

22 November 2021

ARTC REF# 5-0000-260-EAP-00-LT-0005

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To Katrina O'Reilly,

CSSI 7474 Narrabri to North Star, Phase 1 (N2NS) Project Independent Environmental Audit – Response to Request for Information Minister's Condition of Approval A39

I refer to the Ministers Conditions of Approval (MCoA's) issued for the Critical State Significant Infrastructure (CSSI) Project No 7474 Narrabri to North Star, Phase 1 on 13 August 2020 (**N2NS Planning Approval**), and specifically the requirement to submit Independent Audit Reports and the Proponents response to the audit findings to the Planning Secretary within 2 months of undertaking the audit in accordance with **MCoA A39**.

Further to ARTC's submission of the first Independent Environmental Audit Report (IEAR) on 13th September 2021, I also refer to your subsequent Request For Information dated 23 September 2021 specifically requesting:

- The independent auditor to re-review the compliance status of condition E13 at the time of the audit and to update the report and declaration accordingly; and
- Further highlighting the construction impact and mitigation measures associated with Conditions E14 and E15.

In response to the first point, your request for information was sent to the independent auditor and a review of the compliance status of E13 was undertaken. The IEAR had incorrectly identified this condition as not being triggered at the time of the audit. The independent auditor has accordingly updated the compliance status for this MCoA as non-compliant, provided a revised report and updated the auditor declaration. The changes can be found in *Section 5.1 Identified Non-compliances and Recommendations* of the revised IEAR and *Appendix B – SSI 7474 Audit Checklist*. For your ease of reference, an extract of the changes are provided in Attachment 1.

In response to the second point, the auditors have also updated the IEAR comments and evidence column for conditions E14 and E15 in *Appendix B – SSI 7474 Audit Checklist* to reflect the construction aspects as highlighted. An extract from the report highlighting the changes is also provided for your ease of reference, in Attachment 1.

For your information, ARTC has since submitted a draft of the required ONVR on the 13th of August 2021 and have advised DPIE that we expect to satisfy the MCoAs E13 and E14 by March 2022 as per previous correspondence.

If you wish to discuss any of the above further, please contact me directly on PBorrelli@artc.com.au or 0407 254 363.

Yours sincerely

Peter Borrelli
ARTC Project Director N2NS
22 November 2021

Attachment 1

Extract of IEAR- Updated Section 5.1 Identified Non-compliances and Recommendations

Cond Ref	Requirement	Independent Audit Finding	Recommendation
E13	<p>Noise Mitigation – Operational Noise Mitigation Measures</p> <p>The Proponent must prepare an Operational Noise and Vibration Review (ONVR) to confirm noise and vibration control measures that would be implemented for the operation of the CSSI. The ONVR and identification / selection of any noise mitigation measures must be prepared in consultation with the EPA and impacted sensitive receivers. Where barrier options (e.g. noise walls or mounds) are proposed to be implemented, consultation must also be undertaken with the relevant councils.</p> <p>The ONVR must:</p> <ul style="list-style-type: none"> (a) confirm the appropriate operational noise and vibration objectives and levels for adjoining development, including existing sensitive receivers; (b) confirm the operational noise and vibration predictions based on the final design. Confirmation must be based on an appropriately calibrated noise model (which has incorporated additional noise monitoring, and concurrent traffic counting, where necessary for calibration purposes). (c) Identify / confirm sensitive receivers at which the criteria set out in the Rail Infrastructure Noise Guideline (EPA, 2013) are predicted to be exceeded once the CSSI is operational and in 2040; (d) review the suitability of the operational noise mitigation measures identified in the documents listed in Condition A1 and, where necessary, investigate and identify additional noise and vibration mitigation measures required to achieve the noise criteria outlined in the Rail Infrastructure Noise Guideline once the CSSI is operational and in 2040. This review must consider local climate and impacts on existing cooling devices, and alternative at-property mitigation measures where the physical condition of a receiver building would render acoustic glazing and seals ineffective; (e) describe the final suite of noise and vibration mitigation measures that will be implemented to achieve the noise criteria outlined in the Rail Infrastructure Noise Guideline once the CSSI is operational and in 2040, including the timing of implementation in accordance with Condition E14; (f) include a consultation strategy to seek feedback from directly affected landowners on the noise and vibration mitigation measures; and (g) procedures for the management of operational noise and vibration complaints. <p>The ONVR is to be verified by a suitably qualified and experienced noise and vibration expert. The ONVR is to be undertaken at the Proponent's expense and submitted to the Secretary for approval within three (3) months of construction commencing.</p>	<p>At the time of the audit, the Operational Noise and Vibration Review (ONVR) had not been finalised. With construction commencing on site 10 April 2021, the due date for submission of the ONVR was 10 July 2021.</p>	<p>Ensure that the Operational Noise and Vibration Review (ONVR) is submitted to the secretary for approval.</p>

