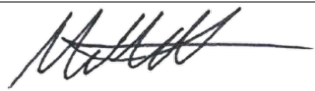



COMPLIANCE REPORT AGAINST EPBC 2016/7731

Parkes to Narromine Section of
Inland Rail, NSW

2021-2022 COMPLIANCE REPORT EPBC 2016/7731

Document Control

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GLOSSARY

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

TERM	DEFINITION
ARTC	Australian Rail Track Corporation
BCT	Biodiversity Conservation Trust
BOS	Biodiversity Offset Strategy
BSA	Biodiversity Stewardship Agreement
CEMP	Construction Environmental Management Plan
CIZ	Construction Impact Zone
CoA	Conditions of Approval
CSSI	critical State Significant Infrastructure
DAWE	Department of Agriculture, Water and the Environment
DITRD	Department of Infrastructure, Transport, Regional Development and Communications
EPBC Act Approval	EPBC 2016/7731
EIS	Environmental Impact Statement
FBA	Framework for Biodiversity Assessment
IFC	Issued for Construction
LX	Level Crossing
North-West Connection	New, greenfield connection to the Broken Hill line
P2N	Parkes to Narromine
PCT	Plant Community Types
Project	The Parkes to Narromine Project approval under the <i>Environmental Planning and Assessment Act 1974</i> (NSW)
SSI 7475	the Inland Rail – Parkes to Narromine Project
Sub-plans	Plans subordinate to the P2N Construction Environmental Management Plan

1 INTRODUCTION

1.1 Background

The Australian Government has committed to deliver the Melbourne to Brisbane Inland Rail (Inland Rail), as a vital piece of infrastructure to complete the National Freight Network and to provide for a significant modal shift of freight from road to rail. On behalf of the Department of Infrastructure, Transport, Regional Development and Communications (DITRD), the Australian Rail Track Corporation (ARTC) has been tasked with preparing a 10-year delivery strategy for Inland Rail. The Parkes to Narromine (P2N) project addresses a brownfield section within the ARTC network just to the west of Parkes. The southern end of the project is located at 449.142 kilometres on the line (measured from Sydney Central station) to the north of Goobang Junction and terminating at Narromine approximately 107 kilometres north (refer to Figure 1 below).

In the previous EPBC report, ARTC described the new Parkes to Narromine (P2N) section of the Inland Rail had completed construction activities.

The newly constructed P2N line travels in a roughly north–south direction for a distance of 98 kilometres through the localities of Nanardine, Goonumbla and Trewilga (near the Newell Highway) to Peak Hill. The rail line passes through the western outskirts of Peak Hill to the west of the main residential area. It then extends through Tomingley West and Wyanga to where the rail upgrades finished just short of the township of Narromine.

The P2N Project was declared to be critical State significant infrastructure (CSSI) by virtue of Schedule 5, clause 7 of *State Environmental Planning Policy (State and Regional Development) 2011*. On 7th June 2018, the P2N Project was approved by the Minister of Planning under section 5.19 of the *Environmental Planning and Assessment Act 1979* and the Inland Rail – Parkes to Narromine Conditions of Approval (CoA) (SSI 7475) were issued.

At the federal level, the Parkes to Narromine Project was referred to the Commonwealth Department of Agriculture, Water and the Environment (previously Department of the Environment and Energy) in June 2016. On 11 October 2016, the P2N Project was designated as a controlled action under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). On the 11 October 2016, it was decided that the Project would be assessed via Bilateral Agreement with the state government of New South Wales. Following submission of the Environmental Impact Statement (EIS), the Project was approved with conditions on 31 August 2018 (EPBC 2016/7731). The controlling provision for the approval is listed threatened species and communities (sections 18 & 18A).

The P2N Project is generally located within the existing rail corridor between the towns of Parkes and Narromine, via Peak Hill (see **Figure 1** for exact location).

