



M12 Motorway

Division 5.2

Consistency assessment report

Shared user path connection and design refinements

Transport for NSW | December 2024

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1. Introduction

1.1 Background

The NSW Minister for Planning and Public Spaces approved the M12 Motorway (CSSI 9364) under section 5.19 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 23 April 2021. The approval incorporated the Minister's Conditions of Approval. For the purposes of this consistency assessment, the Approval issued by the NSW Minister for Planning and Public Spaces for the M12 Motorway and the approved modifications are referred to as the Division 5.2 Approval.

The M12 Motorway was referred to the Australian Government Minister for the Environment and Energy under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) due to impact of listed threatened species and communities (section 18 and 18A of the EPBC Act) and was subject to assessment via the NSW Bilateral agreement (2015). The Australian Government Minister's approval was received on 3 June 2021 subject to conditions. For the purposes of this consistency assessment, the approval issued by the Australian Government Minister for the Environment is referred to as the EPBC Approval.

The M12 Motorway Project was assessed as part of an Environmental Impact Statement (EIS), Submission Report, Amendment Report, Amendment Report Submissions Report (ARSR) and ARSR Biodiversity Amendment Report, and the subsequent consistency assessments detailed in Section 4. These documents are collectively referred to as the M12 Environmental Assessment Documentation (M12 EAD).

The M12 Motorway Project is being constructed in separate stages or work packages:

- M12 West – between The Northern Road, Luddenham and about 250 metres east of Badgerys Creek
- M12 Central – between about 500 metres west of South Creek and the Western Sydney Parklands at Duff Road, Cecil Park
- M12 Central temporary roundabout installation
- M12 East (the subject of this consistency assessment) as part of the M7-M12 Integration project:
 - Elizabeth Drive connections (EDC) – connections between the M12 Motorway and Elizabeth Drive at Cecil Park
 - the M7/M12 interchange – a grade-separated motorway-to-motorway connection between the M7 and M12 Motorways.

Each M12 Motorway package of works is being delivered under separate contracts on behalf of the proponent, Transport for NSW (Transport).

M12 East package

This consistency assessment relates to the M12 East package of works. There are no proposed changes for the M12 West or M12 Central package considered within this consistency assessment. The M12 East package involves two components of work as described below.

Construction of this package will involve connecting Elizabeth Drive to the M12 Motorway and the upgrade of approximately two kilometres of Elizabeth Drive from east of Duff Road to 300 metres east of the M7 Motorway. The package includes:

- M12 Motorway eastbound exit ramp to Elizabeth Drive and M12 westbound entry ramp from Elizabeth Drive
- The realignment of Wallgrove Road through properties to the existing Cecil Road and Elizabeth Drive intersection
- The realignment of Cecil Road to connect it to the new Wallgrove Road
- The realignment of the M7 Motorway northbound entry ramp from Elizabeth Drive and the northbound exit ramp to Elizabeth Drive

- Upgrading of Elizabeth Drive from two to three lanes in both directions from the Elizabeth Drive/M12 Motorway intersection to the Elizabeth Drive/M7 Motorway southbound entry and exit ramp intersection with provisions for three lanes on the remaining sections
- Tie-ins to Elizabeth Drive
- Five signalised intersections
- Protection, relocation and installation of utilities
- Urban design features including interpretive signage and landscape planting
- Active transport (pedestrian and cyclist) facilities through the provision of a shared user path, including connections to existing paths.

Wallgrove Road will be realigned as part of the construction of the Elizabeth Drive connection (EDC). This will also require decommissioning a section of the existing Wallgrove Road approximately 500 metres from where it currently intersects with Elizabeth Drive. The new Wallgrove Road will connect to and replace the existing Cecil Road and Elizabeth Drive intersection and Cecil Road will be realigned to connect back into the realigned Wallgrove Road.

The M7/M12 interchange provides a grade separated motorway to motorway connection between the M7 Motorway and M12 Motorway. Located in Cecil Park, this package involves:

- Provision of four connections at the grade separated interchange including:
 - Connection from M7 southbound onto M12 westbound
 - Connection from M7 northbound onto M12 westbound
 - Connection from M12 eastbound onto M7 southbound
 - Connection from M12 eastbound onto M7 northbound.
- Interchange tie-in extending about four kilometres into the M7 Motorway corridor.

For the purposes of this consistency assessment, the Approval issued by the NSW Minister for Planning for the M12 Motorway project is referred to as the M12 Division 5.2 Approval. Approval of the M12 Motorway project is subject to Conditions of Approval (M12 CoA) and referred to herein as 'approved project'.

1.2 Purpose of consistency assessment

The purpose of this consistency assessment is to:

- Describe the Proposed Change relative to the Division 5.2 Approval and the EPBC Approval.
- Assess the environmental impacts associated with the Proposed Change relative to the Division 5.2 Approval and the EPBC Approval.
- Determine if the Proposed Change is consistent with the Division 5.2 Approval or whether further approval is required either for a modification application or a new project.
- Determine if the Proposed Change is consistent with the EPBC Approval. Or whether a variation to the Conditions of Approval / a conditioned action management plan or a new referral is required.

2. Proposed Change

2.1 Description of Proposed Change

This consistency assessment relates to minor design refinements to the M12 East package (the Proposed Change), as shown in Figure 1 and described below:

- Providing for future additional shared user path connectivity between Western Sydney Parklands (WSP) and the Westlink M7 shared user path
- Removing an L shape retaining wall (RS33) and fill batter onto adjoining land
- Removing two L shape retaining walls (RW200-204 and RW200-206) and fill batter onto adjoining land
- Removing the existing Westlink M7 containment basin and existing L shape retaining wall (RS34) and replacing with an upgraded stormwater basin (also known as a spill basin) (~295 m² in surface area, ~220 m³ in volume) on adjoining land
- The upgraded stormwater basin facilitates the removal of the existing gross pollutant trap (GPT) (102002) within the median at the intersection of Elizabeth Drive and the Westlink M7.

To achieve these minor design refinements, it is estimated the following amount of additional Western Sydney Parklands land is required (as a worst-case scenario):

- About 6,493 m² of land is temporarily required
- About 4,763 m² of land is permanently required.

As a result, a temporary construction footprint adjustment and a change to the operational footprint is also required. This additional land required for the Proposed Change includes access for the construction of the batter for the retaining wall. It is noted that a worst-case scenario of property impacts has been assessed in this consistency assessment, the final amount of land required for the proposed change will be determined through the acquisition and license agreement process with Greater Sydney Parklands (GSP).

Construction activities that will need to occur to facilitate the minor design refinements described above include:

- Establishing environmental controls
- Clearing and grubbing
- Earthworks for the installation of the new shared user path
- Earthworks, including excavation for the removal of existing retaining walls
- Installation of new stormwater drainage infrastructure, including the new basin and rock lined open drain, as well as the removal of the existing GPT
- Installation of permanent fencing to delineate the permanent boundary, new stormwater drainage infrastructure from the public as required, as well as any necessary traffic controls (e.g., bollards, signage, line marking, etc.) to prevent unauthorised vehicles from entering the SUP.

The new shared user path would be designed to meet all relevant design requirements (e.g. Australian Standard AS1428.1 Design for access and mobility, and NSW Bicycle guidelines, RTA (2008)).

The Proposed Change falls within and immediately outside of the approved construction footprint within the Western Sydney Parklands Abbotsbury Precinct 10. Outside of this consistency assessment process, temporary and permanent acquisition of land owned by GSP would be required, including land necessary for ongoing maintenance purposes.

Maintenance of the Proposed Change, once operational, would be undertaken by Western Sydney Orbital Company (WSO Co).

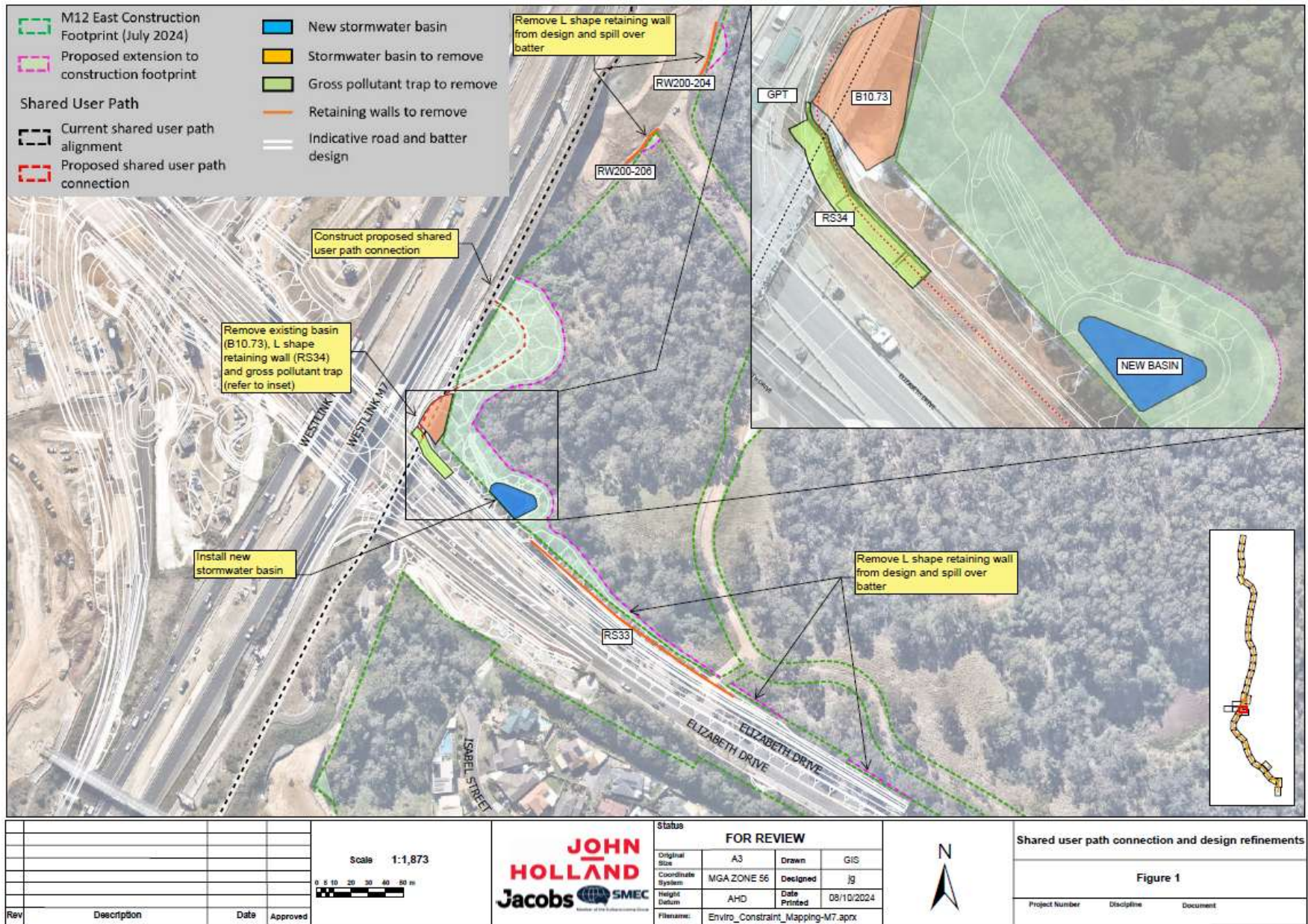


Figure 1: Proposed Change to approved M12 East package subject to this consistency assessment

2.2 Need for the Proposed Change

The Proposed Change would provide improved safety and connectivity for shared path users during the operational phase of the project by providing a direct connection from the Western Sydney Parklands north of Elizabeth Drive up to the Westlink M7 shared user path. Compared to the approved Project, this would result in cyclists avoiding the need to navigate three signalised crossings, representing a more socially positive outcome for active transport connections on the Project.

The Proposed Change to remove retaining walls in lieu of fill batters would simplify the construction works and reduce construction impacts including reduced traffic movements for delivery of materials and remove the need to maintain lighting brackets and conduits as currently designed for the retaining walls. The Proposed Change would also result in simplified and more cost-effective maintenance during the operational phase of the project.

The Proposed Change to provide a new stormwater basin is required to improve stormwater management during operation. This will include the removal of the existing basin which has insufficient capacity. The upgrade of stormwater assets would enable removal of one of the aforementioned retaining walls as well as an existing GPT within the road median of the Westlink M7 and Elizabeth Drive intersection. The new stormwater basin will effectively capture pollutants, meaning that the existing GPT is no longer required. The removal of the existing GPT would also further simplify maintenance access, which is currently via the road median, and reduce maintenance costs during operation. Refer to the relevant design drawings (M712UDC-JHGRP-EDR-SD-DRG-104998) and design report (M712UDC-JHGRP-EDR-SD-RPT-104001) for more information on how the drainage design has met the project's water quality objectives.

3. Consultation

John Holland has undertaken extensive consultation with GSP, who own and manage WSP, in relation to additional use/acquisition of their land for temporary and permanent uses, as well as the design of the shared user path, and the removal of vegetation to enable the Proposed Change.

Temporary land use refers to the approximate 6,493 m² portion of land required to facilitate the construction of the Proposed Change, while permanent land use refers to the approximate 4,763 m² portion of land required for the operation of the Proposed Change. The temporary area, which will be acquired under a licence agreement, is slightly larger than the permanent area required (which will be obtained by TfNSW). The acquisition and licensing agreement process with GSP is ongoing and the final area of land acquired and/or licensed will be subject to agreement between GSP and TfNSW. Refer to Sketch Number PS186 for full details.

GSP have been closely involved in the early design of the Proposed Change, including which trees were to be removed to facilitate the shared user path and how the stormwater infrastructure would function. Consultation with GSP occurred primarily in meetings.

GSP confirmed in a meeting dated 19 August 2024 that they are in favour of the shared user path design. In a site walk dated 28 August 2024 GSP confirmed that they have accepted the footprint of the Proposed Change. Principle support was received via email from GSP on 10 September 2024. See Appendix E for evidence of principle agreement by GSP.

4. Environmental assessment

An assessment has been undertaken to compare the environmental impacts of the Proposed Change relative to the environmental impacts of the project subject to the Division 5.2 Approval and the EPBC Approval. This includes reference to environmental impacts detailed in the EAD including:

- M12 Motorway – Environmental Impact Statement (EIS) (RMS, 2019)
- M12 Motorway – Amendment Report (TfNSW, 2020)
- M12 Motorway – Submissions Report (TfNSW, 2020)
- M12 Motorway – Amendment Report Submissions Report (TfNSW, 2020)
- M12 Motorway – Amendment Report Submissions Report – Amendment (TfNSW, 2021)
- Consistency Assessment M12 West Package Detailed Design: Proposed Changes between east of Badgerys Creek and The Northern Road (October, 2021)
- Consistency Assessment M12 Central Package Detailed Design: Design and boundary changes between Cecil Park and east of Badgerys Creek (October, 2021)
- Consistency Assessment M12 West and Central Sydney Water Pipeline Crossings: Proposed Sydney Water pipelines crossings for M12 West and Central (May, 2022)
- Consistency Assessment M12 Design Boundary Changes: Proposed construction and operational design boundary changes for the M12 Project (July, 2022)
- Consistency Assessment M12 Central Boundary Changes: Proposed construction design boundary changes for M12 Central (August, 2022)
- Consistency Assessment Devonshire Road Temporary Roundabout Consistency Assessment Report (September, 2023)
- Minor Consistency Assessment M12 West – Demolition of structures at 752 Luddenham Road (September, 2023)
- Consistency Assessment – Proposed construction and operational design boundary changes for the M12 Project (East) (September, 2023)
- Minor Consistency Assessment – Temporary construction signage (October, 2023)
- Minor Consistency Assessment – Power supply to AF9 (October, 2023)
- Minor Consistency Assessment – Cecil Road laydown (October, 2023)
- Minor Consistency Assessment – Proposed Change to the M12 Motorway project (M12 East) (December, 2023)
- Minor consistency assessment - Proposed Change to the M12 Motorway Project (M12 Central) (January, 2024)
- Minor Consistency Assessment – Crushing at AF9 for the M7-M12 Integration project (February, 2024)
- Minor Consistency Assessment – M12 Cecil Road Laydown and Dam (July, 2024)
- Minor consistency Assessment – M12 Variable Message Sign on The North Road Luddenham (August, 2024)

Table 1: Environmental assessment of the Proposed Change

Environmental issue	Comparative environmental assessment
Biodiversity	<p><i>Assessment of potential impacts</i></p> <p>A biodiversity review of the Proposed Change was undertaken by Leneco Environmental Management (February and October 2024) (Appendix B) to evaluate the ecological impacts resulting from the Proposed Change and to assess consistency with the Division 5.2 Approval and EPBC Approval in relation to biodiversity aspects.</p> <p>Changes to the Project's biodiversity offset obligations due to the Proposed Change were assessed by calculating the required biodiversity ecosystem credits for new direct and indirect impacts, with reference to Table 11-1 and Table 11-2 of the Biodiversity Assessment Report (BAR, RMS, 2019). The offset obligation for the Proposed Change was calculated by dividing the total ecosystem credits required by the impacted area in hectares (as indicated in Tables 11-1 and 11-2 of the BAR (RMS, 2019) and then multiplying this value by the area of new impact resulting from the Proposed Change.</p> <p><u>Existing environment</u></p> <p><i>Vegetation zones</i></p> <p>The BAR (RMS, 2019) mapped the following Plant Community Type (PCT) vegetation within the assessment area:</p> <ul style="list-style-type: none"> • PCT 830 - Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion in Poor Condition (BAR Veg zone 4) • PCT 850 - Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion in Moderate Condition (BAR Veg zone 10). <p>The forest vegetation within the activity footprint, and areas of indirect impacts for the Proposed Change, was dominated by Spotted gum (<i>Corymbia maculata</i>) and Forest Red Gum (<i>Eucalyptus tereticornis</i>) with Grey box (<i>Eucalyptus moluccana</i>), Cabbage Gum (<i>Eucalyptus amplifolia</i>), and Thin-leaved Stringybark (<i>Eucalyptus eugenioides</i>). The canopy was regrowth and no significant large or hollow-bearing trees were recorded. The shrubby understory was dominated by African Olive (<i>Olea europaea subsp. cuspidata</i>) with scattered native shrub species. The ground cover was generally sparse with low native diversity. This vegetation was assessed to be consistent with the PCT 830 Poor (BAR Veg zone 4) and PCT 850 Moderate/Good Condition (BAR Veg zone 10) identified in the BAR (RMS, 2019).</p> <p>An area of approximately 0.2 ha in the north of the activity footprint lacked a native canopy and was dominated by the exotic Rhodes Grass (<i>Chloris gayana</i>) with African Olive along the northern boundary of the clearing. This area was mapped as non-PCT vegetation (PCT-0).</p> <p><i>Indirect impacts</i></p> <p>The BAR notes that the project will result in indirect impacts to some areas of native vegetation adjoining the construction footprint, mainly due to fragmentation of vegetation and creation of new edges, which may results in edge effects. The BAR also notes that edge effects could extend up to 30m into adjoining areas of native vegetation. Areas impacted by edge effects have offset requirements, which are</p>

Environmental issue	Comparative environmental assessment
	<p>detailed in the BAR and covered by the additional assessment by Leneco (Appendix B).</p> <p><i>Threatened Ecological Communities</i></p> <p>PCT 830 (poor) is part of the Biodiversity Conservation Act 2016 (BC Act) listed, endangered ecological community named Moist Shale Woodland in the Sydney Basin Bioregion. PCT 830 (poor) is also part of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) listed critically endangered ecological community named Western Sydney Dry Rainforest and Moist Woodland on Shale.</p> <p>PCT 850 (medium) is part of the BC Act listed critically endangered ecological community named Cumberland Plain Woodland in the Sydney Basin Bioregion ecological community. Some patches, including those within the Proposed Change area for this review, also meet the criteria for the EPBC Act listed critically endangered ecological community named Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest.</p> <p><i>Ecosystem Credit Species</i></p> <p>The BAR (RMS, 2019) associated the Woodland habitats of the M12 Motorway project, included the PCT 850 within the assessment area, with potential foraging habitat for seven 'ecosystem credit' threatened bat species (RMS, 2019), including:</p> <ul style="list-style-type: none"> • Grey-headed Flying-fox (foraging habitat only) • Eastern Bentwing-bat (foraging habitat only) • Little Bentwing-bat (foraging habitat only) • Eastern Freetail-bat • Eastern False Pipistrelle • Greater Broad-nosed Bat • Yellow-bellied Shearwater-bat. <p>The BAR (RMS, 2019) also associated the Woodland habitats of the M12 Motorway project study with potential foraging habitat for the Swift Parrot (<i>Lathamus discolor</i>) given the occurrence of preferred blossom trees Spotted Gum and Forest Red Gum.</p> <p><i>Species Credit Species</i></p> <p>No threatened species of plant or animal were recorded within the assessment area during the survey completed for this assessment or during surveys completed as per the BAR (RMS, 2019).</p> <p>The following threatened species of plant were recorded in the BAR (RMS, 2019) close to the assessment area within the Western Sydney Parklands:</p> <ul style="list-style-type: none"> • <i>Marsdenia viridiflora</i> subsp. <i>viridiflora</i> in the Bankstown, Blacktown, Camden, Campbelltown, Fairfield, Holroyd, Liverpool and Penrith Local Government Areas (BC Act Endangered Population) approximately 150m north of the assessment area • <i>Pimelea spicata</i> (BC Act and EPBC Act Endangered Species) approximately 250m north of the assessment area. <p>These records are located outside of the extent of direct and indirect impacts of the approved Project and the Proposed Change (refer to Figure 4-2 from the BAR (RMS 2019)).</p>

Environmental issue	Comparative environmental assessment
	<p>One Southern Myotis breeding habitat tree is located within the 30m buffer for indirect impacts of the approved Project and the Proposed Change. This tree will not be impacted by the Proposed Change.</p> <p><i>Groundwater dependant ecosystems</i></p> <p>Groundwater dependent ecosystems (GDEs) are ecological communities that are dependent, either entirely or in part, on the presence of groundwater for their health or survival. An assessment of groundwater resources and potential impacts of the Project was completed to support the EIS,</p> <p>M12 Motorway EIS: Groundwater Assessment (JAVJ, 2018). As part of this assessment, The Bureau of Meteorology's GDE Atlas was reviewed to determine the occurrence of potential groundwater dependent ecosystems within and surrounding the study area.</p> <p>Potential GDEs associated with the Project were associated with South Creek, Cosgroves, Badgerys, South and Kemps Creeks. The Proposed Change requires to bench the existing batter up to 1 mbgl. According to the M12 Motorway EIS: Groundwater quality and hydrology assessment report (RMS, 2019) the groundwater table is 6 mbgl in this area. The groundwater table and subsequent GDEs are therefore not anticipated to be impacted by the Proposed Change.</p> <p><i>Wetlands</i></p> <p>There are no wetlands located with the assessment area. The BAR (RMS 2019) identified one wetland listed under the State Environmental Planning Policy (Coastal Management SEPP) 2018 and identified as a Coastal Wetland (ID 117) about 500 metres east of the Elizabeth Drive and M7 Motorway intersection, within Western Sydney Parklands. The proposed change involves the removal of an existing basin which had insufficient capacity and replacing it with a new bigger basin in a slightly different location that drains to the same point as the original basin. As detailed in the design report (M712UDC-JHGRP-EDR-SD-RPT-104001) and design drawings (M712UDC-JHGRP-EDR-SD-DRG-104998), the basin and outlet have been design with sufficient spill containment to not impact on the sensitive receiving environment. Noting the above, as well the fact that the sensitive environment already received water from the roadway and there was a basin in the concept design (M12EDD-WSP-ALL-SD-RPT-000002) that discharged to the same area, the proposed change is considered an improvement.</p> <p><u>Review of impacts from Proposed Change</u></p> <p><i>Native vegetation</i></p> <p>The Proposed Change will result in direct impacts 821 m² of PCT vegetation and indirect impacts to a further 6,691 m² in areas that are not certified under the Growth Centres SEPP. However, 4,166 m² of the indirect impacts have already been offset for impacts resulting from the approved Project. As such, the amendment will result in an increase in direct impacts to:</p> <ul style="list-style-type: none"> • 850 - Moderate/Good_Medium of 821m2 (0.08 ha). <p>The amendment will also result in an increase in indirect impacts to:</p> <ul style="list-style-type: none"> • 850 - Moderate/Good_Medium of 2433 m2 (0.24 ha) • PCT 830_poor of 92m2 (0.01 ha).

