

M12 Motorway Project

Assessment of TfNSW & Contractor Environmental System Compliance in accordance with CSSI-9364 Conditions of Approval

Audit Reference:	1317-04
Audit Organisation:	Seymour Whyte Constructions (M12 Central) CPB Georgiou Group JV (M12 West) Transport for NSW (Proponent)
Auditors:	Nilda Soto, APP (Lead Auditor) Dylan Jones, APP (Auditing Support) Barbara Pater, APP (Auditing Support)
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This report has been prepared and reviewed in accordance with our quality control system.

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Date: 21 June 2024

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Contents

1.	Executive Summary	6
2.	Introduction	11
2.1	Background	11
2.2	Project Details	12
2.3	Audit Team	14
3.	Audit Objectives and Scope	14
3.1	Audit Objectives	14
3.2	Audit Scope	14
3.3	Audit Period	15
4.	Audit Methodology	15
4.1	Approval of Auditors	15
4.2	Audit Scope Development	15
4.3	Audit Process	15
4.4	Interviewed Persons	16
4.5	Site Inspection	17
4.6	Consultation	18
4.7	Audit Compliance Status Descriptors	18
5.	Document Review	20
6.	Audit Findings	24
6.1	Assessment of Compliance	24
	Overarching Compliance	24
6.2	Notices, Incidents and Complaints	28
6.3	Previous Audit Findings	29
6.4	Audit Site Inspection	34
6.5	Suitability of Plans and the Environmental Management System	36
6.6	Actual vs Predicted Impacts	37
6.7	Key Strengths	38
6.8	Audit Findings and Recommendations	39
	Appendix A - Audit Agendas	44
	Appendix B - Audit Attendance Sheets	51
	Appendix C – Auditor Approval	55

Appendix D – Independent Audit Declaration	57
Appendix E – Audit Checklists	61
Appendix F – Consultation	261
Appendix G – Audit Photos	264

Abbreviations and Definitions

AF	Ancillary Facility
AHIP	Aboriginal Heritage Interpretation Plan
APP	APP Corporation Pty Ltd (also known as The APP Group)
CA	Consistency Assessment
CAQMP	Construction Air Quality Management Sub-plan
CCHMP	Construction Cultural Heritage Management Sub-plan
CCS	Community Communications Strategy
CEMP	Construction Environmental Management Plan
CFMP	Construction Flood Management Sub-Plan
CFFMP	Construction Flora and Fauna Management Sub-plan
CNVMP	Construction Noise and Vibration Management Sub-plan
CPBGG-JV	CPB-Georgiou Group Joint Venture
CSSI	Critical State Significant Infrastructure
CSWMP	Construction Soil and Water Management Sub-plan
DPHI	Department of Planning, Housing and Infrastructure
ER	Environmental Representative
EWP	Early Works Management Plan
HIP	Heritage Interpretation Plan
M12C	M12 Motorway Central package
M12W	M12 Motorway West package
MAF	Minor Ancillary Facility
NC	Non-Compliance
OFI	Opportunity for Improvement
PDLP	Place, Design and Landscape Plan
SEMP	Site Establishment Management Plan
SSI	State Significant Infrastructure
SWC	Seymour Whyte
TfNSW	Transport for NSW
TR	Temporary Roundabout

1. Executive Summary

This Independent Environmental Audit (IEA) report presents the outcomes of the assessment of environmental controls established by TfNSW and Contractors against the requirements of the Critical State Significant Infrastructure conditions CSSI-9364 for the M12 Motorway Project – Central and West packages, including the Devonshire Road Temporary Roundabout as part of the Central works. The audit was conducted by The APP Group (APP) on the 9 & 16 May 2024, covering the relevant conditions of Schedule 2 Parts A, B, C, E and Appendix A of CSSI-9364.

This is the fourth IEA on the project, covering the review of environmental documentation, records, and site inspections for the M12 Motorway works within 6 months of the previous IEA conducted on the 30, 31 October and 13 November 2023. This report is based on the result of sampling and supplied documentation/records, as well as the site activities during the audit on 9 & 16 May 2024 and additional documentation as provided up to 21 May 2024.

The audit period is therefore defined as 13 November 2023 to 21 May 2024.

Overarching Compliance

During the audit period, one (1) non-compliance was self-reported which applied to both the M12 Central and M12 West Packages. In addition, one (1) opportunity for improvement was identified as applying to both the M12 Central and M12 West packages. For ease of identification, these findings have been separated to clearly assign it as overarching to the project:

Finding No.	Condition of Approval	Audit Finding Details
Overarching Non-Compliances:		
M12O-04 NC-01	Construction Monitoring Programs C18: The results of the Construction Monitoring Programs must be submitted to the Planning Secretary, and relevant government agencies, for information in the form of a Construction Monitoring Report at the frequency identified in the relevant Construction Monitoring Program . <i>Note: Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan.</i>	A <i>self-reported</i> non-compliance with Condition of Approval C18 was identified during the audit period. The Construction Monitoring Program requires the Construction Surface Water and Groundwater Monitoring Program Report to be provided to the Planning Secretary and relevant government agencies, however submission of reports 7 and 8 were missed. This triggers a non-compliance against Condition C18. Recommendation: It is recommended to implement a process to effectively track timeframes to ensure all submissions occur on time.
Overarching Opportunity for Improvement		
M12O-04 OFI-01	Construction Environmental Management Plan C1: A Construction Environmental Management Plan (CEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department Planning, 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.	M12 Motorway Minor Consistency Assessment dated and approved 22 January 2024 for the M12 Central, has triggered a minor update to the OCEMP. The updated OCEMP was noted to be still in draft, however the proposed works associated with the Consistency Assessment are to be completed by the end of the second quarter of 2024. There is an improvement opportunity to action future updates in a timely manner so works are as aligned to the relevant management plans.

As part of the audit, overarching compliance is detailed throughout the audit checklists. Refer to [Appendix E](#) for details.

M12 Central Summary

The M12 Central project was verified as generally compliant with the Conditions of Approval with the following key strengths noted:

- Good reuse of mulch onsite,
- No evidence of dust or mud tracking on roads,
- Rock channels clear and appeared well maintained,
- Continued preservation of heritage items,
- Thorough dewatering permit process in place, and
- Progress of works progressing well despite continuous wet weather conditions.

M12 Central – Findings

The M12 Central independent environmental audit was carried out on the 9 May 2024, comprising of a review of documents and records, interviews with key personnel from TfNSW and Seymour Whyte, and a site inspection. Evidence was presented and verified for the previous audit findings which were closed out accordingly. Refer to [Section 6.3](#) for details.

During the audit, there were four (4) non-compliances and three (3) opportunities for improvement identified by the auditor, within the scope of the audit. It is noted that three (3) non-compliances were self-reported during the audit period. Details are as follows:

Finding No.	Condition of Approval	Audit Finding Details
M12 Central Non-Compliances:		
M12C-04 NC-01	General A1: The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with: (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).	A <i>self-reported</i> non-compliance was identified during the audit period in relation to Minor Ancillary Facility MAF-004 – flagging of the laydown area was incorrectly set out and outside the project boundary. This triggers a non-compliance against Condition A1. Recommendation: Prior to establishment of future Minor Ancillary Facilities, it is recommended that the area should be reviewed in detail against the project boundary by all relevant parties (contractor, TfNSW and the ER).
M12C-04 NC-02	General 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.	A <i>self-reported</i> non-compliance was identified during the audit period as linked to A1 in relation to MAF-004 – flagging of the laydown area was incorrectly set out and outside the project boundary. This triggers a non-compliance against Condition A2. Recommendation: Prior to establishment of future Minor Ancillary Facilities, it is recommended that the area should be reviewed in detail against the project boundary by all relevant parties (contractor, TfNSW and the ER).

Finding No.	Condition of Approval	Audit Finding Details
M12C-04 NC-03	General A4: The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: (f) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval)	Based on the non-compliances raised against Conditions A1, A2, and E84, a non-compliance is triggered for A4(f). Close out of the identified non-compliances will automatically address this non-compliance.
M12C-04 NC-04	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.	During the site inspection, concrete washout areas were observed as not maintained appropriately with signage not displayed, plastic lining not used, waste and debris not removed, and soil bunds not appropriately formed around the washout areas. Recommendation: It is recommended to improve upon and continuously maintain and monitor environmental controls to demonstrate effective implementation of the CEMP and CEMP sub-plans.
M12 Central Opportunities for Improvement:		
M12C-04 OFI-01	Construction Environmental Management Plan C2: The CEMP must provide: (e) an inspection program detailing the activities to be inspected and frequency of inspections	Not all actions raised from SWC inspections were closed out on the system PSEM. There is an improvement opportunity to continuously monitor the status of actions to ensure they have been appropriately addressed and closed out.
M12C-04 OFI-02	Construction Monitoring Programs 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 reported data for air quality results showed exceedances under the 'maximum' rows, however, the overall levels were compliant as based on the average. There is an improvement opportunity to highlight the average results only, to clearly report on compliant readings and exceedances.
M12C-04 OFI-03	Waste 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.	Various waste bins were noted to be at capacity during the site inspection at several locations. There was also liquid waste remaining in a container without plans for removal. There is an improvement opportunity to demonstrate best practice and remove waste in a timely manner.

These findings are further detailed in [Section 6.8](#) and [Appendix E](#), with a recommendation to address the non-compliances and improvement opportunities to maintain full compliance with CSSI-9364, as well as improve upon the environmental performance and implementation of environmental controls for the project.

M12 Central – Site Observations

Several observations were made during the M12 Central site inspection on the 9 May 2024, including the condition of the erosion and sedimentation controls, stockpile height and ratio, fuel container storage and various concrete washouts throughout site locations. Further details of site inspection observations are provided in [Section 6.4](#). Refer to site photos included under [Appendix G](#).

M12 Central - Devonshire Road Temporary Roundabout Summary

The M12 Central - Devonshire Road Temporary Roundabout was completed on 13 February 2024 and is now fully operational.

M12 Central - Devonshire Road Temporary Roundabout – Findings

The independent environmental audit of the M12 Central - Devonshire Road Temporary Roundabout was conducted on the 9 May 2024, comprising of a review of documents and records, interviews with key personnel from TfNSW, and a site inspection.

Evidence was presented and verified for the previous audit findings and closed out accordingly. Refer to [Section 6.3](#) for details.

There were no findings identified during the audit.

Refer to the audit checklist under [Appendix E](#), for detail of compliance for the Devonshire Road Temporary Roundabout.

M12 Central - Devonshire Road Temporary Roundabout – Site Observations

No observations were identified during the site inspection on the 9 May 2024. The site is noted as being fully operational at the time of inspection.

M12 West Summary

The M12 West project was verified as compliant with the Conditions of Approval with the following key strengths noted:

- ▶ Site continues to be in a tidy condition despite recent heavy rainfall events,
- ▶ Good erosion and sedimentation controls demonstrated throughout all site locations,
- ▶ New seeding formula has been implemented and showing signs of success,
- ▶ Site mulch progressing well with stringent quality control methodology implemented,
- ▶ Records management consistently maintained and well presented, and
- ▶ Minor complaints received on the project to date with only one received during the audit period.

M12 West – Findings

The M12 West independent environmental audit was carried out on the 16 May 2024, comprising of a review of documents and records, interviews with key personnel from TfNSW and CPBGG-JV, and a site inspection.

Evidence was presented and verified for the previous audit findings and closed out accordingly. Refer to [Section 6.3](#) for details.

During the audit, there were no non-compliances identified. Two (2) opportunities for improvement were raised by the auditor with details as follows:

Finding No.	Condition of Approval	Audit Finding Details
M12W-04 OFI-01	C2: The CEMP must provide: (k) for periodic review and update of the CEMP and all associated plans and programs	The Management Review topics as aligned to the CEMP and contract requirements, did not appear to include a section to assign actions which is a requirement of ISO 14001 (Clause 9.3).

Finding No.	Condition of Approval	Audit Finding Details
		There is an improvement opportunity to include assigned actions and their status within the Management Review minutes for traceability purposes.
M12W-04 OFI-02	Construction Environmental Management Plan C1: A Construction Environmental Management Plan (CEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department Planning, 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.	An environmental event occurred on 24 April 2024 where a water pump within a sediment basin failed to properly float and pump water from the surface, resulting in sediment laden water being pumped into a rock lined channel. After investigating the event, it was determined that no environmental harm occurred given the distance to the nearest receiving waterway and the event was attributed to a system related incident. However, at the time of the audit (16 May 2024) the incident had not yet been formally raised and reported. There is an opportunity to review the incident review process (time taken to review incidents) and to ensure appropriate records of evidence of the investigation are stored to demonstrate the decision-making process when categorising events / incidents.

These findings are further detailed in [Section 6.8](#) and [Appendix E](#), with a recommendation to address the improvement opportunities to maintain full compliance with CSSI-9364, as well as enhance the environmental performance of the project.

M12 West – Site Observations

No observations were raised during the site inspection carried out on the 16 May 2024 for the M12 West package. In general, the site presented well, with environmental controls in good condition and being progressively well maintained.

Refer to site photos included under [Appendix G](#).

2. Introduction

2.1 Background

The M12 Motorway is a 16-kilometre dual carriage motorway that will connect the future Western Sydney International (Nancy-Bird Walton) Airport with the M7 Motorway at Cecil Hills and The Northern Road at Luddenham. Construction of the M12 Motorway commenced August 2022 and will be opened to traffic prior to the opening of the Western Sydney International (Nancy-Bird Walton) Airport.

The M12 Motorway Project was classified as Critical State Significant Infrastructure (CSSI) by the NSW Department of Planning, Housing and Infrastructure (formerly the Department of Planning and Environment), requiring compliance with the conditions as set out in Schedule 2 of Infrastructure Approval SSI-9364, approved on 23 April 2021. Transport for NSW (TfNSW) is the Proponent for the project and has appointed the below contractors.

M12 Central

Seymour Whyte (SWC) has been appointed by TfNSW for the construction of the M12 Motorway – Central Package which comprises of the following:

- Construction of the 7.6km central section consisting of a four-lane dual-carriageway for the M12 between Badgerys Creek and Water Tower Access Road, Cecil Hills,
- Seven bridges located at:
 - Clifton Ave
 - South Creek (twin bridges)
 - Kemps Creek (twin bridges)
 - Elizabeth Drive (twin bridges)
 - Range Road (twin bridges)
 - Water Tower Access Road
 - Access bridge (Sydney University Land),
- Separate shared user path,
- Relocation and protection of existing utilities,
- Associated works including ITS infrastructure, drainage, and signage, and
- Urban design as aligned to the Place, Design and Landscape Plan with art installations and landscaping.

M12 Central - Devonshire Road Temporary Roundabout

This small package of works included the construction of a Temporary Roundabout at the intersection of Devonshire Road and Elizabeth Drive, Kemps Creek. The roundabout was required to address Revised Environmental Management Measure TT10 to manage construction traffic impacts in the area and improve safety. Works were complete 13 February 2024 with full handover to occur following the issue of the Land Condition Survey Reports.

M12 West

CPB Constructions and Georgiou Group Joint Venture (CPBGG JV) have been appointed by TfNSW for the design and construction of the M12 Motorway West Package located between The Northern Road, Luddenham, and Badgerys Creek east, which comprises of the following:

- Construction of a four lane, dual-carriageway motorway,
- Connection to the Western Sydney International Airport (WSIA) interchange,
- Eleven bridges located at:
 - Luddenham Road
 - Airport Access Road, Elizabeth Drive
 - Sydney Metro, Elizabeth Drive
 - Sydney Metro, Greater West Bridge and Eastbound Entry Ramp
 - WSIA channel (northbound)
 - WSIA channel (southbound)
 - Cosgroves Creek
 - Badgerys Creek
 - Viaduct on Eastbound Exit Ramp over M12 (Eastbound Entry and Westbound Exit Ramps)
 - Eastbound Entry Ramp over M12
 - Westbound Entry Ramp over Eastbound Entry Ramp,
- Separate shared user path,
- Relocation and protection of existing utilities,
- Associated works including ITS infrastructure, drainage, and signage, and
- Urban design as aligned to the Place, Design and Landscape Plan with art installations and landscaping.

Independent Environmental Audit

TfNSW engaged APP to undertake this independent environmental audit on the M12 Central (including the temporary roundabout) and M12 West packages. This is the fourth (4th) Independent Environmental Audit undertaken by APP. The audit undertaken in compliance with CSSI-9364 Condition A38 whereby:

“The Proponent must engage an independent auditor and conduct auditing and audit reporting of the CSSI in accordance with the document Independent Audit Post Approval Requirements (DPE, 2020).”

2.2 Project Details

Project Details	
Project Name	M12 Motorway Project
Project Application No.:	CSSI-9364
Project Addresses:	M12 Central, Clifton Ave, Kemps Creek M12 West, Elizabeth Drive, Badgerys Creek M12 Central - Temporary Roundabout, Devonshire Road, Kemps Creek
Project Phase:	M12 Central: Construction M12 West: Construction M12 Central – Devonshire Road Temporary Roundabout: Works complete and in the process of being handed over.
Project Activity Summary:	The following is a summary of the works that were in progress at the time of audit:

Project Details	
M12 Central:	▶ Majority of pavement has been laid with one remaining pour at Bridge 9 (BR09) pending weather conditions. ▶ Shared User Path progressing well and around 80% complete. ▶ Commissioning of Basins 1 and 2 occurring to convert into operational (permanent) basins. ▶ Bridge 6 (BR06) works include under slinging of utilities, pipe works, stitch points, installation of rails, verge compaction, with substructure now complete. ▶ Bridge 7 (BR07) is now open to traffic with the first project artwork currently being installed. ▶ Bridge 8 (BR08) is close to being asphalted. Most structural works are now complete. ▶ Bridge 9 (BR09) works progressing under the abutment. ▶ Bridge 10 (BR10) works include asphalt installation pending weather conditions. ▶ Asphalting progressing at Dungowan Place (local road tie in for access) ▶ Batch plant is fully operational and servicing the site. ▶ Paving works on shoulder. ▶ Spraying grass and topsoiling continuing.
M12 West:	▶ Demobilisation under Bridge 5 to occur followed by final remediation of area. ▶ Fill 7A drainage complete with permanent rock and pollution basins in progress. ▶ Fill 6 feeds into basin from SCAW; ¾ SMZ complete from SCAW bridge to Badgerys Creek. Subgrade seal to be complete from Bridge 5 west to SCAW. ▶ Seeding of batters to occur following TfNSW approval; seeding trials underway and proving effective. Scouring from heavy rain event will be attended to during seeding. ▶ Abutments at Bridges 21, 22 and 23 complete. ▶ Concrete works to The Northern Road continuing. ▶ Permanent basin being constructed at Bridge 2. ▶ Spoil being moved from side 5A to 5B at Bridge 1. ▶ ITS works at the west side of works. Pavement works west of Luddenham also progressing. ▶ Sealing at Bridge 4, Airport Access Road. Drainage now complete at Airport Access Road. ▶ 10 beams remaining at Bridge 24. ▶ B&K Landscaping contractor based on site at AF1 and installing mulch beds as per PDLP. Mulch undergoing stringent testing process. ▶ Pad laid at Bridge 22 interchange for the Emu in the Sky. Sandstone to be installed for capping area. Earthworks and elevation complete; piling to follow for pre-fabricated structure for the artwork is brought in. ▶ Lighting installation has commenced at Shared User Path.
M12 Central – Devonshire Road Temporary Roundabout:	▶ Construction of the temporary roundabout was complete and has been in full operation since 13 February 2024. ▶ Site compound has been demobilised at AF13. ▶ Post-construction land survey reports were awaiting issue at the time of the audit prior to full handover.

2.3 Audit Team

Details of The APP Group independent environmental auditing team as approved by the Department of Planning, Housing and Infrastructure (DPHI) for this audit are as follows:

Name	Company	Position	Certification
Nilda Soto	APP	Lead Environmental Auditor	Exemplar Global Lead Environmental Auditor – Certificate No. [REDACTED]

Endorsement by the Department of Planning, Housing and Infrastructure (DPHI) of the Independent Environmental Auditor was previously granted on 16 October 2023, prior to the conduct of this audit, and confirmed by DPHI to be applicable to this audit. The approval letter has been included as [Appendix C](#) and Independent Audit declaration forms under [Appendix D](#).

Nilda was assisted by Barbara Pater, Exemplar Global Lead Environmental Auditor – Certificate No. [REDACTED] and Dylan Jones, Exemplar Global Lead Environmental Auditor – Certificate No. [REDACTED]

3. Audit Objectives and Scope

3.1 Audit Objectives

The objective of this audit was to undertake the fourth independent environmental review of the project in compliance with Approval Conditions SSI-9364 Condition A38, in accordance with the requirements for an independent audit methodology and independent audit report as defined in the *Independent Audit Post Approval Requirements* (IAPAR, 2020), and the Project Staging Report (April 2023).

3.2 Audit Scope

The scope of this audit comprised a review of the Project compliance with Schedule 2, SSI-9364 Conditions, Parts A, B, C, E and Advisory Notes, including the following:

- ▶ Review of implementation of management plans, including:
 - Overarching Management Plans (e.g., OCEMP),
 - Contractor Construction Environmental Management Plans (CEMP),
 - Construction Traffic and Transport Management Sub-Plan,
 - Construction Noise and Vibration Management Sub-Plan including Construction Monitoring Program,
 - Soil and Water Management Sub-Plan, including Construction Monitoring Program,
 - Construction Flora and Fauna Management Sub-plan,
 - Construction Cultural Heritage Management Sub-plan,
 - Construction Air Quality Management Sub-plan, and
 - Site Establishment Management Plans (SEMP).
- ▶ Community Communications Strategy
- ▶ Site inspections as conducted on:
 - 9 May 2024 – M12 Central, including the constructed Devonshire Road Temporary Roundabout
 - 16 May 2024 – M12 West

- ▶ Review of the environmental performance on the project,
- ▶ Review of environmental records,
- ▶ Interviews with site personnel, and
- ▶ Consultation with stakeholders.

3.3 Audit Period

This is the fourth independent environmental audit on the project, covering the review of environmental documentation, records, and site inspections for the M12 Motorway works within 6 months of the previous construction audit conducted on the 30, 31 October and 13 November 2023. This report is based on the result of sampling and supplied documentation/records, as well as the site activities during the audit on 9 & 16 May 2024 and additional documentation as provided up to 21 May 2024.

The audit period is therefore defined as 13 November 2023 to 21 May 2024.

4. Audit Methodology

4.1 Approval of Auditors

Letter from the Planning Secretary agreeing to the auditors is included under [Appendix C](#).

4.2 Audit Scope Development

APP developed the audit scope and checklists based on the Infrastructure Requirements set out in the CSSI-9364 Approval Conditions. Refer to [Appendix E](#) of this report. As a requirement of the IAPAR 2020 guidelines, this audit was undertaken at an interval of no greater than 26 weeks from the date of the previous Independent Audit. In accordance with Section 3.2 of the IAPAR 2020 guidelines, consultation for the scope of the audit was sought from the Department of Planning, Housing and Infrastructure – refer to [Section 3.6](#) and [Appendix F](#) of this report.

4.3 Audit Process

Refer to Audit Agendas as included under [Appendix A](#).

4.3.1 Opening Meeting

Opening meetings were held as follows:

Package	Date and time	Attendees
M12 Central (including Devonshire Rd Temporary Roundabout)	9 May 2024, 8:15am	Seymour Whyte, TfNSW, ER
M12 West	16 May 2024, 8:15am	CPBGG-JV, TfNSW, ER

Key items were discussed during each opening meeting:

- ▶ Confirmation of the purpose and scope of the audit,
- ▶ Overview of the Project and status of the works,
- ▶ Occurrence of environmental incidents and non-compliances, as applicable,

- ▶ Overview of the audit process in accordance with the Schedule 2 Approval Conditions, Project Staging Report (April 2023), the *Independent Audit Post Approval Requirements* (IAPAR 2020), and the methodology to be applied, and
- ▶ Confirmation of resources required to undertake the audit.

Refer to Audit Attendance Sheets included as part of [Appendix B](#).

4.3.2 Conduct of Audit

Audit activities included the following:

- ▶ Review of the status of previous audit findings and actions taken for close out, where applicable,
- ▶ Review of the project documentation (CEMP, Sub-Plans and monitoring programs) and records to verify compliance with the CSSI-9364 conditions,
- ▶ Conduct of a site inspection per package of works to review implementation of mitigation measures and environmental controls,
- ▶ Conduct of the audit using the checklist based on the Conditions of Approval per contractor + TfNSW,
- ▶ Onsite interviews with TfNSW and Contractor personnel to verify compliance with the approval conditions. A list of personnel is included under [Section 3.4](#),
- ▶ Review of records provided as evidence of compliance, and
- ▶ Discussion of any observations (both positive and negative), any identified findings, and observations/actions noted during site inspections.

4.3.3 Closing Meeting

Closing meetings were held as follows:

Package	Date and time	Attendees	Comments
M12 Central (including Devonshire Rd Temporary Roundabout)	9 May 2024, 4:30pm	Seymour Whyte, TfNSW, ER	The auditor acknowledged the openness and hospitality of all parties during the conduct of the audit.
M12 West	16 May 2024, 3:30pm	CPBGG-JV, TfNSW, ER	

4.4 Interviewed Persons

Name and position of persons interviewed:

Name	Organisation	Position	Involvement in the audit
Tracey Austin	TfNSW	Environment and Sustainability Manager	Tracey was the main representative from TfNSW in attendance, as well as providing documentation for review in the lead up to the audit and responses to audit RFIs.
Sheila Anderson	TfNSW	Senior Environment and Sustainability Manager	Sheila participated in the audit and confirmed the status of overarching documentation, presented records during the applicable TfNSW conditions

Name	Organisation	Position	Involvement in the audit
Daniel Saunders	TfNSW	Environment Manager	Daniel fully participated in the audit as a representative for both Central and West packages.
Jennifer Neill	TfNSW	Senior Environmental Manager	Jennifer participated in the audit as an observer from TfNSW.
Raj Barot	TfNSW	CSE Officer	Raj attended a review of Part B during both audit days on behalf of TfNSW for community and consultation.
Jim Steen	TfNSW	Environment Officer	Jim observed the M12 West audit process.
Tom Bath	Seymour Whyte	Environment and Sustainability Manager M12 Central	Tom was present for the entire audit process and the main representative from Seymour Whyte to present records and lead the site inspection.
Sumanthu Sampeth	Seymour Whyte	Environmental & Sustainability Graduate	Sumanthu was present as an observer during the M12 Central audit.
Deepa Rijal	Seymour Whyte	Environmental & Sustainability Graduate	Deepa was present as an observer during the M12 Central audit.
Jennifer Gatt	Seymour Whyte	Community Relations Manager (CRM) M12 Central	As the CRM, Jennifer partook in verification of compliance to conditions relevant to Part B (Community and Consultation).
Kimberley Purkiss	CPBGG-JV	Environment Manager M12 West	Kimberley was present for the entire audit process, presenting records as the main representative from CPBGG-JV.
Andrew Brajlilh	CPBGG-JV	Senior Environment Advisor M12 West	Andrew fully participated in the audit and presented records on behalf of CPBGG-JV.
Greg Murdoch	CPBGG-JV	General Supervisor M12 West	Greg led the site inspection, providing a project update and status of works.
Tiana Chezzi	CPBGG JV	Environment and Sustainability Graduate M12 West	Tiana participated in the audit and presented records and was interviewed during the review of Sustainability conditions E91 and E92 on behalf of CPBGG-JV.
Patrick Browne	CPBGG JV	Environmental Graduate	Patrick observed the audit project for the M12 West.
Joel Warne	CPBGG JV	Community and Stakeholder Manager	Joel partook in verification of compliance to conditions relevant to Part B (Community and Consultation).
George Kollias	HBI	Independent Environmental Representative	George was present for both audit days and spoke to conditions A34 and A35 as applicable to his responsibilities.

Table 1- Personnel Interviewed

4.5 Site Inspection

A site inspection was carried out on each of the audit days as follows:

Package	Date and time	Attendees	Comments
M12 Central	9 May 2024, 8:30am	Seymour Whyte, TfNSW, ER	Several observations made
M12 Central - Devonshire Rd Temporary Roundabout	During M12 Central inspection	TfNSW, ER	Nil issues identified
M12 West	16 May 2024, 8:30am	CPBGG-JV, TfNSW, ER	Nil issues identified

Refer to details of the inspection in [Section 6.4](#) of this report and site photos included under [Appendix G](#).

4.6 Consultation

Consultation emails were sent in advance of the audit to relevant personnel at the Department of Planning, Housing and Infrastructure (DPHI) in accordance with the IAPAR 2020 requirements (Section 3.2), to request feedback about the project and highlight any focus areas for review by APP during the audit. Refer to [Appendix F](#) for a copy of the consultation.

DPHI requested that the following areas be a focus of the audit:

Request	How addressed
▶ Concrete washout management and processes ▶ Stockpile management and processes ▶ ERSED controls	M12 Central: During the M12 Central audit site inspection, several observations were made in accordance with the nominated focus areas. This resulted in a non-compliance being raised regarding the implementation of project management plans (Condition E84). Refer to Section 6.8 and Appendix E for details. Devonshire Road Temporary Roundabout: No concrete washout, stockpiles or ERSED controls in place for the Temporary Roundabout. Construction is now complete, and the roundabout is now in full operation. No issues or findings were raised relevant to the focus areas. M12 West: A focused review of records and site conditions was placed on the M12 West contractor with evidence of compliance demonstrated as per Audit Checklist Appendix E. No issues or findings were raised relevant to the focus areas.

4.7 Audit Compliance Status Descriptors

The following audit criteria were used for the rating of audit findings.

Rating	Description
Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-Compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.

Rating	Description
Not Triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Table 2- Audit Criteria

In addition to the above descriptors, there was the option to raise Opportunities of Improvement (OFI) during this audit.

5. Document Review

- M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 3 April 2023
- Overarching Construction Environmental Management Plan, M12PPW-ADAP-ALL-EN-PLN-000003, Rev J, 17 March 2023
- Overarching Construction Noise and Vibration Management Sub-plan, M12PPW-ADAP-ALL-EN-PLN-000008, Rev M, 5 October 2023
- Overarching Construction Noise and Vibration Monitoring Program, M12PPW-ADAP-ALL-EN-PLN-000008, Rev M, 5 October 2023
- M12 Central Site Establishment Management Plan (SEMP), M12CCO-SYW-ALL-EN-PLN-000002, Rev H, 23 June 2023
- M12 Central Construction Environmental Management Plan, M12CCO-SYW-ALL-EN-PLN-000003, Rev E, 17 August 2023
- M12 Central Construction Noise and Vibration Management Sub-plan, M12CCO-SYW-ALL-EN-PLN-000005, Rev F, 18 July 2023
- M12 Central Construction Soil and Water Management Sub-plan (SWMP), M12CCO-SYW-ALL-EN-PLN-000013, Rev E, 21 August 2023
- M12 Central Construction Flora and Fauna Management Sub-plan, M12CCO-SYW-ALL-EN-PLN-000006, Rev F, 20 September 2023
- M12 Central Construction Noise and Vibration Monitoring Program, M12CCO-SYW-ALL-EN-PLN-000005, Rev F, 18 July 2023
- M12 Central Construction Soil and Water Quality Monitoring Program, M12CCO-SYW-ALL-EN-PLN-000013, Rev E, 28 August 2023
- M12 Central Cultural Heritage Management Sub-plan, M12CCO-SYW-ALL-EN-PLN-000007, Rev E, 28 August 2023
- M12 Central Climate Change Monitoring and Adaptive Management Framework, M12CCO-SYW-ALL-EN-PLN-000011, Rev E, 14 August 2023
- M12 Central Construction Waste and Resources Management Sub-plan (M12CCO-SYW-ALL-EN-PLN-000010, Rev E, 14 August 2023
- Out-of-Hours Work Procedure, Ref M12CCO-SYW-ALL-EN-PLN-000005, Rev F, 18 July 2023
- Overarching Out of Hours Work Protocol, Rev M, 4 October 2023
- M12 Central Construction Contaminated Land Management Sub-plan, ref M12CCO-SYW-ALL-EN-PLN-000013 Rev E, 14 August 2023
- Asbestos Management Plan (M12CCO-SYW-ALL-EN-PLN-000003, Rev E, 28 August 2023
- M12 Motorway Sustainability Strategy, ref fa11415671, Rev D, 9 June 2023
- Bridge 09 Minor Construction Ancillary Facilities for the M12 Motorway (Central), Badgerys Creek and the Water Tower Access Road, Cecil Hills, Rev A, 15 March 2024
- M12 Motorway Minor Consistency Assessment, 22 January 2024
- M12 Central Project Team Fortnightly Meeting No. #43, 6 December 2023
- DPHI email: M12 Motorway - Modification to Condition A16 - SEMP(PMA-70304983), 2 May 2024
- DPHI letter: approval of extension of time for the next Independent Audit, 6 May 2024
- Portal receipt SSI-9364-PA-219
- Portal receipt SSI-9364-PA-244
- Portal receipt SSI-9364-PA-257
- Portal receipt SSI-9364-PA-259
- Portal receipt SSI-9364-PA-262
- Portal receipt SSI-9364-PA-263
- Portal receipt SSI-9364-PA-267
- Portal receipt SSI-9364-PA-270

- Portal receipt SSI-9364-PA-274
- Portal receipt SSI-9364-PA-278
- Portal receipt SSI-9364-PA-284
- Portal receipt SSI-9364-PA-290
- Portal receipt SSI-9364-PA-292
- Portal receipt SSI-9364-PA-296
- Portal receipt SSI-9364-PA-297
- Portal receipt SSI-9364-PA-298
- Portal receipt SSI-9364-PA-302
- Portal receipt SSI-9364-PA-303
- Portal receipt SSI-9364-PA-305
- ER letter to DPHI: Extension request for submission of Dec-23 report, 6 December 2023
- DPHI email to TfNSW: M12 Motorway - Modification to Condition A16 – SEMP (PMA-70304983), 2 May 2024
- ER Central site inspection No. 118, 19 March 2024
- ER Central site inspection No. 122, 16 April 2024
- ER Central site inspection No. 124, 30 April 2024
- ER endorsement for the M12C Minor Ancillary Facility Checklist Portalooos, 13 November 2023
- ER endorsement for the M12W MCAF Checklist 011 – 016, Rev D, 7 December 2023
- ER endorsement for the M12 Central EWMS – Temporary Waterway Crossings, Rev C, 18 March 2024
- ER endorsement for the M12 Central Ancillary Facility Checklist M12C-MAFC-008, 18 March 2023
- Consistency Assessment, 22 January 2024
- TfNSW Teambinder correspondence to ER, submission of Consistency Assessment Ref M12CCO-TFNSW-HBI-CORR-000064, 23 January 2024
- DPHI letter: Response to auditing team, 6 May 2024
- TfNSW letter, SSI 9364 – M12 Motorway – CoA A42 and A43 Independent Audit Report and Proponent's Response (M12 Central), 15 December 2023
- DPHI letter: RFI for IEA#3, 7 March 2024 (SSI-9364-PA-267)
- TfNSW letter: Response to RFI IEA#3, 19 April 2024 (SSI-9364-PA-300)
- TfNSW letter, M12 Motorway – Non-Compliance Notification A4 (SSI-9364), 3 November 2023
- TfNSW Letter, M12 Motorway – Non-Compliance Notification C18 (SSI-9364), 8 December 2023
- TfNSW Letter, M12 Motorway – Non-Compliance Notification A1 and A2 (SSI-9364), 5 April 2024
- EPL 21596 for Central – licence variation, 1 May 2024
- DPHI email to TfNSW: Acknowledging notification of emergency works, 7 March 2024 (SSI-9364-PA-289)
- EPA email: Acknowledging receipt for emergency works, 7 March 2024
- Permit number 24-01-OOHW-116, 2 February 2024
- Permit number 24-03-OOHW-127, 7 March 2024
- JHG email: M7 – M12 Integration project, 3 April 2024
- ER Monthly Report 210309-ER_DPE-November 2023 (issued 7 December 2023, SSI-9364-PA-258)
- ER Monthly Report 210309-ER_DPE-December 2023 (issued 15 January 2023, SSI-9364-PA-269)
- ER Monthly Report 210309-ER_DPE-January 2024 (issued 7 February 2024, SSI-9364-PA-277)
- ER Monthly Report 210309-ER_DPE-February 2024 (issued 7 March 2024, SSI-9364-PA-288)
- ER Monthly Report 210309-ER_DPE-March 2024 (issued 5 April 2024, SSI-9364-PA-294)
- ER Monthly Report 210309-ER_DPE-April 2024 (issued 7 May 2024, SSI-9364-PA-308)
- M12 Central Environmental Event Report #INC041, 13 January 2024
- M12 Central Environmental Event Report #INC045, 19 March 2024
- M12 Central Environmental Event Report #INC046, 19 March 2024
- M12 Central Environmental Event Report #INC047, 3 April 2024
- Overarching Communication Strategy, Rev 6, March 2024

- TfNSW letter to DPHI: Re: SSI 9364 - M12 Motorway - CoA B3 Overarching Communication Strategy, 29 April 2024
- M12 Central DPE Complaints Register
- Seymour Whyte Quarterly Monitoring Report, September – November 2023, M12 Motorway – Central Package, 18 December 2023
- Seymour Whyte Quarterly Monitoring Report, December 2023 – February 2024, M12 Motorway – Central Package, 20 March 2024
- WSPO_Biodiversity_Offsets (live register)
- Letter to DPHI: Submission of Offset report and Credit requirements, 16 February 2024 (SSI-9364-PA-279)
- DPHI letter: RFI for Offset report and Credit requirements, 23 February 2024
- Letter to DPHI: Response to RFI, 4 March 2024 (SSI-9364-PA-286)
- DPHI letter: M12 Motorway Biodiversity Offsets, 5 June 2024 (SSI-9364-PA-286)
- Payment to Biodiversity Conservation Fund – Invoice # 8002961534, 14 February 2024
- Offset report Arcadis Update to ecosystem and species requirements for M12, Rev J, 2 February 2024
- OOHW Register M12 Central (live register)
- M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park, February 2024
- M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park, March 2024
- M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park, April 2024
- Out of hours work in Kemps Creek and Cecil Park – M12 Motorway – Central, May 2024
- Utilities Management Plan for M12 Central, Rev C, 23 August 2023
- Progressive Erosion and Sediment Control Plan developed, Rev 3.1, 8 November 2023
- M12 Central Progressive Erosion and Sediment Control Plan (PESCP_03) Location: Elizabeth Drive to Range Road (Rev.F), 2 August 2023
- M12 Central Progressive Erosion and Sediment Control Plan (PESCP_05) Location: South Creek to Clifton Road (Rev.H), 3 August 2023
- M12 Central Progressive Erosion and Sediment Control Plan (PESCP_06) Location: Tree Serve (Rev. C), 10 July 2023
- M12 Central Progressive Erosion and Sediment Control Plan (PESCP_07) Location: Clifton Avenue to Kemps Creek Stage (Rev.D), 2 August 2023
- M12 Central Progressive Erosion and Sediment Control Plan (PESCP_09) Location: Kemps Creek to Hi-Quality (Rev. C), 2 August 2023
- M12 Central Progressive Erosion and Sediment Control Plan (PESCP_12) Location: East of Range Road (Rev.G), 3 August 2023
- M12 Central Progressive Erosion and Sediment Control Plan (PESCP_13) Location: West of South Creek (Rev. H), 3 August 2023
- M12 Central Progressive Erosion and Sediment Control Plan (PESCP_14) Location: South Creek Piling Area (Rev. E), 10 July 2023
- M12 Central Progressive Erosion and Sediment Control Plan (PESCP_15) Location: Batch Plant (Rev. C), 10 July 2023
- M12-Central ERSED Register
- M12 Central Calibration register
- M12 West Site Establishment Management Plan (SEMP), M12W-CPBGG-ALL-EN-PLN-000011, Rev 06, 3 April 2024
- ER letter: Endorsement for the M12W SEMP Rev 06, 3 April 2024
- M12 West Minor Construction Ancillary Facilities Checklist, The Northern Road to Badgerys Creek – MCAF 011-016, Rev D, 5 December 2023
- Risk & Opportunity Register, Rev 02, 9 9 February 2024
- Quarterly Management Review, 14 March 2024
- ER Report: Endorsement of M12W MCAF Checklist 011 – 016 Rev D, 7 December 2023
- M12 West ER Site Inspection Report #113 West, 14 February 2024

- M12 West ER Site Inspection Report #115 West, 28 February 2024
- M12 West Incidents and non-compliance Register
- M12 Central - Temporary Roundabout ER Site Inspection Report #99, 13 November 2023
- M12 Central - Temporary Roundabout ER Site Inspection Report #103, 30 November 2023
- M12 Central - Temporary Roundabout ER Site Inspection Report #109, 29 January 2024
- ER approved - Devonshire Rd Temporary Roundabout OOHV_03_Rev 3, 30 January 2024
- Out of hours work notification for the installation of temporary roundabout in Kemps Creek, December 2023
- Out of hours work notification for the installation of temporary roundabout in Kemps Creek, January 2024
- M12 Central - Temporary Roundabout DPE Complaints Register – Devonshire Road
- M12 Central -Temporary Roundabout Actions Register
- M12 Central -Temporary Roundabout Vibration Monitoring Register
- M12 Central -Temporary Roundabout Noise Monitoring Register
- M12 Central - Temporary Roundabout Asbestos Material Tracking Register
- M12 Central - Temporary Roundabout Weekly Progress Meeting No. 12 Minutes, 2 November 2023
- M12 Central - Temporary Roundabout Noise Verification Checklist, dated 30 January 2024.
- M12 Central - Temporary Roundabout Working Near Overhead Powerlines Permit, dated 27 February 2024
- DPHI Letter to TfNSW – Subject: M12 Motorway Biodiversity Offsets – SSI-9364-PA-286

6. Audit Findings

6.1 Assessment of Compliance

This audit was completed to assess the implementation of the Construction Environmental Management Plan and sub-plans, as well as environmental controls established by TfNSW and Contractors for the M12 Motorway Project – Central and West packages, against the Conditions of Approval CSSI-9364, Schedule 2 (202 conditions).

Overarching Compliance

During the audit, one (1) non-compliance was self-reported which applied to both the M12 Central and M12 West Packages. For ease of identification, this finding has been separated to clearly assign it as overarching to the project. Refer to [Section 6.8](#) for details.

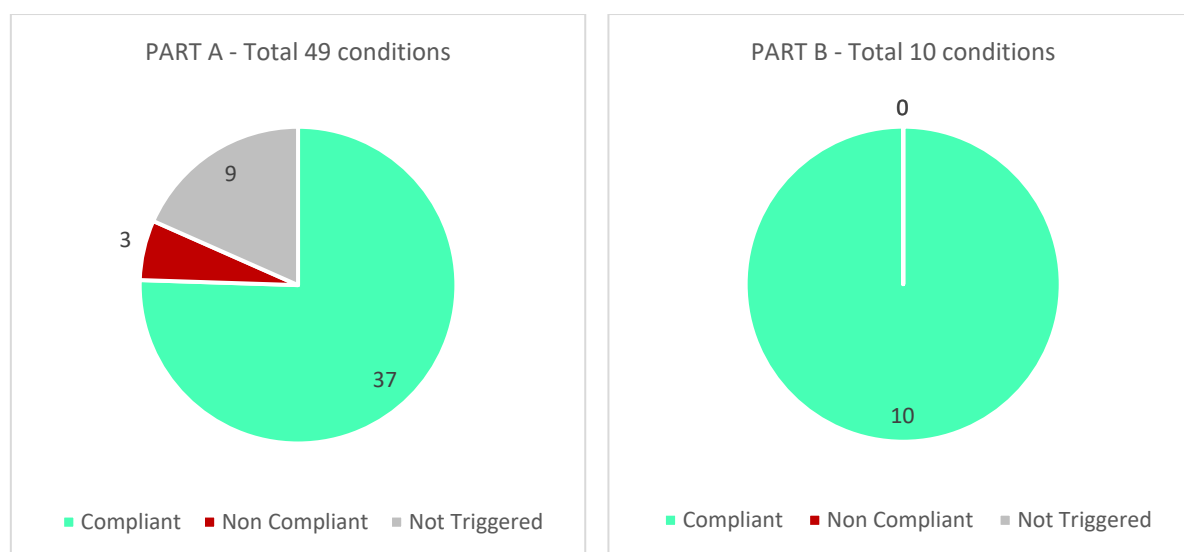
The following tables summarise the audit findings by rating category.

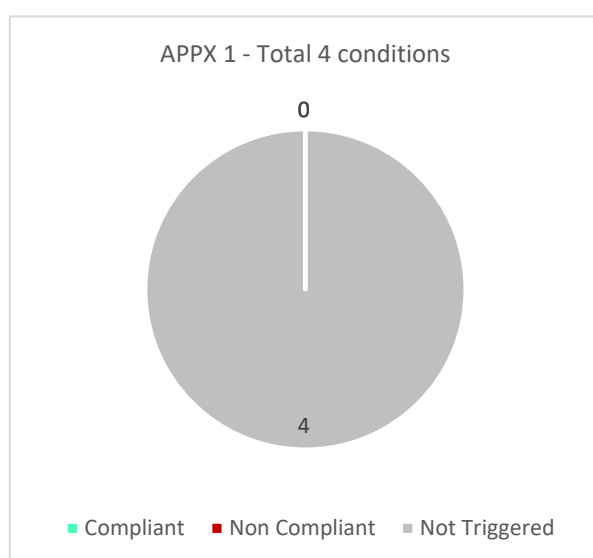
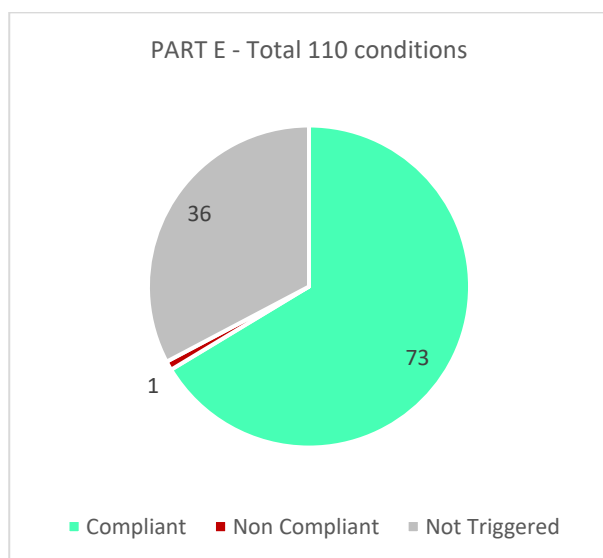
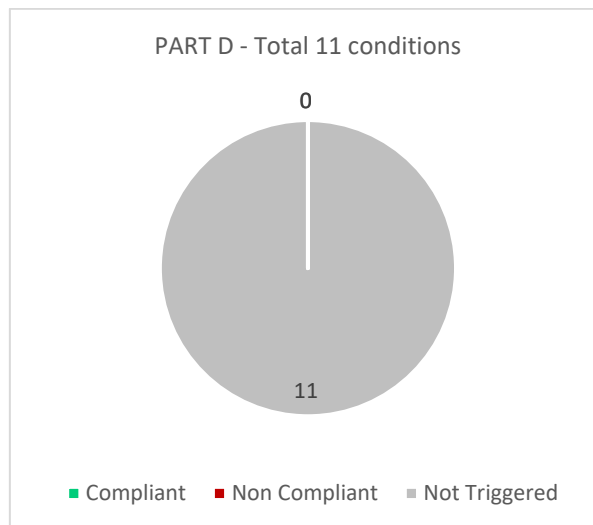
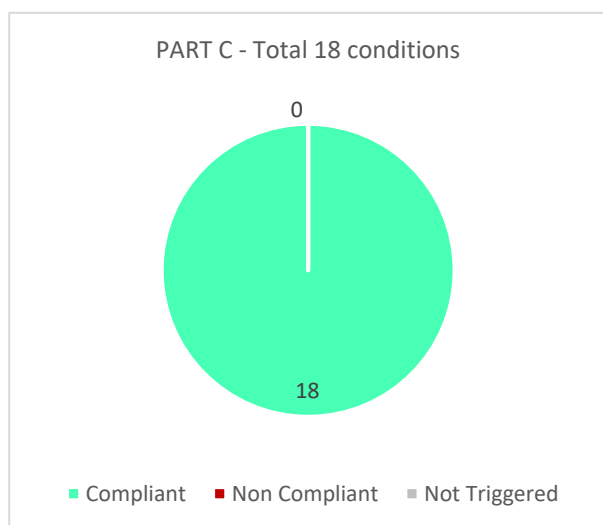
6.1.1 M12 Central findings summary

Findings Rating	Findings
Compliant	138
Non-Compliant	4
Not Triggered	60
Total	202

Table 3-1 Summary of Findings (Central)

The comparison of audit requirements against the compliance ratings is as follows:





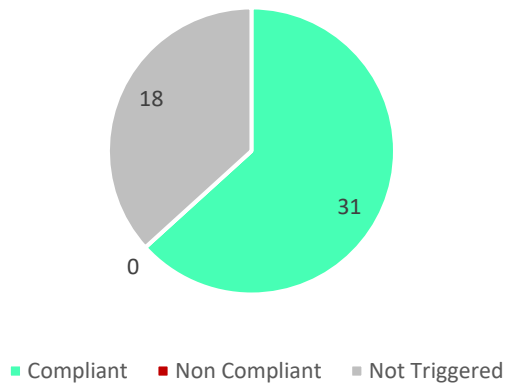
6.1.2 M12 Central - Devonshire Rd Temporary Roundabout findings summary

Findings Rating	Findings
Compliant	77
Non-Compliant	0
Not Triggered	125
Total	202

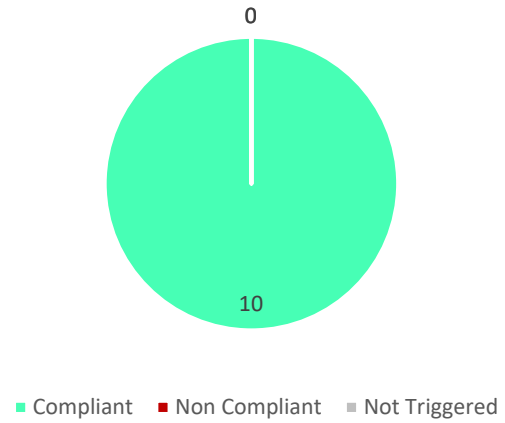
Table 4-3 Summary of Findings (Ventia)

The comparison of audit requirements against the compliance ratings is as follows:

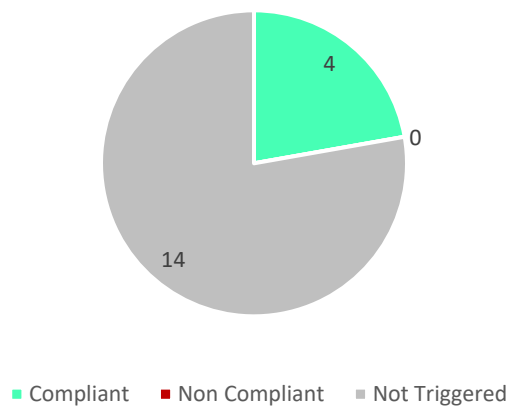
PART A - Total 49 conditions



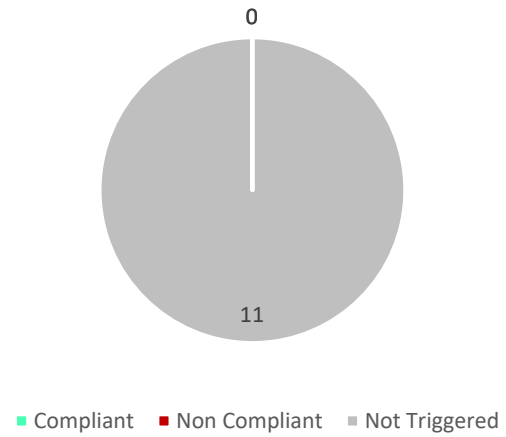
PART B - Total 10 conditions



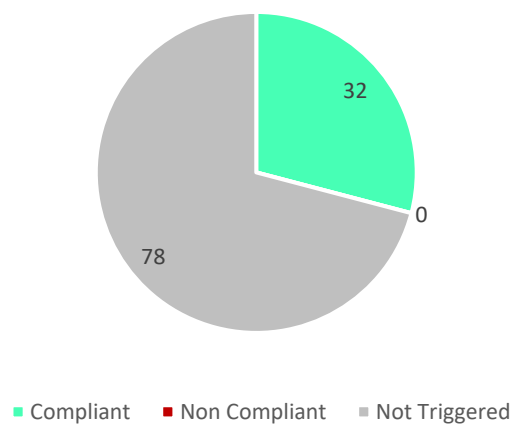
PART C - Total 18 conditions



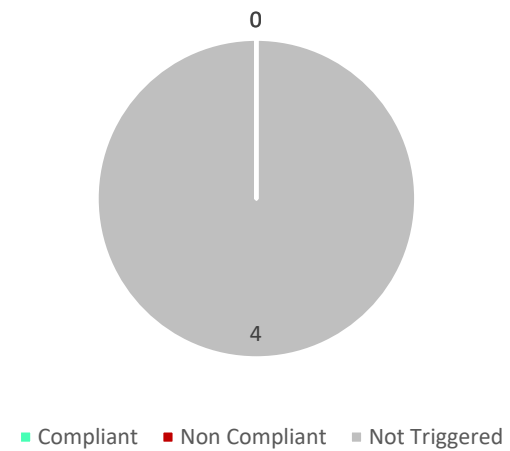
PART D - Total 11 conditions



PART E - Total 110 conditions



APPX A - Total 4 conditions

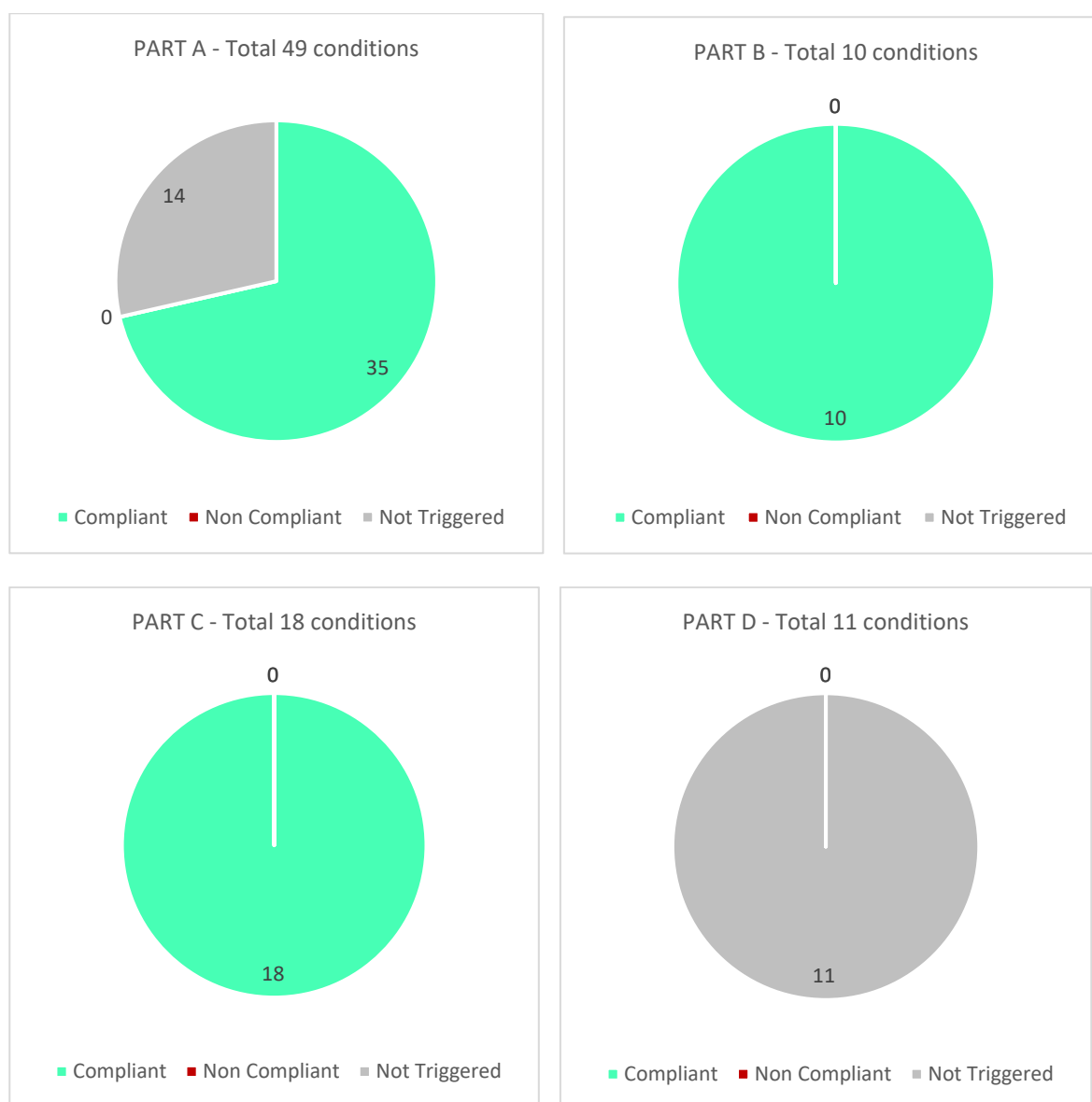


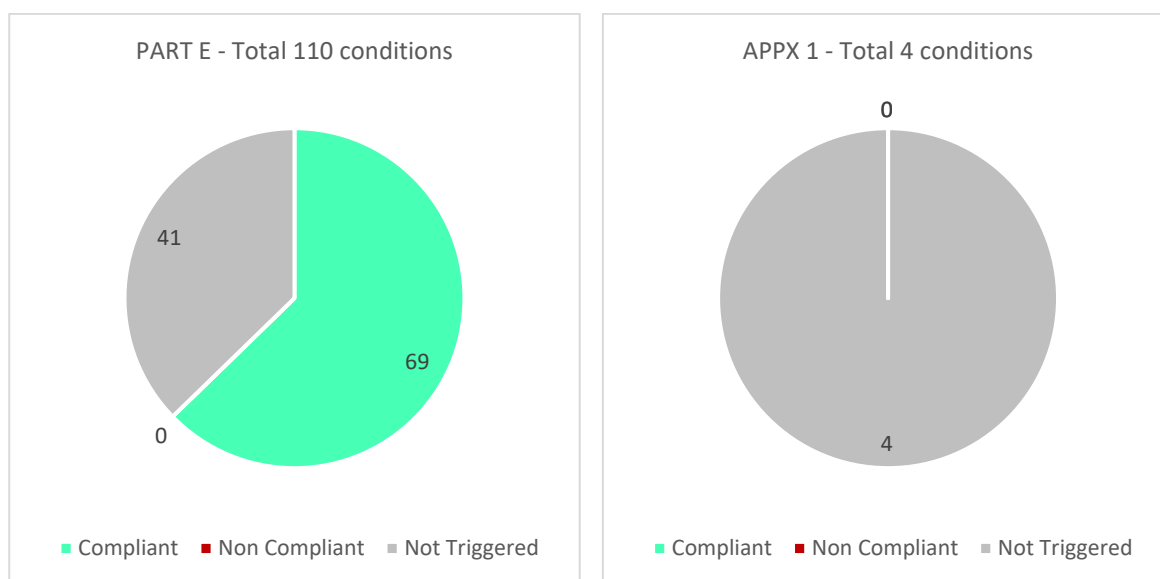
6.1.3 M12 West findings summary

Findings Rating	Findings
Compliant	131
Non-Compliant	0
Not Triggered	71
Total	202

Table 5-2 Summary of Findings (West)

The comparison of audit requirements against the compliance ratings is as follows:





6.2 Notices, Incidents and Complaints

No formal notices or environmental harm incidents requiring notification occurred during the audit period.

