



Friday, 23 September 2022

Narromine Shire Council

Response to Preferred Infrastructure and Amendment Report
State Significant Infrastructure

Inland Rail- Narromine to Narrabri SSI-9487

Contents

Executive Summary	iv
1. Introduction.....	1
2. Post Approval Processes	2
3. Social and Economic Issues	4
3.1 Updated mitigations relating to social impacts, communication and engagement ...	4
3.2 Social Impact Management Plan.....	5
3.3 Communicating with local communities.....	6
3.4 Workforce accommodation	7
3.4.1 Overview.....	7
3.4.2 Narromine North workforce accommodation facility	7
3.4.3 Narromine South multipurpose compound and workforce accommodation facility	7
3.4.4 Mobile accommodation facilities within general compounds.....	8
3.4.5 Temporary Workforce Accommodation Plan.....	8
3.4.6 Council's preference for management of workforce accommodation	9
3.5 Impacts on local industry and employment	9
3.6 Impacts on local health and emergency services	10
3.7 Aboriginal community and stakeholder engagement	11
3.8 Impacts on community health and wellbeing	11
3.9 Managing workforce wellbeing and behaviour.....	12
3.10 Setting targets and monitoring social and economic impacts	12
3.11 Economic assessment	13
4. Traffic and Transport Issues.....	14
4.1 Public level crossings.....	14
4.2 Vertical clearance heights – bridge over road	15
4.3 Private level crossings	15
5. Supply of Extractive Materials	17
5.1 Unrealistic sourcing of ballast and capping material.....	17
6. Council Road and Drainage Assets.....	18
6.1 Material haulage routes	18
6.2 Requirements for Third Party Agreements	19
6.2.1 Defects liability.....	19
6.2.2 Independent road dilapidation reporting	19
6.2.3 Road dilapidation rectification	20
6.2.4 Asset transfer register.....	20
6.2.5 Defect inspections	20

6.2.6	Requirements for construction of Council assets	20
6.2.7	Requirements for incurred costs to Council.....	20
6.3	Drainage assets.....	21
7.	Surface Water and Flooding Issues	22
7.1	Narromine Town Levee.....	22
7.2	Confusion by new metrics in revised flooding assessment.....	22
7.3	Flooding impact between McGrane Way and Mitchell Highway	22
7.4	Stormwater management and treatment during construction	22
7.5	Clarification of extent of flooding scour/erosion impact.....	23
8.	Groundwater Issues.....	24
8.1	Construction groundwater sourcing.....	24
9.	Agricultural and Land Use Issues.....	25
9.1	Further loss of cropping land for drainage control	25
9.2	Orphan lots	25

Executive Summary

Post Approval Processes

Council is dissatisfied that the details of the design, construction, operation and monitoring of many facets of this Project have been ‘pushed down the track’ to post-approval processes, and notes this is in vast contrast to the role and expectations of the development approval processes that Council administers under the *NSW Environmental Planning and Assessment Act*, where nearly all design and operation issues are described, exhibited and assessed *before* approval.

Council expects to be a key stakeholder in the development and implementation of each of the post-approval plans for the Project and is ready and willing to be involved in each relevant one.

Council is concerned about the likely timeframes that may be imposed on it for consultation and/or review of each of the post-approval plans, which at this point are unclear.

Council would appreciate more detailed advice from DPE and ARTC as to:

- the likely timeframe of the likely numerous requests for information / consultation / review over the pre-construction, construction and operation phases
- the extent of Council staff and other resources that will be required for it to respond meaningfully to all requests during each of these phases

Council would appreciate discussion with DPE and/or other NSW Government agencies and/or the Federal Government as to how Council may be assisted in securing such staff and resources, considering our small size and distance from the key markets for finding specialist professional staff.

Social and Economic Issues

Social Impact Management Plan

Council is appreciative of the detailed SIMP being placed on exhibition with the response to submissions (RTS) and PIAR documentation. Council realises that the SIMP is required to be provided as part of the post-approval CEMP process and that neither ARTC or DPE were legally compelled to exhibit it at this time.

The detail already provided in the SIMP under these subject headings reassures Council that many of its concerns relating to social and economic issues raised in its original submission to the EIS have now been taken seriously by ARTC and DPE, and are subsequently being addressed by ARTC.

Council expects to be a key stakeholder in the development and implementation of each of the management plan.

Communicating with local communities

Council is pleased to see the details within the Communication Management Plan section of the SIMP (from p32) which “*details the management measures that will be undertaken to ensure transparent and inclusive community and stakeholder engagement informing the ongoing management and monitoring of social impacts and benefits .. during the planning and design, construction and operational phases of the proposal*”.

In particular, **Council supports** the following and expects full and timely involvement as a key stakeholder in each:

- N2N specific Communication Management Plan to be implemented prior to and during construction
- The development of a Complaints Management System
- Consultation with the Aboriginal Community (further details in a section later in this submission)

Workforce accommodation

Council realises that although it is not directly responsible for managing accommodation impacts, it is nevertheless a key player in successfully managing the accommodation needs of the construction workforce, and the impacts on its local communities.

As such, **Council appreciates** being named as an integral stakeholder in the SIMP's housing and accommodation plan. However, it also expects to be added:

- as an integral stakeholder in the SIMP's Workforce Management Plan
- as a key stakeholder list (particularly for consultation and feedback) in the temporary workforce accommodation plan

Council also appreciates the willingness of ARTC to engage regarding the potential for Council to retain proposal infrastructure associated with the workforce accommodation facilities for community benefit.

Council concurs with the PIAR and is concerned that there:

- are *“potential risks to worker wellbeing associated with being accommodated in small rooms without supporting amenities such as recreation areas, for more than short periods of time....some mobile accommodation facilities may be some distance from communities and convenient access to recreational facilities, shops and services”* (p7-18).
- is *“potential for increased privacy concerns and perceptions regarding reduced safety and security for neighbouring residents [in close proximity to the compounds], due to the increased number of workers at the compounds”*.

Council is still disappointed that the Inland Rail approval process has meant that the level of detail provided now by the proponent regarding Narromine North and Narromine South workforce accommodation facilities is significantly less than that which would have been required if a separate Development Application had to be lodged with Council for the same facilities.

Council does not agree with the location of the Narromine North workforce accommodation facility and has a strong preference for:

- workers to be accommodated in an alternate location in the vicinity of the Narromine South multi-function compound; and
- any mobile accommodation compounds to be used sparingly and under close management and monitoring

Impacts on local industry and employment

Council is particularly keen to be involved in the further development of the *Proposal-Specific Industry Participation Plan* (SIMP p43) which it can see has many benefits for the LGA.

Council is pleased to see the establishment of the Inland Rail Skills Academy (SIMP p44 and pp49-50) which Council sees will bring great benefit to its community. Council would like to work with ARTC to maximise the Academy's success locally.

Council is keen to be involved in the further development of the Workforce Management Plan which amongst other issues *"will identify the skills and qualifications required for construction of the proposal and training targets to provide opportunities for training and development"* of local people.

A local hire preference policy is fully **supported by Council**.

The Indigenous employment and training opportunities outlined in the SIMP (pp52-53) are also fully **supported by Council**, who would be happy to liaise with local organisations to maximise these opportunities.

Impacts on local health and emergency services

Council is pleased to see the detail in the Workforce Management Plan and other locations within the SIMP relating to 'Measures to manage non-resident workforce demand on health and emergency services'.

Council is supportive of the suggestion to *"provide or contribute to local medical personnel (e.g. nurse) at the temporary workforce accommodation facilities"* (SIMP p55) but notes that this will not completely mitigate the pressure on local health services, which needs further discussion.

