





NEWCASTLE INNER CITY BYPASS- RANKIN PARK TO JESMOND



AUDIT 3

JULY 2023

Authorisation

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ABBREVIATIONS / GLOSSARY

Abbreviation/Term	Description
CEMP	Construction Environmental Management Plan
NAHMP	Non-Aboriginal Heritage Management Sub-plan (State)
CoA	Condition of Approval
DPE or Department	NSW Department of Planning and the Environment (formerly DPIE)
EIS	Environmental Impact Statement (Sydney Gateway Road Project Environmental Impact Statement/Preliminary Draft Major Development Plan (dated November 2019))
EPA	Environment Protection Authority
EPL	Environment Protection Licence
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
ER	Environmental Representative
FFMP	Flora & Fauna Management Sub-plan
GWMP	Groundwater Management Sub-plan
IA	Audit
IAPAR	Audit Post Approval Requirements
kms	Kilometres
LLOGMP	Landfill Leachate, Gas & Odour Management Sub-plan
NSW	New South Wales
NVMP	Noise & Vibration Management Sub-plan
OLS	Obstacle Limitation Surface
OOHW	Out-of-Hours Work(s)
PDLP	Place, Design and Landscape Plan
PESCP	Progressive Erosion and Sediment Control Plan
the Project	The Development as described in the EIS and approved under SSI 9737
Proponent	Transport for New South Wales
SEMP	Site Establishment Management Plan
SWMP	Soil & Water Management Sub-plan
SSI	State Significant Infrastructure
Submissions Report	Sydney Gateway Road Project Response to Submissions Report (dated May 2020)
TfNSW	Transport for New South Wales (formerly Roads and Maritime Services)
TTAMP	Traffic Management & Safety Plan
VENM	Virgin Excavated Natural Material
WolfPeak	WolfPeak Pty Ltd

EXECUTIVE SUMMARY

Transport for New South Wales (the Proponent, TfNSW) is responsible for the delivery of the Rankin Park to Jesmond (RP2J) Newcastle Inner City Bypass Project (the Project). The Project is located between Lookout Road, Rankin Park and Newcastle Road, Jesmond, New South Wales. The project involves the construction of 3.4 kilometres (km) of new four lane divided road between Rankin Park and Jesmond, to the west of John Hunter Hospital.

This Audit Report presents the findings from the third Audit (IA3) for the early construction work of Stage 4 covering the period from 6 March 2023 to 25 May 2023 (audit period). The Audit was undertaken in accordance with the Stage Significant Infrastructure SSI-6888 Schedule 2, Conditions of Approval (CoAs) A34-A36 in accordance with the *Independent Audit Post Approval Requirements 2018*.

Futon Hogan (FH) was engaged by the Transport for NSW (TfNSW) as the principal contractor. WolfPeak was engaged as the Auditor, approved by Department of Planning and Environment (the Department, DPE) on 26 August 2022. The site inspection and interview was conducted on 25 May 2023.

The works conducted during this audit period are the early construction works for Stage 4, which primarily include site clearing and grubbing, leveling of the construction site (cutting and filling), installation of sediment and erosion control measures, and waterway diversions.

The overall outcome of the Audit was very positive. All compliance records were organised and available at the time of the site inspection and interviews with Project personnel from TfNSW and FH. Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

Summary of Findings

In relation to the previous audit (Audit Report No. 2) prepared by EMM Consulting dated 3 June 2021, as no findings were identified in that audit, there was no follow up required as part of this audit.

In regard to the findings from IA3, a total of 163 conditions were assessed. Out of these, 105 were found to be compliant and 58 were not triggered.

There was one observation noted under condition E57, related to a breach in a mulch and earth bund, and one under condition E81, related to a housekeeping item at one of the site compounds. Detailed findings are presented in Section 3 and Appendix A. Both of these observations were closed out following the audit site inspection.

A positive observation was noted relating to erosion and sediment controls which were found overall to be of a very high standard across the project.

1. INTRODUCTION

1.1 Project overview

TfNSW is responsible for the delivery of the RP2J Project. The Project is located between McCaffrey Drive, Rankin Park and Newcastle Road, Jesmond, New South Wales (Figure 1) within the Newcastle City Council Local Government Area (LGA). The project involves the construction of 3.4 kilometres (km) of new four lane divided road between Lookout Road, New Lambton Heights and Newcastle Road, Jesmond.

The Project is State Significant Infrastructure by virtue of Schedule 3, clause 1 of State Environmental Planning Policy (State and Regional Development) 2011 and was approved by the Department on 15 February 2019. The approved Project includes:

- A northern interchange providing access to Newcastle Road and the existing Jesmond to Shortland section of the Newcastle Inner City Bypass;
- A full interchange providing access between the John Hunter Hospital precinct and the Newcastle Inner City Bypass;
- A southern interchange providing access to Lookout Road and the existing Kotara to Rankin Park section of the Newcastle Inner City Bypass;
- Tie in and upgrades to connecting roads, including Lookout Road, McCaffrey Drive and Newcastle Road;
- Structures along the road to allow for drainage, animal and pedestrian access;
- 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;
- Operational noise mitigation measures; and
- Permanent operational water quality treatment measures.

The Department approved Modification 1 on 7 February 2022 to add four construction ancillary sites at Peattie's Road, Cardiff Road, Lookout Road and Astra Street to support the construction of the project and updated compliance monitoring and reporting conditions to align with recent approvals.

The project has been broken into four stages:

Stage 1: Detailed design investigations (geotechnical and utility investigations) and low impact works (house demolition, heritage investigations, at-house noise treatment works, access, installation of environmental controls) completed June 2021.

Stage 2: Shared Path Bridge (completed March 2021).

Stage 3: Southern Interchange Utilities relocation works (completed August 2022).

Stage 4: RP2J construction work (on-going and the subject of this IA3).

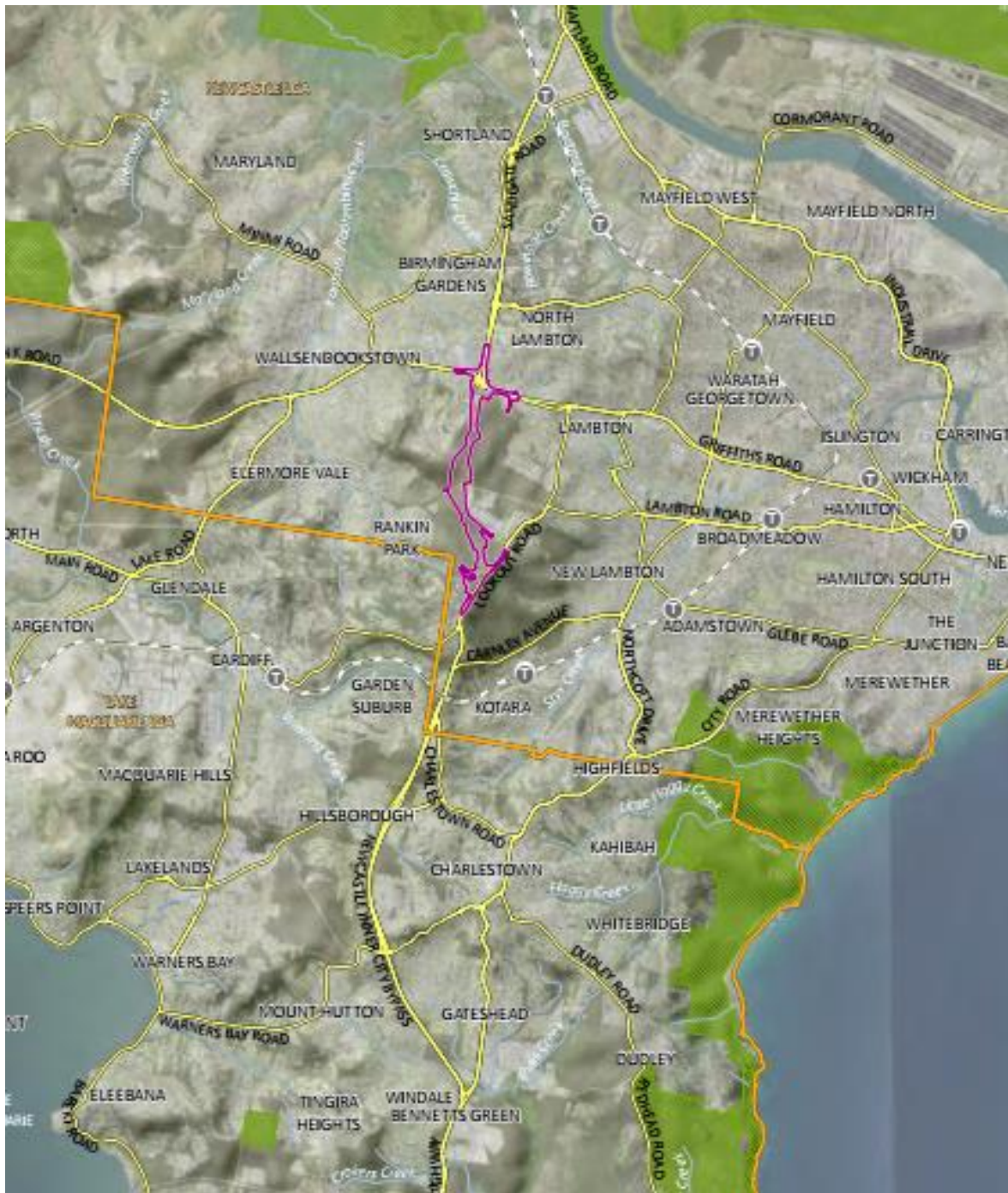


Figure 1: Location Map (Source: EMM 2019; DFSI 2017; ASGC 2006)

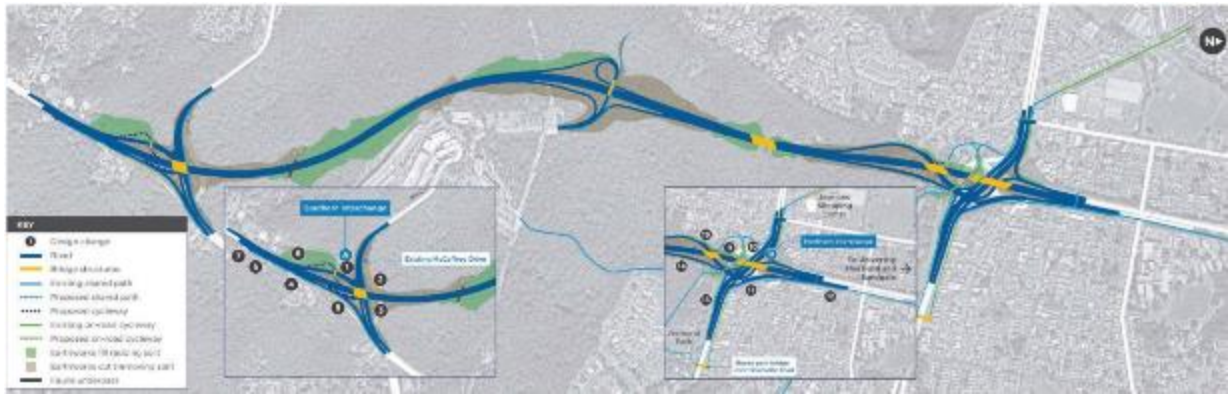


Figure 2: Rankin Park to Jesmond Project Design Map

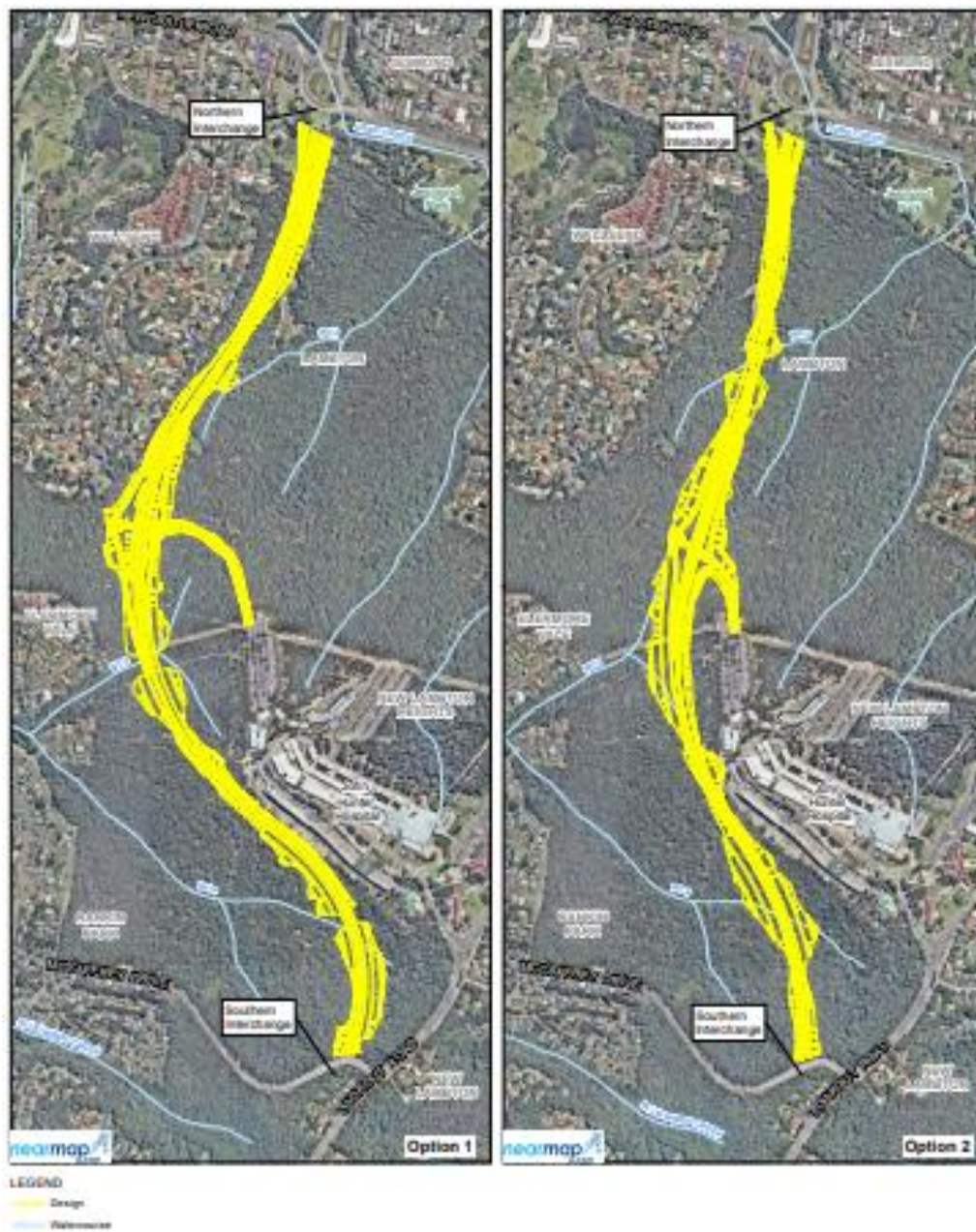


Figure 3: Project Design Footprint (Source: EIS 2016)

The RP2J component of the project will provide improved traffic flows across the western suburbs of Newcastle and connectivity to Bennetts Green, Charlestown and Jesmond shopping centres, the John Hunter Hospital precinct at New Lambton Heights and the University of Newcastle at Callahan with connections to the Pacific Highway (Figures 2 and 3).

Construction of RP2J commenced on March 6, 2023. At the time of the audit site inspection the Project was in a relatively early construction phase involving activities such as site preparation, site clearing and grubbing, major cutting and filling earthworks, installation of sediment and erosion control measures, as well as temporary waterway diversions.

1.2 Approval requirements for Audit

CoC A34 – A36 set out the requirements for undertaking audits. The CoCs give effect to the Department’s *Independent Audit Post Approval Requirements 2018 (IAPAR)*.

1.3 The audit team

In accordance with Section 3.1.1 of the IAPAR 2018, Auditors must be suitably qualified, experienced, and independent of the Project, and appointed by the Planning Secretary. The list of Auditors who performed the auditing works are shown on Table 2.

Table 2: Audit Team

Name	Company	Participation	Certification
[REDACTED]	WolfPeak	Lead Auditor	Exemplar Global Certified Environmental Principal Auditor - Certificate No 110498
[REDACTED]	WolfPeak	Peer Reviewer	Exemplar Global Certified Environmental Lead Auditor - Certificate No 114283

Approval of the audit team was provided by the Department on 26 August 2022. The letter of approval is presented in Appendix B and auditor’s independence declarations are attached in Appendix E.

1.4 The audit objectives

The objective of this Audit is to satisfy the requirements of CoC A35 which states:

Audits of the development must be carried out in accordance with:

- the Audit Program submitted to the Planning Secretary and the Certifier under condition A34 of this consent; and
- the requirements for an Audit Methodology and Audit Report in the Audit Post Approval Requirements (Department 2018).

The IAPAR sets out the scope, methodology and reporting requirements for the Audit.

1.5 Audit scope

This audit covers construction works on Stage 4 of the Project from its commencement on 6 March 2023 to the audit site inspection on 25 May 2023. The scope of the audit comprises:

- An assessment of compliance with:
 - all conditions of consent applicable to the phase of the development that is being audited.
 - all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans, and
 - all environmental licences and approvals applicable to the development excluding environment protection licences issued under the Protection of the Environment Operations Act 1997.
- a review of the environmental performance of the development, including but not necessarily limited to, an assessment of:
 - actual impacts compared to predicted impacts documented in the environmental impact assessment.
 - the physical extent of the development in comparison with the approved boundary
 - incidents, non-compliances and complaints that occurred or were made during the audit period.
 - the performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit, and
 - feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the project during the audit period.
- a review of the status of implementation of previous Audit findings recommendations and actions (if any)
- a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate, and
- any other matters considered relevant by the auditor or the Department, considering relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

2. AUDIT METHODOLOGY

2.1 Audit process overview

The Audit was conducted in a manner consistent with AS/NZS ISO 19011.2019 – Guidelines for Auditing Management Systems (AS/NZS ISO 19011) and the methodology set out in the Department's IAPAR 2018.

2.2 Audit process detail

2.2.1 Audit initiation and scope development

Prior to the commencement of the audit the following tasks were completed:

- Established initial contact with the Auditee.
- Confirmed the audit team.
- Confirmed the audit purpose, scope and criteria.

2.2.2 Preparing audit activities

The Auditor performed a document review, prepared an audit plan, and prepared work documents (audit checklists) and distributed to the Project team in preparation for the Audit.

2.2.3 Consultation

On 11 April 2023, WolfPeak consulted with the Department to obtain their input into the scope of the Audit, and other agencies and organisations to be consulted with, in accordance with Section 3.2 of the IAPAR. The feedback is presented in Appendix C. A summary of the key issues and areas of focus raised by the stakeholders is presented in Table 3.

Table 3: Key issues and areas of focus raised during consultation

Agencies / Stakeholder	Issues and Focus	How Addressed
Department of Planning and Environment	<ul style="list-style-type: none"> • ERSER controls for this stage 2 and 4 • Audit must be prepared, undertaken, and finalised in accordance with the conditions of approval, the Audit Program R5 (or the latest revision), and the Department's Audit Post Approval Requirements (2018) 	<p>Erosion and sediment control plan is embedded in the CSWMSP which was updated to Rev 4 for NICB RP2J Stage 4 main works.</p> <p>Positive observation made in relation to erosion and sediment controls which are generally of a high standard across the project.</p> <p>This is the third Audit for the Project in accordance with Audit Program and the Department's Audit Post Approval Requirements (2018).</p> <p>Stage 2 work was completed in March 2021.</p>
APP Group (Awabakal)	<p>Key environmental items include:</p> <ul style="list-style-type: none"> • Noise monitoring (recorded with live notification of exceedances) • Vibration monitoring (recorded with live notification of exceedances) • Dust monitoring (recorded with live notification of exceedances) • Traffic impacts • Site runoff – Plan for discharge into bushland. • Complaints register • Bush tracks – signage to advise public that the tracks are closed 	<p>Environmental monitoring requirements under the Approval and CEMP/sub plans were found to be appropriately implemented.</p> <p>No traffic impacts beyond those already approved or assessed were noted in the audit.</p> <p>Signage of bush track closures was provided.</p> <p>FH require landowners consent to discharge water from RP2J site onto Department of Health land.</p>

Agencies / Stakeholder	Issues and Focus	How Addressed
<p>Environment Protection Authority (EPA)</p>	<p>Improving environmental performance</p>	<p>Intent of ERG is to improve project performance.</p> <p>Risk workshop held at start of project.</p> <p>Sustainability workshop held at start of project.</p> <p>CEMP includes a review process (section 1.6) to respond to improvements arising from audits, new legislation etc.</p> <p>Air quality complaint monitoring program revised to replace high volume samples with Dustrac providing real time measurements.</p>

<p>Newcastle City Council</p>	<p>Bridge 09 is 1 of only 2 terrestrial fauna connections provided across the corridor between remnant urban bushland on either side. The other terrestrial fauna culvert is approximately 1 kilometre away.</p> <p>Council has received an uncontrolled document which indicates that this bridge, the project's only bridge, B09 will be replaced by:</p> <ul style="list-style-type: none"> • A stormwater pipe through new road embankments; • The diversion of Watercourse no 2 into and out of this pipe; • A culvert predominantly for bushwalker access - located directly adjacent to the only squirrel glider aerial crossing on the southern side of the ridgeline; which is too narrow to support land based fauna movement without potential conflict with bushwalkers, cyclists and dog walkers. <p>Council has made numerous requests to the construction contractor and TfNSW to confirm the status of this uncontrolled design document; as it was not provided to Council through the communication channels successfully established through the PCG and used to facilitate the project's progression.</p> <p>In terms of process, Council is very concerned these very significant changes are now proposed:</p> <ul style="list-style-type: none"> • Without consulting with or informing Council's PCG; • After CN's considerable investment to provide review and comment on the 80 percent designs; • Without confirming the proposed bushwalker linkage accords with the Council's plans for the track network it manages on its own land to the east of the Bypass. • Without Council reviewing the ongoing asset burden arising from this track connection. • Without confirming that the proposed bushwalker linkage conflicts with habitat relocation (nest boxes) being installed on Council land to the east of the culvert. • Without adequate environmental review of this post 80 percent detailed design change. <p>In terms of the project's environmental impacts, Council is concerned the changes proposed are not consistent with the environmental mitigation measures within the Submissions and Preferred Infrastructure Report (SPIR). Particularly for key excerpts listed below. It is therefore not consistent with the Project's Approval Conditions A1 and A2, which require the SSI to be 'carried out in accordance with all the preventative actions and mitigation measures identified in the SPIR.</p> <ul style="list-style-type: none"> • BD08 "Clearing of native vegetation and mature trees... will be avoided and minimised where possible around watercourses, (and). near proposed fauna crossing structures." If the bridge over watercourse 2 is removed and the gully infilled with road batters, clearing of native vegetation and mature trees will occur around this watercourse. 	<p>It is understood that there have been some small changes in design from the EIS. These will be presented in the <i>Fawna Connectivity Strategy</i> required under the Revised Environmental Mitigation Measures.</p>
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Agencies / Stakeholder	Issues and Focus	How Addressed
	<ul style="list-style-type: none"> BD19 – "the fauna connectivity strategy (is) to be finalised during detailed design to minimise impacts to fauna movement, in particular the squirrel glider." CN has requested this strategy but has not seen it. Conflict between pedestrians, cyclists and the aerial fauna crossing is likely should the pedestrian culvert proposed in figure 2 be built. BD22 – "The realignment of the northern branch of Watercourse 2 will be designed to behave in a similar hydrologic and geomorphic manner as existing conditions and encourage native revegetation". The existing northern branch of Watercourse 2 is clearly not a pipe. Turning the watercourse into a pipe will not provide similar hydrologic or geomorphic features. TT02 – During detailed design, Roads and Maritime will carry out consultation with affected landowners about changes to property access". <p>This post 80pc design change increases the project risk identified with the SPIR report – "the risk of fragmentation of identified biodiversity links and habitat corridors".</p>	
Department of Climate Change, Energy, the Environment and Water (DCCEEW)	No comment relating to the Project.	N/A
DPE Water Group	No comment relating to the Project.	N/A
DPI Fisheries	No specific requirements for this audit.	N/A
Lake Macquarie City Council	No objections in relation to compliance.	N/A
NSW Ministry of Health	No specific requirements for this audit.	N/A
Biodiversity, Conservation and Science Team	No comment received relating to the Project.	N/A

2.2.4 Meetings

Opening and closing meetings were held on 25 May 2023 at the RP2J Site Office - Platt Street, Waratah with Project personnel and the WolfPeak auditor (Refer to Table 3 for list of attendees).