6.2.1 M12 Central Complaints

A Complaints Register continues to be maintained and managed by the Community Relations Manager (CRM). Details of the complaints are recorded, and all have undergone investigation. 39 complaints have been received in total to date, all of which have been addressed and closed out.

6.2.2 M12 Central Incidents

No reportable or environmental harm incidents have occurred on the M12 Central project to date. During the audit period thirteen (13) incidents were recorded and categorised as minor / report only for various rain events, spills, and instances of illegal dumping. All incidents have been addressed and closed.

6.2.3 M12 Central Non-Compliances

Previous non-compliances (3) have been addressed and closed out as detailed under [Section 6.3.1](#). Four (4) non-compliances during the scope of the audit have been listed under [Section 6.8](#).

6.2.4 M12 Central - Devonshire Rd Temporary Roundabout Complaints

A complaints register has been developed and is submitted as per requirements. There is ongoing involvement with a stakeholder who raised concerns on 23 October 2023 regarding the raised median being built that will block access for vehicles right in and out of Salisbury Avenue which will affect their business. An additional complaint was received regarding vehicles entering a property on Elizabeth Drive to do a U-turn due to the installation of the median strip and requesting that the median strip is extended to prevent vehicles entering their property. The auditor understands that the issue is currently being investigated by the M12 comms team.

6.2.5 M12 Central - Devonshire Rd Temporary Roundabout Incidents

No reportable or environmental harm incidents have occurred on the M12 Central – Devonshire Rd Temporary Roundabout project to date.

6.2.6 M12 Central - Devonshire Rd Temporary Roundabout Non-Compliances

Previous non-compliances (5) have been addressed and closed out as detailed under [Section 6.3.3](#). No non-compliances were identified during the scope of the audit.

6.2.7 M12 West Complaints

Only one complaint was received during the audit period from 2023 which was addressed and closed out. CPBGG-JV continues to use Consultation Manager to monitor complainant and trend analysis.

6.2.8 M12 West Incidents

No reportable or material harm incidents to date. All incidents recorded to date have been closed and classified as Environmental Incidents and Report only. One incident was in the process of being reported at the time of the audit (refer to M12W-04-OFI-02). Refer to the audit checklist included as [Appendix E](#) for full details.

6.2.9 M12 West Non-Compliances

Previous non-compliances (5) have been addressed and closed out as detailed under [Section 6.3.3](#). No non-compliances were identified during the scope of the audit.

6.3 Previous Audit Findings

6.3.1 M12 Central Previous Audit Findings

Finding No.	Condition of Approval	Audit Finding Details	Status
M12C-03-NC-01	General A4: The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: (f) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval) (g) the carrying out of any additional monitoring or mitigation measures	Based on the non-compliances raised against Condition A20 and E1, a non-compliance is triggered against A4(f). Condition E1 also triggers a non-compliance against A4(g).	As per the status of M12C-03-NC-02 and M12C-03-NC-03, non-compliances have been addressed and therefore closes the non-compliance against Condition A4. CLOSED.
M12C-03-NC-02	Air Quality E1: In addition to the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 , all practicable measures must be implemented to minimise and manage the emission of dust and other air pollutants during the construction of the CSSI.	Equipment used for unattended air quality monitoring is currently out of calibration. This raises a non-compliance against Condition E1.	Air quality monitors have now been calibrated and are in use on site. Calibration Certificates were sighted and verified to be current. CLOSED.

Finding No.	Condition of Approval	Audit Finding Details	Status
M12C-03 NC-03	Minor Construction Ancillary Facilities A20: Lunch sheds, office sheds, portable toilet facilities, and the like, can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria:	<i>Self-reported</i> non-compliance with Condition A20. During review of the M12C CEMP update, the ER identified that the location of a minor ancillary facility established adjacent to Bridge 11 did not match the location of the approved ancillary facility as outlined in the EIS. This was <i>self-reported</i> as a non-compliance and recorded as Event ID #INC028 on 24 August 2023, 11:51am. This raises a non-conformance against Condition A20.	The Seymour Whyte Incident and non-compliance register was presented. Evidence of close out of INC#21 has been closed. TfNSW track non-compliance actions via their system Ngara and compliance tracking register which is issued to DPHI. CLOSED.
M12C-03 OFI-01	Construction Environmental Management Plan C2: The CEMP must provide: 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;	The risk registers for August and September 2023 did not include a rating for the consequence columns under initial risks and residual risks. C2 (c)	The Seymour Whyte Project Risk and Opportunity Register has been updated to include a consequence risk levels. CLOSED.
M12C-03 OFI-02	Construction Environmental Management Plan C2: The CEMP must provide: for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval	A training matrix has not been developed to identify any gaps for environmental specific training requirements. C2 (j)	The Seymour Whyte Central training register has been updated to include environmental training modules. It was noted that notification emails are issued to recipients when training is overdue. The training register presented did not appear to be up to date during the audit, however it was advised that this was a superseded version, and the register is maintained by the HR department. 13/05/2024: Following the audit, the current register was provided showing up-to-date entries for environmental specific training. CLOSED
M12C-03 OFI-03	Complaints Management System B8: 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 was not fully maintained with some closed entries missing the resolution date. One action entered did not appear to address the complaint in full.	M12 Central _DPE Complaints register dated 05/05/24 presented. 10 complaints received during the audit period. Complaints register has been updated with all required information with all complaints addressed and closed out. CLOSED

Finding No.	Condition of Approval	Audit Finding Details	Status
M12C-03 OFI-04	Soils 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.	Not all Progressive Erosion and Sediment Control Plans (PESCPs) were signed by the Soil Conservationist.	PESCPs have been updated to include review by Andrew Littlewood – Soil Conservationist. Current versions of the PESCPs were verified. CLOSED.
M12C-02- OFI-01 (previous)	Various registers including Incidents, PESCP, Calibration Equipment Registers and OOHW Permit Registers have been established; however minor updates are required. 1. A48 Non-Compliance Notification (closed during Audit No. 3) 2. E37 Out-Of-Hours Work Protocol (open – see Audit Finding Details) 3. E84 Soils (open – see Audit Finding Details) E105 Water (closed during Audit No. 3)	2. It was noted that register for OOHW permits has not been maintained. Data recorded was not up to date. This finding remains open. 3. It was noted that register for Progressive Erosion and Sediment Control Plans (PESCPs) has not been maintained. This finding remains open.	2. The OOHW Permit register was verified as updated with all information current and entries complete. CLOSED. 3. PESCP register was presented however requires updating to remove 'date of approval' column as this appeared to be a redundant column. 13/05/2024: Following the audit, the updated register was provided which has removed the approval date column. CLOSED.

6.3.2 M12 Central – Devonshire Rd Temporary Roundabout Previous Audit Findings

Finding No.	Condition of Approval	Audit Finding Details	Status
M12TR-NC-01	General A4: The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: (f) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval)	Based on the non-compliance raised against Condition B5, a non-compliance is triggered against A4(f).	As per M12TR-NC-02, this non-compliance has been addressed and therefore closes the non-compliance against Condition A4. CLOSED.
M12TR-NC-02	Community Consultation and Involvement 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.	A <i>self-reported</i> non-compliance was identified during the audit period for the temporary roundabout works with regards to the Out-of-Hours Work (OOHW) notification in accordance with Condition B5 whereby works were undertaken exceeding the notification (notified as only 2 consecutive nights). This raises a non-compliance against Condition B5.	The Devonshire Road Temporary Roundabout works continued under the 5-night OOHW approval until completion (13 February 2024) as communicated in the updated notification. CLOSED.

Finding No.	Condition of Approval	Audit Finding Details	Status
M12TR-OFI-01	Construction Environmental Management Plan 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.	Close out of actions and their status as raised during environmental inspections were not clearly demonstrated. It is recommended to review the process for close out of actions.	Considering that physical works have been completed this finding has been closed. CLOSED
M12TR-OFI-02	Waste E104: The Proponent must develop and implement a waste tracking register prior to waste generated by Work that details: - the quantity of each type of waste generated its classification and source location (recorded using latitude and longitude coordinates); - the destination location(s) for all wastes generated during Work; - the quantities of any waste types imported onto the CSSI site, including their classification and emplacement location (recorded using latitude and longitude coordinates); - the quantities and types of wastes that are subject to a Resource Recovery Order and/or Exemption; and - disposal records demonstrating that receiving facilities have lawfully accepted the waste type.	The column for the correlating classification reports was incomplete in the waste tracking register. It is recommended to update the register to provide a link to the classification reports.	Review of the waste tracking register identified all entries had waste classification report references other than recycled materials or pre-classified material such as DBG. CLOSED

6.3.3 M12 West Previous Audit Findings

Finding No.	Condition of Approval	Audit Finding Details	Status
M12W-03 NC-01	General A1: The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with: - M12 Motorway Environmental Impact Statement (dated October 2019); - M12 Motorway Submissions Report (dated October 2020); - M12 Motorway Amendment Report (dated October 2020); - M12 Motorway Amendment Report - Submissions Report (dated December 2020); and - M12 Motorway Amendment Report - Submissions Report - Amendment (dated 8 March 2021).	<i>Self-reported</i> non-compliances with conditions of approval A1 and A2 were identified at 752-810 Luddenham Road Luddenham. It was observed that a topsoil stockpile generated from project works may have been placed beyond the project boundary. The project boundary was confirmed on the 25/08/2023 and the stockpile that extended beyond the approved project boundary was removed immediately to comply with A2. The non-project assessed land on which the stockpile was located was confirmed to be TfNSW land, however it was not land assessed for project activities such as stockpiling as per documents listed in A1. This non-compliance was notified to DPE with Condition A2 (below). This raises a non-compliance against Condition A1.	Stockpile was relocated to within the project boundary. CLOSED.

Finding No.	Condition of Approval	Audit Finding Details	Status
M12W-03 NC-02	General 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.	<i>Self-reported</i> non-compliances with conditions of approval A1 and A2 were identified at 752-810 Luddenham Road Luddenham. It was observed that a topsoil stockpile generated from project works may have been placed beyond the project boundary. The project boundary was confirmed on the 25/08/2023 and the stockpile that extended beyond the approved project boundary was removed immediately to comply with A2. The non-project assessed land on which the stockpile was located was confirmed to be TfNSW land, however it was not land assessed for project activities such as stockpiling as per documents listed in A1. This raises a non-compliance against Condition A2.	Stockpile was relocated to within the project boundary. CLOSED.
M12W-03 NC-03	General A4: The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval)	Based on the non-compliances raised against Conditions A1, A2, A34 and B10, a non-compliance is triggered against A4(f).	As per the status of M12W-03-NC-01, NC-02, NC-04, and NC-05, non-compliances have been addressed and therefore closes the non-compliance against Condition A4. CLOSED.
M12W-03 NC-04	Environmental Representative A34: For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must: (j) 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.	<i>Self-reported</i> non-compliances with conditions of approval A34(i) and B10 were identified relating to the use of the mobile crusher in a Construction Ancillary Facility prior to its assessment and approval being completed by the ER (Condition A34i), and the subsequent publishing by TfNSW of the revised Site Management Plan (SEMP), to comply with Condition B10. This non-compliance was notified to DPE with Condition B10 (below). This raises a non-compliance against Condition A34.	The Site Management Plan (SEMP) was reviewed and verified to include the Construction Ancillary Facility crusher location to comply with A24 (j). The updated SEMP was reviewed by the ER and endorsement letter presented as evidence. CLOSED.

Finding No.	Condition of Approval	Audit Finding Details	Status
M12W-03 NC-05	Provision of Electronic Information B10: A website or webpage providing information in relation to the CSSI must be established before commencement of Work and be maintained for the duration of construction, and for a minimum of 24 months following the completion of construction.	<i>Self-reported</i> non-compliances with conditions of approval A34(i) and B10 were identified relating to the use of the mobile crusher in a Construction Ancillary Facility prior to its assessment and approval being completed by the ER (Condition A34i), and the subsequent publishing by TfNSW of the revised Site Management Plan (SEMP), to comply with Condition B10. This raises a non-compliance against Condition B10.	The website was reviewed during the audit and was noted to be up to date. The updated SEMP was sighted on the website. CLOSED.
M12W-03 OFI-01	Construction Environmental Management Plan C2: The CEMP must provide: (i) for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval	A training matrix has not been developed to identify any gaps for environmental specific training requirements. C2 (j)	Environmental Training Matrix – M12 Tab included for roles and specific training presented. Training and Safety Manager maintains the main register. Enviro is managed by toolbox talks. Training matrix is linked to an attendance sheet which is signed. Spill Incident response toolbox 8 May 2024 signed on by all attendees. Several sign off sheets contained with the folder. CLOSED.
M12W-03 OFI-02	Construction Environmental Management Plan 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 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.	Based on the evidence presented, close out of comments during the ER and TfNSW reviews of CPBGG-JV's CEMP and sub-plans did not appear to be documented. The use of Teambinder during the review process of all required plans is highly recommended for traceability purposes.	Internally review has occurred of Management Plans – currently waiting on the Overarching CEMP prior to actioning updates, OCEMP still in draft form. The use of TeamBinder was demonstrated e.g., Quarterly Construction Report Nov-23 to Feb-24 comments on 10 April 2024, ref M12 RAP V3 – M12WCO-CPBGGJV-TFNSW-CORR-000254. Initial report submission on 4 April 2024 M12WCO-CPBGGJV-TFNSW-CORR-000251. CLOSED.

6.4 Audit Site Inspection

6.4.1 M12 Central Site Inspection

A site drive through was undertaken on the 9 May 2024 from 8:30am to 10am with representatives of Seymour Whyte, TfNSW and the ER where the APP auditors reviewed the effectiveness of environmental mitigation measures.

Observations of the site inspection included:

- ▶ Significant rainfall events had occurred in the weeks leading up to the inspection, with 150.8mm of rainfall measured at the Badgerys Creek AWS BOM weather station during the month of April 2024, and 18.2mm recorded from 1 to 8 May 2024. APP were advised by Seymour Whyte that recent rainfall had exceeded the site's ERSED control design capacity of 32.3mm 5-day average rainfall. As such, the site was generally very wet, and it was apparent that batters and slopes has been subject to erosion during the preceding weeks,
- ▶ Considering the condition of the site following the recent rainfall, minimal mud tracking and sediment was observed on public roads.
- ▶ Hydro-seeding of batters has recently occurred, with the new seed product reportedly performing much stronger than the previous seed mix,
- ▶ No dust observed,
- ▶ Appropriate environmental controls around the pits,
- ▶ Installation of Mulch bunds along both sides of the road observed,
- ▶ Site workers observed to be undertaking general housekeeping,
- ▶ Signage and traffic controls in place,
- ▶ Silt curtain installed at Kemps Creek adjacent to Bridge 6,
- ▶ Sydney Water works for the advanced water treatment facility was observed nearby to the site.

Observations were raised during the site inspection as follows:

Ref	Observation
M12C-04-OBS-01	Gate 5, access road, ERSED controls had failed and required replacement
M12C-03-OBS-02	Gate 5, rill erosion was observed to basin 9 batters
M12C-03-OBS -03	Gate 5, waste bins at capacity and IBCs containing residual liquids were stored without secondary containment
M12C-03-OBS -04	Main alignment, newly installed stormwater pits required replacement of ERSED controls
M12C-03-OBS -05	Gate 5, Gate 7 and northern end of the alignment – it was observed that concrete washout locations required maintenance with failures of earth bunds and plastic lining observed as a general site issue.
M12C-03-OBS -06	Stockpile yard, sediment fence had reached capacity and had completely failed in some locations, requiring maintenance
M12C-03-OBS -07	Stockpile yard, crusher dust stockpile had been left in an unstable condition with vertical walls exceeding 2m in height.

Table 4-1 Site Observations / Issues (Central)

Refer to photos, including close out of site issues, under [Appendix G](#).

6.4.2 M12 Central - Devonshire Rd Temporary Roundabout

As part of the M12 Central site inspection, a site drive through was undertaken of the constructed Devonshire Rd Temporary Roundabout on 9 May 2024 at 10:00am with representatives of TfNSW and the ER. No observations were raised during the site inspection. Refer to photos under [Appendix G](#).

The Temporary Roundabout is now operational with ancillary facility AF13 demobilised.

6.4.3 M12 West Site Inspection

A site drive through was undertaken on the 16 May 2024 from 8:30am to 10am with representatives of CPBGG-JV, TfNSW and the ER where the APP auditors reviewed the effectiveness of environmental mitigation measures.

Observations of the site inspection included:

- ▶ Site well maintained despite recent heavy rainfall events and frequent wet weather.
- ▶ AF2 site compound in tidy condition with ample parking available and directional signage.
- ▶ Erosion and sedimentation controls in place including sediment fencing, batters progressively polymer sprayed, geofabric in place, protection of pit drains and controls at watercourses.
- ▶ Waste bins throughout the site were within capacity.
- ▶ Permanent bio-retention basins progressing, 2 each at Cosgroves Creek and Badgerys Creek,
- ▶ Pad installed with sandstone to follow for capping area at Emu in the Sky located at Bridge BR22 interchange.
- ▶ B&K Landscaping contractor based onsite at ancillary facility AF1 with thorough quality process in place for stockpiled mulch being used on site. Mulch bed installation was sighted for permanent works. Re-seeding of batters has commenced.

No issues/observations were raised during the site inspection for the M12 West package. Refer to photos included in [Appendix G](#).

6.5 Suitability of Plans and the Environmental Management System

6.5.1 M12 Central - Seymour Whyte Plans and EMS

Seymour Whyte's Construction Environmental Management Plan (CEMP) and sub-plans were unchanged since the previous audit. Seymour Whyte continues to implement the contractor management plans as aligned to the overarching documents. Within the plans are procedures and processes which did not appear to be fully implemented at the time of the audit as based on the site conditions. Refer to the site inspection details under [Section 6.3](#) and Audit Photos included as [Appendix G](#).

6.5.2 M12 Central - Devonshire Rd Temporary Roundabout - Ventia Plans and EMS

The temporary roundabout works were completed on the 13 February 2024. Full handover was upcoming at the time of the audit, following receipt of the land condition survey reports. A singular CEMP was still in place for the temporary roundabout during the audit period with no requirement for any sub-plans or monitoring programs due to the small scale of works.

6.5.3 M12 West - CPBGG-JV Plans and EMS

At the time of the audit, the CPBGG JV CEMP and sub-plans were drafted as new revisions to coincide with their annual update. The Overarching plans were also undergoing a review with the aim to reflect these changes within the CPBGG JV plans once finalised.

The M12 West Site Establishment Management Plan had minor updates during the audit period which included the additional crushing locations for the relevant ancillary facility and was endorsed by the ER as revision 05.

Based on the evidence provided, continued implementation of the environmental management plans was demonstrated at a high level as evidenced through full compliance of the approval conditions, the well managed condition of the site, and little complaints received since construction commenced.

6.6 Actual vs Predicted Impacts

The Site Inspections were conducted to review implementation of the Construction Environmental Management Plan (CEMP) and sub-plans identifying aspects and impacts on site, with a summary of the inspection documented in this report under [Section 6.8](#) and [Appendix G – Audit Photos](#). The Environmental Representative monthly reports and inspection reports were reviewed and evaluated during the audit as part of the implementation of the CEMP and sub-plans whereby the Environmental Representative reviews management plans and associated documentation, and reports upon the environmental performance of the project.

Given the degree of compliance with the conditions of approval, and the environmental performance outcomes demonstrated during the audit, it was concluded that the M12 Motorway project continues to be consistent with the Environmental Impact Statement, Submission reports, and Amendment reports. Compliance demonstrated for some of these areas are as follows:

6.6.1 Noise and Vibration

- ▶ M12 Central: Noise and vibration monitors continue to be in use with no exceedances as per the Construction Noise and Vibration Impact Statement (CNVIS).
- ▶ M12 Central - Devonshire Road Temporary Roundabout: the works were under a 5-night a week Out-of-Hours Work approval until 13 February 2024. During noise and vibration monitoring, NMLs have been high, however, the levels are within those predicted in the Construction Noise and Vibration Impact Statement (CNVIS). No noise complaints have been received to date.
- ▶ M12 West: Noise Monitoring Event Reports continue to be place. Crushing activities are occurring within standard hours at the locations stipulated in the Site Environmental Management Plan.

6.6.2 Aboriginal Cultural Heritage

Unexpected finds procedures are in place for all contractors with no unexpected Aboriginal finds to date. The Heritage Interpretation Plan will be implemented for the M12 Central and M12 West main works at a later stage in the project. Timber logs from the M12 East package are currently being stored onsite at the M12 West site to be reused as the nest for the Emu in the Sky.

6.6.3 Non-Aboriginal Heritage

Fleurs Radio Telescope, McGarvie Smith Farm, and McMaster Field Station were concluded to not be impacted by construction works with areas either flagged or outside the construction boundary.

6.6.4 Soil and Water

- ▶ M12 Central: Observations were raised during the site inspection leading to a non-compliance regarding the implementation of management plans (Condition E84). Rainfall events are reported on through application of the incident process.
- ▶ M12 Central - Devonshire Road Temporary Roundabout: Due to the small scale of the works, only one Progressive Erosion and Sediment Control Plan was developed. No discharging occurred for the works.
- ▶ M12 West: Throughout the site the erosion and sedimentation controls along batters and watercourses appeared well maintained. Progressive Erosion and Sediment Control Plans are regularly updated and reviewed by the Soil Conservationist. The permit process was found to well implemented with permits aligned to the discharge register. Rainfall inspections are occurring using calibrated equipment. Water is reused on site as evidenced.

6.6.5 Air Quality

- ▶ M12 Central: Water carts were in regular operation during the site inspection with no tracking noted on public roads.
- ▶ M12 Central - Devonshire Road Temporary Roundabout: Due to the small scale of works, dust monitoring is not required. Asbestos find was found to be bonded and non-friable and removed as evidenced.
- ▶ M12 West: 6 water carts are available onsite to be called upon where required. No dust evident during the site inspection. Regular monitoring occurring with no exceedances during the audit period.

6.6.6 Contamination

- ▶ M12 Central: All contaminated material has been encapsulated into the designated areas as per Remediation Action Plan. Validation Reports and Long-Term Environmental Management Plan are still in progress. No unexpected finds occurred during this audit period.
- ▶ M12 Central - Devonshire Road Temporary Roundabout: Ventia implemented the unexpected finds procedure upon discovery of a pipe during excavation which has been confirmed as containing asbestos during the previous audit period. The material was appropriately removed as per Asbestos Clearance Certificate (ACC002). No further finds occurred during the audit period.
- ▶ M12 West: An additional encapsulation of contaminated material is expected to occur following additional find during the previous audit period in August 2023. An asbestos register continues to be in place to monitor and record asbestos finds.

6.7 Key Strengths

6.7.1 M12 Central – Key Strengths

- ▶ Good reuse of mulch onsite.
- ▶ No evidence of dust or mud tracking on roads.
- ▶ Rock channels clear and appeared well maintained.
- ▶ Continued preservation of heritage items.
- ▶ Thorough dewatering permit process in place.
- ▶ Progress of works progressing well despite continuous wet weather conditions.

6.7.2 M12 Central – Devonshire Rd Temporary Roundabout – Key Strengths

- ▶ Documentation was easily accessible upon request.
- ▶ The site compound had been demobilised and the temporary roundabout seemingly operating well.

6.7.3 M12 West – Key Strengths

- ▶ Site continues to be in a tidy condition despite recent heavy rainfall events,
- ▶ Good erosion and sedimentation controls demonstrated throughout all site locations,
- ▶ New seeding formula has been implemented and showing signs of success,
- ▶ Site mulch progressing well with stringent quality methodology implemented,
- ▶ Records management consistently maintained and well presented,
- ▶ Minor complaints received on the project to date with only one received during the audit period.

6.8 Audit Findings and Recommendations

The audit confirmed that TfNSW and Contractors have generally demonstrated implementation of their Construction Environmental Management Plans and sub-plans in compliance with Approval Conditions SSI-9364. Refer to the attached [Appendix E](#) for full details of the completed audit checklist. Findings raised, including notes, are summarised as follows:

Finding No.	Finding Type	Package + Responsible party	Condition of Approval	Audit Finding Details
Overarching Non-Compliances:				
M12O-04 NC-01	Non-Compliance (Overarching)	TfNSW	Construction Monitoring Programs C18: The results of the Construction Monitoring Programs must be submitted to the Planning Secretary, and relevant government agencies, for information in the form of a Construction Monitoring Report at the frequency identified in the relevant Construction Monitoring Program . <i>Note: Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan.</i>	A <i>self-reported</i> non-compliance with condition of approval C18 was identified during the audit period. The Construction Monitoring Program requires the Construction Surface Water and Groundwater Monitoring Program Report to be provided to the Planning Secretary and relevant government agencies, however submission of reports 7 and 8 were missed. This triggers a non-compliance against Condition C18. Recommendation: It is recommended to implement a process to effectively track timeframes to ensure all submissions occur on time.
Overarching Opportunity for Improvement				
M12O-04 OFI-01	Opportunity for Improvement (Overarching)	TfNSW	Construction Environmental Management Plan C1: A Construction Environmental Management Plan (CEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department Planning, 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.	M12 Motorway Minor Consistency Assessment dated and approved 22 January 2024 for the M12 Central, has triggered a minor update to the OCEMP. The updated OCEMP was noted to be still in draft, however the proposed works associated with the Consistency Assessment are to be completed by the end of the second quarter of 2024. There is an improvement opportunity to action future updates in a timely manner so works are as aligned to the relevant management plans.

Finding No.	Finding Type	Package + Responsible party	Condition of Approval	Audit Finding Details
M12 Central Non-Compliances:				
M12C-04 NC-01	Non-Compliance	M12 Central SWC	General A1: The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with: (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).	A <i>self-reported</i> non-compliance was identified during the audit period in relation to Minor Ancillary Facility MAF-004 – flagging of the laydown area was incorrectly set out and outside the project boundary. This triggers a non-compliance against Condition A1. Recommendation: Prior to establishment of future Minor Ancillary Facilities, it is recommended that the area should be reviewed in detail against the project boundary by all relevant parties (contractor, TfNSW and the ER).
M12C-04 NC-02	Non-Compliance	M12 Central SWC	General 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.	A <i>self-reported</i> non-compliance was identified during the audit period as linked to A1 in relation to MAF-004 – flagging of the laydown area was incorrectly set out and outside the project boundary. This triggers a non-compliance against Condition A2. Recommendation: Prior to establishment of future Minor Ancillary Facilities, it is recommended that the area should be reviewed in detail against the project boundary by all relevant parties (contractor, TfNSW and the ER).
M12C-04 NC-03	Non-Compliance	M12 Central SWC	General A4: The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: (f) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval)	Based on the non-compliances raised against Conditions A1, A2, and E84, a non-compliance is triggered for A4(f). Close out of the identified non-compliances will automatically address this non-compliance.
M12C-04 NC-04	Non-Compliance	M12 Central SWC	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.	During the site inspection, concrete washout areas were observed as not maintained appropriately with signage not displayed, plastic lining not used, waste and debris not removed, and soil bunds not appropriately formed around the washout areas. Recommendation:

Finding No.	Finding Type	Package + Responsible party	Condition of Approval	Audit Finding Details
				It is recommended to improve upon and continuously maintain and monitor environmental controls to demonstrate effective implementation of the CEMP and CEMP sub-plans.
M12 Central Opportunities for Improvement:				
M12C-04 OFI-01	Opportunity for Improvement	M12 Central SWC	Construction Environmental Management Plan C2: The CEMP must provide: (e) an inspection program detailing the activities to be inspected and frequency of inspections	Not all actions raised from SWC inspections were closed out on the system PSEM. There is an improvement opportunity to continuously monitor the status of actions to ensure they have been appropriately addressed and closed out.
M12C-04 OFI-02	Opportunity for Improvement	M12 Central SWC	Construction Monitoring Programs 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 reported data for air quality results showed exceedances under the 'maximum' rows, however, the overall levels were compliant as based on the average. There is an improvement opportunity to highlight the average results only, to clearly report on compliant readings and exceedances.
M12C-04 OFI-03	Opportunity for Improvement	M12 Central SWC	Waste 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.	Various waste bins were noted to be at capacity during the site inspection at several locations. There was also liquid waste remaining in a container without plans for removal. There is an improvement opportunity to demonstrate best practice and remove waste in a timely manner.
M12 Central – Devonshire Road Temporary Roundabout Non-Compliances:				

Finding No.	Finding Type	Package + Responsible party	Condition of Approval	Audit Finding Details
N/A	N/A	N/A	Nil identified.	N/A
M12 Central – Devonshire Road Temporary Roundabout Opportunities for Improvement:				
N/A	N/A	N/A	Nil identified	N/A
M12 West Non-Compliances:				
N/A	N/A	N/A	Nil identified.	N/A
M12 West Opportunities for Improvement:				
M12W-04-OFI-01	Opportunity for Improvement	M12 West CPBGG-JV	C2: The CEMP must provide: (k) for periodic review and update of the CEMP and all associated plans and programs	The Management Review topics as aligned to the CEMP and contract requirements, did not appear to include a section to assign actions which is a requirement of ISO 14001 (Clause 9.3). There is an improvement opportunity to include assigned actions and their status within the Management Review minutes for traceability purposes.
M12W-04-OFI-02	Opportunity for Improvement	M12 West CPBGG-JV	Construction Environmental Management Plan C1: A Construction Environmental Management Plan (CEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department Planning, 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.	An environmental event occurred on 24 April 2024 where a water pump within a sediment basin failed to properly float and pump water from the surface, resulting in sediment laden water being pumped into a rock lined channel. After investigating the event, it was determined that no environmental harm occurred given the distance to the nearest receiving waterway and the event was attributed to a system related incident. However, at the time of the audit (16 May 2024) the incident had not yet been formally raised and reported.

Finding No.	Finding Type	Package + Responsible party	Condition of Approval	Audit Finding Details
				There is an improvement opportunity to review the incident review process (time taken to review incidents) and to ensure appropriate records of evidence of the investigation are stored to demonstrate the decision-making process when categorising events / incidents.

Table 5- Findings

Appendix A- Audit Agendas



The APP Group

Audit Agenda – M12 Central

Project	Independent Environmental Audit – M12 Motorway Project
Proponent	TfNSW
Contractor	Seymour Whyte
Location	Seymour Whyte Site Office
Date and Time	Thursday, 9 May 2024 8:00 AM – 5:00 PM
Auditor	Nilda Soto (Lead Auditor) Dylan Jones & Barbara Pater (Auditor's Assist)
Site contact	Tom Bath [REDACTED] [REDACTED]
Audit criteria	Conditions of Approval CSSI-9364 and in accordance with the <i>Independent Audit Post Approval Requirements</i> (IAPAR 2020)
Audit scope	Within 6 months from previous during construction audit

Agenda

Item and Description	Time
Undertake Site Induction	8:00 AM – 8:15 AM
Opening Meeting Confirm scope of the audit, outline the audit process, methodology, timing, access, and resources required.	8:15 AM – 8:30 AM
Site Walk - Sight current site activities against current Environmental Control Plans (ECPs) and provide focus for the review of environmental aspects, impacts, controls, and relevant records. - Inspection of Devonshire Road Temporary Roundabout	8:30 AM – 11:00 AM
Coffee / morning tea break	11:00 AM – 11:15 AM
Review status of previous audit findings	11:15 AM – 11:45 AM

Item and Description	Time
Review of SSI-9364 Part A Administrative Conditions & Appendix A ▶ General ▶ Staging ▶ Staged Submissions of Strategies, Plans or Programs ▶ Construction Ancillary Facilities ▶ Environmental Management (Site Establishment Management Plan) ▶ Independent Appointments ▶ Environmental Representative ▶ Notification of commencement ▶ Auditing ▶ Incident Notification, Reporting and Response; Appendix A Written Incident Notification and Reporting Requirements ▶ Non-Compliance Notification ▶ Identification of Spoil Haulage Vehicles	11:45 AM – 12:45 PM
Review of SSI-9364 Part B Community Information and Reporting ▶ Community Information, Consultation and Involvement ▶ Complaints Management System ▶ Provision of Electronic Information	12:45 PM – 1:00 PM
Lunch break	1:00 PM – 1:30 PM
Review of SSI-9364 Part C Construction Environmental Management ▶ Construction Environmental Management Plan ▶ Construction Monitoring Programs	1:30 PM – 1:45 PM
Review of SSD-8937 Conditions Part E – Key Issue Conditions ▶ Air Quality ▶ Biodiversity ▶ Flooding ▶ Heritage ▶ Noise and Vibration ▶ Place, Design and Landscaping ▶ Socio-Economic, Land Use and property ▶ Soils ▶ Sustainability ▶ Traffic and Transport ▶ Waste ▶ Water	1:45 PM – 3:30 PM
Devonshire Road Temporary Roundabout review (TfNSW)	3:30 PM – 4:30 PM
Auditor consolidation (auditors only) / Afternoon tea break	4:30 PM – 4:45 PM

Item and Description	Time
Closing meeting ▶ Outcome of audit and presentation of findings. Deliverables as noted overpage.	5:45 PM – 5:00 PM

Deliverables

Audit Deliverables	Responsibility
Draft Report Submission ▶ 21 days following receipt of draft audit report from APP	APP
Response to draft report ▶ 14 days following receipt of draft audit report from APP	TfNSW / SWC
Final report submission ▶ 7 days following receipt of comments from TfNSW/SWC ▶ Submitted to TfNSW	APP
Response to findings and submission of final audit report ▶ Final report and response to audit findings submitted to the Department of Planning, Housing and Infrastructure (DPHI) within 60 days of undertaking the independent audit site inspection (CoA A42)	TfNSW
Non-Compliances (if applicable) ▶ TfNSW is to follow the process to notify DPHI within 7 days regarding any non-compliances raised during the audit. Refer to A46 of the SSI conditions for details.	TfNSW

Limitations

- The audit will cover the construction requirements only and will therefore be limited to auditing the applicable conditions in accordance with SSI-9364 Schedule 2 (Parts A, B, C, E and Appendix A).
- The audit will cover a sampling of records relevant to the scope. APP auditors will apply their professional judgment based on the information made available during the audit.
- APP will conduct the audit in accordance with the *Independent Auditing Post Approval Requirements* (IAPAR 2020) with the following ratings applied: Compliant, Non-Compliant and Not Triggered, with the option to raise any Opportunities for Improvement.

Audit Agenda – M12 West

Project	Independent Environmental Audit – M12 Motorway Project
Proponent	TfNSW
Contractor	CPB-Georgiou Group Joint Venture (CPBGGJV)
Location	CPBGGJV Site Office
Date and Time	Thursday, 16 May 2024 8:00 AM – 4:00 PM
Auditor	Nilda Soto (Lead Auditor) Dylan Jones & Barbara Pater (Auditor's Assist)
Site contact	Kimberley Purkiss [REDACTED] [REDACTED]
Audit criteria	Conditions of Approval CSSI-9364 and in accordance with the <i>Independent Audit Post Approval Requirements</i> (IAPAR 2020)
Audit scope	Within 6 months from previous during construction audit

Agenda

Item and Description	Time
Undertake Site Induction	8:00 AM – 8:15 AM
Opening Meeting Confirm scope of the audit, outline the audit process, methodology, timing, access, and resources required.	8:15 AM – 8:30 AM
Site Walk Sight current site activities against current Environmental Control Plans (ECPs) and provide focus for the review of environmental aspects, impacts, controls, and relevant records.	8:30 AM – 10:30 AM
Coffee / morning tea break	10:30 AM – 10:45 AM
Review status of previous audit findings	10:45 AM – 11:00 AM

Item and Description	Time
Review of SSI-9364 Part A Administrative Conditions & Appendix A ▶ General ▶ Staging ▶ Staged Submissions of Strategies, Plans or Programs ▶ Construction Ancillary Facilities ▶ Environmental Management (Site Establishment Management Plan) ▶ Independent Appointments ▶ Environmental Representative ▶ Notification of commencement ▶ Auditing ▶ Incident Notification, Reporting and Response; Appendix A Written Incident Notification and Reporting Requirements ▶ Non-Compliance Notification ▶ Identification of Spoil Haulage Vehicles	11:00 AM – 12:30 PM
Review of SSI-9364 Part B Community Information and Reporting ▶ Community Information, Consultation and Involvement ▶ Complaints Management System ▶ Provision of Electronic Information	12:30 PM – 12:45 PM
Lunch break	12:45 PM – 1:30 PM
Review of SSI-9364 Part C Construction Environmental Management ▶ Construction Environmental Management Plan ▶ Construction Monitoring Programs	1:30 PM – 1:45 PM
Review of SSD-8937 Conditions Part E – Key Issue Conditions ▶ Air Quality ▶ Biodiversity ▶ Flooding ▶ Heritage ▶ Noise and Vibration ▶ Place, Design and Landscaping ▶ Socio-Economic, Land Use and property ▶ Soils ▶ Sustainability ▶ Traffic and Transport ▶ Waste ▶ Water	1:45 PM – 3:30 PM
Auditor consolidation (auditors only) / Afternoon tea break	3:30 PM – 3:45 PM
Closing meeting ▶ Outcome of audit and presentation of findings. Deliverables as noted overpage.	3:45 PM – 4:00 PM

Deliverables

Audit Deliverables	Responsibility
Draft Report Submission ▶ 21 days following receipt of draft audit report from APP	APP
Response to draft report ▶ 14 days following receipt of draft audit report from APP	TfNSW / CPBGGJV
Final report submission ▶ 7 days following receipt of comments from TfNSW/SWC ▶ Submitted to TfNSW	APP
Response to findings and submission of final audit report ▶ Final report and response to audit findings submitted to the Department of Planning, Housing and Infrastructure (DPHI) within 60 days of undertaking the independent audit site inspection (CoA A42)	TfNSW
Non-Compliances (if applicable) ▶ TfNSW is to follow the process to notify DPHI within 7 days regarding any non-compliances raised during the audit. Refer to A46 of the SSI conditions for details.	TfNSW

Limitations

- A. The audit will cover the construction requirements only and will therefore be limited to auditing the applicable conditions in accordance with SSI-9364 Schedule 2 (Parts A, B, C, E and Appendix A).
- B. The audit will cover a sampling of records relevant to the scope. APP auditors will apply their professional judgment based on the information made available during the audit.
- C. APP will conduct the audit in accordance with the *Independent Auditing Post Approval Requirements* (IAPAR 2020) with the following ratings applied: Compliant, Non-Compliant and Not Triggered, with the option to raise any Opportunities for Improvement.

Appendix B- Audit Attendance Sheets

Audit Attendance Sheet

Project	M12 Motorway	Audit No.	#1317-04 (c) + (DRT2)
Auditee	SEYMOUR WHYTE TFNSW (PROponent)	Lead Auditor	Nilda Soto
Location	SEYMOUR WHYTE SITE OFFICE, CUMPTON AVE, KEMPS CREEK		
Opening Meeting Date	9 MAY 2024, 8:00 am		
Closing Meeting Date	9 MAY 2024, 4:30 pm		

Name	Organisation	Position	Signature	
			Opening Meeting	Closing Meeting
Nilda Soto	APP	Auditor		
Barbara Pater	APP	Auditing Support		
Dylan Jones	APP	Auditing Support		
Daniel Saunders	TFNSW	E&S Manager		
Tom Bath	SWC	Enviro. Manager		
Sheila Anderson	TFNSW	sr E&S m		
Jennifer Neill	TFNSW	Env. Officer		
George Kollias	Indep.	Environmental Rep		
Tracey Austin	TFNSW	E&S Mg'		
Sumanth Sampath	SWC	E&S grad.		
Deepa Rijal	SWC	E&S Grad.		
Raj Barot	TFNSW	CSE Team		
Jennifer Gatt	SWC	CSE Manager		
Tom Bath	SWC	Enviro. Manager		
~~Suman~~				

Audit Attendance Sheet

Project	M12 Motorway	Audit No.	#1317-04 (w)
Auditee	CPBGG-JV (CONTRACTOR) TFNSW (PROPOSITOR)	Lead Auditor	Nilda Soto
Location	CPBGGJV SITE OFFICE		
Opening Meeting Date	16 MAY 2024, 8am		
Closing Meeting Date	16 MAY 2024, 3:30pm		

Name	Organisation	Position	Signature	
			Opening Meeting	Closing Meeting
Nilda Soto		Lead Auditor		
Barbara Pater - APP		Auditor Assist		
Dylan Jones - APP		Auditor Assist		
Tracey Austin TFNSW		Env. Mgr.		
JENNIFER NEILL - TFNSW		Env. Officer		
GEORGE KOLLIAS	Healthy Buildings International			
Shane Anderson	TFNSW	Env. Mgr.		
Daniel Sauvage	TFNSW	Enviro Mgr		
J. Steen	TFNSW	Env. Officer		
Kim Purkiss	CPBGGJV	Enviro Mgr		
Andrew Brigh	CPBGGJV	SMITH		
Tiana Chetti	CPBGGJV	Env + Site Coordinator		
Patrick Browne	CPBGGJV	Enviro. Grad.		
Greg Morrison	CPBGGJV	Enviro. Grad.		
Raj Baxi	TFNSW	Senior CSE Officer		
Joel Warne	CPBGGJV	Comms		

Appendix C – Auditor Approval

Department of Planning and Environment

Our ref: SSI-9364-PA-227

Transport for NSW

via Major Projects Portal

16 October 2023

Attention: Ms Deanne Forrest, Project Director, Transport for NSW

Subject: M12 Motorway (West & Central) – nomination of independent auditor

Dear Deanne

I refer to your letter dated 22 September 2023 (PA-227) requesting the Planning Secretary's agreement to suitably qualified, experienced, and independent persons as independent environmental auditors of the M12 Motorway (West & Central) (SSI-9364).

NSW Planning has reviewed the information you have provided against the *Independent Audit Post Approval Requirements* (2020). NSW Planning is satisfied that Ms Nilda Soto is certified with Exemplar Global as lead auditor in environmental management systems, is suitably experienced in state significant projects and has supplied a declaration of independence.

Consequently, I can advise that under Condition A38 of SSI-9364, the Planning Secretary has agreed to the following auditor:

- Ms Nilda Soto, The APP Group

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

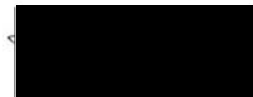
This agreement supersedes all previous agreements under Condition A38 of SSI-9364 for the M12 Motorway (West & Central).

The Independent Audit must be prepared, undertaken, and finalised in accordance with the *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.

NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

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

Yours sincerely,



Thomas Minchin

A/Team Leader Compliance – Government Projects
NSW Planning

As nominee of the Planning Secretary

Appendix D – Independent Audit Declaration



Declaration of Independence Form

Independent Audit Declaration Form	
Project Name:	M12 Motorway Project
Consent Number:	SSI-9364
Description of Project:	A multi-lane road link from the M7 Motorway at Cecil Hills extending for approximately 16 kilometres to the Northern Road at Luddenham, including intersections with existing roads and interchanges with the M7 Motorway (extending approximately four kilometres within the existing M7 Motorway Corridor), and with the proposed Western Sydney International (Nancy-Bird Walton) Airport. Works also include electronic tolling facilities at the M7 interchange, construction of new bridges across 5 creeks and 8 roads, pedestrian and cycling facilities, and ancillary developments.
Project Address:	Cecil Hills NSW, 2171 to Luddenham NSW, 2745
Proponent:	Transport for NSW
Title of Audit:	Independent Environmental Audit
Date:	26 June 2024

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

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

Notes:

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

Name of the Auditor:	Nilda Soto
Signature:	
Qualification:	Lead Environmental Auditor
Company:	APP Corporation Pty Ltd
Company Address:	Level 14, 10 Spring Street, Sydney NSW 2000



Declaration of Independence Form

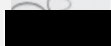
Independent Audit Declaration Form	
Project Name:	M12 Motorway Project
Consent Number:	SSI-9364
Description of Project:	A multi-lane road link from the M7 Motorway at Cecil Hills extending for approximately 16 kilometres to the Northern Road at Luddenham, including intersections with existing roads and interchanges with the M7 Motorway (extending approximately four kilometres within the existing M7 Motorway Corridor), and with the proposed Western Sydney International (Nancy-Bird Walton) Airport. Works also include electronic tolling facilities at the M7 interchange, construction of new bridges across 5 creeks and 8 roads, pedestrian and cycling facilities, and ancillary developments.
Project Address:	Cecil Hills NSW, 2171 to Luddenham NSW, 2745
Proponent:	Transport for NSW
Title of Audit:	Independent Environmental Audit
Date:	26 June 2024

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

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

Notes:

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

Name of the Auditor:	Dylan Jones
Signature:	
Qualification:	Auditing Support
Company:	APP Corporation Pty Ltd
Company Address:	Level 14, 10 Spring Street, Sydney NSW 2000



Declaration of Independence Form

Independent Audit Declaration Form	
Project Name:	M12 Motorway Project
Consent Number:	SSI-9364
Description of Project:	A multi-lane road link from the M7 Motorway at Cecil Hills extending for approximately 16 kilometres to the Northern Road at Luddenham, including intersections with existing roads and interchanges with the M7 Motorway (extending approximately four kilometres within the existing M7 Motorway Corridor), and with the proposed Western Sydney International (Nancy-Bird Walton) Airport. Works also include electronic tolling facilities at the M7 interchange, construction of new bridges across 5 creeks and 8 roads, pedestrian and cycling facilities, and ancillary developments.
Project Address:	Cecil Hills NSW, 2171 to Luddenham NSW, 2745
Proponent:	Transport for NSW
Title of Audit:	Independent Environmental Audit
Date:	26 June 2024

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

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

Notes:

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

Name of the Auditor:	Barbara Pater
Signature:	
Qualification:	Auditing Support
Company:	APP Corporation Pty Ltd
Company Address:	Level 14, 10 Spring Street, Sydney NSW 2000

