

Inland Rail – Narromine to Narrabri Project

Environmental Impact Statement

Narrabri Shire Council Submission Report

Version 1.0

January 2021



NARRABRI SHIRE
DISCOVER THE POTENTIAL

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Introduction

1. Background

The Environmental Impact Statement (EIS) reviewed considers the potential impacts of the proposal to construct and operate the Narromine to Narrabri section of Inland Rail ('the proposal'). The EIS has been prepared to support Australian Rail Track Corporation's application for approval of the proposal in accordance with the requirements of Division 5.2 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act).

The proposal is State significant infrastructure and is subject to approval by the NSW Minister for Planning and Public Spaces. The EIS addresses the environmental assessment requirements of the Secretary of the Department of Planning, Industry and Environment ('the SEARs'). The EIS was prepared based on the draft SEARs, which were finalised on 9 September 2020. The proposal is also determined to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) (EPBC Referral 2018/8259) and requires approval from the Australian Minister for the Environment.

The EIS focuses on the key assessment requirements specified by the SEARs. It is supported by specialist technical assessment reports. The proponent has requested that the proposal be declared by the Minister for Planning and Public Spaces as critical State significant infrastructure under section 5.13 of the EP&A Act.

2. Aim

The report aims to provide details of the Narrabri Shire Council response to the Environmental Impact Statement (EIS) for the Inland Rail – Narromine to Narrabri Project.

The aim of this submission is not to examine the complex scientific information in great detail or specific modelling methods involved in the project but rather to identify any potential issues that may directly or indirectly impact Council or Narrabri Shire or the surrounding community. Council is relying upon the Department to have more critical sections of the EIS peer reviewed by independent experts in relevant fields and for those peer reviews to be available to the community for review.

This document has been prepared to raise with the Department any concerns that Council and community representatives have with regards to the project and its potential impacts on the amenity, economic development and environment.

3. Methodology

Council has extensively reviewed the EIS with chapters being considered by the relevant department professionals within Council. It should be noted that Council does not have the technical capability to deal with complex issues such as ground water system interconnectivity and human health impacts. Council has simply identified issues that

warrant further investigation and/or agreement due to their importance in the local area. Council are reliant on the relevant consent authorities to provide technical guidance and appropriate rigorous review of the more complex science upon which the industry relies in their determination of the application.

Chapter Review

1. Route Alternatives and Options

Key Concern/s:

- The proposed route does not provide an optimum outcome for Narrabri Shire. It is imperative that the serious omissions from the EIS be adequately addressed. Further that to realise a benefit to Narrabri Shire and its surrounds, Council respectfully requests that the proponents be required to demonstrate that:
 1. the rail operations will not negatively impact on the local community, by ensuring (1) all rail infrastructure is located outside the higher density commercial and residential areas; and (2) all construction impacts are mitigated and any residual damage to the road network is repaired;
 2. the rail infrastructure does not increase the flooding; and
 3. all construction infrastructure and services setup are located so that should Narrabri Shire be able to benefit from their ongoing use, ownership is transferred to Council.

Observations:

While it is acknowledged that considerable time and effort has been expended on determining a suitable route it is clear from our (1) flood modelling; (2) road network; and (2) future development that the route proposed is not optimised for the local community.

Furthermore, due to its proposed location, Narrabri will have significant impacts to the extent that several properties will be worse off.

It was expected that the Inland Rail N2N would have a positive overall net outcome for the Shire and while this is possible in many cases, that opportunity has not been realised.

Appendix A offers a flood map to show the extent of the issue that needs to be addressed and unfortunately not only does the EIS statements not concur with this modelling, there is insufficient information provided for an assessment of the routes to provide any comment.

In a location immediately downstream of the Narrabri Township and crossing the Namoi River Floodplain in the widest location available would provide a better outcome for both the proponent and the community. It seems counter-intuitive to cross Bohena Creek with a bridge near the Newell, then the Namoi River, the Island Road floodplain, Narrabri Creek and the floodplain between Wee Waa Road and Auscott Sheds, with an enormous bridge immediately downstream of the town, rather than going downstream and crossing these with one structure less than half the length of the existing small bridge across the Namoi and Narrabri Creek.

The following benefits may be achieved with such an alignment:

- I. There is no bridge over Bohena Creek near the Newell Highway;
- II. There is no need to squeeze past Bohena Creek again 5.7 kms past the proposed Bohena Creek Bridge;
- III. There is no need to cross Spring Creek near this same location;
- IV. The crossing of the Namoi River is now downstream of where the Namoi River, Narrabri Creek and Bohena Creek join and the bridge length required can be shortened by around 2.0 kilometres compared to the bridge length required at the current location on the edge of town;
- V. The crossing of the Namoi River is now downstream of where the Namoi River, Narrabri Creek and Bohena Creek join and the bridge length required can be shortened by around 2.0 kilometres compared to the bridge length required at the current location on the edge of town;
- VI. Access requirements to the Narrabri Sewage Treatment Plant across the line is no longer required and the Stock Route access is simplified;
- VII. There is no longer any need to drag the large trains up over Knights' Hill opposite the Wheat Research Station;
- VIII. Potential cost savings in construction cost and costs to Narrabri Residents;
- IX. Potential shortening of track distance by approximately 4km;
- X. Nil disruption from noise on the edge of Narrabri township; and
- XI. Most importantly, the removal of any potential flood impacts on the township of Narrabri.

