



# Albion Park Rail bypass

## Independent Environmental Compliance Audit of SSI 6878

### Audit Report

**Prepared for:**

Fulton Hogan

**Prepared by:**

SNC-Lavalin Australia Pty Ltd

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Document control log

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0	11/12/19	Final	AB	RP	RP

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## 1 EXECUTIVE SUMMARY

SNC-Lavalin has been engaged by Fulton Hogan to undertake an audit of the Albion Park Rail bypass Project (the Project). The audit is required by the Ministers Conditions of Approval (MCoA).

To complete this audit, SNC-Lavalin undertook a site inspection, interviewed key management staff and supervisory personnel, and reviewed relevant and available documents relating to the approval and to the ongoing management and monitoring of the site's environmental aspects.

The inspection was undertaken on 13-14 November 2019, with members of Fulton Hogan present. At the time of the audit, the main activities on site included bulk earthworks and bridge construction. The Project was audited against the MCoA.

The findings from the audit conclude:

- > Site environmental controls were of a high standard and were observed to be being implemented effectively.
- > The experienced environmental management team appeared to be effectively managing environmental resources on site.
- > Strong evidence on site was observed to indicate that environmental management plans, systems and protocols are being correctly implemented.
- > One (1) non-conformance was identified relating to the unauthorised vegetation clearing incident adjacent to Croome Road. However, it was observed that a detailed investigation has been undertaken applying Incident Cause Analysis Methods (ICAM). Recommendations from the ICAM investigation have been implemented to minimise the risk of recurrence. This non-conformance has resulted in a technical non-conformance of an additional two (2) conditions. The technical non-conformances do not require any direct actions or recommendations.

The findings from the audit also indicated the Project Team are adopting a proactive approach to planning and managing the operational aspects of the development, ensuring all planning activities are undertaken in a timely manner to ensure compliance with operational requirements.

Overall, the site is being managed in an environmentally responsible manner, and in general compliance with the MCoA.

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## 2 INTRODUCTION

### 2.1 BACKGROUND OF PROJECT

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 will 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). The Project was approved subject to conditions on 30 January 2018.

The Project will provide motorists with a more consistent travel experience between Sydney, Wollongong and the NSW South Coast. It will increase the capacity of the road network to cope with the additional traffic generated by current and future residential development in the area.

The Project has been assessed under Part 5.1 (State significant infrastructure - now Division 5.2) of the NSW Environmental Planning and Assessment Act 1979 (EP&A Act). The NSW Department of Planning and Environment (DPIE) placed the 'Albion Park Rail bypass Environmental Impact Statement' (Roads and Maritime, October 2015) (EIS) on public exhibition between 28 October and 27 November 2015. Submissions received during the exhibition were responded to in the 'Albion Park Rail Bypass Submissions and Preferred Infrastructure Report' (Roads and Maritime, 2017) (SPIR). The report also assessed changes to the Project from the EIS.

Utility works for the Project were assessed separately under Part 5 of the EP&A Act within the 'Albion Park Rail bypass – Utility Works: Review of environmental factors' (Roads and Maritime, May 2016) (REF). It was contemplated that these works would be carried out as an early works package before completion of the EIS and thus, the reason for the separate environmental assessment. However, this did not occur and the utility works will now be carried out as part of the Project. Subsequent to the REF determination, an addendum REF (Roads and Maritime, April 2018) was prepared to include amendments to utility works boundaries, additional water and sewerage infrastructure, and two new ancillary facilities.

The Commonwealth determined the Project to be a 'controlled action' under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), as it was considered likely that the Project could have a significant impact on listed threatened species and communities (EPBC Act referral 2017/7909). EPBC approval was granted on 29 May 2018.

The Project consists of a new motorway bypassing the Albion Park Rail township from the Oak Flats Interchange to Yallah, connecting with the existing Princes Highway at the Duck Creek bridge. This Project, as part of the Princes Highway upgrade, will improve traffic flow and maximise the benefits of upgrading the Princes Motorway and Princes Highway corridor between Sydney and south of Nowra.

Construction commenced on 7 January 2019 and is scheduled for completion in 2022.

### 2.2 INDEPENDENT AUDIT TEAM

The SNC-Lavalin audit team is a suitably qualified, experienced and independent team of experts in auditing. The details of the team are described in **Table 1** below with contact details provided.

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**Table 1 SNC-Lavalin Audit Team and Contacts**

Role	Name	Contact Details	Qualifications and Experience
Primary Lead Auditor	Richard Peterson	M: 0429 227 775 E: Richard.Peterson@snclavalin.com	B.E Civil M. Env Eng Mgt Management Systems Auditing, Exemplar Global Leading Management Systems Audit Team, Exemplar Global  20+ years of Environmental Auditing experience. Project experience auditing: <ul style="list-style-type: none"> <li>&gt; Member of the RMS Infrastructure Auditing Panel. Totalling over 50 Infrastructure Audits over NSW.</li> <li>&gt; Sapphire Wind Farm</li> <li>&gt; Crudine Ridge Wind Farm</li> <li>&gt; Western Sydney Airport</li> </ul>
Desktop Auditor and Assistant Auditor	Alexandra Butler	M: 0404 393 034 E: Alexandra.Butler@snclavalin.com	B. Environmental Systems D. Languages  Project experience auditing: <ul style="list-style-type: none"> <li>&gt; Woolgoolga to Ballina, Piling Works, Earthworks, and Pimlico to Teven Stage 3 and Main Civil works (Section 3) and Rigid Pavements (Section 3 &amp; 4)</li> <li>&gt; Dignams Creek Road Works</li> <li>&gt; Sydney Airport East</li> <li>&gt; M4 Smart Motorway Stage 1</li> <li>&gt; Campbelltown Road Upgrade - Stage 1</li> <li>&gt; Princes Highway Albion Park rail bypass</li> <li>&gt; Tuggerah to Doyalson M1 Upgrade</li> </ul>

## 2.3 AUDIT OBJECTIVES

The objective of the Independent Environmental Audit was to assess compliance of the Project with the Ministers Conditions of Approval (MCoA) and the implementation of the environmental management plans as outlined in the MCoA.

The audit is to provide positive support for good practices, while providing practical and reasonable recommendations for improvement that can be carried over to the later stages of the Project, as construction accelerates.

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## 2.4 SCOPE OF AUDIT

Fulton Hogan required an Independent Environmental Auditor to complete the requirements of the Environmental Audit Program (EAP). These were developed in line with the Ministers Conditions of Approval (MCoA) for the Project, NSW Government Guidelines and AS/NZS ISO 19011:2014 – Guidelines for Auditing Management Systems (the ISO Guideline). The audit focused on issues that were relevant to the current stage of works – Stage 2. The scope of the audit does not include any assessment of utilities performed by other utility authorities.

As per Condition A35, The audit:

- > Assessed the environmental performance of the SSI, and its effects on the surrounding environment;
- > Assessed whether the Project is complying with the terms of the approval;
- > Reviewed the adequacy of any documents required under the approval; and
- > Identified measures or actions to improve the environmental performance of the SSI, and improvements to any documents required under the approval. These have been recommended within this report.

**Table 2 Scope Requirements**

Scope requirement	Where addressed
Assessed the environmental performance of the SSI, and its effects on the surrounding environment	This report Section 4.2 Section 4.7
Assessed whether the Project is complying with the terms of the approval	Section 4.4 Appendix C
Reviewed the adequacy of any documents required under the approval	Section 4.1 Appendix C
Recommended measures or actions to improve the environmental performance of the SSI, and improvements to any documents required under the approval	Section 4.13

## 2.5 PERIOD COVERED BY AUDIT

Condition A36 of the Project's Conditions of Approval outlines the Independent Environmental Auditing requirements for the Project. This condition requires that an Independent Environmental Audit is undertaken of the SSI in the following periods:

- > within 12 months of works commencing except in relation to the works at the Croome 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.

This Environmental Audit Report details the findings of the first Independent Environmental Audit to be undertaken on the Project.

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The site inspection was undertaken on 13 to 14 November 2019. This is to satisfy an Independent Environmental Audit of the SSI being undertaken within 12 months of works commencing (except in relation to the works at the Croome Regional Sporting Complex).

The audit covers the period from commencement of construction on the Project on 7 January 2019 until the site inspection on 13 to 14 November 2019, with the Final Audit Report and Fulton Hogan's response to be received by the Department within six (6) weeks of completing the audit, by 26 December 2019, as per condition A37.

The audit focused on issues that are relevant to the period being audited and will exclude matters that are not relevant to the stage of works covered by the audit.

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### 3 AUDIT REQUIREMENTS AND PROCESS

#### 3.1 APPROVAL OF AUDIT TEAM

For documentation detailing the approval of the audit team from The Secretary of the Department of Planning, Industry and Environment refer to Appendix A.

#### 3.2 DEVELOPMENT OF AUDIT SCOPE

The audit scope was developed to ensure the Project was assessed against all regulatory requirements they are operating under.

#### 3.3 SUMMARY OF AUDIT PROCESSES

To complete the audit the following was undertaken:

- > Preliminary document review to familiarise the team with the Project and their processes
- > Opening meeting
- > Site visit
- > Interviews with key management and supervisory personnel
- > Review of documents and records on-site
- > Closing meeting
- > Follow up of residual matters

#### 3.4 SITE PERSONNEL

The following site personnel were in attendance during the audit or parts of:

- > Shannon Chisholm – Environmental Manager, Fulton Hogan
- > James Diamond – Environmental Manager, Fulton Hogan
- > Erin Addison-Smith – Community Liaison Officer, Fulton Hogan
- > Peter Hawkins – Project Development Manager, RMS
- > Toby Hobbs – Independent Environmental Representative, Vantage Environmental Management

Each individual noted provided evidence of the Project's compliance at different stages during the audit.

#### 3.5 SITE INSPECTIONS

A site inspection was undertaken by Lead Auditor Richard Peterson and Assistant Auditor Alexandra Butler on 13-14 November 2019, accompanied by James Diamond (Fulton Hogan Environmental Manager). The site visit was undertaken throughout the morning of 13 Nov and again on the morning of 14 Nov. The weather was warm and sunny with minimal wind and no rain was received during the inspection or on the

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previous day. The Majority of the site under construction was inspected throughout the day and was completed under the supervision of Fulton Hogan personnel. Refer to Appendix B for site photographs and descriptions.

### 3.6 COMPLIANCE DESCRIPTORS

The compliance status of each requirement was determined using the relevant descriptors in Table 3. No other terms have been used to describe the compliance status.

**Table 3 Compliance descriptors**

Status	Description
Compliant (C)	Sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-Compliant (NC)	One or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Technical Non-Compliance (TNC)	Condition has been triggered as a result of a non-compliance with a related condition. However, does not require direct action or recommendations.
Not Triggered (NT)	A requirement has an activation or timing trigger that has not been met at the time when the audit was undertaken.

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## 4 AUDIT FINDINGS

### 4.1 APPROVALS AND DOCUMENTS

Relevant approvals and documents were reviewed as part of this audit. Refer to Appendix C for a full list of these documents.

Site and environmental management documentation were observed to be kept on-site at the site office

### 4.2 ASSESSMENT OF COMPLIANCE

The Project was audited against the Minister's Conditions of Approval with one (1) non-compliance and two (2) technical non-compliances identified during the reporting period. There is a high degree of compliance with the conditions of approval for the current stage of work. All conditions, including those not triggered at the time of the audit, are being proactively managed to ensure compliance in the future and at a time when the condition is triggered.

### 4.3 PENALTY NOTICES

No penalty notices have been issued to the Project. However, it is noted that the tree clearing incident adjacent to Croome Road is still under review.

### 4.4 NON-COMPLIANCES

One (1) non-compliance was observed at the time of the audit. Two (2) further technical non-compliances were identified during the desktop review post-audit. These were triggered because of the initial non-compliance with Condition A2.

The two (2) technical non-compliances do not require direct action or recommendations to be made. The close out of the triggering condition will satisfy the close out of the additional technical non-compliances.

These non-compliances and the actions to be taken, if required, are outline in Table 4.

**Table 4 Non-compliances and recommendations**

ID	Requirement	Non-compliance Finding	Status	Action / Recommendation
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.	Site documents are being implemented on site. Controls are in place for high-risk activities. These were observed during the site investigation with photos depicting controls.	TNC	Technical non-compliance because of non-compliance with Condition A2.  Refer to recommendations for NC of Condition A2.
A2	The SSI must be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and	The tree clearing incident adjacent to Croome Road that occurred on 4 April 2019 identifies a breach of	NC	It is critical that continual measures are implemented to ensure the ongoing implementation of the

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ID	Requirement	Non-compliance Finding	Status	Action / Recommendation
	mitigation measures set out in the EIS as amended by the SPIR unless otherwise specified in, or required under, this approval.	<p>the Project’s compliance with Condition A2.</p> <p>In response to this event, the appropriate close out procedures have been undertaken by FH including and ICAM investigation and sufficient mitigation measures have been implemented to reduce the risk of reoccurrence.</p>		<p>environmental management systems particularly in relation to clearing systems and understanding of project boundaries.</p> <p>The auditor acknowledges the high level of attention that has been applied by FH to ensure that training and awareness of this is disseminated to all site personnel and that the appropriate consultation and reporting systems were followed in a timely manner.</p>
A4	<p>The Proponent must comply with all requirements of the Secretary in relation to:</p> <p>(a) the environmental performance of the SSI;</p> <p>(b) any document or correspondence;</p> <p>(c) any notification given to the Secretary under the terms of this approval;</p> <p>(d) any audit of the construction or operation of the SSI;</p> <p>(e) compliance with the terms of this approval (including anything required to be done under this approval); and</p> <p>the carrying out of any additional monitoring or mitigation measures.</p>	<p>Stage 2 works are proceeding in accordance with the management plans approved by the Department prior to construction and all requirements of the Secretary are being complied with.</p>	TNC	<p>Technical non-compliance because of non-compliance with Condition A2.</p> <p>Refer to recommendations for NC of Condition A2.</p>

#### 4.5 PREVIOUS AUDIT ACTIONS

Not applicable – this is the first Independent Environmental Audit to have been conducted for this Project during construction.

#### 4.6 REVIEW OF MANAGEMENT PLANS

The following management plans were reviewed:

- > Construction Environmental Management Plan, including the following sub-plans:

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- Air Quality Management Plan December 2018
  - Soil and Water Management Plan December 2018
    - Contaminated Land Management Plan October 2018
    - Draft Sample Analysis & Quality Control Plan – Asbestos in Soil April 2019
  - Noise and Vibration Management Plan August 2018
  - Flora and Fauna Management Sub-Plan December 2018
  - Heritage Management Plan December 2018
  - Traffic and Transport Management Plan November 2018
    - Construction Traffic and Access Management Plan
  - Flooding and Hydrology Management Plan June 2019
  - Waste and Energy Management Plan
- > Aviation Management Plan December 2018

These management plans have been based off Fulton Hogan policies and provide adequate environmental protection for the site.

