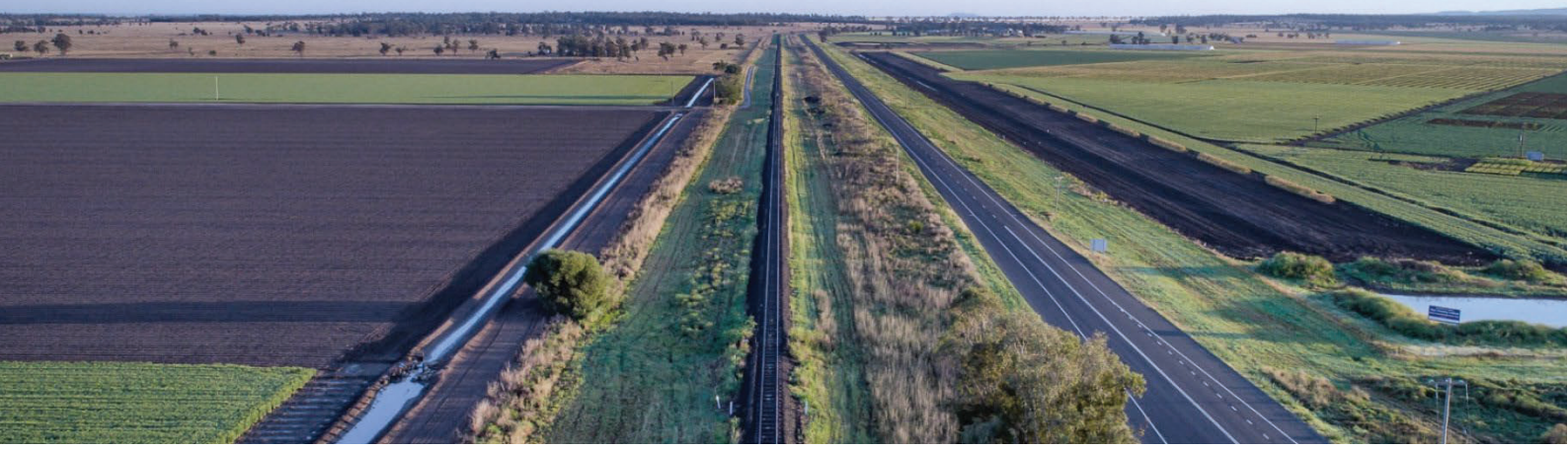
EIS CONSISTENCY ASSESSMENT REPORT (MINOR) KILDARE CATHOLIC COLLEGE

A2I | Albury to Illabo



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DOCUMENT TITLE	**EIS CONSISTENCY ASSESSMENT REPORT (MINOR) KILDARE CATHOLIC COLLEGE**
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Glossary

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

TERM	DEFINITION
A2I	Albury to Illabo (Project)
AEC	Areas of Environmental Concern
AEP	Annual Exceedance Probability
AHD	Australian Height Datum
Action Management Plan	*EPBC Act:* In relation to an action, means a plan for managing the impacts of the action on a matter protected by a provision of Part 3, such as a plan for conserving habitat of a species.
ADWWU	Addendum Memo for Wagga Wagga Utilities (undertaken by OzArk)
ARTC	Australian Rail Track Corporation
ASS	Acid Sulfate Soils
BARM	Biodiversity Assessment Report Memo (undertaken by East Coast Ecology)
Change	Macquarie Dictionary: A variation, adjustment, alteration, deviation or transformation to the project scope, construction methodology or design.
Compatible	Macquarie Dictionary: Capable of existing in harmony. Capable of orderly, efficient integration with other elements in a system.
Construction	Includes work required to construct the CSSI as defined in the Project Description described in the documents listed in Condition A1 including commissioning trials of equipment and temporary use of any part of the CSSI but excluding Low Impact Work which is carried out or completed prior to approval of the Construction Environmental Management Plan (CEMP).
Consistent	Macquarie Dictionary: Agreeing or accordant; compatible; not self-opposed or self-contradictory; constantly adhering to the same principles, course, etc.
Consistent with	Means that carrying out the project (as approved) will comply with the terms of the approval despite the proposed change. (See Barrick Australia Ltd v. Williams [2009] NSWCA 275)
CA	Consistency Assessment (This Document)
CBD	Central Business District
CCS	Community Communication Strategy
CEMP	Construction Environmental Management Plan
CIZ	Construction Impact Zone
CoAs	Condition(s) of Approval
DAWE	Former Australian Government Department of Agriculture, Water and Environment
dBA	A-weighted decibel
Division 5.2 Approval	An approval under Division 5.2 of the NSW Environmental Planning and Assessment Act 1979 for State Significant Infrastructure / Critical State Significant Infrastructure.
EAD	Environmental Assessment Documentation
EIS	Environmental Impact Statement

EMMs	Environmental Management Measures
EP&A Act	*Environmental Planning and Assessment Act 1979*
EPBC Approval	An approval of a controlled action issued by the Australian Government Minister under Section133 of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.
EPL	Environment Protection Licence (#21984)
HV	Heavy Vehicles
IRPL	Inland Rail Pty Ltd (subsidiary of ARTC)
MR	Martinus Rail
MEHD	Miscellaneous Ecosystems – Highly Disturbed areas with no or limited Native Vegetation.
MEOP	Miscellaneous Ecosystems – Ornamental Plantings
Modification of an Approval	Section 5.25 *Environmental Planning and Assessment Act 1979*: Means changing the terms of the Division 5.2 approval, including revoking or varying a condition of the approval or imposing an additional condition on the approval.
NCA	Noise Catchment Area
NPT	Noise Prediction Tool (ARTC)
NML	Noise Management Level
NSW	New South Wales
OOHW	Out-of-hours Work
PCT	Plant Community Type
PIR	Preferred Infrastructure Report
$PM_{2.5}$	Particles with a diameter of 2.5 micrometres or less
PM_{10}	Particles with a diameter of 10 micrometres or less
Proposed Change	Tree relocation and replanting works at Kildare Catholic College (within the Edmondson Street bridge enhancement site), which forms part of the Albury to Illabo (A2I) section of the Inland Rail.
RBL	Rating Background Level
Rail Corridor	Land that is: (a) owned, leased, managed or controlled by a public authority for the purpose of a railway or rail infrastructure facilities, or zoned under an environmental planning instrument predominantly; or (b) solely for development for the purpose of a railway or rail infrastructure facilities.
Sensitive Receivers	Includes residences, educational institutions (including preschools, schools, universities, TAFE colleges), health care facilities (including nursing homes, hospitals), religious facilities (including churches), childcare centres and passive recreation areas (including outdoor grounds used for teaching). Receivers that may be considered to be sensitive include commercial premises including film and television studios, research facilities, entertainment spaces, temporary accommodation such as caravan parks and camping grounds, restaurants, office premises, and retail spaces), and industrial premises as identified by the Planning Secretary.
SSI	State Significant Infrastructure
TGS	Traffic Guidance Schemes
UMMs	Updated Mitigation Measures as described in the documents listed in CoA A1.

1 Introduction

1.1 Background

1.1.1 Division 5.2 approval

ARTC prepared an Environmental Impact Statement (EIS) for the Inland Rail – Albury to Illabo Project which was placed on public exhibition from 17 August 2022 to 28 September 2022. The EIS identified a range of environmental, social and planning issues associated with the construction and operation of the Albury to Illabo (A2I) Project and proposed measures to mitigate and manage those potential impacts.

In accordance with section 5.17(6)(b) of the EP&A Act, on 13 April 2023 the Planning Secretary directed ARTC to submit a Preferred Infrastructure Report (PIR) that provides further assessment of traffic and transport, noise and vibration, and air quality impacts. The PIR was also prepared to consider changes to the exhibited Project that have arisen as a consequence of these further assessments and related submissions.

The Inland Rail – Albury to Illabo Project was assessed as part of the following environmental assessment documentation (EAD):

- Inland Rail – Albury to Illabo Environmental Impact Statement (ARTC, August 2022);
- Albury to Illabo Response to Submissions (ARTC, November 2023);
- Albury to Illabo Preferred Infrastructure Report (ARTC, November 2023);
- Albury to Illabo Preferred Infrastructure Report Response to Submissions (ARTC, February 2024);
- Inland Rail – Albury to Illabo (SSI-10055) Response to request for additional information – Air Quality Assessment (letter dated 1 May 2024);
- Part 1 - Revised Technical Paper 8: Biodiversity Development Assessment Report (WSP, February 2024);
- Part 2 - Revised Technical Paper 8: Biodiversity Development Assessment Report (WSP, February 2024);

The Minister for Planning and Public Spaces approved the Albury to Illabo Project under section 5.19 of the Environmental Planning and Assessment Act 1979 (EP&A Act) on 8 October 2024. The approval incorporated the Minister's Conditions of Approval.

For the purposes of this consistency assessment (CA), the approval issued by the NSW Minister for Planning and Public Spaces for the A2I Project is referred to as the Division 5.2 approval.

1.1.2 EPBC Act referral

The A2I Project was referred to the Australian Government Minister for the Environment under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) due to potential for impacts on protected matters on 2 June 2020 (EPBC Referral No 202/8670). On 29 June 2020, the former Australian Government Department of Agriculture, Water and Environment (DAWE) notified that the proposal is not a controlled action, and hence approval under the EPBC Act is not required.

1.1.3 Project changes

The Project has not been the subject of a modification under section 5.25 of the EP&A Act.

The following consistency assessments have been prepared to support the undertaking of the Project:

- EIS Consistency Assessment Report (Minor) Wagga Wagga Utility Adjustments (MR, January 2025)
- EIS Consistency Assessment Report (Minor) Junee to Illabo Clearances (MR, pending approval)
- EIS Consistency Assessment Report (Minor) Pearson Street and Cassidy Parade (MR, pending approval)

1.2 Purpose of consistency assessment

This CA has been prepared in accordance with the Inland Rail Pty Ltd (IRPL) specification for NSW Consistency Assessments (0-0000-902-EEC-00-SP-0001_1). The purpose of this consistency assessment is to:

- Describe the proposed change relative to the Division 5.2 approval.
- Assess the environmental impacts associated with the proposed change relative to the Division 5.2 approval.
- Determine if the Proposed Change is consistent with the 5.2 approval or whether further approval is required (either for a modification application or a new project).

2 Proposed Change

2.1 Description of Proposed Change

The EAD identified the indicative proposal sites to enable construction of the reference design for the Albury to Illabo (A2I) section of the Inland Rail program. Further detailed design, construction planning, and site surveys have identified refinements to the construction methodology and resulted in the requirement to adjust the construction boundary as defined in the Division 5.2 approval and described in the EAD.

The Proposed Change relates to the construction footprint at the following enhancement site:

- The Edmonson Street bridge enhancement site

This Consistency Assessment report (CA) considers the Proposed Change, which involves an extension of the approved construction boundary (referred to as the construction impact zone (CIZ)), for the relocation and replanting of three palm trees within Kildare Catholic College, Wagga Wagga.

The tree relocation and replanting works, and proposed CIZ extension are presented in Figure 2.1 below.

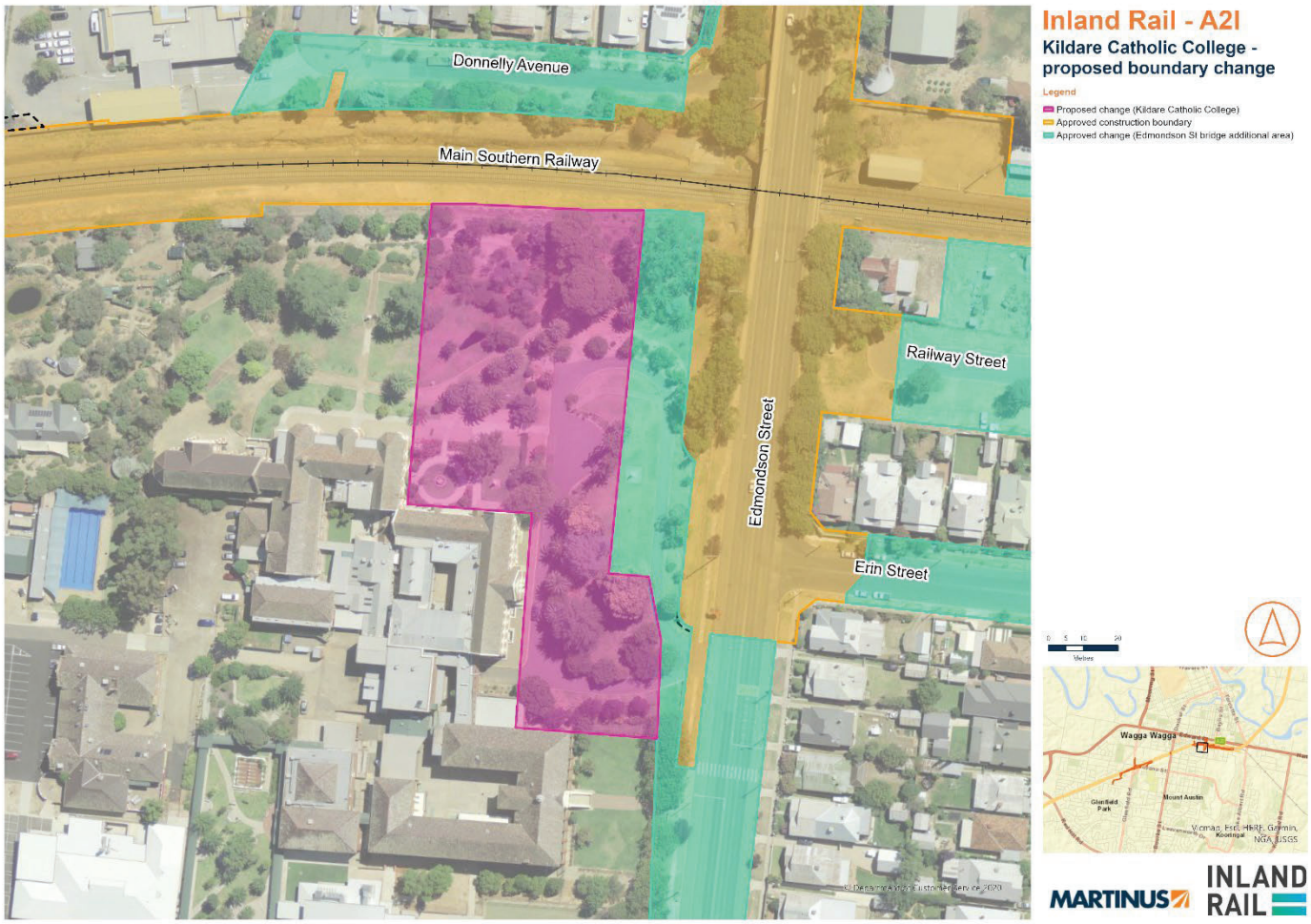

Figure 2.1: Location of Proposed Change

2.2 Methodology

Work Plan

The methodology, for the relocation and replanting of the three palm trees within Kildare Catholic College, involves the following:

- Preparation and excavation of area for replanting works;
- Arborist assessment and removal of palm trees;
- Relocation and replanting works;
- Backfilling works.

Plant and equipment

Plant and equipment required for these works include:

- Light vehicles
- HV truck (14-tonne)
- Excavator (14-tonne)
- Mobile crane (150-tonne)

2.3 Need

The works associated with the Proposed Change form part of the Edmondson Street bridge enhancement site works. The change in location associated with the three palm trees has been requested by Kildare Catholic College and forms part of the Land Access/Licence Agreement with Kildare Catholic College and IRPL (still subject to final approval).

2.4 Location and setting

The Proposed Change is located in Wagga Wagga and relates to the Edmondson Street bridge enhancement site, within the Kildare Catholic College.

Aspect specific location and setting information as it relates to the Proposed Change is contained in the subsections below.

2.5 Construction hours

The works associated with the Proposed Change will be timetabled to be carried out during the approved standard construction hours as per the Project's Environment Protection Licence #21984 (EPL), where possible. The standard construction hours are as follow:

- 7:00am to 6:00pm Monday to Friday, inclusive;
- 8:00am to 6:00pm Saturday and
- At no time on Sundays or public holidays.

The Proposed Change activities may occur outside of standard construction hours and the hours approved as part of CoA E69 and EPL L4 condition. Any out-of-hours works (OOHW) within the extended CIZ would be implemented in accordance with CoA E71 and EPL L4.

3 Consultation

Inland Rail does not always carry out consultation for consistency assessments. However, in some cases consultation may be carried out to:

- Help identify the nature and scale of the impacts.
- Involve the community in the options considerations for the Proposed Change.
- Manage community expectations for the Project.
- Provide the best design outcome that minimises environmental impacts.

As considered above, Martinus Rail (MR) has undertaken ongoing consultation with Kildare Catholic College as per the existing Land Access/Licence Agreement. Consultation with the affected landowner where works are proposed outside the construction boundary would be undertaken and an updated Land Access/Licence Agreement finalised prior to commencement of works within the Proposed Change area.

Where vegetation removal is proposed on land not owned by Inland Rail, consultation will be carried out with the property owner including confirming any revegetation/rehabilitation requirements. This will be undertaken in accordance with the Community Communication Strategy (IRPL, 2024), prior to the removal of vegetation.

The community would be notified in accordance with Section 7.1 of the Community Communication Strategy (CCS) (IRPL, 2024), prior to commencement of works. Any complaints, feedback or enquiries would be handed in accordance with Section 8 of the CCS.