During the opening meeting the objectives of the audit, the scope of the audit, the resources required and methodology to be applied was discussed.

At the closing meeting, preliminary audit findings were presented, a further Request for Information was discussed and post-audit actions and timing for draft and final reports were confirmed.

2.2.5 Interviews

The Auditor conducted interviews on 25 June 2023 with key personnel involved in Project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the Project. The names of personnel interviewed during the audit are provided in Table 4.

Table 4: Personnel interviewed during the audit.

Name	Role	Organisation
[REDACTED]	Environmental Representative	GeoLink
[REDACTED]	Senior Environment Officer	TfNSW
[REDACTED]	Environment Officer	TfNSW
[REDACTED]	Environmental Manager	FHC

2.2.6 Site inspection

The on-site audit activities included an inspection of the entire RP2J work site and work activities to verify implementation of the mitigation measures as per the aspects and impacts i.e., as the following noted in the EIS, CEMP and subplans:

- Visual impact and amenity
- Air quality
- Contamination
- Soil and water management (including erosion and sedimentation controls, groundwater/leachate management)
- Noise management
- Vibration management
- Traffic and access
- Biodiversity
- Waste management

Photos taken during the inspections are presented in Appendix F.

2.2.7 Document review

The audit included investigation and review of Project files, records, and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The documents sighted are referenced in the compliance table presented in Appendix A..

2.2.8 Generating audit findings

Findings were based on verifiable evidence. The evidence included:

- Relevant records, documents and reports
- Interviews of relevant site personnel
- Photographs
- Figures and plans; and
- Site inspection of relevant locations, activities and processes.

2.2.9 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement using the descriptors from Table 2 of the IAPAR. These are replicated in Table 4 below.

Table 5: Compliance status descriptors

Status	Description
Compliant	The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant	The Auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not Triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Observations and notes may also be made to provide context, identify opportunities for improvement or highlight positive initiatives.

2.2.10 Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

- have been developed in accordance with the CoAs and all other environmental licences and approvals applicable to the Project (if any) and their content is adequate; and
- have been implemented in accordance with the CoAs and all other environmental licences and approvals applicable to the Project (if any).

The adequacy of post approval documents was determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document; and

- whether there are any opportunities for improvement.

3. AUDIT FINDINGS

3.1 Approvals and documents audited, and evidence sighted

The documents audited comprised all the conditions from Schedule 2 of SSI 6888 applicable to the works being undertaken.

The primary documents reviewed prior to and after the site visit are the following:

- Infrastructure Approval SSI 6888 approved by the Minister for Planning on 15 February 2019
- Environmental Impact Statement (EIS) Nov 2016, RMS Appendix B2. Air Quality Management Plan
- SSI-688-Mod-1 Additional ancillary facilities approved on 07 February 2022
- Construction Monitoring Programs for NICB-RP2J (SSI-6888) August 2019, RMS
- Construction Monitoring Programs for NICB-RP2J (SSI-6888) July 2022, RMS
- Stage 4 Pre-Construction Compliance Report for NICB-RP2J Rev 2, 18 January 2023 by ER
- Stage 2 Operational Compliance Report for NICB-RP2J Rev 2, 25 February 2022 by ER
- Construction Environmental Management Plan (CEMP) NICB Rev 5 Stage 4 Main Works 09 February 2023, Fulton Hogan (FH)
- Traffic & Transport Management Sub-Plan (TTMP) Rev 3, 09 February 2023, Fulton Hogan
- Noise & Vibration Management Sub-Plan (NVMP) Rev 5 Stage 4 Main Works 09 February 2023, Fulton Hogan
- Flora & Fauna Management Sub-Plan (FFMP) Rev 5 Stage 4 Main Works 09 February 2023, Fulton Hogan
- Air Quality Management Sub-Plan (AQMP) Rev 5 Stage 4 Main Works 09 February 2023, Fulton Hogan
- Consistency Assessment Report No. 5 for NICB RP2J Stage 4 – Detailed Design Changes February 2022 Rev 2, undated by Transport for NSW
- Audit Program for NICB-RP2J July 2022 Rev 5 13/07/2022 TRMS – update to audit timeframes to reflect Stage 4 Main Works commencement
- Pre-construction Compliance Report for NICB RP2J Stage 4, Rev 2 18 January 2023, TfNSW
- Staging Report Rev 2 NICB-RP2J 8 August /2019, RMS
- Staging Report Rev 3 NICB-RP2J 6 July 2022 to include JHH interface



- Ancillary Facility Establishment Management Plan (AFEMP) NICB-RP2J Rev 4
13 December 2022, FH



3.2 Summary of compliance

This section, including Table 6, presents the non-compliances and observations from IA3, along with the recommended actions in response to each of the findings. The status of open actions from the previous audits are also presented. Detailed findings against each requirement are presented in Appendix A. The findings are summarised as follows:

- The previous audit (Audit Report No. 2) prepared by EMM Consulting dated 3 June 2021 made no findings.
- In regard to the findings from this IA3:
 - A total of 163 conditions were assessed,
 - One hundred five (105) were found to be compliant,
 - Fifty eight (58) were not triggered,
 - Two (2) observations were identified, one under condition E57, related to a breach in a mulch and earth bund, and one under condition E81, concerning housekeeping at one of the site compounds.
- A positive observation was noted relating to erosion and sediment controls which were found overall to be of a very high standard across the project.

Table 6: Findings and recommendation from the third Audit

Item ID	Ref.	Category	Condition / Requirement	Finding / Recommendation	Auditee Response	Status
IA3-01	E57	Observation	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 Managing Urban Stormwater series must be considered.	<p>Observation:</p> <p>Breach in mulch, earth bund noted at Cut 3 carpark.</p>  <p>Recommendations:</p> <p>The breach in the mulch and earth bund should be promptly repaired to prevent sediment runoff outside the project boundary.</p> <p>Ensure ongoing monitoring and inspection of erosion and sediment controls.</p>	<p>The bund was repaired shortly after the audit site inspection. Regular inspections and maintenance have been carried out to maintain its integrity.</p> <p>Photos provided post audit site inspection verify the actions taken.</p> 	CLOSED

Item ID	Ref.	Category	Condition / Requirement	Finding / Recommendation	Auditee Response	Status
IA3-02	E81	Observation	<p>Waste generated during works and operation of the SSI must be dealt with in accordance with the following priorities:</p> <ul style="list-style-type: none"> (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 <p>where re-using, recycling or recovering waste is not possible, waste is to be treated or disposed of.</p>	<p>Observation:</p> <p>Broken (hardened) concrete bags were noted at the Northern Interchange compound.</p>  <p>Recommendations:</p> <p>Immediately clean up the broken concrete bags and dispose of appropriately.</p> <p>Ensure that concrete bags are stored in a manner that prevents breakage.</p>	<p>The concrete has been removed, and the area cleaned up.</p> <p>Photos provided post audit site inspection verify the actions taken.</p> 	CLOSED

3.3 Adequacy of Environmental Management Plans, sub-plans and post approval documents

The adequacy of post approval documents must be determined on the basis of whether:

- There are any non-compliances resulting from the implementation of the document.
- Whether there are any opportunities for improvement.

A review was conducted of the:

- Construction Environmental Management Plan (CEMP) NICB Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan (FH)
- Traffic & Transport Management Sub-Plan (TTMP) Rev 3 09/02/23, Fulton Hogan
- Noise & Vibration Management Sub-Plan (NVMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan
- Flora & Fauna Management Sub-Plan (FFMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan
- Air Quality Management Sub-Plan (AQMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan
- Soil & Water Management Sub-Plan (SWMP) NICB-RP2J Stage 4 Main Works Rev 4, 20/02/23, Fulton Hogan
- Waste & Energy Management Sub-Plan (WEMP) NICB-RP2J Stage 4 Main Works Rev 6, 20/02/23, Fulton Hogan
- Non-Aboriginal Heritage Management Sub-Plan (NAHMP) NICB-RP2J Stage 4 Main Works Rev 2, 20/02/23, Fulton Hogan

The CEMP and subplans were considered to be adequate, implemented and maintained for the works being undertaken. The implementation of the CEMP and subplans were verified during the site inspection and records review as detailed in Appendix A, Section 3.9 and Appendix F- Site inspection photos.

3.4 Summary of notices from agencies

To the Auditor's knowledge no formal notices were issued by the Department or other agencies during the audit period.

3.5 Consultation and other matters considered relevant by the Auditor or DPE

Other than the matters raised in Table 2, the Auditor has no additional matters to raise.

3.6 Complaints

All community complaints relating to the RP2J project are recorded in a Consultation Manager (CM) database system. CM is used to track the recording, investigation and handling of all community and stakeholder complaints relating to the works.

Information contained in CM, including the number of complaints received, are summarised in a monthly report. The report is made available to the ER and TfNSW at the end of each calendar month or as required. The ER has access to CM on the Project.

Evidence was provided indicating that complaints are reviewed by TfNSW and the FH Community Relations Manager (CRM), allocated to the appropriate personnel for response and corrective or preventative action initiated.

During the audit period, 10 complaints were received related to works on RP2J. These related to dust, traffic, noise, cycle way and public transport. All complaints were addressed and are considered closed by the project team.

Details of how to make a complaint are provided on the RP2J project webpage.

3.7 Incidents

No reportable incidents as defined by the Approval were recorded during the audit period.

3.8 Actual versus predicted impacts

Predicted outcomes associated with construction are described in:

- Section 7 of the Newcastle Inner City Bypass (NICB) – Rankin Park to Jesmond (RP2J) Environmental Impact Statement Volume 1, RMS, November 2016
- Section 6 of the RtS Newcastle Inner City Bypass (NICB) – Rankin Park to Jesmond (RP2J), Submissions and Preferred Infrastructure Report, TfNSW, June 2018; and
- Section 7 of the Modification Report Newcastle Inner City Bypass (NICB) – Rankin Park to Jesmond (RP2J) Modification Report: additional construction compounds, TfNSW, May 2021.

Together, and for the purposes of this section, the aforementioned documents are referred to here as the EIS.

The EIS include a voluminous number of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project (including mitigation measures). Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs.

Other than the requirements specified in the conditions and identified mitigation measures, to the Auditor's knowledge there are no requirements to undertake such studies, and doing so does not form part of this Audit.

We have provided an overview of the actual versus predicted impacts in Table 7 below.

Table 7: Summary of predicted versus actual impacts.

Issue	Summary of Key Potential Impacts (Construction)	Summary of Actual Impacts During Audit Period	Consistent with predicted (Yes / No)
Biodiversity	<p>Clearance of about 39.2 hectares of native vegetation including 4.1 hectares of EEC</p> <p>Removal of about 846 clumps of <i>Tetratheca juncea</i> and the removal of fauna (including threatened species) habitat</p> <p>Fragmentation of habitat creating a potential barrier for fauna movement</p> <p>Potential for water quality impacts to ephemeral watercourses in the study area and sensitive wetlands (including Ramsar) downstream</p>	<p>Clearance of native vegetation had substantially commenced during the audit period. Effective site boundary demarcation in place to prevent unauthorised clearing</p> <p>Erosion and sediment controls were well established and appeared to be of a high quality during the site inspection.</p> <p>Impacts no greater than predicted.</p>	Yes
Traffic, Transport and Access	<p>Construction:</p> <ul style="list-style-type: none"> • Temporary disruptions and delays to road users, pedestrians and cyclists • Temporary disruptions to property access • Temporary relocation and/or closure of bus stops • Access changes in bushland areas and closure of east-west access across the construction footprint in the bushland area. 	<p>Traffic, transport and access impacts are occurring as expected. Relatively low number of complaints regarding these at this stage of project would indicate the level of impact is no greater than predicted.</p>	Yes
Noise and Vibration	<p>Construction noise and vibration (including potential blasting) impacts to sensitive receivers.</p>	<p>Two noise-related complaints were received during this audit period. One complaint was regarding a street sweeper generating noise on Victory Parade, while the other was related to loud tree removal works. The relevant teams were notified about these complaints, and monitoring conducted thus far has not detected any instances of noise estimates being exceeded.</p> <p>Level of impacts no greater than predicted.</p>	Yes

Issue	Summary of Key Potential Impacts (Construction)	Summary of Actual Impacts During Audit Period	Consistent with predicted (Yes / No)
Air Quality	Generation of dust from construction activities and exposed surfaces impacting on sensitive receivers including those in the John Hunter Hospital precinct.	No visible dust emissions observed during site inspection and appropriate controls in place. Two complaints regarding dust emissions to date indicating that impacts are no greater than predicted	Yes
Soils and water quality	Potential for ecological and health impacts due to disturbance of localised contaminated soils. Potential for water quality impacts to ephemeral watercourses in the study area and sensitive wetlands (including Ramsar) downstream	Unexpected finds procedure activated in relation to ACM find with RAP being prepared to ensure this contaminated material is managed safely. Erosion and sediment controls were well established and appeared to be of a high quality during the site inspection. Impacts no greater than predicted.	Yes
Flooding	Potential flooding and drainage risks during construction, including loss of materials.	No flooding was reported to have occurred during the audit period.	Yes
Groundwater	Groundwater inflows into cuttings, drawdown of aquifers, changes to groundwater flow paths and impacts to groundwater dependent ecosystems. Construction activities would result in increased levels of run off pollution.	No significant groundwater inflows encountered at this relatively early stage of earthworks and clearing.	Yes
Non-Aboriginal Heritage	Loss of the Hollywood shanty town area and impact to a section of the Wallsend Plattsburg tramway embankment that have been assessed as having potential local significance. Disturbance or destruction of previously unidentified historic heritage (relics).	Qualified archaeologist currently overseeing works impacting on historic heritage including Hollywood shanty town area. Impacts at this early stage no greater than predicted.	Yes
Aboriginal Heritage	Disturbance or destruction of previously unidentified Aboriginal heritage sites or artefacts. The nearest sites are about 375 metres to the south-east in Blackbutt Reserve.	No unexpected Aboriginal heritage finds to date indicating impacts no greater than predicted at this early stage.	Yes

Issue	Summary of Key Potential Impacts (Construction)	Summary of Actual Impacts During Audit Period	Consistent with predicted (Yes / No)
Bushfire risk	Accidental ignition from the use of plant and fuels and chemicals during construction. Access for emergency services will be provided during construction.	No incidents related to accidental fires reported to date	Yes
Land use and socio-Economic Impacts	<ul style="list-style-type: none"> • Property acquisition impacts to private and public land owners • Temporary disruptions and delays to road users, pedestrians and cyclists • Access changes in bushland areas and closure of east-west access across the construction footprint in the bushland area • Potential temporary disruption to utilities • Temporary amenity impacts on nearby businesses and residences. <p>Use of the compounds would result in reduced amenity associated with construction noise, visual and traffic impacts for nearby residential receivers.</p>	Construction has commenced making these impacts inevitable however low numbers of complaints in relation to traffic and other road users indicate impacts no greater than predicted	Yes
Visual Amenity, built form and urban design	Temporary visual impacts associated with construction activities including compounds, machinery, temporary structures and physical impacts on existing public open space and use of land.	At the time of the audit construction was predominantly being carried out in relatively remote areas with the Northern Site compound close to existing high traffic area. Impacts likely to be no greater than predicted	Yes
Resource use and waste management	Resource use and generation and disposal of waste from construction activities.	Suitable cleared timber being recycled and other wastes separated for recycling	Yes
Greenhouse gas emissions	Greenhouse gas emissions during construction from vegetation clearing, operation of construction machinery and production of construction materials.	Not able to be assessed	Yes
Climate change risks	Potential risk of increased rainfall, temperature changes and sea level rise.	Not able to be assessed.	Yes

Issue	Summary of Key Potential Impacts (Construction)	Summary of Actual Impacts During Audit Period	Consistent with predicted (Yes / No)
Cumulative construction impacts	Potential cumulative impacts arising from interaction with other projects during the construction period including traffic disruption, general amenity, waste generation and resource demand.	No significant interaction between this project and others under construction in the area was observed	

3.9 Key strength and environmental performance

The Project demonstrated compliance with their environmental obligations under the SSI-6888 Approval, with the following key strengths observed by the Auditor:

- Erosion and sediment controls were found to be of a very high standard generally across the project.
- Environmental records were well-organised and readily available during the site inspection and interview with key Project personnel. The CEMP and associated subplans were implemented, site inspections being undertaken regularly, and records kept up to date.
- The Project site was managed well, with the following mitigation measures noted to be in place:
 - Graffiti free hoarding and boundary screening
 - Clear and well-marked project boundary fencing
 - Availability of concrete wash bins
 - Bunded chemical storage area
 - Strategically located spill kits
 - Well maintained topsoil and spoil stockpiles
 - Site gate entry and egress stabilization
 - No construction heavy vehicles observed to be parked outside the construction boundary
 - Good traffic control signage and controller
 - Sweeping of access/egress points
 - Water carts observed in operation
 - No dust generation
 - No mud tracking.

4. CONCLUSION

This Audit Report presents the findings from IA3 for the Stage 4 early construction phase, covering the period 6 March 2023 to 25 May 2023.

The overall outcome of the Audit was very positive. Compliance records were organised and available at the time of the site inspection and interviews with Project personnel from TfNSW and FH.

Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

In relation to the previous audit (Audit Report No. 2) prepared by EMM Consulting dated 3 June 2021, as no findings were identified in that audit, there was no follow up required as part of this audit.

In regard to the findings from the IA3 by WolfPeak, a total of 163 conditions were assessed. Out of these, 105 were found to be compliant and 58 were not triggered.

There was one observation noted under condition E57, related to a breach in a mulch and earth bund, and one under condition E81, related to a housekeeping item at one of the site compounds. Both of these findings were actioned shortly after the audit site inspection and are considered closed. Detailed findings are presented in Section 3 and Appendix A.

A positive observation was noted relating to erosion and sediment controls which were found overall to be of a very high standard across the project.

The Auditor acknowledges the auditees' exceptional level of organization, collaboration, and assistance during this audit.

5. LIMITATIONS

This Document has been provided by WolfPeak Pty Ltd (WolfPeak) to the Client and is subject to the following limitations:

This Document has been prepared for the particular purpose/s outlined in the WolfPeak proposal/contract/relevant terms of engagement, or as otherwise agreed, between WolfPeak and the Client.

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With respect to conditions relating to compliance with the design, Building Codes of Australia (BCA) or satisfaction of the Independent Verifier / Certifier / Certifying Authority, the Audits relied on confirmation from the Independent Verifier / Certifier / Certifying Authority that this is the case. The Audits do not extend to an assessment of the works against the design or BCA requirements themselves, nor did they examine the steps the Independent Verifier / Certifier / Certifying Authority has taken to verify that the design is compliant.

The assessment of actual impacts and those predicted in the Environmental Impact Assessment(s) was a high-level assessment qualitative assessment only. The Environmental Impact Assessment(s) include a voluminous number of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project (including mitigation measures). Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than the requirements specified in the, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Audit.

Audits of all post approval documents prepared to satisfy the conditions, including an assessment of the implementation of Environmental Management Plans and Sub-plans, adopts a Judgement Based Sampling approach. Judgement Based Sampling is the process of selecting a sample of commitments and evidence from within the total available data set (population) to obtain and evaluate evidence about some characteristic of that population, in order to form a conclusion concerning the population.

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To the best of WolfPeak's knowledge, the facts and matters described in this Document reasonably represent the Client's intentions at the time of which WolfPeak issued the Document to the Client. However, the passage of time, the manifestation of latent conditions or the impact of future events (including a change in applicable law) may have resulted in a variation of the Document and its possible impact. WolfPeak will not be liable to update or revise the Document to take into account any events or emergent circumstances or facts occurring or becoming apparent after the date of issue of the Document.