Environmental issue	Comparative environmental assessment					
	A summary of these impacts to the ecosystems credit associated with Veg Zone 10 is provided in the table below.					
	Veg zone	Direct / indirect impacts	Existing Environment (m²)	Proposed Change (m²)	Net change (m²)	Net change (ha)
	830_poor	Direct impacts	0	0	0	0.00
		Indirect impacts	649	741	92	0.01
	850_medium	Direct impacts	0	821	821	0.08
		Indirect impacts	3517	5950	2433	0.24
	Subtotal in uncertified		4,166	7,512	3,346	0.33
	<i>Ecosystem Credit Species</i>					
	The Proposed Change will result in an increase in the impact to the potential habitat for the ecosystem credit species associated with the 0.08 ha of direct impacts to PCT 850. This will include the Swift Parrot and seven 'ecosystem credit' threatened bat species including the Grey-headed Flying-fox and the Large Bentwinged Bat.					
	<i>Species Credit Species</i>					
	No loss of habitat or individuals for Species Credits Species were identified as a result of the Proposed Change to the M12 Motorway construction and operational footprint.					
	<i>Matters of National Environmental Significance</i>					
	The Proposed Change will result in the following impacts to commonwealth Matters of National Environmental Significance (MNES) in non-certified lands:					
	<ul style="list-style-type: none">• 0.07 ha of indirect impact to the Critically Endangered Western Sydney Dry Rainforest and Moist Woodland on Shale associated with PCT 830• 0.08 ha of direct impacts and 0.59 ha of indirect impacts to Critically Endangered Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest• 0.08 ha of direct impacts to foraging habitat for the Vulnerable Grey-headed Flying Fox and the Critically Endangered Swift Parrot.					
	No EPBC listed threatened flora species were detected or considered likely to occur in the assessment area.					
	With reference to the impact of the approved Project, these changes are minor and would not change the conclusions of the EPBC Significant Impact Criteria Assessments.					
	<i>Environmental management measures</i>					
	<i><u>Biodiversity Offsets</u></i>					

Environmental issue	Comparative environmental assessment
	<p>To comply with CoA E3 and E4, the additional ecosystem impacts resulting from the Proposed Change within in the uncertified land must be accounted for. This may be achieved by one of the following:</p> <ul style="list-style-type: none"> • Retaining an equivalent area of PCT vegetation that has been offset for the approved Project • Retiring additional ecosystem credits. <p>Table 2 of Appendix B provides a summary of the ecosystem credits required to offset the additional impacts to PCT vegetation in non-certified land resulting from the Proposed Change.</p> <p>Regarding impacts to PCT 830, there are no remaining areas of PCT 830 within the approved Project's construction footprint to retain. Therefore, one ecosystem credits of PCT 830: Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion will be required to offset the indirect impacts of 92 m² (<0.01 ha) (equivalent of 0.09 credits).</p> <p>Regarding impacts to PCT 850, John Holland has identified an area of PCT 850 within the approved project's construction footprint that has been offset but will be retained (avoided) to counterbalance the impacts of the Proposed Change (refer to Appendix D). The area to be retained is located in vegetation zone 850 - Moderate/Good_High which differs from the vegetation zone 850 - Moderate/Good_Medium impacted by the Proposed Change. To determine the area of this vegetation zone to retain, the total ecosystem credits required for both the direct and indirect impacts to Zone 850 - Moderate/Good_Medium were calculated, resulting in a total of 5.25 credits. The equivalent area of Zone 850 - Moderate/Good_High needed to offset these credits was then calculated based on the credits per hectare for that specific vegetation zone. This resulted in an area of 0.12 ha.</p> <p>Since no additional impacts to Species Credits Species were identified, no changes are necessary for the Species Credits to be retired.</p> <p><i>Matters of National Environmental Significance</i></p> <p>The Commonwealth EPBC Act Approval (EPBC 2018 / 8286) Condition 4 sets limits on the extent of protected MNES that can be cleared by the project. Relevant to this assessment are:</p> <ul style="list-style-type: none"> • 0.08 ha of direct impacts to Critically Endangered Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest • 0.08 ha of direct impacts to foraging habitat for the Vulnerable Grey-headed Flying Fox and the Critically Endangered Swift Parrot. <p>These direct impacts to protected MNES will be accounted for through the avoidance of 0.12 ha of PCT 850 - Moderate/Good_High that has been offset for the approved Project.</p> <p>In accordance with CoA 2 and 3 of the EPBC Act Approval, the Project must provide the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) of new final construction footprint to account for these changes.</p> <p><u>Other management measures</u></p> <p>Management measures for biodiversity identified in the EAD are considered appropriate for the Proposed Change.</p>

Environmental issue	Comparative environmental assessment
Traffic and transport	<p><i>Assessment of potential impacts</i></p> <p>Construction of the Proposed Change would involve similar activities to those approved in this location and would not require any additional traffic management or impacts to the existing road network.</p> <p>During construction of the Proposed Change, access along the existing SUP would be maintained.</p> <p>During operation, the Proposed Change would result in an improved outcome for shared path users wishing to access between Western Sydney Parklands and the Westlink M7 shared user path. The Proposed Change would remove the need to navigate three signalised crossings, and would provide direct, grade separated access to the Westlink M7 shared user path. The removal of the retaining walls is also expected to result in less vehicles accessing the site for inspection and maintenance purposes during operation.</p> <p><i>Environmental management measures</i></p> <p>Management measures for traffic and transport identified in the EAD are considered appropriate for the Proposed Change.</p>
Non-Aboriginal heritage	<p><i>Assessment of potential impacts</i></p> <p>The Proposed Change is located in proximity to one non-Aboriginal heritage item, being the Upper Canal System (Pheasants Nest Weir to Prospect Reservoir) (as shown in the figure in Appendix A).</p> <p>The Upper Canal System (Pheasants Nest Weir to Prospect Reservoir) is a Water NSW asset that is listed on the State Heritage Register (SHR ID 01373) in addition to Local Environmental Plan and the Water NSW section 170 Heritage and Conservation Register. The Upper Canal System traverses the M12 Motorway at the future intersection with Westlink M7, travelling in a north westerly direction toward Prospect Reservoir, about 32 metres below ground surface. RSW200-204 is the closest component of the Proposed Change and is about 50 metres south-east (laterally) of The Upper Canal System at its nearest point. The only potentially visible component of the heritage item from the Proposed Change is Tunnel Shaft 4, which is located in the median of Westlink M7, about 100 metres north west of RSW200-204.</p> <p>The Upper Canal System's heritage significance lies in its relatively intact nature as an example of nineteenth century engineering and construction practices. The EAD concludes that the approved project would result in a negligible impact on The Upper Canal System.</p> <p>The M12 EAD states that vibratory rolling for road works poses a potential impact to The Upper Canal System where works are proximal. Vibratory rolling is likely to be required during construction of the Proposed Change. Given that the Proposed Change is about 50 lateral metres away from The Upper Canal System, it is considered that no impacts would arise from vibration associated with the Proposed Change.</p> <p>The Proposed Change would not result in any visual impact to The Upper Canal System, as the structure is primarily underground where it intersects the M12 Motorway project. Furthermore, the Proposed Change would achieve an overall improved visual outcome (not specifically in relation to heritage) in that it eliminates</p>

Environmental issue	Comparative environmental assessment
	<p>the need to construct two approved retaining walls, which may have otherwise been visible from the Westlink M7 shared user path.</p> <p>No aspect of the Proposed Change would impact The Upper Canal System during operation.</p> <p><i>Environmental management measures</i></p> <p>Management measures for non-Aboriginal heritage identified in the EAD are considered appropriate for the Proposed Change.</p>
Socio-economic, land use and property	<p><i>Assessment of potential impacts</i></p> <p>Partial acquisition of Lot 1 of DP 1041390 and Lot 11 of DP 860893 within Abbotsbury Precinct 10 of the Western Sydney Parklands would be required due to engineering and maintenance requirements for the batter that would spill over into adjoining land in lieu of the four retaining walls. GSP currently owns this land.</p> <p>The following amount of GSP land is required (worst-case scenario):</p> <ul style="list-style-type: none"> • An additional 6,493 m² of land is temporarily required for construction of the Proposed Change • An additional 4,763 m² of land is permanently required. <p>Acquisition of this land would not fragment land ownership of Western Sydney Parklands, as the land to be acquired consists of small tracts of land adjacent to the approved construction footprint along the Westlink M7 and Elizabeth Drive corridors.</p> <p>It is noted that a worst-case scenario of property impacts has been assessed in this consistency assessment, the final amount of land required for the proposed change will be determined through the acquisition and license agreement process with GSP.</p> <p>Based on the potential for minimal amenity impacts (such as noise and vibration, and air quality) outlined in this table, there would be no change to potential social impacts during construction from the Proposed Change.</p> <p>During operations, the Proposed Change would likely result in additional social benefits associated with the improved connectivity to the shared user path.</p> <p><i>Environmental management measures</i></p> <p>Management measures for socio-economic, land use and property identified in the EAD are considered appropriate for the Proposed Change.</p>
Noise and vibration	<p><i>Assessment of potential impacts</i></p> <p>Two noise catchment areas (NCAs) under the EAD are relevant to the Proposed Change. NCA01 covers the area to the east of Westlink M7 and north of Elizabeth Drive and therefore largely comprises of Western Sydney Parklands. NCA02 extends east of Westlink M7 and south of Elizabeth Drive, generally comprising suburban land use along with local schools.</p> <p>During construction of the Proposed Change, equivalent plant items and equipment (such as vibratory rollers to compact batter) would be operated within the same localised area and during the same hours as the approved project. The nearest sensitive receivers to the Proposed Change would be residences along Isabel Street,</p>

Environmental issue	Comparative environmental assessment
	<p>Cecil Hills, which fall within NCA02 and were assessed as being subject to a 'moderate' level of noise impact.</p> <p>Works associated with the Proposed Change would be carried out about 80 metres north of these receivers, which would benefit from physical screening by Elizabeth Drive. As the works and equipment would be similar in nature to the approved project in this location, construction noise levels associated with the Proposed Change are expected to be consistent with the approved project.</p> <p>During operation, addition of the shared user path connection would not have an impact compared with the existing operational background noise environment, consisting of a motorway and arterial road. Therefore, no additional operational noise impacts are expected as a result of the Proposed Change.</p> <p>Similar to noise, the Proposed Change would be comparable in the level of vibration generated during construction to that which has been assessed under the EAD. The nearest sensitive receiver of potential vibration impacts is The Upper Canal System (Pheasants Nest Weir to Prospect Reservoir). Potential impacts from vibration to the heritage item are considered in the non-Aboriginal heritage section above.</p> <p>The Proposed Change would not involve any impact additional vibratory impacts during operation.</p> <p><i>Environmental management measures</i></p> <p>Management measures for noise and vibration identified in the EAD are considered appropriate for the Proposed Change.</p>
Flooding	<p><i>Assessment of potential impacts</i></p> <p>The flooding assessment within the EAD did not identify the area subject to the Proposed Change as at risk of flooding during construction. The EAD identified that key construction activities associated with the M12 East package that have the potential to affect the existing flood conditions include earthworks, stockpiling and ancillary facilities, temporary creek crossings and bridge work platforms.</p> <p>The Proposed Change will involve minor earthworks and stockpiling which could affect local flow paths. This notwithstanding, the construction works subject to the Proposed Change are minor in nature when compared to the greater project and are therefore not anticipated to increase those as described in the EAD.</p> <p>In terms of operation, modelling undertaken by John Holland demonstrates that there is no change expected to flooding behaviour as a result of the Proposed Change. The predicted flood depths during the one per cent, five per cent and 20 per cent Annual Exceedance Probability (AEP) both with and without the Proposed Change range between 0.01m, 0.01 to 0.02m, and 0.2 to 0.5m along a nearby minor drainage line (unnamed in EAD). As there is no predicted change to flooding behaviour, the Proposed Change is consistent with the approved Project.</p> <p><i>Environmental management measures</i></p> <p>Management measures for flooding identified in the EAD are considered appropriate for the Proposed Change.</p>
Surface water quality and hydrology	<p><i>Assessment of potential impacts</i></p> <p>The Proposed Change is located between the Ropes Creek and Hinchinbrook Creek catchment. The Hinchinbrook Creek catchment was identified as a sensitive</p>

Environmental issue	Comparative environmental assessment																
	<p>receiving environment, whilst the Ropes Creek catchment was not identified as a sensitive receiving environment in the EAD.</p> <p><u>Construction</u></p> <p>Earthworks associated with the construction of the drainage basin would be required as part of the proposed change. These activities may result in erosion of soil and sedimentation of waterways, which may cause changes to local surface water and groundwater conditions if not managed correctly.</p> <p>Coastal Wetlands under the State Environmental Planning Policy (Coastal Management SEPP) 2018 are identified approximately 330 metres away from the Proposed Change. During construction works, earthworks are identified as the main risk to the wetland, which may result in erosion of soil and sedimentation of waterways if not managed effectively.</p> <p>Potential surface water and hydrology impacts due to the proposed change would be effectively managed through the implementation of the Construction Soil and Water Management Plan, including updated progressive erosion and sediment control plans (PESCPs). Therefore, impacts to soil and water are considered consistent with the approved project.</p> <p><u>Operation</u></p> <p>The Proposed Change also involves the provision of a new basin to replace the existing stormwater basin during operation of the M12 East project. The M12 EIS for the approved project, defines the NSW Water Quality Objectives (WQOs) as follows (Appendix M Section 2.3.5 of the M12 EIS Surface Water Technical Memo):</p> <table border="1" data-bbox="435 1108 1453 1751"> <thead> <tr> <th>Indicator</th><th>Guideline Value</th></tr> </thead> <tbody> <tr> <td>Total phosphorus (TP)</td><td>0.025 mg/L</td></tr> <tr> <td>Total nitrogen (TN)</td><td>0.350 mg/L</td></tr> <tr> <td>Turbidity</td><td>6-50 Nephelometric Turbidity Unit (NTU)</td></tr> <tr> <td>Salinity (electrical conductivity)</td><td>125-2200 µS/cm</td></tr> <tr> <td>Dissolved oxygen (DO)</td><td>85-110 per cent saturation</td></tr> <tr> <td>pH</td><td>6.5-8.5</td></tr> <tr> <td>Chemical contaminants or toxicants</td><td>As per table 3.4.1 ANZECC/ARMCANZ (2000a) (95% level of protection for slightly to moderately disturbed ecosystems and 99% level of protection for toxicants that bioaccumulate)</td></tr> </tbody> </table> <p>The M12 EIS also confirmed that the quality of water in the watercourses that receive runoff from the area is increasingly impacted due to urban, agricultural and industrial uses. Overall, the water quality of creeks within the study area is classified as poor and degraded due to low dissolved oxygen concentrations and elevated nutrients. Sampling of the surface water prior to the M12 East project identifies that the WQOs</p>	Indicator	Guideline Value	Total phosphorus (TP)	0.025 mg/L	Total nitrogen (TN)	0.350 mg/L	Turbidity	6-50 Nephelometric Turbidity Unit (NTU)	Salinity (electrical conductivity)	125-2200 µS/cm	Dissolved oxygen (DO)	85-110 per cent saturation	pH	6.5-8.5	Chemical contaminants or toxicants	As per table 3.4.1 ANZECC/ARMCANZ (2000a) (95% level of protection for slightly to moderately disturbed ecosystems and 99% level of protection for toxicants that bioaccumulate)
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Environmental issue	Comparative environmental assessment
	<p>were not being achieved for TP, TN, DO and there were elevated readings for ammonia and pH.</p> <p>Appendix M Section 5.2 of the M12 EIS Surface Water Technical Memo identifies the M12 project has the potential to increase the generation of the following contaminants and impact quality of surface water runoff discharging from operation of the M12:</p> <ul style="list-style-type: none"> • TSS from bitumen wear, vehicles and general deposition; • Toxicants and heavy metals spills and vehicle debris; • Hydrocarbons, oils and grease from spills or leaks; • Gross pollutants from the soil debris and rubbish; and • Nutrients (such as TP and TN) from organic material and potential spills during transportation. <p>The M12 project has the potential to lead to an increase in the quantities of these contaminants' due runoff of pollutants from the new road surfaces and increased vehicular traffic, motorway spills and permanent structures.</p> <p>The M12 EIS did not provide detailed baseline pollutant loads for Ropes Creek catchment as sampling could not be completed due to the creek being dry. Hinchinbrook Creek was assessed as part of the M12 EIS with water quality results as per the below and found the creek to be classified as poor and degraded:</p> <ul style="list-style-type: none"> • Average TSS – 161 mg/L • Average TP – 0.297 mg/L • Average TN – 4.047 mg/L <p>The Appendix M Section 8 of the M12 EIS Surface Water Technical Memo includes the mitigation measure (SWH07) regarding the performance of water quality controls (including basins) “will be verified as the detailed design develops for the project to ensure the objectives of the project are achieved”.</p> <p>Specifically, CoA E105 requires that the operation of the project is to maintain the WQOs where they are being achieved and contribute towards achieving the objectives over time where they are not being achieved at the date of the approval. CoA E110 also requires that all new or modified drainage systems must be designed to meet capacity constraints and minimise impacts on the receiving environment.</p> <p>The detailed designs of the M12 drainage infrastructure (including but not limited to stormwater basins) would be designed to improve the water quality for TSS, TP and TN within the different catchments and contribute to achieving the WQOs over time. The proposed change in drainage infrastructure is confirmed through the detailed design process and captured in the design report (M712UDC-JHGRP-EDR-SD-RPT-104001), design drawings (M712UDC-JHGRP-EDR-SD-DRG-104998) and post Issued For Construction (IFC) design changes (which are currently underway), which may include further MUSIC modelling by a suitably qualified water quality expert (i.e. M712UDC-JHGRP-EDR-SD-MEM-104900) and will follow the following process:</p> <ol style="list-style-type: none"> 1. Post IFC review is triggered due to a change 2. Project designers update the design and issue for review

Environmental issue	Comparative environmental assessment
	<ol style="list-style-type: none"> 3. External parties review the design package and provide comments (WSO Co, TfNSW and Independent Certifier (IC)) 4. Project designers update design and issue back externally for review 5. The above steps repeat until all comments are closed out 6. IC provide a certificate and then the package is officially revised to the next IFC revision <p>The key outcomes of the design report will ensure assessments are completed to confirm that the existing water quality is being improved for the drainage infrastructure including the operational basin through specific mechanisms such as underflow baffles, scour protection, spill containment and working towards achieving the WQO's over time.</p> <p>Given that the final approved/certified design, which includes the proposed M12 drainage infrastructure (including but not limited to stormwater basins) and the removal of a GPT, would improve the water quality for the Hinchinbrook Creek and Ropes Creek catchment, the Proposed Change is considered to be consistent with the approved Project and meets the performance outcome of CoA E105, in contributing towards achieving the NSW Water Quality Objectives over time.</p> <p>Coastal Wetlands under the State Environmental Planning Policy (Coastal Management SEPP) 2018 are identified approximately 330 metres away from the Proposed Change. The basin batter detailed in Section 2.1 is approximately 10 metres closer to the Coastal Wetland ID 117 compared to the current construction footprint. During operation of the basin, the Proposed Change has been designed to meet the water quality objectives as outlined above.</p> <p>The minor additional disturbance associated with the additional stormwater basins and amendments to the operational basin are unlikely to increase the impacts over and above those described in the EAD. Impacts are therefore considered to be consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for surface water quality and hydrology identified in the EAD are considered appropriate for the Proposed Change. The design review process further manages the consistency for the operation of the Proposed Change, capturing design refinements by suitably qualified designers, subject matter experts (e.g. water quality experts) followed by review and approval by WSO Co, TfNSW and the IC as outlined above.</p>
Groundwater quality and hydrology	<p><i>Assessment of potential impacts</i></p> <p>Groundwater is not expected to be encountered during construction of the Proposed Change. Groundwater impacts remain consistent with what is reported in the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for groundwater quality and hydrogeology identified in the EAD are considered appropriate for the Proposed Change</p>
Soils and contamination	<p><i>Assessment of potential impacts</i></p> <p>The Proposed Change will result in some additional clearing. The primary impact associated with the clearing activity is the disturbance of the ground resulting in an increase of erosion and sedimentation risk, and contaminated land with the potential</p>

Environmental issue	Comparative environmental assessment
	<p>to result in mobilisation of contamination, incorrect waste disposal or cross contamination.</p> <p>Asbestos within the road verge due to a possible history of illegal dumping is a potential risk. If potentially contaminated material is encountered, the Unexpected Contaminated Land Finds Procedure will be followed.</p> <p>The M12 East package only contains one area of environmental interest, that being PGH Bricks and Pavers which is listed as an Area of Environmental Interest with moderate to high-risk rating. This site is located more than 600 metres away from the Proposed Change on the western side of the Westlink M7.</p> <p>However, the minor disturbance associated with the Proposed Change are unlikely to increase the impacts over and above those described in the EAD. Impacts are therefore considered to be consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for soils and contamination identified in the EAD are considered appropriate for the Proposed Change. If potentially contaminated material is encountered, the Unexpected Contaminated Land Finds Procedure will be followed.</p>
Aboriginal cultural heritage	<p><i>Assessment of potential impacts</i></p> <p>The Proposed Change would involve minor construction activities immediately outside of the construction footprint for the M12 Motorway. The Proposed Change still falls within the detailed investigation area for the Aboriginal heritage supplementary technical memorandum as part of the M12 EAD. Consequently, no additional specialist Aboriginal cultural heritage studies were undertaken in relation to the Proposed Change.</p> <p>The Proposed Change is about 40 metres from one Aboriginal cultural heritage site identified by the Aboriginal Heritage Information Management System (AHIMS). The AHIMS site (45-5-2476) is listed as being a valid open artefact site and is about 40 metres from RW200-204 and RW200-206. The M12 EAD indicates that that AHIMS site (45-5-2476) was destroyed during construction of Westlink M7.</p> <p>The Proposed Change would therefore not have any additional impact on Aboriginal cultural heritage, as the closest registered AHIMS site is about 40m away and was previously destroyed as part of a separate project.</p> <p><i>Environmental management measures</i></p> <p>Management measures for Aboriginal cultural heritage identified in the EAD are considered appropriate for the Proposed Change.</p>
Landscape character and visual impacts	<p><i>Assessment of potential impacts</i></p> <p>In relation to construction, construction activities, plant and equipment would be similar to those assessed for the approved project in the EAD for this location. There would be a change to the landscape as a result of the removal of some vegetation. This notwithstanding, the impacts of this removal will be offset accordingly. Refer to the biodiversity section and Appendix B for further information on offsetting of these impacts. Based on this, potential visual and landscape character impacts during construction would be consistent with the approved Project.</p>

Environmental issue	Comparative environmental assessment
	<p>The Proposed Change would offer an improvement to the landscape character and visual impacts associated with the approved project during operation in that it would eliminate four retaining walls that would be visible from the SUP and potentially from the parklands. Generally, fill batters offer greater opportunities for vegetation plantings compared to retaining walls and would more easily blend into the adjacent vegetated landscape, subject to detailed design. Furthermore, the design of the proposed shared user path connection would be located away from road-side edges and would offer immersive landscape experience for pedestrians and cyclists.</p> <p>This section of the Shared User Path (SUP) is covered under the M12 Design and Landscape Plan (DLP). Sections 3.6 and 5.6 of the M12 DLP provide high-level details of the SUP, with the final outcome consistent with the DLP.</p> <p><i>Environmental management measures</i></p> <p>Management measures for landscape character and visual impacts identified in the EAD are considered appropriate for the Proposed Change, including opportunities for revegetation and landscaping.</p>
Air quality	<p><i>Assessment of potential impacts</i></p> <p>Air quality impacts associated with the Proposed Change will be relatively minor and likely be caused by construction activities such as tracking of plant, general construction and delivery of materials causing dust emissions. This is consistent with the EAD.</p> <p>There would be no change to potential air quality impacts during operations.</p> <p><i>Environmental management measures</i></p> <p>Management measures for air quality identified in the EAD are considered appropriate for the Proposed Change.</p>
Health and safety	<p><i>Assessment of potential impacts</i></p> <p>The associated health and safety risk associated with the Proposed Change will be minor in nature due to the temporary construction period and minor construction work in comparison to the greater Project. This is consistent with the EAD.</p> <p>During operations, the avoidance of multiple road crossing for pedestrians and cyclists accessing the Westlink M7 shared path would result in reduced health and safety risks.</p> <p><i>Environmental management measures</i></p> <p>Management measures for health and safety identified in the EAD are considered appropriate for the Proposed Change.</p>
Sustainability	<p><i>Assessment of potential impacts</i></p> <p>Sustainability practices will be implemented to address any sustainability impacts with the Proposed Change. This is consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for sustainability identified in the EAD are considered appropriate for the Proposed Change.</p>

Environmental issue	Comparative environmental assessment
Waste	<p><i>Assessment of potential impacts</i></p> <p>All construction waste would be appropriately disposed of and will be managed in accordance with the POEO Act and Waste Regulation. Waste impacts associated with the Proposed Change will be minor in nature and generally consistent with waste types and volumes identified in the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for waste identified in the EAD are considered appropriate for the Proposed Change.</p>
Climate change risk and greenhouse gas	<p><i>Assessment of potential impacts</i></p> <p>Potential climate change risks associated with the Proposed Change will be temporary and minor in nature in comparison to the greater Project. The Proposed Change would not substantially alter construction activities or materials such that there would be a change to greenhouse gas emissions. This is consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for climate change risk and greenhouse gas identified in the EAD are considered for the Proposed Change.</p>
Cumulative impacts	<p><i>Assessment of potential impacts</i></p> <p>The Proposed Change would have a neutral cumulative impact on biodiversity in that it would result in additional direct and indirect impacts to native vegetation, however this would be counterbalanced with the reduction of clearing of equivalent vegetation elsewhere within the approved construction footprint.</p> <p>The Proposed Change would have a positive cumulative impact during construction in that it would reduce construction traffic movements and traffic management requirements. The Proposed Change would also result in improved connectivity for the regional shared user path network.</p> <p>Land acquisition as part of the Proposed Change would result in a negligible increase in acquired land for the M12 Motorway project, would not fragment ownership of Western Sydney Parklands and would be carried out in accordance with the relevant legislation and in consultation with affected stakeholders.</p> <p>Overall, there would be no change to potential cumulative impacts as a result of the Proposed Change.</p> <p><i>Environmental management measures</i></p> <p>Management measures for cumulative impacts identified in the EAD are considered appropriate for the Proposed Change.</p>

5. Consistency assessment – the Division 5.2 Approval

5.1 Minister's Conditions of Approval and Environmental management measures

The Proposed Change has been assessed in Appendix C in relation to the relevant Conditions of Approval and revised management measures for the M12 Motorway.

The Proposed Change can be accommodated within the M12 Motorway Conditions of Approval. The Proposed Change is consistent with the environment management measures incorporated as part of the Division 5.2 Approval.

5.2 Project objectives

The project objectives are to:

- Provide sufficient road capacity to meet traffic demand generated by the planned western Sydney urban development
- Provide a high standard connection to the airport with capacity to meet future freight and passenger needs
- Provide a road which supports and integrates with the broader transport network
- Support the provision of an integrated regional and local public transport system
- Preserve the access function of Elizabeth Drive
- Provide active local transport within the east–west corridor
- Make provision for connection to the future Outer Sydney Orbital.

The Proposed Changes support the project objectives. In particular, the Proposed Change would facilitate improved local active transport connections. As such, the Proposed Change is considered consistent with the program and Project objectives.

5.3 Consistency questions – the Division 5.2 Approval

Table 2 presents a set of questions that assist Transport to determine whether the Proposed Change can be considered consistent with the Division 5.2 Approval.