2. Stakeholder Engagement

Key Concern/s:

- The alignment cannot be confirmed by the proponent as there has been insufficient consultation with Narrabri Shire Council to gain agreement on the local interfaces with the proposed alignment.

Further consideration is required to ensure that:

- a) The significant amount of assumptions made by Inland Rail on many local issues are agreeable with the asset owner such as:
 - i. the use of local roads;
 - ii. the identification of any potential local heritage items and discussions with heritage practitioners, historical societies and the like.

- b) All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.
- c) There is no use of the existing rail line through the residential sections of town. No approval for use of this section of track should be issued until such time as the Ernest & Young submission is finalised and considered.
- d) The proposed temporary construction camp is subject to the same conditions as those applied to the MAC (CIVEO) development.
- e) The proposed Narrabri borrow pit may require a Development Application from the property owner prior to use.

3. Biodiversity

Key Concern/s:

- The extent of vegetation clearing is excessive and there is no justification given to support this approach nor is there a Vegetation Management Plan to assess.

Observations:

The proposed project includes a large amount of vegetation to be removed. The number of hollow bearing trees to be removed (13,000-30,000 estimated) is considered excessive. It is therefore imperative for the proponent to ensure appropriate consultation is made with all relevant stakeholders prior to any vegetation being removed, and that all legislative requirements are adhered to.

4. Flooding

Key Concern/s:

- Even with data being made available, the flood modelling and subsequent conclusions are incorrect, as the model does not appear to include the impact of the rail on Mulgate Creek flooding of properties;
- Some of the assumptions are not consistent with recommendations in Australian Rainfall & Runoff (ARR 4th edition) Guidelines;
- The stated design criteria have not been used in determining the alignment;
- The flood level impacts at residential and commercial properties shown in the EIS would suggest that the proposed N2N alignment and design would not comply with the Narrabri Local Environmental Plan 2012 (LEP);
- Despite the reported increased flooding impact during construction, no suitable mitigation measure has been proposed;

- The impact of the rail on Mulgate Creek flooding of properties was not calculated by the proponent and needs to be included.
- The detrimental flooding impact on Narrabri Shire properties is not acceptable to Council. At a very minimum, as the flood impacts on nearby properties are primarily due to the embankment starting on the northern side of Wee Waa Road, the viaduct needs to be extended 1 or 2 bays to alleviate the additional flooding in that area.

Observations:

- a) Table 1 shows the number of buildings within Narrabri Shire showing that the rail impact would increase above floor level flooding by more than 10 mm. The results have been separated by properties flooded by Bohena Creek and by Namoi River. The impact of the rail on Mulgate Creek flooding of properties was not calculated by the proponent.

Table 1 – No. buildings subject to above floor flooding and impacted by more than 10 mm for Bohena Creek and the Namoi River

Source	No. of buildings subject to above floor flooding and impacted by more than 10 mm [#]							
	20% AEP	5% AEP	2% AEP	1% AEP	1% AEP + CC	0.5% AEP	0.2% AEP	PMF
Bohena Creek	0	29 (35)	29	29 (47)	28	20	294	400
Namoi River	0	8 (14)	20	22 (133)	53	34	245	5,880
Mulgate Creek	?	?	?	?	?	?	?	?

[#] Numbers in brackets refers to the buildings potentially flooded during the construction phase

- b) The flood impact of the rail is potentially underestimated. Research by TUFLOW suggests that both form loss coefficient and a blockage factor should be used. the proponent has only used a form loss for the bridge impact assessment. The inclusion of a conservatively low blockage factor of 5% would increase the number of properties impacted by the rail.
- c) The proponent has assumed that the bridge piers would not accumulate debris and cause additional blockage, which is not consistent with recommendations in Australian Rainfall & Runoff (ARR 4th edition) Guidelines. The inclusion of additional 5% debris blockage (total 10%) would further increase the flood afflux and the number of impacted properties.
- d) It is critical the modelling is corrected to properly reflect the impact of Mulgate Creek flooding. The most recent three floods in Narrabri, which caused above floor flooding, has been from Mulgate Creek. Mulgate Creek flooding generally occurs with minimal Namoi River flows. Modelling of the local Mulgate Creek catchment excluding Namoi River flows shows that the rail (assuming 5% blockage of the piers) would cause flood impacts on several properties along Wee Waa Road.