APPENDIX A - SSI 6888 CONDITIONS OF APPROVAL

Table 8: Newcastle Inner City Bypass – Rankin Park to Jesmond SSI 6888 Condition of Approval

Unique ID	Compliance requirement	Evidence collected	Audit findings and recommendations	Compliance Status
SCHEDULE 2				
PART A - ADMINISTRATIVE CONDITIONS				
General				
A1	<p>The SSI must be carried out in accordance with the terms of this approval and generally in accordance with the description of the SSI in the:</p> <ul style="list-style-type: none"> (a) Newcastle Inner City Bypass – Rankin Park to Jesmond Environmental impact statement (RMS, 2016) (the EIS); (b) Submissions and Preferred Infrastructure Report Newcastle Inner City Bypass Rankin Park to Jesmond (RMS, 2018) (the SPIR); (c) Newcastle Inner City Bypass – Rankin Park to Jesmond Modification Report: additional construction compounds (TfNSW, May 2021); and (d) Newcastle Inner City Bypass – Rankin Park to Jesmond Modification Report: additional construction compounds Submissions Report (TfNSW, September 2021). 	<p>Site inspection and interview with auditees 25/05/2023</p> <p>Infrastructure Approval SSI 6888 approved by the Minister for Planning on 15 February 2019</p> <p>Environmental Impact Statement (EIS) Nov 2016, RMS</p> <p>Refer to Appendix F Site Photos</p>	<p>The Project has demonstrated that it is taking reasonable and feasible measures to prevent or minimise harm on the environment.</p> <p>No non-compliances were identified during the audit.</p> <p>No directions were issued by the Planning Secretary.</p>	C
A2	<p>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.</p>	<p>SSI-688-Mod-1 Additional ancillary facilities approved on 07/02/2022</p> <p>Construction Monitoring Programs for NICB-RP2J (SSI-6888) August 2019, RMS</p> <p>Construction Monitoring Programs for NICB-RP2J (SSI-6888) July 2022, RMS</p> <p>Stage 4 Pre-Construction Compliance Report for NICB-RP2J Rev 2, 18/01/2023 by ER</p> <p>Stage 2 Operational Compliance Report for NICB-RP2J Rev 2, 25/02/2022 by ER</p> <p>Construction Environmental Management Plan (CEMP) NICB Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan (FH)</p> <p>Traffic & Transport Management Sub-Plan (TTMP) Rev 3 09/02/23, Fulton Hogan</p> <p>Noise & Vibration Management Sub-Plan (NVMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan</p> <p>Flora & Fauna Management Sub-Plan (FFMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan</p> <p>Air Quality Management Sub-Plan (AQMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan</p>	<p>The evidence provided demonstrates that all necessary steps have been taken to ensure compliance with the specified procedures, commitments, preventative actions, performance criteria, and mitigation measures.</p>	C

A3	<p>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.</p> <p>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.</p>	<p>Interview with auditees 25/05/2023</p> <p>Consistency Assessment Report No. 5 for NICB RP2J Stage 4 – Detailed Design Changes February 2022 Rev 2, undated by Transport for NSW</p> <p>Email 13/02/2023 TransportNSW-ER re: Submission of Consistency Assessment Report No. 5 to ER</p> <p>Consistency Assessment Report No. 6 for NICB RP2J Stage 4 -Signage August 2022 Rev 2, 29/09/2022 by Transport for NSW</p> <p>Email 12/10/2022 TransportNSW-ER re: Submission of Consistency Assessment Report No. 6 to ER</p> <p>Consistency Assessment Report No. 7 for NICB RP2J Stage 4 Habitat Replacement December 2022 Rev 3, 20/12/2022</p> <p>Email 16/01/2023 TransportNSW-ER re: Submission of Consistency Assessment Report No. 7 to ER</p> <p>Consistency Assessment Report No. 9 for NICB RP2J Stage 4 Utility Work March 2023 Rev 4, 17/03/2023</p> <p>Email 21/03/2023 TransportNSW-ER re: Submission of Consistency Assessment Report No. 9 to ER</p> <p>Consistency Assessments have been undertaken and provided to the ER in accordance with A27.</p>	<p>Consistency Assessment Reports were prepared and submitted to ER for review.</p> <p>Consistency Assessment Reports confirmed that the project aligns with Division 5.2 requirements and complies with the EPBC approvals.</p>	C
A4	<p>The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to:</p> <ul style="list-style-type: none"> (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. 	<p>Interview with auditees 25/05/2023</p> <p>Audit Program for NICB-RP2J July 2022 Rev 5 13/07/2022 TRMS – update to audit timeframes to reflect Stage 4 Main Works commencement</p> <p>Pre-construction Compliance Report for NICB RP2J Stage 4, Rev 2 18/01/2023, TfNSW</p>	<p>No written directions have been received from the Department. The Department made an RFI in relation to the Pre-construction Compliance Report, which has been updated to Rev 2 in order to address the RFI.</p>	C

<p>A5</p>	<p>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:</p> <ul style="list-style-type: none"> (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. 	<p>Construction Environmental Management Plan (CEMP) NICB Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan (FH)</p> <p>Traffic & Transport Management Sub-Plan (TTMP) Rev 3 09/02/23, Fulton Hogan</p> <p>Email 28/10/22 Fulton Hogan (FH)-Newcastle City Council (NCC) re: Submission of TTMP</p> <p>Email 4/11/22 NCC-FH re: Final review of TTMP with comments</p> <p>Email 4/11/22 FH-NCC re: Specific infrastructure requirements for CoN</p> <p>Email 7/11/22 TfNSW-HNSW re: FH responses to HAC's comments of the TTMP</p> <p>Email 08/11/22 Newcastle City Council (NCC)-FH re: Approval of CEMP/TTMP for RP2J</p> <p>Email 10/11/22 TfNSW-HealthNSW re: Confirmation HAC approval for TTMP</p> <p>Email 10/11/22 Health NSW-TfNSW re: Acceptance of comments for TTMP</p> <p>Email 10/11/22 TfNSW-FH re: Comments close out for TTMP</p> <p>Noise & Vibration Management Sub-Plan (NVMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan</p> <p>Email 7/11/22 FH-NCC re: Submission of NVMP RP2J to Council</p> <p>Email 8/11/22 NCC-FH re: Acknowledgement receipt of NVMP RP2J</p> <p>Email 1/12/22 FH-NCC re: NVMP RP2J- FH response to Council comments</p> <p>Email 5/12/22 NCC-FH re: NVMP RP2J reviewed and approved by Council</p> <p>Email 8/11/22 TfNSW-HealthNSW re: Submission of NVMP RP2J to Health NSW</p> <p>Email 9/12/22 TfNSW-HealthNSW re: NVMP RP2J FH review</p> <p>Email 2/12/22 HealthNSW-FH re: Health NSW approval for NVMP RP2J</p> <p>Flora & Fauna Management Sub-Plan (FFMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan</p> <p>Email 2/11/22 FH- DPE/Fisheries re: Submission of FFMP to Fisheries</p>	<p>The monitoring program was prepared and undertaken in consultation with identified parties. Evidence of consultation was submitted along with the CEMP and Sub-plan.</p> <p>The evidence sighted complies with the a) – e) requirement of this condition.</p>	<p>C</p>
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		<p>Email 17/10/22 FH-Cazadirect re: Follow up on the approval for the submitted ACHMP</p> <p>Email 5/10/22 LowerHunter-FH re: Approval of ACHMP</p> <p>Email 14/10/22 FH-Wonn1 re: Confirmation of ACHMP approval from Wonn1 (Entity of Kauwul Pty Ltd)</p> <p>Email 14/10/22 FH- didgengunawalclan re: Follow up on the approval for the submitted ACHMP</p> <p>Email 17/10/22 FH- murrabidgeemullangari re: Follow up on the approval for the submitted ACHMP</p> <p>Email 14/10/22 FH- dontminemeay re: Follow up on the approval for the submitted ACHMP</p> <p>Email 14/10/22 FH- Awabakal descendants re: Follow up on the approval for the submitted ACHMP</p> <p>Email 18/10/22 NCC-FH re: Approval of FMP from Newcastle City Council</p>		
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.	<p>Infrastructure Approval SSI 6888 approved by the Minister for Planning on 15 February 2019</p> <p>Stage 4 construction commenced on Mon 6 March. Included in Pre Construction Compliance Report and in monthly ERG meeting minutes for relevant period</p>	Works commenced within the required timeframe.	C
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.	The documents referred to elsewhere in this Audit Table	The documents prepared under the consent appear to refer to the standards and guidelines that are applicable to the document to which they relate.	C
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.	Interview with auditees 25/05/2023	No other document submission timeframes associated with the approval.	NT
BRIDGE 7 – SHARED PATH BRIDGE OVER NEWCASTLE ROAD (BRIDGE 7)				

A9	<p>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:</p> <ul style="list-style-type: none"> (a) preparation of a Construction Environmental Management Process (Plan) and an Environmental Work Method Statement (EWMS), in consultation with relevant public authorities and 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). 	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>Construction of Bridge 7 was completed outside the audit period.</p>	NT
STAGING				
A10	<p>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).</p>	<p>Email 30/07/2019 RMSNSW-Geolink re: RP2J Review of Compliance Documents required prior to construction</p> <p>Email 8/08/2019 Geolink-RMSNSW re: ER acceptance & endorsement of staging report</p> <p>Staging Report Rev 2 NICB-RP2J 8/08/2019, RMS</p> <p>Letter 12/08/2019 TRMS-DPE re: Submission of Staging Report - A10</p> <p>Memo 6/07/2022 TfNSW-DPE re: Staging Report update to include interface with John Hunter Hospital Innovation Precinct</p> <p>Staging Report Rev 3 NICB-RP2J 6/07/2022 to include JHH interface</p>	<p>The Staging Report was prepared and submitted to the Department on 8/08/2019.</p> <p>The Staging Report has been updated to version 3 and submitted on 6/07/2022</p>	C
A11	<p>The Staging Report must:</p> <ul style="list-style-type: none"> (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. 	<p>Staging Report Rev 2 NICB-RP2J 8/08/2019, RMS</p> <p>Staging Report Rev 3 NICB-RP2J 6/07/2022 to include JHH interface</p>	<p>The requirements of a) to d) are covered in the Staging Report as follows:</p> <ul style="list-style-type: none"> a. Sections 2.2 & 2.4 b. Sections 2.3 & 2.4 c. Section 3, Appendix A & B d. Section 4 	C

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.	Staging Report Newcastle Inner City Bypass – Rankin Park to Jesmond Transport for NSW July 2022	Compliant as project timing was provided as indicative dates and construction staging is consistent with these	C
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.	Staging Report Newcastle Inner City Bypass – Rankin Park to Jesmond Transport for NSW July 2022	Compliant as project timing was provided as indicative dates and construction staging is consistent with these	C

ANCILLARY FACILITIES

Ancillary Facilities

A14	<p>Ancillary facilities that are not identified in the documents listed in Condition A1 can only be established and used in each case if:</p> <ul style="list-style-type: none"> (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. 	Site inspection and interview with auditees 25/05/2023	<p>Main site office at Waratah was established as complying development .</p> <p>All other ancillary sites are covered by the EIS and Modification documentation</p>	C
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ANCILLARY FACILITIES ESTABLISHMENT WORKS

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> <ul style="list-style-type: none"> (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; (b) figures illustrating the proposed operational site layout, including access roads and parking; (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; (d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to: <ul style="list-style-type: none"> i. meet the performance outcomes stated in the documents listed in Condition A1, and ii. (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and (e) a program for monitoring the performance outcomes, including a program for construction noise monitoring consistent with the requirements of Condition C10. <p>Nothing in this condition prevents the Proponent from preparing individual Ancillary Facility Establishment Management Plans for each construction ancillary facility.</p>	<p>Ancillary Facility Establishment Management Plan (AFEMP) NICB-RP2J Rev 4 13/12/22, FH</p> <p>Email 4/11/2022 TfNSW-NCC re: Submission of AFEMP for Council review & comment</p> <p>Email 28/10/22 NCC-TfNSW re: Approval AFEMP-RP2J from Newcastle City Council</p> <p>Email 28/10/2022 FH-PoliceNSW re: Submission of AFEMP for review & comment</p> <p>Email 31/10/2022 PoliceNSW-FH re: Approval of AFEMP from Newcastle City Police District</p> <p>Email 28/10/2022 FH-DoH re: Consultation of AFEMP from Department of Health</p> <p>Major Project Portal receipt indicates evidence of submission of AFEMP to DPE on 14/11/22</p>	<p>AFEMP was prepared and addresses the requirements of this condition.</p> <p>Sighted consultation from council and relevant public authorities.</p> <p>Compliance with a) to e) is provided in the following AFEMP sections:</p> <ul style="list-style-type: none"> a. Section 5 b. Section 5 c. Section 8.5 d. i Section 5.5/CEMP d. ii Section 7 e. Section 8.4 & NVMP 	C
A16	<p>The requirements of Condition A15 in relation to Bridge 7 may be addressed by the documents required under Condition A9.</p>	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>Construction of Bridge 7 was completed outside the audit period.</p>	NT

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>	<p>Construction Environmental Management Plan (CEMP) and Sub-Plans NICB Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan (FH)</p> <p>Letter 02/03/2023 DPE-FH re: Approval of CEMP Rev 5 and Sub-Plans for NICB-RP2J Stage 4 Main Works</p> <p>Site inspection and interview with auditees 25/05/2023</p>	<p>The use of the main construction ancillary facility at the Northern Interchange did not commence until the Construction Environmental Management Plan (CEMP) and sub-plans as required by Condition C1, C4 and C9 were approved by the Planning Secretary.</p>	C
A18	<p>The requirements of Condition A17 in relation to Bridge 7 may be addressed by the documents required under Condition A9.</p>	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>Construction of Bridge 7 was completed outside the audit period.</p>	NT
Minor Construction Ancillary Facilities				
A19	<p>Lunch sheds, office sheds, portable toilet facilities, material 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> <ul style="list-style-type: none"> (a) are located within the construction boundary; and (b) have been assessed by the ER to have - <ul style="list-style-type: none"> 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 ii. minimal environmental impact with respect to waste management and flooding, and iii. no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval. 	<p>Interview with auditees 25/05/2023</p>	<p>At the time of the audit the ER was assessing two applications under this requirement.</p>	NT
Boundary Screening				
A20	<p>Boundary screening must be erected around 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).</p>	<p>Site inspection auditees 25/05/2023</p> <p>Refer to site photos (Appendix F)</p>	<p>Boundary screening was observed during the site inspection.</p>	C
A21	<p>Boundary screening required under Condition A20 of this approval must reduce visual, noise and air quality impacts on adjacent sensitive receivers.</p>	<p>Site inspection auditees 25/05/2023</p> <p>Refer to site photos (Appendix F)</p>	<p>Boundary screening was observed during the site inspection. No graffiti was observed on screening.</p>	C

A21A	The Peatties Road ancillary facility must be located within the boundary line marked in blue in Figure 1 of Appendix A of this approval.	Site inspection auditees 25/05/2023	Not being used by Project	NT
ENVIRONMENT REPRESENTATIVE				
A22	Works must not commence until an ER has been approved by the Planning Secretary and engaged by the Proponent.	Letter 10/05/2019 TRMS-DPE re: Endorsement of ER - GeoLink Letter 14/05/2019 DEP-TRMS re: Approval of ER – (Simon Williams & Duncan Thomson of GeoLink) ER engaged on 13/10/22 under Variation of Deed of Appointment and is engaged by Transport and Fulton Hogan	The Environmental Representative (ER) received approval from the Department on 14/05/2019 and was engaged through a variation of the deed of appointment by Transport for NSW and Fulton Hogan.	C
A23	The Planning Secretary's approval of an ER must be sought no later than one month before the commencement of works.	Letter 10/05/2019 TRMS-DPE re: Endorsement of ER - GeoLink Letter 14/05/2019 DEP-TRMS re: Approval of ER – (Simon Williams & Duncan Thomson of GeoLink) Stage 4 construction commenced on Mon 6 March 2023. Included in Pre Construction Compliance Report and in monthly ERG meeting minutes for relevant period	The approval and engagement of the Environmental Representative was within the required timeframe as specified by this condition.	C
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. 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.	Letter 14/05/2019 DEP-TRMS re: Approval of ER – (Simon Williams & Duncan Thomson of GeoLink)	The Department approved Simon Williams & Duncan Thomson of GeoLink as ER for the project. The Department noted on the approval that the approved ER are appropriately qualified, experienced and independent of the project as required under condition A24.	C
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	Letter 14/05/2019 DEP-TRMS re: Approval of ER – (Simon Williams & Duncan Thomson of GeoLink) ER engaged on 13/10/22 under Variation of Deed of Appointment and is engaged by Transport and Fulton Hogan	ER was engaged through a variation of the deed of appointment on 13/10/2022 by Transport for NSW and Fulton Hogan. The Department approved Simon Williams & Duncan Thomson of GeoLink as ER for the project.	C

<p>A26</p>	<p>For the duration of works and 12 months after the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> 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 	<p>Site inspection and interview with auditee 25/05/2023</p> <p>Environmental Inspection Report UPR3291-1080 3/05/2023 by GeoLink</p> <p>Environmental Inspection Report UPR3291-1076 4/04/2023 by GeoLink</p> <p>Environmental Inspection Report UPR3291-1077 19/04/2023 by GeoLink</p> <p>ER Monthly Report January 2023 by GeoLink (Reporting period: 1 to 31 January 2023)</p> <p>Post Approval submission to DPE portal re: ER Monthly Report January 2023 by TfNSW</p> <p>ER Monthly Report February 2023 by GeoLink (Reporting period: 1 to 28 February 2023)</p> <p>Post Approval submission to DPE portal re: ER Monthly Report February 2023 by TfNSW</p> <p>Email 7/02/2023 GeoLink-TfNSW re: submission of Jan and Feb 2023 Monthly Report to TfNSW</p> <p>Post Approval submission to DPE portal re: ER Monthly Report March 2023 by TfNSW</p> <p>ER Monthly Report April 2023 by GeoLink (Reporting period: 1 to 30 April 2023)</p> <p>Email 13/06/2023 DPE-GeoLink re: Acknowledgment receipt for the submission of ER Monthly Report April 2023</p> <p>Email 28/06/2023 GeoLink-TfNSW re: Issue on the submission of ER Monthly report to DPE portal</p> <p>ER Monthly Report May 2023 by GeoLink (Reporting period: 1 to 31 May 2023)</p> <p>Email 7/06/2023 DPE-GeoLink re: Acknowledgment receipt for the submission of ER Monthly Report May 2023</p>	<p>ER site inspections are undertaken on a fortnightly basis.</p> <p>ER inspection report provided the necessary mitigation measures and controls for the Project, along with action taken by the contractor to ensure compliance with the issue.</p> <p>ER monthly reports were submitted to the Department within 7 days of the end of each month.</p> <p>The ER (GeoLink) regularly performed the submission of the ER Month Report to the Department.</p> <p>Note the April 2023 ER monthly report submission to DPE portal failed/delayed due IT issue.</p>	<p>C</p>
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	days following the end of each month for the duration of the ER's engagement for the SSI.			
A27	<p>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:</p> <ul style="list-style-type: none"> (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). 	<p>Interview with auditees 25/05/2023</p> <p>Consistency Assessment Report No. 5 for NICB RP2J Stage 4 – Detailed Design Changes February 2022 Rev 2, undated by Transport for NSW</p> <p>Email 13/02/2023 TransportNSW-ER re: Submission of Consistency Assessment Report No. 5 to ER</p> <p>Consistency Assessment Report No. 6 for NICB RP2J Stage 4 -Signage August 2022 Rev 2, 29/09/2022 by Transport for NSW</p> <p>Email 12/10/2022 TransportNSW-ER re: Submission of Consistency Assessment Report No. 6 to ER</p> <p>Consistency Assessment Report No. 7 for NICB RP2J Stage 4 Habitat Replacement December 2022 Rev 3, 20/12/2022</p> <p>Email 16/01/2023 TransportNSW-ER re: Submission of Consistency Assessment Report No. 7 to ER</p> <p>Consistency Assessment Report No. 9 for NICB RP2J Stage 4 Utility Work March 2023 Rev 4, 17/03/2023</p> <p>Email 21/03/2023 TransportNSW-ER re: Submission of Consistency Assessment Report No. 9 to ER</p>	<p>ER has access to Consultation Manager</p> <p>Consistency Assessment Reports provided to ER as per A3. Email dated 16/1/23 evidence of CA being provided to ER prior to works commencing for Habitat Replacement Works</p>	C
A28	<p>The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under Condition A26. The Proponent must:</p> <ul style="list-style-type: none"> (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. 	<p>Interview with auditees 25/05/2023</p>	<p>No such audit has been requested</p>	NT
COMPLIANCE MONITORING AND REPORTING PROGRAM				
A29	<p>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.</p>	<p>Compliance Monitoring & Reporting Program (CMRP) Rev 2 August 2019, TRMS</p> <p>Email 30/07/2019 TRMS-GeoLink re: RP2J Review of CMRP</p> <p>Email 08/08/2019 GeoLink-TRMS re: ER acceptance & endorsement of CMRP</p> <p>Letter 12/08/2019 TRMS-DPE re: Submission of CMRP to DPE</p> <p>Construction commenced on RP2J (Stage 2) on 25 November 2019</p>	<p>The CMRP was prepared within the required timeframe, endorsed by ER and submitted to the Department on 12/08/2019.</p>	C

A30	<p>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.</p>	<p>Pre-Construction Compliance Report September 2019 Rev 2, 30/09/2019, TRMS</p> <p>Compliance Monitoring & Reporting Program (CMRP) Rev 2 August 2019, TRMS</p> <p>Construction commenced on RP2J (Stage 2) on 25 November 2019, TRMS</p> <p>Six Monthly Construction Compliance Report 1 Nov 2019-May 2020 Rev 2, 27/07/2020, TRMS</p> <p>Six Monthly Construction Compliance Report 2 May -Oct 2020 Rev 1, 24/11/2020, TRMS</p> <p>Six Monthly Construction Compliance Report 3 Nov 2020 -Apr 2021 Rev 0, 10/06/2021, TRMS</p> <p>Six Monthly Construction Compliance Report 4 May-Oct 2021 Rev 01 17/11/2021, TRMS</p> <p>NICB RP2J Stage 2 Operational Compliance Report 25/02/2022, TRMS</p> <p>NICB RP2J Stage 4 Pre-Construction Compliance Report Jan 2023 Rev 2 18/01/2023, TRMS</p> <p>Stage 4 construction commenced on Mon 6 March 2023. Included in Pre Construction Compliance Report and in monthly ERG meeting minutes for relevant period</p>	<p>The Pre Construction Compliance Report was prepared and addresses the requirement of this condition.</p>	C
A31	<p>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.</p>	<p>Compliance Monitoring & Reporting Program (CMRP) Rev 2 August 2019, TRMS</p>	<p>The CRMP was prepared and addresses the requirement of this condition.</p>	C

A32	<p>The Proponent must make each compliance report publicly available and notify the Department in writing when this has been done.</p>	<p>NICB-RP2J Pre-Construction Compliance Report September 2019 Rev 2 30/09/2019, TfNSW</p> <p>NICB-RP2J Compliance Report 1 Nov 2019-May 2020 Rev 2 28/07/2020, TfNSW</p> <p>Letter 08/09/2020 TfNSW-DPE re: Public display of NICB-RP2J Compliance Report 1 (Nov 2019-May 2020) on project website</p> <p>NICB-RP2J Compliance Report May-Oct 2020 Rev 1 24/11/2020, TfNSW</p> <p>Letter 13/01/2021 TfNSW-DPE re: Public display of NICB-RP2J Compliance Report 2 (May 2020-Oct 2020) on project website</p> <p>NICB-RP2J Compliance Report 3 Nov 2020-April 2021 Rev0 10/06/21, TfNSW</p> <p>Letter 24/08/2021 TfNSW-DPE re: Public display of NICB-RP2J pre-operational compliance report and compliance report (Nov 2020-April 2021 on project website</p> <p>NICB-RP2J Compliance Report 4 Nov 2019-May 2020 Rev 2 28/07/2020, TfNSW</p> <p>Letter 04/02/2022 TfNSW-DPE re: Public display of NICB-RP2J compliance report 2 (May 2021-Oct 2021) on project website</p> <p>NICB-RP2J Stage 2 Operational Compliance Report Rev 0 25/02/2022, TfNSW</p> <p>Letter 16/08/2022 TfNSW-DPE re: Public display of NICB-RP2J compliance report for Stage 2 Operational on project website</p>	<p>The Compliance Reports were made publicly available through the project website.</p> <p>The Department was notified in writing on every compliance report that was completed.</p> <p>Compliance Reports were sighted on the project website.</p>	C
A33	<p>The Compliance Monitoring and Reporting Program in the form required under Condition <u>A29</u> 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 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.</p>	<p>Compliance Monitoring & Reporting Program (CMRP) Rev 2 August 2019, TRMS</p> <p>NICB-RP2J Stage 4 Pre-Construction Compliance Report January 2023 Rev 2 18/01/2023, TfNSW</p>	<p>The Project demonstrated compliance with the Compliance Monitoring and Reporting Program. By adhering to the requirements, including Audits, Environmental Representative Reports, and compliance reviews, the project has fulfilled the condition's obligations.</p>	C
<p>AUDITING</p>				