Table 2: Division 5.2 Approval consistency questions

Consistency question	Discussion	Consistent
1 Is the Proposed Change likely to result in changes to the scope and impacts of the project to an extent that would be considered a radical transformation of the project as a whole, as to be, in reality, an entirely new project?	As detailed in Section 2, the Proposed Change would not result in a significant change to the M12 Project. The impacts associated with the Proposed Change will be managed in accordance with the CEMP and sub-plans for the Project.	Yes
2 Would any Conditions of Approval need to be amended in light of the change?	The Proposed Change would not impact upon the conditions identified in the Infrastructure Approval such that a change would be required. A review of	Yes

Consistency question	Discussion	Consistent
	CoA against the Proposed Change is provided in Appendix C.	
3 Would the statement of commitments or environmental management measures need to change?	The Proposed Change would not require the statement of commitments or environmental management measures to be amended. A review of the REMMs against the Proposed Change is provided in Appendix C.	Yes
4 Would the Proposed Change be 'generally in accordance with' the documents incorporated in Standard Condition A1 (or A2)?	As described in Appendix C, the Proposed Change is considered generally in accordance with the EAD listed in Condition A1.	Yes
5 Would the environmental impacts of the project as a whole be altered by the Proposed Change to the extent that the Proposed Change would not be consistent with the Approval?	As described in Section 4, the environmental impacts associated with the Proposed Change are consistent with the impacts described in the EAD. Management measures detailed in the EAD will be implemented for the Proposed Change.	Yes
6 Considering the project as a whole, would the magnitude of the change be viewed as consistent with the project?	The magnitude of the Proposed Change is minor in comparison to the Project. The Proposed Change is consistent with the Project program and objectives.	Yes

6. Consistency assessment – EPBC Approval

6.1 Commonwealth Minister's Conditions of Approval

Table 3 below addresses those Conditions of Approval relevant to the Proposed Change in the context of the Commonwealth Approved Project.

Table 3: Consistency against relevant Commonwealth Minister's Conditions of Approval for the project

No.	Condition of Approval	Discussion	Consistent
1	The approval holder must not clear in the locations identified in condition E8 of the State Infrastructure approval , until it has completed the additional surveys and provided the results to the Department as required by condition E8 of the State Infrastructure approval .	The Proposed Change does not involve any works in the locations identified in condition E8 of the State Infrastructure approval. The Proposed Change will not impact upon compliance of this condition.	Yes
2	The approval holder must submit to the Department a map(s) of the final construction footprint within six months of the final construction footprint being determined, and where the action is staged, a map of the final construction footprint for each stage, within six months of the final construction footprint for that stage being determined.	The Proposed Change will not impact upon compliance of this condition.	Yes
3	The approval holder must not clear protected matters outside the final construction footprint .	The Proposed Change will not impact upon compliance of this condition.	Yes
4	To minimise the impacts of the action on protected matters the approval holder must not clear more than the following specified amounts, or another specified amount determined in consultation with the Department in accordance with condition E4 of the State Infrastructure approval within the final construction footprint : <ul style="list-style-type: none"> a. 42.89 hectares of known Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest threatened ecological community; b. 0.44 hectares of known Western Sydney Dry Rainforest and Moist Woodland on Shale threatened ecological community; c. 100 known <i>Pultenaea parviflora</i> individuals; d. The number of <i>Pimelea spicata</i> individuals identified in the additional surveys required by condition E8 of the State Infrastructure approval; e. 62.71 hectares of known foraging habitat for Grey-headed Flying Fox (<i>Pteropus poliocephalus</i>); f. 80.21 hectares of known foraging habitat for Swift Parrot (<i>Lathamus discolor</i>). 	The Proposed Change involves minor additional clearing of 0.08 ha of Plant Community Type (PCT) 850 – Cumberland Plain Shale Woodlands and direct impacts to foraging habitat for the Vulnerable Grey-headed Flying Fox and the Critically Endangered Swift Parrot.	Yes

No.	Condition of Approval	Discussion	Consistent
5	<p>For the protection of protected matters the approval holder must:</p> <ul style="list-style-type: none"> a. Implement conditions A24 of Part A, Schedule 2 and C4, CS, C8, C9 and C10 of Part C, Schedule 2 of the State Infrastructure approval, where they relate to monitoring, managing, avoiding, mitigating, recording, or reporting on, impacts to protected matters. b. Implement biodiversity conditions E2 to E10 of Part E, Schedule 2 of the State Infrastructure approval where they relate to monitoring, managing, avoiding, mitigating, offsetting, recording, or reporting on, impacts to protected matters. c. Notify the Department in writing within 2 business days of formally proposing any change to the conditions of the State Infrastructure approval for which conditions 5a or 5b apply, and within 5 business days of becoming aware of the NSW Government proposing a change d. Notify the Department in writing of any change to the State Infrastructure approval for which conditions 5a and 5b apply, within 5 business days of a change to the State Infrastructure approval being finalised. 	The Proposed Change will not impact upon compliance of this condition.	Yes
6	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action .	The Proposed Change will not impact upon compliance of this condition.	Yes
7	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister .	N/A	Yes
8	The approval holder must maintain accurate and complete compliance records .	N/A	Yes
9	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	N/A	Yes
10	<p>The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> a. publish each compliance report on the website within 60 business days following the relevant 12 month period; 	N/A	Yes

No.	Condition of Approval	Discussion	Consistent
	<ul style="list-style-type: none"> b. notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication; c. keep all compliance reports publicly available on the website until this approval expires or as otherwise agreed by the Department in writing; d. exclude or redact sensitive ecological data from compliance reports published on the website; and e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. 		
11	<p>The approval holder must notify the Department in writing of any: incident affecting protected matters; non-compliance with the conditions; or non-compliance with the commitments made in plans required in accordance with conditions 5a or 5b. The notification must be given as soon as practicable, and no later than 2 business days after becoming aware of the incident affecting protected matters or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> a. any condition which is or may be in breach b. a short description of the incident affecting protected matters and/or non-compliance c. the location (including co-ordinates), date, and time of the incident affecting protected matters and/or non-compliance. In the event the exact information cannot be provided, provide the best information available. 	N/A	Yes
12	<p>The approval holder must provide to the Department the details of any incident affecting protected matters or non-compliance with the conditions or commitments made in plans required in accordance with conditions 5a or 5b as soon as practicable and no later than 10 business days after becoming aware of the incident affecting protected matters or non-compliance, specifying:</p> <ul style="list-style-type: none"> a. Any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b. The potential impacts of the incident affecting protected matters or non-compliance; and c. The method and timing of any remedial action that will be undertaken by the approval holder. 	N/A	Yes

No.	Condition of Approval	Discussion	Consistent
13	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister .	N/A	Yes
14	For each independent audit requested by the Minister under condition 13, the approval holder must: <ul style="list-style-type: none"> a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department b. only commence the independent audit once the audit criteria have been approved in writing by the Department c. submit an audit report to the Department within the timeframe specified in the approved audit criteria. 	N/A	Yes
15	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval, or as otherwise agreed by the Department in writing.	N/A	Yes
16	The approval holder must: <ul style="list-style-type: none"> a. submit plans electronically to the Department for information; b. unless otherwise agreed to in writing by the Minister, publish each plan on the website within 20 business days of the date: <ul style="list-style-type: none"> i. that the plan was approved under the State Infrastructure approval, if the plan requires approval under the State Infrastructure approval; or ii. That the plan was finalised and provided to the NSW Planning Secretary, if the plan is required for information under the State Infrastructure approval. c. exclude or redact sensitive ecological data from plans that are to be published on the website or provided to a member of the public; and d. keep plans published on the website for the period which this approval has effect, or as otherwise agreed by the Department in writing. 	N/A	Yes
17	Within 20 days after the completion of the action , the approval holder must notify the Department in writing and provide completion data .	N/A	Yes

The Proposed Change can be accommodated within the EPBC Conditions of Approval.

6.2 EPBC Approval consistency questions

Table 4 presents a set of questions that assist Transport to determine whether the Proposed Change can be considered consistent with an EPBC Approval.

Table 4: EPBC Approval consistency questions

Consistency question	Discussion	Consistent
1 Would any conditions of the EPBC Approval need to be varied in light of the change?	As described in Section 6.1, the conditions of the EPBC Approval will not need to be varied as a result of the Proposed Change.	Yes
2 Would an approved action management plan required by a condition of approval need to be varied as a result of the Proposed Change?	There is no approved action management plan required by the EPBC Approval.	Yes
3 Would the Proposed Change constitute a 'new project' under the EPBC Act?	As detailed in Section 2, the impacts associated with the Proposed Change will not constitute as a 'new project' under the EPBC Act.	Yes

7. Conclusion

Based on the consistency assessment in this report, the Proposed Change is considered:

- ☒ Consistent with the Division 5.2 Approval
- ☒ Consistent with the EPBC Approval.

The CEMP and relevant sub-plans will be updated to incorporate the Proposed Change as relevant.

8. Other considerations



8.1 Permits, licenses and other approvals

The Environmental Protection Licence (EPL) for the M7-M12 Integration project covers the approved project and would apply to the Proposed Change. Prior to works commencing, premise maps within the EPL would be amended to display the minor changes to the construction footprint.

9. Certification

Author





This consistency assessment provides a true and fair review of the Proposed Change for the M12 Motorway project.

Name		Signature	
Position	Senior Environment and Sustainability Advisor	Date	12/12/2024
Organisation	John Holland		

Transport for NSW



The Proposed Change, subject to the implementation of all the environmental requirements of the project, is consistent with the Division 5.2 Approval.

The Proposed Change, subject to the implementation of all the environmental requirements of the project, is consistent with the EPBC Approval.

Name		Name	
Signature		Signature	
Position	Transport Environment and Sustainability Manager (M12/M7)	Position	Transport Senior Environment and Sustainability Manager (M12/M7)
Date	13/12/2024	Date	13/12/2024

I have examined the Proposed Changes by reference to the Division 5.2 Approval in accordance with Section 5.25(2) of the EP&A Act and I have examined the Proposed Changes by reference to the EPBC Approval. I consider that the proposal is consistent with the Division 5.2 Approval and EPBC Approval.

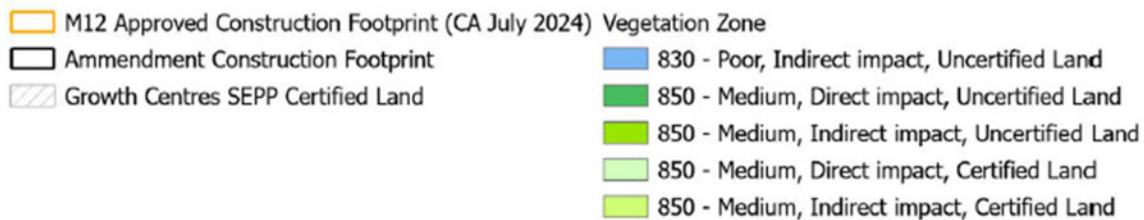
I approve the carrying out the Proposed Change in accordance with those recommendations.

Name	
Signature	
Position	M12/M7 Project Director
Date	13/12/2024

Appendix A: Environmental assessment figures



M12 Motorway boundary amendment on the eastern side of the interchange between Elizabeth Drive and the Westlink M7, PCT Impacts



Name: 066_M12 EDR WSPT CA_2409 update_new

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Figure A1: Impacts to Plant Community Types

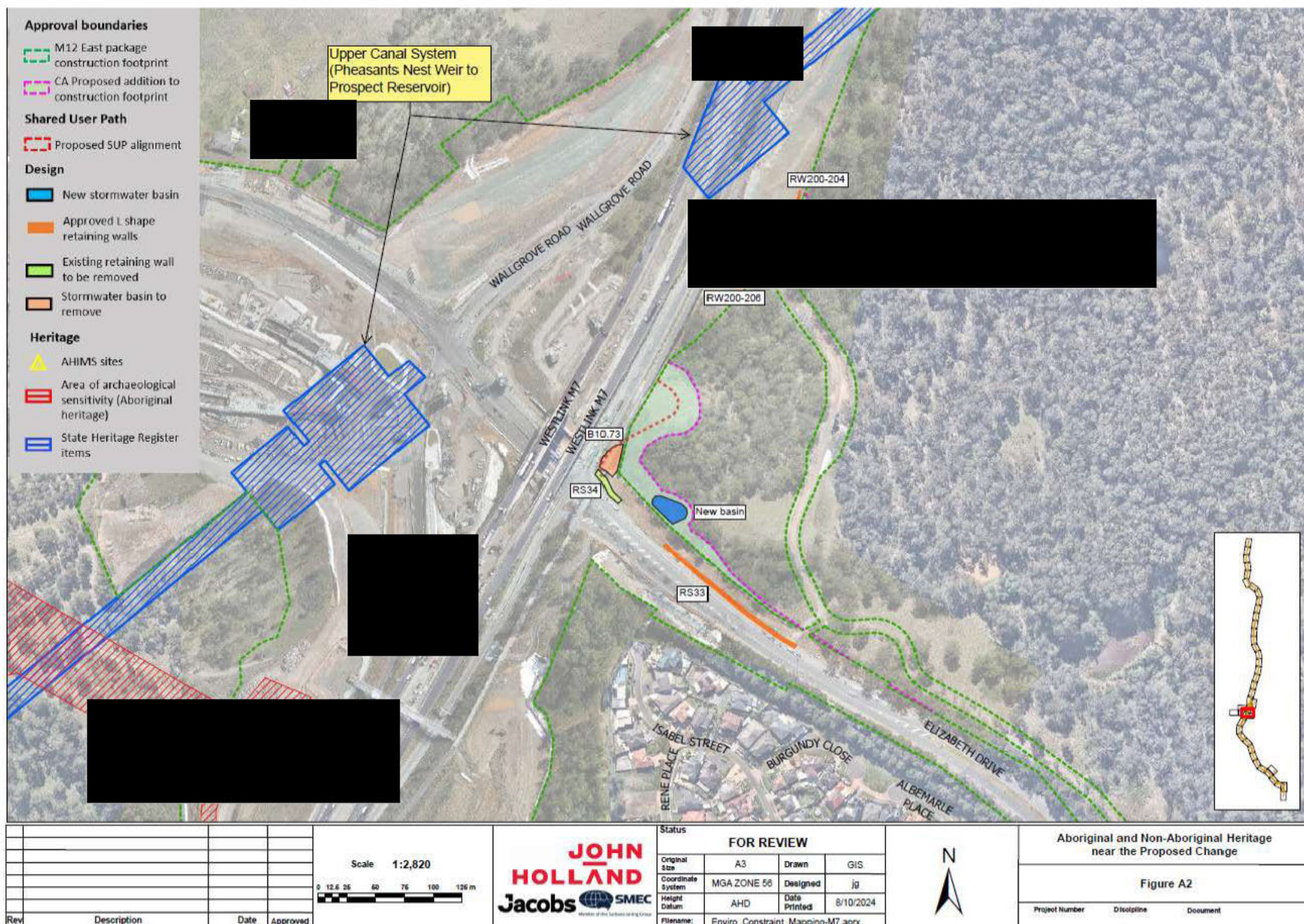


Figure A2: Non-Aboriginal and Aboriginal heritage items near the Proposed Change

Appendix B: Biodiversity review

21 November 2024

To	[REDACTED], Environment and Sustainability Manager, JHG		
Copy to	[REDACTED], Senior Environmental Advisor – M7M12 Integration Project		
From	[REDACTED], Principal Consultant, Leneco	Tel. [REDACTED]	
	Email. [REDACTED]		
Subject	Biodiversity review of amendment to the M12 Motorway construction and operational footprint for shared user path connection and design refinements Updated based on TfNSW and WSO CA review		

1. Introduction

Leneco was engaged by the John Holland Group (John Holland) to conduct a biodiversity assessment of a proposed amendment to the M12 Motorway construction and operational footprint on the eastern side of the interchange between Elizabeth Drive and the Westlink M7. The proposed change is required for the shared user path connection and design refinements and will require vegetation clearing outside of the M12 Motorway's approved project boundary within land leased by the Western Sydney Parklands Trust (WSPT).

The objective of this assessment was to determine if the biodiversity impacts of the proposed change are consistent with the approved Project. Additionally, the assessment has reviewed if the proposed change will change the biodiversity offset obligations for ecosystem and species credits as set out in Table 1, Table 2, and Table 3 of the Infrastructure Approval condition E3.

2. Scope

John Holland is proposing to amend the M12 Motorway construction and operational footprint on the eastern side of the interchange between Elizabeth Drive and the Westlink M7 to accommodate the following key changes:

- Elimination of retaining walls RS33 and RS34 and replacement with fill batters
- Provision of a new shared user path link from Elizabeth Drive to the M7 Shared User Path, removing the need to use five signalised crossings to access the parkland area
- Provision of a new permanent basin.

The Proposed Change would require the clearing of approximately 0.08 ha of NSW Plant Community Type (PCT) vegetation and result in indirect impacts to a further 0.67 ha of PCT vegetation. These direct and indirect impacts have been assessed with reference to the impacts already accounted for by the approved project as well as lands Bio-certified under the Environmental Planning Policy (Sydney Region Growth Centres 2006) (Growth Centres SEPP).

A sketch of the proposed additional works areas is provided in **Attachment 1**.

3. Environmental Requirements

The proposed change to the construction and operational footprint will be subject to the M12 Motorway SSI 9364 Infrastructure Approval (the approved Project).

Part of the disturbance footprint assessed for this activity (including indirect impacts) is located within lands certified under the South West Growth Centre as defined under the repealed State Environmental Planning Policy (Sydney Region Growth Centres 2006) (Growth Centres SEPP). Although repealed, biodiversity certification was conferred on environmental planning instruments (EPIs) under Schedule 7 of the repealed *Threatened Species Conservation Act 1995* (TSC Act) and therefore remains in place. Under the terms of the Biodiversity Certification Order, any developments or activities proposed to be undertaken within certified areas do not need to undertake assessment of impacts on threatened species, populations, and ecological communities, or their habitats, that would normally be required by Parts 3, 4, or 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and do not require biodiversity offsets. Development within non-certified land within the Growth Centres requires assessment under normal legislative requirements. Non-certified areas in the Growth Centres are identified on the maps in Schedule 2 of the Biodiversity Certification Order (refer to the Biodiversity Assessment Report (BAR) (RMS, 2019) Section 1.4.5). Impacts to PCT vegetation within the non-certified areas will require biodiversity offsets.

4. Methods

This assessment was prepared with reference to the site description provided in the M12 Motorway Biodiversity Assessment Report (BAR) (RMS, 2019) prepared for the M12 Motorway Environmental Assessment Documentation including vegetation zone (PCT condition classes) and records of threatened species and their habitat.

An inspection of the site was carried out on February 22, 2024 that included a survey of the plant composition to ground truth the vegetation zone assigned in the BAR (RMS, 2019). A targeted search was also completed for threatened species of plants, Cumberland Plain Land Snail, and habitat for other threatened species. Vegetation within the assessment area was assigned to the vegetation zones defined in the BAR (RMS, 2019). The additional impacts were then split into the areas with the Growth Centres SEPP certified and non-certified areas.

The BAR (Section 8.2.1) (RMS, 2019) applied a 30-meter buffer to the approved construction footprint to account for potential indirect impacts, such as new edge effects, to the PCT vegetation and the associated ecosystem biodiversity credits. Indirect impacts were not applied to the species credit species. This assessment has also adopted a 30-meter buffer to the proposed change in the construction footprint to reassess the indirect impacts to ecosystem biodiversity credits.

Changes to the project's biodiversity offset obligations due to the proposed change were assessed by calculating the required biodiversity ecosystem credits for new direct and indirect impacts, with reference to Table 11-1 and Table 11-2 of the BAR (RMS, 2019). The offset obligation for the proposed change was calculated by dividing the total ecosystem credits required by the impacted area in hectares (as indicated in Tables 11-1 and 11-2) and then multiplying this value by the area of new impact resulting from the proposed change.

This review was prepared by [REDACTED], the Project Ecologist for the M7 M12 Integration Project, holding qualifications of B.Sc., M.Sc., and accreditation as a BAM Accredited Assessor (BAAS22011).

Results

Vegetation Zones

The BAR (RMS, 2019) mapped the following Plant Community Type (PCT) vegetation within the assessment area:

- PCT 830 - Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion in Poor Condition (BAR Veg zone 4)
- PCT 850 - Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion in Moderate Condition (BAR Veg zone 10).

The forest vegetation within the activity footprint, and areas of indirect impacts for the proposed change, was dominated by Spotted gum (*Corymbia maculata*) and Forest Red Gum (*Eucalyptus tereticornis*) with Grey box (*Eucalyptus moluccana*), Cabbage Gum (*Eucalyptus amplifolia*), and Thin-leaved Stringybark (*Eucalyptus eugenioides*). The canopy was regrowth and no significant large or hollow-bearing trees were recorded. The shrubby understory was dominated by African Olive (*Olea europaea* subsp. *cuspidata*) with scattered native shrub species. The ground cover was generally sparse with low native diversity. A flora species list for this area is provided in **Attachment 2**. This vegetation was assessed to be consistent with the PCT 830 Poor (BAR Veg zone 4) and PCT 850 Moderate/Good Condition (BAR Veg zone 10) identified in the BAR (RMS, 2019).

An area of approximately 0.2 ha in the north of the activity footprint lacked a native canopy and was dominated by the exotic Rhodes Grass (*Chloris gayana*) with African Olive along the northern boundary of the clearing. This area was mapped as non-PCT vegetation (PCT-0).

Threatened Ecological Communities

PCT 830 (poor) is part of the *Biodiversity Conservation Act 2016* (BC Act) listed, endangered ecological community named Moist Shale Woodland in the Sydney Basin Bioregion. PCT 830 (poor) is also part of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) listed critically endangered ecological community named Western Sydney Dry Rainforest and Moist Woodland on Shale.

PCT 850 (medium) is part of the BC Act listed critically endangered ecological community named Cumberland Plain Woodland in the Sydney Basin Bioregion ecological community. Some patches, including those within the proposed change area for this review, also meet the criteria for the EPBC Act listed critically endangered ecological community named Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest.

Ecosystem Credit Species

The BAR (RMS, 2019) associated the Woodland habitats of the M12 Motorway project, included the PCT 850 within the assessment area, with potential foraging habitat for seven 'ecosystem credit' threatened bat species (RMS, 2019), including:

- Grey-headed Flying-fox (foraging habitat only)
- Eastern Bentwing-bat (foraging habitat only)
- Little Bentwing-bat (foraging habitat only)

- Eastern Freetail-bat
- Eastern False Pipistrelle
- Greater Broad-nosed Bat
- Yellow-bellied Sheathtail-bat.

The BAR (RMS, 2019) also associated the Woodland habitats of the M12 Motorway project study with potential foraging habitat for the Swift Parrot (*Lathamus discolor*) given the occurrence of preferred blossom trees Spotted Gum and Forest Red Gum.

Species Credit Species

No threatened species of plant or animal were recorded within the assessment area during the survey completed for this assessment or during surveys completed as per the BAR (RMS, 2019).

The following threatened species of plant were recorded in the BAR (RMS, 2019) close to the assessment area within the Western Sydney Parklands:

- *Marsdenia viridiflora* subsp. *viridiflora* in the Bankstown, Blacktown, Camden, Campbelltown, Fairfield, Holroyd, Liverpool and Penrith Local Government Areas (BC Act Endangered Population) approximately 150m north of the assessment area
- *Pimelea spicata* (BC Act and EPBC Act Endangered Species) approximately 250 north of the assessment area.

These records are located outside of the extent of direct and indirect impacts of the approved Project and the proposed change (refer to Figure 4-2 from the BAR (RMS 2019)).

One Southern Myotis breeding habitat tree is located within the 30m-buffer for indirect impacts of the approved Project and the proposed change. This tree will not be impacted by the proposed change.

Groundwater dependant ecosystems

Groundwater dependent ecosystems (GDEs) are ecological communities that are dependent, either entirely or in part, on the presence of groundwater for their health or survival. An assessment of groundwater resources and potential impacts of the M12 Project was completed to support the EIS, M12 Motorway EIS: Groundwater Assessment (JAVJ, 2018). As part of this assessment, The Bureau of Meteorology's GDE Atlas was reviewed to determine the occurrence of potential groundwater dependent ecosystems within and surrounding the study area.

Potential GDEs associated with the M12 Project were associated with South Creek, Cosgroves, Badgerys, South and Kemps Creeks. These areas are not located near the proposed change.

Furthermore, the M12 Motorway EIS: Groundwater quality and hydrology assessment report (RMS, 2019) indicates the groundwater table is 6 m below ground level at the location of the proposed change. The groundwater table and subsequent GDEs are therefore not anticipated to be impacted by the Proposed Change. Section 4 of the CA updated with the above. Ecologist memo to be updated.

Wetlands

There are no wetlands located with the assessment area. The BAR (RMS 2019) identified one wetland listed under the State Environmental Planning Policy (Coastal Management SEPP) 2018 and identified as a Coastal Wetland (ID 117) about 500 metres east of the Elizabeth Drive and M7 Motorway intersection, within Western Sydney Parklands. This wetland is about 110 metres long and 30 metres wide and occurs within a large area of intact vegetation. The proposed change will not impact this wetland.

5. Review of impacts

Native Vegetation

The proposed activity will result in direct impacts 821 m² of PCT vegetation and indirect impacts to a further 6691 m² in areas that are not certified under the Growth Centres SEPP. However 4166 m² of the indirect impacts have already been offset for impacts resulting from the approved Project. As such, the amendment will result in an increase in direct impacts to:

- PCT 850 - Moderate/Good_Medium of 821m² (0.08 ha).

The amendment will also result in an increase in indirect impacts to:

- PCT 850 - Moderate/Good_Medium of 2433 m² (0.24 ha)
- PCT 830_poor of 92m² (0.01 ha)

A summary of these impacts to the ecosystems credit associated with Veg Zone 10 is provided in **Table 1**.

Table 1 – Summary of PCT impacts in uncertified land of the proposed change

Veg zone	Direct / indirect impacts	Existing Environment (m ²)	Proposed Change (m ²)	Net change (m ²)	Net change (ha)
830_poor	Direct impacts	0	0	0	0.00
	Indirect impacts	649	741	92	0.01
850_medium	Direct impacts	0	821	821	0.08
	Indirect impacts	3517	5950	2433	0.24
Subtotal in uncertified	-	4166	7512	3346	0.33

Ecosystem Credit Species

The proposed change will result in an increase in the impact to the potential habitat for the ecosystem credit species associated with the 0.08ha of direct impacts to PCT 850. This will include the Swift Parrot and seven 'ecosystem credit' threatened bat species including the Grey-headed Flying-fox and the Large Bentwinged Bat.