4 Consistency Assessment Review

4.1 Environmental risk review

An environmental risk review of the proposed activity has been undertaken and is provided below in Table 4.1. Assessments of potential impacts are provided in greater detail for:

- Traffic and transport (Section 4.2)
- Noise and vibration (Section 4.3)
- Non-Aboriginal heritage (Section 4.4)
- Biodiversity (Section 4.5)
- Flood risk (Section 4.6)
- Soils and contamination (Section 4.7)
- Air quality (Section 4.8)
- Landscape and visual (Section 4.9)

Table 4.1: Consistency assessment review

ISSUE	Y/N	NOTES
Are works required outside the IR property acquisition boundary, or land not previously impact on by Project works?	Y	The Proposed Change activities will occur within the Kildare Catholic College. The existing Kildare Catholic College Land Access and Licence Agreement incorporates the Proposed Change works that was requested by the Kildare Catholic College.
Will the works result in any changes to form or functionality of the approved Project?	N	The Proposed Change would not impact on the form of functionality of the approved Project. The Proposed Change scope only involves the relocation and replanting of three palm trees.
Are there any potential impacts on traffic and transport associated with the works?	Y	The Proposed Change would result in minor and short-term traffic and transport impacts. These impacts are considered in greater detail in Section 4.2.
Are there any potential noise and vibration impacts associated with the works?	Y	The Proposed Change would result in short-term noise impacts. These impacts are considered in greater detail in Section 4.3.
Are there any potential impacts on known Aboriginal heritage items or sites located in the vicinity of the works?	N	An AHIMS Basic Search was undertaken for the Proposed Change area (presented in Appendix A).There are no known Aboriginal heritage items or sites located within the Proposed Change area.
Are there any potential impacts on non-Aboriginal heritage items or sites located in the vicinity of the works?	Y	The Proposed Change is located within and in the proximity of known non-Aboriginal heritage items and sites. These impacts are therefore considered in greater detail in Section 4.4.
Are the works within 50m of an EEC or threatened species?	Y	The Proposed Change is located in an area where several threatened species have been sighted. These impacts are therefore considered in greater detail in Section 4.5.
Do the works require clearing of native vegetation or habitat trees?	N	The Proposed Change involves the relocation and replanting of three palm trees (non-native). The impacts associated this scope are considered in greater detail in Section 4.5.
Are the works within 40m of a waterway or water body?	N	There are no waterways located within the Proposed Change area. The nearest waterway, being the Murrumbidgee River, is located approximately 1,200m away from the Proposed Change.
Are the works located on flood prone land?	Y	The Proposed Change is located in close proximity to flood prone land, with this discussed in greater detail in Section 4.6.

Are the works located on bushfire prone land?	N	The Proposed Change is not located on bushfire prone land.
Do the works involve ground disturbance of more than 2 hectares?	N	The additional construction impact zone required as part of the Proposed Change is under 2 hectares. The extent of ground disturbance required for the Proposed Change would be less than the proposed construction impact zone.
Are the works in an area of known salinity hazard risk?	Y	The Proposed Change is located in an area of low salinity hazard. The impacts associated with salinity are discussed in greater detail in Section 4.7.
Are the works in an area of known acid sulfate soil risk?	Y	The Proposed Change is located in an area of a low probability for acid sulfate soils occurrence. The impacts associated with acid sulfate soils are discussed in greater detail in Section 4.7.
Will works require temporary or permanent placement of surplus spoil material?	Y	The Proposed Change activities involve excavating and backfilling to accommodate the relocating and replanting of the three palm trees. Excavating and backfilling are expected to occur within the same construction shift. In the event of extreme weather disrupting the proposed works, the excavated material will be removed and stockpiled within the Minor Ancillary Facility at Edmondson Street.
Are the works in an area of known contamination risk?	Y	The Proposed Change is located in an area noted as a general contamination risk. The impacts associated with contamination are discussed in greater detail in Section 4.7.
Are there any potential air quality impacts associated with the works?	Y	The Proposed Change would result in potential minor and short-term air quality impacts. These impacts are discussed in greater detail in Section 4.8.
Are there any potential landscape and visual impacts associated with the works?	Y	The Proposed Change would result in minor and short-term landscape and visual impacts. These impacts are discussed in greater detail in Section 4.9.
Will works result in any operational impacts further to those detailed in the approved Project?	N	The Proposed Change would not result in an increase in operational impact to what was assessed in the approved Project.

4.2 Traffic and transport

4.2.1 Existing environment

As noted in Section 2.4, the Proposed Change is located within the Kildare Catholic College in Wagga Wagga, and within the Edmondson Street bridge enhancement site.

To the east of the Proposed Change, Edmondson Street is a two-way, four lane urban locally controlled road that provides access across the existing rail line south to north. On the northern side of the rail line is Wagga Wagga central business district (CBD), as well as residential areas to the west, south of the rail line are residential areas.

Edmondson Street crosses with Edward Street, Coleman Street and Urana Street. It also provides access to the Wagga Wagga High School, The Bidgee School and the Kildare Catholic College. Edmondson Street carries a relatively daily high volume of traffic at 10,448, with 2% being heavy vehicles (HV) (EIS, Chapter 9).

There is existing pedestrian and public transport infrastructure located within the Edmondson Street bridge enhancement site, with footpaths present on most roads.

4.2.2 Impact assessment

The Proposed Change would result in minor and short-term traffic and transport impacts, with temporary closures of small section of public footpaths and roads required during the works.

The footpath and road closures will be set up as per the associated Traffic Guidance Schemes (TGS) and will be implemented during the approved construction hours (as noted in Section 2.5). There are no 24/7 footpath or road closures anticipated for these construction hours.

4.2.3 Conclusion

The traffic and transport impacts are generally in accordance with the impacts considered as part of the EAD and would be managed in accordance with traffic management as part of the broader A2I Project and in accordance with the Infrastructure Approval.

All applicable mitigation measures in the Conditions of Approval (CoAs) and Updated Mitigation Measures (UMMs) will be implemented, with any additional mitigation measures outlined in Table 4.13.

4.3 Noise and vibration

4.3.1 Existing environment

Common noise and vibration sources in the subject area are train movements along the operational rail corridor, major road traffic and local traffic. Potentially sensitive receivers are those that may be affected by changes in noise and vibration levels within the work area. Consistent with the adopted standards and guidelines, sensitive receivers in the work areas include residential dwellings, schools and education institutions, places of worship, childcare centres, medical facilities, commercial property and industrial premises.

The existing vibration environment in close proximity to the railway line includes vibration from existing freight train movements on the alignment. Additional sources of vibration may be associated with operation of industrial premises, road traffic operations and construction activities typical of the environment. Adjacent heritage structures are considered as vibration sensitive receivers due to the potential for cosmetic damage; however, a heritage structure should not be assumed to be more sensitive to vibration, unless it is structurally unsound.

4.3.2 Impact assessment

Noise catchment areas

Noise catchment areas (NCAs) have been defined to classify groups of sensitive receivers that are likely to have a similar existing noise environment and experience similar impacts from the construction activities. The Rating Background Level (RBL) was determined for each NCA using the monitored noise levels. The RBL is the background noise level in the absence of proposed construction or operational activities (EIS, Chapter 15). The NCAs and RBLs associated with the Proposed Change are shown in Table 4.2 and Table 4.3 below.

Table 4.2: Noise catchment areas

ENHANCEMENT SITE(S)	NCA ID	APPROXIMATE NUMBER OF RECEIVERS IN NCA	DESCRIPTION	RBL (dBA)		
				Day*	Evening*	Night*
Edmondson Street bridge	10	6,141	The urban areas of western Wagga Wagga include industrial land uses located in the vicinity of the proposal site, with residential properties further from the rail corridor and in the west. Noise sources in this area include the Hume Highway, rail corridor and industrial areas of Wagga.	46	45	38
Wagga Wagga Station	11	5,922	The urban areas of eastern Wagga Wagga have industrial land uses located	48	47	37

pedestrian bridge			directly to the north and east of the proposal site; however, numerous residential properties are adjacent to the southern side of the rail corridor. Residential properties extend to the north and south at a greater distance. Noise sources in this area include the Hume Highway, rail corridor and industrial areas of Wagga Wagga and Bomen.			

**Time periods defined as - Day: 7am to 6pm Monday to Saturday, 8am to 6pm Sunday; Evening, 6pm to 10pm; Night 10pm to 7am Monday to Saturday, 10pm to 8am Sunday*

Table 4.3: NCAs and noise management levels

NCA ID	NOISE MANAGEMENT LEVEL (NML)			
	APPROVED HOURS (RBL + 10 dBA)	OUT-OF-HOURS		
		DAYTIME (RBL + 5 dBA)*	EVENING (RBL + 5 dBA)*	NIGHT-TIME (RBL + 5 dBA)*
NCA 10	56	51	50	43
NCA 11	58	53	52	42

**Time periods defined as - Day: 7am to 6pm Monday to Saturday, 8am to 6pm Sunday; Evening, 6pm to 10pm; Night 10pm to 7am Monday to Saturday, 10pm to 8am Sunday*

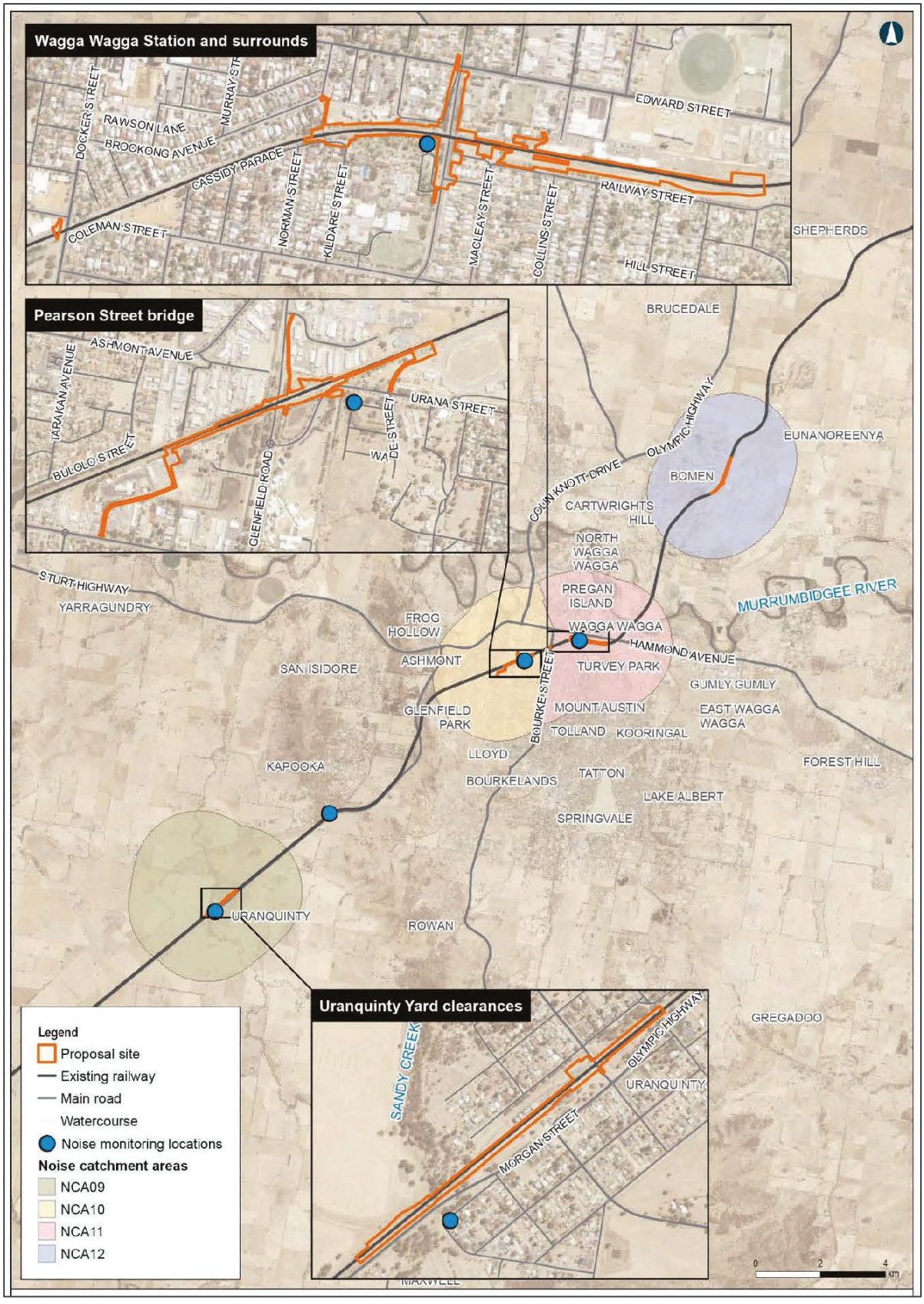

Figure 4.1: EAD showing NCA 10 and NCA 11 in relation to the Proposed Change

Predicted noise levels

The ARTC Prediction Noise Tool (PNT) has been utilised to assess the potential noise impacts associated with the Proposed Change.

The work scenario and activities associated with the Proposed Change have been assessed with the plant and equipment as per Section 2.2, and during approved construction hours as per Section 2.5.

The results of the ARTC NPT have been presented in Table 4.4 and Appendix B.

Table 4.4: ARTC NPT results

RECEIVER LOCATION (M)	NML (RBL +10 DBA)	PREDICTED NOISE LEVEL	EXCEEDANCE OF NML	LEVEL OF IMPACT**
10	58	86.4	28.4	Significant impact
25	58	78.4	20.4	Significant impact
50	58	70.1	12.1	High impact
75	58	66.4	8.4	Moderate impact
100	58	62.4	4.4	Minor impact
125	58	59.4	1.4	Minor impact
150*	58	57	None	No impact

**Receiver locations from 150-500m have been assessed with no impact (refer to Appendix B for more details)*

***Significant impact – high risk of complaints (>15 dBA above assessment criteria); High impact – moderate to high risk of complaints (10-15 dBA above assessment criteria); Moderate impact – moderate risk of complaints (5-10 dBA above assessment criteria); No impact – complies with assessment criteria*

As presented in Table 4.4 and Appendix B, there is the potential for receivers in the proximity of the works to experience noise impacts, with the following noted:

- One receiver to potentially experience a significant noise impact,
- Fifteen receivers to potentially experience a high noise impact,
- Eight receivers to potentially experience a moderate noise impact; and
- Twenty-nine receivers to potentially experience a minor noise impact.

Ground-borne noise

Ground-borne construction noise impacts from the Proposed Change activities are not anticipated as vibration intensive work with the potential to generate perceptible ground-borne noise, is not included in the scope of work.

Vibration impacts

There is no vibration intensive plant and equipment included as part of the Proposed Change; therefore, no vibration impacts are expected.

Cumulative impacts

There is the potential for cumulative construction impacts from multiple construction activities being completed in the vicinity of the Proposed Change. Feasible and reasonable steps will be taken to consult and coordinate with other construction Projects when they become aware of them and if they have the potential to impact the same receivers concurrently, to minimise cumulative impacts of noise and vibration and maximise respite for affected sensitive receivers (in accordance with CoA E72 and E83).

4.3.3 Conclusion

Feasible and reasonable management and mitigation measures will be implemented as required to minimise noise, and cumulative impacts for the scope of works as per the Proposed Change.

All applicable mitigation measures in the CoAs and UMMs will be implemented, with any additional mitigation measures outlined in Table 4.13.

4.4 Non-Aboriginal heritage

4.4.1 Existing environment

Potential non-Aboriginal heritage impacts were assessed within Chapter 11 and Technical Paper 3 of the EIS, and the Addendum Memo: Additional CIZ extension for Wagga Wagga Utilities (AMWWU) (OzArk), shown in Appendix C.

The study area as per the EIS (Technical Paper 3), included the length of the existing railway corridor from Albury to Illabo, with a specific focus on the 14 enhancement sites, including heritage items and conservation areas within and in the vicinity of the enhancement sites that could be directly or indirectly impacted by the Project. The Proposed Change intersects with the heritage item as listed in Table 4.5 and shown in Figure 4.2.

