

Staging Report




Newcastle Inner City Bypass –
Rankin Park to Jesmond

Transport for NSW | July 2022

Document control

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Approvals and authorisation

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| Plan reviewed by: | Plan reviewed by: | Plan reviewed by |
|  |  |  |
| 08/08/2019 | 08/08/2019 | 08/08/2019 |
| Transport Senior Environment Officer | Transport Project Manager | Environmental Representative |

Revision history

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| 0 | 01/07/2019 | Draft for Transport review |
| 1 | 30/07/2019 | Draft for ER review |
| 2 | 8/08/2019 | For Department of Planning & Environment for information |
| 3 | 06/07/2022 | Updated to include John Hunter Hospital interface |

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Glossary / Abbreviations

| Term | Expanded Text |
|------------------|--|
| BCD | Biodiversity Conservation Division, formerly Office of Environment and Heritage |
| CCS | Community Communication Strategy |
| CEMP | Construction Environmental Management Plan |
| CEMPP | Construction Environmental Management Process (Plan) |
| CMRP | Compliance Monitoring and Reporting Program |
| CMS | Complaints Management System |
| CoA | The Planning Minister's Conditions of Approval |
| Compliance Audit | Verification of how implementation is proceeding with respect to an Environmental Management Plan (which incorporates the relevant approval conditions). |
| Construction | <p>Includes all works required to construct the SSI, including commissioning trials of equipment and temporary use of any part of the SSI, but excluding the following low impact work which is completed prior to approval of the CEMP:</p> <ul style="list-style-type: none"> (a) survey works including carrying out general alignment survey, installing survey controls (including installation of global positioning systems (GPS)), installing repeater stations, carrying out surveys of existing and future utilities and building and road dilapidation surveys; (b) investigations including investigative drilling, contamination investigations and excavation; (c) operation of ancillary facilities if the ER has determined the operational activities will have minimal impact on the environment and community; (d) minor clearing and relocation of native vegetation, as identified in the documents listed in Condition A1; (e) installation of mitigation measures including erosion and sediment controls, exclusion fencing, hoardings and temporary or at property acoustic treatments; (f) property acquisition adjustment works including installation of property fencing, and relocation and adjustments of utilities to property including water supply and electricity; (g) relocation and connection of utilities where the relocation or connection has a minor impact to the environment and sensitive receivers as determined by the ER; (h) archaeological testing under the <i>Code of practice for archaeological investigation of Aboriginal objects in NSW</i> (DECCW, 2010) or archaeological monitoring undertaken in association with (a)-(g) and (i) to ensure that there is no impact on Aboriginal artefacts or objects, and archaeological salvage works in accordance with A1, E17 and E18; (i) other activities determined by the ER to have minimal environmental impact which may include construction of minor access roads, temporary relocation of pedestrian and cycle paths and the provision of property access; and (j) maintenance of existing buildings and structures required to facilitate the carrying out of the SSI. |

| Term | Expanded Text |
|--------------------|---|
| Construction (ctd) | However, where heritage items or threatened species or threatened ecological communities (within the meaning of the <i>NSW Threatened Species Conservation Act 1995</i> or <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>) are affected or potentially affected by any low impact work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with the relevant heritage authority, BCD or DPI Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation) |
| DPE | Department of Planning and Environment |
| EIS | Environmental Impact Statement |
| ER | Independent Environmental Representative nominated by Transport and approved by DPE |
| EMS | Environmental Management System |
| EPA | Environment Protection Authority |
| EPL | Environment Protection Licence |
| HI | Health Infrastructure, formerly Health Administration Corporation |
| JHH | John Hunter Hospital |
| JHHIP | John Hunter Hospital Innovation Precinct Project |
| OEMP | Operational Environmental Management Plan |
| Operation | The carrying out of the SSI (whether in full or in part) upon the completion of construction, except the operation of Bridge 7 <i>Note: There may be overlap between the carrying out of construction and operation if the phases of the development are staged. Commissioning trials of equipment and temporary use of any part of the SSI are within the definition of construction</i> |
| POEO Act | <i>Protection of the Environment Operations Act 1997</i> |
| Project, the | Newcastle Inner City Bypass - Rankin Park to Jesmond Bypass |
| Project Approval | The infrastructure approval for the Newcastle Inner City Bypass between Rankin Park and Jesmond issued by the New South Wales Government on 15/02/2019 and modified on 7 February 2022 |
| RP2J | Rankin Park to Jesmond Bypass |
| Secretary | Secretary of the NSW Department of Planning and Environment (or nominee, whether nominated before or after the date on which this approval was granted) |
| SPB | Shared Path Bridge |
| SPIR | Submissions and Preferred Infrastructure Report |
| SSI | State Significant Infrastructure |
| Transport | Transport for NSW, formerly Roads and Maritime Services |
| Work(s) | All physical activities to construct or facilitate the construction of the SSI, including environmental management measures and utility works. however, does not include work that informs or enables the detailed design of the SSI and generates noise that is no more than 5 dB(A) above the rating background level at any residence |

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1 Introduction

1.1 Background

The RP2J Project involves the construction of 3.4 kilometres of new four lane divided road between Lookout Road, New Lambton Heights and Newcastle Road, Jesmond. The Project is located in the Newcastle local government area, about 11 kilometres west of the Newcastle central business district and about 160 kilometres north of Sydney as shown on Figure 1-1.

Transport for New South Wales (Transport) is planning and delivering the Project. The Project will be constructed in two separate stages under separate construction contracts.

The Project has been assessed under both State and Federal planning approval pathways. The Project was declared by the NSW Minister for Planning to be State significant infrastructure (SSI) development under Schedule 5.1 of the *State Environmental Planning Policy (State and Regional Development) 2011* on 3 March 2015. The Project was assessed under Part 5.1 of the Environmental Planning and Assessment Act 1979 (NSW) (EP&A Act).

Matters of National Environmental Significance (MNES) relevant to the Project comprise listed threatened species and communities (section 18 and 18A of the EPBC Act) and wetlands of international importance (sections 16 and 17B of the EPBC Act). The Project was declared by the Federal Minister for the Environment and Energy to be a 'controlled action' under the EPBC Act on 15 October 2015.

An Environmental Impact Statement (EIS) was prepared for the Project to satisfy the environmental assessment requirements of Part 5.1 of the EP&A Act and Part 8 of the EPBC Act. A Submissions and Preferred Infrastructure Report (SPIR) was prepared to provide responses to issues raised during exhibition of the EIS, to propose Project design refinements and to provide revised environmental management measures for the Project and submitted to the NSW Minister for Planning.

Approval for the Project was granted by the NSW Minister for Planning on 15 February 2019 and by the Department of the Environment and Energy on 5 April 2019.

In May 2021, Transport requested an additional three construction compounds as a modification to the Project. A modification report was prepared to assess the potential environmental impacts associated with the proposed modification and was approved on 7 February 2022.

The Project shares a boundary with Health Infrastructures (HI) John Hunter Hospital Innovation Precinct Project (JHHIP), which was approved on 30 November 2021. The JHHIP (SSD 9351535) shares a boundary interface with RP2J whereby JHHIP works will be occurring partially within the assessment boundary of the Project. Section 2.2.3 details work to occur within this area.

1.2 Purpose of this report

This Staging Report describes the staging of the construction and operation of the SSI in compliance with the requirements of the Infrastructure Approval SSI 6888 and the Federal EPBC Approval (EPBC 2015/7550). The purpose of this Staging Report is to address the

requirements of Conditions of Approval (CoA) A10, A11, A12 and A13 of the RP2J Project Approval.

CoA A10 of the Project Approval requires that the Staging Report be submitted to the Planning Secretary for information no later than one month prior to the commencement of the first stage of Construction of the Project. The Staging Report has been reviewed by the independent Environmental Representative (ER) prior to being submitted to the Planning Secretary.

Improvements to the proposed design

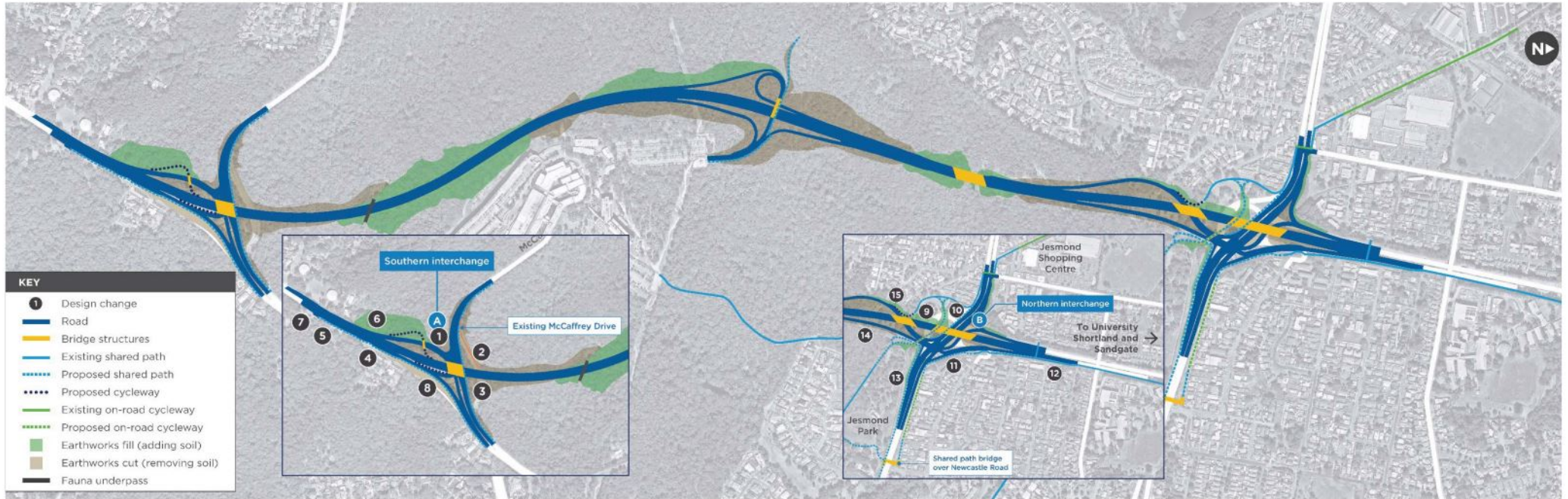


Figure 1.1: RP2J Project

The requirements of the conditions which apply to the Staging Report are listed in Table 1-1 below, together with the cross-reference to where the requirements are addressed in this Staging Report. Further details of how the conditions are addressed are provided in the sections below.

Table 1-1: Conditions applicable to the Staging Report

| CoA | Requirement | Reference |
|------------|--|--|
| A10 | The SSI may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the Planning Secretary for information. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation). | This document Section 1.2 |
| A11 | The Staging Report must: | |
| | (a) If staged construction is proposed, set out how the construction of the whole of the SSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish; | Sections 2.2 and 2.4 |
| | (b) If staged operation is proposed, set out how the operation of the whole of the SSI will be staged, including 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 and finish (if relevant); | Sections 2.3 and 2.4 |
| | (c) Specify how compliance with conditions will be achieved across and between each of the stages of the SSI; and | Section 3 Appendix A and Appendix B |
| | (d) Set out mechanisms for managing any cumulative impacts arising from the proposed staging. | Section 4 |
| A12 | The construction and/or operation of the SSI must be carried out in accordance with the Staging Report , as submitted to the Planning Secretary | This report, Section 1.2 |
| A13 | Where staging is proposed, the terms of this approval that apply or are relevant to the work to be carried out in a specific stage, must be complied with at the relevant time for that stage. | Section 3 Appendix A and Appendix B |

1.3 Project description

Key features of the Project are shown on Figure 1.2, Figure 1.3 and Figure 1.4 and include:

- New road with two lanes in each direction
- Three interchanges, consisting of:
 - Northern interchange providing access to Newcastle Road and the existing Jesmond to Shortland section of the Newcastle Inner City Bypass
 - Hospital interchange providing access between John Hunter Hospital precinct and the bypass
 - Southern interchange providing access to Lookout Road and the existing Kotara to Rankin Park section of the Newcastle Inner City Bypass
- Bridges and other structures along the road to allow for drainage, animal and bushwalker access
- Tie in and upgrades to connecting roads, including Lookout Road, McCaffrey Drive and Newcastle Road
- Cut and fill embankments
- Tie in and upgrades to connecting roads, including Lookout Road, McCaffrey Drive and Newcastle Road
- Pedestrian and cycling facilities including a shared path bridge over Newcastle Road and grade separation of the existing east-west Jesmond Park shared path at the northern interchange
- Noise barriers and/or architectural treatment, as required
- Permanent operational water quality treatment measures.

Ancillary work to facilitate construction of the Project includes:

- Adjustment, relocation and/or protection of public utilities and services
- Mine subsidence treatment, as required
- Temporary construction facilities, including sedimentation basins, compounds and stockpile sites
- Temporary and permanent access tracks
- Concrete/asphalt batching plant, as required.



Figure 1.2: The Project – northern interchange



Figure 1.3: The Project – southern interchange



Figure 1.4: The Project – hospital interchange

1.4 Licences and permits

A number of approvals, permits, and licenses have been and/or will be obtained for the Project. The following approvals and licences have been, or will be, obtained by Transport:

- Project Approval (SSI 6888) under Part 5.1 of the EP&A Act granted by the Minister for Planning on 15 February 2019 and modified on 7 February 2022
- A Commonwealth controlled action approval granted by the Department of the Environment and Energy under Part 8 of the EPBC Act - 2015/7550 dated 5 April 2019

The Contractors will obtain the following licences and approvals:

- Road Occupancy Licence/s (ROL) under Section 138 of the *Roads Act 1993*
- An aquifer interference approval under the *Water Management Act 2000* if Construction requires intersection of a groundwater source.
- EPL for Stage 4 of the Project under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act)

All necessary licences, permits and approvals required for the development of the Project will be obtained and maintained as required throughout the life of the Project. No condition of the Project Approval removes the obligation for Transport or the Contractors to obtain, renew or comply with such necessary licences, permits or approvals except as provided under Section 5.23 of the EP&A Act.

A register of all necessary approvals, licences and permits will be maintained throughout the life of the Project in Appendix A1 of the CEMP documentation for each Construction stage of the Project. The register will be reviewed prior to the commencement of each stage of Construction and at least annually as part of the management review.

2 Project Staging

2.1 Low impact works

2.1.1 Stage 1 - Early Works

This stage of work includes detailed design investigation and low impact works. Low impact works (as defined in Table 1 of the Project Approval) allow for further investigation (such as geotechnical, survey, etc) required to inform the detailed design. The Stage 1 works require ER or Department of Planning and Environment (DPE) approval and include:

- Aboriginal heritage collection and/or salvage program
- Archaeological investigation of the Hollywood Shanty Town
- Geotechnical investigation
- Utility locating and investigation
- Water quality monitoring
- At-property acoustic and vibration treatments
- Demolition of Transport owned houses on the western side of Lookout Road
- Establishment of construction compound F
- Installation of environmental mitigations and controls as needed
- Construction of safe site access for vehicles from the surrounding road network and through the alignment
- Installation of replacement fauna habitat
- Survey
- Works to support John Hunter Hospital Infrastructure Precinct (SSD 9351535)

2.1.2 Stage 3 - southern interchange utilities relocation

This stage of work involves low impact works including the relocation of utilities (power, sewer, water, gas and telecommunications) at the southern end of the Project which are required prior to the commencement of Stage 4. The Stage 3 works require ER endorsement and include:

- Relocation of utilities from the western side of Lookout Road to the eastern side as listed in Table 2-1
- Construction of retaining walls along the eastern side of Lookout Road
- Construction of shared path/footpaths along the eastern side of Lookout Road from the Blackbutt Reserve car park opposite Grandview Road to Ridgeway Road, opposite the main entrance of the John Hunter Hospital precinct (Kookaburra Circuit).
- Temporary and permanent pavement, kerb and drainage realignment works along the eastern side of Lookout Road
- Street lighting adjustments

- Establishment and use of Ancillary Facility F.

Construction completion of Stage 3 is expected to occur in Q3 2022.

Table 2-1: Stage 3 – Southern Interchange Utility Relocations

| Utility Owner | Service | Proposed relocations |
|--------------------------|---|--|
| Ausgrid | 11 kV overhead transmission line on the western side of Lookout Road | Relocate to the eastern side of Lookout Road |
| | Low voltage, overhead power line and street lighting on the eastern side of Lookout Road | Relocate on new poles on the eastern side of Lookout Road |
| | Low voltage, overhead power line and street lighting on McCaffrey Drive | Relocate on new poles on the southern side of McCaffrey Drive |
| Hunter Water Corporation | Underground water main on the western side of Lookout Road | Relocate to the eastern side of Lookout Road |
| | Underground water main near the northern side of Grandview Road | Relocate to adjacent property near Grandview Road |
| | Underground water main on the western side of Lookout Road | Combine with the existing water main on the eastern side of Lookout Road |
| | Underground water main on the eastern side of Lookout Road | |
| | Underground water main on McCaffrey Drive | Provide temporary connection on the western side of Lookout Road during construction Permanently relocate to the new McCaffrey Drive bridge, once it has been constructed |
| | Underground gravity sewer on the western side of Lookout Road | Line redundant - to be decommissioned as properties it services will be demolished for the Project |
| Telstra | Three underground telecommunication conduits on the western side of the Lookout Road | Relocate to the eastern side of Lookout Road then cross to the western side near the communication tower |
| | Three underground telecommunication conduits on the northern side of McCaffrey Drive | Temporary relocation during bridge construction Permanent relocation on the northern side of McCaffrey Drive |
| Optus | Two underground telecommunication conduits (from where it connects with Telstra services) | Relocate to the western side of Lookout Road |
| Jemena | Underground gas pipelines on the eastern side of Lookout Road | Relocate on the eastern side of Lookout Road |
| | Underground gas pipeline on the northern side of McCaffrey Drive | Temporary relocation during bridge construction Permanent relocation on the northern side of McCaffrey Drive |

2.2 Construction

The Construction of the Project comprises the following stages:

- **Stage 2** – Shared path bridge over Newcastle Road
- **Stage 4** – Main works.

