

20 October 2022

ARTC REF# 5-0000-260-EEC-00-LT-0004

Shelly McPhee  
Team Leader, Compliance  
Department of Planning, Infrastructure and Environment  
135 Murwillumbah St,  
Murwillumbah, NSW, 2484

Email: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

To Shelly McPhee

**CSSI 7474 Narrabri to North Star, Phase 1 (N2NS) Project  
Independent Environmental Audit No 3 – Submission and Responses to Findings.  
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**.

Following the third Independent Environmental Audit site inspection on 2 and 3 of August 2022, I am now pleased to be able to submit to you the third Independent Environmental Audit report for the N2NS Phase 1 project. Please also refer to Attachment 1 – Response to Audit Findings which outlines the proposed actions and / or current compliance status against the identified potential Non-compliance findings and suggested Opportunities for Improvement.

If you wish to discuss any of the above further, have any comments or concerns, please either contact Justin Bate, Health, Safety and Environment Superintendent on [JBate@artc.com.au](mailto:JBate@artc.com.au) or 0438 952 286 or myself on [PBorrelli@artc.com.au](mailto:PBorrelli@artc.com.au) or 0407 254 363.

Yours sincerely



Peter Borrelli  
**ARTC Project Director N2NS**  
20 October 2022

## Attachment 1 - Response to Audit Findings

**Table 1 - Identified Non-Compliance Findings**

Condition Reference	Requirement	Independent Audit Finding	Recommendation Status	Action / Status
A1	<p>The CSSI may only be carried out in accordance with the terms of this approval and generally in accordance with the description of the CSSI in the Inland Rail – Narrabri to North Star Environmental Impact Statement, Volumes 1-7 (prepared by GHD and dated November 2017), the Inland Rail – Narrabri to North Star Submissions Preferred Infrastructure Report (ARTC, dated December 2019) and (updated BDAR, RtS on the SPIR and RFI responses).</p>	<p>The SEMP was prepared to support preconstruction activities associated with the delivery of the project. The CEMP replaced the SEMP as the key environmental management document for the construction of the project.</p> <p>The SEMP and CEMP provides a management framework to comply with condition A1 and condition A2 that require the N2NS Phase 1 project to be constructed generally in accordance with the description of the project in the SPIR, Environmental Impact Statement (EIS) and the N2NS Phase 1 Conditions of Approval and in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in these documents unless otherwise specified in, or required under, the CoAs. Minor ancillary facilities process being updated within the CEMP (refer s4.1). SEMP no longer in use. Refer to C2. A number of non-compliance were identified during the audit period including:</p> <ul style="list-style-type: none"> <li>• A2 – CSSI Compliance</li> <li>• E80 – Erosion and sediment controls</li> </ul> <p>Refer to the specific IEA comments and evidence for each non-compliant condition listed above.</p>	<p>No recommendation required for non-compliance. Refer to the specific IEA comments, evidence, and recommendations for each non-compliant condition.</p>	<p>Refer responses to specific MCoA.</p>

Condition Reference	Requirement	Independent Audit Finding	Recommendation Status	Action / Status
A2	The CSSI must be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in in the documents listed in Condition A1 unless otherwise specified in, or required under, this approval.	Noted, as above.	As above.	As above.
E80	All reasonably practicable erosion and sediment controls must be installed and appropriately maintained to minimise any water pollution. When implementing such controls, any relevant guidance in the Managing Urban Stormwater series must be considered.	<p>Mitigation measures and erosion and sediment controls are outlined in Table 7-1 of the Construction Soil and Water Management Sub-Plan (2600-0018 N2NSSP1).</p> <p>Several temporary soil stockpiles were observed to not be managed in accordance with the site-specific Erosion and Sediment Control Plan during the site inspection. The design and construction of drainage crossings and piling pads, particularly those inspected during the previous audit have improved but has still resulted in some minor erosion and sedimentation of creek lines and drainage over recent rain events. Evidence of partially blocked pipes noted in some crossings.</p> <p>Batters along the rail corridor works, observed appeared to be generally maintained and were an improvement from the previous audit site inspection. Material tracking was noted onto the Newell Highway from works sites. It was noted that a dedicated street sweeper is utilised to remove tracked material. However, due to the length of the project there is significant</p>	<p>Ensure all reasonably practicable erosion and sediment controls must be installed and appropriately maintained to minimise any water pollution.</p> <p>Ensure regular cleaning of drainage structures and erosion and sediment control structures is undertaken prior to and following significant rain events.</p> <p>Ensure temporary stockpiles are adequately stabilised, located, and managed in accordance with the ESCP.</p> <p>Ensure temporary batters are appropriately stabilised to reduce the risk of erosion until the final design shaping and rehabilitation is implemented.</p>	<p>Erosion and sediment controls are installed as per the CPESC certified ESCP's. These controls are regularly inspected by both the ARTC and T4MR project environmental teams and monthly by the project CPESC.</p> <p>In addition to this, fortnightly ER inspections were undertaken during audit period.</p> <p>Controls are inspected as per the inspection schedule, including pre- &amp; post-rainfall inspections</p> <p>Temporary stockpiles are located away from waterways and drainage channels in accordance with the MCoA requirements and stabilised</p>

