

Pre-Construction Compliance Report

Albion Park Rail bypass (Stage 2 – Princes Motorway between Yallah and Oak Flats)

Document details		e copy
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Glossary / Acronyms

Aboriginal Object*	The same meaning as in the <i>National Parks and Wildlife Act 1974</i>
Airport Operator*	The operations manager on the Illawarra Regional Airport
Ancillary facility*	<p>A temporary facility for construction of the project including an office and amenities compound, construction compound, material crushing and screening plant, materials storage compound, maintenance workshop, testing laboratory and material stockpile area</p> <p><i>Note: Where an approved Construction Environmental Management Plan contains a stockpile management protocol, a material stockpile area located within the construction footprint is not considered to be an ancillary facility</i></p>
ARI*	Average Recurrence Interval
ASA*	Airservices Australia
CASA*	Civil Aviation Safety Authority
CEMP*	Construction Environmental Management Plan
CoA	NSW Minister's conditions of approval
Completion of construction*	The date upon which all construction works and activities described in the EIS and SPIR are completed, all requirements of the Secretary (if any) have been met
Consistency assessment*	An assessment of whether a proposed activity for the purpose of the SSI is consistent with the terms of this approval
Construction*	<p>Includes all work required to construct the SSI, other than the following low impact work:</p> <ul style="list-style-type: none"> (a) survey works including carrying out general alignment survey, installing survey controls (including installation of global positioning system (GPS)), installing repeater stations, carrying out survey of existing and future utilities, and building condition and road dilapidation surveys; (b) investigations including investigative drilling and excavation; (c) establishment of ancillary facilities identified by description and location in the EIS as amended by the SPIR or in locations meeting the criteria identified in Condition A16 of the approval, including constructing ancillary facility access roads and providing utilities to the facility; (d) operation of ancillary facilities if the ER has determined the operational activities will have minimal impact on the environment and community; (e) minor clearing and relocation of native vegetation, as identified in the EIS and SPIR; (f) installation of mitigation measures including erosion and sediment controls, temporary exclusion fencing for sensitive areas, and temporary and permanent acoustic treatments; (g) property acquisition adjustment works including installation of property fencing, and relocation and adjustments of utilities to property including water supply and electricity;

- (h) archaeological testing under the Code of practice for archaeological investigation of Aboriginal objects in NSW (DECCW, 2010) or archaeological monitoring undertaken to ensure that there is no impact on heritage items;
- (i) salvage of archaeological objects in accordance with an approved salvage strategy;
- (j) other activities determined by the ER to have minimal environmental impact which may include construction of minor access roads, temporary relocation of pedestrian and cycle paths and the provision of property access; and
- (k) maintenance of existing buildings and structures required to facilitate the carrying out of the SSI.

However, where heritage items (except as permitted under point (i), or threatened species, populations or ecological communities (within the meaning of the EP&A Act) are affected or potentially affected by any low impact work, that work is construction, unless otherwise determined by the Secretary in consultation with OEH or DPI Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation).

The low impact work described in this definition becomes construction with the approval of a Construction Environmental Management Plan under Part C of this approval

CRSC	Croom Regional Sporting Complex
Department*	NSW Department of Planning and Environment
DECC*	Former NSW Department of Environment and Climate Change
DP&E	Department of Planning and Environment
EIS*	Environmental Impact Statement
ER	Independent Environmental Representative nominated by Roads and Maritime and approved by DP&E
EMS	Environmental Management System
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
EPA*	NSW Environment Protection Authority
EPL*	Environmental Protection Licence under the POEO Act
Heritage Item*	A place, building, work, relic, archaeological site, tree, movable object or precinct of heritage significance, that is listed or may be eligible to be listed under one or more of the following registers: the State Heritage Register under the Heritage Act 1977 (NSW), a state agency heritage and conservation register under section 170 of the Heritage Act 1977 (NSW), a Local Environmental Plan under the EP&A Act, the World, National or Commonwealth Heritage lists under the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth), and an Aboriginal object or Aboriginal place as defined in section 5 of the National Parks and Wildlife Act 1974 (NSW).
ICNG*	Interim Construction Noise Guideline, July 2009 (or as amended)
Incident*	An occurrence or set of circumstances that:

- Causes, or threatens to cause, material harm to the environment, community or any member of the community, being actual or potential harm to the health or to threatened species, endangered ecological communities or ecosystems that is not trivial; or
- Results in non-compliance with this approval

Note: This meaning of “material harm” applies for the purpose of this approval only.

Land*	Has the same meaning as in the EP&A Act
Landowner*	Has the same meaning as “owner” in the Local Government Act 1993 and in relation to a building means the owner of the building
Minister, the*	NSW Minister for Planning
Noise Management Level*	As derived from the Interim Construction Noise Guideline
NSW Heritage Council* ¹	Heritage Council of NSW
OEH*	Office of Environment and Heritage
OEMP*	Operational Environmental Management Plan
OLS*	Obstacle Limitation Surface
Operation*	<p>The operation of the SSI (whether in full or in part) for its intended purpose, excluding the following activities carried out during construction:</p> <ul style="list-style-type: none"> • commissioning trials of equipment; • temporary use of any part of the SSI; and • maintenance works <p><i>Note: Construction and Operation are not mutually exclusive</i></p>
PCCR	Pre-Construction Compliance Report
POEO Act	<i>Protection of the Environment Operations Act 1997</i> (NSW)
Project, the	Albion Park Rail bypass
Proponent*	The person identified as the proponent in Schedule 1 of the approval [SSI-6878 - Roads and Maritime Services]
RAPs	Registered Aboriginal Parties
Relevant Council(s)	Any or all as relevant, Wollongong City Council or Shellharbour City Council
Relic*	The same meaning as the <i>Heritage Act 1977</i> (NSW)
REMMs	Revised Environmental Management Measures
Roads and Maritime	Roads and Maritime Services
Secretary	Secretary of NSW Department of Planning and Environment
Sensitive Receiver*	Includes residences, educational institutions (including preschools, schools, universities, TAFE colleges), health care facilities (including nursing homes, hospitals), religious facilities (including churches), child care centres, passive recreation areas (including outdoor grounds used for teaching), and others as identified by the Secretary.
SES*	NSW State Emergency Services

SPIR*	Submissions and Preferred Infrastructure Report - A report developed to respond to submissions raised during the exhibition of the EIS and assess changes from the EIS
SSI	The State Significant Infrastructure, as generally described in Schedule 1 [SSI 6878], the carrying out of which is approved under the terms of the state project approval.
Unexpected heritage find*	A potential heritage item discovered (usually during construction) but not identified in the EIS or SPIR, where assessment is required to determine if the item has heritage significance, or is an Aboriginal object. Unexpected heritage finds does not include human remains.
Works*	All physical activities to construct the SSI

*As defined in the Infrastructure Approval

1. Introduction

1.1. Background

Roads and Maritime Services (Roads and Maritime) are extending the M1 Princes Motorway between Yallah and Oak Flats to bypass Albion Park Rail. The motorway would complete the 'missing link' for a high standard road between Sydney and Bomaderry. The project is known as the Albion Park Rail bypass (Stage 2 – Princes Motorway between Yallah and Oak Flats) (the Project).

This Pre-Construction Compliance Report (PCCR) has been prepared in accordance with the Compliance Tracking Program (CTP) required under the Minister's Conditions of Approval (CoA) A25 and A26.

1.2. Purpose

The purpose of this PCCR is to address the requirements of CoAs A28 and A29, which are listed in Table 1-1 below. A cross reference is also included to indicate where each condition requirement is addressed in this PCCR.

Table 1: Conditions of Approval relevant to the PCCR

CoA	Condition Requirement	Document Reference
A28	A Pre-Construction Compliance Report must be prepared and submitted to the Secretary for information no later than one month before the commencement of works or within another timeframe agreed with the Secretary. The Pre-Construction Compliance Report must include:	This PCCR Section 2.2
	(a) details of how the terms of this approval that must be addressed before the commencement of works have been complied with: and	Appendix A
	(b) the commencement date for works.	Section 2.2
A29	Works must not commence until the Pre-Construction Compliance Report has been submitted to the Secretary	Section 2.2

1.3. Approval documentation

Documentation relevant to the project includes:

- Albion Park Rail bypass Environmental impact statement (Roads and Maritime, 2015) (EIS)
- Albion Park Rail bypass Submissions and Preferred Infrastructure Report (Roads and Maritime, 2017) (SPIR)
- Infrastructure Approval SSI-6878 (approved by the Minister for Planning on 30 January 2018).

2. Pre-construction compliance

2.1. Conditions of approval compliance table

Details of how each CoA applicable to Stage 2 of the Project has been complied with is provided in the compliance table attached at Appendix A. The table in Appendix A identifies:

- each condition of approval
- the applicability of the CoA to Stage 2 (as defined in the Staging Report under CoA A12)
- the compliance status of the CoA for Stage 2
- the evidence of compliance with the condition for Stage 2

Evidence of compliance can be submitted to the Secretary upon request.

The evidence presented in Appendix A demonstrates that all conditions of approval relevant to commencement of works for Stage 2 are compliant.

2.2. Date of commencement of works

The date of commencement of works for the Project is 2 November 2018.

Works will not commence until the PCCR has been submitted to the Secretary for information no later than one month before the commencement of works or within another timeframe agreed with the Secretary.

Appendix A – Stage 2 Conditions of Approval Compliance Table

Appendix A - Stage 2 Conditions of Approval Compliance Table

CoA	Condition of Approval (CoA)	Applicable to Stage 2?	Project Phase applicable to Condition	Stage 2 Compliance	Evidence of Stage 2 Pre-Construction Compliance/ Notes
PART A: ADMINISTRATIVE CONDITIONS					
GENERAL					
A1	The SSI must be carried out in accordance with: (a) the description of the SSI in the EIS as amended by the SPIR; and (b) the terms of this approval.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
A2	The SSI must be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the EIS as amended by the SPIR unless otherwise specified in, or required under, this approval.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
A3	In the event of an inconsistency between the EIS as amended by the SPIR or any other document required under this approval, and a term of this approval, the term of this approval prevails to the extent of the inconsistency. For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
A4	The Proponent must comply with all requirements of the Secretary in relation to: (a) the environmental performance of the SSI; (b) any document or correspondence; (c) any notification given to the Secretary under the terms of this approval; (d) any audit of the construction or operation of the SSI; (e) compliance with the terms of this approval (including anything required to be done under this approval); and (f) the carrying out of any additional monitoring or mitigation measures.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
A5	In the event that there are differing interpretations of the terms of this approval, including in relation to a condition of this approval, the Secretary's interpretation is final.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
A6	Where the terms of approval provide the Secretary the discretion to alter the requirements of the approval, the Proponent must provide supporting evidence so that the Secretary can consider the need, environmental impacts and consistency of the alteration. <i>Note: Inaction and/or expedience will not be supported as justifications for need unless it can be demonstrated that there will beneficial environmental outcomes.</i>	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
A7	Without limitation, all strategies, plans, programs, reviews, audits, report recommendations, protocols and the like required by the terms of this approval must be implemented by the Proponent in accordance with all requirements issued by the Secretary from time to time in respect of them.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
A8	Where the terms of this approval require consultation with identified parties, details of the consultation undertaken, matters raised by the parties, and how the matters were considered, must accompany the strategies, plans, programs, reviews, audits, protocols and the like submitted to the Secretary.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
A9	This approval lapses five (5) years after the date on which it is granted, unless works for the purpose of the SSI are commenced on or before that date.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
A10	The Proponent is responsible for any breaches of the conditions of this approval resulting from the actions of all persons that it invites onto any site, including contractors, sub-contractors and visitors.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
CROOM REGIONAL SPORTING COMPLEX					
A11	The relocation of sporting facilities and associated components of the Croom Regional Sporting Complex are not subject to Part C and Part D of this approval, subject to: (a) no works be undertaken in Precinct 7 as identified in the EIS; (b) the preparation of a Construction Environmental Management Process (Plan), in consultation with relevant government agencies and Shellharbour City Council, and endorsed by the ER under Condition A24(d). The Plan must detail how the performance outcomes, commitments, mitigation and monitoring measures specified in the EIS as amended by the SPIR will be implemented and achieved during construction; and (c) the implementation of the approved Construction Environmental Management Process (Plan).	No	Construction	N/A	Not applicable to Stage 2.
STAGING					
A12	The SSI may be delivered and operated in stages (including in relation to works undertaken in Croom Regional Sporting Complex). Where staged delivery or operation is proposed, a Staging Report (for either or both delivery and operation as the case requires) must be prepared and submitted to the Secretary for information. The Staging Report must be submitted to the Secretary no later than one month prior to the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month prior to the commencement of operation of the first of the proposed stages of operation), or within another timeframe agreed with the Secretary.	Yes	Construction and Operation	Yes	A Staging Report has been prepared that details how the SSI will be staged. In accordance with CoA A24d, the Staging Report was endorsed by the ER on 16/2/2018. The Staging Plan was submitted to the Secretary for information on 19/2/2018.
A13	The Staging Report must: (a) if staged delivery is proposed, set out how the whole of the SSI will be staged, including general details of work and other activities to be carried out in each stage and the general timing of when the delivery of each stage will commence; (b) if staged operation is proposed, set out how the operation of the whole of the SSI will be staged, including general details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence; (c) specify the relevant conditions of approval that apply to each stage and how compliance with those conditions will be achieved across and between each of the stages of the SSI; and (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.	Yes	Construction and Operation	Yes	A Staging Report has been prepared that details how the SSI will be staged, detailing relevant conditions that apply to each stage, how compliance will be achieved, and how cumulative impacts will be managed. In accordance with CoA A24d, the Staging Report was endorsed by the ER on 16/2/2018. The Staging Plan was submitted to the Secretary for information on 19/2/2018.
A14	The SSI must be staged in accordance with the Staging Report , as submitted to the Secretary.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
A15	Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
ANCILLARY FACILITIES					
A16	Ancillary facilities that are not identified by description and location in the EIS as amended by the SPIR must meet the following criteria, unless otherwise approved by the Secretary: (a) the facility is development of a type that would, if it were not for the purpose of the SSI, otherwise be exempt or complying development; or (b) the facility is located as follows: i. at least 50 metres from any waterway unless an erosion and sediment control plan is prepared and implemented so as not to adversely affect water quality in the waterway in accordance with Managing Urban Stormwater series; ii. within or adjacent to land upon which the SSI is being carried out unless it can be demonstrated that performance criteria established in this approval can be met and that there will be a reduction in impact at other sites and a reduction in the construction program; iii. with ready access to a road network; iv. to prevent heavy vehicles travelling on local streets or through residential areas in order to access the facility, except as identified in the EIS as amended by the SPIR; v. so as to be in accordance with the Interim Construction Noise Guideline (DECC 2009) or as otherwise agreed in writing with affected landowners and occupiers; vi. so as not to require vegetation clearing beyond the extent of clearing approved under other terms of this approval except as approved by the ER as minor clearing; vii. so as not to have any impact on heritage items (including areas of archaeological sensitivity) beyond the impacts identified, assessed and approved under other terms of this approval; viii. so as not to unreasonably interfere with lawful uses of adjacent properties that are being carried out at the date upon which establishment of the facility is to commence; ix. to enable operation of the ancillary facility during flood events and to avoid or minimise, to the greatest extent practicable, adverse flood impacts on the surrounding environment and other properties and infrastructure; and x. so as to have sufficient area for the storage of raw materials to minimise, to the greatest extent practicable, the number of deliveries required outside standard construction hours.	Yes	Construction	Yes	Fulton Hogan propose to use ancillary sites identified in the SPIR throughout Stage 2, and all additional proposed sites will meet the requirements of Condition of Approval (CoA) A16.
A17	Before establishment of any ancillary facility, except in relation to the delivery of the Croom Regional Sporting Complex, the Proponent must prepare an Ancillary Facilities Management Plan which details the management of the ancillary facilities. The Ancillary Facilities Management Plan must be prepared in consultation with relevant government agencies and the Relevant Council(s) and submitted to the Secretary for approval one month prior its establishment. The Ancillary Facilities Management Plan must include: (a) a description of activities to be undertaken during construction, operational and decommissioning (including scheduling of construction); (b) a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of construction of the SSI; and (c) details of how the activities described in subsection (a) of this condition will be carried out to: i. meet the performance outcomes stated in the EIS as amended by the SPIR; and ii. manage the risks identified in the risk analysis undertaken in subsection (b) of this condition.	Yes	Construction	Yes	An Ancillary Facilities Management Plan (AFMP) has been prepared and is pending consultation. The AFMP will be submitted to the Secretary for approval one month prior to establishment of any ancillary facility.