#### 4.7 ENVIRONMENTAL MANAGEMENT SYSTEMS

This was a compliance audit not a system audit and compliance was assessed in accordance with the MCoA. However, the Project’s Environmental Management System (EMS) was audited at a high level.

The management plans, site systems and site processes form the environmental management systems for the Project. It was observed during the audit that all systems are being implemented efficiently overall and provide adequate environmental protection for the site.

Environmental performance on site was generally good.

#### 4.8 COMPLAINTS

There have been 40 complaints since the commencement of construction. The number of complaints observed is typical for a project of this size and scope. The nature of these complaints are predominately residential and relate to dust management on site. Some also refer to noise or vibration matters.

During the audit, no fugitive dust emission, noise exceedances or effects of vibration were observed. The audit found that dust, noise and vibration are being appropriately monitored and mitigated on site. In addition to this, the Project’s consultation and complaints management system is robust and appropriately responds to complaints until matters are closed.

Further findings from the audit in relation to complaint management are detailed in the audit checklist relating to Conditions B6 to B10, located in Appendix C.

#### 4.9 INCIDENTS

Three incidents have occurred on the Project. These are related to:

- > The unauthorised clearing of trees adjacent to Croome Road, outside of the Project boundary.

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- > A ruptured Water Main.
- > A breach of ERSED controls.

The processes that were followed following these incidents were audited. Correspondence and reporting were appropriate for the nature and scale of each incident.

#### 4.10 EVIDENCE COLLECTED

Evidence was collected during the audit through the following means:

- > Site visit
  - Site observations and notes
  - Refer to Appendix B for site photographs
- > Interviews
  - Refer to Section 3.4 for the personnel interviewed during the audit
- > Review of Project documents and records
  - Refer to Appendix C for documents that were reviewed during this audit

Refer to Appendix C for the completed audit checklist, outlining the evidence collected against each compliance condition.

#### 4.11 EVIDENCE TO SUPPORT COMPLIANCE ASSESSMENT

Refer to Appendix C for the documents provided as evidence to support compliance assessment.

#### 4.12 PREVIOUS COMPLIANCE REPORT ACTIONS

Not applicable – this is the first construction audit to have been conducted. No annual reviews or compliance reports have been undertaken to-date.

#### 4.13 OPPORTUNITIES FOR IMPROVEMENT

The findings from the audit indicated the Project Team are adopting a proactive approach to the management of environmental resources. No further critical opportunities for improvement have been identified on the Project.

However, it is key that the environmental measures in place continue to be systematically implemented to ensure the ongoing environmental performance of the Project.

#### 4.14 KEY STRENGTHS

Biodiversity conservation is a key strength on this Project. The OEH has commended Fulton Hogan's commitment to the conservation of threatened plant population of *Chorizema parviflorum* (Illawarra Flame Pea). More than 1000 seeds have been collected and provide long-term security for the conservation of the

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population from the Project. Email correspondence of this commendation was sighted during the site inspection.

The cultural heritage controls implemented throughout the Project appeared to be extremely effective. Of particular note is the level of attention to the promotion of Aboriginal Heritage awareness surrounding the Macquarie Rivulet site. The auditors were shown a video that presented the value of the site to the Aboriginal Community that promotes a culture of respect and awareness of the Heritage value of the site to all personnel. It was also evident that heritage controls are continuously being implemented. The daily pre-start toolbox talk, observed by the auditors, included a cultural heritage moment as part of the environmental briefing.

The project is adjacent to an active airport and the management of Obstacle Limitation Surfaces (OLS) appeared to be effective on site. The translation of management documentation into the field was evident. A high degree of consultation with Albion Park airport has been undertaken regarding this critical issue.

The ERSED and waterways management on site is also highly commendable. Implementation of water separation controls early in the Project and the outcome of works at Frazer's creek are examples of industry best practice.

Through undertaking the audit and observing the environmental performance of the development is it also evident that the dedicated environmental management professionals are experienced and highly competent in environmental management of major road projects in sensitive environments. The Environment Team are proactively managing compliance with the Conditions of Consent that are yet to be triggered at the time of the audit.

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## APPENDIX A – PLANNING SECRETARY AUDIT TEAM AGREEMENT

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## CHISHOLM, Shannon

---

**From:** Peter Chudleigh <Peter.Chudleigh@rms.nsw.gov.au>  
**Sent:** Thursday, 17 October 2019 1:52 PM  
**To:** CHISHOLM, Shannon  
**Subject:** FW: HPE CM: SSI 6878 - CoA A35 Independent Environmental Auditor

Hi Shannon,

See below corresp from DPE in relation to the independent auditor.

I believe there are no further requirements to be met for FH to engage SNC Lavalin.

Pete

---

**From:** Jacqui McLeod <jacqui.mcleod@planning.nsw.gov.au>  
**Sent:** Thursday, 17 October 2019 1:05 PM  
**To:** Scott Fayers <Scott.Fayers@rms.nsw.gov.au>  
**Cc:** Rebecca Eddington <Rebecca.Eddington@planning.nsw.gov.au>; Joanne Glass <Joanne.Glass@planning.nsw.gov.au>; Erica van den Honert <erica.vandenhonert@planning.nsw.gov.au>; Peter Chudleigh <peter.chudleigh@cardno.com.au>; Peter Hawkins <Peter.HAWKINS@rms.nsw.gov.au>; Toby Hobbs <thobbs@venv.com.au>  
**Subject:** RE: HPE CM: SSI 6878 - CoA A35 Independent Environmental Auditor

Hi Scott,  
I refer to your letter (reference SF 2012/052668) dated 11 October 2019 requesting approval of an independent audit team for the Albion Park Rail Bypass project (SSI 6768). Your submission advises that Sam Pathammavong of SNC Lavalin Australia Pty Ltd is proposed in the role of Lead Auditor for the Albion Park Rail Bypass. The submission further notes that Mr. Pathammavong will be supported in the Lead Auditor role by the following personnel, also from SNC Lavalin:

- Richard Peterson – Technical Reviewer
- Alex Major – Lead Auditor (alternate)
- Matilda Wachsmann – Environmental Auditor (support).

Condition A35 of SSI 6878 requires that all independent environmental audits be conducted by a suitably qualified, experienced and independent team of experts in auditing, and be documented in an Environmental Audit Report. We acknowledge that you have advised us that the above audit team are proposed to address condition A35.

Your submission includes a declaration of independence, such as what would be required to address Section 3.1.2 of the Independent Audit Post Approval Requirements document (June 2018) if it was to apply to the project. We acknowledge that your submission includes a declaration of independence that addresses the requirements of Section 3.1.2 of the Independent Audit Post Approval Requirements document (June 2018).

We note however that condition A35 does not require that the independent audit team be approved by the Secretary, and hence approval by the Secretary of the independent audit team is not provided.

Should you have any questions with regards to the above, please do not hesitate to give me a call.

Thanks. Jacqui.

**Jacqui McLeod**  
**Team Leader Infrastructure Management**

Planning and Assessment | Department of Planning, Industry and Environment

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[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



*The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

---

**From:** Scott Fayers <Scott.Fayers@rms.nsw.gov.au>

**Sent:** Friday, 11 October 2019 2:36 PM

**To:** Erica van den Honert <erica.vandenhonert@planning.nsw.gov.au>

**Cc:** DPE PSVC Infrastructure Notifications Mailbox <infrastructure.notifications@planning.nsw.gov.au>; Jacqui McLeod <jacqui.mcleod@planning.nsw.gov.au>; Joanne

Glass <Joanne.Glass@planning.nsw.gov.au>; LEDLIN David G <david.ledlin@rms.nsw.gov.au>; Peter Hawkins <Peter.HAWKINS@rms.nsw.gov.au>; Peter Chudleigh <peter.chudleigh@cardno.com.au>

**Subject:** HPE CM: SSI 6878 - CoA A35 Independent Environmental Auditor

Dear Erica,

Please find attached details of the proposed Independent Environmental Auditor for Stage 2 of the Albion Park Rail bypass project (SSI 6878) to satisfy the requirements of Condition A35. Roads and Maritime seeks the written agreement of the Secretary to the proposed Auditor prior to engagement.

If you have any questions please give me a call on the number below.

Regards,  
**Scott Fayers**  
Project Manager

Southern and Western Project Office  
Technical and Project Services Division

T 02 4221 2564 M 0419 262 796

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## APPENDIX B – SITE INSPECTION PHOTOGRAPHS

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Figure 1 Water Cart



Figure 2 OLS height signs



**Figure 3 Bulk earthworks nearing completion**



**Figure 4 Sediment basin**



Figure 5 Spill kit



Figure 6 Noise barrier



Figure 7 Frazer's Creek



Figure 8 Application of hydro-mulch

## APPENDIX C – INDEPENDENT AUDIT CHECKLIST

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# ALBION PARK RAIL BYPASS (APRB) AUDIT CHECKLIST

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
<b>PART A ADMINISTRATIVE CONDITIONS</b>				
<b>General</b>				
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.	This audit report  Desktop review of site documents  Site inspection undertaken 13-14 Nov 2019	Site documents are being implemented on site. Controls are in place for high-risk activities. These were observed during the site investigation with photos depicting controls.  Technical non-compliance because of non-compliance with Condition A2.	TNC
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.	Site inspection undertaken 13-14 Nov 2019	The procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the EIS as amended by the SPIR have been addressed within the approved CEMP and sub plans for Stage 2 construction work.  The incident relating to the clearing of 14 trees on 4 April 2019 adjacent to Croome Road identifies a breach of the Project's compliance with the aforementioned mitigation	NC

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			measures. In response to this event, the appropriate close out procedures have been undertaken by FULTON HOGAN including an ICAM investigation and sufficient mitigation measures have been implemented to reduce the risk of reoccurrence.	
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	Site inspection undertaken 13-14 Nov 2019	No inconsistency identified during the audit	C
A4	<p>The Proponent must comply with all requirements of the Secretary in relation to:</p> <ul style="list-style-type: none"> <li>(a) the environmental performance of the SSI;</li> <li>(b) any document or correspondence;</li> <li>(c) any notification given to the Secretary under the terms of this approval;</li> <li>(d) any audit of the construction or operation of the SSI;</li> <li>(e) compliance with the terms of this approval (including anything required to be done under this approval); and</li> <li>(f) the carrying out of any additional monitoring or mitigation measures.</li> </ul>	Site inspection undertaken 13-14 Nov 2019	<p>Stage 2 works are proceeding in accordance with the management plans approved by the Department prior to construction and all requirements of the Secretary are being complied with.</p> <p>Technical non-compliance because of non-compliance with Condition A2.</p>	TNC
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.	Site inspection undertaken 13-14 Nov 2019	No differing interpretations identified during the audit.	C
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	Site inspection undertaken 13-14 Nov 2019	The terms of the approval were altered by the Secretary as detailed in Modification of Infrastructure	C

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	<p>the need, environmental impacts and consistency of the alteration.</p> <p>Note: Inaction and/or expedience will not be supported as justifications for need unless it can be demonstrated that there will be beneficial environmental outcomes</p>		<p>Approval 1, Schedule 1, 25 October 2018. The Consolidated Instrument SSI 6878 Mod 1 has been made available to the public via the Project information on both the RMS &amp; DP&amp;E websites.</p>	
A7	<p>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.</p>	<p>Site inspection undertaken 13-14 Nov 2019</p>	<p>Stage 2 construction works are being managed in accordance with the terms of approval and all management plans inclusive of programs, reviews, audits and the like are proceeding in accordance with the documentation approved by the Department prior to construction.</p>	C
A8	<p>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</p>	<p>Site inspection undertaken 13-14 Nov 2019</p> <p>Consultation Manager database</p>	<p>Fulton Hogan manages a database of consultation with all identified parties, including details of consultation, matters raised and how the matters were considered.</p>	C
A9	<p>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</p>	<p>Site inspection undertaken 13-14 Nov 2019</p> <p>Secretary letter of Stage 2 Start of Construction 8 January 2019</p>	<p>The State Significant Infrastructure Approval SSI6878 was granted 30 January 2018.</p> <p>Construction of SSI 6878 commenced 7 January 2019.</p>	C
A10	<p>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.</p>	<p>Site inspection undertaken 13-14 Nov 2019</p>	<p>NSW Roads and Maritime Services (RMS) are responsible for compliance with all conditions of</p>	C

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			approval. RMS has contracted Fulton Hogan Construction (FULTON HOGANC) Pty Ltd to deliver Stage 2 of the Albion Park Rail bypass via a Design and Construct Project Deed. The DEED ensures Fulton Hogan are responsible for complying with the project conditions of approval	
<b>Croome Regional Sporting Complex</b>				
A11	The relocation of sporting facilities and associated components of the Croome Regional Sporting Complex are not subject to Part C and Part D of this approval, subject to: <ul style="list-style-type: none"> <li>(a) no works be undertaken in Precinct 7 as identified in the EIS;</li> <li>(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 <b>Condition A24(d)</b>. 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</li> <li>(c) the implementation of the approved Construction Environmental Management Process (Plan).</li> </ul>	Construction Environmental Management Process (Plan) 22 March 2018 (Rev 0)  Environmental Representative's Endorsement of CEMPr 26 March 2018	This plan details consultation from the following bodies: <ul style="list-style-type: none"> <li>• EPA</li> <li>• OEH</li> <li>• Biodiversity</li> <li>• Shellharbour City Council</li> </ul> ER Endorsement sighted.  The CEMPr appropriately details how the performance outcomes, commitments, mitigation and monitoring measures related to the CRSC reconfiguration works specified in the EIS and SPIR will be implemented and achieved during construction.  As construction of the Croome Regional Sporting Complex has	C

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			completed the implementation of the CEMPr was not audited.	
<b>Staging</b>				
A12	<p>The SSI may be delivered and operated in stages (including in relation to works undertaken in Croome Regional Sporting Complex). Where staged delivery or operation is proposed, a <b>Staging Report</b> (for either or both delivery and operation as the case requires) must be prepared and submitted to the Secretary for information. The <b>Staging Report</b> 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.</p>	<p>Staging Report February 2018 (Rev 0)</p> <p>Environmental Representative's Endorsement of Staging Report 16 Feb 2018</p> <p>Submission of Staging Report Letter to DPE 19 February 2018</p>	<p>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 Feb 2018. The Staging Plan was submitted to the Secretary for information on 19 Feb 2018.</p>	C
A13	<p>The Staging Report must:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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;</li> <li>(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</li> <li>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</li> </ul>	<p>Staging Report February 2018 (Rev 0)</p>	<p>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.</p> <p>This includes reference to Project staging during construction and operation as well as Project timing.</p>	C