The key features of the Project included:

- Upgrading the track, track formation and culverts within the existing Rail Corridor including signal upgrade between Parkes and Narromine
- Providing three new crossing loops within the existing Rail Corridor at the nominated locations
- Providing a 5.3 km long rail connection between Inland Rail and the Broken Hill line to the west of Parkes ('the Parkes North-West Connection').

1.2 Purpose of this report

This report has been produced to address Condition 7 of the EPBC Act Approval (EPBC 2016/7731), which states:

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“Within three months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on its website addressing compliance with each of the conditions of this approval, as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. The approval holder must continue to make the report available on its website until such time as agreed in writing by the Minister.”

As the commencement of the action occurred on 18 February 2019, the 2019-2020 report was first published on the Inland Rail - Parkes to Narromine web page on 17 May 2020. The 2021-2022 report has therefore been prepared in accordance with the timeline for the Departments Consideration.

Refer to Table 2 for information on the compliance activities undertaken to fulfil the conditions outlined in EPBC 2016/7731.

Map 1 - Route and Location of the Parkes to Narromine Section of Inland Rail
 (Sourced from Inland Rail- Parkes to Narromine Submissions Report (February 2018))



Map 1 – Route and Locations of the Parkes to Narromine Section of Inland Rail (from EPBC 2016/7731)

1.3 Construction progress overview

Construction on the P2N Project commenced on 18th February 2019 and was commissioned as a completed project on the 21 September 2020. During the reporting period there was no remaining track construction work and activities consisted primarily of landscaping work. For a summary of construction activities in each construction section during the reporting period, refer to Table 1.

Table 1 Summary of construction activities in each construction section (as of December 2019)

CONSTRUCTION SECTION	CONSTRUCTION SUMMARY
North-West Connection	<ul style="list-style-type: none"> • Ongoing normal interstate business operations • Fencing assessments and installation completed. • Tamping / regulating. • Completed landscaping, stabilisation and drainage works
Section A1.1 Goonumbla to Mickibri	<ul style="list-style-type: none"> • Ongoing normal interstate business operations • Fencing assessments and installation completed. • Tamping / regulating. • Completed landscaping, stabilisation and drainage works
Section A1.2 Mickibri to Peak Hill	<ul style="list-style-type: none"> • Ongoing normal interstate business operations • Fencing assessments and installation completed. • Tamping / regulating. • Completed landscaping, stabilisation and drainage works
Section B Parkes to Goonumbla (CH460.6 – CH467.829)	<ul style="list-style-type: none"> • Ongoing normal interstate business operations • Fencing assessments and installation completed. • Tamping / regulating. • Completed landscaping, stabilisation and drainage works
Section A3.1 Peak Hill to Tomingley West	<ul style="list-style-type: none"> • Ongoing normal interstate business operations • Fencing assessments and installation completed. • Tamping / regulating. • Completed landscaping, stabilisation and drainage works
Section A3.2 Tomingley West to Narwonnah	<ul style="list-style-type: none"> • Ongoing normal interstate business operations • Fencing assessments and installation completed. • Tamping / regulating. • Completed landscaping, stabilisation and drainage works

Table 2 Compliance Table EPBC 2016/7731

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
1.	The person taking the action must:	-	-		
1a.	Implement conditions A1 – A4 of Part A, Schedule 2 of the State Infrastructure approval, where they relate to monitoring, managing, avoiding, mitigating, offsetting, recording, or reporting on, impacts to protected matters.	A1	The CSSI must be carried out in accordance with the terms of this approval and generally in accordance with the description of the CSSI in the Inland Rail – Parkes to Narromine Environmental Impact Statement, Volumes 1-6 (prepared by GHD and dated June 2017) and the Inland Rail – Parkes to Narromine Submissions Report (ARTC, dated February 2018) and <i>Addendum to the Inland Rail – Parkes to Narromine Biodiversity Assessment Report comprising vegetation mapping amendments and inclusion of temporary impacts</i> (Umwelt, dated April 2018) as amended by: (a) The Inland Rail – Parkes to Narromine <i>Modification of the Parkes to Narromine Conditions of Approval</i> (dated November 2020).	Compliant – ongoing	The P2N Project is being carried out generally in accordance with the terms of approval SSI 7475.