Appendix A - Stage 2 Conditions of Approval Compliance Table

CoA	Condition of Approval (CoA)	Applicable to Stage 2?	Project Phase applicable to Condition	Stage 2 Compliance	Evidence of Stage 2 Pre-Construction Compliance/ Notes
A18	Minor ancillary facilities comprising lunch sheds, office sheds, and portable toilet facilities, that are not identified in the EIS as amended by the SPIR and which do not satisfy the criteria set out in Condition A16 of this approval must satisfy the following criteria: (a) have no greater environmental and amenity impacts than those that can be managed through the implementation of environmental measures detailed in the CEMP required under Condition C1 of this approval; and (b) have been assessed by the ER to have: i. minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the ICNG, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts; ii. minimal environmental impact with respect to waste management and flooding; and iii. no impacts on biodiversity, soil and water, and heritage beyond those already approved under other terms of this approval.	Yes	Construction	Yes	Criteria for minor ancillary facilities that do not satisfy the criteria set out in Condition A16 is addressed in the CEMP submitted to DP&E on 19/09/18.
A19	Boundary fencing must be erected around ancillary facilities that are adjacent to sensitive receivers for the duration of construction unless otherwise agreed with the affected receiver(s).	Yes	Construction	Yes	Boundary fencing will be erected as part of the initial construction activities and is covered in the AFMP required under CoA A17.
A20	Boundary fencing required under Condition A19 of this approval must minimise visual, noise and air quality impacts on adjacent sensitive receivers.	Yes	Construction	Yes	Boundary fencing will be erected as part of the initial construction activities and is covered in the AFMP required under CoA A17.
A21	Ancillary facility AS10 must only be used for works associated with the Croom Regional Sporting Complex, and must be rehabilitated on the completion of those works. The construction access road near Swansea Farm House must be rehabilitated to its pre-construction condition, unless otherwise agreed with Shellharbour City Council.	No	Construction	N/A	Not applicable to Stage 2 - applicable to Stage 1 only.
ENVIRONMENTAL REPRESENTATIVE					
A22	A suitably qualified and experienced Environmental Representative (ER) who is independent of the design and construction personnel must be nominated by the Proponent, approved by the Secretary and engaged for the duration of works of the SSI. Additional ERs may be engaged for the purpose of Condition A24 , in which case the obligations to be carried out by an ER under the terms of this approval may be satisfied by any ER that is approved by the Secretary. The details of nominated ER(s) must be submitted to the Secretary for approval no later than one month prior to the commencement of works, or within another timeframe agreed with the Secretary.	Yes	Construction	Yes	<div>A suitably qualified experienced and independent ER has been appointed by RMS as follows: <div><div></div><div></div><div></div><div></div><div></div><div></div></div> Details of the nominated ER were submitted to the Secretary for approval on 31/1/2018. The ER's availability and independence was determined on 7/2/2018. The Secretary's approval of ER was received on 8/2/2018. An alternative ER will be appointed in the event that Toby Hobbs is away or unavailable. The alternative ER is: <div><div></div><div></div></div> The details of the alternative ER were submitted to the Secretary for approval on 29/3/2018, and the Secretary' approval of the alternative ER was received on 9/4/2018.</div>
A23	Works must not commence until an ER nominated under Condition A22 of this approval in respect of such works has been approved by the Secretary.	Yes	Construction	Yes	The Secretary's approval of the nominated ER and alternative ER was received on 8/2/2018 and 9/4/2018, respectively.
A24	From commencement of works until completion of construction, the approved ER must: (a) receive and respond to communications from the Secretary in relation to the environmental performance of the SSI; (b) consider and inform the Secretary on matters specified in the terms of this approval; (c) consider and recommend any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; (d) review all work and construction related documents required to be prepared under the terms of this approval, ensure they address any requirements in or under this approval and if so, endorse them prior to submission to the Secretary (if required to be submitted to the Secretary) or prior to implementation (if not required to be submitted to the Secretary); (e) regularly monitor the implementation of all work and construction related documents required by the terms of this approval for implementation in accordance with what is stated in the document and the terms of this approval; (f) as may be requested by the Secretary, help plan, attend or undertake Department audits of the SSI, briefings, and site visits; (g) if conflict arises between the Proponent and the community in relation to the environmental performance of the SSI, follow the procedure in the Community Communication Strategy approved under Condition B2 of this approval to attempt to resolve the conflict, and if it cannot be resolved, notify the Secretary; (h) review any draft consistency assessment that may be carried out by the Proponent, and provide advice on any additional mitigation measures required to minimise the impact of the work; (i) consider any minor amendments to be made to the CEMP, CEMP sub-plans and monitoring programs that comprise updating or are of an administrative nature, and are consistent with the terms of this approval and the CEMP, CEMP sub-plans and monitoring programs approved by the Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval; (j) assess the impacts of minor ancillary facilities as required by Condition A18 of this approval; and (k) prepare and submit to the Secretary and other relevant regulatory agencies, for information, a monthly Environmental Representative Report detailing the ER's actions and decisions on matters for which the ER was responsible in the preceding month (or other timeframe agreed with the Secretary). The Environmental Representative Report must be submitted within seven (7) days following the end of each month for the duration of the delivery of the SSI, or as otherwise agreed with the Secretary.	Yes	Construction	Yes	<div>Fulton Hogan, Roads and Maritime and the ER recognise this requirement and will ensure it is complied with throughout the duration of Stage 2.</div> <div>A Services implementation plan for the ER has been finalised and submitted to DP&E on the 26/02/18 with the Stage 1 Pre-Construction Compliance Report.</div>
COMPLIANCE TRACKING PROGRAM					
A25	A Compliance Tracking Program to monitor compliance with the terms of this approval must be prepared, taking into consideration any staging of the SSI that is proposed in a Staging Report submitted in accordance with Condition A12 and Condition A13 of the approval.	Yes	Construction and Operation	Yes	A Compliance Tracking Program (CTP) to monitor compliance with the terms of the approval and take into consideration staging of the SSI as proposed in the Staging Report has been prepared.
A26	The Compliance Tracking Program must be endorsed by the ER and then submitted to the Secretary for information prior to the commencement of works or within another timeframe agreed with the Secretary.	Yes	Construction and Operation	Yes	<div>A Compliance Tracking Program (CTP) to monitor compliance with the terms of the approval and take into consideration staging of the SSI as proposed in the Staging Report has been prepared.</div> The CTP was endorsed by the ER on 16/2/2018, and submitted to the Secretary for information on 18/2/2018.
A27	The Compliance Tracking Program in the form required under Condition A25 of this approval must be implemented for the duration of works and for a minimum of one (1) year following commencement of operation, or for a longer period as determined by the Secretary based on the outcomes of independent environmental audits, Environmental Representative Reports and regular compliance reviews submitted through Compliance Reports . If staged operation is proposed, or operation is commenced of part of the SSI, the Compliance Tracking Program must be implemented for the relevant period for each stage or part of the SSI.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
CONSTRUCTION COMPLIANCE REPORTING					
A28	A Pre-Construction Compliance Report must be prepared and submitted to the Secretary for information no later than one month before the commencement of works or within another timeframe agreed with the Secretary. The Pre-Construction Compliance Report must include: (a) details of how the terms of this approval that must be addressed before the commencement of works have been complied with; and (b) the commencement date for works.	Yes	Construction	Yes	This Pre-Construction Compliance Report (PCCR) details how the terms of the approval that must be addressed before the commencement of works have been complied with, and the commencement date for works.
A29	Works must not commence until the Pre-Construction Compliance Report has been submitted to the Secretary.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with.