The construction of the Project in stages allows the prioritised delivery of infrastructure which will provide immediate benefit to the community and to assist in reducing cumulative impacts of the main construction works. Construction works require various notifications to and approvals by the Planning Secretary.

2.2.1 Stage 2 - Shared Path Bridge

The works associated with this stage are shown on Figure 2-2 and include:

- A new span steel tied arch bridge over Newcastle Road with elevated reinforced concrete approach ramps and stairs on each side. The bridge and ramps are suitable for shared cyclist and pedestrian use
- A ramp providing pedestrian connection from Coles Street to the eastbound bus stop on Newcastle Road.
- Upgrades to Coles Street to provide connection from the new bridge to the existing pedestrian / cyclist network at the western end of Coles Street inclusive or retaining wall on Newcastle Road
- Connection to existing shared paths from the bridge to the south through Jesmond Park
- Relocation of utilities, including water and power.
- Removal of the existing mid-block signalised pedestrian crossing located on Newcastle Road near Hill Street
- Establishment and use of Ancillary Facilities D and E.

Construction of this stage will improve community safety by creating grade separation of pedestrians and cyclists over Newcastle Road and will also improve traffic flow on Newcastle Road by removing the existing mid-block signalised pedestrian crossing.

Construction of Stage 2 of the Project was completed on 5 March 2021.



Figure 2.1: Shared Path Bridge (Bridge 7) works

2.2.2 Stage 4 - Main Works

Stage 4 of the Project includes all other works listed in Section 1.3 required to complete the SSI as shown on Figure 1-2, Figure 1-3 and Figure 1-4. The works associated with this stage include:

- 3.4 km of new road with two lanes in each direction
- three interchanges
- seven bridges and other structures along the road
- large cut and fill embankments
- tie in and upgrades to connecting roads
- pedestrian and cycling facilities (excluding those constructed in Stages 2 and 3)
- noise barriers and/or architectural treatment, as required
- permanent operational water quality treatment measures
- establishment and use of Ancillary Facilities B, C, G, H. Facility F will be established for Stage 3

Construction of Stage 4 of the Project will be considered complete when all Construction work and activities being carried out as described in the EIS as amended by the SPIR and all conditions of the Project Approval applicable to Stage 4 have been met (refer Appendices A and B of this report).

2.2.3 Stage 4 Main Works – John Hunter Hospital Interface

In June 2019, the NSW Government announced an expansion of the John Hunter Hospital and John Hunter Children's Hospital with the John Hunter Health and Innovation Precinct (JHHIP) project. The JHHIP will deliver updated and enhanced facilities providing additional capacity to meet the demand of the Greater Newcastle, Hunter New England, and northern NSW Regions. The project (SSD 9351535) was approved under Section 2.22 and clause 20 of Schedule of the *Environmental Planning and Assessment Act 1979* on 30 November 2021. An artist's impression of the JHHIP Project can be seen in Figure 2.2.

The JHHIP includes work within the current assessed boundary of the Project, with an overlapping interface that can be seen in Figure 2.3. Works within the interface area will be staged with each project taking control of the area at different times. As part of design refinements and the unavailability of Compound A, Transport no longer requires the entirety of the interface area.

The staging and indicative handover timeframes are as follows:

- **Stage 1** – JHHIP to take control in Q3 2022 and complete works under the relevant approval with a handover of the required portion to RP2J in Q3 2023.
- **Stage 2** – RP2J to take control of the required portion until the remainder of the work is completed under SSI 6888. RP2J clearing boundaries are subject to further detailed design, in accordance with the relevant CoA.

Transport may need to complete some minor works within the interface area identified in Figure 2.3, prior to taking possession of the area (as per Stage 2). These works may consist of utility adjustments to enable main construction works.

Works carried out by the two projects in the interface area include:

- Vegetation clearing
- Cut and fill earthworks to construct new ring roads and a roundabout
- Stormwater works
- Utilities works (electrical, street lighting, sewer and gas)
- Extension / expansion of the existing western carpark to utilise the new additional space created within the ring roads.

No new activities are to occur in the area outside of those which are approved under the respective approvals for the Project (SSI 6888) and JHHIP (SSD 9351535).



Figure 2.2 JHHIP Project

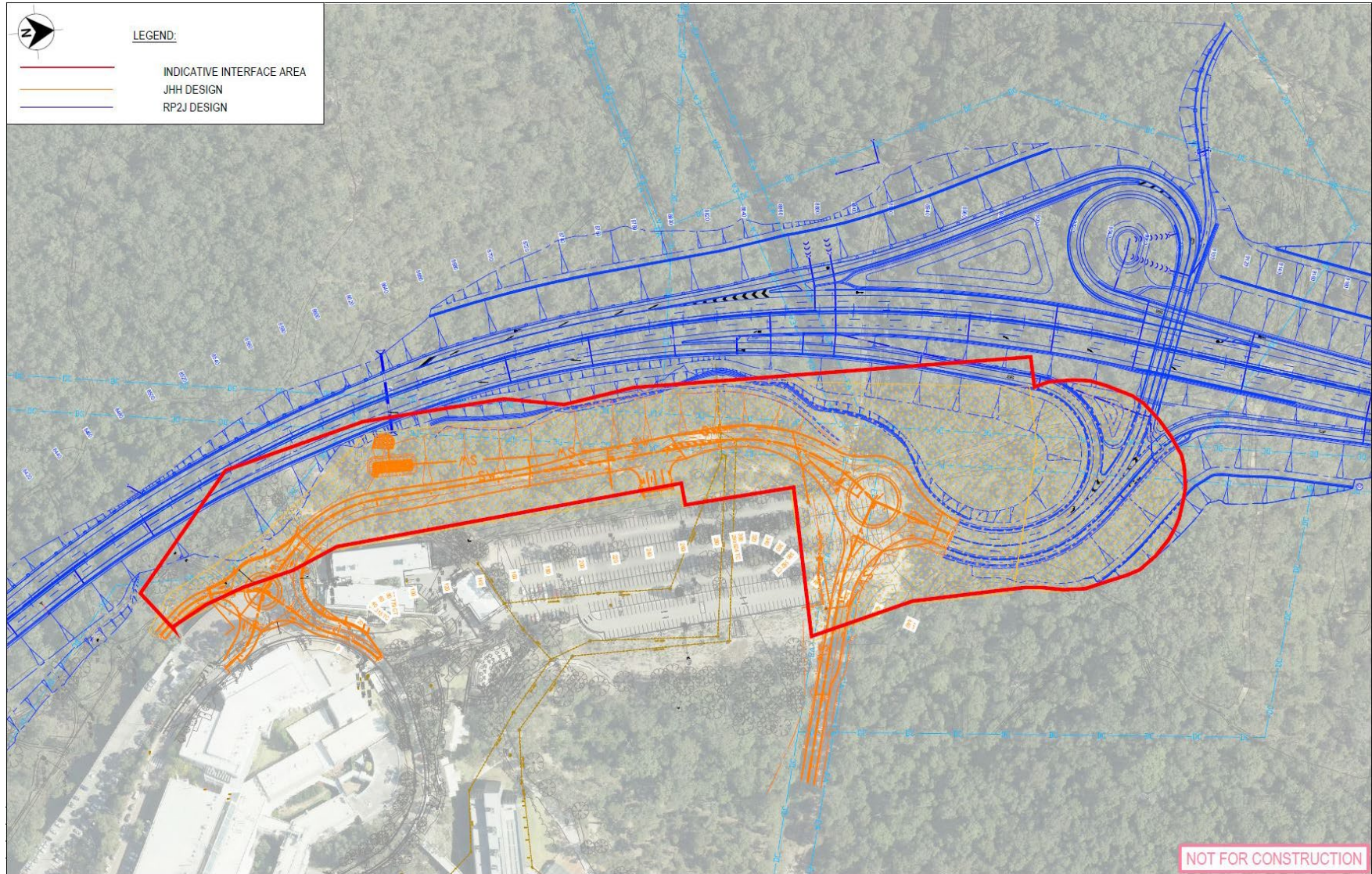


Figure 2.3 RP2J and JHHIP interface are

2.3 Operation

Operation of each stage will commence following completion of the Construction stage. The indicative timing of the Operational stages of the Project is provided in Figure 2-3.

Operation of the RP2J for its intended purpose of vehicles using the full length of the main carriageways will exclude the following activities carried out during Construction:

- Commissioning trials of equipment
- Temporary use of any part of the Project
- Maintenance work.

2.4 Project Timing

The indicative timeframe for each Project stage is shown below.

Table 3 -1: Construction Staging Summary

| Stage | Stage Details | Commencement Date | Completion Date |
|-------------------------|--|-------------------|-----------------|
| Stage 1 | Early Works | Q3 2019 | Q4 2023* |
| Stage 2 | Shared Path Bridge | 25 November 2019 | 5 March 2021 |
| Stage 3 | Southern Utilities | 23 July 2021 | Q3 2022* |
| Stage 4 | Main Works | Q4 2022 | Q3 2025* |
| Stage 4 - JHH Interface | JHHIP construction within interface area | Q3 2022* | Q3 2023* |
| | RP2J construction within interface area | Q3 2023* | Q3 2025* |

**Commencement/completion timing is indicative*

Stage 1 and Stage 3 support the design, construction and operation of Stage 4.

The proposed commencement dates for each of the Construction and Operational stages will be provided in the Pre-Construction and Pre-Operation compliance reports prepared for the respective stages, in accordance with the Compliance Monitoring and Reporting Program required under CoA A29 and A33.

3 Preparation and submission of environmental documentation

3.1 Approach

The Project Approval requires the preparation of various environmental management documents which govern the low impact works, Construction and Operation of the Project for submission to the ER and / or Planning Secretary for information or approval.

Transport and / or the Contractor will prepare the required documentation, as applicable, for each of the stages described in Section 2. Each document will demonstrate compliance with the relevant conditions of approval and will be tailored to suit the scale, complexity and level of environmental risk posed by the stage to which it relates.

Transport considers that nothing in the nature of the proposed staging would make the approach inconsistent with the conditions of approval.

3.2 Staged issue of project environmental documentation

Table 3-1 summarises the Project environmental documentation including plans, sub-plans, protocols, strategies and notifications, required by the Project Approval. Table 3-1 specifies the applicability of the documentation to the relevant stages of the Project, timing for preparation and the requirements for submission to the ER and / or Planning Secretary. All documents prepared under the Project Approval will also be reviewed and, if required by the CoA, endorsed by the ER.

Green shading of the cells in Table 3-1 indicates the requirement for the preparation of the identified document, while red shading denotes that the document is not applicable to that stage. The applicability of the requirement for the preparation of a report is based on a number of factors including whether the condition applies during Construction or Operation, geographic location of the works, impact of the works, the location of sensitive areas in relation to the works or due to the nature of the requirement.

Where one overarching document is applicable across more than one stage of the Project the cells are merged across the applicable stages. Such documents include overarching documents such as this Staging Report, the Compliance Monitoring and Reporting Program and the Audit Program. Documents applicable across all stages will be submitted to the Secretary prior to the commencement of the first stage of Construction of the Project (Stage 2).

Stage specific documents are denoted in Table 3-1 by a tick within the applicable stage. Stage specific documents will apply to the extent relevant to that stage and will be prepared and submitted to the Planning Secretary prior to the commencement of Construction or Operation of the applicable stage.

Appendices A and B identify the applicability respectively of each NSW and Federal CoA to the Project stages. As for Table 3-1, the applicability of the conditions listed in Appendices A and B to the Project stages is based on a number of factors including whether the condition applies during Construction or Operation, geographic location of the works, impact of the works, the location of sensitive areas in relation to the works or due to the nature of the requirement.

Further details regarding the applicability of the conditions and evidence of compliance with the relevant conditions will be provided in the Pre-Construction, Construction and Pre-Operation compliance reporting which will be prepared under the Compliance Monitoring and Reporting Program.

Where a condition has been deemed not applicable to a specific stage in Table 3-1 or Appendices A and B of this Staging Report, an explanation and, if appropriate, supporting evidence will be provided within the corresponding compliance report to identify why that condition is not applicable.

Table 3-1: Staging of reports and notifications

| CoA | Document Name | Timing of submission | DPE Purpose | ER endorsement | Applicability to Project Stage | | | | |
|--------------------------------|--|---|----------------------------------|----------------|--------------------------------|--|---------------|-----------------------|---------------|
| | | | | | Low Impact Works | Construction Stage | | Operation Stage | |
| | | | | | 1. and 3. | 2. Shared Path Bridge | 4. Main Works | 2. Shared Path Bridge | 4. Main Works |
| Part A – Administrative | | | | | | | | | |
| A9 | SPB CEMPP and EWMS | Not specified | N/A | Approval | N/A | ✓ | N/A | N/A | N/A |
| A10 | Staging Report | One month before commencement of construction (or operation if only staged operation is proposed) of the first of the proposed stages | Planning Secretary's Information | X | N/A | The Staging Report will apply to all Project Construction and Operation stages | | | |
| A15 | Ancillary Facility Establishment Management Plan | One month before the installation of any ancillary facilities | Planning Secretary's Approval | X | N/A | ✓ | ✓ | N/A | N/A |
| A22/A23 | Environmental Representative | One month before the commencement of works | Planning Secretary's Approval | X | ✓ | The ER for the Project will be approved prior to the commencement of the first Construction stage of the Project (Stage 2). | | N/A | N/A |
| A26(k) | Environmental Representative monthly reports | Within seven days of the end of each month for the duration of the ER's engagement | Planning Secretary's Information | X | ✓ | The ER's monthly report must be prepared for the duration of works and 12 months after the commencement of Operation. | | | |
| A29/A33 | Compliance Monitoring and Reporting Program | No later than 4 weeks before the commencement of any work | Planning Secretary's Information | ✓ | ✓ | The Project CMRP will be implemented for the duration of Construction and for a minimum of one year following commencement of Operation of each stage. | | | |
| A30 | Pre-Construction Compliance Report | One month prior to the commencement of Construction in accordance with the CRMP | Planning Secretary's Information | X | N/A | ✓ | ✓ | N/A | N/A |

| CoA | Document Name | Timing of submission | DPE Purpose | ER endorsement | Applicability to Project Stage | | | | |
|---|----------------------------------|--|----------------------------------|----------------|---|---|---|-----------------------|---|
| | | | | | Low Impact Works | Construction Stage | | Operation Stage | |
| | | | | | 1. and 3. | 2. Shared Path Bridge | 4. Main Works | 2. Shared Path Bridge | 4. Main Works |
| A30 | Construction Compliance Reports | Six monthly from the date of the commencement of Construction for the duration of Construction | Planning Secretary's Information | X | N/A | ✓ | ✓ | N/A | N/A |
| A30 | Pre-Operation Compliance Report | One month prior to the commencement of Operation in accordance with CRMP | Planning Secretary's Information | X | N/A | N/A | N/A | ✓ | ✓ |
| A34 | Independent Audit Program (IAP) | No later than 4 weeks before the date notified for the commencement of construction of Stage 2 | Planning Secretary's Information | X | N/A | The Project Audit Program will be implemented for the duration of Construction and for one year following commencement of Operation of Stage 4. | | | |
| A34 | Independent Audit Reports | Within 8 weeks of completing the audit in accordance with the IAP | Planning Secretary's Information | X | N/A | ✓ | First audit to be undertaken 20 weeks after commencement of Stage 2 and annually thereafter until completion of Stage 4 | ✓ | One Operational Audit Report to be prepared one year following commencement of Operation of Stage 4 |
| A37 | Written notification of incident | Immediately upon becoming aware of the incident. Subsequent written notification and an incident report are required seven days after the Proponent became aware of the incident and 30 days after the date on which the incident occurred, respectively | Planning Secretary's Information | X | ✓ | ✓ | ✓ | N/A | N/A |
| Part B - Communication Information and Reporting | | | | | | | | | |
| B1 | Community Communication Strategy | No later than one month before the commencement of any construction | Planning Secretary's Approval | X | The CCS will be implemented for the duration of works and for a minimum of 12 months following the completion of the last stage of Construction of the Project (Stage 4). | | | | |

| CoA | Document Name | Timing of submission | DPE Purpose | ER endorsement | Applicability to Project Stage | | | | |
|---|----------------------------------|--|----------------------------------|-------------------------------------|---|-----------------------|--|-----------------------|---------------|
| | | | | | Low Impact Works | Construction Stage | | Operation Stage | |
| | | | | | 1. and 3. | 2. Shared Path Bridge | 4. Main Works | 2. Shared Path Bridge | 4. Main Works |
| B6 | Complaints Management System | Prior to any work commencing | Planning Secretary's Information | X | The CMS will be implemented and maintained for the duration of works and for a minimum for 12 months following completion of the last stage of Construction of the Project (Stage 4). | | | | |
| B9 | Complaints Register | Upon request from the Planning Secretary, within the timeframe stated in the request | Planning Secretary's Information | Made available to ER on daily basis | The Complaints Register will be maintained during Construction and for a minimum of 12 months following completion of the last stage of Construction of the Project (Stage 4). | | | | |
| Part C - Construction Environmental Management | | | | | | | | | |
| C1 | CEMP | No later than one month before the commencement of construction | Planning Secretary's Approval | ✓ | N/A | N/A | ✓ | N/A | N/A |
| C4 | CEMP Sub-plans | No later than one month before the commencement of construction | Planning Secretary's Approval | ✓ | N/A | N/A | ✓ | N/A | N/A |
| C9 | Construction Monitoring Programs | No later than one month before the commencement of construction | Planning Secretary's Approval | ✓ | N/A | N/A | ✓ | N/A | N/A |
| C15 | Construction Monitoring Report | As specified in Construction Monitoring Programs | Planning Secretary's Information | X | N/A | N/A | ✓ During construction and for any longer period set out in the monitoring program or specified by the Planning Secretary | N/A | N/A |
| Part D - Operation Environmental Management | | | | | | | | | |
| D1 | OEMP or EMS | One month before the commencement of operation | Planning Secretary's Information | X | N/A | N/A | N/A | N/A | ✓ |