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
		A2	The CSSI must be carried out generally in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in in the EIS as amended by the Submissions Report unless otherwise specified in, or required under, this approval.	Compliant – ongoing	The P2N Project is being carried out generally in accordance with the terms of approval SSI 7475.
		A3	In the event of an inconsistency between the EIS as amended by the Submissions Report or any other document required under this approval, and a term of this approval, the term of this approval prevails to the extent of the inconsistency.	Compliant – ongoing	ARTC notes this commitment and will implement when necessary.
		A4	The Proponent must comply with all requirements of the Secretary in relation to:		
		A4 a)	the environmental performance of the CSSI;	Compliant – ongoing	The P2N Project is being carried out generally in accordance with the terms of approval SSI 7475.
		A4 b)	any document or correspondence under the terms of this approval in relation to the CSSI;	Compliant – ongoing	The P2N Project is being carried out generally in accordance with the terms of approval SSI 7475.

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
		A4 c)	any notification given to the Secretary under the terms of this approval;	Compliant – ongoing	The P2N Project is being carried out generally in accordance with the terms of approval SSI 7475.
		A4 d)	any audit of the construction or operation of the CSSI;	Compliant – ongoing	The P2N Project is being carried out generally in accordance with the terms of approval SSI 7475.
		A4 e)	compliance with the terms of this approval (including anything required to be done under this approval);	Compliant – ongoing	The P2N Project is being carried out generally in accordance with the terms of approval SSI 7475.
		A4 f)	the carrying out of any additional monitoring or mitigation measures; and	Compliant – ongoing	The P2N Project is being carried out generally in accordance with the terms of approval SSI 7475.
		A4 g)	in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.	Compliant – ongoing	The P2N Project is being carried out generally in accordance with the terms of approval SSI 7475.
1b.	Implement environmental management conditions C1- C8 of Part C, Schedule 2 of the State Infrastructure approval, where they relate to monitoring, managing, avoiding,	C1	A Construction Environmental Management Plan (CEMP) must be prepared in accordance with the Department's <i>Guideline for the Preparation of Environmental Management Plans</i> (DIPNR, 2004) to detail how the performance outcomes, commitments and	Compliant	The Parkes to Narromine Construction Environmental Management Plan (CEMP) was developed in accordance with Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004). The CEMP was implemented in accordance with this condition for the duration of construction. Construction

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
	mitigating, offsetting, recording, or reporting on, impacts to protected matters.		mitigation measures specified in the documents listed in the EIS and Submissions Report will be implemented and achieved during all stages of construction.		activities for the purposes of the Ministers Conditions of Approval have been completed on the P2N line.
		C2	The CEMP must provide:		
		C2 a)	a description of activities to be undertaken during construction (including the indicative scheduling of construction, and details on the layout and activities to be undertaken at each major construction ancillary facility);	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 1.5.1 Table 1-2 for a description of activities undertaken during construction.
		C2 b)	details of environmental policies, guidelines and principles to be followed in the construction of the CSSI;	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 1.4 for the environmental policy and Section 2 for legislative requirements.
		C2 c)	a schedule for compliance auditing;	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 7.3 for auditing.
		C2 d)	a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 3 for the environmental risk assessment and ongoing risk

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
			before the commencement of construction of the CSSI;		assessment for construction activities.
		C2 e)	details of how the activities described in subsection (a) of this condition will be carried out to:		
		C2 e) (i)	meet the performance outcomes stated in the EIS and Submissions Report; and	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 1.7 for the environmental performance targets and how they will be implemented through the mitigation measures outlined in the CEMP and subplans.
		C2 e) (ii)	manage the risks identified in the risk analysis undertaken in subsection (d) of this condition;	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 3 for risks identified as part of the Project.
		C2 f)	an inspection program detailing the activities to be inspected and frequency of inspections;	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Table 7-1 for a list of activities to be inspected and frequency of inspections.
		C2 g)	a protocol for managing and reporting any:		
		C2 g) (i)	incidents; and	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 6.1, which outlines the