Appendix A - Stage 2 Conditions of Approval Compliance Table

CoA	Condition of Approval (CoA)	Applicable to Stage 2?	Project Phase applicable to Condition	Stage 2 Compliance	Evidence of Stage 2 Pre-Construction Compliance/ Notes
A30	Construction Compliance Reports must be prepared and submitted to the Secretary for information every six (6) months from the date of the commencement of works or within another timeframe agreed with the Secretary, for the duration of works. The Construction Compliance Reports must include (as applicable): (a) a results summary and analysis of environmental monitoring; (b) the number of any complaints received, including a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints; (c) details of any review of, and minor amendments made to, the CEMP as a result of construction carried out during the reporting period; (d) a register of any consistency assessments undertaken and their status; (e) results of any environmental audits and details of any actions taken in response to the recommendations of an audit; (f) a summary of all incidents notified in accordance with Condition A38 and Condition A41 of this approval; and (g) any other matter relating to compliance with the terms of this approval or as requested by the Secretary.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
PRE-OPERATION COMPLIANCE REPORT					
A31	A Pre-Operation Compliance Report must be prepared and submitted to the Secretary for information no later than one month before the commencement of operation (or stage of operation) or within another timeframe agreed with the Secretary. The Pre-Operation Compliance Report must include: (a) details of how the terms of this approval that must be addressed before the commencement of operation have been complied with; and (b) the commencement date for operation.	No	Operation	N/A	
A32	Operation (or stage of operation) must not commence until the Pre-Operation Compliance Report has been submitted for information to the Secretary.	No	Operation	N/A	
AUDITING					
A33	An Environmental Audit Program for independent environmental auditing against the terms of this approval must be prepared in accordance with <i>AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems</i> and submitted to the Secretary for information no later than one month before the commencement of works except in relation to the works at the Croom Regional Sporting Complex, or within another timeframe agreed with the Secretary.	Yes	Construction and Operation	Yes	The Environmental Audit Program was submitted to DP&E on 20/09/18. DP&E provided an acknowledgement letter on 26/09/18.
A34	The Environmental Audit Program , as submitted to the Secretary, must be implemented for the duration of the works except in relation to the works at the Croom Regional Sporting Complex.	Yes	Construction and Operation	Yes	The Environmental Audit Program was submitted to DP&E on 20/09/18. DP&E provided an acknowledgement letter on 26/09/18.
A35	All independent environmental audits of the SSI must be conducted by a suitably qualified, experienced and independent team of experts in auditing and be documented in an Environmental Audit Report which: (a) assesses the environmental performance of the SSI, and its effects on the surrounding environment; (b) assesses whether the project is complying with the terms of this approval; (c) reviews the adequacy of any document required under this approval; and (d) recommends measures or actions to improve the environmental performance of the SSI, and improvements to any document required under this approval.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. The Environmental Audit Program was submitted to DP&E on 20/09/18. DP&E provided an acknowledgement letter on 26/09/18.
A36	The Environmental Audit must be carried out within 12 months of works commencing except in relation to the works at the Croom Regional Sporting Complex, and annually thereafter during the delivery of the SSI, and within 12 months of the commencement of operation and then as required by the Secretary.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. The Environmental Audit Program was submitted to DP&E on 20/09/18. DP&E provided an acknowledgement letter on 26/09/18.
A37	The Proponent must submit a copy of the Environmental Audit Report to the Secretary with a response to any recommendations contained in the audit report within six (6) weeks of completing the audit, or within another timeframe agreed with the Secretary.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. The Environmental Audit Program was submitted to DP&E on 20/09/18. DP&E provided an acknowledgement letter on 26/09/18.
INCIDENT NOTIFICATION					
A38	The Secretary must be notified as soon as possible and in any event within 24 hours of any incident associated with the delivery of the SSI.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Provisions for incident notification of the Secretary as soon as possible and in any event within 24 hours of any incident associated with the delivery of the SSI are described in the CEMP. The CEMP was submitted to DP&E on 19/09/18.
A39	Notification of an incident under Condition A38 of this approval must include the time and date of the incident, details of the incident and must identify any non-compliance with this approval.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Provisions for incident notification including the time, date and details of the incident are described in the CEMP. The CEMP was submitted to DP&E on 19/09/18.
A40	Any requirements of the Secretary or relevant government authority (as determined by the Secretary) to address the cause or impact of an incident reported in accordance with Condition A38 of this approval, must be met within the timeframe determined by the Secretary or relevant government authority.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Provisions for the Secretary or relevant government authority to address the cause or impact of an incident are described in the CEMP. The CEMP was submitted to DP&E on 19/09/18.
A41	If statutory notification is given to the EPA as required under the POEO Act in relation to the SSI, such notification must also be provided to the Secretary within 24 hours after the notification was given to the EPA.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Provisions that if statutory notification is given to the EPA as required under the POEO Act in relation to the SSI, that notification must also be given to the Secretary within 24 hours after the EPA notification are described in the CEMP. The CEMP was submitted to DP&E on 19/09/18.
PART B: COMMUNITY INFORMATION AND REPORTING					
COMMUNITY INFORMATION, COMMUNICATION AND INVOLVEMENT					
B1	A Community Communication Strategy must be prepared to facilitate communication between the Proponent and the community (including Relevant Council(s), adjoining affected landowners and businesses, and others directly impacted by the SSI), during the delivery of the SSI and for a minimum of 12 months following the completion of the SSI.	Yes	Construction and Operation	Yes	A Community Consultation Strategy (CCS) has been prepared to facilitate communication between Fulton Hogan and the community. The CCS was submitted to DP&E on 19/09/18.
B2	The Community Communication Strategy must: (a) identify people or organisations to be consulted during the delivery of the project; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the SSI; (c) identify opportunities to provide accessible information regarding regularly updated site activities, schedules and milestones at each construction site; (d) identify opportunities for the community to visit construction sites (taking into consideration workplace health and safety requirements); (e) involve construction personnel from each construction site in engaging with the local community; (f) provide for the formation of issue or location-based community forums, that focus on key environmental management issues of concern to the relevant community(ies) for the SSI; and (g) set out procedures and mechanisms: i. through which the community can discuss or provide feedback to the Proponent; ii. through which the Proponent will respond to enquiries or feedback from the community; and iii. to resolve any issues and mediate any disputes that may arise in relation to the environmental management and delivery of the SSI.	Yes	Construction and Operation	Yes	A Community Consultation Strategy (CCS) has been prepared in accordance with the requirements of CoA B2. The CCS was submitted to DP&E on 19/09/18.
B3	The Community Communication Strategy must be submitted to the Secretary for approval no later than one (1) month before commencement of any works, or within another timeframe agreed with the Secretary.	Yes	Construction and Operation	Yes	The CCS was submitted to DP&E on 19/09/18.
B4	Work for the purposes of the SSI must not commence until the Community Communication Strategy has been approved by the Secretary.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure that work does not commence until the CCS has been approved by the Secretary.
B5	The Community Communication Strategy , as approved by the Secretary, must be implemented for the duration of the works and for 12 months following the completion of construction.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
COMPLAINTS MANAGEMENT SYSTEM					

Appendix A - Stage 2 Conditions of Approval Compliance Table

CoA	Condition of Approval (CoA)	Applicable to Stage 2?	Project Phase applicable to Condition	Stage 2 Compliance	Evidence of Stage 2 Pre-Construction Compliance/ Notes																								
B6	A Complaints Management System must be prepared and submitted to the Secretary for information prior to the commencement of any works in respect of the SSI and must be implemented and maintained for the duration of works and for a minimum for 12 months following completion of construction of the SSI.	Yes	Construction and Operation	Yes	The Complaints Management System was submitted to DP&E on 19/09/18.																								
B7	The Complaints Management System must include a Complaints Register to be maintained recording information on all complaints received about the SSI during the carrying out of any works associated with the SSI, and for a minimum of 12 months following the completion of construction. The Complaints Register must record the: (a) number of complaints received; (b) number of people affected in relation to a complaint; and (c) nature of the complaint and means by which the complaint was addressed and whether resolution was reached, with or without mediation.	Yes	Construction and Operation	Yes	The Complaints Management System includes a Complaints Register produced in accordance with CoA B7 and will be complied with for the duration of Stage 2. The Complaints Management System was submitted to DP&E on 19/09/18.																								
B8	The Complaints Register must be provided to the Secretary upon request, within the timeframe stated in the request.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.																								
B9	The following facilities must be made available within one (1) month from the date of this approval or within another timeframe agreed with the Secretary, and for 12 months following the completion of construction: (a) a 24 hour telephone number for the registration of complaints and enquiries about the SSI; (b) a postal address to which written complaints and enquiries may be sent; (c) an email address to which electronic complaints and enquiries may be transmitted; and (d) a mediation system for complaints unable to be resolved.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. The 24 hour telephone number, postal address and email address are all available on the project website: www.RMS.nsw.gov.au/apr Phone: 1800 708 727 (toll free) Mail: Albion Park Rail bypass, PO Box 1014, Albion Park Rail NSW 2527 0 Email: APRbypass@fultonhogan.com.au A mediation system for complaints unable to be resolved is included in the Complaints Management System (CMS).																								
B10	The telephone number, postal address and email address required under Condition B9 of this approval must be published in a newspaper circulating in the local area prior to the commencement of works and published in the same way again prior to the commencement of operation. This information must also be provided on the website required under Condition B11 of this approval.	Yes	Construction and Operation	Yes	The project telephone number, postal address and email address will be published in newspapers circulated in the local area (Illawarra Mercury and Lake Times Advertiser) prior to the commencement of works. Telephone number, postal address and email address are provided on the project website: www.RMS.nsw.gov.au/apr																								
PROVISION OF ELECTRONIC INFORMATION																													
B11	A website providing information in relation to the SSI must be established before the commencement of works and maintained during the delivery of the SSI, and for a minimum of 12 months following the completion of construction or within another timeframe agreed with the Secretary. The following up-to-date information (excluding confidential, private and commercial information) must be published and maintained on the website or dedicated pages: (a) information on the current implementation status of the SSI; (b) a copy of the documents listed in Table 2 of this approval, and any documentation relating to any modifications made to the SSI or the terms of this approval; (c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval; (d) a copy of each statutory approval, licence or permit required and obtained in relation to the SSI; and (e) a current copy of each document required under the terms of this approval and any endorsements, approvals or requirements from the ER and Secretary, all of which must be published prior to the commencement of any works to which they relate or prior to their implementation as the case may be.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. A project website providing information in relation to the SSI has been established as follows: www.RMS.nsw.gov.au/apr. A copy of the documents listed in Table 2 of the project approval and any modifications will be made available on the website prior to the commencement of works and during delivery of the SSI. A copy of the consolidated approval (and copies of any approvals granted to a modification of the approval) is available on the project website. A copy of each statutory approval, licence and permit will be made available on the project website prior to the commencement of works. A current copy of each document required under the terms of this approval and any endorsements, approvals or requirements from the ER and Secretary.																								
PART C: CONSTRUCTION ENVIRONMENTAL MANAGEMENT																													
C1	A Construction Environmental Management Plan (CEMP) must be prepared in accordance with the Department's <i>Guideline for the Preparation of Environmental Management Plans</i> to detail how the performance outcomes, commitments and mitigation measures specified in the EIS as amended by the SPIR will be implemented and achieved during construction.	Yes	Construction	Yes	The CEMP was submitted to DP&E on 19/09/18.																								
C2	The CEMP must provide: (a) a description of activities to be undertaken during construction (including the scheduling of construction); (b) details of environmental policies, guidelines and principles to be followed in the construction of the SSI; (c) a schedule for compliance auditing; (d) a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of construction of the SSI; (e) details of how the activities described in subsection (a) of this condition will be carried out to: i. meet the performance outcomes stated in the EIS as amended by the SPIR; and ii. manage the risks identified in the risk analysis undertaken in subsection (d) of this condition; (f) an inspection program detailing the activities to be inspected and frequency of inspections; (g) a protocol for managing and reporting any: i. incidents; and ii. manage the risks identified in the risk analysis undertaken in subsection (d) of this condition; (h) procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during construction; (i) a list of all the CEMP Sub-plans required in respect of construction, as set out in Condition C4. Where staged construction of the SSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction; (j) a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER; (k) for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval; and (l) for periodic review and update of the CEMP and all associated plans and programs.	Yes	Construction	Yes	The CEMP was submitted to DP&E on 19/09/18.																								
C3	The CEMP must be endorsed by the ER and then submitted to the Secretary for approval no later than one (1) month before the commencement of construction or within another timeframe agreed with the Secretary.	Yes	Construction	Yes	The CEMP has been prepared and endorsed by the ER. The CEMP was submitted to DP&E on 19/09/18.																								
C4	The following CEMP Sub-plans must be prepared in consultation with the relevant government agencies identified for each CEMP Sub-plan and be consistent with the CEMP referred to in Condition C1 . <table><tr><th colspan="3">Table 3: CEMP Sub-plan Consultation Requirements</th></tr><tr><th></th><th>Required CEMP Sub-plan</th><th>Relevant government agencies to be consulted for each CEMP Sub-plan</th></tr><tr><td>a)</td><td>Traffic and transport</td><td>Relevant Council(s)</td></tr><tr><td>b)</td><td>Noise and vibration</td><td>EPA</td></tr><tr><td>c)</td><td>Fauna and Flora</td><td>OEH and DPI Fisheries</td></tr><tr><td>d)</td><td>Soil and water</td><td>EPA and DPI Water and Fisheries</td></tr><tr><td>e)</td><td>Heritage</td><td>OEH, Relevant Council(s), Registered Aboriginal Parties</td></tr><tr><td>f)</td><td>Flooding and Hydrology</td><td>OEH and Relevant Council(s)</td></tr></table>	Table 3: CEMP Sub-plan Consultation Requirements				Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan	a)	Traffic and transport	Relevant Council(s)	b)	Noise and vibration	EPA	c)	Fauna and Flora	OEH and DPI Fisheries	d)	Soil and water	EPA and DPI Water and Fisheries	e)	Heritage	OEH, Relevant Council(s), Registered Aboriginal Parties	f)	Flooding and Hydrology	OEH and Relevant Council(s)	Yes	Construction	Yes	The CEMP (including Sub-plans) was prepared in consultation with the relevant government agencies and was submitted to DP&E on 19/09/18.
Table 3: CEMP Sub-plan Consultation Requirements																													
	Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan																											
a)	Traffic and transport	Relevant Council(s)																											
b)	Noise and vibration	EPA																											
c)	Fauna and Flora	OEH and DPI Fisheries																											
d)	Soil and water	EPA and DPI Water and Fisheries																											
e)	Heritage	OEH, Relevant Council(s), Registered Aboriginal Parties																											
f)	Flooding and Hydrology	OEH and Relevant Council(s)																											
C5	The CEMP Sub-plans must state how: (a) the environmental performance outcomes identified in the EIS as amended by the SPIR as modified by these conditions will be achieved; (b) the mitigation measures identified in the EIS as amended by the SPIR as modified by these conditions will be implemented; (c) the relevant terms of this approval will be complied with (in particular Part E of this approval); (d) the identification of the relevant environmental specific training and induction processes for construction personnel; and (e) issues requiring management during construction, as identified through ongoing environmental risk analysis,	Yes	Construction	Yes	The CEMP (including Sub-plans) was submitted to DP&E on 19/09/18.																								
C6	The CEMP Sub-plans must be developed in consultation with relevant government agencies identified in Table 3 of Condition C4 of this approval. Where an agency(ies) request(s) is not included, the Proponent must provide the Secretary justification as to why. Details of all information requested by an agency to be included in a CEMP Sub-plan as a result of consultation, including copies of all correspondence from those agencies, must be provided with the relevant CEMP Sub-Plan .	Yes	Construction	Yes	The CEMP (including Sub-plans) was submitted to DP&E on 19/09/18.																								
C7	Any of the CEMP Sub-plans may be submitted to the Secretary for approval along with, or subsequent to, the submission of the CEMP but in any event, no later than one (1) month before commencement of construction.	Yes	Construction	Yes	The CEMP (including Sub-plans) was submitted to DP&E on 19/09/18.																								