Appendix E – Audit Checklists

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1	PART	A	ADMINISTRATIVE CONDITIONS				
	A		GENERAL				
1.1	A	A1	The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with: (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).	TFNSW SWC	<i>Self-Reported</i> Non-Compliance details in accordance with Condition A1 are as follows: Potential non-compliances with conditions A1 and A2 were identified; a construction material laydown area associated with Bridge 6 (South Creek) works had been temporarily placed down on ground beyond the project approved boundary by approximately 1-2m to the southeast. The project boundary was reconfirmed on the 3/04/2024. Construction materials and project boundary markers have now been reinstated to reflect the correct project and property alignment agreements consistent with the COA. The land that the laydown area extended over in error has a property access plan (PAP) in place with the current landowner. All reinstatement works if required will be conducted in accordance with the PAP. None have been required. The correct site boundary has now been marked out, construction materials have been removed and site controls have been reinstated in compliance with the confirmed project boundary and are now consistent with the terms of the approval.	Non-Compliance M12C-04_NC-01: A <i>self-reported</i> non-compliance was identified during the audit period in relation to Minor Ancillary Facility MAF-004 – flagging of the laydown area was incorrectly set out and outside the project boundary. This triggers a non-compliance against Condition A1. Recommendation: Prior to establishment of future Minor Ancillary Facilities, it is recommended that the area should be reviewed in detail against the project boundary by all relevant parties (contractor, TfNSW and the ER).	Non-Compliant
1.2	A	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.	TFNSW SWC	As above, a <i>self-reported</i> non-compliance was identified during the audit period.	Non-Compliance M12C-04_NC-02: A <i>self-reported</i> non-compliance was identified during the audit period in relation to Minor Ancillary Facility MAF-004 – flagging of the laydown area was incorrectly set out and outside the project boundary. This triggers a non-compliance against Condition A2. Recommendation: Prior to establishment of future Minor Ancillary	Non-Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
						Facilities, it is recommended that the area should be reviewed in detail against the project boundary by all relevant parties (contractor, TfNSW and the ER).	
1.3	A	A3	In the event of an inconsistency between: (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 inclusive, the most recent document will prevail to the extent of the inconsistency. <i>Note: For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</i>	TFNSW SWC	The project is being delivered in accordance with the documents listed in Condition A1 and as Consistency Assessments. One Consistency Assessment was approved during the audit period as follows: M12 Motorway Minor Consistency Assessment dated 22 January 2024. Signed by Arcadis 22/01/2024; signed and endorsed by TfNSW 23/01/2024. The Proposed Change involves an increase to the construction footprint by 3 metres to the east and 20 metres (m) to the south, along Water Tower Access Road, within the Western Sydney Parklands Trust (WSPT) to allow: - Construction of concrete slabs over the 450 mm and 300 mm Sydney Water main, as per Build Over Asset (BOA) design drawings. - Construction of a temporary access road to the east of the current Water Tower Access Road to enable stakeholder access to the existing water tower and radar tower (to the east of the water tower in Figure 2-1) while the BOA is being constructed. - The temporary access road would be reinstated to previous condition with topsoil and hydroseed. Works are expected to commence Quarter 1 of 2024 and be completed by the end of Quarter 2 of 2024. Asphalt and landscaping to be actioned. Fortnightly Interface meeting with both parties demonstrate consultation with affected parties (also includes West). Meetings are TfNSW chaired, Interface Lead also attends. Sighted Minutes: M12 Central Project Team Fortnightly Meeting No. #43, 6 December 2023. Consistency Assessment discussed during Item 3 – Environmental / Sustainability Update. Application was made 2 May 2024 for Modification to Condition A16 – email sighted from DPHI acknowledging receipt of application “M12 Motorway - Modification to Condition A16 - SEMP(PMA-70304983) - Application Received”. Admin change required for		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Condition A16 only as the M7-M12 approval conditions were misaligned between the two approvals about the need for a SEMP.		
1.4	A	A4	The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: (a) the environmental performance of the CSSI; (b) any document or correspondence in relation to the CSSI (including the provision of such documentation or correspondence); (c) any notification given to the Planning Secretary under the terms of this approval; (d) any independent appointment or withdrawal of an appointment made in relation to the CSSI; (e) any audit of the construction or operation of the CSSI; (f) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval); (g) the carrying out of any additional monitoring or mitigation measures; and (h) in respect of ongoing monitoring and management obligations, and following consultation with the Proponent, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.	TFNSW SWC	No additional written directions received from DPHI during the audit period. Based on the results of this audit, the following compliance status is as follows: (a) Non-Compliance identified regarding site conditions as observed (Condition E84). (b) No changes to consultation since previous audit. (c) Notifications for non-compliances submitted as per set timeframes. Once self-reported non-compliance for the submission timeframe of monitoring reports missed. (d) ER, independent auditor and experts submitted and approved by the Department as evidenced remain unchanged. (e) Applicable to this audit in which auditing activities occurred within 6-months since the previous construction audit. (f) Refer to non-compliances identified. (g) Noise, surface water and groundwater monitoring as per CoA C11 to C18. (h) Monitoring and management obligations are being carried out as per guidelines, etc.	Non-Compliance M12C-04_NC-03: Based on the non-compliances raised against Conditions A1, A2, and E84, a non-compliance is triggered for A4. Close out of the identified non-compliances will automatically address this non-compliance.	Non-Compliant
1.5	A	A5	Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken and submitted to the Planning Secretary, and the terms of this approval require the document, monitoring program or review to be prepared/undertaken in consultation with identified parties, evidence of the consultation must be submitted to the Planning Secretary with the relevant document, monitoring program or review. The evidence must include: (a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval; (b) a log of the dates of engagement or attempted engagement with the identified party; (c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations; (d) outline of the issues raised by the identified party and how they have been addressed; and (e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed.	TFNSW SWC	M12 Central plans (CEMP, CEMP sub-plans, SEMP, etc) have not changed since the previous audit. Overarching Construction Noise and Vibration Management Sub-Plan (OCNVMP) updated as Rev M dated 5 October 2023. Updates made to the monitoring program (Rev M, 5 October 2023) and OOHV Protocol (Rev M, 4 October 2023). Approval letter presented from DPHI ref: SSI-9364-PA-219 dated 20 November 2023 referring to submission dated 16 October 2023. Notes OCNVMP was prepared in consultation with Water NSW, Sydney Water, pipeline operators, Penrith Council and Liverpool Council. Changes were due to the East package and did not trigger any changes for M12 Central.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.6	A	A6	This approval lapses five (5) years after the date on which it is granted, unless Work has physically commenced on or before that date.	TFNSW	The Infrastructure Approval for the M12 Motorway was granted on 23 April 2021 as per Schedule 1, CSSI-9364. The approval has not yet lapsed.		Not Triggered
1.7	A	A7	References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, standards or policies in the form they are in as at the date of this approval.	TFNSW SWC	No changes to the M12 Central plans since the previous audit. The Overarching CEMP, Rev J dated 17 March 2023 includes Appendix A1 Legal and Other Requirements which lists relevant acts and regulations. The M12 Central CEMP, Rev E, 17 August 2023, Section 4.2 Relevant legislation and guidelines makes reference to Appendix A1 (includes tabled standards, acts and regulations) as well as Section 4.2.3 Guidelines and standards e.g., Environmental Management Plan Guideline – Guideline for Infrastructure Projects (DPE, April 2020), Managing Urban Stormwater: Soils and Construction Volume 1, Landcom, (4th Edition) March 2004 (reprinted 2006) (the "Blue Book"), Interim Construction Noise Guideline (DECC, 2009).		Compliant
1.8	A	A8	Any document that must be submitted or action taken within a timeframe specified in or under the terms of this approval may be submitted or undertaken within a later timeframe agreed with the Planning Secretary. This condition does not apply to the written notification required in respect of an incident under Condition A44 and Condition A45 .	TFNSW SWC	Post Approval Document Received - (SSI-9364-PA-298) acknowledgement from DPHI to TfNSW on 15 April 2024 regarding request for an extension to the timeframe of this audit. Letter from DPHI dated 6 May 2024 – approval of extension of time for the next Independent Audit to be undertaken 9 and 16 May 2024 under Condition A8. Post Approval Document Received - (SSI-9364-PA-297) from DPHI to TfNSW on 20 March 2024 for resubmission of previous IEA report, approving extension to 28 March 2024. Timeframe for ER report submission for Dec-23 report extension to 15 January 2024. Emailed presented from ER to DPHI, 6 December 2023. Letter response received from DPHI 18 December 2023, ref: SSI-9364-PA-257 approving extension of timeframe. Also confirms the extension is active for the duration of the ER's engagement for the CSSI. * enter details about biodiversity offsets. From previous audit: Submission of E4 biodiversity offset report – 6-month extension to February 2024 as per TfNSW letter 10 August 2023, approved by DPE – letter		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					dated 29 August 2023: M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364) Submission to DPHI for offset report and credit requirements on 16 February 2024 as per SSI-9364-PA-279. DPHI request for further information, 23 February 2024: Response to RFI as per SSI-9364-PA-286 dated 4 March 2024.		
	A		STAGING				
1.9	A	A9	The CSSI may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the Planning Secretary for information. The Staging Report must be endorsed by the ER and then submitted to the Planning Secretary no later than one (1) month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one (1) month before the commencement of operation of the first of the proposed stages of operation)	TFNSW	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 3 April 2023, unchanged since previous audit: - ER endorsement of Staging Report, Rev G dated 10 April 2023, Ref: M12 Staging Report Rev G. - ER Endorsement letter of Rev G dated 10 April 2023, ref M12 Staging Report Rev G. - TfNSW submission letter to the Department date 11 April 2023 for Revision G. Portal receipt SSI-9364-PA-162 for revised Staging Report (Rev G) also dated 11 April 2023.		Compliant
1.10	A	A10	The Staging Report must: - if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish; - if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant); - specify how compliance with conditions will be achieved across and between each of the stages of the CSSI; and - set out mechanisms for managing any cumulative impacts arising from the proposed staging.	TFNSW	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 3 April 2023 (unchanged since previous audit) includes the following: - Section 2 Proposed Project Packages, Appendix A CoA applicable to Staging, Table 2-1 Indicative timing of project stages - Section 2 Proposed Project Packages, Appendix A CoA applicable to Staging - Section 3 Compliance, Appendix A CoA applicable to Staging - Section 2.5 Cumulative Impacts, Appendix A CoA applicable to Staging.		Compliant
1.11	A	A11	The CSSI must be staged in accordance with the Staging Report .	TFNSW	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 3 April 2023, Section 2.2 Project Stages, Appendix A CoA applicable to Staging.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Construction of the M12 Motorway Central package commenced August 2022. Timeline of the Central package noted to be in accordance with the staging report with commencement as Q3 of 2022 – August 2022, and completion as mid-2025. Works are progressing with completion expected by end of 2024 and handover early 2025.		
1.12	A	A12	Where staging is proposed, the terms of this approval that apply or are relevant to the work or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	TFNSW SWC	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 3 April 2023, Appendix A includes a matrix of the applicable Conditions of Approval based on each stage.		Compliant
1.13	A	A13	Where changes are proposed to the staging of construction or operation, a revised Staging Report must be prepared and submitted to the Planning Secretary for information no later than one (1) month before the proposed change in the staging. The revised Staging Report must be endorsed by the ER before submitting it to the Planning Secretary.	TFNSW	Letter of submission from TfNSW to the Department as previous evidenced: "SSI 9364 - M12 Motorway - CoA A13 Revised Staging Report" confirms that revised Staging report has been prepared in response to the changes and been endorsed by the ER as per endorsement letter dated 11 April 2023. No changes since previous audit.		Compliant
	A		STAGED SUBMISSIONS OF STRATEGIES, PLANS OR PROGRAMS				
1.14	A	A14	With the approval of the Secretary, the Proponent may submit any strategies plans or programs required by this approval on a progressive basis. <i>Notes:</i> 1. <i>While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the Work being undertaken on site is covered by suitable strategies, plans or programs at all times; and</i> 2. <i>If the submission of any strategy, plan or program is to be submitted on a progressive basis, then the relevant strategy, plan or program must clearly describe the specific Work or stage to which the strategy, plan or program applies, the relationship of the Work or stage to any future Work or stages, and the trigger for updating the strategy, plan or program if and as relevant.</i>	TFNSW SWC	No submission of any additional staged: strategies, plans or programs during this audit period. Staging report has not changed. Previous extension for at-property noise treatment – 6-month extension to June 2024 as requested by TfNSW, letter to the Department dated 21 July 2023 still in place. Approved as per Department letter dated 28 July 2023: Proposed extension of time to implement At-Property Noise Mitigation Measures, ref: SSI-9364-PA-191 (portal receipt).		Compliant
	A		CONSTRUCTION ANCILLARY FACILITIES				
1.15	A	A15	Additional construction ancillary facilities	TFNSW	No additional Construction Ancillary Facilities. The following Ancillary Facilities are still in place:		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Construction ancillary facilities (excluding minor construction ancillary facilities established under Condition A20) that are not identified by description and location in the documents listed in Condition A1 may only be established and used in each case if: (a) they are located within or immediately adjacent to the construction boundary; and (b) they are not located next to a sensitive receiver(s) (including where an access road is between the facility and the receiver(s)), unless the sensitive receiver(s) (both the landowner(s) and occupier(s)) have given written acceptance to the carrying out of the relevant facility in the proposed location; and (c) they have no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and (d) the establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.	SWC	1. AF4 located west of Clifton Avenue, Kemps Creek. 2. AF5 located north of Elizabeth Drive and west of Mamre Road, Mount Vernon. 3. AF6 located south of Elizabeth Drive, Cecil Hills – Western Sydney Parklands, Water Access Road. 4. AF12a & AF12b 5. AF13 – East of Salisbury, AF15 – Kemps Creek, and 6. AF16 – Range Rd, as per amendment reports.		
1.16	A	A16	Site Establishment Management Plan Before establishment of a construction ancillary facility(ies) (excluding minor construction ancillary facilities established under Condition A20), the Proponent must prepare a Site Establishment Management Plan which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facility(ies). The Site Establishment Management Plan must be prepared in consultation with the relevant council(s) and relevant State government agencies. The Plan must be endorsed by the ER and then submitted to the Planning Secretary for approval one (1) month before the establishment of the construction ancillary facility(ies). The Site Establishment Management Plan must detail the management of the construction ancillary facility(ies) and include: (a) a description of activities to be undertaken during establishment of the construction ancillary facility(ies) (including scheduling and duration of work to be undertaken at the site); (b) figures illustrating the proposed site layout and the location of the closest sensitive receiver(s); (c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of site establishment work; (d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to: (i) meet the performance outcomes stated in the documents listed in Condition A1, and	SWC	M12 Central Site Establishment Management Plan (SEMP), M12CCO-SYW-ALL-EN-PLN-000002, Rev H, 23 June 2023 is still in place and unchanged since previous audit. Consistent with condition A15, the SEMP lists the following construction ancillary facilities: • AF4 - West of Clifton Avenue, north of proposed main line • AF5 - West of Mamre Road North of Elizabeth Drive • AF6 - South of Elizabeth Drive opposite Duff Road • AF12a - West of Clifton Avenue • AF12b - West of Clifton Avenue • AF13 - East of Salisbury Avenue • AF15 - South of the intersection of Elizabeth Drive and Mamre Road • AF16 - Within the carpark of the existing Wylde Mountain Bike Trail. • AF16a – Within the project alignment, approximately 60m south of AF16		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and (e) a program for monitoring the performance outcomes, including a program for noise monitoring consistent with the requirements of Condition C14. The Site Establishment Management Plan must be approved before the establishment of a construction ancillary facility(ies) (excluding minor construction ancillary facilities established under Condition A20). Nothing in this condition prevents the Proponent from preparing individual Site Establishment Management Plans for each construction ancillary facility. <i>Note: Condition A16 does not apply to minor construction ancillary facilities established under Condition A20.</i>		Email presented from DPHI in response to TfNSW “M12 Motorway - Modification to Condition A16 – SEMP (PMA-70304983) - Application Received” dated 2 May 2024 regarding request for SEARs in relation to the M12 Motorway - Modification to Condition A16 - SEMP has been received. This was in relation to the East package and has not triggered a change for M12 Central. Admin change to Condition A16 only as the M7-M12 approval conditions were misaligned between the two approvals about the need for a SEMP.		
1.17	A	A17	Where a construction ancillary facility(ies) has been established for any early works listed in Appendix B and is to be used for construction, a new or revised Site Establishment Management Plan must be prepared where additional activities are required to establish the site for the purposes of construction or there is a change to the site layout. The new or revised Site Establishment Management Plan must be prepared in accordance with Condition A16 and approved by the Planning Secretary before commencement of the additional activities or change to site layout.	SWC	No early works ancillary facilities were used for construction. There were no early works as part of the Central package.		Not Triggered
1.18	A	A18	Use of Construction Ancillary Facilities The use of a construction ancillary facility for construction (excluding minor construction ancillary facilities established under Condition A20 and construction ancillary facilities established for the purposes of early works in accordance with Condition A24) must not commence until the CEMP required by Condition C1, relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C11 have been approved by the Planning Secretary. This condition does not apply to the use of construction ancillary facilities where the ER has determined that the use of the facility will have a minimal impact on the environment and community.	TFNSW SWC	No early works ancillary facilities were used for construction. There were no early works as part of the Central package. Construction Ancillary facilities are as per the EIS and amendment reports. ER endorsement of minor ancillary facilities are described under condition A20.		Compliant
1.19	A	A19	Construction ancillary facilities established for the purposes of early works in accordance with Condition A24 cannot be used for construction until the CEMP required by Condition C1 , relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C11 have been approved by the Planning Secretary.	TFNSW SWC	Original letter as presented during initial audit dated 21 December 2021 for the approval of the overarching CEMP + sub-plans from the Department. No early works ancillary facilities were used for construction. Ancillary facilities used are as per EIS and amendment reports.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			This condition does not apply to the use of construction ancillary facilities where the ER has determined that the use of the facility will have a minimal impact on the environment and community.				
1.20	A	A20	Minor Construction Ancillary Facilities Lunch sheds, office sheds, portable toilet facilities, and the like, can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria: (a) are located within or adjacent to the construction boundary; and (b) have been assessed by the ER to have - (i) minor amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and (ii) minor environmental impact with respect to waste management, soil, water and flooding, and (iii) no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval.	SWC	2 x Minor Construction Ancillary Facilities during the audit period as follows: Minor Construction Ancillary Facilities for the M12 Motorway (Central), Badgerys Creek and the Water Tower Access Road, Cecil Hills, Rev A, dated and signed by ER 13 November 2023 for portaloo placement. Section 4 includes the CAF Compliance Checklist. Bridge 09 Minor Construction Ancillary Facilities for the M12 Motorway (Central), Badgerys Creek and the Water Tower Access Road, Cecil Hills, Rev A, dated 15 March 2024 and signed by ER 18 March 2024 for 1 x ablution block and 1 x general storage container, ref M12C-MAFC-008. Noise screening assessment appended, Minor Ancillary Facility 08 dated 15 March 2024. No additional lighting required to be installed. Appx C Detailed predictions tables as per the NVIS did not contain any data for BR09 – however it was confirmed that as there was no impacts identified, no data was required to be included.		Compliant
1.21	A	A21	Boundary screening Boundary screening must be erected around all construction ancillary facilities that are adjacent to sensitive receivers for the duration of construction of the CSSI unless otherwise agreed with affected residents, business operators and landowners.	SWC	Boundary screening as evidenced during site inspection.		Compliant
1.22	A	A22	Boundary screening required under Condition A21 of this approval must minimise, as far as practicable, visual impacts on adjacent sensitive receivers.	SWC	Boundary screening as evidenced during site inspection.		Compliant
1.23	A	A23	Project identification The CSSI name; application number; telephone number, postal address and email address required under Condition B7 of this approval must be made available onsite boundary fencing / hoarding at the entrance of each ancillary facility before the commencement of construction.	SWC	Project signage as evidenced during site inspection.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	A		ENVIRONMENTAL MANAGEMENT – EARLY WORKS				
1.24	A	A24	Before undertaking early works specified in Appendix B, the Proponent must prepare an Early Works Environmental Management Plan. The Plan must include: (a) a description of the activities to be undertaken and the scheduling and duration for each activity; (b) a site establishment management plan for any proposed construction ancillary facilities (excluding minor construction ancillary facilities established under Condition A20) consistent with the requirements of Condition A16; (c) figures illustrating the proposed location(s) of the early works and the closest sensitive receiver(s); (d) a flora and fauna management sub-plan (prepared in consultation with the EES) which includes - (i) details of the measures to avoid and minimise disturbance to native vegetation, and other habitat of native flora and fauna species, (ii) details of the proposed management and mitigation measures for the affected species listed in Table 3, (iii) 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 early works, and procedures and measures to manage their relocation, and (iv) unexpected finds protocol for flora and fauna; (e) details of measures to avoid and minimise noise and vibration, soil, water and air quality impacts; and (f) unexpected finds procedures for heritage and contamination.	TFNSW	No early works specific to the Central package. Project wide early works completed by February 2023 as evidenced during previous audit.		Compliant
1.25	A	A25	The Early Works Environmental Management Plan required under Condition A24 must be endorsed by the ER and then submitted to the Planning Secretary for approval at least one (1) month before the commencement of the early works specified in Appendix B. The early works specified in Appendix B must not commence until the environmental management plan is approved. The environmental management plan must be implemented for the duration of the early works which are the subject of the plan. Nothing in this condition prevents the Proponent from preparing individual environmental management plans for one or more of the early works specified in Appendix B.	TFNSW	No early works specific to the Central package. Project wide early works completed by February 2023 as evidenced during previous audit.		Compliant
	A		INDEPENDENT APPOINTMENTS				

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.26	A	A26	All requests for Independent Appointments must have regard to the Department's guideline <i>Seeking approval from the Department for the appointment of independent experts</i> (DPIE, 2020).	TFNSW SWC	Nomination of Environmental Representative and Alternate ER unchanged. Response from DPHI confirming previous auditor approval letter valid for all audits – ref SSI-9364-PA-302, 3 May 2024. No other changes for the M12 Central package.		Compliant
1.27	A	A27	All Independent Appointments required by this approval must hold current membership of a relevant professional body, unless otherwise agreed by the Planning Secretary.	TFNSW SWC	APP lead independent auditor hold Exemplar Global auditing accreditations e.g., Lead Auditor Certificate No. 115002.		Compliant
1.28	A	A28	The Planning Secretary may at any time commission an audit of how an independent appointment has exercised their functions. The Proponent must: (a) facilitate and assist the Planning Secretary in any such audit; and (b) make it a term of their engagement of an Independent Appointment that the Independent Appointment facilitate and assist the Planning Secretary in any such audit.	TFNSW SWC	No requests received from the Department.		Not Triggered
1.29	A	A29	The Planning Secretary may withdraw its approval of an independent appointment should they consider the Independent Appointment has not exercised their functions in accordance with this approval.	TFNSW SWC	No withdrawal of approvals to date.		Not Triggered
	A		ENVIRONMENTAL REPRESENTATIVE				
1.30	A	A30	Work must not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by the Proponent.	TFNSW	Original ER is still in place with an additional letter provided 15 March 2023 from the Department in response to TfNSW's clarification of the ER roles particularly in relation to M12 East and the M7/M12 Integration project arrangements and agreement with the proposed approach, evidenced as per previous audit. No changes since previous audit.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.31	A	A31	The Planning Secretary's approval of an ER must be sought no later than one (1) week before the commencement of Work.	TFNSW	ER approval in place as verified during previous audits. No changes to the approved ERs.		Compliant
1.32	A	A32	The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the documents listed in Condition A1 , and is independent from the design and construction of the CSSI. The ER must meet the requirements set out in the <i>Environmental Representative Protocol</i> (Department of Planning and Environment, October 2018).	TFNSW	Department letter as evidenced during previous audits approving alternative ER dated 17 November 2022 confirms that the supported CV demonstrates the skills, qualification and experience to undertake the role, that there was no involvement in the preparation of the EIS, etc as per CoA A1 as per previous audit evidence.		Compliant
1.33	A	A33	The Proponent may engage more than one ER for the CSSI, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the CSSI.	TFNSW	HBI is the only ER engaged on the project and unchanged from the previous audits.		Compliant
1.34	A	A34	For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must: (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the 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; (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; (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	ER	ER Monthly Reports were presented for the 6-month period and include the following. (a) November 2023 ER Report notes portable toilets as MAFs following DPHI advice. <i>Meetings attended:</i> The ER attends regular meetings with DPHI e.g., 14 & 25 March 2024 as per ER Monthly Report for March 2024. (b) The ER informs DPHI during monthly meetings + submission of monthly ER report to DPHI e.g., meeting attended 7 December 2023; 18 & 29 January 2024 as per January 2024 Monthly ER Report. (c) Recommendations are made during the fortnightly ER inspections and as summarised within the monthly reports e.g., ER Central site inspection No. 118 on 19 March 2024 – Cleaning of screed in median adjacent BR06 deck pour. Resultant run-off draining across site towards South Creek. Place sandbags as immediate corrective action. Implement processes as per Concrete Washout EWMS. Closed during Site Inspection Report No. 122 on 16 April 2024. (d) The ER regularly reviews and endorses documents. 'Reviewed Documents' section within the monthly reports e.g., M12C Night work on Elizabeth Drive & Mamre Road reviewed November 2023; M12C Minor Ancillary Facility		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			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.		Checklist Portaloo – ER Endorsed 13/11/23; M12W MCAF Checklist 011 - 016 Rev D – ER Endorsed 07/12/23 endorsed as per December 2023 report; reviewed as part of February 2024: M12 Central EWMS - Temporary Waterway Crossings Rev C; M12C-MAFC-008 M12 Central Ancillary Facility Checklist – ER Endorsed 18/03/24. (e) Monitoring of implementation is undertaken during the fortnightly ER inspections e.g., Inspection report No. 124 dated 30 April 2024 shows items such as ERSED controls required at BR08 prior to rainfall. Close out presented from SWC to ER Inspection Report Closed dated 1 May 2024 for 8 May 2024 close out. Includes photo evidence. (f) This is the fourth CSSI audit on the project whereby the ER is in attendance. The ER also partook in previous audits. (g) Complaints are monitored as demonstrated in the monthly reports under <i>Non-compliance/Incidents/Repeat Complaints</i>. e.g., M12C Complaint 22/03/24 - Transport received a message in relation to the quality and potholes on Range Road, Kemps Creek (h) As per M12W MCAF Checklist 011 - 016 Rev D – ER Endorsed 07/12/23; M12C-MAFC-008 M12 Central Ancillary Facility Checklist – ER Endorsed 18/03/24. (i) No amendments required for M12 Central plans during the audit period. Endorsed documents section of the ER reports show any plans for review or endorsement. Any would also be discussed during meetings or inspections. (j) All ER reports are issued on or before the 7th day of the following month as evidenced (aside from the December 2023 report which was confirmed as a later timeframe with DPHI). ER reports reviewed for: November 2023, Ref: 210309-ER_DPE-November 2023 (SSI-9364-PA-258), issued 7 December 2023; December 2023, Ref: 210309-ER_DPE-December 2023, issued 15		

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					January 2024 (SSI-9364-PA-269); January 2024, Ref: 210309-ER_DPHI-January 2024, issued 7 February 2024 (SSI-9364-PA-277); February 2024, Ref: 210309-ER_DPHI-February 2024, issued 7 March 2024 (SSI-9364-PA-288); March 2024, Ref: 210309-ER_DPHI-March 2024, issued 5 April 2024 (SSI-9364-PA-294); April 2024, Ref: 210309-ER_DPHI-April 2024, issued 7 May 2024 (SSI-9364-PA-308).		
1.35	A	A35	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: (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).	TFNSW SWC	As evidenced above and as follows: (a) Email presented from Community and Stakeholder Manager – sent 6 May 2024 to TfNSW and ER + SWC. (b) Consistency Assessment dated 22 January 2024 as submitted to ER, sighted Teambinder Ref M12CCO-TFNSW-HBI-CORR-000064 on 23 January 2024 from TfNSW to ER.		Compliant
	A		NOTIFICATION OF COMMENCEMENT				
1.36	A	A36	The Department must be notified in writing of the dates of commencement of early works, construction and operation at least one (1) month before those dates	TFNSW	No further notifications required since the original notification.		Compliant
1.37	A	A37	If the construction or operation of the CSSI is to be staged, the Department must be notified in writing at least one (1) month before the commencement of each stage, of the date of the commencement of that stage.	TFNSW	No additional stages requiring submission for the Central package.		Compliant
	A		AUDITING				
1.38	A	A38	The Proponent must engage an independent auditor and conduct auditing and audit reporting of the CSSI in accordance with the document <i>Independent Audit Post Approval Requirements</i> (DPIE, 2020). <i>Note: The independent auditor must be approved by the Planning Secretary no later than two weeks following the commencement of construction as required by Independent Audit Post Approval Requirements (DPIE, 2020).</i>	TFNSW	Auditor nomination as per Portal receipt SSI-9364-PA-302 dated 22 April 2024. Response to auditing team provided 6 May 2024 from DPHI – commencing review. Submission of response to RFI 7 May 2024 also under SSI-9364-PA-302.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.39	A	A39	Operational compliance auditing is only required at 26 weeks following the commencement of operation unless an alternative timeframe is agreed to by the Planning Secretary.	TFNSW	The project is currently under construction. This is not yet triggered.		Not Triggered
1.40	A	A40	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to that set out in <i>Independent Audit, Post Approval Requirements</i> (DPIE, 2020), upon giving at least one (1) month's notice to the Proponent of the date upon which the audit must be commenced.	TFNSW	Initial and subsequent audits are being conducted in accordance with the IAPAR 2020 guidelines. This is not triggered. No requests have been received from DPHI as per Condition A40. TFNSW requested an extension in the audit timeframe as per portal receipt SSI-9364-PA-298 on 15 April 2024. Letter from DPHI dated 6 May 2024 – approval of extension of time for the next Independent Audit to be undertaken 9 and 16 May 2024 under Condition A8.		Not Triggered
1.41	A	A41	The Planning Secretary may direct the Proponent to undertake Independent Audits in addition to those provided for in Condition A38 when considered necessary to address a particular issue.	SWC	No additional audit requests have been made to date.		Not Triggered
1.42	A	A42	In accordance with the specific requirements in the <i>Independent Audit Post Approval Requirements</i> , the Proponent must: (a) review and respond to each Independent Audit Report prepared under Condition A38 or Condition A41 ; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report and response to it publicly available 60 days after submission to the Planning Secretary.	TFNSW	Verified as follows: (a) Review and response email from TfNSW to auditors, 15 December 2023 with confirmation of final being issued to DPHI 8 January 2024. (b) RFI received from DPHI for IEA #3, 7 March 2024 SSI-9364-PA-267. Response to RFI IEA #3 submitted 28 March 2024 as per email evidence, TfNSW to DPHI (sent by email as planning portal was unavailable). Updated response to Audit #3 submitted, portal receipt SSI-9364-PA-300 dated 19 April 2024. (c) Previous IEA #3 resubmitted following RFI on 28 March 2024. Report + response will be made publicly available following DPHI approval. Approval yet to be received.		Compliant
1.43	A	A43	Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Planning Secretary for information within two (2) months of undertaking the independent audit site inspection as outlined in the <i>Independent Audit Post Approval Requirements</i> (DPIE, 2020).	TFNSW	Submission of RFI for IEA #3 report + response to audit findings actioned 8 January 2024, ref SSI-9364-PA-267. Actioned within 2 months of the audit (last audit site inspection 13 November 2023).		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	A		INCIDENT NOTIFICATION AND REPORTING				
1.44	A	A44	The Planning Secretary must be notified in writing via the Major Projects Website as soon as possible and no later than 12 hours after the Proponent becomes aware of an incident. The notification must identify the CSSI (including the application number and the name of the CSSI) and the date, time, location and nature of the incident.	TFNSW SWC	No reportable, material incidents to date. Incidents are classified as Report Only, Incident (minor, major), or Non-Conformance. All incidents recorded during the audit period were C5 Minor or Report Only.		Not Triggered
1.45	A	A45	Subsequent notification must be given, and reports submitted to the Planning Secretary in accordance with the requirements set out in Appendix A .	TFNSW SWC	No reportable incidents / material harm environmental incidents to date.		Not Triggered
	A		NON-COMPLIANCE NOTIFICATION				
1.46	A	A46	The Planning Secretary must be notified in writing via the Major Projects website within seven (7) days after the Proponent becomes aware of any non-compliance.	TFNSW SWC	Non-Compliances notified during the audit period are as follows: Non-Compliance as identified during IEA#3 (Central): TfNSW letter to DPHI SSI 9364 - M12 Motorway - Notification of non-compliance (CoA A4 (f) and (g), and E1) – date aware of non-compliance: 30.10.2023 (during previous IEA), letter dated 3 November 2023 – notified within the seven-day timeframe. Submitted as per portal receipt SSI-9364-PA-244. Recorded as Environmental Event Report – Event ID#034 – report type Non-Compliance. Self-Reported non-compliance (Central), SSI 9364 – M12 Motorway – Notification of non-compliance (CoA A46 Notification of non-compliance) with general administrative conditions A1 and A2, letter from TfNSW to DPHI dated 5 April 2024 following re-confirmation of project boundary on 3 April 2024. Portal receipt ref: SI-9364-PA-296. Recorded as Environmental Event Report – Event ID#048 – report type Environmental Incident and Non-Compliance – MAF-004 flagging of the laydown area incorrectly set out and resulted in area of approx 200m2 cleared. Survey pegs to be placed in correct location. Notified within 2 days of re-confirming project boundary. This was <i>self-reported</i> as a non-compliance during the audit period and has been		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					categorised as a non-compliance with conditions A1 and A2 during this audit. Self-Reported non-compliance (Overarching): during the audit period timing was missed in sending the Construction Monitoring Reports for Groundwater and Surface Water, notified as ref SSI-9364-PA-259, 8 December 2023. Following the notification of the non-compliance, the reports were issued to DPHI on 14 December 2023, SSI-9364-PA-263 in accordance with condition C18. As this was <i>self-reported</i> as a non-compliance during the audit period this has been categorised as a non-compliance with condition C18 during this audit as an overarching non-compliance.		
1.47	A	A47	A non-compliance notification must identify the CSSI and the application number for it, set out the condition of approval that the CSSI is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	TFNSW SWC	Non-compliance notification letters as per Condition A46 included reference SSI-9364, conditions of approval references. e.g., Re: SSI 9364 - M12 Motorway - Notification of non-compliance (CoA C18) dated 7 December 2023: CSSI name and application number: M12 Motorway (SSI 9364) CoA that the CSSI is non-compliant with: C18. Date proponent became aware of non-compliance: 4.12.2023. The way in which it does not comply and the reasons for the non-compliance (if known): A non-compliance with condition of approval C18 was identified during review of the six-monthly surface and groundwater monitoring reports. The Construction Monitoring Program requires the Construction Surface Water and Groundwater Monitoring Program Report to be provided to the Planning Secretary and relevant government agencies, submitted 6-monthly until commencement of operation. What actions have been, or will be, undertaken to address the non-compliance: Reports for periods 7 and 8 will be provided to DPE and relevant agencies. The		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					report for the current period is currently under review and will be provided when finalised, and future reports provided until commencement of operation.		
1.48	A	A48	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	TFNSW SWC	Non-Compliances submitted have not been notified as an incident. No notifiable incidents to date. Internal Project Non-Compliances were also recorded during the audit period are as follows: - INC041, 13 January 2024, movement of topsoil from stockpile without approval. Non-Compliance with Spoil Management Plan (CWRP Appx C). - INC045, 19 March 2024, concrete waste bin over capacity and overflowing during washout of concrete truck. Non-Compliance with EWMS-08 (Construction and Operation of Concrete Washout). - INC046, 19 March 2024, concrete washdown at BR09, NC with EWMS-08. - INC047, 3 April 2024, placement of concrete washout bin with bunding inaccessible so cleaning occurred on hardstand area. Refer to Condition E84 for details regarding concrete washout raised as observations during the audit site inspection.		Compliant
	A		IDENTIFICATION OF SPOIL HAULAGE VEHICLES				
1.49	A	A49	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.	TFNSW SWC	Minor haulage occurring – bulk earthworks complete – topsoil and sandstone movement only. No haulage vehicles were present during the audit site inspection.		Compliant
2	PART	B	COMMUNITY INFORMATION AND REPORTING				
	B		COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT				
2.1	B	B1	Communication Strategy	TFNSW SWC	M12 Motorway Overarching Communication Strategy has undergone a review since the previous audit, Rev 6 dated March 2024. Tracked change version also presented. Includes ER details for M12 East with M12		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			A Communication Strategy must be prepared to provide mechanisms to facilitate communication about Work, construction and operation of the CSSI with: (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 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.		Central and West ER more defined. Update included addition of AF17 and AF18, updates to Section 8.3 Basic demographics, and other, minor changes. Submitted as per TfNSW letter to DPHI, ref Re: SSI 9364 - M12 Motorway - CoA B3 Overarching Communication Strategy dated 29 April 2024. Lodged via the project portal on 3 May 2024, ref SSI-9364-PA-305. CCS with DPHI – currently waiting on approval. Section 5 Stakeholders and community overview includes Table 5.1 Key stakeholders and communications proposed. Section 4 Community relations for project, including community relations protocols (4.1), community relations team (4.2), and liaison between community relations teams. Section 8 Engagement methods, including Table 8.1: Communication Activities and Tools for M12 Motorway.		
2.2	B	B2	The Communication Strategy must: (a) identify people, organisations, councils and agencies to be consulted during the design and Work phases; (b) identify details of the community demographics; (c) set out procedures and mechanisms for the regular distribution of accessible information, including to Language Other than English and Culturally and Linguistically Diverse and vulnerable communities, about or relevant to the CSSI; (d) detail the measures for advising the community in advance of upcoming Work, including utility works and upcoming out-of-hours work as required by Condition E47; (e) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant community(ies); and (f) set out procedures and mechanisms - (i) through which the community can discuss or provide feedback to the Proponent 24 hours a day, seven days per week; (ii) through which the Proponent will respond to enquiries or feedback from the community; and (iii) to resolve any issues and mediate any disputes that may arise in relation to the environmental management and delivery of the CSSI, including disputes regarding rectification or compensation.	TFNSW SWC	The M12 Motorway Overarching Communication Strategy has undergone a review since the previous audit (now Rev 6 dated March 2024). Changes did not affect Condition B2 requirements. The following continue to be addressed: (a) Section 5 Stakeholders and community overview (b) Section 8.3 Basic demographics (c) Table 5.1 Key stakeholders and communications proposed (d) Section 4.1 Community relations protocol, and Table 8.1 Communication Activities and Tools for M12 Motorway (e) Table 8.1 Communication Activities and Tools for M12 Motorway (f) i. Table 8.1 Communication Activities and Tools for M12 Motorway ii. Section 4.1 Community relations protocol, Section 9 Complaints management system, and Table 8.1 Communication Activities and Tools for M12 Motorway iii. Section 9.4 Escalating complaints		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.3	B	B3	The Communication Strategy must be submitted to the Planning Secretary for approval no later than one (1) month before the commencement of any Work.	TFNSW	M12 Motorway Overarching Communication Strategy, Rev 6 dated March 2024 submitted to DPHI as per TfNSW letter – no date entered in letter, however DPHI email to TfNSW sighted: M12 Motorway - Post Approval Document Received - (SSI-9364-PA-305) dated 3 May 2024 – confirms that the OCS has been received and acknowledges that it has been reviewed by TfNSW and minor updates made.		Compliant
2.4	B	B4	Work for the purposes of the CSSI must not commence until the Communication Strategy has been approved by the Planning Secretary.	TFNSW	Approval of the updated Overarching Communication Strategy is still to be received from the Department. The previous revision dated 13 September 2023 therefore remains in place until DPHI approval is received.		Compliant
2.5	B	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.	TFNSW SWC	Website continues to include community notifications and project updates for the Central package. 39 complaints have been received to date, 10 since previous audit; all are closed (refer to condition B8 for details).		Compliant
	B		COMPLAINTS MANAGEMENT SYSTEM				
2.6	B	B6	A Complaints Management System must be prepared and implemented before the commencement of any Work and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI. The Complaints Management System must require complainants to be advised that: (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). The Collection Statement must be included on the Proponent's or project website to make prospective complainants aware of their rights under the <i>Privacy and Personal Information Protection Act 1998</i>. For any complaints made in person, the complainant must be made aware of the Collection Statement.	TFNSW SWC	The M12 Motorway Overarching Communication Strategy includes a Complaints Management System under Section 9 and specifically addressed as per Section 9.2.1 Receiving complaints. Section 6.1.4 of reporting M12 Community & Stakeholder Engagement Plan for complaints management. A collection statement continues to be in place on the home page of the project website with a link to Transport's privacy guidelines. M12 Central DPE Complaints Register was presented – 39 complaints in total to date, all closed.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.7	B	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: (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 enquires may be sent; (c) an email address to which electronic complaints and enquiries may be transmitted; and (d) a mediation system for complaints unable to be resolved. 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.	TFNSW SWC	The M12 Motorway portal and project website: www.rms.nsw.gov.au/m12 was continues to be in place and includes the following on the home page and Contact Us page: (a) 24-hour Phone number: 1800 517 155 (b) Postal address: Transport for NSW, PO Box 973 Parramatta NSW 2124 (c) Email: m12motorway@transport.nsw.gov.au (d) Mediation as per collection statement Notifications also include the above. The following notifications were available on the project website: M12 Motorway – Central project notifications for: November 2023, December 2023, January 2024, February 2024, March 2024, and April 2024.		Compliant
2.8	B	B8	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: (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.	TFNSW SWC	Seymour Whyte's Complaints Register continues to be maintained and records the following information: (a) No. of complaints received for Central package: 39 in total, all are closed. (b) Date and time of complaint are recorded e.g., Complaint ID No. 39 received 15 April 2024 @ 10:20pm. (c) Method of complaint (by phone, email) – ID No. 37 received 10 March 2024 via email. (d) Complainant details included (full name, contact details, related suburb, location of complaint) (e) Type of complaints selected – Construction site/work complaint relates to: Complaint ID No. 33 on 16 January 2024 – potholes and pavement deterioration. (f) How addressed and resolved column complete – Response > Action > Resolution > Status (g) None without action. All addressed and closed. Column includes for 'if no action taken, explain reason why no action taken' – blank for all entries. Complaint types and trends continue to be monitored as per monthly report. Monthly report example as presented – April 2024 – Community section lists all complaints and outcomes, media release, complaints and response. Complaint types as per graphs.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.9	B	B9	The Complaints Register must be provided to the Planning Secretary upon request, within the timeframe stated in the request	TFNSW SWC	The Complaints register is provided by TfNSW to the Department via the portal as evidenced for all packages: - Submitted 12 December 2023, SSI-9364-PA-262 - Submitted 16 January 2024, SSI-9364-PA-270 - Submitted 30 January 2024, SSI-9364-PA-274 - Submitted 12 February 2024, SSI-9364-PA-278 - Submitted 27 February 2024, SSI-9364-PA-284 - Submitted 12 March 2024, SSI-9364-PA-290 - Submitted 2 April 2024, SSI-9364-PA-292 - Submitted 23 April 2024, SSI-9364-PA-303		Compliant
	B		PROVISION OF ELECTRONIC INFORMATION				
2.10	B	B10	A website or webpage providing information in relation to the CSSI must be established before commencement of Work and be maintained for the duration of construction, and for a minimum of 24 months following the completion of construction. The following up-to-date information (excluding confidential, private, commercial information or any other information that the Planning Secretary has approved to be excluded) must be published before the relevant Work commencing and maintained on the website or dedicated pages including: (a) information on the current implementation status of the CSSI; (b) a copy of the documents listed in Condition A1 of this approval, and any documentation relating to any modifications made to the CSSI or the terms of this approval; (c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval (ordered in a logical sequence and easy to navigate); (d) a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI; (e) a current copy of the final version of each document required under the terms of this approval; and (f) a copy of the audit reports required under Conditions A38 and A41 of this approval. Where the information / document relates to a particular Work or is required to be implemented, it must be published on the Proponent's website before the commencement of the relevant Work to which it relates or before its implementation.	TFNSW SWC	The M12 Motorway portal and project website: www.rms.nsw.gov.au/m12 continues to be implemented with the following information published: (a) Project Documents > Community updates showing as current (b) Project Documents > Reports – includes the EIS, Amendment Report, Submissions Report + Amendment, plus Consistency Assessments. (c) Project Documents > Post approval documentation > NSW Infrastructure Approval (CSSI-9364). No modifications to date. (d) EPL 21596 for Central – licence variation dated 1 May 2024: Condition L5.9 has been varied to change the date from 30 April 2024 to 24 May 2024. The note following condition L5.11 has been varied to change the date from 30 April 2024 to 24 May 2024. (e) Post approval documentation includes current Central plans e.g., M12 Central CEMP verified as current Rev E, 17 August 2023, unchanged since previous audit. (f) The independent environmental audit reports for Central are included on the website, separated by audit No. 1 and 2. No. 3 is still in progress following the RFI from DPHI and was resubmitted. Currently waiting on DPHI response. The IEA Report No. 3 will be made publicly available following DPHI response.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					All documentation published was noted to be current. Required EPA data on SWC website also presented – includes monitoring results as required by EPL 21596.		
3	PART	C	CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
	C		CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
3.1	C	C1	A Construction Environmental Management Plan (CEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department Planning, 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.	TFNSW	The Overarching CEMP (OCEMP) is unchanged from the previous audit: TfNSW M12 Motorway Overarching Construction Environmental Management Plan, M12PPW-ADAP-ALL-EN-PLN-000003, Rev J, 17 March 2023. Updated OCEMP is currently in draft, closing out the ER comments. Changes were mainly relevant to East and the M12 Central Consistency Assessment mitigation measures did not change. Timeframe expected to be end of May 2024 for submission. Seymour Whyte's CEMP for the Central package: M12 Central CEMP, M12CCO-SYW-ALL-EN-PLN-000003, Rev E, 17 August 2023 is also unchanged since the previous audit.	Opportunity for Improvement (Overarching) M12O-04_OFI-01: M12 Motorway Minor Consistency Assessment dated and approved 22 January 2024 for the M12 Central, has triggered a minor update to the OCEMP. The updated OCEMP was noted to be still in draft, however the proposed works associated with the Consistency Assessment are to be completed by the end of the second quarter of 2024. There is an improvement opportunity to action future updates in a timely manner so works are as aligned to the relevant management plans.	Compliant
3.2	C	C2	The CEMP must provide: (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:	TFNSW SWC	Seymour Whyte's CEMP for the Central package: M12 Central CEMP, M12CCO-SYW-ALL-EN-PLN-000003, Rev E, 17 August 2023 is unchanged since the previous audit. (a) Section 2 Project Description (2.4 Construction activities), Table 2-1 Indicative construction sequence of the M12 Central package, Table 2-2 Indicative construction program of the M12 Central package (b) Section 3.2 M12 Central – Environment and Sustainability Policy, Section 4.2 Relevant	Opportunity for Improvement M12C-04_OFI-01: Not all actions raised from inspections were closed out on the SWC system, PSEM. There is an improvement opportunity to continuously monitor the status of actions to ensure they have been	Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(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: (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 construction of the CSSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction; (i) a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER; (j) for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval; (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.		legislation and guidelines, Appendix A3 Environment and Sustainability Policy (c) Section 4.1.2 Ongoing risk analysis, Appendix A2 Initial Risk Register. Environmental Risk Workshop presented – dated 21 September 2020, initial risk workshop June 2022. Only initial workshop undertaken as required. Risk Register reviewed monthly, last actioned M12 Project Risk & Opportunity Register Rev 20 2023-09. Environment risks are combined with Safety. (d) Section 4.3 Environmental and sustainability objectives and targets, Appendix A2 Initial Risk Register, relevant sub-plans. Environmental and sustainability objectives and targets Table 4-2 are monitored by monthly environmental reports. (e) Section 7.1 Environmental inspections, relevant sub-plans. iForms is used for inspections by SWC. Sighted Inspection on 4 April 2024 S16144 – pre rainfall (Thursday) – includes Category 1. ERSER controls Category 3. Waste management. Post rainfall 10 April 2024 S16180. Action included for sediment fencing – priority 3 – target completion 17 April 2024 – low (routine). PSEM – actions are entered from inspections. PIP Register. Includes Safety (but can filtered by relevant areas). Assigned individual should receive email notifications for close out – individual must go into PSEM and action close out with photo(s). Several actions in PSEM still required close out. (f) Section 6 Emergency and incident planning, management and reporting, Section 7.3 Compliance management and monitoring, Appendix A7 Environmental incident classification and reporting (g) Section 7.3.5 Corrective and preventative action (h) Section 3.3.1 Environmental Management Sub-plans and Monitoring Programs (i) Section 5.1 Resources, roles, responsibilities and authority (j) Section 5.3 Competence, training and awareness. Training Register lists current training and personnel / attendees – targeted environmental training. Prior to coming to site – all staff must complete an induction. Previous OFI addressed and closed. (k) Section 1.12 Revision, Section 7.7 Environmental Management System review. Management Reviews conducted 11 May 2023 and 2 August	appropriately addressed and closed out.	

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating																								
					2023. Identifies OFIs, analysis of NCs, aspects and impacts register. CEMP is updated annually. (l) Section 1.10 Consultation + Appendix A consultation records included in the OCEMP sub-plans																										
3.3	C	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.	TFNSW SWC	No changes to the CEMP during the audit period.		Compliant																								
3.4	C	C4	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. <table><tr><th></th><th>Required CEMP Sub-plan</th><th>Relevant government and other agencies to be consulted for each CEMP Sub-plan</th></tr><tr><td>(a)</td><td>Traffic and transport</td><td>Relevant council(s)</td></tr><tr><td>(b)</td><td>Noise and vibration</td><td>WaterNSW, Sydney Water and pipeline operators (where vibration generating activities will impact on their assets) and relevant council(s)</td></tr><tr><td>(c)</td><td>Flora and fauna</td><td>DPI Fisheries, EES, DAWE and relevant council(s)</td></tr><tr><td>(d)</td><td>Soils and contamination</td><td>DPIE Water, WaterNSW and relevant council(s)</td></tr><tr><td>(e)</td><td>Surface water and groundwater</td><td>DPIE Water, WaterNSW and Sydney Water (if there are discharges to its assets) and relevant council(s)</td></tr><tr><td>(f)</td><td>Heritage (including Aboriginal and non-Aboriginal heritage)</td><td>Heritage Council of NSW, Heritage NSW, WaterNSW and relevant council(s)</td></tr><tr><td>(g)</td><td>Air quality</td><td>Relevant council(s)</td></tr></table> <i>Note: Nothing in this condition prevents the Proponent from combining any of the above CEMP Sub-plans.</i>		Required CEMP Sub-plan	Relevant government and other agencies to be consulted for each CEMP Sub-plan	(a)	Traffic and transport	Relevant council(s)	(b)	Noise and vibration	WaterNSW, Sydney Water and pipeline operators (where vibration generating activities will impact on their assets) and relevant council(s)	(c)	Flora and fauna	DPI Fisheries, EES, DAWE and relevant council(s)	(d)	Soils and contamination	DPIE Water, WaterNSW and relevant council(s)	(e)	Surface water and groundwater	DPIE Water, WaterNSW and Sydney Water (if there are discharges to its assets) and relevant council(s)	(f)	Heritage (including Aboriginal and non-Aboriginal heritage)	Heritage Council of NSW, Heritage NSW, WaterNSW and relevant council(s)	(g)	Air quality	Relevant council(s)	TFNSW SWC	Overarching sub-plans continue to be in place with copies of correspondence included as Appendix A, Consultation correspondence for all plans included: (a) Appendix B1: Construction Traffic and Transport Management Sub-plan (b) Appendix B3: Construction Noise and Vibration Management Sub-plan (minor amendments made relevant to the East package) (c) Appendix B2: Construction Flora and Fauna Management Sub-plan (d) Appendix B4: Construction Soil and Water Management Sub-plan (e) Appendix B6: Construction Cultural Heritage Management Sub-plan (f) Appendix B7: Construction Air Quality Management Sub-plan M12 Central CEMP sub-plans are unchanged as follows: (a) Appendix B1: Construction Traffic and Transport Management Sub-plan (b) Appendix B2: Construction Noise and Vibration Management Sub-plan (c) Appendix B3: Construction Flora and Fauna Management Sub-plan (d) Appendix B4: Construction Soil and Water Management Sub-plan; and Appendix B5: Construction Contaminated Land Management Sub-plan (e) Appendix B6: Construction Cultural Heritage Management Sub-plan (f) Appendix B7: Construction Air Quality Management Sub-plan		Compliant
	Required CEMP Sub-plan	Relevant government and other agencies to be consulted for each CEMP Sub-plan																													
(a)	Traffic and transport	Relevant council(s)																													
(b)	Noise and vibration	WaterNSW, Sydney Water and pipeline operators (where vibration generating activities will impact on their assets) and relevant council(s)																													
(c)	Flora and fauna	DPI Fisheries, EES, DAWE and relevant council(s)																													
(d)	Soils and contamination	DPIE Water, WaterNSW and relevant council(s)																													
(e)	Surface water and groundwater	DPIE Water, WaterNSW and Sydney Water (if there are discharges to its assets) and relevant council(s)																													
(f)	Heritage (including Aboriginal and non-Aboriginal heritage)	Heritage Council of NSW, Heritage NSW, WaterNSW and relevant council(s)																													
(g)	Air quality	Relevant council(s)																													

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.5	C	C5	The CEMP Sub-plans must state how: (a) the environmental performance outcomes identified in the documents listed in Condition A1 will be achieved; (b) the mitigation measures identified in the documents listed in Condition A1 will be implemented; (c) the relevant terms of this approval will be complied with; and (d) issues requiring management during construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART (Specific, Measurable, Achievable, Realistic and Timely) principles.	TFNSW SWC	Seymour Whyte CEMP sub-plans are unchanged since the previous audit. (a) Section 2.3 of the CNVMP and AQMP. REMMs are filtered into all sub-plans and monitoring programs e.g., Section 2.2 of the Construction Noise and Vibration Monitoring Program. (b) Section 3, Table 3-1: Noise Catchment Areas for the M12 Central package of the Noise and Vibration MP are aligned to those identified in the Noise and Vibration EIS Chapter 7.7, Table 7-123 Receivers considered for additional noise mitigation, which will be mitigated with the application of the noise monitoring procedure (Table 3-10). Section 3.4 of the AQMP. Sections 6 and 7. (c) Section 8 Environmental Control Measures of the Construction Noise and Vibration MP (CNVMP), includes management of noise and vibration levels by implementing mitigation measures included within the Noise and Vibration Impact Statements (NVIS). (d) Addressed in Section 4 Existing Environment, and Section 6 Environmental aspects and impacts (with the application of SMART principals), of the CNVMP. Section 6.3 Cumulative impacts, and monitoring program (SMART principles). Section 1.4 of both CNVMP and AQMP. AQMP also issues requiring management and ongoing risk analysis are discussed in Section 5. How the issues will be managed is in Section 6 and 7. Cumulative impacts and how they are identified and managed are addressed in Section 5.6.		Compliant
3.6	C	C6	The Noise and Vibration CEMP Sub-Plan must include, but not be limited to: (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.	TFNSW SWC	Seymour Whyte M12 Central CEMP: Appendix B2 Construction Noise and Vibration Management Sub-plan, M12CCO-SYW-ALL-EN-PLN-000005, Rev F, 18 July 2023 is unchanged since the previous audit. The Noise and Vibration Management Sub-Plan (NVMP) includes the following: (a) Section 4.1 Sensitive receivers (b) Section 5 Noise and vibration criteria for NSW (c) Section 8 Environmental control measures (d) Section 5.3 Working hours (e) Section 6.3 Cumulative impacts, respite and construction fatigue, Section 8 Environmental control measures.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.7	C	C7	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: (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.	TFNSW SWC	Seymour Whyte M12 Central CEMP: Appendix B4 Construction Soil and Water Management Sub-plan (SWMP), M12CCO-SYW-ALL-EN-PLN-000013, Rev E, 21 August 2023 is unchanged since the previous audit. It includes: (a) Section 6 Environmental mitigation and management measures (b) Appendix B Construction Soil and Water Quality Monitoring Program (c) Appendix C Dewatering Management Plan		Compliant
3.8	C	C8	The Flora and Fauna CEMP Sub-plan must be endorsed by a suitably qualified and experienced ecologist and include, but not be limited to: (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 cinnamomic</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.	TFNSW SWC	Seymour Whyte M12 Central CEMP: Appendix B3 Construction Flora and Fauna Management Sub-plan, M12CCO-SYW-ALL-EN-PLN-000006, Rev F, 20 September 2023 is unchanged and continues to include: (a) Section 6 Environmental mitigation and management measures, Table 6-2 Flora and fauna mitigation and management measures (b) Section 6.1 Pre-clearing process, Appendix B – Vegetation Clearing Procedure (Section 2.1.2 Threatened flora surveys) (c) Appendix B – Vegetation Clearing Procedure (Section 2.1.3 Cumberland Plain Land Snail; Section 2.1.5 Green and Golden Bell Frog). The white-bellied Sea Eagle nest is not relevant to the Central package. (d) Appendix F – Habitat Compensation Plan, Appendix G – Snag Management Plan (e) Section 4.1.2 Threatened or otherwise significant flora species, Section 6.3 Exclusion zones, Section 6.7 Unexpected threatened species finds (f) Appendix E – Weed, Pest and Pathogen Management Plan (g) Appendix H – Farm Dewatering Management Plan (h) Appendix D – Unexpected Threatened Species and Threatened Ecological Communities (TECs) Finds Procedure		Compliant
3.9	C	C9	Any of the CEMP Sub-plans may be submitted to the Planning Secretary for approval along with, or subsequent to, the submission of the CEMP but in any event, no later than one (1) month before the commencement of construction.	TFNSW	Overarching Revised Construction Noise and Vibration Management Plan, Monitoring Program and Out of Hours Work (OOHW) Protocol actioned during previous audit, for the revision of the Noise Catchment Areas for M12 East; approved revision during audit period as per DPHI letter ref SSI-9364-PA-219, 20 November 2023.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating												
					Remaining plans are unchanged and were verified as approved during the previous audit.														
3.10	C	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 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.	TFNSW SWC	The M12 Central CEMP and sub-plans are unchanged. Only one change occurred during the audit period for the Overarching CNVMP Revision M, submitted for approval 16 October 2023, ref SSI-9364-PA-219, approved by DPHI as per letter presented, dated 20 November 2023.		Compliant												
	C		CONSTRUCTION MONITORING PROGRAMS																
3.11	C	C11	The following Construction Monitoring Programs must be prepared in consultation with the relevant government agencies identified for each to compare actual performance of construction of the CSSI against the performance predicted in the documents listed in Condition A1 or in the CEMP: <table><tr><th></th><th>Required Construction Monitoring Programs</th><th>Relevant government agencies to be consulted for each Construction Monitoring Program</th></tr><tr><td>(a)</td><td>Noise and vibration</td><td>Relevant council(s)</td></tr><tr><td>(b)</td><td>Surface water quality</td><td>DPIE Water, Sydney Water (if there are any discharges to their assets) and relevant council(s)</td></tr><tr><td>(c)</td><td>Groundwater</td><td>DPIE Water</td></tr></table>		Required Construction Monitoring Programs	Relevant government agencies to be consulted for each Construction Monitoring Program	(a)	Noise and vibration	Relevant council(s)	(b)	Surface water quality	DPIE Water, Sydney Water (if there are any discharges to their assets) and relevant council(s)	(c)	Groundwater	DPIE Water	TFNSW SWC	Seymour Whyte Construction Monitoring Programs continue to be in place as follows: (a) Appendix B – Construction Noise and Vibration Monitoring Program, M12CCO-SYW-ALL-EN-PLN-000005, Rev F, 18 July 2023 (as part of M12 Central CEMP: Appendix B2 NVMP). (b) Appendix B – Construction Soil and Water Quality Monitoring Program, M12CCO-SYW-ALL-EN-PLN-000013, Rev E, August 2023 (as part of the M12 Central CEMP: Appendix B3 SWMP) (c) Groundwater is included within the program as per b) above. Overarching CNVMP Revision M includes updated consultation actioned as per Section 1.5.1. Table updated with additional consultation – Sydney Water 26 September 2023. Jemena, Council and Water NSW also consulted. However, no changes required for monitoring program itself.		Compliant
	Required Construction Monitoring Programs	Relevant government agencies to be consulted for each Construction Monitoring Program																	
(a)	Noise and vibration	Relevant council(s)																	
(b)	Surface water quality	DPIE Water, Sydney Water (if there are any discharges to their assets) and relevant council(s)																	
(c)	Groundwater	DPIE Water																	
3.12	C	C12	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 Construction Monitoring Programs , including copies of all correspondence from those agencies as required by Condition A5 .	TFNSW	Overarching CNVMP Revision M includes updated consultation actioned as per Section 1.5.1. Table updated with additional consultation – Sydney Water 26 September 2023. Jemena, Council and Water NSW also consulted. However, no changes required for monitoring program itself.		Compliant												
3.13	C	C13	Each Construction Monitoring Program must provide: (a) details of baseline data available; (b) details of baseline data to be obtained and when; (c) details of all monitoring of the CSSI to be undertaken;	TFNSW SWC	M12 Central Construction Soil and Water Monitoring Program (Appendix B of the Soil and Water Management Sub-plan), Rev E, August 2023 is unchanged since the previous audit.		Compliant												