| CoA | Document Name | Timing of submission | DPE Purpose | ER endorsement | Applicability to Project Stage | | | | |
|----------------------------|--|--|----------------------------------|----------------|--------------------------------|-----------------------|---------------|-----------------------|---------------|
| | | | | | Low Impact Works | Construction Stage | | Operation Stage | |
| | | | | | 1. and 3. | 2. Shared Path Bridge | 4. Main Works | 2. Shared Path Bridge | 4. Main Works |
| Part E – Key Issues | | | | | | | | | |
| Biodiversity | | | | | | | | | |
| E5 | Credit Retirement Report | Within one month of receiving the report | Planning Secretary's Information | X | N/A | N/A | ✓ | N/A | N/A |
| Heritage | | | | | | | | | |
| E15 | Unexpected Heritage Finds and Humans Remains Procedure | No later than one month before the commencement of any work | Planning Secretary's Information | ✓ | ✓ | ✓ | ✓ | N/A | N/A |
| E19 | Cultural Heritage Salvage Report | No later than 12 months after the completion of the salvage work refer to in Condition E17 | Planning Secretary's Information | X | ✓ | N/A | ✓ | N/A | N/A |
| E21 | Historical Archaeological Research Design and Excavation Methodology | Before any direct impact on the Hollywood shanty town site and the Wallsend Plattsburg tramway | Planning Secretary's Information | X | ✓ | N/A | ✓ | N/A | N/A |
| E23 | Archaeological Excavation Report | 12 months after completing all archaeological investigations | Planning Secretary's Information | X | N/A | N/A | ✓ | N/A | N/A |
| E24 | Heritage Interpretation Plan | Before operation of the SSI commences | Planning Secretary's Information | X | N/A | N/A | ✓ | N/A | N/A |

| CoA | Document Name | Timing of submission | DPE Purpose | ER endorsement | Applicability to Project Stage | | | | |
|----------------------------|---|---|---|----------------------------|--------------------------------|-----------------------|---------------|-----------------------|---------------|
| | | | | | Low Impact Works | Construction Stage | | Operation Stage | |
| | | | | | 1. and 3. | 2. Shared Path Bridge | 4. Main Works | 2. Shared Path Bridge | 4. Main Works |
| Noise and Vibration | | | | | | | | | |
| E25 | Land use survey (for inclusion in the NVMP) | Before the commencement of works which generate audible construction or operational noise, or do not meet safe working buffer distances for vibration or ground-borne noise in that area. | Planning Secretary's Approval (as part of the NVMP) | ✓ (as part of the NVMP) | N/A | N/A | ✓ | N/A | N/A |
| E31 | Out-of-Hours Work Protocol or Out of Hours Work Management Process | Before to the commencement of out-of-hours works for works not subject to an EPL | Planning Secretary's Approval | Consultation | ✓ | ✓ | N/A | N/A | N/A |
| E38 | Operational Noise Mitigation Review | Before the implementation of operational noise mitigation measures | Planning Secretary's Approval | Consultation | N/A | N/A | ✓ | N/A | N/A |
| E40 | Report on non-implementation of operational noise mitigation measures | Within 6 months of commencement of construction | Planning Secretary's Information | ✓ | N/A | N/A | ✓ | N/A | N/A |
| E41 | Operational Noise Compliance Report | Within 60 days of completing the operational monitoring | Planning Secretary's Information | ✗ | N/A | N/A | N/A | N/A | ✓ |
| E48 | Landowner and occupier written agreement | Before commencing blasting at the higher limits | Planning Secretary's Information | ✗ | N/A | N/A | ✓ | N/A | N/A |
| E51 | Blast Management Strategy | One month before the commencement of blasting | Planning Secretary's Information | ✗ | N/A | N/A | ✓ | N/A | N/A |

| CoA | Document Name | Timing of submission | DPE Purpose | ER endorsement | Applicability to Project Stage | | | | |
|--|---|--|----------------------------------|----------------|--------------------------------|-----------------------|---------------|-----------------------|---------------|
| | | | | | Low Impact Works | Construction Stage | | Operation Stage | |
| | | | | | 1. and 3. | 2. Shared Path Bridge | 4. Main Works | 2. Shared Path Bridge | 4. Main Works |
| Socio-economic, land use and property | | | | | | | | | |
| E54 | Pre-construction Building and Structure Condition Surveys | Before the commencement of any work that could cause damage to buildings, structures and utilities | N/A | X | ✓ | ✓ | ✓ | N/A | N/A |
| Soils | | | | | | | | | |
| E59 | Unexpected Contaminated Land and Asbestos Finds Procedure | Before the commencement of work | N/A | X | ✓ | ✓ | ✓ | N/A | N/A |
| Sustainability | | | | | | | | | |
| E61 | Sustainability Strategy | Before the commencement of construction | Planning Secretary's Information | X | N/A | N/A | ✓ | N/A | N/A |
| Traffic and Transport | | | | | | | | | |
| E62/E63 | Construction Traffic and Transport Management Sub-plan including use of local roads for spoil haulage | Before the commencement of construction | Planning Secretary's Approval | X | N/A | ✓ | ✓ | N/A | N/A |
| E68 | Road Dilapidation Report | Report must be provided to the landowner and NCC within three weeks of completion of the surveys and no later than one month before the use of local roads by heavy vehicles for the construction of the SSI | N/A | X | N/A | ✓ | ✓ | N/A | N/A |

| CoA | Document Name | Timing of submission | DPE Purpose | ER endorsement | Applicability to Project Stage | | | | |
|--|---------------------------------|---|----------------------------------|----------------|--------------------------------|-----------------------|---------------|-----------------------|---------------|
| | | | | | Low Impact Works | Construction Stage | | Operation Stage | |
| | | | | | 1. and 3. | 2. Shared Path Bridge | 4. Main Works | 2. Shared Path Bridge | 4. Main Works |
| Urban Design and Visual Amenity | | | | | | | | | |
| E77 | Final design of Bridges 7 and 8 | Before the commencement of works on Bridges 7 and 8 | Planning Secretary's information | X | N/A | ✓ Bridge 7 | ✓ Bridge 8 | N/A | N/A |

Legend

| | |
|-----|--------------------------------------|
| ✓ | Applicable to stage (stage specific) |
| N/A | Not applicable to stage |

Note: Merged cells indicate one overarching plan applying to all Project stages

4 Management of cumulative impacts

The cumulative impacts arising from the proposed staging of the Project are discussed in the sections below. The proposed measures to manage these impacts are discussed in the EIS and SPIR.

4.1.1 Cumulative impacts surrounding Newcastle Road

The extent of the Stage 2 Shared Path Bridge works on Newcastle Road is shown in blue in Figure 4-1 below, and the extent of the Stage 4 works is shown in red. The overlap of these works is shown hatched in blue.

There are approximately 16 residential receivers and 2 places of worship that will be cumulatively impacted by the proposed staging. These receivers are located on Coles Street and are shown highlighted in red in Figure 4-1.

The works required for Stage 2 are described in Section 2.2.1. The Stage 4 works on Newcastle Road are generally limited to pavement works. The nature of the work in this area is not intensive and will be limited to shorter periods of civil works and associated periods of no work within the overall works duration period.

The relative timing of these works is provided in Section 2.4, which shows that the Stage 2 works have been completed prior to the commencement of the Stage 4 works. Therefore the local community and road users will have a respite period from construction after the completion of the share path bridge.

Stage 4 construction is expected to have limited impact on receivers on Coles Street, due to them generally being located at the eastern limit of works. Stage 4 works will also primarily be contained along Newcastle Road. Stage 2 construction will have limited impact on the western-most sensitive receivers (west of Hill Street), with works consisting of footpath connections only.

The completion of Stage 2 prior to the commencement of the Stage 4 works will result in significantly improved traffic flow on Newcastle Road due to the removal of the mid-block traffic signals. The provision of a permanent high quality alternative pedestrian / cyclist route will result in improved pedestrian/cyclist safety in the vicinity of Newcastle Road during the Stage 4 construction works. In summary, the staging of these works will reduce cumulative impacts on the local community and road users compared to the scenario where Stages 2 and 4 are carried out concurrently.



Figure 4.1: Cumulative impacts of RP2J construction on Newcastle Road

4.1.2 Cumulative impacts on Lookout Road

The extent of the Stage 3 utility relocation works on Lookout Road is shown in blue in Figure 4-2 below and the extent of the Stage 4 works is shown in red. The overlap of these works is shown hatched in blue.

There are approximately 15 residential receivers that will be cumulatively impacted by the proposed staging. These receivers are highlighted red in Figure 4-2, and are located at Grandview Road, and on the eastern and western sides of Lookout Road.

The works required for Stage 3 are described in Section 2.1.2. The Stage 4 works on Lookout Road near Grandview Road are limited to line marking and signage installation. Stage 4 work along Lookout Road between Grandview Road and McCaffrey Drive consists of bulk earthworks, utility relocations, bridgeworks, street lighting and pavement construction.

Stage 3 works in the vicinity of sensitive receivers is expected to be limited to low intensity work such as trenching and installation of new buried and overhead services. The majority of this work will be undertaken during the day, with some night work required to change traffic arrangements, to install new services across Lookout Road, and to commission new services.

Stage 3 is expected to take 1 year to complete, and will not overlap with Stage 4 construction. Relocating utilities impacted by Stage 4 early ensures that the construction of Stage 4 at Lookout Road is optimised, reducing overall impact to road users and local residents.

The early commencement and completion of Stage 3 will minimise cumulative impacts on the community by providing improved pedestrian and cyclist infrastructure along Lookout Road prior to the commencement of Stage 4.



Figure 4.2: Southern Utilities - Lookout Road

4.1.3 General management of cumulative impacts

In accordance with REMM CU01, the construction contractor will review environmental impacts before the start of construction and every six months during construction. Any new impacts identified will be addressed appropriately to reduce cumulative effects and reported as part of the Construction Environmental Management Plan.

4.1.4 Cumulative Impacts from the JHHIP Interface

Cumulative impacts for the JHHIP have been assessed as part of the John Hunter Health Campus EIS and is therefore not subject to this report. Vegetation clearing in the interface area, shown in Figure 2.3, is now proposed to be undertaken by the JHHIP Contractor. Subsequently this area will no longer be cleared by Transport.

To ensure the interface area is appropriately offset, Transport and Health Infrastructure have established offsetting responsibilities as shown in Figure 4.3 . Offsetting in the interface area will be carried out in accordance with the respective project approvals. Rankin Park to Jesmond’s overall offsetting requirements are identified in CoA E4. The BioBanking Credit Calculator was used to calculate how many of the credits identified in E4 are attributed to Transports offsetting requirements within the interface area. This is provided in Table 4-1.

Clearing boundaries for the Project may be further refined during the detailed design process. Any refinement would be in accordance with CoA E3.

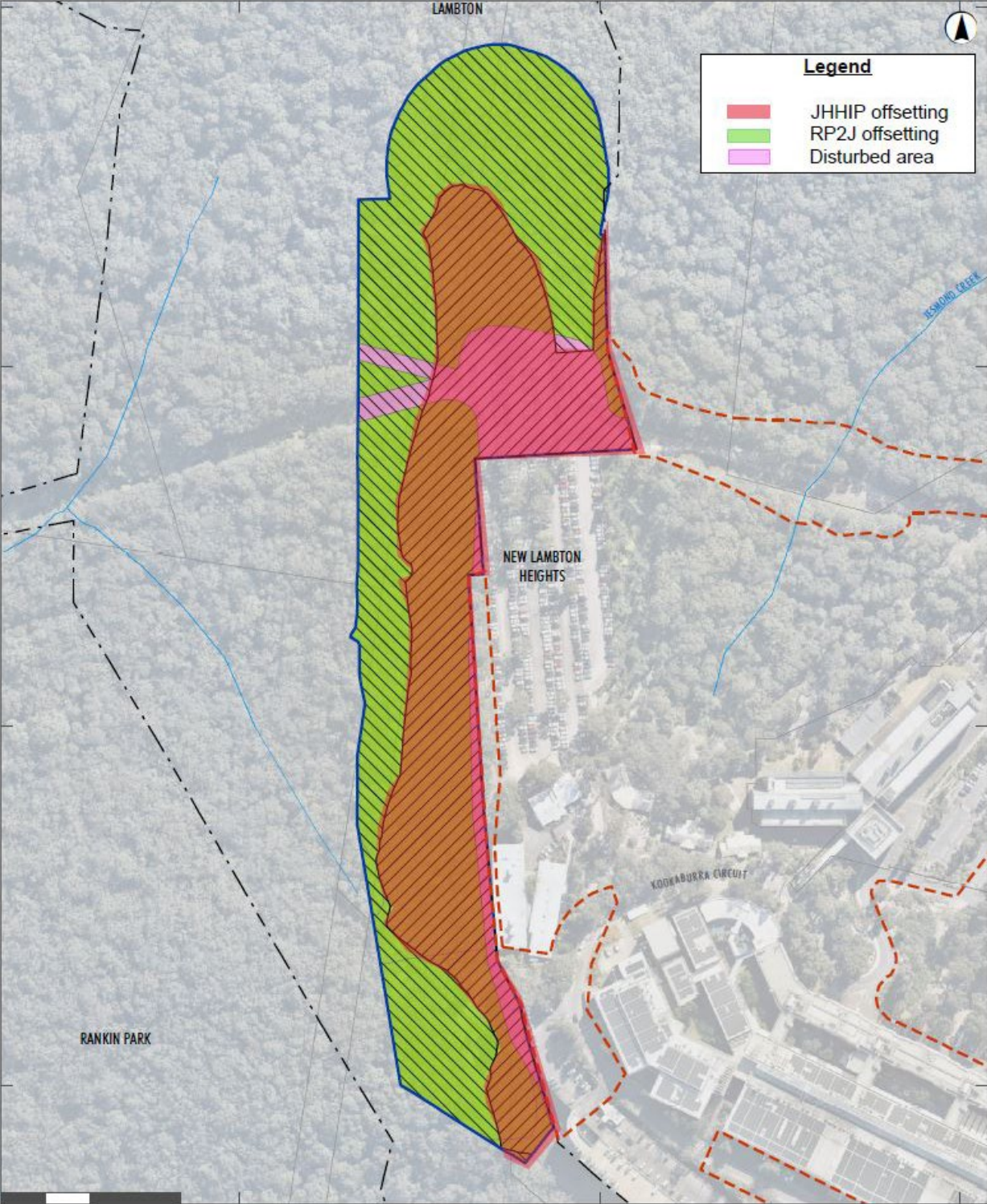


Figure 4.3 Interface Area Offsetting Responsibility

Table 4-1 Biodiversity Offset Credits to be provided by Transport in the Interface Area

| Credit Type | Species / Plant Community | Number of credits (BBAM) |
|------------------|--|--------------------------|
| Ecosystem credit | HU782 - Blackbutt - Turpentine - Sydney Blue Gum mesic tall open forest on ranges of the Central Coast | 2 |
| | HU833 - Smooth-barked Apple - Red Bloodwood - Brown Stringybark - Hairpin Banksia heathy open forest of coastal lowlands | 130 |
| | HU841 - Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast | 25 |
| Species Credit | Black-eyed Susan (<i>Tetradlea juncea</i>) | 495 |

Management of the interface area will be undertaken collaboratively in accordance with the established Health Infrastructure and Transport Governance Framework.

