



**Narrabri to North
Star Phase 1:
OPERATIONAL
STAGING REPORT
October 2021**

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Table of Contents

Glossary	3
Definitions applicable to this document	4
1 Introduction	5
1.1 Background and Purpose.....	5
1.2 Project overview.....	6
2 Project Operational Description and Definitions	9
3 Project Staging	9
3.1 Overview	9
3.2 Stage Descriptions	9
3.2.1 Narrabri to North Star Interim Operational Use.....	9
3.2.2 Narrabri to North Star Inland Rail Use – Post-construction, commissioning and rail operations.....	10
4 Environmental Impacts	10
5 Compliance	10

Appendices

Appendix A - CSSI Operational Conditions of Approval	11
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List of tables

Table 1: Narrabri to North Star Ministers Conditions of Approval - Staging Report Requirements.....	5
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List of figures

Figure 1: Key features of the Approval Project.....	8
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Glossary

Specific terms and acronyms used throughout this strategy are listed and described in the table below.

ACRONYM	DEFINITION
ARTC	Australian Rail Track Corporation
AS/NZS ISO	Australia Standard / New Zealand Standard International Organization for Standardization
CEMP	Construction Environmental Management Plan
CoA	Condition of Approval
CSSI	Critical State Significant Infrastructure
CTP	Compliance Tracking Program
DPIE	Department of Planning, Industry & Environment
EAP	Environmental Audit Program
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
EPA	NSW Environment Protection Agency
EPL	Environment Protection Licence
ER	Environmental Representative
FDVR	Flood Design Verification Report
IEMF	Interstate Environment Management Framework
IR	Inland Rail
MCoA	Minister's Conditions of Approval
NSW	New South Wales
N2NS	Narrabri to North Star
ONVR	Operational Noise and Vibration Report
POEO Act	Protection of the Environment Operations Act 1997
QDL	Quantitative Design Limits

SMP	Sustainability Management Plan
SSI	State Significant Infrastructure
TfNSW	Transport for New South Wales

Definitions applicable to this document

Interim Operation	Temporary handback of a portion of the construction area (Penneys Road to Tappscott Road) for the facilitation of product transportation during harvest season (nominally 1 November 2021 to 31 March 2022).
Inland Rail Operations	Commencement of operation for the entire Inland Rail Program Brisbane to Melbourne (nominally 2026).
Completion of construction	Completion and commissioning of the Narrabri to North Star P1 section of the Inland Rail Program under SSI-7474 handed over to ARTC prior to the commencement of operations as Inland Rail freight network.

1 Introduction

1.1 Background and Purpose

Australian Rail Track Corporation (**ARTC**) submitted a State Significant Infrastructure (**SSI**) development application to construct and operate the Narrabri to North Star Phase 1 (**N2NS P1**) section of the Inland Rail project (**the project**) under part 5, division 5.2 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. Minister’s Conditions of Approval (MCoA’s) were issued for the Critical State Significant Infrastructure (**CSSI**) Project No 7474 Narrabri to North Star, Phase 1 on 13 August 2020 (**N2NS Planning Approval**).

The project has also been subject to approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*. The N2NS project was declared by the Commonwealth Minister for Sustainability, Environment, Water, Populations and Communities to be a controlled action under the EPBC Act on 20 September 2016. The project was approved by the Commonwealth Minister on 1 October 2020.

This Staging Report has been prepared to describe our staged approach to operation only as outlined in **Table 1** below in accordance with MCoA’s A11 to A15 of the N2NS Planning Approval.

Table 1: Narrabri to North Star Ministers Conditions of Approval - Staging Report Requirements

Condition of Approval (COA) No.	REQUIREMENT	HOW AND WHERE ADDRESSED
A11	The CSSI may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case requires) must be prepared and submitted to the Secretary for information. The Staging Report must be submitted to the Secretary no later than one (1) month prior to the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one (1) month prior to the commencement of operation of the first of the proposed stages of operation).	This report contains information relevant to this CoA and will be submitted (1) month prior to the commencement of staged operation.
A12	The Staging Report must:	This report
A12	(a) if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;	Construction work has generally been undertaken in accordance with the N2NS P1 EIS.
A12	(b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including general details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);	Refer to Section 3.2 for details.

A12	(c)	specify how compliance conditions will be achieved across and between each of the stages of the CSSI; and	Refer to Section 5 and Appendix A for details.
A12	(d)	Set out mechanisms for managing any cumulative impacts arising from the proposed staging.	Refer to Section 4 for details
A13		The CSSI must be staged in accordance with the Staging Report, as submitted to the Secretary.	Noted.
A14		Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	Noted.
A15		Where changes are proposed to the staging of construction or operations, a revised Staging Report must be prepared and submitted to the secretary for approval no later than one (1) month prior to the proposed change in the staging.	Noted.

1.2 Project overview

The Australian Government has committed to delivering a significant piece of national transport infrastructure by constructing a high performance and direct interstate freight rail corridor between Melbourne and Brisbane, via central-west New South Wales (NSW) and Toowoomba in Queensland. Inland Rail is a major national project that will enhance Australia’s existing national rail network and serve the interstate freight market.

The Inland Rail route, which is about 1,700 kilometres (km), involves:

- ▶ Using the existing interstate rail line through Victoria and southern NSW;
- ▶ Upgrading about 400 km of existing track, mainly in western NSW; and
- ▶ Providing about 600 km of new track in northern NSW and south-east Queensland.

Inland Rail has been divided into thirteen (13) sections, of which seven (7) are located in NSW.

The Narrabri to North Star Phase 1 section of Inland Rail is one section within NSW comprising 184.5 km of track upgrade works, and 1.7 km of new track to be constructed. Due to its scale and complexity, this section has been split into two phases, of which Phase 1 has entered construction, and Phase 2 is undergoing environmental assessment and planning approvals and will acquire its own Minister’s Conditions of Approval.

N2NS Phase 1 (the Project) runs between Narrabri to Moree and Camurra to North Star and includes upgrading 171 km of track along the existing corridor and is the subject of the N2NS

Planning Approval and this Staging report.

The key features of the N2NS P1 Project (see Figure 1: Key features of the Approved Project) include:

- ▶ Upgrading the track, track formation, underbridges and culverts within the existing rail corridor, in two sections
 - between Narrabri and Moree; and
 - between Camurra and North Star
- ▶ Five new crossing loops within the existing rail corridor, at Bobbiwaa, Waterloo Creek, Tycannah Creek, Coolleearlee, and Murgo;
- ▶ Realigning approximately 1.5 kilometres of the Newell Highway near Bellata;
- ▶ A replacement rail bridge at Croppa Creek;
- ▶ A replacement road bridge on the Newell Highway over the rail corridor; and
- ▶ A new road bridge over the existing rail corridor in Moree.

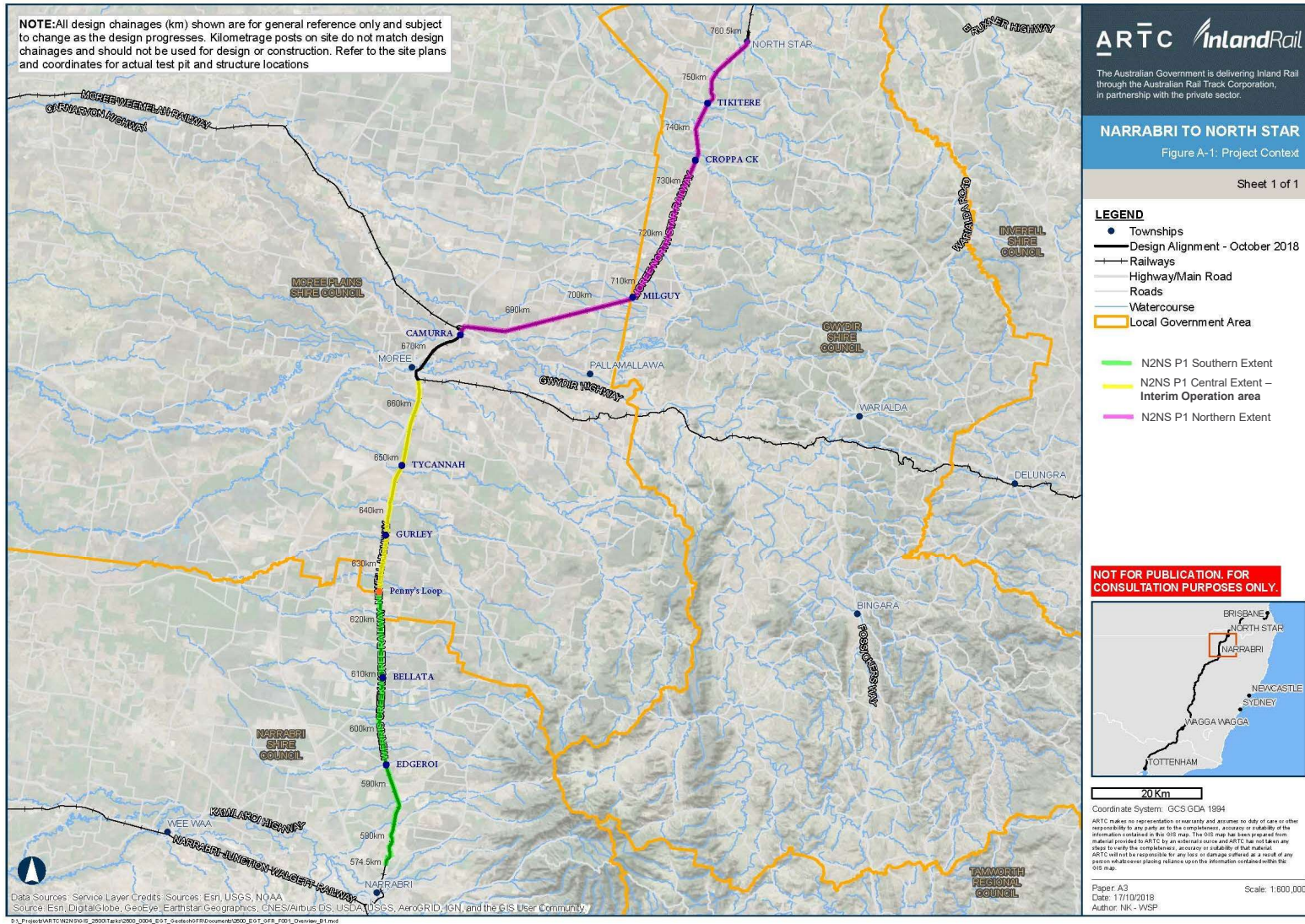


Figure 1: Key features of the Approval Project

2 Project Operational Description and Definitions

The final completion of Narrabri to North Star Section of Inland Rail will form part of the rail network managed by ARTC. Train services (freight and passenger) would be provided by a number of operators. Prior to the operation of Inland Rail as a whole, the rail line would be used by existing local and regional rail traffic which includes, but is not limited to, grain trains and other commodities; and passenger trains.