- e) The number of properties that would be flooded above floor level under existing conditions both within Narrabri and along Bohena Creek has been grossly overestimated.
 - i. For the Namoi River, the number of buildings flooded above floor level estimated by the proponent is some four (4) times higher for the 5% AEP event and some three (3) times higher for the 1% AEP when compared to the numbers estimated for the Narrabri FMP. The reasons for the discrepancy are not clear. However, the overestimation tends to suggest that the flood level impacts are not significant when compared to the existing problems.
 - ii. Along Bohena Creek, the proponent estimated some 72 buildings flooded above floor level by the 20% AEP event and 199 buildings for the 5% AEP event. This is not consistent with local observations and is not likely correct. It appears that the proponent has not considered the recorded flows at the Bohena Creek gauge when defining their design discharge estimates. For instance, the proponent's 20% AEP discharge estimate of 1,392 m³/s is about 2.8 times the largest flow recorded at the Bohena Creek gauge over the past 25 years. The use of this data would significantly reduce design discharges and the number of properties flooded above floor level under existing conditions along Bohena Creek.
 - iii. The proponent has predicted more properties potentially impacted during the construction phase. Although these impacts would only occur if a flood event occurred during the construction phase, the number of potential properties is significant.
- f) The EIS states that the proponent has adopted the following afflux (flood level impact) performance criteria when designing the rail (Table 3.1 of Technical report 3) for events up to and including the 1% AEP event:
 - i. Afflux less than 10 mm for:
 - properties flooded above the habitable floor level;
 - sensitive infrastructure; and
 - highways and sealed rural roads.
 - ii. Afflux less than 200 mm for urban and recreational areas.

Table 1 shows that the (proponent) rail design does not comply with their own design objectives with afflux exceeding the criteria at multiple properties. They have also not provided any justification for not meeting their own non-compliance. Meeting their design objectives could be met by relocating the rail downstream or extending the rail viaduct to the north.

- g) The proposed rail embankment crosses the Lower Namoi Valley floodplain, which is a declared floodplain under the Water Management (General) Regulation 2018. Under this plan, any flood works on the floodplain are regulated by the Floodplain Management Plan for the Lower Namoi Valley Order 2020 issued under the *Water Management Act 2000* (FMP). A 'flood work' within the FMP means a work that is:
 - i. situated in or in the vicinity of a river, estuary or lake, or within a floodplain; and is

- ii. of such a size or configuration that (regardless of the purpose for which it is constructed or used), it is likely to have an effect on the flow of water to or from a river, estuary or lake, or the distribution or flow of floodwater in times of flood.
- h) the proponent has stated that the rail is NOT a 'flood work' as defined by the FMP. However, the N2N rail embankment on the Namoi River floodplain would appear to fit within this definition and therefore would be a flood work. Although the project is a State Significant project and is not subject to the conditions of the FMP, it would be expected that the Minister would need to consider these criteria for this type of flood work. Under the FMP, the proposed works within the AD zone would generally not be permitted. The works in the B, C and CU management zones stipulate that the Minister would need to consider (amongst other criteria) whether the flood works would likely:
 - i. increase flood levels by greater than 20 cm on adjacent landholdings and other landholdings; and
 - ii. increase flood levels resulting in impacts on high value infrastructure (buildings).

The EIS demonstrates that the N2N rail does not comply with either of these criteria in Narrabri Shire from the Namoi River or Bohena Creek.

- i) The proposed N2N rail is located within the Narrabri Flood Planning Area as given in the Narrabri Local Environment Plan 2012. LEP states that "*is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties*". The flood level impacts at residential and commercial properties shown in the EIS would suggest that the N2N would not comply with the Narrabri LEP.
- j) A Floodplain Management Plan has recently been completed for Narrabri Shire (Narrabri FMP). The current recommendation within the Narrabri FMP being considered by Council would mean that the proposed rail would not be approved as it proposes flood impacts exceeding 10mm on external property.

5. Heritage

Key Concern/s:

- The majority of the conclusions made are based on desktop reviews and existing literature by the same authors;
- Consultation with local heritage practitioners, historical societies and the like, has been missed;
- Any potentially impacted site requires more input/history from locals and/or any descendants to determine if the alignment is acceptable.

Observations:

- a) It is stated that during the field survey, and the borrow pit investigation, that sites and/or artefacts were identified from roadways or by using a desktop only assessment and that "*consequently, thorough*

inspections were not able to be undertaken". Ground-truthing of this information was not undertaken throughout the entire investigative process.

The information presented in the EIS is confusing, noting in separate sections that visual assessments were undertaken around key construction infrastructure, and that no site visits occurred.

Majority of the conclusions made are based on desktop reviews and existing literature by the same authors. Consultation with local heritage practitioners, historical societies and the like has been missed. No previous heritage studies completed by Council have been referenced.