Table 4.5: Heritage item that intersects with the Proposed Change

NAME	HERITAGE LISTING	ENHANCEMENT SITE	DISTANCE FROM PROPOSED CHANGE
Mt Erin Convent, chapel, high school & grounds	LEP listed heritage (I2600	Edmondson Street bridge	Proposed Change located within (northeast corner)

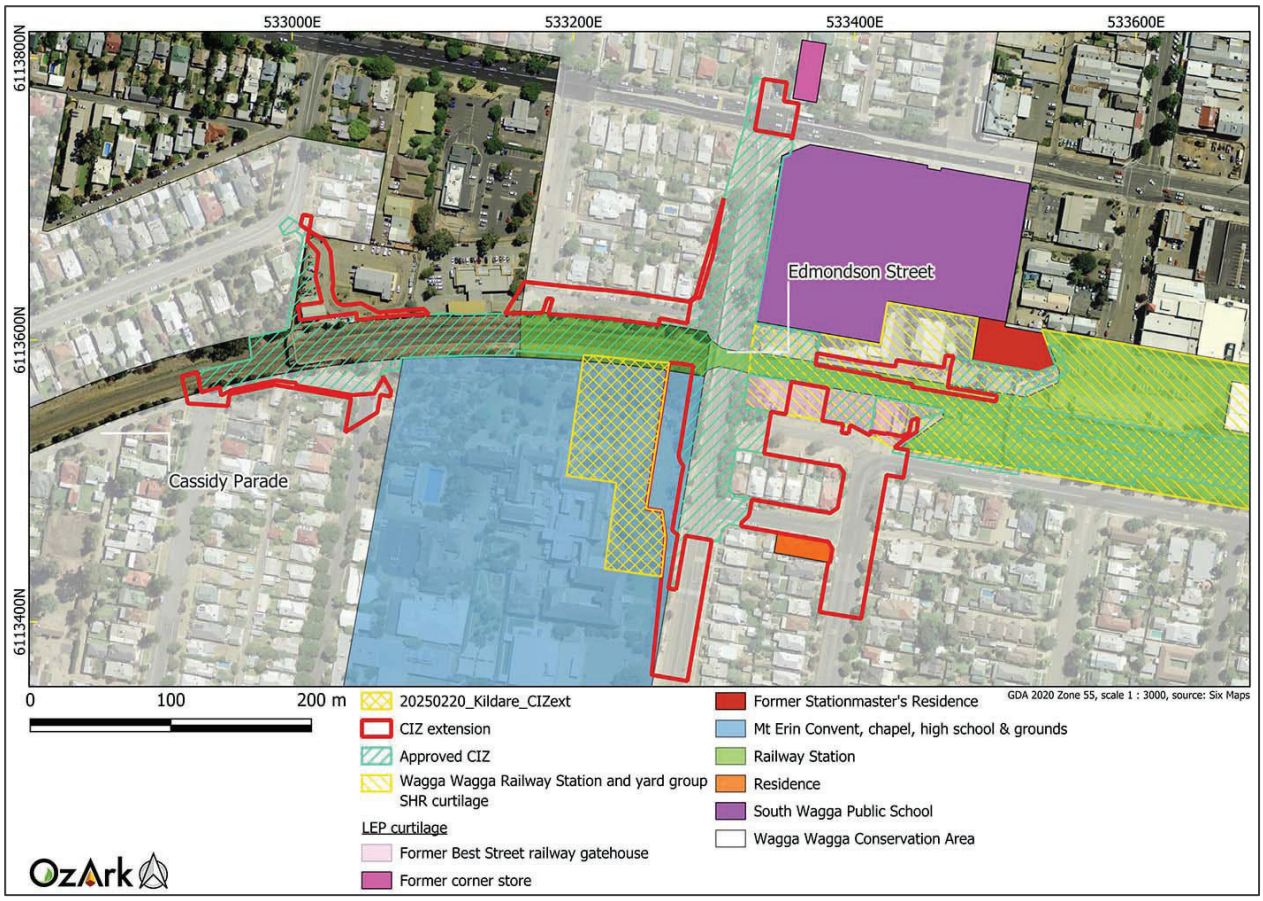

Figure 4.2: Location of heritage item that intersects with the Proposed Change

Note: CIZ extension in yellow represents the proposed CIZ extension as part of this CA, with CIZ extension in red represents approved CIZ extension under the EIS Consistency Assessment Report (Minor) Wagga Wagga Utility Adjustments (MR, January 2025)

4.4.2 Impact assessment

As noted in the AMWWU, the additional CIZ extension involves the CIZ boundary being expanded within the LEP listed Mt Erin Convent complex, now known as Kildare Catholic College (shown in Figure 4.2). There is no interaction with State Heritage Register (SHR) listed items as a result of this additional proposed CIZ extension.

The assessment included in the AMWWU, documents the interaction of this additional CIZ extension with the Mt Erin Convent complex in line with the *Guidelines for preparing a statement of heritage impact* (DPE 2023a) and Heritage Council's *Historical Archaeology Code of Practice* to assess whether these items of historic significance may be impacted by the CIZ extension.

Mt Erin Convent Complex (Kildare Catholic College)

Kildare Catholic College is a heritage listed item, item #I260 on the Wagga Wagga Local Environment Plan (LEP) and has been assessed as a locally significant historical site. The State Heritage Inventory (SHI) notes the Kildare Catholic College as an excellent grouping of historic structures that includes some impressive individual buildings of great local historic interest. The former Presentation Convent and Chapel were built for the Presentation Nuns who taught Catholic children in Wagga Wagga from 1889. The buildings including the convent, chapel, boarding school and the 1938 high school building have associations with Catholic education and worship in Wagga Wagga. It has direct associations the Presentation Sisters who were responsible for Catholic education for many years. The buildings have local historical, historical association, aesthetic and social significance, and representativeness.

The Proposed Change will occur in the north section of Kildare Catholic College, in the vicinity of the rail line and entrance/driveway off Edmondson Street. The vegetation/grounds of Kildare Catholic College are not listed as part of the significance of the listing, with the significant values being ascribed primarily to the buildings themselves and their historic functions. The proposed movement of these three mature palms from the location where impact has been approved, to locations on the Mt Erin grounds where previous palms have died, is in fact a positive heritage outcome (AMWWU).

Consequently, additional extension of the CIZ to facilitate the relocation of these trees will not have a direct negative impact to the values of the listed Kildare Catholic College and could be perceived as a positive outcome considering that these mature trees are required to be removed, and this relocation allows them to stay on site. Regard must be had for the overall amenity of the site and the fact that vegetation does enhance the sense of place (AMWWU).

Potential impact to the vegetation in the northeast corner of Kildare Catholic College was already assessed as part of the pre-approval heritage impact assessment (GML 2022) undertaken for the A2I Inland Rail project and is consequently approved. This acknowledged the presence of the 66vK easement and the need for the removal of some plantings. It was concluded in GML 2022 that this vegetation clearance would not alter the overall character of the Mt Erin complex and was a minor impact (AMWWU).

4.4.3 Conclusion

The Proposed Change will avoid all heritage fabric, and the heritage values identified in the heritage significance documentation attached to the listing (AMWWU).

All applicable mitigation measures in the CoAs and UMMs will be implemented, with any additional mitigation measures outlined in Table 4.13.

4.5 Biodiversity

4.5.1 Existing environment

The subject area is located in the NSW South-western Slopes bioregion, including the Lower slopes and Inland slopes subregions. The Proposed Change is located within or adjacent to the existing rail corridor in areas that have been predominantly cleared. The landscape in the area surrounding the proposal has been heavily fragmented by development, with existing habitat connectivity limited to creek lines and road reserves.

Native vegetation in NSW is classified using the Plant Community Type (PCT) classification system, approved by the NSW Plant Community Type Control Panel and described in the BioNet Vegetation Classification Database (DPIE, 2021).

A Biodiversity Assessment Report Memo (BARM) (East Coast Ecology) was undertaken which includes the Proposed Change scope of works, noted as Subject Land within the assessment. The BARM is shown in Appendix D.

Habitat connectivity

No terrestrial habitat connectivity exists between the Subject Land and the broader landscape due to historical clearing and existing infrastructure (e.g. roads, railway and built areas).

Areas of Outstanding Biodiversity Value

No Areas of Outstanding Biodiversity Value occur on the Subject Land or the surrounding area.

Vegetation

The NSW State Vegetation Type Map (NSW DCCEEW, 2025b) indicated the absence of PCTs within or adjoining, the Subject Land. The Subject Land has been mapped as 'Not classified' (shown in Figure 4.3). The Proposed Change is located within the Excluded Land category as per Appendix B1 of the BDAR.

Figure 4.3: State vegetation type map results from the BARM

Due to school infrastructure and development (i.e. school buildings, roads and paths) within the Subject Land, and specifically a lack of native and/ or diagnostic species for candidate PCTs, the following vegetation community types described by WSP (2023) were assigned:

- PCT 277 Native Plantings (PCT 277) (No Impact),
- Miscellaneous Ecosystems – 'Ornamental Plantings' (MEOP), and
- Miscellaneous Ecosystems – 'Highly Disturbed areas with no or limited Native Vegetation'(MEHD).

These vegetation community types are consistent with vegetation types described in the approved BDAR, with area within Subject Land presented in Table 4.6 and Figure 4.4.

Table 4.6: Vegetation communities within Subject Land

COMMUNITY NAME	AREA WITHIN SUBJECT LAND (ha)	DESCRIPTION
MEOP	0.40	Due to the Subject Land's historical and ongoing school use at Kildare College much of the vegetation is comprised of ornamental native and exotic species planted for aesthetic purposes and was therefore determined to have limited ecological function (WSP, 2023). Ornamental Plantings includes areas that are not consistent with the definition of a PCT and are not required to be assessed for ecosystem credits, per Section 9.3 of the BAM (DPE, 2020a).
MEHD	0.10	Due to the Subject Land's historical and ongoing school use at Kildare College much of the vegetation is comprised of no or limited native species and is dominated by exotic species, and provides limited ecological function (WSP, 2023). Highly Disturbed areas with no or limited native vegetation includes areas that are not consistent with the definition of a PCT and are not required to be assessed for ecosystem credits, per Section 9.3 of the BAM (DPIE, 2020a).

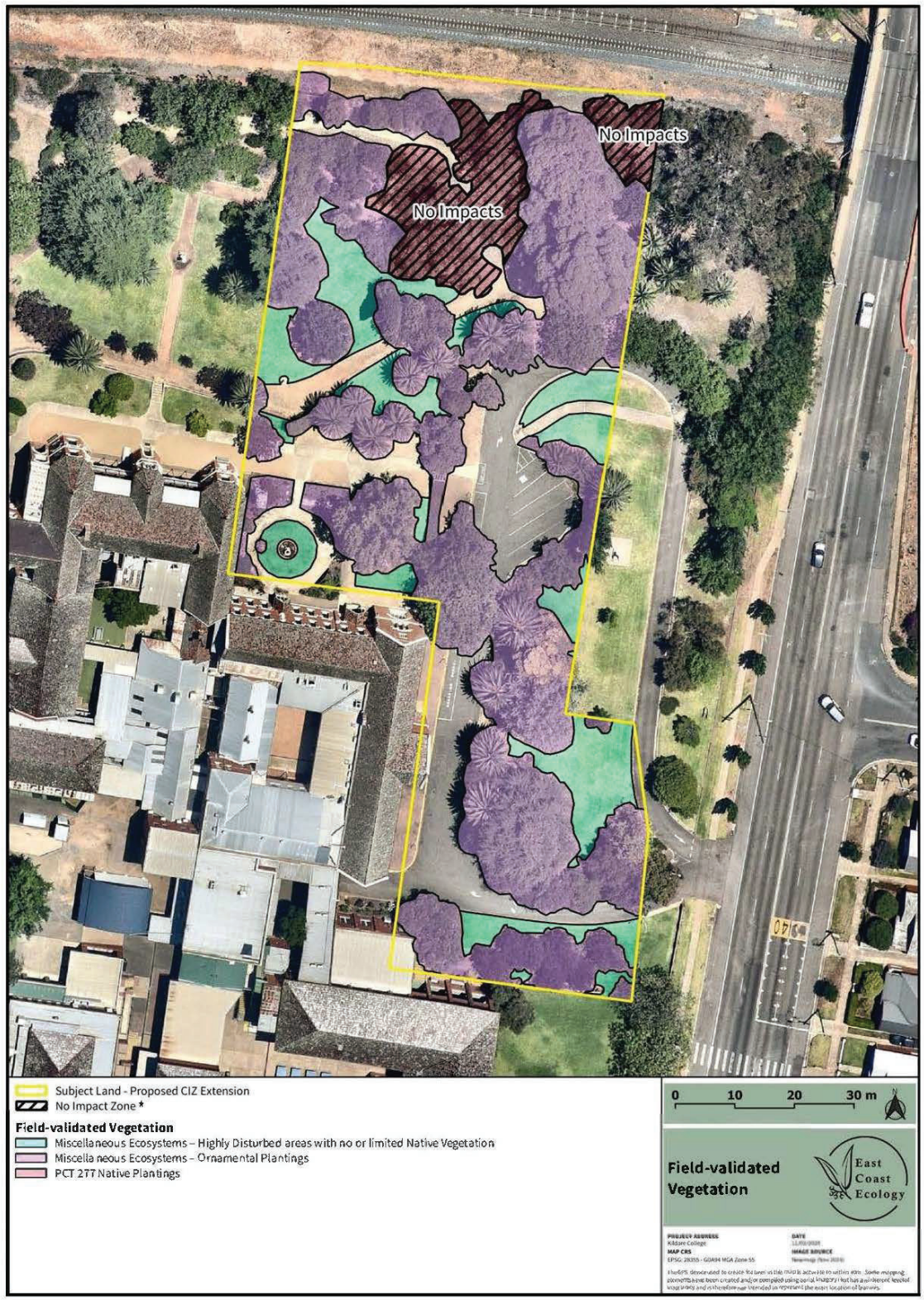

Figure 4.4: Field-validated vegetation communities from the BARM

**PCT 277 is presented as the shaded oblique lines "no impact zone" area*

Threatened flora

As noted in the BARM, BioNet and Protected Matters Search Tool (PMST) searches revealed ten threatened flora species occur, or have the potential to occur, within a 5km radius of the Proposed Change area, presented in Table 4.7 below.

Table 4.7: Threatened flora with potential to occur within Subject Land

SCIENTIFIC NAME	COMMON NAME	BC ACT	EPBC ACT	RECORDS WITHIN 5KM
Austrostipa wakoolica	Wakool Spear-grass	E	E	Modelled Only
Brachyscome muelleroides	Claypan Daisy	V	V	1
Caladenia arenaria	Sand-hill Spider-orchid	E	E	Modelled Only
Caladenia concolor	Crimson Spider-orchid, Maroon Spider-orchid	E	V	Modelled Only
Lepidium aschersonii	Spiny Peppercress	V	V	Modelled Only
Lepidium monoplocoides	Winged Pepper-cress	E	E	Modelled Only
Prasophyllum petilum	Tarengo Leek Orchid	E	E	Modelled Only
Senecio garlandii	Woolly Ragwort	V	-	2
Swainsona murrayana	Slender Darling-pea, Slender Swainson, Murray Swainson-pea	V	V	Modelled Only
Swainsona recta	Small Purple-pea	E	E	2

V – Vulnerable; E – Endangered; EP – Endangered Population; CE – Critically Endangered

Threatened fauna

As noted in the BARM, BioNet and Protected Matters Search Tool (PMST) searches revealed thirty-three threatened fauna species occur, or have the potential to occur, within a 5km radius of the Proposed Change area, presented in Table 4.8 below.

Table 4.8: Threatened fauna with potential to occur within Subject Land

SCIENTIFIC NAME	COMMON NAME	BC ACT	EPBC ACT	RECORDS WITHIN 5KM
Anthochaera phrygia	Regent Honeyeater	E	CE	1
Artamus cyanopterus cyanopterus	Dusky Woodswallow	V	-	3
Burhinus grallarius	Bush Stone-curlew	E	-	4
Calidris ferruginea	Curlew Sandpiper	E	CE	3
Callocephalon fimbriatum	Gang-gang Cockatoo	E	E	3
Chthonicola sagittata	Speckled Warbler	V	-	1
Circus assimilis	Spotted Harrier	V	-	2
Climacteris picumnus victoriae	Brown Treecreeper (eastern subspecies)	V	V	10
Daphoenositta chrysoptera	Varied Sittella	V	-	1

Dasyurus maculatus	Spotted-tailed Quoll	V	E	1
Epthianura albifrons	White-fronted Chat	V	-	7
Falco subniger	Black Falcon	V	-	8
Gallinago hardwickii	Latham's Snipe	V	V	17
Glossopsitta pusilla	Little Lorikeet	V	-	1
Hieraaetus morphnoides	Little Eagle	V	-	20
Hirundapus caudacutus	White-throated Needletail	V	V	1
Lathamus discolor	Swift Parrot	E	CE	5
Macrotis lagotis	Bilby	E	V	1
Melithreptus gularis gularis	Black-chinned Honeyeater (eastern subspecies)	V	-	1
Myotis macropus	Southern Myotis	V	-	2
Neophema pulchella	Turquoise Parrot	V	-	1
Ninox connivens	Barking Owl	V	-	4
Petaurus norfolcensis	Squirrel Glider	V	-	107
Petaurus norfolcensis	Squirrel Glider in the Wagga Wagga Local Government Area	E	-	107
Petroica boodang	Scarlet Robin	V	-	5
Petroica phoenicea	Flame Robin	V	-	6
Phascolarctos cinereus	Koala	E	E	1
Polytelis swainsonii	Superb Parrot	V	V	30
Pteropus poliocephalus	Grey-headed Flying-fox	V	V	83
Saccolaimus flaviventris	Yellow-bellied Sheathtail-bat	V	-	1
Stagonopleura guttata	Diamond Firetail	V	V	4
Stictonetta naevosa	Freckled Duck	V	-	1
Tyto novaehollandiae	Masked Owl	V	-	1

V – Vulnerable; E – Endangered; EP – Endangered Population; CE – Critically Endangered

Migratory species

As noted in the BARM, database searches revealed eight migratory terrestrial species, or their habitat, are known to occur within the Proposed Change area.

