



DOC17/560014-08
Narrabri to North Star – EIA – SSI 7474

15 December 2017

Mr Mick Fallon
Senior Planning Officer – Transport Assessment
NSW Department of Planning and Environment
Level 29, 320 Pitt Street
SYDNEY NSW 2001

Dear Mr Fallon

Request for EPA Review of the EIS for Inland Rail – Narrabri to North Star – SSI 16_7474

I refer to your request dated 9 November 2017 to the NSW Environment Protection Authority (EPA) inviting comment on the Environmental Impact Statement (EIS) for the Narrabri to North Star section of the Inland Rail programme.

The EPA has reviewed the EIS and provides comments at Attachment A. The comments outline the EPA's concerns regarding aspects of the EIS in relation to air quality, noise and vibration, water quality and waste. The EPA does not have any comments in relation to soil and contamination issues.

The Australian Rail Track Corporation (ARTC) currently holds Environment Protection Licence (EPL) No. 3142 for railway systems activities in NSW (including the existing section of rail between Narrabri and North Star) under the *Protection of the Environment Operations Act 1997*. Whilst the exact licensing arrangements for this project are yet to be determined, the conditions in the licence represent the EPA's expectations of the management of rail construction environmental impacts.

The EPA notes that the 1,700 kilometre Inland Rail project is divided into 13 projects to be delivered over a ten year period, with seven of these projects located in NSW. This presents challenges in assessing the overall impacts of the project on the community.

If you wish to discuss any of the issues raised in this letter, please contact Rashad Danoun rashad.danoun@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads 'Sarah Thomson'.

SARAH THOMSON
Unit Head Metropolitan Infrastructure
Environment Protection Authority

Encl. Attachment A – The EPA's review of the EIS for the Inland Rail Project: Narrabri to North Star in relation to the key environmental issues of air quality, noise and vibration, water quality and waste.

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Attachment A

NSW Environment Protection Authority (EPA) review of the Environmental Impact Statement (EIS) for the Inland Rail Project: Narrabri to North Star in relation to the key environmental issues of air quality, noise and vibration, water quality and waste

Air Quality

Recommendation

The EPA recommends that any condition of approval require the proponent to manage dust generating activities on site to prevent dust moving offsite, so far as reasonably practicable.

Noise and Vibration

Assessment

1. Construction works outside standard working hours

The proponent did not provide a clear justification for construction work proposed outside standard hours. The proponent should provide clear justification, for reasons other than convenience, in accordance with section 2.3 of the Interim Construction Noise Guideline (ICNG).

2. Construction should cease if generated noise exceeds background plus 5dBA outside of standard hours, unless an agreement has been negotiated

The proponent appears to be proposing that construction that generates noise exceeding background plus 5dBA can proceed provided it has implemented all feasible and reasonable noise mitigation measures. This is incorrect. It is appropriate for construction within standard hours. However, for construction outside of standard hours works generating noise exceeding background plus 5dBA should not proceed unless an agreement has been negotiated with noise sensitive receivers.

3. The proponent is incorrectly applying awakening levels as sleep disturbance criteria

The proponent is quoting noise levels associated with awakening reactions, from the Road Noise Policy, as sleep disturbance levels. Awakenings are one, but not the only form of sleep disturbance. Sleep disturbance should be assessed in accordance with the relevant Industry Noise Policy (INP) application note.

4. The Inland Rail NSW Construction Noise and Vibration Management Framework proposed by the proponent should be included as a condition or conditions of any approval, to be implemented to minimise the likely construction noise and vibration impacts of the project

The EPA agrees with the Noise Impact Assessment (NIA) that further consideration of mitigation of construction noise and vibration should occur during detailed design. The proponent commits to implementing all feasible and reasonable noise mitigation measures to minimise impacts associated with noise that exceeds the noise management levels, in accordance with an Inland Rail NSW Construction Noise and Vibration Management Framework. The commitment should be confirmed with appropriate conditions in any approval.

5. Construction vibration impacts need to be assessed using correct criteria from assessing vibration: a technical guideline

The chosen criterion for construction vibration (1mm/s from BS 5228) is different to the criteria in *Assessing vibration: a technical guideline*. The proponent should assess the impact against the criteria in the guideline.

The Inland Rail NSW Construction Noise and Vibration Management Framework references the correct guideline as *Assessing vibration: a technical guideline*.

6. The proponent's proposed operational compliance assessment should be included as a condition of any approval

The EPA considers it appropriate for further consideration of mitigation of operational noise and vibration during detailed design, as suggested in the NIA. The proponent's proposed operational compliance assessment should be included as a condition of any approval to ensure appropriate outcomes.

Recommendations

1. Any approval for construction working hours should limit construction to standard hours, based on the information provided.
2. Construction outside standard hours should not occur if noise generated exceeds background plus 5dBA, unless an agreement has been negotiated with noise sensitive receivers.
3. Sleep disturbance should be assessed in accordance with the relevant INP application note, not against awakening levels quoted in the Road Noise Policy.
4. Any approval should include a requirement for the proponent to implement the construction noise and vibration management framework to minimise the likely construction noise and vibration impacts of the project.
5. Construction vibration impacts must be assessed against the criteria in *Assessing vibration: a technical guideline*.
6. The proponent's proposed operational compliance assessment should be included as a condition of any approval.

Water Quality

Assessment

1. Management of wastewater during construction

The EIS has identified that during construction, wastewater from construction compounds, mobile concrete batching plants and vehicle wash down sites will be captured and either treated prior to discharge to surface waters or disposed of at an appropriately licensed facility. Water captured in sedimentation basins and generated from dewatering of excavations will be discharged to surface waters, if required. The EIS mentions that discharges to surface waters would be in accordance with an environment protection licence.

The EPA recommends that the impact assessment considers the full range of potential pollutants associated with the activity and the environmental values of the receiving waters. The EPA requires such information when considering whether or not to grant a licence allowing any discharge to waters.

2. Use of wastewater

The EIS has identified wastewater from Narrabri Shire Council and Moree Shire Council, approximately 5 megalitres from each council, as potential sources of water required during construction for earthworks and dust control. The EIS does not state the source of the wastewater.

The EPA recommends a condition of approval to manage any risks associated with reuse of potentially contaminated water from Narrabri and Moree Shire Councils. If wastewater (including recycled/treated water) is sourced for use on the project, investigations must be undertaken by a suitably qualified and experienced person to confirm it is fit-for-purpose and does not pose a risk of non-trivial harm to human health or the environment

Recommendations

1. The EPA recommends that the impact assessment considers the full range of potential wastewater pollutants associated with the activity and the environmental values of the receiving waters should the proponent proceed with any proposal to discharge to surface waters.
2. The EPA recommends any condition of approval ensure appropriate management of any risks associated with reuse of potentially contaminated water from Narrabri and Moree Shire Councils.

Waste

Assessment

The EIS refers to the proposed disposal of waste material at local council landfill and transfer stations. These facilities are relatively small and have been designed and sized to manage waste generated within the local residential and industrial communities, based on current and projected population sizes.

Recommendation

The EPA recommends the proponent confirms with each local council that adequate space is available to receive waste generated from the project such that local services will not be compromised in the long term. If local services will be compromised, one consideration for the project may be to provide funding to extend or establish separate waste disposal sites to receive the project waste material.