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
					protocol for environmental incidents.
		C2 g) (ii)	non-compliances with this approval and with statutory requirements;	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 6.2, which outlines the protocol for non-conformances with statutory requirements.
		C2 h)	procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during construction;	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Sections 6.1 and 6.2, which outlines the protocol for environmental incidents and non-conformances with statutory requirements.
		C2 i)	a list of all the CEMP Sub-plans required in respect of construction, as set out in Condition C4. Where staged construction of the CSSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction;	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 4 for a list of the sub-plans.
		C2 j)	a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER;	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 5 for roles and responsibilities for site personnel.

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
		C2 k)	for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval; and	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 9 for training and awareness for site personnel.
		C2 l)	for periodic review and update of the CEMP and all associated plans and programs.	Compliant	Refer to Parkes to Narromine Construction Environmental Management Plan (CEMP), Section 11 for reviews.
		C3	The CEMP must be endorsed by the ER and then submitted to the Secretary for approval no later than one (1) month before the commencement of construction or where construction is staged, no later than one (1) month before the commencement of that stage.	Compliant	The Inland Rail Parkes to Narromine Project Construction Environmental Management Plan (5-0012-240-EEC-00-PJ-0003) was endorsed by the ER on 2nd November 2018 and was submitted to the Secretary for approval on the 2nd November 2018.
		C4	The following CEMP Sub-plans must be prepared in consultation with the relevant government agencies and relevant councils identified for each CEMP Sub-plan and be consistent with the CEMP referred to in the EIS.	Compliant	Noted
		C4 a)	Traffic, transport and access - RMS and relevant councils (as appropriate)	Compliant	The Traffic, Transport and Access Management Plan (5-0012-240-PMA-00-PJ-0002) was submitted

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
					to: i) NSW Roads and Maritime Services on 3rd October 2018 ii) Narromine Shire Council on 19th September 2018; and iii) Parkes Shire Council on 19th September 2018.
		C4 b)	Noise and Vibration - EPA and relevant councils	Compliant	The Noise and Vibration Management Plan (5-0012-240-PMA-00-PJ-0002) was submitted to: i) EPA on 27th September 2018; ii) Narromine Shire Council on 26th September 2018; and Parkes Shire Council on 26th September 2018
		C4 c)	Flora and Fauna - OEH and relevant councils	Compliant	The Flora and Fauna Management Plan (5-0012-240-EEC-00-PJ-0004) was submitted to: i) OEH on 17th September 2018; ii) Narromine Shire Council on 14th September 2018; and Parkes Shire Council on 14th September 2018.
		C4 d)	Air quality - Relevant councils	Compliant	The Air Quality Management Plan (5-0012-240-PMA-00-PJ-0001) was submitted to: i) Narromine Shire Council on 14th September 2018; ii) Parkes Shire Council on 14th September 2018.
		C4 e)	Soil and water - relevant councils and Crown Lands & Water	Compliant	The Soil and Water Management Plan (5-0012-240-PMA-00-PJ-009) was submitted to: i) Crowns Lands and Water on 25th

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
					September 2018; Narromine Shire Council on 14th September 2018; and Parkes Shire Council on 14th September 2018.
		C4 f)	Heritage - OEH	Compliant	The Heritage Management Plan (5-0012-240-ECH-00-PJ-0001) was submitted to: i) OEH on 28th September 2018
		C4 g)	Flood Emergency Management Plan - SES	Compliant	The Flood Emergency Management Plan (5-0012-240-IHY-00-PJ-0001) was submitted to: i) SES on 25th September 2018
		C4 h)	Hazardous and Contaminated Materials - EPA (as appropriate)	Compliant	The Hazardous and Contaminated Materials Management Plan (5-0012-240-EEC-00-PJ-0011) was submitted to: i) EPA on 27th September 2018
		C5	The CEMP Sub-plans must state how:		
		C5 a)	the environmental performance outcomes identified in the EIS and Submissions Report, as modified by these conditions, will be achieved.	Compliant	Please refer to Parkes to Narromine CEMP Sub-plans to demonstrate compliance with this condition.
		C5 b)	the mitigation measures identified in the EIS and Submissions Report, as	Compliant	Please refer to Parkes to Narromine CEMP Sub-plans to