SPECIES	EPBS ACT STATUS
Actitis hypoleucos (Common Sandpiper)	Migratory, CAMBA, JAMBA, ROKAMBA
Calidris acuminata (Sharp-tailed Sandpiper)	Migratory, CAMBA, JAMBA, ROKAMBA
Calidris ferruginea (Curlew Sandpiper)	Critically Endangered, Migratory, CAMBA, JAMBA, ROKAMBA

Calidris melanotos (Pectoral Sandpiper)	Migratory, JAMBA, ROKAMBA
Gallinago hardwickii (Latham's Snipe)	Vulnerable, Migratory, JAMBA, ROKAMBA
Hirundapus caudacutus (White-throated Needletail)	Vulnerable, Migratory, CAMBA, JAMBA, ROKAMBA
Motacilla flava (Yellow Wagtail)	Migratory, CAMBA, JAMBA, ROKAMBA
Actitis hypoleucos (Common Sandpiper)	Migratory, CAMBA, JAMBA, ROKAMBA

CAMBA = China-Australia Migratory Bird Agreement, JAMBA = Japan-Australia Migratory Bird Agreement, ROKAMBA = Republic of Korea-Australia Migratory Bird Agreement and Bonn = Convention on the Conservation of Migratory Species of Wild Animals

4.5.2 Impact assessment

The Proposed Change requires the relocation of three Phoenix Palm trees (mature palm trees) from outside of the Subject Land into three small regions classified as MEHD within the Subject Land. Clearing will largely be avoided; however, machinery use to facilitate the works will have the potential to impact the following:

- 0.40ha of Miscellaneous Ecosystems - Ornamental Plantings, and
- 0.10ha of Miscellaneous Ecosystems - Highly Disturbed areas with no or limited Native Vegetation.

An area of 0.07ha has been assigned as PCT 277 and will not be impacted by the Proposed Change.

All vegetation proposed for removal provides low-quality foraging habitat for threatened fauna. Within the context of the surrounding landscape, it is unlikely this vegetation would be utilised given the presence of superior habitats adjoining the Subject Land, and in the broader landscape. Further, it is considered unlikely that any threatened species would occupy the Subject Land due to evidence of ongoing disturbance (school, railway, roads, residential housing nearby). As such, no threatened flora or fauna are likely to be significantly impacted.

4.5.3 Conclusion

There would be no impacts to threatened species, populations or ecological communities resulting from the activities of the Proposed Change.

Although outside the assessed construction boundary for the Project, the biodiversity impacts are considered consistent with the initial assessment (WSP, 2023), and no further offsets (ecosystem or species) would be required.

All applicable mitigation measures in the CoAs and UMMs will be implemented, with any additional mitigation measures outlined in Table 4.13.

4.6 Flood risk

4.6.1 Existing environment

The Proposed Change area is located within the Murrumbidgee catchment of the Murray-Darling Basin. The Murrumbidgee catchment extends from the Kosciuszko National Park in eastern NSW to Balranald in western NSW, with inflows primarily sourced from the Great Dividing Range (EIS, Chapter 18). There are no watercourses located within the Proposed Change area.

The frequency of flood events is generally referred to in terms of their annual exceedance probability (AEP). For example, for a 5% AEP flood, there is a five per cent probability (or a one in 20 chance) that there would be floods of a greater magnitude in any given year. For a 1% AEP flood, there is a one per cent probability (or a one in 100 chance) that there would be floods of greater magnitude each year. The probable maximum flood (PMF) is the largest flood that could be expected to occur at a particular location, usually estimated from probable maximum precipitation.

4.6.2 Impact assessment

The Proposed Change is located within the Edmondson Street bridge enhancement site, with existing flood conditions shown in Table 4.9. AS noted in the EIS (Technical Paper 11 – Figures 4.37 to 4.41), the Proposed Change activities are not located on flood prone land and therefore no flooding impacts are anticipated as a result of the Proposed Change.

Table 4.9: Existing flood conditions

ENHANCEMENT SITE	EXISTING FLOOD CONDITIONS	DRAINAGE	FLOOD RISK WITHIN AND AROUND THE ENHANCEMENT SITE FOR EVENTS UP TO THE 1% AEP	PMF FLOOD DEPTH
Edmondson Street bridge	Peak flood depth of 0.15-0.3m within the rail corridor in the 1% AEP. Rail corridor within the study area categorised as 'flood storage' and 'floodway' in the 1% AEP.	Surface water discharges into Council drainage system at the Edmondson Street bridge.	5% AEP and greater events.	Greater than 0.75m in overland flooding events.

4.6.3 Conclusion

The Proposed Change activities will be short-term and will be prepared with consideration of existing flooding conditions.

All applicable mitigation measures in the CoAs and UMMs will be implemented, with any additional mitigation measures outlined in Table 4.13.

4.7 Soils and contamination

4.7.1 Existing environment

The Proposed Change area is located within the Wagga Wagga precinct at an elevation of about 190 to 200 m Australian Height Datum (AHD) at the south of the Murrumbidgee River. The topography generally slopes to the north to the Murrumbidgee River; however, there are localised high points along the Olympic Highway that drain to various tributaries of the Murrumbidgee River (EIS, Chapter 20).

Existing soil characteristics within the Proposed Change area are shown Table 4.10 below.

Table 4.10: Existing soil characteristics

ENHANCEMENT SITE	LANDSCAPE	SOIL	CHARACTERISTICS
Edmondson Street bridge	Becks Lane soil landscape	Moderately deep red and brown Chromosols and Dermosols.	High erosion hazard, steep slopes, localised foundation hazards and mass movement, stoney and strongly acid soils on ridges and upper slopes.
	Lloyd soil landscape to the eastern end of the site	Eastern end of the site likely comprises red Chromosols and brown Sodosols.	

Saline soils

The Proposed Change area is located on land mapped as having 'low' land salinity hazard.

Acid sulfate soils

The Proposed Change area is located within areas described as low probability of acid sulfate soils (ASS).

Contamination

The Proposed Change area is not located within any Areas of Environmental Concern (AEC); however, it is located less than 10m to an existing rail corridor, which is considered to contain a general level of risk associated with contamination from historical development and activities associated with its operation. The sources for these general contamination risks include (EIS, Technical Paper 13):

- fill used in construction of the existing rail line, which may be contaminated;
- weed-suppression activities;
- buildings potentially containing hazardous materials;
- rail line ballast potentially containing heavy metals and other contaminants;
- contamination from maintenance activities undertaken at sidings and near silos or other areas;
- use of chemicals on agricultural land;
- machinery storage and maintenance, refuelling and spray rig filling, agricultural sheds and silos.

4.7.2 Impact assessment

Excavation and ground disturbance activities would expose and disturb soils. If not adequately managed, this could result in (EIS, Chapter 20):

- erosion of exposed soil;
- dust generation;
- an increase in sediment loads entering the stormwater system and/or local runoff, and, therefore, nearby receiving waterways;
- increase in salinity levels in soil;
- ASS conditions;
- mobilisation of contaminated sediments, with resultant potential for environmental and human health impacts.

Soil erosion

The Proposed Change activities would temporarily expose the natural ground surface and sub-surface through the removal of vegetation and excavation. The exposure of soil to runoff and wind can increase soil erosion potential; particularly, where construction activities are undertaken in soil landscapes characterised by dispersive soils, given their susceptibility to erosion.

There is the potential for recently disturbed soils to be susceptible to erosion, particularly during initial periods of landscaping and re-establishment of vegetation.

The potential for erosion impacts would be minimised by implementing standard best-practice soil erosion management measures during construction (see Section 4.11) and risks associated with dust are discussed further in Section 4.8.

Contamination

There is a general contamination risk present within the Proposed Change area, based on the general setting near an existing rail corridor and land uses that occur in and adjacent to the area.

4.7.3 Conclusion

Construction activities at the Proposed Change area would be short term and would be prepared with consideration of the existing soils and contamination characteristics of the area.

All applicable mitigation measures in the CoAs and UMMs will be implemented, with any additional mitigation measures outlined in Table 4.13.

4.8 Air quality

4.8.1 Existing environment

Regional air quality is mainly influenced by rural activities, industrial activities, vehicle emissions, railway operations, power generation, waste management and extraction activities. Dust from paved and unpaved roads, and domestic solid and liquid fuel burning in the region, also contribute to the local air shed.

As noted in the EIS (Chapter 22), air quality data has been sourced from monitoring Wagga Wagga North, with the results summarised in Table 4.11 below, alongside the air quality impact assessment criterion for each pollutant specified in the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales* (NSW EPA, 2016).

Table 4.11: Background air quality (2016 to 2020)

MONITORING STATION	POLLUTANT	AVERAGING PERIOD	AIR QUALITY IMPACT ASSESSMENT CRITERIA	YEAR*				
				2016	2017	2018	2019	2020
Wagga Wagga North	PM_{10} (g/m^3)	Maximum 24-hour average	50	**114.7**	**171.6**	**127.2**	**251.7**	**259.4**
		Annual average	25	20.7	20.4	**26.9**	**34.7**	21.9
	$PM_{2.5}$ (g/m^3)	Maximum 24-hour average	25	Not available	**40.8**	**90.2**	**129.4**	**559.5**
		Annual average	8	Not available	**8.5**	**8.9**	**11.0**	**12.9**

Exceedances of the air quality impact assessment criteria as shown in **bold.*

4.8.2 Impact assessment

The works associated with the Proposed Change would have the potential to generate dust, involving the following activities:

- Earthworks (relocation and replanting works);
- Dirt, mud, or other materials tracked onto a paved public roadway by a vehicle leaving the Proposed Change area.

4.8.3 Conclusion

The Proposed Change impacts to air quality have been deemed as negligible to high prior to any mitigation measure implementation (EIS, Chapter 22). Following the implementation of appropriate mitigation measures, the residual air quality impacts would be reduced to negligible to low risk and short-term.

All applicable mitigation measures in the CoAs and UMMs will be implemented, with any additional mitigation measures outlined in Table 4.13.

4.9 Landscape and visual

4.9.1 Existing environment

The Proposed Change area is located at the boundary of the upper slopes of the South-western Bioregion, characterized by steep, hilly and undulating ranges and granite basins, with open forests and woodlands.

A feature of the landscape and visual catchment across the Proposed Change area, includes the operational rail corridor of the Main South Line. This rail corridor has largely been cleared of native vegetation and generally consists of grassland and a few scattered trees.

Viewpoint 16 (EIS, Chapter 17) is located along Edmondson Street, with this view is appreciated from a large number of vehicles using Edmondson Street. There would be large numbers of pedestrians accessing the adjacent schools via the bridge. This view includes areas within the heritage conservation area and glimpses to the Mount Erin Boarding and Kildare Catholic College grounds. Viewpoint 16 is noted as local sensitivity.

4.9.2 Impact assessment

Landscape and visual amenity

The Proposed Change activities will involve the relocation and replanting of three palm trees. The removal of vegetation and earthworks would lead to visual impacts until the works are complete and disturbed areas are rehabilitated. This would result in a minor impact to the visual amenity of the Kildare Catholic College grounds.

Viewpoints

The Proposed Change is not expected to result in any impacts to the existing viewpoint.

Night-time visual

The Proposed Change activities may occur outside of standard construction hours, with the potential for minor-moderate light spill impacts affecting neighbouring residential properties. Generally, lighting would be designed to minimise light spill beyond the construction area (EIS, Chapter 17).

4.9.3 Conclusion

Impacts to landscape character (excluding non-Aboriginal heritage), viewpoints, and night-time visual are considered to be short-term and minor in nature. For a detailed consideration on the impact of the Proposed Change area to non-Aboriginal heritage items and sites refer to Section 4.4.

All applicable mitigation measures in the CoAs and UMMs will be implemented, with any additional mitigation measures outlined in Table 4.13.

4.10 Matters of national environmental significance

Under the environmental assessment provisions of the *Environment Protection and Biodiversity Conservation Act 1999*, the following matters of national environmental significance and impacts on Commonwealth land are required to be considered for the proposed activity (Table 4.12).

Table 4.12: Matters of national environmental significance

FACTOR	IMPACT (YES/NO)	IMPACT DESCRIPTION
Any impact on a World Heritage property?	No	The Proposed Change would not have a direct or indirect impact on any World Heritage property.
Any impact on a National Heritage place?	No	The Proposed Change would not have a direct or indirect impact on any National Heritage place.
Any impact on a wetland of international importance?	No	The Proposed Change would not have a direct or indirect impact on any wetlands of national importance.
Any impact on a listed threatened species or communities?	No	The Proposed Change would not have a direct or indirect impact on listed threatened species or communities.
Any impacts on listed migratory species?	No	Database searches undertaken as part of the BARM (Appendix D) revealed eight migratory terrestrial species, or their habitat, are known to occur within a five (5) kilometre buffer of the Proposed Change. The biodiversity assessment concludes that 'these species are unlikely to occur and do not breed in Australia'. Therefore, the Proposed Change would not have a direct or indirect impact on any listed migratory species.
Any impact on a Commonwealth marine area?	No	The Proposed Change would not have a direct or indirect impact on a Commonwealth marine area.
Does the proposal involve a nuclear action (including uranium mining)?	No	The Proposed Change does not relate to a nuclear action.
Additionally, any impact (direct or indirect) on Commonwealth land?	No	The Proposed Change is not located in proximity to and would not have any direct or indirect impact on, any Commonwealth land, as per a review of the publicly available 'Commonwealth Owned Land' dataset provided by the Commonwealth Department of Finance (dated 27 August 2024).

4.11 Environmental management measures

Table 4.13 outlines any changes to relevant CoAs and UMMs, called EMMs in this document, that will be implemented as additional management measures for the Proposed Change.

Table 4.13: Additional mitigation measures

ASPECT	NATURE AND EXTENT OF IMPACTS (NEGATIVE AND POSITIVE) DURING CONSTRUCTION (IF CONTROL MEASURES IMPLEMENTED) OF THE PROPOSED CHANGE, RELATIVE TO THE APPROVED PROJECT	PROPOSED CONTROL MEASURES IN ADDITION TO PROJECT COA AND UMM	MINIMAL IMPACT YES/NO	ENDORSED	
				Yes/No	Comments
Traffic and transport	The traffic and transport impacts are generally in accordance with the impacts considered as part of the EAD and would be managed in accordance with traffic management as part of the broader A2I Project and in accordance with the Infrastructure Approval.	No additional mitigation measures required.	Yes		
Noise and vibration	Feasible and reasonable management and mitigation measures will be implemented as	No additional mitigation measures required.	Yes		

	required to minimise noise, and cumulative impacts for the scope of works as per the Proposed Change.				
Non-Aboriginal heritage	The Proposed Change scope of works would not result in an increase on the level of impact assessed as part of the A2I EAD and would not impact the Project's ability to comply with relevant conditions of approval or updated management measures.	An additional mitigation measure as noted in the AMWWU: ▸ Only the works outlined in this document are to be undertaken in the additional CIZ extension as mapped in Figure 4.2 being the relocation of three mature palms. ▸ Demarcation (using barricading or flagging) of the CIZ extension footprint to ensure no inadvertent impacts beyond this.	Yes		
Biodiversity	No impacts to threatened species, populations or ecological communities are expected as a result of the proposed activity. Although outside the assessed construction boundary for the Project, the biodiversity impacts are considered consistent with the initial assessment (WSP, 2023), and no further offsets (ecosystem or species) would be required.	No additional mitigation measures required.	Yes		
Flood risk	The Proposed Change activities will be short-term and will be prepared with consideration of existing flooding conditions.	No additional mitigation measures required.	Yes		
Soils and contamination	Construction activities at the Proposed Change area would be short term and would be prepared with consideration of the existing soils and contamination characteristics of the area.	No additional mitigation measures required.	Yes		
Air quality	The Proposed Change impacts to air quality have been deemed as negligible to high prior to any mitigation measure implementation (EIS, Chapter 22). Following the implementation of appropriate	No additional mitigation measures required.	Yes		

	mitigation measures, the residual air quality impacts would be reduced to negligible to low risk and short-term.				
Landscape and visual	Impacts to landscape character (excluding non-Aboriginal heritage), viewpoints, and night-time visual are considered to be short-term and minor in nature.	No additional mitigation measures required.	Yes		

5 Consistency Assessment

Table 5.1 presents a set of questions that assist Inland Rail to determine whether the Proposed Change can be considered consistent with the Minister's approval.

Table 5.1: Consistency questions

CONSISTENCY QUESTION	DISCUSSION	CONSISTENT
Q1) Are the proposed works being carried out as part of an approved Project? E.g. Are works "generally in accordance with" Project documents and plans, where relevant?	As considered throughout this document, the Proposed Change is being carried out in accordance with the EAD and the Land Access/Licence Agreement with Kildare Catholic College.	Yes
Q2) Is the modification such a radical transformation of the Project as a whole, as to be, in reality, an entirely new Project? Note: If answered Yes, a new Project application may be required.	The Proposed Change does not constitute a modification, is not a radical transformation of the Project as a whole and is not an entirely new Project.	Yes
Q3) Are the proposed works a modification that is considered "consistent with" the Project as approved? This will require the work in question to have environmental impacts contemplated by the approval (such as EA / EIS, CEMP, spoil management plan, heritage management plan or the like), including documents forming part of the approval, or as a minimum, very few additional impacts.	The Proposed Change, as considered in the EIS (Chapter) 2 is considered "consistent with" the Infrastructure Approval. The Proposed Change is considered to be consistent with the impacts contemplated by the EAD outlined in CoA 1 of the Infrastructure Approval.	Yes
Q4) When considering all previous consistency assessments and the potential cumulative impacts, are the proposed works still considered "consistent with" the Project as approved?	The Proposed Change is considered "consistent with" the Project, including consideration to any potential cumulative impacts and the EIS Consistency Assessment Report (Minor) Edmondson Street Utility Adjustments (MR, January 2025). Any subsequent consistency assessments would be subject separate consideration for potential cumulative impacts.	Yes

6 Monitoring and Reporting

There is no further monitoring or reporting required as a result of the Proposed Change.

7 Conclusion

Based on the consistency assessment in this report, the Proposed Change is considered:

☒ Consistent with the Ministers Conditions of Approval, and the Updated Mitigation Measures.

