5 March 2018

Dr Helen Nugent AO  
Chairman  
Australian Rail Track Corporation  
PO Box 10343  
Gouger Street  
ADELAIDE SA 5000

Dear Dr Nugent

On behalf of Gilgandra Shire Council I wish to extend a formal invitation to you, as Chair of the ARTC Board, to visit Gilgandra and understand what the Inland Rail project means to our community.

Gilgandra Shire Council has been a strong advocate and has lobbied the Australian Government to commit to this nation building project. Our Council is working very hard to best position our community as a construction hub for the Narromine to Narrabri project and believe our central location represents further opportunities for both parties.

Our shire is possibly the greatest impacted community in the entire NSW component of Inland Rail. Using the November 2017 alignment or study corridor, there will be 95km of greenfield construction. That is 25% of the total Greenfield construction for the entire project. We estimate close to 100 farming properties directly impacted, numerous more indirectly and potentially 65km of Council's road network. These are all issues that can be worked through and we are committed to doing so.

ARTC staff and contractors, we feel, are quite frankly under enormous stress and pressure. I believe it is long overdue for ARTC leadership to show a commitment to Inland Rail and deal hands on with those impacted.

I appreciate you and your board are busy, however I believe this project is at a critical junction and needs a circuit breaker. A strong push from leadership at this point in time, will provide an impact that puts this project back on a positive course it deserves.

Living in this community and dealing with a wide cross section of people makes me confident in advising you that an urgent intervention is needed before long term reputational damage is incurred and this project disappears into a very negative place in the eyes of the communities that stand to ultimately benefit.

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I will finish by strongly encouraging your acceptance of our open invitation to you, the board and executives of ARTC to visit Gilgandra. Your support and leadership would demonstrate to our community that the delivery of inland rail is high on ARTC's priority, as are the communities that will be impacted.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Batten', with a stylized flourish at the end.

Doug Batten  
Mayor

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26 June 2017

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Dear Mary

### **GILGANDRA SHIRE COUNCIL FEEDBACK ON INLAND RAIL ALIGNMENT**

On behalf of Gilgandra Shire Council (GSC) I would like to take this opportunity to formalise discussions and issues we have raised with ARTC representatives during the course of the past six months whilst community consultation and stakeholder engagement has been undertaken in the Gilgandra Shire.

Where possible, Gilgandra Shire Council would like to see the Inland rail alignment to follow existing rail corridor.

#### **Safety**

GSC believe that simple compliance with the Rail Safety Act should not be the guiding design philosophy of this project. With design accommodating 3.6km long trains capable of speeds in excess of 100km and stopping distances measured by the hundreds of metres, it is imperative that limiting interaction between rail infrastructure and the public is at the forefront of planning.

Some of the key safety designs we believe must be considered are:

- Grade separation of all highway crossings
- Grade separation on regional roads
- Electronic boom gates on all public roads
- Fencing out of the corridor when close to areas where the public may congregate such as community halls, public reserves or other such locations Council identifies once the alignment is finalised
- Opportunity for individual land owners to negotiate underpasses to allow them to maintain ownership of holdings that may be split. If they choose to maintain ownership, crossing the rail on a frequent basis would not be a suitable safety outcome.

## **Property Issues**

With proposed alignment options, there are areas that it appears land acquisitions will be required. Gilgandra Shire Council expect, where possible, the alignment:

- Follows public road reserves, travelling stock routes and other crown lands that would minimise impact on private land owners
- Follows private property boundaries thus avoiding dividing properties
- Should avoid close proximity to critical infrastructure such as houses, stock yards, shearing sheds on neighbouring properties. The concern is landowners that may not be involved in a land acquisition arrangement and have little or no access to compensation however may face significant negative economic or social impacts.
- Council is concerned with the potential negative impact the proposed alignment has in dividing the Shire geographically. The negative impact is it may push residents to other towns as their community of interest. This would have a long term and fundamental structural negative impact on the Gilgandra Shire economy. In addition, changing people's community of interest would have a significant social impact.

## **Economic Development Opportunities**

As a community that may face significant social and economic impacts as a result of the Inland Rail following some greenfield alignment, Gilgandra Shire Council expect ARTC to develop local participation plans as part of the requirements of contractors tendering for work. Council would welcome the opportunity to work with ARTC in the development of robust and meaning strategic plans that look at how our community can benefit from the construction of the project.

Up until this point, Gilgandra Shire Council have found ARTC staff and contractor very good to deal with and we appreciate the information and access to relevant people we have been afforded. We look forward to continuing to develop this working relationship as the Inland Rail project progresses.

Yours faithfully

Doug Batten  
Mayor