- b) The NSW Resource and Conservation Assessment Council commissioned Pauline Curby and Andrea Humphreys to undertake a Non-Indigenous Cultural Heritage Study for Stage 2 of the Brigalow Belt South Bioregion in 2002 (Curby and Humphreys, 2002). Categorised into forestry areas, the study found a total of 188 heritage items. Of those, the following eight sites are located within or close to the current study area:
 - i. Item No. 140 - Fire Tower Ruins (Pilliga East State Forest (SF));
 - ii. Item No. 142 - Robinson Hut Ruins and Rubbish Dump (Pilliga East SF);
 - iii. Item No. 143 - Dam Dug by Hand (Pilliga East SF);
 - iv. Item No. 148 - The Aloes Picnic Site and pastoral station (Cumbil SF);
 - v. Item No. 150 - Graves: Samuel Cormie d.1872 and unknown (ref Narrabri LEP as 'Aloes Well');
 - vi. Item No. 151 - Rocky Creek Mill Site (Euligal SF);
 - vii. Item No. 152 - House Site (Euligal SF);
 - viii. Item No. 153 - Grave (Euligal SF).

Only the general locations of these items were given in this report. One of the tasks of the field surveys for the current proposal was to ground truth these items.

- c) With regards to Travelling Stock Route land, outdated documentation is referenced.
- d) No reference is given to any potential heritage impacts of the proposed construction and accommodation compound/s.
- e) It is noted that project specific management plan/s, including heritage management plans are yet to be written or made accessible. Council requests input into the development of these plans. It is further requested that Council have input and the ability to review draft interpretation prior to final production of any sign within Narrabri Shire and all associated web site content.
- f) Council requests a thematic survey of the proposed alignment be carried out and provided to Council. All identified cemeteries and isolated grave sites are to be surveyed and inventoried. Details of the removal of any graves/cemeteries is to be provided to Council before any such removal takes place. A

Heritage Interpretation Strategy is to be prepared particularly where heritage items are proposed to be removed or archaeology site excavated.

- g) It is requested that a copy of the archival photographic recording of the "two-storey barn, Bohena Creek", be given to Council for its records. The heritage assessment has not considered 'scarcity or rarity' of 19thC and early 20thC heritage places. For example; how scarce is the barn locally, regionally or Statewide?
- h) It is noted that the natural world has not been considered as part of 'heritage' in this assessment unless noted under a specific piece/s of legislation or policy. For example: under visual assessments, or Bridge Aesthetics: design guideline to improve the appearance (and curtilage) of bridges in NSW Technical report Landscape and Visual Assessment.
- i) There is no heritage assessment of 'cumulative impacts' within the Shire. Cumulative impacts are solely "defined as the successive, incremental, and combined effect of multiple impacts, which may in themselves be minor, but could become significant when considered together". However, this is only taken due to other major projects under construction, and only considered if in combination with seven (7) other major infrastructure developments within the area and in terms of scale and timing. For example; Narrabri Gas Project, Silverleaf Solar Farm, Narrabri Inland Rail – Narrabri to North Star, APA - Western Slopes Pipeline, wind farms. This is not, and is rather entirely different to, general heritage assessment and not considered as part of heritage best practice.

6. Traffic and Transport

Key Concern/s:

- The Concept Design referred to in the EIS has not been issued to Council for review which is necessary to make a response to the EIS;
- It needs to be clear that the haul road is accessed off the Newell Highway to minimise the impact to local residential streets;
- No opportunity has been provided to input regarding the design to ensure the proposal is acceptable;
- The EIS states that "*Access for trains travelling from west to north is possible via the existing track through Narrabri*" despite Council's previous objection to this. No details of how unacceptable impacts will be mitigated are provided;
- The EIS states that "*Construction traffic access routes have been developed to minimise the impact to the road network and major population centres*" however no details are provided in the EIS nor has Council been consulted;
- There is insufficient traffic analysis and consultation acknowledged by the EIS to confirm routes and impacts on the transport network making it imperative that a *Traffic, Transport and Access Management Plan* is required and approved by Council as a pre-requisite to the project approval;
- The EIS implies that the location of the workforce accommodation camp has been agreed. As it is yet to be finalised it is imperative that a location be agreed prior to the project commencement as the

associated permanent infrastructure and services needs to provide an ongoing benefit and not displace or detract. It is expected that the site is subject to the same conditions as those applied to the MAC (CIVEO) development;

- A significant increase in traffic (specifically heavy vehicles) on the network is proposed. Accordingly, pavement testing will be required on any local road that is proposed as a construction route and a contribution be made by the proponent for maintenance and repair.

Observations:

Technical Report 10 – Traffic and Transport Assessment

- a) Page ii - This section states *"Additional traffic generating construction activities would include the delivery of water, spoil and plant and equipment. Movements associated with these activities would mainly travel via the construction haul road which would run along most of the proposal site with gated access to public roads."*

A condition is required to ensure the haul route is accessed off the Newell Highway to minimise the impact to local residential streets and for the safety of the community.

- b) Page iii – This section states *"Input would be sought from relevant stakeholders (including local councils and, Transport for NSW) prior to finalising the detailed design of those aspects of the proposal..."*

To date there has been no request for input regarding the design to ensure that comments on the design are received and duly considered.

- c) Page 9 – Figure 1.3b – This diagram indicates the location of a proposed borrow pit (Borrow Pit D) located along Perimeter Road. Details on the volume extracted from the borrow pit are required as this may require a Development Application from the property owner to be submitted.
- d) Page 53 – Table 5.1 states *"Access for trains travelling from west to north is possible via the existing track through Narrabri."*

Council has already objected to this option and is currently working with Ernest & Young (EY) to resolve the issue. No approval for use of this section of track should be issued until such time as the EY submission is finalised.