☐ ~~Not consistent with the Ministers Conditions of Approval, and the Mitigation Measures. A modification to the Project approval must be prepared and submitted to the Department of Planning Infrastructure and Environment for approval.~~

8 Certification

Author

This consistency assessment provides a true and fair review of the Proposed Change for the Inland Rail – Albury to Illabo Project.

Name: Simon Fisher	**Signature:** 
Position: Environment Lead (A2I)	**Date:** 14/04/2025
Organisation: Martinus	

Inland Rail

The Proposed Change, subject to the implementation of all the environmental requirements of the Project, is consistent with the Division 5.2 approval.

Name: Belinda Jones	**Signature:** 
Position: Head of Program Environment	**Date:** 15/04/2025
Organisation: IRPL	

Name:	**Signature:**
Position: (Manager)	**Date:**
Organisation:	

I have examined the Proposed Changes by reference to the Division 5.2 approval in accordance with Section 5.25(2) of the EP&A Act. I consider that the proposal is consistent with the Division 5.2 approval.

I agree / do not agree with the recommendations of the [Insert above signatory e.g. PEL] and approve / do not approve of the carrying out the Proposed Change in accordance with those recommendations.

Martius Rail

Appendix A AHIMS Basic Search Results

AHIMS Web Services (AWS)
Search Result

Your Ref/PO Number : Kildare College

Client Service ID : 991869

Constance Georgiou

Level 7, 45 Clarence Street
Sydney New South Wales 2000

Attention: Constance Georgiou

Email: constance.georgiou@bdinfrastructure.com

Date: 03 April 2025

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat, Long From : -35.123, 147.3618 - Lat, Long To : -35.1186, 147.3695, conducted by Constance Georgiou on 03 April 2025.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.

A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the NSW Government Gazette (https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Level 6, 10 Valentine Ave, Parramatta 2150
Locked Bag 5020 Parramatta NSW 2124
Tel: (02) 9585 6345

ABN 34 945 244 274
Email: ahims@environment.nsw.gov.au
Web: www.heritage.nsw.gov.au

Appendix B ARTC NPT Results

ARTC

Noise Impact Assessment Report

Report Details

Assessment ID
9998
Date Generated
02/04/2025 02:50PM
Preparer

Proposed Works

Job Name
Relocation and replanting works at Kildare Catholic College
Corridor
Inland Rail
Location
Wagga Wagga
Start Date
14/04/2025 08:00AM

Completion Date
14/04/2025 06:00PM

Work Duration
10 hours

Description of Works
Relocation and replanting works at Kildare Catholic College
Notes

Assessment Inputs

State of Assessment
New South Wales
Assessment Period
Standard hours (Monday – Friday 7am-6pm, Saturday 8am-1pm)
TBEIA Activity
Vegetation Control
Measured RBL
48.000 Standard (measured value)
Out of Hours (measured value)
Meterological conditions are neutral
Audible Adjustment
No

Equipment	Number of Plant	Usage Factor	Total Sound Power
Crane (100T)	1	100%	109
Dump truck (50T)	1	100%	113
Ute (reversing with beeper)	2	25%	83

Excavator (13T)	1	100%	102

Noise Predictions

Standard Hours

Receiver Location (m)	Criteria	Predicted LAeq	Risk	Magnitude (dB(A))	Barrier Corrected
10	58	86.4	**Significant impact**	28.4	**N**
25	58	78.4	**Significant impact**	20.4	**N**
50	58	70.1	**High impact**	12.1	**N**
75	58	66.4	**Moderate impact**	8.4	**N**
100	58	62.4	**Minor impact**	4.4	**N**
125	58	59.4	**Minor impact**	1.4	**N**
150	58	57	**No impact**		**N**
175	58	55	**No impact**		**N**
200	58	53.3	**No impact**		**N**
250	58	50.5	**No impact**		**N**
300	58	48.2	**No impact**		**N**
350	58	46.2	**No impact**		**N**
400	58	44.5	**No impact**		**N**
450	58	43	**No impact**		**N**
500	58	41.7	**No impact**		**N**
600	58	39.3	**No impact**		**N**
750	58	36.4	**No impact**		**N**
1000	58	32.5	**No impact**		**N**

Risk

No impact - Complies with assessment criteria

Minor impact - Low risk of complaints - 1 to 5dB(A) above assessment criteria.

Moderate impact - Moderate risk of complaints - 5 - 10dB(A) above assessment criteria.

High impact - Moderate to high risk of complaints - 10 - 15dB(A) above assessment criteria.

Significant impact - High risk of complaints - >15dB(A) above assessment criteria.

Map - Standard Hours

Risk

Minor impact - Low risk of complaints - 1 to 5dB(A) above assessment criteria.

Moderate impact - Moderate risk of complaints - 5 - 10dB(A) above assessment criteria.

High impact - Moderate to high risk of complaints - 10 - 15dB(A) above assessment criteria.

Significant impact - High risk of complaints - >15dB(A) above assessment criteria.

Appendix C ADWWU (OzArk)

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21 February 2025

ADDENDUM MEMO: ADDITIONAL CIZ EXTENSION – WAGGA WAGGA UTILITIES, INLAND RAIL

1 INTRODUCTION

OzArk Environment & Heritage (OzArk) has been engaged by Martinus Rail (MR, the client), on behalf of Australian Rail Track Corporation (ARTC, the proponent), to complete an Addendum Memo Non-Aboriginal Heritage Assessment following a further extension to the scope of the utility works in the Construction Impact Zone (CIZ) at Wagga Wagga, as part of the Albury to Illabo (A2I) Inland Rail (IR) Project (the Project).

2 BACKGROUND

The A2I section of the Inland Rail project is Critical State Significant Infrastructure (CSSI) and was approved on 8th October 2024 (Infrastructure Approval). The approval covered all works proposed within the CIZ. As a result of the need to relocate utilities in the Wagga Wagga area, a CIZ extension was required, the potential heritage impacts of which were addressed in a report by OzArk, *Inland Rail: Albury to Ilabo (A2I) - Non-Aboriginal Heritage Assessment - Wagga Wagga Utilities CIZ Extension*, dated November 2024. This additional assessment informed a Consistency Assessment for the CIZ extension.

It has now been determined that a further extension to the CIZ is required to enable the management of vegetation removal and relocation within the curtilage of the Mt Erin Convent (now called Kildare College) adjacent to the Edmondson Street Bridge. This addendum addresses the potential heritage impacts of this further CIZ extension.

For a targeted review of the previous heritage assessments pertinent to the Inland Rail A2I project, please see OzArk 2024, Section 1.1.

3 STUDY AREA AND PROPOSED WORKS

The study area for this addendum can be seen in **Figure 3-1**. The work proposed is confined to vegetation removal and specifically the replacement of three mature palms from the powerline easement to an area to the west where the trees will be replaced as per **Figure 3-2.**

Figure 3-1: Study Area for this addendum heritage assessment over the CIZ extension at Mt Erin

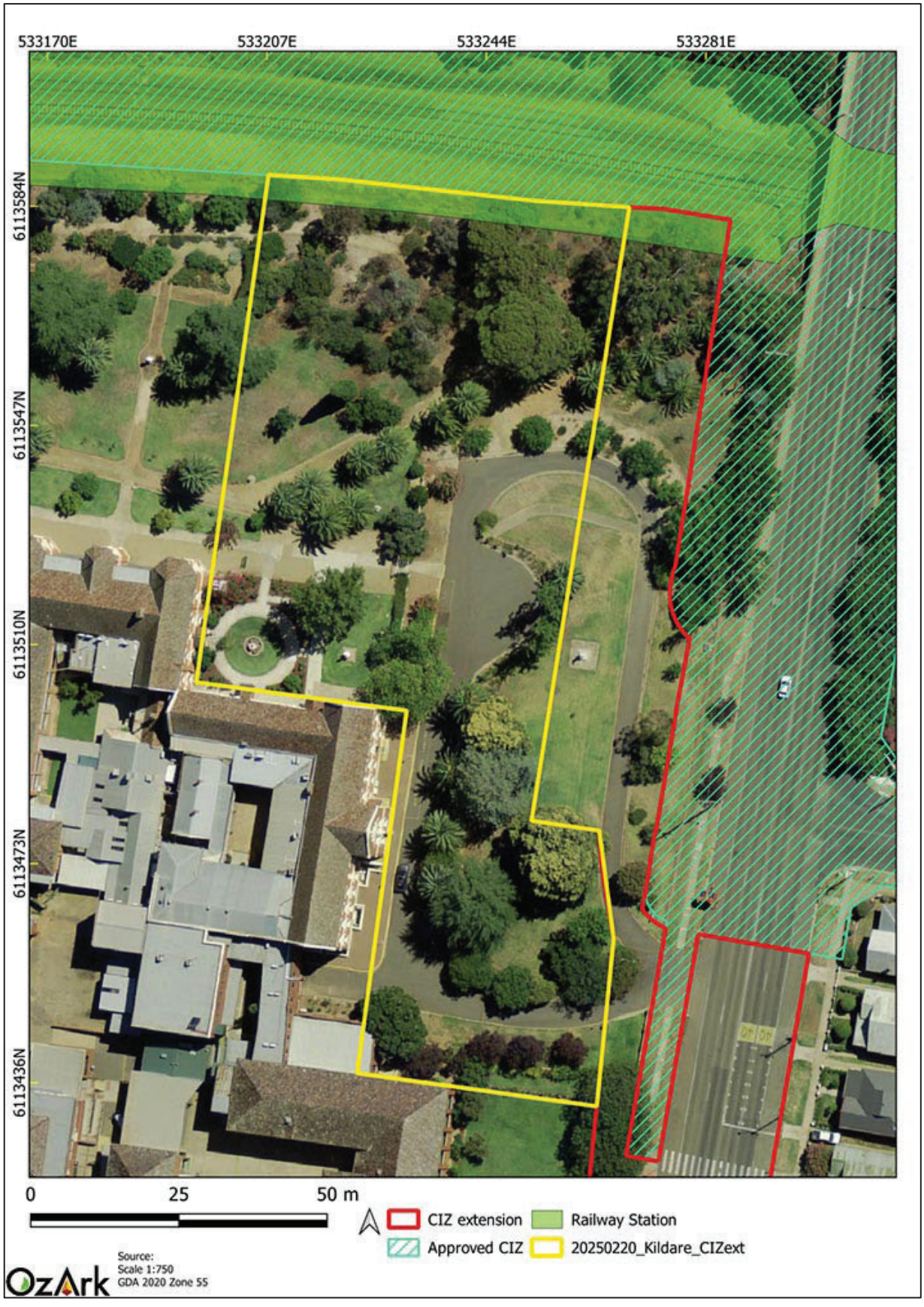


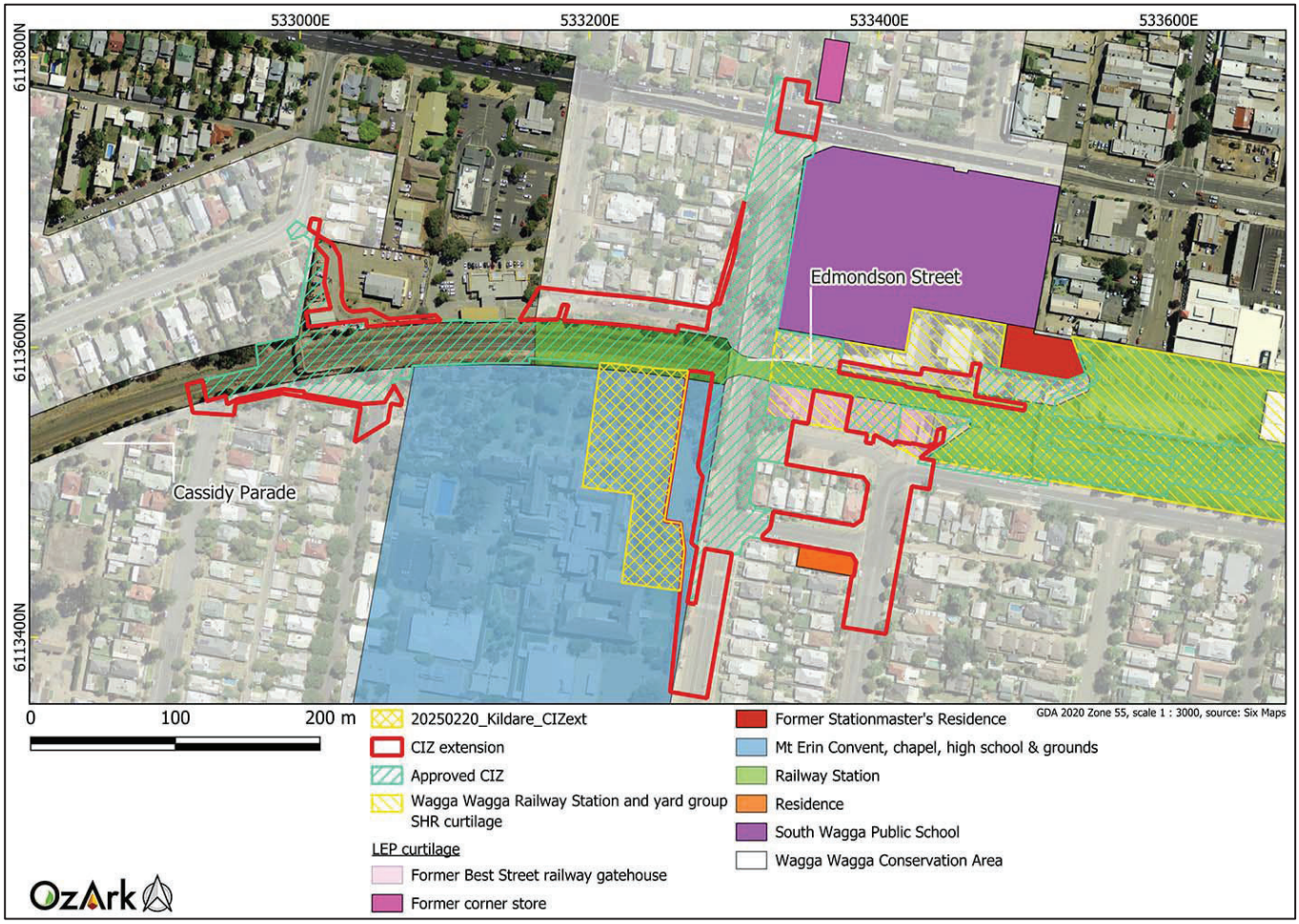
Figure 3-2: Detailed image showing the proposed locations for the replanted palms

4 ASSESSMENT OF LISTED HERITAGE WITHIN THE ADDITIONAL CIZ EXTENSION

This additional CIZ extension involves the CIZ boundary being expanded within the LEP listed Mt Erin Convent complex, now known as Kildare College **(Figure 4-1).** There is no interaction with State Heritage Register (SHR) listed items as a result of this additional proposed CIZ extension.

The assessment below documents the interaction of this additional CIZ extension with the Mt Erin Convent complex in line with the *Guidelines for preparing a statement of heritage impact* (DPE 2023a) and Heritage Council's *Historical Archaeology Code of Practice* to assess whether these items of historic significance may be impacted by the CIZ extension.

Figure 4-1: Map showing the proposed additional CIZ extension and the listed heritage items nearby



5 ASSESSMENT OF LEP LISTED MT ERIN COMPLEX WITHIN THE ADDITIONAL CIZ EXTENSION

The Mt Erin Convent, chapel, high school & grounds (item I260 on the Wagg Wagga Local Environment Plan (LEP) (Mt Erin complex) has been assessed as a locally significant historical site, with the following summary of significance derived from the State Heritage Inventory (SHI):

> The Kildare Catholic College includes an excellent grouping of historic structures that includes some impressive individual buildings of great local historic interest. The former Presentation Convent and Chapel were built for the Presentation Nuns who taught Catholic children in Wagga Wagga from 1889. The buildings including the convent, chapel, boarding school and the 1938 high school building have associations with Catholic education and worship in Wagga Wagga. It has direct associations the Presentation Sisters who were responsible for Catholic education for many years. The buildings have local historical, historical association, aesthetic and social significance, and representativeness.
>
> It has a high degree of integrity. The siting of the building and the integrity of its aesthetic qualities also makes it a notable and attractive landmark in its local area. The place contributes positively to the streetscape of the area and contributes to the local community's sense of place. To the township and district as a place which has played an important role in the development of the Catholic community since early settlement. The place is representative of the development of educational

facilities in the region, and its fabric reflects the development that occurred in the history of education in the region in the period.

Overall, the convent, chapel, boarding school and 1938 high school buildings are assessed to be of local heritage significance.

- The Mount Erin Convent (1976)
- The Mount Erin Boarding School (1889)
- Chapel (1915)
- The Mount Erin High School (1938)

The proposed additional CIZ extension in the Mt Erin Convent, School and Chapel is in the north section of the listed Lot and DP, in the vicinity of the rail line and entrance / driveway off Edmondson Street, **Figure 4-1** and **Figure 3-2.** In this area it is proposed that mature palm trees removed from the northeast corner of the property in the vicinity of the power easement, within the first CIZ extension area (shown in red in **Figure 4-1**), be shifted into the additional CIZ extension area, as detailed in **Figure 3-2.** We note here that this is the only impact assessed for in the additional CIZ extension.

Specifically, the vegetation / grounds of the Mt Erin complex are not listed as part of the significance of the listing, with the significant values being ascribed primarily to the buildings themselves and their historic functions. The proposed movement of these three mature palms from the location where impact has been approved, to locations on the Mt Erin grounds where previous palms have died, is in fact a positive heritage outcome.