Species Credit Species

No loss of habitat or individuals for Species Credits Species were identified as a result of the proposed change to the M12 Motorway construction and operational footprint.

Matters of National Environmental Significance

The proposed change will result in the following impacts to commonwealth Matters of National Environmental Significance (MNES) in non-certified lands:

- 0.07 ha of indirect impact to the Critically Endangered Western Sydney Dry Rainforest and Moist Woodland on Shale associated with PCT 830
- 0.08 ha of direct impacts and 0.59 ha of indirect impacts to Critically Endangered Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest.
- 0.08 ha of direct impacts to foraging habitat for the Vulnerable Grey-headed Flying Fox and the Critically Endangered Swift Parrot.

No EPBC listed threatened flora species were detected or considered likely to occur in the assessment area.

With reference to the impact of the approved Project, these changes are minor and would not change the conclusions of the EPBC Significant Impact Criteria Assessments.

6. Biodiversity Offsets

To comply with Infrastructure Approval conditions E3 and E4, the additional ecosystem impacts resulting from the proposed change within in the uncertified land must be accounted for. This may be achieved by one of the following:

- Retaining an equivalent area of PCT vegetation that has been offset for the approved Project
- Retiring additional ecosystem credits.

Table 2 provides a summary of the ecosystem credits required to offset the additional impacts to PCT vegetation in non-certified land resulting from the proposed change.

Regarding impacts to PCT 830, there are no remaining areas of PCT 830 within the approved Project's construction footprint to retain. Therefore, one ecosystem credits of PCT 830: Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion will be required to offset the indirect impacts of 92 m² (<0.01 ha) (equivalent of 0.09 credits).

Regarding impacts to PCT 850, John Holland has identified an area of PCT 850 within the approved project's construction footprint that has been offset, but will be retained (avoided) to counterbalance the impacts of the proposed change (refer to Attachment 1 for figure of the retained area). The area to be retained is located in vegetation zone 850 - Moderate/Good_High which differs from the vegetation zone 850 - Moderate/Good_Medium impacted by the proposed change. To determine the area of this vegetation zone to retain, the total ecosystem credits required for both the direct and indirect impacts to Zone 850 - Moderate/Good_Medium were calculated, resulting in a total of 5.25 credits. The equivalent area of Zone 850 - Moderate/Good_High needed to offset these credits was then calculated based on the credits per hectare for that specific vegetation zone. This resulted in an areas of 0.12 ha (refer to **Table 3** below).

Since no additional impacts to Species Credits Species were identified, no changes are necessary for the Species Credits to be retired (Infrastructure Approval Table 3).

Matters of National Environmental Significance

The Commonwealth EPBC Act Approval (EPBC 2018 / 8286) Condition 4 sets limits on the extent of protected MNES that can be cleared by the project. Relevant to this assessment are:

- 0.08 ha of direct impacts to Critically Endangered Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest.
- 0.08 ha of direct impacts to foraging habitat for the Vulnerable Grey-headed Flying Fox and the Critically Endangered Swift Parrot.

These direct impacts to protected MNES will be accounted for through the avoidance of 0.12 ha of PCT 850 - Moderate/Good_High that has been offset for the approved Project.

In accordance with Condition 2 and 3 of the EPBC Act Approval, the Project must provide the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) of new final construction footprint to account for these changes.

Table 2 Ecosystem Credits require to offset additional impacts in uncertified land of the proposed change

Vegetation Zone	Plant Community Type (PCT) ID and name	Direct / Indirect Impacts	Credits / ha	Proposed Change (ha)	Ecosystem credits required
830 - Moderate/Good_Poor	Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	Indirect	9.26	0.01	0.09 (round up to 1)
850 - Moderate/Good_Medium	Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	Direct	37.67	0.08	3.01
		Indirect	9.31	0.24	2.23

Table 3 Calculation of area of retained PCT 850 to offset additional impacts in uncertified land of the proposed change

PCT	Vegetation Zone	Direct / Indirect Impacts	Credits / ha	Ecosystem credits required	Proposed Change (ha)
850 - Moderate/Good_High	Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	Direct	44.55	5.25	0.12

7. Conclusion

The proposed change to the M12 Motorway construction and operational footprint on the eastern side of the interchange between Elizabeth Drive and the Westlink M7 will result in an increase in the direct and indirect impacts to two vegetation zones within non-certified lands:

- PCT 830 Moderate/Good_Poor, 92m² (0.01 ha) of indirect impacts
- PCT 850 Moderate/Good_Medium, 821m² (0.08 ha) of direct impacts and 2433 m² (0.24 ha) of indirect impacts.

The direct impacts to PCT 850 Moderate/Good_Medium will also reduce the available habitat for ecosystem credit species including Swift Parrot and seven 'ecosystem credit' threatened bat species including the Grey-headed Flying-fox and the Large Bentwinged Bat.

No impacts to any species credit species, including threatened flora, were detected or considered likely as a result of the proposed change. Furthermore, the impact resulting from the proposed change would not change the conclusions of the EPBC Significant Impact Criteria Assessments for the approved Project.

With regard to biodiversity impacts, the proposed change is considered consistent with the approved Project.

To meet the project's biodiversity offset obligations, John Holland will retain an area of 0.12 ha of PCT 850 Moderate/Good_High. This retention will compensate for the direct and indirect impacts on PCT 850 Moderate/Good_Medium.

Additionally, to address the indirect impacts on PCT 830, John Holland must retire one equivalent of 0.09 credits for PCT 830: Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion. This requirement corresponds to the indirect impacts of 92 m² (less than 0.01 ha).

These changes will need to be documented in the review and updates of the ecosystem and species credit requirements in Tables 1, 2, and 3, as mandated under infrastructure approval condition E4, to accurately reflect the final construction footprint.

Your Sincerely

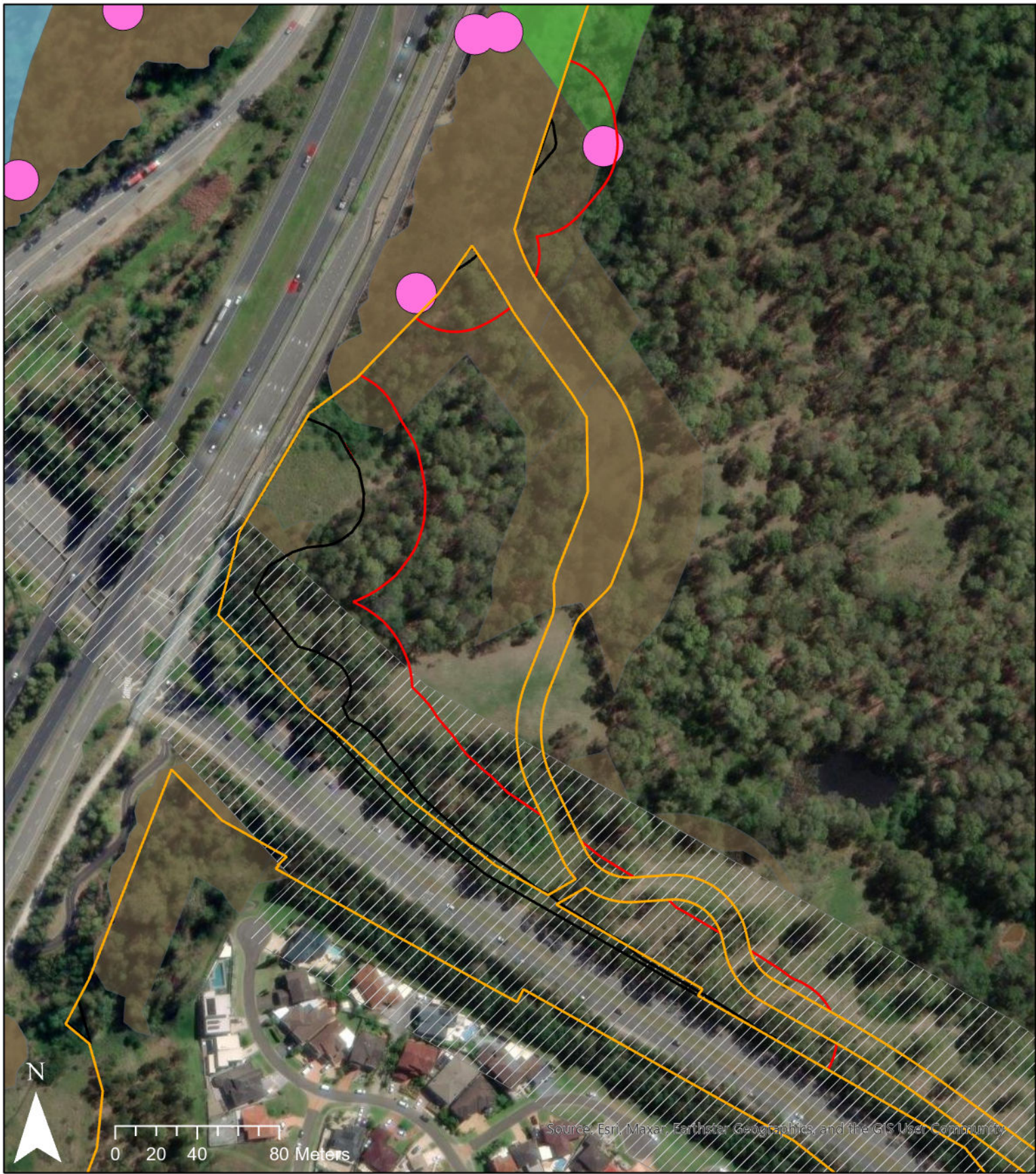
BAM Accredited Assessor
Director and Principal Consultant

References

RMS. (2019). M12 Motorway Environmental Impact Statement Appendix E Biodiversity Assessment Report. Roads and Maritime Service

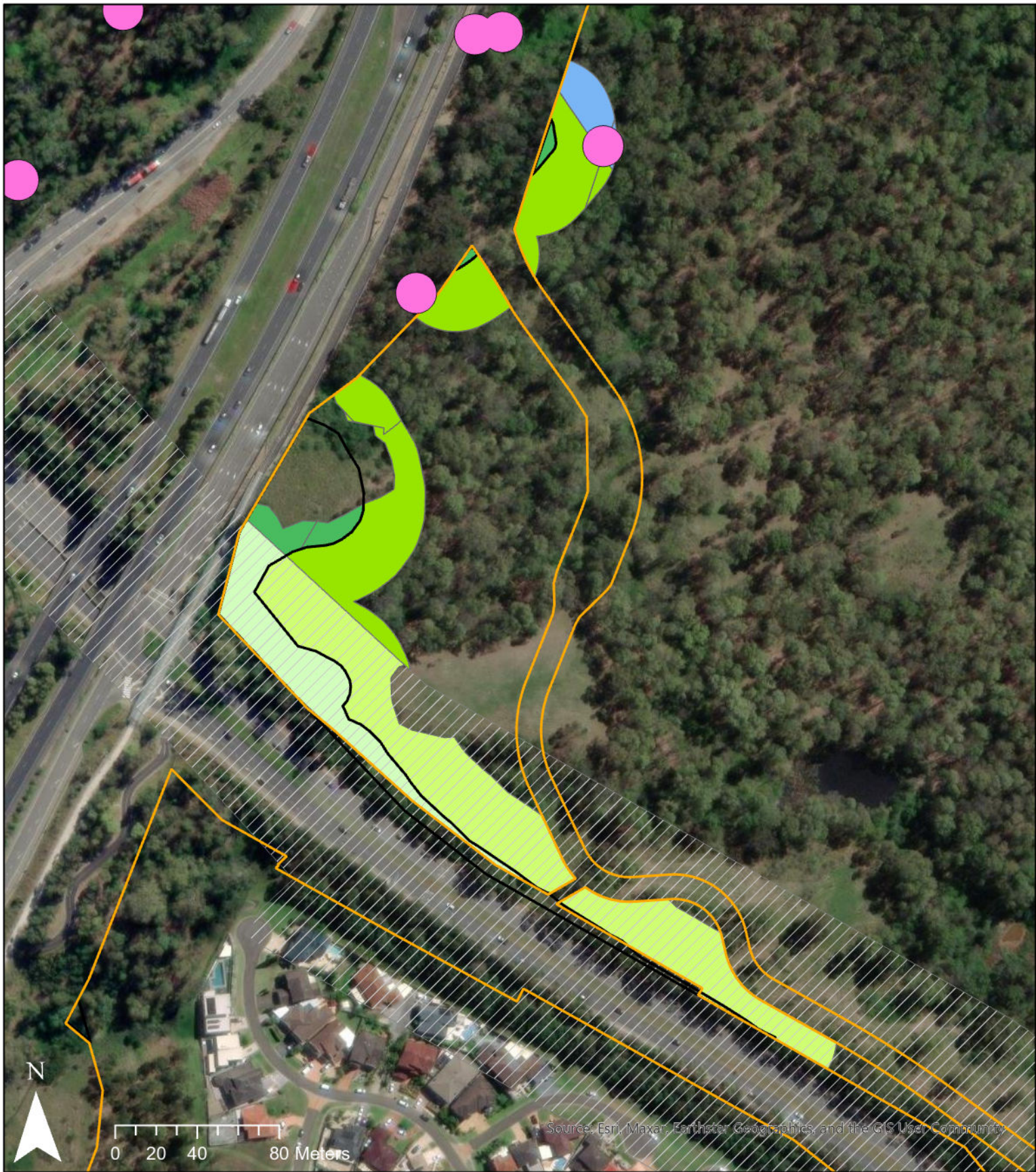
Attachment 1 – Figures

- Existing BAR PCT Mapping
- Amendment PCT Impacts
- Area of retained PCT 850 within 850 - Moderate/Good_High
- BAR (2019) Figure 4-2 Recorded threatened species



M12 Motorway boundary amendment on the eastern side of the interchange between Elizabeth Drive and the Westlink M7, Existing BAR PCT Mapping

 M12 Approved Construction Footprint (CA July 2024)	Direct impacts	Indirect impacts
 Ammendment Construction Footprint	 830_poor	 830_poor
 Ammendment 30m buffer (areas of indirect impacts)	 849_medium	 850_medium
 Growth Centres SEPP Certified Land	 850_medium	
 Southern Myotis Breeding Habitat		



M12 Motorway boundary amendment on the eastern side of the interchange between Elizabeth Drive and the Westlink M7, PCT Impacts

- M12 Approved Construction Footprint (CA July 2024)
- Amendment Construction Footprint
- Growth Centres SEPP Certified Land
- Vegetation Zone
 - 830 - Poor, Indirect impact, Uncertified Land
 - 850 - Medium, Direct impact, Uncertified Land
 - 850 - Medium, Indirect impact, Uncertified Land
 - 850 - Medium, Direct impact, Certified Land
 - 850 - Medium, Indirect impact, Certified Land
- Southern Myotis Breeding Habitat



M12 Motorway boundary amendment on the eastern side of the interchange between Elizabeth Drive and the Westlink M7, PCT 850 Offset Area



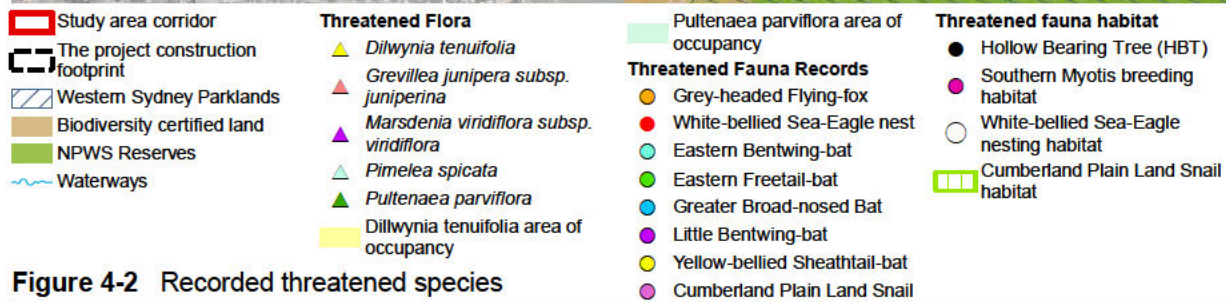
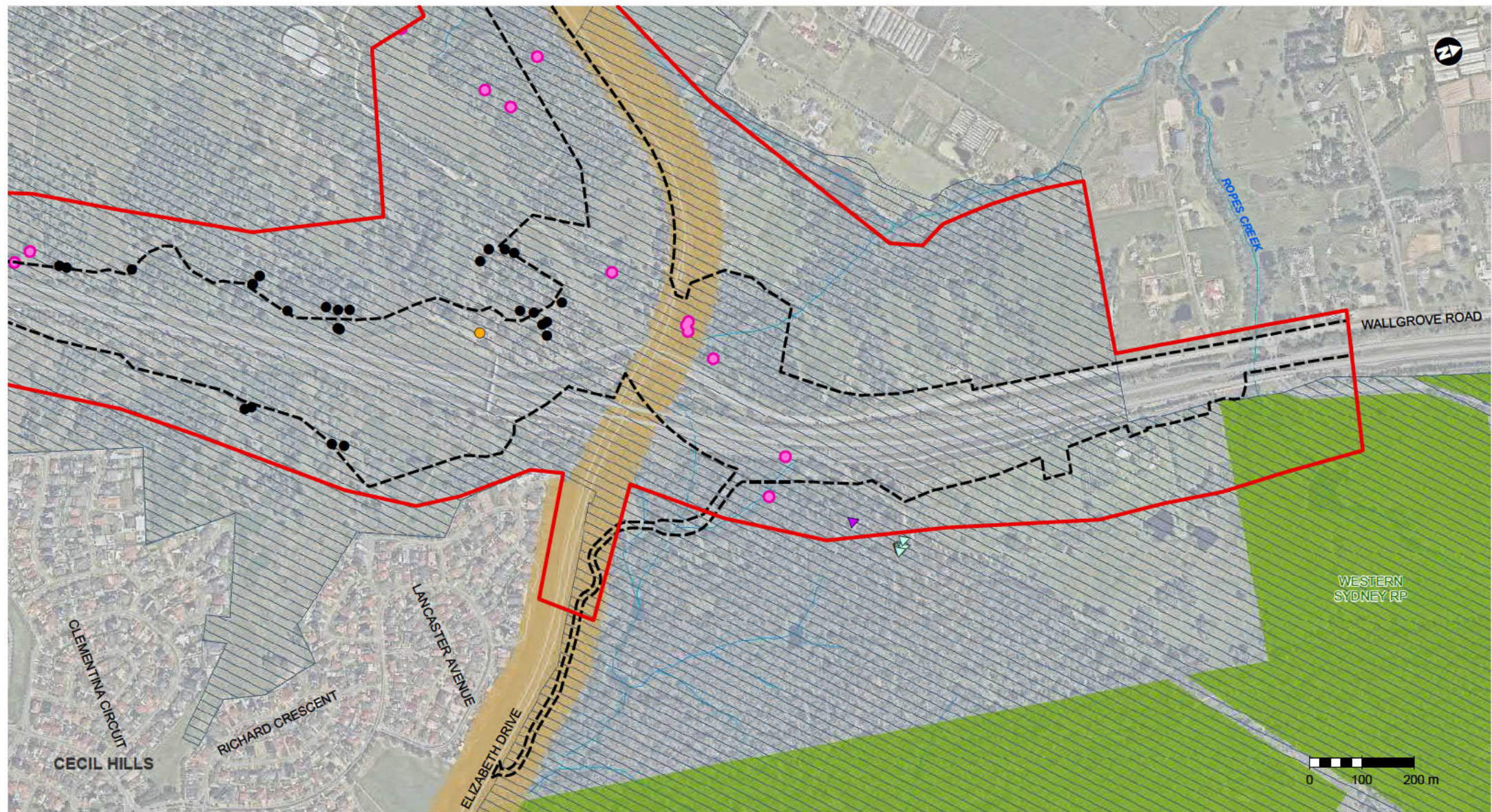


Figure 4-2 Recorded threatened species

Attachment 2 – Flora Species List

GF Code (Growth Form): Tree (TG), Shrub (SG), Forb (FG), Fern (EG), Other (OG), Grass & grass like (GG), non-native species are not assigned a growth form (#N/A).

N, E, HTW: Native (N), Exotic (E), High Threat Weed (HTW)

BC Act / EPBC Act: Not listed species or population (-), Critically Endangered (CE), Endangered (E), Vulnerable (V), Protected (P).

GF Code	Family	Species	N, E, HTW	BC Act	EPBC Act
(FG)	Acanthaceae	<i>Brunoniella australis</i>	N	-	-
#N/A	Apocynaceae	<i>Araujia sericifera</i>	HTW	-	-
#N/A	Apocynaceae	<i>Gomphocarpus fruticosus</i>	E	-	-
#N/A	Asteraceae	<i>Ageratina adenophora</i>	HTW	-	-
(FG)	Asteraceae	<i>Sigesbeckia orientalis subsp. orientalis</i>	N	-	-
#N/A	Campanulaceae	<i>Lobelia purpurascens</i>	N	-	-
(FG)	Convolvulaceae	<i>Dichondra repens</i>	N	-	-
(OG)	Fabaceae (Faboideae)	<i>Desmodium varians</i>	N	-	-
(SG)	Fabaceae (Mimosoideae)	<i>Acacia implexa</i>	N	-	-
(TG)	Lamiaceae	<i>Clerodendrum tomentosum</i>	N	-	-
#N/A	Malvaceae	<i>Sida rhombifolia</i>	E	-	-
(TG)	Myrtaceae	<i>Corymbia maculata</i>	N	-	-
(TG)	Myrtaceae	<i>Eucalyptus amplifolia</i>	N	-	-
(TG)	Myrtaceae	<i>Eucalyptus eugenioides</i>	N	-	-
(TG)	Myrtaceae	<i>Eucalyptus moluccana</i>	N	-	-
(TG)	Myrtaceae	<i>Eucalyptus tereticornis</i>	N	-	-
#N/A	Oleaceae	<i>Ligustrum lucidum</i>	HTW	-	-
(TG)	Oleaceae	<i>Notelaea longifolia</i>	N	-	-
#N/A	Oleaceae	<i>Olea europaea</i>	HTW	-	-
(SG)	Phyllanthaceae	<i>Breynia oblongifolia</i>	N	-	-
(SG)	Pittosporaceae	<i>Bursaria spinosa</i>	N	-	-
#N/A	Poaceae	<i>Chloris gayana</i>	HTW	-	-
(GG)	Poaceae	<i>Eragrostis leptostachya</i>	N	-	-
(GG)	Poaceae	<i>Oplismenus aemulus</i>	N	-	-
#N/A	Poaceae	<i>Setaria pumila</i>	E	-	-
#N/A	Solanaceae	<i>Cestrum parqui</i>	HTW	-	-
#N/A	Solanaceae	<i>Solanum pseudocapsicum</i>	E	-	-
#N/A	Verbenaceae	<i>Lantana camara</i>	HTW	-	-
(OG)	Vitaceae	<i>Cayratia clematidea</i>	N	-	-

Attachment 3 – Site Photos

Photo 1 – PCT 830 in the non-certified land



Photo 2 – Non-PCT vegetation dominated by Rhodes Grass



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Appendix C: Conditions of Approval and Environmental Management Measures

Table C1: NSW M12 Motorway Conditions of Approval

No.	Condition of Approval	Discussion	Consistent
A1	<p>The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with:</p> <ul style="list-style-type: none"> (a) M12 Motorway Environmental Impact Statement (dated October 2019); (b) M12 Motorway Submissions Report (dated October 2020); (c) M12 Motorway Amendment Report (dated October 2020); (d) M12 Motorway Amendment Report - Submissions Report (dated December 2020); and (e) M12 Motorway Amendment Report - Submissions Report - Amendment (dated 8 March 2021). 	The Proposed Change, as described in Section 2.1, can be carried out in accordance with Condition A1.	Yes
A2	The CSSI must only be carried out in accordance with all procedures, commitments, preventative actions, performance outcomes and mitigation measures set out in the documents listed in Condition A1 unless otherwise specified in, or required under, this approval.	The Proposed Change would not impact on compliance with this condition.	Yes
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, the terms of this approval will prevail to the extent of the inconsistency; and (b) any document listed in Condition A1, the most recent document will prevail to the extent of the inconsistency. <p>Note: For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</p>	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
A34	<p>For the duration of Work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:</p> <ul style="list-style-type: none"> (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI; (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 the documents identified in Conditions A9, A13, A16, A24, C1, C4 and C11 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so: <ul style="list-style-type: none"> i. make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or ii. make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary / Department for information or are not required to be submitted to the Planning Secretary/Department);" (e) regularly monitor the implementation of the documents listed in Conditions A9, A13, A16, A24, C1, C4 and C11 to ensure implementation is being carried out in accordance with the documents and the terms of this approval; 	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	<ul style="list-style-type: none"> (f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the CSSI commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under Conditions A38 and A41 of this approval; (g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints; (h) assess the impacts of minor construction ancillary facilities, as required by Condition A20 of this approval; (i) consider any minor amendments to be made to the CEMP, CEMP Sub-plans, Construction Monitoring Programs, Site Establishment Management Plans and Early Works Environmental Management Plan that involve updating or are of an administrative nature and do not increase impacts to nearby sensitive receivers, and ensure they are consistent with the terms of this approval and the documents 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 relevant regulatory agencies (where requested by those 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 (7) days following the end of each month for the duration of the ER's engagement for the CSSI. 		

