

**Transport for NSW
Kamay Ferry Wharves at La Perouse
and Kurnell - SSI 10049**

Independent Environmental Audit

Rev 0- December 2023

FINAL



Executive Summary

This audit

Transport for NSW (TfNSW) commissioned OptimE Pty Ltd (OptimE) to undertake an Independent Environmental Audit (IEA) of the Kamay Ferry Wharves at La Perouse and Kurnell Project (the Project) against Infrastructure Approval SSI 10049 (the Approval).

This IEA represents the first construction phase audit of the Project and covers the period from commencement of construction on 10 July 2023 to 12 weeks from the commencement of construction, 2 October 2023.

The Project includes the reinstatement of two public ferry wharves and associated infrastructure to allow a ferry service to operate between La Perouse and Kurnell in Botany Bay. At the time of the site inspection, the following activities were observed at La Perouse and Kurnell:

- Establishment of land based and maritime construction boundaries.
- Establishment and use of temporary ancillary works including access roads, compound areas, stockpiles, fencing and temporary building platforms.
- Causeway construction
- Utility works
- Piling for the construction of the wharves.

Consultation with agencies

Emails were issued to relevant agencies referenced in the Approval and other stakeholders. The letters invited comments on the Project's compliance with the Approval and environmental performance generally. Consultation with agencies as part of this audit has been documented in this report.

Assessment of compliance

The Project demonstrated substantial compliance against the Approval conditions, as applicable during the reporting period including:

- Full compliance with applicable Part A - Administrative conditions.
- Full compliance with applicable Part B – Community Information and Reporting conditions.
- Substantive compliance with applicable Part C – Construction Environmental Management conditions.
- Part D – Operational Environmental Management conditions were not triggered.
- Full compliance with applicable Part E – Key Issue Conditions.

One non-compliance was awarded for failure to undertake monthly attended noise monitoring, as required by the Construction Noise and Vibration Monitoring Program.

Adequacy and implementation of the CEMP and subplans

The CEMP and associated sub-plans were endorsed by the ER to be consistent with the requirements outlined in the Conditions of Approval and were approved by the Planning Secretary, as required. The plans were not due to be updated during the audit period. This audit determined the plans to be of a high standard and adequate to maintain a high level of environmental performance by the Project. One improvement opportunity was identified in relation to the CEMP and CCS.

The environmental performance of the Project was determined by assessing the implementation and effectiveness of the mitigation measures and monitoring programs outlined in the management plans.

The audit found substantial implementation of the CEMP, sub-plans and monitoring programs.

Recommendations and improvement opportunities

One recommendation has been raised to address the non-compliance. This was related to failure to undertake monthly attended noise monitoring, as required by the Construction Noise and Vibration Monitoring Program.

Three improvement opportunities have been raised where the Project substantively met the relevant requirement, however further improvement was identified. These were related to the Privacy collection statement, underwater noise monitoring and keeping Sutherland Shire Council (SSC) informed.

Recommendations and improvement opportunities are presented in Section 4 of this report.

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1 Introduction

1.1 Background

Transport for NSW (TfNSW) commissioned OptimE Pty Ltd (OptimE) to undertake an Independent Environmental Audit (IEA) of the Kamay Ferry Wharves at La Perouse and Kurnell Project (the Project) against Infrastructure Approval SSI 10049 (the Approval).

The Approval for the Project was granted on 21 July 2022. There had been no modifications to the Approval at the time of drafting this report.

1.2 Development description

The Project includes the reinstatement of two public ferry wharves and associated infrastructure to allow a ferry service to operate between La Perouse and Kurnell in Botany Bay. Key features of the Project include:

- Demolition of an existing viewing platform at Kurnell
- Construction of temporary ancillary works including access roads, compound areas, stockpiles, fencing and temporary building platforms (including a temporary jetty structure at Kurnell and at La Perouse)
- Relocation of swing moorings at La Perouse
- Construction of two wharves on piles, one at La Perouse and one at Kurnell
- Signage and lighting
- Landside paving and landscaping at the entrance to the wharves
- New footpaths connecting the entrance of the wharves to the existing footpaths
- Reconfiguration of existing car parking area at La Perouse to increase the number of spaces, and associated footpath changes to accommodate these additional car parking spaces
- Bicycle racks near the La Perouse wharf
- Installation of utilities to service the wharves including power and water.

At the time of the site inspection, the following activities were observed at La Perouse and Kurnell:

- Establishment of land based and maritime construction boundaries.
- Establishment and use of temporary ancillary works including access roads, compound areas, stockpiles, fencing and temporary building platforms.
- Causeway construction
- Utility works
- Piling for the construction of the wharves.

1.3 Audit objectives

The objective of this Independent Environmental Audit is to assess the environmental performance of the Project and whether it is complying with the requirements in the Approval (including the requirements of any approved strategy, plan or program), review the adequacy of the approved strategies, plans and programs and to recommend any appropriate measures to improve environmental performance of the Project.

1.4 Audit scope

This IEA has been prepared in accordance with Schedule 2, Conditions A36 to A40 of the Approval. Table 1 lists the requirements of these conditions and where each requirement is addressed within this report.

Table 1 Independent Environmental Audit (IEA) Conditions

Condition No.	Requirement	IEA details and reference
A36	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Section 1.7 Appendix B
A37	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).	Refer to Table 2
A38	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the Independent Audit Post Approval Requirements (2020), upon giving at least 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.	Not triggered
A39	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Proponent must: <ul style="list-style-type: none"> (a) review and respond to each Independent Audit Report prepared under Condition A37 or Condition A38; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report and response to it publicly available two months after submission to the Planning Secretary, or as otherwise agreed by the Planning Secretary. 	To be addressed by the Proponent after submission of this report.
A40	Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Planning Secretary within two months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (2020).	To be addressed by the Proponent after submission of this report.

The scope of this IEA has been tailored to meet the specific requirements of Section 3.3 of the Independent Audit Post Approval Requirements (2020) as detailed in Table 2.

Table 2 Scope of the Independent Audit Post Approval Requirements (2020)

No.	Requirement	IEA details and reference
1	An assessment of compliance with the development application and management plans	Section 3.3 Section 3.5
2	Review environmental performance of the development.	Section 3.5
3	Status of implementation of previous audit findings	Section 3.7
4	High level assessment of whether the Environmental management plans and sub-plans are adequate	Section 3.4
5	Any other matters considered relevant by the auditor or the department	Not applicable

1.5 Period covered by the audit

The audit period for this IEA has been determined to meet the specific requirements of Section 2 of the Independent Audit Post Approval Requirements (2020).

This IEA represents the first construction phase audit of the Project and covers the period from commencement of construction on 10 July 2023 to 12 weeks from the commencement of construction, 2 October 2023.

1.6 Key documents within the scope of the audit

The Project's compliance has been assessed against the Infrastructure Approval SSI 10049 (the Approval) and the following key documents:

- Construction Environmental Management Plan (CEMP) Rev F dated 08/06/23.
- Construction Traffic, Transport and Access Management Sub Plan (CTTAMP) Rev F dated June 2023.
- Construction Noise and Vibration Management Sub Plan (CNVMP) Rev K dated June 2023.
- Construction Biodiversity Sub Plan (fulfilling the requirements of the Terrestrial and Marine Biodiversity Sub Plan under condition C6(c)) (CBMP) Rev K dated June 2023.
- Construction Soil, Water and Contamination Management Sub Plan (fulfilling the requirements of the Soil and Surface Water Management Sub Plan under condition C6(e)) (CSWMP) Rev H dated June 2023.
- Construction Heritage Management Sub Plan (fulfilling the Aboriginal, Non-Aboriginal and Maritime Heritage Sub-Plans required under conditions C6(i), (h) and (g)) Rev K dated June 2023.
- Construction Noise and Vibration Monitoring Program Rev K dated June 2023.
- Construction Turbidity Monitoring Program Rev K dated June 2023.

1.7 Audit team and participants

Maurice Pignatelli was the nominated lead auditor for this IEA. Maurice was approved by DPE prior to commencement of the IEA. A copy of the approval letter, dated 15 August 2023, is attached in Appendix B to this report.

Project personnel that participated in the audit were:

- Christopher Williams – TfNSW Environmental Representative
- Mitch Jones – McConnell Dowell Environmental Manager
- Alison Ryan – Community Stakeholder Advisor
- Richard Peterson - Trigalana Environmental, Environmental Representative (DPE approved).

The TfNSW Environmental Representative collated information and evidence from other TfNSW and McConnell Dowell personnel, as required.

1.8 Limitations of this report

This report has been prepared by OptimE for TfNSW and may only be used and relied on by TfNSW for the purpose agreed as set out in Section 0 of this report. OptimE disclaims responsibility to any organisation or person other than TfNSW arising in connection with this report.

The services undertaken by OptimE in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report. The opinions, conclusions and any recommendations in this report are based on conditions encountered, evidence sampled, and other information reviewed at the date of preparation of the report.

2 Audit methodology

2.1 Audit approach

This audit was undertaken in accordance with Independent Audit - Post Approval Requirements, May 2020 (DPE Audit Guideline).

OptimE maintained open and transparent communications with all parties throughout the audit process to provide assurance of a fair and objective assessment of the Project's performance and compliance status against the requirements of the Approval and associated documents.

2.2 Audit stages

The audit was undertaken under the stages outlined in Table 3.

Table 3 Audit stages and program

Stage	Program
Audit commissioned	14/09/2023
Audit protocols	06/09/2023
Consultation with agencies	12/09/23 to 30/10/23
Desk-top review	23/10/23 to 3/11/23
Site Inspection and interviews	La Perouse 3/11/23 Kurnell 10/11/23
Analysis	3/11/23 to 10/12/23
Compliance tables review by TfNSW	26/11/23 and 10/12/23
Preparation of DPE response by TfNSW	10/12/23 to 21/12/23
Reporting	10/11/23 to 18/12/23
Final report submitted to TfNSW	18/12/23

2.2.1 Consultation with the agencies and other stakeholders

Emails were issued to relevant agencies referenced in the Approval and other stakeholders. The letters invited comment on the development's compliance with the Approval and environmental performance generally. Consultation with agencies as part of this audit is presented in Section 3.2 of this report.

2.2.2 Audit protocols

Audit protocols were prepared which listed the documentary evidence and lines of inquiry proposed by the auditor to assess compliance with each of the Approval conditions, the CEMP and associated sub-plans. The audit protocols were in tabular form and were provided to TfNSW prior to the commencement of the audit interviews.

2.2.3 Desk-top review

TfNSW provided documents, records and other evidence sought by the audit protocols for assessment by the auditor. A desk top review of documentary evidence was undertaken by the auditor and the

audit protocols were updated with findings. Additional targeted questions were raised in preparation for the interviews.

2.2.4 Interviews

Following the desk-top review, audit interviews were conducted with TfNSW and McConnell Dowell personnel on-site. Where possible findings were closed out or further evidence was sought, documentary evidence and/or site observations were sought to verify responses provided by TfNSW and McConnell Dowell personnel.

2.2.5 Site visits and inspections

The site inspections involved face to face interviews with TfNSW and McConnell Dowell personnel, and walk-through inspections of the La Perouse and Kurnell sites. The inspections and interviews sought to determine the following:

- works were undertaken within the EIS project boundary.
- controls nominated in the management plans were implemented on each site.
- effectiveness of environmental controls.
- impact of the facility on the environment.
- verify responses provided by TfNSW and McConnell Dowell personnel.

2.2.6 Reporting

The audit findings were recorded on the audit protocol and presented to TfNSW in three rounds with further questions to address. These audit protocols evolved into the Compliance Tables which are presented in Appendix A of this report. The final draft report and compliance tables were presented to TfNSW for review for consistency with the Approval conditions and to identify any factual errors.

2.3 Compliance status descriptors

The compliance status of each condition in the Audit Compliance tables in Appendix A has been determined using the relevant descriptors below, in accordance with the DPE Audit Guideline.

- **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.

For transparency, where the Project was not able to provide sufficient verifiable evidence to demonstrate compliance or non-compliance, a determination was made by the auditor based on available information and a “*limitation of compliance status*” was recorded.

The compliance status was attained by assessing a representative sample of documents, records and data for each requirement. Observations on site targeted areas of higher risk and were assumed to be representative of project performance.

3 Audit findings

3.1 Documentary evidence

All documents reviewed as part of the IEA are referenced in the “Evidence Collected” column of the compliance tables attached to this report as Appendix A.

3.2 Consultation with relevant agencies and other stakeholders

Emails were issued to relevant agencies referenced in the Approval and other stakeholders. The emails invited comments on the development’s compliance with the Approval conditions and environmental performance generally. For entities that did not respond within the proposed timeline, a reminder email was sent and an extension of time was offered. A log of correspondence with the entities, is provided in Appendix C of this report.

Entities that responded to the invitation to comment, together with a summary of their comments, are summarised in Table 4.

Table 4 Summary of agency comments

Entity	Summary of Comment
Water Group of the Department of Planning and Environment	<p>DPE Water identified key water related focus areas for this audit including:</p> <ul style="list-style-type: none"> • management plans as required by the Approval • matters related to water extraction. <p><i>Auditor response: Management Plans have been addressed by this audit, as detailed in Section 3.4 of this report. TfNSW confirmed that the Project does not extract any surface or ground water from the environment.</i></p>
Environment and Heritage Group of the Department of Planning and Environment (Heritage NSW)	<p>Heritage NSW (non-Aboriginal) advised their contribution to the Project via the EIS and Post approval process. Heritage NSW has no further comment to make on this process.</p> <p>Heritage NSW (Aboriginal cultural heritage). Recommended the auditor consult with DPE compliance to determine if there were any non-compliances in relation to Conditions E23 and E31.</p> <p><i>Auditor response: This audit sought comment from DPE Compliance (see below).</i></p>
Department of Planning, Environment (DPE), Compliance	<p>DPE Compliance identified key focus areas for this audit including:</p> <ul style="list-style-type: none"> • Marine biodiversity • Contamination • Traffic and transport – construction parking management in particular • Availability of documents on the Project website <p><i>Auditor response: These areas of focus have been addressed by this audit, as detailed in Appendix A1, Table A1.</i></p> <p>DPE identified agencies and stakeholders to be consulted.</p> <p><i>Auditor response: This audit sought comment from all entities identified by DPE Compliance.</i></p> <p>DPE Compliance advised they were not aware of any compliance issues related Conditions E23 and E31 and suggested it be addressed as part of the audit scope.</p>

Auditor response: These areas of focus have been addressed by this audit, as detailed in Appendix A1, Table A1.

NSW Department of Primary Industries, Fisheries	DPI Fisheries advised that they are represented on the Marine Biodiversity Offset Strategy (MBOS) Implementation Reference Panel. DPI Fisheries provided information on the status of implementation of specific requirements under the MBOS.
Randwick City Council (RCC)	RCC advised they had not received any complaints in relation to the Project to date. RCC also advised the auditor to monitor Kamay Ferry Wharves Botany Bay Facebook. <i>Auditor response: Monitoring Facebook was beyond the scope of this audit.</i>
Sutherland Shire Council (SSC)	<p>SSC advised they were satisfied that the management plans addressed the requirement of Council. SSC requested that it be more regularly informed or updated about the achievement of environmental milestones / measures.</p> <p><i>Auditor response: TfNSW advised that SSC was informed of Project progress as follows:</i></p> <ul style="list-style-type: none"> • <i>Environmental Regulator Meetings (one meeting has been held and both La Perouse and Kurnell).</i> • <i>Activity-based Community Notifications (Council officers are included on the distribution list).</i> • <i>TfNSW committed to inform Council of the findings of the Seagrass study which was not released at the time of this audit.</i> <p><i>Observation Kamay 01/Obs-03: SSC requested that it be more regularly informed or updated about the achievement of environmental milestones / measures.</i></p>

The following entities did not respond to the auditor's invitations to comment:

- NSW Environment Protection Authority (EPA)
- National Parkes and Wildlife Service (NPWS)
- Commonwealth Department of Agriculture, Water and Environment (DAWE)
- Local Aboriginal Land Council (LALC)
- Registered Aboriginal Parties (RAPs).

3.3 Compliance

An assessment of compliance was undertaken against the Approval SSI 10049. Compliance was assessed using the compliance status descriptors in Section 2.3 of this report. A summary of the compliance status awarded is presented in Table 5.

Table 5 Summary of compliance

SSI Requirement (Schedule 2)	No. of conditions	Findings		
		Compliant	Non-compliant	Not triggered
Part A – Administrative Conditions	45	17	-	28
Part B – Community Information and Reporting	12	10	-	2
Part C – Construction Environmental Management	21	18	1	2
Part D – Operational Environmental Management	4	-	-	4
Part E – Key Issue Conditions	119	56	-	63
Appendix A – Incident notification and reporting	4	-	-	4

The Project demonstrated substantial compliance against the Approval SSI 10049 conditions, as applicable during the reporting period. Detailed compliance findings are provided in Appendix A, Table A1. A summary of the non-compliances (by exception) against the Approval is provided in Table 6. One non-compliance was raised.

Table 6 Non-compliances identified against the Approval

Approval Condition	Non-compliance
<p>Schedule 2 Condition C20</p> <p>The CMP(s), as approved or endorsed (as relevant), 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>Kamay 01/NC-01: Monthly attended noise monitoring required by the Construction Noise and Vibration Monitoring Program was not implemented.</p>

3.4 Review of adequacy of management plans

The following management plans were reviewed as detailed in Appendix A, Table A2.

- Construction Environmental Management Plan (CEMP)
- Construction Traffic, Transport and Access Management Sub Plan (CTTAMP)
- Construction Noise and Vibration Management Plan (CNVMP)
- Soil, Water and Contamination Management Plan (SWCMP)
- Heritage Management Plan (HMP)
- Biodiversity Management Plan (BMP)

The CEMP and associated sub-plans were endorsed by the ER to be consistent with the requirements outlined in the Conditions of Approval and were approved by the Planning Secretary, as required. The plans were not due to be updated during the audit period.

This audit determined the plans to be of a high standard and adequate to maintain a high level of environmental performance by the Project.

One improvement opportunity was identified in relation to the CEMP and CCS:

The Project relies on the TfNSW privacy statement appended to all notifications and the Project webpage. However, regarding any complaints made in person, the Project does not have a documented process to make a complainant aware of the Collection Statement. Informing all complainants of the Collection Statement is a requirement of Condition B10. Refer to Section 4-Improvement Opportunity Kamay 01/IO-01.

3.5 Environmental performance

The environmental performance of the Project was determined by assessing the implementation and effectiveness of the mitigation measures and monitoring programs outlined in the management plans.

The audit found substantial implementation of the CEMP, sub-plans and monitoring programs. Details of management plans and monitoring programs implementation are detailed in Appendix A Table A2.

The findings are summarised against each management plan and sub-plan below.

3.5.1 Construction Environmental Management Plan (CEMP)

The CEMP was effectively implemented. It was observed that:

- The Project established and implemented of a robust hierarchy of environmental documents to manage environmental performance including:
 - Environmental Management Strategy (Environmental Policy),
 - Construction Environmental Management Plan and sub-plans,
 - Practical Environmental Management Requirements (Green rules and Sensitive area maps) and
 - Active Environmental Guidance (EWMS, EPIs, PESCP).
- The documents were clearly communicated through site inductions, postings on site and reinforced through tool boxing.
- Environmental management across the La Perouse and Kurnell sites was of a high standard. Resourcing for environmental management was observed to be adequate.
- Internal environmental communication was facilitated via inductions, toolboxes and prestart meeting, posting policies and green rules.
- Good communications were evident between Project environmental personnel and, TfNSW Environmental Representative and the ER.
- Community liaison was undertaken in accordance with the CCS.
- Complaints/communications were managed in accordance with the CCS.

- Scheduled inspections were undertaken by project personnel, the ER, and the TfNSW Environmental Review Group.

3.5.2 Construction Traffic, Transport and Access Management Sub Plan (CTTAMP)

The CTTAMP was effectively implemented. It was observed that:

- Access to site for construction vehicles is limited to access routes marked in the CTTAMP.
- Vehicular Access within site compound was limited within the Construction boundary.
- Construction boundaries are clearly delineated to prevent access and impact beyond the boundary.
- Provision was made for construction parking within the site compounds. There have been no community complaints related to parking.
- Physical barriers delineating construction activities from pedestrian routes.
- Footpath access was maintained at La Perouse and Kurnell, except for Monument Track at Kurnell as per the EIS.
- Cycling shared paths have not been directly impacted, except for Monument Track at Kurnell as per the EIS

3.5.3 Construction Noise and Vibration Management Plan (CNVMP)

The CNVMP was effectively implemented. It was observed that:

- A detailed land use survey has been undertaken to confirm sensitive land user(s) potentially exposed to construction noise and vibration and construction ground borne noise.
- Standard hours were adhered-to, unless under an approved OOHW Permit approved by the ER.
- Notification letters were submitted to noise or vibration affected sensitive receivers were notified at least five days before starting work.
- Public communication, including website updates and notices at the Project areas, were conducted before any piling started.
- Feasible and reasonable control measures were effectively implemented.
- Building condition surveys, where at risk of damage, were conducted. Pre-construction building condition assessment of Aboriginal and non-Aboriginal heritage items within seventy meters of the construction boundary were conducted.
- Trained marine mammal observers (MMO), with demonstrated experience in the identification and management of marine mammals undertake the observation of marine mammals during piling and re-strike testing.
- Piling Operation Procedures include Pre-start Observations, Soft-Start Procedure, Stand by procedure and normal Piling Procedure.
- Piling shut down procedures include poor visibility and marine mammal sightings were implemented.
- Construction Monitoring Program – Noise & Vibration:
 - Surface noise monitoring has generally been implemented.

- Monthly attended noise monitoring has not been implemented. On this basis, a non-compliance has been awarded under condition C20 of this Approval. Refer to *Section 4- Recommendation Kamay 01/R-01*.
- Underwater noise monitoring has been at La Perouse but not Kurnell. Refer to *Section 4- Improvement opportunity Kamay 01/IO-02*.
- Vibration monitoring for the protection of heritage sites or heritage buildings has been implemented.

3.5.4 Soil, Water and Contamination Management Plan (SWCMP)

The SWCMP was effectively implemented. It was observed that:

- Progressive erosion and sediment control plans (PESCP) have been prepared and implemented on site.
- Inspections are undertaken by site personnel of effectiveness of the PESCP at least fortnightly and immediately after each rainfall event > 10mm.
- EWMS have been prepared and implemented to manage soil and water impacts prior to commencing high risk activities.
- Storage of fuels and chemicals were observed to be at least 50m from Botany Bay
- Emergency spill kits were observed at site compounds and works areas. Marine emergency spill kits were observed at compound areas and works areas over marine waters.
- Floating booms, silt curtains or other equivalent controls were installed prior to and around the area of works that may disturb the seabed as required and to contain any sediment.
- Stockpiles were located outside of the tree protection zone and identified in the PESCP. Stockpiles were located at least 20m from Botany Bay.
- Construction Monitoring Program – Turbidity Monitoring Program:
 - Visual monitoring is undertaken daily, prior to commencement of; and during works.
 - The monitoring program includes visual and water quality sampling. A review of fortnightly water monitoring data confirmed there were no exceedances.

3.5.5 Heritage Management Plan (HMP)

The HMP was effectively implemented. It was observed that:

- Heritage values, culturally and archaeologically sensitive areas and constraints within the study were shown on Sensitive Area Maps (SAPs).
- A procedure for managing Unexpected Heritage Items was developed.
- Vibration monitoring has been undertaken during vibration generating activities that have the potential to impact on heritage items.
- Heritage protection zones and protection requirements for heritage items within and in the vicinity of the construction boundary were established.
- Heritage Awareness Inductions were given to all workers during site inductions.
- A Salvage Excavation Program was prepared by a suitably qualified heritage specialist.

- A visual inspection by a suitably qualified heritage specialist was undertaken for the potential rock engravings (Site 3, La Perouse [AHIMS ID 45-6-0650] and Site 4, La Perouse [AHIMS ID 45-6- 0651])
- Exclusion zones were established for all registered AHIMS rock engraving sites within the construction boundary.
- Archaeological supervision was undertaken by a qualified heritage specialist during ground penetrating works in or around AHIMS Site # 45-60653 (Site 6 - La Perouse).
- An Archaeological Research Design (ARD) was prepared to confirm the areas within the construction boundaries requiring archaeological investigation.

3.5.6 Biodiversity Management Plan (BMP)

The BMP was effectively implemented. It was observed that:

- Site Environmental Plans identify sensitive habitats, protection areas, no anchoring zones, and exclusion zones to protect seagrass and threatened species.
- Seagrass monitoring was conducted, prior to and during construction to determine the impacts from the Project on seagrass.
- A Marine Mammal Observation Procedure has been implemented.
- Trained marine mammal observers, with demonstrated experience in the identification and management of marine mammals undertake the observation of marine mammals during piling and re-strike testing.
- A marine biodiversity pre-clearing procedure was developed and implemented prior to construction.
- Inspection prior to the start of work that may impact potential habitat for White's Seahorse were undertaken.
- Inspections were undertaken prior to commencement of construction methods that have the potential to impact potential habitat for Black Rockcod.
- Anchoring zones identified in the Project Boundary Drawings are implemented to minimise impacts from anchor points within seagrass meadows of *Posidonia australis*
- A pre-clearing procedure, an unexpected threatened species finds procedure and a fauna handling procedure have been prepared and implemented.
- A consulting arborist has assessed trees within the construction boundary that are proposed for retention; and a report has been prepared.
- The clearing of native vegetation has not exceeded the clearing footprint of the project.