Construction of the Project commenced on 10 April 2021 and is expected to be completed by End 2023.

During the EIS process, it was identified that ARTC would need to facilitate harvest season in the area. The N2NS EIS identified that about 1.7 million tonnes of grain per year is typically transported on this part of the ARTC network. In table 8.1 of the N2NS P1 EIS, ARTC committed to minimising and managing possession impacts of the track to our customers. ARTC have therefore acted on that commitment by undertaking a staged operation approach to the project area to facilitate freight service during the peak harvest season in the area (November 2021 to March 2022).

Due to interim operations being only temporary, the construction area, associated construction ancillary facilities and site access roads will remain for the duration of the Project until final completion.

3 Project Staging

3.1 Overview

This Staging Report has been prepared in accordance with the operational Staging Report requirements of the N2NS P1 Planning Approval, specifically conditions A11 to A15. This report describes a number of activities planned for execution as part of the operational staging of the project's Narrabri to North Star section of Inland Rail to facilitate rail traffic, particularly associated with the transportation of product during harvest season.

3.2 Stage Descriptions

3.2.1 Narrabri to North Star Interim Operational Use

Whilst the section of Narrabri to North Star (N2NS) as described in **Section 2** is temporarily operational, there may also be concurrent construction activities within the same area. Ongoing construction activities will also occur along the remainder of the Narrabri to North Star alignment within the approved Construction Boundary. As such, there will be a staged approach to operational activities in conjunction with ongoing construction and maintenance activities to minimise the impacts to train operators, customers and industry.

It is anticipated that at the completion of construction for N2NS P1, the re-opening and subsequent operation of the railway will be conducted in accordance with ARTC's existing Environment

Management System that was utilised prior to the upgrading works (in accordance with MCoA D2). This EMS will be updated and submitted to the department within 30 days prior to the commencement of operation of the railway as a whole to account for operational requirements associated with N2NS Planning Approval.

3.2.2 Narrabri to North Star Inland Rail Use – Post-construction, commissioning and rail operations

The overall Inland Rail program is anticipated to be completed and operational by 2026. The N2NS P1 EIS outlines that the 'operation' of the Project for its 'intended purpose' as part of the overall Inland Rail Program would entail operation 24 hours per day. Ultimately, trains would be up to 1,800 metres long; carry double stacked containers; and have a height of 6.5 metres. Once the Inland Rail Program is complete, the N2NS P1 project would be considered operational as a component of the overall Program.

The operation of this Inland Rail component would be detailed within a separate operational staging report, to be submitted to DPIE in accordance with the operational reporting conditions.

4 Environmental Impacts

Through the EIS process it was identified that existing train operations along the proposal site would continue prior to, during, and following construction. Train numbers are not anticipated to significantly increase until all 13 sections of Inland Rail are complete, which is estimated to be in 2026. Due to the nature of the interim operations, described in this report, it is not anticipated that there will be any additional cumulative environmental impacts introduced for this section of track.

5 Compliance

The applicability of the N2NS P1 MCOA's have been assessed in relation to 'operations' and included within Appendix A. Conditions have been included where they may be ongoing during interim operation as described in this report, or if they specifically relate to the operation of the CSSI. Construction conditions have not been detailed as part of the operational staging report, however a recent audit of the construction conditions has been completed and subsequently submitted to DPIE.

Appendix A - CSSI Operational Conditions of Approval

CONDITION NO.	CRITICAL STATE SIGNIFICANT INFRASTRUCTURE CONDITION OF APPROVAL [13 August 2020]	TIMING	COMMENT
STAGING			
A11	<p>The CSSI may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case requires) must be prepared and submitted to the Secretary for approval. The Staging Report must be submitted to the Secretary no later than one (1) month prior to the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one (1) month prior to the commencement of operation of the first of the proposed stages of operation).</p>	One (1) month prior to the commencement of operation	<p>The N2NS Phase 1 is currently being delivered as a single construction program on multiple work fronts. This does not currently constitute Staged Construction. A section of the alignment will be reopened to facilitate harvest season and other rail traffic, however the contractor will continue to work on other sections of the alignment, hence the construction program continues.</p> <p>This report will focus on this Interim Operation.</p>
A12	<p>The Staging Report must:</p> <p>(a) if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;</p> <p>(b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including general details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</p> <p>(c) specify how compliance conditions will be achieved across and between each of the stages of the CSSI; and</p>	<p>Completed.</p> <p>One (1) month prior to the operation of each stage (as relevant)</p> <p>One (1) month prior to the operation of each stage (as relevant)</p>	<p>The N2NS Phase 1 is currently being delivered as a single construction program on multiple work fronts which does not constitute staged construction.</p> <p>This report. Refer to Section 2.2 and this Table (Appendix A) for details.</p> <p>Operational conditions not yet triggered as operation to commence in 2026 for Inland Rail (the intent of this CSSI). Compliance with construction requirements will be through the current audit framework for the project.</p>

	(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.		Train numbers are not anticipated to significantly increase until all 13 sections of Inland Rail are complete, which is estimated to be in 2026. Due to the nature of the interim operations, described in this report, it is not anticipated that there will be any additional cumulative environmental impacts introduced for this section of track.
A13	The CSSI must be staged in accordance with the Staging Report, as submitted to the Secretary.	In progress.	Interim Operations will be undertaken as described in this report.
A14	Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	In progress.	Compliance will be undertaken as detailed within this table.
A15	Where changes are proposed to the staging of construction or operation, a revised Staging Report must be prepared and submitted to the Secretary for information no later than one (1) month prior to the proposed change in the staging.	Not yet triggered.	ARTC will provide a revised staging report if there are any changes to the stages outlined within this report within the required timeframes.
ENVIRONMENT REPRESENTATIVE			
A24	Works must not commence until an ER has been approved by the Planning Secretary and engaged by the Proponent.	Completed.	An ER, meeting the DPIE guidelines was approved by the Planning Secretary on the 13/10/2020.
A25	The Planning Secretary's approval of an ER must be sought no later than one (1) month before the commencement of works.	Completed.	The Planning Secretary's approval of the ER was obtained on the 13/10/2020 more than one (1) month prior to the commencement of construction (construction commenced on 10/04/2021).

<p>A26</p>	<p>The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the documents listed in Condition A1, and is independent from the Proponent and companies involved in the design and construction of the CSSI. Skills, qualifications, experience, availability and capacity of the ER must meet the requirements of the <i>Environmental Representative Protocol, Department of Planning and Environment, October 2018</i>. The appointment of the ER must have regard to the Department’s guideline <i>Seeking approval from the Department for the appointment of independent experts</i> (DPIE, 2020).</p>	<p>Completed.</p>	<p>An ER, meeting the DPIE guidelines was approved by the Planning Secretary on the 13/10/2020.</p>
<p>A27</p>	<p>The Proponent may engage more than one ER for the CSSI, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Secretary for the purposes of the CSSI.</p>	<p>Completed.</p>	<p>In the Planning Secretary’s approval dated the 13/10/2020, the Secretary approved Mr Fermio, Mr Low and Mr Johan. The Planning Secretary has subsequently approved Mr Ballard and Ms Azzopardi as replacements for Mr Johan on the 18/08/2021.</p>
<p>A28</p>	<p>For the duration of the works until 12 months after the completion of construction, the approved ER must:</p> <ul style="list-style-type: none"> a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI; b) consider and inform the Planning Secretary on matters specified in the terms of this approval; c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; 	<p>In progress.</p>	<p>The approved ER prepares a monthly report in accordance with this condition which is provided to ARTC and DPIE.</p>

	<p>d) review documents identified in Conditions A11, A17, A31, C1, 0 and C13, and any other documents that are identified by the Secretary, to ensure they are consistent with requirements in or under this approval and if so:</p> <p>(i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or</p> <p>(ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary / Department for information or are not required to be submitted to the Planning Secretary/Department);</p>		
	<p>e) regularly monitor the implementation of the documents listed in Conditions A11, A17, A31, C1, 0 and C14, to ensure implementation is being carried out in accordance with the document and the terms of this approval;</p>		
	<p>f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under Condition A35 of this approval;</p>		
	<p>g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;</p>		
	<p>h) assess the impacts of minor ancillary facilities comprising lunch sheds, office sheds, material lay down sites, areas used to assemble culverts and turnouts, and portable toilet facilities as required by Condition A21 of this approval;</p>		

	<p>i) consider any minor amendments to be made to the CEMP, CEMP Sub-plans and Construction Monitoring Programs that comprise updating or are of an administrative nature, and are consistent with the terms of this approval and the CEMP, CEMP Sub-plans and Construction Monitoring Programs approved by the Planning Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval; and</p> <p>j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading “Environmental Representative Monthly Reports.” The Environmental Representative Monthly Report must be submitted within seven (7) calendar days following the end of each month for the duration of the ER’s engagement for the CSSI.</p>		
A29	<p>The Proponent must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in Condition A28 (including preparation of the ER Monthly Report), as well as:</p> <p>a) facilitate and assist the Secretary in any such audit; and</p> <p>(b) make it a term of their engagement of an ER that the ER facilitate and assist the Secretary in any such audit.</p> <p><i>Note: The Planning Secretary may dismiss the ER should they consider the ER has not exercised their functions in accordance with this approval.</i></p>	In progress.	<p>The approved ER provided a letter dated 20/08/2020 to ARTC indicating the information requested under this MCOA and the timeframes for the provision of this information.</p> <p>In the July Independent Environmental Audit Report, it recorded that Trans4m Rail and ARTC (Inland Rail) have been compliant in providing information in a timely manner.</p>
COMPLIANCE REPORTING REQUIREMENTS			
A31	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements	During the operation of the Inland Rail program as a whole.	No compliance reporting required for construction phase works under the Compliance Reporting Post Approval Requirements (2020). Once Inland Rail is

	outlined in the Compliance Reporting Post Approval Requirements (2020).		fully operational (post-2026) ARTC will comply with the Compliance Reporting Requirements (2020) for operational activities.
A32	Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.	During the operation of the Inland Rail program as a whole.	Refer to above. ARTC will provide compliance reporting within the timeframes specified in the Compliance Reporting Post Approval Requirements (2020) once in operation post-2026.
A33	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	During the operation of the Inland Rail program as a whole.	ARTC notes this condition and will ensure the Compliance Report is made publicly available in the timeframe specified in this condition.
A34	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	During the operation of the Inland Rail program as a whole.	ARTC notes this condition and will liaise with the Planning Secretary should ARTC be able to demonstrate operational compliance.
AUDITING			
A35	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Completed.	The Planning Secretary approved Mr Richardson and Ms Bock as independent auditors on the 03/02/2021. Subsequent approval for replacement support auditor Mr Mitchell was received from the Planning Secretary on 20/07/2021.
A36	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).		The last independent audit was completed in July 2021 for the CSSI in accordance with the Independent Audit Post Approval Requirements (2020). ARTC will ensure future independent audits are completed in accordance with the IAPAR (2020)