A34	<p>No later than four (4) weeks before the date notified for the commencement of construction (in the pre-construction compliance report), an Audit Program prepared in accordance with the Audit – Post Approval Requirements (DPE 2018) must be submitted to the Planning Secretary.</p>	<p>Construction commenced on RP2J (Stage 2) on 25 November 2019</p> <p>Audit Program for NICB-RP2J July 2022 Rev 2 12/08/2019 TRMS</p> <p>Letter 12/08/2019 TfNSW-DPE re: Submission of Audit Program</p> <p>Audit Program for NICB-RP2J July 2022 Rev 5 13/07/2022 TRMS</p> <p>Letter 19/07/2022 DPE-TfNSW re: Approval of Audit Program Rev 5</p> <p>Audit Program Rev 6, TFNSW</p> <p>Letter 01/05/2023 TfNSW-DPE re: Submission of Audit Program Revision 6 for NICB-RP2J</p> <p>Construction approval on RP2J (Stage 4) granted on 2 March 2023</p>	<p>The Audit Program was prepared within the required timeframe and submitted to the Department on 12/08/19 for Stage 2 and 02/03/23 for Stage 4</p>	C
A35	<p>Audits of the development must be carried out in accordance with:</p> <ul style="list-style-type: none"> (a) the Audit Program submitted to the Department under Condition A34 of this approval; and (b) the requirements for an Audit Methodology and Audit Report in Audit – Post Approval Requirements (DPE 2018). 	<p>Audit Program Rev 5, 13/07/2022., TFNSW</p> <p>Letter 12/08/2019 TfNSW-DPE re: Submission of Audit Program</p> <p>Audit Program for NICB-RP2J July 2022 Rev 5 13/07/2022 TRMS</p> <p>Audit Program Rev 6, TFNSW</p> <p>Letter 01/05/2023 TfNSW-DPE re: Submission of Audit Program Revision 6 for NICB-RP2J</p> <p>Letter 09/04/2020 DPE-TfNSW re: Approval of Auditor for NICB-RP2J Stage 2 – EMM Consulting</p> <p>NICB-RP2J Audit Report No. 1 for Stage 2 IEA June 2021 Rev 1 29/05/2020, EMM Consulting P/L</p> <p>Letter 25/02/2021 DPE-TfNSW re: Approval of Auditor for NICB-RP2J Stage 2 – EMM Consulting</p> <p>NICB-RP2J Audit Report No. 2 for Stage 2 IEA June 2021 Rev 2 03/06/2021, EMM Consulting P/L</p> <p>Letter 26/08/2022 DPE-TfNSW re: Approval of Auditor for NICB-RP2J Stage 4 – WolfPeak</p>	<p>This audit complies with the requirements of this condition, noting that the IAPAR (2018) provides the overarching requirements.</p>	C

A36	<p>In accordance with the specific requirements in Audit – Post Approval Requirements (DPE 2018), the Proponent must:</p> <ul style="list-style-type: none"> (a) review and respond to each Audit Report prepared under Condition A35 of this approval; (b) submit the response to the Department; and (c) make each Audit Report and response to it publicly available and notify the Department in writing when this has been done. 	<p>Letter 05/06/2020 TfNSW-DPE re: Request for extension of document submission timeframe Audit Report from March 2020 to June 2020</p> <p>Letter 11/06/2020 DPE-TFNSW re: Approval of extension of time to submit Audit</p> <p>NICB-RP2J Audit Report No. 1 for Stage 2 IEA June 2021 Rev 1 29/05/2020, EMM Consulting P/L</p> <p>Audit Proponent Response Report 24/06/2020, TfNSW</p> <p>Letter 18/07/2020 TfNSW-DPE re: NICB-RP2J Public display of Audit Report (June 2020) on project website</p> <p>Letter 21/07/2020 DPE-TfNSW re: Acceptance of NICB-RP2J Audit Report No. 1</p> <p>NICB-RP2J Audit Report No. 2 for Stage 2 IEA June 2021 Rev 2 03/06/2021, EMM Consulting P/L</p> <p>Letter 18/06/2021 TfNSW-DPE re: Submission of NICB-RP2J Audit Report (June 2021) and Proponent’s response</p> <p>Letter 4/08/2021 TfNSW-DPE re: NICB-RP2J Public display of Audit Report (June 2021) and Proponent’s response on project website</p>	<p>Previous Audit Reports and proponent responses were sighted on the Project website.</p> <p>Note: The Proponent will need to respond to this audit report and make it and their response publicly available once they have been submitted to the Department.</p>	C
INCIDENT NOTIFICATION AND REPORTING				
A37	<p>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.</p>	<p>Interview with auditees 25/05/2023</p> <p>Email 14/04/2023 TransportNSW-DPE(Joel Curran) re: SSI 6888 - Potential incident</p> <p>Post Approval (DPE portal) TransportNSW-DPE 14/04/2023 re: Submission of initial notification of potential incident</p> <p>Email 14/04/2023 DPE-Transport re: Acknowledgment of the submission of initial notification of potential incident</p> <p>Letter 12/05/2023 TransportNSW-DPE re: Initial incident notification – sediment laden water leaving site</p> <p>Email 16/05/2023 DPE-TransportNSW re: Communication regarding 230414 McCaffrey Drive water incident SSI-6888-PA-118</p>	<p>A potential incident was reported to the Department immediately in accordance with the requirement of this condition on 14/04/2023 upon its discovery (on the same day, 14/04/2023) through an email sent to Joel Curran at DPE.</p> <p>The reported incident was related to sediment-laden water leaving the site along McCaffrey Drive, which was attributed to wet weather conditions and the steep topography.</p> <p>It is understood that at the time of the audit, an EPA investigation was in progress.</p>	C

A38	Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix B of this approval.	<p>Interview with auditees 25/05/2023</p> <p>Email 14/04/2023 TransportNSW-DPE(Joel Curran) re: SSI 6888 - Potential incident</p> <p>Post Approval (DPE portal) TransportNSW-DPE 14/04/2023 re: Submission of initial notification of potential incident</p> <p>Email 14/04/2023 DPE-Transport re: Acknowledgment of the submission of initial notification of potential incident</p> <p>Letter 12/05/2023 TransportNSW-DPE re: Initial incident notification – sediment laden water leaving site</p> <p>Email 16/05/2023 DPE-TransportNSW re: Communication regarding 230414 McCaffrey Drive water incident SSI-6888-PA-118</p>	The 12 May detailed notification addresses the requirements of Appendix B.	C
PART B - COMMUNITY INFORMATION AND REPORTING				
COMMUNITY INFORMATION, CONSULTATION				
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.	<p>Community Communication Strategy NICB-RP2J Rev 5 27/08/2019, TfNSW</p> <p>Letter 26/09/2019 DPE-TRMS re: Approval of Community Communication Strategy Rev 5</p> <p>Community Communication Strategy NICB-RP2J Rev 7 12/08/2022, TfNSW</p> <p>Letter 28/10/2022 DPE-TRMS re: Approval of Community Communication Strategy</p>	The CCS was prepared and addresses the requirement of this condition.	C

B2	<p>The Community Communication Strategy must:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> 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. 	<p>Community Communication Strategy NICB-RP2J Rev 5 27/08/2019, TfNSW</p> <p>Community Communication Strategy NICB-RP2J Rev 7 12/08/2022, TfNSW</p>	<p>Requirements a) to e) are addressed in the following sections of the CCS:</p> <ul style="list-style-type: none"> a. Section 2 b. Section 5.4 c. Section 5.4 d. Section 5.4 e. Section 6.7, 5.4, 5.5 and refer to the CMS and Consultation Manager 	C
B3	<p>The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than one month before the commencement of any work.</p>	<p>Letter 2/09/2019 TRMS-DPE re: Submission of Community Communication Strategy NICB-RP2J Rev 5</p> <p>Letter 26/09/2019 DPE-TRMS re: Approval of Community Communication Strategy Rev 5</p> <p>Letter 10/10/2022 TRMS-DPE re: Submission of Community Communication Strategy NICB-RP2J Rev 7</p> <p>Letter 28/10/2022 DPE-TRMS re: Approval of Community Communication Strategy</p>	<p>The Community Communication Strategy was submitted to the Department on 10/10/2022 and granted approval on 28/10/2022 more than one month prior to the commencement of Stage 4 works on 6/3/2023.</p>	C

B4	Work for the purposes of the SSI must not commence until the Community Communication Strategy has been approved by the Planning Secretary.	<p>Community Communication Strategy NICB-RP2J Rev 5 27/08/2019, TfNSW</p> <p>Letter 2/09/2019 TRMS-DPE re: Submission of Community Communication Strategy NICB-RP2J Rev 5</p> <p>Letter 26/09/2019 DPE-TRMS re: Approval of Community Communication Strategy Rev 5</p> <p>Community Communication Strategy NICB-RP2J Rev 7 12/08/2022, TfNSW</p> <p>Letter 10/10/2022 TRMS-DPE re: Submission of Community Communication Strategy NICB-RP2J Rev 7</p> <p>Letter 28/10/2022 DPE-TRMS re: Approval of Community Communication Strategy</p>	Work on Stage 4 did not commence until 6/3/2023 which was well after the Community Communication Strategy was submitted to the Department and granted approval.	C
B5	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for the duration of works and for a period of 12 months following the completion of construction.	<p>Community Communication Strategy NICB-RP2J Rev 5 27/08/2019, TfNSW</p> <p>Letter 26/09/2019 DPE-TRMS re: Approval of Community Communication Strategy Rev 5</p> <p>Community Communication Strategy NICB-RP2J Rev 7 12/08/2022, TfNSW</p> <p>Letter 28/10/2022 DPE-TRSM re: Approval of Community Communication Strategy</p> <p>Consultation Manager records sighted on day of audit</p>	The Community Communication Strategy was approved by the Department on 28/10/2022 with on-going implementation during the audit period evident.	C
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.	<p>Complaints Management System (CMS) NICB-RP2J Rev 2 October 2021, TfNSW</p> <p>Complaints Management System (CMS) NICB-RP2J Rev 3 October 2022, TfNSW</p> <p>Consultation Manager records sighted on day of audit</p>	The CMS was prepared and addresses the requirement of this condition. Consultation Manager records sighted on day of audit.	C

B7	<p>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:</p> <ul style="list-style-type: none"> (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). <p>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.</p>	<p>Complaints Management System (CMS) NICB-RP2J Rev 2 October 2021, TfNSW</p> <p>Letter 21/10/2021 TfNSW-DPE re: Submission of Complaints Management System (CMS) NICB-RP2J Rev 2</p> <p>Email 26/10/2021 DPE-TfNSW re: Approval of CMS NICB-RP2J Rev 2</p> <p>Complaints Management System (CMS) NICB-RP2J Rev 3 October 2022, TfNSW</p> <p>Post Approval (DPE portal) Submission of Complaints Management System (CMS) NICB-RP2J Rev 3 October 2022</p> <p>Email 26/10/2022 DPE-TfNSW re: Approval of CMS NICB-RP2J Rev 3</p>	<p>The CMS include:</p> <ul style="list-style-type: none"> a. Section 2.1, Table 2.1 b. Section 2.1, Table 2.1 c. Section 2.1, Table 2.1 d. Section 2.2 <p>The CMS Rev 2 and Rev 3 were submitted to the Department and granted approval on 26/10/2021 and 28/10/2022, respectively.</p> <p>Sighted on the Project website the 24- hour telephone number and email address.</p>	C
B8	<p>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 work 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.</p>	<p>Newcastle Herald Tuesday 13 September 2022 with advertisement of the NICB RP2J project</p> <p>Complaints Management System (CMS) NICB-RP2J Rev 2 October 2021, TfNSW</p> <p>Complaints Management System (CMS) NICB-RP2J Rev 3 October 2022, TfNSW</p> <p>Project website: https://www.transport.nsw.gov.au/projects/current-projects/rankin-park-to-jesmond-newcastle-inner-city-bypass</p> <p>Postal address is on the Project website.</p>	<p>Sighted the Newcastle Herald (local newspaper) dated 13/09/2022, which contained the advertisement of the project with the required details.</p> <p>The telephone number, postal address and email address was published in the Newcastle Herald newspaper prior to Stage 4 of the RP2J project starting.</p> <p>Information is provided on the Project website.</p>	C
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> <ul style="list-style-type: none"> (a) number of complaints received; (b) number of people affected in relation to a complaint; and (c) means by which the complaint was addressed and whether resolution was reached, with or without mediation. 	<p>Site inspection and interview with auditees 25/05/2023</p> <p>Complaints Management System (CMS) NICB-RP2J Rev 3 October 2022, TfNSW</p>	<p>The Complaint Register is addressed in the CMS under Section 2.1 and 2.2.</p> <p>Community complaints relating to the RP2J project are recorded in the Consultation Manager (CM) database system. CM is used to track the recording, investigation and handling of all community and stakeholder complaints.</p> <p>Logged into Consultation Manager and sighted complaints register, statistics etc.</p>	C
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>	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>ER has login access to Consultation Manager (CM).</p>	C

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 complaint must be responded to within 28 days of the request being made or within other specified timeframe agreed with the member of the public</p>	Interview with auditees 25/05/2023	Not triggered during audit period	NT
B12	<p>The independent mediation process required under Condition B7(d) must:</p> <ul style="list-style-type: none"> (a) Review any unresolved disputes if the procedures and mechanisms under Condition B2(e)(iii) do not satisfactorily address complaints; and (b) Make recommendations to the Proponent to satisfactorily address complaints, resolve disputes or mitigate against the occurrence of future complaints or disputes. 	Interview with auditees 25/05/2023	Not triggered during audit period	NT

PROVISION OF ELECTRONIC INFORMATION

B13	<p>A website providing information in relation to the SSI must be established before commencement of work and maintained for the duration of works 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> <ul style="list-style-type: none"> (a) information on the current implementation status of the SSI; (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; (c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval; (d) a copy of each statutory approval, licence or permit required and obtained in relation to the SSI; (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 (f) a copy of the compliance reports required under Condition A30 and Audit reports under Condition A36 of this approval. 	<p>Project website: https://www.transport.nsw.gov.au/projects/current-projects/project-documents-newcastle-inner-city-bypass</p>	<p>The website contains the information required under this condition as follows:</p> <ul style="list-style-type: none"> a. the information is up to date b. all current documentation is available c. copy of approval in original form and current copy of approval sighted d. EPA licence e. CEMP and sub plans, Complaints register is maintained electronically and not in document form. Complaints summary is included in ER monthly reports which are on website f. compliance report sighted 	C
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PART C - CONSTRUCTION ENVIRONMENTAL MANAGEMENT

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

C1	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.	Construction Environmental Management Plan (CEMP) NICB-RP2J Stage 4 Main Works Rev 4 09/02/2023, Fulton Hogan	The CEMP was prepared and addresses the requirements in this condition.	C
C2	<p>The CEMP must provide:</p> <ul style="list-style-type: none"> (a) a description of activities to be undertaken during construction (including the scheduling of construction); (b) details of environmental policies, guidelines and principles to be followed in the construction of the SSI; (c) a 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; (d) details of how the activities described in subsection (a) of this condition will be carried out to: <ul style="list-style-type: none"> i. meet the performance outcomes stated in the documents listed in Condition A1; and 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: <ul style="list-style-type: none"> i. incidents; and ii. non-compliances with this approval or statutory requirements; (g) procedures for rectifying any non-compliance with this approval identified during compliance reporting and auditing, incident management or at any time during construction; (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; (i) a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER; (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 (k) for periodic review and update of the CEMP and all associated plans and programs. 	Construction Environmental Management Plan (CEMP) NICB-RP2J Stage 4 Main Works Rev 4 09/02/2023, Fulton Hogan	<p>The CEMP contains the requirements a) to k) of this conditions as follows:</p> <ul style="list-style-type: none"> a. Section 2.1, 2.3 & 2.4 b. Section 3.3, 3.4, 3.5 & 3.6 c. Section 3.2 & Appendix A3 d. Section 3.2-3.7, Appendix A1, Appendix B1-B9 e. Section 8.1 f. Chapter 7, Section 8.3 & Chapter 10 g. Chapter 10 h. Section 3.1.1 & 2.2 i. Section 4.1, 4.1.2 & 4.1.4 j. Chapter 5 k. Section 1.6 	C

C3	<p>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.</p>	<p>Construction Environmental Management Plan (CEMP) NICB-RP2J Stage 4 Main Works Rev 4 09/02/2023, Fulton Hogan</p> <p>Flora & Fauna Management Sub-Plan (FFMP) NICB-RP2J Stage 4 Main Works Rev 6, 20/2/23 Fulton Hogan</p> <p>Letter 8/11/22 GeoLink-TfNSW re: NICB-RP2J Stage 4 Main Works ER endorsement for FFMP</p> <p>Letter 9/11/22 TfNSW-DPE re: Submission of FFMP to DPE</p> <p>Noise & Vibration Management Sub-Plan (NVMP) NICB-RP2J Stage 4 Main Works Rev 8, 24/02/23, Fulton Hogan</p> <p>Letter 17/12/22 GeoLink-TfNSW re: NICB-RP2J Stage 4 Main Works ER endorsement for NVMP</p> <p>Letter 9/11/22 TfNSW-DPE re: Submission of NVMP to DPE</p> <p>Soil & Water Management Sub-Plan (SWMP) NICB-RP2J Stage 4 Main Works Rev 4, 20/02/23, Fulton Hogan</p> <p>Letter 3/11/22 GeoLink-TfNSW re: NICB-RP2J Stage 4 Main Works ER endorsement for SWMP</p> <p>Letter /11/22 TfNSW-DPE re: Submission of SWMP to DPE Rev 2</p> <p>Aboriginal Cultural Heritage Management Sub-Plan (ACHMP) NICB-RP2J Stage 4 Main Works Rev 6, 20/02/23, Fulton Hogan</p> <p>Letter 26/10/22 GeoLink-TfNSW re: NICB-RP2J Stage 4 Main Works ER endorsement for ACHMP</p> <p>Letter 24/10/22 TfNSW-DPE re: Submission of ACHMP</p> <p>Air Quality Management Sub-Plan (AQMP) NICB-RP2J Stage 4 Main Works Rev 5, 20/02/23, Fulton Hogan</p> <p>Letter 21/10/22 GeoLink-TfNSW re: NICB-RP2J Stage 4 Main Works ER endorsement for AQMP</p> <p>Letter 24/10/22 TfNSW-DPE re: Submission of AQMP</p> <p>Flood Management Sub-Plan (FMP) NICB-RP2J Stage 4 Main Works Rev 2, 20/02/23, Fulton Hogan</p> <p>Letter 26/10/22 GeoLink-TfNSW re: NICB-RP2J Stage 4 Main Works ER endorsement for FMP</p>	<p>CEMP and Sub-Plans were endorsed by ER and submitted to the Department for approval more than one month prior to construction commencing.</p> <p>The Department granted approval for the CEMP and Sub-Plans on 02/03/2023 for the NICB-RP2J Stage 4 Main Works.</p>	C
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Letter 27/10/22 TfNSW-DPE re: Submission of FMP to DPE

Waste & Energy Management Sub-Plan (WEMP) NICB-RP2J Stage 4 Main Works Rev 6, 20/02/23, Fulton Hogan

Letter 9/11/22 TfNSW-DPE re: Submission of WEMP to DPE

Traffic & Transport Management Sub-Plan (TTMP) NICB-RP2J Stage 4 Main Works Rev 7, 20/02/23, Fulton Hogan

Letter 16/11/22 GeoLink-TfNSW re: NICB-RP2J Stage 4 Main Works ER endorsement for TTMP

Letter 17/11/22 TfNSW-DPE re: Submission of TTMP to DPE

Non-Aboriginal Heritage Management Sub-Plan (NAHMP) NICB-RP2J Stage 4 Main Works Rev 2, 20/02/23, Fulton Hogan

Letter 9/11/22 TfNSW-DPE re: Submission of NAHMP to DPE

Ancillary Facilities Establishment Management Plan (AFEMP) NICB-RP2J Stage 4 Main Works Rev 4, 13/12/22, Fulton Hogan

Letter 24/10/22 TfNSW-DPE re: Submission of CEMP and Sub-Plans for DPE approval

Letter 02/03/2023 DPE-FH re: Approval of CEMP Rev 5 and Sub-Plans for NICB-RP2J Stage 4 Main Works

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>Table 3: CEMP Sub-plan and relevant public authorities</p> <table border="1" data-bbox="290 352 1255 1102"> <thead> <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>		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	<p>Construction Environmental Management Plan (CEMP) NICB Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan (FH)</p> <p>Traffic & Transport Management Sub-Plan (TTMP) Rev 3 09/02/23, Fulton Hogan</p> <p>Email 28/10/22 Fulton Hogan (FH)-Newcastle City Council (NCC) re: Submission of TTMP</p> <p>Email 4/11/22 NCC-FH re: Final review of TTMP with comments</p> <p>Email 4/11/22 FH-NCC re: Specific infrastructure requirements for CoN</p> <p>Email 7/11/22 TfNSW-HNSW re: FH responses to HAC's comments of the TTMP</p> <p>Email 08/11/22 Newcastle City Council (NCC)-FH re: Approval of CEMP/TTMP for RP2J</p> <p>Email 10/11/22 TfNSW-HealthNSW re: Confirmation HAC approval for TTMP</p> <p>Email 10/11/22 Health NSW-TfNSW re: Acceptance of comments for TTMP</p> <p>Email 10/11/22 TfNSW-FH re: Comments close out for TTMP</p> <p>Noise & Vibration Management Sub-Plan (NVMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan</p> <p>Email 7/11/22 FH-NCC re: Submission of NVMP RP2J to Council</p> <p>Email 8/11/22 NCC-FH re: Acknowledgement receipt of NVMP RP2J</p> <p>Email 1/12/22 FH-NCC re: NVMP RP2J- FH response to Council comments</p> <p>Email 5/12/22 NCC-FH re: NVMP RP2J reviewed and approved by Council</p> <p>Email 8/11/22 TfNSW-HealthNSW re: Submission of NVMP RP2J to Health NSW</p> <p>Email 9/12/22 TfNSW-HealthNSW re: NVMP RP2J FH review</p> <p>Email 2/12/22 HealthNSW-FH re: Health NSW approval for NVMP RP2J</p> <p>Flora & Fauna Management Sub-Plan (FFMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan</p> <p>Email 2/11/22 FH- DPE/Fisheries re: Submission of FFMP to Fisheries</p>	<p>The CEMP and Sub-Plans were prepared in consultation with the following organisations as set out below:</p> <p>a. TTMP</p> <ol style="list-style-type: none"> 1. City of Newcastle 2. Health Administration Corporation 3. Emergency Service Providers <ol style="list-style-type: none"> a. Fire & Rescue b. Newcastle District Police <p>b. NVMP</p> <ol style="list-style-type: none"> 1. City of Newcastle 2. Health Administration Corporation <p>c. FFMP</p> <ol style="list-style-type: none"> 1. DPI Fisheries 2. City of Newcastle <p>d. AQMP</p> <ol style="list-style-type: none"> 1. City of Newcastle 2. Health Administration Corporation <p>e. SWMP</p> <ol style="list-style-type: none"> 1. City of Newcastle 2. DPI Fisheries 3. DPE Water <p>f. ACHMP</p> <ol style="list-style-type: none"> 1. Heritage NSW 2. Registered Aboriginal Parties, including: <ol style="list-style-type: none"> a. Awabakal Local Aboriginal Land Council b. Wattaka Wonnarua Cultural Consultancy Services c. Awabakal Traditional Owners Aboriginal Corporation 	C
	Required CEMP Sub-plan	Relevant public authorities to be consulted for each CEMP Sub-plan																										
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(g)	Flood management	Relevant council																										