Condition Reference	Requirement	Independent Audit Finding	Recommendation Status	Action / Status
		<p>distance for the street sweeper to cover. Unlined and uncontained concrete spills noted within the piling pad at Bobbiwaa Bridge.</p>	<p>Consider further mitigation measures, such as rumble grids, to reduce material tracking onto the Newell Highway.</p> <p>Ensure appropriate concrete washout pits are installed as required and all excess concrete spills are removed immediately following the spill event during piling works.</p>	<p>with binder where appropriate. Where not under active construction, temporary batters have also been treated with binder application by the site environmental team.</p> <p>Rumble grids have been installed at several site egress points and a road sweeper is operational in Stages 1 &amp; 2 to ensure material tracking is managed.</p> <p>The majority of concrete pours have been completed, but concrete washout pits will continue to be utilised where required and in the event of a spill will be cleaned up immediately.</p>

**Table 2 – Opportunities for Improvement**

OFI Reference	Condition Reference	Context	Opportunity for Improvement	Action / Status
OFI01	A4	An updated version of the Construction Biodiversity Management Sub-Plan was approved by DPE (formerly DPIE) on 10 January 2022. The approval letter (contained in the BMP) states that the BMP will need to be reviewed prior to Stage 1 works commencing in order to include updates relevant to that section of the project. Stage 1 works commenced in early April 2022 and the Revision 4 of the BMP has not been approved during the audit period. RPS sighted the revised Species Management Plan Rev 1 dated 12 August 2022 in response to BCS and ER comments.	Ensure that Revision 4 of the BMP is approved and the SMP is attached.	Rev. 4 of the BMP including the SMP has been submitted to DPE.  Please note the approval letter from DPE required that the BMP was reviewed before the start of the stage and was not required to be resubmitted and approved subsequently. The required review of the BMP was undertaken at the time prior to the start of the stage.
OFI02	A6	Any document that must be submitted, or approval that must be obtained, within a timeframe specified in or under the conditions of this approval may be submitted within a later timeframe agreed with the Planning Secretary.	Recommended that approval letters for all management plans and reports be attached as appendix items to demonstrate compliance status.	Approval letters are available upon request.
OFI03	C9	The Biodiversity Management Sub-plan must include: a. a weed management plan, including appropriate weed control to manage introduction and/or spread of weeds from construction areas to any retained Weeping Myall Woodlands TEC, and appropriate protocols to demonstrate compliance with the requirements of the	Weed management could be improved around crossings and should be reviewed as the timing of the project enters spring.	Weed management is included in the Landscaping and Rehabilitation schedule and is subject to discussion between ARTC and T4MR during the weekly Rehabilitation & Completions meeting and

OFI Reference	Condition Reference	Context	Opportunity for Improvement	Action / Status
		Biosecurity Act 2015 and Biosecurity Regulation 2017		reviewed by the ER during their inspections.
OFI04	E28	Flood Design Verification Report	Attach the Department approval letter of the FDVR in Appendix.	Approval letters are available upon request.
OFI05	E35	A number of overtopping events have been recorded during the audit period. While overtopping events have been reported, the piling pads were constructed to the meet design criteria for the nominated rainfall event. Overtopping events exceeded the approved design rainfall and runoff volume in each case. It is noted that most of the piling works are complete or near completion.	It is recommended that the hydraulic model is continued to be reviewed considering the observations and data obtained during recent rain events.	The project Flood Emergency Response Plan was recently reviewed by ARTC, T4MR and ER. The review identified the opportunity to include recent rainfall data and flooding events (e.g. Moree flood March 2021). T4MR will engage internal hydrologist to undertake review.
OFI06	E65	Incident EVT-0000168 - CH740.500 & CH740.200_South of Yallaroi Creek_ ARTC's Heritage Consultant potentially salvaged items outside the SPIR CIZ.	Continue to implement the key corrective actions from the incident investigation. Continue to protect scar and survey trees and where possible relocated CIZ or access points to avoid tree drip zones or APZs.	Corrective actions arising from the ICAM continue to be implemented as required.  Survey and scar trees continue to be demarcated and protected as far as reasonably possible.
OFI07	E80	It is noted that multiple incidents of spills of fuels, oils and concrete washouts were reported during the audit period. Although these incidents reported were of a minor nature, and were cleaned up, this indicates some potential systemic problems with respect to the management of these activities.	It is recommended that site personnel and contractors are reminded of appropriate control measures to minimise the potential for spills or releases of fuels, oils and other liquids. It is also recommended that the establishment and use of concrete wash out pits is reviewed to ensure that these are appropriately managed and contained	Ongoing. Recent minor re-fuelling spills were discussed at pre-starts.  Concrete pours are becoming less frequent as the project progresses, however concrete washout pits will continue to be utilised as required.
OFI08	E87	Waste and Resource ECM has been developed to manage the waste and resource recovery related risks on this Project.	Ensure waste segregation is followed on site to limit cross contamination of bins and stockpiles.	Waste segregation on site is improving with recent

OFI Reference	Condition Reference	Context	Opportunity for Improvement	Action / Status
		<p>General housekeeping and waste segregation and storage was observed to be poor at the Yallaroi Laydown area with several temporary stockpiles contaminated with foreign materials and rubbish not segregated and contained within formalised waste bins.</p> <p>Evidence supplied of waste and recycling reports issued to ARTC monthly by Cleanaway during the audit period. The report outlines volumes and waste streams recorded during each month. The monthly reports outline landfill and diversion percentages along with month on month comparisons.</p>	<p>Ensure regular inspections are undertaken following completion of milestones on all areas of the project.</p> <p>Waste tracking information should be provided by third party suppliers on a regular basis to the project team to ensure compliance with this condition.</p>	<p>communication to site personnel via the daily brief.</p> <p>Waste management is captured in daily &amp; weekly site inspections.</p> <p>Waste tracking by the projects waste contractor is ongoing.</p>