No.	Condition of Approval	Discussion	Consistent
A35	<p>The Proponent must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in Condition A34 (including preparation of the ER monthly report), as well as:</p> <ul style="list-style-type: none"> (a) the complaints register for any complaints received (on the day they are received); and (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). 	The Proposed Change would not impact on compliance with this condition.	Yes
A49	<p>All heavy vehicles used for construction spoil haulage must be clearly marked on the sides and rear with the CSSI name (or where the CSSI is staged, the name of that stage) to enable immediate identification by a person viewing the heavy vehicle. Details of the CSSI identification markings must be submitted to the Planning Secretary for approval and approved prior to the heavy vehicles being used for construction spoil haulage. There must only be one CSSI form of signage on a heavy vehicle at any one time.</p>	The Proposed Change would not impact on compliance with this condition.	Yes
B1	<p>The Communication Strategy must address who (the Proponent, Independent Appointments and/or construction contractor) will engage with the community, relevant councils and agencies, how they will engage and the timing of engagements.</p> <p>A Communication Strategy must be prepared to provide mechanisms to facilitate communication about Work, construction and operation of the CSSI with:</p> <ul style="list-style-type: none"> (a) the community (including adjoining affected landowners and businesses, and others directly impacted by the CSSI); and (b) the relevant councils and relevant government agencies. 	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
B5	The 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.	The Proposed Change would not impact on compliance with this condition.	Yes
B6	<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 CSSI. The Complaints Management System must require complainants to be advised that:</p> <ul style="list-style-type: none"> (a) the Complaints Register may be forwarded to Government agencies, including the Department, 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's or project website to make prospective complainants aware of their rights under the Privacy and Personal Information Protection Act 1998. For any complaints made in person, the complainant must be made aware of the Collection Statement.</p>	The Proposed Change would not impact on compliance with this condition.	Yes
B7	The following information must be available to facilitate community enquiries and manage complaints one (1) month before the commencement of Work and for 12 months following the completion of construction:	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	<ul style="list-style-type: none"> (a) a 24- hour telephone number for the registration of complaints and enquiries about the CSSI; (b) a postal address to which written complaints and enquiries may be sent; (c) an email address to which electronic complaints and enquiries may be transmitted; and (d) a mediation system for complaints unable to be resolved. <p>This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level and must be provided on the website required under Condition B10.</p>		
B8	<p>A Complaints Register must be maintained recording information on all complaints received about the CSSI 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 (g) if no action was taken, the reason(s) why no action was taken. 	The Proposed Change would not impact on compliance with this condition.	Yes
C1	A Construction Environmental Management Plan (CEMP) must be prepared having regard to the Environmental Management Plan Guideline for Infrastructure Projects (Department Planning,	The Proposed Change would be constructed in accordance with the CEMP prepared to comply with Condition C1.	Yes

No.	Condition of Approval	Discussion	Consistent
	Industry and Environment, 2020). The CEMP must detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 will be implemented and achieved during construction.		
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 CSSI; (c) a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of construction of the CSSI; (d) details of how the activities described in subsection (a) of this condition will be carried out to: <ul style="list-style-type: none"> i. meet the performance outcomes stated in the documents listed in Condition A1; and ii. manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; (e) an inspection program detailing the activities to be inspected and frequency of inspections; (f) a protocol for managing and reporting any: <ul style="list-style-type: none"> i. incidents; and ii. non-compliances with this approval or statutory requirements; (g) procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during construction; (h) A list of all the CEMP Sub-plans required in respect of construction, as set out in Condition C4. Where staged 	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	<p>construction of the CSSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction;</p> <ul style="list-style-type: none"> (i) a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER; (j) for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval; (k) for periodic review and update of the CEMP and all associated plans and programs; and (l) the outcomes of consultation with government agencies in accordance with Condition A5. 		
C3	The CEMP must be endorsed by the ER and then submitted to the Planning Secretary for approval 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 Proposed Change would not impact on compliance with this condition.	Yes
C4	<p>The following CEMP Sub-plans must be prepared in consultation with the relevant government and other 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 A5.</p> <p>Note: Nothing in this condition prevents the Proponent from combining any of the above CEMP Sub-plans.</p>	The Proposed Change would not impact on compliance with this condition.	Yes
C6	The Noise and Vibration CEMP Sub-Plan must include, but not be limited to:	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	<ul style="list-style-type: none"> (a) details of all sensitive land uses (including noise and/or vibration sensitive working areas) that are potentially exposed to construction noise and vibration; (b) construction noise and vibration performance criteria for the CSSI; (c) details of mitigation and management measures and procedures that will be implemented to manage construction noise and vibration impacts; (d) construction timetabling, in particular construction activities outside of standard hours; and (e) measures to minimise cumulative construction impacts and the likelihood for construction fatigue from both concurrent activities and other projects in the area. 		
C7	<p>The Surface Water and Groundwater CEMP Sub-Plan must be based on a detailed site investigation of contamination risk and include, but not be limited to:</p> <ul style="list-style-type: none"> (a) details of water pollution mitigation measures including measures to avoid and minimise discharges; (b) identification of the relevant ambient water quality objectives for receiving waterways and water quality management criteria for achieving the objectives; and (c) a Trigger Action Response Protocol for potential discharge waters, identifying alternative disposal options for water with contaminant concentrations exceeding water quality management criteria. 	<p>The Proposed Change would not impact on compliance with this condition.</p>	Yes
C8	<p>The Flora and Fauna CEMP Sub-plan must be endorsed by a suitably qualified and experienced ecologist and include, but not be limited to:</p>	<p>The Proposed Change would not impact on compliance with this condition.</p> <p>The Flora and Fauna CEMP Sub-plan would be updated (as required) as part of the next periodic review.</p>	Yes

No.	Condition of Approval	Discussion	Consistent
	<ul style="list-style-type: none"> (a) details of the measures to avoid and minimise disturbance to native vegetation, and other habitat of native flora and fauna species; (b) procedures for undertaking pre-clearing surveys for native fauna, including surveys by a suitably qualified and experienced ecologist to determine the presence of native fauna in the area impacted by the CSSI, and procedures and measures to manage their relocation; (c) pre-clearing measures for Cumberland Plain Land Snail known and potential habitat and measures to protect the White-bellied Sea Eagle nest; (d) a Habitat Compensation Plan and Snag Management Plan as committed to in the document listed in Condition A1(d); (e) details of proposed management and mitigation measures for each threatened species listed in Table 3 and <i>Pimelea spicata</i> (Spiked Rice-flower) if recorded in the surveys carried out under Condition E8; (f) a weed, pest and pathogen management plan, including measures to minimise the spread of <i>Phytophthora cinnamoma</i>; (g) procedures for the dewatering of farm dams, including the relocation of aquatic fauna; and (h) protocols for incidental finds of threatened species and ecological communities within the construction boundary. 		
C10	Construction must not commence until the CEMP and all CEMP Sub-plans have been approved, unless otherwise agreed by the Planning Secretary. The CEMP and CEMP Sub-plans, as approved by the Planning Secretary, including any minor amendments approved by the ER must be implemented for the duration of construction. Where construction of the CSSI is	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	staged, construction of a stage must not commence until the CEMP and sub-plans for that stage have been endorsed by the ER and approved by the Planning Secretary.		
C17	The Construction Monitoring Programs, as approved by the Planning Secretary, including any minor amendments approved by the ER, must be implemented for the duration of construction and for any longer period set out in the monitoring program or specified by the Planning Secretary, whichever is the greater.	The Proposed Change would not impact on compliance with this condition.	Yes
E1	In addition to the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1, all reasonably practicable measures must be implemented to minimise and manage the emission of dust and other air pollutants during the construction of the CSSI.	The Proposed Change would not impact on compliance with this condition.	Yes
E2	The clearing of native vegetation must be minimised with the objective of reducing impacts to threatened ecological communities and threatened species habitat.	The Proposed Change would result in additional clearing of native vegetation, as discussed in Chapter 4. Clearing of native vegetation has been minimised for the Proposed Change as much as possible.	Yes
E3	<p>The Proponent must meet the biodiversity offset obligations for ecosystem and species credits as set out in Table 1, Table 2 and Table 3 in accordance with the M12 Motorway Amendment Report – Submissions Report (December 2020) and M12 Motorway Amendment Report - Submissions Report - Amendment (dated 8 March 2021) within 12 months of the commencement of construction. The offset obligations must be carried out in accordance with the NSW Biodiversity Offsets Policy for Major Projects and can be achieved by:</p> <p>(a) acquiring and retiring “biodiversity credits” within the meaning of the Biodiversity Conservation Act 2016; and/or</p>	<p>The Proposed Change would not impact on compliance with this condition.</p> <p>The clearing of native vegetation as a result of the Proposed Change would be mostly counterbalanced with the identification and protection of an equivalent area of PCT 850 within the construction footprint that has been approved for clearing under the M12 EAD (refer to Appendix D). Remaining credits (refer Section 4), will be offset.</p>	Yes

No.	Condition of Approval	Discussion	Consistent
	<p>(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</p> <p>(c) making a payment into the Biodiversity Conservation Fund; or</p> <p>(d) a Biodiversity Offset Strategy prepared in consultation with EES and DAWE that provides supplementary measures or where the Proponent intends to utilise the biodiversity credit variation rules.</p> <p>Notes</p> <p>1: Following repeal of the <i>Threatened Species Conservation Act 1995</i> on 25 August 2017, “biodiversity credits” created under that Act are taken to be “biodiversity credits” under the <i>Biodiversity Conservation Act 2016</i> by virtue of clause 19 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</p> <p>2: The determination of biodiversity credits under the <i>Biodiversity Conservation Act 2016</i> that are reasonably equivalent to biodiversity credits created under the <i>Threatened Species Conservation Act 1995</i> remaining to be retired must be carried out in accordance with clause 22 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</p>		
E4	<p>The Proponent may review and update the ecosystem and species credit requirements in Table 1, Table 2 and Table 3 to reflect the final construction footprint and resulting extent and type of plant community types to be cleared and the extent of threatened species habitat impacted by the construction of the CSSI (excluding certified areas). Where the construction of the CSSI is staged, the Proponent may review and update the ecosystem and species credit requirements in Table 1, Table 2</p>	<p>The Proposed Change would not impact on compliance with this condition.</p>	Yes

No.	Condition of Approval	Discussion	Consistent
	and Table 3 for each stage of the CSSI. Amendments to the ecosystem and species credit requirements must be undertaken in consultation with EES and DAWE and submitted to the Planning Secretary for approval within six (6) months of determining the final construction footprint and, where the CSSI is staged, within six (6) months of determining the final construction footprint of each stage.		
E5	<p>The review and update of credit requirements must be undertaken by:</p> <ul style="list-style-type: none"> (a) using the vegetation mapping in the EIS, M12 Motorway Amendment Report - Appendix A Biodiversity supplementary technical report (October 2020), and M12 Motorway Amendment Report – Submissions Report (December 2020); and/or (b) completing verification surveys to confirm the extent, type and condition of threatened species and ecological communities to be impacted. 	The Proposed Change would not impact on compliance with this condition.	Yes
E6	Where verification surveys are required, they must be undertaken in consultation with EES. Any additional surveys must be undertaken at the time of year when groundcover is most likely to be predominantly native. If verification surveys are not possible at a time when groundcover is most likely to be native, the assumed presence of any relevant species and ecosystems may be applied to conservatively evaluate impacts and associated credit requirements.	The Proposed Change would not impact on compliance with this condition.	Yes
E7	<p>The Proponent must submit to the Planning Secretary and DAWE for information:</p> <ul style="list-style-type: none"> (a) a copy of the Credit Retirement Report; and/or (b) a receipt confirming payment to the Biodiversity Conservation Fund; and/or 	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	(c) correspondence from NPWS. for the retirement of the ecosystem and species credits required by Condition E3 within one (1) month of receiving the report and/or making the payments and/or receiving correspondence from NPWS.		
E15	<p>Prior to vegetation clearing, the Proponent must identify where it is practicable for the CSSI to reuse native trees and vegetation that are to be removed. If it is not possible for the CSSI to reuse all removed native trees and vegetation, the Proponent must consult with the relevant council(s), Western Sydney Parklands Trust and Landcare groups and relevant government agencies to determine if the following could be used by others in habitat enhancement, beneficial re-use and rehabilitation work, before pursuing other disposal options:</p> <ul style="list-style-type: none"> (a) hollows, tree trunks, mulch, bush rock and root balls salvaged from native vegetation impacted by the CSSI; and (b) collected plant material, seeds and/or propagated plants from native vegetation impacted by the CSSI, 	The Proposed Change would not impact on compliance with this condition.	Yes
E16	Measures identified in the documents listed in Condition A1 that are aimed at minimising the impact of the CSSI on flood behaviour must be incorporated into the detailed design of the CSSI. The incorporation of these measures into the detailed design must be reviewed and endorsed by a suitably qualified and experienced person in consultation with directly affected landowners, DPI Water, DPI Fisheries, EES, Infrastructure NSW (INSW) and relevant councils.	The Proposed Change would not impact on compliance with this condition. Refer to Section 4 for further information.	Yes
E17	Unless otherwise agreed by the Planning Secretary, the CSSI must be designed and constructed to limit impacts on flooding characteristics in areas outside the project boundary during any	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	<p>flood event up to and including the 1% AEP flood event, to the following:</p> <ul style="list-style-type: none"> (a) a maximum increase in inundation time of one hour; (b) a maximum increase of 10 mm in above-floor inundation to habitable rooms where floor levels are currently exceeded; (c) no above-floor inundation of habitable rooms which are currently not inundated; (d) a maximum increase of 50 mm in inundation of land zoned as residential, industrial or commercial; (e) a maximum increase of 100 mm in inundation of land zoned as rural, primary production, environment zone or public recreation; (f) no significant increase in the flood hazard or risk to life; and (g) maximum relative increase in velocity of 10%, where the resulting velocity is greater than 1.0 m/s, unless adequate scour protection measures are implemented and/or the velocity increases do not exacerbate erosion as demonstrated through site-specific risk of scour or geomorphological assessments. <p>Where the Proponent cannot meet the requirements set out in clauses (d), (e) and (g) alternative flood levels or mitigation measures may be agreed to with the affected landowner.</p> <p>In the event that the Proponent and the affected landowner cannot agree on the measures to mitigate the impact as described in clauses (d), (e) and (g), the Proponent must engage a suitably qualified and experienced independent person to advise and assist in determining the impact and relevant mitigation measures.</p>	<p>The design or construction of the Proposed Change would not cause impacts to flooding characteristics to any of the following:</p> <ul style="list-style-type: none"> (a) a maximum increase in inundation time of one hour; (b) a maximum increase of 10 mm in above-floor inundation to habitable rooms where floor levels are currently exceeded; (c) no above-floor inundation of habitable rooms which are currently not inundated; (d) a maximum increase of 50 mm in inundation of land zoned as residential, industrial or commercial; (e) a maximum increase of 100 mm in inundation of land zoned as rural, primary production, environment zone or public recreation; (f) no significant increase in the flood hazard or risk to life; and (g) maximum relative increase in velocity of 10%, where the resulting velocity is greater than 1.0 m/s, unless adequate scour protection measures are implemented and/or the velocity increases do not exacerbate erosion as demonstrated through site-specific risk of scour or geomorphological assessments. <p>Compliance with this condition would be demonstrated through the relevant Design Reports.</p>	

No.	Condition of Approval	Discussion	Consistent
E18	All updated hydrologic and hydraulic assessments undertaken during detailed design must be consistent with the Australian Rainfall and Runoff – A Guide to Flood Estimation (GeoScience Australia, 2019).	The Proposed Change would not impact on compliance with this condition. Updated hydrologic and hydraulic assessments would take into account the Proposed Change, as required.	Yes
E19	Updated flood modelling must be undertaken for the full range of flood events, including 5% AEP, 1% AEP, PMF and 0.5% AEP or 0.2% AEP and must have regard to the Wianamatta (South) Creek Catchment Flood Study – Existing Conditions (Revision H) (Advisian Worley Group, November 2020) when validating existing flood behaviour and constraints. The modelling must identify changes in post-development flood behaviour including cumulative flood impacts associated with Western Sydney International Airport and Sydney Metro Western Sydney Airport, where this information is available, prior to detailed design being finalised.	The Proposed Change would not impact on compliance with this condition. Updated flood modelling would take into account the Proposed Change, as required.	Yes
E22	The designs of all bridge, culvert and other cross drainage structures must include for potential blockages consistent with the procedures in the Australian Rainfall and Runoff – A Guide to Flood Estimation (GeoScience Australia, 2019).	The Proposed Change would not impact on compliance with this condition. All components of the Proposed Change that relate to drainage would be designed to consistent with the procedures in Australian Rainfall and Runoff - A Guide to Flood Estimation in relation to potential blockages, as required.	Yes
E23	The CSSI must not preclude the future raising of Elizabeth Drive to achieve a minimum of 1% AEP level of flood immunity, unless otherwise agreed by the Planning Secretary.	The Proposed Change would not impact on compliance with this condition. Elizabeth Drive is not impacted by the 1%AEP flood event at the location of the Proposed Change, as shown in the M12 EAD. Notwithstanding, the Proposed Change would not preclude any future raising of Elizabeth Drive.	Yes

No.	Condition of Approval	Discussion	Consistent
E32	<p>The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of Work.</p> <p>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.</p>	The Proposed Change would not impact on compliance with this condition.	Yes
E33	<p>Where previously unidentified Aboriginal objects are discovered, all work must immediately stop in the vicinity of the affected area. Works potentially affecting the previously unidentified objects must not recommence until Heritage NSW has been informed. The measures to consider and manage this process must be specified in the Unexpected Heritage Finds and Human Remains Procedure required by Condition E31 and include registration in the Aboriginal Heritage Information Management System (AHIMS).</p>	The Proposed Change would not impact on compliance with this condition.	Yes
E34	<p>Work must only be undertaken during the following hours:</p> <ul style="list-style-type: none"> (a) 7:00 am to 6:00 pm Mondays to Fridays, inclusive; (b) 8:00 am to 6:00 pm Saturdays; and (c) at no time on Sundays or public holidays. 	The Proposed Change would not impact on compliance with this condition.	Yes
E35	<p>Except as permitted by an EPL, highly noise intensive works that result in an exceedance of the applicable noise management level (NML) at the same receiver must only be undertaken:</p> <ul style="list-style-type: none"> (a) between the hours of 8:00 am to 6:00 pm Monday to Friday; (b) between the hours of 8:00 am to 1:00 pm Saturday; and (c) if continuously, then not exceeding three hours, with a minimum cessation of work of not less than one hour. 	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	*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.		
E36	<p>Notwithstanding Condition E34 and E35 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"> for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or 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. On becoming aware of the need for emergency work in accordance with Condition E36(a), the Proponent must notify the ER, the Planning Secretary and the EPA of the reasons for such emergency work. The Proponent must use best endeavors to notify all noise and/or vibration affected sensitive land user(s) of the likely impact and duration of the emergency work. <p>(b) Work that causes:</p> <ol style="list-style-type: none"> LAeq(15 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); and 	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	<ul style="list-style-type: none"> ii. LAFmax(15 minute) noise levels no more than 15 dB(A) above the rating background level at any residence during the night time period; and iii. continuous or impulsive vibration values, measured at the most affected residence that 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); and iv. intermittent vibration values measured at the most affected residence that 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>(c) By Approval, including:</p> <ul style="list-style-type: none"> i. where different construction hours are permitted or required under an EPL in force in respect of the CSSI; or ii. works which are not subject to an EPL that are approved under an Out-of-Hours Work Protocol as required by Condition E37; or iii. negotiated agreements with directly affected residents and sensitive land user(s)." 		
E37	An Out-of-Hours Work Protocol must be prepared to identify a process for the consideration, management and approval of Work which is outside the hours defined in Condition E34, and that are not subject to an EPL. The Protocol must be approved by the Planning Secretary before commencement of the out-of-hours Work. The Protocol must be prepared in consultation with the ER. The Protocol must provide:	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	<p>*This condition does not apply to Work where the requirements of Condition E36(a) or (b) are met.</p> <ul style="list-style-type: none"> (a) identification of low and high-risk activities and an approval process that considers the risk of activities, proposed mitigation, management, and coordination, including where: <ul style="list-style-type: none"> i. the ER reviews all proposed out-of-hours activities and confirm their risk levels, ii. low risk activities can be approved by the ER, and iii. high risk activities that are approved by the Planning Secretary; (b) a process for the consideration of out-of-hours work against the relevant NML and vibration criteria; (c) a process for selecting and implementing mitigation measures for residual impacts in consultation with the community at each affected location, including respite periods consistent with the requirements of Condition E47. The measures must take into account the predicted noise levels and the likely frequency and duration of the out-of-hours works that sensitive land user(s) would be exposed to, including the number of noise awakening events; (d) procedures to facilitate the coordination of out-of-hours Work including those approved by an EPL or undertaken by a third party, to ensure appropriate respite is provided; and (e) notification arrangements for affected receivers for all approved out-of-hours Work and notification to the Planning Secretary of approved low risk out-of-hours Work. 		

No.	Condition of Approval	Discussion	Consistent
E38	<p>Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration objectives:</p> <ul style="list-style-type: none"> (a) construction 'Noise affected' NML established using the Interim Construction Noise Guideline (DECC, 2009); (b) vibration criteria established using the Assessing vibration: a technical guideline (DEC, 2006) (for human exposure); (c) BS 7385 Part 2-1993 "Evaluation and measurement for vibration in buildings Part 2" as they are "applicable to Australian conditions"; and (d) the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage). <p>*Any construction or early works identified as exceeding the noise management levels and/or vibration criteria must be managed in accordance with the respective Noise and Vibration CEMP Sub-plan or Early Works Environmental Management Plan.</p> <p>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.</p>	<p>The Proposed Change would not impact on compliance with this condition.</p> <p>As discussed in Chapter 4, vibration monitoring would be undertaken where minimum vibration limits set out in the German Standard DIN 4150-3 Structural Vibration- effects of vibration on structures (for structural damage) cannot be met as per the revised environmental management measures set out in the M12 EAD.</p>	Yes
E39	<p>Noise generating work in the vicinity of potentially-affected community, religious, educational institutions, noise and vibration-sensitive businesses and critical working areas (such as theatres, laboratories and operating theatres) resulting in noise levels above the NMLs must not be timetabled within sensitive periods, unless offers of other reasonable arrangements have been made to the affected institutions and are implemented at no cost to the affected institution.</p>	<p>The Proposed Change would not impact on compliance with this condition.</p>	Yes

No.	Condition of Approval	Discussion	Consistent
E40	Noise and Vibration Impact Statements (NVIS) must be prepared for any Work that may exceed the noise management levels and vibration criteria specified in Condition E38 at any residence outside the construction hours identified in Condition E34, or where receivers will be highly noise affected. The NVIS must include specific mitigation measures identified through consultation with affected sensitive land user(s) and the mitigation measures must be implemented for the duration of the Work. A copy of the NVIS must be provided to the ER prior to the commencement of the associated Work. The Planning Secretary may request a copy/ies of the NVIS.	The Proposed Change would not impact on compliance with this condition.	Yes
E41	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 must be provided with 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 C4 and the Communication Strategy required by Condition B1.	The Proposed Change would not impact on compliance with this condition.	Yes
E42	The Proponent must conduct vibration testing during vibration generating activities that have the potential to impact on heritage items to identify minimum working distances to prevent cosmetic damage. In addition, vibration monitoring must be undertaken during construction for relevant remaining Fleurs Radio Telescope structures, the Upper Canal (in consultation with WaterNSW) and McMaster Farm and McGarvie-Smith Farm group of remaining buildings. In the event that the vibration	The Proposed Change would not impact on compliance with this condition. Vibration monitoring undertaken to date has not identified any impacts on the Upper Canal. The Proposed Change would involve construction of batter further from the item than other approved construction works and therefore would not result in any impact on the Upper Canal.	Yes