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(d) the parameters of the CSSI to be monitored; (e) the frequency of monitoring to be undertaken; (f) the location of monitoring; (g) the reporting of monitoring results and analysis of results against the relevant criteria; (h) details of methods that will be used to analyse monitoring data; (i) procedures to identify and implement additional mitigation measures where results of monitoring indicate unsatisfactory CSSI impacts; (j) a consideration of SMART principles; (k) any consultation to be undertaken in relation to the monitoring programs; and (l) any specific requirements as required by Condition C14.		(a) Section 5 Baseline data, Annexure 1: Baseline Surface Water Data, Annexure 2: Baseline Groundwater Data (b) Section 5 Baseline data as per M12 Motorway Surface Water Monitoring Biannual Report (e.g. Oct-20 to Mar-21, GHD, 2021) and M12 Motorway Groundwater Monitoring Biannual Report (e.g. Oct-20 to Mar-21, GHD, 2021). (c) Section 4 Monitoring methodology and procedures (d) Section 4 Monitoring methodology and procedures (e) Section 4 Monitoring methodology and procedures (f) Section 4 Monitoring methodology and procedures (g) Section 3, Section 6 Reporting (h) Section 4 Monitoring methodology and procedures (i) Section 4.5 Adaptive management (j) Section 1.3, Section 4 Monitoring methodology and procedures (k) Section 1.8 Consultation (l) Refer to below as addressed in C14.		
3.14	C	C14	The Construction Noise and Vibration Monitoring Program must include, but not be limited to: (a) noise and vibration monitoring at representative residential and other locations (including at the worst- affected residences), subject to property owner approval, to confirm construction noise and vibration levels; (b) noise monitoring during the day, evening and night time periods throughout the construction period, covering the range of activities (including worst-case construction noise levels) being undertaken; (c) method and frequency for reporting monitoring results; and (d) procedures to identify and implement additional mitigation measures where monitoring indicates noise and/or vibration levels in excess in excess of noise and vibration criteria.	TFNSW SWC	Construction Noise and Vibration Monitoring Program (Appendix B of CNVMP), Rev F dated 18 July 2023 unchanged since previous audit. (a) Section 3.2 Existing environment (baseline data) (b) Section 3.5 Noise monitoring methods, Section 3.6 Vibration monitoring methods, Table 3-10: Noise monitoring procedure, Table 3-11: Vibration monitoring procedure (c) Section 4.3 Reporting. Monthly environmental reports. Section 7.11.2 Noise and 7.11.3 Vibration, e.g., May 2023 report shows two noise monitoring events Log No. 230529001 on 29 May 2023, Permit No. 23-04-OOHW-042A, and 230530001 on 30 May 2023, Permit No. 23-04-OOHW-042B. 5 noise monitoring events during June 2023. Minor exceedances identified to be traffic noise at locations e.g., Elizabeth Dr and Mamre Rd. Quarterly Construction Monitoring Report also reports on Noise and Vibration (Section 1.3). (d) Section 4.2 Data analysis and management response.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.15	C	C15	The Construction Monitoring Programs must be endorsed by the ER and then submitted to the Planning Secretary for approval at least one (1) month before the commencement of construction.	TFNSW	Contractor monitoring programs are reviewed and endorsed by the ER without a requirement to issue to DPHI. No changes to the monitoring programs since the previous audit for both contractor and Overarching monitoring programs.		Compliant
3.16	C	C16	Unless otherwise agreed with the Planning Secretary, construction must not commence until all of the relevant Construction Monitoring Programs have been approved by the Planning Secretary, and all relevant baseline data for the specific construction activity has been collected.	TFNSW SWC	Original approval letter from the Department was received 21 December 2021 for the Overarching Construction Environmental Management Plan, sub-plans and associated monitoring programs. Construction of the M12 Central package occurred 10 August 2022. As above, no requirement for DPHI to approval contractor plans, only TfNSW Overarching plans. No changes to contractor monitoring programs during this audit period. Approval of Overarching CNVMP Revision M received from DPHI 20 November 2023. However, no changes made to monitoring program.		Compliant
3.17	C	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.	TFNSW SWC	Seymour Whyte Quarterly Monitoring Report September to November 2023, M12 Motorway – Central Package dated 18 December 2023 presented. Seymour Whyte Quarterly Monitoring Report December 2023 to February 2024, M12 Motorway – Central Package dated 20 March 2024. If exceedances are identified, investigation would commence; additional measures would be put in place – however it is noted that there were no exceedances during the audit period.	Opportunity for Improvement M12C-04_OFI-02: The reported data for air quality results showed exceedances under the 'maximum' rows, however, the overall levels were compliant as based on the average. There is an improvement opportunity to highlight the average results only, to clearly report on compliant readings and exceedances.	Compliant
3.18	C	C18	The results of the Construction Monitoring Programs must be submitted to the Planning Secretary, and relevant government agencies, for information in the form of a Construction Monitoring Report at the frequency identified in the relevant Construction Monitoring Program . <i>Note: Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan.</i>	TFNSW	Submission to DPHI by TfNSW for M12 Central Quarterly Environmental Construction Monitoring Report for September to November 2023 as per letter dated 18 December 2023 + submission of December 2023 to February 2024, letter dated 18 April 2024. Evidence of submission to relevant government agencies as per Table in C11, as required: Noise & Vibration: Relevant Councils	Non-Compliance (Overarching) M12O-04_NC-01: An overarching <i>self-reported</i> non-compliance with condition of approval C18 was identified during the audit period. The Construction Monitoring	Non-Compliant (Overarching)

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Surface Water Quality: DPIE Water, Sydney Water (if to any assets), Relevant Councils Groundwater: DPIE Water. The reports were not sent within the 6-monthly timeframe. An overarching <i>self-reported</i> non-compliance with condition of approval C18 was identified during review of the six-monthly surface and groundwater monitoring reports. The Construction Monitoring Program requires the Construction Surface Water and Groundwater Monitoring Program Report to be provided to the Planning Secretary and relevant government agencies, however submission of reports 7 and 8 were missed. Non-compliance notified as ref SSI-9364-PA-259, 8 December 2023. Following the notification of the non-compliance, the reports were issued to DPHI on 14 December 2023, SSI-9364-PA-263 in accordance with condition C18. As this was <i>self-reported</i> as a non-compliance during the audit period this has been categorised as an overarching non-compliance with condition C18.	Program requires the Construction Surface Water and Groundwater Monitoring Program Report to be provided to the Planning Secretary and relevant government agencies, however submission of reports 7 and 8 were missed. This triggers a non-compliance against Condition C18. It is recommended to implement a process to effectively track timeframes to ensure all submissions occur on time.	
4	PART	D	OPERATIONAL ENVIRONMENTAL MANAGEMENT				
	D		OPERATIONAL ENVIRONMENTAL MANAGEMENT				
4.1	D	D1	An Operational Environmental Management Plan (OEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department Planning, Industry and Environment 2020). The OEMP must detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in Condition A1 will be implemented and achieved during operation. Condition D1 does not apply if Condition D2 of this approval applies.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
4.2	D	D2	An OEMP is not required for the CSSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Planning Secretary, and demonstrates, to the satisfaction of the Planning Secretary, that through the EMS or equivalent: (a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in Condition A1, and specified relevant terms of this approval can be achieved; (b) issues identified through ongoing risk analysis can be managed; and	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating									
			(c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation.													
4.3	D	D3	The OEMP or EMS or equivalent as agreed with the Planning Secretary, must be submitted to the Planning Secretary for information no later than one (1) month before the commencement of operation.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									
4.4	D	D4	The OEMP or EMS or equivalent as agreed with the Planning Secretary, as submitted to the Planning Secretary and amended from time to time, must be implemented for the duration of operation. The OEMP or EMS or equivalent must be made publicly available before the commencement of operation.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									
	D		OPERATIONAL MONITORING PROGRAM													
4.5	D	D5	The following Operational Monitoring Programs must be prepared in consultation with the relevant government agencies identified for each Operational Monitoring Program to compare actual operational performance against predicted performance. 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 Operational Monitoring Program, including copies of all correspondence from those agencies as required by Condition A5. <table><tr><td></td><td>Required Operational Monitoring Programs</td><td>Relevant government agencies to be consulted for each Operational Monitoring Program</td></tr><tr><td>(a)</td><td>Surface water quality</td><td>DPIE Water and relevant council(s)</td></tr><tr><td>(b)</td><td>Groundwater</td><td>DPIE Water</td></tr></table>		Required Operational Monitoring Programs	Relevant government agencies to be consulted for each Operational Monitoring Program	(a)	Surface water quality	DPIE Water and relevant council(s)	(b)	Groundwater	DPIE Water	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
	Required Operational Monitoring Programs	Relevant government agencies to be consulted for each Operational Monitoring Program														
(a)	Surface water quality	DPIE Water and relevant council(s)														
(b)	Groundwater	DPIE Water														
4.6	D	D6	Each operational monitoring program must include: (a) details of baseline data; (b) details of all monitoring to be undertaken; (c) the parameters to be monitored; (d) the frequency and duration of monitoring to be undertaken; (e) the location of monitoring; (f) the reporting of monitoring and analysis results against relevant criteria; (g) details of the methods that will be employed to analyse the monitoring data; (h) procedures to identify and implement additional mitigation measures where results of monitoring are unsatisfactory; and (i) any consultation to be undertaken in relation to the monitoring programs.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
4.7	D	D7	The Operational Monitoring Program(s) must be submitted to the Planning Secretary for information at least one (1) month before the commencement of operation.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
4.8	D	D8	Operation must not commence until all relevant baseline data has been collected.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
4.9	D	D9	The Operational Monitoring Programs must be implemented for the duration specified in the relevant Operational Monitoring Program .	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
4.10	D	D10	The results of the Operational Monitoring Programs must be submitted to the relevant government agencies for information in the form of an Operational Monitoring Report at the frequency identified in the relevant Operational Monitoring Program .	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
4.11	D	D11	Where a relevant OEMP Sub-plan exists, the relevant Operational Monitoring Program may be incorporated into that OEMP Sub-plan .	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
5	PART	E	KEY ISSUE CONDITIONS				
	E		AIR QUALITY				
5.1	E	E1	In addition to the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 , all practicable measures must be implemented to minimise and manage the emission of dust and other air pollutants during the construction of the CSSI.	SWC	Seymour Whyte Quarterly Monitoring Report September to November 2023, M12 Motorway – Central Package dated 18 December 2023 Seymour Whyte Quarterly Monitoring Report December 2023 to February 2024, M12 Motorway – Central Package dated 20 March 2024 Review of air quality monitoring reports indicate Nil exceedances to average weighted criteria. Dust mitigation measures identified onsite include: 80% of site surfaces have been sealed., - water carts being utilised. - maintenance of stabilised access controls		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					application of soil binder and hydro seeding batter and stockpiles.		
	E		BIODIVERSITY				
5.2	E	E2	The clearing of native vegetation must be minimised with the objective of reducing impacts to threatened ecological communities and threatened species habitat.	TFNSW SWC	All clearing has now been actioned as per design documentation.		Compliant
5.3	E	E3	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 <i>M12 Motorway Amendment Report - Submissions Report</i> (December 2020) and <i>M12 Motorway Amendment Report -Submissions Report - Amendment</i> (dated 8 March 2021) within 12 months of the commencement of construction. The offset obligations must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by: - acquiring and retiring “biodiversity credits” within the meaning of the <i>Biodiversity Conservation Act 2016</i>; and/or - 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 - making a payment into the Biodiversity Conservation Fund; or - 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. <i>Notes</i> <i>Following repeal of the Threatened Species Conservation Act 1995 on 25 August 2017, “biodiversity credits” created under that Act are taken to be “biodiversity credits” under the Biodiversity Conservation Act 2016 by virtue of clause 19 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</i> <i>The determination of biodiversity credits under the Biodiversity Conservation Act 2016 that are reasonably equivalent to biodiversity credits created under the Threatened Species Conservation Act 1995 remaining to be retired must be carried out in accordance with clause 22 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</i>	TFNSW SWC	Letter from DPE “M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)” dated 29 August 2023 presented: notes that obligations to be met within 12 months of commencement of construction (August 2022). Six-months extension approved with the extended deadline to 18 February 2024. In response to TfNSW as sighted, dated 10 August 2023. TfNSW spreadsheet with offset obligations continues to be in place: WSPO_Biodiversity_Offsets (live register) which includes credit type, No. of credits as per EIS, Amendment Reports and further consistency assessment reports and surveys; total credits required, purchase credits, credits remaining to purchase. Post Completion Clearing Report April 2023 (Rev 0, 24 April 2023). Summary of clearing to date report provided from Leneco Ecologist 2 May 2023. Procured all biodiversity offsets. Federal and Stage EPBC, BCF 489, 22 December 2022 receipt paid into fund to meet requirements as species could not be identified with letter from TfNSW 14 February 2023, same date of letter to the Department. No changes since previous audit.		Compliant
5.3.1	E	E3	Table 1: Ecosystem Credits for Direct Impacts to be Retired	TFNSW SWC	As per condition E4, request for extension letter from TfNSW as dated 10 August 2023 for E4 Offset requirements. DPE letter “M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)” dated 29 August 2023.	Note: The letter from DPE regarding the approval of the extension refers to the West package only.	Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating																																																																		
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ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Credits have been calculated using the Framework for Biodiversity Assessment.</i> <i>Includes credits required under the Threatened Species Conservation Act 1995 and the Environment Protection and Biodiversity Conservation Act 1999.</i> <i>Excludes certified areas.</i>				
5.4	E	E4	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 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 for each stage.	TFNSW SWC	As per letter from TfNSW dated 31 July 2023. "Request to approve changes to the offset requirements for the M12 Motorway, in accordance with the CoA E4". Submitted as per portal receipt on 2 August 2023, SSI-9364-PA-197. "Following project approval in April 2021, due to detailed design development and further biodiversity surveys (including verification surveys, spring surveys and targeted species surveys), the number of credits required for the project has changed, as allowable in M12 NSW CoA E4 and Commonwealth CoA 4. The details of the changes and the updated offset credit requirements are detailed in a report prepared by Arcadis. Transport for NSW has acquired biodiversity credits to meet updated offset obligations and is ready to retire them." Applicable conditions: E4 and E5. DPE "M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)" dated 29 August 2023 under Condition E3 in response to request for extension letter from TfNSW as dated 10 August 2023 for E4 Offset requirements. Submission to DPHI for offset report and credit requirements on 16 February 2024 as per SSI-9364-PA-279. DPHI request for further information, 23 February 2024: Documents submitted on 16 February 2024 under Conditions E4-E7 of the Project Approval, including: - Update to Ecosystem and Species Credits Requirements for M12 West and Central (rev J, 2 Feb 2024) - Credit Retirement Report 202402-RT-909 - Credit Retirement Report 202402-RT-910 - Credit Retirement Report 202402-RT-911 - Credit Retirement Report CT-2901 - BCF Invoice BCF662 - Statement of Reasonable Equivalency		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Additional documents (Update Report) submitted to DPHI on 20 February 2024, including: - M12 Motorway Update to Ecosystem and Species Credits Requirements for M12 West and M12 Central - Retirement report credit holder 218 - Retirement report credit holder 691 - Retirement report credit holder 554 - Statement of reasonable equivalence - Retirement report for credit holder C-021436 - BCT payment statement for pultenaea parviflora DPE Letter dated 5 June 2024 (SSI-9364-PA-286) acknowledging receipt of the Update Report and stating that the report "contains the information required by Conditions E4-E7 of SSI-9364.		
5.5	E	E5	The review and update of credit requirements must be undertaken by: (a) using the vegetation mapping in the EIS, <i>M12 Motorway Amendment Report - Appendix A Biodiversity supplementary technical report</i> (October 2020), and <i>M12 Motorway Amendment Report – Submissions Report</i> (December 2020); and/or (b) completing verification surveys to confirm the extent, type and condition of threatened species and ecological communities to be impacted.	SWC	As per above letters under Condition E4. Previously evidenced report by ecologist, Leneco. Post Completion Clearing Report April 2023 (Rev 0, 24 April 2023). Summary of clearing to date report provided 2 May 2023.		Compliant
5.6	E	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.	TFNSW SWC	M12 East applicable for survey only.		Not Triggered
5.7	E	E7	The Proponent must submit to the Planning Secretary and DAWE for information: (a) a copy of the Credit Retirement Report; and/or (b) a receipt confirming payment to the Biodiversity Conservation Fund; and/or (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.	TFNSW	Letter to DPHI dated 12 February 2024 – PA-279 including; - evidence of payment to Biodiversity Conservation Fund. Invoice date 25 January 2024 document #8002961534, payment date 14 February 2024. - Offset report Arcadis Update to ecosystem and species requirements for M12 , Rev J dated 2 February 2024.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Submission to DPHI for offset report and credit requirements on 16 February 2024 as per SSI-9364-PA-279. DPHI request for further information, 23 February 2024: Documents submitted on 16 February 2024 under Conditions E4-E7 of the Project Approval, including: • Update to Ecosystem and Species Credits Requirements for M12 West and Central (rev J, 2 Feb 2024) • Credit Retirement Report 202402-RT-909 • Credit Retirement Report 202402-RT-910 • Credit Retirement Report 202402-RT-911 • Credit Retirement Report CT-2901 • BCT Invoice BCF662 • Statement of Reasonable Equivalency Additional documents (Update Report) submitted to DPHI on 20 February 2024, including: • M12 Motorway Update to Ecosystem and Species Credits Requirements for M12 West and M12 Central • Retirement report credit holder 218 • Retirement report credit holder 691 • Retirement report credit holder 554 • Statement of reasonable equivalence • Retirement report for credit holder C-021436 • BCT payment statement for pultenaea parviflora DPE Letter dated 5 June 2024 (SSI-9364-PA-286) acknowledging receipt of the Update Report and stating that the report “contains the information required by Conditions E4-E7 of SSI-9364.		
5.8	E	E8	Additional Surveys of <i>Pimelea spicata</i> The Proponent must undertake additional surveys of <i>Pimelea spicata</i> (Spiked Rice-flower) in potential habitat for this species within the refined construction footprint to the north of Elizabeth Drive and west of the existing Wallgrove Road as identified in Figure 6-5 of the <i>M12 Motorway Amendment Report – Submissions Report</i> (December, 2020). The surveys must be undertaken during optimal conditions as defined by the <i>NSW Bionet Threatened Biodiversity Profile Data Collection</i> (DPIE) or as agreed by the Planning Secretary. The surveys must be undertaken in consultation with EES and DAWE and the results of the surveys provided to the Planning	TFNSW	This requirement is applicable to M12 East package only.		Not Triggered

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Secretary, EES and DAWE for information within one (1) month of completion of the surveys.				
5.9	E	E9	<i>Pimelea spicata</i> is recorded in the surveys carried out under Condition E8 , any impacts to the species must be offset in accordance with the options available under Condition E3 and in consultation with EES. The Proponent must provide details of the required biodiversity credits to the Planning Secretary, EES and DAWE for information prior to works that impact the threatened species.	TFNSW	<i>Pimelea spicata</i> is applicable to the M12 East Package only. No offset required at this stage.		Not Triggered
5.10	E	E10	Biobanking Site Within one (1) month before the commencement of operation of the CSSI, or where the operation of the CSSI is staged one (1) month before the commencement of operation of the relevant stage, the Proponent must provide evidence to the Planning Secretary, for information, that it has implemented measures agreed with the Western Sydney Parklands Trust to compensate the acquisition of land from the Western Sydney Parklands Biobank Site (Biobanking Agreement Site ID 199) for the CSSI.	TFNSW	The M12 Motorway project is currently under construction. This condition is not yet triggered.		Not Triggered
5.11	E	E11	Key Fish Habitat The Proponent must minimise impacts to Key Fish Habitat (KFH) as defined in <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI, 2013 update). Residual impacts to KFH must be offset at a ratio of 2:1 habitat offset requirement in accordance with the <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI, 2013 update) and in consultation with DPI Fisheries.	TFNSW SWC	No changes since previous audit. Department of Primary Industries letter, ref C22/237, 22 April 2022 to TfNSW RE: Transport for NSW - payment into the Conservation Trust Fund for M12 Motorway impacts to Key Fish Habitat - advice regarding condition E11 and E12, which confirms that relevant conditions of approval for SSI-9364 are satisfied.		Compliant
5.12	E	E12	Payment of the habitat offset requirement must be made to the DPI Fish Conservation Trust Fund prior to the commencement of Work that impacts KFH in Badgerys Creek, Cosgroves Creek, Kemps Creek and South Creek.	TFNSW SWC	No changes since previous audit. The DPI Fisheries letter (ref C22/237, 22 April 2022 to TfNSW RE: Transport for NSW - payment into the Conservation Trust Fund for M12 Motorway impacts to Key Fish Habitat - advice regarding condition E11 and E12), confirms payment of the calculated offset requirement as communicated in C22/150 (21/03/2022), received by the Conservation Trust Fund on 04/04/2022 (Invoice No. 4000063134).		Compliant
5.13	E	E13	The Proponent must submit to the Planning Secretary a receipt confirming payment to the DPI Fish Conservation Trust Fund within one (1) month of making the payment.	TFNSW	No changes since previous audit.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					TfNSW letter dated 22 April 2022 to the Department + remittance advice 100099159, invoice dated 28 March 2022, paid 5 April 2022.		
5.14	E	E14	Fauna Connectivity Design Principles A minimum width of three (3) metres and a minimum height of 1.5 metres must be provided to maintain fauna passage below the Badgerys Creek, Cosgroves Creek, South Creek and Kemps Creek bridges. The three-metre wide passage must consist of a natural substrate or other surface type that will not hinder fauna movement.	TFNSW SWC	No changes since previous audit. Bridges BR06 and BR08 RFI changes – design gap identified. From Urban Designer and Landscape Architect – RFI references as follows: M12CCO-SYW-RFI-000628 - Bridge 06 Crane Pad Flood Modelling, created and last updated 22 August 2023. M12 Motorway Twin Bridges over South Creek on M2 at 22.2km south of Penrith, Drawing No. M12CDD-GHDA-ML2BR06-BR-DRG-656010, Rev 00, 1 April 2023. M12CCO-SYW-RFI-000470 - BR08 Crane Platform and Earthworks Remediation, 29 May 2023, last updated 17 October 2023. M12 Central Piling Pads As-Built, 25 May 2023. M12 Central Bridge 8 – Piling Pads As-Built, 25 May 2023.		Compliant
5.15	E	E15	Re-use of Timber 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: (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, could be used by others in habitat enhancement, beneficial re-use and rehabilitation work, before pursuing other disposal options.	SWC	All clearing complete. Timber re-used as verified during previous audits and reused for bank stabilisation for the Camden Haul Road + Leneco report for post-clearing (Rev 0, 28 April 2023) which confirmed clearing areas Attachment A – Tree Hollow Inventory, Attachment B – Fauna rescue and relocation data.		Compliant
	E		FLOODING				

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.16	E	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.	TFNSW SWC	M12 Motorway - Central Package Detailed Design 100% Detailed Design Report – Final Civil Works M12CDD-GHDA-ML2-CV-RPT-000001 by GHD, Rev F dated 22 November 2021. The report documents the development of the Civil Detailed Design for the M12 Central Package. Includes reference under Section 5.2 (Flooding and hydrology) to the M12 Central Flooding Report M12CDD-GHDA-ML2-SD-RPT-000100 whereby flood modelling indicates that the Motorway has immunity to the 1% AEP flood event. No changes to model have occurred during this audit period.		Compliant
5.17	E	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 flood event up to and including the 1% AEP flood event, to the following: (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. 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. 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.	TFNSW SWC	No changes since previous audit. GHD Detailed Design Flooding and Hydrology Report, Rev E, 12 July 2022 (Central), Lyalls and Associates as peer reviewer. Included an increased afflux above criteria. Two Consistency Assessments also detailed during the initial audit. GHD M12 Motorway - Central Package Detailed Design Detailed Design Report Stormwater Drainage ref M12CDD-GHDA-ALL-SD-RPT-000001 Rev F, dated 22 December 2022 includes Table 15, Design Compliance with a summary of AEP confirmed at 1% for flood immunity. The following flood design maps as per previous audit are unchanged and still apply: - GHD – M12 Motorway – Central – Detailed Design (100% Design) Flood Level Impact – South Creek (12 spans @ 33m), Figure A1, 1 August 2021 - GHD – M12 Motorway – Central – Detailed Design (100% Design) Flood Level Impact – South Creek (Culverts), Figure A2, 2 August 2021 - GHD – M12 Motorway – Central – Detailed Design (100% Design) Flood Level Impact – Kemps Creek (5 spans @ 30m), Figure A3, 1 August 2021 - GHD – M12 Motorway – Central – Detailed Design (100% Design) Flood Level Impact – Kemps Creek (Culverts), Figure A4, 2 August 2021		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.18	E	E18	All updated hydrologic and hydraulic assessments undertaken during detailed design must be consistent with the <i>Australian Rainfall and Runoff – A Guide to Flood Estimation</i> (GeoScience Australia, 2019).	TFNSW SWC	No changes since previous audit. GHD Detailed Design Flooding and Hydrology Report, Rev E, 12 July 2022 (Central), and GHD M12 Motorway Central Section Consistency Assessment – Flooding and Hydrology impact assessment, M12CDD-GHDA-ALL-EV-MEM-000004, October 2021, determined consistency with the guidelines as per 'References' section. No changes since previous audit.		Compliant
5.19	E	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 <i>Wianamatta (South) Creek Catchment Flood Study - Existing Conditions (Revision H)</i> (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.	TFNSW SWC	No changes since previous audit. GHD Detailed Design Flooding and Hydrology Report, Rev E, 12 July 2022 (Central). GHD M12 Motorway Central Section Consistency Assessment – Flooding and Hydrology impact assessment, M12CDD-GHDA-ALL-EV-MEM-000004, October 2021.		Compliant
5.20	E	E20	Flood information including flood summary reports, models and geographic information system outputs, and work as executed information on finished ground levels and the dimensions and finished levels of all structures within the flood prone land, must be provided to the relevant council, EES and INSW in order to assist in preparing relevant documents and to reflect changes in flood behaviour as a result of the CSSI. The relevant council(s), EES and INSW must be notified in writing that the information is available no later than one month following the operation of the CSSI. Information requested by the relevant council(s), EES or INSW must be provided no later than six (6) months following the completion of construction or within another timeframe agreed with the relevant council(s), EES and INSW.	TFNSW SWC	The M12 Motorway is still under construction. This is not yet triggered.		Not Triggered
5.21	E	E21	The flood models, data and summary reports must be uploaded to the NSW Flood Data Portal and access provided to the relevant councils, EES and INSW.	TFNSW SWC	The M12 Motorway is still under construction. This is not yet triggered.		Not Triggered

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.22	E	E22	The designs of all bridge, culvert and other cross drainage structures must include for potential blockages consistent with the procedures in the <i>Australian Rainfall and Runoff – A Guide to Flood Estimation</i> (GeoScience Australia, 2019).	TFNSW SWC	No design changes since previous audit. GHD Detailed Design Flooding and Hydrology Report, Rev E, 12 July 2022 (Central) + GHD M12 Motorway – Central – Detailed Design (100% Design) for the following: - Flood Level Impact – South Creek (Culverts), Figure A2, 2 August 2021 - Flood Level Impact – Kemps Creek (Culverts), Figure A4, 2 August 2021 - Change in Velocity – South Creek (Culverts), Figure A7, 2 August 2021 - Change in Velocity – Kemps Creek (Culverts), Figure A9, 2 August 2021		Compliant
5.23	E	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.	TFNSW SWC	Applicable to the M12 East package only.		Not Triggered
5.24	E	E24	For property/ies zoned primary production and where hydrologic modelling predicts that the CSSI will potentially reduce and adversely affect the available stormwater runoff yield to a farm dam, the Proponent must, in consultation with the affected landowner: (a) calculate the nature and extent of impacts on water supply; (b) determine what measures may be implemented to prevent, mitigate, compensate or offset a loss in water supply; and (c) implement the measures agreed with the landowner at no cost to the landowner. The agreed measures must be implemented prior to undertaking any works that would directly affect the flow of water into a landowner's farm dam. In the event that the Proponent and landowner cannot agree on the measures to mitigate the impact, the Proponent shall engage a suitably qualified and experienced independent person to advise and assist in determining appropriate mitigation measures.	TFNSW	No changes or updates since previous audit - Consistency Assessment – flooding tech memo by GHD, as evidenced during the previous audit. The agreements for stormwater compensation with landowners is required.		Compliant
	E		HERITAGE				
5.25	E	E25	Construction and operation of the CSSI should aim to not diminish the potential of the following heritage items for nomination to the State Heritage Register beyond the impacts to significance already identified in the	TFNSW SWC	Fleurs Radio Telescope Site, which is relevant to the Central package, is partially located within the construction footprint (shared with West package). Maintenance of exclusion zone around the concrete plinths near SC3 as per inspections. Template sighted for		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			documents listed in Condition A1 : McGarvie Smith Farm, McMaster Field Station and Fleurs Radio Telescope Site.		inspection checklist, item 15.1 are heritage sites appropriately fenced and maintained. No activities have impacted the Fleurs Radio Telescope site. Area sighted during site inspection. Fleurs Radio Telescope area included in the Weekly Environment and Sustainability Inspection Checklist dated 27/10/2023		
5.26	E	E26	An experienced and qualified heritage specialist(s) must prepare and/or endorse the: (a) Heritage Interpretation Plan required by Condition E27; (b) archival photographic digital recording required by Condition E28; and (c) Heritage Report required by Condition E29.	TFNSW SWC	M12 Motorway Project Heritage Interpretation Plan as presented during previous audit remains unchanged. No additional archival photographic digital recording required during the audit period. The final Heritage Report is currently being prepared.		Compliant
5.27	E	E27	Heritage Interpretation Plan must be prepared that identifies and interprets the key heritage values and stories of the heritage items impacted by the CSSI. The Heritage Interpretation Plan must include, but not be limited to: (a) integration of heritage themes and values in the design of the CSSI; design elements (form and fabric) and themes for the CSSI; (b) consideration of the design concepts for Western Sydney International Airport and Sydney Metro Western Sydney Airport; and (c) opportunities for design responses for Aboriginal and non-Aboriginal heritage. The Heritage Interpretation Plan must be provided to Western Sydney International Airport and Sydney Metro Western Sydney Airport to assist in guiding opportunities for integration of heritage themes and values into their design. The Heritage Interpretation Plan must be prepared in accordance with the <i>Interpreting Heritage Places and Items Guidelines</i> (NSW Heritage Office, 2005), and in consultation with Heritage NSW, Aboriginal Cultural Heritage Advisory Committee, LALC and relevant council(s). The Plan must be implemented and inform the Place, Design and Landscape Plan required by Condition E69. The Heritage Interpretation Plan must be submitted to the Planning Secretary and Heritage NSW for information prior to finalising the Place, Design and Landscape Plan required by Condition E69.	TFNSW	Integrated design across the whole project, leaf structure as a Fleur Telescope site interpretation for Central project. Aboriginal interpretation area included, with emu footprints design (shared user path). Non-Aboriginal M12 Way Finding and Interpretative Signage for the whole project. M12 Motorway Project Heritage Interpretation Plan is unchanged since previous audits, Version 3, 15 April 2022. Submissions as verified during initial audit. Artwork installation on all bridges will be installed in accordance with landscape plans.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Note: Nothing in this condition prevents the Proponent from preparing separate Heritage Interpretation Plans for Aboriginal and Non-Aboriginal Heritage.</i>				
5.28	E	E28	Archival photographic digital recording must be undertaken as outlined in the documents listed in Condition A1 for all listed heritage items and for all sites assessed to have heritage significance which will be affected by the CSSI. The recordings must be undertaken prior to the commencement of Work which may impact the items. The recordings must include buildings, structures and landscape features and detailed maps showing the location of features. The archival recording must be prepared in accordance with How to Prepare Archival Records of Heritage Items (NSW Heritage Office, 1998) and Photographic Recording of Heritage Items Using Film or Digital Capture (NSW Heritage Office, 2006).	TFNSW SWC	Archival recording previously actioned for the Fleurs Radio Telescope Site as evidenced during the initial audit. No additional archival recording undertaken during the audit period. No activities have impacted the Fleurs Radio Telescope site. No other heritage items applicable to the Central package.		Compliant
5.29	E	E29	Following completion of all Work described in the documents listed in Condition A1 in relation to heritage items, a Heritage Report including the details of archival recordings, further historical research either undertaken or to be carried out and archaeological excavations (with artefact analysis and identification of a final repository for finds), must be prepared in accordance with any guidelines and standards required by the Heritage Council of NSW and Heritage NSW. <i>Note: Nothing in this condition prevents the Proponent from preparing separate Heritage Reports for Aboriginal and Non-Aboriginal Heritage.</i>	TFNSW SWC	Works not yet complete. This is not yet triggered.		Not Triggered
5.30	E	E30	The Heritage Report must be submitted to the Planning Secretary and Heritage NSW for information within 12 months of completing all Work described in the documents listed in Condition A1 in relation to heritage items. Copies of the Heritage Report must also be provided to relevant local libraries and relevant local historical societies.	TFNSW SWC	Status of Heritage Report – separate reports to be actioned – one for non-Aboriginal Heritage, other to follow. Timing of this is not yet triggered.		Not Triggered
5.31	E	E31	An Unexpected Heritage Finds and Human Remains Procedure must be prepared to manage unexpected heritage finds in accordance with any guidelines and standards prepared by the Heritage Council of NSW and Heritage NSW. The Procedure must be prepared in consultation with Heritage NSW and form part of the Heritage CEMP Sub Plan required by Condition C4 .	TFNSW SWC	CEMP Appendix B6: Seymour Whyte Construction Cultural Heritage Management Sub-plan, M12CCO-SYW-ALL-EN-PLN-000007, Rev E, 28 August 2023 includes the Unexpected Heritage Finds and Human Remains Procedure as Appendix A.		Compliant
5.32	E	E32	Unexpected Heritage Finds and Human Remains Procedure , as submitted to the Planning Secretary, must be implemented for the duration of Work.	TFNSW SWC	No unexpected finds during the audit period. The Unexpected Heritage Finds and Human Remains Procedure continues to be included as part of the start		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Note: Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</i>		card – task review card which is issued to all personnel onsite + project induction.		
5.33	E	E33	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).	TFNSW SWC	No unexpected heritage or human remains finds to date.		Not Triggered
	E		NOISE AND VIBRATION				
5.34	E	E34	Work Hours Work must only be undertaken during the following hours: (a) 7:00am to 6:00pm Mondays to Fridays, inclusive; (b) 8:00am to 6:00pm Saturdays; and (c) at no time on Sundays or public holidays.	SWC	Working hours are communicated within the start cards and as part of the induction Noise and Hours of Operation slide – OOHW. Seymour Whyte must notify TfNSW for any OOHW / Saturday work. In line with standard construction hours as per EPL 21596 with permit system in place (refer to condition E36). EPL replicates the standard construction hours. An EPL variation occurred in December 2023 to allow for saw cutting to be undertaken 24 hours a day.		Compliant
5.35	E	E35	Highly Noise Intensive Work 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: (a) between the hours of 8:00am to 6:00pm Monday to Friday; (b) between the hours of 8:00am to 1:00pm Saturday; and (c) if continuously, then not exceeding three hours, with a minimum cessation of work of not less than one hour. 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.	SWC	Saw cutting works are being undertaken OOH. These are considered high impact works but have been approved via variation to EPL.		Compliant
5.36	E	E36	Variation to Work Hours Notwithstanding Conditions E24 and E35 , Work may be undertaken outside the hours specified in any of the following circumstances: (a) Safety and Emergencies , including:	SWC	A) OOH emergency works were undertaken on 7 March 2024. A safety audit was required after a traffic switch required line marking changes to avoid potential safety accidents.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(i) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or (ii) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm. 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 endeavours to notify all noise and/or vibration affected sensitive receivers of the likely impact and duration of the emergency work. (b) Work that causes: (i) LAeq(15 minute) noise levels: - 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 use(s); and (ii) LAeq(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). (c) By Approval, including: (i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; (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).		Sighted: Internal permits 24-03-00HW-127 sighted. Email to ER on 7/03/24. Email response from EPA dated 7 March 2024 acknowledging receipt. Email from DPHI to TfNSW acknowledging notification of emergency works. PA 289 7 March 2024 submission to DPE of emergency works B) Low Impact (NML compliant) works were undertaken during the audit period. Process is to complete OOH permit to demonstrate low impact works. Sighted: Permit number 24-01-OOHW-116, dated 2 February 2024. ER reviews permit but doesn't approve. C) OOH hours permitted by an EPL and self-approved. Sent to ER for due diligence. A negotiated agreement is on place for batch plant additional hours - 6am start at batch plant, valid from 25 Sep 2023 to early 2025.		
5.37	E	E37	Out-Of-Hours Work Protocol – Works Not Subject to an EPL 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:	SWC	Seymour Whyte Out-of-Hours Work Procedure, Ref M12CCO-SYW-ALL-EN-PLN-000005, Rev F, 18 July 2023 presented as evidence. Out-Of-Hours Work (OOHW) Protocol as included as Appendix C of the Overarching Construction Noise and Vibration Management Sub-plan, M12PPW-ADAP-ALL-		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(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: (a) the ER reviews all proposed out-of-hours activities and confirm their risk levels, (b) low risk activities can be approved by the ER, and (c) 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. This condition does not apply to Work where the requirements of Condition E36(a) or (b) are met.		EN-PLN-000008, Rev K, 19 March 2023, unchanged from previous audit. (a) Section 2, OOHW noise and vibration assessment, Section 4.3 OOHW process and approval (b) Section 2, OOHW noise and vibration assessment (c) Section 3 OOHW noise and vibration management measures, Attachment 2 - Application of OOHW mitigation measures (d) Section 2.3 Co-ordination of OOHW with third parties (e) Section 3 OOHW noise and vibration management measures including: Stakeholder notifications, specific notifications, phone calls, individual briefings, respite offers, respite periods, duration respite, alternative accommodation.		
5.38	E	E38	Noise Management Levels and Vibration Criteria for Work Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration objectives: (i) construction 'Noise affected' NML established using the <i>Interim Construction Noise Guideline</i> (DECC, 2009); (ii) vibration criteria established using <i>the Assessing vibration: a technical guideline</i> (DEC, 2006) (for human exposure); (iii) BS 7385 Part 2-1993 "<i>Evaluation and measurement for vibration in buildings Part 2</i>" as they are "applicable to Australian conditions"; and (iv) the vibration limits set out in the <i>German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures</i> (for structural damage). 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.	SWC	All works identified as exceeding the NMLs are managed in accordance with the Noise and Vibration Management Sub-plan. Noise monitoring has been undertaken during OOH activities with exceedances to the modelled value recorded. In each exceedance the predominant noise has been related to non-construction activities such as traffic and wildlife. Cumulative Noise not considered an issue given the distance between surrounding projects. No vibratory activities triggering exceedances.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.</i>				
5.39	E	E39	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.	SWC	Those potentially affected are noted within the Communication Strategy as follows: - Educational institute: 2 - Place of worship: 1 No sensitive periods required.		Not Triggered
5.40	E	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 .	SWC	No change the CNVIS during the audit period. M12 Central > Overarching Construction Noise and Vibration Impact Statement prepared by Hutchison Weller July 2022 Doc No. 21030-NV-RP-1-1, Rev 0. Additional mitigation measures as per Table 4-2. Unchanged since previous audit. Provided to the ER via Teambinder, ref M12CCO-TFNSW-HBI-CORR-000038, 17 August 2022.		Compliant
5.41	E	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 .	TFNSW SWC	Properties at risk are noted within the Communication Strategy as follows: - Residential: 11 - Commercial: 5 - Educational institute: 2 - Place of worship: 1 - Shed or garage: 15 Low impact as per Construction Noise and Vibration Impact Statement.		Not Triggered
5.42	E	E42	Construction Vibration Mitigation – Heritage 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 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.	SWC	Low risk determined for Fleurs Radio Telescope structures as per Construction Noise and Vibration Impact Statement Doc no. 21030-NV-RP-1-1, 17 July 2022 by Hutchinson Weller, unchanged since previous audit. Upper Canal relevant for East package only. McMaster Farm and McGarvie-Smith Farm applicable to the West package.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.43	E	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.	SWC	Low risk determined for Fleurs Radio Telescope structures as per Construction Noise and Vibration Impact Statement.		Not Triggered
5.44	E	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.	TFNSW	Low risk determined for Fleurs Radio Telescope structures as per Construction Noise and Vibration Impact Statement, therefore this condition is not triggered.		Not Triggered
5.45	E	E45	Utility Coordination and Respite 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: (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. 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.	SWC	Out-of-Hours Work are scheduled as no more than two consecutive nights in the one place. The project coordinates cumulative impacts with the M7-M12 integration projects. Sighted: email from JHG for M7-M12 Integration project, 3 April 2024 with notification attachment 2-30 April 2024 for SWC review.		Compliant
5.46	E	E46	Out-of-Hours Works – Mitigation 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: (a) 10:00 pm and 7:00 am, Monday to Friday; (b) 10:00 pm Saturday to 8:00 am Sunday; and (c) 6:00 pm Sunday and public holidays to 7:00 am the following day unless that day is Saturday then to 8:00 am, 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. 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	SWC	No alternate accommodation required. Work does not occur more than two nights in a row. No other out of hours work mitigation required.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			identified in this condition may be changed through an EPL applying to the CSSI.				
5.47	E	E47	Out-of-Hours Works – Community Consultation on Respite 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. This consultation must include (but not be limited to) providing the community with: (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; (c) the noise characteristics and likely noise levels of the Work; and (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). 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. <i>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.</i>	SWC	OOHW notifications for Central were viewed on the project website: Examples include: • M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park – May 2024 – 23-night shifts from 1 to 31 May 2024 • M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park – April 2024 – 16 night shifts from 2 to 30 April 2024 • M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park – March 2024 – 19 night shifts from 1 to 28 March 2024 • Activity specific notification - M12 Motorway – Central – Out of hours work for concrete saw cutting between Badgerys Creek and Cecil Park – covering early Feb 2024 to late-2024. Each notification described the night work hours being utilised – generally 6pm to 7am and outlined a summary of the activities being undertaken i.e concrete pours, saw cutting, drainage works, deliveries etc. A justification for the requirement to undertake OOHWs was provided. Letter box notifications also provided to residents.		Compliant
5.48	E	E48	Crushing and Grinding Works Crushing and grinding works must only be undertaken during the hours specified in Condition E34 unless otherwise approved by the Planning Secretary or through an EPL or it meets the requirements of Condition E36(a).	SWC	Crushing at AF16a occurring as per standard hours only.		Compliant
5.49	E	E49	Blasting Blasting is not permitted as part of this CSSI approval.	SWC	No blasting occurring.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.50	E	E50	Operational Noise An independent and experienced noise specialist must be approved by the Planning Secretary to verify the validity (including being accurate and consistent with the requirements of this approval) of the: (a) operational noise modelling required under Conditions E51; (b) Operational Noise Review required under Condition E52; and (c) Operational Noise Compliance Report required under Condition E60. The Planning Secretary's approval of the noise specialist must be sought no later than one (1) month before undertaking operational noise modelling. Each verification must be submitted to the Planning Secretary for information within 30 days of the verification and be attached to submitted documentation as relevant.	TFNSW	The M12 Motorway Operational Noise and Vibration Review (ONVR), 25 January 2023 was prepared for both Central and West projects by GHD: a. Section 2.4 – approval of Renzo Tonin & Associates by DPE 9 December 2021. b. Section 2.4 – Renzo Tonin & Associates verified the validity of the noise modelling and operational noise review. Included as Appendix A of the ONVR. c. Section 11.5 + refer to conditions E53 and E54. Support independent noise specialist approved by the Department on 29 August 2023 as per letter presented. Applicable for the M12 East package. No other changes for the M12 Central package.		Compliant
5.51	E	E51	Noise Mitigation - Operational Noise Modelling Noise modelling of the detailed design must be undertaken and address the following parameters: (a) application of source emission corrections to take into account the proportions of heavy vehicles; (b) modelling heavy vehicles using three distinct sources in line with Appendix B4 of the <i>NSW Road Noise Policy</i> (DECCW, 2011); (c) road surface corrections to address the assessment timeframes outlined in the <i>NSW Road Noise Policy</i> (DECCW, 2011) corresponding to the year of opening, and ten (10) years after opening; and (d) meteorological conditions in accordance with the <i>NSW Road Noise Policy</i>.	TFNSW	As per At-property treatment report, section 3.1 Operational Noise and Vibration Impact Modelling: Potential operational and construction noise impacts were assessed at the concept design stage in the October 2019 Environmental Impact Statement, and the May 2020 Amendment Report prepared for the project. A Noise and Vibration Assessment Report (NVAR) was prepared for M12 West and Central based on the detailed designs (20% in October 2020, and 50% in December 2020). The M12 Central Operational Noise and Vibration Review (ONVR) (January 2023) was prepared for the project by GHD: a. Section 5.3 Noise modelling inputs b. Section 5.3 Noise modelling inputs c. Section 5.4 Identified roads d. Section 3.4 Meteorological conditions, Section 4.1 Noise criteria guideline The ONVR has been updated for M12 East design changes and was undergoing review during the May 2024 audit.		Compliant
5.52	E	E52	Operational Noise Mitigation Measures An Operational Noise Review (ONR) must be prepared (based on the detailed design of the CSSI) to confirm noise mitigation measures that would	TFNSW	M12 Motorway Operational Noise and Vibration Review by GHD, Rev 1, 25 January 2023 for both Central and West projects. a. Section 1.1 – Purpose of this report. Operational Noise and Vibration Review		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			be implemented for the operation of the CSSI. The ONR must be prepared in consultation with the Planning Secretary and relevant council(s) and must: (a) confirm the appropriate operational noise objectives and levels for existing sensitive receivers; (b) confirm the operational noise impacts based on the final design of the CSSI and modelling undertaken under Condition E51, including operational daytime LAeq,15 hour and night-time LAeq, 9-hour traffic noise contours; (c) review the suitability of the operational noise mitigation measures identified in the documents listed in Condition A1 and, where necessary, investigate and identify additional noise and vibration mitigation measures required to achieve the noise criteria outlined in the <i>NSW Road Noise Policy</i> (DECCW, 2011), including the timing of implementation; (d) include a consultation strategy to seek feedback from directly affected landowners on the noise and vibration mitigation measures; and (e) procedures for the management of operational noise and vibration complaints. The ONR must be undertaken at the Proponent's expense and be submitted to the Planning Secretary for information prior to implementing at-property noise mitigation, unless otherwise agreed by the Planning Secretary. The Proponent must implement the identified noise mitigation measures and make the ONR publicly available following its submission to the Planning Secretary for information. <i>Note: The design of noise barriers and the like must be undertaken in consultation with the community as part of the Place, Design and Landscape Plan required under Condition E69.</i>		(ONVR) for the final design of the M12 Central package. b. Section 7 Operational noise assessment – 7.2 M12 Central, Section 8, Appendix E, Appendix F c. Section 7 Operational noise assessment – 7.2 M12 Central, Section 8 Operational noise mitigation d. Section 10 Community consultation strategy e. Section 10 Community consultation strategy The ONR is available on the project website. SSD-9364-PA-121 – DPHI Approval of ONR, dated 6 March 2023.		
5.53	E	E53	Operational noise mitigation measures as identified in Condition E52 that will not be physically affected by construction and where the noise management level in Condition E38(a) is likely to be exceeded, must be implemented within six (6) months of the commencement of construction in the vicinity of the impacted residence(s) to minimise construction noise impacts, unless otherwise agreed by the Planning Secretary in accordance with Condition E55. The operational noise mitigation measures must be detailed in the Noise and Vibration CEMP Sub-plan required by Condition C4.	TFNSW	Request for extension of time to implement noise mitigation measures - letter and supporting report issued 21 July 2023, portal receipt SSI-9364-PA-191 and TfNSW letter for DPE sighted requesting an extension from the Planning Secretary for the implementation of at-property noise mitigation measures to July 2024; mitigation measures are not expected to be completed until approximately March 2024. Approval letter from DPE received 28 July 2023. A second request will be required to be submitted to DHPI for an extension of time to install property treatments at 2		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					properties which will not be able to have treatments applied by the current deadline of July 2024.		
5.54	E	E54	If the ONR required by Condition E52 is not prepared within six (6) months of the commencement of construction, the at-property operational noise mitigation measures required by Condition E53 must be consistent with the measures and the properties identified in Appendix G of the <i>M12 Motorway Amendment Report</i> (October, 2020).	TFNSW	M12 Motorway Operational Noise and Vibration Review prepared by GHD, Rev 1, 25 January 2023. Request for extension of time to implement noise mitigation measures - letter and supporting report issued 21 July 2023, portal receipt SSI-9364-PA-191 and TfNSW letter to DPHI (formerly DPE) requesting an extension from the Planning Secretary for the implementation of at-property noise mitigation measures to July 2024; mitigation measures are not expected to be completed until approximately March 2024. Approval letter from DPE received 28 July 2023. A second request will be required to be submitted to DHPI for an extension of time to install property treatments at 2 properties which will not be able to have treatments applied by the current deadline of July 2024.		Compliant
5.55	E	E55	All requests to the Planning Secretary under Condition E53 must be accompanied by a report justifying why operational noise mitigation measures will not be implemented within six (6) months, along with details of the temporary measures that the Proponent would implement to reduce construction noise impacts, until such time that the operational noise mitigation measures are implemented. The report must be submitted to the Planning Secretary before the commencement of construction which would affect identified residences. All temporary measures must be implemented within six (6) months of the commencement of construction in the vicinity of the impacted residences. <i>Note: Not having finalised detailed design is not sufficient justification for not implementing the proposed mitigation measures.</i>	TFNSW	Request for extension of time to implement noise mitigation measures - letter and supporting report issued 21 July 2023, portal receipt SSI-9364-PA-191 + TfNSW letter. DPE approval letter dated 28 July 2023 which approves extension of At-Property Noise Mitigation Measures to July 2024. A second request will be required to be submitted to DHPI for an extension of time to install property treatments at 2 properties which will not be able to have treatments applied by the current deadline of July 2024..		Compliant
5.56	E	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.	SWC	Demonstrated as per compliance to preceding conditions. Standard construction noise and vibration mitigation measures have been utilised.		Compliant
5.57	E	E57	All operational noise mitigation measures must be implemented prior to operation of the CSSI.	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered. M12 Motorway Operational Noise and Vibration Review by GHD, Rev 1, 25 January 2023 for both Central and West projects, Section 8. 2 s properties are yet to have treatments installed.		Not Triggered
5.58	E	E58	Operational Noise Validation	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Within 12 months of the commencement of operation of the CSSI, the Proponent must undertake monitoring of operational noise to compare actual noise performance of the CSSI against the noise performance predicted in the review of operational noise mitigation measures required by Condition E52 .		M12 Motorway Operational Noise and Vibration Review by GHD, Rev 1, 25 January 2023 for both Central and West projects, Section 11.		
5.59	E	E59	Classified traffic counts must be undertaken simultaneously with noise measurements to confirm traffic volumes and traffic mix assumptions.	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered. M12 Motorway Operational Noise and Vibration Review by GHD, Rev 1, 25 January 2023 for both Central and West projects, Section 11.		Not Triggered
5.60	E	E60	Operational Noise Compliance Report An Operational Noise Compliance Report (ONCR) must be prepared to document the findings of the operational noise monitoring carried out under Condition E58 . The ONCR must be prepared in accordance with the Model Validation Guideline (RMS, 16 May 2018 Version 1.1) and must address the following: (d) compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E52; (e) compliance with the operational noise levels in terms of criteria and noise goals established in the <i>NSW Road Noise Policy</i> (DECCW, 2011); (f) methodology, location and frequency of noise monitoring undertaken, including grouping monitoring sites at which CSSI noise levels are ascertained with specific reference to locations indicative of impacts on receivers. Monitoring locations must be grouped by – (v) pavement type, (vi) topography; (g) visibility of sensitive receivers, i.e. line of sight and shielded by mounds and/or noise walls; (h) model light and heavy vehicles separately; (i) pavement corrections for light and heavy vehicles; (j) details on the acoustic performance of the different pavement types used for the CSSI ; (k) effects of meteorological conditions on traffic noise consistent with the requirements of the <i>NSW Road Noise Policy</i> (DECCW, 2011); (l) details of any complaints and enquiries received in relation to operational noise generated by the CSSI between the date of commencement of operation and the date the report was prepared; (m) any required recalibrations of the noise model taking into consideration factors such as noise monitoring, and actual traffic numbers and proportions;	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered. M12 Motorway Operational Noise and Vibration Review by GHD, Rev 1, 25 January 2023 for both Central and West projects, Section 11.		Not Triggered