Aboriginal community and stakeholder engagement

Council is pleased to see the inclusion of a detailed Aboriginal Community and Stakeholder Engagement Strategy and Action Plan as outlined at p40 of the SIMP that aims to give an *"overarching framework for the establishment of collaborative engagement with Aboriginal stakeholders and communities for the detailed design, construction and operation phases"* of the Project. Council would appreciate being added as a stakeholder to that Strategy and its implementation.

Impacts on community health and wellbeing

Council is pleased by the range of topics covered and the detail in the 'Community Health and Wellbeing' section of the SIMP. Where it is appropriate, Council supports its community in working with ARTC to minimise the impact on the community's wellbeing.

Council cautions that investment by ARTC in community cohesion activities should not compromise the community's ability to speak freely about their thoughts on the Project and nor should it diminish the need for investment in direct mitigation of specific impacts on the community.

Managing workforce wellbeing and behaviour

Council commends the development of the 'Workforce Code of Conduct' for all proposal personnel.

Council is particularly keen to be involved in the further development of the Workforce Management Plan which amongst other things will outline *"programs and facilities that support positive workforce mental and physical health"*.

Setting targets and monitoring social and economic impacts

Council supports the proposals that there will be:

- quarterly social performance reviews; and
- an annual review of the SIMP, which will be *“updated based on monitoring data and community and stakeholder feedback. The review...will be undertaken by an independent third party by the end of the first year of construction, prior to commissioning of the proposal and again during the third year of operation. Reviews will require consultation with affected landowners, Councils, local businesses, LALCs, local and regional emergency management committees, NSW Government agencies and community representatives”*.

Economic assessment

Council is still disappointed that the RTS and therefore the PIAR does not update the Economic Assessment (EA) and the Social Assessment (SA) in relation to likely economic benefits or costs of the Project specific to the Narromine LGA.

Council considers that it is a failing of the NSW regulatory system that a project as significant as this is only required to prepare an Economic Assessment for a ‘regional study area’, and that information for economic impacts on individual affected LGAs is not provided.

Traffic and Transport Issues

Public level crossings

Council maintains its strong objection to the construction of such a significant number of passive level crossings in a direct contravention of the stated policy positions of not only the Office of National Safety Regulator (ONSNR) and Transport for NSW but of ARTC itself.

Council is aware of lower cost, hazard reduction systems that should be considered for inclusion within the design requirements.

Council requests that as a condition of consent the proponent is required to provide a minimum of solar powered lighting systems on all passive level crossings.

Council further requests the inclusion in the Level Crossing Report (LCR) for the Project infrastructure, a detailed safety and cost analysis for the inclusion of proximity-based Level Crossing Warning Systems such as the Safety Integrity Level (SIL) 2 rated Wavetrain acoustic detection system currently in use within the Australian Pilbara region.

Vertical clearance heights – bridge over road

Council is concerned the construction of new bridges over roadways will result in increased risk of oversized load vehicular incidents and increased economic burden of restricted route selection on both local agricultural enterprises and wider freight movements.

Council requests that the design criteria for vertical height clearance of all structures constructed over roadways be set a minimum of 6.5m. Deviation away from this minimum standard should be in consultation with the Council and with approval of the relevant road authority.

Private level crossings

Council is concerned that there is limited or no visibility on these discussions regarding the 30 private level crossings and ultimate construction of these crossings which may have significant safety impact on public road infrastructure.

Council requests that any private level crossing being considered within a distance of 75m of a public road is included within the Level Crossing Report (LCR) for the Project infrastructure. This distance simultaneously accounts for the longest of road trains plus another haulage vehicle.

Council believes there may be some private properties intersected by the rail corridor that will not have a private level crossing installed following landholder negotiations. In some of these instances there is a risk of a resultant additional public road use for agricultural equipment or stock movements requiring a Temporary Stock Grazing Permit (S138) issued by Council. Either outcome increases risk to the public and incurs a financial and administrative burden on both the land holder and Council.

Council requests the Proponent provide a register of allotments or group of allotments under sole ownership that are intersected by the rail corridor without the installation of a private level crossing and reasoning for the lack of private crossing installation at each allotment.

Supply of Extractive Materials

Council maintains its position that disputes the viability of the ballast and capping sourcing strategy and asserts the EIS has failed to adequately demonstrate local sources cannot be found of either existing or future construction material resources. The Council asserts the proponent and construction contractor must undertake a *Quarry Material Availability Assessment* to identify all other quarries approved in the LGA prior to construction.

Council requests the undertaking of a detailed sourcing study and associated *Traffic Impact Assessment* in conjunction with TfNSW, Council and existing/potential operators of extractive sites prior to project approval and any subsequent inclusion of additional extractive sites. The study must include volume, quality and economic analysis to justify additional extractive sites and traffic management plans that cater for various potential options for material sourcing and delivery.

Council Road and Drainage Assets

Material haulage routes

Council does not consider the haulage route assessment in the EIS to be representative of a practical material supply strategy for construction of a Project with an overall length of 306km.

Council continues to be concerned that the lack of acknowledgement regarding the likelihood of altered haulage routes of quarry material has resulted in an ineffective risk assessment process for transport and road impacts. Deferral of detailed analysis and risk mitigation until a construction contractor has been awarded is **not an optimal approach**, due to the significant volume of material to be transported and the associated direct traffic impacts.

Council is requesting clear consent directives that the Proponent and the Primary Contractor may only transport extractive material from the site on the designated haulage routes.

Council requests an early and meaningful role in the preparation of the Traffic, Transport and Access Management Plan and the designation of bulk material haulage routes.

Council would be supportive of a consent condition that required the delivery 75% of all ballast and capping material to be undertaken by rail to distribution points located at Narromine South and Curban via existing operational networks. Further distribution could then be undertaken on internal haul roads significantly reducing the risks of road transport.

Requirements for Third Party Agreements

Council expects the road interface with ARTC to commence at the location where road realignments have been imposed on the local road network.

Council expects that each local Council road impacted by construction haulage is to be subject to a Road Dilapidation Report prior to use for construction. The report is to be prepared by an independent and suitably experienced and qualified road designer/auditor approved by Council.

Council expects that each local Council road impacted by construction haulage is to be rectified according to the specific classification under the Council's Road Hierarchy on an ongoing basis during construction not just as a result of construction completion.

Council expects all assets transferred to Council will be defect inspected in consultation with, and in attendance of, a Council representative.

Council expects that where the integrity of assets transferred to Council is compromised during a period of up to 10 years post construction and 5 years post operations commencing, that resultant rectification be the responsibility of the proponent.

Council expects all road pavement, geometric, hydraulic, barrier, signage and asset related designs are to be certified by a Road Designer.

Council expects detailed as-built markups and electronic as-built models are to be provided to Council in an agreed format.

Council expects independent construction certification/verification needs to be undertaken on all Council owned assets or Council be advised and be provided the opportunity to attend critical hold points and inspections per the ARTC and TfNSW specifications.

Council expects all materials used in the works on Council assets (apart from general fill and pavements) are to be new products unless otherwise agreed with Council.

Council expects that any costs incurred related to the execution of requirements under Third Party Agreements or conducting activities that fall outside the Third Party Agreement but are directly attributable to the Project are to be reasonably compensated by the Proponent.

Drainage assets

Council is pleased the RTS commits that ARTC does not propose to hand back ownership of drainage infrastructure to Council that requires additional management (and associated costs) as a result of the proposal.

Surface Water and Flooding Issues

Narromine Town Levee

Council is pleased the updated flooding and hydrology assessment report for the PIAR considers the importance of future construction of the Narromine Town Levee and that ongoing detailed design of the Proposal's integration with the levee will involve direct consultation with Council.

Confusion by new metrics in revised flooding assessment

Council considers the alteration of flooding impact metrics between assessments to be a perplexing strategy which promotes confusion for Council and residents attempting to establish long-term impact of the modified proposal.