3.6 Complaints and incidents

3.6.1 Complaints

Community complaints were managed in accordance with the Approval. The process for managing complaints and conflict resolution is detailed in the CEMP Section 6.4 and the Community Communications Strategy (CCS). A complaints management system including how to make a complaint; and a complaints register were observed to be operating effectively.

From July 2023 to October 2023 the Project did not receive any complaints, but four queries were recorded. Entries into the register were related to:

- Squeaking of marine equipment inquiry
- RAP inquiry wanting to come and visit site from interstate.
- General email blast to agencies about environmental issues (not connected to the Project)
- Extended hours inquiry.

3.6.2 Incidents

The process for managing incidents and non-conformances was detailed in the CEMP Section 7.2.

The Project confirmed that there have been no incidents during the reporting period.

3.7 Previous audit report

This is the first construction phase audit for the Project. There were no previous audit findings for this audit to consider.

3.8 Site inspection

A walk-through site inspection was undertaken of the La Perouse site on 3/11/23 and Kurnell on 10/11/23.

The site inspection covered the following areas:

- La Perouse site compound
- La Perouse crane platform
- La Perouse ramp construction
- La Perouse locality including:
 - Botany Bay
 - Anzac Parade
 - Proximity of AHIMS Site # 45-6- 0653 and AHIMS Site# 45-6-0651
 - Frenchmans Bay Reserve playground
- Kurnell site compound
- Kurnell crane platform
- Kurnell main access road between the site compound and construction activities.
- Kurnell locality including:
 - Botany Bay
 - Captain Cook Drive.

Piling barges at La Perouse of Kurnell were not accessed as part of the site inspection. Observations of environmental controls were made from the shoreline and the crane platforms.

A photographic record of the site inspection is presented as Appendix E of this report.

4 Recommendations

Recommendations to address non-compliances and opportunities for improvement identified during this audit are presented in Table 7 and Table 8 respectively. In accordance with the DPIE Audit Guideline, TfNSW is required to submit a response to any recommendations contained in the audit report.

For each recommendation and improvement opportunity, reference is made to the relevant section in the report or compliance tables where the non-compliance or observation was raised.

4.1 Recommendations to address non-compliance

Recommendations to address non-compliance have been identified where the auditor has determined that the Project has not met a substantive requirement and corrective action is required to address non-compliance.

The recommendations presented in Table 7 have been raised to address non-compliances identified during this audit. Please refer to the reference provided for context on each recommendation.

Table 7 Recommendations to address non-compliance

Report Reference	Non-compliance	Recommendation
Appendix A Table A1 Condition C20	Kamay 01/NC-01 Monthly attended noise monitoring required by the Construction Noise and Vibration Monitoring Program was not implemented.	Kamay 01/R-01 Undertake monthly attended noise monitoring as required by the Construction Noise and Vibration Monitoring Program.

4.2 Opportunities for improvement

Observations have been identified where the Project has substantively met the relevant requirement, however an improvement opportunity has been identified by the auditor.

The improvement opportunities raised by this audit are presented in Table 8. Please refer to the reference provided for context on each improvement opportunity.

Table 8 Improvement opportunities

Report Reference	Observation	Improvement opportunity
Appendix A Table A1 Condition B10 Report Section 3.4.	Kamay 01/Obs-01 Condition B10 requires the Project to make all complainants aware of the Privacy Collection Statement. The Project does not have a documented process that enables complainants that make a complaint in person, aware of the Privacy Collection Statement.	Kamay 01/IO-01 Establish a protocol to inform a complainant that may not have accessed the TfNSW webpage, of the Collection Statement. The protocol may be incorporated within the Project CEMP or CCS.
Appendix A Table A2 CNVMPE3	Kamay 01/Obs-02 Underwater noise monitoring was undertaken at La Perouse. No underwater noise monitoring was undertaken at Kurnell. The Project	Kamay 01/IO-02 Seek verification from the noise consultant that underwater noise monitoring for piling equipment at La Perouse is also representative of underwater noise monitoring for piling equipment at Kurnell.

Report Reference	Observation	Improvement opportunity
	advised that the noise monitoring at La Perouse was also representative for Kurnell but there was no evidence to verify this statement.	Alternatively undertake underwater noise monitoring at Kurnell.
Report Section 3.2	Kamay 01/Obs-03 SSC requested that it be more regularly informed or updated about the achievement of environmental milestones / measures.	Liaise with officers of the SSC to agree on the key project environmental milestones, or other measures, for which the Council seeks to be informed.

Appendix A – Independent audit tables

Appendix A: Table A1 – SSI 10049 Compliance Table

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
PART A				
ADMINISTRATIVE CONDITIONS				
GENERAL				
A1	<p>The Proponent must carry out the SSI in accordance with the terms of this approval and generally in accordance with the:</p> <ul style="list-style-type: none"> (a) <i>Kamay Ferry Wharves Environmental Impact Statement</i> (the EIS), dated June 2021; (b) <i>Kamay Ferry Wharves Response to Submissions Report</i> (the Submissions Report), dated October 2021; and (c) <i>Kamay Ferry Wharves Marine Biodiversity Offset Strategy</i> (the MBOS), dated November 2021. 	<p>EIS</p> <p>Project documents - Kamay Ferry Wharves Transport for NSW</p> <p>Table A1 – SSI 10049 Compliance Table</p>	<p>Substantive compliance with SSI 10049 confirms compliance with the key planning documents listed in Condition A1.</p>	Compliant
A2	<p>The SSI must only be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the documents listed in Condition A1 unless otherwise specified in, or required under, this approval.</p>	<p>Table A1 – SSI 10049 Compliance Table</p>	<p>Substantive compliance was awarded with the post-approval documents specified by this Approval which have been prepared in accordance with procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the documents listed in Condition A1.</p>	Compliant
A3	<p>In the event of an inconsistency between:</p> <ul style="list-style-type: none"> (a) the terms of this approval and any document listed in Condition A1 inclusive, the terms of this approval will prevail to the extent of the inconsistency; and (b) any document listed in Condition A1 inclusive, the most recent document will prevail to the extent of the inconsistency. <p><i>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.</i></p>	<p>Refer to Condition E4</p>	<p>During consultation with the Biodiversity and Conservation Division of the Environment and Heritage Group, on the Construction Biodiversity Management Plan, an inconsistency was identified between the terrestrial credit numbers in the CoA and the Biodiversity Development Assessment Report (BDAR) date 5 April 2022.</p> <p>This inconsistency has been addressed under Condition E04.</p>	Compliant
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; 		<p>No additional written requirements or directions have been issued by the Planning Secretary.</p>	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<ul style="list-style-type: none"> (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. 			
A5	This approval lapses five years after the date on which it is granted, unless work has physically commenced on or before that date.			Not triggered
A6	References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Australian Standards or policies in the form they are in as at the date of this approval, unless otherwise approved by the Planning Secretary.			Noted
STAGING				
A7	<p>Staging the delivery of the SSI</p> <p>The SSI may be constructed and operated in stages (including but not limited to temporal, location or activity based staging). Where staged construction and/or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared. The Staging Report must be endorsed by the ER and then submitted to the Planning Secretary for information 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><i>Note: Unless otherwise specified in this approval, early works are a stage of construction.</i></p>		The Project has not been delivered in stages.	Not triggered
A8	<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 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 activities to be 		Refer to Condition A7	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<p>carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</p> <p>(c) specify how compliance with conditions will be achieved across and between each of the stages of the SSI; and</p> <p>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</p> <p><i>Note: A Staging Report may reflect the staged construction and operation of the project through geographical activities, temporal activities or activity-based contracting and staging.</i></p>			
A9	The SSI must be staged in accordance with the Staging Report , and submitted for information to the Planning Secretary.		Refer to Condition A7	Not triggered
A10	Where staging is proposed, the terms of this approval that apply or are relevant to the work or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.		Refer to Condition A7	Not triggered
A11	Where changes are proposed to the staging of construction or operation, a revised Staging Report must be prepared, endorsed by the ER and submitted to the Planning Secretary for information no later than one month prior to the proposed change in the staging.		Refer to Condition A7	Not triggered
A12	Should a Construction Environmental Management Framework (CEMF) be submitted for approval under Condition A15 , the Staging Report must be submitted with the CEMF , i.e. no later than one month before the lodgement of any CEMP , CEMP Sub-plan or CMP to the Planning Secretary for approval.		Refer to Condition A7	Not triggered
TIMING AND APPROVALS				
A13	Any document that must be submitted or action taken within a timeframe specified in or under the terms of this approval may be submitted or undertaken within a later timeframe agreed with the Planning Secretary. This condition does not apply to the written notification required in respect of an incident.	Refer to relevant conditions of this table.	<p>TfNSW submitted all documents or taken actions within the timeframe specified under this approval (as detailed in this compliance table.</p> <p>The following extensions of time were granted by the Planning Secretary:</p> <ul style="list-style-type: none"> • Condition E4 - DPE granted an extension of time for the payment of the credits to 29 December 2023. • Condition E19 - DPE granted a deferral of the bank guarantee to 6 December 2023. 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
A14	<p>Where the terms of this approval require consultation to be undertaken, evidence of the consultation undertaken must be submitted to the Planning Secretary and ER (as relevant) with the corresponding documentation. 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; (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. 	DPE letter SSI-10049-PA-19 dated 30/06/23.	DPE letter confirmed that the sub-plan and monitoring plans (refer to Condition C3) were prepared in consultation with relevant government agencies.	Compliant
CONSTRUCTION ENVIRONMENTAL MANAGEMENT FRAMEWORK				
A15	<p>A Construction Environmental Management Framework (CEMF) may be prepared to facilitate the approval of construction environmental management and monitoring plans required under Conditions C1 and C15. The CEMF must:</p> <ul style="list-style-type: none"> (a) identify the Construction Environmental Management Plans (CEMPs), CEMP Sub-plans and Construction Monitoring Programs (CMP) required for each stage of construction consistent with the Staging Report prepared under Condition A7; (b) document the proposed structure of the CEMPs, CEMP Sub-plans and CMPs for the relevant stage of construction; (c) provide, by way of a Risk Matrix, an assessment of the predicted level of environmental and social risk, including the potential level of community concerns posed by each construction stage. This must use a process consistent with ASINZS ISO 31000: 2018; Risk Management – Guidelines; and (d) nominate the endorsement level for the CEMPs, CEMP Sub-plans and CMPs required for each construction stage. The endorsement level being one of the following: <ul style="list-style-type: none"> i. Low Risk - self endorsed and consultation with agency and council stakeholders is not mandatory; ii. Medium Risk - endorsed by the ER and consultation with stakeholders required; and 		A Construction Environmental Management Framework (CEMF) has not been prepared.	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<p>iii. High Risk - endorsed by the Planning Secretary and consultation with stakeholders required.</p> <p>For a Low Risk Stage(s) the requirements of Part C of this approval do not apply. In these circumstances, a CEMP, CEMP Sub-plan and CMP, may be substituted with an alternate process such as a Construction Method Statement or the like.</p> <p>The CEMF must be endorsed by the ER and then submitted no later than one month before the lodgement of any CEMP, CEMP Sub-plan or CMP to the Planning Secretary for approval.</p> <p>Note: <i>The Planning Secretary may vary the CEMF in relation the endorsement authority for the CEMPs, CEMP Sub-plans and CMPs.</i></p>			
A16	The approved CEMF must be implemented for the duration of construction.		Refer to Condition A15	Not triggered
A17	Where changes are proposed to the staging of construction, a revised CEMF must be prepared, endorsed by the ER and submitted to the Planning Secretary for approval no later than one month prior to the proposed change in the staging.		Refer to Condition A15	Not triggered
A18	<p>Staging, Combining and Updating Strategies, Plans or Programs</p> <p>Strategies, plans or programs required by this approval can be submitted on a progressive basis, with the agreement of the Planning Secretary.</p> <p>With the agreement of the Planning Secretary, the Proponent may prepare the updated strategy, plan or program without undertaking all the consultation required under the applicable condition in this approval.</p> <p>Strategies, plans or programs required by this approval can be combined in one document, as set out in documents in Condition A1 or with agreement with the Planning Secretary.</p> <p><i>Notes:</i></p> <ol style="list-style-type: none"> 1) <i>While any strategy, plan or program may be submitted on a progressive basis, the Proponent must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times; and</i> 2) <i>If the submission of any strategy, plan or program is to be undertaken in a progressive manner, then the relevant strategy, plan or program must clearly describe the specific stage to which strategy, plan or program applies, the relationship of this stage to future stages, and the trigger for updating the strategy, plan or program.</i> 	Interview	Staging of the works has not been submitted to the Secretary for this project	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
CONSTRUCTION ANCILLARY FACILITIES				
A19	<p>Construction ancillary facilities</p> <p>Construction ancillary facilities that are not identified by description and location 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; (b) they are not located next to sensitive land use(s) (including where an access road is between the facility and the land use), unless the landowner and occupier have given written acceptance to the carrying out of the relevant facility in the proposed location; (c) they have no impacts on heritage items (including areas of archaeological sensitivity), 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	All construction ancillary facilities on site were nominated in the EIS. No additional ancillary facilities were observed.	Not triggered
SITE ESTABLISHMENT WORK				
A20	<p>Construction ancillary facility - Site Establishment Management Plan</p> <p>Before the establishment of a construction ancillary facility that is required prior to the approval of a CEMP (excluding minor construction ancillary facilities determined by the ER to have minimal environmental impact and those established under Condition A22), the Proponent must prepare a Site Establishment Management Plan which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities. The Site Establishment Management Plan must be prepared in consultation with the relevant council and government agencies. The Plan must be submitted to the Planning Secretary for approval one month before the establishment of any construction ancillary facilities. The Site Establishment Management Plan must detail the management of the construction ancillary facilities and include:</p> <ul style="list-style-type: none"> (a) a description of activities to be undertaken during establishment of the construction ancillary facility (including scheduling and duration of work to be undertaken at the site); 	<p>Kamay Ferry Wharves, Site Establishment Management Plan, Rev H, June 2023.</p> <p>DPE letter of Approval – Site Establishment Management Plan (Condition A20)</p>	<p>A Construction ancillary facility - Site Establishment Management Plan was prepared for the Project. The plan was submitted to DPE for approval.</p> <p>The DPE letter of approval confirms the plan addressed the requirements of the Condition of Approval.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<p>(b) figures illustrating the proposed operational site layout and the location of the closest sensitive land use(s);</p> <p>(c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of site establishment work;</p> <p>(d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:</p> <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; and <p>(e) a program for monitoring the performance outcomes, including a program for construction noise monitoring.</p> <p>Nothing in this condition prevents the Proponent from preparing individual Site Establishment Management Plans for each construction ancillary facility.</p> <p><i>Note: This plan is only needed before a CEMP is approved. Once a CEMP is approved a Site Establishment Management Plan(s) is not required.</i></p>			
A21	<p>Use of a construction ancillary facility</p> <p>A construction ancillary facility established under Condition A19 must not be used for Construction until the CEMP required by Condition 0, relevant CEMP Sub-plans required by Condition CG and relevant CMs required by Condition C14 have been approved.</p>	Site inspection and interview	No construction ancillary facilities were prepared under A19	Not triggered
A22	<p>Minor construction ancillary facilities</p> <p>Minor construction ancillary facilities can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria:</p> <ul style="list-style-type: none"> (a) are located within or immediately adjacent to the construction boundary; and (b) have been assessed by the ER to have: <ul style="list-style-type: none"> i. minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009) (ICNG), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts; ii. minimal environmental impact with respect to waste management and flooding; and 	No information available	No minor ancillary facilities have been established	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<p>iii. no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval.</p>			
A23	<p>Boundary screening</p> <p>Boundary screening must be erected between construction ancillary facilities (excluding minor construction ancillary facilities) and adjacent to sensitive land use(s) for the duration of the time that the construction ancillary facility is in use, unless otherwise agreed with the owner and occupier of the adjacent sensitive land use(s).</p> <p>Boundary screening must minimise visual impacts on adjacent sensitive land use(s) and must incorporate Indigenous artwork wherever visible.</p>	<p>Site inspection</p> <p>Refer to Appendix E - Photos LP2a and K1a</p>	<p>Boundary screening to ancillary facilities has been established to minimise visual impacts of the Project.</p>	Compliant
A24	<p>Boundary screening</p> <p>The SSI name, application number, telephone number, postal address and email address required under Condition B8 of this approval must be made available on site boundary fencing hoarding at each construction ancillary facility before the commencement of construction. This information must also be provided on the website required under Condition B12 of this approval.</p>	<p>Site inspection</p> <p>Refer to Appendix E - Photos LP2b and K1b</p> <p>Project documents - Kamay Ferry Wharves Transport for NSW</p>	<p>Boundary screening and project web site includes project details as required by this condition including:</p> <ul style="list-style-type: none"> • identify the Project, • SSI application number, • postal address, and • email where complaints may be sent. <p>This information is also readily accessible on the Project website.</p>	Compliant
INDEPENDENT APPOINTMENTS				
A25	<p>All Independent Appointments required by the terms of this approval must have regard to Seeking approval from the Department for the appointment of independent experts (OPIE, 2020) and hold current membership of a relevant professional body, unless otherwise agreed by the Planning Secretary.</p>	<p>Refer to Conditions A28 and A36</p>	<p>Independent experts nominated in the the CoA include:</p> <ul style="list-style-type: none"> • Environmental representative (Condition A28) • Independent auditor (Condition A36). <p>These independent experts were approved by the Planning Secretary.</p>	Compliant
A26	<p>The Planning Secretary may at any time commission an audit of how an Independent Appointment has exercised their functions. The Proponent must:</p> <ol 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 Independent Appointment that the Independent Appointment facilitate and assist the Planning Secretary in any such audit. 	<p>Interview</p>	<p>The Planning Secretary has not commissioned an audit of how an Independent Appointment has exercised their functions.</p>	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
A27	The Planning Secretary may withdraw its approval of an Independent Appointment should they consider the Independent Appointment has not exercised their functions in accordance with this approval.	Interview	The Planning Secretary has not withdrawn its approval of an Independent Appointment.	Not triggered
ENVIRONMENTAL REPRESENTATIVE				
A28	Work must not commence until an Environmental Representative (ER) has been nominated by the Proponent and approved by the Planning Secretary.	DPE letter SSI-10049-PA-4 dated 19/12/22	The nominated ER, Mr Richard Peterson of Trigalana Environmental was approved by the Planning Secretary on 19/12/22.	Compliant
A29	The Planning Secretary's approval of an ER must be sought no later than one month before the commencement of work.	Refer to Conditions A28 and A34.	Commencement of work was 3/05/23. ER was approved on 19/12/22.	Compliant
A30	The proposed ER must be a suitably qualified and experienced person(s) who was not involved in the preparation of the documents listed in Condition A1 , and is independent from the design and construction personnel for the SSI and those involved in the delivery of it. Skills, qualifications, experience, availability and capacity of the ER must meet the requirements set out in Environmental Representative Protocol (Department of Planning and Environment, 2018) (the Environmental Representative Protocol).	DPE letter SSI-10049-PA-4 dated 19/12/22	The nominated ER, Mr Richard Peterson of Trigalana Environmental was approved by the Planning Secretary on 19/12/22.	Compliant
A31	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.	TfNSW letter dated 31/10/23	TfNSW sought the appointment of only one ER.	Not triggered
A32	For the duration of the Work until the completion of construction, or as agreed with the Planning Secretary, the approved ER must: <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 impact to the environment and to the community; (d) review documents identified in Conditions A7, A19, A20, A22, C1, C6 and C14 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: 	<p>Interview with ER</p> <p>DPE RFI to TfNSW Re: June 2023 ER Monthly report.</p> <p>Updated ER June 2023 monthly report dated 9 July 2023</p> <p>Sample ER Site inspection reports for 13/7/23, 31/7/23, 15/8/23, 31/8/23</p> <p>Kamay Ferry Wharves – SSI 10049 ER Monthly Report for January 2023,</p>	<ul style="list-style-type: none"> (a) DPE requested the ER amend the June monthly report to correct the construction commenced date and include site photos. The ER amended and resubmitted the monthly report. (b) The ER has informed the Planning Secretary on matters related in the Approval through Monthly reports, as per the approval. (c) ER undertakes fortnightly inspections and documents the findings and any improvements in the inspection reports. (d) Reviewed documents and submitted endorsement letters. Refer to respective conditions. (e) ER undertakes fortnightly inspections and documents the findings and any improvements in 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<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 I Department for information or are not required to be submitted to the Planning Secretary/Department); and iii. provide a written statement / submission via the Major Projects portal to the Planning Secretary advising the documents have been endorsed by the ER; (e) regularly monitor the implementation of the documents listed in Conditions A7, A20, C1, C6 and C14 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 or attend audits of the development commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under Condition A37 of this approval; (g) as may be requested by the Planning Secretary, assist in the resolution of community complaints; (h) consider or assess the impacts of minor construction ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities as required by Condition A21 of this approval; (i) consider any minor amendments to be made to the Site Establishment Management Plan, CEMP, CEMP Sub-plans and monitoring programs without increasing impacts to nearby sensitive land uses or 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; (j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven days following the end of each month for 	<p>February 2023, March 2023, April 2023, May 2023, June 2023, July 2023, August 2023.</p> <p>DPE Portal - Monthly report post approval receipts</p> <p>Low Impact work permit #001 – Early works from 1/5/23 to 30/6/23.</p> <p>Low Impact work permit #003 – UNSW Seagrass Work</p> <p>Refer to respective conditions for letters associated with document endorsement.</p>	<p>the inspection reports. Implementation of management plans are assessed during these site inspections.</p> <ul style="list-style-type: none"> (f) No audits have been commissioned by the Planning Secretary – Not triggered. (h) The Planning secretary has not requested the ER assist in the resolution of a complaint - Not triggered. (i) There have not been any amendments to the nominated plans – Not triggered. (j) The monthly report is submitted to the Planning Secretary on a monthly basis. The reports were submitted in a timely manner and were broadly consistent with the Environmental Representative Protocol. (k) Low impact work permits forms endorsed by the ER. 	