		<p>Email 3/11/22 FH- DPE/Fisheries re: follow up on the approval of FFMP from Fisheries</p> <p>Email 10/11/22 DPE/Fisheries-TfNSW re: Approval of FFMP</p> <p>Email 18/10/22 FH-NCC re: Submission of FFMP to NCC</p> <p>Email 2/11/22 NCC-FH re: Approval of FFMP from the Newcastle City Council</p> <p>Air Quality Management Sub-Plan (AQMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan</p> <p>Email 21/09/22 FH-NCC re: Submission of AQMP to NCC</p> <p>Email 17/10/22 NCC-FH re: Approval of AQMP from NCC</p> <p>Email 26/09/22 TfNSW-HealthNSW re: Submission of AQMP to Health NSW</p> <p>Email 13/10/22 HealthNSW-TfNSW re: Health NSW comments on AQMP</p> <p>Email 17/10/22 TfNSW-HealthNSW re: Response to Health NSW comment on AQMP</p> <p>Email 19/10/22 TfNSW-HealthNSW re: Follow up on AQMP approval</p> <p>Email 24/10/22 HealthNSW-TfNSW re: Approval of AQMP</p> <p>Soil and Water management Sub-Plan (SWMP) for NICB RP2J Stage 4 Rev 4, 20/02/2023, FH</p> <p>Email 5/10/22 FH-NCC re: Submission of SWMP to NCC</p> <p>Email 25/10/22 FH-NCC re: Follow up on the approval of SWMP from NCC</p> <p>Email 25/10/22 NCC-FH re: Approval of SWMP from NCC</p> <p>Email 28/10/22 TfNSW-Fisheries re: Submission of SWMP</p> <p>Email 10/11/22 Fisheries-TfNSW re: Approval of SWMP from Fisheries</p> <p>Email 5/10/22 FH-DPEWater re: Submission of SWMP to DPE Water</p> <p>Email 18/10/22 DPEWater-FH re: DPE Water comment on SWMP</p>	<p>d. Kerrie Brauer & Ors on behalf of the Awabakal and Guringai People (Awabakal and Guringai People)</p> <p>e. Hunter Valley Cultural Surveying</p> <p>f. Aboriginal and Native Title Corporation (Valley ELM Corp)</p> <p>g. Kevin Duncan</p> <p>h. Wonnarua Elder LHWCS</p> <p>i. Widescope Indigenous Group</p> <p>j. Amanda Hickey Cultural Services</p> <p>k. A1 Indigenous Services</p> <p>l. Lower Hunter Aboriginal Incorporated</p> <p>m. Wonn1 (Entity of Kauwul Pty Ltd)</p> <p>n. Didge Ngunawal Clan</p> <p>o. Murra Bidgee Mullangari Aboriginal Corporation Cultural Heritage</p> <p>p. Yinarr Cultural Services</p> <p>q. Awabakal Descendants Traditional Owners</p> <p>g. FMP</p> <p>1. City of Newcastle</p>	
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C5	<p>The CEMP Sub-plans must state how:</p> <ul style="list-style-type: none"> (a) the environmental performance outcomes identified in the documents listed in Condition A1 and terms of this approval will be achieved; (b) the mitigation measures identified in the documents listed in Condition A1 and terms of this approval will be implemented; (c) the relevant terms of this approval will be complied with; and (d) issues requiring management during construction, as identified through ongoing environmental risk analysis, will be managed. 	Refer to evidence in Condition C3	The CEMP and Sub-Plans address the requirements of this condition and were endorsed by the ER and approved by the Department as complying with the requirements of this condition.	C
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.	Refer to evidence on Condition C4	Refer to C4 findings. Evidence of consultation is provided as appendices to the relevant sub plans.	C
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.	Refer to evidence on Condition C3	The CEMP and Sub-Plans address the requirements of this condition and were endorsed by the ER and approved by the Department as complying with the requirements of this condition.	C

C8	Construction must not commence until the CEMP and all CEMP Sub-plans have been approved by the Planning Secretary, or as 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.	Refer to evidence on Condition C3	CEMP and Sub-Plans for NICB-RP2J Stage 4 Main Works were endorsed /approved by ER (GeoLink) and approved by the Department on 02/03/2023 prior to construction commencing on 6/3/2023	C
CONSTRUCTION MONITORING PLANS				

C9	<p>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:</p> <p>Table 4: Construction Monitoring and relevant public authorities</p> <table border="1" data-bbox="290 422 1255 953"> <thead> <tr> <th></th> <th>Required Construction Monitoring Programs</th> <th>Relevant public authorities to be consulted for each 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 Corporation</td> </tr> <tr> <td>(c)</td> <td>Noise and vibration</td> <td>Relevant council and Health Administration Corporation</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 for each Construction Monitoring Program	(a)	Surface and Ground Water Quality	DPI Fisheries, DPE Water and Relevant council	(b)	Air Quality	Relevant council and Health Administration Corporation	(c)	Noise and vibration	Relevant council and Health Administration Corporation	(e)	Flora and fauna	DPI Fisheries and Relevant council	<p>Surface and Ground Water Quality Construction Monitoring Program NICB-RP2J Rev F, 30/06/2022, TfNSW</p> <p>Email 5/10/22 FH-NCC re: Submission of SWMP to NCC</p> <p>Email 25/10/22 FH-NCC re: Follow up on the approval of SWMP from NCC</p> <p>Email 25/10/22 NCC-FH re: Approval of SWMP from NCC</p> <p>Email 28/10/22 TfNSW-Fisheries re: Submission of SWMP</p> <p>Email 10/11/22 Fisheries-TfNSW re: Approval of SWMP from Fisheries</p> <p>Email 5/10/22 FH-DPEWater re: Submission of SWMP to DPE Water</p> <p>Email 18/10/22 DPEWater-FH re: DPE Water comment on SWMP</p> <p>Letter 18/10/22 DPE-FH re: NICB-RP2J Stage 4 SWMP – DPE Water review and comment</p> <p>Email 18/10/22 FH-DPEWater re: FH response on SWMP from DPE Water comments</p> <p>Email 19/10/22 DPEWater-FH re: Approval of SWMP from DPE Water</p> <p>Air Quality Construction Monitoring Program NICB-RP2J Rev G, 10/06/2022, TfNSW</p> <p>Email 21/09/22 FH-NCC re: Submission of AQMP to NCC</p> <p>Email 17/10/22 NCC-FH re: Approval of AQMP from NCC</p> <p>Email 26/09/22 TfNSW-HealthNSW re: Submission of AQMP to Health NSW</p> <p>Email 13/10/22 HealthNSW-TfNSW re: Health NSW comments on AQMP</p> <p>Email 17/10/22 TfNSW-HealthNSW re: Response to Health NSW comment on AQMP</p> <p>Email 19/10/22 TfNSW-HealthNSW re: Follow up on AQMP approval</p> <p>Email 24/10/22 HealthNSW-TfNSW re: Approval of AQMP</p> <p>Flora and Fauna Construction Monitoring Program NICB-RP2J Rev G, 1/09/2022, TfNSW</p>	<p>The Construction Monitoring Programs were prepared and address the requirements in this condition.</p> <p>The Sub-Plans include the monitoring programs and these were endorsed by the ER and approved by the Department as complying with the requirements of this condition</p>	C
	Required Construction Monitoring Programs	Relevant public authorities to be consulted for each Construction Monitoring Program																	
(a)	Surface and Ground Water Quality	DPI Fisheries, DPE Water and Relevant council																	
(b)	Air Quality	Relevant council and Health Administration Corporation																	
(c)	Noise and vibration	Relevant council and Health Administration Corporation																	
(e)	Flora and fauna	DPI Fisheries and Relevant council																	

		<p>Email 2/11/22 FH- DPE/Fisheries re: Submission of FFMP to Fisheries</p> <p>Email 3/11/22 FH- DPE/Fisheries re: follow up on the approval of FFMP from Fisheries</p> <p>Email 10/11/22 DPE/Fisheries-TfNSW re: Approval of FFMP</p> <p>Email 18/10/22 FH-NCC re: Submission of FFMP to NCC</p> <p>Email 2/11/22 NCC-FH re: Approval of FFMP from the Newcastle City Council</p> <p>Operational Noise Mitigation Review Rev 3 19/02/2021, Aurecon</p> <p>Letter 28/04/2021 DPE-TfNSW re: Approval of Operational Noise Mitigation Review</p> <p>Noise and vibration construction monitoring program embedded in the Noise & Vibration Management Sub-Plan</p>		
C10	<p>Each Construction Monitoring Program must provide:</p> <ul style="list-style-type: none"> (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. 	<p>Air Quality Construction Monitoring Program NICB-RP2J Rev G, 10/06/2022, TfNSW</p> <p>Air Quality Construction Monitoring Program NICB-RP2J Rev h, 9/03/23, FHC</p> <p>Surface and Ground Water Quality Construction Monitoring Program NICB-RP2J Rev F, 30/06/2022, TfNSW</p> <p>Flora and Fauna Construction Monitoring Program NICB-RP2J Rev G, 1/09/2022, TfNSW</p> <p>Noise and vibration construction monitoring program embedded in the Noise & Vibration Management Sub-Plan Rev 8, 24/02/2023 Fulton Hogan</p>	<p>All construction monitoring programs address the a) – h) requirements as evidenced in the relevant Sub-Plans which were endorsed by the ER and approved by the Department as complying with the requirements of this condition.</p>	C

C11	<p>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.</p>	<p>Surface and Ground Water Quality Construction Monitoring Program NICB-RP2J Rev F, 30/06/2022, TfNSW</p> <p>Email 5/10/22 FH-NCC re: Submission of SWMP to NCC</p> <p>Email 25/10/22 FH-NCC re: Follow up on the approval of SWMP from NCC</p> <p>Email 25/10/22 NCC-FH re: Approval of SWMP from NCC</p> <p>Email 28/10/22 TfNSW-Fisheries re: Submission of SWMP</p> <p>Email 10/11/22 Fisheries-TfNSW re: Approval of SWMP from Fisheries</p> <p>Email 5/10/22 FH-DPEWater re: Submission of SWMP to DPE Water</p> <p>Email 18/10/22 DPEWater-FH re: DPE Water comment on SWMP</p> <p>Letter 18/10/22 DPE-FH re: NICB-RP2J Stage 4 SWMP – DPE Water review and comment</p> <p>Email 18/10/22 FH-DPEWater re: FH response on SWMP from DPE Water comments</p> <p>Email 19/10/22 DPEWater-FH re: Approval of SWMP from DPE Water</p> <p>Air Quality Construction Monitoring Program NICB-RP2J Rev G, 10/06/2022, TfNSW</p> <p>Email 21/09/22 FH-NCC re: Submission of AQMP to NCC</p> <p>Email 17/10/22 NCC-FH re: Approval of AQMP from NCC</p> <p>Email 26/09/22 TfNSW-HealthNSW re: Submission of AQMP to Health NSW</p> <p>Email 13/10/22 HealthNSW-TfNSW re: Health NSW comments on AQMP</p> <p>Email 17/10/22 TfNSW-HealthNSW re: Response to Health NSW comment on AQMP</p> <p>Email 19/10/22 TfNSW-HealthNSW re: Follow up on AQMP approval</p> <p>Email 24/10/22 HealthNSW-TfNSW re: Approval of AQMP</p> <p>Flora and Fauna Construction Monitoring Program NICB-RP2J Rev G, 1/09/2022, TfNSW</p>	<p>The Construction Monitoring Programs were prepared in consultation with the authorities in Table 4 and the relevant sub plans were then endorsed by the ER and approved by the Department as complying with the requirements of this condition.</p>	C
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C12	<p>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.</p>	<p>Air Quality Construction Monitoring Program NICB-RP2J Rev G, 10/06/2022, TfNSW</p> <p>Air Quality Construction Monitoring Program NICB-RP2J Rev h, 9/03/23, FHC</p> <p>Surface and Ground Water Quality Construction Monitoring Program NICB-RP2J Rev F, 30/06/2022, TfNSW</p> <p>Flora and Fauna Construction Monitoring Program NICB-RP2J Rev G, 1/09/2022, TfNSW</p> <p>Letter 06/07/22 DPE-FH re: Approval of Construction Monitoring Programs for Newcastle Inner City Bypass (SSI-6888)</p>	<p>The monitoring programs are included in the relevant Sub-Plans which were endorsed by the ER and approved by the Department as complying with the requirements of this condition.</p>	C
C13	<p>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.</p>	<p>Air Quality Construction Monitoring Program NICB-RP2J Rev G, 10/06/2022, TfNSW</p> <p>Air Quality Construction Monitoring Program NICB-RP2J Rev h, 9/03/23, FHC</p> <p>Surface and Ground Water Quality Construction Monitoring Program NICB-RP2J Rev F, 30/06/2022, TfNSW</p> <p>Flora and Fauna Construction Monitoring Program NICB-RP2J Rev G, 1/09/2022, TfNSW</p> <p>Letter 06/07/22 DPE-FH re: Approval of Construction Monitoring Programs for Newcastle Inner City Bypass (SSI-6888)</p>	<p>The CEMP including the relevant sub plans was approved by the Planning Secretary on 2/3/2023 prior to construction commencing on 6/03/2023.</p>	C

C14	<p>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.</p>	<p>Air Quality Construction Monitoring Program NICB-RP2J Rev G, 10/06/2022, TfNSW</p> <p>Air Quality Construction Monitoring Program NICB-RP2J Rev h, 9/03/23, FHC</p> <p>Surface and Ground Water Quality Construction Monitoring Program NICB-RP2J Rev F, 30/06/2022, TfNSW</p> <p>Flora and Fauna Construction Monitoring Program NICB-RP2J Rev G, 1/09/2022, TfNSW</p> <p>Letter 06/07/22 DPE-FH re: Approval of Construction Monitoring Programs for Newcastle Inner City Bypass (SSI-6888)</p> <p>Dust Monitoring Result from 3/03/2023 to 5/05/2023</p> <p>Quarterly Water Quality Monitoring Report for NICB RP2J May 2023 NCA23R154029 20/06/2023, Kleinfelder</p> <p>Noise Register 8/03/2023 to 31/05/2023</p>	<p>Evidence of implementation of monitoring for dust, water and noise was sighted.</p>	C
C15	<p>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.</p> <p>Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan.</p>	<p>Air Quality Construction Monitoring Program NICB-RP2J Rev G, 10/06/2022, TfNSW</p> <p>Air Quality Construction Monitoring Program NICB-RP2J Rev h, 9/03/23, FHC</p> <p>Surface and Ground Water Quality Construction Monitoring Program NICB-RP2J Rev F, 30/06/2022, TfNSW</p> <p>Flora and Fauna Construction Monitoring Program NICB-RP2J Rev G, 1/09/2022, TfNSW</p> <p>Letter 06/07/22 DPE-FH re: Approval of Construction Monitoring Programs for Newcastle Inner City Bypass (SSI-6888)</p> <p>Dust Monitoring Result from 3/03/2023 to 5/05/2023</p> <p>Quarterly Water Quality Monitoring Report for NICB RP2J May 2023 NCA23R154029 20/06/2023, Kleinfelder</p> <p>Noise Register 8/03/2023 to 31/05/2023</p> <p>NICB RP2J ERG#8</p>	<p>At the time of the audit, there was no requirement for formal reporting to have yet occurred to the Department for any of the monitoring programs.</p> <p>The requirements are for an annual report, the first of which must be submitted by February or March of 2024.</p>	NT
<p>PART D - OPERATIONAL ENVIRONMENTAL MANAGEMENT</p>				
<p>OPERATIONAL ENVIRONMENT MANAGEMENT</p>				

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.		The Project is under construction.	Not Triggered
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: <ul style="list-style-type: none"> (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. 		The Project is under construction.	Not Triggered
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.		The Project is under construction.	Not Triggered
D4	The OEMP or EMS or equivalent as agreed with 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.		The Project is under construction.	Not Triggered

PART E - KEY ISSUE CONDITION

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 works associated with the SSI	Site inspection and interview with auditees 25/05/2023 Appendix F	The following mitigation measures were noted to be implemented during the audit site inspection: <ul style="list-style-type: none"> • P47 dust suppressant is being used on exposed areas • Water carts operating • Staged clearing and retention of as much vegetation possible as late as possible has also assisted • Sweepers on access roads • Seeding of bunds • Removal of bulldust • Reuse of mulch and use of mulch blankets • Resheeting exposed surfaces with road base, recycled slag etc 	C
BIODIVERSITY				
E2	Any work associated with the SSI must limit the clearing of native vegetation to the greatest extent practicable.	Site inspection and interview with auditees 25/05/2023 Appendix F	Clearing (marked project boundary) is offset within the approved project boundary resulting in approximately 10% less clearing. Actual impacts will be less than what was sent in the EIS documents due to the reduction in the clearing boundary. Clearing permits issued for one day only.	C
E3	Impacts to plant community types must not exceed those identified in the documents listed in Condition A1.	Site inspection and interview with auditees 25/05/2023 Appendix F	Clearing (marked project boundary) is offset within the approved project boundary resulting in approximately 10% less clearing. Actual impacts will be less than what was sent in the EIS documents due to the reduction in the clearing boundary. Clearing permits issued for one day only.	C

E4	<p>The Biodiversity Offset Strategy (BOS) detailed in the documents listed under 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 by the Planning Secretary. The credits must be retired within 12 months of securing the credits, or in a timeframe agreed to by the Planning Secretary.</p> <p>Table 5: Biodiversity Credits to be Retired</p>	<p>NICB-RP2J Biodiversity Offset Strategy April 2018, GHD</p>	<p>For the most part, credits have been retired, with the exception of 407 which remain to be retired, noting that this audit is within the 12 month period.</p> <p>Note: At time of audit 407 credits still remaining to be offset.</p>	C			
<table border="1"> <thead> <tr> <th data-bbox="290 491 854 800">Credit Type</th> <th data-bbox="854 491 1041 800">EPBC Act equivalent EEC or habitat of EPBC Act listed threatened species</th> <th data-bbox="1041 491 1219 800">Number of Credits</th> </tr> </thead> </table>		Credit Type	EPBC Act equivalent EEC or habitat of EPBC Act listed threatened species	Number of Credits			
Credit Type	EPBC Act equivalent EEC or habitat of EPBC Act listed threatened species	Number of Credits					
<p><i>Ecosystem Credits</i></p>							
<p>HU833 (PCT 1619) – Smooth-barked Apple – Red Bloodwood – Brown Stringybark – Hairpin Banksia heathy open forest of coastal lowlands</p>	<p>Grey-headed Flying-fox (foraging habitat)</p>	<p>1,182</p>					
<p>HU782 (PCT 1569) – Blackbutt – Turpentine – Sydney Blue Gum mesic tall open forest on ranges of the Central Coast</p>	<p>Grey-headed Flying-fox (foraging habitat)</p>	<p>337</p>					
<p>HU806 (PCT 1592) – Spotted Gum – Red Ironbark – Grey Gum shrub – grass open forest on the Lower Hunter</p>	<p>Grey-headed Flying-fox (foraging habitat)</p>	<p>399</p>					
<p>HU804 (PCT 1590) – Spotted Gum – Broad-leaved Mahogany – Red Ironbark shrubby open forest*</p>	<p>Grey-headed Flying-fox (foraging habitat)</p>	<p>1,098</p>					
<p>HU841 (PCT 1627) – Smooth-barked Apple – Turpentine – Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast</p>	<p>Grey-headed Flying-fox (foraging habitat)</p>	<p>228</p>					
<p>Total ecosystem credits required for offsetting</p>		<p>3,244</p>					
<p><i>Species Credits</i></p>							

	Black-eyed Susan (<i>Tetratheca juneca</i>)	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.		<p>Credit Retirement Report (CRR) ID No 741 08/07/2022, BioBanking-BCD (CRD)</p> <p>Letter 10/06/2021 TfNSW-DPE re: Submission of Credit Retirement Report by BCD</p> <p>Letter 17/06/2021 DPE-TfNSW re: NICB-RP2J Credit Retirement Report request for additional information</p> <p>Letter 21/07/2022 TfNSW-DPE re: Infrastructure Approval Condition E5 – Credit Retirement Report</p> <p>Letter 04/08/2022 DPE-TfNSW re: Acceptance of Credit Retirement Report</p>	The Credit Retirement Report was prepared and accepted by the Department on 04/08/2022. Noting that 407 credits remain to be offset on the project.	C
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.		<p>Credit Retirement Report (CRD) ID No 741 08/07/2022, BioBanking-BCD</p> <p>Letter 10/06/2021 TfNSW-DPE re: Submission of Credit Retirement Report by BCD</p>	The Credit Retirement Report addresses the requirement of this condition.	C
E7	<p>The offsetting of biodiversity impacts must be carried out in accordance with the NSW Biodiversity Offsets Policy for Major Projects (OEH, 2014) and can be achieved by:</p> <ul style="list-style-type: none"> (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. <p>Notes:</p> <ol style="list-style-type: none"> 1. 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. 2. 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. 		<p>Credit Retirement Report (CRD) ID No 741 08/07/2022, BioBanking-BCD</p> <p>Letter 10/06/2021 TfNSW-DPE re: Submission of Credit Retirement Report by BCD</p> <p>Letter 17/06/2021 DPE-TfNSW re: NICB-RP2J Credit Retirement Report request for additional information</p> <p>Letter 21/07/2022 TfNSW-DPE re: Infrastructure Approval Condition E5 – Credit Retirement Report</p> <p>Letter 04/08/2022 DPE-TfNSW re: Acceptance of Credit Retirement Report</p>	For the most part, credits have been retired, with the exception of 407 which remain to be retired.	C