Flooding impact between McGrane Way and Mitchell Highway

Council is particularly concerned about flooding impacts in the area between McGrane Way and Mitchell Highway. Ascertaining the extent of flood impact has been hampered by the metric change discussed above. Council requests that ARTC convene a dedicated flooding impacts consultation session at Narromine to allow community and Council better understand the true impact of flooding south and west of Narromine.

Stormwater management and treatment during construction

Council is concerned by the lack of rigor associated with the statement regarding the proposed disposal method of sediment-laden surface water.

Clarification of extent of flooding scour/erosion impact.

Council requests provision of an explanation regarding adoption of the 80% drainage control areas threshold and also requests the actual footprint of drainage control areas at 100% capture of QDL scour/erosion potential exceedances be made public to allow maximum impact to be better understood.

Groundwater Issues

Construction groundwater sourcing

Council requests the Bore Field Management Plan to be prepared as part of the Soil and Water Management Plan be made public as soon as practical to allow existing licensed groundwater users to better understand the likelihood of aquifer interference impacts. This is especially important if the targeted water sources differ from those already nominated and

previously unaffected community members only become aware of potential impacts near to commencement of construction.

Agricultural and Land Use Issues

Further loss of cropping land for drainage control

Council requests that any land acquisition compensation must consider the enduring loss of productive cropping area on the maximum areal extent to be affected in consideration of farming methods.

Orphan lots

Council expects all land purchases required for the Project which may result in orphan lots be acquired by the Proponent and either incorporated into gazetted rail corridor or disposed of by the Proponent.

1. Introduction

Narromine Shire Council has been working with the proponent, Australian Rail Track Corporation Limited (ARTC), for an extended period including during the planning and delivery phase of the Parkes to Narromine section of the rail line.

The Inland Rail development brings significant opportunities to Narromine Shire but also many challenges given the size of the project. We welcome the opportunity to comment on this Preferred Infrastructure and Amendment Report.

Overall Narromine Shire Council is supportive of the increased connectivity and transport options that Inland Rail will deliver and this is reflected in our strategic documents including the *Narromine Shire Council Community Strategic Plan 2032*, the *Local Strategic Planning Statement 2020* and the *Narromine Economic Development Strategy 2018-2021*.

Narromine Shire acknowledges the significant work undertaken by ARTC between the EIS submission and the Preferred Infrastructure and Amendment Report. This response highlights the further work that is still required.

2. Post Approval Processes

Council is aware of the role and procedures of the post-approval steps of this Project, if approved, in particular that the Primary Contractor(s) will be required to prepare a Construction Environmental Management Plan (CEMP). The Social Impact Management Plan (SIMP) (p2) advises that the CEMP “*provides a centralised mechanism through which all potential construction-related environmental impacts will be managed. The CEMP also provides the overall framework for the system and procedures to ensure that environmental impacts are minimised, and that legislative and approval requirements are fulfilled*”.

Council understands that the CEMP will be prepared in consultation with itself and many other agencies and in accordance with the *Environmental Management Plan Guideline for Infrastructure Projects* (DPIE, 2020) and *Post approval guidance: Defining engagement terms - Post approval guidance for Infrastructure Projects* (DPIE, 2020).

This means that the details of the design, construction, operation and monitoring of many facets of this Project have been ‘pushed down the track’ to post-approval processes. The number of post approval plans is vast:

- Construction Environmental Management Plan
 - Soil and Water Management Plan
 - Noise and Vibration Management Plan
 - Bore Field Management Plan
 - Air Quality Management Plan
 - Traffic, Transport and Access Management Plan
- Social Impact Management Plan
 - Communication Management Plan
 - Housing and Accommodation Plan
 - Workforce Management Plan
 - Aboriginal Community and Stakeholder Engagement Strategy and Action Plan
- Aboriginal Cultural Heritage Management Plan
- Biodiversity Management Plan
 - Threatened Species Management Plans
- Sustainability Management Plan

Also listed above are the many project-specific management plans to be prepared by both the Primary Contractor and ARTC under each of the subject areas.

As stated in Council’s original submission to the EIS, **Council is disappointed** on the reliance of this approach for such a major project. It is in vast contrast to the role and expectations of the development approval processes that Council administers under the *NSW Environmental Planning and Assessment Act*, where nearly all design and operation issues are described, exhibited and assessed *before* approval.

Despite its dissatisfaction with the project processes, **Council nevertheless expects** to be a key stakeholder in the development and implementation of each of the post-approval plans for the Project, and is ready and willing to be involved in each relevant one.

However, **Council is still concerned** about the likely timeframes that may be imposed on it for consultation and/or review of each of the post-approval plans, which at this point are unclear. The Department and the proponent need to be aware that as a small rural council, it simply does not have the required staff resources to immediately respond to the many facets of this Project at the proponent’s timeframe expectations. However, Council is willing to be

as cooperative as possible, as it realises the benefit of the project to its community and the wider nation.

In this respect, **Council would appreciate** more detailed advice from the NSW Department of Planning and Environment (DPE) and proponent as to:

- the likely timeframe of the likely numerous requests for information / consultation / review over the pre-construction, construction and operation phases
- the extent of Council staff and other resources that will be required for it to respond meaningfully to all requests during each of these phases

Council would also appreciate discussion with DPE and/or other NSW Government agencies and/or the Federal Government as to how Council may be assisted in securing such staff and resources, considering our small size and distance from the key markets for finding specialist professional staff.

3. Social and Economic Issues

In summary:

- **Council is pleased** that significant effort that has been made in improving the social impact assessment and mitigations for the Project, in particular that some mitigations have been amended and new ones have been added
- The detail within the exhibited SIMP **provides Council reassurance** that its concerns outlined in its original submission to the EIS have been thoroughly considered
- **Council has particular views** about the locations of the Narromine workforce accommodation facilities and the use of the proposed mobile accommodation facilities
- **Council remains disappointed** about the lack of detailed economic impact analysis specific to its local government area (LGA)

3.1 Updated mitigations relating to social impacts, communication and engagement

Council is appreciative of the clear information at Appendix C of the Preferred Infrastructure / Amendment Report (PIAR) that shows the updated list of the Project's mitigation measures and where they have changed since the original Environmental Impact Statement (EIS).

Council has the following comments regarding the socio-economic mitigation measures:

No	Mitigation topic	Council's response
SE1	Proposal-specific Communication Management Plan for the design/ pre-construction phase.	<ul style="list-style-type: none"> • Council is fully supportive of this improved mitigation measure ie a project-specific engagement plan that is implemented prior to and during construction (as detailed in the Communication Management Plan as outlined in the SIMP) • Council expects full and timely involvement as a key stakeholder - see further detail in the following sections
SE2	Ongoing consultation with local emergency services providers	<ul style="list-style-type: none"> • Council is fully supportive of this existing mitigation measure. • Council is keenly concerned about the impacts on local emergency services - see further detail in the following sections
SE3	Aboriginal community and stakeholder engagement strategy and action plan	<ul style="list-style-type: none"> • Council is fully supportive of this new mitigation measure • Council expects to be included as a key stakeholder in the development and implementation of this plan - see further detail in the following sections
SE4	Social Impact Management Plan	<ul style="list-style-type: none"> • Council is fully supportive of this new mitigation measure and is pleased that a first version has been placed on exhibition at this point. • Council expects to be a valued key stakeholder in all aspects of the SIMP • See detailed comments in the 'SIMP' section and comments related to aspects of the SIMP throughout this submission
SE5	Confirm workforce requirements and the associated requirements for, and availability of, support services	<ul style="list-style-type: none"> • Council is fully supportive of this new mitigation measure and the new details in the accompanying Workforce Management Plan within the SIMP • Council expects full and timely involvement as a key stakeholder -see further detail in the following sections

