Australian Government
Department of the Environment

Referral of proposed action

Project title: Narrabri to North Star Section of Inland Rail

1 Summary of proposed action

1.1 **Short description**

The Australian Government has committed to building a significant new piece of national transport infrastructure by constructing an inland railway between Melbourne and Brisbane, via central-west New South Wales (NSW) and Toowoomba in Queensland (**Figure 1.1**). The Inland Rail project ('Inland Rail') is a major national project that will enhance Australia's existing national rail network and serve the interstate freight market.

Australian Rail Track Corporation Ltd (ARTC) (the proponent) is seeking approval to construct and operate the Narrabri to North Star section of Inland Rail (the proposed action). The proposed action is generally located in the existing rail corridor between the town of Narrabri and the village of North Star in NSW (refer **Figure 1.2**).

The proposed action would involve upgrading the existing line between Narrabri and North Star (approximately 183 kilometres) including the existing track and track formation, replacement of culverts and bridges, construction of five new passing loops, rationalisation of level crossings and curve easing. The referral area encompasses all land on which the above works will be undertaken, including the existing rail corridor and adjoining lands where required, as shown on **Figure 1.2**.

1.2 Latitude and longitude

The coordinates of the turning points are as follows.

Point	Latitude	Longitude	Point	Latitude	Longitude
1	-28.91261	150.39400	26	-29.48572	149.85170
2	-28.93588	150.38890	27	-29.49994	149.85310
3	-28.97523	150.34500	28	-29.51660	149.85270
4	-28.99082	150.33450	29	-29.55659	149.83890
5	-29.01246	150.33210	30	-29.62064	149.82700
6	-29.01801	150.33530	31	-29.64741	149.81380
7	-29.02309	150.33460	32	-29.67593	149.80830
8	-29.03226	150.32600	33	-29.68543	149.80510
9	-29.07184	150.30710	34	-29.69154	149.80550
10	-29.11350	150.31100	35	-29.71602	149.80110
11	-29.20259	150.27350	36	-29.74314	149.80010
12	-29.25716	150.25950	37	-29.81618	149.78850
13	-29.34901	150.20480	38	-30.00283	149.79220
14	-29.35257	150.19840	39	-30.04888	149.78830
15	-29.40393	149.99530	40	-30.11923	149.79910
16	-29.39722	149.92660	41	-30.18250	149.82040
17	-29.39903	149.92340	42	-30.19683	149.81500
18	-29.40190	149.92150	43	-30.22484	149.80970
19	-29.41185	149.92110	44	-30.23181	149.80670
20	-29.41998	149.90900	45	-30.23891	149.80890
21	-29.42457	149.89440	46	-30.24479	149.80800
22	-29.43639	149.87590	47	-30.25142	149.80390
23	-29.46585	149.85510	48	-30.26531	149.80550
24	-29.46995	149.84830	49	-30.27271	149.79970
25	-29.47727	149.84820	50	-30.29064	149.79630

1.3 Locality and property description

The referral area is located in north-western NSW. The proposed action traverses three local government areas (LGAs), with the southern section of the proposed action located in the Narrabri LGA, the middle section in the Moree Plains LGA, and the northern section in the Gwydir LGA (refer to **Error! Reference source not found.**). The three LGAs are predominantly rural, with the main local industries based around agriculture (mainly cotton and grains) and grazing. Moree Plains and Gwydir Shire both adjoin the NSW-Queensland border.

Narrabri is located in the Narrabri LGA approximately 4 kilometres south of the southern end of the referral area. The town is approximately 447 kilometres south-west of Brisbane, 521 kilometres north-west of Sydney and 939 kilometres north-east of Melbourne. It is located on the Namoi River at the junction of the Kamilaroi and Newell highways. Moree is located in the Moree Plains LGA about 96 kilometres north of Narrabri. It is located on the Mehi River at the junction of the Newell and Gwydir highways. Both Moree and Narrabri are important regional towns providing a range of services to the surrounding areas.

The small village of North Star is located at the northern end of the referral area in the Gwydir LGA. North Star is approximately 80 kilometres north-east of Moree, and 30 kilometres south of the Queensland border.

The majority of the proposed action will be undertaken within the existing corridors of the Mungindi and Boggabilla rail lines between Narrabri and North Star. The rail corridor is owned by the NSW Government (Transport for NSW) and leased to ARTC.

1.4	**Size of the development footprint or work area (hectares)**	The width of the rail corridor varies between Narrabri and North Star. The rail corridor is defined by fences located approximately 20 metres either side of the rail line, however in some sections where fences are not present the rail corridor may be wider, extending out to about 30 to 40 metres from the rail line. The development footprint varies along the length of the proposed action depending on the construction activities that are to take place in any given area. Further, as discussed in **Section 2** the proposed action may require works outside the rail corridor including those associated with curve easing and level crossing rationalisation. These works are anticipated to be generally in close proximity to the rail corridor subject to further design. The referral area includes the construction footprint, including provision for ancillary facilities, for the total 183 kilometres of the rail line; resulting in a referral area of approximately 1561 hectares.
1.5	**Street address of the site**	The site on which the proposed action will be undertaken is the rail corridor generally between Narrabri and North Star. There is no applicable street address.

1.6 **Lot description**

The proposed action is generally located in an existing operational rail corridor that typically does not contain lot descriptors.

1.7 **Local Government Area and Council contact (if known)**

The proposed action traverses three LGAs, with the southern section of the proposed action located in the Narrabri LGA, the middle section in the Moree Plains LGA, and the northern section in the Gwydir LGA.

The proposed action is subject to assessment under Part 5 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). The capital investment value of the proposed action is estimated to be over $50 million, and as a result the proposed action is State Significant Infrastructure under NSW *State Environmental Planning Policy (State and Regional Development) 2011*. The proposed action is therefore subject to Part 5.1 of the EP&A Act and an environmental impact statement (EIS) is required for the approval of the NSW Minister for Planning.

The proposed action will not be subject to local government approval.

1.8 **Time frame**

The proposed action, which is planned to commence in 2018, is expected to take about 18 months to construct.

1.9	**Alternatives to proposed action**		No
		X	Yes, you must also complete **Section 2.2**
1.10	**Alternative time frames etc**	X	No
			Yes, you must also complete **Section 2.3**. For each alternative, location, time frame, or activity identified, you must also complete details in **Sections 1.2-1.9**, **2.4-2.7** and **3.3** (where relevant).
1.11	**State assessment**		No
		X	Yes, you must also complete **Section 2.5**
1.12	**Component of larger action**		No
		X	Yes, you must also complete **Section 2.7**

1.13	**Related actions / proposals**		No
		X	Yes, provide details: The proposed action forms one of the 14 sections of the Inland Rail.
1.14	**Australian Government funding**		No
		X	Yes, provide details: The Australian Government has committed funding to undertake planning, engineering design and environmental approvals to start construction of Inland Rail.
1.15	**Great Barrier Reef Marine Park**	X	No
			Yes, you must also complete **Section 3.1 (h), 3.2 (e)**

2 Detailed description of proposed action

2.1 Description of proposed action

Australian Rail Track Corporation Ltd (ARTC) ('the proponent') is seeking approval to construct and operate the Narrabri to North Star section of Inland Rail ('the proposed action').

Overview of the Proposed Action

The proposed action would involve upgrading the existing rail line between Narrabri and North Star, including:

- upgrading the existing track and track formation
- replacement of a number of culverts and bridges
- construction of five new passing loops, potentially at Bobbiwaa, Penny's Road, Moree, Coolleearllee and Croppa Creek
- rationalisation and upgrading level crossings
- curve easing
- construction of a deviation at Camurra to eliminate the existing hairpin curve.

The following ancillary works would also be undertaken:

- changes to some property access roads and the local road network in some locations as a result of the rationalisation of level crossings
- flood immunity works
- stormwater drainage works
- upgrading signalling and communications
- establishing or upgrading existing fencing of the rail corridor
- relocation of some services and utilities.

A more detailed description of the works associated with the proposed action is contained in the sections below. The referral area encompasses all land on which the above works will be undertaken, including the existing rail corridor and adjoining lands where required, along the alignment shown on **Figure 1.2**. As discussed in Section 1.4, the referral area includes the construction impact zone, including provision for ancillary facilities, for the total 183 kilometres of the rail line; resulting in a referral area of approximately 1561 hectares.

Main corridor works

A preliminary concept design for the proposed action is currently being prepared. Key features of the preliminary concept design are described below. These design elements will be further defined as the concept design progresses.

Track Works

Proposed track works would involve upgrading the existing track for a distance of about 183 kilometres, including provision of:

- upgraded formation
- new track ballast
- new heavy duty concrete sleepers
- new 60 kilogram rail tracks.

Track work would also involve curve easing. Existing tight curves (those with a geometrical radius of less than 800 metres) would be replaced with larger radius curves. This would involve providing new track alignments and straightening the railway. Curve easing may require works outside the existing rail corridor which have been included in the referral area.

A deviation would be constructed at Camurra to eliminate the existing hairpin curve. This would consist of about three kilometres of new track constructed outside the existing rail corridor which have been included in the referral area. The grade separated crossing at the junction of the proposed action and the Newell Highway does not achieve the clearance required for the proposed rolling stock. The crossing upgrade option proposed would provide 1.5 kilometres of new highway, a new bridge structure designed to comply with NSW Roads and Maritime Services specifications, and relocation of the high voltage power lined in the vicinity of the works.