Appendix A - Stage 2 Conditions of Approval Compliance Table

CoA	Condition of Approval (CoA)	Applicable to Stage 2?	Project Phase applicable to Condition	Stage 2 Compliance	Evidence of Stage 2 Pre-Construction Compliance/ Notes																		
C8	Construction must not commence until the CEMP and all CEMP Sub-plans have been approved by the Secretary. The CEMP and CEMP Sub-plans , as approved by the Secretary, including any minor amendments approved by the ER must be implemented for the duration of construction. Where the SSI is being staged, construction of that stage is not to commence until the relevant CEMP and sub-plans have been approved by the Secretary, unless otherwise agreed by the Secretary.	Yes	Construction	Yes	Fulton Hogan recognises and will comply with this requirement.																		
CONSTRUCTION MONITORING PROGRAMS																							
C9	<div>The following Construction Monitoring Programs must be prepared in consultation with the relevant government agencies identified for each Construction Monitoring Program to compare actual performance of construction of the SSI against performance predicted performance:</div> <table><tr><th colspan="3">Table 4: Construction Monitoring Program Consultation Requirements</th></tr><tr><th></th><th>Required Construction Monitoring Programs</th><th>Relevant government agencies to be consulted for each Construction Monitoring Program</th></tr><tr><td>a)</td><td>Air Quality</td><td>EPA</td></tr><tr><td>b)</td><td>Groundwater</td><td>DPI Water</td></tr><tr><td>c)</td><td>Surface Water</td><td>EPA and DPI Fisheries</td></tr><tr><td>d)</td><td>Noise</td><td>EPA</td></tr></table>	Table 4: Construction Monitoring Program Consultation Requirements				Required Construction Monitoring Programs	Relevant government agencies to be consulted for each Construction Monitoring Program	a)	Air Quality	EPA	b)	Groundwater	DPI Water	c)	Surface Water	EPA and DPI Fisheries	d)	Noise	EPA	Yes	Construction	Yes	The requirements of the Construction Monitoring Programs (CMPs) are satisfied by the relevant CEMP Sub-plans as outlined in Table 1-1 of the CEMP (main section). The CEMP was submitted to DP&E on 19/09/18.
Table 4: Construction Monitoring Program Consultation Requirements																							
	Required Construction Monitoring Programs	Relevant government agencies to be consulted for each Construction Monitoring Program																					
a)	Air Quality	EPA																					
b)	Groundwater	DPI Water																					
c)	Surface Water	EPA and DPI Fisheries																					
d)	Noise	EPA																					
C10	Each Construction Monitoring Program must provide: (a) details of baseline data available; (b) details of baseline data to be obtained and when; (c) details of all monitoring of the project to be undertaken; (d) the parameters of the project to be monitored; (e) the frequency of monitoring to be undertaken; (f) the location of monitoring; (g) the reporting of monitoring results; (h) procedures to identify and implement additional mitigation measures where results of monitoring are unsatisfactory; and (i) any consultation to be undertaken in relation to the monitoring programs.	Yes	Construction	Yes	The requirements of the CMPs are satisfied by the relevant CEMP Sub-plans as outlined in Table 1-1 of the CEMP (main section). Each relevant Sub-plan includes a cross reference table in Chapter 3 to indicate where the requirements of CoA C10 are addressed in that Sub-plan. The CEMP (including Sub-plans and CMPs) was submitted to DP&E on 19/09/18.																		
C11	The Construction Monitoring Programs must be developed in consultation with relevant government agencies as identified in Table 4 of Condition C9 of this approval and must include, to the written satisfaction of the Secretary, information requested by an agency to be included in a Construction Monitoring Programs during such consultation. Details of all information requested by an agency including copies of all correspondence from those agencies, must be provided with the relevant Construction Monitoring Program .	Yes	Construction	Yes	The CMPs have been incorporated into the relevant CEMP Sub-plans as permitted by CoA C16. CMP consultation was therefore undertaken as part of CEMP consultation and is included in appendix A5 if the CEMP main section. The CEMP was submitted to DP&E on 19/09/18.																		
C12	The Construction Monitoring Programs must be endorsed by the ER and then submitted to the Secretary for approval at least one (1) month before the commencement of construction or within another timeframe agreed with the Secretary.	Yes	Construction	Yes	In accordance with CoA C16, the relevant CMP has been incorporated into the relevant CEMP Sub-plan. The CMPs are endorsed by the ER by virtue of endorsement of the CEMP in accordance with Section 1.4 of the CEMP (main section). The CEMP was submitted to DP&E on 19/09/18.																		
C13	Construction must not commence until the Secretary has approved all of the required Construction Monitoring Programs , and all relevant baseline data for the specific construction activity has been collected.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.																		
C14	The Construction Monitoring Programs , as approved by the Secretary, including any minor amendments approved by the ER, must be implemented for the duration of construction and for any longer period as set out in the monitoring program or specified by the Secretary, whichever is the greater.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.																		
C15	The results of the Construction Monitoring Programs must be submitted to the Secretary, and relevant regulatory agencies and Relevant Council(s), for information in the form of a Construction Monitoring Report at the frequency identified in the relevant Construction Monitoring Program .	Yes	Construction	Yes	CMP results reporting is addressed in Section 3.7.5 Item No. 9 of the CEMP (main section). The CEMP was submitted to DP&E on 19/09/18.																		
C16	Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan .	Yes	Construction	Yes	As permitted by this CoA, the relevant CMP has been incorporated into the relevant CEMP Sub-plan. The CEMP (including Sub-plans) was submitted to DP&E on 19/09/18.																		
PART D: OPERATIONAL ENVIRONMENTAL MANAGEMENT																							
OPERATIONAL ENVIRONMENTAL MANAGEMENT																							
D1	An Operational Management Plan (OEMP) must be prepared in accordance with the Department’s <i>Guideline for the Preparation of Environmental Management Plans</i> to detail how the performance outcomes, commitments and mitigation measures made and identified in the EIS as amended by the SPIR will be implemented and achieved during operation. This condition (Condition D1) does not apply if Condition D2 of this approval applies.	No	Operation	N/A																			
D2	An OEMP is not required for the SSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Secretary, and can demonstrate, to the written satisfaction of the Secretary at least one (1) month prior to the commencement of operation or within another timeframe agreed with the Secretary, that through the EMS : (a) the performance outcomes, commitments and mitigation measures, made and identified in the EIS as amended by the SPIR, and these conditions of approval can be achieved; (b) issues identified through ongoing risk analysis can be managed; and (c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation.	No	Operation	N/A																			
D3	The OEMP or EMS or equivalent as agreed with the Secretary, must be submitted to the Secretary for information no later than one (1) month before the commencement of operation or within another timeframe agreed with the Secretary.	No	Operation	N/A																			
D4	<div>Where an OEMP is required, the Proponent must include the following OEMP Sub-plans in the OEMP:</div> <table><tr><th colspan="3">Table 5: OEMP Sub-plan Consultation Requirements</th></tr><tr><th></th><th>Required OEMP Sub-plan</th><th>Relevant government agencies to be consulted for each OEMP Sub-plan</th></tr><tr><td>a)</td><td>Noise and vibration</td><td>EPA</td></tr><tr><td>b)</td><td>Soil and Water</td><td>EPA, DPI Water and Fisheries</td></tr><tr><td>c)</td><td>Traffic and Transport</td><td>Relevant Council(s)</td></tr><tr><td>d)</td><td>Flooding</td><td>OEH and Relevant Council(s)</td></tr></table>	Table 5: OEMP Sub-plan Consultation Requirements				Required OEMP Sub-plan	Relevant government agencies to be consulted for each OEMP Sub-plan	a)	Noise and vibration	EPA	b)	Soil and Water	EPA, DPI Water and Fisheries	c)	Traffic and Transport	Relevant Council(s)	d)	Flooding	OEH and Relevant Council(s)	No	Operation	N/A	
Table 5: OEMP Sub-plan Consultation Requirements																							
	Required OEMP Sub-plan	Relevant government agencies to be consulted for each OEMP Sub-plan																					
a)	Noise and vibration	EPA																					
b)	Soil and Water	EPA, DPI Water and Fisheries																					
c)	Traffic and Transport	Relevant Council(s)																					
d)	Flooding	OEH and Relevant Council(s)																					
D5	Each of the OEMP Sub-plans must include the information set out in Condition D2 of this approval.	No	Operation	N/A																			
D6	The OEMP Sub-plans must be developed in consultation with relevant government agencies as identified in Table 5 of Condition D4 . Where an agency(ies) request(s) is not included in an OEMP sub-plan, the Proponent must provide to the Secretary justification as to why. Details of all information requested by an agency to be included in an OEMP Sub-plan as a result of consultation, including copies of all correspondence from those agencies, must be provided with the relevant OEMP Sub-Plan .	No	Operation	N/A																			
D7	The OEMP Sub-plans must be submitted to the Secretary as part of the OEMP .	No	Operation	N/A																			
D8	The OEMP or EMS or equivalent as agreed with the Secretary, as submitted to the Secretary and amended from time to time, must be implemented for the duration of operation and the OEMP or EMS must be made publicly available prior to the commencement of operation.	No	Operation	N/A																			
OPERATIONAL MONITORING PROGRAM																							
Transport and Access																							
D9	<div>Within 12 months and 5 years of the commencement of operation of the SSI, or within another timeframe agreed to by the Secretary, the Proponent must prepare a Road Network Performance Report to confirm the operational traffic impacts of the project on surrounding roads and intersections. The review must be carried out in consultation with the Relevant Councils, and include: (a) an updated traffic analysis, including traffic modelling if required, of movements on the surrounding road network; (b) an assessment of the level of service at key intersections and sections of the road network; (c) mitigation measures to manage any actual or predicted traffic performance impacts; and (d) a comparison of the pre-construction and post construction road network performance for all road users.</div> <div>The assessment must be based on actual traffic counts, and take into consideration the Tripoli Way and Yallah Road projects, should they be operational, and the Illawarra Highway Corridor Strategy should it be adopted by RMS, during the review periods.</div> <div>The Road Network Performance Report must be submitted to the Secretary and Relevant Council(s) for information within 60 days of its completion or as otherwise agreed by the Secretary, and made publicly available.</div> <div>The Proponent is responsible for the implementation of the identified measures under Condition D9(c).</div> <div>Note: Identified mitigation measures may need to be further assessed under the Environmental Planning and Assessment Act, 1979. Works will need to meet relevant design standards and be subject to independent road safety audits.</div>	No	Operation	N/A																			

