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Via NSW Planning Portal: <https://www.planningportal.nsw.gov.au/major-projects>

Wednesday, 21 September 2022



Narromine to Narrabri (N2N) Inland Rail Response to Exhibition of Preferred Infrastructure and Amendment Report – Narrabri Shire Council Submission

Dear Sir/Madam


Thank you for the opportunity to provide feedback in relation to the above State Significant Infrastructure project. Please find enclosed Council's Submission Report in this regard which was formally endorsed at Council's Extraordinary Council Meeting held on 21 September 2022.

Should you have any questions or require any further clarification regarding the contents of this submission, please contact Council's Director of Planning and Strategy, Ms Donna Ausling on (02) 6799 6866 or by emailing council@narrabri.nsw.gov.au.

Yours faithfully,

Rob Williams
General Manager


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PREFERRED EXHIBITION & AMENDMENT REPORT FOR INLAND RAIL – NARROMINE TO NARRABRI (N2N)

SSI-9487

NARRABRI SHIRE COUNCIL SUBMISSION REPORT

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Precis

At its Extraordinary Council Meeting held on 20 September 2022 Council formally resolved as follows:

7.1 RESPONSE TO EXHIBITION OF PREFERRED INFRASTRUCTURE AND AMENDMENT REPORT FOR INLAND RAIL - NARROMINE TO NARRABRI (N2N)

MINUTE 286/2022

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

1. That Council endorse the draft submission to the NSW Department of Planning and Environment in response to the exhibition of the Preferred Infrastructure and Amendment Report for Inland Rail Narromine to Narrabri (N2N) section, Application Number SSI-9487 as shown as Attachment 8 to this report.

In Favour: Crs Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

7.2 AMENDMENT TO INLAND RAIL SUBMISSION

MINUTE 289/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

1. That the following inclusion to the executive summary to the response to Exhibition of Preferred Infrastructure and Amendment Report for Inland Rail be deemed a Matter of Great Urgency;
 - a. That Narrabri Shire Council asks the Minister to take note of the concern that Inland Rail/ARTC, as requested, has not assessed the Narrabri Alternative Route (as proposed by the Narrabri Inland Rail Concerned Residents Group). The alternate route proposal has been submitted by engineers, hydrologists, surveyors and the broader Narrabri community members since March 2018.
 - b. The Narrabri Alternative Route appears to save hundreds of millions of dollars and minimises flood impacts. This is supported by the WRM study commissioned by the Narrabri Inland Rail Concerned Residents Group. Narrabri Shire Council, with the current route

selection, is unfunded for significant connectivity costs for the proposed Inland Port and the Special Activation Precinct (SAP).

2. That Council write to the relevant Minister pointing out its concerns as above be deemed a Matter of Great Urgency.

The Chair ruled the business to be of Great Urgency

In Favour: Crs Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

Executive Summary

In accordance with Council's resolution under Minute No. 289/2022 at its September 2022 Extraordinary Council Meeting, and as reproduced in the preceding section, the following is formally advised:

- a. That Narrabri Shire Council asks the Minister to take note of the concern that Inland Rail/ARTC, as requested, has not assessed the Narrabri Alternative Route (as proposed by the Narrabri Inland Rail Concerned Residents Group). The alternate route proposal has been submitted by engineers, hydrologists, surveyors and the broader Narrabri community members since March 2018.
- b. The Narrabri Alternative Route appears to save hundreds of millions of dollars and minimises flood impacts. This is supported by the WRM study commissioned by the Narrabri Inland Rail Concerned Residents Group. Narrabri Shire Council, with the current route selection, is unfunded for significant connectivity costs for the proposed Inland Port and the Special Activation Precinct (SAP).

Introduction & Background

The submitted State Significant Development documentation states that the Federal Government has made a commitment to delivering a significant piece of national transport infrastructure by constructing a high performance and direct interstate freight corridor between Melbourne and Brisbane, via central-west NSW and Toowoomba in Queensland. The stated objective is enhancing Australia's existing rail network and serving the interstate freight market. The Inland Rail route is approximately 1,700 kilometres long and entails:

- Using the existing interstate rail line through Victoria and Southern NSW;
- Upgrading 400km of existing track, mainly in Western NSW; and
- Providing about 600km of new track in NSW and South-east Queensland.

It is understood that the Inland Rail program has been divided into 13 sections, 7 of which are located in NSW. ARTC is seeking approval to construct and operate the Narromine to Narrabri (N2N) section of Inland Rail. This proposal consists of approximately 306km of new single-track standard-gauge railway with crossing loops. The proposal would link the Parkes to Narromine section of Inland Rail located in central-west NSW with the Narrabri to North Star (N2NS) section of Inland Rail. The proposal also includes changes to some roads to facilitate construction and operation of the new section of railway, and associated ancillary infrastructure to support the proposal.