Track formations, earthworks and drainage

Bulk earthworks would be required in some sections along the referral area. Subject to the outcomes of the concept design process, the earthworks required could range from relatively minor improvements to total reconstruction of the existing track formation, to new track formation for new sections of track.

Further investigations are currently being undertaken to confirm the extent of works likely to be required to meet the Inland Rail performance specification, based on the condition of the existing track formation.

Where possible, bulk earthworks would include reusing and/or replacing existing material (with treatment as required) to provide the required subgrade, general fill and structural fill for the track formation. Cut and fill operations would also be required in some areas to achieve the required track grades.

Existing drainage within the rail corridor would also be upgraded to suit the upgraded track formation and address existing drainage issues.

Consideration would be given to appropriate flood immunity when designing all new track formations, embankments, and cuttings for the Inland Rail route.

Culverts and bridges

During the concept design process, all structures will be assessed for compliance with the Inland Rail performance specification. Any bridges and culverts that do not comply, have limited life spans, or cannot be feasibly made to comply, would be replaced as part of the proposed action.

Passing loops

Five new passing loops would be required to allow trains to pass at the following locations:

- Bobbiwaa
- Penny's Road
- Moree
- Coolleearilee
- Croppa Creek.

This would involve constructing new sections of track, each up to about 2165 metres long (to accommodate an 1800 metre long train), roughly parallel to the existing track. The passing loops would be constructed within the rail corridor where possible and would provide for possible future upgrades to accommodate a 3600 metre long train.

Road / level crossings

There are 85 public and private (both active and passive) level crossings within the referral area. Each crossing is being reviewed against the relevant specifications and standards and the following criteria to determine the appropriate upgrade works required:

- existing safety issues

- opportunities for alternative access arrangements
- property acquisition and easement requirements
- road closure implications under the *Roads Act 1993*
- road network, access and local traffic implications
- estimated implementation costs.

The outcome of the above assessment will be documented in the EIS and may include rationalisation and / or upgrade of existing level crossings. The required works form part of the proposed action.

Sidings

Existing sidings would be upgraded to suit the new track arrangements. Suitable turn outs would be provided within the rail corridor as part of the proposed action. Private operators would be responsible for any works outside the rail corridor.

Other ancillary works and infrastructure

Changes to property accesses

Where an existing access to or within a property is proposed to be removed, altered or severed by the closure of a level crossing, additional works to reinstate access to the property may need to be undertaken, pending detailed investigation. This may require works outside the rail corridor but have been included in the referral area.

Changes to local road networks

Changes to some property access roads and the local road network may be required in some locations as a result of the rationalisation of level crossings. In some locations, provision of a new grade separated crossing (in the form of a road or rail bridge) may be required. This may require works outside the rail corridor but have been included in the referral area.

Signalling, power and communications

New and/or upgraded signalling, power and communications would be provided within the referral area as required. These works, which would mainly be undertaken within the existing rail corridor, would involve the provision of underground and above ground services.

Utilities (such as water, sewer, electrical, gas and telecommunications) located within or crossing the rail corridor may need to be relocated in consultation with the relevant utility owner.

Indicative construction outline

A preliminary review of the main construction activities that would be undertaken is provided below. The information presented below is indicative only and would be subject to confirmation during future design stages.

Construction sequence

The sequence of construction activities would be dependent on local conditions and track operational requirements however a typical construction sequence is as follows:

- establish construction work sites and environmental controls
- undertake enabling works, including the excavation, installation and relocation of services
- remove redundant structures and material, including:
  - removal and storage of existing track components and ballast
  - demolition of existing sub-structures
  - excavation of unsuitable material

- construct new structures, including:
  - placement of suitable formation material
  - installation of new culverts and associated structures
- track works including as required:
  - removal and storage of existing track components and ballast
  - construction of cuts and fills
  - replacement of ballast
  - installation of new track and track components
- installation of new services
- commissioning works
- site rehabilitation.

Some works not essential to the commencement of operations may be deferred and undertaken at a later stage.

Site compounds, work areas and access

The proposed action would require the establishment of site compounds and work areas along the entire length of the proposed action. These would be located within the existing rail corridor where practicable, however some may need to be located outside the rail corridor where there is insufficient space available or for safety reasons. All works would be undertaken in the referral area, detailed in **Section 1.4**.

Where practicable major compounds and storage areas would be located on disturbed land, close to major access roads and clear of sensitive environmental areas and residences as far as possible. A number of smaller compounds and storage areas would be required at strategic locations along the referral area, for example near bridges. All works would be undertaken in the referral area, detailed in **Section 1.4**.

Access to the rail corridor and construction areas would be via existing ARTC access roads located off public roads. Permission from the land owner would be sought should access through private property be required.

Indicative construction program and work hours

The proposed action is expected to take about 18 months to construct and is planned to commence in 2018.

The majority of construction works are expected to be undertaken during standard working hours where practicable. Due to the need for works within an operational rail corridor, some construction activities would be undertaken during track possessions on a 24-hour basis. Other activities, such as delivery of oversized plant and materials, may also need to be undertaken outside standard hours.

Operation of the Proposed Action

Train operations

Passenger train numbers are not predicted to increase in the future.

Grain and freight train numbers and annual tonnages are expected to increase as follows (from an existing annual average of approximately two trains per day):

- Moree to North Star - annual average of 9.8 trains per day in 2025 and 16 trains per day in 2040. These would be a mix of grain, intermodal (freight) and other general transport trains. Total annual tonnages would increase to about 10.8 million tonnes in 2025 and about 17.7 million tonnes in 2040
- Narrabri to Moree - annual average of 10.6 trains per day in 2025 and 16.7 trains per day in 2040. These would be a mix of grain and intermodal (freight) trains. Total annual tonnages would increase to about 11.5 million tonnes in 2025 and about 18.3 million tonnes in 2040.

Proposed train speeds would vary according to axle loads, and range from 80 km/hr (30 tonne) to 115 km/hr (21 tonne). Existing train speeds are limited to a maximum of 90 to 100 km/h (between Narrabri and Moree) and 80 km/hr (between Moree and North Star) with local speed restrictions due to limitations associated with the existing track.

Maintenance activities

Standard ARTC maintenance activities would be undertaken during operations. Typically these activities could involve minor maintenance works such as bridge and culvert inspections, through to major maintenance such as reconditioning of track and topping up of ballast as required.

Activities Excluded from this Referral

The Narrabri to North Star rail line is an existing operational rail line and will continue to operate prior to and during the works subject to this referral. Accordingly, ongoing use of the rail line is not part of this referral. This includes any associated maintenance works and other minor works undertaken by ARTC in accordance with existing ARTC procedures and processes and under relevant State legislative requirements.

2.2 Alternatives to taking the proposed action

The proposed action is required to meet the forecast growth in freight volumes and address existing constraints associated with the existing coastal railway route. The proposed action would satisfy the relevant components of the *National Land Freight Strategy* (Commonwealth of Australia, 2012).

As noted by the Minister for Infrastructure and Regional Development (2013), 'an efficient rail freight network is the key to effective supply chains, national productivity and competitiveness'. The *2015 Australian Infrastructure Audit* (Infrastructure Australia, 2015) notes that the demand for freight rail infrastructure is projected to grow. It also notes that freight rail will need to play a growing role in the movement of goods between ports and inland freight terminals, and in the movement of containerised and general freight over longer distances.

Not undertaking the action has been determined not feasible in order to meet the forecast growth in freight volume.

2.3 Alternative locations, time frames or activities that form part of the referred action

Two major studies have been undertaken in relation to the development of an inland rail route between Melbourne and Brisbane. The first study, the *North–South Rail Corridor Study* (Department of Transport and Regional Services, 2006) considered potential corridors for the rail line. This study identified that the 'far western corridor' (of which the Narrabri to North Star section forms part) would be the best option.

In 2010 an Inland Rail Alignment Study analysed alternative rail corridor options in stages in terms of operational, engineering and environmental factors. At each stage the options were analysed in sufficient detail to enable key decisions to be made and finally narrow the rail corridor options down to a single rail alignment. The successive stages of route analysis included:

- identification of the route – evaluation of the route options and preliminary analysis for the three main areas: Melbourne to Parkes; Parkes to Moree; and Moree to Brisbane
- analysis of the route – the route was analysed in terms of capital cost, environmental impacts and journey time, as well as its preliminary economic and financial viability
- development of the preferred alignment – the alignment was developed considering environmental and engineering factors.

2.4 Context, planning framework and state / local government requirements

As outlined in the following sections, the NSW *State Environmental Planning Policy (Infrastructure) 2007* (the Infrastructure SEPP) provides that the proposed action may be carried out without consent. As the proposed action has a capital investment value of greater than $50 million and it is considered to have the potential to significantly impact the environment it is subject to the assessment and approval provisions of Part 5.1 of the

EP&A Act. An EIS is required to support the application for approval of the proposed action by the NSW Minister for Planning.

Consideration of requirements under the NSW Environmental Planning and Assessment Act 1979

The EP&A Act and the *Environmental Planning and Assessment Regulation 2000* (the Regulation) provide the framework for development assessment in NSW. The EP&A Act and the Regulation include provisions to ensure that the potential environmental impacts of a development are considered in the decision making process prior to proceeding to construction.

Application of Part 5 of the EP&A Act

Part 5 of the EP&A Act defines the assessment process for proposals that do not require development consent. In accordance with section 110(1), ARTC would be the proponent and a determining authority for the proposed action. Section 111 imposes a duty on a determining authority to '*examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity*'.

