



**Narrabri to North
Star Phase 1:
OPERATIONAL
STAGING REPORT
October 2023**

5-0000-260-EEC-00-RP-0010



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Glossary

Specific terms and acronyms used throughout this strategy are listed and described in the table below.

ACRONYM	DEFINITION
ARTC	Australian Rail Track Corporation
AS/NZS ISO	Australia Standard / New Zealand Standard International Organisation for Standardisation
CEMP	Construction Environmental Management Plan
CH	Chainage
CoA	Condition of Approval
CSSI	Critical State Significant Infrastructure
CTP	Compliance Tracking Program
DPE	Department of Planning and Environment
EAP	Environmental Audit Program
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPA	NSW Environment Protection Agency
EPL	Environment Protection Licence
ER	Environmental Representative
IEMF	Interstate Environment Management Framework
IR	Inland Rail
NSW	New South Wales
N2NS	Narrabri to North Star
POEO Act	Protection of the Environment Operations Act 1997
QDL	Quantitative Design Limits
SMP	Sustainability Management Plan
TfNSW	Transport for New South Wales

Definitions applicable to this document

Operations	Post completion of construction of Stage 1, 2 and 3 by Trans4M Rail, the N2NS SP1 alignment will be handed back to ARTC for use by pre-existing rail traffic.
Inland Rail Operations	Commencement of operation for the entire Inland Rail Program Brisbane to Melbourne. <i>The carrying out of the CSSI (whether in full or in part) upon the completion of construction.</i>
Completion of construction	Completion and commissioning of the Narrabri to North Star SP1 section of the Inland Rail Program under SSI-7474 handed over to ARTC prior to the commencement of Operations. <i>The date upon which all construction is completed and all requirements of the Planning Secretary (if any) have been met. If construction is staged, completion of construction is the date upon which construction is completed and all requirements of the Planning Secretary (if any) have been met, in respect of all stages of construction.</i>

1 Introduction

1.1 Background and Purpose

Australian Rail Track Corporation (**ARTC**) submitted a State Significant Infrastructure (**SSI**) development application to construct and operate the Narrabri to North Star Phase 1 (**N2NS SP1**) section of the Inland Rail project (**the project**) under Part 5, Division 5.2 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. Minister’s Conditions of Approval (**MCoA**’s) were issued for the Critical State Significant Infrastructure (**CSSI**) Project No 7474 Narrabri to North Star, Phase 1 on 13 August 2020 (**N2NS SP1 Planning Approval**).

The project has also been subject to approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*. The N2NS project was declared by the Commonwealth Minister for Sustainability, Environment, Water, Populations and Communities to be a controlled action under the EPBC Act on 20 September 2016. The project was subsequently approved by the Commonwealth Minister on 1 October 2020.

This Staging Report has been prepared to describe ARTC’s staged approach to construction and operation as outlined in Table 1 below, in accordance with MCoA’s A11 to A15 of the N2NS SP1 Planning Approval.

Table 1: Narrabri to North Star Ministers Conditions of Approval - Staging Report Requirements

MCOA NO.	REQUIREMENT	COMMENTS
A11	The CSSI may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case requires) must be prepared and submitted to the Secretary for approval. The Staging Report must be submitted to the Secretary no later than one (1) month prior to the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one (1) month prior to the commencement of operation of the first of the proposed stages of operation).	This report contains information relevant to the MCoA and will be submitted (1) month prior to the completion of construction and commencement of operations. A revised Staging Report will be submitted in accordance with the MCoA for the purposes of the construction of the Newell Highway Overpass and Stage 2C (refer to Section 1.2 for details.)
A12	The Staging Report must:	This report
A12	(a) if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;	Construction work has generally been undertaken in accordance with the N2NS SP1 EIS (refer to Section 3.3 for details.) A revised Staging Report will be submitted in accordance with the

			MCoA for the purposes of the construction of the Newell Highway Overpass and Stage 2C (refer to Section 1.2 for details.)
A12	(b)	if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including general details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);	Refer to Section 3.3 for details.
A12	(c)	specify how compliance conditions will be achieved across and between each of the stages of the CSSI; and	Refer to Section 5 and Appendix A for details.
A12	(d)	Set out mechanisms for managing any cumulative impacts arising from the proposed staging.	Refer to Section 4 for details
A13		The CSSI must be staged in accordance with the Staging Report, as approved by the Secretary.	Noted.
A14		Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	Noted.
A15		Where changes are proposed to the staging of construction or operations, a revised Staging Report must be prepared and submitted to the secretary for approval no later than one (1) month prior to the proposed change in the staging.	Noted A revised Staging Report will be submitted in accordance with the MCoA for the purposes of the construction of the Newell Highway Overpass and Stage 2C (refer to Section 1.2 for details.)

1.2 Project Overview

The Australian Government has committed to delivering a significant piece of national transport infrastructure by constructing a high performance and direct interstate freight rail corridor between Melbourne and Brisbane, via central-west New South Wales (NSW) and Toowoomba in Queensland. Inland Rail is a major nation building project that will enhance Australia’s existing national rail network and serve the interstate freight market.

The Inland Rail route, which is about 1,700 kilometres (km), involves:

- ▶ Using the existing interstate rail line through Victoria and southern NSW;
- ▶ Upgrading about 400 km of existing track, mainly in western NSW; and
- ▶ Providing about 600 km of new track in northern NSW and south-east Queensland.

Inland Rail has been divided into thirteen (13) sections, of which seven (7) are located in NSW.

The Narrabri to North Star section of Inland Rail is one section within NSW comprising 184.5 km of track upgrade works, and 1.7 km of new track to be constructed. Due to its scale and complexity, this section has been split into two phases, of which Phase 1 is nearing the end of construction (subject to this Staging Report), and Phase 2 is undergoing environmental assessment and planning approvals and will acquire its own Minister's Conditions of Approval.

N2NS SP1 (the **Project**) runs between Narrabri to Moree and Camurra to North Star and includes upgrading 171 km of track along the existing corridor and is the subject of the N2NS SP1 Planning Approval and this Staging report.

The key features of the N2NS SP1 Project include:

- ▶ Upgrading the track, track formation, underbridges and culverts within the existing rail corridor, in two sections between Narrabri and Moree; and between Camurra and North Star;
- ▶ Five new crossing loops within the existing rail corridor, at Bobbiwaa, Waterloo Creek, Tycannah Creek, Coolleearlee, and Murgo;
- ▶ Realigning approximately 1.5 kilometres of the Newell Highway near Bellata;
A replacement rail bridge at Croppa Creek; and
- ▶ A replacement road bridge on the Newell Highway over the rail corridor (**Newell Highway Overpass**), refer Figure 4.

Since the commencement of construction for the N2NS SP1 project scope, ARTC Inland Rail is now required to stage construction, due to complex signalling and track works as well as the priority shifting to delivery of the Inland Rail program south of Parks as a result of the Federal Government review of Inland Rail.

Stage 1 – Construction includes construction works on the section of rail alignment between Narrabri and Moree and from Camurra to North Star, NSW for the key features identified above with the exclusion of the specific construction works identified in Stage 2 – Construction below.

Stage 2 – Construction works includes upgrading the existing road over rail bridge in the vicinity of the Newell Highway overpass near Bellata, to allow enough vertical clearance for the larger trains which Inland Rail is ultimately being built for (double stacked containers). ARTC will be upgrading this section in the coming years, in advance of Inland Rail Operations.

It also includes the section of track south of Moree between Tapscott Road (CH 658 100) and Alice Street (CH 666 000) referred to as **Stage 2C**, refer Figure 2 and Figure 3., ARTC Inland Rail will be upgrading this section of track in the coming years, in consultation with the Moree Plains Shire Council and Moree Special Activation Precinct which will connect to the Inland Rail alignment.

The required construction staging report for the Stage 2 Construction works demonstrating how the Ministers Conditions of Approval (MCoA's) have been satisfied will be submitted 1 month prior to the commencement of construction of the Stage 2 Construction works in accordance with the MCoA's for the project.