Appendix A: NSW CoA compliance staging table

| CoA # | Requirement | Low Impact works Stages 1 & 3 | Development phase | | | |
|---|---|----------------------------------|-------------------|---------|-----------|---------|
| | | | Construction | | Operation | |
| | | | Stage 2 | Stage 4 | Stage 2 | Stage 4 |
| PART A - ADMINISTRATIVE CONDITIONS | | | | | | |
| GENERAL | | | | | | |
| A1 | The SSI must be carried out in accordance with the terms of this approval and the description of the SSI in the: (a) <i>Newcastle Inner City Bypass – Rankin Park to Jesmond Environmental impact statement (RMS, 2016)</i> (the EIS) ((b) <i>Submissions and Preferred Infrastructure Report Newcastle Inner City Bypass Rankin Park to Jesmond (RMS, 2018)</i> (the SPIR). (c) <i>Newcastle Inner City Bypass – Rankin Park to Jesmond Modification Report: additional construction compounds (TfNSW, May 2021); and</i> (d) <i>Newcastle Inner City Bypass – Rankin Park to Jesmond Modification Report: additional construction compounds Submissions Report (TfNSW, September 2021).</i> (e) | Yes | Yes | Yes | Yes | Yes |
| A2 | The SSI must be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures as identified in the documents listed in Condition A1 unless otherwise specified in, or required under, this approval. | Yes | Yes | Yes | Yes | Yes |
| A3 | In the event of an inconsistency between the documents listed in Condition A1 , 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. Note: For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document. | Yes | Yes | Yes | Yes | Yes |
| A4 | The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: (a) the environmental performance of the SSI; (b) any document or correspondence in relation to the SSI; (c) any notification given to the Planning Secretary under the terms of this approval; (d) any audit of the construction or operation of the SSI; (e) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval); (f) the carrying out of any additional monitoring or mitigation measures; and (g) in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval. | Yes | Yes | Yes | Yes | Yes |
| A5 | Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken in consultation with identified parties, evidence of the consultation undertaken must be submitted to the Planning Secretary with the document. The evidence must include: (a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval; (b) a log of the dates of engagement or attempted engagement with the identified party and a summary of the issues raised by them; (c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations; (d) outline of the issues raised by the identified party and how they have been addressed; and (e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed. | Yes | Yes | Yes | Yes | Yes |

| | | | | | | |
|--|---|-----|-----|-----|-----|-----|
| A6 | This approval lapses five (5) years after the date on which it is granted unless works are physically commenced on or before that date. | Yes | Yes | Yes | Yes | Yes |
| A7 | References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, standards or policies in the form they are in as at the date of this approval. | Yes | Yes | Yes | Yes | Yes |
| A8 | Any document that must be submitted within a timeframe specified in or under the conditions of this approval may be submitted within a later timeframe agreed with the Planning Secretary. This condition does not apply to the immediate written notification required in respect of an incident under Condition A37 . | Yes | Yes | Yes | Yes | Yes |
| SHARED PATH BRIDGE OVER NEWCASTLE ROAD (BRIDGE 7) | | | | | | |
| A9 | Construction of Bridge 7 and its associated components is not subject to Part C and Part D of this approval, however it is subject to: (a) preparation of a Construction Environmental Management Process (Plan) and an Environmental Work Method Statement (EWMS), in consultation with relevant public authorities and the City of Newcastle , and approved by the ER under Condition A26(d). The Plan must detail how the performance outcomes, commitments, mitigation and monitoring measures specified in the documents listed in Condition A1 will be implemented and achieved during construction; and (b) implementation of the approved Construction Environmental Management Process (Plan) and Environmental Work Method Statement (EWMS). | No | Yes | No | No | No |
| STAGING | | | | | | |
| A10 | Construction of Bridge 7 and its associated components is not subject to Part C and Part D of this approval, however it is subject to: (a) preparation of a Construction Environmental Management Process (Plan) and an Environmental Work Method Statement (EWMS), in consultation with relevant public authorities and the City of Newcastle, and approved by the ER under Condition A26(d). The Plan must detail how the performance outcomes, commitments, mitigation and monitoring measures specified in the documents listed in Condition A1 will be implemented and achieved during construction; and (b) implementation of the approved Construction Environmental Management Process (Plan) and Environmental Work Method Statement (EWMS). | Yes | Yes | Yes | Yes | Yes |
| A11 | The Staging Report must: (a) If staged construction is proposed, set out how the construction of the whole of the SSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish; (b) If staged operation is proposed, set out how the operation of the whole of the SSI will be staged, including 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 and finish (if relevant); (c) Specify how compliance with conditions will be achieved across and between each of the stages of the SSI; and (d) Set out mechanisms for managing any cumulative impacts arising from the proposed staging. | Yes | Yes | Yes | Yes | Yes |
| A12 | The construction and/or operation of the SSI must be carried out in accordance with the Staging Report, as submitted to the Planning Secretary. | Yes | Yes | Yes | Yes | Yes |
| A13 | Where staging is proposed, the terms of this approval that apply or are relevant to the work to be carried out in a specific stage, must be complied with at the relevant time for that stage. | Yes | Yes | Yes | Yes | Yes |
| ANCILLARY FACILITIES | | | | | | |
| A14 | Ancillary facilities that are not identified in the documents listed in Condition A1 can only be established and used in each case if: (a) they are located within or immediately adjacent to the construction boundary; and (b) they are not located next to a sensitive receiver (including where an access road is between the facility and the receiver), unless the landowner and occupier have given written acceptance to the carrying out of the relevant facility in the proposed location; and (c) they have no impacts on heritage items (including areas of archaeological sensitivity), and threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and (d) the establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts. | Yes | Yes | Yes | No | No |

| ANCILLARY FACILITY ESTABLISHMENT MANAGEMENT PLAN | | | | | | |
|--|--|-----|-----|-----|----|----|
| A15 | <p>Before the establishment of any construction ancillary facilities (excluding minor construction ancillary facilities determined by the ER to have minimal environmental impact and those established under Condition A19), the Proponent must prepare an Ancillary Facility Establishment Management Plan which outlines the environmental management practices and procedures to be implemented for the establishment of construction ancillary facilities. The Ancillary Facility Establishment Management Plan must be prepared in consultation with the relevant councils and relevant public authorities. The Ancillary Facility Establishment Management Plan must be submitted to the Planning Secretary for approval one (1) month before the establishment of any construction ancillary facilities. The Ancillary Facility Establishment Management Plan must detail the management of construction ancillary facilities and include:</p> <p>(a) a description of activities to be undertaken during the establishment of the construction ancillary facility (including scheduling and duration of works to be undertaken at the site) and its decommissioning and rehabilitation;</p> <p>(b) figures illustrating the proposed operational site layout, including access roads and parking;</p> <p>(c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of site establishment works;</p> <p>(d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:</p> <p>(i) meet the performance outcomes stated in the documents listed in Condition A1, and</p> <p>(ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and</p> <p>(e) a program for monitoring the performance outcomes, including a program for construction noise monitoring consistent with the requirements of Condition C10. Nothing in this condition prevents the Proponent from preparing individual Ancillary Facility Establishment Management Plans for each construction ancillary facility.</p> | Yes | Yes | Yes | No | No |
| A16 | The requirements of Condition A15 in relation to Bridge 7 may be addressed by the documents required under Condition A9. | No | Yes | No | No | No |
| USE OF CONSTRUCTION ANCILLARY FACILITIES | | | | | | |
| A17 | <p>The use of a construction ancillary facility must not commence until the CEMP required by Condition C1, relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C9 have been approved by the Planning Secretary.</p> <p>This condition does not apply to a construction ancillary facility determined by the ER to have minimal environmental impact and those established under Condition A19.</p> | Yes | No | Yes | No | No |
| A18 | The requirements of Condition A17 in relation to Bridge 7 may be addressed by the documents required under Condition A9. | No | Yes | No | No | No |
| A18A | The Peatties Road ancillary facility must not be used to store/stockpile earthworks material, including dirt, topsoil, rock, rubble, quarry materials, waste concrete or asphalt, bricks, and excavated material | No | No | Yes | No | No |
| MINOR CONSTRUCTION ANCILLARY FACILITIES | | | | | | |
| A19 | <p>Lunch sheds, office sheds, portable toilet facilities, materials storage, parking and the like, that are not identified as a construction ancillary facility in the documents listed in Condition A1, can be established where they satisfy the following criteria:</p> <p>(a) are located within the construction boundary; and</p> <p>(b) have been assessed by the ER to have -</p> <p>(i) minimal amenity impact to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and</p> <p>(ii) minimal environmental impact with respect to waste management and flooding, and</p> <p>(iii) no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval.</p> | Yes | Yes | Yes | No | No |
| BOUNDARY SCREENING | | | | | | |
| A20 | Boundary screening must be erected around all ancillary facilities that are adjacent to sensitive receivers, for the duration of works associated with the SSI, unless otherwise agreed with affected residents, business operators or landowners (including the relevant councils where they are the landowner). | Yes | Yes | Yes | No | No |
| A21 | Boundary screening required under Condition A20 of this approval must reduce visual, noise and air quality impacts on adjacent sensitive receivers. | Yes | Yes | Yes | No | No |

| | | | | | | |
|-----------------------------------|--|-----|-----|-----|-----|-----|
| A 21A | The Peatties Road ancillary facility must be located within the boundary line marked in blue in Figure 1 of Appendix A of this report. | Yes | Yes | No | Yes | Yes |
| ENVIRONMENT REPRESENTATIVE | | | | | | |
| A22 | Works must not commence until an ER has been approved by the Planning Secretary and engaged by the Proponent. | Yes | Yes | Yes | No | No |
| A23 | The Planning Secretary's approval of an ER must be sought no later than one month before the commencement of works. | Yes | Yes | Yes | No | No |
| A24 | The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the documents listed in Condition A1 , and independent of the design and construction personnel for the SSI and those involved in the delivery of it. <i>Note: Skills and qualifications may include higher education qualifications (generally provided by universities and by other higher education institutions such as Technical and Further Education institutes and Registered Training Organisations) in either science, environmental engineering, environmental management or an equivalent field and including knowledge and experience in noise and vibration assessment and management.</i> | Yes | Yes | Yes | Yes | Yes |
| A25 | The Proponent may engage more than one ER for the SSI, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the SSI. | Yes | Yes | Yes | Yes | Yes |
| A26 | For the duration of works and 12 months after the commencement of operation, or as agreed with the Planning Secretary, the approved ER must: (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the SSI; (b) consider and inform the Planning Secretary on matters specified in the terms of this approval; (c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impacts to the environment and to the community; (d) review documents identified in Conditions C1, C4 and C9 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so: (i) Make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary / Department for information or are not required to be submitted to the Planning Secretary / Department); (e) regularly monitor the implementation of the documents listed in Conditions C1, C4 and C9 to ensure implementation is being carried out in accordance with the document and the terms of this approval; (f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the SSI commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under Condition A35 of this approval; (g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints; (h) assess the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities as required by Condition A19 of this approval; (i) undertake the functions as required under the terms of this approval; (j) consider any minor amendments to be made to the CEMP, CEMP Sub-plans and monitoring programs that comprise updating or are of an administrative nature and are consistent with the terms of this approval and the CEMP, CEMP Sub-plans and monitoring programs approved by the Planning Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval; and (k) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven days following the end of each month for the duration of the ER's engagement for the SSI. | Yes | Yes | Yes | Yes | Yes |

| | | | | | | |
|--|---|-----|-----|-----|-----|-----|
| A27 | The Proponent must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in Condition A26 (including preparation of the ER monthly report), as well as: (a) the complaints register (to be provided on a daily basis); and (b) a copy of any assessment carried out by the Proponent to determine whether proposed work is consistent with the approval (which must be provided to the ER before the commencement of the subject work). | Yes | Yes | Yes | Yes | Yes |
| A28 | The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under Condition A26 . The Proponent must: (a) facilitate and assist the Planning Secretary in any such audit; and (b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit. | Yes | Yes | Yes | Yes | Yes |
| COMPLIANCE MONITORING AND REPORTING PROGRAM | | | | | | |
| A29 | No later than four (4) weeks before the commencement of any work, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting - Post Approval Requirements (DPE, 2018) must be endorsed by the ER and submitted to the Planning Secretary for information. | Yes | Yes | Yes | Yes | Yes |
| A30 | Compliance Reports of the SSI must be prepared and carried out in accordance with the Compliance Reporting - Post Approval Requirements (DPE 2018). The Department must be notified of the commencement dates of construction and operation of the SSI in the pre-construction and pre-operational compliance reports. | Yes | Yes | Yes | Yes | Yes |
| A31 | The compliance report must provide details of any review of, and minor amendments made to, the CEMP (which must be approved by the ER), resulting from construction carried out during the reporting period. | Yes | Yes | Yes | Yes | Yes |
| A32 | The Proponent must make each compliance report publicly available and notify the Department in writing when this has been done. | Yes | Yes | Yes | Yes | Yes |
| A33 | The Compliance Monitoring and Reporting Program in the form required under Condition A29 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 Planning Secretary based on the outcomes of independent audits, Environmental Representative Reports and regular compliance reviews submitted through Compliance Reports. If staged operation is proposed, or operation is commenced of part of the SSI, the Compliance Monitoring and Reporting Program must be implemented for the relevant period of each stage or part of the SSI. | Yes | Yes | Yes | Yes | Yes |
| AUDITING | | | | | | |
| A34 | No later than four (4) weeks before the date notified for the commencement of construction (in the preconstruction compliance report), an Independent Audit Program prepared in accordance with the Independent Audit - Post Approval Requirements (DPE 2018) must be submitted to the Planning Secretary | No | Yes | Yes | Yes | Yes |
| A35 | Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department under Condition A34 of this approval; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit - Post Approval Requirements (DPE 2018). | No | Yes | Yes | Yes | Yes |
| A36 | In accordance with the specific requirements in the Independent Audit Requirements (DPE 2018), the Proponent must: (a) review and respond to each Independent Audit Report prepared under Condition A35 of this approval; (b) submit the response to the Department; and (c) make each Independent Audit Report and response to it publicly available and notify the Department in writing when this has been done. | No | Yes | Yes | Yes | Yes |
| INCIDENT NOTIFICATION AND REPORTING | | | | | | |
| A37 | The Planning Secretary must be notified via the Major Projects website immediately after the Proponent becomes aware of an incident. The notification must identify the SSI (including the application number and the name of the SSI if it has one), and set out the date, location and nature of the incident. | Yes | Yes | Yes | No | No |
| A38 | Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix A of this approval. | Yes | Yes | Yes | No | No |

PART B - COMMUNITY INFORMATION AND REPORTING

COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

COMMUNICATION STRATEGY

| | | | | | | |
|----|---|-----|-----|-----|-----|-----|
| B1 | A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Proponent, the ER, relevant public authorities and the community (including adjoining affected landowners and occupiers, and others directly impacted by the SSI), during the design and works associated with the SSI and for a minimum period of 12 months following the completion of construction of the SSI. | Yes | Yes | Yes | Yes | Yes |
| B2 | The Community Communication Strategy must: (a) identify people and organisations to be consulted during the design and work phases; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the SSI including use of construction hoardings to provide information regarding construction. The information to be distributed must include information regarding current site construction activities, schedules and milestones at each construction site; (c) identify opportunities and make provision for the community to visit construction sites (taking into consideration workplace, health and safety requirements); (d) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant communities; and (e) set out procedures and mechanisms: (i) through which the community can discuss or provide feedback to the Proponent; (ii) through which the Proponent will respond to enquiries or feedback from the community; and (iii) to resolve any issues or disputes that may arise in relation to construction of the SSI, including disputes regarding rectification or compensation. | Yes | Yes | Yes | Yes | Yes |
| B3 | The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than one month before commencement of any work. | Yes | Yes | Yes | Yes | Yes |
| B4 | Work for the purposes of the SSI must not commence until the Community Communication Strategy has been approved by the Planning Secretary. | Yes | Yes | Yes | Yes | Yes |
| B5 | The Community Communication Strategy , as approved by the Planning Secretary, must be implemented for the duration of the works and for a period of 12 months following the completion of construction. | Yes | Yes | Yes | Yes | Yes |

COMPLAINTS MANAGEMENT SYSTEM

| | | | | | | |
|----|---|-----|-----|-----|-----|-----|
| B6 | A Complaints Management System must be prepared and implemented before the commencement of any work and maintained for the duration of construction and for a minimum of 12 months following completion of the SSI. | Yes | Yes | Yes | Yes | Yes |
| B7 | The following must be available, to facilitate community enquiries and manage complaints, one (1) month before the commencement of work and for 12 months following the completion of construction: (a) a 24- hour telephone number for the registration of complaints and enquiries about the SSI; (b) a postal address to which written complaints and enquires may be sent; (c) an email address to which electronic complaints and enquiries may be transmitted; and (d) a mediation system for complaints unable to be resolved (including access to an independent mediation process and mediator). This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level. The Complaints Management System must be provided to the Planning Secretary prior to any work commencing. | Yes | Yes | Yes | Yes | Yes |
| B8 | The telephone number, postal address and email address required under Condition B7 of this approval must be published in a newspaper circulating in the relevant local area and advertised on site hoardings at each construction site, before the commencement of any works and published in the same way before the commencement of operation. This information must also be provided on the website required under Condition B13 of this approval. | Yes | Yes | Yes | Yes | Yes |

| | | | | | | |
|---|---|-----|-----|-----|-----|-----|
| B9 | <p>A Complaints Register must be maintained recording information on all complaints received about the SSI during the carrying out of any work and for a minimum period of 12 months following the completion of construction. The Complaints Register must record the:</p> <p>(a) number of complaints received;</p> <p>(b) number of people affected in relation to a complaint; and</p> <p>(c) means by which the complaint was addressed and whether resolution was reached, with or without mediation.</p> | Yes | Yes | Yes | Yes | Yes |
| B10 | <p>The Complaints Register must be provided to the Planning Secretary upon request, within the timeframe stated in the request, and made available to the ER on a daily basis.</p> | Yes | Yes | Yes | Yes | Yes |
| B11 | <p>The independent mediation process required under Condition B7(d) must detail how members of the public, who are not satisfied by the Proponent's response to a complaint, has the ability to have the Proponent's response reviewed.</p> <p>Any application made under the independent mediation process for a review of a community complaint must be responded to within 28 days of the request being made or other specified timeframe agreed with the member of the public.</p> | Yes | Yes | Yes | Yes | Yes |
| B12 | <p>The independent mediation process required under Condition B7(d) must:</p> <p>(a) Review any unresolved disputes if the procedures and mechanisms under Condition B2(e)(iii) do not satisfactorily address complaints; and</p> <p>(b) Make recommendations to the Proponent to satisfactorily address complaints, resolve disputes or mitigate against the occurrence of future complaints or disputes.</p> | Yes | Yes | Yes | Yes | Yes |
| PROVISION OF ELECTRONIC INFORMATION | | | | | | |
| B13 | <p>A website providing information in relation to the SSI must be established before commencement of works and maintained for the duration of work, and for a minimum of 24 months following the completion of construction of the SSI. Up-to-date information (excluding confidential, private, commercial information, or other documents as agreed to by the Planning Secretary) must be published before the relevant works commencing and maintained on the website or dedicated pages including:</p> <p>(a) information on the current implementation status of the SSI;</p> <p>(b) a copy of the documents listed in Condition A1 and Condition A2 of this approval, and any documentation relating to any modifications made to the SSI or the terms of this approval;</p> <p>(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;</p> <p>(d) a copy of each statutory approval, licence or permit required and obtained in relation to the SSI;</p> <p>(e) a current copy of each document required under the terms of this approval, which must be published before the commencement of any work to which they relate or before their implementation, as the case may be; and</p> <p>(f) a copy of the compliance reports required under Conditions A30 and independent audit reports under Condition A36 of this approval.</p> | Yes | Yes | Yes | Yes | Yes |
| PART C - CONSTRUCTION ENVIRONMENTAL MANAGEMENT | | | | | | |
| CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN | | | | | | |
| C1 | <p>A Construction Environmental Management Plan (CEMP) must be prepared to detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 will be implemented and achieved during construction.</p> | No | No | Yes | No | No |

