

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant infrastructure
Application number and project name	SSI 7474 Inland Rail - Narrabri to North Star Phase 1
Applicant	Australian Rail Track Corporation
Consent Authority	Minister for Planning and Public Spaces

Decision

The Minister for Planning and Public Spaces has, under section 5.19 of the *Environmental Planning and Assessment Act 1979* (**the Act**) approved the infrastructure application subject to the recommended conditions.

A copy of the infrastructure approval and conditions is available [here](#).

A copy of the Planning Secretary's Assessment Report is available [here](#).

Date of decision

13 August 2020

Reasons for decision

The following matters were taken into consideration in making this decision:

- the matters listed in the statutory context section of the Planning Secretary's Assessment Report;
- the Objects of the Act;
- all information submitted to the Department during the assessment of the application;
- the findings and recommendations in the Planning Secretary's Assessment Report; and
- the views of the community about the project (see **Attachment 1**).

The findings and recommendations set out in the Planning Secretary's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for approving the application are as follows:

- the project would:
 - improve intercity and intracity general and freight transport connections;
 - improve freight travel times and increased network capacity;
 - increase access for freight across the rail network, as well as ensure safe, efficient and sustainable freight access between regional NSW and ports; and
 - provide transport and economic development opportunity in regional NSW.
- the project has been endorsed by the NSW Government and is a key component of:
 - *2020 Infrastructure Priority List of Infrastructure Australia*;
 - *NSW State Infrastructure Strategy 2018-2038*;
 - *Future Transport Strategy 2056*;
 - *Regional NSW Services and Infrastructure Plan*; and
 - *NSW Freight and Ports Plan 2018-2038*.
- the impacts on the community and the environment can be appropriately managed, minimised, or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. Additionally, conditions relating to biodiversity offsets, flooding, noise and property access have been imposed;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of approval (where applicable); and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Environmental Impact Statement (EIS) was publicly exhibited from Wednesday 15 November 2017 until Friday 15 December 2017 (31 days) on the Department’s website and received submissions from six State government agencies, two local government councils and ten community submitters. The community submitters comprised seven individuals and three special interest groups and organisations.

The Department also undertook the following consultation activities:

- two site visits before and after the EIS exhibition and assessment process;
- held meetings with Moree Plains, Narrabri and Gwydir Shire Councils; and
- met with a representative of the Moree Local Aboriginal Land Council.

The key issues raised by the community (including in submissions) and considered in the Planning Secretary’s Assessment Report include project need; noise and vibration; traffic, transport and access; land use and property and air quality.

The Proponent detailed project amendments through a Submissions and Preferred Infrastructure Report (SPIR), which included the removal of the floodplain section of the proposal and expansion of the construction footprint.

The Submissions and Preferred Infrastructure Report was publicly exhibited from Wednesday 11 December 2019 until Friday 31 January 2020 (51 days) on the Department’s website. A total of nine submissions were received including seven from government agencies and two from councils. No public submissions were received.

Issue	Consideration
<p><u>Project need</u></p> <ul style="list-style-type: none"> • economic justification for the project. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department is satisfied that construction of Inland Rail will result in economic benefit for rural and regional areas, creating a catalyst for economic development opportunities in regional NSW. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> • No conditions of approval are required in this regard.
<p><u>Operational noise and vibration</u></p> <ul style="list-style-type: none"> • increase in noise generated from increased frequency and lengths of trains and use of train horns • requirement for noise mitigation (such as noise walls) • vibration impacts to older dwellings • operational noise impacts on Croppa Creek Bowling Club. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • Increased frequency of trains operating from 2025 will increase noise impacts to receivers adjacent to the rail corridor, however rail noise guidelines provide a framework for mitigation. • Measures include various engineering approaches to reduce noise at the source, near the source (noise walls, noise mounds) and at-receiver treatments. • The main sources of construction vibration would be excavation, rolling, piling and compaction works. Noise Management Levels are expected to be exceeded, which is reflective of a low background noise level. • Operational noise levels at Croppa Creek Bowling Club will not exceed relevant <i>Rail Infrastructure Noise Guidelines</i> mitigation thresholds. Train movements would be infrequent (approximately one every two hours) and are not expected to significantly impact on the amenity of club users. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> • An Operational Noise and Vibration Review must be undertaken to monitor effectiveness of mitigation treatments and noise performance and determine whether additional mitigation is required. These treatments will be offered after landowner consultation. • Operational noise mitigation measures, such as architectural treatments will be brought forward and implemented during the early stages of construction to assist in addressing construction noise impacts.

- An Operational Noise Compliance Report (ONCR) must be provided to report on operational stages of the project to verify noise performance and to detail performance of the proposed mitigation measures.
- Requirements to comply with construction vibration criteria for human comfort and structural integrity; pre-and post-construction dilapidation surveys; and landowner notification before construction that generates vibration commences in the vicinity of properties.
- Construction noise will be managed through established environmental management measures, including respite periods, underpinned with comprehensive community consultation.

Traffic, transport and access

- access to private property during construction and from crossing loops
- retention of private level crossings to ensure ongoing daily operations, particularly farming
- traffic and access impacts caused by the construction and operation of the road bridge over Jones Avenue
- suggest consideration of a southern bypass to remove trucks from Moree.

Assessment

- Access to some private properties will be impacted during construction and operation.
- Temporary traffic impacts will occur during construction; however, these impacts will generally be minor in nature.

Recommended Conditions/Response

- Provide affected properties with temporary alternate road and level crossing access as agreed with the landowner and subject to rail safety requirements.
- Evaluate all level crossings affected by the project in consultation with stakeholders to determine whether crossings should be retained, upgraded, consolidated or closed.
- Preparation and implementation of a Transport Network and Connectivity Analysis, that will consider any redistribution of heavy vehicle movements through the residential and commercial areas of Moree.

Landuse and Property

- the project would devalue property.

Assessment

- Amenity impacts will occur during construction and operation of the project, however appropriate mitigation measures will reduce impacts to an acceptable level.
- Impact on property values is not assessed under the *Environmental Planning and Assessment Act 1979*.

Air Quality

- increase in air pollution from operation of the rail line.

Assessment

- The project will have minimal air quality impacts as a result of the increase in number of freight trains traversing the upgraded rail corridor.

Recommended Conditions/Response

- Operational air quality impacts associated with the project will be managed through the Proponent's Environmental Protection Licence.