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A14	The SSI must be staged in accordance with the <b>Staging Report</b> , as submitted to the Secretary.	Staging Report February 2018 (Rev 0)	As per the staging report the Project is being delivered in 3 stages: <ul style="list-style-type: none"> <li>• Stage 1 – Croome Regional Sporting Complex</li> <li>• Stage 2 – Princess Motorway between Yallah and Oak Flats</li> <li>• Stage 3 – Yallah Interchange</li> </ul>	C
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.	Staging Report February 2018 (Rev 0)	Construction of Stage 1 is complete and operation of the CRSC has commenced. The Project is currently constructing Stage 2 according to the Project timing within the Staging Report. This is expected to move to operation of Stage 2 in Quarter 4 of 2022.	C
<b>Ancillary Facilities</b>				
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: <ol style="list-style-type: none"> <li>(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</li> <li>(b) the facility is located as follows:               <ol style="list-style-type: none"> <li>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;</li> </ol> </li> </ol>	Site inspection undertaken 13-14 Nov 2019	Ancillary sites identified in the SPIR are being utilised throughout stage 2. Additional proposed sites meet the requirements of A16(b). Notably: <ul style="list-style-type: none"> <li>• Located no less than 50 metres from waterways without an implemented ESCP</li> <li>• Within or adjacent to SSI land</li> <li>• With suitable access to the road network</li> </ul>	C

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	<ul style="list-style-type: none"> <li>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;</li> <li>iii. with ready access to a road network;</li> <li>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;</li> <li>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;</li> <li>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;</li> <li>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;</li> <li>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;</li> <li>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</li> <li>x. so as to have sufficient area for the storage of raw materials to minimise, to the greatest extent practicable,</li> </ul>			

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	the number of deliveries required outside standard construction hours.			
A17	<p>Before establishment of any ancillary facility, except in relation to the delivery of the Croome Regional Sporting Complex, the Proponent must prepare an <b>Ancillary Facilities Management Plan</b> which details the management of the ancillary facilities. The <b>Ancillary Facilities Management Plan</b> 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 <b>Ancillary Facilities Management Plan</b> must include:</p> <p>(a) a description of activities to be undertaken during construction, operational and decommissioning (including scheduling of construction);</p> <p>(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</p> <p>(c) details of how the activities described in subsection (a) of this condition will be carried out to:</p> <ol style="list-style-type: none"> <li>i. meet the performance outcomes stated in the EIS as amended by the SPIR; and</li> <li>ii. manage the risks identified in the risk analysis undertaken in subsection (b) of this condition.</li> </ol>	<p>Ancillary Facilities Management Plan Stage 2 15 November 2018</p> <p>Environmental Representative's Endorsement of AFMP 15 November 2018</p> <p>Secretary approval of AFMP 16 November 2018</p> <p>Updated AFMP 30 July 2019</p> <p>ER Endorsement of AFMP 5 August 2019</p> <p>Updated Secretary approval of AFMP 2 August 2019</p>	<p>The AFMP was prepared in consultation with:</p> <ul style="list-style-type: none"> <li>• Wollongong City Council</li> <li>• Shellharbour City Council</li> <li>• Environment Protection Authority (EPA)</li> <li>• Department of Primary Industries Fisheries</li> <li>• Department of Primary Industries Water</li> <li>• Office of Environment and Heritage</li> <li>• Registered Aboriginal Parties</li> </ul> <p>The AFMP meets the requirements of A17.</p>	C
A18	<p>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 <b>Condition A16</b> of this approval must satisfy the following criteria:</p> <p>(a) have no greater environmental and amenity impacts than those that can be managed through the implementation of environmental measures detailed in the <b>CEMP</b> required under <b>Condition C1</b> of this approval; and</p> <p>(b) have been assessed by the ER to have:</p>	<p>Site inspection undertaken 13-14 Nov 2019</p> <p>Ancillary Facility Checklist 2 July 2019</p>	<p>Minor ancillary facilities meet the requirements of A18.</p> <p>Ancillary Facility Checklist sighted for Ancillary Site 14 on the Illawarra Highway.</p>	C

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	<ul style="list-style-type: none"> <li>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;</li> <li>ii. minimal environmental impact with respect to waste management and flooding; and</li> <li>iii. no impacts on biodiversity, soil and water, and heritage beyond those already approved under other terms of this approval.</li> </ul>			
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).	Site inspection undertaken 13-14 Nov 2019	Boundary fencing was observed to be erected around ancillary facilities that were adjacent to sensitive receivers.	C
A20	Boundary fencing required under <b>Condition A19</b> of this approval must minimise visual, noise and air quality impacts on adjacent sensitive receivers.	Site inspection undertaken 13-14 Nov 2019	Boundary fencing was appropriate to respond to visual, noise and air quality impacts on adjacent sensitive receivers.	C
A21	Ancillary facility AS10 must only be used for works associated with the Croome 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.	AFMP shown where it was located	<p>The initial AFMP appropriately identifies the location of AS10. AS10 has now been removed from the current AFMP and was not observed at Croome Road.</p> <p>Ancillary Facility 10 is not being used for works under stage 2. It has been rehabilitated to its pre-construction condition.</p>	NT

**Environmental Representative**

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
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 <b>Condition A24</b> , 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.	Secretary approval of ER 8 February 2018	A suitably qualified experienced and independent ER has been appointed by RMS and approved by the Secretary.	C
A23	Works must not commence until an ER nominated under <b>Condition A22</b> of this approval in respect of such works has been approved by the Secretary.	Secretary approval of ER 8 February 2018	The ER was approved prior to commencement of works.	C
A24	From commencement of works until completion of construction, the approved ER must: <ul style="list-style-type: none"> <li>(a) receive and respond to communications from the Secretary in relation to the environmental performance of the SSI;</li> <li>(b) consider and inform the Secretary on matters specified in the terms of this approval;</li> <li>(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;</li> <li>(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);</li> <li>(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</li> </ul>	ER monthly report for September 2019  Environmental Complaints for October 2019  Community Communication Strategy November 2018	The ER is adequately meeting the requirements of A24.  The monthly report was appropriate to report on issues relevant to the nature and stage of construction.  Minimal environmental complaints have been received over the course of the Project. 1 complaint was received in October and appropriately processed as per the Community Communication Strategy.  The CEMP and CEMP sub-plans are updated at regular intervals to	C

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	<p>approval;</p> <p>(f) as may be requested by the Secretary, help plan, attend or undertake Department audits of the SSI, briefings, and site visits;</p> <p>(g) if conflict arises between the Proponent and the community in relation to the environmental performance of the SSI, follow the procedure in the <b>Community Communication Strategy</b> approved under <b>Condition B2</b> of this approval to attempt to resolve the conflict, and if it cannot be resolved, notify the Secretary;</p> <p>(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;</p> <p>(i) consider any minor amendments to be made to the <b>CEMP, CEMP sub-plans</b> and monitoring programs that comprise updating or are of an administrative nature, and are consistent with the terms of this approval and the <b>CEMP, CEMP sub-plans</b> 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;</p> <p>(j) assess the impacts of minor ancillary facilities as required by <b>Condition A18</b> of this approval; and</p> <p>(k) prepare and submit to the Secretary and other relevant regulatory agencies, for information, a monthly <b>Environmental Representative Report</b> 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 <b>Environmental Representative Report</b> 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.</p>		<p>reflect the current stage of construction and works onsite.</p>	

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<b>Compliance Tracking Program</b>				
A25	A <b>Compliance Tracking Program</b> 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 <b>Staging Report</b> submitted in accordance with <b>Condition A12</b> and <b>Condition A13</b> of this approval.0	Compliance Tracking Program 9 February 2018 (Rev 0)	The Compliance Tracking Program appropriately monitors compliance with the terms of the approval and take into consideration staging of the SSI as proposed in the Staging Report.	C
A26	The <b>Compliance Tracking Program</b> 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.	ER Endorsement of CTP 16 February 2018  Secretary approval of CTP 19 February 2018	The CTP has been endorsed by the ER and approved by the Secretary prior to the commencement of works.	C
A27	The <b>Compliance Tracking Program</b> in the form required under <b>Condition A25</b> 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, <b>Environmental Representative Reports</b> and regular compliance reviews submitted through <b>Compliance Reports</b> . If staged operation is proposed, or operation is commenced of part of the SSI, the <b>Compliance Tracking Program</b> must be implemented for the relevant period for each stage or part of the SSI.	Site inspection undertaken 13-14 Nov 2019  Compliance Tracking Program 2 October 2018 (Rev 5)  Appendix A of the CEMP – Stage 2 Conditions of Approval Compliance Table	The CTP was being implemented at the time of the audit and is being updated.  The Compliance Tracking Program (CTP) has been incorporated into Section 3 of the approved CEMP (Rev9) under "Monitoring, Inspections and Auditing".	C
<b>Construction Compliance Reporting</b>				

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
A28	<p><b>Pre-Construction Compliance Report</b> 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 <b>Pre-Construction Compliance Report</b> must include:</p> <ul style="list-style-type: none"> <li>(a) details of how the terms of this approval that must be addressed before the commencement of works have been complied with: and</li> <li>(b) the commencement date for works.</li> </ul>	<p>Pre-Construction Compliance Report 2 October 2019 (Rev 5)</p> <p>Endorsed and submitted to Secretary 2 October 2018.</p> <p>Secretary letter of Stage 2 Start of Construction 8 January 2019</p>	<p>The PCCR adequately meets the requirements of A28 and includes details of how the terms of the approval will be addressed as well as the commencement date for works.</p> <p>The PCCR detailed an anticipated construction start date of 2 November 2018; however, commencement was confirmed by the Secretary as 7 January 2019.</p>	C
A29	<p>Works must not commence until the <b>Pre-Construction Compliance Report</b> has been submitted to the Secretary</p>	<p>Endorsed and submitted to Secretary 2 October 2018.</p> <p>Secretary letter of Stage 2 Start of Construction 8 January 2019</p>	<p>Works did not commence until the PCCR was submitted to the Secretary.</p>	C
A30	<p><b>Construction Compliance Reports</b> 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 <b>Construction Compliance Reports</b> must include (as applicable):</p> <ul style="list-style-type: none"> <li>(a) a results summary and analysis of environmental monitoring;</li> <li>(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;</li> <li>(c) details of any review of, and minor amendments made to, the <b>CEMP</b> as a result of construction carried out during the reporting</li> </ul>	<p>Construction Compliance and Monitoring Report 1 22 October 2019</p>	<p>The Project's six (6) monthly compliance report viewed for the period of 7 January to 7 July 2019.</p> <p>Evidence of the report being issued was sighted during the site inspection.</p> <p>The report adequately meets the requirements of A30.</p>	C