Appendix A - Stage 2 Conditions of Approval Compliance Table

CoA	Condition of Approval (CoA)	Applicable to Stage 2?	Project Phase applicable to Condition	Stage 2 Compliance	Evidence of Stage 2 Pre-Construction Compliance/ Notes
Operational Noise					
D10	<p>Within 12 months of the commencement of operation of the SSI, except for the Croom Regional Sporting Complex, or as otherwise agreed by the Secretary, the Proponent must undertake monitoring of operational noise to compare actual noise performance of the SSI against the noise performance predicted in the review of noise mitigation measures required by Condition E46.</p> <p>The Proponent must prepare an Operational Noise Compliance Report to document this monitoring. The Report must include, but not necessarily be limited to:</p> <p>(a) noise monitoring to assess compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E46;</p> <p>(b) a review of the operational noise levels in terms of criteria and noise goals established in the NSW Road Noise Policy 2011;</p> <p>(c) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which SSI noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers;</p> <p>(d) details of any complaints and enquiries received in relation to operational noise generated by the SSI between the date of commencement of operation and the date the report was prepared;</p> <p>(e) any required recalibrations of the noise model taking into consideration factors such as noise monitoring and actual traffic numbers and proportions;</p> <p>(f) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and</p> <p>(g) identification of additional measures to those identified in the review of noise mitigation measures required by Condition E46, that would be implemented with the objective of meeting the criteria outlined in the NSW Road Noise Policy 2011, when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA.</p> <p>The Operational Noise Report must be submitted to the Secretary and the EPA within 60 days of completing the operational noise monitoring or as otherwise agreed by the Secretary, and made publicly available.</p>	No	Operation	N/A	
PART E: KEY ISSUE CONDITIONS					
AIR QUALITY					
E1	In addition to the performance outcomes, commitments and mitigation measures specified in the EIS as amended by the SPIR, all feasibly and reasonably practicable measures must be implemented to minimise the emission of dust and other air pollutants during works and operation of the SSI.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Management of dust emissions is addressed in the CEMP Air Quality Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
AVIATION					
E2	The SSI must be delivered and operated to comply with the Code 2 (Runway 08/26) and Code 3 (Runway 16/34) OLS for the Illawarra Regional Airport, except as provided for under Condition E3 and Condition E7.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
E3	<p>An Aviation Method of Working Plan must be developed for the Illawarra Regional Airport by an appropriately qualified expert in aviation safety in consultation with the airport operator. The Plan must provide details of any proposed works that may impact on airport operations and events. The plan must include:</p> <p>(a) identification of works likely to cause a hazard to or impact on aircraft and airport operations including but not limited to, intrusions into the Code 2 (Runway 08/26) and Code 3 (Runway 16/34) OLS, dust and debris, wildlife hazards, lighting and light spill, glare and reflection, and impacts from plant and equipment on aviation infrastructure (such as communication, navigation and surveillance facilities and structures);</p> <p>(b) identification and consultation with appropriate operators of impacted aviation infrastructure and instrument flight procedures at the airport, and known flight scheduling;</p> <p>(c) procedures to ensure that the runways can operate when required;</p> <p>(d) procedures to ensure impacts resulting in the closures or restriction of operations at either runway are limited to a duration considered reasonable in consultation with the airport operator;</p> <p>(e) mitigation measures for the management of those impacts and hazards to aircraft and airport operations from works; and</p> <p>(f) monitoring of the effectiveness of mitigation measures to ensure impacts and hazards to aircraft and airport operations is managed at all times throughout the works.</p> <p>The Plan must be made publicly available prior to the commencement of any works that impact the operation of the Illawarra Regional Airport or within two weeks of any update to the Plan.</p>	Yes	Construction	Yes	<p>An Aviation Method of Working Plan for the Illawarra Regional Airport is currently being prepared.</p> <p>Consultation with the airport operator (SCC) will be undertaken in developing the plan.</p> <p>The Aviation Method of Working Plan for Stage 2 APRB is being prepared by a qualified expert in aviation safety (JJ Ryan Consulting).</p> <p>The Aviation Method of Working Plan will be submitted to the ER for endorsement prior to relevant works commencing.</p> <p>The Aviation Method of Working Plan will be posted on the project website prior to the commencement of relevant works or within 2 weeks of any update of the plan.</p>
E4	Should any works have the potential to interfere with aircraft operations, CASA, ASA, the Airport Operator and aircraft operators must be advised at least two weeks in advance of such works. All appropriate notices as may be required of these stakeholders including Notices to Airmen (NOTAM) , must be prepared and received 3 days prior to the carrying out of the works.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. The requirements of this condition will be included in the Method of Working Plan required under CoA E3.
E5	Works must not impede the running of the Wings Over Illawarra Air Show (nominally the first weekend of May (12:00 am Thursday to 11:59 pm Sunday)). This includes the full operation of Runway 16/34 for the duration of the Air Show. Consultation must be undertaken with Shellharbour City Council to address this matter at least two weeks prior to the Air Show.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. The requirements of this condition will be included in the Method of Working Plan required under CoA E3.
E6	All lighting associated with works (including outside standard construction hours) and operation of the SSI, including lighting associated with the Croom Regional Sporting Complex, must comply with Section 9.21 of the <i>Manual of Standards Part 139 – Aerodromes</i> (as updated from time to time) and the <i>National Airports Safeguarding Framework Guideline E ‘Managing the Risk of Distraction to Pilots from Lighting in the Vicinity of Airports.’</i>	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. The requirements of this condition will be included in the Method of Working Plan required under CoA E3.
E7	Where an intrusion into the Code 2 (Runway 08/26) and Code 3 (Runway 16/34) OLS is unavoidable during operation of the SSI, an OLS Intrusion Aeronautical Study for each intrusion must be prepared by an appropriately qualified expert in aviation safety. Each Study must identify all intrusions height and location information, assess risks to ongoing aviation safety and demonstrate how these risks will be satisfactorily managed.	No	Operation	N/A	
E8	Vegetation and landscaping other than groundcover within the road reserve must not intrude into the Code 2 (Runway 08/26) and Code 3 (Runway 16/34) OLS.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
E9	Mitigation measures described in section 4 of the Albion Park Rail Bypass SPIR, Appendix B Addendum Aviation Assessment, September 2017, Hyder Cardno Joint Venture, must be implemented, except as required by this approval.	Yes	Construction	Yes	<p>Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.</p> <p>Mitigation measures relevant to Stage 2 APRB will be addressed in the Aviation Method of Working Plan required under CoA E3.</p>
E10	During detailed design, any amendments to structures identified in the <i>Albion Park Rail Bypass SPIR, Appendix B Addendum Aviation Assessment, September 2017, Hyder Cardno Joint Venture</i> , will require further windshear and turbulence assessment in accordance with the NASF Guideline B ‘managing the Risk of Building Generated Windshear and Turbulence at Airports. This additional assessment must be undertaken in consultation with CASA, Shellharbour City Council and the Airport Operator.	Yes	Detailed design	Yes	Windshear will be assessed as part of the 100% design phase in consultation with CASA, Shellharbour City Council (SCC) and the Airport Operator.
BIODIVERSITY					
E11	The Proponent must offset impacts to the Plant Community Types and Endangered Population specified in the <i>Albion Park Rail, Biodiversity Addendum, ngh environmental, December 2017</i> , in accordance with the requirements of the <i>NSW Biodiversity Offsets Policy for Major Projects</i> (OEH, 2014), <i>the Framework for Biodiversity Assessment 2014</i> , or as otherwise agreed by the Secretary in consultation with OEH.	Yes	Construction	Yes	Roads and Maritime Services recognises this requirement and will ensure it is complied with.
E12	The Proponent must submit a progress report to the Secretary which identifies offsets required and evidence that they are achievable, or alternatively provide details on how the offset requirements will be met using the Biodiversity Conservation Fund. This report must be provided to the Secretary for information prior to any impacts on vegetation communities and the Eastern Flame Pea endangered population, except those within the Croom Regional Sporting Complex.	Yes	Construction	Yes	A Biodiversity Offset Progress Report was endorsed by the ER on 22/06/2018 and was submitted to DP&E on the 22/06/2018.
E13	<p>Within 24 months of the submission of the progress report (as required under Condition E12), or as otherwise agreed by the Secretary, the Proponent must finalise and submit to the Secretary for approval, a Biodiversity Offset Package. The Package must be prepared in consultation with OEH and confirm how the impacts of the SSI will be offset. The Package must be consistent with the biodiversity offset strategy requirements of the <i>NSW Biodiversity Offsets Policy for Major Projects</i> (OEH, 2014), unless otherwise agreed by OEH. The Package must include, but not necessarily be limited to:</p> <p>(a) details on the biodiversity credits (including number and type) identified to offset the impacts of the SSI and evidence that they be attained and secured in accordance with the NSW Biodiversity Offsets Policy for Major Projects (OEH, 2014); and</p> <p>(b) for offsets not secured through the retirement of biodiversity credits, details on how offset requirements will be met.</p>	Yes	Construction	Yes	Roads and Maritime Services recognises this requirement and will ensure it is complied with.

Appendix A - Stage 2 Conditions of Approval Compliance Table

CoA	Condition of Approval (CoA)	Applicable to Stage 2?	Project Phase applicable to Condition	Stage 2 Compliance	Evidence of Stage 2 Pre-Construction Compliance/ Notes
E14	Should supplementary measures be proposed, the Package must also provide details on: (a) the management and monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure that outcomes of the package are achieved, including: i. the monitoring of condition of species and ecological communities at offset (including translocation) locations, ii. the methodology for the monitoring programs(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites, iii. provisions for the annual reporting of the monitoring results to the Department, OEH and the public for a set period of time, as determined in consultation with OEH, and iv. timing and responsibilities for the implementation of the supplementary measures; and (b) processes and/or measures that would be implemented to ensure that any land offsets are protected and managed in perpetuity. The supplementary measures must be implemented by the Proponent according to the timeframes set out in the Biodiversity Offset Package.	Yes	Construction	Yes	Roads and Maritime Services recognises this requirement and will ensure it is complied with.
E15	All required offsets must be secured in consultation with the OEH, within 12 months of the approval of the Biodiversity Offset Package or within another timeframe agreed with the Secretary. The Proponent must submit to the Secretary a copy of the credit retirement report issued by the OEH once the offsets are retired, within one month of receiving the report.	Yes	Construction	Yes	Roads and Maritime Services recognises this requirement and will ensure it is complied with.
E16	During vegetation clearing, timber and root balls must be retained for reuse in habitat enhancement and rehabilitation work. The retained timber and root balls may be used on or off the SSI site. The Proponent must consult with community and Landcare groups and government agencies to determine if retained timber and root balls can be used for environmental rehabilitation projects, before pursuing other disposal options.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Management of root balls for reuse in habitat enhancement and rehabilitation works is addressed in the CEMP Flora and Fauna Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
FLOODING AND HYDROLOGY					
E17	The design of the motorway must achieve a 100 year ARI flood immunity (minimum) for the extent of the SSI, except for the low point south of the existing Duck Creek bridge which must achieve a 50 year ARI flood immunity.	Yes	Construction	Yes	Fulton Hogan understand the flood immunity requirements and flood modelling necessary to meet the conditions and complete the design. This will be adhered to throughout the design and construction process.
E18	Where the flood model(s) of the Duck Creek or Macquarie Rivulet or Horsley Creek floodplains have been updated and made available to the Proponent by the Relevant Council(s) and prior to the commencement of each stage of construction, the Proponent must undertake further flood modelling of the SSI. The flood models must be operated by experienced flood modellers and be consistent with the policies and practices of the Relevant Council(s).	Yes	Construction	Yes	Fulton Hogan understand the flood immunity requirements and flood modelling necessary to meet the conditions and complete the design. This will be adhered to throughout the design and construction process.
E19	The design of the detention basins adjacent to the new East-West Link Road must maintain (or increase) the flood immunity of the existing East West Link Road and ensure that the flood consequence category (risk to downstream residents) of the new basin (including hazards associated with dam-break) is not increased.	Yes	Construction	Yes	Fulton Hogan understand the flood immunity requirements and flood modelling necessary to meet the conditions and complete the design. This will be adhered to throughout the design and construction process.
E20	The Proponent must consult the Shellharbour City Council and the Dam Safety Committee in the design of the new Green Meadows Basin and if required, the basin bounded by Croom Road, the motorway and the East West Link Road.	Yes	Construction	Yes	Fulton Hogan understand the flood immunity requirements and flood modelling necessary to meet the conditions and complete the design. This will be adhered to throughout the design and construction process.
E21	The Proponent must ensure the detailed design of the SSI is undertaken in consultation with the Shellharbour City Council and not impact any of the recommendations of the Horsley Creek Floodplain Risk Management Study and Plan (FRMS&P) 2017, except as described in the EIS as amended by the SPIR.	Yes	Construction	Yes	Fulton Hogan understand the flood immunity requirements and flood modelling necessary to meet the conditions and complete the design. This will be adhered to throughout the design and construction process.
E22	Prior to construction commencing (except works related to Croom Regional Sporting Complex), the Proponent must undertake an assessment of the flood access into and out of Albion Park, including areas of frequent inundation in the vicinity of Taylors Road and the Illawarra Highway, Tongarra Road and East West Link. The assessment must be prepared in consultation with Shellharbour City Council and must demonstrate that the SSI does not reduce flood access to Albion Park more than as described in the EIS as amended by the SPIR.	Yes	Construction	Yes	Fulton Hogan understand the flood immunity requirements and flood modelling necessary to meet the conditions and complete the design and the assessment will be done in accordance with the requirements of CoA E22.
E23	Measures identified in the EIS, as amended by the SPIR, to maintain or improve flood characteristics must be incorporated into the detailed design of the SSI. The incorporation of these measures into the detailed design must be reviewed and endorsed by a suitably qualified and experienced person in consultation with directly affected landowners, OEH, SES and Relevant Council(s). The review must be documented and provided to the Secretary, OEH, SES and Relevant Council(s) prior to construction commencing in areas affected by increased flooding impacts. For any construction stages where detailed design starts later than 12 months from the date of this approval or otherwise agreed by the Secretary, the flood modelling must incorporate updated flood modelling undertaken under Condition E18.	Yes	Construction	Yes	Fulton Hogan understand the flood immunity requirements and flood modelling necessary to meet the conditions and complete the design. This will be included in the detailed design in consultation with directly affected landowners, OEH, SES and Relevant Council(s)
E24	For Properties 1, 2 and 3 (identified in Technical Paper 3 of the EIS, as amended by Volume 3 of the SPIR) the measures identified in environmental management measure HF06 must be completed prior to construction commencing in areas affected by increased flooding impacts, unless otherwise agreed by the Secretary.	Yes	Construction	Yes	Fulton Hogan understand the flood immunity requirements and flood modelling necessary to meet the conditions and complete the design. This will be adhered to throughout the design and construction process.
E25	Flood information including flood reports, models and geographic information system outputs, and work as executed information from a registered surveyor certifying finished ground levels and the dimensions and finished levels of all structures that have been constructed for the SSI within the flood prone land, must be provided to the OEH, SES and Relevant Council(s). The OEH, SES and Relevant Council(s) must be notified in writing that the information is available no later than three (3) months following the completion of construction. Information requested by the OEH, SES or Relevant Council(s) must be provided no later than six months following the completion of construction and be provided with that information or within another timeframe agreed with the OEH, SES or Relevant Council(s).	Yes	Construction	Yes	Fulton Hogan understand the flood immunity requirements and flood modelling necessary to meet the conditions and complete the design. This will be adhered to throughout the design and construction process.
HERITAGE					
E26	Impacts to heritage, unless approved, must be avoided and minimised. Where impacts are unavoidable, works must be undertaken in accordance with the Construction Heritage Management Sub Plan required by Condition C4 (e) , except those within the Croom Regional Sporting Complex.	Yes	Construction	Yes	Heritage aspects are addressed in the CEMP Heritage Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
E27	This approval does not allow the Proponent to harm, modify, or otherwise impact human remains uncovered during the construction and operation of the SSI.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. This condition is addressed in the CEMP Heritage Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
E28	The Proponent must implement the mitigation measures described in: (a) Tables 11 and 12 of the Albion Park Rail Bypass SPIR, Appendix G Addendum Statement of Heritage Impact, September 2017; and (b) Table 6 and section 7.0 of the Albion Park Rail Bypass Project PACHCI Stage 3, Aboriginal Cultural Heritage Assessment Report, Report to HCJV, October 2015. except as required by this approval.	Yes	Construction	Yes	The mitigation measures are addressed in the CEMP Heritage Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
E29	The Aboriginal culturally sensitive area associated with the Macquarie Rivulet area directly adjoining the construction footprint must be protected for the duration of works.	Yes	Construction	Yes	The mitigation measures are addressed in the CEMP Heritage Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
E30	Salvage of sites YTOF AS 4 and YTOF AS 5 must be undertaken in accordance with the salvage methodology described in Section 6 of <i>Albion Park Rail Bypass Project PACHCI Stage 3, Aboriginal Cultural Heritage Assessment Report, Report to HCJV, October 2015</i> .	Yes	Construction	Yes	Salvage is addressed in the CEMP Heritage Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
E31	Following completion of all salvage works required under Condition E30 , the Proponent must prepare a Heritage Report in accordance with any guidelines and standards required by the Heritage Council of NSW, OEH or Registered Aboriginal Parties (as relevant).The Report must provide details of any archival recording, further historical research either undertaken or to be carried out, and archaeological excavations (with artefact analysis and identification of a final repository for finds) carried out for the SSI.	Yes	Construction	Yes	The Heritage Report requirement is addressed in the CEMP Heritage Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
E32	The Heritage Report must be submitted to the Secretary, and for Aboriginal heritage to the OEH or Registered Aboriginal Parties (as relevant), and for non-Aboriginal heritage to the OEH the Relevant Council and local Historical Society, for information no later than 12 months after the completion of the work referred to in Conditions E26 to E31 or within another timeframe agreed by the Secretary.	Yes	Construction	Yes	The Heritage Report requirement is addressed in the CEMP Heritage Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
E33	Prior to conducting acoustic treatment at any heritage item, the advice of a suitably qualified and experienced built heritage expert must be obtained and implemented, to ensure any such work does not have an adverse impact on the heritage significance of the item	Yes	Construction	Yes	Acoustic treatment at any heritage item is addressed in the CEMP Heritage Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.