Consequently, additional extension of the CIZ to facilitate the relocation of these trees will not have a direct negative impact to the values of the listed Mt Erin Convent and buildings and could be perceived as a positive outcome considering that these mature trees are required to be removed and this relocation allows them to stay on site. Regard must be had for the overall amenity of the site and the fact that vegetation does enhance the sense of place.

It is important to note that some impact to the vegetation in the northeast corner of the Mt Erin complex was already assessed as part of the pre-approval heritage impact assessment (GML 2022) undertaken for the A2I Inland Rail project and is consequently approved. This acknowledged the presence of the 66vK easement and the need for the removal of some plantings. It was concluded in GML 2022 that this vegetation clearance would not alter the overall character of the Mt Erin complex and was a minor impact.

6 CONCLUSIONS

The proposed works within the additional CIZ extension, and as assessed in this memo, comprise only the relocation of three mature palm trees within LEP curtilage for the Mt Erin Convent complex, as outlined in **Section 3**.

These proposed works will avoid all heritage fabric, and the heritage values identified in the heritage significance documentation attached to the listing.

As a result, it can be concluded that the impacts of the proposed additional CIZ extension at the Mt Erin Complex would have "no impact on heritage items (including areas of archaeological sensitivity)….beyond the impacts approved under the terms of this approval" (Condition of Approval A15(c)).

7 MANAGEMENT MEASURES

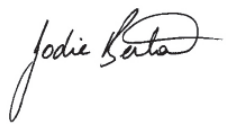
To ensure that the proposed works within the Inland Rail A2I additional CIZ extension at Mt Erin Convent complex in Wagga Wagga do not inadvertently impact non-Aboriginal heritage, the following recommendations should be adhered to:

- Demarcation (using barricading or flagging) of the CIZ extension footprint to ensure no inadvertent impacts beyond this.
- Only the works outlined in this document are to be undertaken in the additional CIZ extension as mapped in **Figure 3-2**, being the relocation of three mature palms.
- In the unlikely event that excavation work encounters potential heritage items, the *Unexpected Heritage Finds and Human Remains Procedures*, Appendix B of the Construction Cultural Heritage Management Plan (CCHMP) should be followed.
- If further extension of the CIZ is required that interacts with listed heritage sites, then further assessment would be required to ensure that the provisions of CoA (Condition of Approval) 15(c) can be met.
- Other provisions as outlined in the CCHMP, specifically regarding heritage inductions for work crews, should also be followed.

If this report raises any queries, please do not hesitate to contact me by email or phone on the details below.

Kind regards,

Dr Jodie Benton



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REFERENCES

DPE 2023a — *Guidelines for preparing a statement of heritage impact.* Department of Planning and Environment. 2023.

DPE 2023b — *Assessing heritage significance. Guidelines for assessing places and objects against the Heritage Council of NSW criteria*. Department of Planning and Environment. 2023.

GML 2022 — GML Heritage. 2022. *Inland Rail – Albury to Illabo Technical Paper 3 – Non-Aboriginal Heritage.* Report to ARTC.

OzArk 2024 — OzArk Environment & Heritage *Inland Rail: Albury to Ilabo (A2I) - Non-Aboriginal Heritage Assessment - Wagga Wagga Utilities CIZ Extension*, Report to Martinus / Inland Rail, November 2024

WW DCP 2010 — Wagga Wagga Development Control Plan 2010 as amended – Section 3 – Heritage Conservation. https://wagga.nsw.gov.au/__data/assets/pdf_file/0013/112252/Wagga-Wagga-DCP-2010-as-amended-Section-3-Heritage-Conservation-Version-27-Final.pdf

Appendix D BARM (East Coast Ecology)

Constance Georgiou
Senior Environmental Consultant
BD Infrastructure

7th of April 2025

Biodiversity Memorandum: Inland Rail (Albury to Illabo)

Dear Constance,

Martinus Rail Pty Ltd (Martinus) on behalf of the Australian Rail Track Corporation (ARTC) propose to conduct vegetation removal and trimming to accommodate utility relocation in Wagga Wagga, NSW (Proposed Change).

The Proposed Change is located outside of the construction boundary of the Albury to Illabo section of the Inland Rail program (the Project) and was not assessed as a part of the Inland Rail, Albury to Illabo Revised Technical Paper 8: Biodiversity Development Assessment Report (BDAR) (WSP, 2023).

1.1 Scope of Assessment

East Coast Ecology Pty Ltd (ECE) was commissioned by ARTC c/- BD to prepare a Biodiversity Memo, for the Proposed Change. The scope of this assessment was to identify and assess impacts to species and ecological communities listed as threatened under the *Biodiversity Conservation Act 2016* (NSW) (BC Act), *Fisheries Management Act 1994* (FM Act) and Matters of National Environmental Significance (MNES) listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and where relevant, the requirements of the *Biosecurity Act 2015* (NSW), and relevant State Environmental Planning Policies (SEPPs).

The area assessed in this memo has been defined by representatives of BD Infrastructure, this memo has been prepared to accompany a Consistency Assessment (CA) in relation to the Proposed Change, and is hereafter referred to as the Subject Land.

1.2 The Subject Land

The Subject Land covers an area of approximately 0.75ha within Kildare College on Edmonson Street (**Figure 1**). The Subject Land is located within the suburb of Turvey Park in the Wagga Wagga Local Government Area.

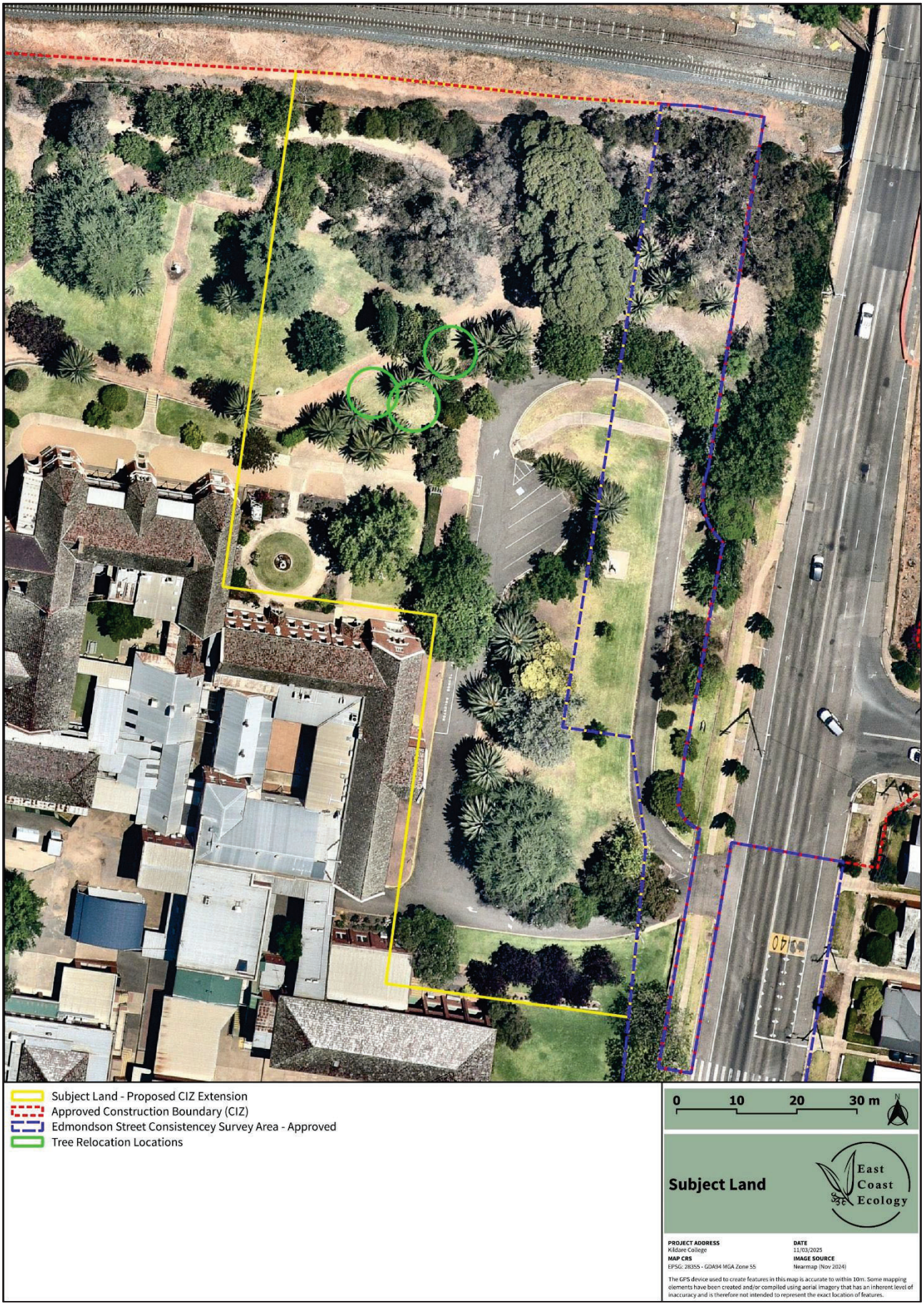

Figure 1. Location of the Subject Land.

2. METHODS

A site survey was conducted on 5th of February by Ecologist Chris Keogh. The survey consisted of a threatened flora, fauna and vegetation assessment using parallel field traverses.

A thorough literature review of local information relevant to the Subject Land was undertaken. Searches using NSW Wildlife Atlas (BioNet) (NSW DCCEEW, 2025a), the Commonwealth Protected Matters Search Tool (PMST) (DCCEEW, 2025) and the Fisheries Spatial Data Portal (DPI, 2025) were conducted to identify all current threatened flora and fauna, as well as migratory fauna records, within a 5km radius of the Subject Land. A literature review was also undertaken of all relevant project documentation, including;

- Biodiversity Development Assessment Report (WSP,2023), and
- Environmental Impact Statement (ARTC, 2022).

2.1 Native Vegetation

A review of the State Vegetation Type Map (NSW DCCEEW, 2025b) was used to assist in the identification of Plant Community Types (PCTs) within and surrounding the Subject Land. The PCT of 'best-fit' was determined based on the floristic descriptions within the BioNet Vegetation Classification System database (NSW DCCEEW, 2025c).

2.2 Threatened Flora Survey Methods

Threatened flora that are known or likely to occur within the Subject Land and immediate surrounds (i.e. within 5km) were identified following a review of BioNet and the PMST. Soil mapping (NSW DCCEEW, 2025d) and topography (Google Earth) were also used to provide further context on habitat constraints for threatened flora.

2.3 Threatened Fauna Survey Methods

Potential habitat constraints within the broader area (500m buffer) were assessed using Google Earth, soil landscape mapping (NSW DCCEEW, 2025d) and recent vegetation mapping (NSW DCCEEW, 2025b).

3. EXISTING ENVIRONMENT

3.1 Rivers, streams, estuaries and wetlands

No watercourses occur within the Subject Land. The Subject Land is located within the Murrumbidgee River catchment, a 9th order watercourse, which occurs approximately 1km north of the Subject Land.

3.2 Habitat Connectivity

No terrestrial habitat connectivity exists between the Subject Land and the broader landscape due to historical clearing and existing infrastructure (e.g. roads, railway and built areas).

3.3 Karst, Caves, Crevices, Cliffs, Rocks or Other of Geological Features of Significance

The Subject Land did not contain any areas of geological significance, such as karsts, caves, cliffs or crevices. The Subject Land was not mapped as occurring on acid sulfate soils nor mapped as having risk/ probability of exhibiting occurrence of acid sulfate soils.

3.4 Areas of Outstanding Biodiversity Value

No Areas of Outstanding Biodiversity Value occur on the Subject Land or the surrounding area.

3.5 Topography, Geology and Soils

The Subject Land is mapped as occurring on the 'Becks Lane' soil landscape', characterised by, gently inclined footslopes adjacent to hills of thick slope-washed and alluvial-colluvial sands, clays and gravels, mostly derived from Ordovician metasedimentary rocks. The Subject Land occurs on gently grades from 194m above sea level (asl)in the south to 190m asl in the north (Google Earth).

3.6 Mapped Native Vegetation Communities – NSW State Vegetation Type Map

The NSW State Vegetation Type Map (NSW DCCEEW, 2025b) indicated the absence of PCTs within or adjoining, the Subject Land (**Figure 2**). The Subject Land has been mapped as 'Not classified'.

Figure 2. NSW State Vegetation Type Map (NSW DCCEEW, 2025b)

4. RESULTS

4.1 Field-validated Native Vegetation

Due to school infrastructure and development (i.e. school buildings, roads and paths) within the Subject Land, and specifically a lack of native and/ or diagnostic species for candidate PCTs, the following vegetation community types described by WSP (2023) were assigned:

- PCT 277 Native Plantings,
- Miscellaneous Ecosystems – 'Ornamental Plantings', and
- Miscellaneous Ecosystems – 'Highly Disturbed areas with no or limited Native Vegetation'.

These vegetation community types are consistent with vegetation types described in the approved BDAR.

Table 1. Vegetation communities identified within the Subject Land.

Community Name	Area within the Subject Land (ha)
PCT 277 Native Plantings (No Impact)	0.07
Miscellaneous Ecosystems – Ornamental Plantings	0.40ha
Miscellaneous Ecosystems – Highly Disturbed areas with no or limited Native Vegetation	0.10ha
Total Area	**0.57ha**

4.1.1 Community type Miscellaneous Ecosystems – Ornamental Plantings

Due to the Subject Land's historical and ongoing school use at Kildare College much of the vegetation is comprised of ornamental native and exotic species planted for aesthetic purposes and was therefore determined to have limited ecological function (WSP, 2023) (**Figure 3**). Ornamental Plantings includes areas that are not consistent with the definition of a PCT and are not required to be assessed for ecosystem credits, per Section 9.3 of the BAM (DPE, 2020a).

4.1.2 Community type Miscellaneous Ecosystems – Highly Disturbed areas with no or limited Native Vegetation

Due to the Subject Land's historical and ongoing school use at Kildare College much of the vegetation is comprised of no or limited native species and is dominated by exotic species, and provides limited ecological function (WSP, 2023) (**Figure 3**). Highly Disturbed areas with no or limited native vegetation includes areas that are not consistent with the definition of a PCT and are not required to be assessed for ecosystem credits, per Section 9.3 of the BAM (DPIE, 2020a).

Descriptions of the vegetation types are provided in **Table 2**.and **Table 3**.

Table 2. Miscellaneous Ecosystems - Ornamental plantings vegetation identified within the Subject Land.

Miscellaneous Ecosystems – Ornamental Plantings	
Novel Vegetation Type	**Miscellaneous Ecosystems – Ornamental Plantings**
	
Extent	0.40ha
Description of vegetation	The vegetation within this zone was comprised of exotic and non-endemic native ornamental plantings. Vegetation was mostly in planted garden beds and scattered isolated trees. The plantings consisted of *Phoenix canariensis* (Pheonix Palm), *Callistemon viminalis* (Weeping Bottle Brush), *Cedrus deodara* (Deodar Cedar) and *Liquidambar styraciflua* (Liquid Amber), the mid-story was mostly *Rosa sp*., *Agapanthus sp*. and *Viburnum tinus* (Laurustinus), and the ground layer was exotic lawn.

Table 3. Miscellaneous Ecosystems - Highly Disturbed areas with no or limited Native Vegetation, vegetation identified within the Subject Land.

Miscellaneous Ecosystems - Highly Disturbed areas with no or limited Native Vegetation	
Novel Vegetation Type	**Miscellaneous Ecosystems - Highly Disturbed areas with no or limited Native Vegetation**
	
Extent	0.10ha
Description of vegetation	The vegetation within this zone was exclusively comprised of exotic lawn and ground cover species such as *Paspalum sp.* (Crown Grass). The regions this vegetation occurred, were entirely developed and displayed a long history horticultural care.