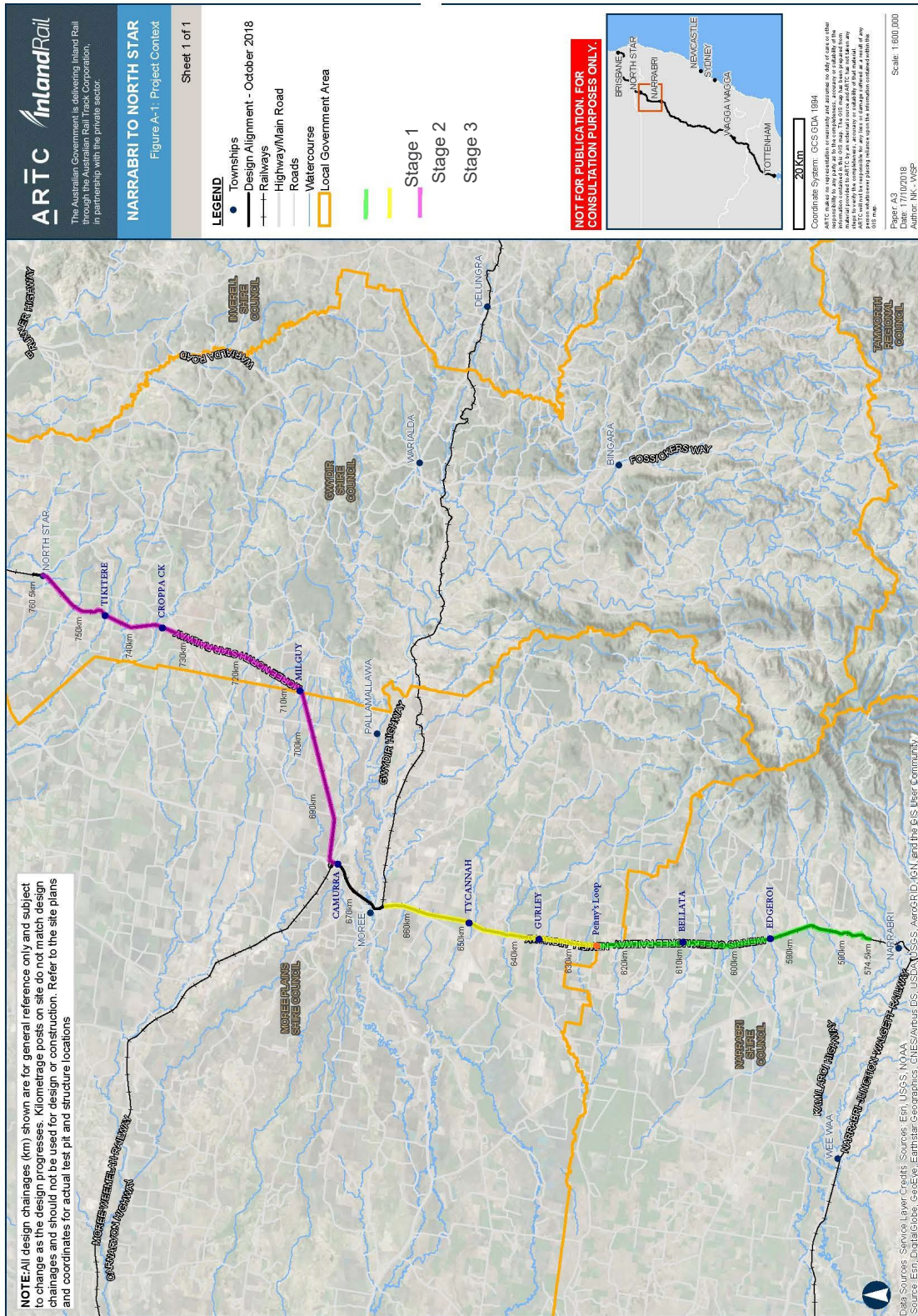


Figure 1: Key features of the Approval Project

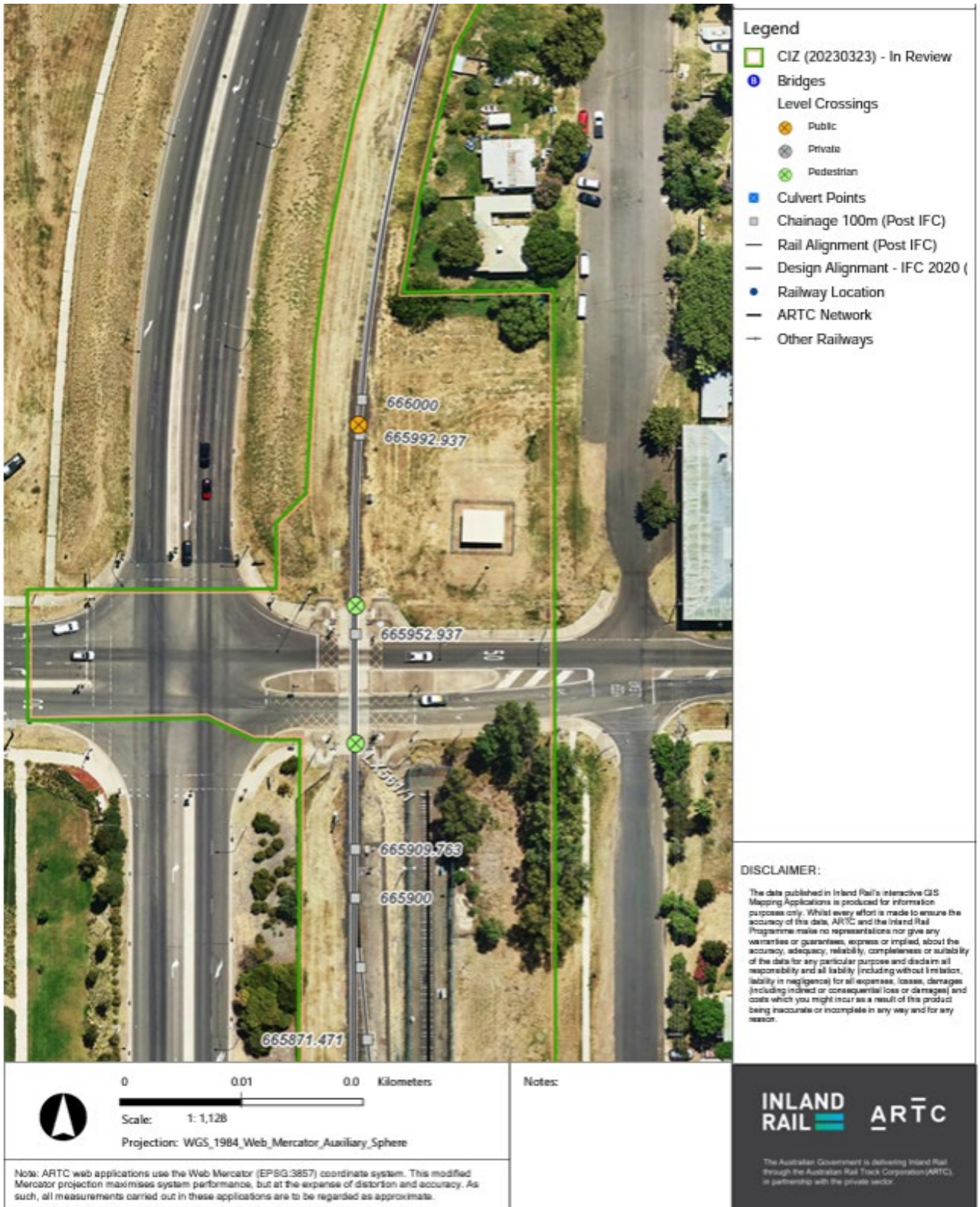


Figure 2 – Stage 2C Northern Extents, Alice Street



Figure 3 – Stage 2C Southern Extents, Tapscott Road

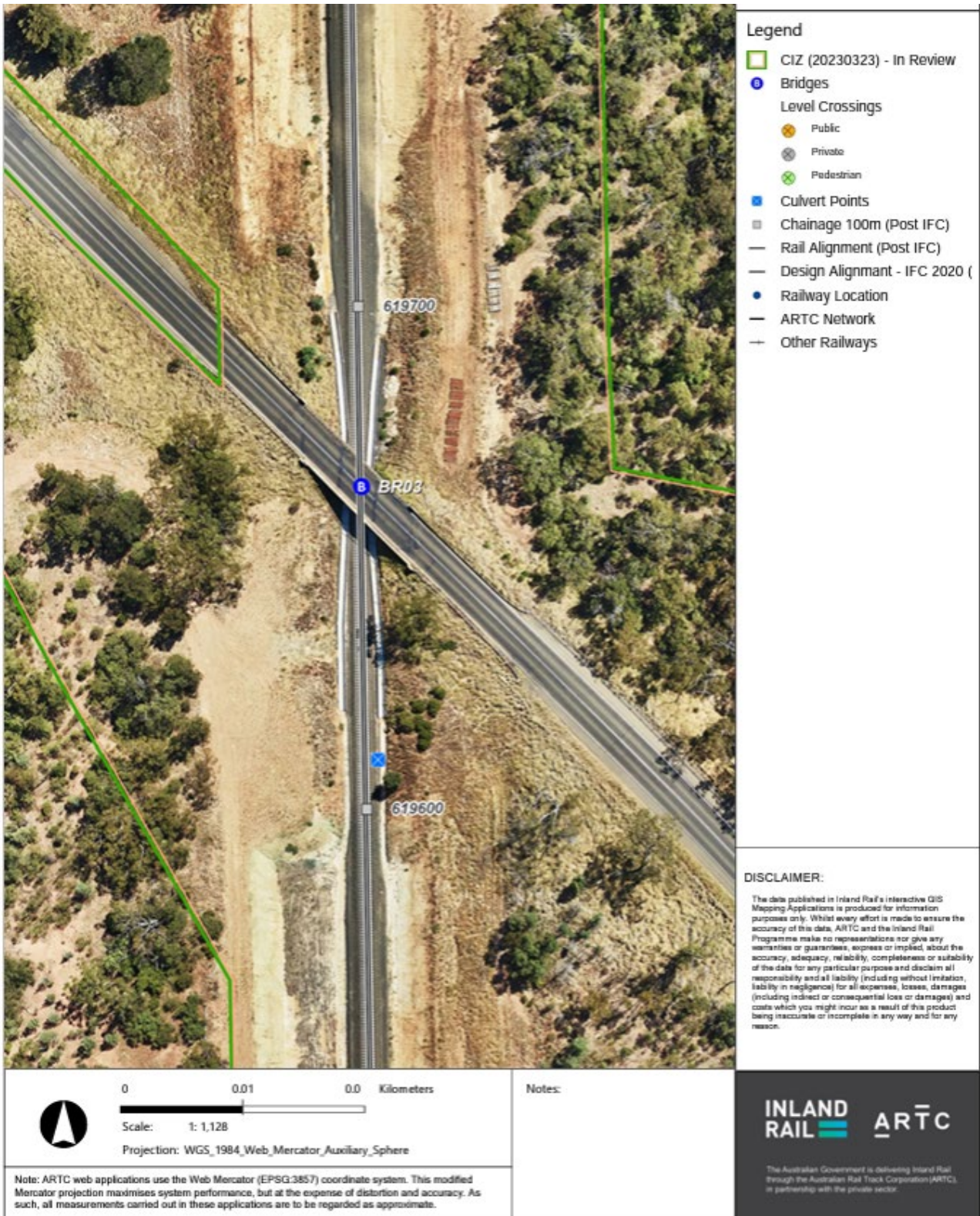


Figure 4 – Newell Highway Overpass

2 Project Operational Description and Definitions

The completion of the Narrabri to North Star Section of Inland Rail will form part of the rail network managed by ARTC. Train services (freight and passenger) would be provided by a number of operators. Prior to Inland Rail Operations, the rail line would be used by previously existing local and regional rail traffic which includes, but is not limited to, grain trains and other commodities, and passenger trains.

Construction of the Project commenced on 10 April 2021 and is now expected to be completed before the end of October 2023.

3 Project Staging

3.1 Overview

This Staging Report has been prepared in accordance with the Staging Report requirements of the N2NS SP1 Planning Approval, specifically conditions A11 to A15. This report describes the activities planned for execution as part of the completion of construction of the project's Narrabri to North Star section of Inland Rail to facilitate handover to ARTC Operations.

3.2 Impact of the Inland Rail Review

On 6 April 2023, the Australian Government published The Delivery of Inland Rail: An Independent Review. As a result of the review, sections of Inland Rail between Beveridge in Victoria and Parkes in New South Wales have been prioritised for completion by 2027. Future decisions by the Australian Government on the delivery of Inland Rail sections north of Narromine, including remaining components of the N2NS SP1 project, will be considered when the Australian Government has more certainty as to the delivery and full cost of Inland Rail.

Dates for the commencement of Stage 2 - Construction of Stage 2C and the Newell Highway Overpass, and commencement of Inland Rail Operations are yet to be redefined and will be dependent on future decisions by the Australian Government on the delivery and staging of Inland Rail sections north of Narromine.

3.3 Stage Descriptions

3.3.1 Narrabri to North Star Operations

The final portion of Stage 1 Construction within Stage 3 on the project (Camurra to North Star) is scheduled to be completed before the end of October 2023. After this the principal contractor (**Trans4M Rail**) is expected to be practically complete and this portion of the alignment will be handed back to ARTC Operations.

The completion of Stage 1 Construction for N2NS SP1 will be undertaken in accordance with the

Trans4M Rail approved CEMP and associated sub-plans, with the re-opening and subsequent operation of the railway to be conducted in accordance with ARTC's existing Environmental Management System (EMS) that was utilised prior to the upgrading works (in accordance with MCoA D2). This EMS was submitted for information to the Department on 21 November 2022 (Ref: 6-000-260-EEC-0-LT-0222) to support the previous Staging Report (5-0000-260-EEC-00-RP-0003) in accordance with the N2NS SP1 Planning Approval.

3.3.2 Narrabri to North Star Inland Rail Operations – Post-construction, Commissioning and Rail Operations

The N2NS SP1 EIS outlines that the 'operation' of the Project for its 'intended purpose' as part of the overall Inland Rail Program would entail operation 24 hours per day. Ultimately, trains would be up to 1,800 metres long; carry double stacked containers; and have a height of up to 6.5 metres. Once the Inland Rail Program is complete, the N2NS SP1 project would be considered operational as a component of the overall Program.

As per **Section 1.2** there has been two (2) components of the original project (as per the EIS) that have been subject to delays due to alternative design considerations and the Inland Rail review and will be completed in the coming years. Inland Rail will submit a revised staging report addressing Construction of these works one (1) month prior to the works commencing.

The operation of this Inland Rail component of the overall Inland Rail Program would be detailed within a separate operational staging report, to be submitted to the Department in accordance with the operational reporting conditions.