The proposal is declared State Significant Infrastructure (SSI) and Critical State Significant Infrastructure under Division 5.2 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act). It is further understood that the proposal is permissible without development consent and is subject to assessment and approval by the NSW Minister of Planning. The proposal is also a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) and requires approval from the Australian Government Minister for the Environment.

An environmental impact statement (EIS) was prepared to support ARTCs application for the approval of the proposal. The EIS was placed on public exhibition by the then Department of Planning, Industry and Environment (DPIE) commencing on 8 December 2020 and concluding on 7 February 2021. In response to the exhibition period two (2) submissions were made on behalf of Council which are reproduced on the Department's website and have been considered as part of the Proponent's Response to Submissions Report.

On 26 April 2022, in response to a Notice of Motion, Council resolved as follows under Minute No. 114/2022:

15.13 NOTICE OF MOTION - INLAND RAIL LETTER TO DPIE

MINUTE 114/2022

Moved: Cr Greg Lamont Seconded: Cr Rohan Boehm

1. That Council's Acting General Manager write to the Department of Planning and Environment, indicating the following:

- (a) That Council supports the concept of the inland rail and acknowledges the positive contributions and opportunities it will make to both the Narrabri Shire and the wider Australian community.
- (b) That further to its letter of 5 February 2021, Council does not support the current proposed alignment as it does not provide an optimum outcome for the Narrabri Shire.
- (c) That Council reaffirms the issues raised in the report presented at the 27 January 2021 Ordinary Council Meeting on the Inland Rail EIS and adopts the contents of that report. Including flooding, noise and vibration, devaluation of property, impacts on Council infrastructure and visual impacts.
- (d) That Council holds concerns regarding the impact the proposed route will have on future employment land opportunities.
- (e) That Council requests the integration of planning for the Inland Rail route with an examination of works north of Narrabri which may be required to mitigate flooding issues, as a result of natural conditions and previous planning approvals.

In Favour: Crs Ron Campbell, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 6/0

Council subsequently corresponded with the NSW Department of Planning and Environment (DPE) on 27 April 2022 in relation to the above. A copy of this correspondence is Appended to this Submission

It is noted that in April 2021 the Planning Secretary directed the ARTC under the EP&A Act to prepare a PIR to:

- Address the hydrology and flooding impacts of the project, as raised in submissions including Narrabri Shire Council and the Floodplain Risk Management Advisory Committee (FRMAC) Committee submissions detailed in the preceding section, and by the independent review of hydrology undertaken by Bewsher Consulting.
- Provide appropriate justification and information on the design of the project and alternative rail alignments considered, particularly near the town of Narromine and Narrabri and how these alternatives were analysed to inform the selection of the preferred route.

A separate Response to submissions Report has been prepared, which includes consideration of the issues raised by the community, agencies and other stakeholders in their submissions.

In addition to the above, supplementary biodiversity, flooding and hydrology, noise and vibration, social, Aboriginal cultural heritage, and traffic assessments have been undertaken by the proponent since the exhibition period. It is further noted that a route selection summary report has been prepared to respond to the NSW DPE direction providing additional information on alternative rail alignments considered and how these alternatives were analysed to inform the selection of the preferred route.

Significant local community interest continues to be expressed in relation to the N2N Inland Rail Project.

Local Context

Narrabri Shire is a local government area in the North West Slopes region of NSW. The primary settlement of Narrabri is located adjacent to the Namoi River and at the confluence of the Newell and Kamilaroi Highways. The local government area (LGA) is strategically positioned halfway between Sydney and Brisbane, and is considered to be resource-rich. Key local industries include mining and agriculture. At the last census (2021) the resident population was 12,703 persons.

Narrabri is considered to be one of the most flood-prone communities in NSW.

Narrabri Shire Council's vision is articulated in the Community Strategic Plan as follows:

"Narrabri Shire will be a strong and vibrant regional growth centre providing a quality living environment for the entire Shire community."

Narrabri has recently been announced as a special activation precinct (SAP) location. The SAP master planning process for Narrabri is currently underway by NSW DPE.

Through the SAP process, it is anticipated that energy-intensive industries and manufacturers, such as plastics, fertilisers and construction material producers will be able to confidently set up in Narrabri with access to commercial quantities of domestic market gas, enabled by the Narrabri Gas Project. It is also anticipated that a significant amount of investment will be undertaken in the renewable energy sector in accordance with the overarching objectives of the NSW Government's Net Zero Plan.