No.	Condition of Approval	Discussion	Consistent
	testing and attended monitoring shows that the preferred values for vibration are likely to be exceeded, the Proponent must review the construction methodology and, if necessary, implement additional mitigation measures.		
E43	Advice from a heritage specialist must be sought on methods and locations for installing equipment used for vibration, movement and noise monitoring at heritage-listed structures.	The Proposed Change would not impact on compliance with this condition.	Yes
E44	Before conducting at-property treatment at any heritage item identified in the documents listed in Condition A1 the advice of a suitably qualified and experienced built heritage specialist must be obtained and implemented to ensure such work does not have an adverse impact on the heritage significance of the item.	The Proposed Change would not impact on compliance with this condition.	Yes
E45	<p>All Work undertaken for the delivery of the CSSI, including that undertaken by third parties (such as utility relocations), must be coordinated to ensure respite periods are provided. The Proponent must:</p> <ul style="list-style-type: none"> (a) reschedule any work to provide respite to impacted noise sensitive land user(s) so that the respite is achieved in accordance with Condition E47; or (b) where respite outlined in Condition E47 cannot be achieved, consider the provision of alternative respite or mitigation to impacted noise sensitive land user(s); and (c) provide documentary evidence to the ER in support of any decision made by the Proponent in relation to respite or mitigation. <p>The consideration of respite must also include all other CSSI, SSI and SSD projects which may cause cumulative and/or consecutive impacts at receivers affected by the delivery of the CSSI.</p>	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
E46	<p>Mitigation measures such as temporary alternative accommodation or other agreed mitigation measures, must be offered/ made available to residents affected by out-of-hours Work (including where utility works are being undertaken for the CSSI or under a road occupancy licence) where the construction noise levels, between</p> <ul style="list-style-type: none"> (a) 10:00 pm and 7:00 am, Monday to Friday; (b) 10:00 pm Saturday to 8:00 am Sunday; and <p>6:00 pm Sunday and public holidays to 7:00 am the following day unless that day is Saturday then to 8:00 am,</p> <p>are predicted to exceed the NML by 25 dB(A) or are greater than 75 dBA (LAeq(15 min)), whichever is the lesser and the impact is planned to occur for more than two (2) nights over a seven (7) day rolling period.</p> <p>The NML must be reduced by 5 dB where the noise contains annoying characteristics and may be increased by 10 dB if the property has received at-property noise treatment. The noise levels and duration requirements identified in this condition may be changed through an EPL applying to the CSSI.</p>	The Proposed Change would not impact on compliance with this condition.	Yes
E47	<p>In order to undertake out-of-hours Work outside the hours specified under Condition E34, the Proponent must identify appropriate respite periods for the out-of-hours work in consultation with the community at each affected location on a regular basis.</p> <p>This consultation must include (but not be limited to) providing the community with:</p> <ul style="list-style-type: none"> (a) a progressive schedule for periods no less than three (3) months, of likely out-of-hours Work; (b) a description of the potential Work, location and duration of the out-of-hours Work; 	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	<p>(c) the noise characteristics and likely noise levels of the Work; and</p> <p>(d) likely mitigation and management measures which aim to achieve the relevant noise management levels and vibration criteria under Condition E38(a) and (b) (including the circumstances of when respite or relocation offers will be available and details about how the affected community can access these offers).</p> <p>The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hour Work must be provided to the ER, EPA and the Planning Secretary for information prior to Work scheduled for the subject period being undertaken.</p> <p>Note: Respite periods can be any combination of days or hours where out-of-hours work would not be more than 5 dB(A) above the rating background noise level at any residence.</p>		
E56	The implementation of at-property treatment does not preclude the application of other noise and vibration mitigation and management measures including temporary accommodation to address construction noise.	The Proposed Change would not impact on compliance with this condition.	Yes
E62	The CSSI must be constructed and operated with the objective of minimising light spillage to surrounding properties. All lighting associated with the construction and operation of the CSSI must be consistent with the requirements of Australian Standard 4282-2019 Control of the obtrusive effects of outdoor lighting, relevant Australian Standards in the series AS/NZ 1158 – Lighting for Roads and Public Spaces, and the National Airports Safeguarding Framework (NASF) Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports.	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	Additionally, mitigation measures must be provided to manage residual night lighting impacts to protect properties adjoining or adjacent to the CSSI, in consultation with affected landowners.		
E63	Active transport facilities must be designed, constructed and/or rectified in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling (Austroads, 2017) and relevant Australian Standards (AS) such as AS 1428.1-2009 Design for access and mobility. The active transport links must also incorporate relevant Crime Prevention Through Environmental Design principles.	The Proposed Change would not impact on compliance with this condition.	Yes
E64	<p>The place, design and landscape outcomes of the CSSI must be informed by and be consistent with the Urban Design Concept and have consideration of the Urban Design Opportunities as detailed in Appendix G Landscape character, visual impact assessment and urban design report of the EIS.</p> <p>Advice on how the Urban Design Opportunities have been considered and progressed must be provided to the Planning Secretary for information when submitting the Place, Design and Landscape Plan (as required by Condition E69) to the Planning Secretary. Where an Urban Design Opportunity has not progressed, advice as to why must also be provided to the Planning Secretary for information.</p>	The Proposed Change would not impact on compliance with this condition.	Yes
E65	Landscaping must improve parkland, open space and native vegetation and fauna connectivity, including between areas of existing parkland and open space adjacent to and intersecting the CSSI, and through the revegetation of areas with local provenance species, where practicable, between adjoining areas of remnant Cumberland Plain Woodland to re-link them. In implementing these requirements, the Proponent must have	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	regard to wildlife strike risk in proximity to the Western Sydney International Airport.		
E66	All active transport infrastructure and facilities (including the connection through the Western Sydney Parklands or its alternative) must be completed prior to operation, unless otherwise agreed by the Planning Secretary.	The Proposed Change would not impact on compliance with this condition.	Yes
E67	The CSSI must minimise impacts on useable open space. Impacts to the Western Sydney Parklands must be mitigated and offset by an agreed direct payment for improved recreation and access infrastructure and a land compensation payment for the Western Sydney Parkland Trust to use in expanding the parklands. These payments will be in accordance with an agreement established with the Western Sydney Parkland Trust. All offsets must be delivered prior to operation, unless agreed by the Planning Secretary.	The Proposed Change would not impact on compliance with this condition. The Proposed Change would not impact usable open space in the Western Sydney Parklands, as discussed in Chapter 4.	Yes
E68	Place making, design and landscape outcomes must be informed by input and review by independent and qualified practitioners in the following fields (practitioners may cover more than one field if suitably qualified): (a) public art / cultural interpretation public art; (b) Aboriginal cultural heritage; (c) European cultural heritage; (d) landscape architecture; and (e) active transport. These practitioners must be approved by the Planning Secretary at least one (1) month before the commencement of construction and must hold current membership of a relevant professional body, unless otherwise approved by the Planning Secretary. These practitioners must be involved through participation in the Design Review Panel committed to by the Proponent in the	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	<p>documents listed in Condition A1, and in the development and review of the Place, Design and Landscape Plan.</p> <p>Advice and recommendations made by the practitioners must be provided to the Planning Secretary for information when submitting the Place, Design and Landscape Plan to the Planning Secretary.</p> <p>Note: The considerations that the Department will take into account when deciding to approve a practitioner are set out in 'Seeking Approval from the Department for the appointment of independent experts, Post approval guidance for Infrastructure Projects' (DPIE, 2020).</p>		
E69	<p>A Place, Design and Landscape Plan must be prepared to inform the final design of the CSSI and to give effect to the commitments made in the documents listed in Condition A1. The Plan does not apply to works, which for technical, engineering, or ecological requirements, or other requirements as agreed by the Planning Secretary, do not allow for alternate design outcomes.</p>	The Proposed Change would not impact on compliance with this condition.	Yes
E70	<p>The Place, Design and Landscape Plan must be prepared by a suitably qualified and experienced person in consultation with relevant councils, Western Sydney Parklands Trust, Heritage NSW, the community and affected landowners and businesses. The Place, Design and Landscape Plan must include, but not be limited to:</p> <ul style="list-style-type: none"> (a) an analysis of the built, natural, heritage and community context and the urban design objectives, principles and standards for the CSSI; (b) identification of opportunities for heritage interpretation during design and construction consistent with the Heritage Interpretation Plan required by Condition E27; 	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	<ul style="list-style-type: none"> (c) the design of the CSSI elements including their form, materials and detail; (d) the design of the CSSI landform and earthworks; (e) the location of existing vegetation, areas of vegetation to be retained and proposed planting and seeding details, including the use of local indigenous species for revegetation activities. (f) active transport infrastructure, including amenities to be provided along the shared user path; (g) developed visualisations, cross sections and plans showing the proposed design outcome; (h) demonstrated integration of Crime Prevention Through Environmental Design principles into the detailed design process; and (i) details of strategies to rehabilitate, regenerate or revegetate disturbed areas including riparian corridors and successfully establish and maintain the resulting new landscape and associated elements. 		
E71	<p>Revegetation and the provision of replacement trees must be informed by a Tree Survey undertaken during detailed design. The Tree Survey must identify the number, type and location of any trees to be removed. The Tree Survey must be submitted to the Planning Secretary for information with the Place, Design and Landscape Plan.</p> <p>Where trees are to be removed, the Proponent must provide a net increase in the number of replacement trees at a ratio of 2:1, except trees that are offset under Condition E3. Replacement trees must have a minimum pot size consistent with the relevant authority's plans / programs / strategies for vegetation management, street planting, or open space landscaping, or as agreed by the relevant authority(ies).</p>	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	Note: For the purposes of this condition, the relevant authority is that State or local government authority that owns or manages the land on which the replacement trees will be planted.		
E72	Construction of permanent surface built works or landscaping that are the subject of the Place, Design and Landscape Plan must not be commenced (in the area to which the Place, Design and Landscape Plan applies) until the Place, Design and Landscape Plan has been submitted to the Planning Secretary for information, after considering advice received from the Design Review Panel committed to by the Proponent.	The Proposed Change would not impact on compliance with this condition.	Yes
E73	The Place, Design and Landscape Plan must be implemented during construction and operation.	The Proposed Change would not impact on compliance with this condition.	Yes
E74	The ongoing maintenance and operation costs of place, 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 maintenance requirements established in the Place, Design and Landscape Plan, required by Condition E69.	The Proposed Change would not impact on compliance with this condition.	Yes
E75	The Proponent must identify the utilities and services (hereafter "services") potentially affected by Work 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 CSSI are avoided where possible and where unavoidable, customers are advised in accordance with the Communication Strategy required under Condition B1.	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
E76	The Proponent must offer pre-construction surveys to the owners of surface and sub-surface structures and other relevant assets identified at risk from vibration, including all listed heritage items and buildings/structures of heritage significance as identified in the documents listed in Condition A1. Where the offer is accepted, the survey must be undertaken by a suitably qualified and experienced engineer and/or building surveyor prior to the commencement of vibration-generating works that could impact on the structure/asset. The results of each survey must be documented in a Pre-construction Condition Survey Report and the report must be provided to the owner of the item(s) surveyed no later than one (1) month before the commencement of all other potentially impacting works.	The Proposed Change would not impact on compliance with this condition.	Yes
E77	Where pre-construction surveys have been undertaken in accordance with Condition E76, subsequent post-construction surveys of the structure / asset must be undertaken by a suitably qualified and experienced engineer and/or building surveyor to assess damage that may have resulted from the vibration-generating works. The results of the post-construction surveys must be documented in a Post-Construction Condition Survey Report for each item surveyed. The Post-construction Condition Survey Reports must be provided to the owner of the structures/assets surveyed, and no later than four (4) months following the completion of construction activities that have the potential to impact on the structure / asset.	The Proposed Change would not impact on compliance with this condition.	Yes
E78	Where damage has been determined to occur as a result of the CSSI, the Proponent must carry out rectification at its expense and to the reasonable requirements of the owner of the structure/asset within nine (9) months of the completion of construction activities that have the potential to create damage	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	unless another timeframe is agreed with the owner. Alternatively, the Proponent may pay compensation for the damage as agreed with the owner.		
E81	The Proponent must have regard to the Upper Canal Pheasants Nest to Prospect Reservoir Conservation Management Plan (NSW Public Works Governments Architect's Office, 2016) and Guidelines for development adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW, 2020) when constructing the CSSI.	<p>The Proposed Change would not impact on compliance with this condition.</p> <p>The policies of the Conservation Management Plan potentially relevant to the Proposed Change are considered below:</p> <p>Policy 11: Retain existing grass verges and open grass areas along the majority of the Canal corridor as a means of retaining some of the historic rural setting of the Canal. Response: The Proposed Change is not located in a rural setting and does not contain open grass verges where it intersects the Canal corridor.</p> <p>Policy 12: Retain areas of native woodland within the Canal corridor as a means of retaining some of the historic rural setting of the Canal. Response: The Proposed Change involves minor clearing of native vegetation near its intersection with the Canal corridor. This would not substantially alter the setting as an area of native woodland.</p> <p>Policy 36: Undertake an informal assessment of heritage impact for all proposed works within the Upper Canal corridor to determine if an automatic exemption applies or if a formal Heritage Impact Statement is required. Response: A Statement of Heritage Impact was prepared as part of the EAD for the M12 Motorway project, which considered impacts to The Upper Canal System. This consistency</p>	Yes

No.	Condition of Approval	Discussion	Consistent
		<p>assessment has been prepared to determine whether the Proposed Change is consistent the EAD prepared for the M12 Motorway project and provides a consideration of potential heritage impacts.</p> <p>Policy 37: Prepare a Heritage Impact Statement for all works requiring an exemption notification or application for approval under the NSW Heritage Act, 1977.</p> <p>Response: A Statement of Heritage Impact was prepared as part of the EAD, which concluded the approved project would have a negligible impact. The Proposed Change is consistent with the Statement of Heritage Impact prepared for the M12 Motorway project and therefore no additional exemption or application for approval is required for the Proposed Change.</p> <p>The Guidelines state that 'all activities or work undertaken adjacent to the Upper Canal corridor should be carried out in a manner that will protect the fabric of the heritage item from damage or interference. All heritage impacts to listed heritage items must be considered and addressed including an unexpected finds protocol' (Sydney Catchment Authority, 2012). The Proposed Change would not impact the Upper Canal. In considering the potential impacts of the Proposed Change, including adequacy of the environmental management measures under the EAD, this consistency assessment fulfils these requirements.</p>	
E82	Construction and operation of the CSSI must not destroy, modify or otherwise cause direct or indirect damage to the Upper Canal System, including the Cecil Hills Tunnel, and Tunnel Shafts 3 and 4.	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
E84	All reasonably practicable erosion and sediment controls must be installed and appropriately maintained to minimise water pollution. When implementing such controls, any relevant guidance in the Managing Urban Stormwater, Soils and Construction Vol.1 (Landcom, 2004) and Vol. 2D Main Road Construction (DECC, 2008) must be considered.	The Proposed Change would not impact on compliance with this condition.	Yes
E89	An Unexpected Contaminated Land and Asbestos Finds Procedure must be prepared before the commencement of Work and must be followed should unexpected contaminated land or asbestos (or suspected contaminated land or asbestos) be excavated or otherwise discovered during Work. 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 Proposed Change would not impact on compliance with this condition.	Yes
E90	The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented throughout the duration of Work.	The Proposed Change would not impact on compliance with this condition.	Yes
E91	A Sustainability Strategy must be prepared to achieve a minimum excellent 'Design' and 'As built' rating under the Infrastructure Sustainability Council of Australia infrastructure rating tool.	The Proposed Change would not impact on compliance with this condition.	Yes
E92	The Sustainability Strategy must be submitted to the Planning Secretary for information before the commencement of construction and must be implemented throughout construction and operation.	The Proposed Change would not impact on compliance with this condition.	Yes
E96	During construction, all reasonably practicable measures must be implemented to maintain pedestrian and vehicular access to, and parking in the vicinity of, residences, businesses and	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	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 residents, businesses and affected property owners and implemented before the disruption. Adequate signage and directions to businesses must be provided before, and for the duration of, any disruption.		
E97	The CSSI (including new or modified local roads, parking, pedestrian and cycle infrastructure) must be designed to meet relevant design, engineering and safety guidelines, including the Austroads Guide to Traffic Management.	The Proposed Change would not impact on compliance with this condition.	Yes
E98	<p>An independent Road Safety Audit is to be undertaken by an appropriately qualified and experienced person during design development (audit of the plans) and prior to opening (pre-opening audit) to assess the safety performance of new or modified roads (road safety audit), parking, pedestrian and cycle infrastructure provided as part of the CSSI (including ancillary facilities) to ensure that they meet the requirements of relevant design, engineering and safety guidelines, including Austroads Guide to Traffic Management.</p> <p>Audit findings and recommendations of the detailed design plans (audit of the plans) must be actioned before construction of the relevant infrastructure. The pre-opening audit findings and recommendations must be actioned prior to the relevant infrastructure being made available for use. All audit findings must be made available to the Planning Secretary on request, within the timeframe stated in the request.</p>	The Proposed Change would not impact on compliance with this condition.	Yes
E99	Safe pedestrian and cyclist access must be maintained around work sites during Work. In circumstances where pedestrian and	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	cyclist access is restricted or removed due to Work, an alternate route which complies with the relevant standards must be provided and signposted.		
E100	Waste generated during Work and operation must be dealt with in accordance with the following priorities: (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.	The Proposed Change would not impact on compliance with this condition.	Yes
E101	The importation of waste and the storage, treatment, processing, reprocessing or disposal of such waste must comply with the conditions of an EPL for the CSSI, or be done in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, as the case may be.	The Proposed Change would not impact on compliance with this condition.	Yes
E102	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, except in accordance with Condition E15.	The Proposed Change would not impact on compliance with this condition.	Yes
E103	All waste generated by Works must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
E104	<p>The Proponent must develop and implement a waste tracking register prior to waste generated by Work that details:</p> <ul style="list-style-type: none"> (a) the quantity of each type of waste generated, its classification and source location (recorded using latitude and longitude coordinates); (b) the destination location(s) for all wastes generated during Work; (c) the quantities of any waste types imported onto the CSSI site, including their classification and emplacement location (recorded using latitude and longitude coordinates); (d) the quantities and types of wastes that are subject to a Resource Recovery Order and/or Exemption; and (e) disposal records demonstrating that receiving facilities have lawfully accepted the waste type. <p>The waste tracking register must be made available to the Planning Secretary and EPA on request, within the timeframe stated in the request.</p>	The Proposed Change would not impact on compliance with this condition.	Yes
E105	<p>The CSSI 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 CSSI contains different requirements in relation to the NSW Water Quality Objectives, in which case those requirements must be complied with.</p> <p>Note: If it is proposed to discharge construction stormwater to waterways, a Water Pollution Impact Assessment will be required to inform licensing, consistent with section 45 of the POEO Act. Any such assessment must be prepared in</p>	The Proposed Change would not impact on compliance with this condition.	Yes

No.	Condition of Approval	Discussion	Consistent
	consultation with the EPA and be consistent with the National Water Quality Guidelines, with the level of detail commensurate with the potential water pollution risk.		
E106	Drainage feature crossings (permanent and temporary watercourse crossings and diversions) and drainage swales and depressions must be carried out in accordance with relevant guidelines and designed by a suitably qualified and experienced person.	The Proposed Change would not impact on compliance with this condition.	Yes
E110	<p>All new or modified drainage systems associated with the CSSI must be designed to:</p> <ul style="list-style-type: none"> (a) where stormwater drainage is discharged to a council's stormwater system, meet the capacity constraints of any council's drainage system to receive and convey the proposed flows from the CSSI, 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 the receiving environment. 	The Proposed Change would not impact on compliance with this condition.	Yes