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<p>the duration of the ER's engagement for the SSI, or as otherwise agreed by the Planning Secretary; and</p> <p>(k) review the appropriateness of any activities reliant on the definition of Low Impact Work.</p>			
A33	<p>The Proponent must provide the ER with documentation requested in order for the ER to perform their functions specified in Condition A32 (including preparation of the Environmental Representative Monthly Report), as well as:</p> <p>(a) the complaints register (to be provided on a weekly basis or as requested); and</p> <p>(b) a copy of any assessment carried out by the Proponent of whether proposed work is consistent with the approval (which must be provided to the ER before the commencement of the subject work).</p>	<p>Interview with ER</p> <p>ER Monthly reports</p> <p>Kamay Ferry Wharves Project, Division 5.2 and EPBC Act Approval Consistency Assessment Report, La Perouse Hydraulic Underbore dated October 2023</p>	<p>The ER confirmed that all information requested to enable the ER function to be conducted has been provided by the Project.</p> <p>A review of the ER Monthly reports confirms that the ER undertakes a review of the complaints register.</p> <p>The ER advised that he also sights consistency assessments undertaken by the proponent of proposed work. As an example, the ER undertook an assessment of the Consistency Assessment Report La Perouse Hydraulic Under bore dated 10 October 2023.</p>	Compliant
NOTIFICATION OF COMMENCEMENT				
A34	<p>The Department must be notified in writing of the dates of commencement of works, construction and operation at least one month before those dates.</p>	<p>TfNSW Letter dated 29 March 23 – Notification of commencement of works on 3 May 2023.</p> <p>TfNSW Letter dated 30/05/23 – Notification of commencement of construction on 30 June 2023</p> <p>TfNSW Letter dated 17/05/23* – Notification of commencement of construction on 10 July 2023</p> <p><i>*Incorrect date on the letter</i></p> <p><i>Major Project Portal receipt confirmed Notification of commencement of</i></p>	<p>TfNSW notified in writing of the:</p> <ul style="list-style-type: none"> • commencement of works (3/5/23) • intended commencement of construction on 30 June 2023 • actual commencement of construction on 10 July 2023. 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
		construction letter was received on 27/06/23.		
A35	If the construction or operation of the SSI is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of the commencement of the relevant works, construction and operation at least one month before those dates.	Interview	There has not been any staging proposed related to construction.	Not triggered
AUDITING				
A36	Proposed independent auditors must be agreed to in writing by the Planning Secretary before the commencement of an Independent Audit .	DPE letter SSI-10049-PA-34 dated 15/08/23	The nominated independent auditor, Maurice Pignatelli of OptimE Pty Ltd was approved by the Planning Secretary on 15/08/23.	Compliant
A37	Independent Audits of the SSI must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (OPIE, 2020).	This report	This report sets out how the audit was conducted in compliance with the Independent Audit Post Approval Requirements (OPIE, 2020).	Compliant
A38	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least four weeks notice (or timing as stipulated by the Planning Secretary) to the Proponent of the date upon which the audit must be commenced.		This is the first audit	Not triggered
A39	In accordance with the specific requirements in the <i>Independent Audit Post Approval Requirements (OPIE, 2020)</i> , the Proponent must: <ul style="list-style-type: none"> (a) review and respond to each Independent Audit Report prepared under Condition A37 or Condition A38; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report and response to it publicly available two months after submission to the Planning Secretary, or as otherwise agreed by the Planning Secretary. 		This is the first audit	Not triggered
A40	Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Planning Secretary within two months of undertaking the independent audit site inspection as outlined in the <i>Independent Audit Post Approval Requirements (OPIE, 2020)</i> .		This is the first audit	Not triggered
A41	Notwithstanding the requirements of the <i>Independent Audit Post Approval Requirements (OPIE, 2020)</i> , the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been		This is the first audit	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.			
INCIDENT AND NON-COMPLIANCE NOTIFICATION AND REPORTING				
A42	<p>Incident Notification, Reporting and Response</p> <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 location and nature of the incident.</p>	Interview	No notifiable incidents occurred during the reporting period	Not triggered
A43	<p>Incident Notification, Reporting and Response</p> <p>Subsequent notification must be given and reports submitted in accordance with the requirements set out in APPENDIX A.</p>	Interview	Refer to A42	Not triggered
A44	The Planning Secretary must be notified via the Major Projects Website within seven days after the Proponent becomes aware of any non-compliance, The notification must identify the SSI (including the application number and the name of the SSI if it has one), identify the condition/s against which the SSI is non-compliant, the nature of the non-compliance; the reason for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Interview	No non-compliances occurred during the reporting period	Not triggered
A45	A non-compliance which has been notified as an incident under Condition A42 does not need to be notified as a non-compliance.			Noted
PART B COMMUNITY INFORMATION AND REPORTING				
COMMUNITY INFORMATION, CONSULTATION, AND INVOLVEMENT				
B1	<p>Community Communication Strategy</p> <p>A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication about construction and operation of the SSI with:</p> <ul style="list-style-type: none"> (a) the community (including adjoining affected landowners and businesses, and others directly impacted by the SSI); and (b) the relevant councils, EPA, EHG, DPI Fisheries, Heritage NSW, as applicable. 	<p>Kamay Ferry Wharves Project, Community Communication Strategy, V3 dated 27 April 2023</p> <p>DPE letter, Kamay Ferry Wharves (SSI 10049) - Community Communication Strategy (Condition B3) , dated 2/5/23</p>	<p>A CCS was prepared and submitted to DPE for approval. The CCS was approved by DPE on 2/5/23.</p> <p>The DPE approval states that the CCS has been prepared to address the requirements of the conditions of approval.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
B2	<p>The Community Communication Strategy must:</p> <p>identify people, organisations, councils and agencies to be consulted during the design and work phases of the SSI;</p> <ul style="list-style-type: none"> (a) identify details of the community and its demographics; (b) identify timing of consultation; (c) set out procedures and mechanisms for the regular distribution of accessible information including to Language Other than English (LOTE) and Culturally and Linguistically Diverse (CALO) and vulnerable communities about or relevant to the SSI; (d) detail the measures for informing Registered Aboriginal Parties (RAPs) as required by Condition E24; (e) identify opportunities for education within the community about construction sites; (f) detail the measures for advising the community in advance of upcoming construction including upcoming out-of-hours work as required by Condition E51; (g) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant community(ies) for the SSI; (h) detail the role and responsibilities of the Public Liaison Officer(s) engaged under Condition B6; (i) set out procedures and mechanisms: (j) through which the community can discuss or provide feedback to the Proponent; <ul style="list-style-type: none"> i. through which the Proponent will respond to enquiries or feedback from the community; and ii. to resolve any issues and mediate any disputes that may arise in relation to the environmental management and delivery of the SSI, including disputes regarding rectification or compensation; and iii. address who will engage with the community, relevant councils and agencies. 		Refer to B1	Compliant
B3	<p>The Community Communication Strategy must be submitted to the Planning Secretary and be approved prior to the commencement of any Work.</p>	<p>DPE letter, Kamay Ferry Wharves (SSI 10049) - Community Communication Strategy (Condition B3), dated 2 May 23</p> <p>TfNSW Letter dated 29 March 23 – Notification of</p>	<p>The CCS was approved on 2/5/23 (refer to DPE letter). Work commenced on 3/5/23 (refer to TfNSW letter).</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
		commencement of works on 3 May 2023.		
B4	Work for the purposes of the SSI must not commence until the Community Communication Strategy has been approved by the Planning Secretary.		Refer to Condition B3	Compliant
B5	The Community Communication Strategy , as approved by the Planning Secretary, must be implemented for the duration of Work and for 12 months following the completion of construction.	<p>Kamay Ferry Wharves Project, Community Communication Strategy, V3 dated 27 April 2023</p> <p>McDonnell Dowel Excel spreadsheet on SharePoint (updated 10/10/23)</p> <p>Notifications July to October 2023 on the Project Web-site</p> <p>Refer to Appendix E - photos LP1 and K11.</p> <p>LaPerouse Stakeholder list for Doorknock – Comm negotiated agreement 09/10/23.</p> <p>LaPerouse Stakeholder list for Doorknock – Rock breaking activity 26/10/23.</p> <p>Kurnell Stakeholder list for Doorknock Comm negotiated agreement 09/10/23.</p> <p>Kamay Ferry Wharves – community forum sessions 10 August 2023</p> <p>Kamay Ferry Wharves – community forum sessions 21 September 2023</p>	<p>The following evidence was sighted to confirm implementation of the CCS.</p> <p>Consultation register</p> <p>The contractor maintains a consultation register for the Project. The register records details of:</p> <ul style="list-style-type: none"> • Stakeholder/Complainant • Issue/query • Action taken • Resolution • Date closed. <p>From July 2023 to October 2023 the Project did not receive any complaints, but four queries were recorded. Entries into the register were related to:</p> <ul style="list-style-type: none"> • Squeaking of marine equipment inquiry • RAP inquiry wanting to visit site from interstate. • General email blast to agencies about environmental issues (not connected to the Project) • Extended hours inquiry <p>Community notifications</p> <p>Community notifications are event based. Construction notifications are recorded on the Project Webpage including:</p> <ul style="list-style-type: none"> • October 2023 – Community Update, Construction progress update • October 2023 Kurnell Notification – Rescheduled work • August 2023 La Perouse Notification – Rescheduled work 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
			<ul style="list-style-type: none"> • August 2023 La Perouse Notification – Wharf approach structure • August 2023 La Perouse Notification – Utility work deliveries • July 2023 La Perouse Notification – Causeway and access road construction and service investigations • July 2023 Kurnell Notification – Causeway construction, utilities and piling work • July 2023 La Perouse Notification – Piling work • July 2023 Kurnell Notification – Removal of viewing platform • June 2023 Community update- Site establishment and construction update <p>Signage informing the community of work that may impact them has been erected including:</p> <ul style="list-style-type: none"> • Kurnell – no parking • Maritime exclusion • Closure of monument track • Piling works <p>Door knocks</p> <p>The Project maintains a register (excel spreadsheet) of stakeholders for both the La Perouse site and the Kurnell site. The register includes record of all door knocks undertaken, the outcome of the door knock, contact type of there was no answer and final response.</p> <p>Door knocking has taken place for events including:</p> <ul style="list-style-type: none"> • Noise related (piling and rock excavation). • Community negotiated agreements. <p>Community forums</p> <p>Community forums included a project overview, key project activities, (completed, current and upcoming), and environmental controls including, hours of operation archaeological, heritage, marine biodiversity and contact details.</p>	

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
B6	<p>Public Liaison Officer</p> <p>A Public Liaison Officer must be appointed to assist the public with questions and complaints they may have at any time during Work. The Public Liaison Officer must be available at all times that Work is occurring.</p>	Interview with Community and stakeholder engagement officer	<p>CCS refers to the Public Liaison officer but does not reference the name of the officer.</p> <p>The CEMP (Table 4-1 Roles and responsibilities) allocates the role of PLO to the Community and stakeholder engagement officer (for the contractor).</p>	Compliant
COMPLAINTS MANAGEMENT SYSTEM				
B7	<p>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 for 12 months following completion of construction of the SSI.</p>	<p>Consultation Manager</p> <p>Kamay ALL Complaints Register</p>	<p>The Project Community Engagement and Complaints Register confirmed that the first entry was in March 2023, before commencement of construction in July 2023. The first entry was associated with a project objection (not related to construction).</p>	Compliant
B8	<p>The following information must be available to facilitate community enquiries and manage complaints one 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. <p>This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level.</p>	<p>Site inspection</p> <p>Refer to Appendix E - Photos LP2b and K1b</p> <p>Project documents - Kamay Ferry Wharves Transport for NSW</p> <p>Kamay Ferry Wharves Project, Community Communication Strategy, V3 dated 27 April 2023</p>	<p>Community inquiries and complaints information details (B8(a), (b), (b) and (c)) were available at on-site boundary fencing hoarding at the La Perouse and Kurnell ancillary facilities, TfNSW web page and on all community updates and notifications.</p> <p>Section 11.2 of the CCS available on the TfNSW web-page details a mediation system for complaints unable to be resolved.</p>	Compliant
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 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) the date and time of the complaint; (c) the method by which the complaint was made; (d) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; (e) nature of the complaint; (f) means by which the complaint was addressed and whether resolution was reached, with or without mediation; and 	<p>Kamay ALL Complaints Register</p>	<p>The Kamay Complaints Register was sighted for the Project. The register included the following field entries:</p> <ul style="list-style-type: none"> (a) Enquiry number (includes inquires and complaints) (b) Date and time complaint received (c) Registered via ... (mode) (d) Name and organisation details (e) Details of complaint and complaint type (f) Actions taken (g) Resolution details 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	(g) if no action was taken, the reason(s) why no action was taken.			
B10	<p>Complainants must be advised of the following information before, or as soon as practicable after, providing personal information:</p> <ul style="list-style-type: none"> (a) the Complaints Register may be forwarded to government agencies, including the Department (via the Major Projects Website), to allow them to undertake their regulatory duties; (b) by providing personal information, the complainant authorises the Proponent to provide that information to government agencies; (c) the supply of personal information by the complainant is voluntary; and (d) the complainant has the right to contact government agencies to access personal information held about them and to correct or amend that information (Collection Statement). <p>The Collection Statement must be included on the Proponent or development website to make prospective complainants aware of their rights under the Privacy and Personal Information Protection Act 1998 (NSW). For any complaints made in person, the complainant must be made aware of the Collection Statement.</p>	<p>https://www.transport.nsw.gov.au/privacy-statement#Your_Privacy</p> <p>Interview with Community and stakeholder engagement officer</p>	<p>This condition has not been triggered as the Project has not received any complaints.</p> <p>Notwithstanding, the TfNSW privacy statement is appended to all notifications and the Project web-page.</p> <p>However, the Community and stakeholder engagement officer advised they do not have a protocol which triggers a notification, to a complaint made in person, of the Collection Statement.</p> <p><i>Observation Kamay 01/Obs-01: Condition B10 requires the Project to make all complainants aware of the Privacy Collection Statement. The Project does not have a documented process that enables complainants that make a complaint in person, aware of the Privacy Collection Statement.</i></p>	Not triggered
B11	<p>The Complaints Register must be provided to the Planning Secretary upon request, within the timeframe stated in the request.</p>	Interview	The Planning Secretary has not requested a copy of the complaints register.	Not triggered
PROVISION OF ELECTRONIC INFORMATION				
B12	<p>A website or webpage providing information in relation to the SSI must be established before commencement of Work and be maintained for the duration of construction, and for a minimum of 24 months following the completion of construction. The following up-to-date information (excluding confidential, private, commercial information or any other information that the Planning Secretary has approved to be excluded) must be published before the relevant work commences 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 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; 	Project documents - Kamay Ferry Wharves Transport for NSW	<p>A review of the Project website confirmed the following was accessible:</p> <ul style="list-style-type: none"> • Community updates and notifications including information on the status of the development. • EIS and submissions report and MBOS was appended. • Project approval and Commonwealth Approval was appended. • Current version of the CEMP and associated sub-plans was appended. • This is the first audit hence not audit reports had been produced – Not triggered 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<ul style="list-style-type: none"> (d) a copy of each statutory approval, licence or permit required and obtained in relation to the SSI; (e) a copy of the current version of each document required under the terms of this approval; and (f) a copy of the audit reports required under this approval. <p>Where the information / document relates to a particular work or is required to be implemented, it must be published before the commencement of the relevant work to which it relates or before its implementation.</p> <p>All information required in this condition must be provided on the Proponent's website, ordered in a logical sequence and which is easy to navigate.</p>			
PART C CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
C1	<p>Construction Environmental Management Plan</p> <p>Except as provided by Condition A15, a Construction Environmental Management Plan (CEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department of Planning, Industry and Environment, 2020).</p>	<p>DPE letter SSI-10049-PA-19 dated 30/06/23.</p> <p>CEMP Rev F dated 08/06/23.</p>	<p>The CEMP Rev F dated 08/06/23 was approved by the Planning Secretary on 30/06/23. The CEMP acknowledges the Environmental Management Plan Guideline (DPIE 2020).</p>	Compliant
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 and social risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of construction of the SSI. The initial risk assessment may be undertaken as part of the CEMF pursuant to Condition A15; (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 as required by this approval; 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: 	<p>DPE letter SSI-10049-PA-19 dated 30/06/23.</p> <p>CEMP Rev F dated 08/06/23.</p>	<p>The CEMP Rev F dated 08/06/23 was approved by the Planning Secretary on 30/06/23. The letter confirms the plans contain the information required by the Conditions of Approval.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<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 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 C6. 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) an organisational chart including description of the roles and environmental responsibilities for relevant employees and any independent appointments; (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. <p><i>Note: CEMP(s) may reflect the construction of the project through geographical activities, temporal activities or activity based staging.</i></p>			
C3	<p>CEMP(s) (and relevant CEMP sub-plans) must be submitted to the Planning Secretary for approval except those permitted to be endorsed by others pursuant to a CEMF approved by the Planning Secretary under Condition A15.</p>	DPE letter SSI-10049-PA-19 dated 30/06/23.	<p>DPE letter confirmed that the following sub-plans were submitted to the Planning Secretary for approval.</p> <ul style="list-style-type: none"> • Construction Environmental Management Plan (CEMP) Rev F dated 08/06/23. • Construction Traffic, Transport and Access Management Sub Plan (CTTAMP) Rev F dated June 2023. • Construction Noise and Vibration Management Sub Plan (CNVMP) Rev K dated June 2023. • Construction Noise and Vibration Monitoring Program Rev K dated June 2023. • Construction Biodiversity Sub Plan (fulfilling the requirements of the Terrestrial and Marine Biodiversity Sub Plan under condition C6(c)) (CBMP) Rev K dated June 2023. • Construction Soil, Water and Contamination Management Sub Plan (fulfilling the requirements of the Soil and Surface Water 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
			<p>Management Sub Plan under condition C6(e)) (CSWMP) Rev H dated June 2023.</p> <ul style="list-style-type: none"> Construction Heritage Management Sub Plan (fulfilling the Aboriginal, Non-Aboriginal and Maritime Heritage Sub-Plans required under conditions C6(i), (h) and (g)) Rev K dated June 2023. Construction Noise and Vibration Monitoring Program Rev K dated June 2023. Construction Turbidity Monitoring Program Rev K dated June 2023. <p>None of the plans were permitted (via a CEMF) to be endorsed by others.</p>	
C4	<p>Where a CEMP (and relevant CEMP sub-plans) requires Planning Secretary's approval, the CEMP (and relevant CEMP sub-plans) 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, or where construction is staged, no later than one month before the commencement of each stage.</p>	<p>Planning Portal receipt for the following plans submitted to DPE:</p> <ul style="list-style-type: none"> SWMP dated 12/5/23 BMP dated 11/5/23 HMP dated 18/5/23 CNVP dated 11/5/23 CTMP dated 18/5/23 CEMP 18/5/23 <p>DPE letter SSI-10049-PA-19 dated 30/06/23.</p> <p>Construction commencement date - Refer to Condition A34</p>	<p>DPE letter confirmed that the above sub-plans (refer to Condition C3) were endorsed by the ER prior to submission to the Planning Secretary for approval.</p> <p>The CEMP and sub-plans were submitted to DPE for approval on 18/5/23 (or prior), at least one month before commencement of construction, being 10 July 2023.</p>	Compliant
C5	<p>CEMP(s) (and relevant CEMP sub-plans) not requiring the Planning Secretary's approval, but requiring ER endorsement, must be submitted to the ER no later than one month before the commencement of construction or where construction is staged no later than one month before the commencement of that stage. That CEMP (and relevant CEMP sub-plans) must obtain the endorsement of the ER as being consistent with the conditions of this approval and all undertakings made in the documents listed in Condition A1.</p>	<p>Trigalana Environmental letter dated 7 July 2023 (CWEMP)</p> <p>Trigalana Environmental email dated 30/04/23 (CMWMP)</p>	<p>ER letter endorsing the CEMP Appendix B7 – Construction Waste and Energy Management Plan</p> <p>ER email endorsing the CEMP Appendix B4 – Construction Marine Works Management Plan</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status																								
C6	<p>Except as provided by Condition A15, the following CEMP Sub-plans must be prepared in consultation with the relevant government agencies identified for each CEMP Sub-plan. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant CEMP Sub-plan, including copies of all correspondence from those agencies as required by Condition A14.</p> <table border="1" data-bbox="293 451 1010 1177"> <thead> <tr> <th data-bbox="293 451 398 555"></th> <th data-bbox="398 451 663 555">Required CEMP Sub-plan</th> <th data-bbox="663 451 1010 555">Relevant government agencies to be consulted for each CEMP Sub-plan</th> </tr> </thead> <tbody> <tr> <td data-bbox="293 555 398 635">(a)</td> <td data-bbox="398 555 663 635">Traffic, transport and access</td> <td data-bbox="663 555 1010 635">Relevant council(s) and NPWS</td> </tr> <tr> <td data-bbox="293 635 398 683">(b)</td> <td data-bbox="398 635 663 683">Noise and vibration</td> <td data-bbox="663 635 1010 683">Relevant council(s) and NPWS</td> </tr> <tr> <td data-bbox="293 683 398 786">(c)</td> <td data-bbox="398 683 663 786">Terrestrial and marine biodiversity</td> <td data-bbox="663 683 1010 786">DPI Fisheries, OPIE Water, EHG, NPWS and relevant council(s)</td> </tr> <tr> <td data-bbox="293 786 398 914">(e)</td> <td data-bbox="398 786 663 914">Soil and surface water</td> <td data-bbox="663 786 1010 914">OPIE Water, EHG, Sydney Water (if Sydney Water's assets are affected), NPWS and relevant council(s)</td> </tr> <tr> <td data-bbox="293 914 398 1026">(i)</td> <td data-bbox="398 914 663 1026">Aboriginal Cultural Heritage</td> <td data-bbox="663 914 1010 1026">Heritage NSW, relevant RAP(s), relevant LALC(s) and NPWS</td> </tr> <tr> <td data-bbox="293 1026 398 1106">(h)</td> <td data-bbox="398 1026 663 1106">Non-Aboriginal Heritage</td> <td data-bbox="663 1026 1010 1106">Heritage NSW, NPWS and relevant council(s)</td> </tr> <tr> <td data-bbox="293 1106 398 1177">(g)</td> <td data-bbox="398 1106 663 1177">Maritime Heritage</td> <td data-bbox="663 1106 1010 1177">Heritage NSW, NPWS and relevant council(s)</td> </tr> </tbody> </table> <p data-bbox="293 1185 1010 1241">Note: CEMP Sub-plan(s) may reflect the construction of the project through geographical activities, temporal activities or activity-based staging.</p>		Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan	(a)	Traffic, transport and access	Relevant council(s) and NPWS	(b)	Noise and vibration	Relevant council(s) and NPWS	(c)	Terrestrial and marine biodiversity	DPI Fisheries, OPIE Water, EHG, NPWS and relevant council(s)	(e)	Soil and surface water	OPIE Water, EHG, Sydney Water (if Sydney Water's assets are affected), NPWS and relevant council(s)	(i)	Aboriginal Cultural Heritage	Heritage NSW, relevant RAP(s), relevant LALC(s) and NPWS	(h)	Non-Aboriginal Heritage	Heritage NSW, NPWS and relevant council(s)	(g)	Maritime Heritage	Heritage NSW, NPWS and relevant council(s)	DPE letter SSI-10049-PA-19 dated 30/06/23.	DPE letter confirmed that the above sub-plans (refer to Condition C3) were prepared in consultation with relevant government agencies.	Compliant
	Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan																										
(a)	Traffic, transport and access	Relevant council(s) and NPWS																										
(b)	Noise and vibration	Relevant council(s) and NPWS																										
(c)	Terrestrial and marine biodiversity	DPI Fisheries, OPIE Water, EHG, NPWS and relevant council(s)																										
(e)	Soil and surface water	OPIE Water, EHG, Sydney Water (if Sydney Water's assets are affected), NPWS and relevant council(s)																										
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(h)	Non-Aboriginal Heritage	Heritage NSW, NPWS and relevant council(s)																										
(g)	Maritime Heritage	Heritage NSW, NPWS and relevant council(s)																										
C7	<p>The CEMP Sub-plans must state how:</p> <p>(a) the environmental performance outcomes identified in the documents listed in Condition A1 will be achieved;</p>	DPE letter SSI-10049-PA-19 dated 30/06/23.	The CEMP sub-plans (refer to Condition C3) were approved by the Planning Secretary on 30/06/23. The letter confirms the plans contain the information required by the Conditions of Approval.	Compliant																								

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	(b) the mitigation measures identified in the documents listed in Condition A1 will be implemented; (c) the relevant terms of this approval will be complied with; and (d) issues requiring management during construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART principles.	Trigalana Environmental letter dated 7 July 2023 (CWEMP) Trigalana Environmental email dated 30/04/23 (CMWMP)	The CEMP sub-plans (Refer to Condition C5) were endorsed by the ER to be consistent with the requirements outlined in the Conditions of Approval.	
C8	The Traffic, Transport and Access CEMP Sub-plan must include the following: (a) identify roads to be utilised as part of Construction and measures to ensure construction vehicles follow this route; (b) identify marine construction and vessel mooring zones and measures to delineate these areas; (c) measures to physically separate pedestrian and construction vehicle movements, such as temporary barriers; and (d) where access is via non-road land (such as across lawn areas of NPWS land) vehicle routes must be agreed in consultation with NPWS, and large vehicle movements is to be minimised to avoid excess ground compression and Aboriginal cultural heritage and vegetation impacts.	DPE letter SSI-10049-PA-19 dated 30/06/23.	DPE letter confirmed that the following sub-plan was approved by the Planning Secretary: <ul style="list-style-type: none"> • Construction Traffic, Transport and Access Management Sub Plan (CTTAMP) Rev F dated June 2023. The letter confirms the plan contains the information required by the Conditions of Approval.	Compliant
C9	The Noise and Vibration CEMP Sub-plan must include measures to minimise vibration impacts on Aboriginal and historic heritage, including: (a) monitoring of vibration impacts in the immediate area of AHIMS Site# 45-6-0653 (Site 6 - La Perouse), including procedures to be followed should any impact or damage occur; (b) identification of smaller equipment or hand tools for use in the following locations: <ol style="list-style-type: none"> i. the La Perouse Monument inside the Anzac Parade Loop, which is near the construction boundary and may be impacted if large vibration generating equipment is used; ii. the Coursed Stone Sea Wall, which is located at Kurnell and will be within 5-10 metres of Piling; iii. the Captain Cook Monument, which is set on sandstone bedrock and is within the construction boundary and adjacent to Monument Track, where a utilities trench will be installed; and iv. landscape works close to the ferry shelter shed, where there is potential for indirect vibration impacts to the structure. 	DPE letter SSI-10049-PA-19 dated 30/06/23.	DPE letter confirmed that the following sub-plan was approved by the Planning Secretary: <ul style="list-style-type: none"> • Construction Noise and Vibration Management Sub Plan (CNVMP) Rev K dated June 2023. The letter confirms the plan contains the information required by the Conditions of Approval.	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
C10	<p>Unexpected Heritage Finds and Human Remains Procedure required under Condition C10 may be submitted as part of the Non-Aboriginal Heritage CEMP Sub-plan and Aboriginal Cultural Heritage CEMP Sub-plan.</p>	DPE letter SSI-10049-PA-19 dated 30/06/23.	<p>DPE letter confirmed that the following sub-plan was approved by the Planning Secretary:</p> <ul style="list-style-type: none"> Construction Heritage Management Sub Plan (fulfilling the Aboriginal, Non-Aboriginal and Maritime Heritage Sub-Plans required under conditions C6(i), (h) and (g)) Rev K dated June 2023. <p>The letter confirms the plan contains the information required by the Conditions of Approval.</p>	Compliant
C11	<p>The Aboriginal Cultural Heritage CEMP Sub-plan must:</p> <ol style="list-style-type: none"> be prepared by a suitably qualified and experienced person; be prepared in consultation with Heritage NSW and the RAPs; include a protocol for ongoing consultation with the RAPs and LALCs for the duration of this project; include measures to prevent harm to any Aboriginal objects outside the construction boundary; include a program to monitor and report on the effectiveness of any mitigation and management measures in protecting or limiting harm to Aboriginal objects; ensure any workers on site receive suitable Aboriginal cultural heritage induction(s) prior to carrying out any activities which may disturb Aboriginal sites, and that suitable records are kept of these inductions; include a Trigger Action Response Plan that included stop work provision, notification protocols and significance assessment protocols to manage key Aboriginal heritage, including: <ol style="list-style-type: none"> the discovery of any potential human remains; the discovery of previously unidentified Aboriginal objects within the construction footprints; and managing unauthorised ground disturbance. 	DPE letter SSI-10049-PA-19 dated 30/06/23.	<p>DPE letter confirmed that the following sub-plan was approved by the Planning Secretary:</p> <ul style="list-style-type: none"> Construction Heritage Management Sub Plan (fulfilling the Aboriginal, Non-Aboriginal and Maritime Heritage Sub-Plans required under conditions C6(i), (h) and (g)) Rev K dated June 2023. <p>The letter confirms the plan contains the information required by the Conditions of Approval.</p>	Compliant
C12	<p>Construction must not commence until the relevant CEMP(s) and CEMP Sub-plans have been approved by the Planning Secretary or endorsed by the ER, (as applicable and as identified in the CEMF approved under Condition A15).</p>	<p>DPE letter SSI-10049-PA-19 dated 30/06/23.</p> <p>Trigalana Environmental letter dated 7 July 2023 (CWEMP)</p>	<p>The CEMP sub-plans (refer to Condition C3) were approved by the Planning Secretary on 30/06/23. The letter confirms the plans contain the information required by the Conditions of Approval.</p> <p>The CEMP sub-plans (Refer to Condition C5) were endorsed by the ER to be consistent with the requirements outlined in the Conditions of Approval.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status									
		Trigalana Environmental email dated 30/04/23 (CMWMP)	Construction commenced on 10 July 2023.										
C13	The CEMP(s) and CEMP Sub-plans as approved or endorsed (as relevant), including any minor amendments approved by the ER , must be implemented for the duration of construction.	Appendix A, Table A2 – CEMP and sub-plans	The CEMP and associated subplans nominated in the Approval were substantially implemented. Refer to Appendix A, Table A2 – CEMP and sub-plans	Compliant									
CONSTRUCTION MONITORING PROGRAMS													
C14	<p>Except as provided by Condition A15, the following CMP must be prepared in consultation with the relevant government agencies identified for each to compare actual performance of construction of the SSI against the performance predicted in the documents listed in Condition A1 or in the CEMP:</p> <table border="1" data-bbox="293 675 1010 858"> <thead> <tr> <th></th> <th>Required CMP</th> <th>Relevant government agencies to be consulted for each CMP</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td>Noise and Vibration</td> <td>EPA</td> </tr> <tr> <td>(b)</td> <td>Turbidity</td> <td>DPI Fisheries</td> </tr> </tbody> </table>		Required CMP	Relevant government agencies to be consulted for each CMP	(a)	Noise and Vibration	EPA	(b)	Turbidity	DPI Fisheries	DPE letter SSI-10049-PA-19 dated 30/06/23.	<p>DPE letter confirmed that the following sub-plans were prepared in consultation with relevant government agencies:</p> <ul style="list-style-type: none"> Construction Noise and Vibration Monitoring Program Rev K dated June 2023. Construction Turbidity Monitoring Program Rev K dated June 2023. 	Compliant
	Required CMP	Relevant government agencies to be consulted for each CMP											
(a)	Noise and Vibration	EPA											
(b)	Turbidity	DPI Fisheries											
C15	<p>Each CMP must provide:</p> <ol style="list-style-type: none"> details of baseline data available; details of baseline data to be obtained and when; details of all monitoring of the project to be undertaken; the parameters of the project to be monitored; the frequency of monitoring to be undertaken; the location of monitoring; the reporting of monitoring results and analysis results against relevant criteria; details of the methods that will be used to analyse the monitoring data; procedures to identify and implement additional mitigation measures where the results of the monitoring indicate unacceptable project impacts; and any consultation to be undertaken in relation to the monitoring programs. 	DPE letter SSI-10049-PA-19 dated 30/06/23.	<p>DPE letter confirmed that the following sub-plans were approved by the Planning Secretary:</p> <ul style="list-style-type: none"> Construction Noise and Vibration Monitoring Program Rev K dated June 2023. Construction Turbidity Monitoring Program Rev K dated June 2023. <p>The letter confirms the plans contains the information required by the Conditions of Approval.</p>	Compliant									