Appendix A - Stage 2 Conditions of Approval Compliance Table

CoA	Condition of Approval (CoA)	Applicable to Stage 2?	Project Phase applicable to Condition	Stage 2 Compliance	Evidence of Stage 2 Pre-Construction Compliance/ Notes																	
E34	An Unexpected Heritage Finds and Human Remains Procedure must be prepared to manage unexpected heritage finds in accordance with any guidelines and standards prepared by the Heritage Council of NSW or OEH. The Procedure must undertake consultation with the RAPs in the event that previously unidentified Aboriginal heritage is discovered. The Procedure must be prepared by a suitably qualified and experienced heritage specialist in consultation with OEH and or the Heritage Council of NSW and submitted to the Secretary for information no later than one month prior to the commencement of works or within another timeframe agreed with the Secretary.	Yes	Construction	Yes	Fulton Hogan will use the RMS Standard Procedure Unexpected Heritage Items Heritage Procedure 02 (November 2015) and this will be used to manage unexpected heritage finds and human remains. In accordance with the requirements of CoA E34, the Procedure and evidence of compliance with the condition, including supporting correspondence from OEH, was submitted by Roads and Maritime to DP&E on 20/02/18. The supporting correspondence between Roads and Maritime and OEH, and the Environmental Representative's endorsement were in relation to Stage 1 (Croom Regional Sporting Complex Reconfiguration). Further correspondence from OEH received on 05/04/18 confirmed the support of OEH for use of the Procedure for the entire APRb project. A copy of the further correspondence from OEH was provided to DP&E on 09/07/18. The Unexpected Heritage Items Procedure and the further correspondence from OEH was reviewed by the independent Environmental Representative, Toby Hobbs, and his letter of endorsement dated 29/06/18 was also provided to DP&E on 09/07/18.																	
E35	The Unexpected Heritage Finds and Human Remains Procedure , as submitted to the Secretary, must be implemented for the duration of works. <i>Note: Human remains that are found unexpectedly during works are under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately .</i>	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. The Unexpected Heritage Finds and Human Remains Procedure was submitted to DP&E on 09/07/18.																	
NOISE AND VIBRATION																						
Standard Construction Hours																						
E36	Works must only be undertaken during the following construction hours: (a) 7:00am to 7:00pm Mondays to Fridays, inclusive; (b) 8:00am to 5:00pm Saturdays; and (c) at no time on Sundays or public holidays.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Working hours are addressed in the CEMP Noise and Vibration Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.																	
E37	Except as permitted by an EPL, activities resulting in impulsive or tonal noise emissions must only be undertaken: (a) between the hours of 8:00 am to 6:00 pm Monday to Friday; (b) between the hours of 8:00 am to 1:00 pm Saturday; and (c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. For the purposes of this condition, 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Working hours are addressed in the CEMP Noise and Vibration Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.																	
E38	Notwithstanding Condition E36 , works associated with the SSI may be undertaken outside the specified hours in the following circumstances: (a) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or (b) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm; or (c) where it causes LAeq(15 minute) noise levels: i. no more than 5 dB(A) above the rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009), and ii. no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses, and iii. continuous or impulsive vibration values at the most affected residence are no more than those for human exposure to vibration, specified in Table 2.2 of Assessing Vibration: a technical guideline (DEC, 2006), and iv. intermittent vibration values at the most affected residence are no more than those for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006), or (d) no more than 15dBA above the night time rating background level at any residence during the night time period, when measured using the LAeq(1 minute) noise descriptor; or (e) where different hours are permitted or required under an EPL in force in respect of the works, in which case those hours must be complied with.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Working hours are addressed in the CEMP Noise and Vibration Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.																	
E39	The Proponent must ensure that all works for the delivery of the SSI are coordinated with utility works, including those works undertaken by third parties, to minimise cumulative impacts of noise and vibration and provides maximise respite for affected sensitive receivers.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Working hours are addressed in the CEMP Noise and Vibration Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.																	
E40	On becoming aware of the need for emergency works in accordance with Condition E38 the Proponent must notify the ER and the EPA (if an EPL applies) of the need for those works. The Proponent must also use its best endeavours to notify all affected sensitive receivers of the likely impact and duration of those works.	Yes	Construction	Yes	Fulton Hogan will notify the ER and EPA in the event of emergency works being required.																	
Construction Vibration																						
E41	The SSI must be delivered with the aim of achieving the vibration goals detailed in CoA E41. (a) for structural damage to heritage structures, the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration – Part 3 Effects of vibration on structures; (b) for damage to other buildings and/or structures, the vibration limits set out in the British Standard BS 7385-1:1990 – Evaluation and measurement of vibration in buildings—Guide for measurement of vibration and evaluation of their effects on buildings (and referenced in Australian Standard 2187.2 – 2006 Explosives – Storage and use – Use of explosives); and (c) for human exposure, the acceptable vibration values set out in Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Noise and vibration management is addressed in the CEMP Noise and Vibration Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.																	
E42	Blasting associated with the SSI must only be undertaken during the hours detailed in CoA E42. (a) 9:00am to 5:00pm, Monday to Friday, inclusive; (b) 9:00am to 1:00pm on Saturday; and (c) at no time on Sunday or public holidays. This condition does not apply in the event of a direction from the NSW Police Force or other relevant authority for safety or emergency reasons to avoid loss of life, property loss and/or to prevent environmental harm. Blasting may be undertaken outside the above hours where: (a) no sensitive receivers would be impacted by blasting; or (b) an agreement has been made with potentially affected receivers.	Yes	Construction	Yes	Blasting is addressed in the CEMP Noise and Vibration Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.																	
E43	Airblast overpressure generated by blasting associated with the SSI must not exceed the criteria specified in Table 6 of CoA E43 when measured at the most affected residence or other sensitive receiver. <table><tr><th colspan="3">Table 6: Airblast overpressure limits for human comfort</th></tr><tr><th>Receiver</th><th>Type of blasting operations</th><th>Airblast Overpressure Limit</th></tr><tr><td rowspan="2">Sensitive site</td><td rowspan="2">Blasting operations lasting more than 12 months or more than 20 blasts</td><td>115 dBL for 95% of blasts per year</td></tr><tr><td>120 dBL maximum limit</td></tr><tr><td rowspan="2">Sensitive site</td><td rowspan="2">Blasting operations lasting less than 12 months or less than 20 blasts in total</td><td>120 dBL for 95% of blasts per year</td></tr><tr><td>125 dBL maximum limit</td></tr><tr><td>Occupied non-sensitive sites, such as factories and commercial premises</td><td>All blasting</td><td>125 dBL maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation</td></tr></table>	Table 6: Airblast overpressure limits for human comfort			Receiver	Type of blasting operations	Airblast Overpressure Limit	Sensitive site	Blasting operations lasting more than 12 months or more than 20 blasts	115 dBL for 95% of blasts per year	120 dBL maximum limit	Sensitive site	Blasting operations lasting less than 12 months or less than 20 blasts in total	120 dBL for 95% of blasts per year	125 dBL maximum limit	Occupied non-sensitive sites, such as factories and commercial premises	All blasting	125 dBL maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation	Yes	Construction	Yes	Blasting is addressed in the CEMP Noise and Vibration Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
Table 6: Airblast overpressure limits for human comfort																						
Receiver	Type of blasting operations	Airblast Overpressure Limit																				
Sensitive site	Blasting operations lasting more than 12 months or more than 20 blasts	115 dBL for 95% of blasts per year																				
		120 dBL maximum limit																				
Sensitive site	Blasting operations lasting less than 12 months or less than 20 blasts in total	120 dBL for 95% of blasts per year																				
		125 dBL maximum limit																				
Occupied non-sensitive sites, such as factories and commercial premises	All blasting	125 dBL maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation																				