A37	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks' notice (or timing as stipulated by the Planning Secretary) to the applicant of the date upon which the audit must be commenced.	In progress.	Due to COVID-19 restrictions, and with approval from the Planning Secretary the Independent Audit was undertaken on the 12-13 July 2021 instead of the 21-22 June 2021.
A38	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Proponent must:</p> <p>(a) Review and respond to each Independent Audit Report prepared under Condition A36 or Condition A37;</p> <p>(b) Submit the response to the Planning Secretary; and</p> <p>(c) make each Independent Audit Report and response to it publicly available 60 days after submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.</p>	Complete.	<p>The first Independent Audit Report was submitted on the 13/09/2021. This report was submitted within the timeframe specified.</p> <p>The subsequent Independent Audit response was provided on the 13/09/2021.</p>
A39	Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.	Completed.	The Independent Audit site inspection was undertaken on the 12-13 July 2021 the Independent Audit Report was submitted to the Planning Secretary on the 13 September 2021.
A40	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.	Not yet triggered.	ARTC notes this condition and will liaise with the Planning Secretary should ARTC be able to demonstrate operational compliance.

INCIDENT NOTIFICATION AND REPORTING

A41	During construction, DPIE must be advised in writing to compliance@planning.nsw.gov.au immediately after the Proponent becomes aware of an incident. The notification must	During construction and staged operation of the CSSI.	This will apply to both construction and interim operation activities under the N2NS Planning Approval. ARTC will continue to notify the
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	<p>identify the CSSI (including the application number and the name of the CSSI if it has one) and set out the time, date, location and nature of the incident. A description of whether the incident was a result of any actual or potential non-compliance with this approval should be provided within one week of the notification.</p> <p>The requirement to notify DPIE under this condition excludes incidents which are required to be notified to the Office of the National Rail Safety Regulator.</p> <p>Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix B – WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS.</p>		<p>Department once they become aware of an incident as defined by this MCOA.</p>
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PART B - COMMUNITY INFORMATION AND REPORTING

COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

<p>B1</p>	<p>A Communication Strategy must be prepared to facilitate communication between the Proponent, and the community and government authorities (including relevant councils, government agencies, adjoining affected landowners and businesses, and others directly impacted by the CSSI).</p>	<p>Completed.</p>	<p>A communication strategy has been prepared and approved in accordance with this condition and will be implemented throughout the interim operational phase.</p>
<p>B2</p>	<p>The Communication Strategy must:</p> <ul style="list-style-type: none"> (a) identify people, organisations and government authorities to be consulted during works; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the CSSI; (c) identify opportunities to provide accessible information regarding regularly updated site construction activities, 	<p>Completed.</p>	<p>As above.</p>

	<p>schedules and milestones at each construction ancillary facility and at construction sites located adjacent to town centres;</p> <p>(d) consider opportunities for the community to visit construction sites (taking into consideration workplace, health and safety requirements);</p> <p>(e) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant community(ies) for the CSSI;</p> <p>(f) set out the procedures and mechanisms for consulting with relevant councils and government authorities required by Condition A5, including procedures for repeated requests and nil responses;</p> <p>(g) describe the method for broadcasting the 24-hour toll-free telephone complaints number and postal and email addresses for enquiries, as required by Condition B8;</p> <p>(h) set out procedures and mechanisms:</p> <p>(i) through which the community can discuss or provide feedback to the Proponent;</p> <p>(ii) through which the Proponent will respond to enquiries or feedback from the community; and</p> <p>(iii) to resolve any issues and mediate any disputes that may arise in relation to environmental management and delivery of the CSSI, including timing for mediation to be undertaken once it has been escalated to the dispute resolution process.</p>		
B3	<p>The Communication Strategy must be submitted to the Secretary for approval no later than one (1) month before the commencement of any work.</p>	<p>Completed.</p>	<p>The Communication Strategy was submitted to the Planning Secretary on the 02/11/2020.</p>

B4	Work for the purposes of the CSSI must not commence until the Communication Strategy has been approved by the Secretary.	Completed.	The Communication Strategy was approved by the Planning Secretary on the 23/12/2020.
B5	The Communication Strategy, as approved by the Secretary, must be implemented for the duration of the works and for six (6) months following the completion of construction.	Construction and first 6 months following completion of construction.	ARTC will continue to implement the Communication Strategy in accordance with this MCoA.
COMPLAINTS MANAGEMENT SYSTEM			
B6	A Complaints Management System must be prepared and implemented before the commencement of any works and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI.	In progress.	These systems are currently in place. ARTC will retain these systems for the first 12 months of Operation.
B7	The following information must be available to facilitate community enquiries and manage complaints one (1) month before the commencement of works and for 12 months following the completion of construction:	In progress.	These systems are currently in place. ARTC will retain these systems for the first 12 months of Operation.
	(a) a 24- hour telephone number for the registration of complaints and enquiries about the SSI;		
	(b) a postal address to which written complaints and enquires may be sent;		
	(c) an email address to which electronic complaints and enquiries may be transmitted; and		
	(d) a mediation system for complaints unable to be resolved.		
This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level.			
B8	The telephone number, postal address and email address required under Condition B11 of this approval must be published in a newspaper circulating in the relevant local area	In progress.	Construction activities and details are still relevant for this condition and will remain in place during Interim

	and on site hoarding at each construction site before the commencement of construction and published in the same way again before the commencement of operation. This information must also be provided on the website required under Condition B11 of this approval.		Operation. ARTC will undertake a separate campaign at the completion of construction.
B9	A Complaints Register must be maintained recording information on all complaints received about the CSSI during the carrying out of any works and for a minimum of 12 months following the completion of construction. The Complaints Register must record the:	In progress.	A Complaints Register is currently in place and will remain for the first 12 months of Operation. The Complaints Register will be used for this period of interim operation.
	(a) number of complaints received;		
	(b) number of people affected in relation to a complaint; and		
	(c) the nature of each complaint and means by which the complaint was addressed and whether and how resolution was reached.		
B10	The Complaints Register must be provided to the Secretary upon request, within the timeframe stated in the request.	In progress.	The Complaints Register has not been requested by the Planning Secretary to date, however if it is requested, ARTC will provide the register within the timeframe specified.
PROVISION OF ELECTRONIC INFORMATION			
B11	A website providing information in relation to the CSSI must be established before commencement of works and maintained for the duration of construction, and for a minimum of 12 months following the completion of construction. The following up-to-date information (excluding confidential commercial information) must be published before the relevant works commencing and maintained on the website or dedicated pages:	In progress.	The website is active (and will remain so during this period of interim operation) (https://inlandrail.artc.com.au/where-we-go/projects/narrabri-to-north-star/) and shall be maintained for a minimum of twelve months following completion of construction for the N2NS P1 project.
	(a) the current implementation status of the CSSI;		

	(b) a copy of the documents listed in Condition A1 of this approval, and any documentation relating to any modifications made to the CSSI or the terms of this approval;		
	(c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval;		
	(d) a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI;		
	(e) where a condition(s) of this approval requires a document(s) to be prepared before work, construction or operational activity commences, a current copy of the relevant document(s) must be published on the website before the work, construction or operational activity is undertaken; and		
	(f) a copy of each document required to be made publicly available under this approval must be published within 14 days of the finalisation or approval of the relevant document, unless an alternate timeframe is prescribed by another condition of this approval.		

PART D - OPERATIONAL ENVIRONMENTAL MANAGEMENT

OPERATIONAL ENVIRONMENTAL MANAGEMENT

D1	An Operational Management Plan (OEMP) must be prepared in accordance with the Department’s Environmental Management Plan Guideline for Infrastructure Projects (DPIE, 2020) to detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in Condition A1 will be implemented and achieved during operation. This condition (Condition D1) does not apply if Condition D2 of this approval applies.	Not applicable.	Condition D2 applies.
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D2	An OEMP is not required for the CSSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Secretary, and can demonstrate, to the written satisfaction of the Secretary, that through the EMS:	One (1) month prior to commencement of Interim Operation	The Interstate Environment Management Framework (IEMF) was submitted prior to staged operations of Parkes to Narromine (SSI-7475). This document is also relevant to N2NS P1 (SSI-7474) and will apply to this period of interim operation. The IEMF will be updated and submitted to address the requirements specific to N2NS Planning Approval prior to commissioning of N2NS P1 in its entirety in 2023.
	(a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in Condition A1, and terms of this of approval can be achieved;		
	(b) issues identified through ongoing risk analysis can be managed; and		
	(c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation.		
D3	The performance measures and mitigation measures detailed in the OEMP must address the maintenance of culverts with respect to blockages, siltation and scouring.	One (1) month prior to commencement of operation	This is currently addressed in the IEMF.
D4	The OEMP or EMS (or equivalent) as agreed with the Secretary must be submitted to the Secretary for information at least one (1) month prior to the commencement of operation of the CSSI.	One (1) month prior to commencement of operation	Not triggered as commissioning of N2NS P1 in its entirety is not commencing until 2023. This project will have completed construction and utilised by ARTC prior to the commissioning of Inland Rail post-2026.