4 Environmental Impacts

Through the EIS process it was identified and agreed that existing train operations along the proposal site would continue prior to, during, and following construction. Train numbers are not anticipated to significantly increase until all 13 sections of Inland Rail are complete. Accordingly, no cumulative impacts are anticipated to occur as a result of the proposed staging of the works.

5 Compliance

The applicability of the N2NS SP1 MCoA's have been assessed in relation to 'Operations' and included within Appendix A. Conditions have been included where they may be ongoing during operation as described in this report, or if they specifically relate to Inland Rail Operations. Construction conditions have not been detailed as part of this Staging Report, however a recent audit of the construction conditions has been completed and subsequently submitted to DPE.

Appendix A - CSSI Operational Conditions of Approval

CONDITION NO.	CRITICAL STATE SIGNIFICANT INFRASTRUCTURE CONDITION OF APPROVAL [13 August 2020]	COMMENT	STAGE 1 - CONSTRUCTION	STAGE 2 - CONSTRUCTION	STAGE 3 - OPERATIONS
STAGING					
A11	The CSSI may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case requires) must be prepared and submitted to the Secretary for approval. The Staging Report must be submitted to the Secretary no later than one (1) month prior to the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one (1) month prior to the commencement of operation of the first of the proposed stages of operation).	N2NS Phase 1 (Stage 1 Construction) is currently being delivered as a single construction program on multiple work fronts. These work fronts or project stages where chosen to minimise impacts to rail customers and return sections of track back to use as soon as possible. This report will focus on the completion of construction and return to Operations of project Stage(s) 1, 2 and 3. As per Section 1.2 , the Newell Highway Overpass and Stage 2C will be completed at a later date (Stage 2 – Construction) and will be subject to a separate Staging Report.	In Progress.	Not Triggered.(refer section 1.2)	In Progress.
A12	The Staging Report must: (a) if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;	N2NS Phase 1 (Stage 1 Construction) is currently being delivered as a single construction program on multiple work fronts. As per Section 1.2 , the Newell Highway Overpass and Stage 2C will be completed at a later date (Stage 2 – Construction) and will be subject to a separate Staging Report.	In Progress.	Not Triggered.	In Progress.
	(b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including general details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);	This report. Refer to Section 1.2 and this Table (Appendix A) for details.	N/A.	N/A.	This report
	(c) specify how compliance conditions will be achieved across and between each of the stages of the CSSI; and	Operational conditions not yet triggered as Inland Rail Operations has not yet commenced. Compliance with construction requirements will be through the current audit and ER framework for the project.	In Progress.	Not Triggered.	In Progress.
	(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.	Train numbers are not anticipated to significantly increase until all 13 sections of Inland Rail are complete (Inland Rail Operations). No cumulative impacts are anticipated to occur as a result of the proposed staging of the works.	In Progress.	Not Triggered.	In Progress.
A13	The CSSI must be staged in accordance with the Staging Report, as submitted to the Secretary.	Operations will be undertaken as described in this report.	In Progress.	Not Triggered.	In Progress.
A14	Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	Compliance will be undertaken as detailed within this table.	In Progress.	Not Triggered.	In Progress.
A15	Where changes are proposed to the staging of construction or operation, a revised Staging Report must be prepared and submitted to the Secretary for information no later than one (1) month prior to the proposed change in the staging.	ARTC will provide a revised staging report if there are any changes to the stages outlined within this report within the required timeframes.	In Progress.	Not Triggered.	In Progress.
ENVIRONMENT REPRESENTATIVE					
A24	Works must not commence until an ER has been approved by the Planning Secretary and engaged by the Proponent.	An ER, meeting the DPIE guidelines was approved by the Planning Secretary on 13 October 2020.	Completed.	Completed.	Completed.

A25	The Planning Secretary's approval of an ER must be sought no later than one (1) month before the commencement of works.	The Planning Secretary's approval of the ER was obtained on 13 October 2020 more than one (1) month prior to the commencement of construction (construction commenced on 10 April 2021).	Completed.	Completed.	Completed.
A26	The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the documents listed in Condition A1, and is independent from the Proponent and companies involved in the design and construction of the CSSI. Skills, qualifications, experience, availability and capacity of the ER must meet the requirements of the <i>Environmental Representative Protocol, Department of Planning and Environment, October 2018</i> . The appointment of the ER must have regard to the Department's guideline <i>Seeking approval from the Department for the appointment of independent experts</i> (DPIE, 2020).	An ER, meeting the DPE guidelines was approved by the Planning Secretary on the 13 October 2020.	Completed.	Completed.	Completed.
A27	The Proponent may engage more than one ER for the CSSI, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Secretary for the purposes of the CSSI.	In the Planning Secretary's approval dated 13 October 2020, the Secretary approved Mr Steve Fermio and Mr Derek Low as ERs for the Project. Both Mr Fermio and Mr Low continue to be engaged by the Proponent.	Completed.	Completed.	Completed.
A28	<p>For the duration of the works until 12 months after the completion of construction, the approved ER must:</p> <ul style="list-style-type: none"> a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI; b) consider and inform the Planning Secretary on matters specified in the terms of this approval; c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; d) review documents identified in Conditions A11, A17, A31, C1, 0 and C13, and any other documents that are identified by the Secretary, to ensure they are consistent with requirements in or under this approval and if so: <ul style="list-style-type: none"> (i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary / Department for information or are not required to be submitted to the Planning Secretary/Department); e) regularly monitor the implementation of the documents listed in Conditions A11, A17, A31, C1, 0 and C14, to ensure implementation is being carried out in accordance with the document and the terms of this approval; f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under Condition A35 of this approval; g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints; h) assess the impacts of minor ancillary facilities comprising lunch sheds, office sheds, material lay down sites, areas used to assemble culverts and turnouts, and portable toilet facilities as required by Condition A21 of this approval; 	<p>The approved ER prepares a monthly report in accordance with this condition which is provided to ARTC and DPE and as well attends monthly meetings between DPE and ARTC where project updates and the ER's report are discussed.</p> <p>The frequency of reporting will remain throughout operations with the inspection regime to be reflected in the monthly report.</p>	In Progress.	Not Triggered.	In Progress.

	<p>i) consider any minor amendments to be made to the CEMP, CEMP Sub-plans and Construction Monitoring Programs that comprise updating or are of an administrative nature, and are consistent with the terms of this approval and the CEMP, CEMP Sub-plans and Construction Monitoring Programs approved by the Planning Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval; and</p> <p>j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading “Environmental Representative Monthly Reports.” The Environmental Representative Monthly Report must be submitted within seven (7) calendar days following the end of each month for the duration of the ER’s engagement for the CSSI.</p>				
A29	<p>The Proponent must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in Condition A28 (including preparation of the ER Monthly Report), as well as:</p> <p>a) The complaints register (to be provided on a weekly basis); and</p> <p>b) a copy of any assessment carried out by the Proponent of whether proposed work is consistent with the approval (which must be provided to the ER before the commencement of the subject work)</p>	<p>ARTC notes that compliance with this condition has been achieved to date.</p> <p>In the July 2021, March 2022, August 2022, October 2022 and February 2023 Independent Environmental Audit Report, it recorded that Trans4m Rail and ARTC (Inland Rail) have been compliant in providing any requested information in a timely manner and was assessed in the most recent Independent Environmental Audit which identified no non-compliances.</p>	In Progress.	Not Triggered.	In Progress.
A30	<p>The Planning Secretary may at any time commission an audit of an ER’s exercise of its functions under Condition A28. The Proponent must:</p> <p>a) facilitate and assist the Secretary in any such audit;</p> <p>b) make it a term of their engagement of an ER that the ER facilitate and assist the Secretary in any such audit.</p> <p>Note: <i>The Planning Secretary may dismiss the ER should they consider the ER has not exercised their functions in accordance with this approval.</i></p>	<p>The Planning Secretary has to date, not commissioned an audit of the ER.</p>	In Progress.	Not Triggered.	In Progress.

CONDITION NO.	CRITICAL STATE SIGNIFICANT INFRASTRUCTURE CONDITION OF APPROVAL [13 August 2020]	COMMENT	STAGE 1 - CONSTRUCTION	STAGE 2 - CONSTRUCTION	STAGE 3 - OPERATIONS
COMPLIANCE REPORTING REQUIREMENTS					
A31	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements outlined in the Compliance Reporting Post Approval Requirements (2020).	No compliance reporting required for construction phase works under the Compliance Reporting Post Approval Requirements (2020). Once Inland Rail Operations is underway ARTC will comply with the Compliance Reporting Requirements (2020) for operational activities.	Completed.	Not Triggered.	In Progress.
A32	Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.	Refer to above. ARTC will provide compliance reporting within the timeframes specified in the Compliance Reporting Post Approval Requirements (2020) once Inland Rail Operations are underway.	Completed.	Not Triggered.	In Progress.
A33	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	ARTC notes the requirements of this condition and will ensure the Compliance Report is made publicly available in the timeframe specified in this condition.	Completed.	Not Triggered.	In Progress.
A34	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	ARTC notes the requirements of this condition and will liaise with the Planning Secretary and seek approval should ARTC be able to demonstrate operational compliance in the future.	Not Triggered.	Not Triggered.	Not Triggered.
AUDITING					
A35	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	The Planning Secretary approved Mr Richardson and Ms Bock as independent auditors on 3 February 2021. Subsequent approval for replacement support auditor Mr Mitchell was received from the Planning Secretary on 20 July 2021. Additional approval for replacement support auditor Mr Zuanic was received from the Planning Secretary on 17 January 2023.	Completed.	Completed.	Completed.
A36	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).	ARTC will ensure future independent audits are completed in accordance with the IAPAR (2020). Details of Independent Audits completed to date are set out at A39.	In Progress.	Not Triggered.	In Progress.
A37	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks' notice (or timing as stipulated by the Planning Secretary) to the applicant of the date upon which the audit must be commenced.	ARTC notes the requirements of this condition.	In Progress.	Not Triggered.	In Progress.
A38	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Proponent must:	The first Independent Audit Report was submitted on the 13 September 2021. This report was submitted within the timeframe specified.	Completed.	Not Triggered.	In Progress.
	(a) Review and respond to each Independent Audit Report prepared under Condition A36 or Condition A37;	The second Independent Audit Report was submitted on 9 March 2021. This report was submitted within the timeframe agreed with DPE as an extension of time was granted due to significant flooding events and the ongoing COVID-19 risk in the regional Moree township.			
	(b) Submit the response to the Planning Secretary; and				