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(n) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and (o) identification of additional measures to those identified in the review of noise mitigation measures required by Condition E52, that are to be implemented with the objective of meeting the criteria outlined in the <i>NSW Road Noise Policy</i> (DECCW, 2011), when these measures are to be implemented and how their effectiveness is to be measured and reported to the Planning Secretary and the EPA. The ONCR must be submitted to the Planning Secretary and the EPA for information within 60 days of completing the operational noise monitoring (required by Condition E58) and be made publicly available. Any additional measures identified in Condition E60(I) must be implemented within 18 months of submitting the ONCR to the Planning Secretary, unless an alternative timeframe is agreed to by the Planning Secretary.				
	E		PLACE, DESIGN AND LANDSCAPING				
5.61	E	E61	Construction Ancillary Facilities The CSSI must be constructed in a manner that minimises visual impacts of construction ancillary facilities, including but not limited to, providing temporary landscaping and vegetative screening of the construction sites, minimising light spill, and incorporating architectural treatment and finishes within key elements of temporary structures that reflect the context within which the construction sites are located.	SWC	Ancillary Facilities are unchanged from previous audit. Inspection of AFs did not identify any visual impacts.		Compliant
5.62	E	E62	Lighting and Security 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 <i>Australian Standard 4282-2019 Control of the obtrusive effects of outdoor lighting</i>, relevant Australian Standards in the series <i>AS/NZ 1158 – Lighting for Roads and Public Spaces</i>, and the <i>National Airports Safeguarding Framework (NASF) Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports</i>. 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.	TFNSW SWC	Light pollution is included as part of the weekly inspections. Security fencing verified during site inspection. No lighting being construction at this stage of the project. No lighting complaints during the audit period.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.63	E	E63	Active Transport Active transport facilities must be designed, constructed and/or rectified in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling</i> (Austroads, 2017) and relevant Australian Standards (AS) such as <i>AS 1428.1-2009 Design for access and mobility</i> . The active transport links must also incorporate relevant Crime Prevention Through Environmental Design principles.	TFNSW SWC	Approximately 80% of the Shared User Path has been constructed as per design PDLP.		Compliant
5.64	E	E64	Place, Design and Landscape Outcomes 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 <i>Appendix G Landscape character, visual impact assessment and urban design report</i> of the EIS. 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.	TFNSW	Submission of Place, Design and Landscape Plan as per initial audit – lodged with letter via the portal (receipt ref SSI-9364-PA-78) to the Department on 24 May 2022. Acknowledgement letter received from the Department 5 July 2022. Meetings with experts undertaken as per CoA E69. No changes.		Compliant
5.65	E	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 regard to wildlife strike risk in proximity to the Western Sydney International Airport.	TFNSW SWC	Landscaping works have commenced. Topsoil and mulch being applied to medium strip as part of landscaping plans.		Compliant
5.66	E	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.	TFNSW SWC	The M12 Motorway Project is under construction. This condition is not yet triggered. Shared user path not yet constructed.		Not Triggered
5.67	E	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.	TFNSW SWC	Offsets are as per East package. This is not triggered.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.68	E	E68	Design Independence and Review 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 documents listed in Condition A1, and in the development and review of the Place, Design and Landscape Plan. 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. <i>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).</i>	TFNSW	Department approval letter as per initial audit evidence for the nominated Independent Experts, 14 September 2021 (PDLP), prior to commencement of construction (10 August 2022). No changes during the audit period. As listed in the letter, the practitioners specialise in: • Public art/cultural interpretation public art and Aboriginal cultural heritage (one individual) • European cultural heritage (one individual) • Landscape architecture and Active transport (two individuals, one lead, one consultant) Original meeting minutes as per previous audit: • 11 December 2020 DD Urb Des Review Panel • 13 October 2021 DD Urb Des Review Panel Includes issues, actions, and response from TfNSW.		Compliant
5.69	E	E69	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.	TFNSW	The Place, Design and Landscape Plan (Rev C dated 17 March 2022) remains unchanged.		Compliant
5.70	E	E70	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: (a) an analysis of the built, natural, heritage and community context and the urban design objectives, principles and standards for the CSSI;	TFNSW	The Place, Design and Landscape Plan (PDLP) addresses the following: a. Section 2 Contextual Analysis b. Section 3 Urban Design, specifically 3.7 Aboriginal cultural interpretation, 3.8 Non-Aboriginal heritage interpretation. Also Appendices D and E. c. Section 3 Urban Design and Section 5 Bridges and walls		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(b) identification of opportunities for heritage interpretation during design and construction consistent with the Heritage Interpretation Plan required by Condition E27 ; (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.		d. Section 4.6 Landform and earthworks e. Section 4 Landscape Design including 4.7 Restoration of local vegetation communities and 4.8 Seed collection and plant propagation f. Section 3.6 Shared corridor and Section 5.6 Shared path connections g. Appendix A, B and C as well as throughout the plan. h. Section 3.11 Crime prevention through environmental design. i. Section 4.10 Strategies to revegetate disturbed areas. Unchanged from previous audit. Team and contributors include: TfNSW, Hassell, GHD Woodhead, Balarinji, Extent Heritage Advisors, and Toolijooa.		
5.71	E	E71	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 . 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). <i>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.</i>	TFNSW SWC	Tree Survey has been included as Appendix F of the Place, Design and Landscape Plan with the following relevant to Central: - Map 7: 1,578 trees in stands, 206 individual trees - Map 8: 1,546 trees in stands, 117 individual trees - Map 9: 6,486 trees in stands, 490 individual trees - Map 10: 5,864 trees in stands, 55 individual trees - Map 11: 4,646 trees in stands, 161 individual trees Maps were developed by Cadence Consulting Surveyors. All clearing complete as evidenced during the previous audit. Replacement trees are not yet triggered – no planting has occurred.		Compliant
5.72	E	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.	TFNSW SWC	Permanent surface-built works and landscaping are not yet constructed. PDLP submitted and approved, unchanged from previous audit.		Not Triggered
5.73	E	E73	The Place, Design and Landscape Plan must be implemented during construction and operation.	TFNSW	GHD overarching compliant report – interpretation included and incorporated into Issued for Construction unchanged since previous audit. The PDLP is		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				SWC	unchanged. Construction has commenced on the Shared User Path as per design.		
5.74	E	E74	Operational Maintenance 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 .	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered
	E		SOCIO-ECONOMIC, LAND USE AND PROPERTY				
5.75	E	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 .	TFNSW SWC	Utilities Management Plan for M12 Central, Rev C, 23 August 2023. Includes Coordination Meetings and Construction Planning (Section 2.3.1), Site Possessions (Section 3.1), Utility Packages – Brief Scope of Works (Section 4). Key contacts are included under Attachment A.		Compliant
5.76	E	E76	Condition Surveys 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.	SWC	Unchanged since previous audit. 19 out of 20 dilapidation surveys accepted and complete. One declined over the phone on Elizabeth Drive. No changes to the M12 Central Property Dilapidation Property List – register in place to track condition survey reports.		Compliant
5.77	E	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	SWC	No damage to structures to date.		Not Triggered

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			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.				
5.78	E	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 unless another timeframe is agreed with the owner. Alternatively, the Proponent may pay compensation for the damage as agreed with the owner.	SWC	No damage to structures to date.		Not Triggered
5.79	E	E79	Agricultural Operations The CSSI must be delivered in a manner that minimises intrusion, as far as reasonably practicable, and disruption to agricultural operations/activities in surrounding properties (e.g. stock access, access to farm dams, etc.), unless otherwise agreed by the landowner.	SWC	No agricultural operations or activities affected by the project.		Not Triggered
5.80	E	E80	Where the viability of existing agricultural operations will be impacted by the CSSI, the Proponent must, at the request of the landowner, employ a suitably qualified and experienced independent agricultural expert to assist in identifying management measures to address the identified impacts. Where the Proponent has commenced the requirements of this condition, prior to determination of the CSSI, the Proponent may rely on these activities to fulfil this requirement.	TFNSW SWC	No agricultural operations or activities affected by the project.		Not Triggered
5.81	E	E81	Upper Canal System The Proponent must have regard to the <i>Upper Canal Pheasants Nest to Prospect Reservoir Conservation Management Plan</i> (NSW Public Works Governments Architect's Office, 2016) and <i>Guidelines for development adjacent to the Upper Canal and Warragamba Pipelines</i> (WaterNSW, 2020) when constructing the CSSI.	TFNSW	Applicable to M12 East package only.		Not Triggered
5.82	E	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.	TFNSW	Applicable to M12 East package only.		Not Triggered

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.83	E	E83	Property Access Any property access that is physically affected by the CSSI must be reinstated to at least an equivalent standard, in consultation with the landowner or alternative access provided in consultation with the landowner.	SWC	Access has been allowed in temporary works staging for new alignment at Kemps Creek Bowling Club.		Not Triggered
	E		SOILS				
5.84	E	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 <i>Managing Urban Stormwater, Soils and Construction Vol.1</i> (Landcom, 2004) and <i>Vol. 2D Main Road Construction</i> (DECC, 2008) must be considered.	SWC	All Progressive Erosion and Sediment Control Plans were reviewed and updated during the audit period. All PESCPs were approved by a Soil Conservationist. Example: - Progressive Erosion and Sediment Control Plan (PESCP_03) Location: Elizabeth Drive to Range Road (Rev G), 2 August 2023, approved by Soil Conservationist 11 August 2023. - Progressive Erosion and Sediment Control Plan (PESCP_05) Location: South Creek to Clifton Road (Rev.I), 3 August 2023, approved by Soil Conservationist 11 August 2023. - Progressive Erosion and Sediment Control Plan (PESCP_06) Location: Tree Serve (Rev. C), 10 July 2023, not approved by Soil Conservationist - Progressive Erosion and Sediment Control Plan (PESCP_07) Location: Clifton Avenue to Kemps Creek Stage (Rev.E), 2 August 2023, approved by Soil Conservationist 11 August 2023. - Progressive Erosion and Sediment Control Plan (PESCP_09) Location: Kemps Creek to Hi-Quality (Rev. D), 2 August 2023, approved by Soil Conservationist 11 August 2023. M12-Central ERSED Register lists the PESCP No, revision, PESCP title, Hold Point, Status. During the site inspection the implementation of PESCPs was audited. It is noted that the site had experienced a significant rainfall event which exceeded the site design capacity of 32.5mm / 5 day average. The following observations were noted during the site inspection: <u>ERSED Controls</u> Identified to have failed and not have been appropriately maintained in accordance with approved PESCPs at multiple locations including Gate 5, Gate 13 and the	M12C-04_NC-04: During the site inspection, concrete washout areas were observed as not maintained appropriately with signage not displayed, plastic lining not used, waste and debris not removed, and soil bunds not appropriately formed around the washout areas. Recommendation: It is recommended to improve upon and continuously maintain and monitor environmental controls to demonstrate effective implementation of the CEMP and CEMP sub-plans.	Non-Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					stockpile yard. Sediment basin batters and stormwater drains required maintenance to prevent the observed rill erosion from worsening. <u>Stockpile management</u> Stockpiles were observed to be greater than 2m high and not appropriately shaped with a 2:1 slope. <u>Concrete washout</u> Concrete washout areas were observed as not maintained appropriately with signage not displayed, plastic lining not used, waste and debris not removed, and soil bunds not appropriately formed around the washout areas. Refer to Appendix G for photographs. .		
5.85	E	E85	Contaminated sites Prior to the commencement of any Work that would result in the disturbance of potential or contaminated soils, materials, groundwater or sediments, a Detailed Site Investigation Report(s) must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. The Detailed Site Investigation Report(s) must be prepared in accordance with guidelines made or approved under section 105 of the <i>Contaminated Land Management Act 1997</i>. <i>Note: Where Preliminary and Detailed Site Investigations have already been undertaken for contaminated soils, materials, groundwater or sediments they do not need to be undertaken again for the purposes of this condition.</i>	SWC	All contaminated areas have been cleared and closed within the last 6-months. No additional Detailed Site Investigations have been required. Previous DSI Report was prepared, reviewed and approved by ADE Consulting Group.		Compliant
5.86	E	E86	The Detailed Site Investigation Report(s) must provide details on: - primary sources of contamination, for example potentially contaminating activities, infrastructure (such as underground storage tanks, fuel line, sumps or sewer lines) or site practices; - contaminant dispersal in air, hazardous ground gases, surface water, groundwater, soil vapour, separate phase contaminants, sediments, infrastructure (e.g. concrete), biota, soil and dust; - contaminant characterisation and behaviour (volatility, leachability, speciation, degradation products and physical and chemical conditions on-site which may affect how contaminants behave); - potential effects of contaminants on human health, including the health of occupants of built structures (for example arising from	SWC	No additional Detailed Site Investigations required. As per previous audit evidence: Detailed Site Investigation by ADE Consulting Group ref 22.0468.DSI dated 11 April 2023, prepared, reviewed and issued as signed. Includes Section 9 Conclusions and Recommendations, Section 9.4 summarised as follows: - Notification is not required to be provided to the NSW EPA - A Remedial Work Plan (RWP) addendum should be prepared for removal of general unexpected		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			risks to service lines from hydrocarbons in groundwater, or risks to concrete from acid sulphate soils) and the environment; (e) potential and actual contaminant migration routes including potential preferential pathways; (f) the adequacy and completeness of all information available for use in the assessment of risk and for making decisions on management requirements, including an assessment of uncertainty; (g) the review and update of the conceptual site model from the preliminary and detailed site investigations; (h) nature and extent of any existing remediation (such as impervious surface cappings); and/or (i) whether the land is suitable (for the intended final land use) or can be made suitable through remediation.		finds ... The asbestos contaminated material should be transferred to the encapsulation cell. Any soils and other waste noted on site requiring removal from site as part of future site works should be appropriately classified in accordance with the Waste Classification Guidelines, Part 1: Classifying Waste, NSW EPA (2014) Report concluded that the investigation successfully assessed gaps in the historical data for the site in regard to potential soil contamination, updated the Conceptual Site Model (CSM) for the site and successfully assessed the potential for soils to be impacted by current and historical activities. ADE detailed the suitability of the site regarding the proposed land use and outlined possible remediation options if required.		
5.87	E	E87	Should remediation be required to make land suitable for the final intended land use, a Remediation Action Plan must be prepared. Prior to commencing with the remediation, the Proponent must submit to the Planning Secretary for information, the Remediation Action Plan and an Interim Audit Advice or a Section B Site Audit Statement from a NSW EPA accredited Site Auditor that certifies that the Remediation Action Plan is appropriate and that the site can be made suitable for the proposed use. The Remediation Action Plan must be implemented and any changes to the Remediation Action Plan must be endorsed in writing by the EPA-accredited Site Auditor. <i>Note: It is strongly recommended that a site auditor is engaged as early in the assessment and remediation process as possible, as early communication between parties improves the efficiency of the audit.</i>	SWC	A Remediation Action Plan for containment cell unchanged from previous audit, developed by ADE Consulting Group 18 October 2022 ref 22.0468. Section 9 Containment Cell and Capping Design, Appendix B Containment Cells, constructed and located between Range Road and Elizabeth Drive (Area 6). Constructed 2 cells in one location. 8 x areas noted on maps however only one area was utilised. Submitted by TfNSW 23 December 2022, portal receipt SSI-9364-PA-137. Included RAP, plus auditor approval. An extension was made to the encapsulation cell. Submission for update as per portal receipt 3 March 2023 V5, February 2023, SSI-9364-PA-149 by TfNSW. Environmental Consultant ADE are preparing a validation report and Long-Term Environmental Management Plan,		Compliant
5.88	E	E88	A Section A1 or Section A2 Site Audit Statement (accompanied by an Environmental Management Plan) and the accompanying Site Audit Report, which states that the contaminated land disturbed by the works has been made suitable for the intended land use, must be submitted to the Planning Secretary and relevant council(s) for information after remediation and no later than one (1) month before the commencement of operation. Contaminated land must not be used for the purpose approved under the terms of this approval until a Section A1 or Section A2 Site Audit Statement is obtained which states that the land is suitable for that purpose	SWC	Not yet triggered.		Not Triggered

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			and any conditions on the Section A1 or Section A2 Site Audit Statement have been complied with. Nothing in the conditions prevents the Proponent from obtaining Section A Site Audit Statements for individual parcels of remediated land.				
5.89	E	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.	TFNSW SWC	An Unexpected Finds Procedure has been prepared as part of the M12 Central Construction Contaminated Land Management Sub-plan (ref M12CCO-SYW-ALL-EN-PLN-000013 Rev E, 14 August 2023) and contained as Appendix B – Unexpected Contaminated Land and Asbestos Finds Procedure. Roles and responsibilities are identified in Section 1.5 – includes the Contaminated Site Specialist. There is also an Asbestos Management Plan included as Appendix C (M12CCO-SYW-ALL-EN-PLN-000003, Rev E, 28 August 2023 with roles and responsibilities under Section 1.6 which notes the removal must be undertaken by a Class A or Class B Asbestos Removal Licence holder as issued by SafeWork NSW.		Compliant
5.90	E	E90	The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented throughout the duration of Work.	SWC	There was 1 unexpected asbestos find during the audit period. The UFP was implemented.		Compliant
	E		SUSTAINABILITY				
5.91	E	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.	TFNSW SWC	M12 Motorway Sustainability Strategy, ref fa11415671 (previous ref A4199125) Rev D, 9 June 2023. Seymour Whyte M12 Central Climate Change Monitoring and Adaptive Management Framework, M12CCO-SYW-ALL-EN-PLN-000011, Rev E, 14 August 2023 also developed. Seymour Whyte M12 Construction Sustainability Management Plan, Rev C dated 27 June 2022. The project received as 'Excellent' Design Rating by ISC on the 14 March 2023.		Compliant
5.92	E	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.	TFNSW SWC	The M12 Motorway Sustainability Strategy prepared, ref A4199125 Rev C, 10 May 2022 was submitted to the Department 11 May 2022 as evidenced in Department		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					acknowledgement letter, ref: SSI-9364-PA-73 dated 30 May 2022 as verified during initial audit. M12 Motorway Sustainability Strategy, ref fa11415671 (previous ref A4199125) Rev D, 9 June 2023 updated for the annual review period. Solar panels continue to be in place as sighted during inspection.		
	E		TRAFFIC AND TRANSPORT				
5.93	E	E93	The Planning Secretary's approval is required before any heavy vehicles used for spoil and fill haulage or concrete deliveries (for the purpose of the CSSI) are driven on local roads within one (1) kilometre of early works, construction and construction ancillary facilities and that are not identified for use by heavy vehicles in the documents listed in Condition A1 . The local roads must be identified in the Early Works Environment Management Plan and Traffic Management CEMP Sub-plan .	TFNSW SWC	Section 5.2.1 (Local Roads) of the M12 Central Construction Traffic and Access Management Sub-plan: no additional local roads are proposed for use by heavy vehicles used for spoil and fill haulage or concrete deliveries for the purpose of the CSSI. No Department approval required for additional local roads. All as per the EIS.		Compliant
5.94	E	E94	All requests to the Planning Secretary for approval to use local roads in accordance with Condition E93, must include a traffic and pedestrian impact assessment and be prepared in consultation with the relevant local council(s). The assessment must be undertaken by an appropriately qualified and experienced person and must include a swept path analysis if required by the Department. The traffic and pedestrian impact assessment must: (a) demonstrate that the use of local roads will not compromise the safety of the public and have no more than minimal amenity impacts; (b) provide details as to the date of completion of the road dilapidation surveys for the subject local roads; and (c) describe the measures that will be implemented to avoid where practicable the use of local roads past schools, aged care facilities and childcare facilities during peak times for operation. The outcomes and recommendations of the traffic and pedestrian impact assessment must be incorporated into the Site Establishment Management Plan or Traffic Management CEMP Sub-plan as relevant.	TFNSW SWC	No Department approval required for additional local roads. All as per the EIS.		Not Triggered
5.95	E	E95	Before any local road is used by a heavy vehicle for the purposes of the CSSI, a Road Dilapidation Report must be prepared for the road unless otherwise agreed by the relevant road authority. A copy of the Road Dilapidation Report must be provided to the relevant road authority within three (3) weeks of completion of the survey and at least two (2) weeks before	SWC	Dilapidation Report – M12 Central, Rev 02, 5 July 2022. Roads surveyed as per previous audit evidence (no changes). • Salisbury Ave • Elizabeth Drive		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			the road is used by heavy vehicles associated with the construction of the CSSI. If damage to roads occurs as a result of the construction of the CSSI, the Proponent must rectify the damage to restore the road to at least the condition it was in pre-construction in consultation with the relevant road authority. Rectification works must be undertaken within three (3) months of the subject road no longer being used for the construction of the CSSI unless an alternative timeframe is agreed to by the relevant road authority.		- Mamre Rd - Clifton Avenue - Range Road A number of complaints were received during the audit period regarding damage to local roads. - Complaint ID #33 16 January 2024 – resident complained about potholes and road damage on Salisbury Avenue. - Complaint ID #34 15 February 2024 – resident complained about safety and road damage on Clifton Avenue. - Complaint ID #35 15 February 2024 – resident complained about safety and road damage on Clifton Avenue. - Complaint ID #36 21 February 2024 – resident complained about large pothole on Clifton Avenue. - Complaint ID #38 22 March 2024 – resident complained road damage on Range Road. In each instance either Seymour White or Penrith Council has undertaken isolated road damage repairs. All complaints were categorised as unavoidable and have been closed.		
5.96	E	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 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.	SWC	No alternative parking / access required. Adequate signage noted throughout during the site inspection.		Compliant
5.97	E	E97	Road Safety 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.	TFNSW SWC	As per detailed design by GHD unchanged from previous audit. GHD M12 Motorway, Package 2 – Central, Landscape Works, Rev F. Detail Design (IFT) Road Safety Audit by Samsa Consulting, December 2021.		Compliant
5.98	E	E98	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 (preopening audit) to assess the safety	TFNSW SWC	A road safety was undertaken during the audit period for the reopening of a roundabout.		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			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. 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.		Detail Design (IFT) Road Safety Audit by Samsa Consulting, December 2021 for M12 Central for the design itself. 20220330 – M12 Central Audit Close out (M12CDD-GHDA-ALL-RW-RPT-000101.C.S.1.01) shows all 38 findings identified during the RSA as closed.		
5.99	E	E99	Pedestrian and Cyclist Access Safe pedestrian and cyclist access must be maintained around work sites during Work. In circumstances where pedestrian and cyclist access is restricted or removed due to Work, an alternate route which complies with the relevant standards must be provided and signposted.	SWC	Not applicable for M12 Central. Applicable to M21 East package only.		Not Triggered
	E		WASTE				
5.100	E	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.	SWC	Seymour Whyte Appendix B9 Construction Waste and Resources Management Sub-plan (M12CCO-SYW-ALL-EN-PLN-000010, Rev E, 14 August 2023) includes Waste Management under Section 5. Observations raised for waste management during site inspection. Refer to body of the audit report.	Opportunity for Improvement M12C-04_OFI-03: Various waste bins were noted to be at capacity during the site inspection at several locations. There was also liquid waste remaining in a container without plans for removal. There is an improvement opportunity to demonstrate best practice and remove waste in a timely manner.	Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.101	E	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 <i>Protection of the Environment Operations (Waste) Regulation 2014</i> , as the case may be.	SWC	Imported material as per M12 Central Material Tracking Register. Includes Sandstone imported from the Rozelle Interchange project e.g., 5 July 2023 to Gate 14, and Hunter St ETP e.g., 1 June 2023 to Gate 14.		Compliant
5.102	E	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 <i>Protection of the Environment Operations (Waste) Regulation 2014</i> , or to any other place that can lawfully accept such waste, except in accordance with Condition E15 .	SWC	M12 Central Waste Register includes reporting period, waste, classification, recycled/reused, landfill amount, total waste generated. Waste register covers period June 2022 to March 2024..		Compliant
5.103	E	E103	All waste generated by Works must be classified in accordance with the EPA's <i>Waste Classification Guidelines</i> , with appropriate records and disposal dockets retained for audit purposes.	SWC	EPA Waste Classification Guidelines implemented and recorded as per Waste Register. Only ACM which is through ADE Consulting Group classification.		Compliant
5.104	E	E104	The Proponent must develop and implement a waste tracking register prior to waste generated by Work that details: (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. The waste tracking register must be made available to the Planning Secretary and EPA on request, within the timeframe stated in the request.	SWC	New Waste Register for M12 central – live register as implemented. Asbestos contaminated material (ACM) is as per ADE Consulting Group classification. Bingo continues to manage waste and provides reports per month. The Department has not requested the submission of the waste register.		Compliant
	E		WATER				
5.105	E	E105	The CSSI must be designed, constructed and operated so as to maintain the <i>NSW Water Quality Objectives</i> where they are being achieved as at the date of this approval, and contribute towards achievement of the <i>NSW Water Quality Objectives</i> over time where they are not being achieved as at the date of this approval, unless an EPL in force in respect of the CSSI contains	TfNSW SWC	Water discharge procedure audited. Permit process in place for all discharges Discharge Register – Permits – includes monitoring data as per EPL and monthly reports. Permits are under PSEM – generates No. Open or Update Permit. Up to 372. New permit – choose name, date of application, proposed discharge date, reference, volume, litres at a discharge rate of, location description,		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			different requirements in relation to the <i>NSW Water Quality Objectives</i>, in which case those requirements must be complied with. <i>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 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.</i>		reason for discharge. Supervisor assigned. Engineer assigned. Destination – try to reuse on site where possible. Details enter limits (choose pH, NTU). Method of filtration. Conditions of Permit selection. Authorisation and Closure with dates (period), permit close date, date of approval. Attachments. Generate Permit for print out. Sighted signed copy 15 April 2024 for permit 361. Register up to date. Water quality metre calibration certificate sighted: 8RHD^NOY 2022 – Horiba U 52-2m, dated 11 September 2023 – annual calibration certificate.		
5.106	E	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.	TfNSW SWC	As per detailed design. No changes since previous audit.		Compliant
5.107	E	E107	Work on waterfront land must have regard to the <i>Guidelines for controlled activities on waterfront land – Riparian Corridors</i> (NRAR, 2018), <i>Controlled activities on waterfront land – Guidelines for watercourse crossings on waterfront land</i> (NSW Office of Water, 2012) and <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI Fisheries, 2013).	TfNSW SWC	The temporary crossing has been installed at South Creek as verified during the previous audit for fish passage. PESCPs have been updated for all sites. Silt curtains were observed being utilised in South Creek		Compliant
5.108	E	E108	The Proponent must consult DPI Fisheries and EES during the detailed design of the watercourse crossings. The consultation must include: (a) design of bridges; (b) design of scour protection; and (c) details of riparian revegetation.	TfNSW	No changes since previous audit. Consultation with DPI Fisheries and EES as verified during the previous audit as follows: • Transmittal dated 16 February 2022 M12CDD-TFNSW-TX-000536 from TfNSW to DPI Fisheries and EES for Landscape Package – Central • Transmittal dated 16 February 2022 M12CDD-TFNSW-TX-000535 from TfNSW to DPI Fisheries and EES for Stormwater Drainage and BR06 – Central. Addresses scouring. • DPI Fisheries review as per letter for both Central and West packages e.g. Bridge over		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Badgerys Creek M12WDD-WSP-ML1BR05-BR-RPT-0000001.C, 22 April 2021. TfNSW response letter 27 May 2021 to DPI Fisheries with Attachment A responses.		
5.109	E	E109	Rehabilitation and revegetation of the riparian corridor and banks of watercourses impacted by the CSSI must be commenced within three (3) months of the completion of the watercourse work, bridge works (sub-structure, super-structure and pavement) and any other construction work required in the riparian corridor.	SWC	Timing of this condition is not yet triggered.		Not Triggered
5.110	E	E110	Stormwater Drainage All new or modified drainage systems associated with the CSSI must be designed to: (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.	TfNSW SWC	No changes to stormwater drainage during the audit period..		Compliant
6	APPX	A	WRITTEN INCIDENT AND NOTIFICATION AND REPORTING REQUIREMENTS				
6.1	APPX A	1.	A written incident notification addressing the requirements set out below must be submitted to the Department via the Major Projects website within seven days after the Proponent becomes aware of an incident. Notification is required to be given even if the Proponent fails to give the notification required under Condition A44 or, having given such notification, subsequently forms the view that an incident has not occurred.	TfNSW SWC	No notifiable incidents to date.		Not Triggered

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
6.2	APPX A	2.	Written notification of an incident must: (a) identify the CSSI and application number; (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); (c) identify how the incident was detected; (d) identify when the Proponent became aware of the incident; (e) identify any actual or potential non-compliance with conditions of approval; (f) describe what immediate steps were taken in relation to the incident; (g) identify further action that will be taken in relation to the incident; and (h) identify a project contact for further communication regarding the incident.	TfNSW SWC	No notifiable incidents to date.		Not Triggered
6.3	APPX A	3.	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Proponent must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	TfNSW SWC	No notifiable incidents to date.		Not Triggered
6.4	APPX A	4.	The Incident Report must include: (a) a summary of the incident; (b) outcomes of an incident investigation, including identification of the cause of the incident; (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and (d) details of any communication with other stakeholders regarding the incident.	TfNSW SWC	No notifiable incidents to date.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1	PART	A	ADMINISTRATIVE CONDITIONS				
	A		GENERAL				
1.1	A	A1	The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with: (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).	TFNSW Ventia	Based on the outcome of this audit, and the evidence presented during the M12 Motorway Central audit, it was demonstrated that the CSSI is being carried out in accordance with the terms of this approval, the EIS, Submissions Report and Amendment Reports.		Compliant
1.2	A	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.	TFNSW Ventia	Based on the compliance achieved against the relevant conditions, the outcome of the audit determined that the CSSI is being constructed in accordance with the EIS, Submissions Report and Amendment Reports.		Compliant
1.3	A	A3	In the event of an inconsistency between: (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 inclusive, the most recent document will prevail to the extent of the inconsistency. <i>Note: For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</i>	TFNSW Ventia	No Consistency Assessments received during this audit period. Sighted mapping – TfNSW geohub from portal. Roundabout maintained by other party sitting under a different part of TfNSW – asset performance contract.		Compliant
1.4	A	A4	The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: (a) the environmental performance of the CSSI; (b) any document or correspondence in relation to the CSSI (including the provision of such documentation or correspondence); (c) any notification given to the Planning Secretary under the terms of this approval; (d) any independent appointment or withdrawal of an appointment made in relation to the CSSI; (e) any audit of the construction or operation of the CSSI; (f) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval); (g) the carrying out of any additional monitoring or mitigation measures; and	TFNSW Ventia	No written directions received from DPHI regarding the temporary roundabout. Based on the results of this audit, the following compliance status is as follows: (a) Environmental performance was compliant as based on the outcome of the site inspection and review of records. (b) As per CoA A5. No additional consultation required for the temporary roundabout. (c) No notification requirements during this audit period. (d) ER, independent auditors and experts submitted and approved by the Department		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(h) in respect of ongoing monitoring and management obligations, and following consultation with the Proponent, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.		(e) This is the fourth audit in which auditing activities for the Central package, and second audit on the Temporary Roundabout works. (f) Full compliance achieved in accordance with the Conditions of Approval. (g) Noise and vibration monitoring occurred during the audit period for OOHV works. (h) Works are planned for handover. Roundabout now operational.		
1.5	A	A5	Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken and submitted to the Planning Secretary, and the terms of this approval require the document, monitoring program or review to be prepared/undertaken in consultation with identified parties, evidence of the consultation must be submitted to the Planning Secretary with the relevant document, monitoring program or review. The evidence must include: (a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval; (b) a log of the dates of engagement or attempted engagement with the identified party; (c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations; (d) outline of the issues raised by the identified party and how they have been addressed; and (e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed.	TFNSW Ventia	Monitoring programs are not required for the temporary roundabout works. Plans were as approved as evidenced during the previous audit. Roundabout is temporary and will not trigger any operational requirements (e.g., plans). Timing of reinstatement still not confirmed. Only consultation occurred was part of the OOHV application, 5-night community consultation. No other consultation required relevant to this condition.		Compliant
1.6	A	A6	This approval lapses five (5) years after the date on which it is granted, unless Work has physically commenced on or before that date.	TFNSW	The Infrastructure Approval for the M12 Motorway was granted on 23 April 2021 as per Schedule 1, CSSI-9364. The approval has not yet lapsed. No modifications have been required.		Not Triggered
1.7	A	A7	References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, standards or policies in the form they are in as at the date of this approval.	TFNSW Ventia	The Overarching CEMP and M12 Motorway – Devonshire Road Temporary Roundabout, Kemps Creek CEMP includes Appendix A1 Legal and Other Requirements which lists relevant acts, guidelines and regulations. No changes since previous audit.		Compliant
1.8	A	A8	Any document that must be submitted or action taken within a timeframe specified in or under the terms of this approval may be submitted or undertaken within a later timeframe agreed with the Planning Secretary. This	TFNSW Ventia	Post Approval Document Received - (SSI-9364-PA-298) acknowledgement from DPHI to TfNSW on 15 April 2024 regarding request for an extension to the timeframe of this audit.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			condition does not apply to the written notification required in respect of an incident under Condition A44 and Condition A45 .		Letter from DPHI dated 6 May 2024 – approval of extension of time for the next Independent Audit to be undertaken 9 and 16 May 2024 under Condition A8. Post Approval Document Received - (SSI-9364-PA-297) from DPHI to TfNSW on 20 March 2024 for resubmission of previous IEA report, approving extension to 28 March 2024. Timeframe for ER report submission for Dec-23 report extension to 15 January 2024. Emailed presented from ER to DPHI, 6 December 2023. Letter response received from DPHI 18 December 2023, ref: SSI-9364-PA-257 approving extension of timeframe. Also confirms the extension is active for the duration of the ER's engagement for the CSSI.		
	A		STAGING				
1.9	A	A9	The CSSI may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the Planning Secretary for information. The Staging Report must be endorsed by the ER and then submitted to the Planning Secretary no later than one (1) month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one (1) month before the commencement of operation of the first of the proposed stages of operation)	TFNSW	No changes to the Staging Report during the audit period. M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 3 April 2023,		Compliant
1.10	A	A10	The Staging Report must: (a) if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish; (b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant); (c) specify how compliance with conditions will be achieved across and between each of the stages of the CSSI; and (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.	TFNSW	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 3 April 2023 unchanged: (a) Section 2 Proposed Project Packages, Appendix A CoA applicable to Staging, Table 2-1 Indicative timing of project stages (b) Section 2 Proposed Project Packages, Appendix A CoA applicable to Staging (c) Section 3 Compliance, Appendix A CoA applicable to Staging (d) Section 2.5 Cumulative Impacts, Appendix A CoA applicable to Staging.		Compliant
1.11	A	A11	The CSSI must be staged in accordance with the Staging Report .	TFNSW	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023, Section 2.2 Project Stages, Appendix A CoA applicable to Staging.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Temporary Roundabout construction is now complete (13 February 2024).		
1.12	A	A12	Where staging is proposed, the terms of this approval that apply or are relevant to the work or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	TFNSW Ventia	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023, Appendix A includes a matrix of the applicable Conditions of Approval based on each stage.		Compliant
1.13	A	A13	Where changes are proposed to the staging of construction or operation, a revised Staging Report must be prepared and submitted to the Planning Secretary for information no later than one (1) month before the proposed change in the staging. The revised Staging Report must be endorsed by the ER before submitting it to the Planning Secretary.	TFNSW	Temporary Roundabout was included in the Staging Report. No changes have occurred.		Not Triggered
	A		STAGED SUBMISSIONS OF STRATEGIES, PLANS OR PROGRAMS				
1.14	A	A14	With the approval of the Secretary, the Proponent may submit any strategies plans or programs required by this approval on a progressive basis. <i>Notes:</i> 1. <i>While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the Work being undertaken on site is covered by suitable strategies, plans or programs at all times; and</i> 2. <i>If the submission of any strategy, plan or program is to be submitted on a progressive basis, then the relevant strategy, plan or program must clearly describe the specific Work or stage to which the strategy, plan or program applies, the relationship of the Work or stage to any future Work or stages, and the trigger for updating the strategy, plan or program if and as relevant.</i>	TFNSW Ventia	No submissions of any strategies, plans or programs applicable to the Temporary Roundabout.		Not Triggered
	A		CONSTRUCTION ANCILLARY FACILITIES				
1.15	A	A15	Additional construction ancillary facilities Construction ancillary facilities (excluding minor construction ancillary facilities established under Condition A20) that are not identified by description and location in the documents listed in Condition A1 may only be established and used in each case if: (a) they are located within or immediately adjacent to the construction boundary; and (b) they are not located next to a sensitive receiver(s) (including where an access road is between the facility and the receiver(s)), unless the sensitive receiver(s) (both the landowner(s) and occupier(s)2) have given written acceptance to the carrying out of the relevant facility in the proposed location; and	TFNSW Ventia	Land condition assessment actioned by Ventia at AF13, following this, full handover will occur. Aerial view shows site sheds have been removed. Demobilised by February 2024.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(c) they have no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and (d) the establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.				
1.16	A	A16	Site Establishment Management Plan Before establishment of a construction ancillary facility(ies) (excluding minor construction ancillary facilities established under Condition A20), the Proponent must prepare a Site Establishment Management Plan which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facility(ies). The Site Establishment Management Plan must be prepared in consultation with the relevant council(s) and relevant State government agencies. The Plan must be endorsed by the ER and then submitted to the Planning Secretary for approval one (1) month before the establishment of the construction ancillary facility(ies). The Site Establishment Management Plan must detail the management of the construction ancillary facility(ies) and include: (a) a description of activities to be undertaken during establishment of the construction ancillary facility(ies) (including scheduling and duration of work to be undertaken at the site); (b) figures illustrating the proposed site layout and the location of the closest sensitive receiver(s); (c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of site establishment work; (d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to: (iii) meet the performance outcomes stated in the documents listed in Condition A1, and (iv) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and (e) a program for monitoring the performance outcomes, including a program for noise monitoring consistent with the requirements of Condition C14. The Site Establishment Management Plan must be approved before the establishment of a construction ancillary facility(ies) (excluding minor construction ancillary facilities established under Condition A20).	Ventia	AF13 was included as part of the M12 Central main works SEMP: M12 Central Site Establishment Management Plan (SEMP), M12CCO-SYW-ALL-EN-PLN-000002, Rev H, 23 June 2023. As above, AF13 was demobilised in February 2024 and in the process of being handed over following land condition assessment report.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Nothing in this condition prevents the Proponent from preparing individual Site Establishment Management Plans for each construction ancillary facility. <i>Note: Condition A16 does not apply to minor construction ancillary facilities established under Condition A20.</i>				
1.17	A	A17	Where a construction ancillary facility(ies) has been established for any early works listed in Appendix B and is to be used for construction, a new or revised Site Establishment Management Plan must be prepared where additional activities are required to establish the site for the purposes of construction or there is a change to the site layout. The new or revised Site Establishment Management Plan must be prepared in accordance with Condition A16 and approved by the Planning Secretary before commencement of the additional activities or change to site layout.	Ventia	No early works ancillary facilities were used for construction or are relevant to the Temporary Roundabout works.		Not Triggered
1.18	A	A18	Use of Construction Ancillary Facilities The use of a construction ancillary facility for construction (excluding minor construction ancillary facilities established under Condition A20 and construction ancillary facilities established for the purposes of early works in accordance with Condition A24) must not commence until the CEMP required by Condition C1 , relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C11 have been approved by the Planning Secretary. This condition does not apply to the use of construction ancillary facilities where the ER has determined that the use of the facility will have a minimal impact on the environment and community.	TFNSW Ventia	No early works ancillary facilities were used for construction. There were no early works as part of the Temporary Roundabout package. Ancillary facilities are as per the EIS and amendment reports + Consistency Assessment: Construction of a temporary roundabout at Devonshire Road intersection in M12 Central, September 2023.		Compliant
1.19	A	A19	Construction ancillary facilities established for the purposes of early works in accordance with Condition A24 cannot be used for construction until the CEMP required by Condition C1 , relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C11 have been approved by the Planning Secretary. This condition does not apply to the use of construction ancillary facilities where the ER has determined that the use of the facility will have a minimal impact on the environment and community.	TFNSW Ventia	ER endorsement of Temporary Roundabout CEMP received 22 September 2023, Ref: M12 Devonshire Rd CEMP Rev D. CEMP unchanged during audit period. Commencement of roundabout construction was mid-October 2023. Construction now complete (13 February 2024) with AF13 now demobilised.		Compliant
1.20	A	A20	Minor Construction Ancillary Facilities Lunch sheds, office sheds, portable toilet facilities, and the like, can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria: (a) are located within or adjacent to the construction boundary; and (b) have been assessed by the ER to have -	Ventia	No Minor Construction Ancillary Facilities were required for the Temporary Roundabout package.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(i) minor amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and (ii) minor environmental impact with respect to waste management, soil, water and flooding, and (iii) no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval.				
1.21	A	A21	Boundary screening Boundary screening must be erected around all construction ancillary facilities that are adjacent to sensitive receivers for the duration of construction of the CSSI unless otherwise agreed with affected residents, business operators and landowners.	Ventia	Boundary screening is no longer required as Temporary Roundabout works are now complete.		Not Triggered
1.22	A	A22	Boundary screening required under Condition A21 of this approval must minimise, as far as practicable, visual impacts on adjacent sensitive receivers.	Ventia	Boundary screening is no longer required as Temporary Roundabout works are now complete.		Not Triggered
1.23	A	A23	Project identification The CSSI name; application number; telephone number, postal address and email address required under Condition B7 of this approval must be made available onsite boundary fencing / hoarding at the entrance of each ancillary facility before the commencement of construction.	Ventia	Signage is no longer required as Temporary Roundabout works are now complete.		Not Triggered
	A		ENVIRONMENTAL MANAGEMENT – EARLY WORKS				
1.24	A	A24	Before undertaking early works specified in Appendix B , the Proponent must prepare an Early Works Environmental Management Plan . The Plan must include: (a) a description of the activities to be undertaken and the scheduling and duration for each activity; (b) a site establishment management plan for any proposed construction ancillary facilities (excluding minor construction ancillary facilities established under Condition A20) consistent with the requirements of Condition A16; (c) figures illustrating the proposed location(s) of the early works and the closest sensitive receiver(s); (d) a flora and fauna management sub-plan (prepared in consultation with the EES) which includes - (i) details of the measures to avoid and minimise disturbance to native vegetation, and other habitat of native flora and fauna species,	TFNSW	No early works specific to the Temporary Roundabout package. Project wide early works completed by February 2023 as evidenced during main works audit.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(ii) details of the proposed management and mitigation measures for the affected species listed in Table 3, (iii) 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 early works, and procedures and measures to manage their relocation, and (iv) unexpected finds protocol for flora and fauna; (e) details of measures to avoid and minimise noise and vibration, soil, water and air quality impacts; and (f) unexpected finds procedures for heritage and contamination.				
1.25	A	A25	The Early Works Environmental Management Plan required under Condition A24 must be endorsed by the ER and then submitted to the Planning Secretary for approval at least one (1) month before the commencement of the early works specified in Appendix B. The early works specified in Appendix B must not commence until the environmental management plan is approved. The environmental management plan must be implemented for the duration of the early works which are the subject of the plan. Nothing in this condition prevents the Proponent from preparing individual environmental management plans for one or more of the early works specified in Appendix B.	TFNSW	No early works specific to the Temporary Roundabout package. Project wide early works completed by February 2023 as evidenced during main works audit.		Not Triggered
	A		INDEPENDENT APPOINTMENTS				
1.26	A	A26	All requests for Independent Appointments must have regard to the Department's guideline <i>Seeking approval from the Department for the appointment of independent experts</i> (DPIE, 2020).	TFNSW Ventia	Nomination of Environmental Representative and Alternate ER are unchanged. Approval of APP by DPHI of the Independent Environmental Auditor was granted on 12 October 2023 for both M12 Central and M12 West packages is still in place. Response from DPHI confirming previous auditor approval letter valid for all audits – ref SSI-9364-PA-302, 3 May 2024. No other changes for the Temporary Roundabout works.		Compliant
1.27	A	A27	All Independent Appointments required by this approval must hold current membership of a relevant professional body, unless otherwise agreed by the Planning Secretary.	TFNSW Ventia	APP independent auditors hold Exemplar Global auditing accreditations e.g., Lead Auditor Certificate No. 115002.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.28	A	A28	The Planning Secretary may at any time commission an audit of how an independent appointment has exercised their functions. The Proponent must: (a) facilitate and assist the Planning Secretary in any such audit; and (b) make it a term of their engagement of an Independent Appointment that the Independent Appointment facilitate and assist the Planning Secretary in any such audit.	TFNSW Ventia	No requests received from the Department.		Not Triggered
1.29	A	A29	The Planning Secretary may withdraw its approval of an independent appointment should they consider the Independent Appointment has not exercised their functions in accordance with this approval.	TFNSW Ventia	No withdrawal of approvals to date.		Not Triggered
	A		ENVIRONMENTAL REPRESENTATIVE				
1.30	A	A30	Work must not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by the Proponent.	TFNSW	No changes to ER team as approved by DPHI.		Compliant
1.31	A	A31	The Planning Secretary's approval of an ER must be sought no later than one (1) week before the commencement of Work.	TFNSW	ER team unchanged.		Compliant
1.32	A	A32	The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the documents listed in Condition A1 , and is independent from the design and construction of the CSSI. The ER must meet the requirements set out in the <i>Environmental Representative Protocol</i> (Department of Planning and Environment, October 2018).	TFNSW	ER team unchanged.		Compliant
1.33	A	A33	The Proponent may engage more than one ER for the CSSI, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the CSSI.	TFNSW	HBI is the only ER engaged on the project, unchanged since the previous audit.		Compliant
1.34	A	A34	For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must: (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the 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;	ER	The ER issues monthly reports by the 7 th day of the following month which include the following. (a) The ER attends monthly meetings with DPHI and provides monthly ER reports. (b) December 2023 ER Report: M12 Roundabout – OOH application submitted for extension of OOH Approval. M12 Motorway - E36(c)(ii) Devonshire Roundabout Extended OOH – DPE Approved 15/12/23.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(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; (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; (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.		(c) Recommendations are made during the fortnightly ER inspections. ER Inspection Reports for the Devonshire Road Temporary Roundabout as follows: ER Site Inspection Report No. 99 dated 13 November 2023 as part of the IEA #3. Stockpile removed at site access – stabilisation to occur. ER Site Inspection Report No. 103 dated 30 November 2023. AF13 still operational. Noise blankets + ERSED controls (bottom end of site) requiring replacement. Closed out in Report No. 109. ER Site Inspection Report No. 109 dated 29 January 2024. Signage, bins, weed control required at AF13. Close out provided from Ventia to ER 30 January 2024 for bin and sign. Weed spray 31 January 2024, provided from Ventia to ER. Noise Verification Checklist 30 January 2024 from monitoring on the 29 January 2024, RBL NML 38/42, under predicted. Includes photos. (d) As per ‘Reviewed Documents’ section within the monthly reports e.g., Devonshire Rd Temporary Roundabout OOHV_03_Rev 3 – ER Approved 30/01/24. (e) Monitoring of implementation is undertaken during the fortnightly ER inspections. The ER also attends Coordination Meeting every fortnight (scheduled same day as inspections). (f) The ER attended both Temporary Roundabout audits. (g) Complaints are monitored as demonstrated in the monthly reports, Non-compliance/ Incidents / Repeat Complaints section. M12 Roundabout complaint Light Spill 25/01/24 - Light Spill complaint referred from Central Team. The few lights in the compound will be redirected away from their place if possible. (h) No minor ancillary facilities required for the Temporary Roundabout. M12 Roundabout – Demobilisation from Ancillary Facility as noted in February 2024 ER Report.		