No	Mitigation topic	Council's response
	(including health, wellbeing and emergency services) to meet the needs of the non-resident construction workforce	<ul style="list-style-type: none"> See comments related to aspects of service provision throughout this submission
SE6	Supporting local employment	<ul style="list-style-type: none"> Council is fully supportive of this existing mitigation measure and the new details in the accompanying 'Industry Participation' section of the SIMP See other comments related to employment and industry participation throughout this submission
SE7	Proposal-specific industry participation plan	<ul style="list-style-type: none"> Council is fully supportive of this existing mitigation measure and the new details in the <i>Proposal Specific Industry Participation Plan</i> section of the SIMP (p43)
SE9	Consultation relating to construction activities	<ul style="list-style-type: none"> Council is fully supportive of this existing mitigation measure and expects clear and timely advice for its community and stakeholders from the Primary Contractor throughout the project - see further detail in the following sections
SE10	Complaints during construction	<ul style="list-style-type: none"> Council notes that <i>"Complaints during construction would be managed in accordance with the complaints management system defined by the Communication Management Plan. The complaints management system would be maintained throughout the construction period and for a minimum of 12 months after construction finishes"</i> and will hold the Primary Contractor to account on this issue
SE11	Workforce Management Plan	<ul style="list-style-type: none"> Council is supportive of this existing mitigation measure and is pleased that councils and service providers have been explicitly added to this measure as stakeholders, but notes that it needs to be added as a key stakeholder in the SIMP. Council is appreciative of the detail about the WMP provided in the SIMP and looks forward to continuing consultation and input into the development of specific measures - see further detail in the following sections
SE12	Managing local employment and procurement requirements	<ul style="list-style-type: none"> Council is fully supportive of this existing mitigation measure and the new details in the accompanying 'Industry Participation' section of the SIMP See other comments related to employment and industry participation throughout this submission
SE13	Managing the impacts of non-resident workforce on local communities	<ul style="list-style-type: none"> Council is fully supportive of this existing mitigation measure and the new details throughout sections of the SIMP Council expects full and timely involvement as a key stakeholder - see further detail in the following sections
SE15	Rail safety awareness program relating to increased safety risks due to new level crossings	<ul style="list-style-type: none"> Council is fully supportive of this existing mitigation measure Council expects to be added as a key stakeholder in the development of this program - see further detail in the following sections
SE-C12	Temporary workforce accommodation	<ul style="list-style-type: none"> Council notes that this existing mitigation is now also applicable to mobile temporary workforce accommodation facilities (in addition to the workforce accommodation facilities at Baradine, Gilgandra, Narromine North and Narromine South) See detailed comments in Section 3.4

3.2 Social Impact Management Plan

Council is appreciative of the detailed SIMP being placed on exhibition with the response to submissions (RTS) and PIAR documentation. Council realises that the SIMP is required to be provided as part of the post-approval CEMP process and that neither ARTC or DPE were legally compelled to exhibit it at this time.

Council notes that the SIMP outlines *“how ARTC will report on social performance outcomes, such as a monthly social performance snapshot, as well as quarterly and annual reports. The SIMP also outlines a review process based on quarterly reviews, with the SIMP to be updated on an annual basis through the design and construction phases to reflect changes in the proposal scope or progress in meeting stipulated targets”*. Council further notes that the SIMP *“would also be updated as required based on the outcomes of consultation with local stakeholders such as Councils, CCCs, affected landholders, the general community, and others, over the course of the design and construction phases”* (p65 Addendum Social Assessment Report Revision).

Council also notes the Primary Contractor(s) of the project will then be required to *“prepare and submit a Social Delivery Plan (SDP), as a requirement in the tendering process. The SDP is similar to a SIMP however contains additional elements required by ARTC to meet their social performance and commercial objectives. The SDP outlines agreed targets for industry participation, workforce, community health and wellbeing and housing and accommodation.*

- *The SDP will be required to include four management plans that describe how the Primary Contractor will commit to and manage:*
- *Industry participation*
- *Workforce management*
- *Communication management*
- *Temporary workforce accommodation”*

The detail already provided in the SIMP under these subject headings **reassures Council** that many of its concerns relating to social and economic issues raised in its original submission to the EIS have now been taken seriously by ARTC and DPE, and are subsequently being addressed by ARTC.

As stated previously, **Council expects** to be a key stakeholder in the development and implementation of each of the management plans listed above. It is ready and willing to be involved in each one, although is concerned at the timeframe turnarounds required for some.

Council's response to specific issues in the SIMP are given further in this submission.

3.3 Communicating with local communities

Council is pleased to see the details within the Communication Management Plan section of the SIMP (from p32) which *“details the management measures that will be undertaken to ensure transparent and inclusive community and stakeholder engagement informing the ongoing management and monitoring of social impacts and benefits ... during the planning and design, construction and operational phases of the proposal”*.

Council notes the extensive details relating to consultation with individual landholders and affected members of the community, but will restrict its comments here to consultation involving the wider community and particular community organisations mentioned in the SIMP.

In particular, **Council supports** the following and expects full and timely involvement as a key stakeholder in each:

- N2N specific Communication Management Plan to be implemented prior to and during construction
- The development of a Complaints Management System
- Consultation with the Aboriginal Community (further details in a section later in this submission)

3.4 Workforce accommodation

3.4.1 Overview

Council notes that construction workers would be *“required to stay in temporary workforce accommodation facilities if they live further than one hour’s drive from the construction site”* and considers that a sound justification to prevent workers’ driving fatigue.

Council provided significant commentary about this in its original submission to the EIS and notes that the PIAR makes various amendments to workforce accommodation facilities and also that there is a significant amount of detail regarding management and monitoring of housing and workforce issues now included in the SIMP.

Council realises that although it is not directly responsible for managing accommodation impacts, it is nevertheless a key player in successfully managing the accommodation needs of the construction workforce, and the impacts on its local communities.

As such, **Council appreciates** being named as an integral stakeholder in the SIMP’s housing and accommodation plan. However, it also expects to be added:

- as an integral stakeholder in the SIMP’s Workforce Management Plan
- as a key stakeholder list (particularly for consultation and feedback) in the temporary workforce accommodation plan

Council also appreciates the willingness of ARTC to engage regarding the potential for Council to retain proposal infrastructure associated with the workforce accommodation facilities for community benefit. Key legacy items of interest to Council include supply and management infrastructure relating to:

- potable water
- groundwater
- sewer
- electricity
- waste management
- telecommunications

3.4.2 Narromine North workforce accommodation facility

Council notes the change of location of the Narromine North workforce accommodation facility but does not agree with its location.

3.4.3 Narromine South multipurpose compound and workforce accommodation facility

Council notes that the Narromine South workforce accommodation facility is to be included in the Narromine South multi-function compound. Council still prefers an alternate location for the workforce accommodation facility, primarily because of its concern that the workforce accommodation facility would be too close to significant noise-generating structures.

3.4.4 Mobile accommodation facilities within general compounds

Council notes the addition of mobile accommodation facilities in general compounds along the route (description at PIAR p6-15) and the assessment of their subsequent impacts, particularly that:

- they would consist of up to 30 self-contained small rooms with a capacity of up to 30 people
- be built on wheels or skids
- would be established where required for a period no greater than three months
- all services would be trucked in and out as required.

Council understands the flexibility that this mobile accommodation offers, and appreciates that there would be less daily traffic on local roads from workers who may otherwise commute daily to and from the Narromine North and Narromine South workforce accommodation facilities or other accommodation.

However, as noted in the PIAR, Council is concerned that there:

- are *“potential risks to worker wellbeing associated with being accommodated in small rooms without supporting amenities such as recreation areas, for more than short periods of time....some mobile accommodation facilities may be some distance from communities and convenient access to recreational facilities, shops and services”* (p7-18).
- is *“potential for increased privacy concerns and perceptions regarding reduced safety and security for neighbouring residents [in close proximity to the compounds], due to the increased number of workers at the compounds”*.