Section 112(1) provides that '*a determining authority shall not carry out an activity, or grant an approval in relation to an activity …. that is likely to significantly affect the environment (including critical habitat) or threatened species, populations or ecological communities, or their habitats, unless (a) the determining authority has obtained or been furnished with and has examined and considered an environmental impact statement in respect of the activity*'.

In accordance with the requirements of section 112, ARTC has formed the opinion that the proposed action has the potential to significantly affect the environment. As a result, an EIS would be required.

State Significant Infrastructure and the application of Part 5.1 of the EP&A Act

State Significant Infrastructure is development that is declared under section 115U of the EP&A Act to be State Significant Infrastructure. Under section 115U(3) development may be declared to be State Significant Infrastructure if it is:

> *'… development of the following kind that a State environmental planning policy permits to be carried out without development consent under Part 4:*
>
> *(a) infrastructure,*
>
> *(b) other development that (but for this Part and within the meaning of Part 5) would be an activity for which the proponent is also the determining authority and would, in the opinion of the proponent, require an environmental impact statement to be obtained under Part 5.'*

Clause 14 and Schedule 3 of *State Environmental Planning Policy (State and Regional Development) 2011* (the State and Regional Development SEPP) operate to make the proposed action State Significant Infrastructure. The proposed action is therefore subject to Part 5.1 of the EP&A Act.

Under section 115W of the EP&A Act, the approval of the NSW Minister for Planning is required for State Significant Infrastructure. In accordance with section 115X (Application for approval of State Significant Infrastructure):

> *(1) The proponent may apply for the approval of the Minister under this Part to carry out State Significant Infrastructure.*
>
> *(2) The application is to:*
>
> *(a) describe the infrastructure, and*
>
> *(b) contain any other matter required by the Director-General.*
>
> *(3) The application is to be lodged with the Director-General.*

Consideration of relevant NSW environmental planning policies

NSW State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP clarifies the consent arrangements for infrastructure projects. According to clause 8(1) *'if there is an inconsistency between this Policy and any other environmental planning instrument, whether made before or after the commencement of this policy, this policy prevails to the extent of the inconsistency'.*

The proposed action meets the definition of rail infrastructure facilities, which are defined by clause 78 of the Infrastructure SEPP as '*railway tracks, associated track structures, rail freight terminals, sidings and freight intermodal facilities'.*

Clause 79(1) provides that development for the purpose of a railway, or for rail infrastructure facilities, may be carried out by or on behalf of a public authority without consent on any land. This clause also specifies the conditions whereby such development can be carried out without consent on land reserved under the *National Parks and Wildlife Act 1974.* As the referral area is not reserved under the *National Parks and Wildlife Act 1974,* these conditions do not apply.

As a result of the application of clause 79, the proposed action is permissible without consent.

NSW State Environmental Planning Policy (State and Regional Development) 2011

Sections 89C(2) and 115U(2) of the EP&A Act provide that a SEPP may declare any development, or any class or description of development, to be State Significant Infrastructure or State significant development. The State and Regional Development SEPP provides definitions of State Significant Infrastructure and State significant development. The proposed action does not meet the definitions of State significant development.

Clause 14 of the State and Regional Development SEPP provides that development is State Significant Infrastructure if it is wholly or partly permissible without development consent under Part 4 of the Act, by virtue of the operation of a SEPP, and it meets the definitions provided in Schedule 3 to the SEPP.

As noted above, the Infrastructure SEPP provides that the proposed action is permissible without consent. Schedule 3 (item 3) of the State and Regional Development SEPP includes the following definition of 'rail infrastructure' - 'Development for the purpose of rail infrastructure by or on behalf of the Australian Rail Track Corporation that has a capital investment value of more than $50 million.'

The capital investment value of the proposed action is over $50 million. As the proposed action meets this definition it is defined as State Significant Infrastructure.

Other environmental planning instruments

Section 115ZF(2) of the EP&A Act provides that environmental planning instruments do not apply to or in respect of an approved State Significant Infrastructure, except where they apply to the declaration of infrastructure as State Significant Infrastructure.

Approval requirements under other NSW legislation

Approvals not required

In accordance with Section 115ZG of the EP&A Act, a number of approvals under other Acts are not required to be obtained if a project is approved under Part 5.1:

- concurrence under Part 3 of the *Coastal Protection Act 1979* of the Minister administering that Part of that Act
- a permit under Section 201, 205 or 219 of the *Fisheries Management Act 1994*
- an approval under Part 4, or an excavation permit under section 139, of the *Heritage Act 1977*
- an Aboriginal heritage impact permit under Section 90 of the *National Parks and Wildlife Act 1974*

- an authorisation referred to in Section 12 of the *Native Vegetation Act 2003* (or under any Act repealed by that Act) to clear native vegetation or State protected land
- a bushfire safety authority under section 100B of the *Rural Fires Act 1997*
- a water use approval under section 89, a water management work approval under Section 90 or an activity approval (other than an aquifer interference approval) under Section 91 of the *Water Management Act 2000*.

In addition, Division 8 of Part 6 of the *Heritage Act 1977* (relating to making heritage orders) does not apply to prevent or interfere with the carrying out of approved State Significant Infrastructure.

Approvals to be applied consistently

Under Section 115ZH of the EP&A Act, the following approvals cannot be refused if necessary for the carrying out of approved State Significant Infrastructure:

- an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997*
- consent under Section 138 of the *Roads Act 1993*.

The approval requirements of these Acts as they relate to the proposed action are summarised in the following section.

Requirements of other NSW Acts

Protection of the Environment Operations Act 1997

The *Protection of the Environment Operations Act 1997* (POEO Act) establishes, amongst other things, the procedures for issuing licences for environmental protection on aspects such as waste, air, water and noise pollution control. Environment Protection Licences are generally required for scheduled activities or scheduled development work.

> *'33 Railway systems activities*
>
> *1. This clause applies to railway systems activities, meaning:*
>
> *a) The installation, on site repair, on-site maintenance or on site upgrading of track. Including the construction or significant alteration of any ancillary works.*
>
> *b) The operation of rolling stock on track.'*

The proposed action meets this definition and would therefore require an Environment Protection Licence.

ARTC would obtain an Environment Protection Licence for construction of the proposed action. In relation to operation, ARTC currently holds a licence to carry out railway systems activities on other parts of the NSW rail network. It may be appropriate to either amend this licence to include the operation of the proposed action or to obtain a new licence. This would be considered in consultation with the NSW Environment Protection Authority (EPA) during the EIS process.

Roads Act 1993

Under Section 138, Part 9, Division 3 of the *Roads Act 1993* (the Roads Act), a person must not impact or carry out work on or over a public road other than with the consent of the appropriate roads authority. Construction of the proposed action may impact on public road reserves under the control of various authorities. Clause 5(1) of Schedule 2 of the Roads Act provides that public authorities are not required to '... obtain a roads authority's consent to the exercise of the public authority's or network operator's functions in, on or over an unclassified road other than a Crown road.'

As noted above, section 115ZH of the EP&A Act provides that a permit under section 138 of the Roads Act cannot be refused if it is necessary to carry out a State Significant Infrastructure project.

2.5 Environmental impact assessments under Commonwealth, state or territory legislation

The proposed action is subject to assessment under Part 5 of the EP&A Act. The capital investment value of the proposed action is estimated to be over $50 million, and as a result the proposed action is State Significant Infrastructure under State and Regional Development SEPP. The proposed action is therefore subject to Part 5.1 of the EP&A Act and an EIS is required for the approval of the Minister for the NSW Department of Planning and Environment (NSW Minister for Planning).

ARTC is currently in the process of preparing an EIS in accordance with the Secretary's Environmental Assessment Requirements issued by the NSW Minister for Planning. The EIS will be lodged with the NSW Department and Planning and Environment for assessment and determination by the NSW Minister for Planning.

2.6 Public consultation (including with Indigenous stakeholders)

Consultation approach and strategy

ARTC's values commit the organisation to active engagement with stakeholders and the community. A community engagement plan has been prepared for the Inland Rail project that will guide the consultation activities for the proposed action.

Consultation to date

As a result of the history of Inland Rail and previous consultation undertaken, the proposed action is generally known to stakeholders. Consultation undertaken for Inland Rail to date has included consultation with local councils, regional businesses, farming and mining exporters, motoring organisations, the general community and adjoining landholders.

ARTC has identified key stakeholders relevant to the Narrabri to North Star section of the Inland Rail project including the respective councils. Early engagement has occurred with Narrabri Shire Council, Moree Plains Shire Council and Gwydir Shire Council. Consultation workshops were held with Narrabri Shire Council on 3 June 2015, Moree Plains Shire Council on 22 April 2015, and Gwydir Shire Council on 22 June 2015. ARTC will provide further project updates and written notification to the councils during the design, environmental assessment and construction phases. Topics covered during the consultation workshops included:

- revisiting issues previously raised by the councils and other local stakeholders
- sharing technical data relevant to refinement of the alignment
- identifying lessons learnt from previous projects in the region
- seeking input regarding key local stakeholder groups to be engaged through future consultations
- identifying new opportunities and issues associated with the delivery of Inland Rail at a local level.

Consultation with individual members of the community has been limited and has involved organising access to properties for environmental investigations.