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					(i) No changes or recommendations to plans required during this audit period. As per original endorsed CEMP. (j) All ER monthly reports have been issued on or before the 7th day of the following month aside from December 2023: - November 2023, Ref: 210309-ER_DPE-November 2023, 7 December 2023 - December 2023, Ref: 210309-ER_DPE-December 2023, 15 January 2024 - January 2024, Ref: 210309-ER_DPHI-January 2024, 7 February 2024 - February 2024, Ref: 210309-ER_DPHI-February 2024, 7 March 2024 - March 2024, Ref: 210309-ER_DPHI-March 2024, 5 April 2024 - April 2024, Ref: 210309-ER_DPHI-April 2024, 7 May 2024.		
1.35	A	A35	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: (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).	TFNSW Ventia	(a) Complaints register issued to ER as they arise. 7 complaints received in total. (b) No Consistency Assessments during the audit period.		Compliant
	A		NOTIFICATION OF COMMENCEMENT				
1.36	A	A36	The Department must be notified in writing of the dates of commencement of early works, construction and operation at least one (1) month before those dates	TFNSW	Notification for construction unchanged since previous audit. TfNSW letter dated 18 July 2023 for commencement date of Temporary roundabout at Devonshire Rd and Elizabeth Drive: 18 August 2023. Portal receipt SSI-9364-PA-207. Re-notification for start of construction date for temporary roundabout at Devonshire Road and Elizabeth Drive SSI-9364-PA-228, TfNSW letter dated 16 August 2023, new start date 11 September 2023. Additional re-notification for the 28		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					September 2023 as per TfNSW letter to DPPI (formerly DPE) dated 22 September 2023. Notification of the operation of the Temporary Roundabout not required.		
1.37	A	A37	If the construction or operation of the CSSI is to be staged, the Department must be notified in writing at least one (1) month before the commencement of each stage, of the date of the commencement of that stage.	TFNSW	As above Condition A36.		Compliant
	A		AUDITING				
1.38	A	A38	The Proponent must engage an independent auditor and conduct auditing and audit reporting of the CSSI in accordance with the document <i>Independent Audit Post Approval Requirements</i> (DPIE, 2020). <i>Note: The independent auditor must be approved by the Planning Secretary no later than two weeks following the commencement of construction as required by Independent Audit Post Approval Requirements (DPIE, 2020).</i>	TFNSW	Department approval of the Independent Environmental Auditor was granted on 16 October 2023, prior to the conduct of this audit; approval still in place and applicable.		Compliant
1.39	A	A39	Operational compliance auditing is only required at 26 weeks following the commencement of operation unless an alternative timeframe is agreed to by the Planning Secretary.	TFNSW	The Temporary Roundabout will not be as part of the operational phase. This will not be triggered for this package of works.		Not Triggered
1.40	A	A40	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to that set out in <i>Independent Audit, Post Approval Requirements</i> (DPIE, 2020), upon giving at least one (1) month's notice to the Proponent of the date upon which the audit must be commenced.	TFNSW	Initial and subsequent audits for the main works are being conducted in accordance with the IAPAR 2020 guidelines. This is not triggered.		Not Triggered
1.41	A	A41	The Planning Secretary may direct the Proponent to undertake Independent Audits in addition to those provided for in Condition A38 when considered necessary to address a particular issue.	Ventia	No additional audit requests have been made from the Planning Secretary to date.		Not Triggered
1.42	A	A42	In accordance with the specific requirements in the <i>Independent Audit Post Approval Requirements</i> , the Proponent must: (a) review and respond to each Independent Audit Report prepared under Condition A38 or Condition A41 ; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report and response to it publicly available 60 days after submission to the Planning Secretary.	TFNSW	(a) Review and response email from TfNSW to auditors, 15 December 2023 with confirmation of final being issued to DPPI 8 January 2024. (b) RFI received from DPPI for IEA #3, 7 March 2024 SSI-9364-PA-267. Response to RFI IEA #3 submitted 28 March 2024 as per email evidence, TfNSW to DPPI (sent by email as planning portal was unavailable). Updated response to Audit #3		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					submitted, portal receipt SSI-9364-PA-300 dated 19 April 2024. (c) Previous IEA #3 resubmitted following RFI on 28 March 2024. Report + response will be made publicly available following DPHI approval. Approval yet to be received.		
1.43	A	A43	Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Planning Secretary for information within two (2) months of undertaking the independent audit site inspection as outlined in the <i>Independent Audit Post Approval Requirements</i> (DPIE, 2020).	TFNSW	Submission of RFI for IEA #3 report + response to audit findings actioned 8 January 2024, ref SSI-9364-PA-267. Actioned within 2 months of the audit (last audit site inspection 13 November 2023).		Compliant
	A		INCIDENT NOTIFICATION AND REPORTING				
1.44	A	A44	The Planning Secretary must be notified in writing via the Major Projects Website as soon as possible and no later than 12 hours after the Proponent becomes aware of an incident. The notification must identify the CSSI (including the application number and the name of the CSSI) and the date, time, location and nature of the incident.	TFNSW Ventia	No reportable material harm incidents applicable to the Temporary Roundabout works.		Not Triggered
1.45	A	A45	Subsequent notification must be given, and reports submitted to the Planning Secretary in accordance with the requirements set out in Appendix A .	TFNSW Ventia	No reportable incidents / material harm environmental incidents to date.		Not Triggered
	A		NON-COMPLIANCE NOTIFICATION				
1.46	A	A46	The Planning Secretary must be notified in writing via the Major Projects website within seven (7) days after the Proponent becomes aware of any non-compliance.	TFNSW Ventia	IEA Report No. 3 was updated to include the self-reported non-compliances during the previous audit period. The report was updated and resubmitted as per letter evidence from TfNSW to DPHI dated 24 April 2024 with the 2 x non-compliances listed with the attached: 24_0419 Letter (TfNSW to DPHI) M12 - Audit #3 updated response to findings - Attachment 1- tracked. 1. Based on the non-compliance raised against Condition B5, a non-compliance is triggered against A4(f). 2. A self-reported non-compliance was identified during the audit period for the temporary roundabout works with regards to the Out-of- Hours Work (OOHW) notification in accordance with Condition B5 whereby		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					works were undertaken exceeding the notification (notified as only 2 consecutive nights).		
1.47	A	A47	A non-compliance notification must identify the CSSI and the application number for it, set out the condition of approval that the CSSI is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	TFNSW Ventia	Self-report notification letter included CSSI name and application No., CoA B5, the way in which it does not comply and the reasons for the non-compliance (3-night mis-communication), and what actions have been, or will be, undertaken to address the non-compliance (work was immediately stopped; updated notification issued for 5-nights a week). Resubmitted as per above.		Compliant
1.48	A	A48	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	TFNSW Ventia	Non-Compliances reported were not notified as an incident.		Compliant
	A		IDENTIFICATION OF SPOIL HAULAGE VEHICLES				
1.49	A	A49	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.	TFNSW Ventia	No spoil haulage was required for the Temporary Roundabout works.		Not Triggered
2	PART	B	COMMUNITY INFORMATION AND REPORTING				
	B		COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT				
2.1	B	B1	Communication Strategy A Communication Strategy must be prepared to provide mechanisms to facilitate communication about Work, construction and operation of the CSSI with: (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 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.	TFNSW Ventia	M12 Motorway Overarching Communication Strategy has undergone a review since the previous audit, Rev 6 dated March 2024. Tracked change version also presented. Includes ER details for M12 East with M12 Central and West ER more defined. Update included addition of AF17 and AF18, updates to Section 8.3 Basic demographics, and other, minor changes. Submitted as per TfNSW letter to DPHI, ref Re: SSI 9364 - M12 Motorway - CoA B3 Overarching Communication Strategy dated 29 April 2024. Lodged via the project portal on 3 May 2024, ref SSI-9364-PA-305. CCS with DPHI – currently waiting on approval.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Section 5 Stakeholders and community overview includes Table 5.1 Key stakeholders and communications proposed. Section 4 Community relations for project, including community relations protocols (4.1), community relations team (4.2), and liaison between community relations teams. Section 8 Engagement methods, including Table 8.1: Communication Activities and Tools for M12 Motorway. Temporary Roundabout CEMP includes Section 5.5.3 Community Liaison and/or Notification. Community Liaison Officer responsible for Ventia comms. Develops notification to TfNSW for approval. Then distributed as notification. Three rounds of consultation has been actioned.		
2.2	B	B2	The Communication Strategy must: (a) identify people, organisations, councils and agencies to be consulted during the design and Work phases; (b) identify details of the community demographics; (c) set out procedures and mechanisms for the regular distribution of accessible information, including to Language Other than English and Culturally and Linguistically Diverse and vulnerable communities, about or relevant to the CSSI; (d) detail the measures for advising the community in advance of upcoming Work, including utility works and upcoming out-of-hours work as required by Condition E47; (e) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant community(ies); and (f) set out procedures and mechanisms - (i) through which the community can discuss or provide feedback to the Proponent 24 hours a day, seven days per week; (ii) through which the Proponent will respond to enquiries or feedback from the community; and (iii) to resolve any issues and mediate any disputes that may arise in relation to the environmental management and delivery of the CSSI, including disputes regarding rectification or compensation.	TFNSW Ventia	The M12 Motorway Overarching Communication Strategy was reviewed and the following verified: (a) Section 5 Stakeholders and community overview (b) Section 8.3 Basic demographics (c) Table 5.1 Key stakeholders and communications proposed (d) Section 4.1 Community relations protocol, and Table 8.1 Communication Activities and Tools for M12 Motorway (e) Table 8.1 Communication Activities and Tools for M12 Motorway (f) i. Table 8.1 Communication Activities and Tools for M12 Motorway ii. Section 4.1 Community relations protocol, Section 9 Complaints management system, and Table 8.1 Communication Activities and Tools for M12 Motorway iii. Section 9.4 Escalating complaints		Compliant
2.3	B	B3	The Communication Strategy must be submitted to the Planning Secretary for approval no later than one (1) month before the commencement of any Work.	TFNSW	M12 Motorway Overarching Communication Strategy, Rev 6 dated March 2024 submitted to DPHI as per TfNSW letter – no date entered in letter, however DPHI email to TfNSW sighted: M12 Motorway - Post Approval Document Received - (SSI-9364-PA-305) dated 3 May 2024 – confirms that the OCS has been received and		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					acknowledges that it has been reviewed by TfNSW and minor updates made.		
2.4	B	B4	Work for the purposes of the CSSI must not commence until the Communication Strategy has been approved by the Planning Secretary.	TFNSW	Approval of the updated Overarching Communication Strategy is still to be received from the Department. The previous revision dated 13 September 2023 therefore remains in place until DPHI approval is received.		Compliant
2.5	B	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.	TFNSW Ventia	Website includes community notifications and project updates for the Devonshire Rd Temporary Roundabout. Seven complaints were received and are recorded in the Complaints Register		Compliant
	B		COMPLAINTS MANAGEMENT SYSTEM				
2.6	B	B6	A Complaints Management System must be prepared and implemented before the commencement of any Work and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI. The Complaints Management System must require complainants to be advised that: (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). The Collection Statement must be included on the Proponent's or project website to make prospective complainants aware of their rights under the <i>Privacy and Personal Information Protection Act 1998</i>. For any complaints made in person, the complainant must be made aware of the Collection Statement.	TFNSW Ventia	The M12 Motorway Overarching Communication Strategy includes a Complaints Management System under Section 9 and specifically addressed as per Section 9.2.1 Receiving complaints. Section 6.1.4 of reporting M12 Community & Stakeholder Engagement Plan for complaints management. A collection statement continues to be in place on the home page of the project website with a link to Transport's privacy guidelines. Complaints Register sighted for 24_0227 DPE Complaints register M12 temp roundabout – showing 2x complaints received for 2024.		Compliant
2.7	B	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: (a) a 24-hour telephone number for the registration of complaints and enquiries about the CSSI;	TFNSW Ventia	The M12 Motorway portal and project website: www.rms.nsw.gov.au/m12 was reviewed and verified to include the following on the home page and Contact Us page: (a) 24-hour Phone number: 1800 517 155 (b) Postal address: Transport for NSW, PO Box 973 Parramatta NSW 2124		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(b) a postal address to which written complaints and enquires may be sent; (c) an email address to which electronic complaints and enquiries may be transmitted; and (d) a mediation system for complaints unable to be resolved. 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 .		(c) Email: m12motorway@transport.nsw.gov.au (d) Mediation as per collection statement Notifications on the project website e.g., - Out of hours work for the installation of temporary roundabout in Kemps Creek, December 2023 for installation of concrete barriers and signage, build concrete roundabout and raised median, - Out of hours work for the installation of temporary roundabout in Kemps Creek, January 2024 for works up to 15 February 2024 including resurface of road, line marking and restoration of the area.		
2.8	B	B8	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: - number of complaints received; - the date and time of the complaint; - the method by which the complaint was made; - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; - nature of the complaint; - means by which the complaint was addressed and whether resolution was reached, with or without mediation; and - if no action was taken, the reason(s) why no action was taken.	TFNSW Ventia	Complaints Register in place – DPE Complaints Register – Devonshire Road. - Complaint Identification –one to date. Ongoing at the time of this audit. - Date and time received – separate columns. Entered into CM <> 24 Hours - Complaint Method - First name, Surname, Contact Details, Suburb complaint relates to, Property No. Location of complaint e.g., street/compound - Issue, Construction site/work complaint relates to, Complaint description - Response provided to stakeholder by community team, Action taken, Resolution date, Resolution responsibility, Status, Other Comments/Info - If no action taken, explain reason why no action taken column. Complaints Register sighted for 24_0227 DPE Complaints register M12 temp roundabout – showing 2x complaints received for 2024. - Complaint 6 received 25 January 2024 – light spill from opposite compound. Closed same day. - Complaint 7 received 5 February 2024 regarding median strip, issue with as trucks are now turning into property and using it to		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					do a U-turn to go back to the site. Noted as closed in the register, however states that this is an ongoing issue. This has been transferred over to TfNSW and is ongoing.		
2.9	B	B9	The Complaints Register must be provided to the Planning Secretary upon request, within the timeframe stated in the request	TFNSW Ventia	The Complaints register is provided by TfNSW to the Department via the portal as evidenced for all packages as verified e.g., lodged under SSI-9364-PA-270, 16 January 2024.		Compliant
	B		PROVISION OF ELECTRONIC INFORMATION				
2.10	B	B10	A website or webpage providing information in relation to the CSSI must be established before commencement of Work and be maintained for the duration of construction, and for a minimum of 24 months following the completion of construction. The following up-to-date information (excluding confidential, private, commercial information or any other information that the Planning Secretary has approved to be excluded) must be published before the relevant Work commencing and maintained on the website or dedicated pages including: (a) information on the current implementation status of the CSSI; (b) a copy of the documents listed in Condition A1 of this approval, and any documentation relating to any modifications made to the CSSI or the terms of this approval; (c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval (ordered in a logical sequence and easy to navigate); (d) a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI; (e) a current copy of the final version of each document required under the terms of this approval; and (f) a copy of the audit reports required under Conditions A38 and A41 of this approval. Where the information / document relates to a particular Work or is required to be implemented, it must be published on the Proponent's website before the commencement of the relevant Work to which it relates or before its implementation.	TFNSW Ventia	The M12 Motorway portal and project website: www.rms.nsw.gov.au/m12 continues to be implemented with the following information published: (a) Project Documents > Community updates. (b) Project Documents > Reports – includes the EIS, Amendment Report, Submissions Report + Amendment, plus Consistency Assessments. (c) Project Documents > Post approval documentation > NSW Infrastructure Approval (CSSI-9364). No modifications to date. (d) No EPL required for the Temporary Roundabout works. (e) Post approval documentation includes current version of the CEMP. (f) The previous independent environmental audit report will be posted on the website following confirmation from DPHI (RFIs were received and responded to during the audit period). All documentation published was noted to be current.		Compliant
3	PART	C	CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
	C		CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.1	C	C1	A Construction Environmental Management Plan (CEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department Planning, 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.	TFNSW Ventia	The Overarching CEMP continues to be in place and is currently undergoing an update. TfNSW M12 Motorway Overarching Construction Environmental Management Plan, M12PPW-ADAP-ALL-EN-PLN-000003, Rev J, 17 March 2023. EIS is addressed in Section 1.2 and Appendix A9. The Construction Environmental Management Plan developed for the M12 Motorway – Devonshire Road Temporary Roundabout, Kemps Creek, M12PPW-ADAP-ALL-EN-PLN-XX, Rev D, 1 September 2023, is unchanged from the previous audit.		Compliant
3.2	C	C2	The CEMP must provide: (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: (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: (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 construction of the CSSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction; (i) a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER ; (j) for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval; (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 .	TFNSW Ventia	The M12 Central - Temporary Roundabout CEMP includes the following: (a) Section 2.4 Works Activities and Program (b) Section 3.2 Environmental Policy, Section 4.3 Regulatory Requirements and Compliance (c) Section 1.8 CEMP Revision, Appendix B (d) Section 4.4 Environmental Objectives and Targets, Appendix B (e) Section 7.1 Environmental Inspections (f) Section 6 Emergency and Incident Planning, Management and Reporting, Section 7.3.5 Non-Conformances (g) Section 7.3.6 Corrective and Preventative Action (h) Section 1.73, Section 3.1 Environmental Management System (i) Section 5.1 Resources, Roles, Responsibilities and Authority (j) Section 5.3 Competency, Training and Awareness (k) Section 7.7 Environmental Management System Review (l) Section 1.6 Consultation		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating																								
3.3	C	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.	TFNSW Ventia	Contractor plans are endorsed by the ER and do not require Department approval. Comments on the CEMP + sub-plans developed by TfNSW for initial review and then sent to the ER for final review prior to endorsement as evidenced during the previous audit. ER Endorsement of M12 Motorway Devonshire Road Temporary Roundabout – Construction Environmental Management Plan Revision D, Ref: M12 Devonshire Rd CEMP Rev D, 22 September 2023 unchanged since previous audit.		Compliant																								
3.4	C	C4	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. <table><tr><th></th><th>Required CEMP Sub-plan</th><th>Relevant government and other agencies to be consulted for each CEMP Sub-plan</th></tr><tr><td>(a)</td><td>Traffic and transport</td><td>Relevant council(s)</td></tr><tr><td>(b)</td><td>Noise and vibration</td><td>WaterNSW, Sydney Water and pipeline operators (where vibration generating activities will impact on their assets) and relevant council(s)</td></tr><tr><td>(c)</td><td>Flora and fauna</td><td>DPI Fisheries, EES, DAWE and relevant council(s)</td></tr><tr><td>(d)</td><td>Soils and contamination</td><td>DPIE Water, WaterNSW and relevant council(s)</td></tr><tr><td>(e)</td><td>Surface water and groundwater</td><td>DPIE Water, WaterNSW and Sydney Water (if there are discharges to its assets) and relevant council(s)</td></tr><tr><td>(f)</td><td>Heritage (including Aboriginal and non-Aboriginal heritage)</td><td>Heritage Council of NSW, Heritage NSW, WaterNSW and relevant council(s)</td></tr><tr><td>(g)</td><td>Air quality</td><td>Relevant council(s)</td></tr></table> <i>Note: Nothing in this condition prevents the Proponent from combining any of the above CEMP Sub-plans.</i>		Required CEMP Sub-plan	Relevant government and other agencies to be consulted for each CEMP Sub-plan	(a)	Traffic and transport	Relevant council(s)	(b)	Noise and vibration	WaterNSW, Sydney Water and pipeline operators (where vibration generating activities will impact on their assets) and relevant council(s)	(c)	Flora and fauna	DPI Fisheries, EES, DAWE and relevant council(s)	(d)	Soils and contamination	DPIE Water, WaterNSW and relevant council(s)	(e)	Surface water and groundwater	DPIE Water, WaterNSW and Sydney Water (if there are discharges to its assets) and relevant council(s)	(f)	Heritage (including Aboriginal and non-Aboriginal heritage)	Heritage Council of NSW, Heritage NSW, WaterNSW and relevant council(s)	(g)	Air quality	Relevant council(s)	TFNSW Ventia	No sub-plans were required for the Temporary Roundabout works.		Not Triggered
	Required CEMP Sub-plan	Relevant government and other agencies to be consulted for each CEMP Sub-plan																													
(a)	Traffic and transport	Relevant council(s)																													
(b)	Noise and vibration	WaterNSW, Sydney Water and pipeline operators (where vibration generating activities will impact on their assets) and relevant council(s)																													
(c)	Flora and fauna	DPI Fisheries, EES, DAWE and relevant council(s)																													
(d)	Soils and contamination	DPIE Water, WaterNSW and relevant council(s)																													
(e)	Surface water and groundwater	DPIE Water, WaterNSW and Sydney Water (if there are discharges to its assets) and relevant council(s)																													
(f)	Heritage (including Aboriginal and non-Aboriginal heritage)	Heritage Council of NSW, Heritage NSW, WaterNSW and relevant council(s)																													
(g)	Air quality	Relevant council(s)																													
3.5	C	C5	The CEMP Sub-plans must state how: (a) the environmental performance outcomes identified in the documents listed in Condition A1 will be achieved; (b) the mitigation measures identified in the documents listed in Condition A1 will be implemented; (c) the relevant terms of this approval will be complied with; and (d) issues requiring management during construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART (Specific, Measurable, Achievable, Realistic and Timely) principles.	TFNSW Ventia	No sub-plans were required for the Temporary Roundabout works.		Not Triggered																								
3.6	C	C6	The Noise and Vibration CEMP Sub-Plan must include, but not be limited to:	TFNSW Ventia	A separate Noise and Vibration Sub-Plan was not required for the Temporary Roundabout works. The CEMP includes Section 5.4 Working Hours and an Out of Hours Work Protocol (Appendix M).		Not Triggered																								

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(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.				
3.7	C	C7	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: (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.	TFNSW Ventia	A Surface Water and Groundwater CEMP Sub-Plan was not required for the Temporary Roundabout works.		Not Triggered
3.8	C	C8	The Flora and Fauna CEMP Sub-plan must be endorsed by a suitably qualified and experienced ecologist and include, but not be limited to: (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 cinnamomic</i>; (g) procedures for the dewatering of farm dams, including the relocation of aquatic fauna; and	TFNSW Ventia	A Flora and Fauna CEMP Sub-Plan was not required for the Temporary Roundabout works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating												
			(h) protocols for incidental finds of threatened species and ecological communities within the construction boundary.																
3.9	C	C9	Any of the CEMP Sub-plans may be submitted to the Planning Secretary for approval along with, or subsequent to, the submission of the CEMP but in any event, no later than one (1) month before the commencement of construction.	TFNSW	No CEMP sub-plans were required for the Temporary Roundabout works.		Not Triggered												
3.10	C	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 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.	TFNSW Ventia	As per ER approval of the Temporary Roundabout CEMP. The Temporary Roundabout was in operation during the audit, however, records reviewed for out of hours work, complaints handling, ER reports and inspections demonstrated effective implementation of the CEMP.		Compliant												
	C		CONSTRUCTION MONITORING PROGRAMS																
3.11	C	C11	The following Construction Monitoring Programs must be prepared in consultation with the relevant government agencies identified for each to compare actual performance of construction of the CSSI against the performance predicted in the documents listed in Condition A1 or in the CEMP: <table><tr><th></th><th>Required Construction Monitoring Programs</th><th>Relevant government agencies to be consulted for each Construction Monitoring Program</th></tr><tr><td>(a)</td><td>Noise and vibration</td><td>Relevant council(s)</td></tr><tr><td>(b)</td><td>Surface water quality</td><td>DPIE Water, Sydney Water (if there are any discharges to their assets) and relevant council(s)</td></tr><tr><td>(c)</td><td>Groundwater</td><td>DPIE Water</td></tr></table>		Required Construction Monitoring Programs	Relevant government agencies to be consulted for each Construction Monitoring Program	(a)	Noise and vibration	Relevant council(s)	(b)	Surface water quality	DPIE Water, Sydney Water (if there are any discharges to their assets) and relevant council(s)	(c)	Groundwater	DPIE Water	TFNSW Ventia	No monitoring programs were required for the Temporary Roundabout works.		Not Triggered
	Required Construction Monitoring Programs	Relevant government agencies to be consulted for each Construction Monitoring Program																	
(a)	Noise and vibration	Relevant council(s)																	
(b)	Surface water quality	DPIE Water, Sydney Water (if there are any discharges to their assets) and relevant council(s)																	
(c)	Groundwater	DPIE Water																	
3.12	C	C12	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 Construction Monitoring Programs , including copies of all correspondence from those agencies as required by Condition A5 .	TFNSW	No monitoring programs were required for the Temporary Roundabout works.		Not Triggered												
3.13	C	C13	Each Construction Monitoring Program must provide: (a) details of baseline data available; (b) details of baseline data to be obtained and when; (c) details of all monitoring of the CSSI to be undertaken; (d) the parameters of the CSSI to be monitored; (e) the frequency of monitoring to be undertaken; (f) the location of monitoring; (g) the reporting of monitoring results and analysis of results against the relevant criteria;	TFNSW Ventia	No monitoring programs were required for the Temporary Roundabout works.		Not Triggered												

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(h) details of methods that will be used to analyse monitoring data; (i) procedures to identify and implement additional mitigation measures where results of monitoring indicate unsatisfactory CSSI impacts; (j) a consideration of SMART principles; (k) any consultation to be undertaken in relation to the monitoring programs; and (l) any specific requirements as required by Condition C14.				
3.14	C	C14	The Construction Noise and Vibration Monitoring Program must include, but not be limited to: (a) noise and vibration monitoring at representative residential and other locations (including at the worst- affected residences), subject to property owner approval, to confirm construction noise and vibration levels; (b) noise monitoring during the day, evening and night time periods throughout the construction period, covering the range of activities (including worst-case construction noise levels) being undertaken; (c) method and frequency for reporting monitoring results; and (d) procedures to identify and implement additional mitigation measures where monitoring indicates noise and/or vibration levels in excess in excess of noise and vibration criteria.	TFNSW Ventia	No monitoring programs were required for the Temporary Roundabout works.		Not Triggered
3.15	C	C15	The Construction Monitoring Programs must be endorsed by the ER and then submitted to the Planning Secretary for approval at least one (1) month before the commencement of construction.	TFNSW	No monitoring programs were required for the Temporary Roundabout works.		Not Triggered
3.16	C	C16	Unless otherwise agreed with the Planning Secretary, construction must not commence until all of the relevant Construction Monitoring Programs have been approved by the Planning Secretary, and all relevant baseline data for the specific construction activity has been collected.	TFNSW Ventia	No monitoring programs were required for the Temporary Roundabout works.		Not Triggered
3.17	C	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.	TFNSW Ventia	No monitoring programs were required for the Temporary Roundabout works.		Not Triggered
3.18	C	C18	The results of the Construction Monitoring Programs must be submitted to the Planning Secretary, and relevant government agencies, for information in the form of a Construction Monitoring Report at the frequency identified in the relevant Construction Monitoring Program .	TFNSW Ventia	No monitoring programs were required for the Temporary Roundabout works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Note: Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan.</i>				
4	PART	D	OPERATIONAL ENVIRONMENTAL MANAGEMENT				
	D		OPERATIONAL ENVIRONMENTAL MANAGEMENT				
4.1	D	D1	An Operational Environmental Management Plan (OEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department Planning, Industry and Environment 2020). The OEMP must detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in Condition A1 will be implemented and achieved during operation. Condition D1 does not apply if Condition D2 of this approval applies.	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later date under the M12 Central package.		Not Triggered
4.2	D	D2	An OEMP is not required for the CSSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Planning Secretary, and demonstrates, to the satisfaction of the Planning Secretary, that through the EMS or equivalent: (a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in Condition A1, and specified relevant terms of this approval can be achieved; (b) issues identified through ongoing risk analysis can be managed; and (c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation.	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later date under the M12 Central package.		Not Triggered
4.3	D	D3	The OEMP or EMS or equivalent as agreed with the Planning Secretary, must be submitted to the Planning Secretary for information no later than one (1) month before the commencement of operation.	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later date under the M12 Central package.		Not Triggered
4.4	D	D4	The OEMP or EMS or equivalent as agreed with the Planning Secretary, as submitted to the Planning Secretary and amended from time to time, must be implemented for the duration of operation. The OEMP or EMS or equivalent must be made publicly available before the commencement of operation.	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later date under the M12 Central package.		Not Triggered
	D		OPERATIONAL MONITORING PROGRAM				

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating									
4.5	D	D5	The following Operational Monitoring Programs must be prepared in consultation with the relevant government agencies identified for each Operational Monitoring Program to compare actual operational performance against predicted performance. 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 Operational Monitoring Program, including copies of all correspondence from those agencies as required by Condition A5. <table><tr><th></th><th>Required Operational Monitoring Programs</th><th>Relevant government agencies to be consulted for each Operational Monitoring Program</th></tr><tr><td>(a)</td><td>Surface water quality</td><td>DPIE Water and relevant council(s)</td></tr><tr><td>(b)</td><td>Groundwater</td><td>DPIE Water</td></tr></table>		Required Operational Monitoring Programs	Relevant government agencies to be consulted for each Operational Monitoring Program	(a)	Surface water quality	DPIE Water and relevant council(s)	(b)	Groundwater	DPIE Water	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later date under the M12 Central package. No monitoring programs are applicable.		Not Triggered
	Required Operational Monitoring Programs	Relevant government agencies to be consulted for each Operational Monitoring Program														
(a)	Surface water quality	DPIE Water and relevant council(s)														
(b)	Groundwater	DPIE Water														
4.6	D	D6	Each operational monitoring program must include: (a) details of baseline data; (b) details of all monitoring to be undertaken; (c) the parameters to be monitored; (d) the frequency and duration of monitoring to be undertaken; (e) the location of monitoring; (f) the reporting of monitoring and analysis results against relevant criteria; (g) details of the methods that will be employed to analyse the monitoring data; (h) procedures to identify and implement additional mitigation measures where results of monitoring are unsatisfactory; and (i) any consultation to be undertaken in relation to the monitoring programs.	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later date under the M12 Central package. No monitoring programs are applicable.		Not Triggered									
4.7	D	D7	The Operational Monitoring Program(s) must be submitted to the Planning Secretary for information at least one (1) month before the commencement of operation.	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later date under the M12 Central package. No monitoring programs are applicable.		Not Triggered									
4.8	D	D8	Operation must not commence until all relevant baseline data has been collected.	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later date under the M12 Central package. No monitoring programs are applicable.		Not Triggered									
4.9	D	D9	The Operational Monitoring Programs must be implemented for the duration specified in the relevant Operational Monitoring Program .	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later date under the M12 Central package. No monitoring programs are applicable.		Not Triggered									
4.10	D	D10	The results of the Operational Monitoring Programs must be submitted to the relevant government agencies for information in the form of an	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later		Not Triggered									

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Operational Monitoring Report at the frequency identified in the relevant Operational Monitoring Program .		date under the M12 Central package. No monitoring programs are applicable.		
4.11	D	D11	Where a relevant OEMP Sub-plan exists, the relevant Operational Monitoring Program may be incorporated into that OEMP Sub-plan .	TFNSW	The Temporary Roundabout does not trigger any operational requirements and will be removed at a later date under the M12 Central package. No monitoring programs or operational plans are applicable for the Temporary Roundabout package.		Not Triggered
5	PART	E	KEY ISSUE CONDITIONS				
	E		AIR QUALITY				
5.1	E	E1	In addition to the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 , all practicable measures must be implemented to minimise and manage the emission of dust and other air pollutants during the construction of the CSSI.	Ventia	Some dust generation noted within ER Inspection Report No. 109 dated 29 January 2024. Was noted as generally within the road verge. No dust complaints have been received. Temporary Roundabout is now operational.		Compliant
	E		BIODIVERSITY				
5.2	E	E2	The clearing of native vegetation must be minimised with the objective of reducing impacts to threatened ecological communities and threatened species habitat.	TFNSW Ventia	No native vegetation clearing was required for the Temporary Roundabout works.		Not Triggered
5.3	E	E3	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 <i>M12 Motorway Amendment Report - Submissions Report</i> (December 2020) and <i>M12 Motorway Amendment Report -Submissions Report - Amendment</i> (dated 8 March 2021) within 12 months of the commencement of construction. The offset obligations must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by: (a) acquiring and retiring “biodiversity credits” within the meaning of the <i>Biodiversity Conservation Act 2016</i>; and/or (b) properties secured with the NPWS, on the basis of a draft credit report to show what the property would provide and written confirmation from NPWS that the financial contributions for acquisition and management have been received; and/or (c) making a payment into the Biodiversity Conservation Fund; or (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. <i>Notes</i>	TFNSW Ventia	Biodiversity offset obligations are applicable to the main works packages only. Refer to the M12 Central audit for details.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating																																															
			1. Following repeal of the Threatened Species Conservation Act 1995 on 25 August 2017, “biodiversity credits” created under that Act are taken to be “biodiversity credits” under the Biodiversity Conservation Act 2016 by virtue of clause 19 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017. 2. The determination of biodiversity credits under the Biodiversity Conservation Act 2016 that are reasonably equivalent to biodiversity credits created under the Threatened Species Conservation Act 1995 remaining to be retired must be carried out in accordance with clause 22 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.																																																			
5.4	E	E3	Table 1: Ecosystem Credits for Direct Impacts to be Retired <table><tr><th colspan="3">Ecosystem Credits</th></tr><tr><th>Plant Community Type (PCT) ID and name</th><th>Refined construction footprint (hectares)</th><th>Number of Credits</th></tr><tr><td>724: Broad-leaved Ironbark – Grey Box - Melaleuca decora grassy open forest on clay/gravel soils of the Cumberland Plain, Sydney Basin Bioregion</td><td>6.91</td><td>372</td></tr><tr><td>830: Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion</td><td>0.44</td><td>15</td></tr><tr><td>835: Forest Red Gum – Roughbarked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion</td><td>3.18</td><td>105</td></tr><tr><td>849: Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion</td><td>6.34</td><td>210</td></tr><tr><td>850: Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion</td><td>60.52</td><td>1908</td></tr><tr><td>1800: Swamp Oak open forest on riverflats of the Cumberland Plain and Hunter Valley</td><td>2.82</td><td>75</td></tr><tr><td>TOTAL ECOSYSTEM CREDITS</td><td>80.21</td><td>2685</td></tr></table> Table 2: Ecosystem Credits for Indirect Impacts to be Retired <table><tr><th colspan="3">Ecosystem Credits</th></tr><tr><th>Plant Community Type (PCT) ID and name</th><th>Refined construction footprint (hectares)</th><th>Number of Credits</th></tr><tr><td>724: Broad-leaved Ironbark – Grey Box - Melaleuca decora grassy open forest on clay/gravel soils of the Cumberland Plain, Sydney Basin Bioregion</td><td>0.45</td><td>6</td></tr><tr><td>830: Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion</td><td>0.61</td><td>6</td></tr><tr><td>849: Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion</td><td>0.57</td><td>6</td></tr><tr><td>850: Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion</td><td>11.67</td><td>133</td></tr><tr><td>TOTAL ECOSYSTEM CREDITS</td><td>13.30</td><td>151</td></tr></table> Table 3: Species Credits to be Retired	Ecosystem Credits			Plant Community Type (PCT) ID and name	Refined construction footprint (hectares)	Number of Credits	724: Broad-leaved Ironbark – Grey Box - Melaleuca decora grassy open forest on clay/gravel soils of the Cumberland Plain, Sydney Basin Bioregion	6.91	372	830: Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	0.44	15	835: Forest Red Gum – Roughbarked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion	3.18	105	849: Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	6.34	210	850: Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	60.52	1908	1800: Swamp Oak open forest on riverflats of the Cumberland Plain and Hunter Valley	2.82	75	TOTAL ECOSYSTEM CREDITS	80.21	2685	Ecosystem Credits			Plant Community Type (PCT) ID and name	Refined construction footprint (hectares)	Number of Credits	724: Broad-leaved Ironbark – Grey Box - Melaleuca decora grassy open forest on clay/gravel soils of the Cumberland Plain, Sydney Basin Bioregion	0.45	6	830: Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	0.61	6	849: Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	0.57	6	850: Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	11.67	133	TOTAL ECOSYSTEM CREDITS	13.30	151	TFNSW Ventia	Biodiversity offset obligations are applicable to the main works packages only. Refer to the M12 Central audit for details. This is not triggered for the Temporary Roundabout works.	Not Triggered
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ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating																		
			<table><tr><th>Species</th><th>Loss of habitat or individuals</th><th>Number of Credits</th></tr><tr><td><i>Dillwynia tenuifolia</i></td><td>244 individuals</td><td>4392</td></tr><tr><td><i>Pultenaea parviflora</i> Sydney Bush-pea</td><td>Up to 100 individuals</td><td>1500</td></tr><tr><td><i>Meridolum corneovirens</i> Cumberland Plain Land Snail</td><td>5.10 ha</td><td>66</td></tr><tr><td><i>Myotis macropus</i> Southern Myotis</td><td>1.05 ha</td><td>23</td></tr><tr><td colspan="2">TOTAL SPECIES CREDITS</td><td>5981</td></tr></table> Notes: <i>Credits have been calculated using the Framework for Biodiversity Assessment.</i> <i>Includes credits required under the Threatened Species Conservation Act 1995 and the Environment Protection and Biodiversity Conservation Act 1999.</i> <i>Excludes certified areas.</i>	Species	Loss of habitat or individuals	Number of Credits	<i>Dillwynia tenuifolia</i>	244 individuals	4392	<i>Pultenaea parviflora</i> Sydney Bush-pea	Up to 100 individuals	1500	<i>Meridolum corneovirens</i> Cumberland Plain Land Snail	5.10 ha	66	<i>Myotis macropus</i> Southern Myotis	1.05 ha	23	TOTAL SPECIES CREDITS		5981				
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5.5	E	E4	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 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 for each stage.	TFNSW Ventia	Biodiversity offset obligations are applicable to the main works packages only. Refer to the M12 Central audit for details. This is not triggered for the Temporary Roundabout works.		Not Triggered																		
5.6	E	E5	The review and update of credit requirements must be undertaken by: - using the vegetation mapping in the EIS, <i>M12 Motorway Amendment Report – Appendix A Biodiversity supplementary technical report</i> (October 2020), and <i>M12 Motorway Amendment Report – Submissions Report</i> (December 2020); and/or - completing verification surveys to confirm the extent, type and condition of threatened species and ecological communities to be impacted.	Ventia	Biodiversity offset obligations are applicable to the main works packages only. Refer to the M12 Central audit for details. This is not triggered for the Temporary Roundabout works.		Not Triggered																		
5.7	E	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	TFNSW Ventia	M12 East applicable for survey only.		Not Triggered																		

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			ecosystems may be applied to conservatively evaluate impacts and associated credit requirements.				
5.8	E	E7	The Proponent must submit to the Planning Secretary and DAWE for information: (a) a copy of the Credit Retirement Report ; and/or (b) a receipt confirming payment to the Biodiversity Conservation Fund; and/or (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.	TFNSW	As per M12 Central main works audit.		Not Triggered
5.9	E	E8	Additional Surveys of Pimelea spicata The Proponent must undertake additional surveys of <i>Pimelea spicata</i> (Spiked Rice-flower) in potential habitat for this species within the refined construction footprint to the north of Elizabeth Drive and west of the existing Wallgrove Road as identified in Figure 6-5 of the <i>M12 Motorway Amendment Report – Submissions Report</i> (December, 2020). The surveys must be undertaken during optimal conditions as defined by the <i>NSW Bionet Threatened Biodiversity Profile Data Collection</i> (DPIE) or as agreed by the Planning Secretary. The surveys must be undertaken in consultation with EES and DAWE and the results of the surveys provided to the Planning Secretary, EES and DAWE for information within one (1) month of completion of the surveys.	TFNSW	This requirement is applicable to M12 East package only.		Not Triggered
5.10	E	E9	<i>Pimelea spicata</i> is recorded in the surveys carried out under Condition E8 , any impacts to the species must be offset in accordance with the options available under Condition E3 and in consultation with EES. The Proponent must provide details of the required biodiversity credits to the Planning Secretary, EES and DAWE for information prior to works that impact the threatened species.	TFNSW	<i>Pimelea spicata</i> is applicable to the M12 East Package only. No offset required at this stage.		Not Triggered
5.11	E	E10	Biobanking Site Within one (1) month before the commencement of operation of the CSSI, or where the operation of the CSSI is staged one (1) month before the commencement of operation of the relevant stage, the Proponent must provide evidence to the Planning Secretary, for information, that it has implemented measures agreed with the Western Sydney Parklands Trust to compensate the acquisition of land from the Western Sydney Parklands Biobank Site (Biobanking Agreement Site ID 199) for the CSSI.	TFNSW	The M12 Motorway project is currently under construction. This condition is not yet triggered.		Not Triggered
5.12	E	E11	Key Fish Habitat The Proponent must minimise impacts to Key Fish Habitat (KFH) as defined in <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI, 2013 update). Residual impacts to KFH must be offset at a ratio of 2:1	TFNSW Ventia	As per M12 Central Main Works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			habitat offset requirement in accordance with the <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI, 2013 update) and in consultation with DPI Fisheries.		No fish habitat associated with the Temporary Roundabout works.		
5.13	E	E12	Payment of the habitat offset requirement must be made to the DPI Fish Conservation Trust Fund prior to the commencement of Work that impacts KFH in Badgerys Creek, Cosgroves Creek, Kemps Creek and South Creek.	TFNSW Ventia	As per M12 Central Main Works. No fish habitat associated with the Temporary Roundabout works.		Not Triggered
5.14	E	E13	The Proponent must submit to the Planning Secretary a receipt confirming payment to the DPI Fish Conservation Trust Fund within one (1) month of making the payment.	TFNSW	As per M12 Central Main Works. No fish habitat associated with the Temporary Roundabout works.		Not Triggered
5.15	E	E14	Fauna Connectivity Design Principles A minimum width of three (3) metres and a minimum height of 1.5 metres must be provided to maintain fauna passage below the Badgerys Creek, Cosgroves Creek, South Creek and Kemps Creek bridges. The three-metre wide passage must consist of a natural substrate or other surface type that will not hinder fauna movement.	TFNSW Ventia	Not applicable to the Temporary Roundabout works. Refer to the M12 Central audit checklist.		Not Triggered
5.16	E	E15	Re-use of Timber 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: (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, could be used by others in habitat enhancement, beneficial re-use and rehabilitation work, before pursuing other disposal options.	Ventia	No clearing was required for the Temporary Roundabout works.		Not Triggered
	E		FLOODING				
5.17	E	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.	TFNSW Ventia	Works are not situated in a flood zone. Applicable to the Main Works package.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.18	E	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 flood event up to and including the 1% AEP flood event, to the following: (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. 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. 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.	TFNSW Ventia	Works are not situated in a flood zone. Refer to M12 Central Main Works.		Not Triggered
5.19	E	E18	All updated hydrologic and hydraulic assessments undertaken during detailed design must be consistent with the <i>Australian Rainfall and Runoff – A Guide to Flood Estimation</i> (GeoScience Australia, 2019).	TFNSW Ventia	Not applicable to the Temporary Roundabout works. Refer to M12 Central Main Works.		Not Triggered
5.20	E	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 <i>Wianamatta (South) Creek Catchment Flood Study - Existing Conditions (Revision H)</i> (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.	TFNSW Ventia	Not applicable to the Temporary Roundabout works. Refer to M12 Central Main Works		Not Triggered
5.21	E	E20	Flood information including flood summary reports, models and geographic information system outputs, and work as executed information on finished ground levels and the dimensions and finished levels of all structures within the flood prone land, must be provided to the relevant council, EES and	TFNSW Ventia	Not applicable to the Temporary Roundabout works. Refer to M12 Central Main Works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			INSW in order to assist in preparing relevant documents and to reflect changes in flood behaviour as a result of the CSSI. The relevant council(s), EES and INSW must be notified in writing that the information is available no later than one month following the operation of the CSSI. Information requested by the relevant council(s), EES or INSW must be provided no later than six (6) months following the completion of construction or within another timeframe agreed with the relevant council(s), EES and INSW.				
5.22	E	E21	The flood models, data and summary reports must be uploaded to the NSW Flood Data Portal and access provided to the relevant councils, EES and INSW.	TFNSW Ventia	Not applicable to the Temporary Roundabout works. Refer to M12 Central Main Works.		Not Triggered
5.23	E	E22	The designs of all bridge, culvert and other cross drainage structures must include for potential blockages consistent with the procedures in the <i>Australian Rainfall and Runoff – A Guide to Flood Estimation</i> (GeoScience Australia, 2019).	TFNSW Ventia	Not applicable to the Temporary Roundabout works. Refer to M12 Central Main Works.		Not Triggered
5.24	E	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.	TFNSW Ventia	Not applicable to the Temporary Roundabout works. Refer to M12 Central Main Works.		Not Triggered
5.25	E	E24	For property/ies zoned primary production and where hydrologic modelling predicts that the CSSI will potentially reduce and adversely affect the available stormwater runoff yield to a farm dam, the Proponent must, in consultation with the affected landowner: (a) calculate the nature and extent of impacts on water supply; (b) determine what measures may be implemented to prevent, mitigate, compensate or offset a loss in water supply; and (c) implement the measures agreed with the landowner at no cost to the landowner. The agreed measures must be implemented prior to undertaking any works that would directly affect the flow of water into a landowner's farm dam. In the event that the Proponent and landowner cannot agree on the measures to mitigate the impact, the Proponent shall engage a suitably qualified and experienced independent person to advise and assist in determining appropriate mitigation measures.	TFNSW	Not applicable as no properties zoned as primary production.		Not Triggered
	E		HERITAGE				

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.26	E	E25	Construction and operation of the CSSI should aim to not diminish the potential of the following heritage items for nomination to the State Heritage Register beyond the impacts to significance already identified in the documents listed in Condition A1 : McGarvie Smith Farm, McMaster Field Station and Fleurs Radio Telescope Site.	TFNSW Ventia	No heritage items being impacted by the Temporary Roundabout works.		Not Triggered
5.27	E	E26	An experienced and qualified heritage specialist(s) must prepare and/or endorse the: (a) Heritage Interpretation Plan required by Condition E27; (b) archival photographic digital recording required by Condition E28; and (c) Heritage Report required by Condition E29.	TFNSW Ventia	Not applicable to the Temporary Roundabout works. Refer to M12 Central Main Works.		Not Triggered
5.28	E	E27	Heritage Interpretation Plan must be prepared that identifies and interprets the key heritage values and stories of the heritage items impacted by the CSSI. The Heritage Interpretation Plan must include, but not be limited to: (a) integration of heritage themes and values in the design of the CSSI; design elements (form and fabric) and themes for the CSSI; (b) consideration of the design concepts for Western Sydney International Airport and Sydney Metro Western Sydney Airport; and (c) opportunities for design responses for Aboriginal and non-Aboriginal heritage. The Heritage Interpretation Plan must be provided to Western Sydney International Airport and Sydney Metro Western Sydney Airport to assist in guiding opportunities for integration of heritage themes and values into their design. The Heritage Interpretation Plan must be prepared in accordance with the <i>Interpreting Heritage Places and Items Guidelines</i> (NSW Heritage Office, 2005), and in consultation with Heritage NSW, Aboriginal Cultural Heritage Advisory Committee, LALC and relevant council(s). The Plan must be implemented and inform the Place, Design and Landscape Plan required by Condition E69. The Heritage Interpretation Plan must be submitted to the Planning Secretary and Heritage NSW for information prior to finalising the Place, Design and Landscape Plan required by Condition E69.	TFNSW	Not applicable to the Temporary Roundabout works. Refer to M12 Central Main Works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Note: Nothing in this condition prevents the Proponent from preparing separate Heritage Interpretation Plans for Aboriginal and Non-Aboriginal Heritage.</i>				
5.29	E	E28	Archival photographic digital recording must be undertaken as outlined in the documents listed in Condition A1 for all listed heritage items and for all sites assessed to have heritage significance which will be affected by the CSSI. The recordings must be undertaken prior to the commencement of Work which may impact the items. The recordings must include buildings, structures and landscape features and detailed maps showing the location of features. The archival recording must be prepared in accordance with How to Prepare Archival Records of Heritage Items (NSW Heritage Office, 1998) and Photographic Recording of Heritage Items Using Film or Digital Capture (NSW Heritage Office, 2006).	TFNSW Ventia	Not applicable to the Temporary Roundabout works. Refer to M12 Central Main Works.		Not Triggered
5.30	E	E29	Following completion of all Work described in the documents listed in Condition A1 in relation to heritage items, a Heritage Report including the details of archival recordings, further historical research either undertaken or to be carried out and archaeological excavations (with artefact analysis and identification of a final repository for finds), must be prepared in accordance with any guidelines and standards required by the Heritage Council of NSW and Heritage NSW. <i>Note: Nothing in this condition prevents the Proponent from preparing separate Heritage Reports for Aboriginal and Non-Aboriginal Heritage.</i>	TFNSW Ventia	Not applicable to the Temporary Roundabout works.		Not Triggered
5.31	E	E30	The Heritage Report must be submitted to the Planning Secretary and Heritage NSW for information within 12 months of completing all Work described in the documents listed in Condition A1 in relation to heritage items. Copies of the Heritage Report must also be provided to relevant local libraries and relevant local historical societies.	TFNSW Ventia	Not applicable to the Temporary Roundabout works.		Not Triggered
5.32	E	E31	An Unexpected Heritage Finds and Human Remains Procedure must be prepared to manage unexpected heritage finds in accordance with any guidelines and standards prepared by the Heritage Council of NSW and Heritage NSW. The Procedure must be prepared in consultation with Heritage NSW and form part of the Heritage CEMP Sub Plan required by Condition C4 .	TFNSW Ventia	An Unexpected Heritage Finds and Human Remains Procedure, September 2023 is included as part of the CEMP, Appendix K is unchanged since the previous audit.		Compliant
5.33	E	E32	Unexpected Heritage Finds and Human Remains Procedure , as submitted to the Planning Secretary, must be implemented for the duration of Work. <i>Note: Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</i>	TFNSW Ventia	As included as part of the induction. No unexpected Heritage or human remains finds to date.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.34	E	E33	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).	TFNSW Ventia	No unexpected finds have occurred to date.		Not Triggered
	E		NOISE AND VIBRATION				
5.35	E	E34	Work Hours Work must only be undertaken during the following hours: (a) 7:00am to 6:00pm Mondays to Fridays, inclusive; (b) 8:00am to 6:00pm Saturdays; and (c) at no time on Sundays or public holidays.	Ventia	As per CEMP. 10 workers at a time. Induction presented: PowerPoint M12 Temp Roundabout Enviro Induction Rev 2.0 Environmental incidents, Work Hours and Parking, ERSED/Water Quality, Chemical storage, noise sensitive receivers, high risk activities, waste, heritage, unexpected finds. Progressive Toolbox for induction – sighted 31 October 2023 DashPivot Toolbox Record of Meetings with signatures. No non-compliances were identified regarding working outside of standard construction hours without required approvals in place.		Compliant
5.36	E	E35	Highly Noise Intensive Work 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: (a) between the hours of 8:00am to 6:00pm Monday to Friday; (b) between the hours of 8:00am to 1:00pm Saturday; and (c) if continuously, then not exceeding three hours, with a minimum cessation of work of not less than one hour. 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.	Ventia	An EPL was not required for the Temporary Roundabout works. Highly noise intensive works were not undertaken outside of standard construction hours.		Compliant
5.37	E	E36	Variation to Work Hours Notwithstanding Conditions E24 and E35 , Work may be undertaken outside the hours specified in any of the following circumstances: (a) Safety and Emergencies , including: (i) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or (ii) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm.	Ventia	TfNSW letter 19 September 2023: OOHW application and supporting documents for the temporary roundabout at Devonshire Rd and Elizabeth Drive. OOHW Approval Request Form, OOHW_01_Rev 2, 18 September 2023. DPE approval letter dated 11 October 2023: M12 Motorway (SSI-9364) — Out of Hours Work Application		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			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 endeavours to notify all noise and/or vibration affected sensitive receivers of the likely impact and duration of the emergency work. (b) Work that causes: (i) LAeq(15 minute) noise levels: • 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 use(s); and (ii) LAeq(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). (c) By Approval, including: (i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; (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).		for the Elizabeth Drive and Devonshire Road Temporary Roundabout. This was referred to as High Risk by the ER due to the consecutive nights of work. DPHI approved the OOHWs until 22 December 2023, after which additional OOHW approvals would be require. Additional OOHWs were approved by the ER in accordance with the OOHW Protocol: a) OOHW_03_Rev 3, dated 30 January 2024 – works included finishing works (line marking) and deliveries. Mitigation measures implemented as per CEMP, CNVIS and OOHW protocol. Approval covered 2 nights. b) OOHW_04_Rev 1, dated 19 February 2024 – works included reshape swale drain, replacement of dead grass with jute mesh and filling underside of concrete barrier with DGB. Approval covered 3 nights.		
5.38	E	E37	Out-Of-Hours Work Protocol – Works Not Subject to an EPL 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: (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: (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	Ventia	An Out-Of-Hours Work (OOHW) Protocol is included as Appendix C of the Overarching Construction Noise and Vibration Management Sub-plan, M12PPW-ADAP-ALL-EN-PLN-000008, Rev K, 19 March 2023. a. Section 2, OOHW noise and vibration assessment, Section 4.3 OOHW process and approval b. Section 2, OOHW noise and vibration assessment c. Section 3 OOHW noise and vibration management measures, Attachment 2 - Application of OOHW mitigation measures d. Section 2.3 Co-ordination of OOHW with third parties e. Section 3 OOHW noise and vibration management measures including: Stakeholder notifications,		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(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. This condition does not apply to Work where the requirements of Condition E36(a) or (b) are met.		specific notifications, phone calls, individual briefings, respite offers, respite periods, duration respite, alternative accommodation. The Out-Of-Hours Work (OOHW) Protocol is included as Appendix M of the M12 Central Temporary Roundabout CEMP, September 2023 which is unchanged since the previous audit.		
5.39	E	E38	Noise Management Levels and Vibration Criteria for Work Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration objectives: (a) construction 'Noise affected' NML established using the <i>Interim Construction Noise Guideline</i> (DECC, 2009); (b) vibration criteria established using <i>the Assessing vibration: a technical guideline</i> (DEC, 2006) (for human exposure); (c) BS 7385 Part 2-1993 "<i>Evaluation and measurement for vibration in buildings Part 2</i>" as they are "applicable to Australian conditions"; and (d) the vibration limits set out in the <i>German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures</i> (for structural damage). 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. <i>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.</i>	Ventia	Noise mitigation measures are outlined with the CEMP, noise and vibration sub-plan, CNVIS and OOHW Protocol. Examples of implementation of mitigation measures include: Noise Verification Checklist, 30 Jan 2024: Monitoring undertaken at 1431-1433 Elizabeth Drive during Milling and Re-sheeting works. Construction works were clearly audible however measured noise (62.8 dBA) was less than the predicted value in the CNVIS (80 dBA).		Compliant
5.40	E	E39	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	Ventia	No sensitive periods required. No potentially affected receivers near the works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			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.				
5.41	E	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 .	Ventia	Construction noise and vibration impact statement, Doc no. 23025-NV-RP-1-a by Hutchinson and Weller, 12 September 2023. Section 9 – Mitigation and Management – including consultation.		Compliant
5.42	E	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 .	TFNSW Ventia	As per CNVIS Section 3 Existing Environment: Ancillary facility – 26 Salisbury Avenue, Kemps Creek. Several of the nearest receivers to this site are vacant (having been acquired by the project). The nearest sensitive receivers to the ancillary site are rural residential properties around 100 metres west and 150 metres south west. CNVIS Section 9: Vibration should not result in cosmetic damage to any of the neighbouring properties; however the nearest home to the north of the project may experience vibration above the guideline values for rolling and hammering. Consult with affected neighbours (residential and commercial) regarding upcoming works, particularly at night. Base mitigation measures on feedback from consultation.		Compliant
5.43	E	E42	Construction Vibration Mitigation – Heritage 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 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.	Ventia	No activities causing vibration to heritage items have been required to date. No known heritage items relevant to the works.		Not Triggered
5.44	E	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.	Ventia	No activities resulting in vibration to heritage items have been required.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.45	E	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.	TFNSW	No heritage items were located near to works.		Not Triggered
5.46	E	E45	Utility Coordination and Respite 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: (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. 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.	Ventia	No relocations required. No respite required.		Compliant
5.47	E	E46	Out-of-Hours Works – Mitigation 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: (a) 10:00 pm and 7:00 am, Monday to Friday; (b) 10:00 pm Saturday to 8:00 am Sunday; and (c) 6:00 pm Sunday and public holidays to 7:00 am the following day unless that day is Saturday then to 8:00 am, 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. 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.	Ventia	No alternative accommodation or other out of hours work mitigation required to date.		Not Triggered
5.48	E	E47	Out-of-Hours Works – Community Consultation on Respite In order to undertake out-of-hours Work outside the hours specified under Condition E34 , the Proponent must identify appropriate respite periods for	Ventia	Community consultation on respite included OOHW notifications found on the project website		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			the out-of-hours work in consultation with the community at each affected location on a regular basis. This consultation must include (but not be limited to) providing the community with: (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; (c) the noise characteristics and likely noise levels of the Work; and (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). 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. <i>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.</i>		Out of hours work for the installation of temporary roundabout in Kemps Creek, December 2023: Out of hours work for the installation of temporary roundabout in Kemps Creek, January 2024." No OOHW complaints received.		
5.49	E	E48	Crushing and Grinding Works Crushing and grinding works must only be undertaken during the hours specified in Condition E34 unless otherwise approved by the Planning Secretary or through an EPL or it meets the requirements of Condition E36(a).	Ventia	No crushing or grinding was required as part of the Temporary Roundabout works.		Not Triggered
5.50	E	E49	Blasting Blasting is not permitted as part of this CSSI approval.	Ventia	No blasting as per CSSI approval.		Compliant
5.51	E	E50	Operational Noise An independent and experienced noise specialist must be approved by the Planning Secretary to verify the validity (including being accurate and consistent with the requirements of this approval) of the: (a) operational noise modelling required under Conditions E51; (b) Operational Noise Review required under Condition E52; and (c) Operational Noise Compliance Report required under Condition E60.	TFNSW	As per M12 Central audit checklist. The Temporary Roundabout does not apply to the operational phase and is applicable to Main Works only.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			The Planning Secretary's approval of the noise specialist must be sought no later than one (1) month before undertaking operational noise modelling. Each verification must be submitted to the Planning Secretary for information within 30 days of the verification and be attached to submitted documentation as relevant.				
5.52	E	E51	Noise Mitigation - Operational Noise Modelling Noise modelling of the detailed design must be undertaken and address the following parameters: (a) application of source emission corrections to take into account the proportions of heavy vehicles; (b) modelling heavy vehicles using three distinct sources in line with Appendix B4 of the <i>NSW Road Noise Policy</i> (DECCW, 2011); (c) road surface corrections to address the assessment timeframes outlined in the <i>NSW Road Noise Policy</i> (DECCW, 2011) corresponding to the year of opening, and ten (10) years after opening; and (d) meteorological conditions in accordance with the <i>NSW Road Noise Policy</i>.	TFNSW	As per M12 Central audit checklist. The Temporary Roundabout does not apply to the operational phase and is applicable to Main Works only.		Not Triggered
5.53	E	E52	Operational Noise Mitigation Measures An Operational Noise Review (ONR) must be prepared (based on the detailed design of the CSSI) to confirm noise mitigation measures that would be implemented for the operation of the CSSI. The ONR must be prepared in consultation with the Planning Secretary and relevant council(s) and must: (a) confirm the appropriate operational noise objectives and levels for existing sensitive receivers; (b) confirm the operational noise impacts based on the final design of the CSSI and modelling undertaken under Condition E51, including operational daytime LAeq,15 hour and night-time LAeq, 9-hour traffic noise contours; (c) review the suitability of the operational noise mitigation measures identified in the documents listed in Condition A1 and, where necessary, investigate and identify additional noise and vibration mitigation measures required to achieve the noise criteria outlined in the <i>NSW Road Noise Policy</i> (DECCW, 2011), including the timing of implementation; (d) include a consultation strategy to seek feedback from directly affected landowners on the noise and vibration mitigation measures; and (e) procedures for the management of operational noise and vibration complaints.	TFNSW	As per M12 Central audit checklist. The Temporary Roundabout does not apply to the operational phase and is applicable to Main Works only.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			The ONR must be undertaken at the Proponent's expense and be submitted to the Planning Secretary for information prior to implementing at-property noise mitigation, unless otherwise agreed by the Planning Secretary. The Proponent must implement the identified noise mitigation measures and make the ONR publicly available following its submission to the Planning Secretary for information. <i>Note: The design of noise barriers and the like must be undertaken in consultation with the community as part of the Place, Design and Landscape Plan required under Condition E69.</i>				
5.54	E	E53	Operational noise mitigation measures as identified in Condition E52 that will not be physically affected by construction and where the noise management level in Condition E38(a) is likely to be exceeded, must be implemented within six (6) months of the commencement of construction in the vicinity of the impacted residence(s) to minimise construction noise impacts, unless otherwise agreed by the Planning Secretary in accordance with Condition E55 . The operational noise mitigation measures must be detailed in the Noise and Vibration CEMP Sub-plan required by Condition C4 .	TFNSW	As per M12 Central audit checklist. The Temporary Roundabout does not apply to the operational phase and is applicable to Main Works only.		Not Triggered
5.55	E	E54	If the ONR required by Condition E52 is not prepared within six (6) months of the commencement of construction, the at-property operational noise mitigation measures required by Condition E53 must be consistent with the measures and the properties identified in Appendix G of the <i>M12 Motorway Amendment Report</i> (October, 2020).	TFNSW	As per M12 Central audit checklist; applicable to Main Works only.		Not Triggered
5.56	E	E55	All requests to the Planning Secretary under Condition E53 must be accompanied by a report justifying why operational noise mitigation measures will not be implemented within six (6) months, along with details of the temporary measures that the Proponent would implement to reduce construction noise impacts, until such time that the operational noise mitigation measures are implemented. The report must be submitted to the Planning Secretary before the commencement of construction which would affect identified residences. All temporary measures must be implemented within six (6) months of the commencement of construction in the vicinity of the impacted residences. <i>Note: Not having finalised detailed design is not sufficient justification for not implementing the proposed mitigation measures.</i>	TFNSW	As per M12 Central audit checklist; applicable to Main Works only.		Not Triggered
5.57	E	E56	The implementation of at-property treatment does not preclude the application of other noise and vibration mitigation and management	Ventia	As per M12 Central audit checklist; applicable to Main Works only.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			measures including temporary accommodation to address construction noise.				
5.58	E	E57	All operational noise mitigation measures must be implemented prior to operation of the CSSI.	TFNSW	Operational requirements are not triggered for the Temporary Roundabout works.		Not Triggered
5.59	E	E58	Operational Noise Validation Within 12 months of the commencement of operation of the CSSI, the Proponent must undertake monitoring of operational noise to compare actual noise performance of the CSSI against the noise performance predicted in the review of operational noise mitigation measures required by Condition E52 .	TFNSW	Operational requirements are not triggered for the Temporary Roundabout works.		Not Triggered
5.60	E	E59	Classified traffic counts must be undertaken simultaneously with noise measurements to confirm traffic volumes and traffic mix assumptions.	TFNSW	Operational requirements are not triggered for the Temporary Roundabout works.		Not Triggered
5.61	E	E60	Operational Noise Compliance Report An Operational Noise Compliance Report (ONCR) must be prepared to document the findings of the operational noise monitoring carried out under Condition E58 . The ONCR must be prepared in accordance with the Model Validation Guideline (RMS, 16 May 2018 Version 1.1) and must address the following: (a) compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E52; (b) compliance with the operational noise levels in terms of criteria and noise goals established in the <i>NSW Road Noise Policy</i> (DECCW, 2011); (c) methodology, location and frequency of noise monitoring undertaken, including grouping monitoring sites at which CSSI noise levels are ascertained with specific reference to locations indicative of impacts on receivers. Monitoring locations must be grouped by – (ii) pavement type, (iii) topography; (d) visibility of sensitive receivers, i.e. line of sight and shielded by mounds and/or noise walls; (e) model light and heavy vehicles separately; (f) pavement corrections for light and heavy vehicles; (g) details on the acoustic performance of the different pavement types used for the CSSI ; (h) effects of meteorological conditions on traffic noise consistent with the requirements of the <i>NSW Road Noise Policy</i> (DECCW, 2011); (i) details of any complaints and enquiries received in relation to operational noise generated by the CSSI between the date of	TFNSW	Operational requirements are not triggered for the Temporary Roundabout works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			commencement of operation and the date the report was prepared; (j) any required recalibrations of the noise model taking into consideration factors such as noise monitoring, and actual traffic numbers and proportions; (k) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and (l) identification of additional measures to those identified in the review of noise mitigation measures required by Condition E52, that are to be implemented with the objective of meeting the criteria outlined in the <i>NSW Road Noise Policy</i> (DECCW, 2011), when these measures are to be implemented and how their effectiveness is to be measured and reported to the Planning Secretary and the EPA. The ONCR must be submitted to the Planning Secretary and the EPA for information within 60 days of completing the operational noise monitoring (required by Condition E58) and be made publicly available. Any additional measures identified in Condition E60(l) must be implemented within 18 months of submitting the ONCR to the Planning Secretary, unless an alternative timeframe is agreed to by the Planning Secretary.				
	E		PLACE, DESIGN AND LANDSCAPING				
5.62	E	E61	Construction Ancillary Facilities The CSSI must be constructed in a manner that minimises visual impacts of construction ancillary facilities, including but not limited to, providing temporary landscaping and vegetative screening of the construction sites, minimising light spill, and incorporating architectural treatment and finishes within key elements of temporary structures that reflect the context within which the construction sites are located.	Ventia	Ancillary Facility AF13 as per M12 Central SEMP – now demobilised. Land condition survey has been undertaken; awaiting report until full handover to M12 Central occurs.		Compliant
5.63	E	E62	Lighting and Security 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 <i>Australian Standard 4282-2019 Control of the obtrusive effects of outdoor lighting</i>, relevant Australian Standards in the series <i>AS/NZ 1158 – Lighting for Roads and Public Spaces</i>, and the <i>National Airports</i>	TFNSW Ventia	Lighting Assessment 100% Detailed Design by WSP Rev C dated 29 July 2021.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Safeguarding Framework (NASF) Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports.</i> 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.				
5.64	E	E63	Active Transport Active transport facilities must be designed, constructed and/or rectified in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling</i> (Austroads, 2017) and relevant Australian Standards (AS) such as <i>AS 1428.1-2009 Design for access and mobility</i>. The active transport links must also incorporate relevant Crime Prevention Through Environmental Design principles.	TFNSW Ventia	Shared user path as per Place, Design and Landscape Plan (PDLP) applicable to Central and West main works.		Compliant
5.65	E	E64	Place, Design and Landscape Outcomes 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 <i>Appendix G Landscape character, visual impact assessment and urban design report</i> of the EIS. 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.	TFNSW	Submission of Place, Design and Landscape Plan as per M12 Central main works. This is not applicable to the Temporary Roundabout package.		Not Triggered
5.66	E	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 regard to wildlife strike risk in proximity to the Western Sydney International Airport.	TFNSW Ventia	Landscaping is not applicable to the Temporary Roundabout works.		Not Triggered
5.67	E	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.	TFNSW Ventia	This condition is applicable the M12 Central Main Works package.		Not Triggered
5.68	E	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	TFNSW Ventia	Offsets are as per East package. This is not triggered.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			agreement established with the Western Sydney Parkland Trust. All offsets must be delivered prior to operation, unless agreed by the Planning Secretary.				
5.69	E	E68	Design Independence and Review 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): public art / cultural interpretation public art; Aboriginal cultural heritage; European cultural heritage; landscape architecture; and 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 documents listed in Condition A1, and in the development and review of the Place, Design and Landscape Plan. 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. <i>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).</i>	TFNSW	Applicable to the M12 Central Main Works.		Not Triggered
5.70	E	E69	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.	TFNSW	Applicable to the M12 Central Main Works.		Not Triggered
5.71	E	E70	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:	TFNSW	Applicable to the M12 Central Main Works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			an analysis of the built, natural, heritage and community context and the urban design objectives, principles and standards for the CSSI; identification of opportunities for heritage interpretation during design and construction consistent with the Heritage Interpretation Plan required by Condition E27 ; the design of the CSSI elements including their form, materials and detail; the design of the CSSI landform and earthworks; 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. active transport infrastructure, including amenities to be provided along the shared user path; developed visualisations, cross sections and plans showing the proposed design outcome; demonstrated integration of Crime Prevention Through Environmental Design principles into the detailed design process; and 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.				
5.72	E	E71	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 . 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). <i>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.</i>	TFNSW Ventia	Applicable to the M12 Central Main Works.		Not Triggered
5.73	E	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.	TFNSW Ventia	Applicable to the M12 Central Main Works.		Not Triggered
5.74	E	E73	The Place, Design and Landscape Plan must be implemented during construction and operation.	TFNSW Ventia	Applicable to the M12 Central Main Works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.75	E	E74	Operational Maintenance 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 .	TFNSW	Operational requirements are not triggered for the Temporary Roundabout works.		Not Triggered
	E		SOCIO-ECONOMIC, LAND USE AND PROPERTY				
5.76	E	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 .	TFNSW Ventia	Working Near Overhead Powerlines Permit, dated 27 February 2024. Start date: 27 Feb, finish date: 4 March 2024. – Endeavour Energy		Compliant
5.77	E	E76	Condition Surveys 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.	Ventia	Pre-Construction surveys conducted – Pre-Dilapidation Report by Effective Building Consultancy 26 September 2023 for AF13, 26-32 Salisbury Ave as evidenced during the previous audit. 8 surveys undertaken around the site compound and work area. No changes during the audit period. Land condition survey reports have been actioned; currently awaiting reports.		Compliant
5.78	E	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	Ventia	No damage to structures to date. Post construction surveys were in progress at the time of this audit.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			later than four (4) months following the completion of construction activities that have the potential to impact on the structure / asset.				
5.79	E	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 unless another timeframe is agreed with the owner. Alternatively, the Proponent may pay compensation for the damage as agreed with the owner.	Ventia	No damage to structures to date.		Not Triggered
5.80	E	E79	Agricultural Operations The CSSI must be delivered in a manner that minimises intrusion, as far as reasonably practicable, and disruption to agricultural operations/activities in surrounding properties (e.g. stock access, access to farm dams, etc.), unless otherwise agreed by the landowner.	Ventia	No agricultural operations were affected by the Temporary Roundabout works.		Not Triggered
5.81	E	E80	Where the viability of existing agricultural operations will be impacted by the CSSI, the Proponent must, at the request of the landowner, employ a suitably qualified and experienced independent agricultural expert to assist in identifying management measures to address the identified impacts. Where the Proponent has commenced the requirements of this condition, prior to determination of the CSSI, the Proponent may rely on these activities to fulfil this requirement.	TFNSW Ventia	Not required to date.		Not Triggered
5.82	E	E81	Upper Canal System The Proponent must have regard to the <i>Upper Canal Pheasants Nest to Prospect Reservoir Conservation Management Plan</i> (NSW Public Works Governments Architect's Office, 2016) and <i>Guidelines for development adjacent to the Upper Canal and Warragamba Pipelines</i> (WaterNSW, 2020) when constructing the CSSI.	TFNSW	Applicable to M12 East package only.		Not Triggered
5.83	E	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.	TFNSW	Applicable to M12 East package only.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.84	E	E83	Property Access Any property access that is physically affected by the CSSI must be reinstated to at least an equivalent standard, in consultation with the landowner or alternative access provided in consultation with the landowner.	Ventia	No properties impacted.		Not Triggered
	E		SOILS				
5.85	E	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 <i>Managing Urban Stormwater, Soils and Construction Vol.1</i> (Landcom, 2004) and <i>Vol. 2D Main Road Construction</i> (DECC, 2008) must be considered.	Ventia	Progressive Erosion and Sediment Control Plan developed – Revision 3.1 dated 8 November 2023.		Compliant
5.86	E	E85	Contaminated sites Prior to the commencement of any Work that would result in the disturbance of potential or contaminated soils, materials, groundwater or sediments, a Detailed Site Investigation Report(s) must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. The Detailed Site Investigation Report(s) must be prepared in accordance with guidelines made or approved under section 105 of the <i>Contaminated Land Management Act 1997</i> . <i>Note: Where Preliminary and Detailed Site Investigations have already been undertaken for contaminated soils, materials, groundwater or sediments they do not need to be undertaken again for the purposes of this condition.</i>	Ventia	From the CEMP: There are two Areas of Environmental Interest (AEI) sites identified in the EAD located adjacent to the Works include: - AEI 16: Mobil (Caltex) Service Station – TRH, BTEX, PAH, heavy metals - AEI 3: BP (Apex) Service Station – TRH, BTEX, PAH, heavy metals. These AEI's will not impact upon works. Any unexpected contamination finds will be managed in accordance with the Unexpected Contaminated Land and Asbestos Finds Procedure detailed in Appendix L. AEI 9 and AEI 6 are located immediately adjacent to the Devonshire Road roundabout works. Should contamination be identified within the works undertaken on Devonshire Road, the unexpected finds procedure will be enacted. Therefore, a Detailed Site Investigation is not required.		Not Triggered
5.87	E	E86	The Detailed Site Investigation Report(s) must provide details on: - primary sources of contamination, for example potentially contaminating activities, infrastructure (such as underground storage tanks, fuel line, sumps or sewer lines) or site practices; - contaminant dispersal in air, hazardous ground gases, surface water, groundwater, soil vapour, separate phase contaminants, sediments, infrastructure (e.g. concrete), biota, soil and dust; - contaminant characterisation and behaviour (volatility, leachability, speciation, degradation products and physical and	Ventia	As above, a Detailed Site Investigation was not required.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			chemical conditions on-site which may affect how contaminants behave); (d) potential effects of contaminants on human health, including the health of occupants of built structures (for example arising from risks to service lines from hydrocarbons in groundwater, or risks to concrete from acid sulphate soils) and the environment; (e) potential and actual contaminant migration routes including potential preferential pathways; (f) the adequacy and completeness of all information available for use in the assessment of risk and for making decisions on management requirements, including an assessment of uncertainty; (g) the review and update of the conceptual site model from the preliminary and detailed site investigations; (h) nature and extent of any existing remediation (such as impervious surface cappings); and/or (i) whether the land is suitable (for the intended final land use) or can be made suitable through remediation.				
5.88	E	E87	Should remediation be required to make land suitable for the final intended land use, a Remediation Action Plan must be prepared. Prior to commencing with the remediation, the Proponent must submit to the Planning Secretary for information, the Remediation Action Plan and an Interim Audit Advice or a Section B Site Audit Statement from a NSW EPA accredited Site Auditor that certifies that the Remediation Action Plan is appropriate and that the site can be made suitable for the proposed use. The Remediation Action Plan must be implemented and any changes to the Remediation Action Plan must be endorsed in writing by the EPA-accredited Site Auditor. <i>Note: It is strongly recommended that a site auditor is engaged as early in the assessment and remediation process as possible, as early communication between parties improves the efficiency of the audit.</i>	Ventia	Not applicable to the Temporary Roundabout works.		Not Triggered
5.89	E	E88	A Section A1 or Section A2 Site Audit Statement (accompanied by an Environmental Management Plan) and the accompanying Site Audit Report, which states that the contaminated land disturbed by the works has been made suitable for the intended land use, must be submitted to the Planning Secretary and relevant council(s) for information after remediation and no later than one (1) month before the commencement of operation. Contaminated land must not be used for the purpose approved under the terms of this approval until a Section A1 or Section A2 Site Audit Statement is obtained which states that the land is suitable for that purpose	Ventia	Not applicable to the Temporary Roundabout works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			and any conditions on the Section A1 or Section A2 Site Audit Statement have been complied with. Nothing in the conditions prevents the Proponent from obtaining Section A Site Audit Statements for individual parcels of remediated land.				
5.90	E	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.	TFNSW Ventia	Unexpected Contaminated Land and Asbestos Finds Procedure detailed in Appendix L of the CEMP, 1 September 2023 is unchanged since the previous audit. Section 1.4 Roles and responsibilities nominates the Construction Contractor's Environmental Site Representative (ESR) to ensure that the Procedure is effectively implemented, and all site personnel are aware of the requirements of the Procedure. Section 1.4.1 Contamination: The Construction Contractor's Superintendent will be responsible for ensuring that in the event that contaminated land is discovered, site personnel are informed immediately and all work in the vicinity of the find ceases. The Construction Contractor's Superintendent will be advised of any required actions for the control of discovered contamination on site, such as implementation of exclusion zones and signage, and will be responsible for ensuring the actions are undertaken. The TfNSW Environment and Sustainability Manager (ESM) (or delegate) will liaise with the relevant authorities (such as EPA and a Contaminated Land Specialist) where required and will approve the recommencement of works following any remediation undertaken.		Compliant
5.91	E	E90	The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented throughout the duration of Work.	Ventia	Unexpected conduit found. Notification report raised: Environmental Event Report (EER) on 30 October 2023. Email from Ventia to TfNSW and ER sighted 31 October 2023, following by email on 1 November 2023 with EER and photos. EP Risk email, Environmental Scientist, SafeWork NSW Licensed Asbestos Assessor on 9 November 2023 with letter of advice attached. Confirmed as bonded (non-friable). Letter of Advice – Asbestos-Containing Material (ACM) Elizabeth Drive, Kemps Creek, NSW, 2178, Ref: EP3397.003_Ward_Kemps Creek_v1, 9 November 2023 following inspection on 8 November 2023. Envirolab NATA accredited lab analysed the sample on		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					9 November 2023, MS01 as per Certificate of Analysis 337323. Included in Asbestos Material Tracking Register – destination noted as Bingo Eastern Creek. Asbestos clearance certificate (ACC002), prepared by ER Risk documents the removal of the ACM. The clearance certificate states that the conduit and surrounding soil were loaded into a truck for disposal on 16 November 2023.		
	E		SUSTAINABILITY				
5.92	E	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.	TFNSW Ventia	The M12 Motorway Sustainability Strategy falls under the sustainability requirements for the M12 Central main works.		Not Triggered
5.93	E	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.	TFNSW Ventia	The M12 Motorway Sustainability Strategy falls under the sustainability requirements for the M12 Central main works.		Not Triggered
	E		TRAFFIC AND TRANSPORT				
5.94	E	E93	The Planning Secretary's approval is required before any heavy vehicles used for spoil and fill haulage or concrete deliveries (for the purpose of the CSSI) are driven on local roads within one (1) kilometre of early works, construction and construction ancillary facilities and that are not identified for use by heavy vehicles in the documents listed in Condition A1 . The local roads must be identified in the Early Works Environment Management Plan and Traffic Management CEMP Sub-plan .	TFNSW Ventia	No change during audit period. Previous audit evidence: Request for approval for the use of local roads by heavy vehicles (CoA E93 and E94) to construct a temporary roundabout at the intersection of Devonshire Rd and Elizabeth Drive, TfNSW letter + portal receipt SSI-9364-PA-205, 11 August 2023. Included traffic study as per the CEMP. DPE letter received, dated 29 August 2023 with confirmation that approval is not required. CEMP Section 4.2.2 Traffic Management In accordance with NSW CoA E93 and E94, Devonshire Road was not nominated as a local road in the EAD. A Traffic and Transport Impact Technical Memorandum has been prepared by GHD (Appendix J) to assess the impacts of the Works and indicated the following: The construction impacts detailed in the EAD remain consistent for the Works, including the following:		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					- o Work site and construction ancillary facility access assumptions - o Use of Devonshire Road to access the site - o Road closures, detours and other temporary traffic management - o Construction worker parking and impacts on on-street parking - o Impacts on public transport - o Impacts on pedestrians and cyclists - o Other impacts of construction. • Traffic generated during construction will be localised and is expected to include: - o 150 truck movements over 6 days which is approximately a total of 25 trucks per day - o 12 light vehicles per day - o Bus services may be provided for workers - o 10 light vehicles and 12 heavy vehicles, as a worst case scenario, will enter and exit the site during morning and afternoon peak hours. • Delays at Devonshire Road will increase during construction of the Works. • Bus route 801 will experience speed reductions and temporary relocation to a bus stop which was previously identified in the initial M12 EIS. • No pedestrian or cyclist pathways are located within the Work area, and so any impacts associated with pedestrians and cyclists are minimal. • Traffic modelling indicates that the operational use of the roundabout will reduce traffic delays in the area. • Any potential traffic and transport impacts will be managed in accordance with this document and scheduled to be undertaken out of hours subject to approvals. See Appendix H for further management measures.		