The precinct will also leverage key infrastructure such as the Inland Rail, the Narrabri West Walgett Railway line and the proposed Narrabri Industrial and Logistics Hub to give investors access to global supply chains and markets. Further information in relation to the Narrabri SAP is available via:

<https://www.nsw.gov.au/snowy-hydro-legacy-fund/special-activation-precincts/narrabri>

Flooding & Flood Risk

Floodplain Risk Management Advisory Committee (FRMAC) Feedback:

In the formulation of this submission response Council consulted with the FRMAC which is an Advisory Committee to Council. Relevant feedback from this Committee is reproduced below and a full transcript of the commentary provided in relation to this proposal is available from the corresponding Council Report presented to the Extraordinary Council Meeting held on 20 September 2022:

1. ARTC stick to there (sic) commitment to alter design to bring affected areas on Wee Waa Rd to less than 10mm or better afflux in 1% AEP.
2. ARTC confirm that there will be no affects on 20%, 10%, 5%, and 2% AEP events.
3. ARTC to confirm there will be no adverse affects to structures for events caused by local runoff with flash flooding.
4. This route does not meet the Department of Planning & Environment (DPE) Quantitative Design Limits (QDL's) for flood afflux (13 habitable building and 3 non-inhabitable buildings for the 1% AEP (1:100 year).
5. There are also 11 habitable buildings with above floor flooding and 1 habitable building with below flood (sic) flooding which also exceed the DPE duration QDL's. Presumably this is for the whole N2N route.

Flooding Consultant Feedback:

Council's Flooding Consultant, Mr Greg Roads of WRM Water + Environment has provided the following feedback in relation to the proposal which is reproduced for the information of the Department:

6. "Namoi River Flooding"

The Narrabri flood model has not been changed from the previous assessment, which is reasonable. The model shows the following number of dwellings would experience increased above floor level flooding by more than 0.01m:

- 1 by the 20% AEP event
- 4 by the 5% AEP event
- 27 by the 1% AEP event
- 145 by the 0.2% AEP event

The locations of the impacted properties are not clear but would appear to be centred around the Wee Waa Road. There are a number of properties that do not satisfy the other flood assessment criteria. I do not have the models to assess how the bridge culvert blockages have been modelled.

Mulgate/Horsearm Creek

Modelling of the local catchments of Mulgate Creek/Horsearm Creek has now been undertaken. The modelling shows that an additional three buildings would be flooded above floor level by the 1%AEP event. Note that they predict that one dwelling would no longer be inundated. This is not correct as there is an instability in their model run. We have advised them of the issue, but it has not been resolved.

Bohena Creek Flooding

ARTC have not updated the assessment for Bohena Creek as part of the main report. Of note, ARTC estimate that there would be 33 dwellings inundated by the 5% AEP event under existing conditions, which does not appear correct. For this scenario, they predict 13 habitable properties would be impacted by the 1% AEP event.

ARTC have however provided an addendum report that investigated the impact of the rail on Bohena Creek when the WRM discharge estimates are adopted. As expected, no impacts on properties were predicted given that the structures have been designed for much higher flows."

Recommendation:

In relation to flooding and flood risk, that the Department ensures:

- **The above consolidated feedback is reviewed and fully considered as part of project assessment activities;**
- **Any flooding matters pertaining to the project are both managed and mitigated in accordance with available best practice and legislative responsibilities/obligations;**
- **Ongoing community consultation and meaningful engagement be undertaken in respect of project-allied flood risks;**
- **Flood information pertaining to the project be provided in a user-friendly and accessible format; and**
- **Flooding matters and associated social impacts are a keystone of a Social Impact Management Plan (SIMP) for this Project.**

Biodiversity

7. It is noted that one of the significant changes to the project relates to biodiversity impacts. Approximately 1,791ha of native vegetation would need to be removed for the proposal, as opposed to the 1,732 previously predicted. A total of 49,052 ecosystem credits are now required. Errors in the previous methodology and assessment have also been identified.
8. Biodiversity impacts of this scale are likely to be of the ongoing interest and concern to the community.

Recommendation:

In relation to biodiversity impacts of the proposal, that the Department ensures:

- That the proponent meets all of its legislative obligations pursuant to the *Biodiversity Conservation Act 2015* (NSW) and the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth);
- Appropriate safeguards and control mechanisms are put in place to both monitor and manage biodiversity impacts and outcomes; and
- Council be afforded with the opportunity to review and provide feedback on the required Biodiversity Management Plan.