| C2 | <p>The CEMP must provide:</p> <p>(a) a description of activities to be undertaken during construction (including the scheduling of construction);</p> <p>(b) details of environmental policies, guidelines and principles to be followed in the construction of the SSI;(c) 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;</p> <p>(d) details of how the activities described in subsection (a) of this condition will be carried out to:</p> <p>(i) meet the performance outcomes stated in the documents listed in Condition A1; and</p> <p>(ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition;(e) an inspection program detailing the activities to be inspected and frequency of inspections; (f) a protocol for managing and reporting any:</p> <p>(i) incidents; and</p> <p>(ii) non-compliances with this approval or statutory requirements;</p> <p>(g) procedures for rectifying any non-compliance with this approval identified during compliance reporting and auditing, incident management or at any time during construction;</p> <p>(h) a list of all the CEMP Sub-plans required in respect of construction, as set out in Condition C4. Where staged construction of the SSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction;</p> <p>(i) a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER;</p> <p>(j) 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</p> <p>(k) for periodic review and update of the CEMP and all associated plans and programs.</p> | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|----|-----|----|------------------------|--|-----|-----------------------|--|-----|---------------------|--|-----|-----------------|------------------------------------|-----|-------------|--|-----|----------------|--|-----|------------------------------|--|-----|------------------|------------------|----|----|-----|----|----|
| C3 | The CEMP must be endorsed by the ER and then submitted to the Planning Secretary for approval no later than one month before the commencement of construction. | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C4 | <p>The following CEMP Sub-plans must be prepared in consultation with the relevant public authorities identified for each CEMP Sub-plan:</p> <p style="text-align: center;">Table 3. CEMP Sub-plan and relevant public authorities</p> <table border="1"> <thead> <tr> <th colspan="3">Table 3: CEMP Sub-plan and relevant public authorities</th> </tr> <tr> <th></th> <th>Required CEMP Sub-plan</th> <th>Relevant public authorities to be consulted for each CEMP Sub-plan</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td>Traffic and transport</td> <td>Relevant council and Health Administration Corporation</td> </tr> <tr> <td>(b)</td> <td>Noise and vibration</td> <td>Relevant council and Health Administration Corporation</td> </tr> <tr> <td>(c)</td> <td>Flora and Fauna</td> <td>DPI Fisheries and Relevant council</td> </tr> <tr> <td>(d)</td> <td>Air quality</td> <td>Relevant council and Health Administration Corporation</td> </tr> <tr> <td>(e)</td> <td>Soil and water</td> <td>Relevant council, DPI Fisheries and DPE Water,</td> </tr> <tr> <td>(f)</td> <td>Aboriginal cultural heritage</td> <td>Heritage NSW and Registered Aboriginal Parties</td> </tr> <tr> <td>(g)</td> <td>Flood management</td> <td>Relevant council</td> </tr> </tbody> </table> | Table 3: CEMP Sub-plan and relevant public authorities | | | | Required CEMP Sub-plan | Relevant public authorities to be consulted for each CEMP Sub-plan | (a) | Traffic and transport | Relevant council and Health Administration Corporation | (b) | Noise and vibration | Relevant council and Health Administration Corporation | (c) | Flora and Fauna | DPI Fisheries and Relevant council | (d) | Air quality | Relevant council and Health Administration Corporation | (e) | Soil and water | Relevant council, DPI Fisheries and DPE Water, | (f) | Aboriginal cultural heritage | Heritage NSW and Registered Aboriginal Parties | (g) | Flood management | Relevant council | No | No | Yes | No | No |
| Table 3: CEMP Sub-plan and relevant public authorities | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Required CEMP Sub-plan | Relevant public authorities to be consulted for each CEMP Sub-plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (a) | Traffic and transport | Relevant council and Health Administration Corporation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (b) | Noise and vibration | Relevant council and Health Administration Corporation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (c) | Flora and Fauna | DPI Fisheries and Relevant council | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (d) | Air quality | Relevant council and Health Administration Corporation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (e) | Soil and water | Relevant council, DPI Fisheries and DPE Water, | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (f) | Aboriginal cultural heritage | Heritage NSW and Registered Aboriginal Parties | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (g) | Flood management | Relevant council | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C5 | <p>The CEMP Sub-plans must state how:</p> <p>(a) the environmental performance outcomes identified in the documents listed in Condition A1 and terms of this approval will be achieved;</p> <p>(b) the mitigation measures identified in the documents listed in Condition A1 and terms of this approval will be implemented;</p> <p>(c) the relevant terms of this approval will be complied with; and</p> <p>(d) issues requiring management during construction, as identified through ongoing environmental risk analysis, will be managed</p> | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C6 | The CEMP Sub-plans must be developed in consultation with the relevant public authorities specified in Table 3 . Details of all information requested by an authority to be included in a CEMP Sub-plan as a result of consultation, including copies of all correspondence from those authorities, must be provided with the relevant CEMP Sub-Plan . | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C7 | Any of the CEMP Sub-plans may be submitted along with, or subsequent to, the submission of the CEMP but in any event, no later than one (1) month before construction for approval by the Planning Secretary. | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| C8 | Construction must not commence until the CEMP and all CEMP Sub-plans have been approved by the Planning Secretary, or otherwise agreed by the Planning Secretary. The CEMP and CEMP Sub-plans , as approved by the Planning Secretary, including any minor amendments approved by the ER must be implemented for the duration of construction. Where construction of the SSI is staged, construction of a stage must not commence until the CEMP and sub-plans for that stage have been approved by the Planning Secretary. | No | No | Yes | No | No | | | | | | | | | | | | | | | |
|--|---|---|---|---|-----|----------------------------------|---|-----|-------------|--|-----|---------------------|--|-----|-----------------|---|--|--|--|--|--|
| CONSTRUCTION MONITORING PROGRAMS | | | | | | | | | | | | | | | | | | | | | |
| C9 | The following Construction Monitoring Programs must be prepared in consultation with the relevant public authorities identified for each to compare actual performance of construction of the SSI against the performance predicted in the in the documents listed in Condition A1 or in the CEMP : Table 4: Construction Monitoring and relevant public authorities | No | No | Yes | No | No | | | | | | | | | | | | | | | |
| | Table 4: Construction Monitoring and relevant public authorities | | | | | | | | | | | | | | | | | | | | |
| | <table border="1"> <thead> <tr> <th></th> <th>Required Construction Monitoring Programs</th> <th>Relevant public authorities to be consulted Construction Monitoring Program</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td>Surface and Ground Water Quality</td> <td>DPI Fisheries, DPE Water and Relevant council</td> </tr> <tr> <td>(b)</td> <td>Air Quality</td> <td>Relevant council and Health Administration Co</td> </tr> <tr> <td>(c)</td> <td>Noise and vibration</td> <td>Relevant council and Health Administration Co</td> </tr> <tr> <td>(e)</td> <td>Flora and fauna</td> <td>DPI Fisheries and Relevant council</td> </tr> </tbody> </table> | | Required Construction Monitoring Programs | Relevant public authorities to be consulted Construction Monitoring Program | (a) | Surface and Ground Water Quality | DPI Fisheries, DPE Water and Relevant council | (b) | Air Quality | Relevant council and Health Administration Co | (c) | Noise and vibration | Relevant council and Health Administration Co | (e) | Flora and fauna | DPI Fisheries and Relevant council | | | | | |
| | Required Construction Monitoring Programs | Relevant public authorities to be consulted Construction Monitoring Program | | | | | | | | | | | | | | | | | | | |
| (a) | Surface and Ground Water Quality | DPI Fisheries, DPE Water and Relevant council | | | | | | | | | | | | | | | | | | | |
| (b) | Air Quality | Relevant council and Health Administration Co | | | | | | | | | | | | | | | | | | | |
| (c) | Noise and vibration | Relevant council and Health Administration Co | | | | | | | | | | | | | | | | | | | |
| (e) | Flora and fauna | DPI Fisheries and Relevant council | | | | | | | | | | | | | | | | | | | |
| C10 | Each Construction Monitoring Program must provide: (a) details of baseline data available; (b) details of baseline data to be obtained and when; (c) the parameters of the project to be monitored; (d) the frequency of monitoring to be undertaken; (e) the location of monitoring; (f) the reporting of monitoring results; (g) procedures to identify and implement additional or alternative mitigation measures where results of monitoring are unsatisfactory; and (h) any consultation to be undertaken in relation to the monitoring programs. | No | No | Yes | No | No | | | | | | | | | | | | | | | |
| C11 | The Construction Monitoring Programs must be developed in consultation with the relevant public authorities specified in Table 4 . Where an authority's request(s) has not been included in the Monitoring Program, the Proponent must provide justification to the Planning Secretary as to why it was not included. Details of all information requested by an authority including copies of all correspondence from those authorities, must be provided with the relevant Construction Monitoring Program . | No | No | Yes | No | No | | | | | | | | | | | | | | | |
| C12 | The Construction Monitoring Programs must be endorsed by the ER and then submitted to the Planning Secretary for approval at least one (1) month before the commencement of construction. | No | No | Yes | No | No | | | | | | | | | | | | | | | |
| C13 | Construction must not commence until the Planning Secretary has approved, or as otherwise agreed by the Planning Secretary, all the required Construction Monitoring Programs , and all relevant baseline data for the specific construction activity has been collected. | No | No | Yes | No | No | | | | | | | | | | | | | | | |
| C14 | The Construction Monitoring Programs , as approved by the Planning Secretary including any minor amendments approved by the ER must be implemented for the duration of construction and for any longer period set out in the monitoring program or specified by the Planning Secretary, whichever is the greater. | No | No | Yes | No | No | | | | | | | | | | | | | | | |
| C15 | The results of the Construction Monitoring Programs must be submitted to the Planning Secretary, and relevant public authorities for information, in the form of a Construction Monitoring Report at the frequency identified in the relevant Construction Monitoring Program . Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan . | No | No | Yes | No | No | | | | | | | | | | | | | | | |
| PART D - OPERATIONAL ENVIRONMENTAL MANAGEMENT | | | | | | | | | | | | | | | | | | | | | |
| OPERATIONAL ENVIRONMENTAL MANAGEMENT | | | | | | | | | | | | | | | | | | | | | |
| D1 | An Operational Environmental Management Plan (OEMP) must be prepared to detail how the performance outcomes, commitments and mitigation measures made in the documents listed in Condition A1 and the terms of this approval will be implemented and achieved during operation. This condition (Condition D1) does not apply if Condition D2 of this approval applies. | No | No | Yes | No | Yes | | | | | | | | | | | | | | | |

| D2 | An OEMP is not required for the SSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Planning Secretary, and demonstrates, to the satisfaction of the Planning Secretary, that through the EMS or equivalent: (a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in Condition A1 and specified relevant terms of this approval can be achieved; (b) issues identified through ongoing risk analysis can be managed; and (c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation. | No | No | Yes | No | Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|-------------------|--|-------------------|--------------------------|-----|--|--|---|-------|---|---|-----|--|---|-----|--|---|-------|---|---|-----|---|--|-------|------------------------|--|--|------------------|--|--------|--|--|--|--|--|
| D3 | The OEMP or EMS or equivalent as agreed with the Planning Secretary, must be submitted to the Planning Secretary for information no later than one (1) month prior to the commencement of operation. | No | No | Yes | No | Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| D4 | The OEMP or EMS or equivalent as agreed to the Planning Secretary and amended from time to time, must be implemented for the duration of operation and the OEMP or EMS must be made publicly available before the commencement of operation. | No | No | Yes | No | Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PART E - KEY ISSUE CONDITIONS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AIR QUALITY | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| E1 | In addition to the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 , all reasonably practicable measures must be implemented to minimise the emission of dust and other air pollutants from work associated with the SSI. | Yes | Yes | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| BIODIVERSITY | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| E2 | Any work associated with the SSI must limit the clearing of native vegetation to the greatest extent practicable. | Yes | Yes | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| E3 | Impacts to plant community types must not exceed those identified in the documents listed in Condition A1 . | Yes | Yes | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| E4 | The Biodiversity Offset Strategy (BOS) detailed in the documents listed in Condition A1 must be implemented. The credits specified in the BOS and detailed in Table 5 must be secured within 12 months of the commencement of construction, or as otherwise agreed to the Planning Secretary. The credits must be retired within 12 months of the securing the credits, or in a time frame agreed to by the Planning Secretary. | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>Credit Type</th> <th>EPBC Act equivalent EEC or habitat of EPBC Act listed threatened species</th> <th>Number of Credits</th> </tr> </thead> <tbody> <tr> <td colspan="3"><i>Ecosystem Credits</i></td> </tr> <tr> <td>HU833 (PCT 1619) – Smooth-barked Apple – Red Bloodwood – Brown Stringybark – Hairpin Banksia healthy open forest of coastal lowlands</td> <td>Grey-headed Flying-fox (foraging habitat)</td> <td>1,182</td> </tr> <tr> <td>HU782 (PCT 1569) – Blackbutt – Turpentine – Sydney Blue Gum mesic tall open forest on ranges of the Central Coast</td> <td>Grey-headed Flying-fox (foraging habitat)</td> <td>337</td> </tr> <tr> <td>HU806 (PCT 1592) – Spotted Gum – Red Ironbark – Grey Gum shrub – grass open forest on the Lower Hunter</td> <td>Grey-headed Flying-fox (foraging habitat)</td> <td>399</td> </tr> <tr> <td>HU804 (PCT 1590) – Spotted Gum – Broad-leaved Mahogany – Red Ironbark shrubby open forest*</td> <td>Grey-headed Flying-fox (foraging habitat)</td> <td>1,098</td> </tr> <tr> <td>HU841 (PCT 1627) – Smooth-barked Apple – Turpentine – Sydney Peppermint healthy woodland on sandstone ranges of the Central Coast</td> <td>Grey-headed Flying-fox (foraging habitat)</td> <td>228</td> </tr> <tr> <td colspan="2">Total ecosystem credits required for offsetting</td> <td>3,244</td> </tr> <tr> <td colspan="3"><i>Species Credits</i></td> </tr> <tr> <td colspan="2">Black-eyed Susan</td> <td>12,690</td> </tr> </tbody> </table> <p><i>Note: Credits have been calculated using the Framework for Biodiversity Assessment.</i></p> | | Credit Type | EPBC Act equivalent EEC or habitat of EPBC Act listed threatened species | Number of Credits | <i>Ecosystem Credits</i> | | | HU833 (PCT 1619) – Smooth-barked Apple – Red Bloodwood – Brown Stringybark – Hairpin Banksia healthy open forest of coastal lowlands | Grey-headed Flying-fox (foraging habitat) | 1,182 | HU782 (PCT 1569) – Blackbutt – Turpentine – Sydney Blue Gum mesic tall open forest on ranges of the Central Coast | Grey-headed Flying-fox (foraging habitat) | 337 | HU806 (PCT 1592) – Spotted Gum – Red Ironbark – Grey Gum shrub – grass open forest on the Lower Hunter | Grey-headed Flying-fox (foraging habitat) | 399 | HU804 (PCT 1590) – Spotted Gum – Broad-leaved Mahogany – Red Ironbark shrubby open forest* | Grey-headed Flying-fox (foraging habitat) | 1,098 | HU841 (PCT 1627) – Smooth-barked Apple – Turpentine – Sydney Peppermint healthy woodland on sandstone ranges of the Central Coast | Grey-headed Flying-fox (foraging habitat) | 228 | Total ecosystem credits required for offsetting | | 3,244 | <i>Species Credits</i> | | | Black-eyed Susan | | 12,690 | | | | | |
| Credit Type | EPBC Act equivalent EEC or habitat of EPBC Act listed threatened species | Number of Credits | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Ecosystem Credits</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HU833 (PCT 1619) – Smooth-barked Apple – Red Bloodwood – Brown Stringybark – Hairpin Banksia healthy open forest of coastal lowlands | Grey-headed Flying-fox (foraging habitat) | 1,182 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HU782 (PCT 1569) – Blackbutt – Turpentine – Sydney Blue Gum mesic tall open forest on ranges of the Central Coast | Grey-headed Flying-fox (foraging habitat) | 337 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HU806 (PCT 1592) – Spotted Gum – Red Ironbark – Grey Gum shrub – grass open forest on the Lower Hunter | Grey-headed Flying-fox (foraging habitat) | 399 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HU804 (PCT 1590) – Spotted Gum – Broad-leaved Mahogany – Red Ironbark shrubby open forest* | Grey-headed Flying-fox (foraging habitat) | 1,098 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HU841 (PCT 1627) – Smooth-barked Apple – Turpentine – Sydney Peppermint healthy woodland on sandstone ranges of the Central Coast | Grey-headed Flying-fox (foraging habitat) | 228 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total ecosystem credits required for offsetting | | 3,244 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Species Credits</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Black-eyed Susan | | 12,690 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| E5 | The Proponent must submit to the Planning Secretary a copy of the Credit Retirement Report issued by the BCD (once the offsets are secured), within one month of receiving the report. | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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|-----------------------------|---|-----|-----|-----|----|----|
| E6 | Plant community types that provide habitat for impacted EPBC Act threatened species must be retired in a manner that achieves "like-for-like" habitat for the species. | No | No | Yes | No | No |
| E7 | The offsetting of biodiversity impacts must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> (OEH, 2014) and can be achieved by: (a) acquiring and retiring "biodiversity credits" within the meaning of the <i>Biodiversity Conservation Act 2016</i> ; and/or (b) making payments to an offset fund developed by the NSW Government; and/or (c) providing supplementary measures. <i>Notes:</i> 1. <i>Following repeal of the Threatened Species Conservation Act 1995 on 25 August 2017, "biodiversity credits" created under that Act are taken to be "biodiversity credits" under the Biodiversity Conservation Act 2016 by virtue of clause 19 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</i> 2. <i>Any residual impact on EPBC Act listed threatened species and ecological communities must be offset in accordance with an offset process endorsed by the DAWE.</i> | No | No | Yes | No | No |
| E8 | Prior to work that impacts native vegetation the Proponent must consult with local community, landcare groups and relevant public authorities to determine if there is an interest for the reuse of suitable timber and root balls in habitat enhancement and rehabilitation work. Timber and root balls must be retained from the project where there is a demonstrated demand for their reuse. | Yes | Yes | Yes | No | No |
| E9 | The construction of the SSI must demonstrate how: (a) EPBC Act listed threatened species and ecological communities are protected; (b) noxious weeds are managed; and (c) contamination by pathogens, non-indigenous regenerative plant material and seeds can be prevented by the movement of all tools, vehicles, machinery and personnel. Note: These additional requirements must be addressed in the Flora and Fauna Management Sub-plan required under Table 3(c) | No | Yes | Yes | No | No |
| PRE-CLEARING SURVEYS | | | | | | |
| E10 | Before the removal of any vegetation, or the demolition of structure identified as potential roosting sites for microbats commences, pre-clearing/demolition inspections for the threatened species must be undertaken. The inspections, and any subsequent relocation of fauna and associated management/offset measures, must be undertaken under the guidance of a suitably qualified and experienced ecologist. Survey and relocation methodologies must be incorporated into the Construction Flora and Fauna Management Sub-plan required under Condition C4 and the documents required under Condition A9 in relation to Bridge 7 . | No | Yes | Yes | No | No |
| E11 | The SSI must be designed to retain as many trees as possible in Jesmond Park. Where trees are to be removed and those trees are not required to be offset under Condition E4 , the proponent must provide a net increase in the number of replacement trees. Replacement trees must be planted within an on public land within 500 metres of the SSI boundary. Replacement tree planting may be undertaken beyond 500 metres on public land within the relevant council area if planting within 500 metres of the SSI boundary is not practicable. The location of the replacement tree plantings must be determined in consultation with relevant council , and undertaken prior to the commencement of operation. | No | Yes | Yes | No | No |
| E11A | The SSI must not impact street trees in the Peatties Road reservation between Charlestown Road and 5 metres past the Peatties Road ancillary facility entry/exit point, unless the work is required for: (a) the construction of the footpath required under Condition E71A; (b) vehicular access to the Peatties Road ancillary facility; (c) bushfire requirements; and (d) traffic safety requirements. Where trees are to be removed and those trees are not required to be offset under Condition E4, the Proponent must provide a net increase in the number of replacement trees. The replacement trees must be planted along or adjoining Peatties Road in consultation with City of Newcastle. | No | No | Yes | No | No |