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
			modified by these conditions will be implemented.		demonstrate compliance with this condition.
		C5 c)	the relevant terms of this approval will be complied with; and	Compliant	Please refer to Parkes to Narromine CEMP Sub-plans to demonstrate compliance with this condition.
		C5 d)	issues requiring management during construction, as identified through ongoing environment risk analysis will be managed.	Compliant	Please refer to Parkes to Narromine CEMP Sub-plans to demonstrate compliance with this condition.
		C6	The CEMP Sub-plans must be endorsed by the ER and then submitted to the Secretary for approval no later than one (1) month before the commencement of the construction activities to which they apply.	Compliant	All CEMP sub-plans were endorsed by the ER one month prior to construction (at a minimum).
		C7	Any of the CEMP Sub-plans may be submitted to the Secretary along with, or subsequent to, the submission of the CEMP.	Compliant	All CEMP sub-plans were submitted to the Secretary.
		C8	The Flora and Fauna Management Sub-plan must include:		
		C8 a)	a weed management plan;	Compliant	Refer to the Parkes to Narromine Pest and Weed Management

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
					Plan, which is subordinate to the Flora and Fauna Sub-plan.
		C8 b)	a hygiene protocol which includes best-practice management measures for the prevention of contamination by pathogens, non-indigenous regenerative plant material and seed. The protocol must apply to the movement of all tools, vehicles, machinery and personnel; and	Compliant	Refer to Parkes to Narromine Flora and Fauna Sub-plan, Section 5.3 for the Hygiene Protocol.
		C8 c)	measures to protect EPBC listed threatened species and ecological communities.	Compliant	Refer to Parkes to Narromine Flora and Fauna Sub-plan, Section 4.5 for measures to protect species and communities listed under the EPBC Act 1999.
1c.	Implement Biodiversity conditions E14- E20 of Part E, Schedule of the State Infrastructure approval, where they relate to monitoring, managing, avoiding, mitigating, offsetting, recording, or reporting on, impacts to protected matters.	E14	Any works associated with the CSSI must limit the clearing of native vegetation to the greatest extent practicable.	Compliant	The P2N Project has worked to limit clearing native vegetation to the greatest extent possible. This has been through design, with the Issued for Construction (IFC) Construction Impact Zone (CIZ) resulting a smaller impact footprint than was assessed and approved as part of the EIS. In addition to the IFC CIZ being reduced in size in comparison to the approved EIS footprint, there have been areas along the project where the physical clearing has also been reduced and native

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
					vegetation has been retained. Trees within the rail corridor have been assessed and kept if it was determined that keeping these trees did not create a safety risk to the eventual operational rail traffic.
		E15	Impacts to plant community types must not exceed those identified in the EIS and as amended by the <i>Addendum to the Inland Rail – Parkes to Narromine Biodiversity Assessment Report comprising vegetation mapping amendments and inclusion of temporary impacts</i> (Umwelt, dated 12 April 2018).	Compliant	The impacts to plant community types (PCTs) resulting from the IFC CIZ for the P2N Project are less than the impacts identified during the EIS stage. In addition to an overall reduction in impacts to native vegetation, the impact to each plant community type has also been reduced.
		E16	The Proponent must prepare and submit to the Secretary a Biodiversity Offset Strategy in accordance with the Framework for Biodiversity Assessment – NSW Biodiversity Offsets Policy for Major Projects, for the retirement of ecosystem and species credits as set out in Table E1 [refer Appendix 1]. The Strategy must be prepared in consultation with OEH and DAWE, and submitted to the Secretary for approval within 12 months of	Compliant	ARTC Inland Rail sought an extension to the submission of the Parkes to Narromine Biodiversity Offset Strategy (P2N BOS) in accordance with Condition A7 of SSI 7475. ARTC was granted a 90 day extension to submit the BOS. The BOS was duly submitted to DPIE for approval on 15 May 2020. Subsequently, on 9 July 2020 DPIE provided conditional approval to the BOS citing that the submitted BOS did not adequately meet Condition E16. DPIE duly requested that the submitted BOS be considered a