Proposed consultation

Formal consultation is ongoing and will be undertaken with the following key stakeholders in accordance with the Community and Engagement Plan Narrabri to North Star:

- State and Federal representatives
- representative of the Council and executive management at Narrabri, Moree Plains and Gwydir Shire councils
- Australian and State government departments and agencies
- business and tourism stakeholders (e.g. Narrabri Chamber of Commerce)
- agricultural stakeholders (e.g. NSW Farmers Association, Graincorp)
- freight stakeholders

- environment stakeholders (e.g. Border Rivers-Gwydir Catchment Management Authority)
- service providers (e.g. community, medical, emergency)
- indigenous groups
- community groups.

2.7 A staged development or component of a larger project

The Australian Government has committed to building significant new national transport infrastructure by constructing an inland railway between Melbourne and Brisbane, via central-west NSW and Toowoomba in Queensland. The Inland Rail project is a major national project that will enhance Australia's existing national rail network and serve the interstate freight market. While the Inland Rail project will be constructed between Melbourne and Brisbane, the proposed action subject to this referral is the Narrabri to North Star section of the Inland Rail programme.

3 Description of environment & likely impacts

3.1 Matters of national environmental significance

3.1 (a) World Heritage Properties

Description

A search of the EPBC Act Protected Matters Database (searched on 06/04/2016 – refer to **Attachment 1**) identified that there are no World Heritage Properties listed within 10 kilometres of the boundary of the referral area. The closest world heritage property is the Blue Mountains World Heritage Area. The western extent of the Blue Mountains World Heritage Area is approximately 180 kilometres to the east of the referral area, at the closest location.

Nature and extent of likely impact

The proposed action will not impact on the World Heritage values of any World Heritage property, either directly or indirectly.

3.1 (b) National Heritage Places

Description

A search of the EPBC Act Protected Matters Database (searched on 06/04/2016, refer to **Attachment 1**) identified that there are no National Heritage Places listed within 10 kilometres of the boundary of the referral area. The nearest National Heritage Place to the referral area is the Warrumbungle National Park National Heritage Place which is approximately 120 kilometres south west of the referral area, at the closest location.

Nature and extent of likely impact

The proposed action will not impact on the National Heritage values of any National Heritage Places, either directly or indirectly.

3.1 (c) Wetlands of International Importance (declared Ramsar wetlands)

Description

Four wetlands of international importance were identified in the EPBC Protected Matters Report (refer to **Attachment 1**), being:

- Gwydir wetlands
- Banrock station wetland complex
- Coorong and Lakes Alexandrina and Albert and
- Riverland.

Each of these wetlands is located within the Murray Darling Basin and range between 50 to 1,200 kilometres (straight line distance) from the referral area.

The Gwydir wetlands Ramsar site is in the Murray Darling Basin and consists of four discrete land parcels within the Gwydir wetlands system near Moree in northern NSW. These four sites occur more than 50 kilometres to the west (downstream) of the referral area at Moree.

Banrock station wetland complex, Coorong and Lakes Alexandrina and Albert and Riverland are all located in South Australia, more than 900 kilometres from the referral area.

Nature and extent of likely impact

The referral area is located within the Murray Darling Basin, approximately 50 kilometres upstream of the Gwydir wetland Ramsar sites and greater than 900 kilometres from Banrock station wetland complex, Coorong and Lakes Alexandrina and Albert and Riverland.

The proposed works are not expected to result in changes to regional flow regimes or water quality and the proposed action is unlikely to impact on the ecological character of the Gwydir wetland Ramsar sites, Banrock station wetland complex, Coorong and Lakes Alexandrina and Albert and Riverland.

3.1 (d) Listed threatened species and ecological communities

Description

The threatened species and ecological communities known or likely to occur within the referral area were identified through appropriate database searches and detailed field surveys. The database searches included:

- EPBC Protected Matters Search Tool (06/04/16, refer to **Attachment 1**)
- NSW OEH Atlas of NSW Wildlife (06/04/16)
- NSW DPI - Fishing and Aquaculture – Threatened and protected species record viewer (28/04/16).

Tables 3.1, 3.2, 3.3 and **3.4** below outline the protected matters identified during the database searches and targeted during field surveys within the referral area.

Table 3.1 – Protected Matters Identified from Protected Matters Database Search within 10 Kilometres of the Referral Area

Threatened Ecological Communities (TECs)			
TECs	**Name**		**Status**
	Brigalow (*Acacia harpophylla* dominant and co-dominant)		E
	Coolibah – Black Box Woodland of the Darling Riverine Plains and the Brigalow Belt South Bioregion		E
	Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia		E
	Natural Grassland on Basalt and Fine-textured Alluvial Plains of Northern NSW and Southern QLD		CE
	Semi-evergreen vine thickets of the Brigalow Belt (North and South) and Nandewar Bioregions		E
	Weeping Myall Woodland		E
	White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland		CE
Threatened Species			
Flora	**Scientific Name**	**Common Name**	**Status**
	Species or Species Habitat Likely to Occur		
	Androcalva procumbens		V
	Cadellia pentastylis	ooline	V
	Dichanthium setosum	bluegrass	V
	Swainsona murrayana	slender darling pea, slender swainson, Murray swainson-pea	V
	Tylophora linearis		E
	Species or Species Habitat May Occur		
	Homopholis belsonii	Belsons panic	V
	Thesium australe	austral toadflax	V
Fauna	***Species or Species Habitat Known to Occur***		
	Anomalopus mackayi	five-clawed worm-skink	V
	Anthochaera phrygia	regent honeyeater	CE
	Grantiella picta	painted honeyeater	V
	Polytelis swainsonii	superb parrot	V

	Phascolarctos cinereus	koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)	V
	Nyctophilus corbeni	south-eastern long-eared bat	V
	Species or Species Habitat May Occur		
	Aprasia parapulchella	pink-tailed worm-lizard	V
	Erythrotriorchis radiatus	red goshawk	V
	Geophaps scripta scripta	squatter pigeon	V
	Lathamus discolor	swift parrot	CE
	Maccullochella peelii	Murray cod	V
	Species or Species Habitat Likely to Occur		
	Uvidicolus sphyrurus	border thick-tailed gecko	V
	Leipoa ocellata	malleefowl	V
	Rostratula australis	Australian painted snipe	V
	Chalinolobus dwyeri	large-eared pied bat	V
	Pseudomys pilligaensis	Pilliga mouse	V
	Foraging, Feeding or Related Behaviour Likely to Occur		
	Pteropus poliocephalus	grey-headed flying-fox	V

Status (EPBC Act):
CE Critically Endangered
E Endangered
V Vulnerable

Table 3.2 Protected Matters Identified from OEH Atlas of NSW Wildlife within 10 kilometres of Referral area

Scientific Name	Common Name	Status	Number of Records
Homopholis belsonii	Belsons panic	V	14
Dichanthium setosum	bluegrass	V	4
Swainsona murrayana	slender darling pea	V	7
Cadellia pentastylis	ooline	V	1
Lepidium aschersonii	spiny peppercress	V	4
Anomalopus mackayi	five-clawed worm-skink	V	2
Grantiella picta	painted honeyeater	V	15
Polytelis swainsonii	superb parrot	V	2
Rostratula australis	Australian painted snipe	E	1
Macrotis lagotis	bilby	V	1
Phascolarctos cinereus	koala	V	72
Nyctophilus corbeni	south-eastern long-eared bat	V	1

Status (EPBC Act):
E Endangered
V Vulnerable

Table 3.3 Protected Matters Identified from DPI Threatened and Protected Species Database within 10 kilometres of Referral area

Scientific Name	Common Name	Status	Number of Records
Maccullochella peelii	Murray cod	V	3
Bidyanus bidyanus	silver perch	V	1

Status (EPBC Act):
V Vulnerable

Field surveys of the referral area, for the purposes of identifying the biodiversity values of the referral area and to inform preliminary project planning of the proposed action, were undertaken by Umwelt in September and October 2014, July, August, November and December 2015 and February and April 2016. These surveys involved

full BioBanking quadrat/transect sampling and targeted threatened flora and fauna surveys in accordance with the *NSW Biodiversity Offsets Policy of Major Projects* and Framework for Biodiversity Assessment and the Department of the Environment's species-specific survey guidelines for nationally threatened species. A description of the field surveys is provided below.

Vegetation Community and Threatened Flora Species Surveys

Rapid field surveys of the referral area were undertaken over 19 days, being 25 to 29 September 2014, 2 to 12 February 2016 and 20 to 23 April 2016.

A total of 287 rapid vegetation assessments were completed across the referral area. At each of these points the dominant canopy species, understorey species, vegetation structure, soil type, landform and condition were recorded on standard proformas. Photographs were taken and notes on the referral area were made. This method was designed to allow rapid collection of data that informed vegetation community mapping and the early planning stages and detailed design of the proposed action.

In addition to rapid assessments, the identification and mapping of vegetation communities across the referral area was facilitated by surveying systematic floristic plots. A total of 54 plots were surveyed across the referral area. At each systematic floristic plot, data was collected on the flora species present, cover and abundance, and structure. The survey also included the collection of biometric site value data according to the BioBanking methodology (BBAM 2014) at each of the systematic floristic plots.