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
C16	CMP(s) must be submitted to the Planning Secretary for approval except those permitted to be endorsed by others pursuant to a CEMF approved by the Planning Secretary under Condition A15 ,	DPE letter SSI-10049-PA-19 dated 30/06/23.	DPE letter confirmed that the following sub-plans were submitted to the Planning Secretary for approval. <ul style="list-style-type: none"> Construction Noise and Vibration Monitoring Program Rev K dated June 2023. Construction Turbidity Monitoring Program Rev K dated June 2023. None of the plans were permitted (via a CEMF) to be endorsed by others.	Compliant
C17	Where a CMP requires Planning Secretary's approval, the CMP 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, or where construction is staged, no later than one month before the commencement of each stage.	Planning Portal receipt for the following plans submitted to DPE: <ul style="list-style-type: none"> SWMP dated 12/5/23 BMP dated 11/5/23 HMP dated 18/5/23 CNVP dated 11/5/23 CTMP dated 18/5/23 CEMP 18/5/23 DPE letter SSI-10049-PA-19 dated 30/06/23. Construction commencement date - Refer to Condition A34	The monitoring programs were incorporated into the sub-plans. DPE letter confirmed that the sub-plans and monitoring programs (refer to Condition C3) were endorsed by the ER prior to submission to the Planning Secretary for approval. The CEMP, sub-plans and monitoring programs were submitted to DPE for approval on 18/5/23 (or prior), at least one month before commencement of construction, being 10 July 2023.	Compliant
C18	CMP(s) not requiring the Planning Secretary's approval, but requiring ER endorsement, must be submitted to the ER no later than one (1) month before the commencement of construction or where construction is staged no later than one (1) month before the commencement of that stage, The CMP(s) must be endorsed by the ER as being consistent with the conditions of this approval and all undertakings made in the documents listed in Condition A1 .		All of the CMPs required Planning Secretary Approval.	Not triggered
C19	Construction must not commence until the relevant CMP(s) have been approved by the Planning Secretary or endorsed by the ER, (as applicable and as identified in the CEMF approved under Condition A15 , and all relevant baseline data for the specific construction activity has been collected.	DPE letter SSI-10049-PA-19 dated 30/06/23. Construction commencement date - Refer to Condition A34	DPE letter confirmed the CMPs were approved by DPE on 30/6/23. Construction commenced on 10/7/23.	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
C20	<p>The CMP(s), as approved or endorsed (as relevant), 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>Refer to Appendix A, Table A2 – CEMP and sub-plans</p>	<p>Construction Monitoring Program – Noise & Vibration:</p> <ul style="list-style-type: none"> • Surface noise monitoring has been undertaken • Monthly attended noise monitoring was not undertaken. <i>Therefore a non-compliance has been awarded for this condition.</i> • Underwater noise monitoring has been implemented at LaPerouse but not Kurnell (refer to Appendix A, Table A2 CNVMP E3 for observation) • Vibration monitoring for the protection of heritage sites or heritage buildings has been implemented. <p>Construction Monitoring Program – Turbidity monitoring:</p> <ul style="list-style-type: none"> • Visual monitoring is undertaken on a daily basis, prior to commencement of; and during works. • The monitoring program includes visual and water quality sampling. A review of fortnightly water monitoring data confirmed there were no exceedances. 	<p>Non-compliant</p>
C21	<p>The results of the CMP(s) must be submitted to the Planning Secretary, and relevant regulatory agencies, for information in the form of a Construction Monitoring Report at the frequency identified in the relevant CMP.</p> <p><i>Note: Where a relevant CEMP Sub-plan exists, the relevant CMP may be incorporated into that CEMP Sub-plan.</i></p>		<p>The CMPs do not specify any reporting to the Planning Secretary</p>	<p>Not triggered</p>
<p>PART D OPERATIONAL ENVIRONMENTAL MANAGEMENT</p>				
<p>OPERATIONAL ENVIRONMENTAL MANAGEMENT</p>				
D1	<p>An Operational Environmental Management Plan (OEMP) must be prepared having regard to the Environmental Management Plan Guideline for Infrastructure Projects (Department of Planning, Industry and Environment, 2020). The OEMP must detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in Condition A1, including hours of operation, will be implemented and achieved during operation. Condition D1 does not apply if Condition D2 of this approval applies.</p>			<p>Not triggered</p>
D2	<p>An OEMP is not required for the SSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Planning</p>			<p>Not triggered</p>

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<p>Secretary, and demonstrates, to the satisfaction of the Planning Secretary, that through the EMS or equivalent:</p> <ul style="list-style-type: none"> (a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in Condition A1, including hours of operation, 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. 			
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 month before the commencement of operation.			Not triggered
D4	The OEMP or EMS or equivalent as agreed with the Planning Secretary, as submitted to the Planning Secretary and amended from time to time, must be implemented for the duration of operation and the OEMP or EMS or equivalent must be made publicly available before the commencement of operation.			Not triggered
PART E KEY ISSUE CONDITIONS				
BIODIVERSITY				
Terrestrial biodiversity				
E1	The clearing of native vegetation must not exceed the clearing footprint identified in the documents listed in Condition A1 . All practicable measures to reduce the clearing of native vegetation within the clearing footprint must be undertaken, with the objective of reducing impacts to threatened ecological communities and threatened species habitat.	<p>EWMS – Terrestrial vegetation disturbance Ver 0 dated June 2023</p> <p>Survey Drawing ES-MCD-LP-065, Kamay Ferry Wharves Site ATF Fencing, La Perouse.</p> <p>Survey Drawing ES-MCD-KU-049, Kamay Ferry Wharves Site ATF Fencing, Kurnell.</p>	<p>Site Project Boundary is clearly delineated on site including physical barriers to prevent unauthorised disturbance beyond the Project Boundary. A survey confirmed that the ATF fence at both LaPerouse and Kurnell was placed within or upon the Project Boundary.</p> <p>Within the Project Boundary, the contractor has produced an Environmental Work Method Statement – Terrestrial vegetation disturbance. The EWMS requires the establishment of Environmental no-go zones (strictly no entry) and tree protection zones (supervised entry only), site establishment (including flagging) and vegetation clearing procedures, incident response and training.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status										
		Refer to Appendix E1, Photos LP2a, LP5a, LP5b, LP 6, K1a, K4 and K6.												
E2	Impacts to plant community types must not exceed those identified in the documents listed in Table 1 . The Proponent must minimise impacts to plant community types and not exceed the total areas impacted as listed in Table 1 .	Refer to Condition E1	Refer to Condition E1	Compliant										
E3	Impacts to threatened or endangered fauna and flora species exceeding those as impacted in the documents listed in Condition A1 or Table 2 must not occur. On the discovery of potential or actual impacts to any species not listed in the documents listed in Condition A1 or Table 2 , all work in the associated location must stop to prevent further impact and the Planning Secretary and EHG notified. Work is not to recommence until appropriate approvals have been issued.	Refer to Condition E1	There was no evidence that impacts to threatened or endangered fauna and flora species exceeding those as impacted in the documents listed in Condition A1 or Table 2 has occurred.	Not triggered										
Biodiversity credits														
E4	<p>The Proponent must meet the terrestrial biodiversity offset obligations for ecosystem and species credits as set out in Table 1 and Table 2. The offset obligations must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by:</p> <ul style="list-style-type: none"> (a) acquiring and retiring "biodiversity credits" within the meaning of the BC Act; and / or (b) properties secured with the NPWS, on the basis of a draft credit report to show what the property would provide and written confirmation from NPWS that the financial contributions for acquisition and management have been received; and / or (c) making a payment into the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem and species credits, as calculated by the Biodiversity Offsets Payment Calculator; or (d) a Biodiversity Offset Strategy prepared in consultation with EHG and DAWE that provides supplementary measures or where the Proponent intends to utilise the biodiversity credit variation 	<p>TfNSW letter dated 27/06/23 – Request for Approval to defer the conditions of Approval E05</p> <p>DPE letter dated 30/06/23 – Extension of time request for evidence of retirement of terrestrial biodiversity credits</p>	<p>During consultation with the Biodiversity and Conservation Division of the Environment and Heritage Group, on the Construction Biodiversity Management Plan, an inconsistency was identified between the terrestrial credit numbers in the CoA and the Biodiversity Development Assessment Report (BDAR) date 5 April 2022.</p> <p>On this basis TfNSW sought deferral on the payment of biodiversity obligations until the administrative error could be corrected in the CoA via a Modification.</p> <p>DPE granted an extension of time for the payment of the credits to 29 December 2023.</p>	Not triggered										
	<table border="1"> <thead> <tr> <th>Credit class</th> <th>PCT</th> <th>Associated TEC</th> <th>Direct Impacts (ha)</th> <th>Estimated number of credits</th> </tr> </thead> <tbody> <tr> <td>Ecosystem</td> <td>1823 Coastal</td> <td>-</td> <td>0.009</td> <td>0</td> </tr> </tbody> </table>	Credit class	PCT	Associated TEC	Direct Impacts (ha)	Estimated number of credits	Ecosystem	1823 Coastal	-	0.009	0			
Credit class	PCT	Associated TEC	Direct Impacts (ha)	Estimated number of credits										
Ecosystem	1823 Coastal	-	0.009	0										

Approval (ID)	Requirement			Evidence Collected	Findings	Compliance Status
		headland cliffline scrub				
		661 Coastal sand littoral forest	Kurnell Dune Forest in the Sutherland Shire and City of Rockdale	0.03	4	
		772 Coastal foredune wattle scrub	-	0.024	0	
	Species	Large-eared Pied Bat	Potential foraging	0.07	6	
		Eastern Cave Bat	Potential foraging	0.02	1	
		Australian Pied Oystercatcher	Potential foraging/breeding	0.024	2	
		Sooty Oystercatcher	Potential foraging/breeding	n/a	1	
		Grey-headed flying fox	Potential foraging	0.03	0	
		Green and Golden Bell Frog	Potential foraging / movement	0.03	0	
		Leafless Tongue-orchid	Potential breeding	0.05	0	
		Magenta Lilly Pilly	Potential breeding	0.0.5	0	