Table C2: M12 Motorway EAD Revised Environmental Management Measures

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
G01	<p>A Community Communication Strategy will be prepared for the project to facilitate communication with the local community including relevant Government agencies, Councils, adjoining affected landowners and businesses, and other relevant stakeholders that may be affected by the project. The strategy will:</p> <ul style="list-style-type: none"> (a) Identify people or organisations to be consulted during the delivery of the project. (b) Set out procedures and mechanisms for the regular distribution of information about the project. (c) Outline mechanisms to keep relevant stakeholders updated on site construction activities, schedules and milestones. (d) Outline avenues for the community to provide feedback (including a 24 hour, toll free project information and complaints line) or to register complaints and through which Roads and Maritime will respond to community feedback. (e) Outline a process to resolve complaints and issues raised. (f) The Community Communication Strategy will include a Construction Fatigue Protocol to minimise impacts associated with construction fatigue. The Protocol will include consideration of noise attenuation and restriction of out-of-hours work or use of noise intensive equipment where reasonable and feasible. 	The Proposed Change would not impact on compliance with this measure.	Yes
G02	A CEMP will be prepared and implemented for the project in accordance with the Department of Infrastructure, Planning and Natural Resources Guideline for the Preparation of Environmental Management Plans (DIPNR 2004), for the	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	ongoing management of environmental issues during construction of the project		
B01	<p>A CFFMP will be prepared. The measures in the CFFMP will include:</p> <ul style="list-style-type: none"> (a) A site specific induction (b) Identification of clearing limits and exclusion fencing (c) Pre-clearance surveys (d) Vegetation clearing procedures (e) An unexpected finds procedure (f) Procedures for weed management and monitoring (g) A process for de-watering farm dams and the relocation of aquatic fauna (h) Provision of supplementary fauna habitat (eg nest boxes). 	The Proposed Change would not impact on compliance with this measure.	Yes
B02	A Habitat Compensation Plan (HCP) will be prepared and implemented as part of the CFFMP for the project. The HCP will targeted those species that will be impacted by the loss of hollows. Measures will include: nest boxes, reuse of salvaged hollows and/or new technologies eg chainsaw hollows), as well as replacement of woody debris and bushrock with consideration to Guide 5 and Guide 8 of Biodiversity Guidelines: Protecting and managing biodiversity on RTA projects (RTA, 2011).	The Proposed Change would not impact on compliance with this measure.	Yes
B03	Native vegetation, threatened species and threatened species habitat removal will be minimised where practicable through detailed design. This will include avoiding the nest and surrounds of the White-bellied Sea-Eagle, where practicable.	As discussed in Chapter 4, the clearing of native vegetation would be required for the Proposed Change. This would be counterbalanced with the identification and protection of an equivalent area of vegetation within the construction footprint that has been approved for clearing under the M12 EAD.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
B04	Biodiversity offsets for the project will be purchased and managed in accordance with the Biodiversity Offset Strategy prepared for the project.	The Proposed Change would not impact on compliance with this measure. Offsets would be purchased in accordance with the Biodiversity Offset Strategy, as outlined in Section 4.	Yes
B05	<p>Pre-clearing surveys will be carried out in accordance with Biodiversity Guidelines: Protecting and managing biodiversity on RTA projects (RTA, 2011) (Guide 1: Pre-clearing process). The following species identified on or Near the study area will require particular attention:</p> <p>(a) White-bellied Sea-Eagle. If design cannot avoid the White-bellied Sea-Eagle nest, then pre-clearing measures to avoid impact on the nest will be implemented. This will include pre-clearing survey to establish if it is currently being used and removal of the nest by an ecologist experienced in similar procedures. The potential impacts of habitat removal will be minimised by removing the nest outside of the nesting period (typically lays between June and September, with young remaining in the nest for 70 days). An initial pre-clearing inspection will be carried out at least 21 days prior to commencement of clearing, to give the ecologist time to check the nest and then relocate if needed.</p> <p>(b) Cumberland Plain Land Snail. Pre-clearance surveys will be carried out immediately before clearing works by a qualified ecologist in all vegetated areas to be disturbed that were identified as known or potential habitat for Cumberland Plain Land Snail (see Figure 6-6). As identified in the CFFMP, all individual Cumberland Plain Land Snails found during pre-clearance surveys will be translocated to adjacent areas of suitable habitat.</p>	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
B06	<p>An unexpected threatened species finds procedure will be developed as part of the CFFMP and based on Biodiversity Guidelines: Protecting and managing biodiversity on RTA projects (RTA, 2011) (Guide 1: Preclearing process). The procedure will include requirements for workers to be made aware of the potential flora and fauna species that may be encountered during construction (including training staff on species identification) and outline the process for the identification and management of unexpected flora and fauna. In the event that any threatened species are identified during construction, the following steps would be carried out:</p> <ul style="list-style-type: none"> (a) Stop work immediately in the location of the unexpected find to avoid any potential impacts. (b) Notify the environmental manager. (c) Environmental manager will arrange for an ecologist to conduct an assessment of significance of the likely impact, develop management options, and notify DPIE, EESG and DAWE as appropriate. (d) If a significant impact is unlikely to occur, rebegin work and maintain regular site inspections. (e) If a significant impact is likely to occur: <ul style="list-style-type: none"> i. Consult with DPIE, EESG and DAWE as appropriate. ii. Obtain approvals, licenses or permits as required. iii. Rebegin work once advice is sought and necessary approvals, licenses and permits are obtained. (f) Include species in subsequent inductions, toolbox talks and update the CEMP. 	The Proposed Change would not impact on compliance with this measure.	Yes
B07	Vegetation and habitat removal will be carried out in accordance with Biodiversity Guidelines: Protecting and managing	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	biodiversity on RTA projects (RTA, 2011) (Guide 4: Clearing of vegetation and removal of bushrock).		
B08	Revegetation will be carried out in accordance with Biodiversity Guidelines: Protecting and managing biodiversity on RTA projects (RTA, 2011) (Guide 3: Re-establishment of native vegetation) and the Landscape Plan prepared for the project.	The Proposed Change would not impact on compliance with this measure.	Yes
B09	Habitat will be replaced or re-instated in accordance with Biodiversity Guidelines: Protecting and managing biodiversity on RTA projects (RTA, 2011) (Guide 5: Re-use of woody debris and bushrock and Guide 8: Nest boxes). A Habitat Compensation Plan, as described in B02 will include this measure.	The Proposed Change would not impact on compliance with this measure. The Proposed Change would not impact known threatened species habitat.	Yes
B18	The temporary application of mulch during construction will be managed to avoid the potential for material and tannin run-off into waterways. This will include limiting the application of mulch near waterways where practicable. The application of mulch for permanent landscaping must be designed and planned to avoid material and tannin runoff.	The Proposed Change would not impact on compliance with this measure.	Yes
B22	Changes to existing surface water flows will be minimised through detailed design.	The Proposed Change would not impact on compliance with this measure.	Yes
B24	Exclusion zones will be set up at the limit of clearing in accordance with Biodiversity Guidelines: Protecting and managing biodiversity on RTA projects (RTA, 2011) (Guide 2: Exclusion zones). Exclusion zones will be set up to protect potential indirect impacts to threatened flora in accordance with the areas identified in the EIS and this amendment report (including Figure 1-2 of Appendix A of this amendment report).	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
B25	Fauna will be managed in accordance with Biodiversity Guidelines: Protecting and managing biodiversity on RTA projects (RTA, 2011) (Guide 9: Fauna handling).	The Proposed Change would not impact on compliance with this measure.	Yes
B26	Weed species will be managed in accordance with Biodiversity Guidelines: Protecting and managing biodiversity on RTA projects (RTA, 2011) (Guide 6: Weed management).	The Proposed Change would not impact on compliance with this measure.	Yes
B27	Pathogens will be managed in accordance with Biodiversity Guidelines: Protecting and managing biodiversity on RTA projects (RTA, 2011) (Guide 2: Exclusion zones).	The Proposed Change would not impact on compliance with this measure.	Yes
TT1	<p>A construction transport and traffic management plan (CTTMP) will be prepared as part of the CEMP in consultation with relevant local Councils, and in accordance with relevant guidelines. The CTTMP will outline:</p> <ul style="list-style-type: none"> (a) Staging and planning of works to minimise the need to occupy roads where practicable, including identification of haulage routes (b) Safe alternative routes for pedestrians and cyclists in accordance with relevant safety and accessibility standards. (c) The requirements for traffic control plans to be prepared for each work area which will include details of site access and specific traffic control measures (including signage) to manage traffic movements (d) Road safety audit requirements (e) Parking arrangements for construction staff (f) Identification of access arrangements at construction sites detailing vehicle access movements (g) Measures to minimise changes to the existing road network, property access, bus stops and pedestrian/cyclist facilities where feasible 	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<p>(h) Measures to communicate and notify of any changes in traffic conditions on roads or paths to road users, emergency services, public transport operators, and other relevant stakeholders</p> <p>(i) Measures to manage construction traffic interfaces and access arrangements with Western Sydney Airport and Sydney Metro Greater West</p> <p>(j) Requirements for appropriate warning and signage for traffic and other road users such as cyclists and pedestrians in the vicinity of work areas and work site access, and road diversions.</p>		
TT03	Movements of haulage vehicles will be planned to minimise movements on the road network during the AM and PM peak periods where practicable.	<p>The Proposed Change would not impact on compliance with this measure.</p> <p>The Proposed Change would reduce the number of haulage movements during construction.</p>	Yes
TT04	Consultation will be carried out with the operators of the M7 Motorway to develop measures to manage the potential impacts of construction within the operating M7 Motorway corridor.	The Proposed Change would not impact on compliance with this measure.	Yes
LVIA01	<p>An Urban Design and Landscape Plan (UDLP) will be prepared to minimise landscape character and visual impacts, and detail and guide the implementation of landscape features to be installed as part of the project, including re-vegetation requirements.</p> <p>This will include requirements for the provision of vegetative screening to soften the appearance of structural elements of the project such as noise walls and provide screening of sensitive views. The UDLP will also consider the requirements of the heritage interpretation framework that will be prepared for the project (NAH02).</p>	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	The UDLP will be prepared in accordance with applicable guidelines, be consistent with the concept project identity in the EIS and relevant urban design objectives and principles for the project including consideration of implementation of Crime Prevention Through Environmental Design (CPTED) principles, and in consultation with relevant councils.		
LVIA02	A detailed Landscape Plan will be prepared for the project and implemented throughout construction. The plan will guide the implementation of measures to minimise landscape character and visual impacts, including revegetation requirements.	The Proposed Change would not impact on compliance with this measure.	Yes
LVIA03	Existing vegetation within the construction footprint will be retained and protected where possible. This includes densely vegetated areas such as remnant riparian forests and Cumberland Woodlands in Western Sydney Parkland.	The Proposed Change would not impact on compliance with this measure.	Yes
LVIA04	Site levels and grades for the project will integrate with the surrounding terrain to help the visual assimilation of the project into the surrounding landscape where practicable. Engineer slopes with gradients no steeper than 3H:1V where possible to maximise the establishment of vegetation on these batters and allow for appropriate maintenance.	The Proposed Change would not impact on compliance with this measure.	Yes
LVIA07	Temporary and permanent lighting will be designed and implemented with consideration of: <ul style="list-style-type: none"> (a) The need to orientate lighting to minimise light spill and glare impacts on nearby receivers (b) The need to minimise vandalism and maintenance requirements 	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<p>(c) Requirements of the National Airports Safeguarding Framework (NASF) (National Airports Safeguarding Advisory Group, n.d.) for operational lighting</p> <p>(d) Opportunities to implement sustainability initiatives in design such as energy efficient or solar lighting.</p>		
LVIA09	The findings and recommendation of the Aboriginal cultural heritage design process managed by Balarinji will be incorporated into the urban design and implemented as part of the project, including interpretive initiatives.	The Proposed Change would not impact on compliance with this measure.	Yes
LVIA10	Shared user paths to be delivered as part of the project will not preclude connections to future open space corridors and land use as identified in the Western Sydney Land Use and Infrastructure Implementation Plan (LUIIP) (DPE 2018). Where further design of adjacent open space corridors is undertaken, shared user paths will be provided to connect at an appropriate location. Shared user paths will be designed to be located away from road-side edges to provide an immersive landscape experience for pedestrians and cyclists, where possible.	<p>The Proposed Change would not impact on compliance with this measure.</p> <p>The Proposed Change would involve improved shared user path connectivity between the M7 Westlink shared user path and the Western Sydney Parklands and would not be located on the road-side edge of the Westlink M7 southbound off-ramp.</p>	Yes
LVIA11	Establish an Urban Design Review Panel to provide advice and input into the development of the UDLP.	The Proposed Change would not impact on compliance with this measure.	Yes
LVIA12	Highly visible elements of the project including potential noise barriers, retaining walls, bridge structures and urban design material selection will be designed to satisfy functional requirements and adopt the design principles detailed in the M12 EIS Landscape Character, Visual Impact Assessment and Urban Design Report. The proposed designs will be documented in the relevant UDLP for the project.	<p>The Proposed Change would not impact on compliance with this measure.</p> <p>The Proposed Change would remove visible four retaining walls (three approved and one existing).</p>	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
LVIA14	The project must consider CPTED principles during detailed design to minimise safety risks to all users. The project must carry out periodic CPTED reviews by a qualified professional and implement any additional recommendations where reasonable and feasible.	The Proposed Change would not impact on compliance with this measure.	Yes
LVIA15	<p>A tree management strategy will be prepared for the project, outlining:</p> <ul style="list-style-type: none"> (a) Measures to minimise tree removal to retain and protect as many trees within the construction footprint as reasonable and feasible (b) Measures to avoid damage to trees that are to be retained within the construction footprint to ensure the maintenance of health and stability of the trees in accordance with AS4970-2009 Protection of trees on development sites (c) Requirements for the pruning of trees to be carried out by a suitably qualified person in accordance with AS 4373-2007 Pruning of amenity trees (d) Consideration of maintenance requirements and safety standards (e) Requirements for the replacement trees where removal cannot be avoided including: <ul style="list-style-type: none"> i. Net increase in the number of trees (not identified as within an EEC) ii. Where it is not practicable to plant trees in the operational footprint an alternative location will be identified in consultation with relevant councils and in consideration of future development in the local area iii. Minimum pot size in accordance with part 3.2.1 (Rural road reserves) in the Roads and Maritime 	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	Landscape Guideline (2018b) subject to long-term viability of the plant."		
LVIA17	Carry out appropriate soil analysis and identify soil preparation requirements for landscaping treatments to inform the Urban Design and Landscaping Plan and vegetation management in accordance with Roads and Maritime's Batter Surface Stabilisation Guideline (2015b)	The Proposed Change would not impact on compliance with this measure.	Yes
LVIA18	Species selected for landscaping will consider species that are resilient to future modelled climatic conditions and are suitable for establishment on road embankments.	The Proposed Change would not impact on compliance with this measure.	Yes
SLP01	Areas of land leased for the purposes of construction will be reinstated at the end of the lease to at least equivalent standard in consultation with the landowner.	The Proposed Change would not impact on compliance with this measure. In the event any land is leased or licensed to facilitate construction (and not subject to permanent acquisition), that land would be reinstated at the end of the lease or license to at least equivalent standard in consultation with the landowner.	Yes
SLP02	All partial and full acquisitions and associated property adjustments will be carried out in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> and the Land acquisition reform 2016 in consultation with landowners.	The Proposed Change would not impact on compliance with this measure. Consultation with GSP has been undertaken in relation to the Proposed Change, as discussed in Chapter 3.	Yes
SLP05	The project will be designed with the aim of minimising impacts on existing utilities and services, in consultation with utility owners and/or providers of services where feasible and reasonable.	The Proposed Change would not impact on compliance with this measure.	Yes
SLP06	Utility owners and/or providers of services will be identified and consulted with before works start, to determine the requirements	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	for access to, protection of, or relocation of services. Disruption to existing services will be minimised where feasible and local residents and businesses will be notified before any planned disruption.		
SLP08	Adjustments to facilities in Western Sydney Parklands (eg walking and cycling trails and Sydney International Shooting Centre access) will be carried out in consultation with the Western Sydney Parklands Trust.	The Proposed Change would not impact on compliance with this measure. Consultation with GSP has been undertaken in relation to the Proposed Change who are supportive of the shared user path, as discussed in Chapter 3.	Yes
SLP10	Ongoing consultation regarding management of potential impacts will be carried out in accordance with the Community Communication Strategy with the following community facilities: (a) Kemps Creek Sporting and Bowling Club (b) Kemps Creek Cougars Baseball Club (c) Science of the Soul Study Centre (d) Muhammadi Welfare Association of Australia (e) Schools such as Kemps Creek Public School and Christadelphian Heritage College, and Irfran College (f) Western Sydney Parklands (g) Sydney International Shooting Centre.	The Proposed Change would not impact on compliance with this measure. Consultation with GSP has been undertaken in relation to the Proposed Change, as discussed in Chapter 3.	Yes
AH01	A construction cultural heritage management plan (CCHMP) will be developed for the project in consultation with the project RAPs and EESG. The CCHMP will include: (a) An unexpected finds procedure for the discovery of Aboriginal ancestral remains, Aboriginal objects or new Aboriginal sites consistent with Roads and Maritime Standard Management Procedure Unexpected Heritage Items (Roads and Maritime, 2015c). This procedure will also outline requirements to manage unexpected human remains finds in accordance with NSW statutory requirements, and relevant guidelines and standards	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<p>prepared by EESG. The Procedure will outline the process for consulting with the RAPs in the event that previously unidentified Aboriginal heritage is discovered.</p> <ul style="list-style-type: none"> (b) Procedures for the management and curation of salvaged Aboriginal objects (c) Detailed locations and installation procedures for fencing and protective coverings (d) Details of permissible activities inside protected Aboriginal areas (e) Procedures for consideration of heritage aspects within site inductions and toolbox talks for construction workers and supervisors. 		
NAH01	<p>A construction cultural heritage management plan (CCHMP) will be prepared for the project as part of the CEMP in consultation with DPC (Heritage). The CCHMP will include as a minimum:</p> <ul style="list-style-type: none"> (a) A list, plan and maps with GIS layers showing the location of identified heritage items both within, and near, the construction footprint (b) A significance assessment and statement of significance for each item (c) Protocols and procedures including inductions and toolbox talks for all contractors and subcontractors working in the area to be informed of all exclusion zones, the elements and their significance, to prevent accidental damage or encroachment (d) Protocols and procedures to be implemented during construction to avoid or minimise impacts on items of heritage significance including protective fencing (e) The Roads and Maritime Unexpected Heritage Items Procedure (Roads and Maritime, 2015c) which would be 	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	followed in the event that unexpected heritage finds are uncovered during construction.		
NAH02	<p>A suitably qualified heritage specialist will be engaged to prepare a heritage interpretation framework to guide development of the detailed urban design for the project. This framework will be prepared in accordance with the Interpreting Heritage Places and Items Guidelines (NSW Heritage Office, 2005) and will include:</p> <ul style="list-style-type: none"> (a) Integration of heritage themes and values to be incorporated (b) Collaboration with other design elements and themes for the project, including those associated with Western Sydney Airport and Sydney Metro Greater West, to develop an integrative design approach with surrounding development (c) Opportunities for design responses for Aboriginal and non-Aboriginal heritage 	The Proposed Change would not impact on compliance with this measure.	Yes
NAH03	Impacts on Non-Aboriginal heritage items will be avoided or minimised where reasonable and feasible. Where impacts are unavoidable, works will be carried out in accordance with the measures for individual NonAboriginal heritage items outlined in measures NAH04 to NAH12.	The Proposed Change would not impact on compliance with this measure.	Yes
NAH06	<p>Relevant conservation policies outlined in the Upper Canal CMP (NSW Public Works Government Architect's Office, 2016) will be considered during detailed design and incorporated into the construction cultural heritage management plan (CCHMP) to ensure heritage fabric is not impacted by the project.</p> <ul style="list-style-type: none"> (a) The CCHMP will be consistent with and require implementation of relevant measures outlined in The Guidelines for development adjacent to the Upper Canal 	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<p>and Warragamba Pipelines (WaterNSW 2020) which sets out guidelines for designing, planning or assessing development on land adjacent to this pipeline. Additional structures identified in the construction footprint will be investigated and measures implemented to avoid or minimise impact.</p> <p>(b) Guidelines and associated safe working distances to be adhered to for heritage structures as outlined in Appendix K</p> <p>(c) A safe working distance exclusion zone will be established around the exposed tunnel air shaft in the M7 Motorway median in accordance with the process outlined in noise and vibration management measures NV09 - NV10.</p> <p>(d) Transport for NSW will provide an updated report to WaterNSW on project design changes as they relate to the WaterNSW Upper Canal corridor during detailed design.</p>		
NAH10	<p>Management measures identified in the project UDLP (LVIA01) will be implemented during detailed design to minimise impacts on landscape and vistas.</p> <p>Flooding management measures (F01 to F08) and surface water quality and hydrology management measures (SWH01 to SWH13) will be implemented to reduce broader impacts on the surrounding scenic landscape.</p>	The Proposed Change would not impact on compliance with this measure.	Yes
NV01	A construction noise and vibration management plan (CNVMP) will be prepared for the project to mitigate and manage noise and vibration impacts during construction. The CNVMP will be implemented for the duration of construction of the project and will:	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<ul style="list-style-type: none"> (a) Identify nearby sensitive receivers (b) Include a description of the construction activities equipment and working hours (c) Identify relevant noise and vibration performance criteria for the project and license and approval conditions. (d) Include modelling results showing construction noise impacts based on detailed design information (e) Outline standard and additional mitigation measures from the Construction Noise and Vibration Guideline (CNVG) (Roads and Maritime 2016e) and information about when each will be applied (f) Outline requirements for the development and implementation of an Out-of-hours Work Protocol (g) Outline requirements for noise and vibration monitoring that will be carried out to monitor project performance associated with the noise and vibration criteria (h) Describe community consultation and complaints handling procedures in accordance with the Community Communication Strategy to be developed for the project (i) Outline measures to manage noise impacts associated with heavy vehicle movements both on and offsite (j) Outline measures to minimise cumulative construction impacts and the likelihood for 'construction fatigue' from concurrent and consecutive projects in the area (k) Outline requirements to minimise and manage construction fatigue, in consultation with the community 		
NV06	Activities that generate vibration will be managed to avoid impacts on structures and sensitive receivers. This includes implementing appropriate safe working distances where practicable.	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
NV07	The use of alternatives to vibration generating equipment will be considered where vibration impacts are predicted.	The Proposed Change would not impact on compliance with this measure.	Yes
NV08	<p>Where works are within the minimum working distances and considered likely to exceed the cosmetic damage objectives (as shown in Figure 7-3 of Appendix K), construction works will not proceed unless:</p> <ul style="list-style-type: none"> • A different construction method with lower source vibration levels is used, where feasible • Attended vibration measurements are carried out at the start of the works to determine the risk of exceeding the vibration objectives. 	<p>The Proposed Change would not impact on compliance with this measure.</p> <p>Vibration monitoring would be undertaken where minimum vibration limits set out in the German Standard DIN 4150-3 Structural Vibration- effects of vibration on structures (for structural damage) cannot be met.</p>	Yes
NV10	<p>Surveys will be carried out to confirm the existing condition of the WaterNSW Upper Canal System and Jemena high pressure gas pipelines to determine appropriate vibration criteria. This will also include consideration of distances from the vibration intensive activity (piling, rock-breaking and vibratory rolling), as well as ground conditions.</p> <p>A vibration criterion of a peak particle velocity (PPV) will be determined in consultation with the relevant utility/service providers.</p> <p>In-situ monitoring will be carried out to confirm the vibration levels and assess the impact of vibration. Where the monitoring identifies exceedances in the relevant criteria, or where impacts are identified, additional mitigation measures will be identified and implemented to appropriately manage impacts.</p>	<p>The Proposed Change would not impact on compliance with this measure.</p> <p>Vibration monitoring undertaken to date has not identified any impacts on the Upper Canal. The Proposed Change would involve construction of batter further from the item than other approved construction works and therefore would not result in any impact on the Upper Canal.</p>	Yes
NV11	The following structures have the potential to be within the safe working distances for sensitive structures: (Group 3 from DIN 4150):	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<ul style="list-style-type: none"> Item 1: McGarvie Smith Farm Item 2: Fleurs Radio Telescope Site Item 4: Upper Canal System Item 6: McMaster Field Station Item 7: Fleurs Aerodrome <p>A detailed survey will be completed to determine the potential for vibration impacts and to define appropriate criteria for each heritage item. Vibration monitoring will be carried out when vibration intensive tasks are occurring within the minimum working distances to heritage structures. Where the monitoring identifies exceedances in the relevant criteria, or where impacts are identified, additional mitigation measures will be identified and implemented to appropriately manage impacts.</p>	Vibration monitoring undertaken to date has not identified any impacts on the Upper Canal System. The Proposed Change would involve construction of batter further from the item than other approved construction works and therefore would not result in any impact on the Upper Canal System.	
NV12	<p>Construction vehicle movements (both on and offsite) will be managed to minimise noise impacts. Where feasible, this will include (but not be limited to):</p> <ul style="list-style-type: none"> Establishment and use of internal haul routes or existing major roads where this is not feasible Restriction of heavy vehicle movements to standard construction hours Locating traffic marshalling areas away from residences to minimise noise impacts from idling vehicles Instructing workers on the operation of heavy vehicles entering and exiting the site to minimise noise. 	<p>The Proposed Change would not impact on compliance with this measure.</p> <p>The Proposed Change would reduce the number of haulage movements during construction which would reduce noise impacts associated with construction vehicle movements.</p>	Yes
F01	<p>Further flood investigations and hydrological and hydraulic modelling will be carried out during detailed design to ensure the flood immunity objectives and design criteria for the project are met. The modelling will be used to define the nature of both main stream flooding and major overland flow along the full length of</p>	<p>The Proposed Change would not impact on compliance with this measure.</p> <p>Updated flood investigations and hydrologic and hydraulic modelling would take into account the Proposed Change, as required.</p>	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	the project corridor under pre- and post- project conditions and to define the full extent of any impact that the project will have on patterns of both main stream flooding and major overland flow. The hydraulic model(s) will be based on two-dimensional hydraulic modelling software. The modelling will take into account any updated regional flood modelling and information available at the time.		
F02	Should the updated flood modelling show the project will result in an adverse flooding impact, Road and Maritime will consult with landowners regarding appropriate mitigation measures to be implemented by the contractor in relation to each individual property.	The Proposed Change would not impact on compliance with this measure. Consultation would be undertaken in relation to adverse flood impact as required.	Yes
F08	Activities that may affect existing drainage systems during construction will be carried out so that existing hydraulic capacity of these systems is maintained where practicable.	The Proposed Change would not impact on compliance with this measure.	Yes
SWH01	<p>A construction soil and water management plan (CSWMP) will be prepared for the project. The plan will outline measures to manage soil and water impacts associated with the construction works, including contaminated land.</p> <p>The CSWMP will provide:"</p> <ul style="list-style-type: none"> (a) Measures to minimise/manage erosion and sediment transport both within the construction footprint and offsite including requirements for the preparation of erosion and sediment control plans (ESCP) for all progressive stages of construction (b) Measures to manage waste including the classification and handling of spoil 	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<ul style="list-style-type: none"> (c) Procedures to manage unexpected contaminated finds including asbestos which would be outlined in the contaminated land management plan and asbestos management plan to be prepared for the project (d) Measures to manage stockpiles including locations, separation of waste types, sediment controls and stabilisation (e) Measures to manage groundwater de-watering and impacts including mitigation required (f) Processes for de-watering of water that has accumulated on site and from sediment basins, including relevant discharge criteria (g) Measures to manage potential tannin leachate (h) Measures to manage accidental spills including the requirement to maintain materials such as spill kits (i) Measures to manage potential saline soils (j) Details of surface water and groundwater quality monitoring to be carried out before, throughout, and following construction (k) Controls for sensitive receiving environments including SEPP Coastal Wetlands which may include but not be limited to: <ul style="list-style-type: none"> i. Designation of 'no go' zones for construction plant and equipment ii. Creation of catch/diversion drains and sediment fences at the downstream boundary of construction activities where practicable to ensure containment of sediment-laden runoff and diversion toward sediment sump treatment areas (not sediment basins) to prevent flow of runoff to the SEPP Coastal Wetland. 		

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	(l) Erosion and sediment control measures will be implemented and maintained at all work sites in accordance with the principles and requirements in Managing Urban Stormwater – Soils and Construction, Volume 1 (Landcom 2004) and Volume 2D (NSW Department of Environment, Climate Change and Water 2008b), commonly referred to as the “Blue Book”, as well as relevant Roads and Maritime Guidelines.		
SWH02	A soil conservation specialist will be engaged by both Roads and Maritime and the Contractor for the duration of construction of the project to provide advice on the planning and implementation of erosion and sediment control including review of ESCPs.	The Proposed Change would not impact on compliance with this measure.	Yes
SWH03	A water reuse strategy will be developed for both construction and operational phases of the project to reduce reliance on potable water. This strategy will be prepared during the detailed design stage and implemented throughout the project and will outline the construction and operational water requirements and potential watersources to supply the water demand in consultation with Sydney Water. Alternative water supply options to potable water will be investigated, with the aim of reusing water using recycled water where feasible.	The Proposed Change would not impact on compliance with this measure. The Proposed Change would not result in an increased reliance on potable water during construction or operation.	Yes
SWH04	Stockpiles will be managed to minimise the potential for mobilisation and transport of dust and sediment in runoff in accordance with Roads and Maritime Stockpile Sites Management Guideline (Roads and Maritime 2015e). This will include: <ul style="list-style-type: none"> Minimising the number of stockpile, area used for stockpiles and time and they are left exposed 	The Proposed Change would not impact on compliance with this measure. Any stockpiles associated with the Proposed Change will be managed in accordance with this condition.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<ul style="list-style-type: none"> Locating stockpiles away from drainage lines, waterways and areas where they may be susceptible to wind erosion Stabilising stockpiles, establishing appropriate sediment controls and suppressing dust as required. 		
SWH05	<p>Construction water quality monitoring program will be developed and included in the CSWMP for the project to establish baseline conditions, observe any changes in surface water and groundwater during construction, and inform appropriate management responses.</p> <p>The program will be based on the water quality monitoring methodology water quality indicators and the monitoring locations identified in the Surface water and hydrology assessment report (Appendix M of the EIS) and supplementary memo (Appendix I of this amendment report), and Groundwater quality and hydrology assessment report (Appendix N of the EIS) and supplementary memo (Appendix J of this amendment report).</p> <p>Baseline monitoring will be carried out monthly for a minimum of 12 months before the start of construction. As a minimum this will include three wet weather sampling events over six months where feasible.</p> <p>Sampling locations and monitoring methodology to be carried out during construction will be further developed in detailed design in accordance with the Guideline for Construction Water Quality Monitoring (RTA 2003) and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG, 2018). It will include collection of samples for analysis from sedimentation basin discharge points, visual monitoring of other</p>	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	points of release of construction waters and monitoring of downstream waterways.		
SWH09	<p>Practical measures to prevent water pollution and control, abate or mitigate impacts to the environment will be investigated at the detailed design stages of the project with the aim to make improvements to the currently proposed water quality controls. Such measures may include:</p> <ul style="list-style-type: none"> • Larger or high efficiency temporary basins • Alternative dry bioretention operational basins. 	The Proposed Change would not impact on compliance with this measure.	Yes
SWH10	The use of water sensitive urban design measures will be considered during detailed design to meet water quality objectives.	The Proposed Change would not impact on compliance with this measure.	Yes
SWH13	<p>A set of hydrologic and hydraulic models will be developed, which are to be used to define the nature of both main stream flooding and major overland flow along the full length of the project operational footprint under pre- and post-project conditions. The hydraulic model is to extend a sufficient distance upstream and downstream of the project operational footprint, to negate any boundary effects and to define the full extent of any impact that the project will have on patterns of both main stream flooding and major overland flow. The hydraulic model(s) is to be based on the TUFLOW (or equivalent) two-dimensional (in plan) hydraulic modelling software.</p> <p>The models will be used to verify the nature and extent of impacts and to confirm the type of mitigation measures required, including potential mitigation measures identified throughout the EIS (see Table 5-9 in Appendix M of the EIS) and this</p>	<p>The Proposed Change would not impact on compliance with this measure.</p> <p>Hydrologic and hydraulic modelling would take into account the Proposed Change as required.</p> <p>Consultation would be undertaken in relation to adverse flood impact as required.</p>	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<p>amendment report and supplementary memo (see Table 5-6 in Appendix I of this amendment report).</p> <p>The models will also be used during detailed design to describe the interaction between the project and flows particularly with respect to culverts and to assist in refining the design for flows arriving at and travelling through culverts.</p> <p>If further modelling identifies impacts to private properties, TfNSW will consult with landowners regarding appropriate management measures to be implemented.</p>		
SWH14	Consideration will be given to the design of operational water quality, erosion and sediment controls incorporated into the design of the construction access track being left in place upstream from the SEPP wetland, and within the proximity area of the SEPP Coastal Wetland ID117.	The Proposed Change would not impact on compliance with this measure.	Yes
SC01	<p>Construction within areas of moderate to high risk saline soils will be managed in accordance with the CSWMP. Specific measures will also include (but not be limited to):</p> <ul style="list-style-type: none"> • Ongoing groundwater monitoring of salinity as part of the water quality monitoring program • Identification and management of saline discharge sites • Progressive stabilisation and revegetation of exposed areas following disturbance as soon as is practicable • Testing to confirm the presence of saline soils in areas of high salinity potential prior to disturbance. • Soil salinity management will also be carried out in accordance with the NSW Department of Primary Industries (2014) Salinity Training Handbook. 	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
SC08	All waste will be classified in accordance with the NSW EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.	The Proposed Change would not impact on compliance with this measure.	Yes
AQ01	<p>A construction air quality management plan (CAQMP) will be developed and implemented for the project to manage potential air quality impacts associated with construction. The CAQMP will identify activities that may results in air quality impacts and associated mitigation measures to avoid or minimise these impacts.</p> <p>The CAQMP will provide:</p> <ul style="list-style-type: none"> • Measures to minimise dust generation associated with earthworks and other activities that disturb the ground surface, stockpiles, and haulage routes • Measures to minimise emissions from machinery and vehicles associated with the project • Procedures for inspection, monitoring and addressing any impacts where required. <p>The CAQMP will be implemented for the duration of construction."</p>	The Proposed Change would not impact on compliance with this measure.	Yes
AQ02	<p>Dust generation will be minimised during construction where possible. Where practicable, specific measures will include (but not be limited to):</p> <ul style="list-style-type: none"> • Regularly watering exposed and disturbed areas including stockpiles, especially during inclement weather conditions • Adjusting the intensity of activities based on measured and observed dust levels, weather forecasts and the 	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<p>proximity of and direction of the works in relation to the nearest surrounding receivers</p> <ul style="list-style-type: none"> • Ensuring loads are covered, and any loose materials/debris are removed before vehicles exit the site • Minimising the number of stockpiles and amount of material stockpiled where practicable • Positioning stockpiling areas as far as possible from surrounding receivers, including potentially ecologically sensitive receivers • Limiting stockpiling activities during conditions where winds are blowing strongly in the direction(s) from the stockpiling location to nearby receivers • Consultation with nearby developers to co-ordinate and plan activities where practicable to minimise the potential for cumulative dust-related impacts • The planning and undertaking of demolition activities, including the removal of hazardous building materials in a manner that minimises dust generation. This will also include the removal of hazardous building materials before the start of general demolition works. 		
HS01	<p>A work health safety management plan (WHSMP) will be prepared for the project. The WHSMP will include:</p> <ul style="list-style-type: none"> • Details of the hazards and risks associated with construction activities • Risk management measures • Procedures to comply with all legislative and industry standard requirements • Use of appropriate personal protective equipment • Contingency plans, as required • An incident response management plan 	<p>The Proposed Change would not impact on compliance with this measure.</p>	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<ul style="list-style-type: none"> Training for all personnel (including subcontractors) including site inductions, the recognition and awareness of site hazards and the locations of relevant equipment to protect themselves and manage any spills. All staff would have the relevant training and certificates. " 		
HS02	Measures to mitigate and manage bushfire risk will be developed and included as part of site-specific hazard and risk management measures within the WHSMP. Measures will include the maintenance of ancillary facilities in a tidy and orderly manner and the storage and management of dangerous goods and hazardous materials in a safe location.	The Proposed Change would not impact on compliance with this measure.	Yes
HS03	<p>An incident response management plan will be developed and implemented.</p> <p>The response to incidents within the road will be managed in accordance with the memorandum of understanding between Roads and Maritime and the NSW Police Service, NSW Rural Fire Service, NSW Fire Brigade and other emergency services.</p>	The Proposed Change would not impact on compliance with this measure.	Yes
W01	<p>A construction waste and resource management plan (CWRMP) will be prepared for the project and outline appropriate management procedures. It will include, but not be limited to:</p> <ul style="list-style-type: none"> Identification of the waste types and volumes that are likely to be generated by the project Adherence to the waste minimisation hierarchy principles of avoid/reduce/ reuse/recycle/dispose Waste management procedures to manage the handling and disposal of waste, including unsuitable material or unexpected waste volumes 	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	<ul style="list-style-type: none"> • Identification of reporting requirements and procedures for tracking of waste types and quantities • A resource management strategy detailing the process to identify reuse options for surplus materials • A procurement strategy to minimise unnecessary consumption of materials and waste generation in accordance with relevant legislation and guidelines. 		
CC03	An adaptive management approach will be applied to workplace health and safety planning during construction and operation in line with the WHSMP. This will include use of Roads and Maritime Work Health and Safety Procedures.	The Proposed Change would not impact on compliance with this measure.	Yes
GG01	Targets to reduce GHG emissions during construction and operation will be included in the project's sustainability management plan.	The Proposed Change would not impact on compliance with this measure.	Yes
GG02	Updated GHG assessment based on the detailed design for the project and the final project when built will be carried out.	The Proposed Change would not impact on compliance with this measure.	Yes
GG03	Vegetation removal will be minimised where practicable	The Proposed Change would not impact on compliance with this measure.	Yes
GG05	Construction plant and equipment will be well maintained to maximise fuel efficiency.	The Proposed Change would not impact on compliance with this measure.	Yes
CU01	Regular consultation will be carried out with nearby/adjoining projects and key stakeholders during the detailed design and construction phase to review potential cumulative impacts and integrate designs and construction methodologies (including	The Proposed Change would not impact on compliance with this measure.	Yes

No.	Statement of Commitment / mitigation measure	Discussion	Consistent
	traffic impacts and noise management), as far as practicable to minimise cumulative impacts.		