Targeted Threatened Fauna Species Surveys

Targeted threatened fauna surveys were undertaken in July, November and December 2015 with consideration of the survey guidelines for Australia's threatened mammals (DSEWPC 2011), bats (DSEWPC 2010), birds (DSEWPC 2010b), fish (DSEWPC 2011b), reptiles (DSEWPC 2011c) and frogs (DSEWPC 2010c). In order to identify the range of threatened fauna species occurring in the referral area using the following survey methods:

- habitat assessment
- diurnal bird area searches
- diurnal reptile/amphibian area searches
- nocturnal spotlighting
- nocturnal amphibian surveys in appropriate freshwater wetland habitat
- nocturnal call playback surveys
- nocturnal Anabat surveys targeting micro-bat species
- targeted fauna species inspections of cavities and expansion joints of timber, steel and concrete bridges, and
- targeted species surveys including swift parrot (*Lathamus discolor*) and regent honeyeater (*Anthochaera phygia*).

Standard aquatic assessment proformas were used to record the characteristics of aquatic habitats within the referral area. These comprised creeks and rivers which crossed the rail line.

Survey Result Summary

The following 10 vegetation communities were identified in the referral area. **Table 3.4** details the vegetation community name, the total area of the community occurring within the referral area and the proportion of the community that comprises temporary or permanent disturbance as a result of the proposed action. Temporary disturbance relates to construction impacts associated with construction facilities such as laydown areas, temporary access tracks and vehicle parking areas. Native vegetation occurring in these areas may not be fully impacted (i.e. may not be cleared) but will be subject to some disturbance and is expected to recover. Areas of permanent disturbance relate to permanent works (including rail formation works, drainage works, culverts and associated scour protection) that require the clearing of vegetation.

Four of the vegetation communities conform to threatened ecological communities listed under the EPBC Act as endangered or critically endangered, where condition thresholds are met. Approximately 1078 hectares within the referral area comprises disturbed land or non-native vegetation.

Table 3.4 Vegetation Communities Recorded in the Referral Area and the Extent of Permanent and Temporary Disturbance Associated with the Proposed Action

Vegetation Community	Total Area (ha)	Permanent Disturbance Area (ha)	Temporary Disturbance Area (ha)	EPBC Act Status Equivalent
PCT-135/BVT-BR284, NA271/Coobah - Western Rosewood low open tall shrubland or woodland mainly on outwash areas in the Brigalow Belt South Bioregion/Moderate - Good	3.79	3.57	0.22	N/A
PCT-27/BVT-BR233, NA219/Weeping Myall open woodland of the Darling Riverine Plains Bioregion and Brigalow Belt South Bioregion/Moderate - Good	6.95	5.05 (of which 1.99 meets the Weeping Myall Woodlands Listing Advice)	1.90 (of which 0.62 meets the Weeping Myall Woodlands Listing Advice)	Weeping Myall Woodlands (EEC)
PCT-35/BVT-BR120, NA117/Brigalow - Belah open forest / woodland on alluvial often gilgaied clay from Pilliga Scrub to Goondiwindi, Brigalow Belt South Bioregion/Moderate - Good	4.75	3.54	1.21	Brigalow (*Acacia harpophylla* dominant and co-dominant) (EEC)
PCT-39/BVT-BR130, NA129/Coolabah - River Coobah - Lignum woodland wetland of frequently flooded floodplains mainly in the Darling Riverine Plains Bioregion/Moderate - Good	1.19	1.19	0	Coolibah - Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions (EEC)
PCT-413_BVT-BR346, NA348 _Silver-leaved Ironbark - White Cypress Pine - box dry shrub grass woodland of the Pilliga Scrub - Warialda region, Brigalow Belt South Bioregion/Moderate - Good	2.59	2.29	0.30	
PCT-52/BVT-BR191, NA187/Queensland Bluegrass +/- Mitchell Grass grassland on cracking clay floodplains and alluvial plains mainly the northern-eastern Darling Riverine Plains Bioregion/Native Grassland	268.64	237.41	31.23	Natural grasslands on basalt and fine-textured alluvial plains of northern New South Wales and southern Queensland (CEEC)
PCT-56/BVT-BR186, NA182/Poplar Box - Belah woodland on clay-loam soils on alluvial plains of north-central NSW/Moderate - Good	71.95	55.07	16.88	
PCT-56/BVT-BR186, NA182/Poplar Box - Belah woodland on clay-loam soils on alluvial plains of north-central NSW/Derived Native Grasslands	108.20	87.87	20.34	
PCT-71/BVT-BR127,NA126/Carbeen - White Cypress Pine - River Red Gum - bloodwood tall woodland on sandy loam alluvial and aeolian soils in the northern Brigalow Belt South Bioregion and Darling Riverine Plains	0.04	0.04	0	

Bioregion/Moderate - Good				
PCT-78/BVT-BR196, NA193/River Red Gum riparian tall woodland / open forest wetland in the Nandewar Bioregion and Brigalow Belt South Bioregion/Moderate - Good	14.70	14.59	0.10	
Total area	**482.80**	**410.62**	**72.18**	

CEEC = Critically Endangered Ecological Community

EEC = Endangered Ecological Community

EPBC Act = Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*

Ha = hectare

PCT – Plant Community Type

BVT-Biometric Vegetation Type

TSC Act = NSW *Threatened Species Conservation Act 1995*

Figures 3.1(a-i) (refer to **Attachment 4**)outlines the extent and spatial arrangement of EPBC Act listed endangered or critically endangered ecological communities occurring in the referral area.

Targeted flora surveys conducted within the referral area identified a total of 317 flora species of which, 83 (26%) are non-native. Seventy-three individuals of Belson's panic (*Homopholis belsonii*), at four locations within the referral area (refer to Figure 3.1) . Belson's panic (*Homopholis belsonii*) is listed as a vulnerable under the EPBC Act.

A total of 61 fauna species were recorded in the referral area and surrounds during the surveys undertaken for this assessment. This included 31 bird species, 4 reptile species, 4 amphibian species and 22 mammal species. Of these recorded species, 5 (8.2%) were introduced species (mammals). Two threatened fauna species listed under the EPBC Act were recorded in habitat within the referral area during the surveys; the koala and grey-headed flying-fox. Fifteen koalas (*Phascolartos cinereus*) were recorded at four survey locations and characteristic scats were recorded at two locations; whereas one individual grey-headed flying-fox (*Pteropus poliocephalus*) was recorded on one occasion (refer to **Attachment 4**). In general terms, the referral area provides depauperate fauna habitat that is highly fragmented and disturbed by current and past agricultural activities and ongoing utilisation of the rail line.

Nature and extent of likely impact

The proposed action will result in the temporary removal of approximately 72 hectares of native woodland and grassland vegetation/fauna habitat and the permanent loss of approximately 411 hectares of woodland and grassland communities. Temporary disturbance relates to construction impacts associated with facilities such as laydown areas, temporary access tracks and vehicle parking areas. Native vegetation occurring in these areas may not be fully impacted (i.e. may not be cleared) but will be subject to some disturbance and is expected to recover. Areas of permanent disturbance relate to permanent works (including rail formation works, drainage works, culverts and associated scour protection) that require the clearing of vegetation.

Threatened Flora Species

For those EPBC Act listed threatened flora species recorded or considered likely to occur in the referral area based on the identification of suitable habitat, (refer to **Attachment 2**), an Assessment of Significance has been undertaken (refer to **Attachment 3**), according to the Significant Impact Criteria in the Significant Impact Guidelines (DoE 2013).

The assessment of significance concluded that despite the referral area containing 73 individuals of Belson's panic, at four locations, the referral area is unlikely to provide habitat for a key source population either for breeding or dispersal or for a population that is necessary for maintaining genetic diversity, and it is not near the limits of its known range. Therefore, the individuals of Belson's panic within the referral area are not considered to form part of an *important population* and the loss of 73 individuals of Belson's panic as a result of the proposed action is not likely to comprise a significant impact.

No other threatened flora species predicted to occur in the referral area were recorded during the targeted surveys undertaken in the referral area and no additional EPBC Act listed threatened species are predicted to be significantly impacted by the proposed action.

Threatened Ecological Communities

Field surveys recorded four EPBC listed TECs potentially occurring within the referral area. An assessment of Significance in accordance with the Significant Impact Guidelines 1.1 (DoE 2013) was prepared for:

- approximately 268.64 hectares of Natural grasslands on basalt and fine-textured alluvial plains of northern New South Wales and southern Queensland CEEC
- approximately 4.75 hectares of Brigalow (*Acacia harpophylla* dominant and co-dominant) EEC
- approximately 1.19 hectares of Coolibah - Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions EEC and
- approximately 2.61 hectares of Weeping Myall Woodland EEC.

Many of the Weeping Myall Woodland clumps identified in the referral area are smaller than the minimum patch size to be classified as the EEC under the EPBC Act (0.5 hectares) and these small patches have not been assessed as comprising the EEC as described in the listing advice.

Assessments of Significance (refer to **Attachment 3**) found that, based on disturbance as outlined in **Table 3.4**, the proposed action is likely to result in a minor reduction in the extent of Brigalow, Coolibah – Black Box Woodlands and Weeping Myall woodland. The proposed action will negligibly increase the level of fragmentation of each of the ecological communities and would be unlikely to interfere with the recovery of Brigalow, Coolibah – Black Box Woodlands and Weeping Myall woodlands based on the relatively small reductions in the extent of each ecological community occurring in the referral area and local area. Given the lineal nature of the proposed action, the impacts exist as small areas of clearance scattered over approximately 200 kilometres rather than one single area of impact. These areas of impact occur across 2 CMA regions and 5 CMA subregions. These impacts are not considered to be significant in accordance with the significant impact guidelines (DoE 2013).