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E5	Evidence of the retirement of credits to satisfy Condition E4 or payment to the Biodiversity Conservation Fund to satisfy Condition E4 must be provided to the Planning Secretary, Environment and Heritage Group and DAWE for information before any impact occurs on the species or community types to be offset.	As above	See condition E4	Not triggered
Marine Biodiversity				
E6	The location of areas of seagrass (<i>Posidonia australis</i>) and other seagrass beds (Type 1 Key Fish Habitat (KFH)) and macroalgae (Type 2 KFH) that have been identified for removal and disturbance at Kurnell and La Perouse must be confirmed and recorded by surveying and mapping prior to the commencement of clearing in consultation with DPI Fisheries and DAWE.	<p>Niche Environmental and Heritage Kamay Ferry Wharfs Seagrass Monitoring Reports:</p> <p>Baseline 1 - Winter 2021 dated November 2021</p> <p>Baseline 2 – Summer 2022 dated July 2022</p> <p>Baseline 3 – Winter 2022 dated November 2022</p> <p>Baseline 4 - Summer 2023 dated February 2023</p>	The baseline monitoring undertaken by Niche Environment and Heritage in the winter of 2021, summer of 2022 , Winter of 2022 and Summer of 2023 (prior to commencement of clearing) aimed to identify any large-scale changes in seagrass composition and distribution within the Project Boundary and monitor for any changes in the large adjacent bed of <i>P. australis</i> at Kurnell during construction that may be attributable to the Project.	Compliant
E7	An inspection must be undertaken by an appropriately qualified and experienced ecologist (and diver) in the 24 hour period prior to the start of work that may impact potential habitat for White's Seahorse (<i>Hippocampus white</i> ,) (seagrass, kelp, sargassum, and existing structures such as piles, jetties, wharf pylons) located in and within 100 metres of the construction footprint.	<p>BMP – appendix D</p> <p>Marine pre-clearance survey, Stantec Technical Memorandum 304500813_3 dated 8 August 2023</p> <p>Marine pre-clearance survey, Stantec Technical Memorandum 304500814_2 dated 13 September 2023</p>	<p>Kurnell site</p> <p>A pre-clearance survey was undertaken at the Kurnell site that may impact potential habitat for White's Seahorse (<i>Hippocampus white</i>) on 24-25 July 2023. A targeted survey of areas identified as potential White's seahorse habitat within the Construction Footprint was conducted using a standard roving diver technique in accordance with Kingsford and Battershill (1998).</p> <p>La Perouse site</p> <p>A pre-clearance survey was undertaken at the La Perouse site that may impact potential habitat for White's Seahorse (<i>Hippocampus white</i>) on 3 July 2023. A targeted survey of areas identified as potential White's seahorse habitat within the Construction Footprint was conducted using a standard roving diver technique in accordance with Kingsford and Battershill (1998).</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E8	Any seahorses that are detected in the construction footprint must be relocated to nearby suitable habitat in consultation with an appropriately qualified and experienced ecologist and consistent with location and design criteria provided in section 5.2 <i>Creation of artificial habitat - seahorse hotels of the MBOS</i> . Seahorse relocations must be performed by a suitably qualified and experienced ecologist with consultation from DPI Fisheries and as outlined in the Biodiversity Management Plan.	<p>BMP – appendix D</p> <p>Marine pre-clearance survey, Stantec Technical Memorandum 304500813_3 dated 8 August 2023</p> <p>Marine pre-clearance survey, Stantec Technical Memorandum 304500814_2 dated 13 September 2023</p>	<p>Kurnell site</p> <p>Nearby patches of Posidonia located outside the Construction Footprint were identified as Receiver Sites in consultation with NSW DPI (Fisheries).</p> <p>No White's seahorses or other Syngnathiformes were identified within the Construction Footprint during the pre-clearance survey.</p> <p>La Perouse site</p> <p>Nearby patches of Posidonia located outside the Construction Footprint were identified as Receiver Sites in consultation with NSW DPI (Fisheries). Encountered seahorses were captured by hand and placed in an extended catch bag filled with seawater and seagrass wrack from the Salvage Sites. Seahorses were translocated in situ by divers directly to Receiver Sites outside of the Construction Footprint. Divers released captured seahorses on the receiving habitat as close to the seafloor as possible. Relocated seahorses were observed until they were responsive to stimulus or attached to benthic habitat features. Photographs and details of each relocated seahorse were recorded.</p> <p>Two White's seahorses were identified within the Construction Footprint during the preclearance survey. Both individuals were relocated outside the Construction Footprint to nearby beds of moderately dense <i>P. australis</i> and <i>Halophila</i>.</p>	Compliant
E9	An inspection must be undertaken by an appropriately qualified and experienced ecologist (and diver) when any construction methods have the potential to impact potential habitat for Black Rockcod (<i>Epinephelus daemeli</i>) (rocky reefs, caves, ledges, gutters and artificial structures such as wharves, piers and rock emplacements).	<p>BMP – Appendix I</p> <p>Marine pre-clearance survey, Stantec Technical Memorandum 304500813_3 dated 8 August 2023</p> <p>Marine pre-clearance survey, Stantec Technical Memorandum</p>	<p>The BMP Appendix I provides technical advice for protecting Black Rockcod. The report identifies project risk to the Black Rockcod as being:</p> <ul style="list-style-type: none"> • water pollution • introduction of non-indigenous fish and marine vegetation • habitat loss • vessel strike <p>The technical advice concludes that with appropriate controls the impacts of construction are likely to be tolerated by the Black Rockcod. The key risk to the Black</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
		304500814_2 dated 13 September 2023	<p>Rockcod is noise from piling and recommends that targeted surveys confirm the presence/absence of Black Rockcod before piling commences and whether additional mitigation measures need to be explored.</p> <p>Kurnell Site</p> <p>A targeted Black Rockcod survey must be undertaken in the 24-hour period immediately prior to commencement of any work that has the potential to impact on them or their habitat. For Black Rockcod this is likely to be the commencement of piling activities. A single pre-clearing event on 24-25 July 2023 was conducted at Kurnell to confirm the absence of Black Rockcod and 'prepare' the area for construction activity.</p> <p>La Perouse Site</p> <p>A targeted Black Rockcod survey must be undertaken in the 24-hour period immediately prior to commencement of any work that has the potential to impact on them or their habitat. For Black Rockcod this is likely to be the commencement of piling activities. A single pre-clearing event on 24-25 July 2023 was conducted at La Perouse to confirm the absence of Black Rockcod and 'prepare' the area for construction activity.</p>	
E10	Suitable methods must be used to protect Black Rockcod habitat and individuals in the construction footprint at La Perouse and Kurnell sites in accordance with the provisions of the MBOS, <i>Black Rockcod Recovery Plan 2012</i> and DPI Fisheries' <i>Priorities Action Statement - Actions for Black Rockcod</i> .	<p>BMP – Appendix I</p> <p>Marine pre-clearance survey, Stantec Technical Memorandum 304500813_3 dated 8 August 2023</p> <p>Marine pre-clearance survey, Stantec Technical Memorandum 304500814_2 dated 13 September 2023</p>	<p>Kurnell Site</p> <p>Pre-clearance surveys did not identify the presence of Black Rockcod within the potential habitat defined by Arup Australia Pty Ltd (2022).</p> <p>La Perouse site</p> <p>Pre-clearance surveys did not identify the presence of Black Rockcod within the potential habitat defined by Arup Australia Pty Ltd (2022).</p> <p>The Kurnell and LaPerouse reports noted that findings of the survey are not conclusive evidence of absence of the species from the locality, as they are highly mobile. Therefore despite their absence, methods detailed in BMP Appendix I for protecting Black Rockcod were adhered to.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E11	Prior to the commencement of ferry services, and to avoid and/ or mitigate potential impacts on marine biodiversity including but not limited to Black Rockcod (<i>Epinephe/us daemeli1</i>), the Proponent must consult DPI Fisheries regarding proposed ferry swept path/navigation channels for approach, departure and manoeuvring areas for all traffic using the wharves. The swept path / navigation channel with DPI Fisheries' consultation response must be submitted to the Planning Secretary no later than one month before the commencement of operation.		To address the key risk of piling noise, the BMP Appendix I recommends that all piling should use a soft start procedure which would alter the individuals to move away (for example gradual increase of hammer energy from 10% to 100%) . The Project confirmed this occurs.	Not triggered
Marine Biodiversity Offset Strategy				
E12	The Proponent must ensure that the proposal is undertaken in accordance with the requirements of DPI Fisheries policy and guidelines, including the <i>Policy and Guidelines for Fish Habitat Conservation and Management 2013</i> , and the <i>NSW Biodiversity Offsets Policy for Major Projects, Fact sheet: Aquatic biodiversity</i> .	Kamay Ferry Wharves, Marine Biodiversity Offset Strategy June 2023	<p>The MBOS has been developed to manage the marine offset requirements as part of the Project approvals.</p> <p>The MBOS Implementation Reference Panel was setup in January 2023 to review and oversee the development and implementation of the MBOS and to meet our CoA. The MBOS Implementation Reference Panel includes an Independent Scientist and representatives from DPI Fisheries Coastal Systems and Threatened Species Division, Transport for NSW and observers from the NSW Department of Planning and Environment.</p> <p>Reporting of the MBOS will be provided to the MBOS Implementation Reference Panel, NSW Department of Planning and Environment, and the Commonwealth Department of Climate Change, Energy, the Environment and Water during the 10-year life span of the MBOS.</p> <p>The MBOS specifically addresses the requirements of DPI Fisheries policy and guidelines, including the <i>Policy and Guidelines for Fish Habitat Conservation and Management 2013</i>, and the <i>NSW Biodiversity Offsets Policy for Major Projects, Fact sheet: Aquatic biodiversity</i>.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E13	The Proponent must allow for an additional winter and summer season in which to monitor marine biodiversity within the construction footprint prior to commencement of construction.	<p>Niche Environmental and Heritage Kamay Ferry Wharfs Seagrass Monitoring Reports:</p> <p>Baseline 1 - Winter 2021 dated November 2021</p> <p>Baseline 2 – Summer 2022 dated July 2022</p> <p>Baseline 3 – Winter 2022 dated November 2022</p> <p>Baseline 4 - Summer 2023 dated February 2023</p>	<p>Additional winter and summer baseline surveys were conducted to determine baseline areal extent and condition of seagrasses both within and adjacent to the Project boundary.</p> <ul style="list-style-type: none"> • Baseline 1 - Winter 2021 dated November 2021 • Baseline 2 – Summer 2022 dated July 2022 • Baseline 3 – Winter 2022 dated November 2022 • Baseline 4 - Summer 2023 dated February 2023 	Compliant
E14	The Proponent must satisfy the marine biodiversity offset obligations that specify the required offset size in accordance with the <i>EPBC Act, Environmental Offsets Policy 2012, NSW Biodiversity Offsets Policy for Major Projects - Fact sheet: Aquatic Biodiversity</i> . Evidence of this must be provided to the Planning Secretary, DPI Fisheries and DAWE for information, within 12 months of the commencement of construction.	TfNSW, Kamay Ferry Wharves, Marine Biodiversity Offset Strategy dated June 2023	The condition is beyond the scope of this audit period.	Not triggered
E15	Areas of seagrass (<i>Posidonia australis</i>) and other seagrass beds (Type 1 KFH) and macroalgae (Type 2 KFH) that have been identified for removal or disturbance within the construction footprint at Kurnell and La Perouse must be offset in accordance with the MBOS and as agreed with DPI Fisheries and DAWE.	Refer to Condition E19	A bank guarantee to a value identified by the MBOS has been deferred.	Not triggered
E16	Prior to the commencement of pre-construction seagrass transplantation, the Proponent must establish a MBOS Implementation Reference Panel to review data collected, including from the marine biodiversity monitoring as required by Condition E13 , recommend changes to the MBOS if required, and review the Operational Impact Assessment Report (see Condition E20). The MIRP must comprise representatives from the Proponent, DPI Fisheries-Coastal Systems, DPI Fisheries-Marine Research, DAWE, and OPIE Planning and Assessment, and include a suitably qualified, experienced and independent scientist. The MBOS Implementation Reference Panel must be operational for the life of the MBOS or as agreed by the Planning Secretary.	<p>TfNSW, Kamay Ferry Wharves, Marine Biodiversity Offset Strategy dated June 2023</p> <p>1st Agenda and MoM dated 17 November 2022</p> <p>Seagrass, translocation, rehabilitation, and monitoring, Baseline report dated August 2023 (Draft)</p>	<p>Seagrass transplantation commenced at Kurnell in June 2023 and was completed in July 2023, as documented in the Seagrass, translocation, rehabilitation, and monitoring report.</p> <p>The MBOS Independent reference Panel (IRP) was established prior to the commencement of transplantation, as confirmed by meeting minutes dated 17 November 2022. The meeting minutes also confirmed members of the MBOS IRF included representatives from:</p> <ul style="list-style-type: none"> • Chair (Independent Scientist) • DPI Fisheries • TfNSW • DPE 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
			<ul style="list-style-type: none"> • DCCEW 	
E17	The MBOS must have an operational life of no less than ten (10) years from the date of MBOS approval, unless otherwise agreed by the Planning Secretary.		Outside the scope of this audit period	Not triggered
E18	The MBOS may be reviewed and updated during its operational life as required and recommended by the MBOS Implementation Reference Panel . At least 50 per cent of the MBOS funding must be allocated to the restoration and rehabilitation of <i>Posidonia australis</i> and <i>Zostera</i> seagrass beds in consultation with the MBOS Implementation Reference Panel .		Outside the scope of this audit period	Not triggered
E19	Prior to marine Works, a bank guarantee to a value identified by the MBOS Implementation Reference Panel must be provided to DPI Fisheries to offset marine biodiversity impacts in accordance with the <i>DPI Fisheries Policy and guidelines for fish conservation and management</i> , and the <i>NSW Biodiversity Offsets Policy for Major Projects, Fact sheet: Aquatic Biodiversity</i> . The MBOS Implementation Reference Panel may use this bank guarantee to manage key fish habitats, threatened species and/or populations if planned activities as agreed under the MBOS are unsuccessful.	<p>TfNSW letter dated 26/05/23 – Request for Approval to defer bank guarantee.</p> <p>DPE letter dated 09/06/23 – Extension of time request for bank guarantee to offset marine biodiversity offsets (E19)</p>	<p>Subsequent to the SSI approval in July 2022, NSW Treasury issued a Treasurer’s Direction (TD 22-30) in December 2022 that included the prohibition of the issuance of bank guarantees between NSW State agencies.</p> <p>On this basis TfNSW sought deferral of the bank guarantee to allow NSW Treasury to amend TD 22-30 to allow the bank guarantee required by condition E19 to be issued to DPI Fisheries.</p> <p>DPE granted a deferral of the bank guarantee to 6 December 2023. In its letter, DPE acknowledge TfNSW is committed to providing the bank guarantee required by condition E19 to DPI Fisheries as soon as TD 22-30 has been amended.</p>	Not triggered
E20	<p>An Operational Impact Assessment Report must be prepared on impacts to marine biodiversity following 12 months of the full operation of the ferry wharves. This report must:</p> <ul style="list-style-type: none"> (a) be submitted to the MBOS Implementation Reference Panel for review no later than six (6) months after the 12-month full operation period; (b) include the results of before and after monitoring of all seagrass species, <i>White’s Seahorse</i>, populations and habitats impacted by the ferry wharf structures and associated commercial and recreational vessel uses; and (c) be used to review the MBOS no later than six (6) months after the submission of the Operational Impact Assessment Report to the MBOS Implementation Reference Panel. 		Outside the scope of this audit period	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
HERITAGE				
Unexpected Finds and Human Remains				
E21	An Unexpected Heritage Finds and Human Remains Procedure (required to be included in the relevant CEMP Sub-plans under Condition C10) must be prepared to manage unexpected heritage finds (including maritime discoveries) in accordance with guidelines and standards prepared by the Heritage Council of NSW or Heritage NSW and submitted to the Planning Secretary no later than one (1) month before the commencement of construction.	DPE letter SSI-10049-PA-19 dated 30/06/23. CEMP Appendix B1 – Heritage Management Plan	DPE letter confirmed that the following sub-plan was approved by the Planning Secretary: <ul style="list-style-type: none"> Construction Heritage Management Sub Plan (fulfilling the Aboriginal, Non-Aboriginal and Maritime Heritage Sub-Plans required under conditions C6(i), (h) and (g)) Rev K dated June 2023. <p>The letter confirms the plan contains the information required by the Conditions of Approval.</p> <p>Appendix A of the Heritage Management Plan contains the Unexpected Heritage Finds and Human Remains Procedure</p>	Compliant
E22	The Unexpected Heritage Finds and Human Remains Procedure , as submitted to the Planning Secretary, must be implemented for the duration of construction. <i>Note: Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</i>	TfNSW email dated 27/06/23	TfNSW provided an example of the Unexpected Heritage Finds procedure being enacted on 27/06/23, associated with an unearthed footpath. Work was stopped and the path was assessed by the Heritage contractor. The find was not deemed to have heritage value and the works were permitted to proceed.	Compliant
Aboriginal Cultural Heritage				
E23	All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects or places of cultural significance except as authorised by this approval.	CEMP Appendix H (Site Environmental Plan) Heritage Management Plan Rev K Aboriginal Archaeological Work Method Statement (July 2023) Archaeological research design dated July 2023 Salvage Program dated July 2023	The project has established a series of post approval documents to identify and manage aboriginal objects or places of cultural significance These include: <ul style="list-style-type: none"> The CEMP Site Environmental Plan (Appendix H) identify potential for AHIM sites and Low potential Archaeological deposit zones. Heritage Management Plan Rev K including site specific Aboriginal heritage management mitigation measures. The Archaeological Work Method Statement has been established which includes cultural heritage induction, unexpected finds procedure, suspected human remains procedure, visual inspection, exclusion zones, archaeological 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
		Site interview	<p>monitoring testing and salvage excavation strategy.</p> <ul style="list-style-type: none"> Archaeological research design has been established Salvage Program includes the proposed extent of excavations and reporting. <p>Interview with TfNSW confirmed that the salvage program had been implemented and a report will be prepared in accordance with Condition E25.</p> <p>Also refer to controls identified under conditions E25 to E31.</p>	
E24	<p>The RAPs must be kept informed at intervals not exceeding three (3) months about construction of the SSI. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSI throughout design and construction.</p>	RAP Communications Report. Entries up to 26/10/23	<p>TfNSW maintains register of communication touch points with the members of the RAP. For each member, the register records:</p> <ul style="list-style-type: none"> Date and time of communications Communication method Summary of key messages <p>A sample of communications included:</p> <ul style="list-style-type: none"> Progress of statutory approvals Focus group meetings for the HMP General community updates Salvage Programs. 	Compliant
E25	<p>At the completion of Aboriginal cultural heritage test and salvage excavations, an Aboriginal Cultural Heritage Excavation Report(s) must be prepared by a suitably qualified person. The Aboriginal Cultural Heritage Excavation Report(s), must:</p> <ul style="list-style-type: none"> (a) be prepared in accordance with the <i>Guide to Investigation, assessing and reporting on Aboriginal cultural heritage in NSW</i>, OEH 2011 and the <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i>, DECCW 2010; and (b) document the results of the archaeological test excavations and any subsequent salvage excavations (with artefact analysis and identification of a final repository for finds). <p>The RAPs must be given a minimum of 28 days to provide comments before the report is finalised. The final report must be provided for information to the</p>	Interview	Excavations have been completed and the report is not due until October 2024	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	Planning Secretary, Heritage NSW, relevant Councils, La Perouse Local Aboriginal Land Council (LALC), RAPs and local libraries within 12 months of the completion of the Aboriginal archaeological excavations (both test and salvage).			
E26	Where previously unidentified Aboriginal objects or places of cultural significance are discovered, all work must immediately stop in the vicinity of the affected area. Works potentially affecting the previously unidentified objects and places must not recommence until Heritage NSW has been informed and provided a response in writing. The measures to consider and manage this process must be specified in the Unexpected Heritage Finds and Human Remains Procedure required by Condition E21 and include registration in the Aboriginal Heritage Information Management System (AHIMS) .	Interview	There has been no previously unidentified Aboriginal objects or places of cultural significance discovered.	Not triggered
E27	The Proponent must undertake a visual inspection before commencement of construction of AHIMS Site# 45-6-0650 (Site 3 - La Perouse) and AHIMS Site# 45-6-0651 (Site 4 - La Perouse) and geotextile fabric (or similar) should be laid on the ground surface within the location of both sites.	Aboriginal Rock Art Survey results for Kamay Wharves Project, La Perouse NSW prepared by Austral Archaeology Ref: 22125 dated 26 July 2023 Refer to Appendix E – Photos LP6, LP7a and LP7b.	Austral Archaeology was commissioned to undertake a visual inspection before commencement of construction of AHIMS Site# 45-6-0650 (Site 3 - La Perouse) and AHIMS Site# 45-6-0651 (Site 4 - La Perouse). No Aboriginal rock art was identified within the study areas during the visual inspection. Geofabric was placed prior to disturbance of ground associated with the construction of the site compound. (AHIMS #45-6-0650). A no dig order was also applied. No disturbance of the area associated with (AHIMS #45-6-0651). The area remains grassed and open to the public.	Compliant
E28	Supervision by an appropriately qualified and experienced archaeologist of AHIMS Site # 45-6- 0653 (Site 6 - La Perouse) must be undertaken during ground penetrating works. If the engraving is identified, all works must cease and the construction methodology revised to mitigate further impacts. Any revision to the methodology must be undertaken in consultation with Heritage NSW, RAPs and LALCs.	Site inspection Refer to Appendix E – photos LP5a and LP5b	Austral Archaeology was commissioned to undertake a visual inspection before commencement of construction of AHIMS Site # 45-6- 0653 (Site 6 - La Perouse). No Aboriginal rock art was identified within the study area during the visual inspection. AHIMS Site # 45-6- 0653 (Site 6 - La Perouse) has been fenced off and no works were occurring in the area.	Not triggered
E29	During construction works impacts to the exposed sandstone surrounding AHIMS Site # 45-6- 0653 (Site 6 - La Perouse) must be avoided. Visual markers must be used to delineate these areas.	Site inspection Refer to Appendix E – photos LP5a and LP5b	AHIMS Site # 45-6- 0653 (Site 6 - La Perouse) has been fenced off and no works were occurring in the area.	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E30	During construction works, monitoring of vibration impacts in the immediate area of AHIMS Site # 45-6-0653 (Site 6 - La Perouse) must be undertaken. If vibration monitors are affixed to sandstone, non-invasive adhesive methods (such as beeswax) must be used. If it is identified that levels of vibration would result in damage to AHIMS Site# 45-6-0653 (Site 6 - La Perouse), all works must cease, and the construction methodology revised to mitigate further impacts. This must be undertaken in consultation with Heritage NSW, RAPs and LALCs.	Refer to Appendix E – photos LP5a and LP5b Environmental monitoring tracker , Vibration Monitoring July 2023, Vibration monitoring data – July 2023, September 2023	Vibration monitors were observed. Vibration monitors are placed on the rock (not fixed). Vibration monitoring data confirm that PPV limit of 3mm/s, recommended by a heritage specialist, has not been exceeded.	Compliant
E31	Supervision by an appropriately qualified and experienced archaeologist is required for any excavation near AHIMS Site #52-3-0219 (Foreshore Midden - Captain Cook's Landing Place) where it exceeds 400mm in depth. If Aboriginal cultural heritage is identified during the proposed works, further archaeological investigations may be required. This must be determined in consultation with Heritage NSW, RAPs and La Perouse LALC.	Interview and site inspection Refer to Appendix E – photos K6	Works have not commenced below the 400mm in the vicinity of AHIMS Site #52-3-0219 (Foreshore Midden - Captain Cook's Landing Place). The area is marked on the Site Environmental Plan (SEP).	Not triggered
Non-Aboriginal Cultural Heritage				
E32	Maritime Archaeologist A Non-Aboriginal Heritage Management Plan (HMP) must be prepared and include maritime heritage considerations and requirements. A suitably qualified and experienced maritime archaeologist is to undertake the maritime component of any aspect related to maritime heritage including relevant construction management plans, in consultation with Heritage NSW. The HMP must include a policy and measures to manage the retention, conservation, storage and display of any artefacts and relics recovered by the SSI. The HMP must be prepared prior to construction and be approved by the Planning Secretary.	DPE letter SSI-10049-PA-19 dated 30/06/23. CEMP Appendix B1 – Heritage Management Plan	DPE letter confirmed that the following sub-plan was approved by the Planning Secretary: <ul style="list-style-type: none"> Construction Heritage Management Sub Plan (fulfilling the Aboriginal, Non-Aboriginal and Maritime Heritage Sub-Plans required under conditions C6(i), (h) and (g)) Rev K dated June 2023. The letter confirms the plan contains the information required by the Conditions of Approval.	Compliant
Historical Archaeology				
E33	Prior to the commencement of archaeological excavation, an Archaeological Research Design and Excavation Methodology must be prepared in accordance with the Heritage Council of NSW guidelines to guide the archaeological program. The revised methodology must be prepared in consultation with Heritage NSW and submitted to the Planning Secretary if requested.	Mott MacDonald, Archaeological Research Design, Kamay Ferry Wharves, July 2023	The Archaeological Research Design and Excavation Methodology was prepared and presented as the Archaeological Research Design dated July 2023. Section 1.7 of the ARD confirms that the ARD was prepared in consultation with Heritage NSW.	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E34	Prior to the commencement of archaeological excavation, the Proponent must nominate a suitably qualified Excavation Director who complies with Heritage NSW Excavation Director Criteria 2019 (September 2019) to direct the historical archaeological program. The Excavation Director must be present to oversee excavation, advise on archaeological issues, advise on the duration and extent of oversight required during archaeological excavations consistent with the Archaeological Research Design and Excavation Methodology required by Condition E33	Mott MacDonald, Archaeological Research Design, Kamay Ferry Wharves, July 2023	A suitably qualified Excavation Director has been nominated in Section 1.5 of the ARD.	Compliant
E35	Following the completion of the archaeological excavation programs a Final Excavation Report must be prepared that includes: the details of any further historical research undertaken to enhance the final reporting and results of archaeological excavations (including artefact analysis and identification of a final repository for relics including details of their ongoing conservation and protection in perpetuity by the landowner). The report must be prepared in accordance with guidelines and standards required by Heritage Council of NSW and the relevant Council's local studies unit within twelve (12) months of completion of archaeological excavation.		Archaeological excavation works have not been finalised.	Not triggered
Landscape Heritage				
E36	The Proponent, in consultation with NPWS, must consider alternative placement locations for the installation of the Kurnell services cabinet to reduce impacts to the heritage landscape.	Email from National Parks dated 30 July 2021	In consultation with NPWS, TfNSW considered alternative placement locations for the installation of the Kurnell services cabinet to reduce impacts to the heritage landscape.	Compliant
E37	The Proponent, in consultation with Heritage NSW and NPWS, must implement measures to minimise impacts on remnant Coast Banksia communities at La Perouse and Kurnell including any offset planting (if required).	EWMS – Terrestrial vegetation disturbance Ver 0 dated June 2023 Refer to Condition E1 Refer to Appendix E1, Photos LP2a, LP5a, LP5b, LP 6, K1a, K4 and K6.	Site Project Boundary is clearly delineated on site including physical barriers to prevent unauthorised disturbance beyond the Project Boundary. Refer to Condition E1 Within the Project Boundary, the contractor has produced an Environmental Work Method Statement – Terrestrial vegetation disturbance. The EWMS requires the establishment of Environmental no-go zones (strictly no entry) and tree protection zones (supervised entry only), site establishment (including flagging) and vegetation clearing procedures, incident response and training.	Compliant
HOURS OF FERRY OPERATION				
E38	The approved hours of operation of any ferry service are 7:00am to 6:00pm every day.		This condition is not triggered during the audit period.	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
LAND USE AND PROPERTY				
E39	The Proponent must identify the utilities and services (services) potentially affected by construction to determine requirements for diversion, protection and/or support. Alterations to services must be determined by negotiation between the Proponent and the service providers. The Proponent in consultation with service providers must ensure that disruption to services resulting from the project are avoided where practical and advised to customers.	Sydney Water letter dated 17 April 2023. Case No. 189065. Street light removal and LV Network extension Anzac Parade, La Perouse Certification No. 4686612/20230825	Sydney Water and Ausgrid have been consulted regarding alterations to utility services associated with the Project including potable water and lighting.	Compliant
E40	Any property access that is physically affected by the SSI must be reinstated to at least an equivalent standard, in consultation with the landowner or alternative access provided in consultation with the landowner.	Interview	The Project advised that no property access impacts have occurred on the Project.	Not triggered
NOISE AND VIBRATION				
Land Use Survey				
E41	A detailed land use survey must be undertaken to confirm sensitive land user(s) 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 work which generates construction or operational noise, vibration or ground-borne noise in that area. The results of the survey must be included in the Noise and Vibration CEMP Sub-plan required by Condition C6.	NVMP Rev K dated June 2023	A detailed land use survey has been undertaken and appended as Attachment D of NVMP Rev K dated June 2023	Compliant
Work hours				
E42	Work must only be undertaken during the following hours: (a) 7:00am to 6:00pm Mondays to Fridays, inclusive; (b) 8:00am to 1:00pm Saturdays; and (c) at no time on Sundays or public holidays.	CEMP Version F Interview Refer to Condition E44	Work hours are documented in Section 4.6 of the CEMP. No work outside of the work hours have occurred except under an OOHW Permit endorsed by the ER.	Compliant
Highly Noise Intensive Work				
E43	Except as permitted by an EPL, highly noise intensive works that result in an exceedance of the applicable NML at the same receiver must only be undertaken: (a) between the hours of 8:00 am to 6:00 pm Monday to Friday;	Interview Kamay ALL Complaints Register	Highly noise intensive works that result in an exceedance of the applicable NML has not been undertaken outside the prescribed hours.	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<p>(b) between the hours of 8:00 am to 1:00 pm Saturday; and (c) if continuously, then not exceeding three hours, with a minimum cessation of highly noise intensive work of not less than one hour.</p> <p>For the purposes of this condition, 'continuously' includes any period during which there is less than one hour between ceasing and recommencing any of the work.</p>		<p>There have been no noise complaints regarding highly intensive noise out of hours.</p> <p>The site does not hold an EPL.</p>	
Variation to Work Hours				
E44	<p>Notwithstanding Conditions E42 and E43, work may be undertaken outside the hours specified in any of the following circumstances:</p> <p>(a) Safety and Emergencies, including:</p> <ol style="list-style-type: none"> i. for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or ii. 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. <p>On becoming aware of the need for emergency work in accordance with this condition, the Proponent must notify the ER, the Planning Secretary and the EPA of the reasons for such work. The Proponent must use best endeavours to notify all noise and/or vibration affected residents and owners/occupiers of properties identified sensitive land user(s) of the likely impact and duration of those work.</p> <p>Or</p> <p>(b) Low impact, including:</p> <ol style="list-style-type: none"> i. construction that causes $L_{Aeq15\text{ Minute}}$ noise levels: <ul style="list-style-type: none"> • no more than 5 dB(A) above the rating background level at any residence in accordance with the ICNG, and • no more than the 'Noise affected' NMLs specified in Table 3 of the ICNG at other sensitive land user(s); or ii. construction that causes $L_{Aeq15\text{ Minute}}$ noise levels no more than 15 dB(A) above the rating background level at any residence; or iii. construction that causes: <ul style="list-style-type: none"> • continuous or impulsive vibration values, measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.2 of Assessing Vibration: a technical guideline (DEC, 2006), or 	<p>OOHW Permit tracker</p> <p>OOHWA #07 - Saturday afternoons at La Perouse</p> <p>OOHWA #08 – Oversize delivery</p> <p>OOHWA #09 - Saturday afternoons at Kurnell</p> <p>OOHWA #10 – Vessel placement</p>	<p>An OOHW Permit tracker is maintained which monitors progress on OOHW. It includes Permit details, approval pathway and any additional mitigation measures. There have been eight approved OOHW permits requests for the Project.</p> <p>A sample of OOHW permits signed off by TfNSW and the Project ER were sighted:</p> <ul style="list-style-type: none"> • OOHWA #07 Installation of piles, precast elements and concreting works for the construction of ferry wharf at La Perouse (commencing early November 2023 for 8 months) • OOHWA #08 approved under E44(a), Delivery of materials required by NSW Police – Crane delivery (valid for 20/09/23 to 22/12/23) • OOHWA #09 Installation of piles, precast elements and concreting works for the construction of ferry wharf at Kurnell (commencing early November 2023 for 8 months) • OOHWA #10 L approved under E44(b) L ow impact work – less then 5dB(a), vessel placement (valid for 29/08/23) 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<ul style="list-style-type: none"> intermittent vibration values measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006). <p>Or</p> <p>(c) By Approval, including:</p> <ol style="list-style-type: none"> where different construction hours are permitted or required under an EPL in force in respect of the SSI; or negotiated agreements with directly affected residents and sensitive land user(s). <p>Or</p> <p>(d) By Prescribed Activity, including:</p> <ol style="list-style-type: none"> Piling between 10:00pm and 7:00am Monday-Friday inclusive and if endorsed by the ER; or delivery of material that is required to occur outside of standard construction hours in Condition E42 to directly support Piling. 			
Construction Noise Management Levels and Vibration Criteria				
E45	<p>Mitigation measures must be implemented with the objective of achieving the following construction noise management levels and vibration objectives:</p> <ol style="list-style-type: none"> construction 'Noise affected' NMLs established using the Interim Construction Noise Guideline (DECC, 2009); vibration criteria established using the Assessing vibration: a technical guideline (DEC, 2006) (for human exposure); BS 7385 Part 2-1993 "Evaluation and measurement for vibration in buildings Part 2" as they are "applicable to Australian conditions"; and the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage). <p>Work that exceeds the noise management levels and/or vibration criteria must be managed in accordance with the Noise and Vibration CEMP Sub-plan.</p> <p><i>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.</i></p>	<p>NVMP Rev K.</p> <p>Environmental Monitoring Tracker, Noise Monitoring for June 2023, July 2023,</p>	<p>The NVMP, following consultation with the EPA, states that... <i>"Section 13.2.1 (Now E 2.1) has been updated. It should be noted that recommended feasible and reasonable mitigation measures have been developed based on the Predicted Noise Level (PNL)".</i></p> <p>On this basis, the Project measures noise levels of standard hours work and approved out-of-hours works will be compared against the PNL to determine if the recommended feasible and reasonable measures that are implemented are sufficient.</p> <p>A review of the monitoring data determined that:</p> <ul style="list-style-type: none"> Two monitoring events were recorded in June. There were no exceedances of NML or PNL associated with construction noise. One monitoring event was recorded in July. There were no exceedances of NML or PNL associated with construction noise. 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
			<p>The NV Monitoring program (E-2.2) specifies monthly attended noise monitoring at locations in Table E-1. This had not been undertaken to confirm compliance during the reporting period hence a non-compliance has been awarded under condition C20 of this Approval.</p> <p>Notwithstanding:</p> <ul style="list-style-type: none"> The Project has undertaken community negotiated agreement in September and October. Residents in the impacted areas at the monitoring sites have not raised any issues with noise on the Project. No noise complaints have been received by the Project <p>On the balance of available information, the Condition E45 was deemed compliant.</p>	
E46	<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 LAeq11s min,lel: 40 dB(A); and (b) night (10:00 pm to 7:00 am)- internal LAeq(15 min): 35 dB(A). <p>The mitigation measures must be outlined in the Noise and Vibration CEMP Sub-plan.</p>	Interview	<p>NVMP, section 7.3. Due to the distance between construction works and receivers, ground borne noise impacts are expected to be negligible in comparison to airborne impacts. Further, no out-of-hours work likely to generate ground borne noise has occurred.</p>	Compliant
Construction Noise and Vibration Mitigation and Management				
E47	<p>Industry best practice construction methods must be implemented where reasonably practicable to ensure that noise levels are minimised. Practices must include, but are not limited to:</p> <ul style="list-style-type: none"> (a) use of regularly serviced low sound power equipment; and/ or (b) temporary noise barriers (including the arrangement of plant and equipment) around noisy equipment and activities such as rockhammering and concrete cutting; and / or (c) use of alternative construction and demolition techniques. 	<p>NVMP Rev K dated June 2023</p> <p>Interview</p> <p>Site Inspection Refer to Appendix E1 Photo LP12</p> <p>Kamay Ferry Wharves Project, Division 5.2 and EPBC Act Approval, Consistency Assessment Report, La Perouse</p>	<p>During the site inspection, rock breaking was observed at the La Perouse site. Project personnel advised that reasonably practicable industry best practice was considered:</p> <ul style="list-style-type: none"> The team investigated the use of rock grinder excavator attachment instead of a hydraulic hammer to reduce noise and vibration impacts, however this equipment was not favourable due to the increase in dust and risk to workers for silica exposure. As a result works proceeded using a hydraulic hammer. 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
		Hydraulic Underbore, Revision B	<ul style="list-style-type: none"> The size of the excavator and hydraulic hammer was minimised to reduce the impacts to noise and vibration. Noise mats were not considered appropriate given the distance between the works and the closest sensitive receiver and also primarily due to wind load factors. Noise and Vibration monitoring conducted during these works confirm that the vibration levels were below the threshold for adjacent heritage item AHIMS Site 6 and noise levels were below the PNL for that activity. No noise complaints have been received. <p>In relation to piling noise, slow start piling techniques have been adopted. No noise complaints have been received.</p> <p>The Project also brought a consistency assessment to the attention of the auditor relating to under bore works for the installation of a conduit across Anzac Parade. Whilst this change in construction technique had numerous amenity and construction benefits, there were no noise and vibration improvements as the proposed works would not alter the peak noise levels or vibration levels.</p>	
E48	Owners and occupiers of properties at risk of exceeding the screening criteria for cosmetic damage must be notified before work that generates vibration commences in the vicinity of those properties. If the potential exceedance is to occur more than once or extend over a period of 24 hours, owners and occupiers are to be provided a schedule of potential exceedances on a monthly basis for the duration of the potential exceedances, unless otherwise agreed by the owner and occupier. These properties must be identified and considered in the Noise and Vibration CEMP Sub-plan required by Condition CG and the Community Communication Strategy required by Condition B1.	NVMP Rev K dated June 2023	<p>NVMP, section 7.3. Due to the distance between construction works and receivers, ground borne noise impacts are expected to be negligible in comparison to airborne impacts.</p> <p>There is no risk of cosmetic damage to property.</p>	Not triggered
Construction Vibration Mitigation - Heritage				
E49	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 attended monitoring shows that the preferred values for vibration are likely to be exceeded, the Proponent must review the	<p>NVMP Rev K dated June 2023</p> <p>Environmental monitoring tracker , Vibration Monitoring July 2023,</p>	Construction vibration impacts are addressed in Section 7.6 of the NVMP. There are heritage monuments, plaques and buildings within the Project area and identified rock engravings and heritage plaques within the safe working distances.	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	construction methodology and, if necessary, implement additional mitigation measures.	Vibration monitoring data – July 2023, September 2023	<p>The NVMP call for vibration monitoring and consultation with a qualified heritage person during works occurring.</p> <p>Vibration monitoring for July (5 events) and September (1 event) confirmed vibration readings were below PPV limits of 3mm/s.</p>	
E50	Advice from a heritage specialist must be sought on methods and locations for installing equipment used for vibration and movement monitoring at heritage-listed structures.	<p>Advice from heritage specialist form Mott MacDonald email dated 28/06/23</p> <p>Appendix E, Photos LP5a and 5b</p>	<p>Vibration monitoring has occurred at:</p> <ul style="list-style-type: none"> • Captain Cook Monument • La Perouse monument • AHIM 6053 <p>The heritage specialist advised that the vibration monitors upon heritage structures should be treated in accordance with the standard. The heritage specialist also recommended a PPV limit of 3mm/s.</p>	Compliant
Out-of-Hours Works - Community Notification				
E51	<p>In order to undertake out-of-hours work as prescribed under Condition E42(d) (piling), the Proponent must justify to the ER the reasons why these works cannot be undertaken during standard working hours. These works must be endorsed by the ER prior to the commencement of such work.</p> <p>Any justification must be in writing and include the following information:</p> <ol style="list-style-type: none"> (a) reasons for the OOH Work; (b) a description of location and duration of the OOH Work; (c) the noise characteristics and likely noise levels of the OOH Work; (d) likely mitigation and management measures which aim to achieve the relevant noise management levels and vibration criteria under Condition E44 (including the circumstances of when respite or relocation offers will be available and details about how the affected community can access these offers); and (e) proposed community notifications which must be provided to impacted sensitive receivers in the community at least 10 days prior to the proposed OOH Work. 	<p>OOHW Permit tracker</p> <p>OOHWA #07 - Saturday afternoons at La Perouse</p> <p>OOHWA #09 - Saturday afternoons at Kurnell</p> <p>ER approval letter dated 31/10/2023 for OOHW and Community Agreements</p>	<p>No work associated with out-of-hours piling (Condition E44(d) work has been undertaken during the reporting period.</p> <p>It is noted however that two OOHW approvals have been submitted for works associated with out-of-hours piling at OOHWA #7 (La Perouse) and OOHWA #9 (Kurnell):</p> <ul style="list-style-type: none"> • proposed to commence in early November 2023 (outside the audit period) • Includes the installation of piles, precast elements and concreting works for the construction of ferry wharf at Kurnell (commencing early November 2023 for 8 months) • specifies mitigation measures including: <ul style="list-style-type: none"> ○ no impact or vibratory driving of piles to be conducted during OOH work ○ excludes peak holiday periods and public holidays • Approved by the ER <p>The OOHW justification includes the information listed in condition 51.</p>	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
Operational Noise Mitigation Measures				
E52	Prior to the commencement of ferry operation, the Proponent must prepare an Operational Noise Review (ONR) to confirm noise control measures that would be implemented for the operation of the SSI. The ONR must be prepared in consultation with relevant council(s) and must confirm the operational noise predictions based on the final vessel selection. The results of these revised predictions must be compared to the noise performance assumptions in the documents listed in Condition A1 . Should the results indicate a worsening of impact predicted in the documents listed in Condition A1 , appropriate mitigation measures must be identified and implemented.		Operational phase condition	Not triggered
E53	The ferry vessel selected for operation must be free of annoying noise characteristics as determined in the Noise Policy for Industry (EPA 2017) Fact Sheet C when assessed at offset distances representative of the nearest residential receivers to each wharf. Where it is demonstrated that this is not reasonably practicable, justification of the best achievable noise levels must be submitted to the Planning Secretary, prior to the commencement of ferry operation.		Operational phase condition	Not triggered
E54	Noise associated with the operation of the wharf and vessel based public address system(s) must not exceed 5 dB(A) above the background noise level when measured at the boundary of any sensitive receiver, excluding for emergency announcements and testing of the emergency PA system.		Operational phase condition	Not triggered
E55	Operational noise mitigation measures as identified in Condition E52 that will not be physically affected by work, must be implemented within six months of submitting the ONR , unless otherwise agreed by the Planning Secretary. Where implementation of operational noise mitigation measures are not proposed to be in accordance with this requirement, 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 are implemented. The report must be submitted to the Planning Secretary within six months of submitting the ONR .		Operational phase condition	Not triggered
	<i>Note: Not having finalised detailed design is not sufficient justification for not implementing the proposed mitigation measures.</i>			
Operational Noise Validation				
E56	Within six (6) months of the commencement of ferry operation of the SSI, the Proponent must undertake monitoring of operational noise to compare actual		Operational phase condition	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	noise performance of the SSI against the noise performance predicted in the review of noise mitigation measures required by Condition E52 .			
Operational Noise Compliance Report				
E57	<p>An Operational Noise Compliance Report (ONCR) must be prepared to document the findings of the operational noise monitoring carried out under Condition E56. The ONCR must address the following:</p> <ul style="list-style-type: none"> (a) compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E52; (b) 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; (c) 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; (d) any required recalibrations of the noise model taking into consideration factors such as noise monitoring; (e) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and (f) identification of additional measures to those identified in the review of noise mitigation measures required by Condition E52, that are to be implemented, the effectiveness of the mitigation measures and reported to the Planning Secretary. <p>The Operational Noise Compliance Report must be submitted to the Planning Secretary and the EPA within 60 days of completing the operational noise monitoring and made publicly available.</p>		Operational phase condition	Not triggered
Condition Survey				
E58	<p>A pre-construction condition assessment of Aboriginal and non-Aboriginal heritage items that have the potential to be impacted must be carried out by a suitably qualified building condition surveyor prior to construction. During construction, inspections of the construction activities and work areas must be undertaken to monitor and review the construction methodology and confirm the integrity of the nearby significant structural elements. For heritage items identified at risk during the pre-construction condition assessment, minimum safe working distances must be established, and vibration monitoring must be carried out prior to the commencement of construction and monitored through</p>	<p>Property Condition Survey 2505210D dated 16/6/23.</p> <p>Property Condition Survey 2506147D Parts 1 and 2 dated 16/6/23.</p> <p>Property Condition Survey 2507208D dated 16/6/23.</p>	<p>Building condition surveys were undertaken for the following Heritage items:</p> <p>Kurnell:</p> <ul style="list-style-type: none"> • Isaac Smith Monument • Whale Bone Structure • Sandstone Seawall • Trust Wharf 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<p>construction to identify any construction-related impacts. If impacts are detected during construction, work in the area must stop and appropriate environmental management measures must be implemented such as alternative construction techniques or installing protection structures in collaboration with a heritage specialist.</p>	<p>Property Condition Survey 2507218D Parts 1 and 2 dated 15/6/23.</p>	<ul style="list-style-type: none"> • Joseph Banks Memorial • Historic Waiting Area/Shelter • Monument Track • Plaques/Monument • Captain Cook Monument • Holt Jetty <p>La Perouse</p> <ul style="list-style-type: none"> • LaPerouse Monument • Bin Plaque and Heritage Fence • First and second slipway • La Perouse Wharf and Paragon Restaurant • Tomb of Pere Le Receveur • La Perouse Museum • Macquarie Watchtower <p>Refer To Conditions E30 and E49 for vibration monitoring associated with heritage items.</p> <p>Refer to Condition 51 for heritage specialist advice regarding heritage identified at-risk, during the pre-construction condition assessment.</p>	
E59	<p>The Proponent, where liable, must rectify any property damage caused directly or indirectly (for example from vibration) by construction at no cost to the owner. Alternatively, the Proponent may pay compensation for the property damage as agreed with the property owner.</p>	<p>Written response to audit questionnaire</p>	<p>The Project advised that no damage has been caused by the Project.</p>	<p>Not triggered</p>
SOILS				
E60	<p>Prior to the commencement of any Work, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication <i>Managing Urban Stormwater: Soils & Construction</i> (41h edition, Landcom 2004) commonly referred to as the 'Blue Book'.</p>	<p>PROGRESSIVE EROSION & SEDIMENT CONTROL PLAN Kamay Ferry Wharves – Kurnell (Landside) KFW02-MCD-ALL-EN-DRG-000005_Rev1 prepared by project CPESC</p> <p>PROGRESSIVE EROSION & SEDIMENT CONTROL PLAN Kamay Ferry Wharves – La</p>	<p>Progressive erosion and sediment control plans have been prepared for both La Perouse and Kurnell sites by a certified CPESC.</p> <p>Site observations confirm the controls were generally applied to the sites. Refer to Appendix E Photos LP07a and 07b, LP08, LP10, LP11, LP 12, K4, K5, K8, K0a, K9b, K10.</p>	<p>Compliant</p>