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	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 <b>Condition A38</b> and <b>Condition A41</b> of this approval; and (g) any other matter relating to compliance with the terms of this approval or as requested by the Secretary.			
<b>Pre-Operation Compliance Report</b>				
A31	A <b>Pre-Operation Compliance Report</b> 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 <b>Pre-Operation Compliance Report</b> 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.	-	Stage 2 is under construction	NT
A32	Operation (or stage of operation) must not commence until the <b>Pre-Operation Compliance Report</b> has been submitted for information to the Secretary	-	Stage 2 is under construction	NT
<b>Auditing</b>				
A33	An <b>Environmental Audit Program</b> 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 Croome Regional Sporting Complex, or within another timeframe agreed with the Secretary	Environmental Audit Program 18 September 2018 (Rev 4)  Endorsed by ER and submitted to Secretary 20 September 2018.	The Environmental Audit Program was endorsed by the ER and submitted to the Department	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Secretary approval of EAP 26 September 2018		
A34	The <b>Environmental Audit Program</b> , as submitted to the Secretary, must be implemented for the duration of the works except in relation to the works at the Croome Regional Sporting Complex	Site inspection undertaken 13-14 Nov 2019  This Audit Report.	The EAP is being implemented appropriately according to A34.  The initial Independent audit was undertaken 13-14 November 2019.	C
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 <b>Environmental Audit Report</b> 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	Secretary approval of Independent Auditor 17 October 2019.  This Audit Report.  DP&Es Independent Audit Post Approval Requirements June 2018.	SNC-Lavalin have been appointed as the Independent Auditor.  This audit report has been developed to meet the requirements of A35 and is consistent with DP&Es Independent Audit Post Approval Requirements June 2018.	C
A36	The <b>Environmental Audit</b> must be carried out within 12 months of works commencing except in relation to the works at the Croome 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	Site inspection undertaken 13-14 Nov 2019	The site inspection was undertaken within the first 12 months of works commencing.	C
A37	The Proponent must submit a copy of the <b>Environmental Audit Report</b> 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	-	Fulton Hogan will submit a copy of the finalised Audit Report to the Secretary.	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
<b>Incident Notification</b>				
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.	Show cause letter 14 June 2019  FULTON HOGAN response to show cause June 2019  Incident Notification of Ruptured Water Main 2 September 2019  Response for Incident Notification of Ruptured Water Main 3 September 2019  Self-report of turbid discharge 20 September 2019	Three incidents have occurred relating to: <ul style="list-style-type: none"> <li>• Croome Tree Clearing</li> <li>• Ruptured Water main</li> <li>• ERSED Breach</li> </ul> The processes that were followed following these incidents were audited. Correspondence and reporting were appropriate for the nature and scale of each incident.  Notification has been provided to the EPA for potential harm to the environment. However, no action has been taken in this regard.	C
A39	Notification of an incident under <b>Condition A38</b> 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.	As above	Detailed incident reporting has been submitted to the Department's Compliance Team as required.	C
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 <b>Condition A38</b> of this approval, must be met within the timeframe determined by the Secretary or relevant government authority.	As above	Timeframes to address requirements of the Secretary were met.	C
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.	As above	No statutory notification has been provided to NSW EPA in relation to	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			environmental incidents within the reporting period.	
<b>PART B COMMUNITY INFORMATION AND REPORTING</b>				
<b>Community information, consultation and involvement</b>				
B1	A <b>Community Communication Strategy</b> 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.	Community Communication Strategy 13 November 2018  Secretary approval of Community Communication Strategy 14 Nov 2018	A Community Consultation Strategy (CCS) has been prepared and approved by the Secretary to facilitate communication between Fulton Hogan and the community.	C
B2	The Community Communication Strategy must: <ul style="list-style-type: none"> <li>(a) identify people or organisations to be consulted during the delivery of the Project;</li> <li>(b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the SSI;</li> <li>(c) identify opportunities to provide accessible information regarding regularly updated site activities, schedules and milestones at each construction site;</li> <li>(d) identify opportunities for the community to visit construction sites (taking into consideration workplace health and safety requirements);</li> <li>(e) involve construction personnel from each construction site in engaging with the local community;</li> <li>(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</li> <li>(g) set out procedures and mechanisms:</li> </ul>	Community Communication Strategy 13 November 2018	The CCS meets the requirements of B2.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>i. through which the community can discuss or provide feedback to the Proponent;</li> <li>ii. through which the Proponent will respond to enquiries or feedback from the community; and</li> <li>iii. to resolve any issues and mediate any disputes that may arise in relation to the environmental management and delivery of the SSI.</li> </ul>			
B3	The <b>Community Communication Strategy</b> 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.	Secretary approval of Community Communication Strategy 14 Nov 2018	The CCS was submitted to the Secretary for approval more than 1 month before commencement of works.	C
B4	Work for the purposes of the SSI must not commence until the <b>Community Communication Strategy</b> has been approved by the Secretary	Secretary approval of Community Communication Strategy 14 Nov 2018	The CCS was submitted to the Secretary for approval more than 1 month before commencement of works.	C
B5	The <b>Community Communication Strategy</b> , as approved by the Secretary, must be implemented for the duration of the works and for 12 months following the completion of construction.	Site inspection undertaken 13-14 Nov 2019  Community Communication Strategy 13 November 2018	The CCS was being implemented by Fulton Hogan during the period of the audit.  Fulton Hogan acknowledge that implementation of the CCS will be ongoing until 12 months after completion of the works.	C
<b>Complaints management systems</b>				
B6	A <b>Complaints Management System</b> 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.	Complaints Management System 10 September 2018 (Rev 3)	The CMS was being implemented by Fulton Hogan during the period of the audit.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		ER Endorsement of CMS 17 October 2018		
B7	<p>The <b>Complaints Management System</b> must include a <b>Complaints Register</b> 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.</p> <p>The <b>Complaints Register</b> must record the:</p> <ul style="list-style-type: none"> <li>(a) number of complaints received;</li> <li>(b) number of people affected in relation to a complaint; and</li> <li>(c) nature of the complaint and means by which the complaint was addressed and whether resolution was reached, with or without mediation</li> </ul>	Complaints management register – sighted	<p>Complaints Register last updated on 8 Nov 2019. This complaint was dust related.</p> <p>The nature of most of the complaints are dust related. Some also reference noise or vibration.</p> <p>A total of 40 complaints have been received over the lifetime of the Project to date.</p> <p>No night time light spill complaints have been received.</p> <p>The CCS meets the requirements of B7.</p>	C
B8	The <b>Complaints Register</b> must be provided to the Secretary upon request, within the timeframe stated in the request	The Secretary have made no requests for the Complaints Register	-	NT
B9	<p>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:</p> <ul style="list-style-type: none"> <li>(a) a 24 hour telephone number for the registration of complaints and enquiries about the SSI;</li> <li>(b) a postal address to which written complaints and enquires may be sent;</li> <li>(c) an email address to which electronic complaints and enquiries may be transmitted; and</li> </ul>	Complaints Management System 10 September 2018 (Rev 3)	<p>All facilities referenced in condition B9 of this approval are available.</p> <p>This information is distributed on each community notice.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(d) a mediation system for complaints unable to be resolved.			
B10	The telephone number, postal address and email address required under <b>Condition B9</b> 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 <b>Condition B11</b> of this approval.	Illawarra Mercury - 26 Sep 2018.  South Coast Register  The Advertiser  The Courier Mail	The contact information was published as required in a number of local and regional newspapers.	C
<b>Provision Of Electronic Information</b>				
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 <b>Table 2</b> 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	<a href="http://www.rms.nsw.gov.au/apr">www.rms.nsw.gov.au/apr</a>  Community Communication Strategy 13 November 2018	Fulton Hogan updates the RMS website. Community Consultation Strategy (CCS) Section 5.4.1 outlines the approach to maintaining up to date information on the Project website.  All resident notifications are located on the website including latest Project updates and track changes along the east link.  The community display centre location and trading hours are also publically available.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	they relate or prior to their implementation as the case may be.			
<b>PART C CONSTRUCTION ENVIRONMENTAL MANAGEMENT</b>				
<b>Construction Environmental Management Plan</b>				
C1	<p>A <b>Construction Environmental Management Plan (CEMP)</b> 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.</p>	<p>Construction Environmental Management Plan (CEMP) 5 December 2019 (Rev 9)</p>	<p>The CEMP has been appropriately prepared in accordance with the Guideline for the Preparation of Environmental Management Plans.</p>	C
C2	<p>The <b>CEMP</b> must provide:</p> <ul style="list-style-type: none"> <li>(a) a description of activities to be undertaken during construction (including the scheduling of construction);</li> <li>(b) details of environmental policies, guidelines and principles to be followed in the construction of the SSI;</li> <li>(c) a schedule for compliance auditing;</li> <li>(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;</li> <li>(e) details of how the activities described in subsection (a) of this condition will be carried out to:               <ul style="list-style-type: none"> <li>i. meet the performance outcomes stated in the EIS as amended by the SPIR; and</li> <li>ii. manage the risks identified in the risk analysis undertaken in subsection (d) of this condition;</li> </ul> </li> <li>(f) an inspection program detailing the activities to be inspected and frequency of inspections;</li> <li>(g) a protocol for managing and reporting any:               <ul style="list-style-type: none"> <li>I. incidents; and</li> <li>II. non-compliances with this approval and with</li> </ul> </li> </ul>	<p>Construction Environmental Management Plan (CEMP) 5 December 2019 (Rev 9)</p>	<p>The CEMP meets the requirements of C2 and provides all the descriptions, lists, details and programs stated.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	statutory requirements; (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 <b>CEMP Sub-plans</b> required in respect of construction, as set out in <b>Condition C4</b> . Where staged construction of the SSI is proposed, the <b>CEMP</b> must also identify which <b>CEMP Sub-plan</b> 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 <b>CEMP</b> and all associated plans and programs			
C3	The <b>CEMP</b> 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.	ER Endorsement of CEMP 5 December 2018  Secretary approval of CEMP, Sub-Plans and Monitoring programs 7 December 2018	The CEMP (Rev 9) was endorsed and submitted to the Secretary within the required timeframes.	C
C4	The following <b>CEMP Sub-plans</b> must be prepared in consultation with the relevant government agencies identified for each <b>CEMP Sub-plan</b> and be consistent with the <b>CEMP</b> referred to in <b>Condition C1</b> .  <i>Table 3: CEMP Sub-plan Consultation Requirements</i>	CEMP Appendix A5 – Stakeholder and agency CEMP consultation	The required plans have been prepared in consultation with the relevant government agencies including: <ul style="list-style-type: none"> <li>• Wollongong City Council</li> <li>• Shellharbour City Council</li> <li>• NSW Environment Protection Authority (EPA)</li> </ul>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status																					
	<table border="1"> <tr> <td></td> <td>Required CEMP Sub-plan</td> <td>Relevant government agencies to be consulted for each CEMP Sub-Plan</td> </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>		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)		<ul style="list-style-type: none"> <li>• NSW Office of Environment and Heritage (OEH)</li> <li>• NSW Department of Primary Industries Fisheries</li> <li>• NSW Department of Primary Industries Water (formerly NSW Office of Water)</li> <li>• Registered Aboriginal Parties.</li> </ul>	
	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	<p>The <b>CEMP Sub-plans</b> must state how:</p> <p>(a) the environmental performance outcomes identified in the EIS as amended by the SPIR as modified by these conditions will be achieved;</p> <p>(b) the mitigation measures identified in the EIS as amended by the SPIR as modified by these conditions will be implemented;</p> <p>(c) the relevant terms of this approval will be complied with (in particular Part E of this approval);</p> <p>(d) the identification of the relevant environmental specific training and induction processes for construction personnel; and</p> <p>(e) issues requiring management during construction, as identified through ongoing environmental risk analysis, will be managed</p>	<p>Air Quality Management Plan December 2018 - ER Endorsed 5 December 2018</p> <p>Soil and Water Management Plan December 2018, ER Endorsed 5 December 2018</p> <p>Noise and Vibration Management Plan August 2018 – ER Endorsed 23 August 2018</p> <p>Flora and Fauna Management Sub-Plan December 2018 - ER Endorsed 14 December 2018</p> <p>Heritage Management Plan December 2018 - ER Endorsed 5 December 2018</p> <p>Traffic and Transport Management Plan</p>	<p>The CEMP sub-plans meet the requirements of C5.</p>	C																					

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		November 2018 – ER Endorsed 13 November 2018  Flooding and Hydrology Management Plan June 2019 – ER Endorsed 21 June 2019		
C6	The <b>CEMP Sub-plans</b> must be developed in consultation with relevant government agencies identified in <b>Table 3 of Condition C4</b> 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 <b>CEMP Sub-plan</b> as a result of consultation, including copies of all correspondence from these agencies, must be provided with the relevant <b>CEMP Sub-Plan</b> .	CEMP Appendix A5 – Stakeholder and agency CEMP consultation	The required plans have been prepared in consultation with the relevant government agencies including: <ul style="list-style-type: none"> <li>• Wollongong City Council</li> <li>• Shellharbour City Council</li> <li>• NSW Environment Protection Authority (EPA)</li> <li>• NSW Office of Environment and Heritage (OEH)</li> <li>• NSW Department of Primary Industries Fisheries</li> <li>• NSW Department of Primary Industries Water (formerly NSW Office of Water)</li> </ul> Registered Aboriginal Parties.	C
C7	Any of the <b>CEMP Sub-plans</b> may be submitted to the Secretary for approval along with, or subsequent to, the submission of the <b>CEMP</b> but in any event, no later than one (1) month before commencement of construction.	ER Endorsement of CEMP Sub-plans (Rev 0) 26 March 2018  Secretary approval of TTMP 28 November 2018	The CEMP Sub-plans were endorsed and submitted to the Secretary within the required timeframes.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Secretary approval of HMP 29 November 2018  Secretary approval of CEMP, Sub-Plans and Monitoring programs 7 December 2018  Secretary approval of FFMP 21 December 2018		
C8	Construction must not commence until the <b>CEMP</b> and all <b>CEMP Sub-plans</b> have been approved by the Secretary. The <b>CEMP and CEMP Sub-plans</b> , as approved by the Secretary, including any minor amendments approved by the ER must be implemented for the duration of construction. Where the SI 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.	ER Endorsement of CEMP Sub-plans (Rev 0) 26 March 2018  Secretary letter of Stage 2 Start of Construction 8 January 2019	Construction did not commence until the CEMP and all sub-plans were approved by the secretary.  Stage 2 works are proceeding in accordance with the management plans approved by the Department prior to construction and all requirements of the Secretary are being complied with.	C
<b>Construction Monitoring Programs</b>				
C9	The following <b>Construction Monitoring Programs</b> must be prepared in consultation with the relevant government agencies identified for each <b>Construction Monitoring Program</b> to compare actual performance of construction of the SSI against performance predicted performance:  <i>Table 4: Construction Monitoring Program Consultation Requirements</i>	Construction Monitoring Programs sighted during site inspection 13-14 November 2019  CEMP Appendix A5 – Stakeholder and agency CEMP consultation	The required CMPs have been prepared.  Consultation was sought from: <ul style="list-style-type: none"> <li>• NSW Environment Protection Authority (EPA)</li> <li>• NSW Department of Primary Industries Water (formerly NSW Office of Water)</li> </ul>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status															
	<table border="1"> <tr> <td></td> <td>Required Construction Monitoring Programs</td> <td>Relevant government agencies to be consulted in the Construction Monitoring Program</td> </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>		Required Construction Monitoring Programs	Relevant government agencies to be consulted in the Construction Monitoring Program	a)	Air Quality	EPA	b)	Groundwater	DPI Water	c)	Surface Water	EPA and DPI Fisheries	d)	Noise	EPA		<ul style="list-style-type: none"> <li>NSW Department of Primary Industries Fisheries</li> </ul>	
	Required Construction Monitoring Programs	Relevant government agencies to be consulted in the Construction Monitoring Program																	
a)	Air Quality	EPA																	
b)	Groundwater	DPI Water																	
c)	Surface Water	EPA and DPI Fisheries																	
d)	Noise	EPA																	
C10	<p>Each Construction Monitoring Program must provide:</p> <p>(a) details of baseline data available;</p> <p>(b) details of baseline data to be obtained and when;</p> <p>(c) details of all monitoring of the Project to be undertaken;</p> <p>(d) the parameters of the Project to be monitored;</p> <p>(e) the frequency of monitoring to be undertaken;</p> <p>(f) the location of monitoring;</p> <p>(g) the reporting of monitoring results;</p> <p>(h) procedures to identify and implement additional mitigation measures where results of monitoring are unsatisfactory; and</p> <p>(i) (i) any consultation to be undertaken in relation to the monitoring programs.</p>	<p>Construction Monitoring Programs sighted during site inspection 13-14 November 2019</p>	<p>The CMPs meet the requirements of C10.</p>	C															
C11	<p>The <b>Construction Monitoring Programs</b> must be developed in consultation with relevant government agencies as identified in <b>Table 4 of Condition C9</b> of this approval and must include, to the written satisfaction of the Secretary, information requested by an agency to be included in a <b>Construction Monitoring Programs</b> 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 <b>Construction Monitoring Program</b></p>	<p>Construction Monitoring Programs sighted during site inspection 13-14 November 2019</p> <p>CEMP Appendix A5 – Stakeholder and agency CEMP consultation</p>	<p>The required CMPs have been prepared.</p> <p>Consultation was sought from:</p> <ul style="list-style-type: none"> <li>NSW Environment Protection Authority (EPA)</li> <li>NSW Department of Primary Industries Water (formerly NSW Office of Water)</li> <li>NSW Department of Primary Industries Fisheries</li> </ul>	C															

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
C12	The <b>Construction Monitoring Programs</b> 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	Air Quality Monitoring Program ER Endorsement 5 Dec 2018  Ground Water Monitoring Program ER Endorsement 5 Dec 2018  Noise Monitoring Program ER Endorsement 13 Nov 2018  Secretary approval of CEMP, Sub-Plans and Monitoring programs 7 December 2018	The CEMP, Sub-plans inclusive of CMPs were approved by the Secretary, 7 December 2018.	C
C13	Construction must not commence until the Secretary has approved all of the required <b>Construction Monitoring Programs</b> , and all relevant baseline data for the specific construction activity has been collected.	Secretary approval of CEMP, Sub-Plans and Monitoring programs 7 December 2018	Construction did not commence until the Secretary had approved all required Monitoring Programs.	C
C14	The <b>Construction Monitoring Programs</b> , 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.	Construction Monitoring Report 1 22 Oct 2019  Site inspection undertaken 13-14 Nov 2019	Stage 2 works are proceeding in accordance with the management plans approved by the Secretary prior to construction and all requirements of the CMP are being complied with.  Environmental monitoring data is being recorded, reviewed and reported monthly. This is	