| FLOODING | | | | | | |
|----------------------------------|--|-----|-----|-----|----|----|
| E12 | Measures to manage pre-existing flood characteristics must be incorporated into the detailed design of the SSI, following consultation with directly affected landowners, NSW State Emergency Service (SES) and City of Newcastle . | No | No | Yes | No | No |
| E13 | Flood information including flood reports, models and geographic information system outputs, and works as executed information from a registered surveyor certifying finished ground levels and the dimensions and finished levels of all structures within the flood prone land, must be provided to City of Newcastle , BCD and the SES in order to assist in preparing relevant documents and to reflect changes in flood behaviour as a result of the SSI. The City of Newcastle , BCD and the SES must be notified in writing no later than one month following the completion of construction that the information is available. Information requested by the City of Newcastle , BCD or the SES must be provided no later than six months following the completion of construction or within another timeframe agreed with the City of Newcastle , BCD and the SES. | No | No | Yes | No | No |
| HERITAGE | | | | | | |
| E14 | An Unexpected Heritage Finds and Human Remains Procedure must be prepared to manage unexpected Aboriginal and Non aboriginal heritage finds in accordance with any guidelines and standards prepared by the Heritage Council of NSW and Heritage NSW . | Yes | Yes | Yes | No | No |
| E15 | The Unexpected Heritage Finds and Human Remains Procedure must be prepared by a suitably qualified and experienced heritage specialist in consultation with Heritage NSW and the Heritage Council of NSW (or its delegate) and submitted to the Planning Secretary for information no later than one (1) month before the commencement of any work. | Yes | Yes | Yes | No | No |
| E16 | The Unexpected Heritage Finds and Human Remains Procedure , as submitted to the Planning Secretary, must be implemented for the duration of work. <i>Note: Human remains that are found unexpectedly during works are under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</i> | Yes | Yes | Yes | No | No |
| ABORIGINAL CULTURAL HERITAGE | | | | | | |
| E17 | The surface salvage of sites RP2J AFT3, RP2J AFT 4, RP2J IF 1 and RP2J IF 2, and the subsurface salvage of RP2J AFT3, must be undertaken in accordance with the salvage methodology described in the <i>SPIR, Appendix H - Technical Paper 10 – Aboriginal Cultural Heritage Assessment Report, April 2018</i> . | Yes | No | Yes | No | No |
| E18 | The management of any salvaged of Aboriginal objects must be undertaken in accordance with the documents identified in Condition A1 and in consultation with the Registered Aboriginal Parties. | Yes | No | Yes | No | No |
| E19 | Following completion of salvage of Aboriginal objects (Conditions E17), the Proponent must prepare a Cultural Heritage Salvage Report which includes details of any archival recording, further archaeological research either undertaken or to be carried out, and archaeological excavations (with artefact analysis and identification of a final repository for finds), must be prepared in accordance with any guidelines and standards required by Heritage NSW . | Yes | No | Yes | No | No |
| E20 | The Cultural Heritage Salvage Report must be submitted to the Planning Secretary, Heritage NSW , relevant councils and RAPs, where relevant, for information no later than 12 months after the completion of the salvage work referred to in Condition E17 . | Yes | No | Yes | No | No |
| NON-ABORIGINAL CULTURAL HERITAGE | | | | | | |
| E21 | Before any direct impact on the Hollywood shanty town site and the Wallsend Plattsburg tramway, the Proponent must engage a suitably qualified archaeologist whose experience complies with the <i>Heritage Council of NSW's Criteria for Assessment of Excavation Directors</i> (July, 2011) (referred to as the Excavation Director) to oversee and advise on matters associated with historic archaeology and to prepare an Historical Archaeological Research Design and Excavation Methodology generally consistent with the documents listed in Condition A1 . | Yes | No | Yes | No | No |

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|----------------------------|--|-----|-----|-----|----|----|
| E22 | <p>The investigation and salvage of the Hollywood shanty town site and the Wallsend Plattsburg tramway heritage items must be undertaken in accordance with the Historical Archaeological Research Design and Excavation Methodology. The Proponent must submit the Historical Archaeological Research Design and Excavation Methodology to the relevant council for review and comment prior to finalisation. The Historical Archaeological Research Design and Excavation Methodology must:</p> <p>(a) be consistent with the documents listed in Condition A1 and <i>NSW Heritage Council's Archaeological Assessments Guideline (1996)</i> or as updated; (b) provide for the detailed analysis of any heritage items discovered during the investigations; (c) include management options for discovered heritage items, whether known or unexpected finds (including options for avoidance, salvage, relocation and display); (d) for unexpected finds that are determined to be relics, set out the assessment process that will determine an appropriate archaeological response to managing their significance; (e) include procedures for notifying the Planning Secretary and Newcastle City Council of any relic findings; and (f) if the findings of the investigations are significant, provide for the preparation and implementation of a Heritage Interpretation Plan, as required under Condition E24.</p> | Yes | No | Yes | No | No |
| E23 | <p>The Proponent must prepare an Archaeological Excavation Report containing the findings of any excavations, including artefact analysis and the identification of a final repository of any finds. The report must be submitted to the Planning Secretary within 12 months of completing all archaeological investigations. The Archaeological Excavation Report must also be submitted to Newcastle City Council, the local library and the local Historical Society.</p> | Yes | No | Yes | No | No |
| E24 | <p>The Proponent must prepare a Heritage Interpretation Plan which identifies and interprets the key heritage values and stories of heritage items and heritage conservation areas impacted by the SSI. The Heritage Interpretation Plan must include, but not be limited to:</p> <p>(a) a discussion of the key interpretive themes, stories and messages proposed to interpret the history and significance of the affected heritage items and sections of heritage conservation areas including, but not limited to, Hollywood shanty town site and the Wallsend Plattsburg tramway in Jesmond Park; and (b) identification and confirmation of interpretive initiatives implemented to mitigate impacts to archaeological relics, heritage items and conservation areas affected by the SSI.</p> <p>The Heritage Interpretation Plan must be prepared in consultation with the relevant council. A copy of the Plan must be provided to the Planning Secretary, relevant council, the local library and the local Historical Society, before operation of the SSI commences.</p> | Yes | No | Yes | No | No |
| NOISE AND VIBRATION | | | | | | |
| LAND USE SURVEY | | | | | | |
| E25 | <p>A detailed land use survey must be undertaken to confirm sensitive receivers and landuses (including critical working areas such as operating theatres and precision laboratories) potentially exposed to construction noise and vibration, construction ground-borne noise and operational noise. The survey may be undertaken on a progressive basis but must be undertaken in any one area before the commencement of works which generate audible construction or operational noise, or do not meet safe working buffer distances for vibration or ground-borne noise in that area. With the exception of works associated with Bridge 7, the results of the survey must be included in the Noise and Vibration CEMP Sub-plan.</p> | No | No | Yes | No | No |
| CONSTRUCTION HOURS | | | | | | |
| E26 | <p>Work must only be undertaken during the following construction hours:</p> <p>(a) 7:00am to 6:00pm Mondays to Fridays, inclusive; (b) 8:00am to 5:00pm Saturdays; and (c) at no time on Sundays or public holidays,</p> | Yes | Yes | Yes | No | No |

| VARIATION TO WORKS HOURS | | | | | | |
|-----------------------------|---|-----|-----|-----|----|----|
| E27 | <p>Notwithstanding Conditions E26 and E30 work may be undertaken outside the hours specified, in the following circumstances:</p> <p>(a) for the delivery of materials where required by the NSW Police Force or other authority for safety reasons; or (b) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm; or (c) where different construction hours are permitted or required under an EPL in force in respect of the SSI; or (d) work approved under an Out-of-Hours Work Protocol or Out Of Hours Works Management Process or equivalent (for work not subject to an EPL), under Condition E31; or (e) work that causes:</p> <p>(i) no more than 5 db(A) above the rating background level at any residence in accordance with the <i>Interim Construction Noise Guideline</i> (DECC, 2009), and (ii) no more than the 'Noise affected' noise management levels specified in Table 3 of the <i>Interim Construction Noise Guideline</i> (DECC, 2009) at other sensitive land uses, and (iii) continuous or impulsive vibration values, measured at the most affected residence are no more than the maximum values for human exposure to vibration, specified in Table 2.2 of <i>Assessing Vibration: a technical guideline</i> (DEC, 2006), and (iv) intermittent vibration values measured at the most affected residence are no more than the maximum values for human exposure to vibration, specified in Table 2.4 of <i>Assessing Vibration: a technical guideline</i> (DEC, 2006).</p> <p><i>Note: Section 5.24(1)(e) of the EP&A Act requires that an EPL be substantially consistent with this approval.</i></p> | Yes | Yes | Yes | No | No |
| E28 | <p>On becoming aware of the need for emergency work in accordance with Condition E27(b), the Proponent must notify the ER and the EPA of the reasons for such work. The Proponent must use best endeavours to notify all noise and/or vibration affected sensitive receivers of the likely impact and duration of those works.</p> | Yes | Yes | Yes | No | No |
| E29 | <p>In order to undertake out-of-hours work, the Proponent must identify appropriate respite periods for the out-of-hours works in consultation with the community at each affected location on a monthly basis. This consultation must include (but not be limited to) providing the community with:</p> <p>(a) a schedule of likely out-of-hours work for a period of no less than three (3) months in advance; (b) potential work, location and duration; (c) proposed respite periods (d) noise characteristics and likely noise and vibration levels; and (e) likely mitigation and management measures.</p> <p>The outcomes of the community consultation, the identified respite periods and the scheduling of likely out-of-hour work must be provided to the ER, EPA and the Planning Secretary.</p> | Yes | Yes | Yes | No | No |
| HIGHLY NOISE INTENSIVE WORK | | | | | | |
| E30 | <p>Except as permitted by an EPL, highly noise intensive works exceeding 75dB(A) LAeq(15 minute) noise descriptor at a sensitive receiver must only be undertaken:</p> <p>(a) between 8:00 am to 6:00 pm Monday to Friday; (b) between 8:00 am to 1:00 pm Saturday; and (c) if continuously, then not exceeding three (3) hours, with a minimum respite from those activities and works of not less than one (1) hour.</p> <p>For the purposes of this condition, 'continuous' includes any period during which there is less than one (1) hour between ceasing and recommencing any of the work.</p> | Yes | Yes | Yes | No | No |

| OUT-OF-HOURS WORK PROTOCOL | | | | | | |
|----------------------------------|---|-----|-----|-----|----|----|
| E31 | <p>An Out-of-Hours Work Protocol must be prepared to identify a process for the consideration, management and approval of work which are outside the hours defined in Condition E26, and that are not subject to an EPL. The Protocol must be approved by the Planning Secretary before the commencement of the work. The Protocol must be prepared in consultation with the EPA and the ER. The Protocol must:</p> <p>(a) provide a process for the consideration of out-of-hours work against the relevant noise and vibration criteria, including the determination of low and high-risk activities;</p> <p>(b) provide a process for the identification of mitigation measures for residual impacts, including respite periods in consultation with the community at each affected location, consistent with the requirements of Condition E29;</p> <p>(c) identify procedures to facilitate the coordination of out-of-hours work permitted by an EPL to ensure appropriate respite is provided;</p> <p>(d) undertake a risk analysis that considers the risk of activities, proposed mitigation, management, and coordination, including where:</p> <p style="padding-left: 20px;">(i) low risk activities can be approved by the ER, and</p> <p style="padding-left: 20px;">(ii) any other activity approved by the Planning Secretary; and</p> <p>(e) identify Department, EPA and community notification arrangements for approved out of hours work, which maybe detailed in the Communication Strategy.</p> <p>The Out-of-Hours Work Protocol is not required if the Proponent has an existing Out of Hours Work Management Process or equivalent that addresses Condition E31 (a) to (e) and has been approved by the Planning Secretary prior to the commencement of work.</p> | Yes | Yes | Yes | No | No |
| UTILITY COORDINATION AND RESPITE | | | | | | |
| E32 | <p>All work undertaken for the delivery of the SSI, including that undertaken by third parties (such as utility relocation), must be coordinated to ensure respite periods are provided. The Proponent must:</p> <p>(a) schedule any work to provide respite to impacted noise sensitive receivers so that the respite is achieved in accordance with Condition E29; or</p> <p>(b) consider the provision of alternative respite or mitigation to impacted noise sensitive receivers; and</p> <p>(c) provide documentary evidence to the ER in support of any decision made by the Proponent in relation to respite or mitigation.</p> | Yes | Yes | Yes | No | No |
| NOISE AND VIBRATION MITIGATION | | | | | | |
| E33 | <p>Noise generating work in the vicinity of sensitive receivers and landuses (including community, religious, educational institutions and noise and vibration-sensitive businesses, medical facilities, and the John Hunter Hospital) resulting in noise levels above the NMLs at critical working areas (such as operating theatres and precision laboratories) must not be timetabled within sensitive periods, unless other reasonable arrangements with the affected receivers are made at no cost to the affected receivers.</p> | Yes | Yes | Yes | No | No |
| E34 | <p>Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration criteria:</p> <p>(a) construction 'Noise affected' noise management levels established using the <i>Interim Construction Noise Guideline</i> (DECC, 2009);</p> <p>(b) vibration criteria established using the <i>Assessing vibration: a technical guideline</i> (DEC, 2006) (for human exposure);</p> <p>(c) <i>Australian Standard AS 2187.2 - 2006 "Explosives - Storage and Use - Use of Explosives"</i>;</p> <p>(d) BS 7385 Part 2-1993 "<i>Evaluation and measurement for vibration in buildings Part 2</i>" as they are "applicable to Australian conditions"; and</p> <p>(e) The vibration limits set out in the <i>German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures</i> (for structural damage).</p> <p>Any work identified as exceeding the noise management levels and/or vibration criteria must be managed in accordance with the Noise and Vibration CEMP Sub-plan, including in any Out-of-Hours Work Protocol or Out of Hours Work Management Process or equivalent, required by Condition E31, and in relation to Bridge 7 the documents required by Condition A9.</p> <p><i>Note: The Interim Construction Noise Guideline identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction Noise Management Level.</i></p> | Yes | Yes | Yes | No | No |