PART E - KEY ISSUE CONDITIONS

NOISE AND VIBRATION

Noise Mitigation – Operational Noise Mitigation Measures

E13	The Proponent must prepare an Operational Noise and Vibration Review (ONVR) to confirm noise and vibration control measures that would be implemented for the operation of the CSSI. The ONVR and identification / selection of any noise mitigation measures must be prepared in consultation with the	In progress.	As the N2NS P1 is an existing and operational rail corridor which is being upgraded, for the purpose of an operational noise assessment it is considered as a redevelopment of an existing rail line. Therefore, the ONVR is related to noise and vibrational impacts
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	<p>EPA and impacted sensitive receivers. Where barrier options (e.g. noise walls or mounds) are proposed to be implemented, consultation must also be undertaken with the relevant councils. The ONVR must:</p> <p>(a) confirm the appropriate operational noise and vibration objectives and levels for adjoining development, including existing sensitive receivers;</p> <p>(b) confirm the operational noise and vibration predictions based on the final design. Confirmation must be based on an appropriately calibrated noise model (which has incorporated additional noise monitoring, and concurrent traffic counting, where necessary for calibration purposes).</p> <p>(c) Identify / confirm sensitive receivers at which the criteria set out in the Rail Infrastructure Noise Guideline (EPA, 2013) are predicted to be exceeded once the CSSI is operational and in 2040;</p> <p>(d) review the suitability of the operational noise mitigation measures identified in the documents listed in Condition A1 and, where necessary, investigate and identify additional noise and vibration mitigation measures required to achieve the noise criteria outlined in the Rail Infrastructure Noise Guideline once the CSSI is operational and in 2040. This review must consider local climate and impacts on existing cooling devices, and alternative at-property mitigation measures where the physical condition of a receiver building would render acoustic glazing and seals ineffective;</p> <p>(e) describe the final suite of noise and vibration mitigation measures that will be implemented to achieve the noise criteria outlined in the Rail Infrastructure Noise Guideline once the CSSI is operational and in 2040, including the timing of implementation in accordance with Condition E14;</p>		<p>once construction activities have been completed and Inland Rail program is connected from Melbourne to Brisbane, which is estimated to be in 2026.</p> <p>A draft Operational Noise and Vibration Review (ONVR) was submitted to the Planning Secretary on 13/08/2021. However, Community and impacted sensitive receivers' consultation is ongoing and is anticipated to be finalised by March 2022. The ONVR will be updated with any relevant findings from the consultation once complete.</p> <p>Due to the nature of the interim operations, it is not anticipated that there will be any additional noise and vibration impacts introduced for this section of track and the mitigation measures which will be outlined in the updated ONVR are not yet required.</p>
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	<p>(f) include a consultation strategy to seek feedback from directly affected landowners on the noise and vibration mitigation measures; and</p> <p>(g) procedures for the management of operational noise and vibration complaints.</p> <p>The ONVR is to be verified by a suitably qualified and experienced noise and vibration expert. The ONVR is to be undertaken at the Proponent's expense and submitted to the Secretary for approval within three (3) months of construction commencing.</p>		
E14	<p>Operational noise mitigation measures identified in Condition E13 (such as at-property architectural treatments) that will not be affected by construction works, must be implemented:</p> <p>(a) within six (6) months of the commencement of construction affecting the impacted receiver/s;</p> <p>(b) in the case of at-property treatments, as agreed with the landowner; or</p> <p>(c) as agreed by the Planning Secretary.</p>	In progress.	<p>As discussed above, following Community, and impacted sensitive receivers' consultation to define architectural treatment scope of works, ARTC will work with affected landholders to formalise the proposed architectural treatments and coordinate installations.</p> <p>These agreed mitigation measures will be included in the ONVR and provided to the Planning Secretary.</p>
E15	<p>Where implementation of operational noise mitigation measures are not proposed in accordance with Conditions E13 and E14, the Proponent must submit to the Planning Secretary a report providing justification as to why, along with details of temporary measures that would be implemented to reduce construction noise impacts, until such time that the operational noise mitigation measures identified in Condition E13 are implemented. The report must be endorsed by the ER and submitted to the Planning Secretary prior to the commencement of construction which would affect the identified sensitive receivers.</p>	Not yet triggered.	<p>If ARTC are not able to meet the requirements of MCoA E13 and E14, ARTC will submit a report which complies with this MCoA.</p>

<p>E16</p>	<p>In 2026 and 2035, or as otherwise agreed with the Planning Secretary, the Proponent must undertake monitoring of operational noise to compare actual noise performance of the CSSI against the noise performance predicted in the review of noise mitigation measures required by Condition E13. The Proponent must prepare an Operational Noise Compliance Report (ONCR) to document this monitoring. The Report must include, but not necessarily be limited to:</p> <p>(a) noise monitoring to assess compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E13;</p> <p>(b) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which CSSI noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers;</p> <p>(c) details of any complaints and enquiries received in relation to operational noise generated by the CSSI between the date of commencement of operation and the date the report was prepared;</p> <p>(d) any required recalibrations of the noise model taking into consideration factors such as noise monitoring and actual train movements;</p> <p>(e) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and</p> <p>(f) identification of additional measures to those identified in the review of noise mitigation measures required by Condition E13, that would be implemented with the objective of meeting the criteria outlined in the Rail Infrastructure Noise Guideline, when these measures would be implemented and how their</p>	<p>Not yet triggered</p>	<p>Not yet triggered.</p> <p><i>“Note: 2026 and 2035 are specified as representing 12 months and 10 years after the anticipated commencement of operation of the entire Inland Rail project. Should this timeframe change, the Proponent should seek the approval of the Planning Secretary to vary the timeframe in which to satisfy this condition.”</i></p>
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	effectiveness would be measured and reported to the Secretary and the EPA.		
	The ONCR is to be verified by a suitably qualified and experienced noise and vibration expert. The ONCR must be submitted to the Secretary and the EPA for information within 90 days of completing the operational noise monitoring.		
	<i>Note: 2026 and 2035 are specified as representing 12 months and 10 years after the anticipated commencement of operation of the entire Inland Rail project. Should this timeframe change, the Proponent should seek the approval of the Planning Secretary to vary the timeframe in which to satisfy this condition.</i>		
BIODIVERSITY			
E17	The Proponent must minimise impacts to plant community types and not exceed the total areas impacted as identified in Table E1.	In progress.	A register is maintained detailing the cumulative clearing for the project to date. As at the end of September 2021, the project’s cumulative total of native vegetation clearance is approximately 45.43 hectares, which is within the area provided in Table E1.
E18	The Proponent must meet the biodiversity offset obligations for ecosystem and species credits as set out in Tables E2 and E3, within two (2) years of the CSSI approval. The retirement of the biodiversity credits must be carried out in accordance with the NSW Biodiversity Offsets Policy for Major Projects and can be achieved by a combination of: (a) acquiring and retiring “biodiversity credits” within the meaning of the Biodiversity Conservation Act 2016; and/or (b) making a payment into the Biodiversity Conservation Fund; and/or	In progress.	ARTC has secured 1,221 ecosystem credits and has a further 4,119 ecosystem credits being generated through applications for Biodiversity Stewardship Agreements (BSA) with the Biodiversity Conservation Trust. The remaining credit obligations will be sought through additional BSA applications and approaches to the credit market.

	(c) outlining in a Biodiversity Offset Strategy the provision of supplementary measures. The Strategy must be prepared in consultation with EES and DAWE.		
E19	The Proponent may review and update the ecosystem and species credit requirements in Tables E2 and E3, except as required by Condition E25, to reflect the final construction footprint and resulting extent and type of plant community types to be cleared. Amendments to the ecosystem and species credit requirements must be undertaken in consultation with EES and DAWE and submitted to the Planning Secretary for approval within six (6) months after the commencement of construction or as agreed in writing by the Planning Secretary.	In progress.	<p>ARTC have undertaken a comprehensive review and revised the construction boundary to achieve optimal environmental outcomes in accordance with this MCoA.</p> <p>The draft Addendum report was provided to the EES and DAWE for consultation on 10/09/2021.</p> <p>ARTC is currently seeking an extension of time until the 12 November 2021 to submit the updated ecosystem and species credit report to allow sufficient time for EES and DAWE to undertake their reviews.</p>
E20	<p>The review and update of credit requirements must be undertaken by:</p> <p>(a) using the vegetation mapping, and the extent of impact in the revised development footprint (Table 3.4) in the July 2020 Addendum to the Inland Rail – Narrabri to North Star Biodiversity Assessment Report; and/or</p> <p>(b) completing verification surveys to confirm the extent, type and condition of native vegetation to be impacted.</p> <p>Where verification surveys are required, they must be undertaken in consultation with EES. Any additional surveys must be undertaken at the time of year when groundcover is most likely to be predominantly native. If evaluation is not possible at a time when groundcover is most likely to be native, the assumed presence of any relevant species and ecosystems</p>	In progress.	A 'September 2021 Addendum to the Inland Rail - Narrabri to North Star Biodiversity Assessment Report' was completed by Umwelt Environmental & Social Consultants in September 2021. This addendum includes the results of additional field work completed in February and April 2021 and includes revised biodiversity credit calculations based on a reduction to the construction boundary that was the subject of the Submissions and Preferred Infrastructure Report (SPIR).
E21	The Proponent must submit to the Planning Secretary for information a copy of the Credit Retirement Report for the	In progress.	Not yet completed.

	retirement of the ecosystem and species credits required by Condition E18 within one month of receiving the report.		ARTC are actively sourcing the required credits to satisfy this MCoA, however, they are not required to be retired until August 2022.
Re-use of Timber			
E22	Prior to vegetation clearing, the Proponent must consult with community and landcare groups and government agencies to determine if retained timber and root balls can be reused in habitat enhancement and rehabilitation work, before pursuing other disposal options. The retained timber and root balls may be used on or off the CSSI site.	Completed.	Consultation was undertaken with Environment NSW, DPIE and Landcare prior to vegetation clearance commencing on site.
Koala Habitat			
E23	The Proponent must reduce the area of koala habitat, identified in Table E4, that is impacted by the CSSI by at least 25%, or as otherwise agreed by the Planning Secretary.	In progress.	Koala habitat reduction is included in the 'September 2021 Addendum to the Inland Rail - Narrabri to North Star Biodiversity Assessment Report' which was completed by Umwelt Environmental & Social Consultants in September 2021 and is currently under review by EES and DAWE. Once EES and DAWE have completed their review, this report will be finalised and assessed against this MCoA to ensure this condition has been met.
E24	The Proponent must submit a report on the final construction footprint demonstrating how impacts to the plant community types identified in Table E4 have been reduced. This must be provided to the Planning Secretary, EES and DAWE for information, within six (6) months after the commencement of construction or as agreed by the Planning Secretary.	In progress.	ARTC is currently seeking an extension of time until the 10 November 2021 to submit the final construction footprint, to allow sufficient time for EES and DAWE to undertake their reviews.
E25	The Proponent must provide a minimum of 4556 species credits to offset impacts to the koala.	In progress.	ARTC is in the process of securing the required species credits for koala from a BSA site at Warialda. Subject to assessment by the BCT, these credits will be available for retirement by mid 2022.