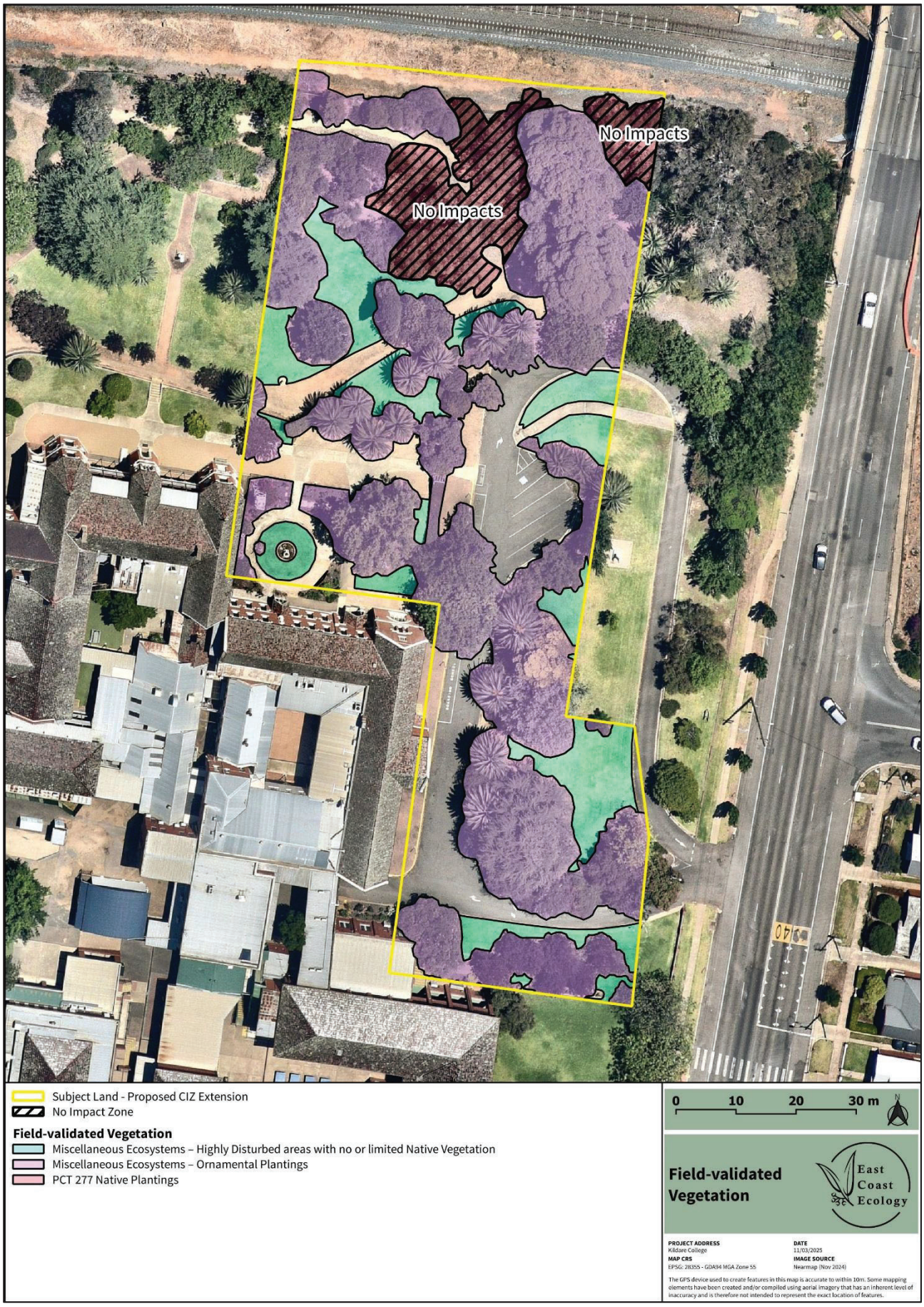

Figure 3. Field-validated vegetation communities.

4.2 Threatened Flora

BioNet and PMST searches revealed ten threatened flora species occur, or have potential to occur, within a ~5km radius of the Subject Land.

Table 4. Threatened flora with potential to occur within the Subject Land.

Scientific Name	Common Name	BC Act	EPBC Act	Records within 5km
Austrostipa wakoolica	Wakool Spear-grass	E	E	Modelled Only
Brachyscome muelleroides	Claypan Daisy	V	V	1
Caladenia arenaria	Sand-hill Spider-orchid	E	E	Modelled Only
Caladenia concolor	Crimson Spider-orchid, Maroon Spider-orchid	E	V	Modelled Only
Lepidium aschersonii	Spiny Peppercress	V	V	Modelled Only
Lepidium monoplocoides	Winged Pepper-cress	E	E	Modelled Only
Prasophyllum petilum	Tarengo Leek Orchid	E	E	Modelled Only
Senecio garlandii	Woolly Ragwort	V	-	2
Swainsona murrayana	Slender Darling-pea, Slender Swainson, Murray Swainson-pea	V	V	Modelled Only
Swainsona recta	Small Purple-pea	E	E	2

V – Vulnerable; E – Endangered; EP – Endangered Population; CE – Critically Endangered

4.3 Threatened Fauna

BioNet and PMST searches revealed 33 threatened fauna occur, or have potential to occur, within a ~5km radius of the Subject Land.

Table 5. Threatened fauna with potential to occur within the Subject Land.

Scientific Name	Common Name	BC Act	EPBC Act	Records within 5km
Anthochaera phrygia	Regent Honeyeater	E	CE	1
Artamus cyanopterus cyanopterus	Dusky Woodswallow	V	-	3
Burhinus grallarius	Bush Stone-curlew	E	-	4
Calidris ferruginea	Curlew Sandpiper	E	CE	3
Callocephalon fimbriatum	Gang-gang Cockatoo	E	E	3
Chthonicola sagittata	Speckled Warbler	V	-	1
Circus assimilis	Spotted Harrier	V	-	2
Climacteris picumnus victoriae	Brown Treecreeper (eastern subspecies)	V	V	10

Scientific Name	Common Name	BC Act	EPBC Act	Records within 5km
Daphoenositta chrysoptera	Varied Sittella	V	-	1
Dasyurus maculatus	Spotted-tailed Quoll	V	E	1
Epthianura albifrons	White-fronted Chat	V	-	7
Falco subniger	Black Falcon	V	-	8
Gallinago hardwickii	Latham's Snipe	V	V	17
Glossopsitta pusilla	Little Lorikeet	V	-	1
Hieraaetus morphnoides	Little Eagle	V	-	20
Hirundapus caudacutus	White-throated Needletail	V	V	1
Lathamus discolor	Swift Parrot	E	CE	5
Macrotis lagotis	Bilby	E	V	1
Melithreptus gularis gularis	Black-chinned Honeyeater (eastern subspecies)	V	-	1
Myotis macropus	Southern Myotis	V	-	2
Neophema pulchella	Turquoise Parrot	V	-	1
Ninox connivens	Barking Owl	V	-	4
Petaurus norfolcensis	Squirrel Glider	V	-	107
Petaurus norfolcensis	Squirrel Glider in the Wagga Wagga Local Government Area	E	-	107
Petroica boodang	Scarlet Robin	V	-	5
Petroica phoenicea	Flame Robin	V	-	6
Phascolarctos cinereus	Koala	E	E	1
Polytelis swainsonii	Superb Parrot	V	V	30
Pteropus poliocephalus	Grey-headed Flying-fox	V	V	83
Saccolaimus flaviventris	Yellow-bellied Sheathtail-bat	V	-	1
Stagonopleura guttata	Diamond Firetail	V	V	4
Stictonetta naevosa	Freckled Duck	V	-	1
Tyto novaehollandiae	Masked Owl	V	-	1

V – Vulnerable; E – Endangered; EP – Endangered Population; CE – Critically Endangered

4.4 Migratory Species

Database searches revealed eight migratory terrestrial species, or their habitat, are known to occur within the Subject Land (**Table 6**).

Table 6. Migratory terrestrial species with potential to occur in the Subject Land.

Species	EPBC Act Status
Actitis hypoleucos (Common Sandpiper)	Migratory, CAMBA, JAMBA, ROKAMBA
Calidris acuminata (Sharp-tailed Sandpiper)	Migratory, CAMBA, JAMBA, ROKAMBA
Calidris ferruginea (Curlew Sandpiper)	Critically Endangered, Migratory, CAMBA, JAMBA, ROKAMBA
Calidris melanotos (Pectoral Sandpiper)	Migratory, JAMBA, ROKAMBA
Gallinago hardwickii (Latham's Snipe)	Vulnerable, Migratory, JAMBA, ROKAMBA
Hirundapus caudacutus (White-throated Needletail)	Vulnerable, Migratory, CAMBA, JAMBA, ROKAMBA
Motacilla flava (Yellow Wagtail)	Migratory, CAMBA, JAMBA, ROKAMBA

CAMBA = China-Australia Migratory Bird Agreement, JAMBA = Japan-Australia Migratory Bird Agreement, ROKAMBA = Republic of Korea-Australia Migratory Bird Agreement and Bonn = Convention on the Conservation of Migratory Species of Wild Animals

5. IMPACT SUMMARY

The proposed activity requires the relocation of three (3) Pheonix Palm trees (**Figure 4**) from outside of the Subject Land into three (3) small regions classified as Miscellaneous Ecosystems - Highly Disturbed areas with no or limited Native Vegetation, within the Subject Land. Clearing will largely be avoided; however machinery use to facilitate the works may impact on the following (worst case):

- 0.40ha of Miscellaneous Ecosystems - Ornamental Plantings, and
- 0.10ha of Miscellaneous Ecosystems - Highly Disturbed areas with no or limited Native Vegetation.

An area of 0.07ha has been assigned as PCT 277 Native Plantings and will not be impacted by the proposed activity.

All vegetation proposed for removal provides low-quality foraging habitat for threatened fauna. Within the context of the surrounding landscape, it is unlikely this vegetation would be utilised given the presence of superior habitats adjoining the Subject Land, and in the broader landscape. Further, it is considered unlikely that any threatened species would occupy the Subject Land due to evidence of ongoing disturbance (school, railway, roads, residential housing nearby). As such, no threatened flora or fauna are likely to be significantly impacted.

Figure 4. Proposed tree relocation area (Martinus, 2025).

6. LEGISLATION

6.1 Matters of National Environmental Significance

Under the EPBC Act, a proponent must not take an action if that action will have, or is likely to have, a significant impact on matters protected under the EPBC Act, referred to as MNES. The EPBC Act identifies eight MNES:

- World Heritage properties
- National Heritage places
- Wetlands of international importance (those listed under the Ramsar Convention)
- Listed threatened species and communities
- Migratory species listed under international agreements
- Great Barrier Reef Marine Park
- Commonwealth marine areas
- Nuclear actions

The PMST identified the following as potentially occurring within the Subject Land or surrounding area:

- 3 Threatened Ecological Communities
- 43 Threatened species
- 8 Migratory species

No MNES have been identified in or adjoining the Subject Land.

6.2 State Environmental Planning Policy (Resilience and Hazards) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) commenced on the 1st of March 2022 and replaces the following former SEPPs:

- State Environmental Planning Policy (Coastal Management) 2018
- State Environmental Planning Policy 33 – Hazardous and Offensive Development, and
- State Environmental Planning Policy 55 – Remediation of Land.

The Subject Land is not situated within the 'Coastal Zone' therefore this SEPP does not apply.

6.3 *Fisheries Management Act 1994*

The FM Act aims to conserve, develop, and share the fishery resources of NSW for the benefit of present and future generations including conserving fish stocks and key fish habitats and promoting ecologically sustainable development.

The proposed activity does not require works within mapped KFH, nor did threatened aquatic species or marine vegetation protected under the FM Act occur within the Subject Land. As such, the activity would not impact upon KFH, nor are there any legislative requirements or notifications required under this Act.

6.4 *Biosecurity Act 2015*

The *Biosecurity Act 2015* (NSW) provides a framework for the prevention, elimination and minimisation of biosecurity risks posed by an activity as a matter of biosecurity. As defined in Part 3, section 23 of this Act,

any non-conformance by an individual is defined as guilty of an offence. No priority weeds were identified within the Subject Land at the time of the survey:

All priority weeds are to be appropriately managed in accordance with the *Biosecurity Act 2015*.

7. MANAGEMENT MEASURES AND IMPLEMENTATION

The potential impacts on biodiversity identified for the Proposed Change can be appropriately managed in accordance with the Conditions of Approval and through implementation of the updated management measures outlined in the Preferred Infrastructure Report Submissions Report for the Project.

8. CONCLUSION

The Proposed Activity may utilise machinery to facilitate the works which may impact (worst case) on the following:

- 0.40ha of Miscellaneous Ecosystems - Ornamental Plantings, and
- 0.10ha of Miscellaneous Ecosystems - Highly Disturbed areas with no or limited Native Vegetation.

An area of 0.07ha has been assigned as PCT 277 Native Plantings and will not be impacted by the proposed activity.

No impacts to threatened species, populations or ecological communities are expected as a result of the proposed activity.

Although outside the assessed construction boundary for the Project, the biodiversity impacts are considered consistent with the initial assessment (WSP, 2023), and no further offsets (ecosystem or species) would be required.

If you have any queries, please feel free to contact me.

Sincerely,

Alex Graham *BSc (Biology), Grad Dip (Bushfire Protection)*
Director/ Principal Ecologist - Accredited Biodiversity Assessor (BAAS19040)
E: alex.graham@ececology.com.au

9. REFERENCES

Australian Rail Track Corporation (ARTC 2022) Inland Rail – Albury to Illabo Environmental Impact Statement

Department of Climate Change, Energy, the Environment and Water (DCCEEW) (2025) Protected Matters Search Tool

Department of Planning, Industry and Environment (DPIE, 2020) Surveying threatened plants and their habitats - NSW survey guide for the Biodiversity Assessment Method

NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) (2025a) NSW BioNet Atlas

NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) (2025b) NSW State Vegetation Type Map

NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) (2025c) BioNet Vegetation Classification

NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) (2025d) eSPADE

NSW Department of Primary Industries (DPI) (2025) Fisheries NSW Spatial Data Portal

Office of Environment and Heritage (OEH) (2018) Threatened Species Test of Significance Guidelines

WSP (2023) Albury to Illabo Inland Rail- Revised Technical Paper 8: Biodiversity Development Assessment Report

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Appendix E Unexpected Finds Procedure (Heritage and Human Remains)

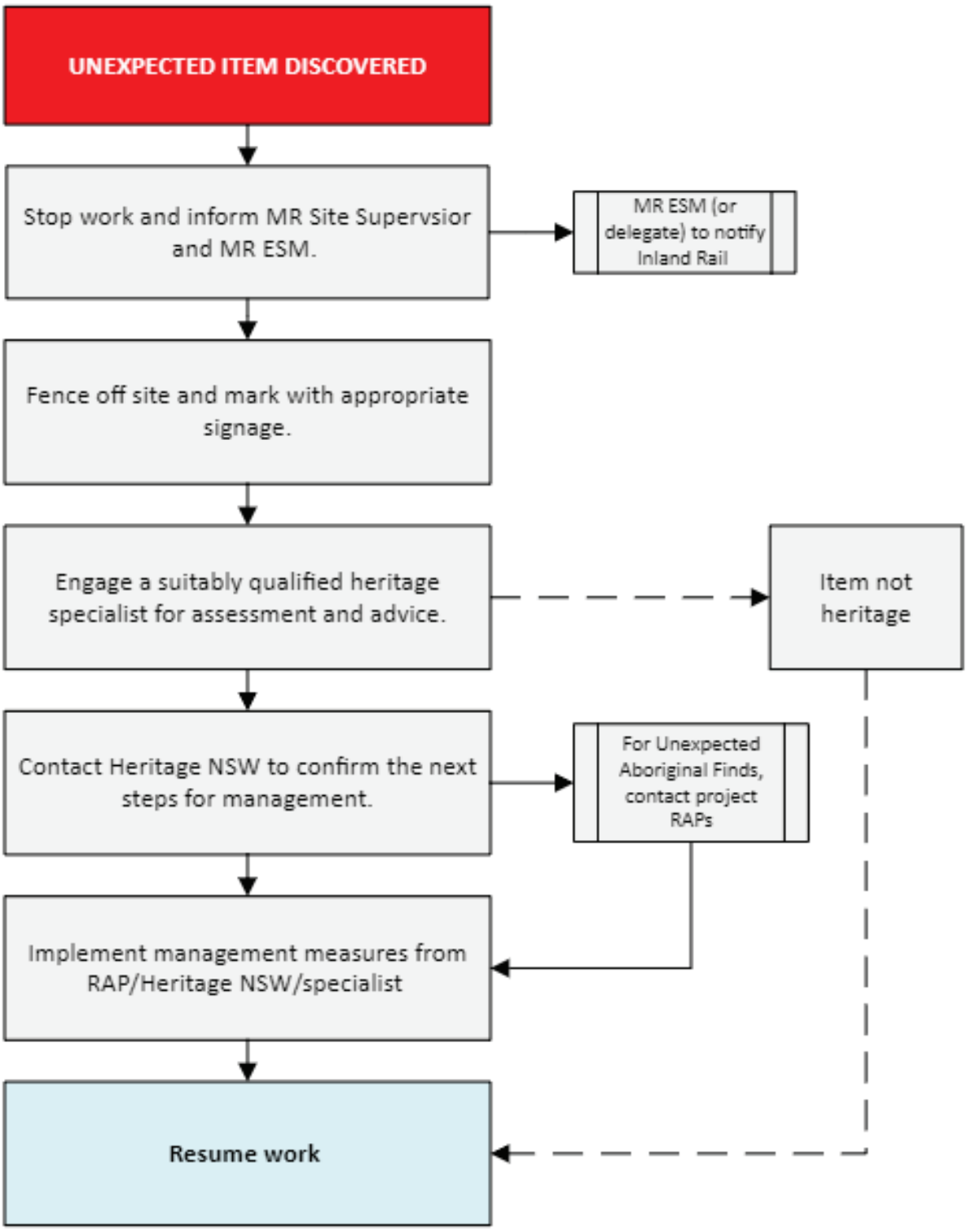
ABORIGINAL AND NON-ABORIGINAL HERITAGE: UNEXPECTED FINDS PROCEDURE

An Aboriginal artefact is anything that is the result of past Aboriginal activity. This includes stone (artefacts, rock engravings etc.), plant (culturally scarred trees) and animal bone (if showing signs of modification; i.e. smoothing, use). Human bone (skeletal remains) may also be uncovered while onsite.

A historic artefact is anything that is the result of past activity not related to Aboriginal occupation. This includes pottery, wood, glass and metal objects as well as the built remains of structures, sometimes heavily ruined.

