

16 October 2019

Submission to Senate Inquiry “Management of the Inland Rail project by the Australian Rail Track Corporation and the Commonwealth Government”

**From: NSW affected landholders on the North Star to Border project of Inland Rail
(referred to as NS2B).**

**Mr Robert Mackay, Boggabilla NSW, Mr Andrew Mackay
Boggabilla NSW, Mr Richard Doyle Boggabilla NSW, Mr Ian Uebergang
North Star NSW.**

**All parties co-submitting are directly impacted by the proposed green field alignment
across the Macintyre River floodplain, and areas of the alignment in the south from North
Star to the Qld border.**

- 1) **Route planning and selection processes.** We contest that the processes used by ARTC/Inland Rail (IR) to determine their preferred alignment across the Macintyre River floodplain were fatally flawed on a number of grounds.
 - a) **Consultation.** Contrary to assertions by IR, at no stage were affected NSW landholders or, to our knowledge, any other community representatives including Shire Councils effectively consulted on any of the six alignment options considered prior to the selection of the preferred alignment (D1) by IR. This **denied any opportunity to identify weaknesses of D1** relative to alternative options before a decision was made on the preferred alignment. This has been the subject of ongoing protests from us and other community representative organisations since the announcement.

We have grave concerns regarding the proposed alignment and the potential for it to impede flood flows south along Whalan Creek. Whalan Creek is a major relief valve in the valley in times of high flooding. Hydrologists have estimated that in the order of 40% of the Macintyre Valley flood flow escapes down the Whalan Ck. We are concerned that the proposed construction of an embankment along Whalan Ck will compress flows back north into the Macintyre River creating catastrophic flooding for those of us that live in the floodplain and also for the communities of Toomelah, Boggabilla and Goondiwindi.

IR, after drawing their attention to unmodelled structures in the valley for 6 years and the last two years of intense lobbying, have conceded to undertake several studies to belatedly address the concerns that we and other representative bodies have raised. This includes extending Hydrological Modelling to the west of Goondiwindi and to commission a current update to LIDAR imagery to include as best as possible current structure in the valley, a significant deficiency in IR modelling during the selection phase and since.

IR were **also inconsistent with their consultation**. Some information was released to Qld landholders who had the opportunity to lobby IR regarding the proposed route resulting in a change in alignment on the Qld side of the river in response to the landholders submission. No such opportunity was afforded to NSW landholders who were not informed of any route until the preferred route was selected and announced by IR.

IR have repeatedly asserted that extensive community consultation has occurred and broadly supports their preferred alignment D1. When pressed they have been unable to provide specific evidence of this support. We are not aware of any group or individual in this valley who have expressed support for IR's preferred alignment D1 over the alternative favoured by all affected landholders in NSW and Qld on both alignments and other community representative bodies.

- b) **Hydrology/ Flooding Considerations.** Since the announcement of their preferred alignment by IR, we have protested as to the inadequate consideration of flooding and hydrological issues used in the selection process to determine a crossing point over the Macintyre Floodplain.

IR used a three part selection process incorporating engineering, construction cost, and a Multi Criteria Analysis (MCA) which considered a range of factors including Hydrology, Environmental impacts, Cultural Heritage, Geotechnical issues, impacts on roads and other amenities. Each of the issues considered were given a weighting under the MCA before the options were ranked according to the scores given for each criteria which were then adjusted according to their weighting. In this process flooding and hydrology was given a weighting of 2.5%, the same consideration as if you were constructing the line across the Nullabor plain!. This is totally inadequate when selecting an appropriate alignment across such a major floodplain and rendered any hydrological and flooding considerations irrelevant in the alignment selection process.

It is noteworthy that Option A ranked 3rd behind Alignment D and the variation made following lobbying by Qld landholders ultimately selected by IR, Option D1.

Option A ranked highest for flooding and hydrological considerations and is the community's preferred route.