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			evidenced in monitoring records and relevant monitoring reports.	
C15	The results of the <b>Construction Monitoring Programs</b> must be submitted to the Secretary, and relevant regulatory agencies and Relevant Council(s), for information in the form of a <b>Construction Monitoring Report</b> at the frequency identified in the relevant <b>Construction Monitoring Program</b> .	Construction Monitoring Report 1 22 Oct 2019  ER Endorsement of Construction Monitoring Report 24 Oct 2018	Stage 2 works are proceeding in accordance with the management plans approved by the Secretary prior to construction and all requirements of the CMP are being complied with.  Environmental monitoring data is being recorded, reviewed and reported. This is evidenced in monitoring records and relevant monitoring reports.	C
C16	Where a relevant <b>CEMP Sub-plan</b> exists, the relevant <b>Construction Monitoring Program</b> may be incorporated into that <b>CEMP Sub-plan</b> .	Air Quality Monitoring Program  Ground Water Monitoring Program  Noise Monitoring Program  Secretary approval of CEMP, Sub-Plans and Monitoring programs 7 December 2018	The relevant CMP has been incorporated into the appropriate CEMP Sub-plan.	C

**PART D OPERATIONAL ENVIRONMENTAL MANAGEMENT**

**Operational Environmental Management**

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
D1	An <b>Operational Management Plan (OEMP)</b> 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 ( <b>Condition D1</b> ) does not apply if <b>Condition D2</b> of this approval applies.	Operational condition – not covered in this audit.	-	NT
D2	An <b>OEMP</b> is not required for the SSI if the Proponent has an <b>Environmental Management System (EMS)</b> 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 <b>EMS</b> : (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.	Operational condition – not covered in this audit.	-	NT
D3	The <b>OEMP</b> or <b>EMS</b> or equivalent as agreed with the Secretary, must be submitted to the Secretary for information on later than one (1) month before the commencement of operation or within another timeframe agreed with the Secretary.	Operational condition – not covered in this audit.	-	NT
D4	Where an <b>OEMP</b> is required, the Proponent must include the following <b>OEMP Sub-plans</b> in the <b>OEMP</b> : <i>Table 5: OEMP Sub-plan Consultation Requirements</i>	Operational condition – not covered in this audit.	-	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status															
	<table border="1"> <tr> <td data-bbox="275 260 347 327"></td> <td data-bbox="353 260 739 327">Required OEMP Sub-plan</td> <td data-bbox="745 260 1131 327">Relevant government agencies to be consulted in OEMP Sub-plan</td> </tr> <tr> <td data-bbox="275 331 347 367">a)</td> <td data-bbox="353 331 739 367">Noise and vibration</td> <td data-bbox="745 331 1131 367">EPA</td> </tr> <tr> <td data-bbox="275 371 347 406">b)</td> <td data-bbox="353 371 739 406">Soil and Water</td> <td data-bbox="745 371 1131 406">EPA, DPI Water and Fisheries</td> </tr> <tr> <td data-bbox="275 411 347 446">c)</td> <td data-bbox="353 411 739 446">Traffic and Transport</td> <td data-bbox="745 411 1131 446">Relevant Council(s)</td> </tr> <tr> <td data-bbox="275 451 347 486">d)</td> <td data-bbox="353 451 739 486">Flooding</td> <td data-bbox="745 451 1131 486">OEH and Relevant Council(s)</td> </tr> </table>		Required OEMP Sub-plan	Relevant government agencies to be consulted in 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)			
	Required OEMP Sub-plan	Relevant government agencies to be consulted in 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 <b>OEMP Sub-plans</b> must include the information set out in <b>Condition D2</b> of this approval.	Operational condition – not covered in this audit.	-	NT															
D6	The <b>OEMP Sub-plans</b> must be developed in consultation with relevant government agencies as identified in <b>Table 5 of Condition D4</b> . 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 <b>OEMP Sub-plan</b> as a result of consultation, including copies of all correspondence from those agencies, must be provided with the relevant <b>OEMP Sub-Plan</b> .	Operational condition – not covered in this audit.	-	NT															
D7	The <b>OEMP Sub-plans</b> must be submitted to the Secretary as part of the OEMP.	Operational condition – not covered in this audit.	-	NT															
D8	The <b>OEMP</b> or <b>EMS</b> 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 <b>OEMP</b> or <b>EMS</b> must be made publicly available prior to commencement of operation.	Operational condition – not covered in this audit.	-	NT															
<b>Operational Monitoring Program</b>																			
Transport and Access																			
D9	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 <b>Road Network Performance Report</b> to confirm the operational traffic impacts of the Project on surrounding roads and intersections. The review must be carried out	Operational condition – not covered in this audit.	-	NT															

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<p>in consultation with the Relevant Councils, and include:</p> <ul style="list-style-type: none"> <li>(a) an updated traffic analysis, including traffic modelling if required, of movements on the surrounding road network;</li> <li>(b) an assessment of the level of service at key intersections and sections of the road network;</li> <li>(c) mitigation measures to manage any actual or predicted traffic performance impacts; and</li> <li>(d) a comparison of the pre-construction and post construction road network performance for all road users.</li> </ul> <p>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.</p> <p>The <b>Road Network Performance Report</b> 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.</p> <p>The Proponent is responsible for the implementation of the identified measures under <b>Condition D9(c)</b>.</p> <p>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.</p>			
Operational Noise				
D10	<p>Within 12 months of the commencement of operation of the SSI, except for the Croome 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 <b>Condition E46</b>.</p> <p>The Proponent must prepare an <b>Operational Noise Compliance Report</b> to document this monitoring. The Report must include, but</p>	Operational condition – not covered in this audit.	-	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<p>not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. noise monitoring to assess compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under <b>Condition E46</b>;</li> <li>ii. a review of the operational noise levels in terms of criteria and noise goals established in the               <ul style="list-style-type: none"> <li>a. <i>NSW Road Noise Policy 2011</i>;</li> </ul> </li> <li>iii. 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;</li> <li>iv. 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;</li> <li>v. any required recalibrations of the noise model taking into consideration factors such as noise monitoring and actual traffic numbers and proportions;</li> <li>vi. an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and</li> <li>vii. identification of additional measures to those identified in the review of noise mitigation measures required by <b>Condition E46</b>, that would be implemented with the objective of meeting the criteria outlined in the <i>NSW Road Noise Policy 2011</i>, when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA.</li> </ul> <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>			

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
<b>PART E KEY ISSUE CONDITIONS</b>				
<b>Air Quality</b>				
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.	<p>Air Quality Management Plan December 2018 - ER Endorsed 5 December 2018</p> <p>Air Quality Monitoring records</p> <p>Weekly Site inspection records with EPA in attendance</p> <p>Prestart checklist</p> <p>Maintenance reports</p> <p>Site inspection undertaken 13-14 Nov 2019</p>	<p>Management of air quality impacts is addressed in the CEMP Air Quality Management Sub-plan.</p> <p>The following observations were made during the site inspection:</p> <ul style="list-style-type: none"> <li>• Stabilised stockpiles</li> <li>• Rehabilitation to prevent dust</li> <li>• Water Cart / Dust Carts</li> <li>• Street Sweeper</li> <li>• Hydro mulching</li> <li>• No fugitive emissions were observed from plant in operation</li> <li>• Few complaints have been raised concerning dust emission on the Project.</li> </ul> <p>It was concluded that all feasible and reasonable practicable measures are being implemented to minimise the emission of dust and other air pollutants during works and operation of the SSI.</p>	C
<b>Aviation</b>				
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 <b>Condition E3</b> and <b>Condition E7</b>	Site inspection undertaken 13-14 Nov 2019	The Project is being constructed to comply with Code 2 and Code 3	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Aviation Management Plan (incl. Method of Working Plan) 14 December 2018 (Rev 5)  OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4)  Technical Note - Intrusions to the OLS 17 Jan 2019	OLS for the Illawarra Regional Airport.  Appropriate signs and markings creating awareness of OLS were observed in the field during the site inspection.	
E3	An <b>Aviation Method of Working Plan</b> 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: <ul style="list-style-type: none"> <li>(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);</li> <li>(b) identification and consultation with appropriate operators of impacted aviation infrastructure and instrument flight procedures at the airport, and known flight scheduling;</li> <li>(c) procedures to ensure that the runways can operate when required;</li> <li>(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;</li> <li>(e) mitigation measures for the management of those impacts and hazards to aircraft and airport operations</li> </ul>	Aviation Management Plan (incl. Method of Working Plan) 14 December 2018 (Rev 5)	The AMP has been developed by and appropriately qualified expert in aviation safety in consultation with the airport operation. The Plan meets the requirements of E3.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<p>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>			
E4	<p>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 <b>Notices to Airmen (NOTAM)</b>, must be prepared and received 3 days prior to the carrying out of the works</p>	<p>Aviation Management Plan (incl. Method of Working Plan) 14 December 2018 (Rev 5)</p> <p>Wollongong Aerodrome Application - Approval to Carry out Controlled Activity for 20 Feb to 31 Mar 2019.</p>	<p>NOTAM are being prepared and approved with respect to work being conducted on site. This is an appropriate measure to mitigate risks associated with the Project's potential to interfere with aircraft operation.</p>	C
E5	<p>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</p>	<p>Email correspondence regarding Wings Over the Illawarra Air Show</p>	<p>The Wings Over the Illawarra Air Show took place on 4 and 5 May 2019 unimpeded by the Project.</p> <p>Consultation with Illawarra Regional Airport (IRA) Manager and Shellharbour City Council (SCC) was undertaken.</p>	C
E6	<p>All lighting associated with works (including outside standard construction hours) and operation of the SSI, including lighting</p>	<p>Aviation Management Plan (incl. Method of Working</p>	<p>No issues identified.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<p>associated with the Croome 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></p>	<p>Plan) 14 December 2018 (Rev 5)</p> <p>OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4)</p> <p>Complaints Management System 10 September 2018 (Rev 3)</p> <p>Complaints management register – sighted</p> <p>RTS &amp; Street Lighting Report</p>		
E7	<p>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 <b>OLS Intrusion Aeronautical Study</b> 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 that risks will be satisfactorily managed.</p> <p>The Study must be prepared in consultation with and provided to Shellharbour City Council, CASA, ASA and the Airport Operator.</p>	<p>OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4)</p> <p>ER Endorsement of OLS Intrusion Aeronautical Study 8 April 2019 (Rev 2)</p> <p>Technical Note - Intrusions to the OLS 17 Jan 2019</p> <p>Airworks YWOL Airspace Report 29 Feb 2019</p> <p>RMS approval to intrusions into OLS dependent on OLS IAS 27 Feb 2019</p>	<p>The OLS IAS was prepared by an appropriately qualified expert in aviation safety, Jason Ryan of JJRyan Consulting.</p> <p>The OLS IAS was prepared in consultation with Shellharbour City Council, CASA, ASA and the Airport Operator</p>	C
E8	<p>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.</p>	<p>OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4)</p>	<p>No issues identified.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Site inspection undertaken 13-14 Nov 2019		
E9	Mitigation measures described in section 4 of the Albion Park Rail Bypass PIR, Appendix B Addendum Aviation Assessment, September 2017, Hyder Cardno Joint Venture, must be implemented, except as required by this approval.	OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4)  Aviation Management Plan (incl. Method of Working Plan) 14 December 2018 (Rev 5)  Appendix B – Addendum Aviation Assessment September 2017 (Rev 7)  Submissions and Preferred Infrastructure Report September 2017 (Rev 15)  Site inspection undertaken 13-14 Nov 2019	Mitigation measures TT02, TT03, TT04 and TT05 as described in Section 4 of the APRb PIR are being appropriately implemented on the Project.	C
E10	During detailed design, any amendments to structures identified in the <i>Albion Park Rail Bypass PIR, 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.	OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4)  Aviation Management Plan (incl. Method of Working Plan) 14 December 2018 (Rev 5)  Appendix B – Addendum Aviation Assessment September 2017 (Rev 7)	The OLS IAS was prepared in consultation with CASA, Air Services Australia (AsA), Shellharbour City Council and the airport operator.  Windshear and turbulence assessment compliance is detailed in Table 1 and 2 of the OLS IAS.  No issues identified.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
<b>Biodiversity</b>				
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 (OEH, 2014)</i> , the <i>Framework for Biodiversity Assessment 2014</i> , or as otherwise agreed by the Secretary in consultation with OEH.	<p>Appendix E – Biodiversity Offset Strategy September 2017 (Rev 4.1)</p> <p>Progress Report on the Biodiversity Offset Package 7 June 2018</p> <p>Biodiversity Addendum December 2017 (Rev 1.1)</p>	<p>Offset requirements are being progressively identified in the Biodiversity Offset Progress Reports.</p> <p>Impacts to the Plant Community Types and Endangered Populations specified in the Biodiversity Addendum are being identified to be appropriately offset. No issues with this process have been identified.</p>	C
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 Croome Regional Sporting Complex.	<p>Progress Report on the Biodiversity Offset Package 7 June 2018</p> <p>ER Endorsement of Biodiversity Offset Progress Report 22 June 2018</p>	The progress report meets the requirements of E12.	C
E13	<p>Within 24 months of the submission of the progress report (as required under <b>Condition E12</b>), or as otherwise agreed by the Secretary, the Proponent must finalise and submit to the Secretary for approval, a <b>Biodiversity Offset Package</b>. 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 (OEH, 2014)</i>, 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)</p>	Progress Report on the Biodiversity Offset Package 7 June 2018	<p>Biodiversity Offset Package still in drafting phase.</p> <p>Required within 24 months of the submission of the Progress report submitted 7 June 2018.</p>	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<p>identified to offset the impacts of the SSI and evidence that they be attained and secured in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects (OEH, 2014)</i>; and</p> <p>(b) for offsets not secured through the retirement of biodiversity credits, details on how offset requirements will be met.</p>			
E14	<p>Should supplementary measures be proposed, the Package must also provide details on:</p> <p>(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:</p> <ul style="list-style-type: none"> <li>i. the monitoring of condition of species and ecological communities at offset (including translocation) locations,</li> <li>ii. the methodology for the monitoring programs(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites,</li> <li>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</li> <li>iv. timing and responsibilities for the implementation of the supplementary measures; and</li> </ul> <p>(b) processes and/or measures that would be implemented to ensure that any land offsets are protected and managed in perpetuity.</p> <p>The supplementary measures must be implemented by the Proponent according to the timeframes set out in the Biodiversity Offset Package.</p>	<p>Progress Report on the Biodiversity Offset Package 7 June 2018</p>	<p>Biodiversity Offset Package still in drafting phase.</p> <p>Required within 24 months of the submission of the Progress report submitted 7 June 2018.</p>	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
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.	Progress Report on the Biodiversity Offset Package 7 June 2018	Biodiversity Offset Package still in drafting phase.  Required within 24 months of the submission of the Progress report submitted 7 June 2018.	NT
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.	Site inspection undertaken 13-14 Nov 2019  Flora and Fauna Management Sub-Plan December 2018 - ER Endorsed 14 December 2018	Trunks, coarse woody debris and stumps have been reused at Frazers Creek.  Council have been offered these materials to provide community groups.  TAFE has been provided with logs for use with horticultural studies.  Materials are being appropriately reused on site.	C
<b>Flooding and Hydrology</b>				
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.	Flooding and Scour Assessment Report 18 December 2018 (Rev 3)  ER Endorsement of FSAR 4 Feb 2019	Flooding and Scour assessment done by SMEC submitted to RMS reviewed by GHD through the Department a design document.  ARI flood immunity model illustrations sighted.	C
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	Flooding and Scour Assessment Report 18 December 2018 (Rev 3)	Appropriate modelling of the SSI has been undertaken by experienced flood modellers as	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	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).	Flooding presentation to council sighted  Consultation with council over flood modelling 27 Sep 2018	per the Flooding and Scour Assessment Report Dec 2018.	
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.	Flooding and Scour Assessment Report 18 December 2018 (Rev 3)  Technical Note 7 - Dams Safety Assessment	Table 7 and 8 of the FSAR detail compliance of basins.  It has been determined that the flood category of the new basin has not increased.	C
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 Croome Road, the motorway and the East West Link Road.	Flooding and Scour Assessment Report 18 December 2018 (Rev 3)  Letter to dam safety committee sighted  Shellharbour Meeting Minutes 30 Jan 2019  Shellharbour City Council Consultation Meeting No.3 Presentation 29 Oct 2019  Technical Note 7 - Dams Safety Assessment	Consultation with Dam Safety Committee provided in FSAR.  Consultation with appropriate Councils and Agencies has been undertaken.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E21	<p>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&amp;P) 2017, except as described in the EIS as amended by the SPIR.</p>	<p>Flooding and Scour Assessment Report 18 December 2018 (Rev 3)</p> <p>Shellharbour City Council Meeting Council Consultation Meeting No.2 31 August 2018</p>	<p>Consultation with appropriate Councils and Agencies has been undertaken.</p> <p>The Detailed design of the SSI does not impact recommendation of the Horslet Creek FRMS&amp;P.</p>	C
E22	<p>Prior to construction commencing (except works related to Croome 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.</p>	<p>Flooding and Scour Assessment Report 18 December 2018 (Rev 3)</p>	<p>Detailed design for drainage is documented within the FSAR in Table 7.</p> <p>Consultation with Shellharbour Council is demonstrated.</p> <p>The SSI does not reduce flood access to Albion Park more than as described in the EIS as amended by the SPIR.</p>	C
E23	<p>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). 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 <b>Condition E18</b>.</p> <p>The review must be documented and provided to the Secretary, OEH, SES and Relevant Council(s) prior to construction commencing in</p>	<p>Flooding and Scour Assessment Report 18 December 2018 (Rev 3)</p> <p>Secretary Clarification of Condition E23 3 December 2018</p> <p>RMS Submission of FSAR 4 February 2019</p>	<p>Measures identified in the EIS and SPIR to maintain or improve flood characteristics have been appropriately incorporated and refined in the detailed design. It has been advised that there are no areas of increased flooding impacts modelled associated with the Stage 2 detailed design.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	areas affected by increased flooding impacts.		Consultation with appropriate Councils and Agencies has been undertaken.	
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.	Flooding and Scour Assessment Report 18 December 2018 (Rev 3)	Detailed flood modelling of potential impacts to properties 1, 2 and 3 was performed during detailed design development.  Additional environmental management measures are not required because the detailed design modifications have not resulted in any increased flooding impacts in comparison to impacts identified in the EIS and SPIR.	C
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).	-	Stage 2 is under construction.	NT