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
			the commencement of construction		<p>Preliminary BOS. The conditional approval was subject to the following conditions:</p> <ul style="list-style-type: none"> • A finalised BOS must be resubmitted to the Planning Secretary for approval within 14 calendar days of the BSSARs being verified and accepted by the BCT • The finalised BOS must include the accepted and verified Biodiversity Stewardship Site Assessment Reports (BSSARs) as attachments and the full Credit Calculator reports • The finalised BOS must fully address the Department's review comments detailed in the attached comments sheet. <p>The secretary initially granted an extension of the retirement of ecosystem and species credits as outlined in the 2019-2020 EPBC report submitted to the department. ARTC Inland Rail have been working with the Biodiversity Conservation Trust (BCT) to ensure that its Biodiversity Stewardship Agreement (BSA) applications are processed as quickly as possible,</p>

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
					<p>however due to matters outside BCT's control the BSA could not be processed in time to meet ARTCs nominally extended timeline and therefore subsequent extensions have been granted by the Secretary. The current timeline for the retirement of Biodiversity Credits is 9 July 2022. ARTC Inland rail continues to update DPIE monthly regarding progress against this matter.</p> <p>The submission of the Final BOS is pending approval of the Pinevale BSSAR relevant to the P2N project.</p>
		E17	Plant community types that provide habitat for impacted EPBC Act threatened species must be retired in a manner that achieves "like-for-like" habitat for the species.	Compliant	<p>The NSW Bilateral Agreement - Amending Agreement No. 1 accredits the NSW Biodiversity Offsets Scheme and biodiversity offsets delivered under the BOS are taken to meet the EPBC Act requirements. Therefore, the biodiversity credits to be retired will meet the like-for-like habitat requirements for EPBC Act listed species.</p> <p>There have been no amendments to the SSI approval or any other process which governs this requirement.</p>
		E18	The Proponent may review and update the ecosystem	Not triggered	The Project has not triggered this condition at this stage.

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
			and species credit requirements in Table E1 [refer Appendix 1] to reflect the final impact zone 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 OEH, DAWE and approved by the Secretary.		
		E19	The review and update of credit requirements must be undertaken by:		
		E19 a)	using the vegetation mapping identified in the Addendum to the Inland Rail – Parkes to Narromine Biodiversity Assessment Report (letter from Umwelt dated 12 April 2018); and/or	Compliant	This process will be used if a review of credits needs to be undertaken.
		E19 b)	completing verification surveys to confirm the extent, type and condition of native vegetation to be impacted	Compliant	This process will be used if a review of credits needs to be undertaken.
		E19 (continued)	Where verification surveys are undertaken, they must be in accordance with the Framework for Biodiversity Assessment – NSW Biodiversity Offsets Policy for	Compliant	As such, all verification surveys have been undertaken applying the Biodiversity Assessment Methodology (BAM) in accordance with Part 6, Division 2

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
			Major Projects. Any additional surveys must be undertaken at the time of year when the groundcover is most likely to be predominantly native.		of the <i>Biodiversity Conservation Act 2016</i> .
		E20	Within 12 months of the approval of the Biodiversity Offset Strategy, or within another timeframe agreed to by the Secretary, the Proponent must retire the biodiversity credits. 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:	Not triggered	<p>ARTC Inland Rail received a letter from the Biodiversity Conservation Division of the Department of Planning, Industry and Environment (formerly the Office of Environment and Heritage) on 2 October 2019 stating that “Biodiversity credits determined under the Framework for Biodiversity Assessment (FBA) that were not retired before the repeal of the <i>Threatened Species Conservation Act 1995</i> must be retired under the <i>Biodiversity Conservation Act 2016</i>. Therefore, any land-based offsets proposed by ARTC must meet the offset rules detailed in clauses 6.3- 6.4 of the <i>Biodiversity Conservation Regulation 2017</i>.”</p> <p>To assist with this, the Office of Environment and Heritage provided the Project with a statement of assessment of reasonable equivalence of biodiversity credits (received 5 October 2018).</p>