- 2) **Engagement on route alignment, procurement and employment.** We contest that at times IR have been disingenuous in their responses to community concerns and have not adequately addressed deficiencies we have raised. IR publications E. News and other media releases from IR have either miss-represented community support for D1 when we have not provided such support, or have made statements that categorically dismissed issues of concern raised by us and other community groups that were purported to be the subject of on-going review by IR in prior direct consultations with us. This has been frustrating and annoying at the times and has required re-assurance that our concerns are being properly considered. The lack of initial effective consultation and delayed response to our reasonable concerns have caused significant time loss and additional cost to IR.
- c) **Review of MCA.** Following repeated lobbying over an 18 month period by us and others regarding the flawed decision to select Option D1 as the preferred option, IR offered to conduct a review of the MCA selection process. This report took 12 months to produce, in our view an extremely excessive amount of time to review such an important decision. An 'independent' consultant, Mr Glen Hallahan Project Manager, Aurecon, was engaged to review the decision making regarding the preferred alignment across the Macintyre River floodplain. Whilst we do not dispute Mr Hallahan's credentials, we do dispute his independence as we understand that he has been engaged by IR to provide services elsewhere on other Inland Rail projects. Mr Hallahan presented his report at a Community Consultative Committee meeting on 3 April 2019. His report is available on the CCC website.

The review was titled an "...Alignment Selection Compliance Review.". The report includes reference to ongoing community consultation during the alignment selection process and expresses, in part, demonstrated compliance by "... Adding additional options following ongoing community engagement.". As explained above we refute any suggestion that, except for one Qld landholder, that there was any ongoing community engagement regarding the 6 options under consideration. When pressed to detail this engagement process Mr Hallahan said that he was not provided with such detail which lay outside the scope of his report. We don't believe that consultation during the alignment selection process was adequate or effective.

When questioned about the adequacy of a 2.5% weighting for flooding and hydrology issues to determine the appropriate point to cross a major floodplain Mr Hallahan made no comment other than to suggest there would be further consideration of hydrology under engineering design. Additional consideration as described is negligible.

We consider Mr Hallahans review to be so restricted in its scope and so superficial as to be of no value in reviewing the selection process for possible flaws. One could even go so far as to say this review is a whitewash of IR's early actions and a waste of money.

- d) **Costing Comparison Option D1 vs Option A.** The 2017 Alignment Assessment Report prepared by IR outlines the processes and assumptions used in the alignment assessment for alternative options to cross the Macintyre River floodplain. The document is available on the Inland Rail NS2B web page.

This document was eventually released in May 2018 following almost 12 months lobbying by effected landholders and other community representative organisations. Since then we have constantly been requesting a review of the modelling and costing comparisons of Options D1 and A as the assumptions used in the MCA are wildly inaccurate and, if the initial project team had consulted effectively with local community representatives, would have been substantially changed to be more relevant.

The timing of the preparation and release of this comparison has been repeatedly deferred since it was promised to us in July 2018, most recently in August this year following a meeting with the CEO and Project Manager where it was finally agreed to extend the hydrological modelling to include Goondiwindi, and to update LIDAR imagery. Our understanding is that LIDAR will be undertaken soon (w/c 14/10/19). We still await the updated hydrology and amended design costings for Option A and Option D1.

- 3) **Other related Matters.** IR's consultation processes during the early stages of this project were appalling. They were superficial, vacuous, paternalistic, and at times non-existent. Our relationship with the current project team is significantly better. They have inherited the problems created by previous IR teams. We are still frustrated by the considerable lag time between an undertaking being given and the work being completed and reported. We are also cognisant of the time pressures being applied to IR to progress the project, and the fact that addressing the concerns we are still raising concerning the mistakes of the past lie outside the remit of the current project team.

The primary consideration for alignment selection appears to be the service offering to Interstate transporters of under 24 hours travel time between Melbourne and Brisbane. No justification of this seemingly stringent time frame has been provided and yet the potential consequences of this requirement are catastrophic to regional communities. A detailed examination and explanation of the veracity of this requirement is owing to the landholders and communities in greenfield construction zones. In some cases they stand to be catastrophically affected.

We are concerned about other impacts such as removal/reduction of Travelling stock routes, disruption of stock movements and interruption to/blocking of regional telecommunication services, which are all supposedly to be addressed in the EIS process. We are worried they will be dismissed or deferred to State or Federal departments without properly considering the individuals and communities that will be affected.