**Heritage**

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
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 <b>Condition C4(e)</b> , except those within the Croome Regional Sporting Complex.	<p>Heritage Management Plan December 2018 - ER Endorsed 5 December 2018</p> <p>Aboriginal Heritage Information Management System (AHIMS) search 23 December 2018</p> <p>Macquarie rivulet induction video – cultural heritage</p>	<p>No unapproved impacts to heritage items have occurred during the reporting period.</p> <p>The site inspection observed:</p> <ul style="list-style-type: none"> <li>• Appropriate design development and construction planning</li> <li>• Exclusion Fencing</li> <li>• Project Staff awareness and training</li> <li>• Avoiding all impacts to Aboriginal heritage area YTOF AS05</li> <li>• Reducing impacts to non-Aboriginal heritage areas such as Boles Meadows and the Swansea dairy heritage curtilage.</li> <li>• Sensitive areas have been mapped</li> </ul>	C
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.	<p>Heritage Management Plan December 2018 - ER Endorsed 5 December 2018</p> <p>Unexpected Heritage Finds and Human Remains Procedure – Appendix A of the HMP (Rev 8)</p>	<p>The Unexpected Heritage Finds and Human Remains Procedure is implemented appropriately on site.</p> <p>Awareness of this procedure has been promoted through targeted toolbox training in areas of known sensitivity for possible historic Aboriginal burials, such as Macquarie Rivulet.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E28	<p>The Proponent must implement the mitigation measures described in:</p> <ul style="list-style-type: none"> <li>(a) Tables 11 and 12 of the Albion Park Rail Bypass SPIR, Appendix G Addendum Statement of Heritage Impact, September 2017; and</li> <li>(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.</li> </ul> <p>except as required by this approval.</p>	<p>Consultation with OEH 22 Jan 2019</p> <p>Bowles and Terrys meadows Homestead Revised Statement of Heritage Impacts 13 November 2018</p> <p>Submission of Archaeological Methodology 27 Feb 2019</p> <p>Tongarra Road Homestead Revised Management Recommendations 25 Nov 2018</p>	<p>Implementation of E28 is being undertaken in accordance with the approved Heritage Management Sub-plan.</p>	C
E29	<p>The Aboriginal culturally sensitive area associated with the Macquarie Rivulet area directly adjoining the construction footprint must be protected for the duration of works.</p>	<p>AFG Communications Material 6 August 2019</p> <p>Aboriginal Focus Group #1 meeting minutes 20 August 2018</p> <p>Review of cultural heritage mitigation measure 26 – Macquarie Rivulet Cultural Fencing</p>	<p>Implementation of E29 is being undertaken in accordance with the approved Heritage Management Sub-plan.</p>	C
E30	<p>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>.</p>	<p>Aboriginal Artefact Salvage Works EWMS 30 Nov 2018 (Rev 1)</p>	<p>Implementation of E30 is being undertaken in accordance with the approved Aboriginal Cultural Heritage Assessment Report.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E31	Following completion of all salvage works required under <b>Condition E30</b> , the Proponent must prepare a <b>Heritage Report</b> 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.	Salvage Excavation Program for Aboriginal Site YTQF AS4 18 February 2019  Site Photos of Salvage Works	NSW OEH has been provided a copy of the draft report and the draft has also been issued to all Registered Aboriginal Participants.	C
E32	The <b>Heritage Report</b> 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 <b>Conditions E26 to E31</b> or within another timeframe agreed by the Secretary.	Salvage Excavation Program for Aboriginal Site YTQF AS4 18 February 2019  Appendix A – Compliance Reporting Table	Fulton Hogan anticipate providing all relevant reports as required under CoA E32 within 12 months after completion of the relevant works.  It is anticipated that following the AFG Meeting 2, a period of approximately one month will be provided for comments to be received on the content of the draft AS4 Salvage Excavation Report. Upon confirmation of the reports status as final, the report will be provided to the Department, OEH and Registered Aboriginal Parties. Non-Aboriginal heritage reports will be provided to the Department, NSW OEH (Heritage Council), RMS, the appropriate local Council and local Historical Society (as relevant)	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E33	<p>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.</p>	<p>Façade Treatment Scope Resonate for Receiver 120246</p> <p>Preliminary Heritage Advice for Acoustic Treatments of Heritage Listed Properties 18 December 2018</p> <p>Preliminary Heritage Advice for Acoustic Treatments of Ravensthorpe Homestead 2019</p>	<p>Advice of suitable qualified and experience built heritage experts has been obtained and implemented.</p>	C
E34	<p>An <b>Unexpected Heritage Finds and Human Remains Procedure</b> 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.</p> <p>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.</p>	<p>Unexpected Heritage Finds and Human Remains Procedure – Appendix A of the HMP (Rev 8)</p>	<p>Unexpected Heritage Finds and Human Remains Procedure has been prepared and implemented.</p> <p>Procedure developed by RMS to provide a consistent method for managing unexpected heritage items (both Aboriginal and non-Aboriginal) that are discovered during Roads and Maritime activities.</p> <p>This procedure includes Roads and Maritime’s heritage notification obligations under the Heritage Act 1977 (NSW), National Parks and Wildlife Act 1974 (NSW), Aboriginal and Torres Strait Islander Heritage</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			Protection Act 1984 (Cth) and the Coroner's Act 2009 (NSW).	
E35	<p>The <b>Unexpected Heritage Finds and Human Remains Procedure</b>, as submitted to the Secretary, must be implemented for the duration of works.</p> <p>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.</p>	<p>Unexpected Heritage Finds and Human Remains Procedure – Appendix A of the HMP (Rev 8)</p> <p>Unexpected Heritage Finds Procedure Agency (OEH) Consultation Letter 20 February 2018</p> <p>RMS Unexpected Heritage Items Heritage Procedure 02 November 2015</p> <p>ER Endorsement Unexpected Heritage Finds and Humans Remains Procedure 29 June 2018</p> <p>Email Correspondence – Skeletal Remains 17 May 2019 FULTON HOGAN/RMS</p> <p>OEH Correspondence – Skeletal Remains 17 May 2019</p> <p>Environmental Incident Report – Unexpected bone find Macquarie Rivulet 17 May 2019</p> <p>Email correspondence – Abandoned Vehicle in</p>	<p>Unexpected Heritage Finds and Human Remains Procedure has been and will be implemented for the duration of works.</p> <p>The procedure is being followed appropriately.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Frazers Creek 10 May 2019 FULTON HOGAN/ER/Specialist  Email Correspondence – Rail Remnants 1 Apr 2019 FULTON HOGAN/RMS/Specialist  Email Correspondence – Unexpected Bone Discovery 28 Oct 2019 FULTON HOGAN/RMS/Specialist		
<b>Noise and Vibration</b>				
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.	Noise and Vibration Management Plan December 2018 (Rev 6)  Site induction records  Site inspection undertaken 13-14 Nov 2019	Works are undertaken as per the construction hours outlined in E36. Where works are undertaken outside of these ours and OOHW permits has been applied for and approved.  These working hours are promoted through the site induction and referred to in all public information notifications and associated collateral.	C
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;	Noise and Vibration Management Plan December 2018 (Rev 6)	Work hours are detailed In the NVMP. The NVMP are informed and guided by the Interim	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<p>(b) between the hours of 8:00 am to 1:00 pm Saturday; and</p> <p>(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.</p> <p>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.</p>		<p>Construction Noise Guidelines (NSW DECC, 2009) in relation to impulsive or tonal noise management.</p> <p>Activities resulting in impulsive or tonal noise emissions are only undertaken as per the hours outlined in E37.</p>	
E38	<p>Notwithstanding <b>Condition E36</b>, works associated with the SSI may be undertaken outside the specified hours in the following circumstances:</p> <p>(a) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or</p> <p>(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</p> <p>(c) where it causes LAeq(15 minute) noise levels:</p> <ol style="list-style-type: none"> <li>i. no more than 5 dB(A) above the rating background level at any residence in accordance with the</li> </ol> <p>(d) <i>Interim Construction Noise Guideline</i> (DECC, 2009), and</p> <ol style="list-style-type: none"> <li>i. no more than the noise management levels specified in Table 3 of the <i>Interim Construction Noise Guideline</i> (DECC, 2009) at other sensitive land uses, and</li> <li>ii. 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 <i>Assessing Vibration: a technical guideline</i> (DEC, 2006), and</li> <li>iii. intermittent vibration values at the most affected residence are no more than those for human exposure to vibration, specified in Table 2.4 of <i>Assessing Vibration: a technical guideline</i> (DEC, 2006),</li> </ol>	<p>Noise and Vibration Management Plan December 2018 (Rev 6)</p> <p>Out of Hours Work Approval Procedure - Appendix C of the NVMP</p> <p>OOHW Permit examples</p>	<p>Work hours are detailed in the NVMP.</p> <p>Compliance is demonstrated through consultation records detailing liaison with NSW EPA and potentially affected receivers.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<p style="text-align: center;">or</p> <p>(e) 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</p> <p>(f) 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.</p>			
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.	Noise and Vibration Management Plan December 2018 (Rev 6)	Works to minimise cumulative impacts of noise and vibration have been appropriately implemented.	C
E40	On becoming aware of the need for emergency works in accordance with <b>Condition E38E36</b> 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.	Noise and Vibration Management Plan December 2018 (Rev 6)	No emergency works have been required.	NT
Construction and Vibration				
E41	<p>The SSI must be delivered with the aim of achieving the following vibration goals:</p> <p>(a) for structural damage to heritage structures, the vibration limits set out in the German Standard <i>DIN 4150-3: Structural Vibration – Part 3 Effects of vibration on structures</i>;</p> <p>(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</p> <p>(c) for human exposure, the acceptable vibration values set out in <i>Assessing Vibration: A Technical Guideline</i> (Department of</p>	<p>Noise and Vibration Management Plan December 2018 (Rev 6)</p> <p>Dilapidation reports</p>	<p>Vibration management is detailed in the NVMP.</p> <p>Compliance is demonstrated through environmental inspection records and vibration monitoring records.</p> <p>Dilapidation reports have been undertaken on the Project. The majority of these were for commercial properties and a few</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	Environment and Conservation, 2006).		for residential receivers. Performed by AUS DILAPS.	
E42	<p>Blasting associated with the SSI must only be undertaken during the following hours:</p> <ul style="list-style-type: none"> <li>(a) 9:00am to 5:00pm, Monday to Friday, inclusive;</li> <li>(b) 9:00am to 1:00pm on Saturday; and</li> <li>(c) at no time on Sunday or public holidays.</li> </ul> <p>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.</p> <p>Blasting may be undertaken outside the above hours where:</p> <ul style="list-style-type: none"> <li>(a) no sensitive receivers would be impacted by blasting; or</li> <li>(b) an agreement has been made with potentially affected receivers</li> </ul>	Blasting does not occur on this Project.	-	NT
E43	<p>Airblast overpressure generated by blasting associated with the SSI must not exceed the criteria in <b>Table 6</b> when measured at the most affected residence or other sensitive receiver.</p> <p><i>Table 6: Airblast overpressure limits for human comfort</i></p>	Blasting does not occur on this Project.	-	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status												
	<table border="1"> <tr> <td data-bbox="271 252 647 300">Receiver</td> <td data-bbox="647 252 1010 300">Type of Blasting operations</td> <td data-bbox="1010 252 1137 300">Airblast Over</td> </tr> <tr> <td data-bbox="271 300 647 392">Sensitive site</td> <td data-bbox="647 300 1010 392">Blasting operations lasting more than 12 months or more than 20 blasts</td> <td data-bbox="1010 300 1137 392">15dBL for 9 120dBL ma</td> </tr> <tr> <td data-bbox="271 392 647 496">Sensitive site</td> <td data-bbox="647 392 1010 496">Blasting operations lasting less than 12 months or less than 20 blasts in total</td> <td data-bbox="1010 392 1137 496">120dBL for year 125dBL ma</td> </tr> <tr> <td data-bbox="271 496 647 730">Occupied non-sensitive sites, such as factories and commercial premises</td> <td data-bbox="647 496 1010 730">All blasting</td> <td data-bbox="1010 496 1137 730">125dBL ma For sites cc sensitive to vibration lev below manu specification be shown to equipment c</td> </tr> </table> <p data-bbox="271 778 1137 919"><b>Source – Table J5.4(A) – AS2187.2 – 2006</b> Note: a sensitive site includes houses and low rise residential buildings, theatres, schools and other similar buildings occupied by people.</p>	Receiver	Type of Blasting operations	Airblast Over	Sensitive site	Blasting operations lasting more than 12 months or more than 20 blasts	15dBL for 9 120dBL ma	Sensitive site	Blasting operations lasting less than 12 months or less than 20 blasts in total	120dBL for year 125dBL ma	Occupied non-sensitive sites, such as factories and commercial premises	All blasting	125dBL ma For sites cc sensitive to vibration lev below manu specification be shown to equipment c			
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E44	<p data-bbox="271 919 1137 1070">Ground vibration generated by blasting associated with the SSI must not exceed the criteria specified in <b>Table 7</b> and <b>Table 8</b> when measured at the most affected residence or other sensitive receiver. <i>Table 7: Ground Vibration limits for human comfort</i></p> <table border="1"> <tr> <td data-bbox="271 1070 647 1139">Receiver</td> <td data-bbox="647 1070 1010 1139">Type of Blasting operations</td> <td data-bbox="1010 1070 1137 1139">Peak compone velocity (mm/s)</td> </tr> <tr> <td data-bbox="271 1139 647 1243">Sensitive site</td> <td data-bbox="647 1139 1010 1243">Blasting operations lasting more than 12 months or more than 20 blasts</td> <td data-bbox="1010 1139 1137 1243">5mm/s for 95% year 10mm/s maxim</td> </tr> <tr> <td data-bbox="271 1243 647 1331">Sensitive site</td> <td data-bbox="647 1243 1010 1331">Blasting operations lasting less than 12 months or less than 20 blasts in total</td> <td data-bbox="1010 1243 1137 1331">10mm/s maxim</td> </tr> </table>	Receiver	Type of Blasting operations	Peak compone velocity (mm/s)	Sensitive site	Blasting operations lasting more than 12 months or more than 20 blasts	5mm/s for 95% year 10mm/s maxim	Sensitive site	Blasting operations lasting less than 12 months or less than 20 blasts in total	10mm/s maxim	Blasting does not occur on this Project.	-	NT			
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	<table border="1" data-bbox="280 258 1128 485"> <tr> <td data-bbox="280 258 633 485">Occupied non-sensitive sites, such as factories and commercial premises</td> <td data-bbox="633 258 987 485">All blasting</td> <td data-bbox="987 258 1128 485">25mm/s maximum For Sites containing sensitive to vibration level : below manufacturer specifications can be shown to accommodate equipment operation</td> </tr> </table> <p data-bbox="280 491 1128 523">Source – Table J4.5(A) – AS 2187.2 – 2006</p> <p data-bbox="280 529 1128 635">Note: a sensitive site includes houses and low rise residential buildings, theatres, schools and other similar buildings occupied by people.</p> <p data-bbox="280 641 1128 683"><i>Table 8: Ground vibration limits for control of damage to structures</i></p> <table border="1" data-bbox="280 689 1128 1471"> <thead> <tr> <th data-bbox="280 689 555 756">Receiver</th> <th data-bbox="555 689 831 756">Type of blasting operations</th> <th data-bbox="831 689 1106 756">Peak component particle velocity</th> <th data-bbox="1106 689 1128 756"></th> </tr> </thead> <tbody> <tr> <td data-bbox="280 762 555 986">Other structures or architectural elements that include masonry, plaster and plasterboard in their construction</td> <td data-bbox="555 762 831 986"></td> <td data-bbox="831 762 1106 986">15mm/s 4HZ to 15HZ, except for heritage structures where a frequency dependent vibration criteria would be determined in accordance with AS2187.2 - 2006</td> <td data-bbox="1106 762 1128 986">20 above</td> </tr> <tr> <td data-bbox="280 992 555 1107">Reinforced or framed structures. Industrial and heavy commercial buildings</td> <td data-bbox="555 992 831 1107">All blasting</td> <td data-bbox="831 992 1106 1107">50mm/s at 4Hz and above</td> <td data-bbox="1106 992 1128 1107"></td> </tr> <tr> <td data-bbox="280 1114 555 1257">Unreinforced or light framed structure. Residential or light commercial type building</td> <td data-bbox="555 1114 831 1257">All blasting</td> <td data-bbox="831 1114 1106 1257">15mm/s at 4HZ increasing to 20 mm/s at 15HZ</td> <td data-bbox="1106 1114 1128 1257">20 inc 40</td> </tr> <tr> <td data-bbox="280 1264 555 1353">Unoccupied structures of reinforced concrete or steel construction</td> <td data-bbox="555 1264 831 1353">All blasting</td> <td data-bbox="831 1264 1106 1353">100mm/s maximum, where a structure owner.</td> <td data-bbox="1106 1264 1128 1353"></td> </tr> <tr> <td data-bbox="280 1359 555 1465">Infrastructure service structures, such as pipelines, powerlines, cables and reservoirs</td> <td data-bbox="555 1359 831 1465">All blasting</td> <td data-bbox="831 1359 1106 1465">Limits to be determined by suitable methodology in consultation with service provider</td> <td data-bbox="1106 1359 1128 1465"></td> </tr> </tbody> </table>	Occupied non-sensitive sites, such as factories and commercial premises	All blasting	25mm/s maximum For Sites containing sensitive to vibration level : below manufacturer specifications can be shown to accommodate equipment operation	Receiver	Type of blasting operations	Peak component particle velocity		Other structures or architectural elements that include masonry, plaster and plasterboard in their construction		15mm/s 4HZ to 15HZ, except for heritage structures where a frequency dependent vibration criteria would be determined in accordance with AS2187.2 - 2006	20 above	Reinforced or framed structures. Industrial and heavy commercial buildings	All blasting	50mm/s at 4Hz and above		Unreinforced or light framed structure. Residential or light commercial type building	All blasting	15mm/s at 4HZ increasing to 20 mm/s at 15HZ	20 inc 40	Unoccupied structures of reinforced concrete or steel construction	All blasting	100mm/s maximum, where a structure owner.		Infrastructure service structures, such as pipelines, powerlines, cables and reservoirs	All blasting	Limits to be determined by suitable methodology in consultation with service provider				
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Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	Source: Table J4.5(B) – AS 2187.2-2006 and Table J4.4.2.1 – AS 2187.2-2006 (BS 7385-2)			
E45	<p>The blasting criteria specified in the tables in <b>Conditions E43</b> and <b>E44</b> 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:</p> <ul style="list-style-type: none"> <li>(a) details of the proposed blasting program and justification for the proposed increase in blasting criteria including alternatives considered (where relevant);</li> <li>(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</li> <li>(c) details of the blast management, mitigation and monitoring procedures to be implemented.</li> </ul> <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. Unless otherwise agreed by the Secretary, the following exclusions apply:</p> <ul style="list-style-type: none"> <li>(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 <b>Conditions E43</b> and <b>E44</b> for future blasting that affects the property; and</li> <li>(b) (b) the blasting limit agreed to under any agreement must not exceed a maximum Peak Particle Velocity vibration level of 25</li> </ul>	Blasting does not occur on this Project.	-	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	mm/s or maximum Airblast Overpressure level of 125 dBL.			
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 Croome Regional Sporting Complex works, unless otherwise agreed by the Secretary. The review must:</p> <ul style="list-style-type: none"> <li>(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);</li> <li>(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 <i>NSW Road Noise Policy (DECCW 2011)</i>, based on the operational noise performance of the SSI predicted under (a) above;</li> <li>(c) where necessary, investigate additional noise mitigation measures to achieve the criteria outlined in the <i>NSW Road Noise Policy (DECCW, 2011)</i>; and</li> <li>(d) investigate noise mitigation measures to achieve the criteria outlined in the <i>Industrial Noise Policy</i></li> <li>(e) (DECCW 2011) for the Croome Regional Sporting Complex.</li> </ul> <p>Note: noise barriers that may penetrate the OLS must comply with the requirements of <b>Condition E7</b>.</p>	<p>Operational Noise Mitigation Report 26 March 2019 (Rev 3A)</p> <p>Secretary approval of ONMR 10 May 2019</p> <p>Email correspondence – EPA consultation of ONMR review</p>	<p>Appendix 7 of the ONMR details consultation undertaken.</p> <p>The review of the ONMR was prepared in consultation with the EPA.</p> <p>The review meets the requirements of E46.</p>	C