<p>E26</p>	<p>The offset credits required by Condition E25 must be sourced where practicable, from:</p> <p>(a) The same IBRA subregion as the impacted site, or</p> <p>(b) The adjoining IBRA subregions within the same IBRA region as identified in (a).</p>	<p>In progress.</p>	<p>ARTC are actively sourcing the required credits to satisfy this MCoA</p>
<p>FLOODING</p>			
<p>Quantitative Design Limits (QDLs)</p>			
<p>E27</p>	<p>The CSSI must meet the QDLs in Appendix A – FLOODING QUANTITATIVE DESIGN LIMITS AND MODELLING REQUIREMENTS. Unless otherwise noted, these QDLs apply outside the rail corridor except for level crossings. These QDLs apply in any flood event up to and including the 1% AEP, and in any duration.</p> <p>In circumstances where the CSSI does not meet the QDL at a specific location, the Proponent must achieve compliance through modified design of the CSSI. If this is not possible or practical the Proponent must:</p> <p>(a) document the extent of the non-compliance with the QDL and justify why it is not possible or practical to achieve compliance through CSSI design changes;</p> <p>b) in every instance of non-compliance with the QDLs, consult with and obtain agreement from the affected land or property owners to either:</p> <p>i) the non-compliance; or</p> <p>ii) establish an alternative level of mitigation of impacts for that location through alternative design measures;</p>	<p>In progress.</p>	<p>ARTC submitted a Flood Design Verification Report (FDVR) on 25/08/2021 to the Planning Secretary.</p> <p>Contained within the FDVR are several non-compliances with QDLs associated with the MCoA. ARTC are continuing to actively work with the affected land or property owners to meet these MCoA. ARTC will update the FDVR with the outcomes of this work.</p>

	(c) where an alternative level of mitigation of impacts is required for a location, achieve a level of mitigation through design measures beyond the rail corridor; and		
	(d) describe and detail the mitigation measures in the Flood Design Verification Report required by Condition E28 ;		
Flood Design Verification Report			
E28	Compliance with the QDLs as required by Condition E27 must be demonstrated in a Flood Design Verification Report that details flood behaviour under existing conditions and with the final detailed design of the approved CSSI. The flood modelling informing the report must be developed in consultation with EES, relevant councils and Transport for NSW, and completed to the specifications in Appendix A – FLOODING QUANTITATIVE DESIGN LIMITS AND MODELLING REQUIREMENTS . The Flood Design Verification Report must include:	In progress.	As above. ARTC submitted a Flood Design Verification Report (FDVR) on 25/08/2021 to the Planning Secretary which had been independently peer-reviewed in accordance with MCoA E29
	(a) details of the flood modelling that informs the report;		
	(b) details of how the project’s flood planning level (FPL) was decided, with reference to relevant considerations of the <i>NSW Floodplain Development Manual</i> ;		
	(c) an assessment of the infrastructure’s compliance with the Quantitative Design Limits (QDLs) for flooding, hydrology and geomorphology listed in Appendix A – FLOODING QUANTITATIVE DESIGN LIMITS AND MODELLING REQUIREMENTS;		
	(d) floor level surveys of potentially affected buildings to accurately confirm compliance with afflux limits. Where a floor		

	<p>level has not been surveyed, the Report shall adopt the existing ground level as the floor level, with appropriate annotation;</p> <p>(e) an assessment of the impacts of the CSSI on erosion, scouring, bank stability, stream stability and geomorphology;</p> <p>(f) mitigation and management measures that will be undertaken if the QDLs are exceeded, as specified in Condition E27;</p> <p>(g) mitigation measures to minimise potential adverse impacts and responses to actual impacts with regard to the NRAR's Guidelines for Controlled Activities on Waterfront Land;</p> <p>(h) an assessment of risk to life caused by formation failure in extreme flood events, including management measures to mitigate this risk; and</p> <p>(i) an assessment of aquaplaning risks where the CSSI produces additional inundation of highways or sealed roads with a speed limit of 80km/h or greater. Where an aquaplaning risk is attributable to the CSSI, undertake infrastructure changes to remove the additional inundation or to introduce risk mitigation measures to manage this risk.</p> <p>The flood model and results must be independently peer-reviewed in accordance with Condition E29 and be submitted to the Planning Secretary for information at least one month prior to the commencement of construction of permanent works that may impact on flooding.</p> <p><i>Note: Components of the SPIR hydrology technical report that are still relevant to the final design of the CSSI may be reused to prepare the Flood Design Verification Report where they meet the requirements of Condition E28 and Appendix A</i></p>		
<p>Independent peer review</p>			

<p>E29</p>	<p>The Flood Design Verification Report (including the flood model upon which it is based) must be reviewed and endorsed by a suitably qualified and experienced hydrologist who has extensive experience in flood modelling including with the hydrological and hydraulic software used for the model. This hydrologist must be independent of the Proponent and the organisation(s) who prepared the flood model, having regard to the Department's <i>Post Approval Guidance for Infrastructure Projects: Seeking Approval from the Department for the Appointment of Independent Experts</i> (DPIE, 2020).</p> <p>The review must:</p> <ul style="list-style-type: none"> a) review the flood model files and the description of the model provided within SPIR and any adjustments to this as per the Flood Design Verification Report; b) assess the establishment, calibration, validation and operation of the flood model items as per (a); c) identify and document existing and future purposes for which the model can and cannot be used, including adaptation of this model by others, and any limitations on this; d) document the review findings including specifically responding to Condition E28(a) to E28(i) and, after any recommended model and/or reporting improvements have been undertaken to the peer reviewer's satisfaction, provide written certification within the review report that the Flood Design Verification Report, modelling and mitigation measures: <ul style="list-style-type: none"> i) have been prepared consistent with current and appropriate methodologies and standards; and ii) accurately depict and resolve design impacts of the CSSI. 		<p>The FDVR submitted on 25/08/2021 had been reviewed and endorsed by a suitably qualified and experience hydrologist who has extensive experience in flood modelling.</p> <p>The peer reviewer's endorsement was appended to the FDVR.</p>
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	The peer reviewer’s endorsement must be appended to the Flood Design Verification Report.		
	<i>Note: The independent reviewer must have extensive experience with the software packages applied in the modelling for the SPIR and the Flood Design Verification Report, although this may not necessarily include the specific software version(s) used in the SPIR and Flood Design Verification Report, provided the software version updates are not relevant to the peer review.</i>		
Flood Emergency Response Plan (FERP) for Flood Risks Within the Rail Corridor			
E30	The Proponent must prepare a Flood Emergency Response Plan (FERP) which documents how the risks to life and property within the rail corridor are to be safely managed during a flood. The FERP must detail activities before, during and after a flood, including for staff training and maintenance and updating of the FERP.	Completed.	This was submitted to DPIE on 25/08/2021 and will be implemented accordingly
	a) The FERP must be prepared by an experienced flood emergency response specialist who has extensive experience in preparation of these plans.		
	b) This specialist must confirm that residual flood risks are acceptable and the procedures within the FERP are consistent with best practice and the requirements of the NSW Floodplain Development Manual.		
	c) The FERP must be appended to the Flood Design Verification Report.		
	<i>Note: Nothing in this condition prevents the adaptation of an existing flood management or emergency plan to satisfy this condition.</i>		
Information to Facilitate Management of Flood Emergency Risks beyond the Rail Corridor			
E31	Where the CSSI has the potential to adversely impact flood risks to life or property beyond the rail corridor, the Proponent	In progress.	

	<p>must document the flood risk information in sufficient detail so that relevant emergency services personnel and affected third parties can prepare, respond and recover from future flood emergencies. This shall include but not be limited to:</p> <ul style="list-style-type: none"> a) documentation of the changes to flood behaviour including levels, depths, velocities, etc, that may result in adverse impacts to life and property beyond the rail corridor, in any future flood events including events up to the PMF; b) consideration of changes to flood behaviour that may result from CSSI infrastructure failures or embankment collapses where these may occur during floods; c) provision of sufficient detail and scope to enable the relevant personnel or agency (including the NSW SES, the local council, affected property or infrastructure owners) to prepare for management of flood emergencies; d) respond to requests for information about the CSSI from those personnel or agencies in (c) to assist them in preparing their own flood emergency response plans. <p>This documentation shall be appended to the Flood Design Verification Report and be certified as consistent with the requirements of this condition by the same specialist preparing and certifying the FERP (required by Condition E30).</p>		<p>This was submitted to DPIE on 25/08/2021. ARTC are currently preparing information to provide to the relevant stakeholders as defined by this condition.</p>
<p>Flood Review after Construction</p>			
<p>E32</p>	<p>For the first 15 years of operation, the Proponent must prepare Flood Review Report(s) within three months after the first defined flood event for any of the following flood magnitude ranges that occur – the 1-5% AEP, 5-10% AEP and 10-20%</p>	<p>Operation.</p>	<p>Not yet triggered as construction for N2NS P1 has not been completed. However, ARTC will ensure monitoring in accordance with this condition against</p>