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
		<p>Perouse (Landside) KFW02-MCD-ALL-EN-DRG-000002_Rev1</p> <p>Appendix E Photos LP07a and 07b, LP08, LP10, LP11, LP 12, K4, K5, K8, K0a, K9b, K10.</p>		
E61	<p>Prior to the commencement of any Work, the Proponent must prepare a Soil and Water Management Plan (SWMP) to address any contamination found during construction works. The SWMP must be prepared in consultation with NPWS in respect of NPWS land. The SWMP must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (GPSS CSAM) scheme and include detailed measures to:</p> <ul style="list-style-type: none"> (a) identify contamination during works; (b) store, test and appropriately dispose of disturbed groundwater and soils; (c) include a clear and detailed unexpected finds protocol for use and implementation throughout the duration of construction works; (d) include turbidity monitoring at both Kurnell and La Perouse at a frequency commensurate with the level of risk for each construction phase; and (e) include a Trigger Action Response Plan (TARP) which includes contingencies to identify and manage any unpredicted impacts and their consequences to ensure corrective actions are implemented. <p>The Plan must be submitted to the Planning Secretary for information prior to the commencement of construction.</p>	<p>DPE letter SSI-10049-PA-19 dated 30/06/23.</p> <p>CEMP Appendix B6 – Soil Water and Contamination Management Plan</p>	<p>DPE letter confirmed that the following sub-plan was approved by the Planning Secretary:</p> <ul style="list-style-type: none"> • Construction Soil, Water and Contamination Management Sub Plan (fulfilling the requirements of the Soil and Surface Water Management Sub Plan under condition C6(e)) (CSWMP) Rev H dated June 2023. <p>The letter confirms the plan contains the information required by the Conditions of Approval.</p>	Compliant
Contaminated sites				
E62	<p>The Proponent must engage a NSW EPA-accredited site Auditor to review contamination reports relating to the site throughout the duration of the project to ensure that any work required in relation to sediment, soil or groundwater contamination is appropriately managed.</p>	<p>Site Audit Report, Kamay Wharf, Captain Cook Drive Kurnell and Anzac Parade La Perouse, Audit No. MP186 dated 7 July 2023</p> <p>CV – Melissa Porter - Senversa</p>	<p>Ms Melissa Porter was appointed as the NSW EPA-accredited site Auditor to review contamination reports.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E63	<p>Prior to the commencement of construction, the Proponent must obtain:</p> <ul style="list-style-type: none"> (a) a Section B1 Site Audit Statement to certify that the nature and extent of the contamination has been appropriately determined; and (b) a Section B2 Site Audit Statement to certify that the Soil and Water Management Plan required by Condition E61 is appropriate. <p>A copy must be provided to the Planning Secretary.</p>	<p>Site Audit Report, Kamay Wharf, Captain Cook Drive Kurnell and Anzac Parade La Perouse, Audit No. MP186 dated 7 July 2023</p> <p>NSW EPA Site Audit Statement No. MP186 dated 7/7/23.</p> <p>Email of submission to DPE dated 31/07/23</p>	<p>The SAS MP186 certifies that:</p> <ul style="list-style-type: none"> • the nature and extent of the contamination has been appropriately determined • the Soil and Water Management Plan required by Condition E61 is appropriate. <p>A copy of the SAS was submitted to DPE via TfNSW on 31/07/23.</p>	Compliant
E64	<p>Following the NSW EPA-accredited Site Auditor review of contamination reports, if it is determined that remediation is required, a Remedial Action Plan must be prepared in accordance with the guidelines made and approved under section 105 of the Contaminated Land Management Act 1997, and reviewed by the EPA-accredited Site Auditor.</p>	<p>McConnell Dowell, Remedial Action Plan. Kamay Ferry Wharves, Kurnell and La Perouse, Ref: S-05009RAP.001 V1 Final dated September 2023.</p> <p>Senversa letter dated 26/09/2023 – Interim Audit 2: Kamay Wharf, Captain Cook Drive Kurnell and Anzac Parade La Perouse, Review of Remediation Action Plan</p>	<p>A RAP for the Project has been prepared. The RAP was reviewed by the by the EPA-accredited Site Auditor.</p>	Compliant
E65	<p>Where remediation is required, the Remedial Action Plan must be:</p> <ul style="list-style-type: none"> (a) prepared or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (GPSS CSAM) scheme and reviewed by an EPA-accredited Site Auditor; and (b) prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the <i>Contaminated Land Management Act 1997</i> and must include measures to remediate the contamination at the site to ensure the site will be suitable for the proposed use when the Remedial Action Plan is implemented. 	<p>McConnell Dowell, Remedial Action Plan. Kamay Ferry Wharves, Kurnell and La Perouse, Ref: S-05009RAP.001 V1 Final dated September 2023.</p> <p>Senversa letter dated 26/09/2023 – Interim Audit 2: Kamay Wharf, Captain Cook Drive Kurnell and Anzac Parade La Perouse,</p>	<p>The site auditor has verified that the RAP meets the requirements of this condition.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E66	Where remediation is required, prior to commencing with the remediation works, the Proponent must submit to the Planning Secretary for information the Remedial Action Plan and an Interim Audit Advice or a Section B Site Audit Statement prepared by a NSW EPA-accredited Site Auditor which certifies that the Remedial Action Plan is appropriate and that the site can be made suitable for the proposed use.	<p>Review of Remediation Action Plan</p> <p>McConnell Dowell, Remedial Action Plan. Kamay Ferry Wharves, Kurnell and La Perouse, Ref: S-05009RAP.001 V1 Final dated September 2023.</p> <p>Senversa letter dated 26/09/2023 – Interim Audit 2: Kamay Wharf, Captain Cook Drive Kurnell and Anzac Parade La Perouse, Review of Remediation Action Plan</p> <p>Email of Major Projects submission to DPE dated 26/09/23</p>	The RAP was submitted to the Planning Secretary on 26/09/2023.	Compliant
E67	Once reviewed by the auditor, the Remedial Action Plan must be implemented, and any changes must be approved in writing by the EPA-accredited Site Auditor.	EDP Asbestos-fibre Air Monitoring Report, Kamay Wharves , Captain Cook Drive, Kurnell dated 5/9/23.	<p>The Project advised that no remediation occurred during the reporting period.</p> <p>One Asbestos-fibre Air Monitoring event occurred during the reporting period, on 5 September 2023. The Project advised that this was precautionary and no asbestos containing materials were identified.</p>	Not triggered
E68	Where remediation has taken place, a Section A1 Site Audit Statement - or a Section A2 Site Audit Statement (SAS) accompanied by an Environmental Management Plan - and a Site Audit Report (SAR) must be prepared certifying that the remediation works have made the land suitable for the intended land use.		Remediation had not been completed at the time of this audit.	Not triggered
E69	The SAS and SAR must be submitted to the Planning Secretary no later than one (1) month prior to the commencement of operation of the approved land use.		This requirement is not due until one month prior to operation.	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E70	Where, following site auditor review, remediation is not considered necessary, an Unexpected Contamination Finds Procedure for Contamination must be prepared before the commencement of Work and must be followed should unexpected contamination including asbestos (or suspected contamination) be excavated or otherwise discovered. The procedure must include details of who will be responsible for implementing the unexpected finds procedure and the roles and responsibilities of all parties involved. The Procedure must be submitted to the Planning Secretary for information (if requested) before Work commences and must be implemented during all stages of work and construction. The unexpected finds procedure must be prepared or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (GPSS CSAM) scheme.	CEMP Appendix B6 – Soil Water and Contamination Management Plan	An Unexpected contaminated finds procedure was appended as Attachment C to the Soil Water and Contamination Management Plan.	Compliant
TRAFFIC AND TRANSPORT				
Construction traffic management				
E71	Access to all utilities and properties must be maintained during construction, where practicable, unless otherwise agreed with the relevant utility owner, landowner or occupier.	TTAMP – Section 10.6 Interview	TfNSW advised that no property access has been impacted during the audit period. No complaints have been recorded associated with property access.	Not triggered
E72	Any property access physically affected by the SSI must be reinstated to at least an equivalent standard, unless otherwise agreed by the landowner or occupier.	Refer to Condition E71		Not triggered
E73	Local roads proposed to be used by heavy vehicles to directly access the construction boundary and ancillary facilities that are not shown in Figure 49 and 50 of Appendix K of the EIS listed in Condition A1 must be approved by the Planning Secretary and included in the Traffic, Transport and Access Management CEMP Sub-plan required in Condition C6 .	TTAMP – Section 7.5	TfNSW advised that heavy vehicles use only the routes in the EIS and identified in the TTAMP. No complaints have been recorded associated with use of local roads.	Not triggered
E74	All requests to the Planning Secretary for approval to use local roads for construction activities must include a Traffic and Pedestrian Impact Assessment and be prepared in consultation with the relevant local council(s). The assessment must be undertaken by an appropriately qualified and	Refer to Condition E73		Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<p>experienced person and must include a swept path analysis if required by the Department. The assessment must include the following:</p> <ul style="list-style-type: none"> (a) a swept path analysis; (b) demonstration that the use of local roads by heavy vehicles for the SSI will not compromise the safety of pedestrians and cyclists or the safety of two-way traffic flow on two-way roadways; (c) provide details as to the date of completion of the road dilapidation surveys for the subject local roads; and (d) describe the measures that will be implemented to avoid where practicable the use of local roads past schools, aged care facilities and child care facilities during their peak operation times. <p>The outcomes and recommendations of the assessment must be incorporated into the Traffic Management CEMP Sub-plan required in Condition CS as relevant.</p>			
Construction traffic management				
E75	<p>Before any local road is used by a heavy vehicle for the purposes of the SSI, a Road Dilapidation Report must be prepared for the road. A copy of the Road Dilapidation Report must be provided to the relevant council within three weeks of completion of the survey and no later than one month prior to the road being used by heavy vehicles associated with the SSI.</p>	<p>Public Infrastructure Condition Survey (PRE-CONSTRUCTION REPORT), PUBLIC INFRASTRUCTURE - ANZAC PARADE, LA PEROUSE, Report No. 2505209D. Inspection date: 22 MAY 2023.</p> <p>Public Infrastructure Condition Survey (PRE-CONSTRUCTION REPORT),PUBLIC INFRASTRUCTURE, CAPTAIN COOK DRIVE, POLO STREET AND CAPE SOLANDER DRIVE, KURNELL, Report No. 2505219D. Inspection date: 23 MAY 2023</p> <p>TfNSW email to Randwick City Council dated 30 May 2023</p>	<p>The road dilapidation surveys were prepared and submitted to Randwick City Council and Sutherland Shire Council within three weeks of the date of the survey.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
		TfNSW email to Sutherland Shire Council dated 30 May 2023		
E76	<p>If damage to roads occurs as a result of the SSI, the Proponent must either (at the relevant road authority's discretion):</p> <ul style="list-style-type: none"> (a) compensate the relevant road authority for the damage so caused; or (b) rectify the damage to restore the road to at least the condition it was in pre-works as identified in the Road Dilapidation Report(s). 	Interview	During the reporting period, no damage has been identified.	Not triggered
Pedestrian and Cyclist Access				
E77	Safe pedestrian and cyclist access must be maintained around work sites during construction. In circumstances where pedestrian and cyclist access is restricted or removed due to construction activities, a proximate alternative route which complies with relevant standards, unless otherwise endorsed by an independent , appropriately qualified and experienced person, must be provided (including signposting) prior to the restriction or removal of the impacted access.	<p>TTAMP – Section 10</p> <p>TfNSW email to NPWS dated 20/06/23</p> <p>NPWS email to TfNSW dated 21/06/23</p> <p>Kamay Ferry Wharves Poster 23-130, Monument track closure.</p>	<p>Safe pedestrian and cyclist access is presented in Section 10 of the TTAMP. The Kurnell site has removed pedestrian access along the southern end of Monument track, as per the EIS.</p> <p>Evidence was sighted to confirm that alternate access to the monument within the National Park was established in consultation with NPWS. Posters were prepared to guide pedestrians to alternate access arrangements.</p> <p>Pedestrian access around the La Perouse site was not interrupted during the audit period.</p> <p>Cyclist routes at both Kurnell or LaPerouse were not interrupted, except along the southern end of Monument track, as per the EIS.</p>	Compliant
Construction Parking Management				
E78	<p>Construction and construction worker vehicles (including light and heavy vehicles) associated with the SSI must be accommodated within the construction boundaries on both the La Perouse and Kurnell sites at all times. On-site parking must be provided within the construction boundary to:</p> <ul style="list-style-type: none"> (a) minimise parking on public roads; (b) minimise idling and queueing on local roads; (c) not carry out marshalling of construction vehicles near sensitive land use(s); (d) not block or disrupt access across pedestrian or shared user paths at any time; and 	<p>TTAMP Section 7.3</p> <p>Site inspection</p>	<p>Construction parking was provided at the Kurnell and La Perouse compounds. It was not evident that construction vehicles were utilising public parking.</p> <p>There have been no complaints regarding construction parking on local streets.</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E79	During construction, 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 affected businesses and implemented prior to the disruption. Adequate signage and directions to businesses must be provided prior to, and for the duration of, any disruption.	Site inspection Appendix E, Photo K11.	Refer to Condition E78. No mitigation measures, in additions to those identified in the TTAMP, have been identified at this stage hence consultation with businesses has not been necessary. Where temporary parking changes have occurred, appropriate signage has been installed. Refer to Appendix E Photo K11.	Compliant
Road Safety				
E80	The SSI must be designed to meet relevant design, engineering and safety guidelines, including the <i>Aus/roads Guide to Traffic Management</i> for new or modified local roads, parking, pedestrian and cycle infrastructure.		Design condition	Not triggered
Anzac Parade Parking Loop				
E81	To improve local traffic flow and where existing road widths allow, line marking for two lanes within the Anzac Parade loop, La Perouse, must be provided before the commencement of operation of the SSI. Line marking must be undertaken in consultation with Randwick City Council and NPWS, unless otherwise agreed by the Planning Secretary.		This requirement is not due until prior to operation.	Not triggered
Operational Parking at La Perouse				
E82	Prior to the commencement of operation of Ferry services, the Proponent must provide an increase in car parking spaces (greater than 13) at La Perouse along the Anzac Parade parking loop through the reconfiguration of parking bays. The establishment of additional car parking spaces must be undertaken during the winter months. The Proponent must avoid the temporary closure of existing car parking bays for the purposes of installing the additional car parking spaces during the peak visitation periods at La Perouse. The Proponent must consider the impact that the provision of additional parking would have on surrounding heritage and artifacts and demonstrate the total and additional number of spaces that can be provided. This must be undertaken in consultation with relevant council(s) and NPWS. Evidence of consultation must be provided to the Planning Secretary for approval within 60 days of its completion.		This requirement is not due until prior to operation.	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
<p><i>Note: Identified mitigation measures may need to be further assessed under the EP&A Act. Work will need to meet relevant design standards and subject to independent road safety audits.</i></p>				
<p>Operational Parking Kurnell</p>				
E83	<p>The operation of ferry services must not commence until the off-street parking at Kurnell, that is to be undertaken by NPWS, is operational, unless otherwise agreed to by the Planning Secretary. Associated wayfinding and signage must be provided to encourage the use of these parking facilities.</p>		<p>This requirement is not due until prior to operation.</p>	<p>Not triggered</p>
E84	<p>Car parking facilities must be designed to meet the relevant Australian Standards to provide safe, convenient and disabled access from the carpark to the ferry service.</p>		<p>This requirement is not due until prior to operation.</p>	<p>Not triggered</p>
<p>Maritime Risk Management Plans</p>				
E85	<p>Prior to the commencement of Construction, a Construction Marine Works Management Plan (CMWMP) must be prepared by a suitably qualified person, in consultation with the Harbour Master. The CMWMP should, at a minimum, include the management and mitigation measures and recommendations outlined in the Navigation Safety Assessment prepared by Thompson Clarke Shipping, dated September 2021.</p> <p><i>Note: Prior to the commencement of any Works that will disturb the bed of a port, the Proponent must seek written approval from the Harbour Master in accordance with clause 67ZN of the Ports and Maritime Administration Regulation 2012.</i></p>	<p>MWMP Version 00 dated April 2023</p> <p>Email from Harbour Master Approvals dated 26 April 2023 (Attachment J of the MWMP)</p> <p>Copy of MMO and mitigation measures in Condition C6.</p> <p>Mooring blocks Weekly report mooring locations in C6 too.</p> <p>Anchor locations Kurnell, Week 18, week ending 4/11/23</p> <p>Anchor locations La Perouse, Week 18, week ending 4/11/23</p> <p>Environmental Monitoring tracker – Marine Mammal Observations July 2023,</p>	<p>The MWMP was prepared in April 2023, prior to commencement of construction. Section 6 outlines navigation safety. The plan was prepared in consultation with, and approved by, the Harbour Master.</p> <p>The MWMP outlines initial mooring arrangements on Attachment F which considered existing swing moorings and sea grass locations. Laying of barge spuds, mooring blocks or anchors are surveyed in place with GPS to ensure no potential damage to seagrass and were conducted in accordance with the Environmental Work Method Statement - Anchor handling and placement. To confirm this process takes place, Mooring blocks Weekly report - mooring locations were sighted.</p> <p>Section 5.4 of the MWMP addresses Marine mammal strike and Section 6.7 of the Biodiversity Management Plan. The BMP specifies the establishment of a Marine Mammal Observation Procedure which is appended to the BMP as Attachment G. The procedures outlines and observation zone and a shut down zone around the works.</p> <p>Environmental Monitoring tracker log confirms that Dolphins, humpback whale and fur seals have been observed. Two (2) standby and nine (9) events have been recorded whilst impact piling was occurring.</p>	<p>Compliant</p>