Appendix D: Biodiversity counterbalance figure

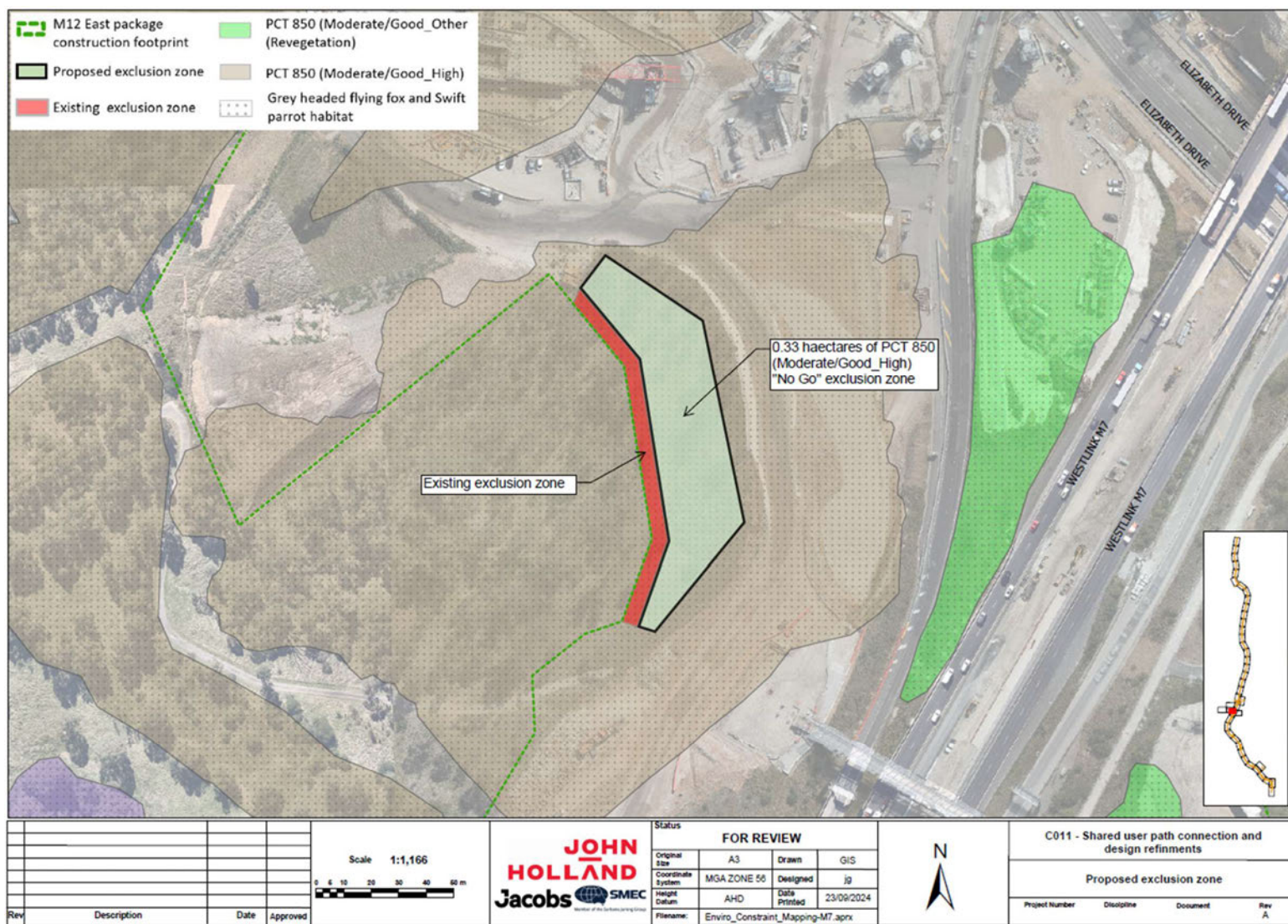


Figure D1: Biodiversity counterbalance figure

Appendix E: Consultation Evidence

[REDACTED]

Subject:

Attachments:

[REDACTED]

RE: New SUP connection north of Elizabeth Drive
Bike Track Record of Walk - [REDACTED].pdf

Hi,

Some comments in the attached. Just added a note on the missing drainage on sheet 3 from the enclosed section and some minor clarifications to other dot points.

I think the main thing is confirming the extent of works and access needs to set a boundary for property plans and statement of consistency. If the bulk works are documented that can create that boundary then Tina can wrap that into license agreement for GSP signature.

I'm happy for detailed design to continue under the previous letter from GSP confirming in principle support as everything is consistent with that previous correspondence.

Regards

[REDACTED]
Senior Manager, Environment and Sustainability
Greater Sydney Parklands
M: [REDACTED]

[REDACTED]

Subject: RE: New SUP connection north of Elizabeth Drive

[REDACTED]

Please see attached discussion points from the site walk last Thursday. Please let me know if I have missed anything.

Cheers,

Subject: RE: New SUP connection north of Elizabeth Drive

Please see attached design with higher resolution background. In response to your drainage queries please see below from designers. We are currently marking out the perimeter and should be complete early week. Once complete we would like to go for a walk with yourself to have a look.

Flow path for outlet of basin.

The basin outlet channel design was dictated by the steep terrain and existing creek location. To reduce the risk of scour, channel velocities must be no more than 5 m/s in accordance with Austroads Guide to Road Design Part 5B. A direct channel perpendicular to the basin to the creek would have resulted in a channel steepness which would result in velocities exceeding this limit. The channel slope was flattened by carving across the natural topography of the gully which A) discharging at the highest point of the gully reducing the level difference to traverse; and B) increases the channel length further reducing channel slope between the two fixed points from (A). The channel is sized with base width 2m and side slopes 2:1 for 1 in 100 year ARI capacity.

Flow volume/velocity.

Design Storm (10 year ARI):

- Peak Flow: 0.78 m³/s
- Peak Channel Velocity: 2.24 m/s

Channel Design Life Storm (100 year ARI)

- Peak Flow: 1.18 m³/s
- Peak Channel Velocity: 2.59 m/s

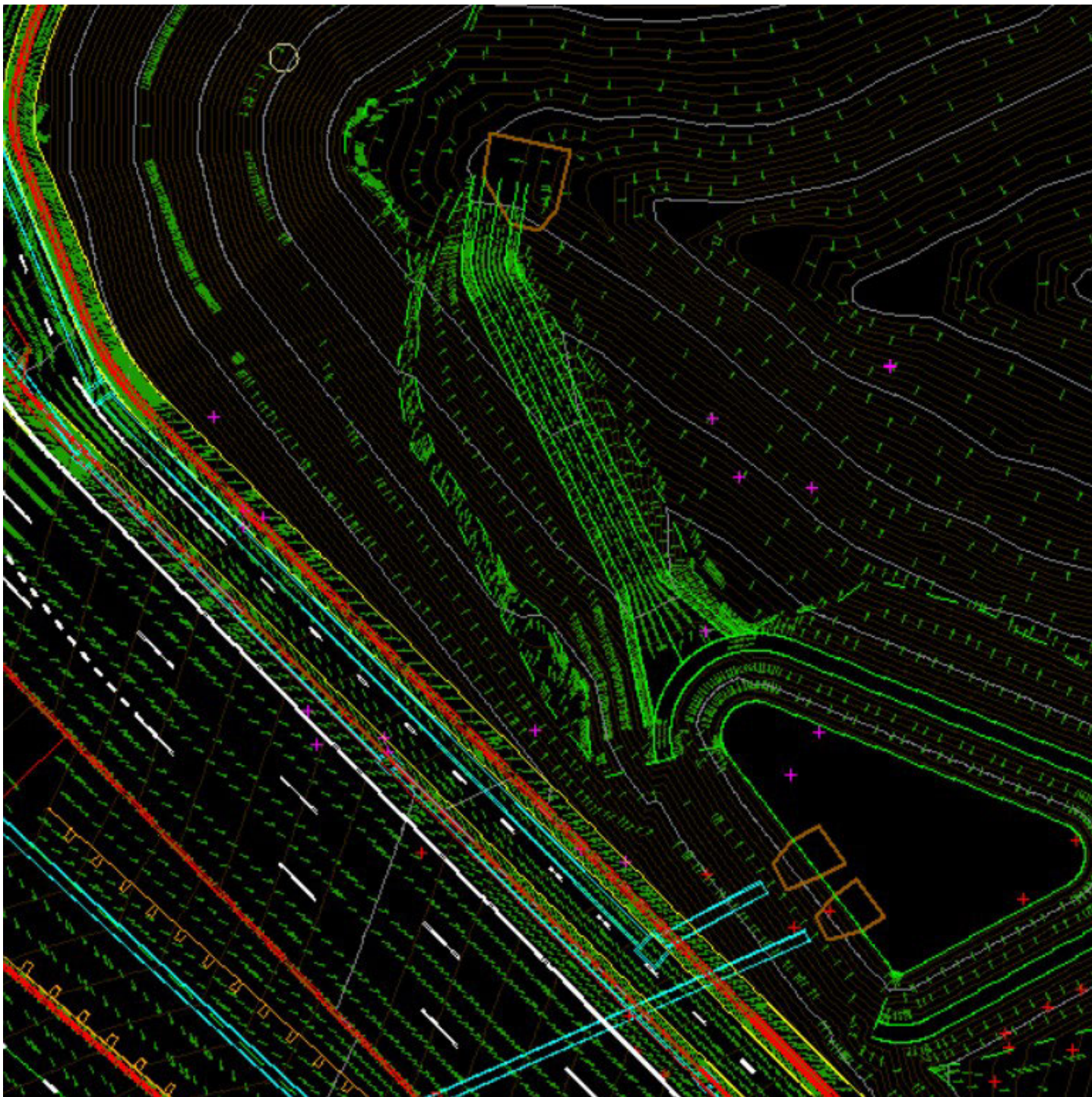
Scour protection measures.

The alignment of the outlet channel was heavily dictated by the requirement to ensure no scour risk to the connecting natural creeks and of the channel itself. As discussed above, the channel alignment is designed to reduce the channel slope as much as feasible to reduce channel velocities. In addition, the channel lining material is nominated to be rip-rap rock mattress instead of concrete to provide additional energy dissipation through the channel and at the discharge to the creek for further velocity reduction.

At the channel discharge to existing creek, rip-rap scour protection has been designed in accordance with Austroads Guide to Road Design Part 5B (2023) and Catchments and Creeks (2011) for resistance to the 1 in 100 year ARI storm.

Minimum Required Scour Protection: 1.0 m length; D₅₀ = 200 mm

Proposed Design Scour Protection: 2.0 m length; D₅₀ = 300 mm.



Cheers,



Project Manager – M7M12 Integration Project

JOHN **M7-M12**
HOLLAND Integration Project

1092 Elizabeth Drive

Cecil Hills NSW 2171
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[REDACTED]

Subject: RE: New SUP connection north of Elizabeth Drive

Hi [REDACTED] and [REDACTED]

Thank you again for catching up today.

Further to this, please find attached the plan which we discussed.

John Holland Group will provide additional information as requested at the meeting.

In the meantime should you have any queries regarding the plan please call me on 0403 705 941.

Thanks

[REDACTED]

[REDACTED]

Senior Project Manager, Property – M12
Commercial, Performance and Strategy | Infrastructure and Place
Transport for NSW

[REDACTED]

transport.nsw.gov.au

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-----Original Appointment-----



Subject: New SUP connection north of Elizabeth Drive

When: Wednesday, 7 August 2024 11:30 AM-12:30 PM (UTC+10:00) Canberra, Melbourne, Sydney.

Where: Microsoft Teams Meeting; SYD-CECILPARK-G-01-14P-Int-VC

CAUTION: This email is sent from an external source. Do not click any links or open attachments unless you recognise the sender and know the content is safe.

Hi all,

Session to run through the revised sketches (attached) for the proposed SUP connection north of EDR.

Kind regards,

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 489 030 396 292

Passcode: T3MyZC

Dial in by phone

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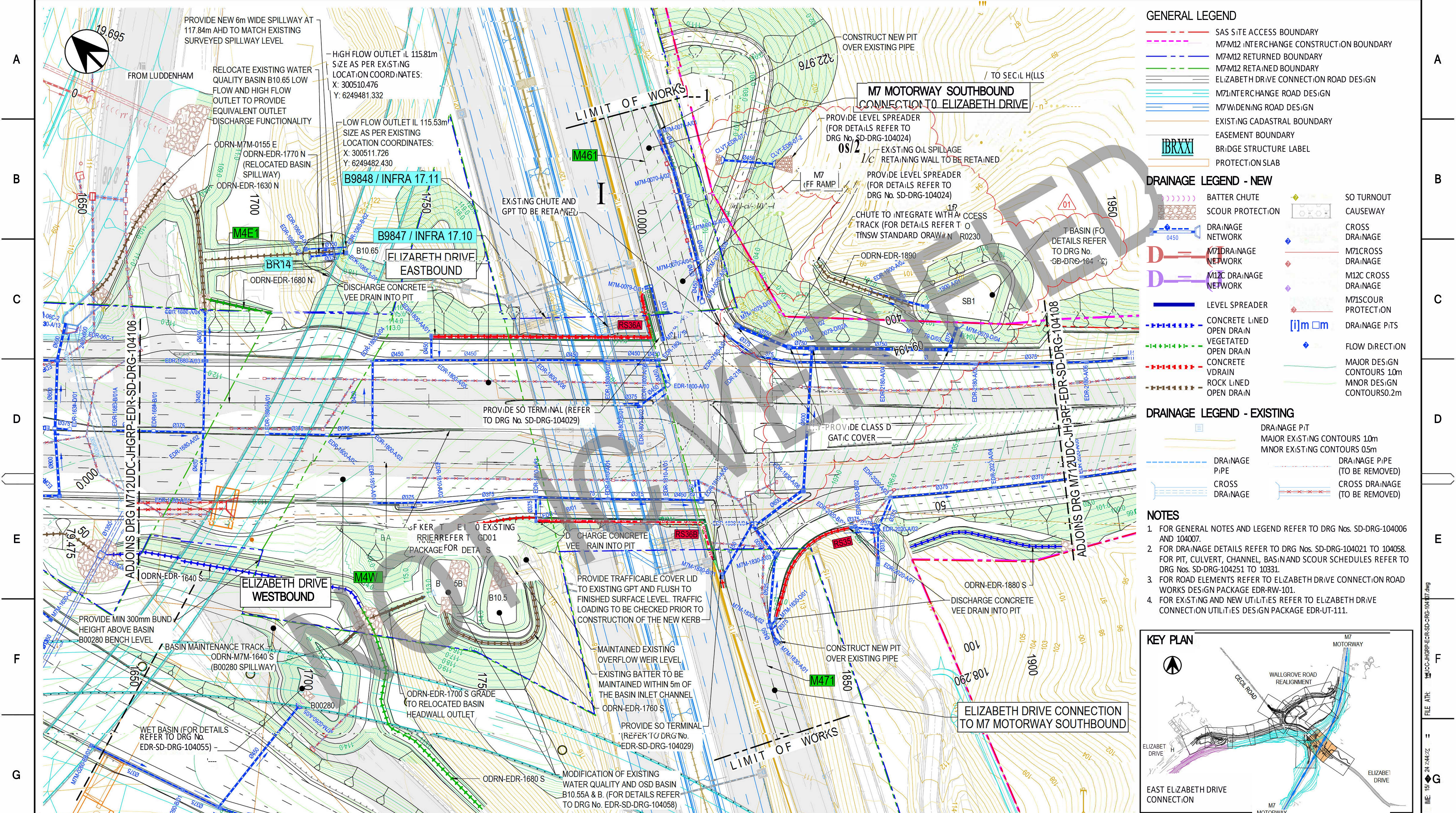
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Appendix F: Design Drawings

(Designs subject to IFC review process)

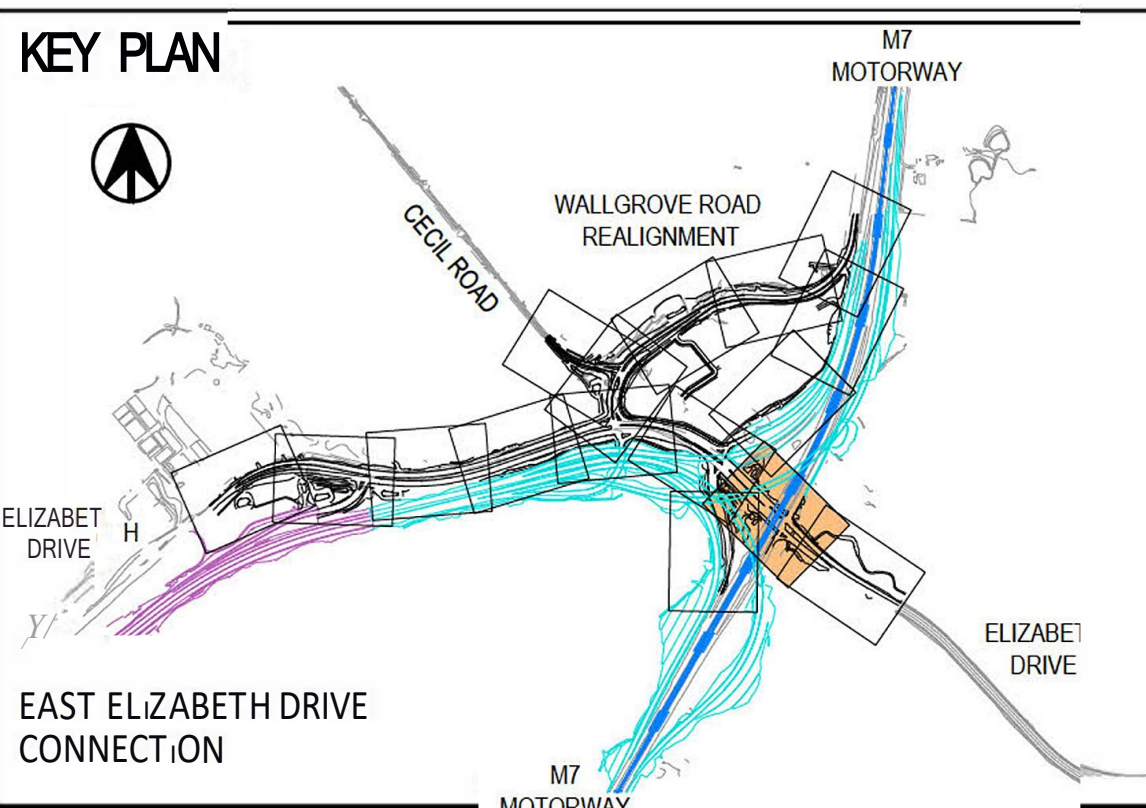


- GENERAL LEGEND**
- SAS SITE ACCESS BOUNDARY
 - M7-M12 INTERCHANGE CONSTRUCTION BOUNDARY
 - M7-M12 RETURNED BOUNDARY
 - M7-M12 RETAINED BOUNDARY
 - ELIZABETH DRIVE CONNECTION ROAD DESIGN
 - M7 INTERCHANGE ROAD DESIGN
 - M7 WIDENING ROAD DESIGN
 - EXISTING CADASTRAL BOUNDARY
 - EASEMENT BOUNDARY
 - BRIDGE STRUCTURE LABEL
 - PROTECTION SLAB

- DRAINAGE LEGEND - NEW**
- BATTER CHUTE
 - SCOUR PROTECTION
 - DRAINAGE NETWORK
 - M7 DRAINAGE NETWORK
 - M12C DRAINAGE NETWORK
 - LEVEL SPREADER
 - CONCRETE LINED OPEN DRAIN
 - VEGETATED OPEN DRAIN
 - CONCRETE VDRAIN
 - ROCK LINED OPEN DRAIN
 - SO TURNOUT CAUSEWAY
 - CROSS DRAINAGE
 - M7 CROSS DRAINAGE
 - M12C CROSS DRAINAGE
 - M7 SCOUR PROTECTION
 - DRAINAGE PITS
 - FLOW DIRECTION
 - MAJOR DESIGN CONTOURS 10m
 - MINOR DESIGN CONTOURS 0.2m

- DRAINAGE LEGEND - EXISTING**
- DRAINAGE PIT
 - MAJOR EXISTING CONTOURS 10m
 - MINOR EXISTING CONTOURS 0.5m
 - DRAINAGE PIPE
 - CROSS DRAINAGE
 - DRAINAGE PIPE (TO BE REMOVED)
 - CROSS DRAINAGE (TO BE REMOVED)

- NOTES**
- FOR GENERAL NOTES AND LEGEND REFER TO DRG Nos. SD-DRG-104006 AND 104007.
 - FOR DRAINAGE DETAILS REFER TO DRG Nos. SD-DRG-104021 TO 104058. FOR PIT, CULVERT, CHANNEL, BASIN AND SCOUR SCHEDULES REFER TO DRG Nos. SD-DRG-104251 TO 10331.
 - FOR ROAD ELEMENTS REFER TO ELIZABETH DRIVE CONNECTION ROAD WORKS DESIGN PACKAGE EDR-RW-101.
 - FOR EXISTING AND NEW UTILITIES REFER TO ELIZABETH DRIVE CONNECTION UTILITIES DESIGN PACKAGE EDR-UT-111.



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REFERENCES:

M712UDC-JHGRP-EDR-SD-M3D-104001.12da
M712UDC-JHGRP-EDR-SD-M3D-104002.12da
M712uoc-JHGRP-EDR-so-M3D-104031.rv1

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00	ISSUE FOR CONSTRUCTION	JM / 14 / 03 / 2024	MH / 14 / 03 / 2024	RD / 14 / 03 / 2024
REV	DESCRIPTION	DESIGNER INITIAL DATE	VERIFIED INITIAL DATE	APPROVED INITIAL DATE

SCALE: 1500

CLIENT: westinfj M1

PREPARED FOR:
SYDNEY PROJECT DELIVERY
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DRG CHECK 111B
DESIGN CHECK A.ROSENBAUM
PROJECT DESIGN MGR D.GARROWAY
APPROVED R.LIA VIE
REV
DATE
SHEET
OF
1

CITY OF LIVERPOOL, CITY OF FAIRFIELD
M7-M12 INTEGRATION
EAST - ELIZABETH DRIVE CONNECTION
STORMWATER MANAGEMENT
DRAINAGE LAYOUT

DRG No. M712UDC-JHGRP-EDR-SD-DRG-104107

REV	VER	EDMS No.	AMO No.
01			

COORDINATE SYSTEM: MGA ZONE 56/GD A 2.02.00/DA2020
HEIGHT DATUM: A.H.D.
LOT CODE: EDR-SD-104

DATE: 06/08/2024

PROJECT: M7-M12 INTEGRATION
EAST - ELIZABETH DRIVE CONNECTION
STORMWATER MANAGEMENT
DRAINAGE LAYOUT

SHEET: 7 OF 16
PART: 1
STATUS: FOR CONSTRUCTION
DRAWN BY: J.LIA
CHECKED BY: 111B
DESIGNED BY: A.ROSENBAUM
PROJECT DESIGN MGR: D.GARROWAY
APPROVED BY: R.LIA VIE
REV: 01
VER: 01
EDMS No.:
AMO No.:
DATE: 06/08/2024

Plotter by JMT/1591