In the event of an unexpected heritage find, the following protocol will apply:

1. All ground-disturbance work in the vicinity of the find must cease immediately. The Site Supervisor is to be made aware of the object(s) and is to notify the MR Construction Manager and MR ESM. The MR ESM (or delegate) will notify the relevant Inland Rail (IR) representative.
2. The find will be temporarily fenced off as quickly as possible to ensure no damage/further damage to the object(s). Signage on the fencing is to state that the area is subject to environmental protection, that no ground disturbance is allowed, and should include relevant contact details for the MR ESM.
3. The MR ESM (or delegate) will contact a suitably qualified heritage specialist to assess the find. The heritage specialist will then determine the need for further investigation or management. The heritage specialists assessment may be undertaken using good quality images, with a scale and several angles, however, if photographic evidence does not allow for certainty, then a site visit from the suitably qualified heritage specialist will be required.
4. If the find is an Aboriginal object, the MR ESM (or delegate) and/or heritage specialist will contact the RAPs to attend the site to inspect the find and to determine, in consultation, the next steps for management. These measures will include registration of the object in the Aboriginal Heritage Information Management System within a reasonable time.
5. The MR ESM (or delegate) and/or heritage specialist will also contact Heritage NSW (phone 02 9873 8500) to confirm the next steps for management.
6. Ground disturbance work in the vicinity of the find can only continue under supervision of a suitably qualified heritage specialist, having regard to any advice from Heritage NSW and RAPs.



Flow Chart: Unexpected heritage finds

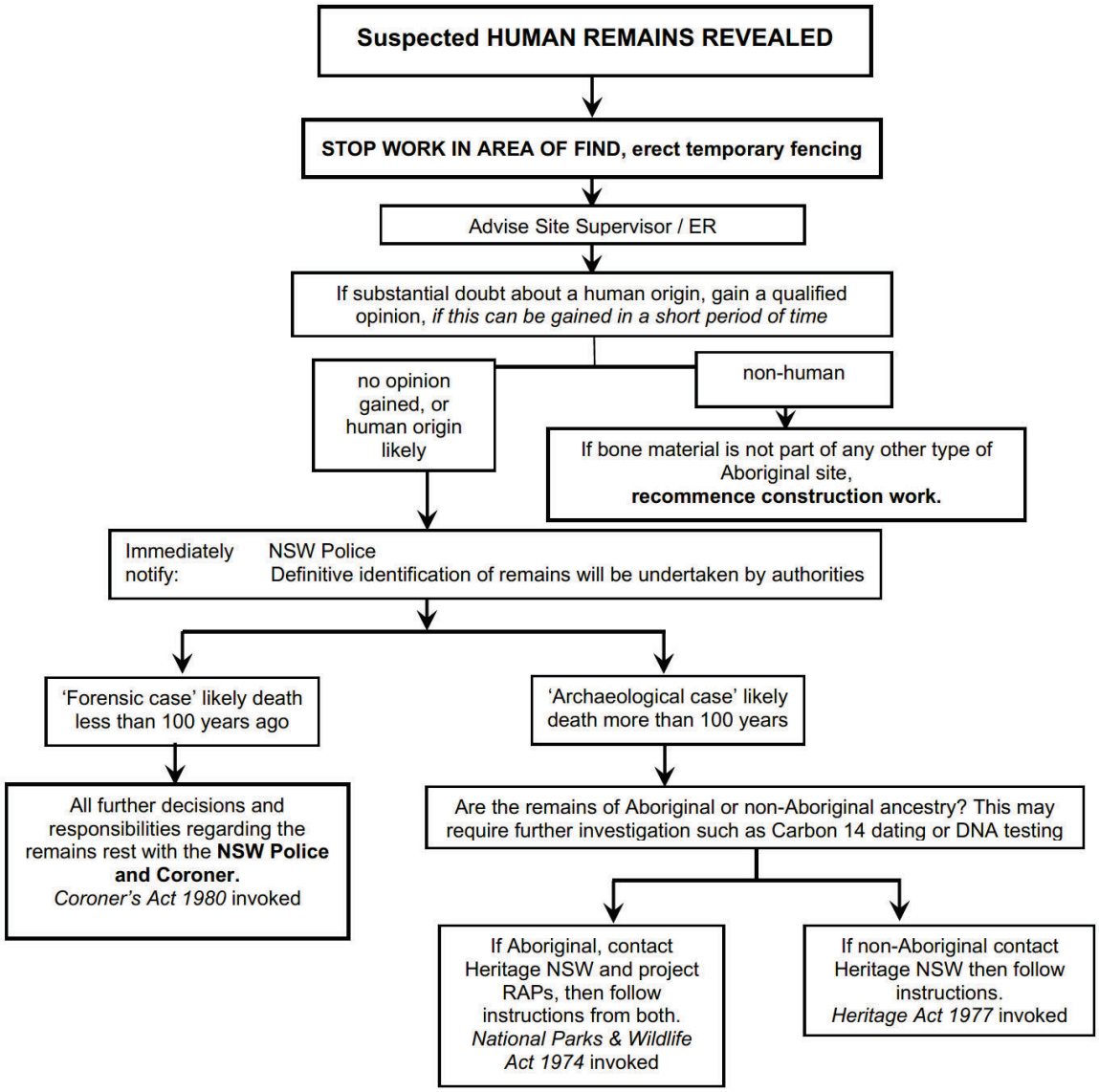
UNEXPECTED HUMAN REMAINS PROCEDURE

The procedure related to the discovery of suspected human skeletal material is based on Requirement 25 of the *Code of Practice for Archaeological Investigation of Aboriginal objects in NSW* (DECCW 2010b) and the *Skeletal Remains: Guidelines for the management of human skeletal remains under Heritage Act 1977* (NSW Heritage Office1998). A flow chart is supplied below.

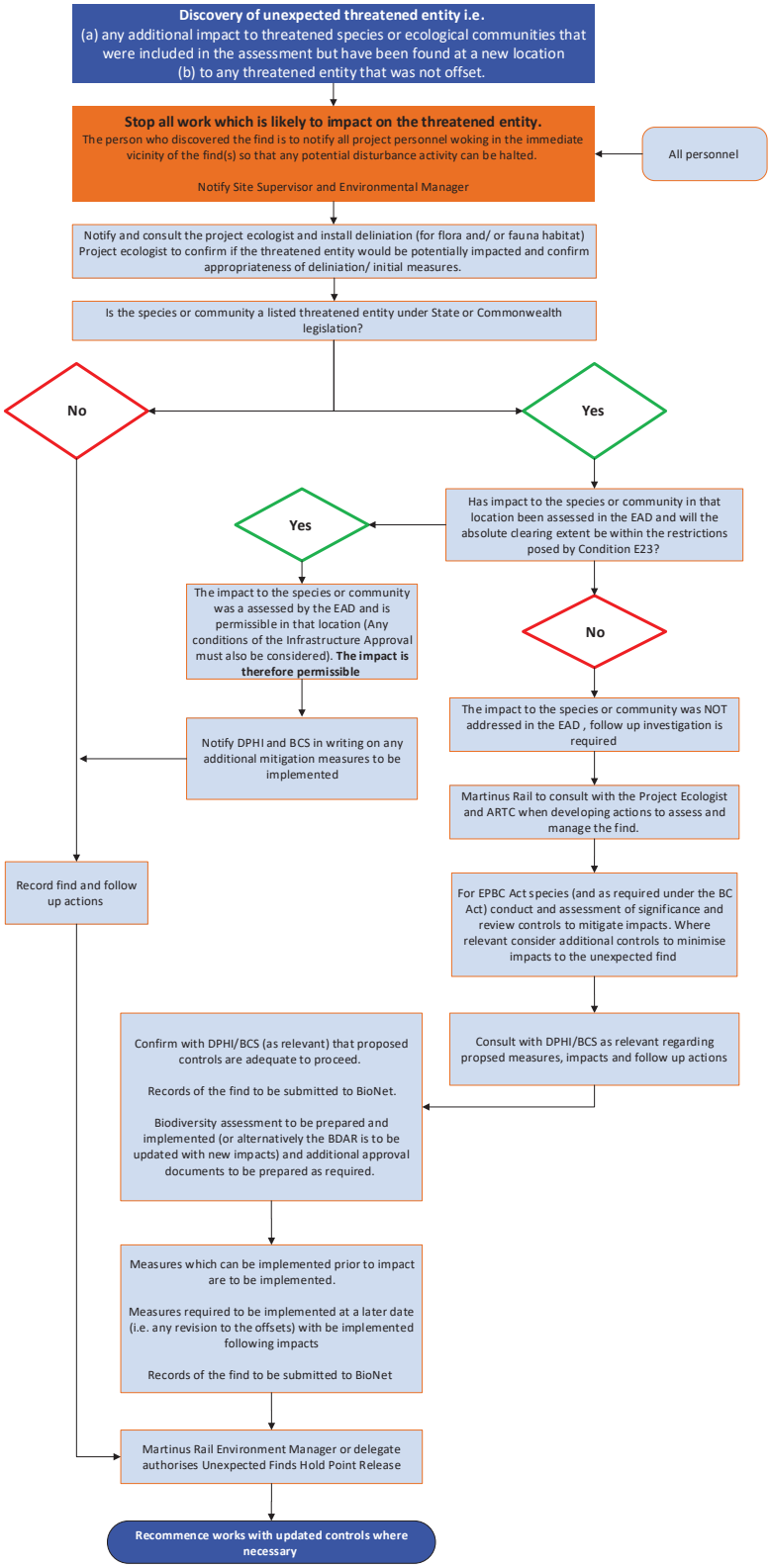
If known, or suspected skeletal remains are encountered during the construction and/or operation of the project, the following procedure will be followed:

1. The area will be temporarily fenced immediately to ensure no damage/further damage to skeletal material. No skeletal material that remains in place should be disturbed from its location;
2. Works in the vicinity are to be stopped immediately;
3. The Site Supervisor is to be made aware of the skeletal material and is to notify the MR Environmental Manager and MR Construction Manager. Inland Rail Representatives are to be contacted at this stage;
4. Attempt to determine if the bones are animal or human. May require photos of the bones to be sent to the MR Heritage Consultant to determine if the remains are likely to be human or not;
5. If a qualified opinion concludes the bones are not human in origin and are unlikely to be part of an archaeological site works may recommence;
6. If no qualified opinion can be gained or the bones are suspected of being human, undertake the following:
    i) MR will contact Police, allowing Police to conduct an assessment to determine if the remains are part of a forensic case (less than 100 years old), or are archaeological (more than 100 years old);
    ii) If the remains are assessed as ‘archaeological’, there then needs to be an attempt to determine if they are Aboriginal or non-Aboriginal;
    iii) Inland Rail will contact the relevant stakeholders, including Heritage NSW (phone 02 9873 8500) and RAPs (if the remains are Aboriginal);
    iv) All further activities will be determined by Heritage NSW and the RAPs (if the remains are Aboriginal);
    v) No work may recommence in the area of the find until Heritage NSW provides the approval to do so.

Flow Chart: Suspected Human remains



Appendix F Unexpected Finds Procedure (Flora and Fauna)


Discovery of unexpected threatened entity i.e.
(a) any additional impact to threatened species or ecological communities that were included in the assessment but have been found at a new location
(b) to any threatened entity that was not offset.
Stop all work which is likely to impact on the threatened entity.
The person who discovered the find is to notify all project personnel woking in the immediate vicinity of the find(s) so that any potential disturbance activity can be halted.
Notify Site Supervisor and Environmental Manager
All personnel
Notify and consult the project ecologist and install deliniation (for flora and/ or fauna habitat) Project ecologist to confirm if the threatened entity would be potentially impacted and confirm appropriateness of deliniation/ initial measures.
Is the species or community a listed threatened entity under State or Commonwealth legislation?
No
Yes
Has impact to the species or community in that location been assessed in the EAD and will the absolute clearing extent be within the restrictions posed by Condition E23?
Yes
No
The impact to the species or community was a assessed by the EAD and is permissible in that location (Any conditions of the Infrastructure Approval must also be considered). The impact is therefore permissible
The impact to the species or community was NOT addressed in the EAD , follow up investigation is required
Notify DPHI and BCS in writing on any additional mitigation measures to be implemented
Martinus Rail to consult with the Project Ecologist and ARTC when developing actions to assess and manage the find.
Record find and follow up actions
For EPBC Act species (and as required under the BC Act) conduct and assessment of significance and review controls to mitigate impacts. Where relevant consider additional controls to minimise impacts to the unexpected find
Consult with DPHI/BCS as relevant regarding propsed measures, impacts and follow up actions
Confirm with DPHI/BCS (as relevant) that proposed controls are adequate to proceed.
Records of the find to be submitted to BioNet.
Biodiversity assessment to be prepared and implemented (or alternatively the BDAR is to be updated with new impacts) and additional approval documents to be prepared as required.
Measures which can be implemented prior to impact are to be implemented.
Measures required to be implemented at a later date (i.e. any revision to the offsets) with be implemented following impacts
Records of the find to be submitted to BioNet
Martinus Rail Environment Manager or delegate authorises Unexpected Finds Hold Point Release
Recommence works with updated controls where necessary

Appendix G Unexpected Finds Procedure (Contamination)

UNEXPECTED FINDS PROCEDURE FOR CONTAMINATION

MANAGEMENT AND RESPONSIBILITY

INDUCTION/ TOOLBOX TALKS
All personnel are to receive Project/ Site Inductions and on-going training via Toolbox Talks

All personnel

↓

EVIDENCE OF CONTAMINATION OBSERVED

STOP ALL WORK IN THE AREA IMMEDIATELY AND

PREVENT FURTHER ACTIVITY IN THE AREA.

NOTIFY THE SITE SUPERVISOR AND SAFETY MANAGER , ENVIRONMENT MANAGER AND CORDON OFF AREA.

Site Supervisor
Project Manager
Lead Safety Manager
Environment Manager

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- Do not touch or disturb the item/ material
- Delineate the find from the rest of the worksite
- Inform the Environment Manager regarding the potential contamination find. The following detail should be provided:
  - The location of the potential contamination
  - Visual appearance
  - Odour (if any)
  - Depth
  - Surrounding material and works being undertaken at the time of discovering the material
- WHS and EM to determine immediate actions to prevent WHS and ENV issues
- EM to notify IR of Unexpected Find

↓

ASSESSMENT

Contamination Consultant to assess and classify the unexpected find in accordance with the NSW regulatory requirements, including sampling and laboratory analysis.

Contamination Consultant

↓

MANAGEMENT STRATEGY

- Contamination Consultant to develop a provide a plan for managing and/or remediating the material
- IR/ARTC to review and accept the proposed strategy

Environment Manager
Contamination Consultant
IR/ARTC

↓

STRATEGY IMPLEMENTATION

- Implement the approved management and/or remediation as per the Contamination consultants direction
- IR/ARTC to review and accept the proposed strategy (if required)

Contamination Consultant
Site Supervisor
Environment Manager

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Once the contamination find has been mitigated and clearance report received from the contamination consultant. EM is to notify Project Manager who is to approve re-commencement of works in the vicinity of the remediation site.
IR/ARTC will review clearance report and must provide approval/acceptance prior to recommencing works

Environment Manager
Project Manager
IR/ARTC

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Recommence works

Asbestos

An unexpected find occurs when Asbestos Containing Material (ACM) not identified in the Asbestos Register is found on site. In the event of an unexpected find the below steps are to be followed:

1. The area is to be demarcated, works in the area to cease and workers notified
2. Notify the Site Supervisor first. Site Supervisor will then notify the Project Manager, Safety Manager and Environment Manager.
3. Notify IR/ARTC within five (5) business days after the discovery.
4. Control dust by with dust suppression
5. A certified occupational hygienist is to be engaged to provide recommendations to manage the area
6. Occupational hygienist arrange for testing of the suspected ACM and monitoring of the area (if required)
7. The area is to be made safe as per the certified

Contamination Consultant

Works undertaken in relation to Contamination to investigate, assess, remediate or validate remediation or land use suitability shall be undertaken by a suitably qualified person holding valid 'Site Contamination' certification under the Certified Environment Practitioners Scheme (CEnvP) - Environment Institute of Australia and New Zealand or Certified Professional Soil Scientist – Contaminated Site Assessment and Management under the Soil Science Australia Certification Scheme.

With relevant qualifications and experience in keeping with the National Environmental Protection (Assessment of Site Contamination) Measure 1999 Amendment 2013 (ASC NEPM 2013).

Procedure

1) Potential contaminated soil/material encountered during construction activities. STOP ALL WORK AND NOTIFY IMMEDIATELY
2) Undertake a site/area contamination investigation. The Environment Manager (EM) is to assess the situation and if considered necessary, commission a suitably qualified contamination specialist to undertake a contamination investigation in the area of the find.
3) The consultation specialists in consultation with the EM will determine the appropriate management measures to be implemented. This may include leaving contamination undisturbed if it does not pose unacceptable risks to human health or the environment, capping of contamination, treatment or offsite disposal. If the material is to be disposed of offsite, ensure the waste facility is appropriately licensed. Contaminated material requiring off-site disposal is to be classified in accordance with the Waste Classification Guidelines – Part 1: Classification of Waste, NSW EPA 2014. Maintain records to demonstrate waste material was appropriately managed
4) If the material is determined to be Acid Sulfate Soil (ASS) or Potential Acid Sulfate Soil (PASS), an Acid Sulfate Soil Management Plan would be prepared and implemented in accordance with the Acid Sulfate Soil Manual (Acid Sulfate Soil Management Advisory Committee, August 1998).
5) Prior to any contamination investigation, management or remediation activities appropriate work method documentation encompassing safety and environmental risk management will be prepared for review and approval by the EM and IR
6) If required a Remedial Action Plan (RAP) will be prepared in accordance with legislative requirements
7) If material is to be treated and reused or left in situ ensure appropriate records are maintained and location of material (survey) is undertaken and provided to IR
8) Once the contamination find has been mitigated and clearance report received from the contamination consultant. This report is to be submitted to IR/ARTC for acceptance prior to recommencement of work
9) EM is to notify Project Manager who is to approve re-commencement of works in the vicinity of the remediation site.