The Assessment of Significance concluded that the proposed action is likely to have a significant impact on Natural grasslands on basalt and fine-textured alluvial plains of northern NSW and southern Queensland CEEC with impacts on approximately 268.64 hectares of the CEEC, which represents approximately 0.9% of the predicted extent of the community across its range.

Threatened Fauna Species

For those EPBC Act listed threatened fauna species considered to be potentially impacted by the proposed action (refer to **Attachment 2**), an Assessment of Significance has been undertaken (refer to **Attachment 3**), according to the Significant Impact Criteria in the Significant Impact Guidelines (DoE 2013).

Fauna species for which an Assessment of Significance was undertaken include the koala, grey-headed flying-fox, and south-eastern long-eared bat. Known (koala and grey-headed flying-fox) and potential (south-eastern long-eared bat) habitat exists within the referral area for all three of these fauna species and includes eucalypt woodland and derived native grassland areas. Assessments of Significance revealed that all three of these species are unlikely to be significantly impacted by the proposed action.

3.1 (e) Listed migratory species

Description

Table 3.5 below lists the migratory species that were listed on the Protected Matters Database (refer to **Attachment 1**) and are known or potentially occurring within 10 kilometres of the referral area.

Table 3.5 – Migratory Species Identified on the Protected Matters Database Search within 10 Kilometres of the Referral Area

Migratory Species	Scientific Name	Common Name	Status
	Breeding known to occur		
	Ardea alba	great egret, white egret	J
	Ardea ibis	cattle egret	J
	Species or Species Habitat Known to Occur		
	Hirundapus caudacutus	white-throated needletail	C, J, R
	Rhipidura rufifrons	rufous fantail	B
	Myiagra cyanoleuca	satin flycatcher	B
	Species or Species Habitat May Occur		
	Gallinago hardwickii	Latham's snipe, Japanese snipe	C, J, R
	Merops ornatus	rainbow bee-eater	J
	Motacilla flava	yellow wagtail	C, J, R
	Species or Species Habitat Likely to Occur		
	Apus pacificus	fork-tailed swift	C, J, R

Status EPBC Act
B Bonn Convention for Migratory Birds (Bonn)
C China-Australia Migratory Bird Agreement (CAMBA)
J Japan-Australia Migratory Bird Agreement (JAMBA)
R Republic of Korea-Australia Bird Agreement (ROKAMBA)

Table 3.6 below lists the migratory species that have been recorded within 10 kilometres of the referral area on the OEH Atlas of NSW Wildlife Database.

Table 3.6 – Migratory Species Identified from OEH Atlas of NSW Wildlife within 10 kilometres of Referral area

Scientific Name	Common Name	Status	Number of Records
Actitis hypoleucos	common sandpiper	B, C, J, R	1
Ardea ibis	cattle egret	J	9
Calidris acuminata	sharp-tailed sandpiper	B, C, J, R	4
Gallinago hardwickii	Latham's snipe	C, J, R	4
Haliaeetus leucogaster	white-bellied sea eagle	C	1
Hirundapus caudacutus	white-throated needletail	C, J, R	5
Merops ornatus	rainbow bee-eater	J	4
Numenius minutus	little curlew	B, C, J, R	
Plegadis falcinellus	glossy ibis	B	4
Tringa stagnatilis	marsh sandpiper	B, C, J, R	2

Status EPBC Act
B Bonn Convention for Migratory Birds (Bonn)
C China-Australia Migratory Bird Agreement (CAMBA)
J Japan-Australia Migratory Bird Agreement (JAMBA)
R Republic of Korea-Australia Bird Agreement (ROKAMBA)

As a result of the database searches and fauna field surveys, a total of 15 migratory species are considered to have the potential to occur within the referral area.

Nature and extent of likely impact

The likelihood of each migratory species occurring in the referral area was assessed by comparing the habitat requirements of each species against the available habitat described during targeted field surveys. All migratory species considered to have the potential to occur within the referral area were assessed against the level of suitable habitat available to determine if any impact was considered likely (refer to **Attachment 2**). No migratory species were considered to have the potential to be significantly impacted by the proposed action as little or no suitable habitat is present within the referral area.

The above 15 migratory species listed under the EPBC Act are unlikely to be significantly impacted by the proposed action.

3.1 (f) Commonwealth marine area

(If the action is in the Commonwealth marine area, complete 3.2(c) instead. This section is for actions taken outside the Commonwealth marine area that may have impacts on that area.)

Description

No Commonwealth marine areas were identified in the EPBC Act Protected Matters Report, based on a 10 kilometre search radius from the boundary of the referral area. The nearest Commonwealth Marine area is off the east coast of NSW, approximately 300 kilometres east of the referral area.

Nature and extent of likely impact

The proposed action will not impact on any Commonwealth marine area, either directly or indirectly.

3.1 (g) Commonwealth land

(If the action is on Commonwealth land, complete 3.2(d) instead. This section is for actions taken outside Commonwealth land that may have impacts on that land.)

Description

The results of the protected matters search identified several commonwealth owned land within 10 kilometres of the referral area. These included:

- Australian Postal Commission
- Australian Telecommunications Commission
- Commonwealth Scientific and Industrial Research organisation
- Commonwealth Trading Bank of Australia
- Telstra Corporation Limited.

The referral area is not known to include any areas of Commonwealth land.

Nature and extent of likely impact

The proposed action is not expected to impact on any Commonwealth land, either directly or indirectly.

3.1 (h) The Great Barrier Reef Marine Park

Description

The referral area is not located within or in the vicinity of the Great Barrier Reef Marine Park.

Nature and extent of likely impact

The proposed action will not impact on the Great Barrier Reef Marine Park, either directly or indirectly.

3.1 (i) A water resource, in relation to coal seam gas development and large coal mining development

Description
The proposed action is not a coal seam gas development or large coal mining development.

Nature and extent of likely impact

The proposed action is not a coal seam gas development or large coal mining development.

3.2 Nuclear actions, actions taken by the Commonwealth (or Commonwealth agency), actions taken in a Commonwealth marine area, actions taken on Commonwealth land, or actions taken in the Great Barrier Reef Marine Park

3.2 (a)	**Is the proposed action a nuclear action?**	X	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment

3.2 (b)	**Is the proposed action to be taken by the Commonwealth or a Commonwealth agency?**	X	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment

Section 528 of the Environment Protection and Biodiversity Conservation Act 1999 defines Commonwealth Agencies. Section 528 also defines what are not included as Commonwealth Agencies and relevantly states that in clause j *a company prescribed by the regulations for the purposes of this paragraph*. The Environment Protection and Biodiversity Conservation Regulations 2000, Clause 19.02 states *for paragraph (j) in Section 528 of the EPBC Act* the following companies are prescribed

(c) Australian Rail Track Corporation Limited (ABN 75 081 455 754, ACN 081 455 754)

3.2 (c)	**Is the proposed action to be taken in a Commonwealth marine area?**	X	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(f))

3.2 (d)	**Is the proposed action to be taken on Commonwealth land?**	X	No, (refer to discussion in section 3.1(g)).
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(g))

3.2 (e)	**Is the proposed action to be taken in the Great Barrier Reef Marine Park?**	X	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(h))

3.3 Other important features of the environment

3.3 (a) Flora and fauna

A database review and subsequent field surveys of the referral area identified seven TECs and 25 threatened species listed under the EPBC Act as having the potential to occur in the referral area. A search of the NSW OEH Atlas of NSW Wildlife database search and NSW Department of Primary Industries Fishing and Aquaculture Records Viewer in April 2016 identified a total of 45 EPBC Act listed threatened fauna, four threatened fish and 8 threatened flora species within 10 kilometres of the referral area (refer to **Attachment 3**).

The field surveys revealed that much of the referral area exists as a managed railway easement and a large portion of the remainder of the referral area exists as cultivated land. Detailed survey and assessment of the habitat within the referral area identified 3 listed threatened species out of a total of 317 and 61 flora and fauna species respectively.

Patches of native vegetation exist sporadically within the referral area and are typically associated with TSRs, road verges or small woodland patches on farmland. These patches generally comprised a woodland community with the dominant canopy species including bimbil box (*Eucalyptus populnea*), belah (*Casuarina cristata*), silver-leaved ironbark (*Eucalyptus melanophloia*) and white cypress pine (*Callitris glaucophylla*).

3.3 (b) Hydrology, including water flows

The referral area crosses 90 watercourses. These include rivers (Mehi River and Gwydir River), creeks (such as Mulgate Creek, Bobbiwa Creek, Gehan Creek, Tookey Creek and Gil Gil Creek) and other intermittent watercourses and canals constructed to convey irrigation waters.

The southern end of the referral area is located immediately north of Narrabri on an embankment above the Namoi River one per cent annual exceedance probability flood inundation level. The alignment traverses the Gwydir River floodplain. The northern end at North Star is located south of the Macintyre River within the Border Rivers basin. South of North Star the Borders River basin drains to Whalan Creek and then to the Boomi River and Barwon River. The referral area is located within an area that has been subject to significant floods.

The hydrology within the Macintyre River, Gwydir River and Macquarie River catchments has been impacted by the construction of significant water storages since the 1950s. The storages include Coolmunda Dam (Queensland), Glenlyon Dam (Queensland) and Pindari Dam in the Macintyre River catchment, Copeton Dam in the Gwydir River catchment and Keepit Dam and Split Rock Dam in the Macquarie River catchment.