E8	<p>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.</p>	<p>Interview with auditees 25/05/2023 Email 11/05/2023 Local Land Services (LLS)-FH,SCS re: Meeting request to discuss timber logs at bypass site Email 12/05/2023 LLS-FH,SCS re: Timber Logs Hunter LLS - FH meeting (11/05/2023) Appendix F</p>	<p>Meeting held on 11/05/2023 to discuss the retrieval/reuse of timber logs from the bypass site which attended by the Local Land Services (LLS), Soil Conservation Services (SCS) and Fulton Hogan. Timber is being reused by Local Land Services for riparian restoration works in the valley, TfNSW is taking timber for bridge reuse, Landcare is using some timber for nest boxes. A local indigenous group is using timber for guitar making.</p>	C
E9	<p>The construction of the SSI must demonstrate how:</p> <ul style="list-style-type: none"> (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. <p>Note: These additional requirements must be addressed in the Flora and Fauna Management Sub-plan required under Condition C4 Table 3 (c).</p>	<p>Flora & Fauna Management Sub-Plan (FFMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan</p>	<p>The FFMP addresses the requirement of this condition which include:</p> <ul style="list-style-type: none"> a) Chapter 6 mitigation measure ID; FFMM1, FFMM2, FFMM9, Section 4.5.1 for the Greyheaded Flying-fox b) Chapter 6 mitigation measure ID FFMM21, FFMM22, FFMM23, FFMM24, FFMM25 and Appendix E c) Chapter 6 mitigation measure ID FFMM21, FFMM22, FFMM23, FFMM24, FFMM25 and Appendix G 	C
Pre-Clearing Surveys				
E10	<p>Before the removal or clearing 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 and management/offset measures must be included in the Construction Flora and Fauna Management Sub-plan required under Condition C4, and the documents required under Condition A9 in relation to Bridge 7.</p>	<p>Pre-clearance Assessment Report NICN-RP2J NCA22R148533, 15/02/23, Kleinfelder</p>	<p>Pre-clearance assessment inspections are being undertaken which address the requirements in this condition.</p>	C

E11	<p>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 and on public land within 500 metres of the SSI boundary. Replacement tree plantings 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 the relevant council and undertaken prior to the commencement of operation.</p>	<p>Site inspection and interview with auditees 25/05/2023</p> <p>NICB-RP2J Biodiversity Offset Strategy April 2018, GHD</p> <p>Jesmond Park mark-up – mapping of trees</p> <p>19 coral trees removed directly to the south of the shared path within Jesmond Park. North of the shared path - 138 trees >100mm at DBH</p>	<p>Replacement of trees will be undertaken nearing project completion or prior to the commencement of operations.</p> <p>Not covered by this audit period.</p>	NT
E11A	<p>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:</p> <ul style="list-style-type: none"> (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. <p>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.</p>	<p>Site inspection and interview with the auditees 25/05/2023</p>	<p>Peatties Road Ancillary site not being used by Project.</p>	NT
FLOODING				
E12	<p>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</p>	<p>Detailed Design Hydrology and Hydraulics Report for RP2J Ref 504057 Rev 1, 23/09/2019 by Aurecon</p> <p>Flood mitigation notification 23/1/2023 NFA - Flood Mitigation measures for Dark Creek at the northern interchange</p> <p>Notification – Flood mitigation for Dark Creek at the northern interchange January 2023 by Transport NSW</p>	<p>Detailed Design Hydrology and Hydraulics Report addresses the pre-existing flooding condition associated with Dark Creek at the northern interchange of the project.</p> <p>Notices were issued to inform affected landowners of proposed flood mitigation measures and how they can find out more or comment on the proposed measures.</p>	C
E13	<p>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.</p>	<p>Site inspection and interviews with auditees 25/05/2023</p>	<p>Not triggered as project in construction phase</p>	NT

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.	Unexpected Heritage Find & Human Remains Procedure (UHFHRP) for NICB-RP2J Rev 4 23/08/2019, TRMS	The Unexpected Heritage Find & Human Remains Procedure was prepared and addresses the requirement of this condition.	C
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.	Unexpected Heritage Find & Human Remains Procedure (UHFHRP) for NICB-RP2J Rev 4 23/08/2019, TRMS Letter 19/07/2019 TRMS-Heritage NSW re: UHFHRP Consultation with Heritage NSW Letter 12/08/2019 TRMS-Heritage Council of NSW re: UHFHRP Consultation with Heritage Council of NSW Letter 13/08/2019 TRMS-DPE re: Submission of Unexpected Heritage Find & Human Remains Procedure (UHFHRP) for NICB-RP2J Rev 4 Email 15/08/2019 DPE-TRMS re: Approval of UHFHRP for NICB project	The Unexpected Heritage Find & Human Remains Procedure was prepared by TRMS, who made the required consultation with the Heritage NSW and Heritage Council of NSW and it approved by the Department on 15 August 2019.	C
E16	The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of work. 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.	Interview with auditees 251/ Unexpected Heritage Find & Human Remains Procedure (UHFHRP) for NICB-RP2J Rev 4 23/08/2019, TRMS Letter 13/08/2019 TRMS-DPE re: Submission of Unexpected Heritage Find & Human Remains Procedure (UHFHRP) for NICB-RP2J Rev 4 Email 15/08/2019 DPE-TRMS re: Approval of UHFHRP for NICB project	The Unexpected Heritage Find & Human Remains Procedure was prepared and is being implemented.	C
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 SPIR, Appendix H - Technical Paper 10 – Aboriginal Cultural Heritage Assessment Report, April 2018.	Sensitive area maps for NICB-RP2J (12 maps) 30/09/2019, Hills Environmental Cultural Heritage (Aboriginal Archaeological) Salvage Report (CHSR) for NICB-RP2J Rev 0.1, November 2021, Kelleher Nightingale Consulting Cultural Heritage (Aboriginal Archaeological) Salvage Report Rev 2 for NICB-RP2J, August 2022, Kelleher Nightingale Consulting	Sensitive area maps and CHSR were prepared which address the requirements of this condition.	C

E18	<p>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.</p>	<p>Cultural Heritage (Aboriginal Archaeological) Salvage Report for NICB-RP2J Rev 0.1, November 2021, Kelleher Nightingale Consulting</p> <p>Cultural Heritage (Aboriginal Archaeological) Salvage Report Rev 2 for NICB-RP2J, August 2022, Kelleher Nightingale Consulting</p> <p>Aboriginal Cultural Heritage Management Sub-Plan (ACHMP) for NICB RP2J Stage 4 Rev 6, 20/02/2023 by FH</p> <p>Email 19/10/22 Heritage NSW-FH re: Heritage NSW approval on ACHMP</p> <p>Email 17/10/22 FH- Awabakal Local Aboriginal Land Council re: Follow up on the approval of ACHMP</p> <p>Email 7/09/22 FH-Awabakal Local Aboriginal Land Council re: Submission of ACHMP</p> <p>Email 5/10/22 Wattaka-FH re: Approval of ACHMP</p> <p>Email 14/08/22 FH-Awabakal re: Submission of ACHMP</p> <p>Email 13/10/22 FH-Awabakal re: Confirmation of discussed item relating to ACHMP</p> <p>Email 17/08/22 FH-Hunter Valley Cultural Surveying re: Submission of ACHMP</p> <p>Email 17/10/22 FH-Hunter Valley Cultural Surveying re: Follow up on the approval of submitted ACHMP</p> <p>Email 17/08/22 FH-valleyelcorp re: Submission of ACHMP to Aboriginal and Native Title Corporation (Valley ELM Corp)</p> <p>Email 5/10/22 FH-valleyelcorp re: Confirmation on the approval of ACHMP</p> <p>Email 5/10/22 KDuncan-FH re: Approval of ACHMP by Kevin Duncan</p> <p>Email 14/10/22 FH- Wonnarua Elder LHWCS re: Follow up on the approval of ACHMP from Wonnarua Elder LHWCS</p> <p>Email 17/08/22 FH- Wonnarua Elder LHWCS re: Submission of ACHMP to Wonnarua Elder LHWCS</p> <p>Email 6/10/22 Widescope-FH re: Approval of ACHMP</p> <p>Email 17/10/22 FH-Amanda Hickey re: Follow up on the approval for the submitted ACHMP</p>	<p>The management of any salvaged Aboriginal objects is addressed in the ACHMP which was prepared in consultation with the registered Aboriginal Parties.</p>	C
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E19	<p>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.</p>	<p>Cultural Heritage (Aboriginal Archaeological) Salvage Report for NICB-RP2J Rev 0.1, November 2021, Kelleher Nightingale Consulting</p> <p>Cultural Heritage (Aboriginal Archaeological) Salvage Report Rev 2 for NICB-RP2J, August 2022, Kelleher Nightingale Consulting</p>	<p>The Cultural Heritage Salvage Report was prepared and addresses the requirements of this condition.</p>	C
E20	<p>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.</p>	<p>Cultural Heritage (Aboriginal Archaeological) Salvage Report Rev 2 for NICB-RP2J, August 2022, Kelleher Nightingale Consulting</p> <p>Letter 17/08/2022 TfNSW-NCC re: Submission of Cultural Heritage Salvage Report to Newcastle City Council</p> <p>Letter 17/08/2022 TfNSW-DPE re: Submission of Cultural Heritage Salvage Report the Department</p> <p>Letter 17/08/2022 TfNSW-Heritage NSW re: Submission of Cultural Heritage Salvage Report to Heritage NSW</p> <p>Email 31/08/2022 TfNSW-RAP NSW re: Submission of Cultural Heritage Salvage Report to RAP</p>	<p>The Cultural Heritage Salvage Report was submitted to the Department, Heritage NSW, relevant councils and RAPs as per sighted documents.</p>	C
Non-Aboriginal Heritage				

E21	<p>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 Heritage Council of NSW's Criteria for Assessment of Excavation Directors (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.</p>	<p>Email 22/02/2023 Umwelt-FH re: Progress update on the Hollywood shanty town site Umwelt Australia P/L Induction Record</p>	<p>An email was sighted from Tim Adams, Principal Archaeologist of Umwelt Australia P/L relating to progress update on the Hollywood shanty town site. Engagement of an archaeologist was confirmed through the induction records.</p>	C
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> <ul style="list-style-type: none"> (a) be consistent with the documents listed in Condition A1 and NSW Heritage Council's Archaeological Assessments Guideline (1996) 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 City of Newcastle 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>Newcastle Inner City Bypass 'Hollywood' Shanty Town Site & The Wallsend/Plattsburg Tramway Historical Archaeological Research Design & Excavation Methodology February 2021 (Casey and Lowe) Email 22/02/2023 Umwelt-FH re: Progress update on the Hollywood shanty town site</p>	<p>Evidence provided indicates the investigation of the Hollywood shanty town site and the Wallsend Plattsburg tramway heritage is in progress.</p>	C
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 the relevant council, the local library and the local Historical Society.</p>	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>Not triggered at this early stage of construction</p>	NT

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> <ul style="list-style-type: none"> (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>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>	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>Not triggered at this early stage of construction</p>	<p>NT</p>
NOISE AND VIBRATION				
Land use Survey				
E25	<p>A detailed land use survey must be undertaken to confirm sensitive receivers and land uses (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>	<p>Noise & Vibration Management Sub-Plan (NVMP) NICB-RP2J Stage 4 Main Works Rev 8, 24/02/23, Fulton Hogan</p>	<p>The requirements under this condition were addressed in the NVMP as follows:</p> <ul style="list-style-type: none"> • Section 4.1 Sensitive receivers • Appendix D Detailed land use survey • Section 1.5 for operational noise • Section 7.5.4 for ground-borne noise 	<p>C</p>
Construction Hours				
E26	<p>Work must only be undertaken during the following construction hours:</p> <ul style="list-style-type: none"> (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>Site inspection and interview with auditees 25/02/2023</p> <p>Inductions and pre-starts records</p> <p>Compliant Register recorded in the Consultation Manager (CM) database system</p>	<p>Inductions and Pre Starts used to communicate hours of works to workers on project.</p> <p>There have been a relatively low number of complaints (10 during the audit period) and none related to work outside the standard hours</p>	<p>C</p>
Variation to Work Hours				

E27	<p>Notwithstanding Conditions E26 and E30, work may be undertaken outside the hours specified, in the following circumstances:</p> <ul style="list-style-type: none"> (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 an Out of Hours Work Management Process or equivalent (for work not subject to an EPL), under Condition E31; or (e) work that causes: <ul style="list-style-type: none"> i. no more than 5 db(A) above the rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009), and ii. no more than the 'Noise affected' noise management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses, and iii. continuous or impulsive vibration values, measured at the most affected residence are no more than the maximum values for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (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 Assessing Vibration: a technical guideline (DEC, 2006). <p>Note: Section 5.24(1)(e) of the EP&A Act requires that an EPL be substantially consistent with this approval.</p>	<p>Site inspection and interview with auditees 25/02/2023</p> <p>Project website</p> <p>Compliant Register recorded in the Consultation Manager (CM) database system</p> <p>Noise & Vibration Management Sub-Plan (NVMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan – Section 7.1.3 Out of hours work</p> <p>RP2J Project OOHW application form No. 4 Notification date: 2/11/2022 Approval date: 24/11/2022</p>	<p>Project website contains OOHW applications and OOHW approvals which indicate compliance with these requirements.</p> <p>Works also approved under OOHW protocol up until EPL issued (refer to project website)</p> <p>OOHW being undertaken under EPL under CNVMP</p>	C
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>	<p>Site inspection and interview with auditees 25/02/2023</p>	<p>No emergency work to date</p>	NT

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> <ul style="list-style-type: none"> (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>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>	<p>Site inspection and interview with auditees 25/02/2023</p> <p>Project website</p> <p>Compliant Register recorded in the Consultation Manager (CM) database system</p> <p>Noise & Vibration Management Sub-Plan (NVMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan – Section 7.1.3 Out of hours work</p> <p>RP2J Project OOHW application form No. 4 Notification date: 2/11/2022 Approval date: 24/11/2022</p>	<p>Project website contains OOHW applications and OOHW approvals which indicate compliance with these requirements.</p> <p>Works also approved under OOHW protocol up until EPL issued (refer to project website).</p> <p>OOHW being undertaken under EPL under CNVMP</p>	C
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> <ul style="list-style-type: none"> (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>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>	<p>Site inspection and interview with auditees 25/02/2023</p>	<p>The work is in early construction phase; hence this requirement is not yet triggered.</p>	NT
Out-of-Hours Work Protocol – Works not subject to an EPL				

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 ER. The Protocol must:</p> <ul style="list-style-type: none"> (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; (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; (c) identify procedures to facilitate the coordination of out-of-hours work permitted by an EPL to ensure appropriate respite is provided; (d) undertake a risk analysis that considers the risk of activities, proposed mitigation, management, and coordination, including where: <ul style="list-style-type: none"> i. low risk activities can be approved by the ER, and ii. any other activity approved by the Planning Secretary; and (e) identify Department, EPA and community notification arrangements for approved out of hours work, which may be detailed in the Communication Strategy. <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>	<p>Site inspection and interview with auditees 25/02/2023</p> <p>Project website</p> <p>Compliant Register recorded in the Consultation Manager (CM) database system</p> <p>Noise & Vibration Management Sub-Plan (NVMP) Rev 5 Stage 4 Main Works 09/02/23, Fulton Hogan – Section 7.1.3 Out of hours work</p> <p>RP2J Project OOHW application form No. 4 Notification date: 2/11/2022 Approval date: 24/11/2022</p>	<p>Project website contains OOHW applications and OOHW approvals which indicate compliance with these requirements.</p> <p>Works also approved under OOHW protocol up until EPL issued (refer to project website)</p> <p>OOHW being undertaken under EPL under CNVMP</p>	C
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> <ul style="list-style-type: none"> (a) schedule any work to provide respite to impacted noise sensitive receivers so that the respite is achieved in accordance with Condition E29; or (b) consider the provision of alternative respite or mitigation to impacted noise sensitive receivers; and (c) provide documentary evidence to the ER in support of any decision made by the Proponent in relation to respite or mitigation. 	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>This requirement is not yet triggered.</p>	NT
Noise and Vibration Mitigation				

E33	<p>Noise generating work in the vicinity of sensitive receivers and land uses (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>	<p>Site inspection and interview with auditees 25/02/2023</p> <p>Noise register 8/03/2023 to 31/05/2023</p>	<p>Monthly noise monitoring indicates that NMLs are being complied with to date.</p> <p>Ongoing consultation with Hospital is occurring.</p>	C
E34	<p>Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration criteria:</p> <ul style="list-style-type: none"> (a) construction 'Noise affected' noise management levels established using the Interim Construction Noise Guideline (DECC, 2009); (b) vibration criteria established using the Assessing vibration: a technical guideline (DEC, 2006) (for human exposure); (c) Australian Standard AS 2187.2 - 2006 "Explosives - Storage and Use - Use of Explosives"; (d) BS 7385 Part 2-1993 "Evaluation and measurement for vibration in buildings Part 2" as they are "applicable to Australian conditions"; and (e) The vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage). <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>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</p>	<p>Site inspection and interview with auditees 25/02/2023</p> <p>Noise & Vibration Management Sub-Plan (NVMP) NICB-RP2J Stage 4 Main Works Rev 8, 24/02/23, Fulton Hogan</p> <p>Site photos (refer to Appendix F)</p>	<p>The mitigation measures required under this condition are included in the NVMP as follows:</p> <ul style="list-style-type: none"> (a) Section 5.2.4 (b) Section 7.5 (c) Section 1.3 Blast Management Strategy – to be prepared separately to this NVMP before blasting about mid-2023. (d) Section 7.5 (e) Appendix C, Section 7 5 and Section 7.5.4 <p>During the site inspection and interviews the following measures were noted:</p> <ul style="list-style-type: none"> • Non tonal reversing alarms in use • Noisy night works earlier in shift • Noise blankets were installed (refer to site photos) • "Green Rules" poster sighted • Minimise use of chainsaws during clearing works 	C
E35	<p>Mitigation measures must be applied when the following residential ground-borne noise levels are exceeded:</p> <ul style="list-style-type: none"> (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>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>	<p>Site inspection and interview with auditees 25/02/2023</p>	<p>Not triggered at this stage</p>	NT

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>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.</p>	Site inspection and interview with auditees 25/02/2023	Not triggered at this stage of construction due to distance separation	NT
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>	Site inspection and interview with auditees 25/02/2023	Not triggered at this stage of construction due to distance separation	NT

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> <ul style="list-style-type: none"> (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>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>	<p>Site inspection and interview with auditees 25/02/2023</p> <p>Operational Noise Mitigation Review Rev 3 19/02/2021, Aurecon</p> <p>Letter 28/04/2021 DPE-TfNSW re: Approval of Operational Noise Mitigation Review</p>	<p>At this stage, the requirement has not been triggered as the project is still under construction.</p>	NT
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>	<p>Site inspection and interview with auditees 25/02/2023</p> <p>Operational Noise Mitigation Review Rev 3 19/02/2021, Aurecon</p> <p>Letter 28/04/2021 DPE-TfNSW re: Approval of Operational Noise Mitigation Review</p>	<p>At this stage, the requirement has not been triggered as the project is still under construction.</p>	NT
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 endorsed by the ER and submitted to the Planning Secretary within six months of construction commencing.</p>	<p>Site inspection and interview with auditees 25/02/2023</p>	<p>At this stage, the requirement has not been triggered as the project is still under construction.</p>	NT

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> <ul style="list-style-type: none"> (a) noise monitoring to assess compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E38; (b) a review of the operational noise levels in terms of criteria and noise goals established in the <i>NSW Road Noise Policy (DECCW, 2011)</i>; (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; (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; (e) any required recalibrations of the noise model taking into consideration factors such as noise monitoring and actual traffic numbers and proportions; (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 (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 (DECCW, 2011)</i>, when these measures are to be implemented and how their effectiveness would be measured and reported to the Planning Secretary and the EPA. 	Site inspection and interview with auditees 25/02/2023	At this stage, the requirement has not been triggered as the project is still under construction.	NT
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.	Site inspection and interview with auditees 25/02/2023	At this stage, the requirement has not been triggered as the project is still under construction.	NT
E43	The construction and operation of Bridge 7 and its associated components do not trigger the requirements of Conditions E38, E39, E40 and E41 .	Site inspection and interview with auditees 25/02/2023	At this stage, the requirement has not been triggered as the project is still under construction.	NT

Construction Vibration

E44	<p>The SSI must be delivered with the aim of achieving the following vibration goals:</p> <ul style="list-style-type: none"> (a) for structural damage to heritage structures, the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration – Part 3 Effects of vibration on structures; (b) for damage to other buildings and/or structures, the vibration limits set out in the British Standard BS 7385-1:1990 – Evaluation and measurement of vibration in buildings—Guide for measurement of vibration and evaluation of their effects on buildings (and referenced in Australian Standard 2187.2 – 2006 Explosives – Storage and use – Use of explosives); and (c) (c) for human exposure, the acceptable vibration values set out in Assessing Vibration: A The construction and operation of Bridge 7 and its associated components do not trigger the requirements of Conditions E38, E39, E40 and E41. Technical Guideline (Department of Environment and Conservation, 2006). 	Site inspection and interview with auditees 25/05/2023	Not triggered due to separation distance of works from structures and sensitive receivers as per CNVMP	NT
E45	<p>Blasting associated with the SSI must only be undertaken during the following hours:</p> <ul style="list-style-type: none"> (a) 9:00am to 5:00pm, Monday to Friday, inclusive; (b) 9:00am to 1:00pm on Saturday; and (c) at no time on Sunday or public holidays. <p>This condition does not apply in the event of a direction from the NSW Police Force or other relevant authority for safety or emergency reasons to avoid loss of life, property loss and/or to prevent environmental harm.</p> <p>Blasting may be undertaken outside the above hours where:</p> <ul style="list-style-type: none"> (a) no sensitive receivers would be impacted by blasting; or (b) an agreement has been made with potentially affected receivers. 	Site inspection and interview with auditees 25/05/2023	No blasting occurred during audit period	NT

E46	<p>Air blast overpressure generated by blasting associated with the SSI must not exceed criteria specified in Table 6 when measured at the most affected residence or other sensitive receiver</p> <p>Table 6: Air blast overpressure limits for human comfort</p> <table border="1" data-bbox="290 390 1270 1276"> <thead> <tr> <th data-bbox="290 390 543 491">Receiver</th> <th data-bbox="543 390 804 491">Type of blasting operations</th> <th data-bbox="804 390 1270 491">Air blast Overpressure Limit</th> </tr> </thead> <tbody> <tr> <td data-bbox="290 491 543 701" rowspan="2">Sensitive site</td> <td data-bbox="543 491 804 701" rowspan="2">Blasting operations lasting more than 12 months or more than 20 blasts</td> <td data-bbox="804 491 1270 562">115 dBL for 95% of blasts per year</td> </tr> <tr> <td data-bbox="804 562 1270 701">120 dBL maximum limit</td> </tr> <tr> <td data-bbox="290 701 543 947" rowspan="2">Sensitive site</td> <td data-bbox="543 701 804 947" rowspan="2">Blasting operations lasting less than 12 months or less than 20 blasts in total</td> <td data-bbox="804 701 1270 772">120 dBL for 95% of blasts per year</td> </tr> <tr> <td data-bbox="804 772 1270 947">125 dBL maximum limit</td> </tr> <tr> <td data-bbox="290 947 543 1276">Occupied non-sensitive sites, such as factories and commercial premises</td> <td data-bbox="543 947 804 1276">All blasting</td> <td data-bbox="804 947 1270 1276">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	Air blast 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	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>No blasting occurred during audit period</p>	<p>NT</p>
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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>Site inspection and interview with auditees 25/05/2023</p>	<p>No blasting occurred during audit period</p>	<p>NT</p>																		
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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																			

	<table border="1"> <tr> <td>Reinforced or framed structures. Industrial and heavy commercial buildings 2</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 building 2</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> </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>	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.				
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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> <ul style="list-style-type: none"> (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. 	Site inspection and interview with auditees 25/05/2023	No blasting occurred during audit period	NT																