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
		E20 a)	acquiring and retiring “biodiversity credits” within the meaning of the Biodiversity Conservation Act 2016;	Not triggered	Not yet triggered as per the approval of extension granted for the retirement of credits as outlined in E16.
		E20 b)	making payments an offset fund that has been developed by the NSW Government;	Not triggered	Not yet triggered as per the approval of extension granted for the retirement of credits as outlined in E16. Making payments into the Biodiversity Conservation Fund is not required to meet the P2N credit obligation.
		E20 c)	providing supplementary measures.	Not triggered	Not yet triggered as per the approval of extension granted for the retirement of credits as outlined in E16. Providing supplementary measures is not required to meet the P2N credit obligation.
1d.	Notify the Department in writing of any application to modify the State Infrastructure approval no later than 2 weeks after lodgement, where the modification relates to a matter identified in Conditions 1a, 1b or 1c.			Not triggered	There have been no formal modifications to SSI 7475 regarding the conditions specified in this approval.
1e.	Notify the Department in writing of any			Not triggered	An administrative modification was determined on the 22

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
	approved modification to the State Infrastructure approval no later than 2 weeks after being notified by the NSW Government, where the modification relates to a matter identified in Conditions 1a, 1b or 1c.				December 2020 with respect to Operational Noise Compliance Report (ONCR) CoA E13 and Level Crossing Performance Report CoA E47.
2.	The person taking the action must not exceed the maximum disturbance limits, provided in Table 1 [refer to Appendix 1], within the proposal locations as per Map 1, to protect the EPBC listed threatened species habitat and ecological communities.			Compliant	The impacts to plant community types (PCTs) and threatened species habitat resulting from the IFC CIZ for the P2N Project are less than the impacts identified during the EIS stage. In addition to an overall reduction in impacts to native vegetation, the impact to each plant community type has also been reduced. This includes PCTs that correspond to ecological communities listed under the EPBC Act 1999.
3.	The approval holder cannot retire biodiversity credits that relate to EPBC Act protected matters by making payments into an offset fund that has been developed by the NSW	E20 b)	making payments an offset fund that has been developed by the NSW Government;	Not triggered	Not yet triggered as per the approval of extension granted for the retirement of credits as outlined in E16.

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
	Government, as referred to in Condition E20(b) of Part E, Schedule 2 of the conditions of State Infrastructure approval SSI-7475 dated June 2018, unless approved in writing by the Minister.				
4.	Within 20 business days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement of the action.		NA	Compliant	ARTC Inland Rail notified the Department of Agriculture, Water and the Environment of the commencement of action on 26 February 2019. Construction commenced on the Parkes to Narromine Project on 18 February 2019.
5.	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all management plans, reports, strategies and agreements referred to in these conditions of approval on their website. Each management plan, report, strategy and agreement must be		NA	Compliant	All required documents are publicly available on the Inland Rail Parkes to Narromine planning approvals page. Web link to P2N Planning Approvals

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
	published on the website within 1 month of being approved by the Secretary and remain there until at least 12 months following the completion of the action.				
6.	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans, reports, strategies and agreements required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of		NA	Not triggered	Noted, the Department of Agriculture, Water and the Environment has not made a request for records under section 458 of the EPBC Act 1999.