Groundwater levels within the study area are anticipated to be typically between 4.8 and 47 metres below ground level and generally greater than 20 metres below the ground surface (GHD, 2014). Groundwater around Moree and to North Star is generally sourced from the Great Artesian Basin with numerous wells, dams and irrigation channels noted around Moree in particular.

A review of the NSW Water Information Database on 24 September 2014 identified more than 728 registered groundwater bores within about one kilometre of the referral area. The depth of the bores extended up to 569 metres below ground level (m bgl), with standing water levels measured between 4.8 m bgl and 47 m bgl. Drillers' logs indicated that the geology generally comprised alternating layers of alluvium, clay, gravel, sand and rock to the base of the bores. Bedrock primarily described as basalt, granite and/or shale, was noted at varying depths (GHD, 2014).

3.3 (c) Soil and Vegetation characteristics

Vegetation characteristics are discussed earlier in **Section 3**.

The referral area is characterised by an alluvial floodplain associated with the Mehi River and the Gwydir River. The terrain is typically near level to gently undulating. The alignment is located in the Gunnedah Basin crossing the Goondiwindi thrust fault into the New England Fold Belt east of Camurra at approximately 117.00 kilometre.

The subsurface conditions of the Gunnedah Basin are dominated by Quaternary and Tertiary aged river plain sediments including black and red clayey silt and black and yellow brown clay soils. Exceptions to this include the Jurassic aged clayey sandstone unit north of Narrabri and partially consolidated polymictic gravel around Bellata.

East of the Goondiwindi fault, variable soil conditions are mapped including deep reactive clays, basaltic soils, and red brown sandy and silty clay soils. Tertiary aged mafic volcanics outcrop intermittently from south of Moree to North Star.

3.3 (d) Outstanding natural features

There are no outstanding natural features within the referral area or in its immediate vicinity. The nearest outstanding natural features are the Pilliga State Forest, approximately 20 kilometres south west of the referral area, and Mt Kaputar National Park approximately 25 kilometres east of the referral area.

3.3 (e) Remnant native vegetation

The referral area is occupied by an existing rail line and associated rail corridor and as such most of the referral area has been subject to substantial disturbance in the past. The land adjacent to the referral area is largely occupied by cultivated areas and other agricultural activities such as grazing.

Patches of native woodland vegetation exist sporadically within the referral area and are typically associated with adjacent TSRs, road reserves or farm woodland remnants. These patches generally comprised a woodland community with the dominant canopy species including bimbil box (*Eucalyptus populnea*), belah (*Casuarina cristata*), silver-leaved ironbark (*Eucalyptus melanophloia*) and white cypress pine (*Callitris glaucophylla*). Extensive areas of natural grasslands also exist in the referral area.

3.3 (f) Gradient (or depth range if action is to be taken in a marine area)

The referral area is dominated by open flat plains with an elevation between approximately 200 metres AHD near Moree to 310 metres AHD about 30 kilometres from North Star.

3.3 (g) Current state of the environment

The proposed action comprises an upgrade of an existing rail line and as such most of the referral area has been subject to substantial disturbance in the past. Outside of the area currently disturbed by existing rail infrastructure, the referral area is in relatively poor condition with a long history of broad scale cultivation and other agricultural activities. Weed species are considered to be in moderate to high density across most of the referral area. It is considered that pest species such as rabbit (*Oryctolagus cuniculus*) and red fox (*Vulpes vulpes*) would occur in moderate to high densities.

Some patches of woodland within the referral area, that are associated with adjacent TSRs, are in moderated to good condition whilst the remaining native vegetation is in low-moderate condition.

3.3 (h) Commonwealth Heritage Places or other places recognised as having heritage values

The Protected Matters Search Tool identified one Commonwealth heritage place within 10 kilometres of the referral area. The listed Commonwealth Heritage Place is the Narrabri Post Office and Telegraph Office located on Maitland Street in Narrabri comprising the whole of Lot 21 DP775501 (Australian Heritage Database accessed 21/09/2015). This is outside of the referral area and will not be impacted as a result proposed action.

One national Heritage Place was also identified by the Protected Matters Search Tool, namely the Moree Baths and Swimming Pool about 0.5 ha, corner of Anne Street and Warialda Street, Moree, comprising all that part of Lot 100 DP1163663 to the north of MGA northing Zone 55 6736080mN (Australian Heritage Database accessed 21/09/2015). This is outside of the referral area and will not be impacted as a result proposed action.

No other known World Heritage Properties, National Heritage Places or Commonwealth Heritage places were identified as part of the protected matters search or are known to occur in the referral area.

3.3 (i) Indigenous heritage values

The proposed works will involve the disturbance of some previously undisturbed areas and has the potential to impact both known Aboriginal sites and unidentified Aboriginal sites and landforms with potential to contain sites and areas of cultural heritage value.

Further archaeological survey work and assessment will be undertaken to ensure recorded archaeological sites and archaeologically sensitive landforms are assessed and managed appropriately.

3.3 (j) Other important or unique values of the environment

Most of the referral area is located within the existing rail corridor, with these areas dominated by railway uses. No other important or unique values of the environment will be impacted upon by the proposed action. The referral area is situated west of the Great Dividing Range and traverses through mainly cultivation and agricultural land. Mt Kaputar National Park is nearest National Park and is located approximately 25 kilometres east of the Narrabri end of the referral area.

3.3 (k) Tenure of the action area (eg freehold, leasehold)

Most of the proposed action is located within the existing rail corridor which is owned by the NSW Government (Transport for NSW). As discussed in section 2 the proposed action may require works outside the rail corridor including those associated with curve easing and level crossing rationalisation. If required, these works would be in close proximity to the rail corridor subject to further design.

Land ownership surrounding the existing rail corridor is a mix of freehold and leasehold land.

3.3 (l) Existing land/marine uses of area

Most of the proposed action is located within the existing rail corridor, with these areas dominated by railway uses.

3.3 (m) Any proposed land/marine uses of area

Most of the work associated with the proposed action would be undertaken within the existing rail corridor. During construction, there may be temporary changes in land use from the existing use of the referral area (for example, from rail uses, disused transport corridor) to construction purposes. During operation, direct land uses impacts would result from any change in use associated with the operation of the proposed action and its associated facilities. There is the possibility that some limited land outside of the rail corridor (but within the referral area) may be required for the proposed action, such as for curve easing, resulting in conversion of these areas from their existing use to a railway corridor.

4 Environmental outcomes

As discussed in **Section 3.0**, the proposed action has been determined to be unlikely to result in a significant impact on the EPBC-listed Matters of National Environmental Significance (MNES), except Natural grasslands on basalt and fine-textured alluvial plains of northern NSW and southern Queensland CEEC (EPBC Act) which is likely to be significantly impacted. Assessments of Significance were undertaken for MNES that have been recorded within or adjacent to the referral area or that have the potential to occur within the referral area (refer to **Attachment 3**). It was found that the proposed action is unlikely to have a significant impact on the following MNES that occur or have the potential to occur in the referral area:

- Coolibah - Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions EEC under the EPBC Act
- Brigalow (*Acacia harpophylla* dominant and codominant) EEC under the EPBC Act
- Weeping Myall Woodlands EEC under the EPBC Act
- Belson's panic (*Homopholis belsonii*) – vulnerable under the EPBC Act
- Koala (*Phascolarctos cinereus*) combined populations of Qld, NSW and the ACT – vulnerable under the EPBC Act
- Grey-headed flying-fox (*Pteropus poliocephalus*) – vulnerable under the EPBC Act, and
- South-eastern long-eared bat (*Nyctophilus corbeni*) – vulnerable under the EPBC Act.

A significance assessment (refer to **Attachment 3**) concluded that the Natural grasslands on basalt and fine-textured alluvial plains of northern New South Wales and southern Queensland CEEC (EPBC Act) is likely to be significantly impacted by the proposed action with impacts on up to 268 hectares of the CEEC.

Despite this, it is acknowledged that the proposed action will impact areas of mainly low-quality habitat for most of the above protected matters. As a result, a range of avoidance, mitigation and offsetting measures have been proposed to minimise and compensate for these losses in biodiversity (refer to **Section 5.0**). **Table 4.1** below outlines a range of environmental outcomes from these measures and why they are beneficial for the MNES outlined above.

Table 4.1 – Environmental Outcomes for MNES

Measure	Environmental Outcome	Protected Matters Benefited
Pre-clearance surveys and a tree felling procedure	Minimisation of fauna death and injury as a result of vegetation clearance. Minimisation of clearing during works	• Koala • south-eastern long-eared bat
Weed management during construction and operation	Minimisation of weed spread into native vegetation communities and habitats.	• Natural grasslands on basalt and fine-textured alluvial plains of northern New South Wales and southern Queensland CEEC • Coolibah - Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions EEC • Brigalow (*Acacia harpophylla* dominant and codominant) EEC • Weeping Myall Woodland EEC • Belson's panic • koala • grey-headed flying-fox • south-eastern long-eared bat
Minimise impacts to koala habitat	Minimise the clearing of woodland habitat where koalas have been recorded.	• koala

These measures will be further detailed in the EIS and subsequent Construction Environmental Management Plan (CEMP). The CEMP will include the above measures with environmental outcomes that will be detailed with reference to the SMART (specific, measureable, achievable, relevant and time-bound) criteria as outlined in the draft *Outcomes-based Conditions Policy 2015* and *Outcomes-based Conditions Guidance 2015* (DoE 2015).