In response to this, **Council notes** the range of mitigation issues listed in the Workforce Management Plan (as per details in the SIMP) including *“access to mental health services and activities for workers to overcome isolation”* and measures to *“manage the construction workforce, including a code of conduct”*. Council will closely monitor these issues and hold ARTC and the Primary Contractor to account over these management issues.

3.4.5 Temporary Workforce Accommodation Plan

Council notes that the critical details of the design and operation of the Narromine North and Narromine South workforce accommodation facilities and the mobile accommodation facilities will only be brought forward in the post-approval phase of the project. **Council is still disappointed** that the Inland Rail approval process has meant that the level of detail provided by the proponent regarding these facilities is significantly less than that which would have been required if a separate Development Application had to be lodged with Council for the same facilities.

Council realises that it needs to be a key contributor in the development of the workforce accommodation plan (as specified in mitigation measure SE-C12 and detailed in the SIMP from p58). As such, Council is ready to discuss the details of Narromine North and Narromine South workforce accommodation facilities and the mobile accommodation facilities with the Primary Contractor.

Council also requests that regular updates are given to council and local communities as to the location and timing of each mobile accommodation facility to be used in the Narromine Shire section of the Project.

3.4.6 Council's preference for management of workforce accommodation

Council does not agree with the location of the Narromine North workforce accommodation facility and has a strong preference for:

- workers to be accommodated in an alternate location in the vicinity of the Narromine South multi-function compound; and
- any mobile accommodation compounds to be used sparingly and under close management and monitoring

In addition, **Council is still concerned** at the proponent's attitude to the impact on local housing.

The SIMP explains (p60) that *"if proportion of the workforce within the temporary workforce accommodation falls below 80 - 90 per cent (depending on the size of the housing market of the host community and towns within one hour driving distance), the Primary Contractor will be required to develop a mechanism to monitor the availability of rental and tourist accommodation within the LGAs in the regional study area. This mechanism will be developed in consultation with each council hosting a temporary workforce accommodation facility, and will be reported as part of monitoring of the Temporary Workforce Accommodation Plan"*.

Although Council commends the addition of this management measure, it is concerned that there is still no 'answer' as to how this issue may be resolved, and by the time the issue is suitably 'monitored', it will be too late to address the impacts that could be felt keenly in small communities with limited housing opportunities. As such, Council expects further action on this issue.

3.5 Impacts on local industry and employment

Council is pleased to see the detail in the 'Industry Participation' and 'Workforce Management' sections of the SIMP (pp41-6 and pp47-56), which *"provides the framework that will guide the management of impacts and opportunities ... in relation to the economic participation of local and Indigenous businesses and social enterprises during the planning and design, construction and operation phases of the proposal"* and will *"provide the framework that will guide the management of social impacts and opportunities ... in relation to employment and training opportunities for local and Indigenous people"*.

Council is particularly keen to be involved in the further development of the *Proposal-Specific Industry Participation Plan* (SIMP p43) which it can see has many benefits for the LGA.

Council is pleased to see the establishment of the *Inland Rail Skills Academy* (SIMP p44 and pp49-50) which Council sees will bring great benefit to its community. Council would like to work with ARTC to maximise the Academy's success locally.

Council is pleased with the draft list of Academy initiatives, including those below, and is keen to work collaboratively to add more initiatives to this list:

- communicating the types of skills required for the project
- training for small cohorts of locals approximately 6 months prior to construction commencement of any Inland Rail project, in civil construction and plant operation competencies. This targets the unemployed, Indigenous people and women
- partnerships with various universities to offer scholarships for local students in

- partnership with the University of Newcastle to deliver a STEM education program in high schools
- online rails skills program available to school and university students, including a focus on operational roles.
- business participation and capacity building programs to support the ability of small-to-medium enterprises in the regions to meet the requirements of the proposal.
- training opportunities to strengthen the workforce capacity for both proposal construction and operation.

Council is also keen to be involved in the further development of the Workforce Management Plan (SIMP p50-53) which amongst other issues *“will identify the skills and qualifications required for construction of the proposal and training targets to provide opportunities for training and development”* of local people. **Council would like to be** involved in the identification of skills and the setting of training targets. It would also like to be involved in a thorough analysis of the skills and work readiness of its residents, particularly since the 2021 Census employment details are about to be released, and can provide a wealth of cross-tabulated data at very small local scales if required. It is a prime opportunity to use such recent, detailed local data on a significant project such as this.

Council also notes how the *“Primary Contractor will work with regional education and training stakeholders to upskill local residents and gain required qualifications for construction employment opportunities”*. Presumably this is actually the *Inland Rail Skills Academy* mentioned above. Council notes that *“this will be required six to twelve months prior to construction commencing to allow residents time to undertake relevant training”*. In that sense, **Council is keen** to collaborate to get things moving as quickly as possible.

A local hire preference policy (SIMP p 51) is fully **supported by Council**.

The Indigenous employment and training opportunities outlined in the SIMP (pp52-53) are also fully **supported by Council**, who would be happy to liaise with local organisations to maximise these opportunities.

Council notes (SIMP p53) that it *“is expected that up to 10 skilled roles [will be] required for day-to-day operation”* once construction is complete and realises that the ongoing employment benefit of the project to the LGA was always expected to be minimal.

3.6 Impacts on local health and emergency services

Council is pleased to see the detail in the Workforce Management Plan and other locations within the SIMP relating to ‘Measures to manage non-resident workforce demand on health and emergency services’.

As outlined in its submission to the EIS, Council was concerned that not enough thought had been put into these critical issues, and can see that the detail is now being addressed.

Council, in conjunction with local and regional health and emergency service agencies, is ready to start the discussions regarding *“confirming workforce requirements and the associated requirements for, and availability of, support services (including health, wellbeing and emergency services) to meet the needs of the non-resident construction workforce”* and *“developing strategies and measures to ensure these needs are met, as far as practicable, with minimal potential impacts on the local community”* (SIMP p54-55).

Council is supportive of the suggestion to *“provide or contribute to local medical personnel (e.g. nurse) at the temporary workforce accommodation facilities”* (SIMP p55) but notes that

this will not completely mitigate the pressure on local health services, which needs further discussion.

Council is also pleased to see that *“ARTC will consult with regional and local emergency services during detailed design and construction to share information and provide advanced notification about changes to access that will occur due to construction activities”* (SIMP p67) and that *“Emergency services will be consulted during detailed design to ensure they are aware of accessible routes in case of level crossing delays”* (p69).

3.7 Aboriginal community and stakeholder engagement

Council is pleased to see the inclusion of a detailed *Aboriginal Community and Stakeholder Engagement Strategy and Action Plan* as outlined at p40 of the SIMP that aims to give an *“overarching framework for the establishment of collaborative engagement with Aboriginal stakeholders and communities for the detailed design, construction and operation phases”* of the Project. Council would appreciate being added as a stakeholder to that Strategy and its implementation.

3.8 Impacts on community health and wellbeing

Council is pleased to see the topics covered and the detail in the ‘Community Health and Wellbeing’ section of the SIMP (pp60-69). These relate to:

- Land acquisition and property disturbance
- Changes to the quality of the living environment for landholders and nearby residents (affecting health and wellbeing)
- Impacts to Traditional Owner cultural values and interests
- Visual amenity changes
- Traffic route and access changes
- Landholder and community safety
- Demand for social infrastructure and services associated with the construction workforce.

Most of these issues are dealt with elsewhere in this submission. Where it is appropriate, Council supports its community in working with ARTC to minimise the impact on the community’s wellbeing.

Council fully supports the proposal (SIMP p65) to understand and where appropriate to provide *“additional access to wellbeing and mental health support services to communities affected by the proposal...by consulting with local mental health wellbeing services .. to provide appropriate programs locally”*.