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.95	E	E94	All requests to the Planning Secretary for approval to use local roads in accordance with Condition E93, must include a traffic and pedestrian impact assessment and be prepared in consultation with the relevant local council(s). The assessment must be undertaken by an appropriately qualified and experienced person and must include a swept path analysis if required by the Department. The traffic and pedestrian impact assessment must: (a) demonstrate that the use of local roads will not compromise the safety of the public and have no more than minimal amenity impacts; (b) provide details as to the date of completion of the road dilapidation surveys for the subject local roads; and (c) describe the measures that will be implemented to avoid where practicable the use of local roads past schools, aged care facilities and childcare facilities during peak times for operation. The outcomes and recommendations of the traffic and pedestrian impact assessment must be incorporated into the Site Establishment Management Plan or Traffic Management CEMP Sub-plan as relevant.	TFNSW Ventia	No change during audit period. Previous audit evidence: Request for approval for the use of local roads by heavy vehicles (CoA E93 and E94) to construct a temporary roundabout at the intersection of Devonshire Rd and Elizabeth Drive, TfNSW letter + portal receipt SSI-9364-PA-205, 11 August 2023. DPE letter received, dated 29 August 2023 with confirmation that approval is not required. CEMP Appendix J – M12 Motorway Central Section Consistency Assessment – Traffic and Transport Impact Technical Memorandum, 13 July 2023 by GHD. Section 1.2 Purpose of this Memorandum: This memorandum has been prepared to assess the traffic and transport impacts associated with the construction and operation of the proposed temporary roundabout at Elizabeth Drive and Devonshire Road. The purpose of this memorandum is to: • Assess the design of the proposed change to determine intersection impacts/improvements: • Describe 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 in relation to traffic impacts. • Address Conditions of Approval (CoA) E94 outlined in the Department of Planning and Environment • (DPE) Approval for the M12 Motorway SSI 9364. • Address REMM TT10 to investigate and develop an appropriate traffic solution to manage the expected traffic delays during construction in the vicinity of Devonshire Road. 7. Sections 4 Traffic and Transport Impact Assessment, 4.2.5 Construction projected traffic generation, 4.2.6 Construction impact on the road network performance, 4.3 Proposed temporary roundabout intersection performance, 4.4 Public transport impacts. 8. Section 4.1 Haulage routes 9. Section 4.1 Haulage routes, 4.2.2 Construction hours		Compliant

Transport for NSW & Ventia

M12 Motorway Central – Devonshire Road Temporary Roundabout - Independent Environmental Audit – 9 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					10. Section 4.3 Proposed temporary roundabout intersection performance		
5.96	E	E95	Before any local road is used by a heavy vehicle for the purposes of the CSSI, a Road Dilapidation Report must be prepared for the road unless otherwise agreed by the relevant road authority. A copy of the Road Dilapidation Report must be provided to the relevant road authority within three (3) weeks of completion of the survey and at least two (2) weeks before the road is used by heavy vehicles associated with the construction of the CSSI. If damage to roads occurs as a result of the construction of the CSSI, the Proponent must rectify the damage to restore the road to at least the condition it was in pre-construction in consultation with the relevant road authority. Rectification works must be undertaken within three (3) months of the subject road no longer being used for the construction of the CSSI unless an alternative timeframe is agreed to by the relevant road authority.	Ventia	No additional road dilapidation reports undertaken during the audit period. Road Dilapidation Report for Salisbury Avenue by Effective Building Consultancy (EBC), 26 September 2023. As part of the DPE application.		Compliant
5.97	E	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 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.	Ventia	Mitigation measures were implemented as per the CEMP and traffic sub-plan.		Compliant
5.98	E	E97	Road Safety 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.	TFNSW Ventia	No changes to designs during the audit period.		Compliant
5.99	E	E98	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 (preopening 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	TFNSW Ventia	Road safety audit as included as part of M12 Central main works.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			ancillary facilities) to ensure that they meet the requirements of relevant design, engineering and safety guidelines, including Austroads Guide to Traffic Management. 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.				
5.100	E	E99	Pedestrian and Cyclist Access Safe pedestrian and cyclist access must be maintained around work sites during Work. In circumstances where pedestrian and cyclist access is restricted or removed due to Work, an alternate route which complies with the relevant standards must be provided and signposted.	Ventia	There are no formal pedestrian walkways or cycle paths in the vicinity of the site and no cyclists were counted in the June 2023 survey as concluded in the M12 Motorway Central Section Consistency Assessment – Traffic and Transport Impact Technical Memorandum, 13 July 2023 by GHD. The Temporary Roundabout was expected to have minimum impact on pedestrians and cyclists within the vicinity of the site.		Not Triggered
	E		WASTE				
5.101	E	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.	Ventia	M12 Waste Tracking Register in place for M12 Temporary Roundabout. No opportunity to reuse due to the scope of works. Recovered DGB was utilised from the M12 compound and used on the Devonshire Street Roundabout in March 2024.		Compliant
5.102	E	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 <i>Protection of the Environment Operations (Waste) Regulation 2014</i>, as the case may be.	Ventia	M12 Imported Materials Register. Date, Product, Delivery Location, Supplier Source, Supplier Location, Rego, Docket No, Weight.		Compliant
5.103	E	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 <i>Protection of the Environment Operations (Waste) Regulation 2014</i>, or to	Ventia	GSW Non-Putrescible waste and GSW – Recyclable waste was transported to Brandown – Cecil Hills or Bingo Eastern Creek facilities. As per the waste tracking register.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			any other place that can lawfully accept such waste, except in accordance with Condition E15 .				
5.104	E	E103	All waste generated by Works must be classified in accordance with the EPA's <i>Waste Classification Guidelines</i> , with appropriate records and disposal dockets retained for audit purposes.	Ventia	Bingo managed works on the site. Review of the waste tracking register identified waste classification report details.		Compliant
5.105	E	E104	The Proponent must develop and implement a waste tracking register prior to waste generated by Work that details: (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. The waste tracking register must be made available to the Planning Secretary and EPA on request, within the timeframe stated in the request.	Ventia	M12 Waste Tracking Register developed for the M12 Temporary Roundabout. Includes Waste, Import, Fuel, Electricity, Water and Data Summary tabs. No material exported noted as per waste tab. Register includes: (a) Source location, NSW EPA Waste Classification, Waste Type, Waste Type Description (b) Disposal Facility, Vehicle details (c) Data summary tab contains details of asphalt waste (d) Data summary tab contains details of asphalt waste (e) Docket numbers are provided. No requests from the Department to date. Review of the waste tracking register identified that numerous entries from 2024 did not have corresponding waste classification report links.		Compliant
	E		WATER				
5.106	E	E105	The CSSI must be designed, constructed and operated so as to maintain the <i>NSW Water Quality Objectives</i> where they are being achieved as at the date of this approval, and contribute towards achievement of the <i>NSW Water Quality Objectives</i> over time where they are not being achieved as at the date of this approval, unless an EPL in force in respect of the CSSI contains different requirements in relation to the <i>NSW Water Quality Objectives</i>, in which case those requirements must be complied with. <i>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 consultation with the EPA and be consistent with the National</i>	TfNSW Ventia	No discharging was required for the Temporary Roundabout works.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Water Quality Guidelines, with the level of detail commensurate with the potential water pollution risk.</i>				
5.107	E	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.	TfNSW Ventia	Not applicable for Temporary Roundabout works.		Not Triggered
5.108	E	E107	Work on waterfront land must have regard to the <i>Guidelines for controlled activities on waterfront land – Riparian Corridors</i> (NRAR, 2018), <i>Controlled activities on waterfront land – Guidelines for watercourse crossings on waterfront land</i> (NSW Office of Water, 2012) and <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI Fisheries, 2013).	TfNSW Ventia	No water courses located near Temporary Roundabout.		Not Triggered
5.109	E	E108	The Proponent must consult DPI Fisheries and EES during the detailed design of the watercourse crossings. The consultation must include: (a) design of bridges; (b) design of scour protection; and (c) details of riparian revegetation.	TfNSW	No water courses located near Temporary Roundabout. As captured under the M12 Central main works audit.		Not Triggered
5.110	E	E109	Rehabilitation and revegetation of the riparian corridor and banks of watercourses impacted by the CSSI must be commenced within three (3) months of the completion of the watercourse work, bridge works (sub-structure, super-structure and pavement) and any other construction work required in the riparian corridor.	Ventia	Not applicable to the temporary roundabout works.		Not Triggered
5.111	E	E110	Stormwater Drainage All new or modified drainage systems associated with the CSSI must be designed to: (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.	TfNSW Ventia	Stormwater drainage designs were modified as per correspondence with TfNSW (Ref: SRAPPZC-VTIA-CORR-001828) in relation the removal and replacement of an existing pit which was deemed to not be suitable for operational use. Secondary redesign includes repositioning a stormwater pit to avoid a clash with a water main pipe as per correspondence (Ref: SRAPPZC-VTIA-TFNSW-CORR-001821).		Compliant
6	APPX	A	WRITTEN INCIDENT AND NOTIFICATION AND REPORTING REQUIREMENTS				

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
6.1	APPX A	1.	A written incident notification addressing the requirements set out below must be submitted to the Department via the Major Projects website within seven days after the Proponent becomes aware of an incident. Notification is required to be given even if the Proponent fails to give the notification required under Condition A44 or, having given such notification, subsequently forms the view that an incident has not occurred.	TfNSW Ventia	No incidents to date.		Not Triggered
6.2	APPX A	2.	Written notification of an incident must: (a) identify the CSSI and application number; (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); (c) identify how the incident was detected; (d) identify when the Proponent became aware of the incident; (e) identify any actual or potential non-compliance with conditions of approval; (f) describe what immediate steps were taken in relation to the incident; (g) identify further action that will be taken in relation to the incident; and (h) identify a project contact for further communication regarding the incident.	TfNSW Ventia	No incidents to date.		Not Triggered
6.3	APPX A	3.	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Proponent must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	TfNSW Ventia	No incidents to date.		Not Triggered
6.4	APPX A	4.	The Incident Report must include: (a) a summary of the incident; (b) outcomes of an incident investigation, including identification of the cause of the incident; (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and (d) details of any communication with other stakeholders regarding the incident.	TfNSW Ventia	No incidents to date.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1	PART	A	ADMINISTRATIVE CONDITIONS				
	A		GENERAL				
1.1	A	A1	The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with: (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).	TFNSW CPBGG-JV	Based on the outcome of this audit, and the evidence presented during the M12 Motorway West audit, it was demonstrated that the CSSI is being carried out in accordance with the terms of this approval, the EIS, Submissions Report and Amendment Reports.		Compliant
1.2	A	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.	TFNSW CPBGG-JV	Based on the compliance achieved against the relevant conditions, the outcome of the audit determined that the CSSI is being constructed in accordance with the EIS, Submissions Report and Amendment Reports.		Compliant
1.3	A	A3	In the event of an inconsistency between: (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 inclusive, the most recent document will prevail to the extent of the inconsistency. <i>Note: For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</i>	TFNSW CPBGG-JV	No inconsistencies during the audit period. One Consistency Assessment will be upcoming for M12 West which will fall under the next audit period.		Not Triggered
1.4	A	A4	The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: (a) the environmental performance of the CSSI; (b) any document or correspondence in relation to the CSSI (including the provision of such documentation or correspondence); (c) any notification given to the Planning Secretary under the terms of this approval; (d) any independent appointment or withdrawal of an appointment made in relation to the CSSI; (e) any audit of the construction or operation of the CSSI; (f) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval); (g) the carrying out of any additional monitoring or mitigation measures; and	TFNSW CPBGG-JV	No written directions received from DPHI during this audit period. Based on the results of this audit, the following compliance status is as follows: (a) The CPBGG-JV CEMP and sub-plans were updated and endorsed by the ER as evidenced. (b) As per CoA A5 (c) Notifications as per previous audits. (d) ER, independent audits and experts submitted and approved by the Department (e) This is the fourth audit in which auditing activities occurred within 6-months of the previous construction audit. (f) Full compliance with the terms of approval achieved.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(h) in respect of ongoing monitoring and management obligations, and following consultation with the Proponent, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.		(g) Noise, surface and groundwater monitoring as per CoA C11 to C18 (h) CEMP, sub-plans and monitoring programs continue to be in place as per Part C of the conditions.		
1.5	A	A5	Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken and submitted to the Planning Secretary, and the terms of this approval require the document, monitoring program or review to be prepared/undertaken in consultation with identified parties, evidence of the consultation must be submitted to the Planning Secretary with the relevant document, monitoring program or review. The evidence must include: (a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval; (b) a log of the dates of engagement or attempted engagement with the identified party; (c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations; (d) outline of the issues raised by the identified party and how they have been addressed; and (e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed.	TFNSW CPBGG-JV	Overarching Construction Noise and Vibration Management Sub-Plan (CNVMP) – update was made to the sub-plan only – no changes were triggered to the monitoring program itself. No additional consultation requirements for the M12 West documents or monitoring programs. Consultation as per previous audits.		Compliant
1.6	A	A6	This approval lapses five (5) years after the date on which it is granted, unless Work has physically commenced on or before that date.	TFNSW	The Infrastructure Approval for the M12 Motorway was granted on 23 April 2021 as per Schedule 1, CSSI-9364. The approval has not yet lapsed. No modifications have been required.		Not Triggered
1.7	A	A7	References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, standards or policies in the form they are in as at the date of this approval.	TFNSW CPBGG-JV	The Overarching CEMP and CPBGG JV CEMP includes Appendix A1 Legal and Other Requirements which lists relevant acts, guidelines and regulations.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.8	A	A8	Any document that must be submitted or action taken within a timeframe specified in or under the terms of this approval may be submitted or undertaken within a later timeframe agreed with the Planning Secretary. This condition does not apply to the written notification required in respect of an incident under Condition A44 and Condition A45 .	TFNSW CPBGG-JV	Post Approval Document Received - (SSI-9364-PA-298) acknowledgement from DPHI to TfNSW on 15 April 2024 regarding request for an extension to the timeframe of this audit. Letter from DPHI dated 6 May 2024 – approval of extension of time for the next Independent Audit to be undertaken 9 and 16 May 2024 under Condition A8. Post Approval Document Received - (SSI-9364-PA-297) from DPHI to TfNSW on 20 March 2024 for resubmission of previous IEA report, approving extension to 28 March 2024. Timeframe for ER report submission for Dec-23 report extension to 15 January 2024. Emailed presented from ER to DPHI, 6 December 2023. Letter response received from DPHI 18 December 2023, ref: SSI-9364-PA-257 approving extension of timeframe. Also confirms the extension is active for the duration of the ER's engagement for the CSSI.		Compliant
	A		STAGING				
1.9	A	A9	The CSSI may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the Planning Secretary for information. The Staging Report must be endorsed by the ER and then submitted to the Planning Secretary no later than one (1) month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one (1) month before the commencement of operation of the first of the proposed stages of operation)	TFNSW	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023, unchanged since previous audit: - ER endorsement of Staging Report, Rev G dated 10 April 2023, Ref: M12 Staging Report Rev G. - ER Endorsement letter of Rev G dated 10 April 2023, ref M12 Staging Report Rev G. TfNSW submission letter to the Department date 11 April 2023 for Revision G. Portal receipt SSI-9364-PA-162 for revised Staging Report (Rev G) also dated 11 April 2023.		Compliant
1.10	A	A10	The Staging Report must: - if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish; - if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general	TFNSW	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023 includes the following: - Section 2 Proposed Project Packages, Appendix A CoA applicable to Staging, Table 2-1 Indicative timing of project stages - Section 2 Proposed Project Packages, Appendix A CoA applicable to Staging		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			timing of when operation of each stage will commence and finish (if relevant); (c) specify how compliance with conditions will be achieved across and between each of the stages of the CSSI; and (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.		(c) Section 3 Compliance, Appendix A CoA applicable to Staging (d) Section 2.5 Cumulative Impacts, Appendix A CoA applicable to Staging. It was noted that precast procurement process is a bit behind with no major impact on the project		
1.11	A	A11	The CSSI must be staged in accordance with the Staging Report .	TFNSW	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023, Section 2.2 Project Stages, Appendix A CoA applicable to Staging. Construction of the M12 Motorway West package commenced August 2022. Wet weather has resulted in some delays to the program, however, made up in other areas.		Compliant
1.12	A	A12	Where staging is proposed, the terms of this approval that apply or are relevant to the work or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	TFNSW CPBGG-JV	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023, Appendix A includes a matrix of the applicable Conditions of Approval based on each stage.		Compliant
1.13	A	A13	Where changes are proposed to the staging of construction or operation, a revised Staging Report must be prepared and submitted to the Planning Secretary for information no later than one (1) month before the proposed change in the staging. The revised Staging Report must be endorsed by the ER before submitting it to the Planning Secretary.	TFNSW	Letter of submission from TfNSW to DPHI (formerly DPE) "SSI 9364 - M12 Motorway - CoA A13 Revised Staging Report" confirms that revised Staging report has been prepared in response to the changes and been endorsed by the ER as per endorsement letter dated 11 April 2023.		Not Triggered
	A		STAGED SUBMISSIONS OF STRATEGIES, PLANS OR PROGRAMS				
1.14	A	A14	With the approval of the Secretary, the Proponent may submit any strategies plans or programs required by this approval on a progressive basis. <i>Notes:</i> - While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the Work being undertaken on site is covered by suitable strategies, plans or programs at all times; and - If the submission of any strategy, plan or program is to be submitted on a progressive basis, then the relevant strategy, plan or program must clearly describe the specific Work or stage to which the strategy, plan or program applies, the relationship of the Work or stage to any future Work or stages, and the trigger for updating the strategy, plan or program if and as relevant.	TFNSW CPBGG-JV	No submissions of any strategies, plans or programs required for the M12 West during the audit period.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	A		CONSTRUCTION ANCILLARY FACILITIES				
1.15	A	A15	Additional construction ancillary facilities Construction ancillary facilities (excluding minor construction ancillary facilities established under Condition A20) that are not identified by description and location in the documents listed in Condition A1 may only be established and used in each case if: (a) they are located within or immediately adjacent to the construction boundary; and (b) they are not located next to a sensitive receiver(s) (including where an access road is between the facility and the receiver(s)), unless the sensitive receiver(s) (both the landowner(s) and occupier(s)2) have given written acceptance to the carrying out of the relevant facility in the proposed location; and (c) they have no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and (d) the establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.	TfNSW CPBGG-JV	The EIS and current version of the SEMP lists the following Ancillary Facilities for the M12 West: 1. EIS + SEMP: AF1 located east of The Northern Road, Luddenham. 2. EIS + SEMP: AF2 located north of Elizabeth Drive at Badgery's Creek, opposite the intersection of Elizabeth Drive and Badgery's Creek Road. Laydown area. 3. EIS + SEMP: AF3 located North of Elizabeth Drive between proposed Airport Access Road and Sydney Metro Greater West, Badgery's Creek Pre-condition land assessment to be actioned with TfNSW. 4. As per SEMP: AF10 (storage of conduits, laydown, pipe section) East of The Northern Road, South of Gates Road. Existing ancillary facility for construction of Stages 5 and 6 of The Northern Road (existing ancillary facility established as main site compound for a previous TfNSW project was used as TfNSW office space and minor laydown area (on existing hardstand) during initial site establishment until AF2 and AF11 became operational. 5. As per SEMP: AF11 East of Luddenham Road (Stockpile and laydown area, secondary offices, amenities, vehicular access, car and plant parking, refuelling and minor workshop, construction water.) 6. As per SEMP: AF17 West of Luddenham Rd (crushing and screening of rock to be re-used on site) No Ancillary Facilities are outside the EIS or reports. Minor facilities are reviewed and approved by the ER.		Compliant
1.16	A	A16	Site Establishment Management Plan Before establishment of a construction ancillary facility(ies) (excluding minor construction ancillary facilities established under Condition A20), the Proponent must prepare a Site Establishment Management Plan which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facility(ies).	CPBGG-JV	M12 West Site Establishment Management Plan (SEMP), M12W-CPBGG-ALL-EN-PLN-000011, Rev 06, 3 April 2024 has been updated since the previous audit to include additional crushing location. Table 1-2 of the SEMP lists the engagement undertaken.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			The Site Establishment Management Plan must be prepared in consultation with the relevant council(s) and relevant State government agencies. The Plan must be endorsed by the ER and then submitted to the Planning Secretary for approval one (1) month before the establishment of the construction ancillary facility(ies). The Site Establishment Management Plan must detail the management of the construction ancillary facility(ies) and include: (a) a description of activities to be undertaken during establishment of the construction ancillary facility(ies) (including scheduling and duration of work to be undertaken at the site); (b) figures illustrating the proposed site layout and the location of the closest sensitive receiver(s); (c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of site establishment work; (d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to: (v) meet the performance outcomes stated in the documents listed in Condition A1, and (vi) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and (e) a program for monitoring the performance outcomes, including a program for noise monitoring consistent with the requirements of Condition C14. The Site Establishment Management Plan must be approved before the establishment of a construction ancillary facility(ies) (excluding minor construction ancillary facilities established under Condition A20). Nothing in this condition prevents the Proponent from preparing individual Site Establishment Management Plans for each construction ancillary facility. <i>Note: Condition A16 does not apply to minor construction ancillary facilities established under Condition A20.</i>		Appendix A Management and Mitigation Measures outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities. The SEMP includes the following: (a) Section 4 Site establishment works. Includes Section 4.1 Site Establishment Activities – Table 4-1 and an indicative duration under Table 4-2. (b) Appendix B Indicative Site Layouts (c) Section 6.1 Site establishment risk assessment, Table 6-2 Site establishment initial risk assessment. (d) Section 2.3 performance outcomes, Appendix A Management and Mitigation Measures (e) Section 7.5 Monitoring – as per monthly reports and inspections. ER endorsement letter sighted, ref M12W SEMP Rev 06 dated 3 April 2024. Confirms changes to include the re-addition of Crushing and Screening Activity to AF2, consistent with the Amendment Report. Add crushing location as per site inspection (near batch plant). A previous revision was actioned during the audit period: Rev 05 dated 23 November 2023, endorsed by the ER, letter ref M12W SEMP Rev 05 dated 29 November 2023 for additional locations for the Ancillary Facility related activity of rock crushing and screening in the M12 Motorway corridor alignment. No requirement to provide to DPPI as only a minor changes. Crushing was a listed activity in the amendment report, now added to the SEMP. No additional consultation required for the SEMP update.		
1.17	A	A17	Where a construction ancillary facility(ies) has been established for any early works listed in Appendix B and is to be used for construction, a new or revised Site Establishment Management Plan must be prepared where additional activities are required to establish the site for the purposes of construction or there is a change to the site layout. The new or revised Site Establishment Management Plan must be prepared in accordance with	CPBGG-JV	No early works construction facilities required since previous audit.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Condition A16 and approved by the Planning Secretary before commencement of the additional activities or change to site layout.				
1.18	A	A18	Use of Construction Ancillary Facilities The use of a construction ancillary facility for construction (excluding minor construction ancillary facilities established under Condition A20 and construction ancillary facilities established for the purposes of early works in accordance with Condition A24) must not commence until the CEMP required by Condition C1, relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C11 have been approved by the Planning Secretary. This condition does not apply to the use of construction ancillary facilities where the ER has determined that the use of the facility will have a minimal impact on the environment and community.	TFNSW CPBGG-JV	No changes during the audit period. 21 December 2021 approval received of overarching CEMP + sub-plans from the Department still in place with ER endorsement of the CPBGG JV CEMP and sub-plans received 28 July 2022, Ref: M12W CEMP Rev 00. Current documents: Overarching CEMP and sub-plans Rev J dated March 2023; CPBGG JV MW12W CEMP Rev 01 dated March 2023; M12 West Site Establishment Management Plan (SEMP), M12W-CPBGG-ALL-EN-PLN-000011, Rev 06, 3 April 2024.		Compliant
1.19	A	A19	Construction ancillary facilities established for the purposes of early works in accordance with Condition A24 cannot be used for construction until the CEMP required by Condition C1, relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C11 have been approved by the Planning Secretary. This condition does not apply to the use of construction ancillary facilities where the ER has determined that the use of the facility will have a minimal impact on the environment and community.	TFNSW CPBGG-JV	21 December 2021 approval received of overarching CEMP + sub-plans from the Department has not changed during the audit period. ER endorsement received 28 July 2022. Commencement of construction was 10 August 2022.		Compliant
1.20	A	A20	Minor Construction Ancillary Facilities Lunch sheds, office sheds, portable toilet facilities, and the like, can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria: (a) are located within or adjacent to the construction boundary; and (b) have been assessed by the ER to have - (i) minor amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and (ii) minor environmental impact with respect to waste management, soil, water and flooding, and (iii) no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval.	CPBGG-JV	One Minor Construction Ancillary Facilities Checklist during the audit period: M12 Motorway (West), The Northern Road to Badgerys Creek – MCAF 011-016, Rev D dated 5 December 2023 and signed by ER 7 December 2023 for crib sheds, toilets, and parking located at: • MCAF 011 – The Northern Road – Cut 1 – Fill 2 • MCAF 012 – Luddenham Road – Cut 2 – Fill 5A • MCAF 013 – Elizabeth Drive – Fill 5B – Interchange • MCAF 014 – Elizabeth Drive – Fill 6 – Fill 7B • MCAF 015 – Elizabeth Drive – EDR East – West • MCAF 016 – Elizabeth Drive – AAR A – AAR B		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Notes updated VMPs for 011, 013, 015, and 016.		
1.21	A	A21	Boundary screening Boundary screening must be erected around all construction ancillary facilities that are adjacent to sensitive receivers for the duration of construction of the CSSI unless otherwise agreed with affected residents, business operators and landowners.	CPBGG-JV	Boundary screening around construction ancillary facility AF2 verified during site inspection.		Compliant
1.22	A	A22	Boundary screening required under Condition A21 of this approval must minimise, as far as practicable, visual impacts on adjacent sensitive receivers.	CPBGG-JV	As verified during site inspection.		Compliant
1.23	A	A23	Project identification The CSSI name; application number; telephone number, postal address and email address required under Condition B7 of this approval must be made available onsite boundary fencing / hoarding at the entrance of each ancillary facility before the commencement of construction.	CPBGG-JV	As verified during site inspection.		Compliant
	A		ENVIRONMENTAL MANAGEMENT – EARLY WORKS				
1.24	A	A24	Before undertaking early works specified in Appendix B , the Proponent must prepare an Early Works Environmental Management Plan . The Plan must include: (a) a description of the activities to be undertaken and the scheduling and duration for each activity; (b) a site establishment management plan for any proposed construction ancillary facilities (excluding minor construction ancillary facilities established under Condition A20) consistent with the requirements of Condition A16; (c) figures illustrating the proposed location(s) of the early works and the closest sensitive receiver(s); (d) a flora and fauna management sub-plan (prepared in consultation with the EES) which includes - (v) details of the measures to avoid and minimise disturbance to native vegetation, and other habitat of native flora and fauna species, (vi) details of the proposed management and mitigation measures for the affected species listed in Table 3, (vii) 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 early works, and procedures and measures to manage their relocation, and (viii) unexpected finds protocol for flora and fauna;	TFNSW	No early works specific to the M12 West package, project wide only which is now complete.		Not Triggered

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(e) details of measures to avoid and minimise noise and vibration, soil, water and air quality impacts; and (f) unexpected finds procedures for heritage and contamination.				
1.25	A	A25	The Early Works Environmental Management Plan required under Condition A24 must be endorsed by the ER and then submitted to the Planning Secretary for approval at least one (1) month before the commencement of the early works specified in Appendix B. The early works specified in Appendix B must not commence until the environmental management plan is approved. The environmental management plan must be implemented for the duration of the early works which are the subject of the plan. Nothing in this condition prevents the Proponent from preparing individual environmental management plans for one or more of the early works specified in Appendix B.	TFNSW	No early works specific to the M12 West package, project wide only which is now complete.		Not Triggered
	A		INDEPENDENT APPOINTMENTS				
1.26	A	A26	All requests for Independent Appointments must have regard to the Department's guideline <i>Seeking approval from the Department for the appointment of independent experts</i> (DPIE, 2020).	TFNSW CPBGG-JV	Nomination of Environmental Representative and Alternate ER unchanged. APP engaged as the independent auditor as per previous submission ref SSI-9364-PA-277 on 22 September 2023. Endorsement by the Department of Planning and Environment (formerly DPE) of the Independent Environmental Auditor was granted on 12 October 2023 for both M12 Central and M12 West packages. Approval continues to be in place for this audit. Support independent noise specialist approved by the Department on 29 August 2023 as per letter presented. Applicable for the M12 East package. No other changes for the M12 West package.		Compliant
1.27	A	A27	All Independent Appointments required by this approval must hold current membership of a relevant professional body, unless otherwise agreed by the Planning Secretary.	TFNSW CPBGG-JV	APP independent auditors hold Exemplar Global auditing accreditations e.g., Lead Auditor Certificate No. 115002.		Compliant
1.28	A	A28	The Planning Secretary may at any time commission an audit of how an independent appointment has exercised their functions. The Proponent must: (a) facilitate and assist the Planning Secretary in any such audit; and	TFNSW CPBGG-JV	No requests received from the Department.		Not Triggered

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(b) make it a term of their engagement of an Independent Appointment that the Independent Appointment facilitate and assist the Planning Secretary in any such audit.				
1.29	A	A29	The Planning Secretary may withdraw its approval of an independent appointment should they consider the Independent Appointment has not exercised their functions in accordance with this approval.	TFNSW CPBGG-JV	No withdrawal of approvals to date.		Not Triggered
	A		ENVIRONMENTAL REPRESENTATIVE				
1.30	A	A30	Work must not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by the Proponent.	TFNSW	Original ER unchanged. Additional, alternative ER as approved 17 November 2022 as verified during the previous audit.		Compliant
1.31	A	A31	The Planning Secretary's approval of an ER must be sought no later than one (1) week before the commencement of Work.	TFNSW	Original ER unchanged. Additional, alternative ER as approved 17 November 2022 as verified during the previous audit.		Compliant
1.32	A	A32	The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the documents listed in Condition A1 , and is independent from the design and construction of the CSSI. The ER must meet the requirements set out in the <i>Environmental Representative Protocol</i> (Department of Planning and Environment, October 2018).	TFNSW	Department letter approving alternative ER dated 17 November 2022 confirmed that the supported CV demonstrates the skills, qualification and experience to undertake the role, that there was no involvement in the preparation of the EIS, etc as per CoA A1 as per previous audit evidence.		Compliant
1.33	A	A33	The Proponent may engage more than one ER for the CSSI, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the CSSI.	TFNSW	HBI is the only ER engaged on the project, with an additional resource approved from the company as the alternate ER as evidenced – Department letter dated 15 March 2023 (SSI-9364-PA-153).		Compliant
1.34	A	A34	For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must: (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the 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	ER	The ER issues monthly reports by the 7 th day of the following month which include the following. (a) Monthly meetings occur with DPHI e.g., 18 and 29 January 2024. (b) As per monthly DPHI meetings e.g., 11 and 29 April 2024 (c) Recommendations are made during the fortnightly ER inspections and as summarised within the monthly reports e.g., ER inspection No. 113 West on 14 February 2024 notes sediment fence or other ERSED control required		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so; (iv) 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 (v) 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; (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.		downstream under new stockpile location. Close out under ER inspection No. 115 West on 28 February 2024 with photo, 23 February 2024. (d) As per ‘Reviewed Documents’ section within the monthly reports e.g., March 2024 – review of M12W SEMP Rev 06 Draft; April 2024 ER Report – endorsement of M12W SEMP Rev 06 – ER Approval of Minor Amendments 03/04/24 (e) Monitoring of implementation is undertaken during the fortnightly ER inspections. The ER also attends Coordination Meeting every fortnight (scheduled same day as inspections). (f) This is the fourth CSSI audit on the project whereby the ER is in attendance. The ER also partook in previous audits. (g) Complaints are monitored as demonstrated in the monthly reports, Non-compliance/ Incidents / Repeat Complaints section. M12W Complaint 24/11/23 Worker behaviour and access for Local Resident at Luddenham Rd as per November 2023 ER Report. (h) As per inspections + report e.g., December 2023 ER Report – endorsement of M12W MCAF Checklist 011 – 016 Rev D - ER Endorsed 07/12/23. (i) As per Endorsed Document/s section of the ER Monthly Reports. Only the SEMP has undergone a review and endorsement during the audit period. OOHW Permits are also reviewed by the ER. (j) All ER monthly reports have been issued on or before the 7th day of the following month as evidenced (with the exception of the December 2023 report which was confirmed as a later timeframe with DPHI). ER reports reviewed for: November 2023, Ref: 210309-ER_DPE-November 2023 (SSI-9364-PA-258), issued 7 December 2023; December 2023, Ref: 210309-ER_DPE-December 2023, issued 15 January 2024 (SSI-9364-PA-269); January 2024, Ref: 210309-ER_DPHI-January 2024, issued 7 February 2024 (SSI-9364-PA-277); February 2024, Ref: 210309-ER_DPHI-February 2024,		

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					issued 7 March 2024 (SSI-9364-PA-288); March 2024, Ref: 210309-ER_DPHI-March 2024, issued 5 April 2024 (SSI-9364-PA-294); April 2024, Ref: 210309-ER_DPHI-April 2024, issued 7 May 2024 (SSI-9364-PA-308). M12W-GEN-CPBGGJV-003005.0 dated 15 May 2024 submission of close out to ER following inspection on 24 April 2024 – 4 x actions for close out. Low issues are to be closed out in a week, medium 2-3 days, high is immediate. Close out also received on the 7 May 2024 M12WCO-CPBGGJV-HBI-CORR-000017 responded to 2 out of the 6 actions. Register in place for monitoring actions – Actions Register – encompassing all raised in any inspection – includes ER, rainfall, weekly inspections. Tab each for ER inspections, Soil Con inspections, Weekly inspection actions, Rainfall inspections. Link to rainfall close out of action – photos 2 May 2024 Badgerys Creek. If in the register, everything is closed. Actions Register is used to record the close out, not the progression of the action itself. Synergy Enablon is used for inspections.		
1.35	A	A35	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: (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).	TFNSW CPBGG-JV	(a) Complaints register issued to ER. Complaints go to ER as they come. Only one complaint received in the last 6-months. Traffic control and worker behaviour. (b) No consistency assessments for the M12 West during the audit period.		Compliant
	A		NOTIFICATION OF COMMENCEMENT				
1.36	A	A36	The Department must be notified in writing of the dates of commencement of early works, construction and operation at least one (1) month before those dates	TFNSW	As verified during the initial audit, revised notification of commencement letter from TfNSW to the Department as dated 18 August 2022: SSI 9364 - M12 Motorway - CoA A36 and A37 - Notification of staged construction commencement (M12 West) for the 18 August 2022. Original letter dated 28 June 2022 in which TfNSW		Compliant