	(c) make each Independent Audit Report and response to it publicly available 60 days after submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	<p>The third Independent Audit Report was submitted on 21 October 2022. This report was submitted within the timeframe agreed with DPE as an extension of time was granted due to evidence requirements from third parties.</p> <p>The fourth Independent Audit Report was submitted on the 29 March 2023. This report was submitted within the timeframe specified.</p> <p>The fifth Independent Audit Report was submitted on 29 September 2023. The report was submitted within the timeframe agreed with DPE as an extension of time was granted.</p>			
A39	Independent Audit Reports and the Proponent’s response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.	<p>The first Independent Audit site inspection was undertaken on 12-13 July 2021 the Independent Audit Report was submitted to the Planning Secretary on the 13 September 2021.</p> <p>A second Independent Audit was undertaken on 8 - 9 February 2022 and the Independent Audit Report was submitted to the Planning Secretary on 9 March 2022.</p> <p>A third Independent Audit was undertaken on 2 – 3 August 2022. The subsequent report and response to recommendations was submitted to the Planning Secretary on the 21 October 2022.</p> <p>A fourth Independent Audit was undertaken on 1 – 2 February 2023. The subsequent report and response to recommendations was submitted to the Planning Secretary on the 29 March 2023.</p> <p>A fifth Independent Audit was undertaken on 1 – 2 August 2023. The subsequent report and response to recommendations was submitted to the Planning Secretary on the 29 September 2023.</p>	Completed.	Not Triggered.	In Progress.
A40	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary’s satisfaction that independent operational audits have demonstrated operational compliance.	ARTC notes this condition and will liaise with the Planning Secretary and seek approval should ARTC be able to demonstrate operational compliance in the future.	Not Triggered.	Not Triggered.	Not Triggered.
INCIDENT NOTIFICATION AND REPORTING					
A41	<p>During construction, DPIE must be notified in writing immediately after the Proponent becomes aware of an incident. The notification must identify the CSSI (including the application number and the name of the CSSI if it has one), and set out the time, date, location and nature of the incident. A description of whether the incident was a result of any actual or potential non- compliance with this approval should be provided within one week of the notification. The requirement to notify DPIE under this condition excludes incidents which are required to be notified to the Office of the National Rail Safety Regulator.</p> <p>Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix B – WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS.</p>	This applies to construction activities only. ARTC will continue to notify the Department once it become aware of an incident as defined by this MCoA.	Completed.	Not Triggered.	N/A.
PART B - COMMUNITY INFORMATION AND REPORTING					
COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT					

B1	A Communication Strategy must be prepared to facilitate communication between the Proponent, and the community and government authorities (including relevant councils, government agencies, adjoining affected landowners and businesses, and others directly impacted by the CSSI).	A communication strategy has been prepared and approved in accordance with this condition and will be implemented for six months following completion of Construction.	Completed.	Completed.	Completed.
B2	<p>The Communication Strategy must:</p> <p>(a) identify people, organisations and government authorities to be consulted during works;</p> <p>(b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the CSSI;</p> <p>(c) identify opportunities to provide accessible information regarding regularly updated site construction activities, schedules and milestones at each construction ancillary facility and at construction sites located adjacent to town centres;</p> <p>(d) consider opportunities for the community to visit construction sites (taking into consideration workplace, health and safety requirements);</p> <p>(e) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant community(ies) for the CSSI;</p> <p>(f) set out the procedures and mechanisms for consulting with relevant councils and government authorities required by Condition A5, including procedures for repeated requests and nil responses;</p> <p>(g) describe the method for broadcasting the 24-hour toll-free telephone complaints number and postal and email addresses for enquiries, as required by Condition B8;</p> <p>(h) set out procedures and mechanisms:</p> <p>(i) through which the community can discuss or provide feedback to the Proponent;</p> <p>(ii) through which the Proponent will respond to enquiries or feedback from the community; and</p> <p>(iii) to resolve any issues and mediate any disputes that may arise in relation to environmental management and delivery of the CSSI, including timing for mediation to be undertaken once it has been escalated to the dispute resolution process.</p>	As above.	Completed.	Completed.	Completed.
B3	The Communication Strategy must be submitted to the Secretary for approval no later than one (1) month before the commencement of any work.	The Communication Strategy was submitted to the Planning Secretary on 2 November 2020.	Completed.	Completed.	Completed.
B4	Work for the purposes of the CSSI must not commence until the Communication Strategy has been approved by the Secretary.	The Communication Strategy was approved by the Planning Secretary on 23 December 2020.	Completed.	Completed.	Completed.
B5	The Communication Strategy, as approved by the Secretary, must be implemented for the duration of the works and for six (6) months following the completion of construction.	ARTC will continue to implement the Communication Strategy in accordance with this MCoA.	In Progress.	Not Triggered.	N/A.

COMPLAINTS MANAGEMENT SYSTEM					
B6	A Complaints Management System must be prepared and implemented before the commencement of any works and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI.	These systems are currently in place. ARTC will retain these systems for the first 12 months of Operation.	In Progress.	Not Triggered.	N/A.
B7	<p>The following information must be available to facilitate community enquiries and manage complaints one (1) month before the commencement of works and for 12 months following the completion of construction:</p> <p>(a) a 24- hour telephone number for the registration of complaints and enquiries about the CSSI;</p> <p>(b) a postal address to which written complaints and enquires may be sent;</p> <p>(c) an email address to which electronic complaints and enquiries may be transmitted; and</p> <p>(d) a mediation system for complaints unable to be resolved.</p> <p>This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level.</p>	These systems are currently in place. ARTC will retain these systems for the first 12 months of Operation.	In Progress.	Not Triggered.	N/A.
B8	The telephone number, postal address and email address required under Condition B11 of this approval must be published in a newspaper circulating in the relevant local area and on site hoarding at each construction site before the commencement of construction and published in the same way again before the commencement of operation. This information must also be provided on the website required under Condition B11 of this approval.	ARTC will undertake a separate campaign at the completion of construction prior to a return to Operations and advise the community of the relevant contact details.	Completed.	Completed.	Completed.
B9	<p>A Complaints Register must be maintained recording information on all complaints received about the CSSI during the carrying out of any works and for a minimum of 12 months following the completion of construction. The Complaints Register must record the:</p> <p>(a) number of complaints received;</p> <p>(b) number of people affected in relation to a complaint; and</p> <p>(c) the nature of each complaint and means by which the complaint was addressed and whether and how resolution was reached.</p>	A Complaints Register is currently in place and will remain so for the first 12 months of Operations. The Complaints Register will be used for this period of operation as well as upon the completion of construction in accordance with the MCoA.	In Progress.	Not Triggered.	N/A.
B10	The Complaints Register must be provided to the Secretary upon request, within the timeframe stated in the request.	The Complaints Register has not been requested by the Planning Secretary to date, however if it is requested, ARTC will provide the register within the timeframe specified.	In Progress.	Not Triggered.	N/A.
PROVISION OF ELECTRONIC INFORMATION					
B11	A website providing information in relation to the CSSI must be established before commencement of works and maintained for the duration of construction, and for a minimum of 12 months following the completion of construction. The following up-to-date information (excluding confidential commercial information) must be published	The website is currently active (https://inlandrail.artc.com.au/where-we-go/projects/narrabri-to-north-star/) and will be maintained for a minimum of twelve months following completion of construction for the N2NS SP1 project.	In Progress.	In Progress.	In Progress.

	<p>before the relevant works commencing and maintained on the website or dedicated pages:</p> <p>(a) the current implementation status of the CSSI;</p> <p>(b) a copy of the documents listed in Condition A1 of this approval, and any documentation relating to any modifications made to the CSSI or the terms of this approval;</p> <p>(c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval;</p> <p>(d) a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI;</p> <p>(e) where a condition(s) of this approval requires a document(s) to be prepared before work, construction or operational activity commences, a current copy of the relevant document(s) must be published on the website before the work, construction or operational activity is undertaken; and</p> <p>(f) a copy of each document required to be made publicly available under this approval must be published within 14 days of the finalisation or approval of the relevant document, unless an alternate timeframe is prescribed by another condition of this approval.</p>				
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PART D - OPERATIONAL ENVIRONMENTAL MANAGEMENT

OPERATIONAL ENVIRONMENTAL MANAGEMENT

<p>D1</p>	<p>An Operational Management Plan (OEMP) must be prepared in accordance with the Department’s Environmental Management Plan Guideline for Infrastructure Projects (DPIE, 2020) to detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in Condition A1 will be implemented and achieved during operation. This condition (Condition D1) does not apply if Condition D2 of this approval applies.</p>	<p>Condition D2 applies.</p>	<p>N/A.</p>	<p>N/A.</p>	<p>Completed.</p>
<p>D2</p>	<p>An OEMP is not required for the CSSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Secretary, and can demonstrate, to the written satisfaction of the Secretary, that through the EMS:</p> <p>(a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in Condition A1, and terms of this of approval can be achieved;</p> <p>(b) issues identified through ongoing risk analysis can be managed; and</p> <p>(c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation.</p>	<p>The EMS (ARTC Integrated Environmental Management Framework - IEMF) was updated and submitted for information to the Department to address the requirements specific to N2NS Planning Approval.</p>	<p>N/A.</p>	<p>N/A.</p>	<p>Completed.</p>

D3	The performance measures and mitigation measures detailed in the OEMP must address the maintenance of culverts with respect to blockages, siltation and scouring.	This is currently addressed in the IEMF.	N/A.	N/A.	Completed.
D4	The OEMP or EMS (or equivalent) as agreed with the Secretary must be submitted to the Secretary for information at least one (1) month prior to the commencement of operation of the CSSI.	The IEMF was submitted to the Planning Secretary for information on 21 November 2022.	N/A.	N/A.	Completed.

PART E - KEY ISSUE CONDITIONS

NOISE AND VIBRATION

E13	<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. The ONVR must:</p> <p>(a) confirm the appropriate operational noise and vibration objectives and levels for adjoining development, including existing sensitive receivers;</p> <p>(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).</p> <p>(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;</p> <p>(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;</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>	An ONVR has been prepared for the Project and submitted to the Secretary on 31 March 2022. The ONVR was approved by the Secretary on 9 May 2022.	Completed.	Completed.	Completed.
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	(g) procedures for the management of operational noise and vibration complaints.				
	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.				
E14	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:	Following Community and impacted sensitive receiver consultation to define and agree the scope of at-property treatments, these treatments will be implemented as agreed with landowners.	In Progress.	In Progress.	N/A.
	(a) within six (6) months of the commencement of construction affecting the impacted receiver/s;	Scopes of required treatments have been identified and documented for all properties. ARTC is currently formally agreeing the scope of works with identified landowners and following a procurement process which is currently underway, the at-property treatments are due to commence at the end of 2023 / early 2024 and will take approximately 12 months to complete.			
	(b) in the case of at-property treatments, as agreed with the landowner; or				
	(c) as agreed by the Planning Secretary.				
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.	If ARTC are not able to meet the requirements of MCoA E13 and E14, ARTC will submit a report which complies with this MCoA.	Not Triggered.	Not Triggered.	Not Triggered.
E16	In 2026 and 2035, or as otherwise agreed with the Planning Secretary, the Proponent must undertake monitoring of operational noise to compare actual noise performance of the CSSI against the noise performance predicted in the review of noise mitigation measures required by Condition E13 . The Proponent must prepare an Operational Noise Compliance Report (ONCR) to document this monitoring. The Report must include, but not necessarily be limited to:	Not triggered.	N/A.	N/A.	Not Triggered.
	(a) noise monitoring to assess compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E13 ;	<p><i>"Note: 2026 and 2035 are specified as representing 12 months and 10 years after the anticipated commencement of operation of the entire Inland Rail project. Should this timeframe change, the Proponent should seek the approval of the Planning Secretary to vary the timeframe in which to satisfy this condition."</i></p> <p>ARTC will apply to the Planning Secretary to vary timeframes for Operational Noise Monitoring once we have more certainty on the Inland Rail Operations date.</p>			
	(b) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which CSSI noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers;				
	(c) details of any complaints and enquiries received in relation to operational noise generated by the CSSI between the date of commencement of operation and the date the report was prepared;				
	(d) any required recalibrations of the noise model taking into consideration factors such as noise monitoring and actual train movements;				