E47	<p>Operational noise mitigation measures identified in <b>Condition E46</b> (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 Croome Regional Sporting Complex works, or at other times during</p>	<p>Noise and Vibration Management Plan December 2018 (Rev 6)</p>	<p>FULTON HOGAN has an early implementation approach to noise mitigation measures. This includes at-house acoustic treatments.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<p>construction to minimise construction noise impacts. These measures must be detailed in the <b>Construction Noise and Vibration Management Plan</b> for the SSI, unless otherwise agreed by the Secretary.</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 <b>Condition E46</b> 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>		<p>During the site inspection - acoustic impacts have been prioritised at 26 properties. These were identified because of construction impacts within the EIS.</p> <p>200 houses had been assessed over the lifetime of the project.</p> <p>The Independent Acoustic Team includes:</p> <ul style="list-style-type: none"> <li>• Resonate.</li> <li>• Broad crest for house assessments.</li> <li>• Heritage specialist if required</li> <li>• Independent consultant if required to determine assessment necessity.</li> </ul>	
<b>Property and Land Use</b>				
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.</p> <p>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>	Site inspection undertaken 13-14 Nov 2019	<p>In consultation with property owners:</p> <ul style="list-style-type: none"> <li>• Neil Moss (Scibus) investigated current dairy operations and identify opportunities to augment dairy operations to minimise impacts from the SSI.</li> <li>• John Mulvany (OMJ Agricultural Consulting) reviewed the agricultural impacts of the project on dairy operations and</li> </ul>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			consider possible augmentation options.	
E49	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.	Community Communication Strategy 13 November 2018	Implementation of CCS ensures access to private property remains unencumbered by construction.  Property adjustments have been designed in accordance with E49.	C
E50	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.	Traffic and Transport Management Plan November 2018	Private property access is detailed in the TTMP.  The Project is in open communication and consultation with property owners.	C
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 <b>Building and Structure Condition Survey Report</b> for each building structure surveyed. Copies of <b>Building and Structure Condition Survey Reports</b> must be provided to the landowners of the building and structures surveyed, and if agreed by the landowner, the Relevant Council(s), within three weeks of completing the surveys and no later than one month prior to the commencement of works.	Building and Structure Condition Surveys Reports	Building and Structure Condition Surveys Reports have been prepared by suitably qualified persons and provided to landowners within the appropriate timeframes.	C
E52	After completion of the works, condition surveys of all building and structures for which pre-construction condition surveys were undertaken in accordance with <b>Condition E51</b> must be undertaken by a suitably qualified person. The results of the surveys must be documented in a <b>Building and Structure Condition Survey Report</b>	-	Stage 2 is under construction	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	for each building and structure surveyed. Copies of <b>Building and Structure Condition Survey Reports</b> 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.			
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.	-	Stage 2 is under construction	NT
Croome 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.	-	Not applicable to Independent Environmental Audit of Stage 2	NT
E55	The facilities and associated infrastructure and landscaping identified in the Croome 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).	-	Not applicable to Independent Environmental Audit of Stage 2	NT
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.	Soil and Water Management Plan December 2018 (Rev 8)	<p>ERSED Controls have been installed and appropriately maintained to minimise water pollution.</p> <p>Example of these identified on site included:</p> <ul style="list-style-type: none"> <li>• Appropriate hydro mulching and soil binding techniques</li> <li>• The use of geofabrics and water carts</li> </ul>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			<ul style="list-style-type: none"> <li>• Clean permanent drainage</li> <li>• Updated progressive ESCPs</li> </ul>	
Contaminated Land				
E57	<p>A <b>Site Contamination Report</b>, 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 (NSW)</i>.</p>	<p>Contaminated Land Management Plan 12 October 2018, ER Endorsed 12 Oct 2018</p> <ol style="list-style-type: none"> <li>1. Stage 2 – Detailed Site Investigations (DSI) PAEC02 Cut No.1 June 2019</li> <li>2. Stage 2 – Detailed Site Investigations (DSI) The Island Fill No.1</li> <li>3. Remedial Action Plan – Asbestos in Soil June 2019</li> </ol> <p>Interim Site Audit Advice No.4 – 1508-1904 9 August 2019</p> <p>Interim Site Audit Advice No.3 – 1508-1904 21 June 2019</p> <p>Interim Site Audit Advice No.2 – 1508-1904 17 June 2019</p>	<p>Hyder Cardno JV prepared site contamination reports for the Project. These findings are documented in the CLMP.</p> <p>Three site contamination reports have been developed by Hyder Cardno JV.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E58	<p>If a <b>Site Contamination Report</b> prepared under <b>Condition E57</b> 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 <b>Site Audit Statement</b> and <b>Site Audit Report</b> 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 <b>Site Audit Statement</b> is obtained that declares the land is suitable for that purpose and any conditions on the <b>Site Audit Statement</b> have been complied with.</p>	<p>Notice of remediation work 25 June 2019</p> <p>Approval of Notice of Cat 2 Remediation Work</p> <p>Fill 4 Easting and Northings 5 July 2019</p> <p>Email correspondence- cut 1 unexpected contamination land and asbestos find 13 June 2019</p> <p>Draft Sample Analysis &amp; Quality Control Plan – Asbestos in Soil April 2019</p> <p>Email Correspondence – Hold Point release for ACM soils remedial works associated with ENRS RAP 26 June 2019</p> <p>Site photos of asbestos management</p> <p>Email correspondence – Update on Cut 1 Unexpected Contaminated Land &amp; Asbestos Find 22 March 2019</p>	<p>Cavvanba Pty Ltd oversaw the assessment and development of the RAP and assessments.</p> <p>No issues identified.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Survey of Cut 1 Asbestos Area 12 June 2019		
E59	A copy of the <b>Site Audit Statement</b> and <b>Site Audit Report</b> must be submitted to the Secretary and Relevant Council(s) for information no later than one (1) month before the commencement of operation.	-	The aforementioned site audit will provide a Site Audit Statement and Site Audit Report.	NT
E60	An <b>Unexpected Contaminated Land and Asbestos Finds Procedure</b> must be prepared and must be followed should unexpected contaminated land or asbestos be excavated or otherwise discovered during works.	Unexpected Contaminated Land and Asbestos finds procedure – 20 August 2018  ER Endorsement 20 August 2018  Environmental Incident report – Unexpected Asbestos Fill 1 6 Mar 2019  Environmental Incident report – Unexpected Asbestos Fill 2 11 Mar 2019  Environmental Incident report – Unexpected Asbestos Fill 3 11 Apr 2019	The Unexpected Contaminated Land and Asbestos Finds Procedure has been prepared and is being followed.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E61	The <b>Unexpected Contaminated Land and Asbestos Finds Procedure</b> must be implemented throughout the delivery of the Project.	Unexpected Contaminated Land and Asbestos finds procedure – 20 August 2018	The Unexpected Contaminated Land and Asbestos Finds Procedure is being implemented on site.	C
<b>Sustainability</b>				
E62	A <b>Sustainability Strategy</b> for the delivery for the SSI, except for the Croome Regional Sporting Complex works, must be prepared in accordance with the Infrastructure Sustainability Council of Australia infrastructure rating tool or other justified rating mechanism.	Sustainability Strategy 2 Oct 2018 (Rev 1)	A Sustainability Strategy has been prepared in accordance with the ISCA rating tool. This Strategy was drafted by Ken Lundy from Edge, who is also an accredited ISCA verifier.  Patrick Isla from Perspective is the ISCA verifier for the project.	C
E63	The <b>Sustainability Strategy</b> must be submitted to the Secretary for information prior to the commencement of works, except for the Croome 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:  (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.	Sustainability Strategy 2 Oct 2018 (Rev 1)  Submission of Sustainability Strategy to Secretary 8 October 2018	The Sustainability Strategy meets the requirements of E63.	C
<b>Traffic and Transport</b>				
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.	Detailed Design Road Alignment Report Rev 4	The SSI has been designed and delivered to meet the requirements of E64.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		<p>Traffic and Transport Management Plan November 2018 – ER Endorsed 13 November 2018</p> <p>Secretary approval of TTMP 28 Nov 2018</p> <p>TTMP Adequacy checklist 5 November 2018</p> <p>Road Alignment Report 6 February 2019</p>	<p>Stage 2 is under construction so the operation of the SSI will be audited at a later stage.</p>	
E65	<p>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 <b>Construction Traffic and Access Management Plan</b>.</p>	<p>Traffic and Transport Management Plan November 2018</p> <p>Construction Traffic and Access Management Plan – Appendix A of the TTMP</p> <p>Secretary approval of TTMP 28 Nov 2018</p>	<p>The TTMP and CTAMP outline the local road usage requirements.</p> <p>The use of local roads has been appropriately minimised on the Project.</p>	C
E66	<p>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.</p>	<p>Traffic and Transport Management Plan November 2018</p> <p>Construction Traffic and Access Management Plan – Appendix A of the TTMP</p>	<p>Measures are being appropriately implemented to maintain pedestrian and vehicular access to businesses and affected properties.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E67	Signage and directions to businesses must be provided before, and for the duration of, any disruption during the delivery of the SSI.	-	No disruption to businesses was observed during the audit.	NT
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 (RTA July 2007)</i> and <i>Tourist Signposting Guide (RMS and Destination NSW 2012)</i> .	-	Operation signage is to be constructed as part of Stage 2 works. This has not yet occurred.	NT
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.	<p>Road Alignment Report 6 February 2019</p> <p>Signage, Line marking and Road Furniture Report 2 May 2019 (Rev 4)</p> <p>Urban Design and Landscape Character Strategy</p> <p>Email correspondence – Croome Rd Shared Path 17 June 2019</p> <p>Shellharbour City Council Consultation Meeting No.3 30 Jan 2019</p> <p>SCC meeting minutes 30 Jan 2019</p>	<p>Off-road shared path pedestrian and cyclist facilities connections are being implemented as part of Stage 2.</p> <p>Consultation has been undertaken with:</p> <ul style="list-style-type: none"> <li>• Shellharbour City Council (SCC)</li> <li>• Wollongong City Council (WCC)</li> <li>• Bicycle NSW</li> </ul>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E70	The Proponent must provide improved connectivity for cyclist and pedestrians between Croome Lane and Darcy Dunster Reserve.	Road Alignment Report 6 February 2019	The Proponent is providing for improved cyclist and pedestrian connectivity.	C
E71	The Proponent must investigate options to minimise the interaction between pedestrians, cyclist and cattle.	Road Alignment Report 6 February 2019	Cattle proof fencing and a grade separated shared path at Bridges 7 and 14 have been designed and are being constructed to avoid interactions with cattle underpasses.	C
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	Road Alignment Report 6 February 2019  Signage, Line marking and Road Furniture Report 2 May 2019 (Rev 4)	Consultation has been undertaken with: <ul style="list-style-type: none"> <li>• Shellharbour City Council (SCC)</li> <li>• Wollongong City Council (WCC)</li> <li>• Bicycle NSW</li> </ul> Reasonable requirements have been implemented into the design of the Project.	C
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 <b>Road Network Performance Review Plan</b> required under <b>Condition D9</b> must be provided to the relevant road authority for their consideration in the development of the Tripoli Way and Yallah Road Projects.	Road Alignment Report 6 February 2019	The Project's 'future third lane strategy' allows for connection to the future bypass.  Stage 2 is under construction. The Road Network Performance Review Plan must be provided to the road authority for consideration upon completion.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E74	The Proponent must consult with Wollongong City Council and the Tallawarra Lands developer on the timing of the proposed closure of Cormack Avenue.	-	This portion of the works has been removed from this Project.	NT
E75	A <b>Road Dilapidation Report</b> 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 <b>Road Dilapidation Report</b> 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.	Road Dilapidation Report examples	Dilapidation Reports have been prepared by suitably qualified persons and provided to relevant councils within the required timeframes.	C
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).	-	Damage to roads had not occurred at the time of the audit.	NT
<b>Urban Design and Visual Amenity</b>				
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.	Detailed Design Drainage Report (Rev 4)  Detailed Design Road Alignment Report (Rev 4)  Urban Design and Landscape Character Strategy (UDLCS)  Landscape Design package	The Project has reasonably sought to retain trees through design.  All replacement trees have been designed to be planted within the project boundary.	C
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 Croome	Landscape Design package Master Plant List (LD-01-0021)	Consultation with relevant councils has been undertaken to determine required pot sizes of replacement trees.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	Regional Sporting Complex	Urban Design and Landscape Character Strategy (USLCS)		
E79	<p>The <b>Urban Design and Landscape Character Strategy</b> 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.</p> <p>The <b>Urban Design and Landscape Character Strategy</b> must incorporate monitoring and maintenance procedures for the built elements, rehabilitated vegetation (including the requirements of <b>Condition E77</b>) 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.</p> <p>The Strategy does not include the Croome Regional Sporting Complex works as subject to <b>Condition E55</b>.</p>	Urban Design and Landscape Character Strategy (UDLCS)	The UDLCs meets the requirements of E79.	C
E80	The <b>Urban Design and Landscape Character Strategy</b> must be finalised in consultation with the Relevant Council(s) and the community	Urban Design and Landscape Character Strategy (UDLCS)	<p>The UDLCs meets the requirements of E80 and was finalised in consultation with relevant councils and the community.</p> <p>The UDLCs was exhibited on the project website during November and December 2018, along with staffed pop-up displays at Albion Park Shopping Village, Illawarra Convoy event, Stockland Shellharbour and an unstaffed display at the Roads and Maritime</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			<p>Services Regional Office in Wollongong.</p> <p>A media release advising the exhibition of the UDLCs was issued by Member for Kiama.</p>	
E81	<p>The <b>Urban Design and Landscape Character Strategy</b> 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.</p> <p>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.</p>	Urban Design and Landscape Character Strategy (UDLCS)	<p>The UDLCs meet the requirements of E81.</p> <p>The Urban Design and Landscape Character Strategy (UDLCS) was endorsed by the ER and provided to the Secretary 4 February 2019.</p>	C
E82	Operational noise barriers must be designed to minimise visual and amenity impacts and be designed in accordance with the Noise wall design guideline – Design guideline to improve the appearance of noise walls in NSW, Roads and Maritime Services, March 2016	Site inspection undertaken 13-14 Nov 2019	The project includes one operational noise mound, located along the northern side of the East West Link.	C
<b>Utilities and Services</b>				
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	<p>Infrastructure Utility Coordination Plans (Detailed Design - Rev 2)</p> <p>Detailed Design ITS</p> <p>Street Lighting Report (Rev 4)</p>	<p>All utilities, services and infrastructure affecting the delivery of the SSI has been identified prior to construction.</p> <p>Management of communication and consultation is appropriately</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	advising local residents and businesses affected before any planned disruption of service occurs.	Community Communication Strategy (CCS)	described in the CCS and implemented on site.	
<b>Waste</b>				
E84	Waste generated in the delivery of the SSI must be dealt with in accordance with the following priorities: <ul style="list-style-type: none"> <li>(a) waste generation is to be avoided and where avoidance is not reasonably practicable, waste generation is to be reduced;</li> <li>(b) where avoiding or reducing waste is not possible, waste is to be re-used, recycled, or recovered; and</li> <li>(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.</li> </ul>	Waste and Energy Management Sub-Plan (WEMP - Rev 4)  Submission to Secretary 12 October 2018.	Minimisations of waste generation on the project is implemented appropriately according to E84.	C
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.	Waste and Energy Management Sub-Plan (WEMP - Rev 4)	Project consultation with NSW EPA is undertaken to maintain compliance.  Wastes generated outside the project that comply with a current NSW EPA Resource Recovery Order (RRO) and Resource Recovery Exemption (RRE) and may be lawfully used as engineering fill are utilised in Stage 2 works.	C
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.	Waste and Energy Management Sub-Plan (WEMP - Rev 4)  Project Induction  Project Waste Register	Waste materials removed from the SSI are directed to appropriate waste management facilities.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Waste Disposal Dockets Section 143 Notice Records	Training and awareness for these processes are provided through the Project induction and toolbox talks.	
E87	All waste must be classified in accordance with the EPA's <i>Waste Classification Guidelines</i> , with appropriate records and disposal docketed retained for audit purposes.	Waste and Energy Management Sub-Plan (WEMP - Rev 4) Project Induction Waste Classification Reports Waste records and disposal docketed	Waste is appropriately classified in accordance with EPA requirements.	C
<b>Water</b>				
E88	Strategies for the management of Acid Sulfate Soils during works must be implemented.	Soil and Water Management Plan December 2018, ER Endorsed 5 December 2018 Acid Sulfate Soil Management Procedure – Appendix C of the SWMP Site photos	Appropriate strategies for the management of Acid Sulfate Soils are implemented on site.	C
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.	Soil and Water Management Plan December 2018, ER Endorsed 5 December 2018	Alternative water sources are prioritised on the Project. Dust suppression water is sourced from dams requiring dewatering, captured rainfall runoff in sediment basins and from Macquarie Rivulet,	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			<p>in preference to the Sydney Water potable supply. The Project is in consultation to have bores installed on the Project site for the use of on-site water.</p>	
E90	<p>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.</p>	<p>Stakeholder and agency CEMP consultation – Appendix A5 of the CEMP</p>	<p>Drainage feature crossings and drainage swales and depressions are undertaken in accordance with guidelines by qualified individuals and in consultation with appropriate parties.</p> <p>Designs of the crossings and the realignments of Frazers creek have been submitted to the agencies during the detailed design and construction phases and regular updates have been provided during construction.</p>	C
E91	<p>The realignment of Frazers Creek must be undertaken in consultation with and meet the reasonable requirements of DPI Fisheries.</p>	<p>Stakeholder and agency CEMP consultation – Appendix A5 of the CEMP</p> <p>Works around Waterways workshop meeting minutes</p>	<p>Design of the Creek realignments at Frazers 1 and 3 have been submitted and endorsed by NSW DPI Fisheries.</p> <p>The design of the creek meets the requirements of DPI fisheries and mimics an endemic ecosystem for fish.</p>	C