Council is appreciative of the ideas for ARTC’s investing *“in community cohesion activities which will assist with minimising community stress related to the proposal...for example... sponsorship of community events, open days”* (SIMP p 65) but cautions that this investment should not compromise the community’s ability to speak freely about their thoughts on the Project and nor should it diminish the need for investment in direct mitigation of specific impacts on the community.

Local aesthetics can have a significant impact on the day to day life of affected residents, so **Council is pleased** that particular effort is being made in the preparation of an *Urban design and landscape plan* which could include:

- Vegetation screening
- Good urban design of structures

- Lighting design
- Tree protection measures
- Revegetation

Council expects to be involved in the local details of these locations and designs.

Council is pleased that the *“ARTC will also develop and implement a safety awareness program in collaboration with regional emergency services prior to the operation of Inland Rail to educate the community regarding safety around trains”* (SIMP p67) *“including landowners with properties intersected by the proposal”* (p69).

3.9 Managing workforce wellbeing and behaviour

Council is pleased to see the detail in the ‘Workforce Management’ section of the SIMP (pp47-56), which *“provides the framework that will guide the management of social impacts and opportunities ... in relation to... the management of workforce behaviour and wellbeing during the planning and design, construction and operation phases of the proposal”*.

Council commends the development of the ‘Workforce Code of Conduct’ for all proposal personnel (SIMP p55).

Council is particularly keen to be involved in the further development of the Workforce Management Plan which amongst other things will outline *“programs and facilities that support positive workforce mental and physical health”* (SIMP p53-4). Council supports the suggestions which include:

- Development of a welcome pack for workers in collaboration with local councils
- Incorporation of entertainment and recreation facilities that have a clear social element (e.g. barbeques, communal areas, team sports facilities) into the temporary workforce accommodation facilities.
- Participation of the temporary construction workforce in workforce-specific and community sporting groups and community events
- A wellbeing strategy to develop a strong mental health culture within the construction workforce
- Provision of adequate telecommunication infrastructure in the temporary workforce accommodation facilities

3.10 Setting targets and monitoring social and economic impacts

Council notes with great interest the details within the ‘Monitoring, review and reporting’ section of the SIMP (from p69) which includes specific targets and review and reporting frequencies for all the impact mitigations mentioned in this section of Council’s submission.

Council has particular interest in these targets and reporting frequencies but will not dwell on them now. More appropriately, Council expects to be a key stakeholder in the review and reporting process.

However, **Council supports** the proposals that there will be:

- quarterly social performance reviews; and
- an annual review of the SIMP, which will be *“updated based on monitoring data and community and stakeholder feedback. The review...will be undertaken by an independent third party by the end of the first year of construction, prior to commissioning of the proposal and again during the third year of operation. Reviews*

will require consultation with affected landowners, Councils, local businesses, LALCs, local and regional emergency management committees, NSW Government agencies and community representatives”.

3.11 Economic assessment

Council is still disappointed that the RTS and therefore the PIAR does not update the Economic Assessment (EA) and the Social Assessment (SA) in relation to likely economic benefits or costs of the Project specific to the Narromine LGA.

Council considers that it is a failing of the NSW regulatory system that a project as significant as this is only required to prepare an Economic Assessment for a ‘regional study area’, and that information for economic impacts on individual affected LGAs is not provided. The ‘regional study area’ for this project is the combined ‘Far West Orana’ and ‘New England & North West’ regions (the study area’s two relevant Australian Bureau of Statistics ‘Statistical Area 4’ (SA4) and labour market regions).

As stated previously in Council’s submission to the EIS, these 2 regions cover 54% of the area of NSW and 25 LGAs, only 6 of which are assessed (for other topics) in the SA. The combined region also covers many small LGAs which are unlikely to experience any positive economic impacts of the Project.

Only by examining local (LGA based) effects will the true long-term benefits and costs of the Project (and completed Inland Rail Project) be able to be understood for each LGA.

Council would be willing to provide its insights to the NSW Government to find a better methodology for future Economic Assessments of State Significant Developments, in the hope that it will assist other smaller regional communities like its own.

4. Traffic and Transport Issues

4.1 Public level crossings

Council acknowledges the additional work undertaken to improve the deficient traffic modelling related to the impact of level crossings across the project and looks forward to working with the proponent on the new mitigation measure, TT5, a public level crossing treatment report to document the assessment and design of level crossing treatments during detailed design.

While Council acknowledges the report would be developed in consultation with Transport for NSW (TfNSW) and the relevant councils and would be published providing an assessment of road risks consistent with the guideline *Establishing a Railway Crossing Safety Management Plan* (Roads and Traffic Authority, 2011), the **Council maintains its strong objection** to the construction of such a significant number of passive level crossings in a direct contravention of the stated policy positions of not only the Office of National Safety Regulator (ONSNR) and Transport for NSW but of ARTC itself.

To minimise risks to the public, TfNSW has adopted two policy positions in relation to level crossings as follows:

- Building new level crossings is to be avoided wherever possible and all other options, including grade separation and use of existing level crossings should be explored and documented before a new crossing is proposed.
- Public and private level crossings should be closed wherever it is practical and cost effective to do so. Access can be managed by redirecting traffic via an alternate route or, dependant on the benefit, by grade separation.

Council understands that the Office of the National Safety Rail Regulator (ONRSR) does not support the construction of new level crossings. The Regulator notes that even where active controls are in place, there are still a high number of near misses – in 2017-18 the ONRSR received around 630 notifications of near misses between trains and road vehicles.

As noted in the *Changes to public level crossings Section 6.3* there has been a total reduction of two (2) from the original fifty-one (51) new public level crossings. A total of 49 new public level crossings are now proposed, consisting of 15 with active controls and 34 with passive controls.

Australian Level Crossing Assessment Model (ALCAM) is an assessment tool used to identify key potential risks at level crossings and to assist in the prioritisation of crossings for upgrades. The risk model is used to support a decision making process for both road and pedestrian level crossings and to help determine the most appropriate treatments to improve safety. Although it is a comprehensive tool for the assessment of level crossing hazards, ALCAM cannot be applied in isolation and does not preclude the need for sound engineering judgement. Any risk assessment and treatment also needs to consider other factors, including:

- Incident history
- Engineering experience (both rail and road)
- Local knowledge of driver or pedestrian behaviour
- Social and economic assessment
- Standards and international best practice

ALCAM does not provide warrants for upgrades or attempt to define a 'safe' or acceptable level of risk.

There are five levels of control used at operational level crossings. In ascending order, they are:

- Give way signs
- Stop signs
- Flashing lights
- Boom barriers
- Grade separation

The four levels of 'at-grade' control fall into two groups: passive devices i.e. Give Way Signs and Stop Signs; and active devices i.e. Flashing Lights and Boom Barriers. In making an assessment as to the appropriate level of control for any particular railway crossing, the basic philosophy is to provide an adequate level of safety with the minimum amount of disruption to road or rail traffic and at the lowest cost. Often these requirements conflict as evidenced by the fact that Flashing Lights provide less disruption to road traffic than Stop Signs, however at a much greater cost.

Council is aware of lower cost, hazard reduction systems that should be considered for inclusion within the design requirements.

Council requests that as a condition of consent the proponent is required to provide a minimum of solar powered lighting systems on all passive level crossings. The installation of suitable street/road lighting can reduce the problem of trains already on the crossing not being visible to approaching drivers at night. It is desirable that the lighting include illumination on both sides of the railway a short distance either side of the crossing.

Council further requests the inclusion in the Level Crossing Report (LCR) for the Project infrastructure, a detailed safety and cost analysis for the inclusion of proximity-based Level Crossing Warning Systems such as the Safety Integrity Level (SIL) 2 rated Wavetrain acoustic detection system currently in use within the Australian Pilbara region.

4.2 Vertical clearance heights – bridge over road

Council is concerned the construction of new bridges over roadways will result in increased risk of oversized load vehicular incidents and increased economic burden of restricted route selection on both local agricultural enterprises and wider freight movements.

