



New South Wales

Environmental Planning and Assessment Amendment (Inland Rail) Order 2021

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Public Spaces, make the following Order under sections 5.12(4) and 5.13 of the *Environmental Planning and Assessment Act 1979*.

Dated 3rd March 2021.

ROB STOKES, MP
Minister for Planning and Public Spaces

Explanatory note

The object of this Order is to declare certain development for the purposes of the Inland Rail network project to be State significant infrastructure and critical State significant infrastructure.

This Order is made under sections 5.12(4) and 5.13 of the *Environmental Planning and Assessment Act 1979*.

Environmental Planning and Assessment Amendment (Inland Rail) Order 2021

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Environmental Planning and Assessment Act 1979

1 Name of Order

This Order is the *Environmental Planning and Assessment Amendment (Inland Rail) Order 2021*.

2 Commencement

This Order commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of State Environmental Planning Policy (State and Regional Development) 2011

[1] Schedule 5 Critical State significant infrastructure

Insert after clause 7(1)—

(1A) Albury to Illabo project

Development for the purposes of the Albury to Illabo project being the upgrade of existing railway track and associated rail infrastructure to provide vertical and horizontal clearances to allow trains to operate within the existing 185 kilometre rail corridor between Albury and Illabo, including—

- (a) works at Murray River Bridge, Albury Railway Station, Wagga Wagga Railway Station and Junee Railway Station and other sites, and
- (b) the alteration of rail, road and pedestrian bridges, and
- (c) the lowering of existing track, and
- (d) the slewing of approximately 26 kilometres of track between Junee and Illabo.

(1B) The development specified in subclause (1A) is to be carried out on land in the local government areas of the City of Albury, Greater Hume Shire, Lockhart, City of Wagga Wagga and Junee.

(1C) Illabo to Stockinbingal project

Development for the purposes of the Illabo to Stockinbingal project being the construction of approximately 37 kilometres of new rail line between the existing rail line north-east of Illabo and the existing rail line west of Stockinbingal, in the Junee and Cootamundra-Gundagai Regional local government areas, including—

- (a) interfaces with the existing rail lines, and
- (b) a crossing loop and associated maintenance siding, and
- (c) the construction of rail bridges, road bridges, level crossings and stock crossings, and
- (d) the removal of the Burley Griffin Way level crossing at Stockinbingal, realignment of 1.6 kilometres of the Burley Griffin Way and the construction of a new road bridge over the rail line, including associated road and rail realignments.

[2] Schedule 5, clause 7(2A)

Insert after clause 7(2)—

(2A) Narromine to Narrabri project

Development for the purposes of the Narromine to Narrabri project being the construction of approximately 300 kilometres of new rail line between Narromine and Narrabri in the Narromine, Gilgandra, Coonamble, Warrumbungle and Narrabri local government areas, including—

- (a) the construction of 7 crossing loops, and
- (b) the construction of interfaces with existing rail lines, and
- (c) the construction of new rail bridges, road bridges and level crossings, and
- (d) development of borrow pits for supply of materials to the project.

[3] Schedule 5, clause 7(3A)

Insert after clause 7(3)—

(3A) North Star to Queensland border project

Development for the purposes of the North Star to the Queensland border project being the construction of approximately 30 kilometres of new rail line between North Star and the Queensland border, in the Moree Plains and Gwydir local government areas, including—

- (a) the construction of approximately 25 kilometres of new rail line within the existing Boggabilla Line rail corridor, and
- (b) the construction of approximately 5 kilometres of new rail line in a new rail alignment, between Boggabilla and the Queensland border, and
- (c) the construction of a crossing loop and a maintenance siding, and
- (d) the construction of a viaduct over the Macintyre River and the Whalan Creek, and
- (e) the construction of new rail bridges, road bridges and level crossings, and
- (f) the development of borrow pits for supply of materials to the project.

[4] Schedule 5, clause 7(5)

Omit the subclause. Insert instead—

(5) In this clause—

development does not include—

- (a) for a project, other than the Parkes to Narromine project, the following activities carried out before the commencement of construction of the project—
 - (i) surveys, test drilling, test excavations, geotechnical investigations or other tests, surveys, sampling or investigation for the purposes of the design or assessment of the project,
 - (ii) the use of an existing rail corridor, or an existing rail facility adjoining an existing rail corridor, for delivery or storage of tracks, sleepers, ballast, posts or culverts,
 - (iii) the adjustment, relocation, upgrade or replacement of existing utilities infrastructure, unless existing water flows within or through the existing rail corridor will be permanently affected, and
- (b) for a project, other than the Parkes to Narromine and the Narrabri to North Star projects, the adjustment, relocation, upgrade or replacement of existing utilities infrastructure, carried out before the commencement of construction of the project, unless the activity involves clearing native vegetation that is likely to significantly affect threatened species within the meaning of Part 7 of the *Biodiversity Conservation Act 2016*.