- e) Page 59 – This section states *"For the duration of construction, public roads would be used as access routes to transport people and materials to the proposal site."*

All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

- f) Page 65 – Table 5.5 identifies the predicted number of vehicles that will access the local road network during construction. This table indicates a total of 374 vehicles.

All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

- g) Page 68 – Table 5.6 identifies the proposed construction access routes and nominate the following local roads: Mooloolbar Street, Yarrie Lake Road, Gibbons Street, The Island Road, Old Gunnedah Road, Saleyards Lane (and other roads forming part of the Newell and Kamilaroi Highways). These roads front the hospital, aged care and alike suggesting that no consideration has been given to the impact of using local roads. Sensitive uses and emergency access routes must be avoided.

All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing and should form part of determining the Traffic Management Plan consultation.

- h) Page 69 – This section states *"Public roads would be used for travel between the source/origin and the nearest haul road access point."* Local streets should only be used where no alternative is permissible. It is recommended that the haul road is accessed off the Newell Highway where accessible.
- i) Page 83 – This section states *"Prior to planning the use of any local roads, consultation with the council would be undertaken to determine their suitability for use." "Prior to construction an existing pavement condition survey would be undertaken on all impacted roads."* Currently there is insufficient detail to ensure that no construction approvals (e.g. Section 138) are issued until such time as the condition survey is completed. It should also be noted that this condition survey needs to be conducted with the assistance of Narrabri Shire Council officers, as some pavements may need upgrading prior to use by construction traffic.
- j) Page 97 – Table 7.2 states *"A traffic, transport and access management plan would be prepared and implemented as part of the CEMP."* This is a key document in finalising any traffic and transport related issues and needs to be reviewed by Council prior to construction.
- k) Page 101 – This section states *"It is recommended that a traffic, transport and access management plan be produced to guide the interaction of construction activities with the public road network. The plan should be prepared in consultation with the local councils, bus and other transport operators and Transport for NSW and be subject to periodic review and update as agreed between the stakeholders."* This is the most important statement in the entire document. Council needs to ensure that council officers are involved in the development of this plan (which is yet to commence).

Chapter A7 – Proposal features and operation

- a) Page A7-2 – This section states *“Design work to date has involved producing a reference (also known as a concept) design.”* This concept design has not been issued to Council for review.
- b) Page A8-24 states *“The proposed locations were identified in consultation with councils...”* These negotiations regarding the location of the workforce accommodation camp have yet to be finalised (e.g. possible use of the N2IP site).
- c) Page A8-24 states *“Each temporary workforce accommodation is expected to operate for the duration of construction and accommodate up to 500 people.”* This site should be subject to the same conditions as those applied to the MAC (CIVEO) development.
- d) Page A8-31 states *“The existing public road network would be used for external delivery of all materials from commercial suppliers and borrow pits, and for the movement of the workforce.”* All construction traffic must utilise the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.
- e) Page A8-32 states *“New access from public roads would be provided via a new temporary connection. All connections to public roads would be designed to the appropriate standard and in consultation with the road manager.”* Access to local roads should be kept to a minimum, however where this is the only alternative for access temporary intersections/vehicle access points shall be constructed in accordance with Council specifications.

Chapter B11 – Traffic and Transport

- a) Page B11-11 states *“Narrabri – up to 82 light vehicle movements and 336 heavy vehicle movements per day.”* This is a significant increase in traffic (specifically heavy vehicles) and pavement testing will be required on any local road that is proposed as a construction route to ensure the pavement can withstand this impact. All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.
- b) Page B11-12 states, *“To minimise the potential for traffic and access impacts, short-term closures would be undertaken during the night...”* Road closures will be subject to review and will require alternate access (e.g. detour, side-track, stop/slow) for local traffic.
- c) Page B11-12 states *“The remainder of the surrounding road network is not expected to be significantly impacted by construction traffic. This is because the roads have sufficient capacity to absorb the increased traffic...”* The proposed traffic volume increases will have an impact to local traffic, and the road pavement will be subject to additional stresses that it may not have been constructed to withstand. Pavement testing will be required on any local road that is proposed as a construction route to ensure the pavement can withstand this impact. All construction traffic must utilise the temporary haul road

and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

- d) Page B11-12 states *"Construction traffic access routes have been developed to minimise the impact to the road network and major population centres."* These routes have not been identified in the report and consultation with Council on the use of these roads has not been undertaken.
- e) Page B11-13 states *"...access would be provided from secondary roads where practicable to minimise potential disruptions on the arterial road network."* This has not been consulted with Council, and all construction traffic must utilise the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

7. Land Use and Property

Key Concern/s:

- Council has not been consulted in its role of Landowner other than the receipt of a notification;
- There has been no discussion on utilities, network service severance and whether it is possible to maintain the existing services. It is assumed that the proponent will undertake a 'Utilities Investigation' similar to the road audit they are currently completing, as part of the detailed design which includes gaining agreement on a suitable approach to maintain all services;
- The EIS does not appear to address conflicts of use whereby an adjoining landowner (to the route) is adversely affected by the construction and/or operation of the rail and its infrastructure such as redirection of water flows, redirection of air flow, dust and noise. This needs to be addressed prior to completion of the detailed design;
- Due to the resultant lot size of residual land it may be necessary to limit future uses. For example, a small lot may not be commercially viable and therefore it proposed to be used as 'lifestyle/ rural residential in an area not suitable for such development. Council therefore may require such lots to be amalgamated and/or rezoned before being made available for sale, even when firstly put to the former owner. Accordingly, all resultant lot sizes must comply with the zoning and approval must be sought from Council before any non-compliant residual land is made available for sale;
- Mitigation measure - *opportunities to refine the design to avoid construction footprint impacts on travelling stock reserve R9489 'Narrabri West' would be investigated* should be clarified to provide more certainty that current and future uses can be maintained after construction;
- There is little evidence of the consideration of maintaining or enhancing pedestrian and recreational connectivity. This needs to be considered and opportunities to improve liveability factors such as land use, built form, quality and conservation of public spaces and natural environments, cultural characteristics, efficiency of transport networks, accessibility to work, education, health and community services and social and recreational opportunities should be included.

8. Landscape and Visual Amenity

Key Concern/s:

- There is insufficient information in the EIS and available in the public domain to adequately assess the landscape and visual amenity. While there are now mock aerial images available (outside the EIS) this does not replace the need for Landscape Sectional and Perspective Plans and Landscape Management Plan to be submitted for approval. Council requests the opportunity to review and comment on these Plans.

Observations:

It is unclear what the proposed treatment for crossing the Narrabri-Walgett Line would look like. There does not appear to be any information on this. The visual impact assessment certainly doesn't address it.

The assessment shows an indicative bridge over Yarrie Lake Road (figure B13.5), but nothing for the rail crossing.

9. Noise & Vibration

Key Concern/s:

- Council objects to the proponent's assumption that construction will occur outside the NSW EPA's recommended standard hours particularly where the analysis clearly indicates that households will be affected. Under no circumstances should the proponent be permitted to undertake construction activities seven (7) days a week. Allowing extended hours on Saturday, Sunday and Public Holidays should not be permitted where households will be affected.
- While the analysis identifies noise levels above the acceptable standards, the proposal does not provide sufficient mitigation measures to ensure the acceptable levels are not exceeded. To suggest that 48 hours of continuous impact is reasonable and that they will notify affected community members when they will get 'respite' from the noise and/or vibration is offensive and demonstrates a lack of commitment to any obligations.
- Ongoing monitoring must be effective, and readings should be made public throughout the construction period.
- It is noted that the noise impact from the Temporary Workforce Accommodation does adversely affect a significant portion of residences. This is further reason for determining an alternate location for the accommodation site that can provide a lasting legacy for the community.

Observations:

These observations consider Noise Catchment Areas 1 & 2 only from the perspective of the impact as reported in the EIS. No acoustic analysis has been undertaken but is recommended, given the baseline data being used is from three (3) x two (2) week monitoring windows between November 2018 and October 2019 without any qualification of the relevance of the undefined periods chosen and there is an obvious impact above acceptable levels.

The EIS was proposed to include a noise and vibration assessment that will be undertaken with consideration of relevant legislation and guidelines, including:

- *Environmental Protection & Assessment Act*
- *Protection of Environmental Operations Act*
- Interim Construction Noise Guideline (DECC, 2009)
- Construction Noise Strategy (TfNSW, 2017b)
- Assessing Vibration – a technical guideline (DECC, 2006)
- NSW Road Noise Policy (DECCW, 2011)
- Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration (ANZECC, 1990)
- Environmental Noise Management Manual (RTA, 2001)
- Development Near Rail Corridors and Busy Roads – Interim Guideline (DoP, 2008)
- Noise Mitigation Guideline (RMS, 2015a)
- Noise Criteria Guideline (RMS, 2015b)
- NSW Sustainable Design Guidelines Version 4.0 (TfNSW, 2017a)
- German Standard DIN 4150-3: Structural Vibration - effects of vibration on structures

The primary proposal construction hours extend outside the NSW EPA's recommended standard hours, as defined by the *Interim Construction Noise Guideline (DECC, 2009)*. As a result, the proposal suggests regular work outside the recommended standard hours.

The EIS acknowledges where the criteria have not been met but assumes the project does not need to adhere to the standard hours or the acceptable levels. The limited information provided to mitigate or manage the non-compliance provides no confidence that the standards can or will be met. Hours of construction need to be limited to the recommended standard hours unless it can be demonstrated that noise limits will not be exceeded and there is no disruption.