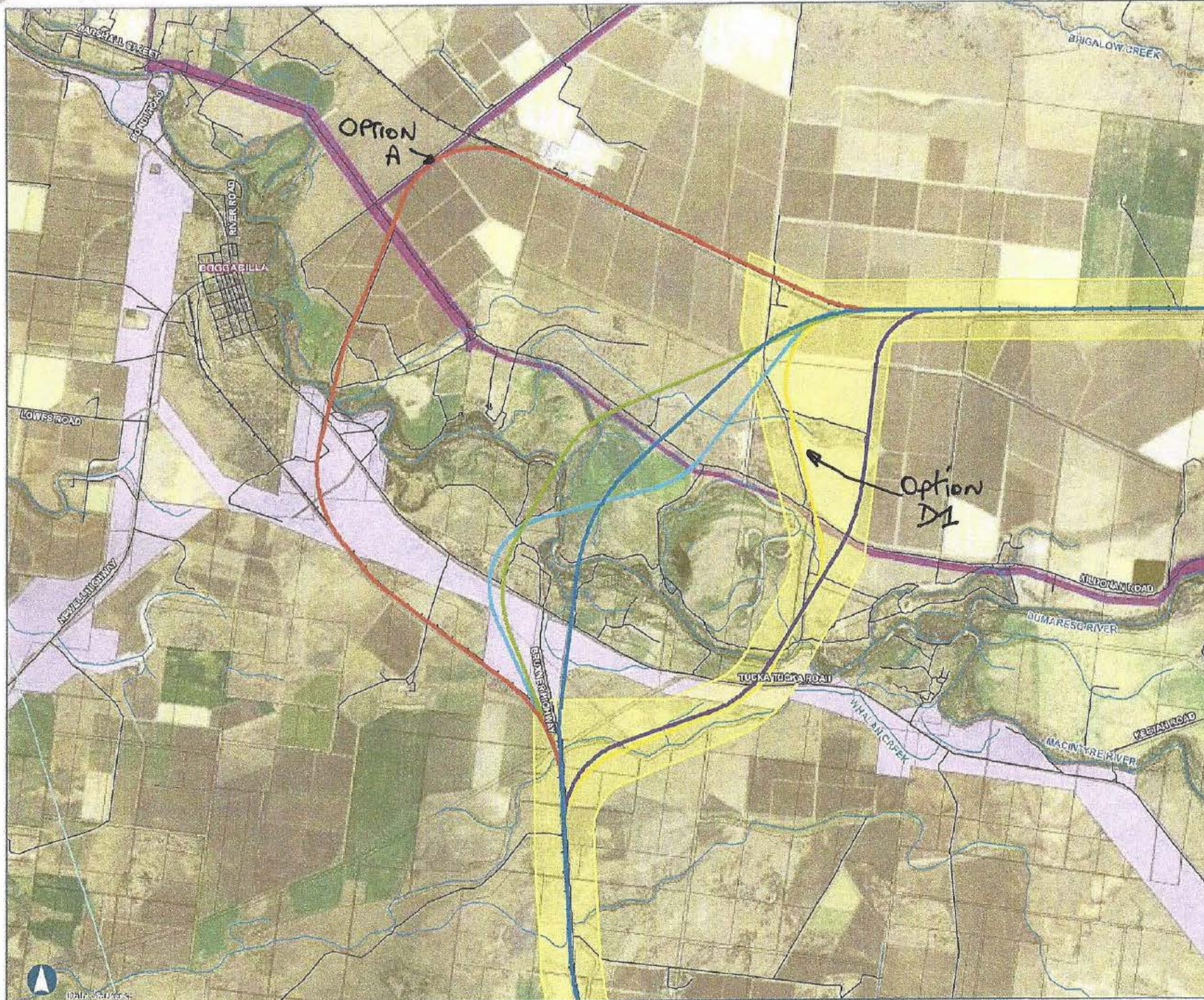
Robert Mackay
Landholder

Andrew Mackay
Landholder

Richard Doyle
Landholder

Ian Uebergang
Landholder

Attached: Appendix 1 — Map of Alignment Options considered prior to selection of preferred Option D, by Inland Rail



ARTC InlandRail

North Star, NSW to Yelarbon, QI D

Investigation area (bubble size)

LEGEND

- 2018 Base Case
- Option A
- Option D
- Option E
- Option D st1D
- Option F
- Investigation area
- Existing railway
- Road
- Waterways
- Electricity transmission line
- Casta
- NSW travelling stock route
- Q-D travelling stock route

CONFIDENTIAL

PRIVATE

FOR CONSULTATION PURPOSES ONLY

2.5 Km

Controlled System
CNSA 1007 VCA 700006

ARTC is not responsible for the accuracy of the data used in this map. The data is provided as a guide only. The data is not intended to be used for any purpose other than the purpose for which it was provided. The data is provided as a guide only. The data is not intended to be used for any purpose other than the purpose for which it was provided.

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