	<p>AEP events. The Flood Review Report(s) must be prepared by a suitably qualified and experienced hydrologist(s) and include:</p> <ul style="list-style-type: none"> a) a comparison of the observed extent, level, and duration of the flooding event against those predicted in (or inferred from) the SPIR and the Flood Design Verification Report required by Condition E28; b) identification of the properties and infrastructure affected by flooding during the reportable event; and c) where the observed extent and level of flooding or other flooding or erosion impacts exceed those predicted due to the CSSI with the consequent effect of adversely impacting on property(ies), structures, infrastructure or the environment, and/or exceed the requirements specified in Conditions E27 and E28: <ul style="list-style-type: none"> i) determine if the exceedance is attributable to the CSSI, and ii) where the cause is attributable to the CSSI, identification of the rectification measures that would be implemented to reduce future adverse impacts of flooding from similar events related to the CSSI works, including the timing and responsibilities for implementation. <p>A copy of the Flood Review Report(s) must be submitted for information to the Secretary and EES and relevant council(s) within three (3) months of finalising the report.</p> <p>Any rectification measures identified within the Flood Review Report(s) must be developed in consultation with the affected third parties (e.g. land and property owners, infrastructure owners, EES, the relevant council(s), state and local government agencies, etc) and implemented within the timeframes specified in the Flood Review Report(s) or as agreed with the affected parties.</p>		<p>the QDLs once construction of N2NS P1 is completed.</p>
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<p>E33</p>	<p>To analyse the lengths of rail corridor impacted by rainfall and consequential flood events for the purposes of Condition E32, the Proponent must develop spatially defined monitoring zones and associated monitoring methodologies for the flood catchments modelled in the SPIR. The monitoring methodologies shall provide an approach to inter rainfall intensities utilising the available Bureau of Meteorology rainfall monitoring stations suitable for each catchment. The methodology must be developed in consultation with DPIE and submitted to the Planning Secretary for information within six (6) months prior to the commencement of operation of the CSSI.</p>	<p>Prior to the completion of construction.</p>	<p>ARTC are developing a Standard Operating Procedure to reflect how monitoring locations are determined within Inland Rail and implemented in the Inland Rail program.</p>
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Information Sharing

<p>E34</p>	<p>Flood information resulting from the requirements of this approval, including flood reports, models and geographic information system outputs, and work as executed information from a registered surveyor certifying finished ground levels and the dimensions and finished levels of all structures within flood prone land, must be made available to the relevant council(s), TfNSW, EES and the SES upon request. The relevant councils, TfNSW, EES and the SES must be notified in writing that the information is available no later than one (1) month following the completion of construction. Information requested by a relevant council, TfNSW, EES or the SES must be provided within six (6) months.</p>	<p>Following completion of construction.</p>	<p>Not yet triggered as construction for N2NS P1 has not been completed. However, ARTC will ensure that any information noted in this condition is provided to the relevant stakeholders in the timeframe specified within this MCoA..</p>
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WATER QUALITY AND DRAINAGE

<p>E35</p>	<p>The CSSI must be designed, construction and operated so as to:</p> <p>(a) maintain the NSW Water Quality Objectives where they are being achieved as at the date of this Approval;</p> <p>b) contribute towards achievement of the <i>NSW Water Quality Objectives</i> over time where they are not being achieved as at the date of this approval, unless an EPL in force in respect of</p>	<p>Construction</p>	<p>It was noted in the September 2021 Independent Audit Report that whilst overtopping events had been reported during the Audit reporting period, the piling pads were constructed to meet the design criteria for the nominated rainfall events. Overtopping events exceeded the approved design rainfall and runoff volume in each case.</p>
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	<p>the CSSI contains different requirements in relation to the <i>NSW Water Quality Objectives</i>, in which case those requirements must be complied with;</p> <p>(c) ensure all drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) new or modified surface water drainage (including cess drains) and depressions are designed and constructed in accordance with relevant guidelines;</p> <p>(d) locate all scour protection works associated with replacement culverts or the construction of new culverts within the rail corridor, or as agreed to by the relevant landowner;</p> <p>(e) not result in changes to the direction of watercourses or the direction of flood flows except within the rail corridor, other than as agreed with the landowner;</p> <p>(f) ensure that there is no permanent interception of, and/or connection with, groundwater;</p> <p>(g) ensure all discharges from new or modified surface drainage (including cess drains) adjacent to the new and upgraded track are released at a controlled rate to prevent scour;</p> <p>(h) ensure works on waterfront land are undertaken in accordance with the NRAR guidelines for controlled activities on waterfront land;</p> <p>(i) ensure that any recycled wastewater (including recycled/treated water) proposed for use by the CSSI, is fit for purpose and does not pose a risk to human health or the receiving environment.</p>		
<p>E36</p>	<p>The Proponent must consult with TfNSW in relation to stormwater and drainage management to coordinate drainage infrastructure with the Newell Highway Upgrade.</p>	<p>In progress.</p>	<p>Details concerning the design implications of any associated flooding impacts have been shared with and discuss with Transport for New South Wales (TfNSW) on an ongoing basis since early 2018.</p>

			ARTC will continue to collaborative work with TfNSW with respect to drainage for the Newell Highway Upgrade.
E37	Prior to the installation of a new culvert, the Proponent must consult with the landowner that is located immediately downstream of the new culvert to determine the potential for impacts on agricultural productivity, farm operations and farm dams (including changes in water supply yield, reliability of supply, flood flows and embankment stability) due to the introduction or alteration of flows. Where potential adverse impacts are identified, the Proponent must consult with the affected landowner on the management measures that will be implemented to mitigate the impacts.	In progress.	Consultation with impacted landowners is ongoing as part of the FDVR consultation. ARTC will ensure that the affected landowner is consulted regarding management measures to mitigate the identified impacts.
TRAFFIC, TRANSPORT AND ACCESS			
E38	Construction traffic must not use local roads or privately-owned roads (other than to avoid direct access from ancillary facilities and construction sites to the Newell Highway) unless no alternative access is available. Use of private access roads must be in accordance with Conditions A19 and A20. Local or privately owned roads used for access to ancillary facilities and construction sites must be identified in the Construction Traffic, Transport and Access Management Sub-plan required by Condition 0.	Construction	This is addressed in the construction contractors Traffic, Transport and Access Management Sub-Plan. Not applicable to interim operations.
E39	Before any local or private road is used by a heavy vehicle for the purposes of construction of the CSSI, a Road Dilapidation Report must be prepared for the road. A copy of the Road Dilapidation Report must be provided to the relevant road authority(ies) and landowners within one (1) month of completion of the survey and at least two weeks before the road is used by heavy vehicles associated with the construction of the SSI.	Completed.	Road Dilapidation Reports have been prepared a sample of which was recently reviewed during the Independent Audit and these included reports for Boonery Part Road, Crobble Road, Roydon Road, Gil Gil Creek Bridget, and Stage 2 Haul Road.

<p>E40</p>	<p>If damage to roads occurs as a result of the construction of the CSSI, the Proponent must, within six months of the completion of construction, either (at the landowner or relevant road authority's discretion):</p> <ul style="list-style-type: none"> a) compensate the relevant road authority(ies) and landowner for the damage so caused. The amount of compensation may be agreed with the relevant road authority(ies) and landowners, but compensation must be paid even if no agreement is reached; b) rectify the damage to restore the road to at least the condition it was in at the time of the dilapidation survey; or c) where other agreements are in place, leave, maintain or remunerate for damages to these roads in accordance with these agreements. 	<p>Not yet triggered.</p>	<p>If damage to the road occurs as a result of construction, ARTC will ensure these MCoA are met.</p>
<p>E41</p>	<p>Where bus stops (including school bus stops) are required to be temporarily closed or relocated during construction, such closure must not occur until relocated bus stops are functioning and are within 400 metres of the original bus stop. The relocation of bus stops must be undertaken in consultation with the relevant council and bus operator, and details regarding the relocations provided to affected communities (and educational facilities in relation to school bus stops) at least 14 days prior to the relocation occurring.</p>	<p>Not yet triggered.</p>	<p>Temporary closure or relocation of bus stops has not yet been required during construction.</p> <p>This will not be required during Interim operations period.</p>
<p>E42</p>	<p>The Proponent must consult with TfNSW prior to, and at regular intervals during, construction to co-ordinate and implement mitigation measures to reducing any potential concurrent impacts arising from the construction of the CSSI and Newell Highway upgrade works. Procedures for consultation must be outlined in the Traffic, Transport and Access Management Sub-plan required by Condition 0.</p>	<p>Not yet triggered.</p>	<p>ARTC are in regular communication with TfNSW and will continue to coordinate and implement mitigation measures to reduce any potential concurrent impacts arising from the construction of the CSSI and Newell Highway upgrade works.</p>

Level Crossing Treatment Reports			
E43	In order to maintain safe and efficient operation of the road network, the Proponent must prepare a Public Level Crossing Treatment Report in consultation with Transport for NSW and relevant councils. The report must:	Completed.	This was completed and submitted to the department on 09/03/2021.
	a) illustrate the location of all public level crossings which traverse the CSSI;		
	b) list, and identify on a figure, any public level crossings that will be closed or upgraded,		
	c) where no works are proposed at a public crossing, provide reason for the decision;		
	d) consider measures to avoid potential short-stacking at level crossings; and		
	e) provide justification for any proposed closures.		
	<p>The assessment of level crossings must utilise the Australian Level Crossing Assessment Model (ALCAM). The process for determining the type of level crossing treatment must be consistent with the methodology outlined in Appendix L of the Submissions Preferred Infrastructure Report.</p> <p>The report must also include an assessment of the road risks, consistent with the guideline Railway Crossing Safety Series 2011, Plan: Establishing a Railway Crossing Safety Management Plan (NSW Roads and Traffic Authority, 2011).</p> <p>The design of any level crossing on a public road must be endorsed by Transport for NSW or the relevant road authority (where not Transport for NSW) prior to commencing construction of that crossing.</p>		