Appendix A - Stage 2 Conditions of Approval Compliance Table

CoA	Condition of Approval (CoA)	Applicable to Stage 2?	Project Phase applicable to Condition	Stage 2 Compliance	Evidence of Stage 2 Pre-Construction Compliance/ Notes																																			
E44	<p>Ground vibration generated by blasting associated with the SSI must not exceed the criteria specified in Table 7 and Table 8 of CoA E44 when measured at the most affected residence or other sensitive receiver.</p> <table><tr><th>Receiver</th><th>Type of blasting operations</th><th>Peak component particle velocity (mm/s)</th></tr><tr><td>Sensitive site</td><td>Blasting operations lasting more than 12 months or more than 20 blasts</td><td>5 mm/s for 95% of blasts per year 10 mm/s maximum limit</td></tr><tr><td>Sensitive site</td><td>Blasting operations lasting less than 12 months or less than 20 blasts in total</td><td>10 mm/s maximum limit</td></tr><tr><td>Occupied non-sensitive sites, such as factories and commercial premises</td><td>All blasting</td><td>25 mm/s maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation</td></tr></table> <p><i>Note: a sensitive site includes houses and low rise residential buildings, theatres, schools and other similar buildings occupied by people.</i></p> <table><tr><th>Receiver</th><th>Type of blasting operations</th><th>Peak component particle velocity (mm/s)</th></tr><tr><td>Other structures or architectural elements that include masonry, plaster and plasterboard in their construction¹</td><td></td><td>15 mm/s 4 Hz to 15 Hz, except for heritage structures where a frequency dependent vibration criteria would be determined in accordance with AS 2187.2 – 2008.</td><td>20 mm/s 15 Hz and above</td></tr><tr><td>Reinforced or framed structures, industrial and heavy commercial buildings²</td><td>All blasting</td><td>50 mm/s at 4 Hz and above</td><td></td></tr><tr><td>Unreinforced or light framed structure, Residential or light commercial type building³</td><td>All blasting</td><td>15 mm/s at 4 Hz increasing to 20 mm/s at 15 Hz</td><td>20 mm/s at 15 Hz increasing to 50 mm/s at 40 Hz and above</td></tr><tr><td>Unoccupied structures of reinforced concrete or steel construction</td><td>All blasting</td><td>100 mm/s maximum, where agreed with the structure owner.</td><td></td></tr><tr><td>Infrastructure service structures, such as pipelines, powerlines, cables and reservoirs.</td><td>All blasting</td><td>Limits to be determined by structural design methodology in consultation with the infrastructure service provider.</td><td></td></tr></table>	Receiver	Type of blasting operations	Peak component particle velocity (mm/s)	Sensitive site	Blasting operations lasting more than 12 months or more than 20 blasts	5 mm/s for 95% of blasts per year 10 mm/s maximum limit	Sensitive site	Blasting operations lasting less than 12 months or less than 20 blasts in total	10 mm/s maximum limit	Occupied non-sensitive sites, such as factories and commercial premises	All blasting	25 mm/s maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation	Receiver	Type of blasting operations	Peak component particle velocity (mm/s)	Other structures or architectural elements that include masonry, plaster and plasterboard in their construction ¹		15 mm/s 4 Hz to 15 Hz, except for heritage structures where a frequency dependent vibration criteria would be determined in accordance with AS 2187.2 – 2008.	20 mm/s 15 Hz and above	Reinforced or framed structures, industrial and heavy commercial buildings ²	All blasting	50 mm/s at 4 Hz and above		Unreinforced or light framed structure, Residential or light commercial type building ³	All blasting	15 mm/s at 4 Hz increasing to 20 mm/s at 15 Hz	20 mm/s at 15 Hz increasing to 50 mm/s at 40 Hz and above	Unoccupied structures of reinforced concrete or steel construction	All blasting	100 mm/s maximum, where agreed with the structure owner.		Infrastructure service structures, such as pipelines, powerlines, cables and reservoirs.	All blasting	Limits to be determined by structural design methodology in consultation with the infrastructure service provider.		Yes	Construction	Yes	Blasting is addressed in the CEMP Noise and Vibration Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.
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E45	<p>The blasting criteria specified in the tables in Conditions E43 and E44 may be exceeded where the Proponent has obtained the written agreement of the landowner to increase the relevant criteria. In obtaining the agreement, the Proponent must make available to the landowner the details as further specified in CoA E45.</p> <p>(a) details of the proposed blasting program and justification for the proposed increase in blasting criteria including alternatives considered (where relevant);</p> <p>(b) an assessment of the environmental impacts of the increased blasting criteria on the surrounding environment and most affected residences or other sensitive receivers including, but not limited to noise, vibration and air quality and any risk to surrounding utilities, services or other structures; and</p> <p>(c) details of the blast management, mitigation and monitoring procedures to be implemented.</p> <p>The Proponent must provide a copy of the landowner written agreement to the Secretary and the EPA, including details of the consultation undertaken (with clear identification of proposed blast limits and potential property impacts, prior to commencing blasting at the higher limits.</p> <p>Unless otherwise agreed by the Secretary, the following exclusions apply:</p> <p>(a) The landowner may terminate at any time an agreement made with the Proponent to increase the blasting criteria, should concerns made by the landowner about the blasting criteria be unresolved. Where an agreement is terminated, the Proponent must not exceed the criteria specified in the tables in Conditions E43 and E44 for future blasting that affects the property; and</p> <p>(b) the blasting limit agreed to under any agreement must not exceed a maximum Peak Particle Velocity vibration level of 25 mm/s or maximum Airblast Overpressure level of 125 dBL.</p>	Yes	Construction	Yes	Blasting is addressed in the CEMP Noise and Vibration Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.																																			
Operational Noise Mitigation Report																																								
E46	<p>The Proponent must undertake a review of the operational noise mitigation measures proposed to be implemented for the SSI. The review must be prepared in consultation with the EPA and submitted to the Secretary for approval prior to construction commencing, except for the Croom Regional Sporting Complex works, unless otherwise agreed by the Secretary. The review must comply with the details as further specified in CoA E46.</p> <p>(a) confirm the operational noise predictions of the SSI based on detailed design. The operational noise assessment shall be based on an appropriately calibrated noise model (which has incorporated additional noise monitoring, where necessary for calibration purposes);</p> <p>(b) review the suitability of the operational noise mitigation measures identified in the EIS as amended by the SPIR. The review must take into account the detailed design of the SSI and where necessary, refine the proposed measures with the objective of meeting the criteria outlined in the NSW Road Noise Policy (DECCW 2011), based on the operational noise performance of the SSI predicted under (a) above;</p> <p>(c) where necessary, investigate additional noise mitigation measures to achieve the criteria outlined in the NSW Road Noise Policy (DECCW, 2011); and</p> <p>(d) investigate noise mitigation measures to achieve the criteria outlined in the Industrial Noise Policy (DECCW 2011) for the Croom Regional Sporting Complex.</p> <p>Note: noise barriers that may penetrate the OLS must comply with the requirements of Condition E7</p>	Yes	Construction and Operation	Yes	Fulton Hogan will undertake a review of the Operational Noise Mitigations Measures in accordance with CoA E46.																																			
E47	<p>Operational noise mitigation measures identified in Condition E46 (such as at-property architectural treatments) that will not be affected by construction works, must be implemented within six (6) months of the commencement of construction, except for the Croom Regional Sporting Complex works or at other times during construction to minimise construction noise impacts. These measures must be detailed in the Construction Noise and Vibration Management Plan for the SSI, unless otherwise agreed by the Secretary. Where early implementation of noise mitigation measures are not proposed, the Proponent must comply with the requirements as further outlined in CoA E47.</p> <p>Where early implementation of noise mitigation measures are not proposed, the Proponent must submit to the Secretary a report providing justification as to why, along with details of temporary measures that would be implemented to reduce construction noise impacts, until such time that the operational noise mitigation measures identified in Condition E46 are implemented. The report must be provided to the Secretary for approval prior to the commencement of construction which would affect the identified receivers.</p>	Yes	Construction and Operation	Yes	At property architectural treatment is addressed in the CEMP Noise and Vibration Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.																																			
PROPERTY AND LANDUSE																																								
E48	<p>Where the viability of existing agricultural operations are identified to be impacted by the land requirements of the SSI, the Proponent must, at the request of the landowner, employ a suitably qualified and experienced independent agricultural expert, to assist in identifying alternative farming opportunities for the land. Where the Proponent has commenced the requirements of this condition, prior to determination, the Proponent may rely on these activities to fulfil this requirement.</p>	Yes	Construction	Yes	<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>																																			
E49	<p>Unencumbered access to private property must be maintained during construction, unless otherwise agreed with the landowner in advance. A landowner's access that is physically affected by the SSI must be reinstated to at least an equivalent standard, in consultation with the landowner.</p>	Yes	Construction	Yes	<p>Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.</p> <p>Access to private property has been addressed in the Construction Traffic and Access Management Plan required under CoA E65 and all property adjustments will be designed and constructed in accordance with CoA E49.</p>																																			
E50	<p>The SSI must be delivered in a manner that minimises intrusion and disruption to agricultural operations/activities in surrounding properties (e.g. stock access, access to farm dams, etc.), unless otherwise agreed by the landowner.</p>	Yes	Construction	Yes	<p>Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.</p> <p>Access to private property has been addressed in the Construction Traffic and Access Management Plan required under CoA E65.</p>																																			

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Building and Structure Condition Survey					
E51	Prior to commencement of any works, a suitably qualified person must undertake building and structure condition surveys of all building and structures identified in the EIS as amended by the SPIR as being at risk of damage. The results of the surveys must be documented in a Building and Structure Condition Survey Report for each building structure surveyed. Copies of Building and Structure Condition Survey Reports must be provided to the landowners of the building and structures surveyed, and if agreed by the landowner, the Relevant Councils, within three weeks of completing the surveys and no later than one month prior to the commencement of works.	Yes	Construction	Yes	Modification application submitted to DP&E on 22/08/18 and Fulton Hogan will proceed based on the the outcome of the modification. The Building and Structure Condition Surveys and Reports will be undertaken by a suitably qualified person. Should the modification not be approved, the reports will be provided to the landowners of the building and structures surveyed, and if agreed by the landowner, the Relevant Councils, within three weeks of completing the surveys and no later than one month prior to the commencement of works.
E52	After completion of the works, condition surveys of all building and structures for which pre-construction condition surveys were undertaken in accordance with Condition E51 must be undertaken by a suitably qualified person. The results of the surveys must be documented in a Building and Structure Condition Survey Report for each building and structure surveyed. Copies of Building and Structure Condition Survey Reports must be provided to the landowners of the buildings and structures surveyed, and if agreed by the landowner, the Relevant Council(s), within three weeks of completing the surveys and no later than three (3) months following the completion of the works.	Yes	Following Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with following the completion of construction.
E53	Any damage caused to property as a result of the SSI must be rectified or the landowner compensated, within a reasonable timeframe, with the costs borne by the Proponent. This condition does not limit any claims that the landowner may have against the Proponent.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
Croom Regional Sporting Complex					
E54	The replacement sporting infrastructure and buildings must be of a comparable scale to existing facilities, unless that infrastructure or building is approved under the EP&A Act.	No	Construction	N/A	
E55	The facilities and associated infrastructure and landscaping identified in the Croom Regional Sporting Complex Detailed Design dated 15 November 2017, must be delivered and be operational prior to any impact to the corresponding existing facilities, unless otherwise agreed by the Secretary following consultation with Shellharbour City Council and the relevant sporting group(s).	No	Construction	N/A	
SOILS					
E56	Erosion and sediment controls must be installed and appropriately maintained to minimise water pollution. When implementing such controls, any relevant guidance in the <i>Managing Urban Stormwater</i> series must be considered.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Erosion and sediment controls are addressed in the CEMP Soil and Water Management Sub-Plan. The CEMP was submitted to DP&E on 19/09/18.
Contaminated Land					
E57	A Site Contamination Report , documenting the outcomes of Stage 1 and Stage 2 contamination assessments of land upon which the SSI is to be carried out, that is suspected, or known to be, contaminated must be prepared by a suitably qualified and experienced person in accordance with guidelines made or approved under the <i>Contaminated Land Management Act 1997</i> (NSW).	Yes	Construction	Yes	In 2017, Hyder Cardno Joint Venture (HCJV) was engaged by Roads and Maritime to prepare site contamination reports for seven areas as part of the Albion Park Rail bypass, including PAEC01-Rail Corridor, PAEC02-Industrial Estate, PAEC03-Nursery, PAE05-Quarry Entrances, PAEC06-Princes Highway Fly Tip, PAECA1-Noise Mounds and PAECA2-Southern Envirocycle System. No contamination was identified that requires remediation or poses an unacceptable risk for the proposed land use. The findings of the Site Contamination Reports have been documented in the CEMP Contaminated Land Management Sub-plan (Chapter 4). The CEMP was submitted to DP&E on 19/09/18.
E58	If a Site Contamination Report prepared under Condition E57 finds such land contains contamination, a site audit is required to determine the suitability of a site for a specified use. If a site audit is required, a Site Audit Statement and Site Audit Report must be prepared by a NSW EPA Accredited Site Auditor. Contaminated land must not be used for the purpose approved under the terms of this approval until a Site Audit Statement is obtained that declares the land is suitable for that purpose and any conditions on the Site Audit Statement have been complied with.	Yes	Construction	N/A	Based on the 2017 findings of the HCJV, a Site Audit is not required. No contamination was identified that requires remediation or poses an unacceptable risk for the proposed land use.
E59	A copy of the Site Audit Statement and Site Audit Report must be submitted to the Secretary and Relevant Council(s) for information no later than one (1) month before the commencement of operation.	Yes	Construction	N/A	Based on the 2017 findings of the HCJV, a Site Audit is not required. No contamination was identified that requires remediation or poses an unacceptable risk for the proposed land use.
E60	An Unexpected Contaminated Land and Asbestos Finds Procedure must be prepared and must be followed should unexpected contaminated land or asbestos be excavated or otherwise discovered during works.	Yes	Construction	Yes	The Unexpected Contaminated Land and Asbestos Finds Procedure was endorsed by the ER on 20/08/18.
E61	The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented throughout the delivery of the project.	Yes	Construction	Yes	Fulton Hogan understand this condition and will ensure it is implemented throughout Stage 2.
SUSTAINABILITY					
E62	A Sustainability Strategy for the delivery for the SSI, except for the Croom Regional Sporting Complex works must be prepared in accordance with the Infrastructure Sustainability Council of Australia infrastructure rating tool or other justified rating mechanism.	Yes	Construction	Yes	A Sustainability Strategy is being prepared in accordance with the ISCA rating tool and is currently undergoing RMS/FH review.
E63	The Sustainability Strategy must be submitted to the Secretary for information prior to the commencement of works, except for the Croom Regional Sporting Complex works, or within another timeframe agreed with the Secretary, and must be implemented throughout the delivery of the SSI. The Sustainability Strategy must include items (a)-(c) as detailed in CoA E63. (a) details of the sustainability objectives and targets for the design and delivery of the SSI; (b) details of the sustainability initiatives which will be investigated and / or implemented; and (c) a description of how the strategy will be implemented for the SSI.	Yes	Construction	Yes	The Sustainability Strategy will be endorsed by the ER and submitted to the Secretary for information prior to the commencement of works.
TRAFFIC AND TRANSPORT					
E64	The SSI must be designed, delivered and operated to meet relevant road design standards, and ensure that it does not adversely impact network connectivity, or the safety and efficiency of the road network in the vicinity of the SSI.	Yes	Construction and Operation	Yes	Fulton Hogan recognises this requirement and are addressed in the CEMP Traffic and Access Transport Management Plan (CTAMP). The CEMP was submitted to DP&E on 19/09/18. The CTAMP will be complied with during construction.
E65	Vehicles used in the delivery of the project must not use local roads unless no suitable alternatives are available. Where local roads are used, these must be identified in a Construction Traffic and Access Management Plan .	Yes	Construction	Yes	A Construction Traffic and Access Management Plan is currently being prepared. The plan will be finalised and endorsed by the ER prior to the use of local roads. The CTAMP will be complied with during construction.
E66	During the delivery of the SSI, measures must be implemented to maintain pedestrian and vehicular access to, and parking in the vicinity of, businesses and affected properties. Alternative pedestrian and vehicular access, and parking arrangements must be developed in consultation with affected businesses.	Yes	Construction	Yes	Measures to maintain pedestrian and vehicular access are addressed in the Construction Traffic and Access Management Plan, which will be finalised and endorsed by the ER prior to the use of local roads. The CTAMP will be complied with during construction.
E67	Signage and directions to businesses must be provided before, and for the duration of, any disruption during the delivery of the SSI	Yes	Construction	Yes	Provision of signage and directions to businesses is addressed in the Construction Traffic and Access Management Plan, which will be finalised and endorsed by the ER prior to the use of local roads.
E68	Operational signage must be provided along the project alignment to inform motorists of services and Council and community assets within the vicinity of the SSI including the Illawarra Regional Airport, community facilities and tourist areas, in accordance with the <i>Guide: Signposting</i> (RTA July 2007) and <i>Tourist Signposting Guide</i> (RMS and Destination NSW 2012).	Yes	Operation	Yes	Operational signage will be constructed as part of the Stage 2 works in accordance with Guide: Signposting (RTA July 2007) and Tourist Signposting Guide (RMS and Destination NSW 2012).
E69	The Proponent must implement the off-road shared path pedestrian and cyclist facilities connections indicated in Figure 3-8 and 3-9 of Appendix A of the SPIR, in consultation with the Relevant Council(s) and Bicycle NSW.	Yes	Construction	Yes	Fulton Hogan has included shared paths in the design of the Stage 2. Consultation with Wollongong City Council (WCC), SCC and Bicycle NSW regarding pedestrian and cyclist facilities connections will be undertaken.
E70	The Proponent must provide improved connectivity for cyclist and pedestrians between Croome Lane and Darcy Dunster Reserve.	Yes	Construction	Yes	This will be included in the final design and will be presented to SCC and Bicycle NSW. The final design will be constructed as part of Stage 2.
E71	The Proponent must investigate options to minimise the interaction between pedestrians, cyclist and cattle.	Yes	Construction	Yes	The interaction has been assed as part of the concept design and will be addressed in the Safety in Design phase for inclusion in the final design.
E72	The Proponent must implement the facilities consistent with the reasonable requirements of the Relevant Council(s) and Bicycle NSW, prior to the operation of the SSI, unless otherwise agreed by the Secretary.	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2. Consultation with WCC, SCC and Bicycle NSW will be undertaken in accordance with CoA E69 and reasonable requirements constructed as part of Stage 2.