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
	approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.				
7.	<p>Within three months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on its website addressing compliance with each of the conditions of this approval, as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. The approval holder must continue to make the</p>		NA	Non-compliant	<p>This report will be published on the Inland Rail Parkes to Narromine planning approvals page prior to the 18 May 2022. (Web link to P2N Planning Approvals.)</p>

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
	report available on its website until such time as agreed in writing by the Minister.				
8.	Any contravention of the conditions of this approval (including contravention of a commitment made in a management plan, strategy, or agreement required by this approval) must be reported to the Department within 5 business days of the approval holder becoming aware of the contravention.		NA	Compliant	ARTC will ensure that this when applicable.
9.	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. An independent auditor nominated by the approval holder must be approved by the Minister prior to a		NA	Not triggered	ARTC will ensure this is facilitated should it be directed to undertake an independent audit in accordance with this condition.

EPBC	EPBC Condition	SSI	Relevant SSI 7475 Condition	Compliance Status	Explanation
	direction being given. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction_ of the Minister. The direction will allow at least 8 weeks for the audit to be conducted and submission of the report.				
10.	If, at any time after 5 years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of the Minister.		NA	Compliant	The P2N Project has been substantially commenced and subsequently been completed.

Appendix 1 Tables referenced in Project approvals

Tables referenced in EPBC 2016/7731

Table 3 Maximum Disturbance Limits (Table 1 from EPBC 2016/7731)

EPBC Act listed threatened species and ecological communities	Area of Maximum Disturbance (hectares)
White Box- Yellow Box- Blakely's Red Gum Grassy Woodland and Derived Native Grassland – Critically Endangered	33.22
Grey Box (<i>Eucalyptus macrocarpa</i>) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia - Endangered	61.74
Potential habitat for the Regent Honeyeater (<i>Anthochaera phrygia</i>) – Critically Endangered	21.22
Potential habitat for Superb Parrot (<i>Polytelis swainsonii</i>) – Vulnerable	160.47
Potential habitat for the Swift Parrot (<i>Lathamus discolor</i>) – Critically Endangered	21.22

Tables referenced in SSI 7475

Table 4 Biodiversity Credits to be Retired (Table E1 from SSI 7475)

Credit Type	EPBC Act equivalent EEC or habitat of EPBC Act listed threatened species	Number of Credits
Ecosystem Credits		
PCT26 Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion	Myall Woodland, Superb Parrot	219
PCT36 River Red Gum tall to very tall open forest/ woodland wetland on rivers on floodplains mainly in the Darling Riverine Plains Bioregion	Superb Parrot	54
PCT55 Belah woodland on alluvial plains and low rises in the central NSW wheatbelt to Piliga and Liverpool Plains regions	Superb Parrot	1409
PCT70 White Cypress Pine woodland on sandy loams in central NSW wheatbelt	Superb Parrot, <i>Tylophora linearis</i>	48
PCT76 Western Grey Box tall grassy woodland on alluvial loam and lay soils in the NSW South	Grey Box (<i>Eucalyptus macrocarpa</i>) Grassy Woodland and Derived Native Grasslands of South-Eastern Australia EEC	1793

Credit Type	EPBC Act equivalent EEC or habitat of EPBC Act listed threatened species	Number of Credits
Western Slopes and Riverina Bioregions	Superb Parrot, Regent Honeyeater, Swift Parrot	
PCT201 Fuzzy Box woodland on alluvial brown loam soils mainly in the NSW South Western Slopes Bioregion	Superb Parrot	88
PCT244 Poplar Box grassy woodland on alluvial clay-loam soils mainly in the temperate (hot summer) climate zone of central NSW (wheatbelt)	Superb Parrot	773
PCT267 White Box – White Cypress Pine – Western Grey Box shrub/ grass/ forb woodland in the NSW South Western Slopes Bioregion	White Box- Yellow Box- Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC Superb Parrot, Regent Honeyeater, Swift Parrot, <i>Tylophora linearis</i>	366
PCT276 Yellow Box grassy tall woodland on alluvium or parna loams and clays on flats in NSW South Western Slopes Bioregion	White Box- Yellow Box- Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC Superb Parrot, Regent Honeyeater, Swift Parrot, <i>Tylophora linearis</i>	1161
Species Credits		
Koala		711

Note: Credits have been calculated using the Framework for Biodiversity Assessment