	<p>(e) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and</p> <p>(f) identification of additional measures to those identified in the review of noise mitigation measures required by Condition E13, that would be implemented with the objective of meeting the criteria outlined in the Rail Infrastructure Noise Guideline, when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA.</p> <p>The ONCR is to be verified by a suitably qualified and experienced noise and vibration expert. The ONCR must be submitted to the Secretary and the EPA for information within 90 days of completing the operational noise monitoring.</p>				
	<p><i>Note: 2026 and 2035 are specified as representing 12 months and 10 years after the anticipated commencement of operation of the entire Inland Rail project. Should this timeframe change, the Proponent should seek the approval of the Planning Secretary to vary the timeframe in which to satisfy this condition.</i></p>				
BIODIVERSITY					
E17	The Proponent must minimise impacts to plant community types and not exceed the total areas impacted as identified in Table E1 .	<p>A register is maintained detailing the cumulative clearing for the project to date.</p> <p>As at the end of July 2023, the project's cumulative total of native vegetation clearance is approximately 111.058 hectares, which is within the area provided in Table E1.</p>	In Progress.	Not Triggered.	N/A.
E18	<p>The Proponent must meet the biodiversity offset obligations for ecosystem and species credits as set out in Tables E2 and E3, within two (2) years of the CSSI approval. The retirement of the biodiversity credits must be carried out in accordance with the NSW Biodiversity Offsets Policy for Major Projects and can be achieved by a combination of:</p> <p>(a) acquiring and retiring "biodiversity credits" within the meaning of the Biodiversity Conservation Act 2016; and/or</p> <p>(b) making a payment into the Biodiversity Conservation Fund; and/or</p> <p>(c) outlining in a Biodiversity Offset Strategy the provision of supplementary measures. The Strategy must be prepared in consultation with EES and DAWE.</p>	<p>ARTC has secured 7,721 credits and has a further 9,753 credits being generated through applications for Biodiversity Stewardship Agreements (BSA) with the Credit Supply Taskforce. The remaining credit obligations will be sought through securing species credits if and when they become available. Any outstanding credit obligations would be met through payment into the Biodiversity Conservation Fund.</p> <p>ARTC also notes that a letter was sent to the Planning Secretary seeking agreement to extend the timeframe to meet offset obligations by 2 years, to 13 August 2024. Formal agreement was received from the Planning Secretary on 3 August 2022.</p> <p>6 monthly updates on the progress with meeting the requirements of this MCoA are being provided to DPE.</p>	In Progress.	In Progress.	N/A.
E19	The Proponent may review and update the ecosystem and species credit requirements in Tables E2 and E3 , except as required by Condition E25 , to reflect the final construction footprint and resulting extent and type of plant community types to be cleared. Amendments to the ecosystem and species credit requirements must be undertaken in consultation with EES and DAWE and submitted to the Planning Secretary for approval within six (6) months after the commencement of construction or as agreed in writing by the Planning Secretary.	<p>ARTC formally requested an extension of time to 30 June 2022 to submit the Addendum Biodiversity Assessment Report reflecting the final construction footprint and the resulting extent and type of plant community types to be cleared. This extension was agreed in writing by the Planning Secretary by formal letter on 28 February 2022.</p> <p>The final Addendum Biodiversity Assessment Report was submitted on 30 June 2022 with the Planning Secretary providing approval on 22 July 2022.</p>	Completed.	Completed.	N/A.
E20	The review and update of credit requirements must be undertaken by:		Completed.	Completed.	N/A.

	<p>(a) using the vegetation mapping, and the extent of impact in the revised development footprint (Table 3.4) in the July 2020 Addendum to the Inland Rail – Narrabri to North Star Biodiversity Assessment Report; and/or</p> <p>(b) completing verification surveys to confirm the extent, type and condition of native vegetation to be impacted.</p> <p>Where verification surveys are required, they must be undertaken in consultation with EES. Any additional surveys must be undertaken at the time of year when groundcover is most likely to be predominantly native. If evaluation is not possible at a time when groundcover is most likely to be native, the assumed presence of any relevant species and ecosystems</p>	The final Addendum Biodiversity Assessment Report was submitted on 30 June 2022 with the Planning Secretary providing approval on 22 July 2022.			
E21	The Proponent must submit to the Planning Secretary for information a copy of the Credit Retirement Report for the retirement of the ecosystem and species credits required by Condition E18 within one month of receiving the report.	<p>ARTC are actively sourcing the required credits to satisfy this MCoA, however they are not required to be retired until 13 August 2024.</p> <p>6 monthly updates on the progress with meeting the requirements of this MCoA are being provided to DPE.</p>	In Progress.	In Progress.	N/A.
Re-use of Timber					
E22	Prior to vegetation clearing, the Proponent must consult with community and landcare groups and government agencies to determine if retained timber and root balls can be reused in habitat enhancement and rehabilitation work, before pursuing other disposal options. The retained timber and root balls may be used on or off the CSSI site.	All required consultation has been undertaken with Environment NSW, DPE and Landcare prior to vegetation clearing on site.	Completed.	Not Triggered.	N/A.
Koala Habitat					
E23	The Proponent must reduce the area of koala habitat, identified in Table E4, that is impacted by the CSSI by at least 25%, or as otherwise agreed by the Planning Secretary.	Koala habitat reduction is included in the 'June 2022 Addendum to the Inland Rail - Narrabri to North Star Biodiversity Assessment Report' which was completed by Umwelt Environmental & Social Consultants in June 2022 and was accepted by Environment and Heritage Group. The impact on koala habitat has been reduced by approximately 58% from 175.25 ha to 74.28 ha in the June 2022 Addendum. Consequently, this condition has been met and approved by DPE on 22 July 2022.	Completed.	Completed.	N/A.
E24	The Proponent must submit a report on the final construction footprint demonstrating how impacts to the plant community types identified in Table E4 have been reduced. This must be provided to the Planning Secretary, EES and DAWE for information, within six (6) months after the commencement of construction or as agreed by the Planning Secretary.	The final Addendum Biodiversity Assessment Report which contained the final construction footprint was submitted on 30 June 2022 with the Planning Secretary providing approval on 22 July 2022.	Completed.	Completed.	N/A.
E25	The Proponent must provide a minimum of 4556 species credits to offset impacts to the koala.	ARTC has secured the required species credits for koala from a BSA site at Warialda ("Kiriwinna").	Completed.	Completed.	N/A.
E26	<p>The offset credits required by Condition E25 must be sourced where practicable, from:</p> <p>(a) The same IBRA subregion as the impacted site, or</p> <p>(b) The adjoining IBRA subregions within the same IBRA region as identified in (a).</p>	<p>ARTC are actively sourcing the required credits to satisfy this MCoA.</p> <p>6 monthly updates on the progress with meeting the requirements of this MCoA are being provided to DPE.</p>	In Progress.	In Progress.	N/A.

FLOODING					
Quantitative Design Limits (QDLs)					
E27	The CSSI must meet the QDLs in Appendix A – FLOODING QUANTITATIVE DESIGN LIMITS AND MODELLING REQUIREMENTS . Unless otherwise noted, these QDLs apply outside the rail corridor except for level crossings. These QDLs apply in any flood event up to and including the 1% AEP, and in any duration. In circumstances where the CSSI does not meet the QDL at a specific location, the Proponent must achieve compliance through modified design of the CSSI. If this is not possible or practical the Proponent must:	ARTC submitted the required Flood Design Verification Report (FDVR) to the Planning Secretary on 6 July 2022 which was subsequently approved on 3 August 2022.	Completed.	Completed.	N/A.
	(a) document the extent of the non-compliance with the QDL and justify why it is not possible or practical to achieve compliance through CSSI design changes;				
	b) in every instance of non-compliance with the QDLs, consult with and obtain agreement from the affected land or property owners to either: i) the non-compliance; or ii) establish an alternative level of mitigation of impacts for that location through alternative design measures;				
	I where an alternative level of mitigation of impacts is required for a location, achieve a level of mitigation through design measures beyond the rail corridor; and				
(d) describe and detail the mitigation measures in the Flood Design Verification Report required by Condition E28 ;					
Flood Design Verification Report					
E28	Compliance with the QDLs as required by Condition E27 must be demonstrated in a Flood Design Verification Report that details flood behaviour under existing conditions and with the final detailed design of the approved CSSI. The flood modelling informing the report must be developed in consultation with EES, relevant councils and Transport for NSW, and completed to the specifications in Appendix A – FLOODING QUANTITATIVE DESIGN LIMITS AND MODELLING REQUIREMENTS . The Flood Design Verification Report must include:	As above. ARTC submitted the required Flood Design Verification Report (FDVR) to the Planning Secretary on 6 July 2022 which was subsequently approved on 3 August 2022.	Completed.	Completed.	N/A.
	(a) details of the flood modelling that informs the report;				
	(b) details of how the project’s flood planning level (FPL) was decided, with reference to relevant considerations of the NSW Floodplain Development Manual;				
(c) an assessment of the infrastructure’s compliance with the Quantitative Design Limits (QDLs) for flooding, hydrology and					

	<p>geomorphology listed in <u>Appendix A – FLOODING QUANTITATIVE DESIGN LIMITS AND MODELLING REQUIREMENTS</u>;</p> <p>(d) floor level surveys of potentially affected buildings to accurately confirm compliance with afflux limits. Where a floor level has not been surveyed, the Report shall adopt the existing ground level as the floor level, with appropriate annotation;</p> <p>(e) an assessment of the impacts of the CSSI on erosion, scouring, bank stability, stream stability and geomorphology;</p> <p>(f) mitigation and management measures that will be undertaken if the QDLs are exceeded, as specified in Condition E27;</p> <p>(g) mitigation measures to minimise potential adverse impacts and responses to actual impacts with regard to the NRAR’s Guidelines for Controlled Activities on Waterfront Land;</p> <p>(h) an assessment of risk to life caused by formation failure in extreme flood events, including management measures to mitigate this risk; and</p> <p>(i) an assessment of aquaplaning risks where the CSSI produces additional inundation of highways or sealed roads with a speed limit of 80km/h or greater. Where an aquaplaning risk is attributable to the CSSI, undertake infrastructure changes to remove the additional inundation or to introduce risk mitigation measures to manage this risk</p> <p>The flood model and results must be independently peer-reviewed in accordance with Condition E29 and be submitted to the Planning Secretary for information at least one month prior to the commencement of construction of permanent works that may impact on flooding.</p> <p><i>Note: Components of the SPIR hydrology technical report that are still relevant to the final design of the CSSI may be reused to prepare the Flood Design Verification Report where they meet the requirements of Condition E28 and Appendix A</i></p>				
Independent peer review					
<p>E29</p>	<p>The Flood Design Verification Report (including the flood model upon which it is based) must be reviewed and endorsed by a suitably qualified and experienced hydrologist who has extensive experience in flood modelling including with the hydrological and hydraulic software used for the model. This hydrologist must be independent of the Proponent and the organisation(s) who prepared the flood model, having regard to the Department’s <i>Post Approval Guidance for Infrastructure Projects: Seeking Approval from the Department for the Appointment of Independent Experts</i> (DPIE, 2020).</p> <p>The review must:</p> <ul style="list-style-type: none"> a) review the flood model files and the description of the model provided within SPIR and any adjustments to this as per the Flood Design Verification Report; b) assess the establishment, calibration, validation and operation of the flood model items as per (a); 	<p>ARTC submitted the required FDVR and Independent peer review report to the Planning Secretary on 6 July 2022 which was subsequently approved on 3 August 2022.</p>	<p>Completed.</p>	<p>Completed.</p>	<p>N/A.</p>