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| E35 | <p>Mitigation measures must be applied when the following residential ground-borne noise levels are exceeded:</p> <p>(a) evening (6:00 pm to 10:00 pm) — internal LAeq(15 minute): 40 db(A); and (b) night (10:00 pm to 7:00 am) — internal LAeq(15 minute): 35 dB(A).</p> <p>The mitigation measures must be outlined in the Noise and Vibration CEMP Sub-plan, including in any Out-of-Hours Work Protocol or Out of Hours Work Management Process or equivalent, required by Condition E31, and in relation to Bridge 7 the documents required by Condition A9.</p> | Yes | Yes | Yes | No | No |
| E36 | <p>Landowner(s) and occupier(s) of properties at risk of exceeding the screening criteria for cosmetic damage must be notified before works that generate vibration commences near those properties. If the potential exceedance is to occur more than once or extend over a period of 24 hours, landowner(s) and occupier(s) must be provided a schedule of potential exceedances on a monthly basis for the duration of the potential exceedances, unless otherwise agreed by the landowner and occupier. These properties must be identified and considered in the Noise and Vibration CEMP Sub-plan, including in any Out-of-Hours Work Protocol or Out of Hours Work Management Process or equivalent, required by Condition E31, and in relation to Bridge 7 the documents required by Condition A9.</p> <p><i>Note: Condition E54 requires Pre-construction Building and Structure Condition Surveys of buildings and structures of risk of damage to be undertaken prior to the commencement of work in the vicinity of the buildings or structures.</i></p> | Yes | Yes | Yes | No | No |
| E37 | <p>The Proponent must conduct vibration testing before and during vibration generating activities that have the potential to impact on heritage items to identify minimum working distances to prevent cosmetic damage. In the event that the vibration testing and monitoring shows that the preferred values for vibration are likely to be exceeded, the Proponent must review the construction methodology and, if necessary, implement additional mitigation measures.</p> | Yes | Yes | Yes | No | No |
| NOISE MITIGATION - OPERATIONAL NOISE MITIGATION MEASURES | | | | | | |
| E38 | <p>The Proponent must prepare an Operational Noise Mitigation Review (ONMR) to confirm noise mitigation measures that would be implemented for the operation of the SSI. The ONMR must be prepared in consultation with the ER, EPA and the relevant council and must:</p> <p>(a) confirm the operational noise predictions based on the final design of the SSI. The operational noise assessment must be based on an appropriately calibrated noise model (which has incorporated additional noise monitoring, and concurrent traffic counting, where necessary for calibration purposes); (b) review the suitability of the operational noise mitigation measures identified in the documents listed in Condition A1. The review must take into consideration the detailed design of the SSI, with the objective of achieving the noise criteria outlined in the NSW Road Noise Policy (DECCW, 2011); (c) where necessary, investigate and identify additional noise mitigation measures to achieve the noise criteria outlined in the NSW Road Noise Policy (DECCW, 2011) (d) measures to address heavy vehicle compression (engine) braking noise; and (e) procedures for the management of operational noise complaints.</p> <p>The ONMR is to be verified by a suitably qualified and experienced noise and vibration expert and undertaken at the Proponent's expense. The ONMR must be submitted to the Planning Secretary for approval before the implementation of operational noise mitigation measures.</p> <p>The Proponent must implement the identified noise mitigation measures, and following its approval, make the ONMR publicly available and provide a copy to the EPA and relevant council.</p> | No | No | Yes | No | No |
| E39 | <p>Operational noise mitigation measures identified in Condition E38 that will not be physically affected by work must be implemented within six (6) months of the commencement of construction in the vicinity of the impacted receiver(s), to minimise construction noise impacts. These measures must be detailed in the Noise and Vibration CEMP Sub-plan.</p> | No | No | Yes | No | No |
| E40 | <p>Where operational noise mitigation measures are not proposed to be implemented in accordance with Condition E39, the Proponent must submit to the Planning Secretary a report providing justification as to why, along with details of temporary measures that would be implemented to reduce construction noise impacts, until such time that the operational noise mitigation measures identified in Condition E38 are implemented. The report must be</p> | No | No | Yes | No | No |

| | | | | | | |
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| | endorsed by the ER and submitted to the Planning Secretary within six months of construction commencing. | | | | | |
| E41 | <p>Within 12 months of the commencement of operation of the SSI, the Proponent must undertake monitoring of operational noise to compare the actual noise performance of the SSI against the noise performance predicted in the review of noise mitigation measures required by Condition E38.</p> <p>The Proponent must prepare an Operational Noise Compliance Report to document this monitoring. The Report must include, but not necessarily be limited to:</p> <p>(a) noise monitoring to assess compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E38;</p> <p>(b) a review of the operational noise levels in terms of criteria and noise goals established in the <i>NSW Road Noise Policy</i> (DECCW, 2011);</p> <p>(c) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which SSI noise levels are ascertained, with specific reference to locations indicative of impacts on receivers;</p> <p>(d) details of any complaints and enquiries received in relation to operational noise generated by the SSI between the date of commencement of operation and the date the report was prepared;</p> <p>(e) any required recalibrations of the noise model taking into consideration factors such as noise monitoring and actual traffic numbers and proportions;</p> <p>(f) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and</p> <p>(g) identification of additional measures to those identified in the review of noise mitigation measures required by Condition E38, that are to be implemented with the objective of meeting the criteria outlined in the <i>NSW Road Noise Policy</i> (DECCW, 2011), when these measures is to be implemented and how their effectiveness would be measured and reported to the Planning Secretary and the EPA.</p> | No | No | No | No | Yes |
| E42 | The Operational Noise Compliance Report must be verified by a suitably qualified and experienced independent noise and vibration expert, made publicly available and submitted to the Planning Secretary and the EPA within 60 days of completing the operational noise monitoring. | No | No | No | No | Yes |
| E43 | The construction and operation of Bridge 7 and its associated components do not trigger the requirements of Conditions E38, E39, E40 and E41 . | No | Yes | No | Yes | No |
| CONSTRUCTION VIBRATION | | | | | | |
| E44 | <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 <i>German Standard 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 <i>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)</i>; and</p> <p>(c) for human exposure, the acceptable vibration values set out in <i>Assessing Vibration: A Technical Guideline</i> (Department of Environment and Conservation, 2006).</p> | Yes | Yes | Yes | No | No |
| E45 | <p>Blasting associated with the SSI must only be undertaken during the following hours:</p> <p>(a) 9:00am to 5:00pm, Monday to Friday, inclusive;</p> <p>(b) 9:00am to 1:00pm on Saturday; and</p> <p>(c) at no time on Sunday or public holidays.</p> <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> <p>(a) no sensitive receivers would be impacted by blasting; or</p> <p>(b) an agreement has been made with potentially affected receivers.</p> | No | No | Yes | No | No |

| E46 | <p>Airblast overpressure generated by blasting associated with the SSI must not exceed the criteria specified in Table 6 when measured at the most affected residence or other sensitive receiver.</p> <p style="text-align: center;">Table 6: Airblast overpressure limits for human comfort</p> <table border="1" data-bbox="240 322 925 667"> <thead> <tr> <th>Receiver</th> <th>Type of blasting operations</th> <th>Airblast Overpressure Limit</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Sensitive site</td> <td rowspan="2">Blasting operations lasting more than 12 months or more than 20 blasts</td> <td>115 dBL for 95% of blasts per year</td> </tr> <tr> <td>120 dBL maximum limit</td> </tr> <tr> <td rowspan="2">Sensitive site</td> <td rowspan="2">Blasting operations lasting less than 12 months or less than 20 blasts in total</td> <td>120 dBL for 95% of blasts per year</td> </tr> <tr> <td>125 dBL maximum limit</td> </tr> <tr> <td>Occupied non-sensitive sites, such as factories and commercial premises</td> <td>All blasting</td> <td>125 dBL maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation</td> </tr> </tbody> </table> <p>Source – Table J5.4(A) – AS 2187.2 – 2006</p> <p>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 Overpressure Limit | Sensitive site | Blasting operations lasting more than 12 months or more than 20 blasts | 115 dBL for 95% of blasts per year | 120 dBL maximum limit | Sensitive site | Blasting operations lasting less than 12 months or less than 20 blasts in total | 120 dBL for 95% of blasts per year | 125 dBL maximum limit | Occupied non-sensitive sites, such as factories and commercial premises | All blasting | 125 dBL maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation | No | No | Yes | No | No |
|---|---|---|-----------------------------|---|----------------|--|------------------------------------|-----------------------|----------------|---|------------------------------------|-----------------------|---|--------------|---|----|----|-----|----|----|
| Receiver | Type of blasting operations | Airblast Overpressure Limit | | | | | | | | | | | | | | | | | | |
| Sensitive site | Blasting operations lasting more than 12 months or more than 20 blasts | 115 dBL for 95% of blasts per year | | | | | | | | | | | | | | | | | | |
| | | 120 dBL maximum limit | | | | | | | | | | | | | | | | | | |
| Sensitive site | Blasting operations lasting less than 12 months or less than 20 blasts in total | 120 dBL for 95% of blasts per year | | | | | | | | | | | | | | | | | | |
| | | 125 dBL maximum limit | | | | | | | | | | | | | | | | | | |
| Occupied non-sensitive sites, such as factories and commercial premises | All blasting | 125 dBL maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation | | | | | | | | | | | | | | | | | | |
| E47 | <p>Ground vibration generated by blasting associated with the SSI must not exceed the criteria specified in Table 7 and Table 8 when measured at the most affected residence or other sensitive receiver.</p> <p style="text-align: center;">Table 7: Ground vibration limits for human comfort</p> <table border="1" data-bbox="234 943 925 1218"> <thead> <tr> <th>Receiver</th> <th>Type of blasting operations</th> <th>Peak component particle velocity (mm/s)</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Sensitive site</td> <td rowspan="2">Blasting operations lasting more than 12 months or more than 20 blasts</td> <td>5 mm/s for 95% of blasts per year</td> </tr> <tr> <td>10 mm/s maximum limit</td> </tr> <tr> <td rowspan="2">Sensitive site</td> <td rowspan="2">Blasting operations lasting less than 12 months or less than 20 blasts in total</td> <td>10 mm/s maximum limit</td> </tr> <tr> <td></td> </tr> <tr> <td>Occupied non-sensitive sites, such as factories and commercial premises</td> <td>All blasting</td> <td>25 mm/s maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation</td> </tr> </tbody> </table> <p>Source – Table J4.5(A) – AS 2187.2 – 2006</p> <p>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 | Peak component particle velocity (mm/s) | Sensitive site | Blasting operations lasting more than 12 months or more than 20 blasts | 5 mm/s for 95% of blasts per year | 10 mm/s maximum limit | Sensitive site | Blasting operations lasting less than 12 months or less than 20 blasts in total | 10 mm/s maximum limit | | Occupied non-sensitive sites, such as factories and commercial premises | All blasting | 25 mm/s maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation | No | No | Yes | No | No |
| Receiver | Type of blasting operations | Peak component particle velocity (mm/s) | | | | | | | | | | | | | | | | | | |
| Sensitive site | Blasting operations lasting more than 12 months or more than 20 blasts | 5 mm/s for 95% of blasts per year | | | | | | | | | | | | | | | | | | |
| | | 10 mm/s maximum limit | | | | | | | | | | | | | | | | | | |
| Sensitive site | Blasting operations lasting less than 12 months or less than 20 blasts in total | 10 mm/s maximum limit | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| Occupied non-sensitive sites, such as factories and commercial premises | All blasting | 25 mm/s maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacturer's specifications or levels that can be shown to adversely affect the equipment operation | | | | | | | | | | | | | | | | | | |

| | <p>Table 8: Ground vibration limits for control of damage to structures</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Type of blasting operations</th> <th colspan="2">Peak component particle velocity (mm/s)</th> </tr> </thead> <tbody> <tr> <td>Other structures or architectural elements that include masonry, plaster and plasterboard in their construction¹</td> <td></td> <td>15 mm/s 4 Hz to 15 Hz, except for heritage structures where a frequency dependent vibration criteria would be determined in accordance with AS 2187.2 – 2006.</td> <td>20 mm/s 15 Hz and above</td> </tr> <tr> <td>Reinforced or framed structures. Industrial and heavy commercial buildings²</td> <td>All blasting</td> <td>50 mm/s at 4 Hz and above</td> <td></td> </tr> <tr> <td>Unreinforced or light framed structure. Residential or light commercial type building²</td> <td>All blasting</td> <td>15 mm/s at 4 Hz increasing to 20 mm/s at 15 Hz</td> <td>20 mm/s at 15 Hz increasing to 50 mm/s at 40 Hz and above</td> </tr> <tr> <td>Unoccupied structures of reinforced concrete or steel construction</td> <td>All blasting</td> <td colspan="2">100 mm/s maximum, where agreed with the structure owner.</td> </tr> <tr> <td>Infrastructure service structures, such as pipelines, powerlines, cables and reservoirs.</td> <td>All blasting</td> <td colspan="2">Limits to be determined by structural design methodology in consultation with the infrastructure service provider.</td> </tr> </tbody> </table> <p>Source: Table J4.5(B) – AS 2187.2 – 2006 and Table J4.4.2.1 – AS 2187.2 – 2006 (BS 7385-2)</p> | Receiver | Type of blasting operations | Peak component particle velocity (mm/s) | | Other structures or architectural elements that include masonry, plaster and plasterboard in their construction ¹ | | 15 mm/s 4 Hz to 15 Hz, except for heritage structures where a frequency dependent vibration criteria would be determined in accordance with AS 2187.2 – 2006. | 20 mm/s 15 Hz and above | Reinforced or framed structures. Industrial and heavy commercial buildings ² | All blasting | 50 mm/s at 4 Hz and above | | Unreinforced or light framed structure. Residential or light commercial type building ² | All blasting | 15 mm/s at 4 Hz increasing to 20 mm/s at 15 Hz | 20 mm/s at 15 Hz increasing to 50 mm/s at 40 Hz and above | Unoccupied structures of reinforced concrete or steel construction | All blasting | 100 mm/s maximum, where agreed with the structure owner. | | Infrastructure service structures, such as pipelines, powerlines, cables and reservoirs. | All blasting | Limits to be determined by structural design methodology in consultation with the infrastructure service provider. | | No | No | Yes | No | No |
|--|---|---|---|---|----|--|--|---|-------------------------|---|--------------|---------------------------|--|--|--------------|--|---|--|--------------|--|--|--|--------------|--|--|----|----|-----|----|----|
| Receiver | Type of blasting operations | Peak component particle velocity (mm/s) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other structures or architectural elements that include masonry, plaster and plasterboard in their construction ¹ | | 15 mm/s 4 Hz to 15 Hz, except for heritage structures where a frequency dependent vibration criteria would be determined in accordance with AS 2187.2 – 2006. | 20 mm/s 15 Hz and above | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reinforced or framed structures. Industrial and heavy commercial buildings ² | All blasting | 50 mm/s at 4 Hz and above | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Unreinforced or light framed structure. Residential or light commercial type building ² | All blasting | 15 mm/s at 4 Hz increasing to 20 mm/s at 15 Hz | 20 mm/s at 15 Hz increasing to 50 mm/s at 40 Hz and above | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Unoccupied structures of reinforced concrete or steel construction | All blasting | 100 mm/s maximum, where agreed with the structure owner. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Infrastructure service structures, such as pipelines, powerlines, cables and reservoirs. | All blasting | Limits to be determined by structural design methodology in consultation with the infrastructure service provider. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| E48 | <p>The blasting criteria specified in the tables in Conditions E46 and E47 may be exceeded where the Proponent has obtained the written agreement of the landowner and occupier to increase the relevant criteria. In obtaining the agreement, the Proponent must make available to the landowner and occupier:</p> <p>(a) details of the proposed blasting program and justification for the proposed increase in blasting criteria including alternatives considered (where relevant); (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 (c) details of the blast management, mitigation and monitoring procedures to be implemented.</p> | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | |
| E49 | <p>The Proponent must provide a copy of the landowner and occupier written agreement to the Planning Secretary and the EPA, including details of the consultation undertaken (with clear identification of proposed blast limits and potential property impacts), before commencing blasting at the higher limits.</p> <p>Unless otherwise agreed by the Planning Secretary, the following exclusions apply: (a) the landowner and occupier may terminate at any time an agreement made with the Proponent to increase the blasting criteria, should concerns made by the landowner and occupier about the blasting criteria be unresolved. Where an agreement is terminated, the Proponent must not exceed the criteria specified in the tables in Conditions E46 and E47 for future blasting that affects the property; and (b) the blasting limit agreed to under any agreement must not exceed a maximum Peak Particle Velocity vibration level of 25 mm/s or maximum Airblast Overpressure level of 125 dBL.</p> | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | |
| BLASTING MANAGEMENT STRATEGY | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| E50 | <p>A Blast Management Strategy must be prepared and must include:</p> <p>(a) sequencing and review of trial blasting to inform blasting; (b) regularity of blasting; (c) intensity of blasting; (d) periods of relief; and (e) blasting program.</p> | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | |
| E51 | <p>The Blast Management Strategy must be endorsed by a suitably qualified and experienced independent person.</p> | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | |
| E52 | <p>The Blast Management Strategy must be prepared in accordance with relevant guidelines in order to ensure that all blasting and associated activities are carried out so as not to generate unacceptable noise and vibration impacts or pose a significant risk to sensitive receivers.</p> | No | No | Yes | No | No | | | | | | | | | | | | | | | | | | | | | | | | |