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E73	The SSI must be designed to not preclude delivery of the Tripoli Way and Yallah Road projects. Consultation with the Relevant Council(s) must be undertaken during detailed design of the SSI to facilitate future integration with these projects. Current traffic modelling and assessment, and the result of the Road Network Performance Review Plan required under Condition D9 must be provided to the relevant road authority for their consideration in the development of the Tripoli Way and Yallah Road projects.	Yes	Construction	Yes	Consultation will be undertaken during the design phase and comments incorporated into the final design.
E74	The Proponent must consult with Wollongong City Council and the Tallawarra Lands developer on the timing of the proposed closure of Cormack Avenue.	No	Construction	N/A	Not applicable to Stage 2 works.
E75	A Road Dilapidation Report must be prepared by a suitably qualified person, for local roads (and associated infrastructure) proposed to be used by construction vehicles for works associated with the SSI, before the commencement of use by such vehicles. Copies of the Road Dilapidation Report must be provided to the Relevant Council(s) within three weeks of completing the surveys and no later than one (1) month before the use of local roads by project vehicles.	Yes	Construction	Yes	<p>Modification application submitted to DP&E on 22/08/18 and Fulton Hogan will proceed based on the the outcome of the modification.</p> <p>The Road Dilapidation Reports will be undertaken by a suitably qualified person.</p> <p>Should the modification not be approved, the reports will be provided to the Relevant Councils, within three weeks of completing the surveys and no later than one month prior to the use of local roads by project vehicles.</p>
E76	If damage to roads occurs as a result of works associated with the SSI, the Proponent must rectify the damage so as to restore the road to at least the condition it was in pre-works, unless otherwise agreed by the Relevant Council(s).	Yes	Construction	Yes	Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.
URBAN DESIGN AND VISUAL AMENITY					
E77	The SSI must be designed to retain as many trees as possible. Where trees are to be removed on areas that are zoned for residential, commercial or industrial, the Proponent must provide a net increase in the number of replacement trees. Replacement trees must be planted within the SSI boundary, unless otherwise agreed by the Secretary.	Yes	Construction	Yes	Fulton Hogan understands the Urban Design and Visual Amenity requirements and they will be taken into account in the design and construction phase. These will be addressed in the final design.
E78	Replacement trees are to have a variable pot size consistent with the pot sizes specified in the Relevant Council(s) plans / programs/ strategies for vegetation management, street planting, or open space landscaping, unless otherwise agreed by the Secretary. This condition does not apply to landscaping associated with the Croom Regional Sporting Complex.	Yes	Construction	Yes	Fulton Hogan understands the Urban Design and Visual Amenity requirements and they will be taken into account in the design and construction phase. These will be addressed in the final design.
E79	The Urban Design and Landscape Character Strategy must be finalised based on the detailed design, and in accordance with the commitments made in <i>Technical Paper 10 – Landscape character and visual amenity</i> of the EIS and the SPIR. The Urban Design and Landscape Character Strategy must incorporate monitoring and maintenance procedures for the built elements, rehabilitated vegetation (including the requirements of Condition E77) and landscaping (including visual screening and weed control) and performance indicators, responsibilities, timing and duration and contingencies where rehabilitation of vegetation and landscaping measures fail. The Strategy does not include the Croom Regional Sporting Complex works as subject to Condition E55.	Yes	Construction	Yes	Fulton Hogan understands the Urban Design and Landscape Character Strategy requirements and will ensure compliance during construction of Stage 2.
E80	The Urban Design and Landscape Character Strategy must be finalised in consultation with the Relevant Council(s) and the community.	Yes	Construction	Yes	Fulton Hogan understands the Urban Design and Landscape Character Strategy requirements and consultation with WCC, SCC and the community will be undertaken before completion of the design.
E81	The Urban Design and Landscape Character Strategy must be made publicly available and submitted to the Secretary for information prior to the commencement of works that require community consultation, unless otherwise agreed by the Secretary. The Strategy shall incorporate evidence of consultation on the proposed urban design and landscape measures and the monitoring and maintenance procedures. <i>Note: Works that are subject to community consultation include those design and landscaping details that are not required to meet the other requirements of this approval and/or specific technical criteria. For example, it does not include structures or landscaping works associated with riparian areas, fauna crossings and the like.</i>	Yes	Construction	Yes	Fulton Hogan understands the Urban Design and Landscape Character Strategy requirements and will ensure compliance.
E82	Operational noise barriers must be designed to minimise visual and amenity impacts and be designed in accordance with the <i>Noise wall design guideline – Design guideline to improve the appearance of noise walls in NSW, Roads and Maritime Services, March 2016</i> .	Yes	Construction and Operation	Yes	Operational noise barriers will be designed and constructed in accordance with the Condition E82
UTILITIES AND SERVICES					
E83	Utilities, services and other infrastructure potentially affected by the delivery of the SSI must be identified before works affecting them commence, to determine the requirements for access to, diversion protection, and/or support of such services. The relevant owner and/or provider of services must be consulted to make suitable arrangements for access to diversion, protection, and/or support of the affected infrastructure as required. The Proponent must ensure that disruption to any service is minimised and be responsible for advising local residents and businesses affected before any planned disruption of service occurs.	Yes	Construction	Yes	<p>Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.</p> <p>Utilities that will be potentially affected by Stage 2 are identified in the Concept Design. Management of communication and consultation with the relevant owner and/or provider of services and local residents regarding impacted utilities is described in the Community Communication Strategy (CCS).</p>
WASTE					
E84	Waste generated in the delivery of the SSI must be dealt with in accordance with the following priorities: (a) waste generation is to be avoided and where avoidance is not reasonably practicable, waste generation is to be reduced; (b) where avoiding or reducing waste is not possible, waste is to be re-used, recycled, or recovered; and (c) where re-using, recycling or recovering waste is not possible, waste is to be treated or disposed of at a waste management facility or premises lawfully permitted to accept the materials.	Yes	Construction	Yes	<p>Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.</p> <p>Waste management for Stage 2 is addressed in the CEMP Waste and Energy Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.</p>
E85	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence or waste exemption under the <i>Protection of the Environment Operations Act 1997</i> , if such a licence is required in relation to that waste.	Yes	Construction	Yes	<p>Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.</p> <p>Waste management for Stage 2 is addressed in the CEMP Waste and Energy Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.</p>
E86	All waste materials removed from the SSI site must only be directed to a waste management facility or premise lawfully permitted to accept the materials or in accordance with a Resource Recovery Exemption or Order issued under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> , or to any other place that can lawfully accept such waste.	Yes	Construction	Yes	<p>Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.</p> <p>Waste management for Stage 2 is addressed in the CEMP Waste and Energy Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.</p>
E87	All waste must be classified in accordance with the EPA's <i>Waste Classification Guidelines</i> , with appropriate records and disposal dockets retained for audit purposes.	Yes	Construction	Yes	<p>Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.</p> <p>Waste management for Stage 2 is addressed in the CEMP Waste and Energy Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.</p>
WATER					
E88	Strategies for the management of Acid Sulfate Soils during works must be implemented.	Yes	Construction	Yes	<p>Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.</p> <p>Any acid sulfate soils encountered will be managed in accordance with the Acid Sulfate Soil Management Procedure contained in Appendix C of the CEMP Soil and Water Management Sub Plan. The CEMP was submitted to DP&E on 19/09/18.</p>
E89	Where available and practicable, and of appropriate chemical and biological quality, stormwater, recycled water or other water sources shall be used in preference to potable water for the delivery of the SSI, including dust control.	Yes	Construction	Yes	<p>Fulton Hogan recognises this requirement and will ensure it is complied with throughout the duration of Stage 2.</p> <p>Use of stormwater, recycled water or other water sources is addressed in the CEMP Soil and Water Management Sub-plan. The CEMP was submitted to DP&E on 19/09/18.</p>
E90	Drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) and drainage swales and depressions must be undertaken in accordance with relevant guidelines and designed by a suitably qualified and experienced person in consultation with DPI Fisheries and the EPA.	Yes	Construction	Yes	Fulton Hogan and RMS have met with DPI Fisheries, DPI Water and EPA and discussed the drainage design, temporary and permanent crossing and the realignment of Frazers Creek. Design of the crossing and the realigned creek will be submitted to the agencies during the detailed design phase for further consultation and review. Evidence of this consultation is included in Appendix A5 of the CEMP. The CEMP was submitted to DP&E on 19/09/18.
E91	The realignment of Frazers Creek must be undertaken in consultation with and meet the reasonable requirements of DPI Fisheries.	Yes	Construction	Yes	Fulton Hogan and RMS have met with DPI Fisheries, DPI Water and EPA and discussed the drainage design, temporary and permanent crossing and the realignment of Frazers Creek. Design of the crossing and the realigned creek will be submitted to the agencies during the detailed design phase for further consultation and review. Evidence of this consultation is included in Appendix A5 of the CEMP. The CEMP was submitted to DP&E on 19/09/18.