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
		August 2023, September 2023, October 2023		
E86	Prior to the commencement of operation of the SSI, an Operational Maritime Risk Management Plan (OMRMP) must be prepared by a suitably qualified person, in consultation with the Harbour Master. The OMRMP must demonstrate how vessel movements associated with the proposal will not impact on commercial shipping movements in Port Botany and how vessel movements will interact with recreational vessels.		This requirement is not due until prior to operation.	Not triggered
Vessel Traffic Management Plan				
E87	The Proponent must prepare a Vessel Traffic Management Plan (VTMP) in consultation with Port Authority of NSW that identifies priority to sea going ships and protocols for interactions between different vessel types to aid with the safe operation of ferry vessels associated with the SSI. The VTMP must include operation of recreational vessels around the wharves and the use of the wharves for berthing/drop off/pick up (signage). The VTMP must include emergency management arrangements for incidents and accidents.		This requirement is not due until prior to operation.	Not triggered
E88	Ferry movements must not impede any future activities by the Port Operator of the Port of Botany Bay within the navigation channel including, but not limited to, any dredging activities.		This requirement is not due until prior to operation.	Not triggered
Vessel traffic Service System				
E89	All passenger ferry vessels operating between La Perouse and Kurnell to service the SSI must participate in the Vessel Traffic Service (VTS) system at all times. All ferry activities must be reported to the Harbour Master and all vessels must be fitted with an Automatic Identification System (AIS) transponder, in consultation with the Harbour Master, to enable monitoring of vessels by VTS and other AIS fitted vessels in the area.		This requirement is not due until prior to operation.	Not triggered
PLACE DESIGN AND VISUAL AMENITY				
Construction Sites				
E90	The SSI must be constructed in a manner that minimises adverse visual impacts of construction sites on the public domain, including provision of high quality public art and graphics to the hoarding surrounding the construction sites, minimising light spill, and incorporating high quality treatments and finishes for temporary structures that reflect the context within which the construction sites are located.	Site inspection Refer to Appendix E - Photos LP2a and K1a	Boundary screening to ancillary facilities has been established to minimise visual impacts of the Project. Boundary screens at both La Perouse and Kurnell feature artwork by local indigenous artists.	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
General Design Outcomes				
E91	<p>The SSI must be designed with consideration of:</p> <ul style="list-style-type: none"> a) the design objectives, principles and guidelines identified in documents listed in Condition A1; b) the principles and objectives of the draft <i>Connecting with Country Framework</i>; and c) relevant conservation management plans, masterplans and initiatives, where this information is known and/or available. <p>Responses to items (a) - (c) must be reviewed by the State Design Review Panel (SDRP) to inform the final design of permanent built works and landscape design of the SSI.</p>		This requirement is related to design not construction.	Not triggered
Lighting and Security				
E92	<p>The SSI must be constructed and operated with the objective of minimising light spillage to surrounding properties and wildlife habitat. All lighting associated with the construction and operation of the SSI must be consistent with the requirements of <i>AS/NZS 4282:2019 Control of the obtrusive effects of outdoor lighting and relevant Australian Standards in the series AS/NZ 1158 - Lighting for Roads and Public Spaces</i>. Additionally, 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.</p>	<p>Interview</p> <p>Site night photos provided by TfNSW</p>	<p>Photos provided by the Project of lighting at night confirms that light spillage is minimised. Light is contained within the boundary of the site compounds.</p>	Compliant
E93	<p>Adequate lighting and Aids to Navigation must be incorporated into the design of the wharf and jetty for navigation safety purposes.</p>		This requirement is related to design not construction.	Not triggered
Finishes				
E94	<p>The use of neutral external colour schemes and finishes that avoid reflection to minimise visual impacts must be maximised.</p>		This requirement is related to design not construction.	Not triggered
Urban Design and Landscape Plan				
E95	<p>An updated Urban Design and Landscape Plan (ULDLP) must be prepared to inform the final design of the SSI and detail how the SSI is to be maintained. The UDLDP must be:</p> <ul style="list-style-type: none"> (a) submitted to the Planning Secretary prior to the construction of permanent built surface works and I or landscaping, excluding those for ecological requirements, or technical requirements, or 		This requirement is related to design not construction.	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<p>requirements as agreed by the Planning Secretary that do not allow for alternate design outcomes; and</p> <p>(b) implemented during construction and operation of the SSL</p>			
Design Review Panel				
E96	<p>The Proponent must establish an independent DRP to provide advice and recommendations to the Proponent during the finalisation of the SSI's design and construction detailing to facilitate quality design and place outcomes. The DRP must be formed and hold its first meeting within six months of the date of this approval, or as otherwise agreed with the Planning Secretary.</p> <p><i>Note: Nothing in this approval prevents the use of an existing design panel as the DRP convened for this project where the function and composition of that panel complies with the terms of this approval.</i></p>		This requirement is related to design not construction.	Not triggered
E97	<p>The responsibilities of the DRP include:</p> <ul style="list-style-type: none"> (a) providing advice and recommendations to the Proponent for consideration in finalisation of the design development of the SSI; and (b) provide advice on the application of Kamay Ferry Wharves Submissions Report - UDLP to key design elements in relation to place making, architecture, heritage, urban and landscape design and artistic aspects of the SSL <p>The DRP's advice must be consistent with the SSI as approved.</p>		This requirement is related to design not construction.	Not triggered
E98	<p>The DRP must be chaired by the NSW Government Architect (or their nominee), and must be comprised of, where relevant, suitably qualified, experienced and independent professional(s) in each of the fields of:</p> <ul style="list-style-type: none"> (a) urban design and place making; (b) landscape architecture; (c) historic heritage; and (d) architecture. <p>The DRP must also comprise a First Nations representative with a background in design.</p> <p>The DRP may seek advice from suitably qualified, experienced independent professionals in other fields as required, including but not limited to sustainability and active transport.</p>		This requirement is related to design not construction.	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E99	The DRP members must be sourced from the NSW State Design Review Panel Pool or otherwise be approved by the NSW Government Architect.		This requirement is related to design not construction.	Not triggered
Operation of the Design Review Process				
E100	Prior to forming the DRP , a Design Review Panel Terms of Reference must be developed and endorsed by the NSW Government Architect. The Terms of Reference must be submitted to the Planning Secretary once it is endorsed by the NSW Government Architect and: <ul style="list-style-type: none"> (a) must be generally consistent with the NSW State Design Review Panel Terms of Reference (version 5); (b) outline the frequency of DRP meetings, coordinated with the Proponent's program requirements, to ensure timely advice and design adjustment; and (c) identify cessation arrangements. 		This requirement is related to operation not construction.	Not triggered
E101	The DRP must be operated and managed in accordance with the Design Review Panel Terms of Reference .		This requirement is related to design not construction.	Not triggered
E102	The relevant councils, Heritage NSW, RAPs and La Perouse LALC may be invited to the meetings of the Panel as observers or to provide feedback on key design elements of the SSI.		This requirement is related to design not construction.	Not triggered
E103	The Proponent must respond to the outcomes of the DRP's review. The DRP advice and recommendations, and the Proponent's response to each recommendation must be included when submitting the final UDLP to the Planning Secretary for information.		This requirement is related to design not construction.	Not triggered
Tree Removal, Replacement Plantings and Rehabilitation				
E104	The SSI must be designed to retain as many existing trees as possible. Replacement trees and plantings must be provided at a ratio of no less than 2:1 and deliver a net increase in tree canopy and aim to enhance the relevant council's position in respect of the Sydney Green Grid, unless otherwise agreed by the Planning Secretary.	BMP –Attachment E Appendix J Xylem TreeCare, Arboriculture Impact Assessment Report, Kamay Ferry Wharf Construction, Kurnell dated 21/06/23 Xylem TreeCare letter dated 24/10/23 titled Quarterly Retained Trees	The BMP Appendix E identified trees in proximity to excavation or construction activity and outlines tree protection measures to minimise tree impacts. Site observations and interviews confirmed that tree protection measures were generally in place including: <ul style="list-style-type: none"> • Project Arborist engaged to supervise work within the tree protection or root zones. • establishment of tree protection zones • trunk and root protection • Site arborist was engaged to monitor tree health and tree protection measures 	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
		<p>Health and Tree Protection Measures Inspection, Kamay Ferry Wharf Construction, Kurnell</p> <p>Site Environment Plan – Kurnell includes tree protection zones.</p> <p>Appendix E Photos K2, K4, K6, K7</p>	Refer to Appendix E Photos K2, K4, K6, K7.	
E105	<p>Replacement trees must:</p> <ul style="list-style-type: none"> (a) be located on public land in consultation with NPWS, that delivers increased shading to footpaths, pedestrian and cycle paths; (b) be of a species suitable to the location, having regard for local ecology and existing street trees; (c) meet the requirements for quality tree stock specified in the <i>AS2303:2018: Tree Stock for Landscape Use</i>; (d) be provided no later than six months following the commencement of operation; and (e) have a minimum pot size consistent with the relevant council's plans/ programs/ strategies for vegetation management, street planting, or open space landscaping, or as agreed by NPWS. 	Project response to audit questionnaire	The Project confirmed that no replacement plantings have occurred at this stage.	Not triggered
Operational Maintenance				
E106	<p>The ongoing maintenance and operation costs of urban design, open space, landscaping and recreational items and work implemented as part of this approval remain the Proponent's responsibility until satisfactory arrangements have been put in place for the transfer of the asset to the relevant authority. Before the transfer of assets, the Proponent must maintain items and work to at least the design standards established in the UDLP.</p> <p>The Planning Secretary must be advised of the date of transfer of the asset(s) to the relevant authority.</p>		This requirement is related to operation not construction.	Not triggered
E107	<p>Should any plant loss occur during the maintenance period the plants should be replaced by the same plant species unless it is determined by a suitably qualified person that a different species is more suitable for that location.</p>		This requirement is related to operation not construction.	Not triggered

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
E108	Management and routine maintenance for design elements and landscaping work (including weed management) to ensure the success of the design and landscape outcomes must be undertaken for the life of the SSI.		This requirement is related to operation not construction.	Not triggered
Active Transport Network				
E109	Prior to operation of the SSI the Proponent must install bicycle parking racks near the entrances to the ferry wharves as recommended by the documents listed in Condition A1 . At Kurnell, the Proponent must consult with NPWS on the installation of bicycle parking near the ferry wharf. The Proponent must also ensure that dedicated bicycle parking is provided on the ferry service and that the future ferry operator will accept bicycles on board all vessels.		This requirement is related to operation not construction.	Not triggered
E110	Continuous active transport paths linking the ferry wharves to the nearest public transport bus stops, located on Anzac Parade, La Perouse and Captain Cook Drive, Kurnell must be provided. Wayfinding signage must be provided to direct commuters from the ferry wharves to the bus stops. In Kamay Botany Bay National Park, all new permanent signage must be provided in consultation with NPWS. The path must be in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling (Austroads, 2017)</i> .		This requirement is related to operation not construction.	Not triggered
WASTE				
E111	<p>Waste generated during construction and operation 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 must be re-used, recycled, or recovered; and (c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of. <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>CWEMP, Version I, March 2023.</p> <p>SERR, Waste Register</p> <p>Appendix E Photos K3a, K7, K12a and K12b, and LP4.</p>	<p>The Project has established a Construction waste and Energy management sub-plan Appendix B7 of the CEMP.</p> <p>Waste register records sighted from 25 July 2023 to 6 November 2023. The waste register maintains a record of all wastes generated by the site. The register includes:</p> <ul style="list-style-type: none"> • Stockpile ID, material description and quantity • Outcome_recycled or otherwise • waste classifications for each materials stockpile • reference to waste classification reports • waste receiving facility including EPL. • Reference to disposal dockets <p>Site observations confirmed that wastes on site were minimised and segregated. Refer to Appendix E Photos K3a, K7, K12a and K12b, and LP4.</p>	Compliant
E112	The importation of waste and the storage, treatment, processing, reprocessing or disposal of such waste must be done in accordance with a	Redirect recycling letter dated 24 July 2023 titled Acceptance of material	A sample of waste classification reports and landfill acceptance letters were sighted.	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, as the case may be.	<p>report S-05009.WCC.002 (Waste Classification Certificate S-05009. WCC.002 dated 24 July 2023)</p> <p>Breen Resources letter dated 21/7/23 (Waste Classification Certificate S-05009. WCC.001 dated 17 July 2023)</p> <p>Austip recycling letter dated 19/10/23 (Waste Classification Certificate S-05009. WCC.006 dated 13/10/23)</p>		
E113	Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, or to any other place that can lawfully accept such waste.	SERR, Waste Register	Waste register records sighted from 25 July 2023 to 6 November 2023. The waste register maintains a record of all wastes generated by the site including waste receiving facility and the EPL number.	Compliant
E114	All waste must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal docketts retained for audit purposes.	SERR, Waste Register	Waste register records sighted from 25 July 2023 to 6 November 2023. The waste register maintains a record of all wastes generated by the site including waste classifications for each materials stockpile and reference to waste classification reports.	Compliant
WATER				
E115	The SSI must be designed, constructed and operated so as to maintain the NSW Water Quality Objectives where they are being achieved as at the date of this approval, and contribute towards achievement of the NSW Water Quality Objectives 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 NSW Water Quality Objectives , in which case those requirements must be complied with.	<p>SWMP – Appendix J Turbidity Monitoring Program</p> <p>Environmental Monitoring reports for 15 June 2023, 12-18 July 2023, 29 August 2023, 8-25 September 2023.</p>	The Project does not have an EPL hence NSW Water Quality Objectives apply. A turbidity monitoring program has been established in the SWMP Appendix J. The program outlines a turbidity monitoring procedure and Trigger Action Response Plan (TARP). An exceedance occurs where impact site turbidity readings are above the recommended limit of 2.2 NTU and there is more than a 5 NTU increase in turbidity between impact and control sites.	Compliant

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
			The monitoring program includes visual and water quality sampling. A review of water monitoring data confirmed there were no exceedances.	
Construction Requirements				
E116	The Proponent must consider the Department of Industry's Guidelines for controlled activities on waterfront land Riparian corridors 2018 when carrying out work within 40 metres of a watercourse, including its bed.	Interview	The Department of Industry's Guidelines for controlled activities on waterfront land Riparian corridors 2018 is not applicable to this project	Not triggered
E117	If construction stage stormwater discharges are proposed, a water pollution impact assessment must be undertaken to inform licensing consistent with section 45 of the POEO Act. Any such assessment must be prepared in consultation with the EPA and be consistent with the National Water Quality Guidelines, with a level of detail commensurate with the potential water pollution risk.	Project response to audit questionnaire	The Project confirmed that no stormwater discharge is proposed from the Project area.	Not triggered
E118	Drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) and drainage swales and depressions must be carried out in accordance with relevant guidelines and designed by a suitably qualified and experienced person.	Project response to audit questionnaire	The Project confirmed that no drainage feature crossings have/will occur as part of the works.	Not triggered
Operational Requirements				
E119	<p>All new or modified drainage systems associated with the SSI must be designed to:</p> <ul style="list-style-type: none"> (a) meet the capacity constraints of any council's drainage system to receive and convey the proposed flows from the SSI, or otherwise upgrade council's drainage system at the Proponent's expense, in consultation with the relevant council(s); (b) minimise impacts on the receiving environment at the final outflow point resulting from any additional flow volume (including, but not limited to scour, flooding, water quality impacts, and impacts on riparian vegetation, aquatic ecology and property); and (c) ensure mitigation measures are implemented where increased flows through cross drainage systems adversely impact on council or Sydney Water drainage infrastructure and/or the receiving environment 		This requirement is related to design not construction.	Not triggered
Appendix A WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS				

Approval (ID)	Requirement	Evidence Collected	Findings	Compliance Status
	<ol style="list-style-type: none"> 1) A written incident notification addressing the requirements set out below must be submitted to the Department via the Major Projects website within seven days after the Proponent becomes aware of an incident. Notification is required to be given under this condition even if the Proponent fails to give the notification required under Condition A42 or, having given such notification, subsequently forms the view that an incident has not occurred. 2) Written notification of an incident must: <ol style="list-style-type: none"> (a) identify the CSSI and application number; (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); (c) identify how the incident was detected; (d) identify when the Proponent became aware of the incident; (e) identify any actual or potential non-compliance with terms of the approval; (f) describe what immediate steps were taken in relation to the incident; (g) identify further action that will be taken in relation to the incident; and (h) identify a project contact for further communication regarding the incident. 3) Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Proponent must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested. 4) The Incident Report must include: <ol style="list-style-type: none"> (a) a summary of the incident; (b) outcomes of an incident investigation, including identification of the cause of the incident; (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and (d) details of any communication with other stakeholders regarding the incident. 	<p>Project response to audit questionnaire</p>	<p>The Project confirmed that there have been no incidents during the reporting period.</p>	<p>Not triggered</p>

Appendix A: Table A2– CEMP and Sub-plan implementation table

Section	Requirement	Evidence Collected	Findings	Implementation Status
Construction Environmental Management Plan (CEMP) Rev F dated 08/06/23.				
CEMP 4.1	Environmental Management approach		Noted	Noted
CEMP 4.2 and 4.3	Environmental and Sustainability Policy	Interview Site inspection Induction records	Corporate policies were communicated to all project personnel via project inductions and posted at site compounds.	Implemented
CEMP 4.4	Environmental Management System	Interview Site inspection Induction records	The system hierarchy of documents for environmental management were observed to be applied to the Project including: <ul style="list-style-type: none"> • Environmental Management Strategy (Environmental Policy) • Construction Environmental Management Plan and sub-plans • Practical Environmental Management Requirements (Green Rules and Sensitive Area Maps) • Active Environmental Guidance (EWMS, EPIs PESCP). 	Implemented
CEMP 4.5	Roles, Responsibilities and Authorities	Interview Site inspection	Interviews with Project environmental and communications personnel, TfNSW Environmental Manager and the ER confirmed the roles were consistent with those specified in the CEMP.	Implemented
CEMP 4.6	Working Hours	Interview Site inspection	Refer to Table A1 Conditions E42,E43 and E44	Implemented
CEMP 4.7	Environmental aspects	Interview Site inspection	Refer to Table A2 sub-plans below.	Implemented
CEMP 4.10	Ancillary site facilities	Interview Site inspection	Refer to Table A1 Conditions A19 and A23.	Implemented
CEMP 5.2	Environmental Compliance Obligations	Interview	McConnell Dowell maintain a register of compliance obligations including, legislation, approvals licences and standards. Compliance tracking is undertaken against requirements associated with the Conditions of Approval and REMMS. Refer to table A2 CEMP 8.4 (below).	Implemented

Section	Requirement	Evidence Collected	Findings	Implementation Status
CEMP 5.3	Environmental Objectives and Requirements		Noted	Noted
CEMP 6.1	Resources	Interview Site inspection	Environmental management across the La Perouse and Kurnell sites was to a high standard. There was no indication that resourcing for environmental management was not adequate.	Implemented
CEMP 6.2	Competence requirements	Interview CV Mitch Jones – Environmental Manager CV Alison Ryan - Community Stakeholder advisor	Key McConnell Dowell personnel implementing the CEMP and associated subplans were appropriately experienced and qualified for their roles.	Implemented
CEMP 6.3	Environmental awareness training	Interview Toolbox minutes dated 29/09/23 (La Perouse) and 6/10/23 (Kurnell) Daily Pre-start dated 1/11/23 (Kurnell) Daily Pre-start dated 18/10/23 (La Perouse)	A sample of project inductions, toolboxes and prestart meeting included environmental topics including: <ul style="list-style-type: none"> • EWMS refuelling • EWMS Piling and Concreting update • MCD Green rules • Silt curtain • Tidy laydown • Dust suppression • Environmental controls • Site parking 	Implemented
CEMP 6.4	Communications	Interview Site inspection	Internal environmental communication was facilitated via inductions, toolboxes and prestart meeting, posted policies and green rules. Good communications were evident between Project environmental personnel, TfNSW environmental Manager and the ER. Community liaison is undertaken in accordance with the CCS. Refer to Table A1 Condition B5. Complaints are managed in accordance with the CCS. Refer to Table A1 Condition B5, B7 and B8.	Implemented
CEMP 6.5 and 6.6	Documentation	Environmental Records	The Project maintains robust environmental records. Refer to Table A1.	Implemented
CEMP 7.1	Implementation of Environmental Management Measures	Interview	Refer to this table	Implemented

Section	Requirement	Evidence Collected	Findings	Implementation Status
		Site inspection		
CEMP 7.2	Incident Management, Reporting, and Investigation	Interview	The Project confirmed that there have been no incidents during the reporting period.	Implemented
CEMP 7.3	Emergency Preparedness and Response	Interview	Implementation of the Emergency response plan. Refer to Table A1 Condition A42	Implemented
CEMP 8.1	Monitoring, Measurement, Analysis and Evaluation	<p>Environment and sustainability inspection (Kurnell) 31/10/23</p> <p>Environment and sustainability inspection checklist (Kurnell) 21/7/23</p> <p>Environment and sustainability inspection checklist (La Perouse – (Polaris Barge) 24/7/23</p> <p>TFNSW INS 000165 dated 31/8/23</p> <p>TFNSW INS 000259 dated 15/9/23</p> <p>TFNSW INS 000321 dated 28/9/23</p> <p>TFNSW INS 000664 dated 25/10/23</p>	<p>A sample of periodic inspection records were sighted, undertaken by:</p> <ul style="list-style-type: none"> • McConnell Dowell project personnel (Environment and sustainability inspections), • TfNSW Environmental review Group (TfNSW Inspections) • the ER (refer to Condition A32) <p>Refer to Environmental monitoring records Table A2, noise and vibration monitoring program and turbidity monitoring program.</p>	Implemented
CEMP 8.2	Reporting	Refer to Conditions C14 and A32	<p>A sample of project environmental reports required by the Approval were sighted including:</p> <ul style="list-style-type: none"> • Monitoring data required by Condition C14 • ER reports required by Condition A32 	Implemented
CEMP 8.3	Auditing	<p>Site inspection</p> <p>Interview</p>	Refer to Conditions A37	Implemented

Section	Requirement	Evidence Collected	Findings	Implementation Status
CEMP 8.4	Compliance Tracking	Environmental Compliance Tracking Register, Kamay Ferry Wharves project, MCoA.	<p>A copy of the Project Environmental Compliance Tracking Register was sighted. The register records compliance against:</p> <ul style="list-style-type: none"> Ministers Conditions of Approval. Revised Environmental Management measures. EPBC Conditions of Approval. TfNSW Quality Assurance specifications 	Implemented
Construction Traffic, Transport and Access Management Sub Plan (CTTAMP) Rev F dated June 2023				
TTAMP 7.1	Construction site traffic management	Site inspection Interview	<p>Access to site for construction vehicles is limited to access routes marked in TTAMP.</p> <p>Vehicular Access within site compound was limited to within the Construction boundary. Project boundaries are clearly delineated to prevent access and impact beyond the boundary.</p>	Implemented
TTAMP 7.3	Construction parking impacts	Site inspection Interview	<p>Provision was made for construction parking within the site compounds.</p> <p>There have been no community complaints related to parking.</p>	Implemented
TTAMP 7.5	Construction traffic routes	Site inspection Interview	<p>Haulage routes have been limited to Anzac Parade, La Perouse, and Captain Cook Drive, Kurnell. Heavy vehicles arrive and leave the site at regular intervals throughout the day.</p> <p>There have been no community complaints related to haulage vehicles.</p>	Implemented
TTAMP 10.1, 10.2 and 10.3.	Pedestrians and cyclists	Site inspection Interview	<p>The Project has:</p> <ul style="list-style-type: none"> implemented physical barriers delineating construction activities from pedestrian routes. Traffic management and gate personnel during heavy traffic Maintained minimum footpath widths. <p>Footpath access was maintained at La Perouse.</p> <p>Monument Track, between Princes Charles Parade and the proposed wharf location has been closed as per the EIS.</p> <p>Cycling shared path have not been directly impacted (except for Monument track).</p>	Implemented
Construction Noise and Vibration Management Sub Plan (CNVMP) Rev K dated June 2023				