Temporary Workforce Accommodation Facility

9. Council has ongoing concerns regarding the operation and location of the Temporary Workforce Facility. It is not supported in its proposed location due to the following reasons:
 - The existing, well-established and centrally located Narrabri Civeo facility is currently under capacity and has existing approvals in place permitting significant further expansion;
 - Flood prone nature of the land;
 - Potential impact on Council services; and
 - Social impacts.

Recommendation:

In relation to the Temporary Workforce Accommodation Facility, that the Department:

- Omit the Temporary Workforce Accommodation Facility from the project approval; and
- That the workforce facility, should it proceed, be subject to the same rigour of assessment and approval/operating conditions as the current temporary workforce facilities operated in the Shire.

Stakeholder Engagement

10. The compressed nature of the public exhibition period which has created organisational stress during a period of unprecedented development activity. A review of over 4000 pages of information has been required in only twenty one (21) days.
11. The response to Council's previously communicated concerns in relation to Stakeholder Engagement within the Response to Submissions Report (section 4.3.2) is noted.
12. It is acknowledged that approval for the proposed Borrow Pit D, located at Jacks Creek, is being sought and approval/concurrence from Narrabri Shire Council is not required.

Recommendation:

In relation to community engagement, that the Department ensures:

- That the proponent continues to engage with Council, as a key local stakeholder, in a proactive and meaningful fashion in line with established and proposed mitigation measures;
- The community engagement framework is routinely reviewed to respond to changing community and stakeholder needs and expectations and in a sufficiently agile manner;
- A Social Impact Management Plan (SIMP) be prepared in relation to the project and in consultation with Council prior to final project approval;
- Formal consultation be undertaken with Council in the preparation of any Traffic, Transport and Access Management Plan(s);
- Formal consultation with Council be undertaken in the preparation of any Construction Environmental Management Plans (CEMPs) and associated sub-plans; and
- Ongoing, timely and proactive engagement with Council be undertaken in respect of:
 - Use and occupation of local roads (including section 138 approvals being obtained from Council pursuant to the requirements of the *Roads Act 1993*);
 - Potential impacts and interfaces with water and sewer utilities including an opportunity to review and provide feedback on a utilities management framework;
 - Local heritage management; and
 - The proposed traffic, road network and general environmental impacts in respect of proposed Borrow Pit D, located at Jacks Creek be fully considered and managed, including an opportunity to review and provide feedback on any Quarry Management Plans (or their equivalent).

Heritage

13. Council had previously communicated concern regarding the reliance of desktop heritage assessments for Aboriginal Cultural Heritage and Historic Heritage. It is noted that additional ground truthing and analysis has been undertaken to inform project decision-making as part of the submitted PIR and Amendment Report documentation.

Recommendation:

In relation to heritage matters generally, that the Department ensures:

- Council is afforded with the opportunity to provide feedback and input into any subsequent Heritage Management Plan(s); and
- Ongoing engagement is undertaken throughout the construction phase of the project with Council's appointed Heritage Advisor.

Traffic & Transport

14. *Technical Report 10 – Traffic and Transport Assessment* (as amended) associated with the PIR and Amendment Report has been reviewed by Council's Infrastructure Delivery (ID) Team. Team representatives have advised that much of the historical feedback remains valid. Consequently, the Department's attention is drawn to the contents of the Council's previous submission in this regard.

Recommendation:

In relation to traffic and transport matters that the Department ensure:

- **The contents of Council's original submission in relation to traffic and transport matters are appropriately considered and assessed, particularly impacts on the residential road network and community safety, and road condition assessments (including road dilapidation assessment methodology);**
- **The use of the residential road network for construction traffic, particularly Gibbons Street, is not supported. Internal haul roads should be utilised as far as is reasonably practicable; and**
- **Council is afforded with an opportunity to review and provide feedback on the requisite Traffic, Transport and Access Management Plan(s) and any proposed haul routes prior to project approval.**

Utilities

15. Council previously communicated concern regarding the impacts on local utilities and highlighted the need for a comprehensive utilities investigation to be undertaken.

Recommendation:

In relation to utilities, that the Department ensures:

- **Council is afforded with the opportunity to review and provide feedback on utility management plan(s) prior to project approval; and**
- **The cost of upgrade or relocation of Council utility services shall be the full responsibility of the proponent and undertaken in full consultation with Council.**

Landscape & Visual Amenity

16. It is considered that insufficient information continues to exist in relation to landscape and visual amenity considerations, as previously communicated to the Department. Landscape and visual amenity remain an issue of considerable local interest. It is not considered appropriate to defer this matter to the detailed design phase.