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:</p> <ul style="list-style-type: none"> (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 Air blast Overpressure level of 125 dBL. 	Site inspection and interview with auditees 25/05/2023	No blasting occurred during audit period	NT
Blasting Management Strategy				
E50	<p>A Blast Management Strategy must be prepared and must include:</p> <ul style="list-style-type: none"> (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. 	Site inspection and interview with auditees 25/05/2023	No blasting occurred during audit period	NT
E51	The Blast Management Strategy must be endorsed by a suitably qualified and experienced independent person.	Site inspection and interview with auditees 25/05/2023	No blasting occurred during audit period	NT
E52	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.	Site inspection and interview with auditees 25/05/2023	No blasting occurred during audit period	NT
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.	Site inspection and interview with auditees 25/05/2023	No blasting occurred during audit period	NT
SOCIO-ECONOMIC, LAND USE AND PROPERTY				
Building Condition Survey				

E54	<p>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 works associated with the SSI.</p> <p>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 no later than one (1) month before the commencement of work in the vicinity of the impacted buildings, structures and utilities.</p>	<p>Dilapidation Report 13/02/2023, Jims Building Inspection – 4 Kielawarra Close Wallsend</p> <p>Condition Surveys Properties List - 295 properties listed, undated by FH</p> <p>400 buildings surveyed</p>	<p>Building condition surveys were conducted, surveying a total of 400 buildings and addressing the requirements of this condition.</p>	C
E55	<p>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.</p>	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>Not triggered during construction stage</p>	NT
E56	<p>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.</p>	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>Not triggered during construction stage</p>	NT
SOILS				
E57	<p>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</p>	<p>Site inspection and interview with auditees 25/05/2023</p> <p>Site photos (Refer to Appendix F)</p>	<p>Evidence collected during site inspection, see photos in Appendix E</p> <p>Generally across the work site, erosion and sediment controls were observed to be of a very high standard.</p> <p>Observation:</p> <p>Breach in mulch, earth bund was noted at Cut 3 carpark</p>	C
Contaminated Sites				

E58	Areas of soil contamination identified within the documents referred to in Condition A1 must be management in accordance with Management Measure SW04 and SW05 as described in the SPIR.	Site inspection and interview with auditees 25/05/2023 Soil and Water Management Sub-Plan (SWMP) for NICB RP2J Stage 4 Rev 4, 20/02/2023, FH Letter 13/04/2023 Hazmat-FH re: Asbestos inspection and soil classification assessment of topsoil material on "Hollywood" section of NICB RP3J project	Contaminated Soil Management Plan is included in the Construction Soil and Water Management Plan (Refer to Table 3 under REMM SW04 and SW05). Testing for asbestos has been carried out and a RAP is being developed to deal with unexpected asbestos finds.	C
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 works.	Soil and Water Management Sub-Plan (SWMP) for NICB RP2J Stage 4 Rev 4, 20/02/2023, FH	The Unexpected Contaminated Land and Asbestos Finds Procedure is incorporated in the CSWMP (refer to Chapter 6 mitigation measure ID SWMM63 and Appendix D). Testing for asbestos has been carried out and a RAP is being developed to deal with unexpected asbestos finds	C
E60	The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented for the duration or work.	Soil and Water Management Sub-Plan (SWMP) for NICB RP2J Stage 4 Rev 4, 20/02/2023, FH	The Unexpected Contaminated Land and Asbestos Finds Procedure is incorporated in the CSWMP (refer to Chapter 6 mitigation measure ID SWMM63 and Appendix D section 2 Scope) and implemented for the duration of work. Testing for asbestos has been carried out and a RAP is being developed to deal with unexpected asbestos finds	C
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	Sustainability Strategy for NICB-RP2J Rev 1 23/03/2023, FH Sustainability Strategy submission to DPE via Major Project Portal 24/2/23	The Sustainability Strategy was prepared and submitted to the Department on 24/02/2023. Sustainability Strategy addresses a) to c) as follows: (a) Section 4 (b) Appendix B, Opportunities Register (c) Section 2	C
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 for the SSI must be identified in the Construction Traffic and Transport Management Sub-plan .	Traffic & Transport Management Sub-Plan (TTMP) Rev 3 09/02/23, Fulton Hogan	The Traffic & Transport Management Sub-Plan addresses the requirement of this condition.	C

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> <ul style="list-style-type: none"> (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. 	Interview with auditees 25/05/2023	No additional roads proposed other than those included in EIS	NT
E64	The requirements of Conditions E62 and E63 in relation to Bridge 7 may be addressed by the documents required under Condition A9 .	Interview with auditees 25/05/2023	Bridge 7 is not covered by this audit.	NT
E65	<p>Heavy vehicles must only use Construction Access Road 2 (as shown in Figure 2 in Appendix A) in the John Hunter Hospital precinct for the early works establishment of Construction Compound A, unless otherwise agreed by the Health Administration Corporation.</p> <p>Note: Heavy vehicles movements associated with Condition E65 must comply with the construction hours specified in Conditions E26 and E27.</p>	Site inspection and interview with auditees 25/05/2023	Compound A not in use, not triggered	NT
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> <ul style="list-style-type: none"> (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>Note: These requirements are additional to the requirements of Part C of this approval.</p>	Site inspection and interview with auditees 25/05/2023	No vehicles currently accessing Hospital precinct	NT
E67	At no time must heavy vehicles associated with the construction of the SSI, travel through the John Hunter Hospital precinct, except as permitted by Condition E65 .	Site inspection and interview with auditees 25/05/2023	No vehicles currently accessing Hospital precinct	NT

E68	<p>Before any local road is used by a heavy vehicle for the purposes of construction 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 relevant roads authority within three (3) 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.</p>	<p>Road Dilapidation Report for NICB RP2J – Illoura Street Wallsend 20/08/2022, Jim’s Building Inspection</p> <p>General Correspondence 2/09/2022 FH-TfNSW re: Submission of Road Dilapidation Report</p> <p>General Correspondence 2/09/2022 FH-NCC re: Submission of Road Dilapidation Report to Newcastle City Council</p>	<p>A Road Dilapidation Report was prepared by Jim’s Building Inspection on 20/08/2022.</p> <p>The Road Dilapidation Report was submitted to TfNSW and Newcastle City Council on 2/09/2022 within the required timeframe</p>	C
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’s discretion):</p> <p>(a) the damage to restore the road or road related structure to at least the 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</p> <p>(b) rectify condition it was in pre-construction.</p>	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>Not triggered at this early stage of construction</p>	NT
E70	<p>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.</p>	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>Evidence noted at Northern Interchange compound (Refer to Appendix F photos):</p> <ul style="list-style-type: none"> • Pedestrian information signage at Northern Interchange • Safety signage installed at the Northern Interchange • Traffic control signage 	C
E70A	<p>To ensure pedestrian, cyclist and motorist safety on Peatties Road, the Proponent must ensure that traffic control is present to manage:</p> <p>(a) vehicle movements at the entry/exit point to the Peatties Road ancillary facility during the following times:</p> <ol style="list-style-type: none"> 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 at any time heavy vehicles are entering and leaving the Peatties Road ancillary facility; and <p>(b) heavy vehicles associated with the construction of the SSI that are entering or exiting Peatties Road.</p>	<p>Site inspection and interview with auditees 25/05/2023</p>	<p>Not being used by Project.</p>	NT

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.	Site inspection and interview with auditees 25/05/2023	Not being used by Project.	NT
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 .	Site inspection and interview with auditees 25/05/2023	Not being used by Project.	NT
E72	The SSI's shared paths must be designed to discourage pedestrian access onto the bypass. Note: The intention is to discourage pedestrians and/or cyclist from inadvertently accessing the bypass for safety reasons	Final Detailed Design BR-01 Bridge over Highway No 23 at McCaffrey Drive New Lambton Heights Rev 3, 12/05/2023 FH Cyclist Underpass Detailed Design Report RP2J Rev 2, 11/12/2020, Aurecon B12284 - Shared Path Bridge over Highway No. 23 at Jesmond – Design Report Rev 2, 11/12/2020, Aurecon B12280 Bridge over Highway No. 23 at John Hunter Hospital – Design Report Rev 2, 11/12/2020, Aurecon Bridge over Highway No. 23 at McCaffrey Drive – Design Report Rev 2, 11/12/2020, Aurecon Package 2- Detailed Design Report RP2J Rev 4, 11/12/2020, Aurecon	The evidence provided satisfies the requirements of this condition.	C
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 City of Newcastle. This parking must be provided before the removal of on street parking on Newcastle Road.	Package 2- Detailed Design Report RP2J Rev 4, 11/12/2020, Aurecon Final Detailed Design Roadworks Technical Note NICB RP2J Rev 1, 14/12/2022 FH Public Notice – Disability parking spaces relocated on Jesmond Park, undated by Transport NSW	Sighted the notification on the Project website regarding the relocation of disability parking spaces at Jesmond Park. The notification included an aerial view of the relocation.	C
Fire Trails				
E74	Alternate fire trails must be provided and implemented in consultation with the relevant fire authorities.	Final Detailed Design Roadworks Technical Note NICB RP2J Rev 1, 14/12/2022 FH	The fire trail was incorporated in the Final Detailed Design Roadworks Technical Note under Section 3.2.10 and relevant consultation with TfNSW, NCC and Fire and Rescue NSW were conducted (Appendix H).	C

URBAN DESIGN AND VISUAL AMMENITY				
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.	Site inspection and interviews with auditees 25/05/2023	No complaints about light spill or visual issues with ancillary compounds during audit period. Layout of compounds optimised to reduce impacts to neighbours / Motel (e.g. Northern Interchange compound C) and tree retained on edge of compound to increase shielding and visual amenity No graffiti observed on site hoarding or screening	C
Lighting 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 Australian Standard 4282-1997 Control of the obtrusive effects of outdoor lighting and relevant Australian Standards in the series AS/NZ 1158 – Lighting for Roads and Public Spaces. 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.	Site inspection and interviews with auditees 25/05/2023	It was noted during the conduct of site inspection: a) Lighting towers designed to project light downwards. Interchange areas already well-lit so not much additional lighting needed for night works. b) not triggered yet	C
Bridge Elements				
E77	Bridge 7 and Bridge 8 must be designed in accordance with the following guidelines, as relevant: (a) Beyond the Pavement (RMS 2014); (b) Bridge Aesthetics (RMS 2012); (c) Landscape Design Guidelines (RMS 2008); and (d) designed to incorporate elements which reflect the steel industry heritage of Newcastle. The final design of the bridges must be provided to the Planning Secretary for information prior to construction of these structures. Note: The colour scheme is identified in SPIR, Appendix E - Urban Design and Landscape Character and Visual Impact Assessment.	Site inspection and interviews with auditees 25/05/2023	Bridge 7 completed as part of Stage 2 (prior to audit period) Bridge 8 design still in progress	NT
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	Letter 12/03/2020 Subsidence Advisory NSW-RMS re: Notice of Determination - Proposed Connecting Stage Of Newcastle Inner City Bypass Various Locations – RP2J RMS Project Number: RP2J; TBA18-02094	Mine Subsidence Permit was sighted and addresses compliance with this condition.	C
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.	Site inspection and interviews with auditees 25/05/2023	Not triggered at construction stage	NT
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).	Site inspection and interviews with auditees 25/05/2023	Not triggered at construction stage	NT
WASTE				
E81	Waste generated during works and operation of the SSI must be dealt with in accordance with the following priorities: (c) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced; (d) where avoiding or reducing waste is not possible, waste is to be re-used, recycled, or recovered; and (e) where re-using, recycling or recovering waste is not possible, waste is to be treated or disposed of.	Construction Waste and Energy Management Sub Plan (CWEMSP) NICB RP2J Stage 4 Main Works Rev 2, 20/02/2023 FH Appendix F	CWEMSP includes: (a) Section 6.1, Section 6.1.1, and Chapter 7 mitigation measure ID W EMM1, WEMM4, WEMMS. (b) Section 6.1, Section 6.1.2, Section 6.4, and Chapter 7 mitigation measure ID W EMM6 -WEMM18 (c) Section 6.1, Section 6.1.4, Section 6.3, Section 6.4, and Appendix B Waste recycling skips were observed at the Northern Interchange site compound Observation: Broken concrete bags were noted at the Northern Interchange compound (Appendix F).	C
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 Protection of the Environment Operations (Waste) Regulation 2014, as the case may be.	Construction Waste and Energy Management Sub Plan (CWEMSP) NICB RP2J Stage 4 Main Works Rev 2, 20/02/2023 FH Letter 2/05/2023 InfraBuild-SCE re: Compliance Certificate-EAF slag- January to March 2023	CWEMSP addresses the requirement of this condition under Section 6.1, Section 6.1.4, Section 6.3, Section 6.4, and Appendix B. Road base (slag) being imported under RRO.	C

E83	<p>Waste generated by all activities associated with works and operation of the SSI must only be:</p> <p>(a) in accordance with a Resource Recovery Exemption or Order issued exported to an EPA licensed facility for the storage, treatment, processing, reprocessing or disposal, or to any other place that can lawfully accept such waste, or</p> <p>(b) reused under the Protection of the Environment Operations (Waste) Regulation 2014.</p>	<p>Construction Waste and Energy Management Sub Plan (CWEMSP) NICB RP2J Stage 4 Main Works Rev 2, 20/02/2023 FH</p> <p>NICB RP2J – Mulch Export Management Protocol Rev 1, 28/03/2023, FH</p>	<p>CWEMSP addresses the requirement of this condition under the following:</p> <p>(a) Section 6.1, Section 6.1.4, Section 6.4 and Appendix B</p> <p>(b) Section 6.1, Section 6.1.2, Section 6.3, Section 6.4 and Appendix B</p> <p>Mulch is being exported under RRO.</p>	C
E84	<p>All waste must be classified in accordance with the EPA’s Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.</p>	<p>Construction Waste and Energy Management Sub Plan (CWEMSP) NICB RP2J Stage 4 Main Works Rev 2, 20/02/2023 FH</p> <p>Letter 13/04/2023 Hazmat-FH re: Asbestos inspection and soil classification assessment of topsoil material on “Hollywood” section of NICB RP3J project</p> <p>Weighbridge Docket SOR-CE1308811 Asbestos contaminated soil, 8/05/2023 Brandown Waste Recycling Services</p> <p>Weighbridge Docket SOR-CE1308899 Asbestos contaminated soil, 8/05/2023 Brandown Waste Recycling Services</p> <p>Weighbridge Docket SOR-CE1308807 Asbestos contaminated soil, 8/05/2023 Brandown Waste Recycling Services</p> <p>Weighbridge Docket SOR-CE1308789 Asbestos contaminated soil, 8/05/2023 Brandown Waste Recycling Services</p> <p>Weighbridge Docket SOR-CE1308783 Asbestos contaminated soil, 8/05/2023 Brandown Waste Recycling Services</p>	<p>The evidence provided satisfies the requirements in this condition.</p>	C
WATER				
E85	<p>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.</p>	<p>Soil and Water Management Sub-Plan (SWMP) for NICB RP2J Stage 4 Rev 4, 20/02/2023, FH</p> <p>RP2J Water Quality Assessment 549-21, 23/02/2023, Storm</p>	<p>The SWMP addresses the requirement of this condition under the Detailed Design SGWQCMP and Section 6.2.</p> <p>The Water Quality Assessment noted that the water quality modelling and methodology of the Final Detailed Design Case demonstrates compliance.</p>	C

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.	Soil and Water Management Sub-Plan (SWMP) for NICB RP2J Stage 4 Rev 4, 20/02/2023, FH Progressive Erosion and Sediment Control Plan (PESCP) 06 South end to McCaffrey Drive Rev 2 3/04/2023, FH PESCP 07 McCaffrey Drive to Hospital Rev 1 17/05/2023 FH. PESCP 08 Hospital to Hollywood Rev 2 17/05/2023 FH PESCP 09 Hollywood to North End Rev 4 11/05/2023 FH Appendix F	Temporary watercourse crossings being designed in accordance with Blue Book. Evidence sighted during site inspection indicates temporary stream diversions are being constructed in accordance with Blue Book and a CPESC (SEEC) is involved in the design of these.	C
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.	Interview with auditees 25/05/2023	Not applicable to this audit.	NT
E88	A minimum 3 metre buffer must be provided between the top bank of Tickhole Creek and the Peatties Road ancillary facility.	Interview with auditees 25/05/2023	Not applicable to this audit.	NT
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.	Interview with auditees 25/05/2023	Not applicable to this audit.	NT

APPENDIX B – CONSULTATION RECORDS

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Subject: [REDACTED] - Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1 [ref: _00D7F6iTix._5007F1NWUvl:ref]
Attachments: image001.png; image002.png; image003.png; image004.png

Hello Steve,

Thank you for your email inquiry. Your email has been forwarded to the Biodiversity Conservation Trust for assistance.

Kind Regards,

[REDACTED]
Information Officer
Digital Information Office (DIO) | Corporate Services Department of Planning, Industry and Environment

[REDACTED]
<https://www.epa.nsw.gov.au/about-us/contact-us/environmentline>
www.dpie.nsw.gov.au

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

From: [Redacted]
Sent: [Redacted]
To: [Redacted]
Subject: SSI 6888 - Newcastle Inner city Bypass Project - Independent Audit No. 1 - City of Newcastle
Attachments: Review Comments - Newcastle Inner City Bypass - Independent Audit no. 1 -Asset Services.pdf

Good Afternoon [Redacted]

I refer to your submission to City of Newcastle (CN) received 11 April in regard to the above matter.

Please see attached response to your request for City of Newcastle to review and provide comments on the Environmental Audit of the construction of Stage 4 of the Newcastle Inner City Bypass Project.

Regards

[Redacted] **Assets Support Officer**

City of Newcastle | City Infrastructure

Assets & Facilities | Asset Services



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Cooperation | Respect | Excellence | Wellbeing*

City of Newcastle acknowledges the Traditional Custodians of the land of the Newcastle LGA, the Awabakal and Worimi peoples.



**City of
Newcastle**

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Subject: RE: SSI 6888-Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1

Hi Steve

The department notes that this audit is to include the Stage 2 Shared Path Bridge (Operation) and Stage 4 Main Works (Construction). Given the large amount of clearance involved with Stage 4 works the department would like a focus on ERSED controls for this stage.

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of approval, the Independent Audit Program R5 (or the latest revision), and the department's Independent Audit Post Approval Requirements (2018). Failure to meet these requirements will require revision and resubmission.

Regards

[REDACTED]
Senior Compliance Officer

Development Assessment | Department of Planning and Environment
[REDACTED]

PO Box 1226 | Newcastle NSW 2300

Please direct all email correspondence to compliance@planning.nsw.gov.au

www.dpie.nsw.gov.au



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

If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via compliance@planning.nsw.gov.au.

The Department has upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

From: Steve Fermio [REDACTED]
Sent: Tuesday, 11 April 2023 1:13 PM
To: [REDACTED]
Subject: SSI 6888-Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1



Dear Compliance Team,

As the approved auditor for the Newcastle Inner City Bypass Project (SSI 6888), I am currently preparing to undertake the initial Independent Environmental Audit of the construction of Stage 4 of the Project (Main Works).

This initial audit, carried out under Condition A35 of SSI 6888 and the Department of Planning and Environment's Independent Audit Post Approval Requirements (2018) (or IAPAR), is required to be undertaken within 20 weeks of the commencement of construction of the Project.

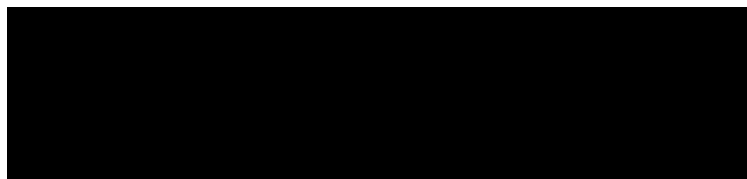
Under the IAPAR we are required to consult with the Department on the scope of the audit. Any comments received will be recorded and reported in the Independent Audit Report and any environmental issues raised will be investigated as part of the audit and the findings reported in the Audit Report.

If you could advise if the Department has any specific input to the scope of the audit, on or before Friday 5 May, that would be greatly appreciated. The on-site component of the audit is scheduled for 25 May 2023.

If you have any questions, please don't hesitate to contact me on [REDACTED]

Kind regards

Steve Fermio | Principal Environmental & Earth Scientist
Managing Director



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Department of Planning and Environment

Our ref: OUT23/5408

Steve Fermio

[REDACTED]
12 April 2023

Subject: Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1 - SSI 6888

Dear [REDACTED]

I refer to your request for advice sent on 11 April 2023 to the Department of Planning and Environment (DPE) Water about the above matter.

The Department of Planning and Environment- Water has no comments on this matter.

Should you have any further queries in relation to this submission please do not hesitate to contact DPE Water Assessments at [REDACTED]

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
Manager, Assessments, Knowledge Division
Department of Planning and Environment: Water

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: SSI 6888-Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1

Dear Steve,

Thank you for referring the proposed independent environmental audit for the construction of stage 4 of the project to DPI Fisheries for input.

As the project footprint does not directly intersect with any waterways that are considered under our policy and guidelines to be key fish habitat, the Department does not have any specific requirements for you to include in your audit.

Regards,

[REDACTED]

[REDACTED]

Senior Manager
Marine Estate Management | Coastal Systems
Jerrinja Country | Huskisson

DPI Fisheries | Department of Regional NSW

[REDACTED]

We stand on Country that always was and always will be Aboriginal land. We acknowledge the Traditional Custodians of the land and waters, and we show our respect for Elders past, present and emerging. We are committed to providing places in which Aboriginal people are included socially, culturally and economically through thoughtful and collaborative approaches to our work.



Department of Regional NSW



From: [REDACTED]
Sent: Tuesday, 11 April 2023 2:33 PM
To: DPI AHP Central Mailbox <ahp.central@dpi.nsw.gov.au>
Subject: SSI 6888-Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1

From: Steve Fermio [REDACTED]
Sent: Tuesday, 11 April 2023 1:57 PM
[REDACTED]
Subject: SSI 6888-Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1

Dear Fisheries Team,
As the approved auditor for the Newcastle Inner City Bypass Project (SSI 6888), I am currently preparing to undertake the initial Independent Environmental Audit of the construction of Stage 4 of the Project (Main Works).

This initial audit, carried out under Condition A35 of SSI 6888 and the Department of Planning and Environment's Independent Audit Post Approval Requirements (2018) (or IAPAR), is required to be undertaken within 20 weeks of the commencement of construction of the Project.

Under the IAPAR we are required to consult with NSW Fisheries on the scope of the audit. Any comments received will be recorded and reported in the Independent Audit Report and any environmental issues raised will be investigated as part of the audit and the findings reported in the Audit Report.

If you could advise if NSW Fisheries has any specific input to the scope of the audit, on or before Friday 5 May, that would be greatly appreciated. The on-site component of the audit is scheduled for 25 May 2023.

If you have any questions, please don't hesitate to contact me on [REDACTED]

Kind regards
[REDACTED] | Principal Environmental & Earth Scientist
Managing Director



Proud sponsor of [REDACTED]



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Consider the environment. Please don't print this e-mail unless really necessary.