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|--|--|-----|-----|-----|-----|-----|
| E53 | The Blast Management Strategy must be submitted to the Planning Secretary for information no later than one month before the commencement of blasting. The Strategy as submitted to the Planning Secretary, must be implemented for all blasting activities. | No | No | Yes | No | No |
| SOCIO-ECONOMIC, LAND USE AND PROPERTY | | | | | | |
| BUILDING CONDITION SURVEY | | | | | | |
| E54 | Pre-construction Building and Structure Condition Surveys must be undertaken of all buildings, structures, and utilities and the like, identified in the documents listed in Condition A1 , as being at risk of damage from the works associated with the SSI. The surveys must be undertaken by a suitably qualified structural engineer before the commencement of any work that could cause damage to buildings, structures and utilities. The results of the surveys must be documented in a Pre-construction Building and Structure Condition Survey Report for each building, structure and utility surveyed. Copies of the Pre-construction Building and Structure Condition Survey Reports must be provided to the owners of the buildings, structures and utilities surveyed, and no later than one (1) month before the commencement of work the vicinity of the impacted buildings, structures and utilities | Yes | Yes | Yes | No | No |
| E55 | After completion of construction of the SSI, a follow-up condition survey of all items for which building and structure condition surveys were undertaken in accordance with Condition E54, must be undertaken by a suitably qualified structural engineer. The results of the surveys must be documented in a Post-construction Building and Structure Condition Survey Report for each building, structure and utility surveyed. Copies of the Post-construction Building and Structure Condition Survey Reports must be provided to the owners of the buildings, structures and utilities surveyed no later than three months following the completion of construction. | No | No | No | Yes | Yes |
| E56 | The Proponent, where liable, must rectify any damage caused directly or indirectly (for example from vibration or from groundwater change) by the construction or operation of the SSI at no cost to the landowner. Alternatively, the Proponent may pay compensation for the property damage as agreed with the landowner. | Yes | Yes | Yes | Yes | Yes |
| SOILS | | | | | | |
| E57 | All reasonably practicable erosion and sediment controls must be installed and appropriately maintained to prevent water pollution. When implementing such controls, any relevant guidance in the <i>Managing Urban Stormwater</i> series must be considered. | Yes | Yes | Yes | No | No |
| CONTAMINATED SITES | | | | | | |
| E58 | Areas of soil contamination identified within the documents referred to in Condition A1 must be managed in accordance with Management Measure SW04 and SW05 as described in the SPIR. | Yes | Yes | Yes | No | No |
| E59 | An Unexpected Contaminated Land and Asbestos Finds Procedure must be prepared before the commencement of work and must be followed should unexpected contaminated land or asbestos (or suspected contaminated land or asbestos) be excavated or otherwise discovered during work. | Yes | Yes | Yes | No | No |
| E60 | The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented for the duration of work. | Yes | Yes | Yes | No | No |
| SUSTAINABILITY | | | | | | |
| E61 | A Sustainability Strategy must be prepared and submitted to the Planning Secretary for information before the commencement of construction (except Bridge 7 works). The Sustainability Strategy must include: (a) details of achieving an As Built rating under the Infrastructure Sustainability Council of Australia (ISCA) infrastructure rating tool or other justified rating mechanism; (b) details of the sustainability initiatives which will be implemented; and (c) a description of how the strategy will be implemented for the SSI | No | No | Yes | No | No |
| TRAFFIC AND TRANSPORT | | | | | | |
| E62 | All road roads within one (1) kilometre of the SSI (including construction ancillary facilities) proposed to be used by heavy vehicles used for the SSI must be identified in the Construction Traffic and Transport Management Sub-plan . | No | No | Yes | No | No |

| | | | | | | |
|-----|--|-----|-----|-----|----|----|
| E63 | <p>Local roads proposed to be used by heavy vehicles for the SSI works that were not assessed in the documents listed in Condition A1 must be approved by the Planning Secretary through the Construction Traffic and Transport Management Sub-plan (including any revisions to the sub-plan that identify additional local roads).</p> <p>The request to the Planning Secretary must include a traffic and pedestrian impact assessment, and a swept path analysis, if required. The traffic and pedestrian impact assessment must:</p> <p>(a) demonstrate that the use of local roads will not compromise the safety of the public and have no more than minimal amenity impacts; (b) provide details as to the date of completion of the road dilapidation surveys for the subject local roads; and (c) describe the measures that will be implemented to minimise safety and amenity impacts to any schools, aged care facilities and child care facilities during their peak operation times.</p> | No | No | Yes | No | No |
| E64 | The requirements of Conditions E62 and E63 in relation to Bridge 7 may be addressed by the documents required under Condition A9 . | No | Yes | No | No | No |
| E65 | <p>Heavy vehicles must only use Construction Access Road 2 (as shown in Figure 2 in Appendix B) in the John Hunter Hospital precinct for the establishment of Construction Compound A, unless otherwise agreed by the Health Administration Corporation.</p> <p><i>Note: Heavy vehicles movements associated with Condition E65 must comply with the construction hours specified in Conditions E26 and E27.</i></p> | No | No | Yes | No | No |
| E66 | <p>Heavy vehicle movements through the John Hunter Hospital precinct must be identified in the Construction Traffic and Transport Management CEMP Sub-plan.</p> <p>The Construction Traffic and Transport Management CEMP Sub-plan must include the following:</p> <p>(a) number of heavy vehicle movements; (b) frequency of heavy vehicle movements; (c) deliveries outside the construction hours identified in Condition E26; and (d) governance arrangements to address acute traffic management issues.</p> <p><i>Note: These requirements are additional to the requirements of Part C of this approval.</i></p> | No | No | Yes | No | No |
| E67 | At no time must heavy vehicles associated with the construction of the SSI, travel through the John Hunter Hospital precinct, except as permitted in Condition E65 . | No | Yes | Yes | No | No |
| E68 | Before any local road is used by a heavy vehicle for the purposes of the SSI (including the establishment of ancillary facilities), a Road Dilapidation Report must be prepared for the road, unless otherwise agreed by the Planning Secretary. The Road Dilapidation Report must be prepared by a suitably qualified person before the commencement of works that have the potential to damage local roads (and associated infrastructure). A copy of the Road Dilapidation Report must be provided to the landowner and the relevant roads authority within three weeks of completion of the surveys and no later than one (1) month before the use of local roads by heavy vehicles for the construction of the SSI. | Yes | Yes | Yes | No | No |
| E69 | <p>If damage to roads or road related structures occurs as a result of the construction of the SSI, the Proponent must either (at the landowner discretion):</p> <p>(a) compensate the landowner for the damage so caused. The amount of compensation may be agreed with the landowner, but compensation must be paid even if no agreement is reached; or (b) rectify the damage to restore the road or road related structure to at least the condition it was in pre-construction.</p> | Yes | Yes | Yes | No | No |
| E70 | During the carrying out of work for the SSI, all reasonably practicable measures must be implemented to maintain pedestrian and vehicular access to, and parking in the vicinity of, businesses and affected properties. Disruptions are to be avoided, and where avoidance is not possible, minimised. Where disruption cannot be minimised, alternative pedestrian and vehicular access, and parking arrangements must be developed in consultation with the affected businesses and properties and implemented before the disruption occurs. Signage and directions to businesses must be provided before, and for the duration of, any disruption. | Yes | Yes | Yes | No | No |

| | | | | | | |
|--|---|-----|-----|-----|----|----|
| E70A | To ensure pedestrian, cyclist and motorist safety on Peatties Road, the Proponent must ensure that traffic control is present to manage: (a) vehicle movements at the entry/exit point to the Peatties Road ancillary facility during the following times: (i) On school days between 7:00 am to 9:00 am and 2.30 to 4.00pm, if the pedestrian footpath required under Condition E71A crosses the entry/exit point to the Peatties Road ancillary facility; and NSW Government 39 Department of Planning and Environment Conditions of Approval for Newcastle Inner City Bypass Rankin Park to Jesmond SSI 6888 SSI 6888 MOD 1 determined 7 February 2022 (ii) at any time heavy vehicles are entering and leaving the Peatties Road ancillary facility; and (b) heavy vehicles associated with the construction of the SSI that are entering or exiting Peatties Road. | No | No | Yes | No | No |
| PEDESTRIAN AND CYCLIST ACCESS | | | | | | |
| E71 | Safe pedestrian and cyclist access must be maintained around work sites for the duration of construction. In circumstances where pedestrian and cyclist access are restricted or removed due to construction activities, an alternate route (temporary or permanent) which complies with the relevant standards must be provided and signposted. | Yes | Yes | Yes | No | No |
| E71A | Before work commences at the Peatties Road ancillary facility, the Proponent must provide a temporary footpath between Charlestown Road and at least 5 metres past the Peatties Road ancillary facility entry/exit point. The Proponent must consult City of Newcastle on the design and location of the path and it must be constructed in accordance with the relevant standards. This condition does not prevent the relocation and connection of utilities where the relocation or connection has a minor impact to the environment and sensitive receivers as determined by the ER | No | No | Yes | No | No |
| E72 | The SSI's shared paths must be designed to discourage pedestrian access onto the bypass. <i>Note: The intention is to discourage pedestrians and/or cyclist from inadvertently accessing the bypass for safety reasons</i> | No | Yes | Yes | No | No |
| E73 | The Jesmond Park parking area must be reviewed and optimised to include the replacement of disabled car parking removed by the SSI in consultation with the City of Newcastle. This parking must be provided before the removal of on street parking on Newcastle Road. | No | Yes | Yes | No | No |
| FIRE TRAILS | | | | | | |
| E74 | Alternate fire trails must be provided and implemented in consultation with the relevant fire authorities. | Yes | No | Yes | No | No |
| URBAN DESIGN AND VISUAL AMENITY | | | | | | |
| CONSTRUCTION ANCILLARY FACILITIES | | | | | | |
| E75 | Construction Ancillary Facilities must minimise visual impacts to adjoining properties, including, providing temporary landscaping and vegetative screening of the construction sites and minimising light spill. | Yes | Yes | Yes | No | No |
| LIGHTING AND SECURITY | | | | | | |
| E76 | All lighting associated with the construction and operation of the SSI must: (a) operate with the objective to minimising light spill to surrounding properties; and (b) be consistent with the requirements of <i>Australian Standard 4282-1997 Control of the obtrusive effects of outdoor lighting</i> and relevant Australian Standards in the series <i>AS/NZ 1158 – Lighting for Roads and Public Spaces</i> . Notwithstanding, the Proponent must provide mitigation measures to manage any residual night lighting impacts to protect properties adjoining or adjacent to the SSI, in consultation with affected landowners. | Yes | Yes | Yes | No | No |

| BRIDGE ELEMENTS | | | | | | |
|-----------------------------------|--|-----|-----|-----|-----|-----|
| E77 | <p>Bridge 7 and Bridge 8, must be designed in accordance with the following guidelines, as relevant:</p> <p>(a) <i>Beyond the Pavement</i> (RMS 2014); (b) <i>Bridge Aesthetics</i> (RMS 2012); (c) <i>Landscape Design Guidelines</i> (RMS 2008); and (d) designed to incorporate elements which reflect the steel industry heritage of Newcastle.</p> <p>The final design of the bridges must be provided to the Planning Secretary for information prior to construction of these structures.</p> <p><i>Note: The colour scheme is identified in SPIR, Appendix E - Urban Design and Landscape Character and Visual Impact Assessment.</i></p> | No | Yes | Yes | No | No |
| STRUCTURAL ADEQUACY | | | | | | |
| E78 | The Proponent must ensure that the construction of the SSI, including former mine working remediation activities, are carried out in accordance with the requirements of Subsidence Advisory NSW. | No | No | Yes | No | No |
| OPERATIONAL MAINTENANCE | | | | | | |
| E79 | The ongoing maintenance and operation costs of urban design, open space, landscaping and recreational items and works implemented as part of this approval must remain the Proponent's responsibility, until satisfactory arrangements have been made for the transfer of the asset to the relevant authority. Prior to the transfer of assets, the Proponent must maintain the items and works. | No | No | No | Yes | Yes |
| OPERATIONAL NOISE BARRIERS DESIGN | | | | | | |
| E80 | Operational noise barriers must be designed to minimise visual and amenity impacts and be designed in accordance with the <i>Noise wall design guideline – Design guideline to improve the appearance of noise walls in NSW</i> (RMS, March 2016). | No | No | Yes | No | No |
| WASTE | | | | | | |
| E81 | <p>Waste generated during works and operation of the SSI must be dealt with in accordance with the following priorities:</p> <p>(a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced; (b) where avoiding or reducing waste is not possible, waste is to be re-used, recycled, or recovered; and (c) where re-using, recycling or recovering waste is not possible, waste is to be treated or disposed of.</p> | Yes | Yes | Yes | Yes | Yes |
| E82 | The importation of waste and the storage, treatment, processing, reprocessing or disposal of such waste must comply with the conditions of the EPL for the SSI, or a Resource Recovery Exemption or Order issued under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> , as the case may be. | Yes | Yes | Yes | Yes | Yes |
| E83 | <p>Waste generated by all activities associated with the works and operation of the SSI must only be:</p> <p>(a) exported to a EPA licensed facility for the storage, treatment, processing, reprocessing or disposal, or to any other place that can lawfully accept such waste, or (b) reused in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014.</p> | Yes | Yes | Yes | Yes | Yes |
| E84 | All waste must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal docketts retained for audit purposes. | Yes | Yes | Yes | Yes | Yes |
| WATER | | | | | | |
| E85 | The SSI must be designed, constructed and operated to achieve the outcomes described in the documents listed in condition A1 and/or to maintain the <i>NSW Water Quality Objectives</i> where they are being achieved as at the date of this approval, and contribute towards achievement of the <i>NSW Water Quality Objectives</i> over time where they are not being achieved as at the date of this approval, unless an EPL in force in respect of the SSI contains different requirements in relation to the <i>NSW Water Quality Objectives</i> , in which case those requirements must be complied with. | Yes | Yes | Yes | Yes | Yes |

| | | | | | | |
|-----------------------|--|-----|----|-----|----|----|
| E86 | Drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) and drainage swales and depressions must be constructed in accordance with the relevant guidelines and designed by a suitably qualified and experienced person. | Yes | No | Yes | No | No |
| TICKHOLE CREEK | | | | | | |
| E87 | The Peatties Road ancillary facility must be designed and operated to ensure that no direct flow from within the site flows into Tickhole Creek. | No | No | Yes | No | No |
| E88 | A minimum 3 metre buffer must be provided between the top bank of Tickhole Creek and the Peatties Road ancillary facility | No | No | Yes | No | No |
| E89 | The design of the Peatties Road vehicular access must not impact the existing culvert to the west of the proposed access and the downstream drainage line protection area shown in light blue hatching in Figure 3 of Appendix A of this approval | No | No | Yes | No | No |

Appendix B: Federal CoA compliance staging table

RP2J Compliance Table - Federal Conditions of Approval

| DoEE CoA # | Requirement | Construction | | | Operation | |
|---|--|--------------|---------|---------|-----------|---------|
| | | Stage 1 & 3 | Stage 2 | Stage 4 | Stage 2 | Stage 4 |
| PART A - CONDITIONS SPECIFIC TO THE ACTION | | | | | | |
| 1 | The approval holder must comply with the following NSW conditions where they relate to the protection of the Black-eyed Susan (<i>Tetradlea juncea</i>), the Grey-headed Flying-fox (<i>Pteropus poliocephalus</i>) and the Hunter Estuary Ramsar site: the terms of this approval and the description of the SSI in the <i>Newcastle Inner City Bypass – Rankin Park to Jesmond Environmental impact statement (RMS, 2016)</i> (the EIS) and the <i>Submissions and Preferred Infrastructure Report Newcastle Inner City Bypass Rankin Park to Jesmond (RMS, 2018)</i> (the SPIR): | Yes | No | Yes | No | No |
| CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN | | | | | | |
| | NSW condition C4 , requiring a Flora and Fauna Construction Environment Management Plan (CEMP). | No | No | Yes | No | No |
| | NSW condition C5 , requiring the CEMP Sub-plans to state how: (a) environmental performance outcomes will be achieved; (b) how the mitigation measures will be implemented; (c) how the relevant terms of the NSW conditions will be complied with; and (d) how issues requiring management during construction, as identified through ongoing environmental risk analysis, will be managed. | No | No | Yes | No | No |
| | NSW condition C8 , construction must not commence until the CEMP and all CEMP Sub-plans have been approved by the Planning Secretary. | No | No | Yes | No | No |
| BIODIVERSITY | | | | | | |
| | NSW condition E2 , limiting the clearing of native vegetation to the greatest extent practicable. | Yes | Yes | Yes | No | No |
| | NSW condition E4 , implementing the Biodiversity Offset Strategy. | No | No | Yes | No | No |
| | NSW condition E5 , submission of the Credit Retirement Report to the Planning Secretary. | No | No | Yes | No | No |
| | NSW condition E6 , requiring plant community types that provide habitat for impacted EPBC Act threatened species to be retired in a manner that achieves "like-for-like" habitat for the species. | No | No | Yes | No | No |
| | NSW condition E7 , requiring the offsetting of biodiversity impacts to be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> (OEH, 2014) and to be achieved by: (a) acquiring and retiring "biodiversity credits" within the meaning of the Biodiversity Conservation Act 2016; and/or (b) making payments to an offset fund developed by the NSW Government; and/or (c) providing supplementary measures. Footnote 2 under condition E7 states that: "Any residual impact on EPBC Act listed threatened species and ecological communities must be offset in accordance with an offset process endorsed by the DoEE." | No | No | Yes | No | No |
| | NSW condition E9 , stating that the construction of the bypass must demonstrate how: (a) EPBC Act listed threatened species and ecological communities are protected; (b) noxious weeds are managed; and (c) contamination by pathogens, non-indigenous regenerative plant material and seeds can be prevented by the movement of all tools, vehicles, machinery and personnel. Footnote: These additional requirements must be addressed in the Flora and Fauna Management Sub-plan required under Condition C4 Table 3 (c). | No | Yes | Yes | No | No |
| SOILS | | | | | | |
| | NSW condition E57 , requiring the proponent to undertake erosion and sediment controls consistent with the Managing Urban Stormwater series. | Yes | Yes | Yes | No | No |

| WATER | | | | | | |
|--------------|---|----|-----|-----|----|----|
| | NSW condition E85 , requiring the bypass to be designed, constructed and operated to achieve the outcomes described in the documents listed in NSW condition A1 of the NSW Approval. | No | Yes | Yes | No | No |
| | NSW condition E86 , requiring drainage feature crossings and drainage swales and depressions to be constructed in accordance with the relevant guidelines and designed by a suitably qualified and experienced person. | No | No | Yes | No | No |
| BIODIVERSITY | | | | | | |
| 2 | The approval holder cannot retire biodiversity credits that relate to EPBC Act listed threatened species and ecological communities by making payments into an offset fund that has been developed by the NSW Government, as referred to in NSW condition E7 , unless approved in writing by the Minister. | No | No | Yes | No | No |

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