Council requests that the design criteria for vertical height clearance of all structures constructed over roadways be set a minimum of 6.5m. Deviation away from this minimum standard should be in consultation with the Council and with approval of the relevant road authority.

4.3 Private level crossings

As noted in Section 6.4 of the PIAR, during the reference design phase, 30 private level crossings were proposed. The exact number and location of private level crossings may be subject to change, based on consultation with impacted landowners during the property acquisition process. Details will be finalised on a case-by-case basis with the landowners.

Council is concerned that there is limited or no visibility on these discussions and ultimate construction of these private level crossings which may have significant safety impact on public road infrastructure. Council is aware of some level crossings being located in such a manner as to result in a stacking distance issue for trucks and agricultural machinery in the event of a train pass by. Furthermore, that any assessments being undertaken may not take

into account future changes to vehicular traffic type such as a move to road trains by the current or subsequent land owner/s.

Council requests that any private level crossing being considered within a distance of 75m of a public road is included within the Level Crossing Report (LCR) for the Project infrastructure. This distance simultaneously accounts for the longest of road trains plus another haulage vehicle.

Council believes there may be some private properties intersected by the rail corridor that will not have a private level crossing installed following landholder negotiations. In some of these instances there is a risk of a resultant additional public road use for agricultural equipment or stock movements requiring a Temporary Stock Grazing Permit (S138) issued by Council. Either outcome increases risk to the public and incurs a financial and administrative burden on both the land holder and Council.

Council requests the Proponent provide a register of allotments or group of allotments under sole ownership that are intersected by the rail corridor without the installation of a private level crossing. While Council understands that certain locations have characteristics which make them unsuitable for a private level crossing, such as embankment height differentials requiring large portions of farming land to be dedicated to road formations, the register should include reasoning for the lack of private crossing installation at each allotment.

5. Supply of Extractive Materials

5.1 Unrealistic sourcing of ballast and capping material

Council is disappointed the PIAR does not revise the supply strategy of ballast and capping material presented in *Chapter A8 Construction of the proposal - section A8.10.2*, which is focused on the Dubbo Regional LGA, specifically

- Boral quarry in Talbragar, Dubbo
- Holcim quarry in Sheraton Road, Dubbo
- MAAS Group Warren's Quarry in Sheraton Road, Dubbo
- Wave Hill quarry at Narrabri.

Council maintains its position that disputes the viability of the ballast and capping sourcing strategy and asserts the EIS has failed to adequately demonstrate local sources cannot be found of either existing or future construction material resources. The Council asserts the proponent and construction contractor must undertake a *Quarry Material Availability Assessment* to identify all other quarries approved in the LGA prior to construction.

Council requests the undertaking of a detailed sourcing study and associated *Traffic Impact Assessment* in conjunction with TfNSW, Council and existing/potential operators of extractive sites prior to project approval and any subsequent inclusion of additional extractive sites. The study must include volume, quality and economic analysis to justify additional extractive sites and traffic management plans that cater for various potential options for material sourcing and delivery.

The option of sourcing of material from a Dubbo Regional LGA quarry must be justified on a transparent economic basis, and by also considering road damage, road traffic safety concerns (as referred to in section 3) and future resource depletion risk for the Council.

6. Council Road and Drainage Assets

6.1 Material haulage routes

In *Chapter A8 Construction of the proposal - section A8.10.2*, four quarries are identified in the Dubbo Regional LGA as the combined source for one million cubic metres of ballast and capping material for construction of the entire N2N Project. All quarries are at significant distance from the rail alignment and external to those LGAs directly affected by the Project's footprint. Sourcing quarry material at significant distance will maximise road damage and road traffic safety concerns.

As a civil works entity, Council understands the construction contractor is unlikely to accept the cost impost of long haulage routes and would prefer to source material from approved quarries which are adjacent to the rail alignment. **Council does not consider** the haulage route assessment in the EIS to be representative of a practical material supply strategy for construction of a Project with an overall length of 306km.

Council continues to be concerned that the lack of acknowledgement regarding the likelihood of altered haulage routes of quarry material has resulted in an ineffective risk assessment process for transport and road impacts. Deferment of detailed analysis and risk mitigation until a construction contractor has been awarded is **not an optimal approach**, due to the significant volume of material to be transported and the associated direct traffic impacts.

Council is requesting clear consent directives that the Proponent and the Primary Contractor may only transport extractive material from the site on the designated haulage routes, as specified in the Traffic, Transport and Access Management Plan.

Where the planned traffic route results in an increase to the average annual daily traffic (AADT) exceeding the trigger in the Council Roads Management Strategy – Road Hierarchy the route must be upgraded prior to any increase in traffic is allowable.

The Proponent will be responsible for the design and construction costs associated with all upgrades. In addition to maintaining the road to that standard for the duration of the construction works. Note: AADT to be calculated according to Austroads Guidelines.

Council requests an early and meaningful role in the preparation of the Traffic, Transport and Access Management Plan and the designation of bulk material haulage routes.

Council will seek to ensure the Plan; must:

- 1) be prepared by suitably qualified and experienced person/s;
- 2) be prepared in consultation with TfNSW
- 3) provide a summary of relevant background or baseline data;
- 4) include the relevant statutory requirements (including any relevant approval, licence or lease conditions);
- 5) outline the relevant limits or performance measures and criteria;
- 6) include details of all transport routes and traffic types to be used for project-related traffic;
- 7) describe the processes in place for the control of truck movements entering and exiting the sites;
- 8) include details of the measures to be implemented to minimise traffic safety issues and disruption to local road users, including minimising potential for conflict with school buses and stock movements;

- 9) include and consider Chain of Responsibility requirements under the Heavy Vehicle National Law;
- 10) include a Drivers' Code of Conduct that includes:
 - a. toolbox meetings to facilitate continuous improvement initiatives and incident awareness;
 - b. drivers to adhere to posted speed limits or other required travelling speeds;
 - c. haul route restrictions under the National Heavy Vehicle Regulator scheme for the classes of trucks being used,
 - d. drivers implement safe and quiet driving practices;
 - e. measures to discourage operating heavy machinery including trucks while under the influence of alcohol and/or drugs;
 - f. truckloads are to be covered at all times when being transported, to minimise dust and loss of material onto roads which may form a traffic hazard;
 - g. measures to manage haulage movements during school bus pick up / drop off times (both on rural roads and through towns) to minimise potential interactions between haulage vehicles and buses or children, and
 - h. the measures to be put in place to ensure compliance with the Drivers' Code of Conduct.
- 11) a program to monitor and report on the effectiveness of the management measures to achieve the relevant criteria and conditions of the TMP
- 12) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible
- 13) detail who would be responsible for monitoring, reviewing and implementing the plan.

Council would be supportive of a consent condition that required the delivery 75% of all ballast and capping material to be undertaken by rail to distribution points located at Narromine South and Curban via existing operational networks. Further distribution could then be undertaken on internal haul roads significantly reducing the risks of road transport.

6.2 Requirements for Third Party Agreements

There is significant deferment of specifics related to existing and future Council infrastructure to the execution and enactment of the Third Party Agreement between ARTC and Council. The third-party agreement details all assets, interfaces, responsibilities, and funding arrangements for maintenance of shared assets.

Council requests clear consent directions that would be consistent with the following areas.

6.2.1 Defects liability

A defects liability period be imposed for up to 10 years post construction and 5 years post operations commencing.

Council expects the road interface with ARTC to commence at the location where road realignments have been imposed on the local road network.

6.2.2 Independent road dilapidation reporting

Council expects that each local Council road impacted by construction haulage is to be subject to a Road Dilapidation Report prior to use for construction. The report is to be

prepared by an independent and suitably experienced and qualified road designer/auditor approved by Council.

6.2.3 Road dilapidation rectification

Council expects that each local Council road impacted by construction haulage is to be rectified according to the specific classification under the Council's Road Hierarchy on an ongoing basis during construction not just as a result of construction completion.