Recommendation:

In relation to landscape and visual amenity, that the Department ensure:

- Council's input is formally sought to the proposed Urban Design and Landscape Plan which is prepared in accordance with the *ARTC Rail Landscape and Rehabilitation Strategy* and the *Inland Rail Landscape and Rehabilitation Framework* prior to project approval; and
- A robust community and stakeholder engagement framework be embedded in the abovementioned Plan preparation.

Noise & Vibration

17. Council notes the updated Noise and Vibration Assessment Report. The need to adequately consider, assess, manage and mitigate noise and vibration impacts in relation to the proposal is reiterated.

Recommendation:

In relation to noise and vibration impacts, that the Department ensures:

- The potential noise and vibration impacts on affected receivers are appropriately managed and mitigated in accordance with overarching legislation and best practice guidelines;
- A sufficiently robust Communication Management Plan is administered and the effectiveness of such a Plan be monitored and progressively reported on to the Approval Authority; and
- Council's input is formally obtained to the project's Construction Environmental Management Plan (CEMP) and supporting sub-plans.

Waste Management

18. Council notes the proposed application of the waste minimisation hierarchy and clarification on waste management approaches contained within the addendum documentation.

Recommendation:

In relation to waste management considerations, that the Department ensures:

- A Waste Management Plan is prepared in consultation with Narrabri Shire Council; and
- All efforts are made to avoid the disposal of project-allied waste to Council landfill(s).

Social Impacts

19. The preparation of additional supporting documentation in the form of the Addendum Social Assessment is noted, in addition to the analysis of potential cumulative impacts.

Recommendation:

In relation to social impacts considerations, that the Department ensures:

- A Social Impact Management Plan (SIMP) is prepared in relation to the proposal in consultation with Narrabri Shire Council which addresses the full suite of potential identified social impacts; and
- A Stakeholder Engagement Coordination Group be established as soon as reasonably practicable. Such a Group should meet at least quarterly and include, but not be limited to key stakeholders being ARTC and its appointed Contractor, Council, emergency services, and State and Commonwealth Agencies; and
- A Community Enhancement Fund (or equivalent) be established in relation to the project.

Project Legacy Items

20. Limited information and commitment is contained within the available documentation regarding agreed project legacy items which has created uncertainty and potential lost opportunities.

Recommendation:

In relation to potential legacy items, that the Department ensures:

- That appropriate measures are put in place to formalise and document agreed project legacy items. Specific focus should be provided on ensuring project legacy items achieve alignment with Council's adopted Integrated Planning and Reporting (IP&R) framework.

Connectivity & Grade Separation

21. Both the proponent and the Department are familiar and well conversed with the current Narrabri Special Activation Precinct (SAP) investigations. It is noted that the design includes a grade separation of Inland Rail over the Walgett Branch at a height that does not allow for double stacking from the Northern Inland NSW Port site (N2IP). Council reiterates its previous request that the ARTC take the opportunity to raise the line height now, with the view of avoiding retrofitting and associated escalating infrastructure costs.

Recommendation:

In relation to potential connectivity options, that the Department in consultation with ARTC:

- Consider opportunities to bring forward Interface Improvement Program outcomes, and any complementary infrastructure, to provide optimum community benefit.

Conclusion

22. It is acknowledged that the Federal Government has made a commitment to delivering a significant piece of national transport infrastructure through the proposed construction of a high performance and direct interstate freight corridor between Melbourne and Brisbane with the view of enhancing Australia's existing rail network and serving the interstate freight market. As detailed in Council's resolution under Minute No. 114/2022, and as reflected in correspondence to the Department dated 27 April 2022 the concept of Inland Rail is strongly supported by Council and the wider Narrabri Shire community.
23. As previously articulated to the Department, with the view of realising direct benefits to Narrabri Shire and its environs, it is essential that the Proponent demonstrates that:
 - a) The rail operations will not negatively impact on the local community;
 - b) The project appropriately addresses local flooding;
 - c) Opportunities to interface efficiently and effectively with Inland Rail are capitalised upon upfront;
 - d) Ensure that the proponent has undertaken rigorous consideration and evaluation of all project alternatives, including the chose alignment; and
 - e) Potential construction legacy items are managed in such a fashion that the community is able to directly benefit from their ongoing use and application.
24. Council thanks the Department for the opportunity to provide feedback in relation to this nationally significant infrastructure project. Should you require any additional information in this regard you are invited to contact Council's Director Planning and Strategy.