Section	Requirement	Evidence Collected	Findings	Implementation Status
CNVMP 8	Environmental control measures	Site inspection Interview	<p>The following mitigation measures were observed on site or confirmed via interview:</p> <ul style="list-style-type: none"> • Standard hours were adhered to unless under an approved OOHW Permit approved by the ER (Refer to Table A1 Conditions E43 and E45 • Noisy plant were not located adjacent to sensitive receivers • Deliveries to Site were made during standard construction hours. Out of hours deliveries have been made under an OOHW permit. • Site compounds have been established to avoid queuing or idling outside residential properties and to minimise reversing. • Regular plant inspection on site ensures plant and equipment used on Site is maintained in a proper and efficient condition. • Building condition surveys, where at risk of damage, have been conducted. • pre-construction building condition assessment of Aboriginal and non-Aboriginal heritage items within seventy metres of the construction boundary have been conducted. • Notification letters were submitted to noise or vibration affected sensitive receivers were notified at least five days before starting work. Refer to Table A1 Condition B5 and E51. • Public communication, including website updates and notices at the Project areas, have been conducted before any piling started (refer to Table A1 Table A1 Condition B5. • Trained marine mammal observers (MMO), undertake the observation of marine mammals during piling and re-strike testing.(Refer to Table A1 Condition E85) • Piling Operation Procedures include Pre-start Observations, Soft-Start Procedure, Stand by procedure and normal Piling Procedure • Piling shut down procedures include poor visibility and marine mammal sightings. (Refer to Table A1 Condition E85) • Vessels associated with construction observe low speed operations (4 knots or less) when operating within the construction boundary at La Perouse and Kurnell. • A detailed land use survey has been undertaken to confirm sensitive land user(s) potentially exposed to construction noise and vibration and construction ground borne • Use of bubble curtains were investigated (refer to Section 9.3 of the NVMP.) 	Implemented

Section	Requirement	Evidence Collected	Findings	Implementation Status
CNVMP 9	Environmental control measures	Interview	Additional noise mitigation measures (Refer to Table A1 Condition B5) have been applied including: <ul style="list-style-type: none"> Notification (letterbox drop or equivalent) Specific notifications Phone calls Individual briefings 	Implemented
CNVMP Attachment A	Out of Hours works permit	Interview	Out of Hours works permit has been implemented Refer to Table A1 Conditions E42,E43, E44 and E51	Implemented
Construction Noise and Vibration Monitoring Program Rev K dated June 2023				
CNVMP E1	Baseline noise data	Interview	Undertaken prior to commencement of construction	Not triggered
CNVMP E2	Surface Noise Monitoring <ul style="list-style-type: none"> Verification noise monitoring is to be conducted at the start of each construction activity to verify if noise levels are within or below PNL for that activity. 	Environmental Monitoring Tracker, Noise Monitoring for June 2023, July 2023,	A review of the monitoring data determined that: <ul style="list-style-type: none"> Two monitoring events were recorded in June 2023. There were no exceedances of NML or PNL associated with construction noise. One monitoring event was recorded in July 2023. There were no exceedances of NML or PNL associated with construction noise. 	Implemented
		NIL	The NV Monitoring program (E-2.2) specifies monthly attended noise monitoring at locations in Table E-1. This had not been undertaken to confirm compliance during the reporting period hence a non-compliance has been awarded under condition C20 of the Approval.	Not implemented
CNVMP E3	Underwater Noise Monitoring <ul style="list-style-type: none"> During underwater noise monitoring, measurement shall be undertaken at locations sufficient to quantify the piling source level(s). Measurements will be undertaken for at least one full pile driving event. 	Kamay Ferry Wharves, Piling Underwater Noise Monitoring – 26 September 2023 Report dated 24 November 2023	Underwater noise monitoring to determine piling source level(s) was undertaken at the <u>La Perouse</u> site on 23/9/23. The equipment assessed was noted to be Pilequip PVE 7/9LS impact hammer with the following specifications: <ul style="list-style-type: none"> Ram block mass: 7,000 kg Max drop height: 1,500 mm Max transferrable energy: 103 kN.m <p>The report concluded that the source levels were below those predicted in the EIS.</p> <p>No underwater noise monitoring was undertaken at the <u>Kurnell site</u>. The Project advised that underwater monitoring at Kurnell was not required as the impact hammer specification were the same at both sites, however there</p>	Implemented

Section	Requirement	Evidence Collected	Findings	Implementation Status
			<p>were no details in the Underwater noise monitoring Report to verify at source level readings were representative of both sites.</p> <p><i>Observation Kamay 01/Obs-02: Underwater noise monitoring was undertaken at La Perouse. No underwater noise monitoring was undertaken at Kurnell. The Project advised that the noise monitoring at La Perouse was also representative for Kurnell but there was no evidence to verify this statement.</i></p>	
CNVMP E4	<p>Vibration monitoring</p> <p>The following attended vibration monitoring will be undertaken:</p> <ol style="list-style-type: none"> In the immediate area of AHIMS Site # 45-6-0653 (Site 6 - La Perouse). For the protection of buildings, monitoring will be conducted at the commencement of vibratory compaction work and any rock-breaking within 50 metres of buildings to ensure that safe vibration working distances specified in Table E-2 are not exceeded and to confirm safe working distances. 	<p>Environmental monitoring tracker , Vibration Monitoring July 2023, Vibration monitoring data – July 2023, September 2023</p>	<p>Refer to Table A1, Condition E30, E49 an E50</p>	<p>Implemented</p>
Construction Soil, Water and Contamination Management Sub Plan Rev H dated June 2023				
SWMP 6.1	<p>Project specific environmental control measures</p>	<p>Interview</p> <p>Site inspection</p> <p>Environment and sustainability inspection checklist (La Perouse – Polaris Barge) 24/7/23</p>	<ul style="list-style-type: none"> A Soil and Water Management Plan (SWMP) has been developed and implemented Training has been provided to relevant Project personnel, including relevant sub-contractors on sound erosion and sediment control practices via induction and toolbox meetings Progressive erosion and sediment control plans (PESCP) have been prepared and implemented on site Inspections are undertaken by site personnel of effectiveness of the PESCP at least fortnightly and immediately after each rainfall event > 10mm. EWMS have been prepared and implemented to manage soil and water impacts prior to commencing high risk activities Site compounds, access tracks, stockpile sites and temporary work areas were located and constructed to minimise erosion Works were staged to minimise erosion Diversion drains, catch drains and scour protection were observed on site. Disturbed areas were minimised. Runoff from disturbed areas was controlled and directed to sediment traps. 	<p>Implemented</p>

Section	Requirement	Evidence Collected	Findings	Implementation Status
<ul style="list-style-type: none"> • All erosion and sediment control measures were maintained in good working order at the time of the inspection • Storage of fuels and chemicals were observed to be at least 50m from Botany Bay • Storage of fuels and chemicals near or over water such as barges would were stored in double bunded containers when not in use (not inspected but confirmed by Environment and sustainability inspection record) • Emergency spill kits were observed at site compounds and works areas • Marine emergency spill kits were observed at compound areas and works area over marine waters. • Concrete truck washouts were in a dedicated concrete washout area (at Kurnell) • The following management plans have been prepared: <ul style="list-style-type: none"> ○ An Asbestos Management Plan (SWMP Attachment F) ○ An unexpected finds of contamination plan (SWMP Attachment C) ○ An Acid Sulfate Soil Management Procedure (SWMP Attachment B) • Water discharge activities were accompanied by a Discharge Permit from the Environment & Sustainability Lead in accordance with the dewatering procedure • Floating booms, silt curtains were installed prior to and around the area of works that may disturb the seabed as required and to contain any sediment • Stockpiles were located outside of the tree protection zone and identified in the PESCP. Stockpiles were located at least 20m from Botany Bay. • Stockpiles on site were active and covered where required. No stockpile exceeded 2m in height. • No dust generating activities were observed on site. • No tracking was observed from the sites. Rumble grids were installed at egress points from the site. • Temporary causeways were constructed with causeway armour in the form of rock within geofabric bags. 				
<p>Construction Turbidity Monitoring Program Rev K dated June 2023</p>				
SWMP Attachment J	Turbidity Monitoring Program <ul style="list-style-type: none"> • Visual monitoring 	Interview	Visual monitoring is undertaken on a daily basis, prior to commencement of; and during works.	Implemented

Section	Requirement	Evidence Collected	Findings	Implementation Status
	<ul style="list-style-type: none"> Water quality sampling fortnightly 	Turbidity monitoring data	<p>The turbidity monitoring program outlines a turbidity monitoring procedure and Trigger Action Response Plan (TARP). An exceedance occurs where impact site turbidity readings are above the recommended limit of 2.2 NTU and there is more than a 5 NTU increase in turbidity between impact and control sites.</p> <p>The monitoring program includes visual and water quality sampling. A review of fortnightly water monitoring data confirmed there were no exceedances.</p>	
Construction Heritage Management Sub Plan Rev K dated June 2023.				
HMP 6.10	Environmental mitigation measures	Interview Site inspection	<ul style="list-style-type: none"> Construction Heritage Management Plan (HMP) was prepared and implemented. Heritage values, culturally and archaeologically sensitive areas and constraints within the study were shown on Sensitive Area Maps (SAPs). A procedure for managing Unexpected Heritage Items was developed. Vibration monitoring has been undertaken during vibration generating activities that have the potential to impact on heritage items (Refer to Table A1 Condition E30) Heritage protection zones and protection requirements for heritage items within and in the vicinity of the construction boundary were established prior to construction (Refer to Table A1 Condition E30) Heritage Awareness Inductions were given to all workers during site inductions. Ground penetrations were accompanied by a MCD Excavation & Penetration Permit. A Salvage Excavation Program was prepared by a suitably qualified heritage specialist (refer to E25) A visual inspection by a suitably qualified heritage specialist was undertaken for the potential rock engravings (Site 3, La Perouse [AHIMS ID 45-6-0650] and Site 4, La Perouse [AHIMS ID 45-6-0651]) before setting-up the ancillary facilities and starting construction (Refer to Table A1 Condition E27) Exclusion zones were established for all registered AHIMS rock engraving sites within the construction boundary or directly adjacent, and these covered with geotextile fabric (or similar) before setting-up the ancillary facilities and creating the construction compound (Refer to Table A1 Condition E29). Archaeological supervision was undertaken by a suitably qualified heritage specialist during ground penetrating works in or around 	Implemented

Section	Requirement	Evidence Collected	Findings	Implementation Status
<p>AHIMS Site # 45-60653 (Site 6 - La Perouse) (Refer to Table A1 Condition E28 and E31).</p> <ul style="list-style-type: none"> An Archaeological Research Design (ARD) was prepared to confirm the areas within the construction boundaries requiring archaeological investigation and management, any salvage requirements following detailed design, and outline the archaeological investigation method. 				
<p>Construction Biodiversity sub-plan Rev K dated June 2023</p>				
BMP 6.15	Summary of environmental control measures	Interview Site inspection	<ul style="list-style-type: none"> Site Environmental Plans identify sensitive habitats, protection areas, no anchoring zones, and exclusion zones to protect seagrass and threatened species. Progressive Erosion and Sediment Control Plans and Turbidity Monitoring Program have been implemented. Seagrass monitoring was conducted, prior to and during construction to determine the impacts from the Project on seagrass (refer to Table A1 Condition E6) A Marine Mammal Observation Procedure has been implemented (refer to Table A1 Condition E85) Trained marine mammal observers undertake the observation of marine mammals during piling and re-strike testing.(refer to Table A1 Condition E85) A marine biodiversity pre-clearing procedure was developed and implemented prior to construction (refer to Table A1 Condition E9) Inspection prior to the start of work that may impact potential habitat for White's Seahorse were undertaken (refer to Table A1 Condition E9). Inspections were undertaken prior to commencement of construction of habitat for Black Rockcod (refer to Table A1 Condition E9). Vessels associated with construction were limited to a speed of four knots or less within the port limits. Anchoring zones identified in the Project Boundary Drawings are implemented to minimise impacts from anchor points within seagrass meadows of Posidonia australis (refer to Table A1 Condition E85) A pre-clearing procedure, an unexpected threatened species finds procedure and a fauna handling procedure have been prepared and implemented. 	Implemented

Section	Requirement	Evidence Collected	Findings	Implementation Status
			<ul style="list-style-type: none"> • A consulting arborist has assessed trees within the construction boundary that are proposed for retention; and a report has been prepared (Refer to Table A1 Condition E104) • The clearing of native vegetation has not exceeded the clearing footprint of the Project (refer to table A1 Condition E1) • Tree protection measures were implemented to ensure the protection of all trees planned to be retained on site (Refer to Table A1 Condition E104) 	

Appendix B – Planning secretary approval letters

Our ref: SSI-10049-PA-34

Your ref: Kamay Ferry Wharves

via Major Projects Portal

15 August 2023

Attention: Mr Andrew Dooley, Project Director, Transport for NSW

Subject: Kamay Ferry Wharves (SSI-10049) – agreement to independent auditor

Dear Andrew

I refer to your letter dated 2 August 2023 (PA-34) requesting the Planning Secretary's agreement to suitably qualified, experienced, and independent persons as independent environmental auditors of Kamay Ferry Wharves (SSI-10049).

NSW Planning has reviewed the information you have provided against the *Independent Audit Post Approval Requirements*. NSW Planning is satisfied that the nominee is certified with Exemplar Global as lead auditor in environmental management systems, is suitably experienced in state significant projects, and has supplied a declaration of independence.

Consequently, I can advise that under Condition A36 of SSI-10049, the Planning Secretary has agreed to the following auditor:

- Mr Maurice Pignatelli, OptimE Pty Ltd, as lead auditor

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

The Independent Audit must be prepared, undertaken, and finalised in accordance with the *Independent Audit Post Approval Requirements*. Failure to meet these requirements will require revision and resubmission.

NSW Planning reserves the right to request an alternate auditor(s) for future audits.

Should you wish to discuss the matter further, please contact Ms Alex Sands, Senior Compliance Officer, via email at compliance@planning.nsw.gov.au.

Yours sincerely,



Alex McGuirk

A/Team Leader Compliance – Government Projects
NSW Planning

As nominee of the Planning Secretary

Appendix C – Consultation with agencies

Kamay Ferry Wharves Project – Initial Independent Environmental Audit Consultation summary

Agency	Incoming / outgoing	Details
Water Group of the Department of Planning and Environment	Outgoing 12/9/23	Invitation to comment email to water.assessments@dpie.nsw.gov.au
	Outgoing 19/10/23	Reminder to comment email sent to all agencies that did not respond by 16/10/23 and an extension was offered until 30/10/23.
	Incoming 25/10/23	DPE Water identified key water related focus areas for this audit.
Environment and Heritage Group of the Department of Planning and Environment (Heritage NSW)	Outgoing 12/9/23	Invitation to comment email to marnie.stewart@environment.nsw.gov.au Invitation to comment emailed to shikha.jhaldiyal@environment.nsw.gov.au (non-aboriginal) Invitation to comment emailed to corey.odriscoll@environment.nsw.gov.au (aboriginal)
	Incoming 5/10/23	Heritage NSW (non-Aboriginal) advised their contribution to the Project via the EIS and Post approval process. Heritage NSW has no further comment to make on this process.
	Outgoing 19/10/23	Reminder to comment email sent to all agencies that did not respond by 16/10/23 and an extension was offered until 30/10/23.
	Incoming 25/10/23	Heritage NSW (Aboriginal cultural heritage). Recommended the auditor consult with DPE compliance to determine if there were any non-compliances in relation to Conditions E23 and E31.
Environment Protection Authority (EPA)	Outgoing 12/9/23	Invitation to comment email to anna.trimbell@epa.nsw.gov.au
	Outgoing 19/10/23	Reminder to comment email sent to all agencies that did not respond by 16/10/23 and an extension was offered until 30/10/23.
	Incoming	NIL
Department of Planning, Environment (DPE), Compliance	Outgoing 12/9/23	Invitation to comment emailed to thomas.minchin@planning.nsw.gov.au
	Incoming 16/10/23	DPE Compliance identified key focus areas for this audit and other agencies and stakeholders to be consulted.
	Outgoing 26/10/23	Following a recommendation from Heritage NSW (ACH), further advice was sought by the auditor, in relation to compliance against Conditions E23 and E31.
	Incoming 26/10/23	DPE Compliance advised they were not aware of any compliance issues related Conditions E23 and E31 and suggested it be addressed as part of the audit scope.

Agency	Incoming / outgoing	Details
Local Aboriginal Land Council (LALC)	Outgoing 12/9/23	Invitation to comment emailed to cingrey@laperouse.org.au
	Outgoing 19/10/23	Reminder to comment email sent to all stakeholders that did not respond by 16/10/23 and an extension was offered until 30/10/23.
	Incoming	NIL
NSW Department of Primary Industries, Fisheries	Outgoing 12/9/23	Invitation to comment email to craig.blount@dpi.nsw.gov.au
	Incoming 13/10/23	DPI Fisheries advised that they are represented on the Marine Biodiversity Offset Strategy (MBOS) Implementation Reference Panel. DPI Fisheries provided information on the status of implementation of specific requirements under the MBOS.
Randwick City Council (RCC)	Outgoing 12/9/23	Invitation to comment email to bronwyn.englaro@randwick.nsw.gov.au
	Incoming 16/10/23	RCC advised they had not received any complaints in relation to the project to date. RCC also advised the auditor to monitor Kamay Ferry Wharves Botany Bay Facebook
Sutherland Shire Council (SSC)	Outgoing 12/9/23	Invitation to comment email to ikoernicke@ssc.nsw.gov.au
	Outgoing 19/10/23	Reminder to comment email sent to all agencies that did not respond by 16/10/23 and an extension was offered until 30/10/23.
	Incoming 01/11/23	SSC advised they were satisfied that the management plans addressed the requirement of Council. Council requested that it be more regularly informed or updated in regard to the achievement of environmental milestones / measures.
National Parks and Wildlife Service	Outgoing 12/9/23	Invitation to comment email to greg.abbott@environment.nsw.gov.au
	Outgoing 19/10/23	Reminder to comment email sent to all agencies that did not respond by 16/10/23 and an extension was offered until 30/10/23.
	Incoming	NIL
Commonwealth Department of Agriculture, Water and Environment (DAWE)	Outgoing 12/9/23	Invitation to comment emailed to lucinda.biltoft@dcceew.gov.au
	Outgoing 19/10/23	Reminder to comment email sent to all agencies that did not respond by 16/10/23 and an extension was offered until 30/10/23.
	Incoming	NIL
Registered Aboriginal Parties (RAPs)	Outgoing 12/9/23	Invitation to comment emailed to: barbara.simms1727@gmail.com ;

Agency	Incoming / outgoing	Details
		barrabyculturalservices@gmail.com ; didgengunawalclan@yahoo.com.au ; gweagal.bidjigal@gmail.com ; accoe2002@gmail.com ; kinghampton77@gmail.com ; philipkhan.acn@live.com.au ; Waarlan12@outlook.com ; ringrey@gujaga.org.au ; scastaldini@hotmail.com ; jtimbery@hotmail.com ; glen_timbery@outlook.com ; nat_timbery@hotmail.com ; gulagachts@gmail.com ; yvonesimms6@gmail.com ; wurrumay@hotmail.com ; cingrey@gujaga.org.au
	Outgoing 19/10/23	Reminder to comment email sent to all stakeholders that did not respond by 16/10/23 and an extension was offered until 30/10/23.
	Incoming	NIL

Appendix D – Independent auditor declaration form

Appendix D – Declaration of Independence Form Template

Declaration of Independence - Auditor

Project Name: *Kamay Ferry Wharves*

Consent Number: *SSI-10049*

Description of Project: *Construction and operation of two wharves at La Perouse and at Kurnell*

Project Address: *La Perouse and Kurnell, BotanyBay.*

Proponent: *Transport for NSW*

Date: *17 July 2023*

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow 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 Auditor: *Maurice Pignatelli*

Qualification: *BE(Civil). MEng.Sc. Exemplar Global Lead Environmental Auditor*

Company: *OptimE Pty Ltd*

Signature:



Appendix E – Site inspection photographs

Appendix E – La Perouse site photographs

Photo LP1: Frenchmans Bay Reserve playground - Community signage



Photo LP2a and LP2b: La Perouse site compound - Boundary screen with local indigenous artwork. Site compound signage with project details.



Photo LP3: La Perouse site compound – Environmental green rules signage



Photo LP4: La Perouse site compound – Noise blankets surround generator. Site waste is segregated.



Photo LP5a and LP5b: La Perouse site compound – AHIMS Site # 45-6- 0653
Vibration monitors placed on rock shelf.



Photo LP6: La Perouse Site compound –
Fence line located by survey within the
Project Boundary.
Shallow soil upon rock shelf has been
undisturbed due to proximity to AHIMS Site#
45-6-0651 (Site 4 - La Perouse).



Photo LP7a and LP7b: La Perouse site
compound – Entire site compound lined with
geofabric and road base to prevent
disturbance of AHIMS Site# 45-6-0650 (Site
3 - La Perouse). No dig order is in place.

Site is terraced with perimeter bunds and
internal drive-over bunds as per the ESCP.



Photo LP8: La Perouse site compound – Soak aways and perimeter bunds as per the ESCP. Perimeter bunds rather than sedimentation fences were installed due to no-dig order.



Photo LP9: La Perouse site compound – Asbestos removal signage and screen in place.



Photo LP10: La Perouse crane platform - Platform constructed upon the rock shelf. Rock shelf protected by geofabric and rock ballast. Piling and piling barge.



Photo LP11: La Perouse crane platform – Metal plates used to maintain clean tracks and contain potential oil leaks. Spill kits strategically located around the site.

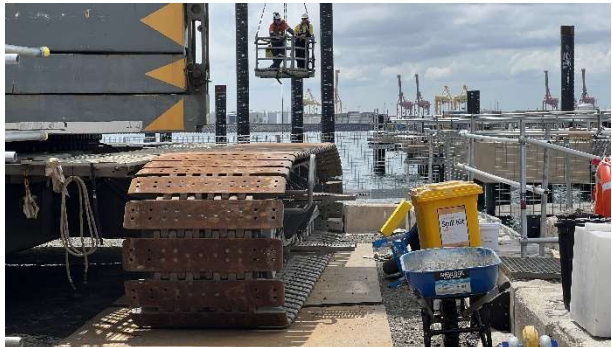


Photo LP12: La Perouse ramp construction - Site tightly constrained. Erosion and sediment controls in place.



Photo LP13: Aquatic no go zones established by yellow buoys.



Appendix E2 – Kurnell site photographs

Photo K1a and K1b: Kurnell site compound
- Boundary screen with local indigenous artwork.
Site compound signage with project details.



Photo K2: Kurnell site compound - Tree protection zones in place



Photo K3a and K3b: Kurnell site compound
– Storage of heritage plaques. Sandstone blocks from sea wall (not heritage) also stored for future placement.



Photo K4: Kurnell construction site access. Ditsrubance limit clearly constrained by water barriers and fencing. As advised by arborist, traffic (compaction) impact to root zone minimised by use of pre-existing concrete pathway, placement of mulch, rubber mats and bunting. Tree trunk protection also provided. Sediment fence in place downgradient of the access driveway.



Photo K5: Kurnell construction site access. Signage for low vibration area adjacent heritage items. Site hive monitor located adjacent to heritage sites .



Photo K6: Kurnell construction site. Tree trunk protection and tree protection zone in place. Approximate location of AHIMS Site #52-3-0219 (Foreshore Midden - Captain Cook's Landing Place). No works exceeding 400mm has occurred.



Photo K7: Kurnell construction site.



Photo K7: Kurnell construction site.
Containment of concrete agitator washout waste.



Photo K8: Kurnell construction site.
Booms ready for deployment around marine works.
Security fencing to control community access to construction zone.
Geofabric and rock ballast used to protect rock shelf.

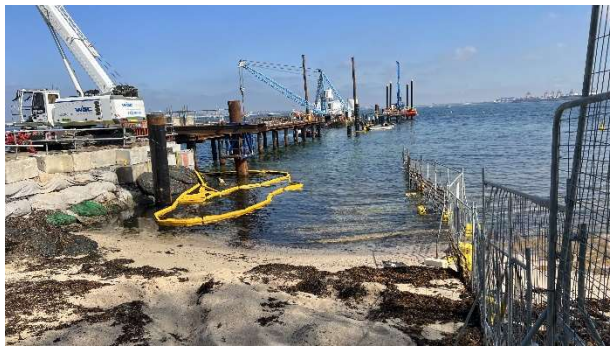


Photo K9a and K9b: Crane platform over water. Steel track and oil absorbent mats use to control potential hydraulic oil leakage. Spill kit strategically located.

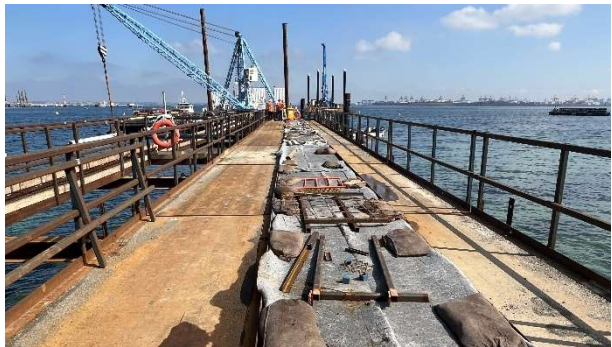


Photo K10: Piling Barge. Boom deployed around localised works. Spill kit observed upon the barge.



Photo K11: Captain Cook Drive. Community signage related to temporary parking changes






Photo K12a and K12b: Kurnell site compound. Segregation of wastes.



OptimE

OptimE Pty Ltd Report: 2308.01.REP

No:	Revision:	Approved:	Signature	Date:
Rev A	Draft report – Compliance tables only	M Pignatelli		26/11/23
Rev B	Final draft report	M Pignatelli		16/12/23
Rev 0	Final report	M Pignatelli		19/12/23