5 Measures to avoid or reduce impacts

The proposed action involves the upgrade and replacement of an existing rail line. As such, the impact of the proposed action is considerably less than if it was to take an alternate route. Although the general alignment of the rail line has been established, other aspects such as lay down areas, which will reside outside the existing rail corridor, will be identified during the detailed environmental assessment and planning phases for the proposed action and will be preferably located in existing disturbed areas where possible to minimise impacts within the corridor. In particular, impacts on known koala habitat will be avoided where practicable.

The ecological assessment to be prepared for the proposed action will include an assessment of impacts and the provision of biodiversity offsets for the permanent impacts of the proposed action, in accordance with the NSW Framework for Biodiversity Assessment (FBA). Part of this process includes identifying appropriately sized and strategically located biodiversity offsets to mitigate residual impacts.

A Construction Environmental Management Plan (CEMP) will be prepared for the construction phase of the proposed action. Within the CEMP there will be a range of impact mitigation measures including, but not necessarily limited to:

- pre-clearance inspections of native vegetation
- a tree felling protocol
- erosion and sediment controls
- weed management
- demarcation of vegetation prior to clearing to avoid accidental clearing.

6 Conclusion on the likelihood of significant impacts

6.1 Do you THINK your proposed action is a controlled action?

	No, complete section 6.2
X	Yes, complete section 6.3

6.2 Proposed action IS NOT a controlled action.

6.3 Proposed action IS a controlled action

	Matters likely to be impacted
	World Heritage values (sections 12 and 15A)
	National Heritage places (sections 15B and 15C)
	Wetlands of international importance (sections 16 and 17B)
X	Listed threatened species and communities (sections 18 and 18A)
	Listed migratory species (sections 20 and 20A)
	Protection of the environment from nuclear actions (sections 21 and 22A)
	Commonwealth marine environment (sections 23 and 24A)
	Great Barrier Reef Marine Park (sections 24B and 24C)
	A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E)
	Protection of the environment from actions involving Commonwealth land (sections 26 and 27A)
	Protection of the environment from Commonwealth actions (section 28)
	Commonwealth Heritage places overseas (sections 27B and 27C)

An assessment of significance identified that the proposed action is likely to have a significant impact on Natural grasslands on basalt and fine-textured alluvial plains of northern NSW and southern Queensland CEEC due to impacting on approximately 268 hectares of this CEEC.

7 Environmental record of the responsible party

		Yes	No
7.1	**Does the party taking the action have a satisfactory record of responsible environmental management?** **Provide details** Through implementation of ARTC's Code of Practice, Environmental Management System, and Environmental Management Plans for a variety of construction projects, ARTC has maintained a satisfactory record of responsible environmental management.	X	
7.2	**Has either (a) the party proposing to take the action, or (b) if a permit has been applied for in relation to the action, the person making the application - ever been subject to any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources?** **If yes, provide details**		X
7.3	**If the party taking the action is a corporation, will the action be taken in accordance with the corporation's environmental policy and planning framework?** **If yes, provide details of environmental policy and planning framework** • ARTC Code of Practice for environmental impact assessment of development proposals in NSW • ARTC Environmental Management System (EMS)	X	
7.4	**Has the party taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?** **Provide name of proposal and EPBC reference number (if known)** • Kooragang Coal Terminal Arrival Roads Stage 2 Upgrade, Newcastle, NSW (2014/7229) • Rail Upgrades at Geelong Port Project (2010/5363) • Maitland to Minimbah Third Track Project, NSW (2009/4897)	X	

8 Information sources and attachments

(For the information provided above)

8.1 References

- Botanic Gardens Trust (2015). PlantNET – The Plant Information Network System of Botanic Gardens Trust, Sydney, Australia (version 2.0). <http://plantnet.rbgsyd.nsw.gov.au> accessed February 2015.
- DoE – Department of the Environment (2013). Significant Impact Guidelines 1.1 – Matters of National Environmental Significance
- DoE - Department of the Environment (2016) Protected Matters Search Tool, accessed 6 April 2016, < http://www.environment.gov.au/topics/about-us/legislation/environment-protection-and-biodiversity-conservation-act-1999/protected>
- DSEWPC - Department of Sustainability, Environment, Water, Population and Communities, 2006a. EPBC Act policy statement 3.5 – White Box-Yellow Box-Blakely's red gum grassy woodlands and derived native grasslands. Department of Sustainability, Environment, Water, Population and Communities.
- DSEWPC - Department of Sustainability, Environment, Water, Population and Communities, 2006b. Species list for the EPBC Act policy statement 3.5 - White Box-Yellow Box-Blakely's red gum grassy woodlands and derived native grasslands. Department of Sustainability, Environment, Water, Population and Communities.
- DSEWPC – Department of Sustainability, Environment, Water, Population and Communities (2012). Species Profile and Threats Database http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=82338#population_information
- GHD 2014, Parkes to Narromine and Narrabri to North Star – MBIR Preliminary Contamination Assessment and Preliminary Soil and Water Management Plan.
- Office of Environment and Heritage (OEH) (2015). BioNET Atlas of NSW Wildlife, Accessed 6 April 2016.
- Office of Environment and Heritage (OEH) (2015). Threatened Species - Species Populations & Ecological Communities of NSW, Sydney, Australia <http://www.threatenedspecies.environment.nsw.gov.au/tsprofile/home_species.aspx> Accessed September 2015.
- Threatened Species Scientific Committee (2008). Advice to the Minister for the Environment, Heritage and the Arts from the Threatened Species Scientific Committee (the Committee) on an Amendment to the list of Threatened Ecological Communities under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)
- Threatened Species Scientific Committee (2001). Brigalow (Acacia harpophylla dominant and co-dominant)-Recommendation to the Minister for the Environment and Water Resources from the Threatened Species Scientific Committee (TSSC) on a public nomination for an ecological community listing on the Environment Protection and Biodiversity Conservation Act 1999 (the Act)
- Threatened Species Scientific Committee (2011). Advice to the Minister for Sustainability, Environment, Water, Population and Communities from the Threatened Species Scientific Committee (the Committee) on an Amendment to the List of Threatened Ecological Communities under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)
- Threatened Species Scientific Committee (2008). Advice to the Minister for the Environment, Water, Heritage and the Arts from the Threatened Species Scientific Committee (TSSC) on Amendments to the List of Ecological Communities under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)
- Umwelt (Australia) Pty Limited (2014). Melbourne Brisbane Inland Rail Parkes to Narromine and Narrabri to North Star Ecological Investigations. Report prepared for ARTC, October 2014.

8.2 Reliability and date of information

The sources of all information contained within **Section 3** have been referenced within **Section 3** and all references are listed in **Section 7.1** above. The dates of all information sources have been listed within **Section 3**. Any uncertainties in the information in **Section 3** have been listed and discussed within **Section 3**.

8.3 Attachments

		✓ attached	Title of attachment(s)
You must attach	figures, maps or aerial photographs showing the project locality (section 1)	✓	Figures
	GIS file delineating the boundary of the referral area (section 1)		
	figures, maps or aerial photographs showing the location of the project in respect to any matters of national environmental significance or important features of the environments (section 3)	✓	
If relevant, attach	copies of any state or local government approvals and consent conditions (section 2.5)		
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 2.6)		
	copies of any flora and fauna investigations and surveys (section 3)		
	technical reports relevant to the assessment of impacts on protected matters that support the arguments and conclusions in the referral (section 3 and 4)		
	report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3)		

9 Contacts, signatures and declarations

Project title: Narrabri to North Star Section of Inland Rail

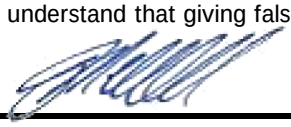
9.1 Person proposing to take action

1. Name and Title:	Geoff Hudson Environment Manager
2. Organisation:	ARTC[1]
3. EPBC Referral Number:	
4: ACN / ABN:	75 081 455 754
5. Postal address:	PO Box 14, Sydney NSW 2001
6. Telephone:	02 8293 5111
7. Email:	GHudson@ARTC.com.au
8. Name of designated proponent (if not the same person at item 1 above:	Not applicable
9. ACN/ABN of designated proponent (if not the same person named at item 1 above):	Not applicable
Declaration	I declare that to the best of my knowledge the information I have given on, or attached to this form is complete, current and correct. I understand that giving false or misleading information is a serious offence. I agree to be the proponent for this action. I declare that I am not taking the action on behalf of or for the benefit of any other person or entity.

Signature  Date 21.06.2016

[1] Please note that ARTC is not a Commonwealth agency for the purposes of the EPBC Act following the amendment of the Environment Protection and Biodiversity Conservation Regulation 2000 on 14 November 2009 to exclude ARTC from the definition of a 'Commonwealth agency' under the EPBC Act.

9.2 Person preparing the referral information (if different from 9.1)

Name	John Merrell
Title	Group Manager Environment & Community NSW
Organisation	Umwelt (Australia) Pty Limited
ACN / ABN (if applicable)	18 059 519 041
Postal address	75 York St Teralba NSW 2284
Telephone	02-4950 5322
Email	jmerrell@umwelt.com.au
Declaration	I declare that to the best of my knowledge the information I have given on, or attached to this form is complete, current and correct. I understand that giving false or misleading information is a serious offence.
Signature	 Date 20/6/16