<p>E44</p>	<p>In order to maintain convenient property access, the Proponent must prepare a Private Level Crossing Treatment Report in consultation with landowners whose access will be affected by the closure or upgrading of a private level crossing. The report must:</p> <ul style="list-style-type: none"> a) illustrate the location of all private level crossings which traverse the CSSI; b) list, and identify on a figure, any private level crossings that will be closed or upgraded; c) describe the treatments that will be implemented at upgraded crossings; and d) provide justification for any proposed closures and types of treatment, including decisions where no additional treatments are proposed; and e) provide details on the consultation undertaken with the landowners. <p>Closures, relocations or modifications of private level crossings must be agreed to by the relevant landowner prior to any work on a crossing, noting that any closure, relocation or modification must be in accordance with AS/RISB 7658:2012 Railway Infrastructure – Railway Level Crossing and relevant rail safety legislation. The Proponent must consult with relevant landowners on the design of the crossing and where consistent with relevant safety standards and legislation, incorporate landowner requirements into the design.</p>	<p>Completed.</p>	<p>This was completed and subsequently submitted to the department on 9/03/2021 which addresses this condition.</p>
<p>Level Crossing Performance Report</p>			
<p>E45</p>	<p>The Public Level Crossing Treatment Report and Private Level Crossing Treatment Report must be submitted to the Planning Secretary for information at least one (1) month prior</p>	<p>Prior to the commencement of construction.</p>	<p>This was completed and subsequently submitted to the department on 9/03/2021 which addresses this condition.</p>

	to the closure or upgrade of a public or private level crossing, as relevant. Individual reports may be submitted for each crossing or address a group of crossings or the entire CSSI.		
E46	In 2026 and 2035, or as otherwise agreed by the Planning Secretary, the Proponent must prepare a Level Crossing Performance Report to confirm the operational traffic impacts of the level crossings on the classified road network. The review of the operation of the level crossings that interact with the classified road network must be carried out in consultation with TfNSW and the relevant councils and include:	Following the completion and commissioning of the Inland Rail program as a whole.	Not yet triggered. <i>Note: 2026 and 2035 are specified as representing 12 months and 10 years after the anticipated commencement of operation of the entire Inland Rail project. Should this timeframe change, the Proponent should seek the approval of the Planning Secretary to vary the timeframe in which to satisfy this condition.</i>
	a) updated traffic analysis of movements on these roads;		
	b) assessment of the level of service at these level crossings (queue length, queuing time delay);		
	c) identification of additional new works outside of the rail corridor delivered by third parties that may result in changes to traffic movements as initially considered in the Level Crossing Treatment Report;		
	d) assessment of the performance of the level crossing treatment outlined in the Public Level Crossing Treatment Report required by Condition E43 ;		
	e) all reported near misses and collisions at level crossings within the project area; and		
	f) mitigation measures to manage any actual or predicted road network performance impacts.		
E47	Each Level Crossing Performance Report must also review the impact on level crossings interacting with local roads and include:	Following the completion and commissioning of	Noted. As above.

	<ul style="list-style-type: none"> a) assessment of safety and/or operational impacts on nearby classified roads as a result of vehicle queuing; and b) all reported near misses and collisions at level crossings within the project area. 	the Inland Rail program as a whole.	
E48	<p>Mitigation measures to manage any actual or predicted road network performance impacts resulting from the construction and operation of the CSSI must be implemented within one year of the completion of each report. The Report must include an implementation plan of the identified mitigation measures. The Level Crossing Performance Report must be submitted to the Secretary, RMS and relevant councils for information within 60 days of its completion.</p> <p><i>Note: 2026 and 2035 are specified as representing 12 months and 10 years after the anticipated commencement of operation of the entire Inland Rail project. Should this timeframe change, the Proponent should seek the approval of the Planning Secretary to vary the timeframe in which to satisfy this condition.</i></p>	Following the completion and commissioning of the Inland Rail program as a whole.	Noted. As above.
SPOIL MOUNDS			
E60	<p>Permanent spoil mounds are to be located:</p> <ul style="list-style-type: none"> a) within the existing rail corridor; b) at least 50 metres from any watercourse or culvert or where the rail formation is predicted to be overtopped during a flood event; c) to be overtopped during a flood event; d) outside the drip lines of trees located on private property. 	During construction and Operation.	Currently all permanent spoil mounds are located within the rail corridor at appropriate locations in accordance with this condition.

	<i>Note: For the purpose of Condition E60(d), the Proponent must not affect trees outside of the rail corridor for the purpose of preventing those trees' driplines overhanging spoil mounds.</i>		
E61	Spoil mounds are to comply with the following requirements:	During construction and Operation.	As above.
	(a) maximum height must not exceed the top height of the upgraded rail line;		
	(b) not result in the clearing or covering of native vegetation beyond that described in the documents listed in Condition A1;		
	(c) not result in heritage impacts beyond that described in the documents listed in Condition A1;		
	(d) not result in additional changes to the upstream flooding regime beyond those described in the documents listed in Condition A1;		
	(e) not affect the downstream flood regime;		
	(f) not impede the flow of water through culverts;		
	(g) not contain any contaminated soil classified as unsuitable for the proposed land use, acid sulphate soils or green waste;		
	(h) are to be stabilised during construction of the CSSI; and		
	(i) are to be stabilised prior to operation of the CSSI.		
	(f) not impede the flow of water through culverts;		
The Proponent must construct and operate the CSSI with the objective of minimising light spillage to residences. All lighting associated with the construction and operation of the CSSI must be consistent with the requirements of Australian Standard 4282-1997 Control of the obtrusive effects of outdoor lighting.			

	<p>Notwithstanding, the Proponent must provide mitigation measures to manage any residual night-lighting impacts to protect residences adjoining or adjacent to the CSSI, in consultation with affected landowners.</p>		
	<p>The Proponent must consult with all landowners whose visual amenity from their residence is identified as highly impacted by the CSSI (as per Table 5 of Technical Report 10 in the EIS) to determine the mitigation measures that will be implemented to maintain visual amenity. The Proponent must come to an agreement with the landowner on the mitigation measures and implement the measures prior to the operation of the CSSI.</p>		

VISUAL AMENITY

<p>E62</p>	<p>The construction and operation of the parts of the CSSI located within 200 kilometres of the Siding Spring Observatory, must comply with the ‘Good Lighting Design Principles’ as described in the Department’s ‘Dark Sky Planning Guideline’.</p>	<p>During construction and Operation.</p>	<p>The southern work front from Penney's Road is approximately 177km from Siding Spring Observatory. Compound 2 south of the Gurley Bridge is approximately 193km from the observatory. This Environmental Design Requirement was considered in the SP1 IFC Detailed Design Report prepared by WSP/Mott McDonald dated May 2019. The design and operation complies with the ‘Good Lighting Design Principles’ as described in the Department’s ‘Dark Sky Planning Guideline’.</p>
<p>E63</p>	<p>The Proponent must construct and operate the CSSI with the objective of minimising light spillage to residences. All lighting associated with the construction and operation of the CSSI must be consistent with the requirements of Australian Standard 4282-1997 Control of the obtrusive effects of outdoor lighting. Notwithstanding, the Proponent must provide mitigation measures to manage any residual night-lighting impacts to protect residences adjoining or adjacent to the CSSI, in consultation with affected landowners.</p>	<p>During construction and Operation.</p>	<p>As noted above, this Environmental Design Requirement was considered in the SP1 IFC Detailed Design Report prepared by WSP/Mott McDonald dated May 2019 and the stated objective is being followed. This will be further reviewed and monitored as construction continues.</p>
<p>E64</p>	<p>The Proponent must consult with all landowners whose visual amenity from their residence is identified as highly impacted by</p>	<p>During construction and Operation.</p>	<p>This Environmental Design Requirement was considered in the SP1 IFC Detailed Design Report prepared by WSP/Mott McDonald dated May 2019.</p>

	the CSSI (as per Table 5 of Technical Report 10 in the EIS) to determine the mitigation measures that will be implemented to maintain visual amenity. The Proponent must come to an agreement with the landowner on the mitigation measures and implement the measures prior to the operation of the CSSI.		To be further reviewed as construction continues. At this stage there are no concerns with the residents being concerned with visual amenity regarding this section of track.
HERITAGE			
E65	The Proponent must not destroy, modify or otherwise physically affect any heritage items, including Aboriginal objects, outside of the CSSI construction boundary.	In progress.	ARTC are actively working with the Department regarding a potential event associated with this condition. ARTC are also reviewing internal processes to ensure that future activities are in accordance with this condition. On track operational activities will not destroy modify or otherwise physically affect any heritage items, including Aboriginal objects, outside of the CSSI construction boundary.
E66	The Proponent must not harm, modify, or otherwise impact human remains uncovered during the construction of the CSSI.	In progress.	To date, no human remains have been uncovered during the construction of the CSSI. On track operational activities will not harm, modify, or otherwise impact human remains uncovered during the construction of the CSSI.
E67	Identified impacts to heritage items must be minimised through both design and construction. The measures for ensuring this are to be detailed in the Construction Heritage Management Sub-Plan required by Condition 0.	In progress.	ARTC are actively managing heritage items as per the Construction Heritage Sub-Plan. On track operational activities are not expected to impact heritage items.
Non-aboriginal heritage			
E68	The Proponent must undertake Heritage Photographic Archival Recordings (of heritage items and potential heritage items associated with the existing rail line (including culverts/underbridges with timber components and former rail station sites) which have been identified for demolition in the EIS and Submissions Report.	Completed.	This requirement is noted in section 5.9.2 of the Construction Heritage Management Sub Plan. The report Photographic Archival Recording and Research Report Narrabri to North Star SP1 Narrabri, Moree and North Star regions Photographic Archival Recording and Research prepared by Niche Environment and Heritage dated 13 April 2021 contains the photographic records for these components.

