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Submission from:
Auscott Properties Limited
19 Kamilaroi Highway and 38 Wee Waa Road
Narrabri NSW 2390
Comment

23 September 2022

Department of Planning and Environment

4 Parramatta Square

12 Darcy Street

Parramatta NSW 2150

Attention: Mick Fallon

Mr Fallon

**Australian Rail Track Corporation Limited (ARTC) Inland Rail Project – Narromine to
Narrabri SSI-9487 (Project)
Submission in relation to Response to Submissions and Preferred Infrastructure Report**

This submission is made on behalf of Auscott Properties Limited (**Auscott**). Auscott owns and operates a cotton farming, processing, warehousing and marketing business, of which the warehousing business is located at 19 Kamilaroi Highway, Narrabri NSW 2390 and 38 Wee Waa Road, Narrabri NSW 2390 (**Land**), where a large quantity of high value cotton is stored. The Project runs immediately adjacent to the north eastern boundary of the Land, in close proximity to a number of existing warehousing facilities which form an essential part of Auscott's business. Part of the Land is proposed to be compulsorily acquired for the purposes of the Project.

We have reviewed the Response to Submissions and separate Preferred Infrastructure Report submitted by ARTC, which amongst other things, includes an updated flooding and hydrology assessment for the Project (**Flood Assessment**).

The Flood Assessment indicates that a total of 3,628 existing non-habitable buildings in the area of the Project are at risk of flooding in the 1% AEP event under existing conditions. The Land is currently subject to flooding in certain rain events under existing conditions, although it is unclear whether Auscott's existing warehouse facilities on the Land are included in the 3,628 non-habitable buildings referred to in the Flood Assessment. The Flood Assessment further states that following construction of the Project, there would be afflux QDL exceedances at 28 existing non-habitable buildings up to and including the 1% AEP event, but does not specifically identify these 28 properties.



The Flood Assessment (Appendix I) appears to indicate that the Project will result in an increase in flood levels in parts of the Land in the 1% AEP event. The Flood Assessment does not specifically quantify those impacts, although the mapping in the Flood Assessment suggests that the increase will be in excess of 100mm.

The Flood Assessment indicates that the flood exceedances of the Project will be further reviewed in the detailed design stage and measures taken at that point to avoid, minimise or manage flooding impacts. It also indicates that further flood modelling would be undertaken during detailed design to confirm compliance with QDLs.

On the basis of the information presented in the Flood Assessment, Auscott is unable to make a meaningful and detailed submission in relation to the flood impacts of the Project on the Land. Auscott would also query whether the consent authority has sufficient information before it to properly understand and assess the flood impacts, particularly in circumstances where the Flood Assessment foreshadows further flood modelling being required post-approval to assess those impacts and proposes the development of mitigation measures to occur post-approval. Auscott submits that the Project should not be permitted to cause any increase in existing flood levels at the Land and that any approval issued for the Project should be subject to conditions requiring the proponent to implement sufficient mitigation measures to avoid any exacerbation of the flood risk to the Land during both the construction and operational phases of the Project.

Auscott notes that ARTC proposes to compulsorily acquire parts of the Land for the purposes of the Project. Auscott will be entitled to compensation in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* for any decrease in the value of the remainder of the Land that is not to be acquired, as a result of the carrying out of the Project, including any increased flood impacts on the Land. Despite this, Auscott submits that ARTC should be required in the first instance to avoid and mitigate flood impacts on private land as a result of carrying out the Project.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Robinson'.

John Joseph Robinson
Managing Director