Reference is made to applying mitigation measures "where feasible and reasonable" which implies limited commitment to ensuring acceptable limits will be adhered to. Further the EIS shows no attempt to clarify individual household sensitivities in the affected areas and how these may be monitored and appropriately addressed. It would not be unusual for some households to include shift workers, elderly and those hyper-sensitive to noise and/or vibration. Not to mention, livestock and the ecological impacts. This must be investigated and alleviated.

It is expected that compensation for any adverse impacts will be addressed, despite the limitations of the *Land Acquisition (Just Terms Compensation) Act 1991*. This includes, but not limited to, provision of noise/acoustic barriers, double glazing, etc and other measures for households adversely impacted during the ongoing operation of the rail service.

10. Waste Management

Key Concern/s:

- While it is noted that volumes of waste have been estimated eg Workforce Accommodation, with the little detail provided no consideration of the proposed waste management can be undertaken as there has been no consultation; nor are details of the *Waste Management Plan* found in the EIS.

Observations:

The EIS states that:

- i. *The waste management plan will define the processes, responsibilities and management measures that would be implemented to manage waste. This would include procedures for the assessment, classification, management and disposal of waste in accordance with the Waste Classification Guidelines.*
- ii. *Waste management during construction and operation will follow IR procedure and relevant environmental protection licenses and regulatory requirements.*
- iii. *Inland Rail will engage appropriately licensed waste contractors to manage the collection, recycling or disposal of waste. Contractors will also be required to provide evidence of the works compliance with legislative requirements, conditions of approval and standards and guidelines.*

Council's responsibilities for waste management require greater control over the transportation and disposal of waste.

No consultation has been undertaken with Council regarding the Waste Management Plan (WMP). In developing the WMP the following minimum information needs to be adequately addressed:

- i. Nomination of the disposal site.
- ii. Record of the volume of each waste type being transport by the contractor.
- iii. Contractor proof of disposal at the nominated site including evidence of disposal, including tax invoice.
- iv. A procedure for how payment will be made to the Council.

11. Socio-Economic Assessment & Cumulative Impacts

The use of a FIFO workforce is discouraged where the jobs can be filled from the local region. To this end Council is keen to assist in enabling local training opportunities to meet the proponents needs along with other relocation and establishment requirements. A good example of this is our Rail Centre of Excellence.

The additional projects identified in the table below will affect the socio-economic assessment and cumulative impacts of the Narramine to Narrabri development.

Project and status	Nature of potential cumulative impacts
Narrabri South Solar Farm	<ul style="list-style-type: none"> Construction expected to take 12 months. Start period proposed to be third or fourth quarter of 2021. Majority of labour expected to be accessed from local and regional catchment.
Shenhua Watermark Coal Project	<ul style="list-style-type: none"> Construction expected to take 18 months. Start period proposed to be second quarter 2021. Specialist and non-specialist labour to be drawn from a wide catchment of which Narrabri Shire will be one.
Narrabri Underground Mine Stage 3 Extension	<ul style="list-style-type: none"> Construction expected to take over 2 years. Start period proposed to be second quarter 2022. There will be a potential draw on construction materials from the region.
Vickery Mine Project	<ul style="list-style-type: none"> Construction expected to take 2 years. Start period proposed to be third quarter 2022. There will be a potential draw on construction materials from the region.
Perdaman	<ul style="list-style-type: none"> Construction expected to take 4 years. Start period proposed to for the first half of 2023. Majority of labour expected to be accessed from local and regional catchment. There will be a potential draw on construction materials from the region.
Northern NSW Inland Port	<ul style="list-style-type: none"> Initial construction expected to take approximately 2 years. Start period proposed for the third quarter of 2023. Majority of labour expected to be accessed from local and regional catchment. There will be a potential draw on construction materials from the region.

The Inland Rail organisation require everyone who works on their projects to attain certain tickets or undertake training to be able to work in the rail corridor. An example being the Rail Industry Safety Induction. To ensure local training organisations can deliver the upskilling required, an assessment of current capabilities should be undertaken. This will ensure that any local person who wants to benefit from the construction of Inland Rail will not be hindered by not being able to access basic and required training.

Within the Narramine to Narrabri EIS Project Summary of Findings additional key infrastructure is proposed, namely a Borrow Pit at Perimeter Road and:

1. A multi-function compound at Narrabri West.
2. Temporary workforce accommodation within the Narrabri West multi-function compound.

As discussed with all levels of Inland Rail representatives from the CEO (Richard Wankmuller) Duncan Mitchell (Project Director) and his team, Narrabri Shire is in the process of developing an employment precinct, the Northern NSW Inland Port (N2IP). A part of the strategic intent of Inland Rail is to assist communities that the Inland Rail infrastructure traverses by leaving legacy items for current and future generations.

Therefore, it is recommended that the multi-function site compound proposed to be developed at Narrabri West be repositioned to Council's N2IP site. This is to include the following:

- Inland Rail's multi-function offices and amenities building;
- Laydown areas;
- Materials storage;
- Fixed and mobile concrete batching facilities;
- Fuel and hazardous materials storage;
- Maintenance facilities;
- Welding yard, etc.