	<p>c) identify and document existing and future purposes for which the model can and cannot be used, including adaptation of this model by others, and any limitations on this;</p> <p>a) document the review findings including specifically responding to Condition E28(a) to E28(i) and, after any recommended model and/or reporting improvements have been undertaken to the peer reviewer's satisfaction, provide written certification within the review report that the Flood Design Verification Report, modelling and mitigation measurei) have been prepared consistent with current and appropriate methodologies and standards; and</p> <p>ii) accurately depict and resolve design impacts of the CSSI.</p> <p>The peer reviewer's endorsement must be appended to the Flood Design Verification Report.</p>				
	<p>Note: The independent reviewer must have extensive experience with the software packages applied in the modelling for the SPIR and the Flood Design Verification Report, although this may not necessarily include the specific software version(s) used in the SPIR and Flood Design Verification Report, provided the software version updates are not relevant to the peer review.</p>				
<p>Flood Emergency Response Plan (FERP) for Flood Risks Within the Rail Corridor</p>					
<p>E30</p>	<p>The Proponent must prepare a Flood Emergency Response Plan (FERP) which documents how the risks to life and property within the rail corridor are to be safely managed during a flood. The FERP must detail activities before, during and after a flood, including for staff training and maintenance and updating of the FERP.</p>	<p>ARTC submitted the required FDVR and Flood Emergency Response Plan to the Planning Secretary on 6 July 2022 which was subsequently approved on 3 August 2022.</p>	<p>Completed.</p>	<p>Completed.</p>	<p>Completed.</p>
	<p>a) The FERP must be prepared by an experienced flood emergency response specialist who has extensive experience in preparation of these plans.</p>				
	<p>b) This specialist must confirm that residual flood risks are acceptable and the procedures within the FERP are consistent with best practice and the requirements of the NSW Floodplain Development Manual.</p>				
	<p>c) The FERP must be appended to the Flood Design Verification Report.</p>				
	<p>Note: Nothing in this condition prevents the adaptation of an existing flood management or emergency plan to satisfy this condition.</p>				
<p>Information to Facilitate Management of Flood Emergency Risks beyond the Rail Corridor</p>					
<p>E31</p>	<p>Where the CSSI has the potential to adversely impact flood risks to life or property beyond the rail corridor, the Proponent must document the flood risk information in sufficient detail so that relevant emergency services personnel and affected third parties can prepare, respond and recover from future flood emergencies. This shall include but not be limited to:</p>	<p>ARTC has undertaken all required consultation with NSW SES, local councils, TfNSW and affected property owners with respect to managing flood emergency risks beyond the rail Corridor.</p> <p>This information was included within the required FDVR to the Planning Secretary on 6 July 2022.</p>	<p>Completed.</p>	<p>Completed.</p>	<p>Completed.</p>
	<p>a) documentation of the changes to flood behaviour including levels, depths, velocities, etc, that may result in adverse</p>				

	<p>impacts to life and property beyond the rail corridor, in any future flood events including events up to the PMF;</p> <p>b) consideration of changes to flood behaviour that may result from CSSI infrastructure failures or embankment collapses where these may occur during floods;</p> <p>c) provision of sufficient detail and scope to enable the relevant personnel or agency (including the NSW SES, the local council, affected property or infrastructure owners) to prepare for management of flood emergencies;</p> <p>d) respond to requests for information about the CSSI from those personnel or agencies (c) to assist them in preparing their own flood emergency response plans.</p> <p>This documentation shall be appended to the Flood Design Verification Report and be certified as consistent with the requirements of this condition by the same specialist preparing and certifying the FERP (required by Condition E30).</p>				
Flood Review after Construction					
<p>E32</p>	<p>For the first 15 years of operation, the Proponent must prepare Flood Review Report(s) within three months after the first defined flood event for any of the following flood magnitude ranges that occur – the 1-5% AEP, 5-10% AEP and 10-20% AEP events. The Flood Review Report(s) must be prepared by a suitably qualified and experienced hydrologist(s) and include:</p> <p>a) a comparison of the observed extent, level, and duration of the flooding event against those predicted in (or inferred from) the SPIR and the Flood Design Verification Report required by Condition E28;</p> <p>b) identification of the properties and infrastructure affected by flooding during the reportable event; and</p> <p>c) where the observed extent and level of flooding or other flooding or erosion impacts exceed those predicted due to the CSSI with the consequent effect of adversely impacting on property(ies), structures, infrastructure or the environment, and/or exceed the requirements specified in Conditions E27 and E28:</p> <p>i) determine if the exceedance is attributable to the CSSI, and</p> <p>ii) where the cause is attributable to the CSSI, identification of the rectification measures that would be implemented to reduce future adverse impacts of flooding from similar events related to the CSSI works, including the timing and responsibilities for implementation.</p> <p>A copy of the Flood Review Report(s) must be submitted for information to the Secretary and EES and relevant council(s) within three (3) months of finalising the report.</p> <p>Any rectification measures identified within the Flood Review Report(s) must be developed in consultation with the affected third parties (e.g. land and property owners, infrastructure owners, EES, the relevant council(s), state and local government agencies, etc) and implemented</p>	<p>Not yet triggered as construction for N2NS SP1 has not been completed. ARTC will ensure monitoring in accordance with this condition against the QDLs once construction of N2NS SP1 is completed.</p>	<p>N/A.</p>	<p>N/A.</p>	<p>Not Triggered.</p>

	within the timeframes specified in the Flood Review Report(s) or as agreed with the affected parties.				
E33	To analyse the lengths of rail corridor impacted by rainfall and consequential flood events for the purposes of Condition E32 , the Proponent must develop spatially defined monitoring zones and associated monitoring methodologies for the flood catchments modelled in the SPIR. The monitoring methodologies shall provide an approach to inter rainfall intensities utilising the available Bureau of Meteorology rainfall monitoring stations suitable for each catchment. The methodology must be developed in consultation with DPIE and submitted to the Planning Secretary for information within six (6) months prior to the commencement of operation of the CSSI.	The monitoring methodology has been drafted by ARTC and was submitted for consultation to DPE with comments received on 5 May 2023. After further consultation and agreement with DPE, ARTC has finalised the required monitoring methodology and submitted for information to the Planning Secretary on 25 August 2023.	Completed.	Completed.	N/A.
Information Sharing					
E34	Flood information resulting from the requirements of this approval, including flood reports, models and geographic information system outputs, and work as executed information from a registered surveyor certifying finished ground levels and the dimensions and finished levels of all structures within flood prone land, must be made available to the relevant council(s), TfNSW, EES and the SES upon request. The relevant councils, TfNSW, EES and the SES must be notified in writing that the information is available no later than one (1) month following the completion of construction. Information requested by a relevant council, TfNSW, EES or the SES must be provided within six (6) months.	Noted. Not yet triggered as construction for N2NS SP1 has not yet been completed. ARTC will however, ensure that any information noted in this condition is provided to the relevant stakeholders in the timeframe specified within this MCoA, after each stage of construction is completed.	N/A.	N/A.	Not Triggered
WATER QUALITY AND DRAINAGE					
E35	<p>The CSSI must be designed, construction and operated so as to:</p> <p>(a) maintain the NSW Water Quality Objectives where they are being achieved as at the date of this Approval;</p> <p>b) contribute towards achievement of the <i>NSW Water Quality Objectives</i> over time where they are not being achieved as at the date of this approval, unless an EPL in force in respect of the CSSI contains different requirements in relation to the <i>NSW Water Quality Objectives</i>, in which case those requirements must be complied with;</p> <p>(c) ensure all drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) new or modified surface water drainage (including cess drains) and depressions are designed and constructed in accordance with relevant guidelines;</p> <p>(d) locate all scour protection works associated with replacement culverts or the construction of new culverts within the rail corridor, or as agreed to by the relevant landowner;</p> <p>(e) not result in changes to the direction of watercourses or the direction of flood flows except within the rail corridor, other than as agreed with the landowner;</p> <p>(f) ensure that there is no permanent interception of, and/or connection with, groundwater;</p>	<p>During construction, ARTC recognises that overtopping events may occur. Whilst these events may occur, infrastructure is constructed to meet the design criteria for nominated rainfall events.</p> <p>ARTC further notes this condition during Operation and will ensure maintenance of water quality and drainage in accordance with these conditions. ARTC also notes that this condition is managed with an asset management system for the life of the asset in accordance with ARTC operating procedures.</p>	In Progress.	Not Triggered.	In Progress.

	(g) ensure all discharges from new or modified surface drainage (including cess drains) adjacent to the new and upgraded track are released at a controlled rate to prevent scour;				
	(h) ensure works on waterfront land are undertaken in accordance with the NRAR guidelines for controlled activities on waterfront land;				
	(i) ensure that any recycled wastewater (including recycled/treated water) proposed for use by the CSSI, is fit for purpose and does not pose a risk to human health or the receiving environment.				
E36	The Proponent must consult with TfNSW in relation to stormwater and drainage management to coordinate drainage infrastructure with the Newell Highway Upgrade.	Details concerning the design implications of any associated flooding impacts have been shared with and discussed with TfNSW on an ongoing basis since early 2018.	Completed.	Completed.	Completed.
E37	Prior to the installation of a new culvert, the Proponent must consult with the landowner that is located immediately downstream of the new culvert to determine the potential for impacts on agricultural productivity, farm operations and farm dams (including changes in water supply yield, reliability of supply, flood flows and embankment stability) due to the introduction or alteration of flows. Where potential adverse impacts are identified, the Proponent must consult with the affected landowner on the management measures that will be implemented to mitigate the impacts.	Consultation with impacted landowners has been undertaken as part of the FDVR consultation process. ARTC ensured that affected landowners were consulted regarding management measures to mitigate identified impacts on their properties. It should be noted, that whilst the consultation has been completed works is still ongoing as agreed with relevant landowners.	Completed.	Completed.	Completed.
TRAFFIC, TRANSPORT AND ACCESS					
E38	Construction traffic must not use local roads or privately-owned roads (other than to avoid direct access from ancillary facilities and construction sites to the Newell Highway) unless no alternative access is available. Use of private access roads must be in accordance with Conditions A19 and A20 . Local or privately owned roads used for access to ancillary facilities and construction sites must be identified in the Construction Traffic, Transport and Access Management Sub-plan required by Condition 0 .	This is addressed in the construction contractors Traffic, Transport and Access Management Sub-Plan. Not applicable to operations	In Progress.	Not Triggered.	N/A.
E39	Before any local or private road is used by a heavy vehicle for the purposes of construction of the CSSI, a Road Dilapidation Report must be prepared for the road. A copy of the Road Dilapidation Report must be provided to the relevant road authority(ies) and landowners within one (1) month of completion of the survey and at least two weeks before the road is used by heavy vehicles associated with the construction of the CSSI.	Road Dilapidation Reports have been prepared, a sample of which were reviewed during the Independent Environmental Audit No. 3 (2 and 3 August 2022) which included reports for Boonery Part Road, Crobble Road, Roydon Road, Gil Gil Creek Bridget, and Stage 2 Haul Road.	Completed.	Not Triggered.	N/A.
E40	If damage to roads occurs as a result of the construction of the CSSI, the Proponent must, within six months of the completion of construction, either (at the landowner or relevant road authority's discretion): a) compensate the relevant road authority(ies) and landowner for the damage so caused. The amount of compensation may be agreed with the relevant road authority(ies) and landowners, but compensation must be paid even if no agreement is reached;	ARTC has been actively working with the relevant councils to identify and agree any required rectification works. Road usage / condition data and dilapidation reports have been provided to all Councils for their consideration. Where damage to roads is agreed to occurred as a result of construction, ARTC will ensure these MCoA are met.	In Progress.	Not Triggered.	N/A.