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: SSI 6888-Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1
Attachments: RORN - OUT - Letter - Environmental Auditor advice - Wolf Peak - Rankin Park to Jesmond - EPL 21762 - 03.05.23.pdf

Good afternoon,

Please see the attached letter from the Environment Protection Authority regarding your request for input to the Independent Environmental Audit of the Newcastle Inner City Bypass Project SSI 6888 (Main Works) Independent Audit No 1.

Kind regards,

[REDACTED]
Operations Officer
Regulatory Operations Regional North
NSW Environment Protection Authority
[REDACTED]



From: Steve Fermic [REDACTED]
Sent: 11/04/2023 1:19 PM

Subject: SSI 6888 Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1

Dear EPA Team,

As the approved auditor for the Newcastle Inner City Bypass Project (SSI 6888), I am currently preparing to undertake the initial Independent Environmental Audit of the construction of Stage 4 of the Project (Main Works).

This initial audit, carried out under Condition A35 of SSI 6888 and the Department of Planning and Environment's Independent Audit Post Approval Requirements (2018) (or IAPAR), is required to be undertaken within 20 weeks of the commencement of construction of the Project.

Under the IAPAR we are required to consult with the EPA on the scope of the audit. Any comments received will be recorded and reported in the Independent Audit Report and any environmental issues raised will be investigated as part of the audit and the findings reported in the Audit Report.

If you could advise if the EPA has any specific input to the scope of the audit, on or before Friday 5 May, that would be greatly appreciated. The on-site component of the audit is scheduled for 25 May 2023.

If you have any questions, please don't hesitate to contact me [REDACTED]

Kind regards

Steve Fermic | Principal Environmental & Earth Scientist
Managing Director





DOC23/288879-2, EF15/877

Steve Fermio
Attention: Steve Fermio

By email: [REDACTED]

3 May 2023

Dear [REDACTED]

Newcastle Inner City Bypass Project Environmental Audit

I refer to your email dated 11 April 2023 regarding input to the Independent Environmental Audit of the Newcastle Inner City Bypass Project SSI 6888 (Main Works) Independent Audit No 1.

The proponent Fulton Hogan Construction PTY LTD holds the environment protection licence 21762 (the Licence) issued under the Protection of the Environment Operations Act 1997 (the Act) that authorises the carrying on of scheduled activities undertaken at Newcastle Inner City Bypass Rankin Park to Jesmond (the Premises).

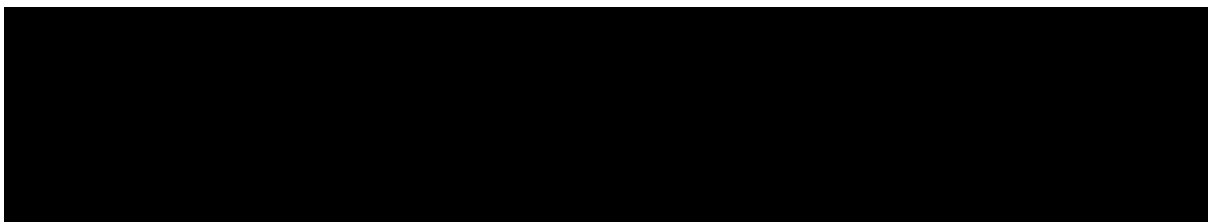
The Environment Protection Authority (EPA) encourages independent audit towards proponents improving their environmental performance. We do not provide input as our role is to set environmental objectives for environmental conservation management and manage outcomes.

I refer you to the EPA's public register <http://www.epa.nsw.gov.au/prpoeo/index.htm> where you can search for regulatory activity undertaken by the EPA for the Licence 21762.

If you require any further information regarding this matter, please me on [REDACTED]

Yours sincerely,

[REDACTED]
[REDACTED]
**Unit Head
Operations Officer – Regional North
Environment Protection Authority**



From: [REDACTED]
Sent: Monday, 8 May 2023 3:19 PM
To: [REDACTED]
Subject: RE: Internal council reply - SSI 6888-Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1

Hi [REDACTED]

As per my email Friday, Lake Macquarie Council's Flora and Fauna Planner has raised no concerns with this stage of the Bypass Project.

Council's Environmental Management Team has read the conditions of consent for the proposed development. They have noted majority of the development to be in the Newcastle LGA and at this stage, they raise no objections in relation to compliance.

If you have any further questions please do not hesitate to contact me.

Kind regards

[REDACTED]
Senior Development Planner



From: [REDACTED]
Sent: Thursday, 4 May 2023 10:15 AM
To: Steve Fermio [REDACTED]
Subject: RE: Internal council reply - SSI 6888-Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1

Hi Steve

At this point in time Lake Macquarie Council's Flora and Fauna Planner has raised no concerns with this stage of the Bypass Project.

Presently I am awaiting comments from Council's Environmental Compliance Team, with regards to any health / acoustic concerns.

I would hope to have a response from them in the next couple of days, for a final response to you on Monday 8 May 2023, if you are amenable to an extension till then.

Kind regards

[REDACTED]
Senior Development Planner





From: Steve Fermio <sfermio@wolfpeak.com.au>

Sent: Wednesday, 12 April 2023 2:07 PM

To: [REDACTED]

Subject: RE: Internal council reply - SSI 6888-newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1

Hi [REDACTED]

Thank you for getting back to me.

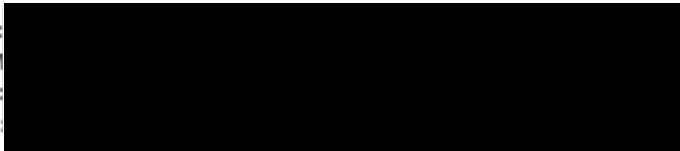
The audit will cover the conditions in Parts A, B, C and E of the attached Project Approval relevant to the design and construction of the project. Noting that the project is in the early stages of construction.

Steve Fermio | Principal Environmental & Earth Scientist
Managing Director



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E:
M:
P:
A:



From: [REDACTED]
Sent: Wednesday, April 12, 2023 1:32 PM
To: Steve Fermio [REDACTED]
Subject: Internal council reply - SSI 6888-Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1

Hi Steve

Thank you for getting in touch regarding the initial Independent Environmental Audit of Stage 4 of the Newcastle Inner City Bypass Project.

To assist Council in understand the comments sought, and the Council officers required to provide comment, can you please outline the technical areas the audit will be covering (i.e. contamination, biodiversity, acoustics, etc).

Please feel free to send a reply email to give me a call to discuss.

Many thanks

[REDACTED]
Manager Development Assessment and Certification



[REDACTED]
lakemac.com.au


From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Subject: FW: SSI 6888-Newcastle Inner City Bypass Project (Main Works) - Independent Audit No 1 [ref: _00D7F6iTix._5007F1NWUvl:ref]
Attachments: image001.png; image002.png; image003.png; image004.png

Hello Steve,

Thank you for your email inquiry. Your email has been forwarded the the Biodiversity Conservation Trust for assistance.

Kind Regards,

[REDACTED]

Information Officer
Digital Information Office (DIO) | Corporate Services Department of Planning, Industry and Environment

[REDACTED]

[REDACTED]
<https://www.epa.nsw.gov.au/about-us/contact-us/environmentline>
www.dpie.nsw.gov.au

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

From: [REDACTED]

Sent:

Wednesday, 19 April 2023 3:29 PM

To: [REDACTED]

Cc: [REDACTED]

Subject:

FW: For advice please: F23/579 - Steve Fermio - IAPAR - Newcastle Inner City Bypass Project

Steve,

Thanks for your email and providing the opportunity for specific input to the scope of the audit.

There are significant interfaces between the JHHIP and RP2J projects.

Key environmental items at our interface include;

- Noise monitoring (recorded with live notification of exceedances)
- Vibration monitoring (recorded with live notification of exceedances)
- Dust monitoring (recorded with live notification of exceedances)
- Traffic impacts
- Site runoff – Plan for discharge into bushland. FH require landowners consent to discharge water from RP2J site onto Health land.
- Complaints register
- Bush tracks – signage to advise public that the tracks are closed

Please don't hesitate to contact me if you would like to discuss any of these items further.

Regards,

[REDACTED]

Project Director



[REDACTED]

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Subject: SSI 6888 - Newcastle Inner city Bypass Project - Independent Audit No. 1 - City of Newcastle
Attachments: Review Comments - Newcastle Inner City Bypass - Independent Audit no. 1 -Asset Services.pdf

Good Afternoon [REDACTED]

I refer to your submission to City of Newcastle (CN) received 11 April in regard to the above matter.

Please see attached response to your request for City of Newcastle to review and provide comments on the Environmental Audit of the construction of Stage 4 of the Newcastle Inner City Bypass Project.

Regards

[REDACTED] **Assets Support Officer**

City of Newcastle | City Infrastructure

Assets & Facilities | Asset Services



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City of Newcastle acknowledges the Traditional Custodians of the land of the Newcastle LGA, the Awabakal and Worimi peoples.



Review Comments

FROM: [REDACTED] Asset Services Manager

TO: [REDACTED] Principal Environmental & Earth Scientist, Wolfpeak

Design:	Newcastle Inner City Bypass Project - Independent Audit No. 1
Design received:	18 April 2023
Comments due:	4 May 2023

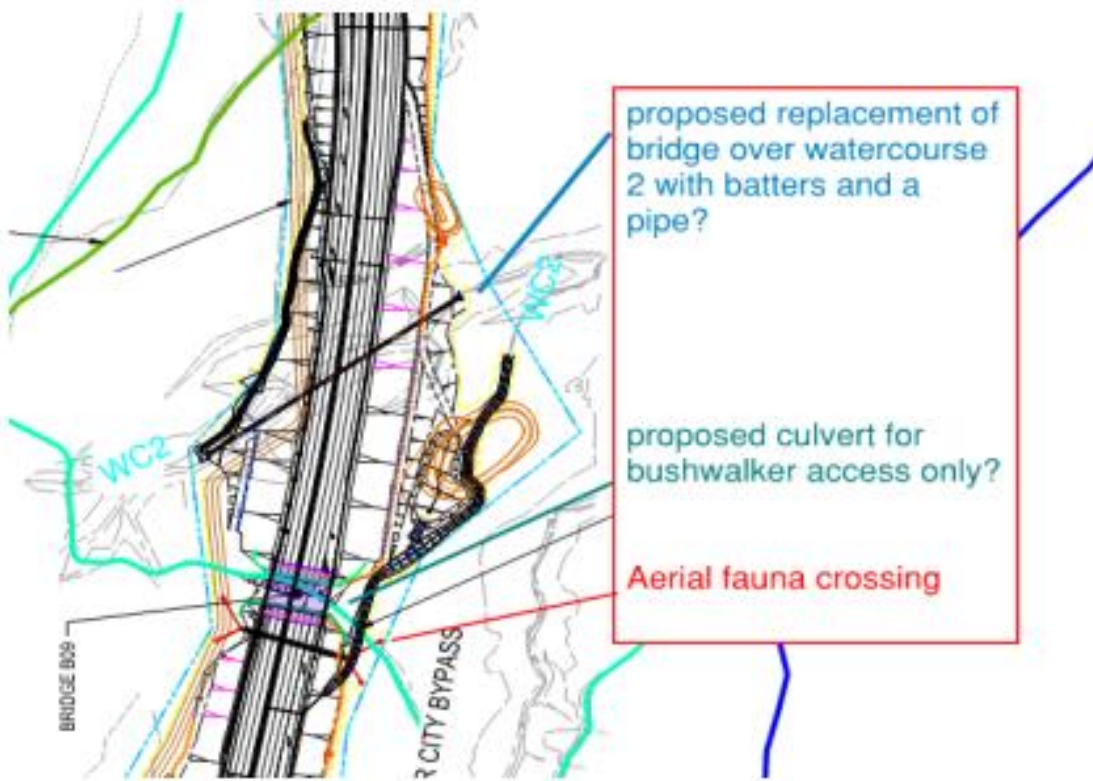
Reference	Comment
General	<p>A monthly Project Control Meeting (PCG) involving City of Newcastle (CN) and Transport for NSW (TfNSW) has been set up since March 2022. These meetings were set up specifically to discuss issues impacting the RR2J project both from CN perspective as well as TfNSW. It also provided conduit for all issues requiring CN comment/input to readily addressed and reviewed. This process (PCG meetings) has worked exceptionally well over the time of the project and the meetings are still occurring. All meeting agendas and minutes were/are the responsibility of TfNSW to monitor, complete and register. Contractors engaged for the project, Fulton Hogan, are also represented at the PCG meetings.</p>
Environment	<p>Council notes that the project's EIS identifies Bridge 09 as a key feature to provide "bushwalker access, fauna movements, and drainage".</p> <p>See Figure 1.</p> <p>Bridge 09 is 1 of only 2 terrestrial fauna connections provided across the corridor between remnant urban bushland on either side. The other terrestrial fauna culvert is approximately 1 kilometre away.</p> <p>Council has received an uncontrolled document which indicates that this bridge, the project's only bridge, B09 will be replaced by:</p> <ul style="list-style-type: none"> - A stormwater pipe through new road embankments; - The diversion of Watercourse no 2 into and out of this pipe; - A culvert predominantly for bushwalker access - located directly adjacent to the only squirrel glider aerial crossing on the southern side of the ridgeline; which is too narrow to support land based fauna movement without potential conflict with bushwalkers, cyclists and dog walkers. <p>See Figure 2.</p> <p>Council has made numerous requests to the construction contractor and TfNSW to confirm the status of this uncontrolled design document; as it was not provided to Council through the communication channels successfully established through the PCG and used to facilitate the project's progression.</p>

	<p>In terms of process, Council is very concerned these very significant changes are now proposed:</p> <ul style="list-style-type: none"> - Without consulting with or informing Council's PCG; - After CN's considerable investment to provide review and comment on the 80 percent designs; - Without confirming the proposed bushwalker linkage accords with the Council's plans for the track network it manages on its own land to the east of the Bypass. - Without Council reviewing the ongoing asset burden arising from this track connection. - Without confirming that the proposed bushwalker linkage conflicts with habitat relocation (nest boxes) being installed on Council land to the east of the culvert. - Without adequate environmental review of this post 80 per cent detailed design change. <p>In terms of the project's environmental impacts, Council is concerned the changes proposed are not consistent with the environmental mitigation measures within the Submissions and Preferred Infrastructure Report (SPIR). Particularly for key excerpts listed below. It is therefore not consistent with the Project's Approval Conditions A1 and A2, which require the SSI to be 'carried out in accordance with all.. the preventative actions and mitigation measures identified in the SPIR.</p> <ul style="list-style-type: none"> - <i>BD08 "Clearing of native vegetation and mature trees... will be avoided and minimised where possible around watercourses,, (and).. near proposed fauna crossing structures."</i> If the bridge over watercourse 2 is removed and the gully infilled with road batters, clearing of native vegetation and mature trees will occur around this watercourse. - <i>BD19 – "the fauna connectivity strategy ..(is) to be finalised during detailed design to minimise impacts to fauna movement, in particular the squirrel glider."</i> CN has requested this strategy but has not seen it. Conflict between pedestrians, cyclists and the aerial fauna crossing is likely should the pedestrian culvert proposed in figure 2 be built. - <i>BD22 – "The realignment of the northern branch of Watercourse 2 will be designed to behave in a similar hydrologic and geomorphic manner as existing conditions and encourage native revegetation".</i> The existing northern branch of Watercourse 2 is clearly not a pipe. Turning the watercourse into a pipe will not provide similar hydrologic or geomorphic features. - <i>TT02 – During detailed design, Roads and Maritime will carry out consultation with affected landowners about changes to property access",.</i> <p>This post 80pc design change increases the project risk identified with the SPIR report – <i>"the risk of fragmentation of identified biodiversity links and habitat corridors"</i>.</p>
--	---

Figure 1: Excerpt – Environmental Impact Statement (Figure 5-1b)



Figure 2 – Excerpt from "Information document" 30013270-DD-GE-SKT-001 provided to CN's Transport Team



APPENDIX C – AUDITOR APPROVAL

Department of Planning and Environment

[REDACTED]
Senior Environmental and Sustainability Officer
Safety, Environment and Regulation Division
Transport for NSW

[REDACTED]
26/08/2022

[REDACTED]
**Newcastle Inner City Bypass (SSI-6888)
Auditor endorsement request**

Reference is made to your post approval matter, SSI-6888-PA-86, request for the Secretary's approval of suitably qualified, experienced, and independent persons to prepare Independent Audits for the Newcastle Inner City Bypass (NICB), submitted as required by Schedule 2, Part A, Condition A35 of SSI-6888 as modified (the approval) to the Department of Planning and Environment (the department) on 24 August 2022.

The department has reviewed the nominations and information you have provided and is satisfied that these experts are suitably qualified, experienced, and independent. In accordance with Schedule 2, Part A Condition A35 of the approval and the department's *Independent Audit Post Approval Requirements (2018)* the Planning Secretary has agreed to the following audit team:

- Ms Annabelle Tungol – Lead Auditor
- Mr Peter Hatton – Auditor
- Mr Steve Fermio – Auditor and Peer Review.

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of approval, the Independent Audit Program R5 (or the latest revision), and the department's *Independent Audit Post Approval Requirements (2018)*. Failure to meet these requirements will require revision and resubmission.

The department reserves the right to request an alternate auditor or audit team for future audits.

Should you wish to discuss the matter further, please contact Joel Curran, Senior Compliance Officer on 02 4904 2702 or compliance@planning.nsw.gov.au

Yours sincerely

[REDACTED]
Team Leader Northern
Compliance

As nominee of the Planning Secretary

APPENDIX D – AUDIT MEETING REGISTER

INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)	Newcastle Inner City Bypass SSI 6888		
DATE	25 May 2023		
LOCATION	RP2J Site Office - Platt Street, Waratah NSW		
OPENING MEETING			
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE
[REDACTED]			
CLOSING MEETING			
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE
[REDACTED]			

APPENDIX E – AUDITOR DECLARATIONS

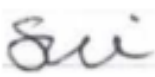
Project Name:	Newcastle Inner City Bypass – Rankin Park to Jesmond
Consent Number:	SSI 688
Description of Project:	Newcastle Inner City Bypass about 3.4 kilometres in length between Rankin Park and Jesmond
Project Address:	Land in the suburbs of Cardiff Heights, Elernmore Vale, Jesmond, Kotara, Lambton, New Lambton, New Lambton Heights, North Lambton, Rankin Park, and Wallsend.
Proponent:	Transport for NSW
Title of Audit	Independent Audit No. 3
Date:	22 June 2023

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

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2020)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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

Name of Proposed Auditor:	Steve Fermio
Signature:	
Qualification:	Bachelor of Science, ANU Honours in Geology, Monash University Graduate Diploma Land Rehabilitation, Federation University Certificate IV in Soil Health, Plant Nutrition & Pasture Development, New England Institute of TAFE Exemplar Global Lead Environmental Auditor Number 110498
Company:	WolfPeak Pty Ltd

APPENDIX F – SITE INSPECTION PHOTOS

Table 9 : Site Photos

No.	Comment	Photograph
1.	Site Notice at Northern Interchange site	
2.	Safety signage at Northern Interchange site	



<p>3. Green Rules poster at Northern Interchange site</p>	 <p>The poster is titled "ENVIRONMENTAL PERFORMANCE STANDARDS 'OUR GREEN RULES'" and features the Fulton Hogan logo at the bottom. It is divided into several sections with icons and text:</p> <ul style="list-style-type: none"> KEEP ALL WORK INSIDE THE BOUNDARY: Includes an icon of a site boundary and a "No Entry" sign. REPORT ALL INCIDENTS AND UNEXPECTED FINDS: Includes an icon of a red prohibition sign. APPROVAL TO WORK OUT OF HOURS: Includes an icon of a permit document. FOLLOW THE PERMIT SYSTEM: Includes an icon of a permit document. MUST HAVE A PLAN TO MANAGE SITE WATER: Includes an icon of a water tap and a "No Drinking Water" sign. MANAGE NOISE & DUST AT THE WORK LOCATION: Includes icons of a megaphone, a dust cloud, and a hand covering a mouth. LAWFULLY MANAGE WASTE: Includes an icon of a recycling symbol.
<p>4. Traffic control signage near Northern Interchange site</p>	 <p>The photograph shows three traffic signs on a metal post at the edge of a road. From top to bottom:</p> <ul style="list-style-type: none"> A red octagonal sign with the word "STOP" in white. A white rectangular sign with a black bicycle icon and the text "WATCH FOR CYCLISTS". A yellow triangular warning sign with a black exclamation mark and the text "BEWARE OF PEDESTRIANS".



5. Waste and recycling skips at Northern Interchange






6. Spill kit at Northern Interchange compound



<p>7. Silt fencing adjacent to Dark Creek at Northern Interchange site</p>	 A photograph showing a construction site with a concrete-lined drainage channel. A green silt fence runs along the edge of the channel, separating it from a grassy area. In the background, there are trees and other construction equipment.
<p>8. Rock lined outlet at Northern Interchange site</p>	 A photograph of a construction site showing a rock-lined outlet. The outlet is lined with large, light-colored rocks and is covered with a white plastic liner. Orange and white safety markers are placed around the site. In the background, there are construction vehicles and a clear blue sky.

<p>9.</p>	<p>Pedestrian information signage at Northern Interchange</p>	 <p>The image shows a pedestrian information sign mounted on a metal pole. The sign is titled "Newcastle Inner City Bypass Rankin Park to Jesmond" and includes the NSW Government logo. It features a map of the project area and text stating "Path remains open during construction - follow detours". Below the sign, a yellow sign with a black arrow points left and says "PEDESTRIANS". A yellow and black striped caution tape is attached to the fence in front of the sign. The background shows a paved path, trees, and a clear blue sky.</p>
<p>10.</p>	<p>Earthworks and clearing looking north toward Hollywood site</p>	 <p>The image shows a large-scale earthworks and clearing project. In the foreground, there is a pile of dark brown soil and debris. A white plastic sheeting is laid out on the ground, with a line of red triangular flags marking the edge. In the background, a dirt road or path winds through a cleared area, leading towards a dense forest of tall trees. The sky is bright blue with a few clouds. The sun is visible in the upper right corner, creating a lens flare effect.</p>

<p>11 Southern Interchange looking north</p>	
<p>12 Timber retained for Local Land Services use</p>	


<p>13</p>	<p>Timber retained for Local Land Services use</p>	
<p>14</p>	<p>Sediment basin near Hollywood site</p>	
<p>15</p>	<p>Sediment basin and geofabric lined channel near Cut 3</p>	



16 Rock lined sediment basin




17 Nest boxes



<p>18</p>	<p>Limit of clearing delineation</p>	
<p>19</p>	<p>Hydro mulching near rear of Mater Hospital site</p>	

<p>20</p>	<p>Geofabric lined and mulch banded diversion channel near Hollywood site</p>	
<p>21</p>	<p>Earthworks and clearing looking north towards Hollywood site</p>	
<p>22</p>	<p>Fuel storage in banded containers</p>	

23	Street sweeper (centre, rear) at Newcastle roundabout	
24	Street sweeping at Southern Interchange	

<p>25</p>	<p>Observation: Breach in mulch, earth bund at Cut 3 carpark</p>	
<p>26</p>	<p>Observation: Broken concrete bags Northern Interchange compound</p>	