A further important legacy item to benefit the whole of the Narrabri community is that of access to water. It is proposed that strategic water bores be positioned to allow community organisations like the NSW Rural Fire Service to access water to fight forest fires. Further community benefits could be attained by providing water supply for residential consumption and to Council's N2IP site for commercial/industrial usage and economic growth.

In relation to the temporary workforce accommodation, it is proposed that existing surplus rooms (already available in Narrabri township) be taken up prior to the development of any new facility. If a new facility is required, then strong consideration should be given to the legacy aspect of that development. Therefore, it is necessary that any temporary workforce accommodation facility be designed, situated and constructed to allow for the potential future use as an aged care facility, motel accommodation or units etc. Council requests that it be consulted to ensure the most appropriate design and location is established for this potential long-term, community benefit.

Apart from the direct cumulative impacts of labour and accommodation, stresses will be felt in a range of other areas, including but not limited to the following:

- Education and training;
- Medical;
- Policing.
- Childcare.
- Ambulance.
- Private enterprise business.
- Miscellaneous government departments.

To address these wide ranging and broad community issues, it is proposed that Inland Rail initiate and lead a whole of government task force to address these very real local government and community concerns.

The table on Page 51 of the Narramine to Narrabri Project, Summary of Findings states that the benefits of Inland Rail are.

- Offering better access to and from regional markets;
- Enabling regional economic development along the Inland Rail corridor.

Council has consistently been a strong advocate for Inland Rail to the point that it is progressing an industrial precinct, the Northern NSW Inland Port (N2IP). This precinct is situated within 4 kilometres of the Inland Rail corridor and will be used to attract businesses to the Shire that want access to Inland Rail to send their product to major cities like Brisbane and Melbourne and/or from there, export to the world. However, when the Inland Rail infrastructure grade separates over the Walgett Branch Line, it does so at a height that does not allow for double stacking from the N2IP site. Council believes that the raising of the Inland Rail line is not only a viable proposition but by doing it now will eliminate future retrofitting and associated infrastructure costs. Council has raised this repeatedly with the Inland Rail organisation as the height (being less than needed for double staking) appears to be a design flaw (in the EIS) that needs to be rectified to allow not only Narrabri Shire and Inland Rail but the broader north west region, opportunity to maximise the development of this new rail infrastructure.

To this end, connectivity options need to be agreed to ensure the value adding opportunities prevail. This includes future proofing road infrastructure needs; water management infrastructure, for example channelling to enhance flood mitigation and water reuse; and communications corridors. Leveraging the Interface Improvement Program currently being finalised with Ernest & Young (EY) is an important outcome.

The three levels of government in Australia are committed to the N2IP development with the Federal and State governments allocating a combined total of \$24.61 million in infrastructure funding for the project.

The following is stated in the Federal Government's Statement of Expectations:

"The Government considers that the development of infrastructure that is complimentary to Inland Rail will be important to achieving the project benefits".

Council believes that to assist Inland Rail achieve its project benefits, it needs to access the Inland Rail infrastructure in a northerly and southerly direction directly from the Walgett Branch Line. Narrabri Shire has been advocating for this complimentary infrastructure over an extended period and believes that both the Narrabri Shire community and Inland Rail will jointly benefit from this addition. By not constructing access to Inland Rail off the Walgett Branch Line, the rolling stock will be operated through the town of Narrabri. This is in stark contrast to the Commonwealth Governments Statement of Expectations which is to:

"Improve sustainability and amenity for the community".

Conclusion

This review assumes that the aim of this submission is not to examine the complex scientific information in great detail or specific modelling methods involved in the project but rather to identify any potential issues that may directly or indirectly impact Council or Narrabri Shire or the surrounding community.

The Department is being relied upon by Council to have more critical sections of the EIS peer reviewed by independent experts in relevant fields and for those peer reviews to be available to the community for review.

In concluding the review of the Environmental Impact Statement (EIS) for the Inland Rail – Narromine to Narrabri Project, Narrabri Shire Council, it is noted that over twenty-seven (27) key concerns among many other observations have been identified that need to be addressed to ensure the proposal is successful.

Of specific concern is that the proposed route does not provide an optimum outcome for Narrabri Shire. It is imperative that the serious omissions from the EIS be adequately addressed, namely the erroneous flood modelling and subsequent conclusions.

Further, to realise a benefit to Narrabri Shire and its surrounds, it is imperative that the proponents be required to demonstrate that:

- a) the rail operations will not negatively impact on the local community, by ensuring (1) all rail infrastructure is located outside the higher density commercial and residential areas; and (2) all construction impacts are mitigated and any residual damage to property, the road and service networks are repaired;
- b) the rail infrastructure does not increase potential flooding;
- c) the opportunity to interface efficiently and effectively with the Inland Rail, not only from the Narrabri Inland Port, is incorporated into the design at an early stage; and
- d) all construction infrastructure and services setup are located so that should Narrabri be able to benefit from their ongoing use, ownership is transferred to Council.

12. Appendix A – Flood Modelling Map