6.2.4 Asset transfer register

Council expects a detailed asset transfer register be compiled in an agreed format with clear definition of the asset owner following completion of the civil works required for the Project.

6.2.5 Defect inspections

Council expects all assets transferred to Council will be defect inspected in consultation with, and in attendance of, a Council representative. Any defects identified are to be logged and the rectification method agreed. All culvert assets are to have a CCTV inspection undertaken in accordance with WSA 05-2020 Conduit Inspection Reporting Code of Australia. These records are to be provided to Council as part of the asset handover package.

Council expects that where the integrity of assets transferred to Council is compromised during a period of up to 10 years post construction and 5 years post operations commencing, that resultant rectification be the responsibility of the proponent. This expectation of rectification extends to the downstream end of erosion protection treatments of all new culverts and all existing culverts subject to increased inundation.

6.2.6 Requirements for construction of Council assets

Council expects all road pavement, geometric, hydraulic, barrier, signage and asset related designs are to be certified by a Road Designer (per TfNSW requirements), a suitably qualified engineer and a Road Safety Auditor, and provided to Council for concurrence prior to construction.

Council expects detailed as-built markups and electronic as-built models are to be provided to Council in an agreed format.

Council expects independent construction certification/verification needs to be undertaken on all Council owned assets or Council be advised and be provided the opportunity to attend critical hold points and inspections per the ARTC and TfNSW specifications.

Council expects all materials used in the works on Council assets (apart from general fill and pavements) are to be new products unless otherwise agreed with Council.

6.2.7 Requirements for incurred costs to Council

Council expects that any costs incurred related to the execution of requirements under Third Party Agreements or conducting activities that fall outside the Third Party Agreement but are directly attributable to the Project are to be reasonably compensated by the Proponent.

6.3 Drainage assets

Council is pleased the RTS commits that ARTC does not propose to hand back ownership of drainage infrastructure to Council that requires additional management (and associated costs) as a result of the proposal.

7. Surface Water and Flooding Issues

7.1 Narromine Town Levee

Council is pleased the updated flooding and hydrology assessment report for the PIAR considers the importance of future construction of the Narromine Town Levee and that ongoing detailed design of the Proposal's integration with the levee will involve direct consultation with Council.

7.2 Confusion by new metrics in revised flooding assessment

Flood management objectives (FMOs) previously applicable to the EIS Flooding and Hydrology Assessment (Table 3.1 Technical Report 3) have been replaced with quantitative design limits (QDLs) now applicable to the PIAR (Table 3.1 updated flooding and hydrology assessment report). This approach has caused multiple changes in metric definition of what constitutes suitable performance by flood conveyance infrastructure when managing the depth and velocity of flood flows. The PIAR makes the admission (section 4.3.1.1) that *"potential impacts identified by Technical Report 3 are not directly comparable with the potential impacts considered by the updated flooding and hydrology assessment.....(and) for events larger than the 1% AEP event, the operational assessment approach is similar and the results can, to an extent, be compared between the updated assessment and Technical Report 3."* **Council considers** the alteration of flooding impact metrics between assessments to be a perplexing strategy which promotes confusion for Council and residents attempting to establish long-term impact of the modified proposal.

7.3 Flooding impact between McGrane Way and Mitchell Highway

Council is particularly concerned about flooding impacts in the area between McGrane Way and Mitchell Highway. Ascertaining the extent of flood impact has been hampered by the metric change discussed above. Council requests that ARTC convene a dedicated flooding impacts consultation session at Narromine to allow community and Council better understand the true impact of flooding south and west of Narromine.

7.4 Stormwater management and treatment during construction

Sediment basins are planned at multi-function compounds (PIAR Appendix A Section 2.9.2) and at regular intervals along the rail construction site (PIAR Appendix A Section 2.9.8). It is stated in the PIAR that *"water contained within sedimentation basins would be discharged to the nearest watercourse prior to or immediately following forecast rainfall events that are likely to produce watercourse flows"*. **Council is concerned** by the lack of rigor associated with the statement regarding the proposed disposal method of sediment-laden surface water. Stormwater generated within compounds and construction areas must be treated in preparation for release to appropriate water quality criteria in the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZG, 2018) and in consideration of the relevant water quality objectives of the receiving waters. Treatment must be undertaken using established procedures outlined in *Managing Urban Stormwater – Soils and Construction: Volume 1* (the 'Blue Book'). The opportunistic convenience of disposing surface water into potential or actual hydrological flow events alone is unacceptable.

7.5 Clarification of extent of flooding scour/erosion impact

The QDLs for scour/erosion potential have been used to establish new drainage control areas (Figure 7.2 PIAR Updated Flooding and Hydrology Assessment Report) which extend laterally outside the operational rail corridor footprint adjacent to drainage culvert locations. The need for drainage control areas stems from the inability of designed drainage infrastructure to facilitate passage of flood flows while restricting QDLs for scour/erosion potential to within the extent of the operational rail corridor footprint. The width of drainage control areas was determined to be 50 metres downstream and 15 metres wide upstream of the rail alignment. The basis of the sizing is the seemingly arbitrary threshold capture of 80% of land with QDL scour/erosion potential exceedances downstream of the rail alignment.

Council requests provision of an explanation regarding adoption of the 80% threshold and also requests the actual footprint of drainage control areas at 100% capture of QDL scour/erosion potential exceedances be made public to allow maximum impact to be better understood.

8. Groundwater Issues

8.1 Construction groundwater sourcing

Appendix C of the PIAR shows the updated list of the Project's mitigation measures and where they have changed since the original EIS. **Council has concerns** regarding water resources mitigation measure WR14 *proposal bore construction* which states “a bore field extraction plan would be prepared as part of the Soil and Water Management Plan and provided to DPE Water prior to construction of the proposed bore field bores. The plan would include information about the locations, water source, depth and proposed volumes of water take per year for the proposed bore field bores....the plan would also provide confirmation that any applicable water sharing plan rules have been met”. As no alternative construction water sources are proposed to that previously identified in section B2.3.4 of the EIS (namely the Lachlan Fold Belt Murray Darling Basin Groundwater Source and the Gunnedah–Oxley Basin Murray Darling Basin Groundwater Source) it is presumed that ARTC remains confident there would be sufficient water available under a controlled allocation for the extraction of groundwater for construction water within the identified water sources. The importance of availability of water within the long term annual average extraction limit (LTAAEL) for a controlled allocation for a given water source is acknowledged, but it is critical to understand that availability within the LTAAEL is only a licensing mechanism and the presence of water bearing strata at any chosen location within a water source is never guaranteed. The EIS and PIAR provide no hydrogeological evidence that viable groundwater flow rates exist within the nominated water sources to satisfy the estimated 1,400 ML/a construction water requirement.

Council requests the Bore Field Management Plan to be prepared as part of the Soil and Water Management Plan be made public as soon as practical to allow existing licensed groundwater users to better understand the likelihood of aquifer interference impacts. This is especially important if the targeted water sources differ from those already nominated and previously unaffected community members only become aware of potential impacts near to commencement of construction.

9. Agricultural and Land Use Issues

9.1 Further loss of cropping land for drainage control

Much of the land to be compulsorily acquired for the 200 new drainage control areas is currently under productive cropping land use. Fencing these areas within the operational rail corridor footprint will create irregular boundary geometry. Modern cropping machinery require large turning sweeps, meaning that boundary irregularities result in loss of productive area far outside the actual fence line. **Council requests** that any land acquisition compensation must consider the enduring loss of productive cropping area on the maximum areal extent to be affected in consideration of farming methods.

9.2 Orphan lots

Council expects all land purchases required for the Project which may result in orphan lots be acquired by the Proponent and either incorporated into gazetted rail corridor or disposed of by the Proponent.