Extract of IEAR- Updated Appendix B – SSI 7474 Audit Checklist

Cond No.	Requirements	Construction Stage	IEA Comments & Evidence	Compliance Status	Recommendations
E13	<p>Noise Mitigation – Operational Noise Mitigation Measures The Proponent must prepare an Operational Noise and Vibration Review (ONVR) to confirm noise and vibration control measures that would be implemented for the operation of the CSSI. The ONVR and identification / selection of any noise mitigation measures must be prepared in consultation with the EPA and impacted sensitive receivers. Where barrier options (e.g. noise walls or mounds) are proposed to be implemented, consultation must also be undertaken with the relevant councils. The ONVR must:</p> <p>(a) confirm the appropriate operational noise and vibration objectives and levels for adjoining development, including existing sensitive receivers; (b) confirm the operational noise and vibration predictions based on the final design. Confirmation must be based on an appropriately calibrated noise model (which has incorporated additional noise monitoring, and concurrent traffic counting, where necessary for calibration purposes). (c) Identify / confirm sensitive receivers at which the criteria set out in the Rail Infrastructure Noise Guideline (EPA, 2013) are predicted to be exceeded once the CSSI is operational and in 2040; (d) review the suitability of the operational noise mitigation measures identified in the documents listed in Condition A1 and, where necessary, investigate and identify additional noise and vibration mitigation measures required to achieve the noise criteria outlined in the Rail</p>	Construction	At the time of the audit, the Operational Noise and Vibration Review (ONVR) had not been finalised. With construction commencing on site 10 April 2021, the due date for submission of the ONVR was 10 July 2021.	Non-compliant	Ensure that the Operational Noise and Vibration Review (ONVR) is submitted to the secretary for approval

Cond No.	Requirements	Construction Stage	IEA Comments & Evidence	Compliance Status	Recommendations
	<p>Infrastructure Noise Guideline once the CSSI is operational and in 2040. This review must consider local climate and impacts on existing cooling devices, and alternative at-property mitigation measures where the physical condition of a receiver building would render acoustic glazing and seals ineffective;</p> <p>(e) describe the final suite of noise and vibration mitigation measures that will be implemented to achieve the noise criteria outlined in the Rail Infrastructure Noise Guideline once the CSSI is operational and in 2040, including the timing of implementation in accordance with Condition E14;</p> <p>(f) include a consultation strategy to seek feedback from directly affected landowners on the noise and vibration mitigation measures; and</p> <p>(g) procedures for the management of operational noise and vibration complaints.</p> <p>The ONVR is to be verified by a suitably qualified and experienced noise and vibration expert. The ONVR is to be undertaken at the Proponent's expense and submitted to the Secretary for approval within three (3) months of construction commencing.</p>				
E14	<p>Operational noise mitigation measures identified in Condition E13 (such as at-property architectural treatments) that will not be affected by construction works, must be implemented:</p> <p>(a) within six (6) months of the commencement of construction affecting the impacted receiver/s;</p> <p>(b) in the case of at-property treatments, as agreed with the landowner; or</p>	Construction	Stakeholder consultation in relation to at property treatments is ongoing and due to be completed in March 2022. This condition has not been triggered at the time of the audit, however this will be assessed during the next IEA that falls during the	Not triggered	

Cond No.	Requirements	Construction Stage	IEA Comments & Evidence	Compliance Status	Recommendations
	(c) as agreed by the Planning Secretary.		construction period.		
E15	Where implementation of operational noise mitigation measures are not proposed in accordance with Conditions E13 and E14, the Proponent must submit to the Planning Secretary a report providing justification as to why, along with details of temporary measures that would be implemented to reduce construction noise impacts, until such time that the operational noise mitigation measures identified in Condition E13 are implemented. The report must be endorsed by the ER and submitted to the Planning Secretary prior to the commencement of construction which would affect the identified sensitive receivers.	Construction	Stakeholder consultation in relation to at property treatments is ongoing and due to be completed in March 2022. This condition has not been triggered at the time of the audit, however this will be assessed during the next IEA that falls during the construction period.	Not triggered	