## APPENDIX D – INDEPENDENT AUDIT DECLARATION FORM

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## Appendix C – Independent Audit Declaration Form Template

### Independent Audit Declaration Form

Project Name Albion Park Rail bypass

Consent Number SSI 6878

Description of Project New 9.8km motorway to bypass Albion Park Rail

Project Address 1914 Illawarra Hwy, Albion Park Rail NSW 2527

Proponent Fulton Hogan

Title of Audit Albion Park Rail bypass Independent Environmental Audit

Date 3 December 2019

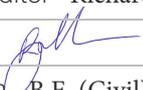
I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2018)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

#### Notes:

- Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Auditor Richard Peterson

Signature 

Qualification B.E. (Civil)

Company SNC-Lavalin

Company Address Level 17, 55 Clarence St, Sydney NSW 2000

## Appendix C – Independent Audit Declaration Form Template

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Project Name Albion Park Rail bypass

Consent Number SSI 6878

Description of Project New 9.8km motorway to bypass Albion Park Rail

Project Address 1914 Illawarra Hwy, Albion Park Rail NSW 2527

Proponent Fulton Hogan

Title of Audit Albion Park Rail bypass Independent Environmental Audit

Date 3 December 2019

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2018)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

#### Notes:

- Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Auditor

Signature

Qualification B. EnvSys D.Lang

Company SNC-Lavalin

Company Address Level 17, 55 Clarence St, Sydney NSW 2000