	<p>b) rectify the damage to restore the road to at least the condition it was in at the time of the dilapidation survey; or</p> <p>c) where other agreements are in place, leave, maintain or remunerate for damages to these roads in accordance with these agreements.</p>				
E41	Where bus stops (including school bus stops) are required to be temporarily closed or relocated during construction, such closure must not occur until relocated bus stops are functioning and are within 400 metres of the original bus stop. The relocation of bus stops must be undertaken in consultation with the relevant council and bus operator, and details regarding the relocations provided to affected communities (and educational facilities in relation to school bus stops) at least 14 days prior to the relocation occurring.	Temporary closure or relocation of bus stops has not been required during construction. This will not be required during operations period.	In Progress.	Not Triggered.	N/A.
E42	The Proponent must consult with TfNSW prior to, and at regular intervals during, construction to co-ordinate and implement mitigation measures to reducing any potential concurrent impacts arising from the construction of the CSSI and Newell Highway upgrade works. Procedures for consultation must be outlined in the Traffic, Transport and Access Management Sub-plan required by Condition 0 .	ARTC are in regular communication with TfNSW and will continue to coordinate and implement mitigation measures to reduce any potential concurrent impacts arising from the construction of the CSSI and Newell Highway upgrade works.	In Progress.	Not Triggered.	N/A.
Level Crossing Treatment Reports					
E43	<p>In order to maintain safe and efficient operation of the road network, the Proponent must prepare a Public Level Crossing Treatment Report in consultation with Transport for NSW and relevant councils. The report must:</p> <p>a) illustrate the location of all public level crossings which traverse the CSSI;</p> <p>b) list, and identify on a figure, any public level crossings that will be closed or upgraded,</p> <p>c) where no works are proposed at a public crossing, provide reason for the decision;</p> <p>d) consider measures to avoid potential short-stacking at level crossings; and</p> <p>e) provide justification for any proposed closures.</p> <p>The assessment of level crossings must utilise the Australian Level Crossing Assessment Model (ALCAM). The process for determining the type of level crossing treatment must be consistent with the methodology outlined in Appendix L of the Submissions Preferred Infrastructure Report.</p> <p>The report must also include an assessment of the road risks, consistent with the guideline Railway Crossing Safety Series 2011, Plan: Establishing a Railway Crossing Safety Management Plan (NSW Roads and Traffic Authority, 2011).</p> <p>The design of any level crossing on a public road must be endorsed by Transport for NSW or the relevant road authority (where not Transport for NSW) prior to commencing construction of that crossing.</p>	This was completed and submitted to the Department on 9 March 2021.	Completed.	Completed.	N/A.

E44	In order to maintain convenient property access, the Proponent must prepare a Private Level Crossing Treatment Report in consultation with landowners whose access will be affected by the closure or upgrading of a private level crossing. The report must:	This was completed and subsequently submitted to the Department on 9 March 2021 which addresses this condition.	Completed.	Completed.	N/A.
	a) illustrate the location of all private level crossings which traverse the CSSI;				
	b) list, and identify on a figure, any private level crossings that will be closed or upgraded;				
	c) describe the treatments that will be implemented at upgraded crossings; and				
	d) provide justification for any proposed closures and types of treatment, including decisions where no additional treatments are proposed; and				
	e) provide details on the consultation undertaken with the landowners.				
Closures, relocations or modifications of private level crossings must be agreed to by the relevant landowner prior to any work on a crossing, noting that any closure, relocation or modification must be in accordance with AS/RISSB 7658:2012 Railway Infrastructure – Railway Level Crossing and relevant rail safety legislation. The Proponent must consult with relevant landowners on the design of the crossing and where consistent with relevant safety standards and legislation, incorporate landowner requirements into the design.					
Level Crossing Performance Report					
E45	The Public Level Crossing Treatment Report and Private Level Crossing Treatment Report must be submitted to the Planning Secretary for information at least one (1) month prior to the closure or upgrade of a public or private level crossing, as relevant. Individual reports may be submitted for each crossing or address a group of crossings or the entire CSSI.	This was completed and subsequently submitted to the Department on 9 March 2021 which addresses this condition.	Completed.	Completed.	N/A.
E46	In 2026 and 2035, or as otherwise agreed by the Planning Secretary, the Proponent must prepare a Level Crossing Performance Report to confirm the operational traffic impacts of the level crossings on the classified road network. The review of the operation of the level crossings that interact with the classified road network must be carried out in consultation with TfNSW and the relevant councils and include:	Not yet triggered. <i>Note: 2026 and 2035 are specified as representing 12 months and 10 years after the anticipated commencement of operation of the entire Inland Rail project. Should this timeframe change, the Proponent should seek the approval of the Planning Secretary to vary the timeframe in which to satisfy this condition.</i>	N/A.	N/A.	Not Triggered.
	a) updated traffic analysis of movements on these roads;				
	b) assessment of the level of service at these level crossings (queue length, queuing time delay);				
c) identification of additional new works outside of the rail corridor delivered by third parties that may result in changes to traffic movements as initially considered in the Level Crossing Treatment Report;	ARTC will apply to the Planning Secretary to vary timeframes for the submission of the Public Level Crossing Treatment Report and Private Level Crossing Treatment Report once we have more certainty on the Inland Rail Operations date.				

	<p>d) assessment of the performance of the level crossing treatment outlined in the Public Level Crossing Treatment Report required by Condition E43;</p> <p>e) all reported near misses and collisions at level crossings within the project area; and</p> <p>f) mitigation measures to manage any actual or predicted road network performance impacts.</p>				
E47	<p>Each Level Crossing Performance Report must also review the impact on level crossings interacting with local roads and include:</p> <p>a) assessment of safety and/or operational impacts on nearby classified roads as a result of vehicle queuing; and</p> <p>b) all reported near misses and collisions at level crossings within the project area.</p>	Noted. As above.	N/A.	N/A.	Not Triggered.
E48	<p>Mitigation measures to manage any actual or predicted road network performance impacts resulting from the construction and operation of the CSSI must be implemented within one year of the completion of each report. The Report must include an implementation plan of the identified mitigation measures. The Level Crossing Performance Report must be submitted to the Secretary, RMS and relevant councils for information within 60 days of its completion.</p> <p><i>Note: 2026 and 2035 are specified as representing 12 months and 10 years after the anticipated commencement of operation of the entire Inland Rail project. Should this timeframe change, the Proponent should seek the approval of the Planning Secretary to vary the timeframe in which to satisfy this condition.</i></p>	Noted. As above.	N/A.	N/A.	Not Triggered.
SPOIL MOUNDS					
E60	<p>Permanent spoil mounds are to be located:</p> <p>a) within the existing rail corridor;</p> <p>b) at least 50 metres from any watercourse or culvert or where the rail formation is predicted to be overtopped during a flood event;</p> <p>c) to be overtopped during a flood event;</p> <p>d) outside the drip lines of trees located on private property.</p> <p><i>Note: For the purpose of Condition E60(d), the Proponent must not affect trees outside of the rail corridor for the purpose of preventing those trees' driplines overhanging spoil mounds.</i></p>	Any permanent spoil mounds are located within the rail corridor at appropriate locations in accordance with this condition.	In Progress.	Not Triggered.	In Progress.
E61	<p>Spoil mounds are to comply with the following requirements:</p> <p>(a) maximum height must not exceed the top height of the upgraded rail line;</p>	As above.	In Progress.	Not Triggered.	In Progress.

	(b) not result in the clearing or covering of native vegetation beyond that described in the documents listed in Condition A1;				
	(c) not result in heritage impacts beyond that described in the documents listed in Condition A1 ;				
	(d) not result in additional changes to the upstream flooding regime beyond those described in the documents listed in Condition A1 ;				
	(e) not affect the downstream flood regime;				
	(f) not impede the flow of water through culverts;				
	(g) not contain any contaminated soil classified as unsuitable for the proposed land use, acid sulphate soils or green waste;				
	(h) are to be stabilised during construction of the CSSI; and				
	(i) are to be stabilised prior to operation of the CSSI.				
VISUAL AMENITY					
E62	The construction and operation of the parts of the CSSI located within 200 kilometres of the Siding Spring Observatory, must comply with the 'Good Lighting Design Principles' as described in the Department's 'Dark Sky Planning Guideline'.	This Environmental Design Requirement was considered in the SP1 IFC Detailed Design Report prepared by WSP/Mott McDonald dated May 2019. The design and operation comply with the 'Good Lighting Design Principles' as described in the Department's 'Dark Sky Planning Guideline'.	Completed.	Completed.	Completed.
E63	The Proponent must construct and operate the CSSI with the objective of minimising light spillage to residences. All lighting associated with the construction and operation of the CSSI must be consistent with the requirements of Australian Standard 4282-1997 Control of the obtrusive effects of outdoor lighting. Notwithstanding, the Proponent must provide mitigation measures to manage any residual night-lighting impacts to protect residences adjoining or adjacent to the CSSI, in consultation with affected landowners.	As noted above, this Environmental Design Requirement was considered in the SP1 IFC Detailed Design Report prepared by WSP/Mott McDonald dated May 2019 and the stated objective is being followed. This will be further reviewed and monitored as construction continues.	In Progress.	Not Triggered.	In Progress.
E64	The Proponent must consult with all landowners whose visual amenity from their residence is identified as highly impacted by the CSSI (as per Table 5 of Technical Report 10 in the EIS) to determine the mitigation measures that will be implemented to maintain visual amenity. The Proponent must come to an agreement with the landowner on the mitigation measures and implement the measures prior to the operation of the CSSI.	Review has been undertaken of the identified highly impacted locations detailed as per Table 5 of Technical Report 10 in the EIS. Four places were identified as highly impacted. Three of these locations are located within the scope of Stage 2- Construction and to date no visual impact has occurred. At the fourth location for potential visual impact there is no residence located. Therefore, no consultation has occurred during Stage 1 – Construction as there have been no visual impacts occurring.	Completed.	Not Triggered.	N/A.
HERITAGE					
E65	The Proponent must not destroy, modify or otherwise physically affect any heritage items, including Aboriginal objects, outside of the CSSI construction boundary.	ARTC actively worked with the Department regarding a potential event associated with this condition and have implemented internal processes to ensure any future activities are undertaken in accordance with this condition.	In Progress.	Not Triggered.	In Progress.