	The photographic recording of items with a statutory listing must be undertaken in accordance with NSW Heritage Division guidelines. The photographic recording of items with potential heritage significance but no statutory listing may be undertaken in accordance with ARTC’s Archival Recording Standard.		
E69	The design of any proposed works or alterations to TfNSW assets, including but not limited to railway stations at Edgeroi, Bellata, Gurley and Moree must be developed in consultation with and endorsed by TfNSW prior to the commencement of works affecting these assets.	Completed.	Designs for Moree Station Upgrade and the removal of Edgeroi and Gurley platforms were subject to consultation with TFNSW which was identified as complaint following the most recent Independent Environmental Audit (July 2021).
Aboriginal Heritage			
E70	Prior to the commencement of investigation activities within the expanded construction footprint identified in the SPIR, the Proponent must prepare a methodology for archaeological investigation in consultation with DPC Heritage and Registered Aboriginal Parties (RAPs).	Completed.	The Aboriginal Cultural Heritage Management Plan Narrabri to North Star – Separable Portion 1 (N2NS Phase 1) prepared by Niche Environment and Heritage dated 18 December 2020 and Addendum Aboriginal Cultural Heritage Assessment Narrabri to North Star – Separable Portion 1 (N2NS Phase 1) prepared by Niche Environment and Heritage dated 1 December 2020 were submitted on 11 January 2021 detailing this methodology and consultation in accordance with this MCoA.
E71	<p>Prior to the commencement of any construction works within areas identified as requiring archaeological investigation by the methodology required by Condition E70 the Proponent must:</p> <p>(a) Undertake archaeological investigations; and</p> <p>(b) report on the results of the archaeological investigation, including, but not necessarily be limited to:</p> <p>i) consideration of measures to avoid or minimise disturbance to Aboriginal objects where objects of moderate to high archaeological or cultural significance are found to be present;</p>	In progress.	<p>ARTC are actively working with the Department regarding a potential event associated with this condition.</p> <p>ARTC are also reviewing internal processes to ensure that ensure future activities are in accordance with this condition.</p> <p>On track operational activities will not destroy modify or otherwise physically affect any heritage items, including Aboriginal objects.</p>

	<p>ii) where impacts cannot be avoided, recommendations for any further investigations or salvage;</p> <p>iii) management and mitigation measures to ensure there are no additional impacts due to preconstruction and construction activities; and</p> <p>iv) demonstration of additional consultation with the Registered Aboriginal Parties about items i) to iii).</p>		
E72	The methodology required by Condition E70 and the report required by Condition E71 must be provided to the Planning Secretary for information and its results incorporated into the Construction Heritage Management Sub Plan required by Condition 0.	Completed.	<p>This requirement is included in the Construction Heritage Management Sub Plan.</p> <p>DPIE letter received 7/04/2021 confirming approval of documents and required consultation and endorsement by the ER and relevant government agencies, including the Construction Heritage Management sub Plan Revision H, dated 29 March 2021.</p>

LAND USE AND PROPERTY

Dilapidation Surveys and Rectification

E73	The Proponent must undertake dilapidation surveys on the current condition of surface and sub-surface structures owned by third parties and identified at risk from vibration. The dilapidation surveys must be prepared by a suitably qualified and experienced person(s).	Completed.	Dilapidation reports have been prepared and completed as per this MCoA, this was determined compliant during the most recent Independent Audit completed for the CSSI (July 2021).
E74	The results of the dilapidation surveys must be provided to the relevant owners of surface and sub-surface structures for review prior to the commencement of potentially impacting works.	Completed.	Dilapidation reports have been prepared and completed as per this MCoA, this was determined compliant during the most recent Independent Audit completed for the CSSI (July 2021).
E75	Subsequent dilapidation surveys must be undertaken to assess damage to the surface and sub-surface structures that may have resulted from the construction of the CSSI within three months of the completion of construction, unless otherwise agreed by the Secretary.	Upon completion of construction.	This work is not yet required but ARTC will ensure the surveys are completed in accordance with this condition. On track operational activities are not however expected to cause any damage.

<p>E76</p>	<p>The results of the subsequent dilapidation surveys for each surface and sub-surface structure surveyed must be provided to the relevant owners of the structures within one (1) month of undertaking the surveys.</p>	<p>Upon completion of construction.</p>	<p>This is not yet required until construction activities have been completed. ARTC will ensure that the timeframe specified in this MCoA is met once the surveys are completed. On track operational activities are not however expected to cause any damage.</p>
<p>E77</p>	<p>The Proponent must carry out rectification at its expense and to the reasonable requirements of the surface and sub-surface structure owner(s) within three (3) months of completion of the post-dilapidation surveys unless otherwise agreed with the owner of the affected surface and sub-surface structure.</p>	<p>Upon completion of construction.</p>	<p>This is not yet required (and only if damage is identified) until construction activities have been completed. ARTC will ensure that any issues as identified (E75) are rectified the timeframe specified in this MCoA once the surveys are completed. On track operational activities are not however expected to cause any damage.</p>
<p>Rehabilitation</p>			
<p>E78</p>	<p>Any agreements for the temporary use of land for construction purposes must provide for the rehabilitation of that land and any structures on it to its pre-construction state, unless otherwise agreed with the landowner.</p>	<p>Upon completion of construction.</p>	<p>ARTC are committed to fulfilling all obligations under this CSSI. The decommissioning and rehabilitation of construction assets will be completed as described in the EIS or as agreed with the landholder.</p> <p>This is not applicable during interim operation as construction is still ongoing.</p>
<p>Sustainability</p>			
<p>E79</p>	<p>The CSSI must achieve a minimum 'excellent' rating for both 'Design' and 'As built', under the Infrastructure Sustainability Council of Australia infrastructure rating tool [version 1.2 or 2.0], or through the use of an equivalent process or an equivalent level of performance using a demonstrated equivalent rating tool.</p>	<p>In progress.</p>	<p>ARTC actively working on the mechanisms for achieving this as described in the Sustainability Management Plan. This condition is not applicable to Interim Operation.</p>

Soils			
E80	All reasonably practicable erosion and sediment controls must be installed and appropriately maintained to minimise any water pollution. When implementing such controls, any relevant guidance in the Managing Urban Stormwater series must be considered.	Ongoing.	The construction contractor has an appointed CPESC to N2NS P1. All ESC measures are installed and maintained as per the recommendations of the CPESC and in accordance with the CEMP and sub-plans. ARTC will carry over any temporary ESC measures as directed by the CPESC until stability is achieved as per Landcom Managing Urban Stormwater: Soils and Construction.
Contaminated Sites			
E81	In the event that soils suspected to be contaminated are unexpectedly found, the Proponent must engage a suitably experienced and qualified contaminated land consultant to undertake further investigations to determine the type and extent of any contamination. The investigation must be undertaken in accordance with guidelines made or approved under the Contaminated Land Management Act 1997 (NSW). The results of the investigation must be documented in a Site Contamination Assessment Report.	During construction and Operation	The construction contractor has included an unexpected finds protocol in the Soil and Water Management Plan. No unexpected sites have been identified during the construction of this CSSI. On track operational activities are not however expected to identify unexpected contaminated sites.
E82	Where the results of site investigations required by Condition E81 indicate that the contamination poses unacceptable risks to human health or the environment under either the present or proposed land use, the Proponent must engage a suitably experienced and qualified contaminated land consultant to develop and implement any necessary remediation measures. The remediation measures must be documented in a Remediation Report	During construction and Operation	The construction contractor has included an unexpected finds protocol in the Soil and Water Management Plan. No unexpected sites have been identified during the construction of this CSSI. Where required, remediation reports will be prepared. On track operational activities are not however expected to identify unexpected contaminated sites.
E83	If remediation is required under Condition E82 , a Site Audit Statement and Site Audit Report must be prepared by a NSW EPA Accredited Site Auditor. Contaminated land must not be	During construction and Operation	The construction contractor has included a unexpected finds protocol in the Soil and Water Management Plan which details this process. No

	used for the purpose approved under the terms of this approval until a Site Audit Statement determines the land is suitable for that purpose and any conditions on the Site Audit Statement have been complied with.		unexpected sites have been identified during the construction of this CSSI. On track operational activities are not however expected to identify unexpected contaminated sites.
E84	Nothing in Conditions E81 to E83 prevents the Proponent from preparing a single Site Contamination Report or Remediation Report or obtaining a single Site Audit Statement and Site Audit Report for the entire CSSI.	During construction and Operation	Noted.
E85	An Unexpected Contaminated Land and Asbestos Finds Procedure must be prepared before the commencement of construction and must be followed should unexpected contaminated land or asbestos (or suspected contaminated land or asbestos) be excavated or otherwise discovered during construction.	During construction and Operation	The construction contractor has developed an unexpected finds protocol which has subsequently been endorsed by the ER. On track operational activities are not however expected to identify unexpected contaminated sites. This condition is not applicable to interim operation.
AIR QUALITY			
E86	In addition to the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1, all practicable measures must be implemented to minimise the emission of dust and other air pollutants during the construction and operation of the CSSI.	During construction and Operation	The Construction Soil and Water Management Sub-Plan (2600-0018 N2NS-SP1) outlines the Air Quality Monitoring Program in Appendix D and associated mitigation measures in Section 7.1. ARTC manage air quality during operational activities in accordance with their EMS.
WASTE			
E87	Waste generated during construction and operation is to be dealt with in accordance with the following priorities:	During construction and Operation	This will apply to the project during construction and operation. The construction contractor manages

	<p>a) waste generation is to be avoided and where avoidance is not reasonably practicable, waste generation is to be reduced;</p> <p>b) where avoiding or reducing waste is not possible, waste is to be re-used, recycled, or recovered in accordance with the requirements of the Protection of the Environment Operations Act 1997 and its regulations; and</p> <p>c) where re-using, recycling or recovering waste is not possible, waste is to be treated or disposed of at a waste management facility or premise lawfully permitted to accept the materials or in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, or to any other place that can lawfully accept such waste.</p>		<p>waste in accordance with the CEMP endorsed by the ER.</p> <p>ARTC manage operational waste in accordance with their EMS.</p>
<p>E88</p>	<p>The importation of waste and the storage, treatment, process, reprocessing or disposal of such waste must comply with the conditions of the current EPL for the CSSI, or be done in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, as the case may be.</p>	<p>During construction and Operation</p>	<p>This will apply to the project during construction and operation. The construction contractor manages waste in accordance with the CEMP endorsed by the ER.</p> <p>ARTC manage operational waste in accordance with the EMS.</p> <p>During interim operation, the EMS and CEMP will be used to manage waste of operation and construction activities respectively.</p>
<p>E89</p>	<p>Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the Protection of the</p>	<p>During construction and Operation</p>	<p>Waste and Resource management system has been developed to manage the waste and resource recovery related risks on this Project.</p>

	<p>Environment Operations (Waste) Regulation 2014, or to any other place that can lawfully accept such waste.</p> <p><i>Note: Notice must be given to the relevant site/s as soon as possible, and no more than 14 days before the proposed waste disposal.</i></p>		
<p>E90</p>	<p>All waste generated during construction and operation must be classified in accordance with the EPA’s Waste Classification Guidelines, with appropriate records and disposal docketed retained for audit purposes.</p>	<p>During construction and Operation</p>	<p>As above. Waste and Resource management system has been developed to manage the waste and resource recovery related risks on this Project.</p>