

6 July 2022

ARTC REF# 6-0000-260-EEC-00-LT-0192

Grant Brown
A/Team Leader
Department of Planning and Environment
4 Paramatta Square
12 Darcy Street
Paramatta, NSW 2150

Email: grant.brown@dpie.nsw.gov.au

Dear Grant,

**CSSI 7474 Narrabri to North Star (N2NS), Phase 1 Project
Submission of Flood Design Verification Report
Minister's Conditions of Approval E27 to E31**

I refer to Minister's Conditions of Approval (**MCoA's**) issued for the Critical State Significant Infrastructure (**CSSI**) Project No. 7474 Narrabri to North Star, Phase 1 dated 13 August 2020 (**N2NS Planning Approval**), and specifically MCoA's E27 to E31 related to flooding and the preparation and submission of a Flood Design Verification Report (**FDVR**).

I also refer to MCoA E28 that in summary requires compliance with the Quantitative Design Limits (**QDLs**) to be demonstrated in a **FDVR**; the flood modelling informing the FDVR to be developed in consultation with Environment, Energy and Science Group (**EES**), relevant councils and Transport for NSW (**TfNSW**); as well as the flood model and results to be independently peer-reviewed and 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.

I further refer to MCoA A5 and the Department of Planning and Environment's (**Department**) letter dated 18 February 2022 requesting ARTC update the FDVR to include evidence of consultation with all parties listed in MCoA E27. As previously outlined by ARTC (ref: 6-0000-260-EEC-00-LT-0099), ARTC has undertaken extensive and exhaustive consultation with all relevant stakeholders and has continued to actively engage with the remaining comments from EES and TfNSW since February 2022 in an effort to get closure.

ARTC has since received confirmation from EES that their comments have been closed, however after numerous attempts TfNSW has remained unresponsive and unwilling to work with ARTC to close out their remaining comments. As such, ARTC have provided commentary within the FDVR related to MCoA A5 (e) where a description of the outstanding issues / non-conformances raised by TfNSW and the reasons why they have not been closed is addressed. ARTC and its designer have carefully reviewed and considered the outstanding issues / non-conformances raised by TfNSW and do not believe these to be material. In addition to a Hydrology and Drainage signoff, as requested by TfNSW this has also now

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been evidenced with a signoff by a suitably experienced and qualified Landscape and Soils Specialist, and this written advice has also been provided to TfNSW. As discussed with you, noting the lengthy and exhaustive steps ARTC has taken to try and reach a mutually agreed closure to the TfNSW comments / non-conformances, and given the significant lapse of time this has taken to date, in the circumstances, ARTC considers it now reasonable and appropriate to finalise the FDVR.

In this regard it is noted that MCoA E32 requires ARTC for the first 15 years of operation to monitor and prepare Flood Review Report(s), and where it is found that the observed extent and level of flooding or other flooding or erosion impacts exceed those predicted in the FDVR, and where the cause is attributable to N2NS, then ARTC has obligations in accordance with MCoA E32(c) which it remains committed to meeting. This would therefore appear to leave negligible residual risk to TfNSW and the Department with moving forward at this stage.

As per MCoA E29, it should also be noted that ARTC are submitting the required Independent Peer-Review report and peer reviewers' endorsement as an Appendix to the FDVR. ARTC notes that a representative from EES has expressed interest in reviewing and commenting on this deliverable. The MCoA's however do not indicate this is required, and in fact MCoA E28 only requires consultation with EES in regards to the flood modelling which informs the FDVR. ARTC therefore does not consider any further reviews of this deliverable or aspect of the FDVR by any stakeholders is necessary to comply with the requirements of the MCoA's.

In accordance with MCoA E29, ARTC now formally submits the final FDVR and all appendices necessary to meet the requirements of MCoA's E27 to E31 inclusive, to the Planning Secretary for information.

I trust this now concludes the deliverables required for information to the Planning Secretary under MCoA's E27 to E31 inclusive, and look forward to working closely with your teams to achieve practical environmentally balanced and sustainable outcomes for all stakeholders.

Should you have any further questions, please do not hesitate to contact Tina Stewart, Environment Manager – Delivery on 0438 339 075 or tstewart@artc.com.au or me on 0407 254 363 or pborrelli@artc.com.au in the first instance.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'P. Borrelli'.

Peter Borrelli
Project Director N2NS
6 July 2022

Attachment 1: FDVR Main Report incl. Appendix A – Appendix L.