		On track operational activities will not destroy, modify, or otherwise physically affect any heritage items, including Aboriginal objects, outside of the CSSI construction boundary.			
E66	The Proponent must not harm, modify, or otherwise impact human remains uncovered during the construction of the CSSI.	To date, no human remains have been uncovered during the construction of the CSSI.	In Progress.	Not Triggered.	In Progress.
E67	Identified impacts to heritage items must be minimised through both design and construction. The measures for ensuring this are to be detailed in the Construction Heritage Management Sub-Plan required by Condition 0.	ARTC are actively managing heritage items as per the Construction Heritage Sub-Plan.	In Progress.	Not Triggered.	In Progress.
Non-Aboriginal Heritage					
E68	<p>The Proponent must undertake Heritage Photographic Archival Recordings (of heritage items and potential heritage items associated with the existing rail line (including culverts/underbridges with timber components and former rail station sites) which have been identified for demolition in the EIS and Submissions Report.</p> <p>The photographic recording of items with a statutory listing must be undertaken in accordance with NSW Heritage Division guidelines. The photographic recording of items with potential heritage significance but no statutory listing may be undertaken in accordance with ARTC's Archival Recording Standard.</p>	<p>This requirement is noted in section 5.9.2 of the Construction Heritage Management Sub Plan.</p> <p>The report Photographic Archival Recording and Research Report Narrabri to North Star SP1 Narrabri, Moree and North Star regions prepared by Niche Environment and Heritage dated 13 April 2021 contains the photographic records for these components.</p>	Completed.	Completed.	Completed.
E69	The design of any proposed works or alterations to TfNSW assets, including but not limited to railway stations at Edgeroi, Bellata, Gurley and Moree must be developed in consultation with and endorsed by TfNSW prior to the commencement of works affecting these assets.	Designs for Moree Station Upgrade and the removal of Edgeroi and Gurley platforms were subject to consultation with TfNSW which was identified as compliant following the most recent Independent Environmental Audit (July 2021).	Completed.	Completed.	Completed.
Aboriginal Heritage					
E70	Prior to the commencement of investigation activities within the expanded construction footprint identified in the SPIR, the Proponent must prepare a methodology for archaeological investigation in consultation with DPC Heritage and Registered Aboriginal Parties (RAPs).	The Aboriginal Cultural Heritage Management Plan Narrabri to North Star – Separable Portion 1 (N2NS Phase 1) prepared by Niche Environment and Heritage dated 18 December 2020 and Addendum Aboriginal Cultural Heritage Assessment Narrabri to North Star – Separable Portion 1 (N2NS Phase 1) prepared by Niche Environment and Heritage dated 1 December 2020 were submitted on 11 January 2021 detailing this methodology and consultation in accordance with this MCoA.	Completed.	Completed.	Completed.
E71	<p>Prior to the commencement of any construction works within areas identified as requiring archaeological investigation by the methodology required by Condition E70 the Proponent must:</p> <p>(a) Undertake archaeological investigations; and</p> <p>(b) report on the results of the archaeological investigation, including, but not necessarily be limited to:</p> <p>i) consideration of measures to avoid or minimise disturbance to Aboriginal objects where objects of moderate to high archaeological or cultural significance are found to be present;</p> <p>ii) where impacts cannot be avoided, recommendations for any further investigations or salvage;</p>	ARTC actively worked with the Department regarding a potential event associated with this condition and have implemented internal processes to ensure any future activities are undertaken in accordance with this condition.	Completed.	Completed.	Completed.

	iii) management and mitigation measures to ensure there are no additional impacts due to preconstruction and construction activities; and				
E72	The methodology required by Condition E70 and the report required by Condition E71 must be provided to the Planning Secretary for information and its results incorporated into the Construction Heritage Management Sub Plan required by Condition 0.	This requirement is included in the Construction Heritage Management Sub Plan. Refer to the DPIE letter received 7 April 2021 confirming approval of documents and required consultation and endorsement by the ER and relevant government agencies, including the Construction Heritage Management sub Plan Revision H, dated 29 March 2021.	Completed.	Completed.	Completed.
LAND USE AND PROPERTY					
Dilapidation Surveys and Rectification					
E73	The Proponent must undertake dilapidation surveys on the current condition of surface and sub-surface structures owned by third parties and identified at risk from vibration. The dilapidation surveys must be prepared by a suitably qualified and experienced person(s).	Dilapidation reports have been prepared and completed as per this MCoA, this was determined compliant during the first Independent Audit completed for the CSSI (July 2021).	Completed.	Completed.	Completed.
E74	The results of the dilapidation surveys must be provided to the relevant owners of surface and sub-surface structures for review prior to the commencement of potentially impacting works.	Dilapidation reports have been prepared and completed as per this MCoA, this was determined compliant during the first Independent Audit completed for the CSSI (July 2021).	Completed.	Completed.	Completed.
E75	Subsequent dilapidation surveys must be undertaken to assess damage to the surface and sub-surface structures that may have resulted from the construction of the CSSI within three months of the completion of construction, unless otherwise agreed by the Secretary.	This work is not yet required but ARTC will ensure the surveys are completed in accordance with this condition. On track operational activities are not however expected to cause any damage.	Not Triggered.	Not Triggered.	N/A.
E76	The results of the subsequent dilapidation surveys for each surface and sub-surface structure surveyed must be provided to the relevant owners of the structures within one (1) month of undertaking the surveys.	This is not yet required until construction activities have been completed. ARTC will ensure that the timeframe specified in this MCoA is met once the surveys are completed. On track operational activities are not however expected to cause any damage.	Not Triggered.	Not Triggered.	N/A.
E77	The Proponent must carry out rectification at its expense and to the reasonable requirements of the surface and sub-surface structure owner(s) within three (3) months of completion of the post-dilapidation surveys unless otherwise agreed with the owner of the affected surface and sub-surface structure.	This is not yet required until construction activities have been completed. ARTC will ensure that any issues as identified (E75) are rectified the timeframe specified in this MCoA once the surveys are completed. On track operational activities are not however expected to cause any damage.	Not Triggered.	Not Triggered.	N/A.
Rehabilitation					
E78	Any agreements for the temporary use of land for construction purposes must provide for the rehabilitation of that land and any structures on it to its pre-construction state, unless otherwise agreed with the landowner.	ARTC are committed to fulfilling all obligations under this CSSI. The decommissioning and rehabilitation of construction assets will be completed as described in the EIS or as agreed with the landholder.	In Progress.	Not Triggered.	N/A.
SUSTAINABILITY					
E79	The CSSI must achieve a minimum 'excellent' rating for both 'Design' and 'As built', under the Infrastructure Sustainability Council of Australia infrastructure rating tool [version 1.2 or 2.0], or through the use of an equivalent process or an equivalent level of performance using a demonstrated equivalent rating tool.	The N2NS SP1 Project received an Excellent 'Design' rating. Round 1 of 2 for the N2NS As Built rating has just been received back from the IS Council. Trans4m Rail now are to address the comments of the verifiers for their Round 2 submission. The rating is still in progress at this stage. ARTC is actively working on the mechanisms for achieving this as described in the Sustainability Management Plan.	In Progress.	In Progress.	N/A.

Soils					
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.	The construction contractor has an appointed CPESC to N2NS SP1. All ESC measures are installed and maintained as per the recommendations of the CPESC and in accordance with the CEMP and sub-plans. ARTC will carry over any temporary ESC measures as directed by the CPESC until stability is achieved as per Landcom Managing Urban Stormwater: Soils and Construction.	In Progress.	In Progress.	In Progress.
Contaminated Sites					
E81	In the event that soils suspected to be contaminated are unexpectedly found, the Proponent must engage a suitably experienced and qualified contaminated land consultant to undertake further investigations to determine the type and extent of any contamination. The investigation must be undertaken in accordance with guidelines made or approved under the Contaminated Land Management Act 1997 (NSW). The results of the investigation must be documented in a Site Contamination Assessment Report.	The construction contractor has included an unexpected finds protocol in the Soil and Water Management Plan. No unexpected sites have been identified during the construction of this CSSI. On track operational activities are not however expected to identify unexpected, contaminated sites.	Not Triggered.	Not Triggered.	Not Triggered.
E82	Where the results of site investigations required by Condition E81 indicate that the contamination poses unacceptable risks to human health or the environment under either the present or proposed land use, the Proponent must engage a suitably experienced and qualified contaminated land consultant to develop and implement any necessary remediation measures. The remediation measures must be documented in a Remediation Report	The construction contractor has included an unexpected finds protocol in the Soil and Water Management Plan. No unexpected sites have been identified during the construction of this CSSI. Where required, remediation reports will be prepared.	Not Triggered.	Not Triggered.	Not Triggered.
E83	If remediation is required under Condition E82, a Site Audit Statement and Site Audit Report must be prepared by a NSW EPA Accredited Site Auditor. Contaminated land must not be used for the purpose approved under the terms of this approval until a Site Audit Statement determines the land is suitable for that purpose and any conditions on the Site Audit Statement have been complied with.	The construction contractor has included an unexpected finds protocol in the Soil and Water Management Plan which details this process. No unexpected sites have been identified during the construction of this CSSI. Where required, remediation reports will be prepared. On track operational activities are not however expected to identify unexpected, contaminated sites. ARTC Contaminated Land Procedures will be applied for the management of any contaminated land.	Not Triggered.	Not Triggered.	Not Triggered.
E84	Nothing in Conditions E81 to E83 prevents the Proponent from preparing a single Site Contamination Report or Remediation Report or obtaining a single Site Audit Statement and Site Audit Report for the entire CSSI.	Noted.	Not Triggered.	Not Triggered.	Not Triggered.
E85	An Unexpected Contaminated Land and Asbestos Finds Procedure must be prepared before the commencement of construction and must be followed should unexpected contaminated land or asbestos (or suspected contaminated land or asbestos) be excavated or otherwise discovered during construction.	The construction contractor has developed an unexpected finds protocol which has subsequently been endorsed by the ER. On track operational activities are not however expected to identify unexpected, contaminated sites. ARTC Contaminated Land Procedures will be applied for the management of any contaminated land.	Not Triggered.	Not Triggered.	Not Triggered.
AIR QUALITY					
E86	In addition to the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1, all practicable measures must be implemented to minimise the emission of dust and other air pollutants during the construction and operation of the CSSI.	The Construction Soil and Water Management Sub-Plan (2600-0018 N2NS-SP1) outlines the Air Quality Monitoring Program in Appendix D and associated mitigation measures in Section 7.1.	In Progress.	Not Triggered.	In Progress.

		ARTC manage air quality during operational activities in accordance with their EMS.			
WASTE					
E87	<p>Waste generated during construction and operation is to be dealt with in accordance with the following priorities:</p> <ul style="list-style-type: none"> a) waste generation is to be avoided and where avoidance is not reasonably practicable, waste generation is to be reduced; b) where avoiding or reducing waste is not possible, waste is to be re-used, recycled, or recovered in accordance with the requirements of the Protection of the Environment Operations Act 1997 and its regulations; and c) where re-using, recycling or recovering waste is not possible, waste is to be treated or disposed of at a waste management facility or premise lawfully permitted to accept the materials or in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, or to any other place that can lawfully accept such waste. 	<p>This will apply to the project during construction and operation. The construction contractor manages waste in accordance with the CEMP endorsed by the ER.</p> <p>ARTC manage operational waste in accordance with their EMS.</p>	In Progress.	Not Triggered.	In Progress.
E88	<p>The importation of waste and the storage, treatment, process, reprocessing or disposal of such waste must comply with the conditions of the current EPL for the CSSI, or be done in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, as the case may be.</p>	<p>This will apply to the project during construction and operation. The construction contractor manages waste in accordance with the CEMP endorsed by the ER.</p> <p>ARTC manage operational waste in accordance with the EMS.</p> <p>During operation, the EMS and CEMP will be used to manage waste of operation and construction activities respectively.</p>	In Progress.	Not Triggered.	In Progress.
E89	<p>Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i>, or to any other place that can lawfully accept such waste.</p> <p><i>Note: Notice must be given to the relevant site/s as soon as possible, and no more than 14 days before the proposed waste disposal.</i></p>	<p>Waste and Resource management systems have been developed to manage the waste and resource recovery related risks on this Project.</p>	In Progress.	Not Triggered.	In Progress.
E90	<p>All waste generated during construction and operation must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.</p>	<p>As above. Waste and Resource management systems have been developed to manage the waste and resource recovery related risks on this Project.</p>	In Progress.	Not Triggered.	In Progress.