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					nominated 27 July 2022 as the start of construction for M12 West. No further notifications required at this stage.		
1.37	A	A37	If the construction or operation of the CSSI is to be staged, the Department must be notified in writing at least one (1) month before the commencement of each stage, of the date of the commencement of that stage.	TFNSW	No additional stages requiring submission. Submission as per above.		Compliant
	A		AUDITING				
1.38	A	A38	The Proponent must engage an independent auditor and conduct auditing and audit reporting of the CSSI in accordance with the document <i>Independent Audit Post Approval Requirements</i> (DPIE, 2020). <i>Note: The independent auditor must be approved by the Planning Secretary no later than two weeks following the commencement of construction as required by Independent Audit Post Approval Requirements (DPIE, 2020).</i>	TFNSW	Independent auditor engaged as per original submission ref SSI-9364-PA-227 dated 22 September 2023. Endorsement by the Department of Planning and Environment (DPE) of the Independent Environmental Auditor was granted on 16 October 2023, prior to the conduct of this audit. Auditor nomination as per Portal receipt SSI-9364-PA-302 dated 22 April 2024. Response to auditing team provided 6 May 2024 from DPHI – commencing review. Submission of response to RFI 7 May 2024 also under SSI-9364-PA-302.		Compliant
1.39	A	A39	Operational compliance auditing is only required at 26 weeks following the commencement of operation unless an alternative timeframe is agreed to by the Planning Secretary.	TFNSW	The project is currently under construction. This is not yet triggered.		Not Triggered
1.40	A	A40	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to that set out in <i>Independent Audit, Post Approval Requirements</i> (DPIE, 2020), upon giving at least one (1) month's notice to the Proponent of the date upon which the audit must be commenced.	TFNSW	Initial and subsequent audits are being conducted in accordance with the IAPAR 2020 guidelines. This is not triggered.		Not Triggered
1.41	A	A41	The Planning Secretary may direct the Proponent to undertake Independent Audits in addition to those provided for in Condition A38 when considered necessary to address a particular issue.	CPBGG-JV	No additional audit requests have been made to date.		Not Triggered
1.42	A	A42	In accordance with the specific requirements in the <i>Independent Audit Post Approval Requirements</i>, the Proponent must: (a) review and respond to each Independent Audit Report prepared under Condition A38 or Condition A41; (b) submit the response to the Planning Secretary; and	TFNSW	The second audit on the M12 West package was undertaken by APP on the 31 October 2023. (a) Review and response email from TfNSW to auditors, 15 December 2023 with		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(c) make each Independent Audit Report and response to it publicly available 60 days after submission to the Planning Secretary.		confirmation of final being issued to DPHI 8 January 2024. (b) RFI received from DPHI for IEA #3, 7 March 2024 SSI-9364-PA-267. Response to RFI IEA #3 submitted 28 March 2024 as per email evidence, TfNSW to DPHI (sent by email as planning portal was unavailable). Updated response to Audit #3 submitted, portal receipt SSI-9364-PA-300 dated 19 April 2024. (c) Previous IEA #3 resubmitted following RFI on 28 March 2024. Report + response will be made publicly available following DPHI approval. Approval yet to be received.		
1.43	A	A43	Independent Audit Reports and the Proponent’s response to audit findings must be submitted to the Planning Secretary for information within two (2) months of undertaking the independent audit site inspection as outlined in the <i>Independent Audit Post Approval Requirements</i> (DPIE, 2020).	TFNSW	Submission of RFI for IEA #3 report + response to audit findings actioned 8 January 2024, ref SSI-9364-PA-267. Actioned within 2 months of the audit (last audit site inspection 13 November 2023).		Compliant
	A		INCIDENT NOTIFICATION AND REPORTING				
1.44	A	A44	The Planning Secretary must be notified in writing via the Major Projects Website as soon as possible and no later than 12 hours after the Proponent becomes aware of an incident. The notification must identify the CSSI (including the application number and the name of the CSSI) and the date, time, location and nature of the incident.	TFNSW CPBGG-JV	No reportable material harm incidents to date. Incidents recorded as INC026-INC040 showing as spills and report only events.		Not Triggered
1.45	A	A45	Subsequent notification must be given, and reports submitted to the Planning Secretary in accordance with the requirements set out in Appendix A .	TFNSW CPBGG-JV	No reportable incidents / material harm environmental incidents to date.		Not Triggered
	A		NON-COMPLIANCE NOTIFICATION				
1.46	A	A46	The Planning Secretary must be notified in writing via the Major Projects website within seven (7) days after the Proponent becomes aware of any non-compliance.	TFNSW CPBGG-JV	There were no non-compliances identified within the audit period requiring notification to the Secretary.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.47	A	A47	A non-compliance notification must identify the CSSI and the application number for it, set out the condition of approval that the CSSI is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	TFNSW CPBGG-JV	There were no non-compliances identified within the audit period requiring notification to the Secretary.		Compliant
1.48	A	A48	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	TFNSW CPBGG-JV	There were no non-compliances identified within the audit period requiring notification to the Secretary.		Compliant
	A		IDENTIFICATION OF SPOIL HAULAGE VEHICLES				
1.49	A	A49	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.	TFNSW CPBGG-JV	Spoil remaining / transferring onsite, no spoil currently leaving site.		Compliant
2	PART	B	COMMUNITY INFORMATION AND REPORTING				
	B		COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT				
2.1	B	B1	Communication Strategy A Communication Strategy must be prepared to provide mechanisms to facilitate communication about Work, construction and operation of the CSSI with: (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 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.	TFNSW CPBGG-JV	M12 Motorway Overarching Communication Strategy has undergone a review since the previous audit, Rev 6 dated March 2024. Tracked change version also presented. Includes ER details for M12 East with M12 Central and West ER more defined. Update included addition of AF17 and AF18, updates to Section 8.3 Basic demographics, and other, minor changes. Submitted as per TfNSW letter to DPHI, ref Re: SSI 9364 - M12 Motorway - CoA B3 Overarching Communication Strategy dated 29 April 2024. Lodged via the project portal on 3 May 2024, ref SSI-9364-PA-305. CCS with DPHI – currently waiting on approval. Section 5 Stakeholders and community overview includes Table 5.1 Key stakeholders and communications proposed. Section 4 Community relations for project, including community relations protocols (4.1), community relations team (4.2), and		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					liaison between community relations teams. Section 8 Engagement methods, including Table 8.1: Communication Activities and Tools for M12 Motorway.		
2.2	B	B2	The Communication Strategy must: (a) identify people, organisations, councils and agencies to be consulted during the design and Work phases; (b) identify details of the community demographics; (c) set out procedures and mechanisms for the regular distribution of accessible information, including to Language Other than English and Culturally and Linguistically Diverse and vulnerable communities, about or relevant to the CSSI; (d) detail the measures for advising the community in advance of upcoming Work, including utility works and upcoming out-of-hours work as required by Condition E47; (e) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant community(ies); and (f) set out procedures and mechanisms - (iv) through which the community can discuss or provide feedback to the Proponent 24 hours a day, seven days per week; (v) through which the Proponent will respond to enquiries or feedback from the community; and (vi) to resolve any issues and mediate any disputes that may arise in relation to the environmental management and delivery of the CSSI, including disputes regarding rectification or compensation.	TFNSW CPBGG-JV	The M12 Motorway Overarching Communication Strategy was reviewed and the following verified: (a) Section 5 Stakeholders and community overview (b) Section 8.3 Basic demographics (c) Table 5.1 Key stakeholders and communications proposed (d) Section 4.1 Community relations protocol, and Table 8.1 Communication Activities and Tools for M12 Motorway (e) Table 8.1 Communication Activities and Tools for M12 Motorway (f) i. Table 8.1 Communication Activities and Tools for M12 Motorway ii. Section 4.1 Community relations protocol, Section 9 Complaints management system, and Table 8.1 Communication Activities and Tools for M12 Motorway iii. Section 9.4 Escalating complaints		Compliant
2.3	B	B3	The Communication Strategy must be submitted to the Planning Secretary for approval no later than one (1) month before the commencement of any Work.	TFNSW	M12 Motorway Overarching Communication Strategy, Rev 6 dated March 2024 submitted to DPHI as per TfNSW letter – no date entered in letter, however DPHI email to TfNSW sighted: M12 Motorway - Post Approval Document Received - (SSI-9364-PA-305) dated 3 May 2024 – confirms that the OCS has been received and acknowledges that it has been reviewed by TfNSW and minor updates made.		Compliant
2.4	B	B4	Work for the purposes of the CSSI must not commence until the Communication Strategy has been approved by the Planning Secretary.	TFNSW	Approval of the updated Overarching Communication Strategy is still to be received from the Department. The previous revision dated 13 September 2023 therefore remains in place until DPHI approval is received.		Compliant
2.5	B	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.	TFNSW CPBGG-JV	Website includes community notifications and project updates for the West package.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Only 1 complaint received during audit period which is closed (refer to condition B8 for details).		
	B		COMPLAINTS MANAGEMENT SYSTEM				
2.6	B	B6	A Complaints Management System must be prepared and implemented before the commencement of any Work and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI. The Complaints Management System must require complainants to be advised that: (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). The Collection Statement must be included on the Proponent's or project website to make prospective complainants aware of their rights under the <i>Privacy and Personal Information Protection Act 1998</i>. For any complaints made in person, the complainant must be made aware of the Collection Statement.	TFNSW CPBGG-JV	The M12 Motorway Overarching Communication Strategy includes a Complaints Management System under Section 9 and specifically addressed as per Section 9.2.1 Receiving complaints. Section 6.1.4 of reporting M12 Community & Stakeholder Engagement Plan for complaints management. A collection statement continues to be in place on the home page of the project website with a link to Transport's privacy guidelines. DPE Complaints Register – M12 West. Only one complaint received during audit period. No complaints for 2024.		Compliant
2.7	B	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: (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 enquires may be sent; (c) an email address to which electronic complaints and enquiries may be transmitted; and (d) a mediation system for complaints unable to be resolved. 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.	TFNSW CPBGG-JV	The M12 Motorway portal and project website: www.rms.nsw.gov.au/m12 was reviewed and verified to include the following on the home page and Contact Us page: (a) 24-hour Phone number: 1800 517 155 (b) Postal address: Transport for NSW, PO Box 973 Parramatta NSW 2124 (c) Email: m12motorway@transport.nsw.gov.au (d) Mediation as per collection statement		Compliant
2.8	B	B8	A Complaints Register must be maintained recording information on all complaints received about the CSSI during the carrying out of any work and	TFNSW	DPE Complaints Register – M12 West continues to be in place.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			for a minimum of 12 months following the completion of construction. The Complaints Register must record the: - number of complaints received; - the date and time of the complaint; - the method by which the complaint was made; - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; - nature of the complaint; - means by which the complaint was addressed and whether resolution was reached, with or without mediation; and - if no action was taken, the reason(s) why no action was taken.	CPBGG-JV	Only one complaint received since the previous audit period: Complaint No. 6 for 2023 received 24 November 2023 regarding worker behaviour and accessibility. Complaint about traffic controller behaviour and accessibility for Luddenham Road. Action taken: "Project staff provided with positive community behaviours to adhere to and requested to contact the Community Relations Manager if there is any community concerns. Ensured a contra-flow is in place for all night works." Resolved same day. Project utilises Consultation Manager + fortnightly submission of register. No 2024 tab in the register as no complaints this year. Involvement for property access – BHL Group, Sydney Uni maintenance. Supervisors provide unlimited access. No agricultural businesses affected during audit period. 13 property adjustments upcoming in the next audit period.		
2.9	B	B9	The Complaints Register must be provided to the Planning Secretary upon request, within the timeframe stated in the request	TFNSW CPBGG-JV	The Complaints register is provided by TfNSW to the Department fortnightly via the portal as evidenced for all packages as verified during the audit period – M12 Complaint Registers lodged: 12 December 2023 – portal reference SSI-9364-PA-262 16 January 2024 - portal reference SSI-9364-PA-270 27 February 2024 - portal reference SSI-9364-PA-284 Involvement with stakeholders is face to face first then by phone or email. Consultation Manager continues to be utilised.		Compliant
	B		PROVISION OF ELECTRONIC INFORMATION				
2.10	B	B10	A website or webpage providing information in relation to the CSSI must be established before commencement of Work and be maintained for the duration of construction, and for a minimum of 24 months following the completion of construction. The following up-to-date information (excluding	TFNSW CPBGG-JV	The M12 Motorway portal and project website: www.rms.nsw.gov.au/m12 continues to be implemented with the following information published:		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			confidential, private, commercial information or any other information that the Planning Secretary has approved to be excluded) must be published before the relevant Work commencing and maintained on the website or dedicated pages including: (a) information on the current implementation status of the CSSI; (b) a copy of the documents listed in Condition A1 of this approval, and any documentation relating to any modifications made to the CSSI or the terms of this approval; (c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval (ordered in a logical sequence and easy to navigate); (d) a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI; (e) a current copy of the final version of each document required under the terms of this approval; and (f) a copy of the audit reports required under Conditions A38 and A41 of this approval. Where the information / document relates to a particular Work or is required to be implemented, it must be published on the Proponent's website before the commencement of the relevant Work to which it relates or before its implementation.		(a) Project Documents > Community updates. (b) Project Documents > Reports – includes the EIS, Amendment Report, Submissions Report + Amendment, plus Consistency Assessments. (c) Project Documents > Post approval documentation > NSW Infrastructure Approval (CSSI-9364). No modifications to date. (d) EPL 21595 for West including variation Notice Number 1624838 and Premise maps (e) Post approval documentation includes current West plans e.g., CEMP, CAQMP, CNVMP, CSWMP, etc. (f) The independent environmental audit reports for West are included on the website, separated by audit No. 1 and 2. IEA No. 3 upcoming following finalisation of RFI. All documentation published was noted to be current. It is noted that the website underwent a refresh / restructure.		
3	PART	C	CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
	C		CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
3.1	C	C1	A Construction Environmental Management Plan (CEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department Planning, 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.	TFNSW CPBGG-JV	An overarching CEMP has been developed: TfNSW M12 Motorway Overarching Construction Environmental Management Plan, M12PPW-ADAP-ALL-EN-PLN-000003, Rev J, 17 March 2023. EIS is addressed in Section 1.2 and Appendix A9. CPBGG JV current CEMP: CPBGG JV M12 West CEMP, ref M12WCO-CPBGG-ALL-EVE-PLN-00001, Rev 01 dated 16 March 2023. No changes to CEMP CEMP currently in draft for Rev 02 (Rev K internally) – tracked change version including non-conformance / non-compliance process.	Opportunity for Improvement M12W-04_OFI-02: An environmental event occurred on 24 April 2024 where a water pump within a sediment basin failed to properly float and pump water from the surface, resulting in sediment laden water being pumped into a rock lined channel. After investigating the event, it was determined that no environmental harm occurred given the distance to the nearest receiving waterway and the event was attributed	Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
						to a system related incident. However, at the time of the audit (16 May 2024) the incident had not yet been formally raised and reported. There is an improvement opportunity to review the incident review process (time taken to review incidents) and to ensure appropriate records of evidence of the investigation are stored to demonstrate the decision-making process when categorising events / incidents.	
3.2	C	C2	The CEMP must provide: (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: (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: (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 construction of the CSSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction; (i) a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER;	TFNSW CPBGG-JV	CPBGG JV M12 West CEMP includes the following: (a) Section 1.3 Project description includes activities with Table 1-5 M12 West Indicative Construction Program listing the construction activities and timing. (b) Section 3.2.1, Appendix A1 – Legal requirements and compliance tracking, Appendix A3 – Environmental Policy (c) Section 3.2.1 Environmental Risk Assessment. M12W Environment Risk Register Rev 01 21 March 2023. Also actioned a project wide risk register review – up to Rev 06. 20 April 2023. Risk & Opportunity Register undergoing an update with risks currently being reviewed. Risk Management Workshop attended 20 September 2023 attended. (d) Section 4 Construction control, CEMP sub-plans (e) Section 3.9, Appendix A8 – Monitoring Inspection Reporting Review Audit (MIRRA) Schedule (f) Section 3.8.3 Incident notification, Section 9, Monitoring, inspections and auditing, Section 3.10 Environmental non-conformities, Appendix A7 – TfNSW Environmental incident classification and reporting (g) Section 3.10 Environmental non-conformities (h) Section 1.5.2 Interface with other plans – includes list of sub-plans B1 to B10. (i) Section 3.3.1 Roles and responsibilities (j) Section 3.5 Competence, training and awareness, Appendix A11 – Initial Training Plan	Opportunity for Improvement M12W-04_OFI-01: The Management Review topics as aligned to the CEMP and contract requirements, did not appear to include a section to assign actions which is a requirement of ISO 14001 (Clause 9.3). There is an improvement opportunity to include assigned actions and their status within the Management Review minutes for traceability purposes.	Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(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.		(k) Section 3.11.2 Document control, Section 3.12 Management review, Section 3.13 CEMP/Sub Plan revision and changes to the Project (l) Undertaken as per OCEMP relevant sub-plans (Appendix A) Risk & Opportunity Register has been reviewed and updated as Rev 02 – reclassified most line items reduced in risk for hardstand in increased areas. Master Register tab. Mulch and fire ants added in as new risks. Increased risk of concrete management due to increase in works, as well as weeds. Updated 9 February 2024. Attended by CPBGGJV. Each Dept holds own register – inputs into the Master Register managed by Safety team. Annual review undertaken on 8 February 2024 (previous was 16 March 2023). Quarterly Management Review occurs – last held 14 March 2024. Review of aspects and impacts register, legal register and enviro induction, consideration of monitoring, inspection and audit results, Consideration of incidents and any lessons learnt, Consideration of any new regulatory issues or any proposed CEMP updates – management plans currently under review, CNVMP for EPL variation, OCEMP. Also includes mulch contamination, ERSED controls, ERG issues. Attended by CPBGGJV and TfNSW. Distributed by email on 8 April 2024. Topics of discussion are as aligned to the CEMP and contract.		
3.3	C	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.	TFNSW CPBGG-JV	Contractor plans are endorsed by the ER and do not require Department approval. Comments on the CEMP + sub-plans developed by TfNSW for initial review and then sent to the ER for final review prior to endorsement as evidenced during the previous audit. Updated plans are as based on the OCEMP. Plans have undergone their annual update however awaiting OCEMP changes to be finalised so plans can be aligned.		Compliant
3.4	C	C4	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 .	TFNSW CPBGG-JV	The following overarching sub-plans continue to be in place with copies of correspondence included as Appendix A, Consultation correspondence for all plans (slight amendments made as identified above): (a) Appendix B1: Construction Traffic and Transport Management Sub-plan (b) Appendix B3: Construction Noise and Vibration Management Sub-plan – evidence for additional consultation that was made for the Rev K, March 2023 – as per Central audit		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating																								
			<table><tr><td></td><td>Required CEMP Sub-plan</td><td>Relevant government and other agencies to be consulted for each CEMP Sub-plan</td></tr><tr><td>(a)</td><td>Traffic and transport</td><td>Relevant council(s)</td></tr><tr><td>(b)</td><td>Noise and vibration</td><td>WaterNSW, Sydney Water and pipeline operators (where vibration generating activities will impact on their assets) and relevant council(s)</td></tr><tr><td>(c)</td><td>Flora and fauna</td><td>DPI Fisheries, EES, DAWE and relevant council(s)</td></tr><tr><td>(d)</td><td>Soils and contamination</td><td>DPIE Water, WaterNSW and relevant council(s)</td></tr><tr><td>(e)</td><td>Surface water and groundwater</td><td>DPIE Water, WaterNSW and Sydney Water (if there are discharges to its assets) and relevant council(s)</td></tr><tr><td>(f)</td><td>Heritage (including Aboriginal and non-Aboriginal heritage)</td><td>Heritage Council of NSW, Heritage NSW, WaterNSW and relevant council(s)</td></tr><tr><td>(g)</td><td>Air quality</td><td>Relevant council(s)</td></tr></table> <i>Note: Nothing in this condition prevents the Proponent from combining any of the above CEMP Sub-plans.</i>		Required CEMP Sub-plan	Relevant government and other agencies to be consulted for each CEMP Sub-plan	(a)	Traffic and transport	Relevant council(s)	(b)	Noise and vibration	WaterNSW, Sydney Water and pipeline operators (where vibration generating activities will impact on their assets) and relevant council(s)	(c)	Flora and fauna	DPI Fisheries, EES, DAWE and relevant council(s)	(d)	Soils and contamination	DPIE Water, WaterNSW and relevant council(s)	(e)	Surface water and groundwater	DPIE Water, WaterNSW and Sydney Water (if there are discharges to its assets) and relevant council(s)	(f)	Heritage (including Aboriginal and non-Aboriginal heritage)	Heritage Council of NSW, Heritage NSW, WaterNSW and relevant council(s)	(g)	Air quality	Relevant council(s)		(c) Appendix B2: Construction Flora and Fauna Management Sub-plan (d) Appendix B4: Construction Soil and Water Management Sub-plan (e) Appendix B6: Construction Cultural Heritage Management Sub-plan (f) Appendix B7: Construction Air Quality Management Sub-plan M12 West CEMP sub-plans are as follows: (a) Appendix B1: Construction Transport and Traffic Management Sub-plan (b) Appendix B4: Construction Noise and Vibration Management Sub-plan (c) Appendix B2: Construction Flora and Fauna Management Sub-plan (d) Appendix B3: Construction Contaminated Land Management Sub-plan; Appendix B8: Construction Soil and Water Management Sub-plan (e) Appendix B8: Construction Soil and Water Management Sub-plan (f) Appendix B7: Construction Cultural Heritage Management Sub-plan (g) Appendix B6: Construction Air Quality Management Sub-plan.		
	Required CEMP Sub-plan	Relevant government and other agencies to be consulted for each CEMP Sub-plan																													
(a)	Traffic and transport	Relevant council(s)																													
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(g)	Air quality	Relevant council(s)																													
3.5	C	C5	The CEMP Sub-plans must state how: (a) the environmental performance outcomes identified in the documents listed in Condition A1 will be achieved; (b) the mitigation measures identified in the documents listed in Condition A1 will be implemented; (c) the relevant terms of this approval will be complied with; and (d) issues requiring management during construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART (Specific, Measurable, Achievable, Realistic and Timely) principles.	TFNSW CPBGG-JV	CPBGG JV M12 West CEMP sub-plans were reviewed and verified to include the following: (a) Section 6 Environmental mitigation and management measures of the Soil and Water MP. It is noted that the EIS, RtS and amendment reports are filtered into all sub-plans. (b) Table 6-1 Contaminated land management and mitigation measures – West package of the Construction Contaminated Land Management Plan. Table 7-1: Air quality management and mitigation measures of the Construction Air Quality Management Sub-plan. (c) Handheld dust monitors have only just arrived. Using Site Hive for 24hr surveillance. (d) Addressed in Section 3.2 of the Construction Soil and Water Management Sub-plan. (e) The Construction Contaminated Land Management Sub-plan includes Table 4-1 Areas of environmental interest relevant to the M12 West identified in the Environmental Assessment Documentation. Section 5		Compliant																								

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					addresses Environmental aspects and impacts, including cumulative impacts.		
3.6	C	C6	The Noise and Vibration CEMP Sub-Plan must include, but not be limited to: (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.	TFNSW CPBGG-JV	The Contractor Construction Noise and Vibration Management Sub-plan continues to be in place as M12 Motorway West CEMP: Appendix B4 Construction Noise and Vibration Management Sub-plan, M12WCO-CPBGG-ALL-EVNV-PLN-000001, Rev 01, 6 February 2023 (signed 22 March 2023). The Construction Noise and Vibration Management Sub-Plan (CNVMP) includes the following: (a) Section 4.1 Sensitive receivers (b) Section 5 Noise and vibration criteria for NSW (c) Section 8 Environmental control measures (d) Section 5.3 Working hours; 5.3.4 OOHW (e) Section 6.3 Cumulative impacts and construction fatigue, Section 8 Environmental control measures.		Compliant
3.7	C	C7	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: (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.	TFNSW CPBGG-JV	M12 Motorway West Appendix B8: Construction Soil and Water Management Sub-plan, M12WCO-CPBGG-ALL-EVWA-PLN-000001, Rev 01, 3 April 2023 – signed 21 April 2023 is unchanged since the previous audit and includes: (a) Section 6 Reporting (b) Addressed in Section 3 Monitoring criteria, Table 3-1 Discharge water quality criteria. Section 4 Monitoring methodology and procedures, Section 5 Baseline Data (c) Addressed in Section 3.4.7 Trigger Action Response Plan (TARP)		Compliant
3.8	C	C8	The Flora and Fauna CEMP Sub-plan must be endorsed by a suitably qualified and experienced ecologist and include, but not be limited to: (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	TFNSW CPBGG-JV	M12 Motorway West CEMP: Appendix B3 Construction Flora and Fauna Management Sub-plan, M12WCO-CPBGG-ALL-EVFF-PLN-000001, Rev 01, 17 May 2022 is unchanged since the previous audit and includes: (a) Table 6-2 Flora and fauna mitigation and management measures (b) Appendix A Vegetation Management Plan (including Vegetation Clearing Procedure), and Appendix A Sections 2, Section 2.6		Compliant

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			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 cinnamomic</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.		(c) Appendix A Vegetation Management Plan (specifically Section 2.2.3 and 2.2.5). (d) Appendix D Habitat Compensation Plan, Appendix E Snag Management Plan (e) Section 4.2 Matters of National Environmental Significance, Section 6.3 Exclusion zones (f) Section 1.3 Induction / training, Section 5.2 Ecological impacts, Appendix C Weed and Pathogen Management Plan (g) Section 6.5 Aquatic and riparian habitat, Appendix F Farm Dam Dewatering Procedure, Appendix G Fauna Handling and Rescue Procedure (h) Section 6.7, Appendix B Unexpected Threatened Species and Threatened Ecological Communities (TECs) Finds Procedure Last endorsement by ecologist EMM (David Bone) is dated 31/01/2023 and unsigned. Confirmed that no requirement for ecologist to sign off revised version as no significant changes.		
3.9	C	C9	Any of the CEMP Sub-plans may be submitted to the Planning Secretary for approval along with, or subsequent to, the submission of the CEMP but in any event, no later than one (1) month before the commencement of construction.	TFNSW	Overarching Revised Construction Noise and Vibration Management Plan, Monitoring Program and Out of Hours Work (OOHW) Protocol actioned during previous audit, for the revision of the Noise Catchment Areas for M12 East; approved revision during audit period as per DPHI letter ref SSI-9364-PA-219, 20 November 2023. Remaining plans are unchanged and were verified as approved during the previous audit.		Compliant
3.10	C	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 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.	TFNSW CPBGG-JV	ER endorsement M12 Motorway West – Construction Environmental Management Plan Revision 01, Ref: M12W CEMP Rev 01, 16 March 2023. ER (HBI) letter, 29 May 2023. ER endorsement for Overarching CNVMP Ref: CNVMP Rev M, 16 October 2023: - M12 Motorway Construction Noise and Vibration Management Sub-plan Revision M, October 2023 - M12 Motorway Construction Noise and Vibration Monitoring Program Revision M, October 2023 (CNVMP Appendix B)		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating												
					M12 Motorway Out of Hours Work Protocol Revision M October 2023 (CNVMP Appendix C) Overarching Revised Construction Noise and Vibration Management Plan, Monitoring Program and Out of Hours Work (OOHW) Protocol actioned during previous audit, for the revision of the Noise Catchment Areas for M12 East; approved revision during audit period as per DPHI letter ref SSI-9364-PA-219, 20 November 2023. Remaining plans are unchanged and were verified as approved during the previous audit.														
	C		CONSTRUCTION MONITORING PROGRAMS																
3.11	C	C11	The following Construction Monitoring Programs must be prepared in consultation with the relevant government agencies identified for each to compare actual performance of construction of the CSSI against the performance predicted in the documents listed in Condition A1 or in the CEMP: <table><tr><th></th><th>Required Construction Monitoring Programs</th><th>Relevant government agencies to be consulted for each Construction Monitoring Program</th></tr><tr><td>(a)</td><td>Noise and vibration</td><td>Relevant council(s)</td></tr><tr><td>(b)</td><td>Surface water quality</td><td>DPIE Water, Sydney Water (if there are any discharges to their assets) and relevant council(s)</td></tr><tr><td>(c)</td><td>Groundwater</td><td>DPIE Water</td></tr></table>		Required Construction Monitoring Programs	Relevant government agencies to be consulted for each Construction Monitoring Program	(a)	Noise and vibration	Relevant council(s)	(b)	Surface water quality	DPIE Water, Sydney Water (if there are any discharges to their assets) and relevant council(s)	(c)	Groundwater	DPIE Water	TFNSW CPBGG-JV	Program as per previous audit, no updates have been made during the auditing period. Construction Monitoring Programs have been developed for as per contractor management plans and as follows: (a) Appendix A – Construction Noise and Vibration Monitoring Program, M12WCO-CPBGG-ALL-EVNV-PLN-000001_App A (as part of M12 Motorway West CEMP: Appendix B4 NVMP) (b) Appendix C – Construction Soil and Water Quality Monitoring Program, M12WCO-CPBGG-ALL-EVWA-PLN-000001_App C (as part of the M12 Motorway West CEMP: Appendix B8 SWMP) (c) Groundwater is included within the program as per b) above.		Compliant
	Required Construction Monitoring Programs	Relevant government agencies to be consulted for each Construction Monitoring Program																	
(a)	Noise and vibration	Relevant council(s)																	
(b)	Surface water quality	DPIE Water, Sydney Water (if there are any discharges to their assets) and relevant council(s)																	
(c)	Groundwater	DPIE Water																	
3.12	C	C12	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 Construction Monitoring Programs, including copies of all correspondence from those agencies as required by Condition A5.	TFNSW	Overarching Revised Construction Noise and Vibration Management Plan, Monitoring Program and Out of Hours Work (OOHW) Protocol actioned during previous audit, for the revision of the Noise Catchment Areas for M12 East; approved revision during audit period as per DPHI letter ref SSI-9364-PA-219, 20 November 2023. Remaining plans are unchanged and were verified as approved during the previous audit.		Compliant												
3.13	C	C13	Each Construction Monitoring Program must provide: (a) details of baseline data available; (b) details of baseline data to be obtained and when; (c) details of all monitoring of the CSSI to be undertaken;	TFNSW CPBGG-JV	No changes to the program from previous audit. M12 Motorway West Construction Soil and Water Monitoring Program (Appendix C of the Soil and Water Management Sub-plan) provides the following:		Compliant												

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(d) the parameters of the CSSI to be monitored; (e) the frequency of monitoring to be undertaken; (f) the location of monitoring; (g) the reporting of monitoring results and analysis of results against the relevant criteria; (h) details of methods that will be used to analyse monitoring data; (i) procedures to identify and implement additional mitigation measures where results of monitoring indicate unsatisfactory CSSI impacts; (j) a consideration of SMART principles; (k) any consultation to be undertaken in relation to the monitoring programs; and (l) any specific requirements as required by Condition C14.		(a) Section 5 Baseline data (b) Section 5 Baseline data as per M12 Motorway Surface Water Monitoring Biannual Report (e.g. Oct-20 to Mar-21, GHD, 2021) and M12 Motorway Groundwater Monitoring Biannual Report (e.g. Oct-20 to Mar-21, GHD, 2021). (c) Section 4 Monitoring methodology and procedures (d) Section 4 Monitoring methodology and procedures (e) Section 4 Monitoring methodology and procedures (f) Section 4 Monitoring methodology and procedures, Figure 4-1 Groundwater Monitoring Locations, Table 4-1 Groundwater Monitoring Locations (g) Section 6 Reporting (h) Section 4 Monitoring methodology and procedures (i) Section 6.3 Reporting on Non-Conformances and Exceedances (j) Section 4 Monitoring methodology and procedures (k) Section 1.8 Consultation (l) Refer to below as addressed in C14		
3.14	C	C14	The Construction Noise and Vibration Monitoring Program must include, but not be limited to: (a) noise and vibration monitoring at representative residential and other locations (including at the worst- affected residences), subject to property owner approval, to confirm construction noise and vibration levels; (b) noise monitoring during the day, evening and night time periods throughout the construction period, covering the range of activities (including worst-case construction noise levels) being undertaken; (c) method and frequency for reporting monitoring results; and (d) procedures to identify and implement additional mitigation measures where monitoring indicates noise and/or vibration levels in excess in excess of noise and vibration criteria.	TFNSW CPBGG-JV	No changes to the program from previous audit. Construction Noise and Vibration Monitoring Program (Appendix A of CNVMP): (a) Section 2 Baseline Data, Section 3 Noise and vibration criteria, Section 5.1 Noise monitoring, Section 5.2 Vibration monitoring (b) Section 5.1 Noise monitoring, Table 5-1 Noise monitoring procedure (c) Section 6 Reporting (monthly environmental reports, quarterly Construction Monitoring Report – Noise and Vibration) (d) Section 5.4 Adaptive management		Compliant
3.15	C	C15	The Construction Monitoring Programs must be endorsed by the ER and then submitted to the Planning Secretary for approval at least one (1) month before the commencement of construction.	TFNSW	ER endorsement of Construction Monitoring Programs for the West package as per letter, ER endorsement M12 Motorway West – Construction Environmental Management Plan Revision 01, Ref: M12W CEMP Rev 01, 16 March 2023. ER (HBI) letter, 29 May 2023		Compliant

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.16	C	C16	Unless otherwise agreed with the Planning Secretary, construction must not commence until all of the relevant Construction Monitoring Programs have been approved by the Planning Secretary, and all relevant baseline data for the specific construction activity has been collected.	TFNSW CPBGG-JV	As per previous audit approval letter from the Department received 21 December 2021 for the Overarching Construction Environmental Management Plan, sub-plans and associated monitoring programs. Construction of the M12 West package occurred August 2022 with ER endorsement received 28 July 2022.		Compliant
3.17	C	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.	TFNSW CPBGG-JV	Quarterly Environment Construction Monitoring Report, Quarter 7 – 18 August to 18 November 2023 for the M12 Motorway (West) Construction between The Northern Road, Luddenham, and Badgerys Creek including the Western Sydney Airport (WSIA) Interchange. Quarter 8 – 18 November 2023 to 18 February 2024. Showing no exceedances.		Compliant
3.18	C	C18	The results of the Construction Monitoring Programs must be submitted to the Planning Secretary, and relevant government agencies, for information in the form of a Construction Monitoring Report at the frequency identified in the relevant Construction Monitoring Program . <i>Note: Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan.</i>	TFNSW CPBGG-JV	Submission to DPHI by TfNSW for M12 West Quarterly Environmental Construction Monitoring Report for September to November 2023. Evidence of submission to relevant government agencies as per Table in C11, as required: Noise & Vibration: Relevant Councils Surface Water Quality: DPIE Water, Sydney Water (if to any assets), Relevant Councils Groundwater: DPIE Water. The reports were not sent within the 6-monthly timeframe. An overarching <i>self-reported</i> non-compliance with condition of approval C18 was identified during review of the six-monthly surface and groundwater monitoring reports. The Construction Monitoring Program requires the Construction Surface Water and Groundwater Monitoring Program Report to be provided to the Planning Secretary and relevant government agencies, however submission of reports 7 and 8 were missed. Non-compliance notified as ref SSI-9364-PA-259, 8 December 2023. Following the notification of the non-compliance, the reports were issued to DPHI on 14 December 2023, SSI-9364-PA-263 in accordance with condition C18. As this was <i>self-reported</i> as a non-compliance during the audit period this has been categorised as an overarching non-compliance with condition C18.	Non-Compliance (Overarching) M120-04_NC-01: An overarching <i>self-reported</i> non-compliance with condition of approval C18 was identified during the audit period. The Construction Monitoring Program requires the Construction Surface Water and Groundwater Monitoring Program Report to be provided to the Planning Secretary and relevant government agencies, however submission of reports 7 and 8 were missed. This triggers a non-compliance against Condition C18. It is recommended to implement a process to effectively track timeframes to ensure all submissions occur on time.	Non-Compliant (Overarching)

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
4	PART	D	OPERATIONAL ENVIRONMENTAL MANAGEMENT				
	D		OPERATIONAL ENVIRONMENTAL MANAGEMENT				
4.1	D	D1	An Operational Environmental Management Plan (OEMP) must be prepared having regard to the <i>Environmental Management Plan Guideline for Infrastructure Projects</i> (Department Planning, Industry and Environment 2020). The OEMP must detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in Condition A1 will be implemented and achieved during operation. Condition D1 does not apply if Condition D2 of this approval applies.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
4.2	D	D2	An OEMP is not required for the CSSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Planning Secretary, and demonstrates, to the satisfaction of the Planning Secretary, that through the EMS or equivalent: (a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in Condition A1, and specified relevant terms of this approval can be achieved; (b) issues identified through ongoing risk analysis can be managed; and (c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
4.3	D	D3	The OEMP or EMS or equivalent as agreed with the Planning Secretary, must be submitted to the Planning Secretary for information no later than one (1) month before the commencement of operation.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
4.4	D	D4	The OEMP or EMS or equivalent as agreed with the Planning Secretary, as submitted to the Planning Secretary and amended from time to time, must be implemented for the duration of operation. The OEMP or EMS or equivalent must be made publicly available before the commencement of operation.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered
	D		OPERATIONAL MONITORING PROGRAM				
4.5	D	D5	The following Operational Monitoring Programs must be prepared in consultation with the relevant government agencies identified for each Operational Monitoring Program to compare actual operational performance against predicted performance. Details of all information requested by an agency during consultation must be provided to the	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating									
			Planning Secretary as part of any submission of the relevant Operational Monitoring Program, including copies of all correspondence from those agencies as required by Condition A5. <table><tr><th></th><th>Required Operational Monitoring Programs</th><th>Relevant government agencies to be consulted for each Operational Monitoring Program</th></tr><tr><td>(a)</td><td>Surface water quality</td><td>DPIE Water and relevant council(s)</td></tr><tr><td>(b)</td><td>Groundwater</td><td>DPIE Water</td></tr></table>		Required Operational Monitoring Programs	Relevant government agencies to be consulted for each Operational Monitoring Program	(a)	Surface water quality	DPIE Water and relevant council(s)	(b)	Groundwater	DPIE Water				
	Required Operational Monitoring Programs	Relevant government agencies to be consulted for each Operational Monitoring Program														
(a)	Surface water quality	DPIE Water and relevant council(s)														
(b)	Groundwater	DPIE Water														
4.6	D	D6	Each operational monitoring program must include: (a) details of baseline data; (b) details of all monitoring to be undertaken; (c) the parameters to be monitored; (d) the frequency and duration of monitoring to be undertaken; (e) the location of monitoring; (f) the reporting of monitoring and analysis results against relevant criteria; (g) details of the methods that will be employed to analyse the monitoring data; (h) procedures to identify and implement additional mitigation measures where results of monitoring are unsatisfactory; and (i) any consultation to be undertaken in relation to the monitoring programs.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									
4.7	D	D7	The Operational Monitoring Program(s) must be submitted to the Planning Secretary for information at least one (1) month before the commencement of operation.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									
4.8	D	D8	Operation must not commence until all relevant baseline data has been collected.	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									
4.9	D	D9	The Operational Monitoring Programs must be implemented for the duration specified in the relevant Operational Monitoring Program .	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									
4.10	D	D10	The results of the Operational Monitoring Programs must be submitted to the relevant government agencies for information in the form of an Operational Monitoring Report at the frequency identified in the relevant Operational Monitoring Program .	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									
4.11	D	D11	Where a relevant OEMP Sub-plan exists, the relevant Operational Monitoring Program may be incorporated into that OEMP Sub-plan .	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5	PART	E	KEY ISSUE CONDITIONS				
	E		AIR QUALITY				
5.1	E	E1	In addition to the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 , all practicable measures must be implemented to minimise and manage the emission of dust and other air pollutants during the construction of the CSSI.	CPBGG-JV	2 x site hive devices are in place – minimal sensitive receivers ~6 receivers – one at AF11 for nearby residents, the other East of Badgerys Creek. For any spikes – user receives notification. Two instances – one for a whipper snipper, the other for gurney clean out being used next to monitor. SiteHive is real time – dashboard displayed during audit showing 3 x locations. Results presented from 1 November 2023 to date. Calibration for monitors: HEX-000173, next due 15 November 2024. HEX-000520 next due 8 April 2026. Inspections undertaken on a weekly basis – PDF presented of Inspection ID No. 185785 on 4 April 2024. Includes General Environmental Management, ASS, Adverse Weather, Air Quality – all showing Yes for assessed and 0 actions. Contamination also included (but N/A), Hazardous Materials, Heritage, Soil and Water (1 positive observation – can select either positive or negative), Energy Management, Community, Waste and Resource Management, Notes.		Compliant
	E		BIODIVERSITY				
5.2	E	E2	The clearing of native vegetation must be minimised with the objective of reducing impacts to threatened ecological communities and threatened species habitat.	TFNSW CPBGG-JV	All clearing complete for West. No additional clearing during the audit period.		Compliant
5.3	E	E3	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 <i>M12 Motorway Amendment Report - Submissions Report</i> (December 2020) and <i>M12 Motorway Amendment Report -Submissions Report - Amendment</i> (dated 8 March 2021) within 12 months of the commencement of construction. The offset obligations must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by: (a) acquiring and retiring “biodiversity credits” within the meaning of the <i>Biodiversity Conservation Act 2016</i>; and/or (b) properties secured with the NPWS, on the basis of a draft credit report to show what the property would provide and written	TFNSW CPBGG-JV	Letter from DPE “M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)” dated 29 August 2023 presented: notes that obligations to be met within 12 months of commencement of construction (August 2022). Six-months extension approved with the extended deadline to 18 February 2024. In response to TfNSW as sighted, dated 10 August 2023. TfNSW spreadsheet with offset obligations continues to be in place: WSPO_Biodiversity_Offsets (live register) which includes credit type, No. of credits as per EIS, Amendment		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating																											
			confirmation from NPWS that the financial contributions for acquisition and management have been received; and/or (c) making a payment into the Biodiversity Conservation Fund; or (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. <i>Notes</i> 1. <i>Following repeal of the Threatened Species Conservation Act 1995 on 25 August 2017, “biodiversity credits” created under that Act are taken to be “biodiversity credits” under the Biodiversity Conservation Act 2016 by virtue of clause 19 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</i> 2. <i>The determination of biodiversity credits under the Biodiversity Conservation Act 2016 that are reasonably equivalent to biodiversity credits created under the Threatened Species Conservation Act 1995 remaining to be retired must be carried out in accordance with clause 22 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</i>		Reports and further consistency assessment reports and surveys; total credits required, purchase credits, credits remaining to purchase. Post Completion Clearing Report April 2023 (Rev 0, 24 April 2023). Summary of clearing to date report provided from Leneco ecologist 2 May 2023. Procured all biodiversity offsets. Federal and Stage EPBC, BCF 489, 22 December 2022 receipt paid into fund to meet requirements as species could not be identified with letter from TfNSW 14 February 2023, same date of letter to the Department. No changes since previous audit.																													
5.3.1	E	E3	Table 1: Ecosystem Credits for Direct Impacts to be Retired <table><tr><th colspan="3">Ecosystem Credits</th></tr><tr><th>Plant Community Type (PCT) ID and name</th><th>Refined construction footprint (hectares)</th><th>Number of Credits</th></tr><tr><td>724: Broad-leaved Ironbark – Grey Box - Melaleuca decora grassy open forest on clay/gravel soils of the Cumberland Plain, Sydney Basin Bioregion</td><td>6.91</td><td>372</td></tr><tr><td>830: Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion</td><td>0.44</td><td>15</td></tr><tr><td>835: Forest Red Gum – Roughbarked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion</td><td>3.18</td><td>105</td></tr><tr><td>849: Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion</td><td>6.34</td><td>210</td></tr><tr><td>850: Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion</td><td>60.52</td><td>1908</td></tr><tr><td>1800: Swamp Oak open forest on riverflats of the Cumberland Plain and Hunter Valley</td><td>2.82</td><td>75</td></tr><tr><td>TOTAL ECOSYSTEM CREDITS</td><td>80.21</td><td>2685</td></tr></table> Table 2: Ecosystem Credits for Indirect Impacts to be Retired	Ecosystem Credits			Plant Community Type (PCT) ID and name	Refined construction footprint (hectares)	Number of Credits	724: Broad-leaved Ironbark – Grey Box - Melaleuca decora grassy open forest on clay/gravel soils of the Cumberland Plain, Sydney Basin Bioregion	6.91	372	830: Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	0.44	15	835: Forest Red Gum – Roughbarked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion	3.18	105	849: Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	6.34	210	850: Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	60.52	1908	1800: Swamp Oak open forest on riverflats of the Cumberland Plain and Hunter Valley	2.82	75	TOTAL ECOSYSTEM CREDITS	80.21	2685	TFNSW CPBGG-JV	As per condition E4, request for extension letter from TfNSW as dated 10 August 2023 for E4 Offset requirements. DPE letter “M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)” dated 29 August 2023. Six-months extension approved with the extended deadline to 18 February 2024. Submission to DPHI for offset report and credit requirements on 16 February 2024 as per SSI-9364-PA-279. DPHI request for further information, 23 February 2024: Documents submitted on 16 February 2024 under Conditions E4-E7 of the Project Approval, including: • Update to Ecosystem and Species Credits Requirements for M12 West and Central (rev J, 2 Feb 2024) • Credit Retirement Report 202402-RT-909 • Credit Retirement Report 202402-RT-910 • Credit Retirement Report 202402-RT-911 • Credit Retirement Report CT-2901 • BCF Invoice BCF662 • Statement of Reasonable Equivalency Response to RFI as per SSI-9364-PA-286 dated 4 March 2024.		Compliant
Ecosystem Credits																																		
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5.4	E	E4	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 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 for each stage.	TFNSW CPBGG-JV	As per letter from TfNSW dated 31 July 2023. “Request to approve changes to the offset requirements for the M12 Motorway, in accordance with the CoA E4”. Submitted as per portal receipt on 2 August 2023, SSI-9364-PA-197. “Following project approval in April 2021, due to detailed design development and further biodiversity surveys (including verification surveys, spring surveys and targeted species surveys), the number of credits required for the project has changed, as allowable in M12 NSW CoA E4 and Commonwealth CoA 4. The details of the changes and the updated offset credit requirements are detailed in a report prepared by Arcadis. Transport for NSW has acquired biodiversity		Compliant																																							

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					credits to meet updated offset obligations and is ready to retire them." Applicable conditions: E4 and E5. DPE letter "M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)" dated 29 August 2023. Six-months extension approved with the extended deadline to 18 February 2024. Submission to DPHI for offset report and credit requirements on 16 February 2024 as per SSI-9364-PA-279. DPHI request for further information, 23 February 2024: Documents submitted on 16 February 2024 under Conditions E4-E7 of the Project Approval, including: • Update to Ecosystem and Species Credits Requirements for M12 West and Central (rev J, 2 Feb 2024) • Credit Retirement Report 202402-RT-909 • Credit Retirement Report 202402-RT-910 • Credit Retirement Report 202402-RT-911 • Credit Retirement Report CT-2901 • BCT Invoice BCF662 • Statement of Reasonable Equivalency Additional documents (Update Report) submitted to DPHI on 20 February 2024, including: • M12 Motorway Update to Ecosystem and Species Credits Requirements for M12 West and M12 Central • Retirement report credit holder 218 • Retirement report credit holder 691 • Retirement report credit holder 554 • Statement of reasonable equivalence • Retirement report for credit holder C-021436 • BCT payment statement for pultenaea parviflora DPE Letter dated 5 June 2024 (SSI-9364-PA-286) acknowledging receipt of the Update Report and stating that the report "contains the information required by Conditions E4-E7 of SSI-9364.		

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.5	E	E5	The review and update of credit requirements must be undertaken by: (a) using the vegetation mapping in the EIS, <i>M12 Motorway Amendment Report – Appendix A Biodiversity supplementary technical report</i> (October 2020), and <i>M12 Motorway Amendment Report – Submissions Report</i> (December 2020); and/or (b) completing verification surveys to confirm the extent, type and condition of threatened species and ecological communities to be impacted.	CPBGG-JV	DPE letter "M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)" dated 29 August 2023. Six-months extension approved with the extended deadline to 18 February 2024. Submission to DPHI for offset report and credit requirements on 16 February 2024 as per SSI-9364-PA-279. DPHI request for further information, 23 February 2024: Documents submitted on 16 February 2024 under Conditions E4-E7 of the Project Approval, including: - Update to Ecosystem and Species Credits Requirements for M12 West and Central (rev J, 2 Feb 2024) - Credit Retirement Report 202402-RT-909 - Credit Retirement Report 202402-RT-910 - Credit Retirement Report 202402-RT-911 - Credit Retirement Report CT-2901 - BCF Invoice BCF662 - Statement of Reasonable Equivalency Additional documents (Update Report) submitted to DPHI on 20 February 2024, including: - M12 Motorway Update to Ecosystem and Species Credits Requirements for M12 West and M12 Central - Retirement report credit holder 218 - Retirement report credit holder 691 - Retirement report credit holder 554 - Statement of reasonable equivalence - Retirement report for credit holder C-021436 - BCT payment statement for pultenaea parviflora DPE Letter dated 5 June 2024 (SSI-9364-PA-286) acknowledging receipt of the Update Report and stating that the report "contains the information required by Conditions E4-E7 of SSI-9364.		Compliant
5.6	E	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	TFNSW CPBGG-JV	M12 East applicable for survey only.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			ecosystems may be applied to conservatively evaluate impacts and associated credit requirements.				
5.7	E	E7	The Proponent must submit to the Planning Secretary and DAWE for information: (a) a copy of the Credit Retirement Report; and/or (b) a receipt confirming payment to the Biodiversity Conservation Fund; and/or (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.	TFNSW	DPE letter "M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)" dated 29 August 2023. Six-months extension approved with the extended deadline to 18 February 2024. Submission to DPHI for offset report and credit requirements on 16 February 2024 as per SSI-9364-PA-279. DPHI request for further information, 23 February 2024: Documents submitted on 16 February 2024 under Conditions E4-E7 of the Project Approval, including: • Update to Ecosystem and Species Credits Requirements for M12 West and Central (rev J, 2 Feb 2024) • Credit Retirement Report 202402-RT-909 • Credit Retirement Report 202402-RT-910 • Credit Retirement Report 202402-RT-911 • Credit Retirement Report CT-2901 • BCF Invoice BCF662 • Statement of Reasonable Equivalency Additional documents (Update Report) submitted to DPHI on 20 February 2024, including: • M12 Motorway Update to Ecosystem and Species Credits Requirements for M12 West and M12 Central • Retirement report credit holder 218 • Retirement report credit holder 691 • Retirement report credit holder 554 • Statement of reasonable equivalence • Retirement report for credit holder C-021436 • BCT payment statement for pultenaea parviflora DPE Letter dated 5 June 2024 (SSI-9364-PA-286) acknowledging receipt of the Update Report and stating that the report "contains the information required by Conditions E4-E7 of SSI-9364.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.8	E	E8	Additional Surveys of <i>Pimelea spicata</i> The Proponent must undertake additional surveys of <i>Pimelea spicata</i> (Spiked Rice-flower) in potential habitat for this species within the refined construction footprint to the north of Elizabeth Drive and west of the existing Wallgrove Road as identified in Figure 6-5 of the <i>M12 Motorway Amendment Report – Submissions Report</i> (December, 2020). The surveys must be undertaken during optimal conditions as defined by the <i>NSW Bionet Threatened Biodiversity Profile Data Collection</i> (DPIE) or as agreed by the Planning Secretary. The surveys must be undertaken in consultation with EES and DAWE and the results of the surveys provided to the Planning Secretary, EES and DAWE for information within one (1) month of completion of the surveys.	TFNSW	As per DAWE approval (3 June 2021), no clearing is to occur in the identified locations until additional surveys are complete in consultation with the EES and DAWE, and provided to the Department within one month of completion of surveys. This requirement is applicable to M12 East package only.		Not Triggered
5.9	E	E9	<i>Pimelea spicata</i> is recorded in the surveys carried out under Condition E8 , any impacts to the species must be offset in accordance with the options available under Condition E3 and in consultation with EES. The Proponent must provide details of the required biodiversity credits to the Planning Secretary, EES and DAWE for information prior to works that impact the threatened species.	TFNSW	<i>Pimelea spicata</i> is applicable to the M12 East Package only. No offset required at this stage.		Not Triggered
5.10	E	E10	Biobanking Site Within one (1) month before the commencement of operation of the CSSI, or where the operation of the CSSI is staged one (1) month before the commencement of operation of the relevant stage, the Proponent must provide evidence to the Planning Secretary, for information, that it has implemented measures agreed with the Western Sydney Parklands Trust to compensate the acquisition of land from the Western Sydney Parklands Biobank Site (Biobanking Agreement Site ID 199) for the CSSI.	TFNSW	The M12 Motorway project is currently under construction. This condition is not yet triggered.		Not Triggered
5.11	E	E11	Key Fish Habitat The Proponent must minimise impacts to Key Fish Habitat (KFH) as defined in <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI, 2013 update). Residual impacts to KFH must be offset at a ratio of 2:1 habitat offset requirement in accordance with the <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI, 2013 update) and in consultation with DPI Fisheries.	TFNSW CPBGG-JV	No changes. Payment as actioned, Department of Primary Industries letter, ref C22/237, 22 April 2022 to TfNSW RE: Transport for NSW – payment into the Conservation Trust Fund for M12 Motorway impacts to Key Fish Habitat – advice regarding condition E11 and E12, which confirms that relevant conditions of approval for SSI-9364 are satisfied.		Compliant

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.12	E	E12	Payment of the habitat offset requirement must be made to the DPI Fish Conservation Trust Fund prior to the commencement of Work that impacts KFH in Badgerys Creek, Cosgroves Creek, Kemps Creek and South Creek.	TFNSW CPBGG-JV	No changes since previous audit. No additional payments required. The DPI Fisheries letter as per previous audit (ref C22/237, 22 April 2022 to TfNSW RE: Transport for NSW – payment into the Conservation Trust Fund for M12 Motorway impacts to Key Fish Habitat – advice regarding condition E11 and E12), confirms payment of the calculated offset requirement as communicated in C22/150 (21/03/2022), received by the Conservation Trust Fund on 04/04/2022 (Invoice No. 4000063134).		Compliant
5.13	E	E13	The Proponent must submit to the Planning Secretary a receipt confirming payment to the DPI Fish Conservation Trust Fund within one (1) month of making the payment.	TFNSW	No changes since previous audit. TfNSW letter dated 22 April 2022 to the Department + remittance advice 100099159, invoice dated 28 March 2022, paid 5 April 2022 as verified during previous audit.		Compliant
5.14	E	E14	Fauna Connectivity Design Principles A minimum width of three (3) metres and a minimum height of 1.5 metres must be provided to maintain fauna passage below the Badgerys Creek, Cosgroves Creek, South Creek and Kemps Creek bridges. The three-metre wide passage must consist of a natural substrate or other surface type that will not hinder fauna movement.	TFNSW CPBGG-JV	As included in the WSP Detailed Design Report (West) Fauna Crossing Structures Report Rev C, 3 August 2021. No change or RFIs since previous audit.		Compliant
5.15	E	E15	Re-use of Timber 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: (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, could be used by others in habitat enhancement, beneficial re-use and rehabilitation work, before pursuing other disposal options.	CPBGG-JV	All clearing complete for West. Observed on site, tree logs currently stored on M12 West site to be used as part of the Emu in the Sky (nest).		Compliant
	E		FLOODING				
5.16	E	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	TFNSW	Tests been undertaken to see if changes had occurred e.g., widening of embankments. However, no design changes were triggered during the audit period.		Compliant

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			suitably qualified and experienced person in consultation with directly affected landowners, DPI Water, DPI Fisheries, EES, Infrastructure NSW (NSW) and relevant councils.	CPBGG-JV			
5.17	E	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 flood event up to and including the 1% AEP flood event, to the following: (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. 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. 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.	TFNSW CPBGG-JV	All detailed design as per previous audit. No changes. WSP Detailed Design Hydraulic and Hydrology Report Rev F dated 8 October 2021 (West), M12WDD-WSP-ALL-SD-RPT-000001, Section 5.6.1 Afflux, Section 5.6.2 Velocity, Section 5.6.3 Duration. Temporary crossing design presented: Temporary work for the Cosgroves Creek crossing – includes attachment with flood modelling, takes into account permanent design. Velocity afflux >20% noted in red. Email from TfNSW to Temporary Works design 9 November 2022, M12WEST-HP-CPBGGJV-000103-G1 CI-6 - Temporary work for the Cosgroves Creek crossing - Notification of Change of Form Information TfNSW attends the fortnightly ER inspection. Traffic light system implemented in place. TfNSW will only report on matters as they arise; reliant on the ER reports. ERG are invited to attend site. EPA inspections occurring sporadically.		Compliant
5.18	E	E18	All updated hydrologic and hydraulic assessments undertaken during detailed design must be consistent with the <i>Australian Rainfall and Runoff – A Guide to Flood Estimation</i> (GeoScience Australia, 2019).	TFNSW CPBGG-JV	No changes to design. Detailed Design Hydraulic and Hydrology Report Rev F 8 October 2021 (West) as prepared by WSP verified during previous audit.		Compliant
5.19	E	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 <i>Wianamatta (South) Creek Catchment Flood Study - Existing Conditions (Revision H)</i> (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.	TFNSW CPBGG-JV	No changes to design. The following were reviewed during the initial audit: WSP Detailed Design Hydraulic and Hydrology Report Rev F 8 October 2021 (West). Lyalls & Associates Flood Management Strategy Report, M12FMS-V1 [Rev 1.2], June 2022.		Compliant

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.20	E	E20	Flood information including flood summary reports, models and geographic information system outputs, and work as executed information on finished ground levels and the dimensions and finished levels of all structures within the flood prone land, must be provided to the relevant council, EES and INSW in order to assist in preparing relevant documents and to reflect changes in flood behaviour as a result of the CSSI. The relevant council(s), EES and INSW must be notified in writing that the information is available no later than one month following the operation of the CSSI. Information requested by the relevant council(s), EES or INSW must be provided no later than six (6) months following the completion of construction or within another timeframe agreed with the relevant council(s), EES and INSW.	TFNSW CPBGG-JV	The M12 Motorway is still under construction. This is not yet triggered.		Not Triggered
5.21	E	E21	The flood models, data and summary reports must be uploaded to the NSW Flood Data Portal and access provided to the relevant councils, EES and INSW.	TFNSW CPBGG-JV	The M12 Motorway is still under construction. This is not yet triggered.		Not Triggered
5.22	E	E22	The designs of all bridge, culvert and other cross drainage structures must include for potential blockages consistent with the procedures in the <i>Australian Rainfall and Runoff – A Guide to Flood Estimation</i> (GeoScience Australia, 2019).	TFNSW CPBGG-JV	No changes to design. As per Detailed Design Hydraulic and Hydrology Report Rev F 8 October 2021 (West) as prepared by WSP presented during the initial audit.		Compliant
5.23	E	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.	TFNSW CPBGG-JV	No changes to design during the audit period. As per Detailed Design Hydraulic and Hydrology Report Rev F 8 October 2021 (West) as prepared by WSP. This is applicable to the East package.		Not Triggered
5.24	E	E24	For property/ies zoned primary production and where hydrologic modelling predicts that the CSSI will potentially reduce and adversely affect the available stormwater runoff yield to a farm dam, the Proponent must, in consultation with the affected landowner: (a) calculate the nature and extent of impacts on water supply; (b) determine what measures may be implemented to prevent, mitigate, compensate or offset a loss in water supply; and (c) implement the measures agreed with the landowner at no cost to the landowner. The agreed measures must be implemented prior to undertaking any works that would directly affect the flow of water into a landowner's farm dam. In the event that the Proponent and landowner cannot agree on the measures to mitigate the impact, the Proponent shall engage a suitably qualified and experienced independent person to advise and assist in determining appropriate mitigation measures.	TFNSW	Not applicable to the West Package as no properties zoned as primary production.		Not Triggered
	E		HERITAGE				

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.25	E	E25	Construction and operation of the CSSI should aim to not diminish the potential of the following heritage items for nomination to the State Heritage Register beyond the impacts to significance already identified in the documents listed in Condition A1 : McGarvie Smith Farm, McMaster Field Station and Fleurs Radio Telescope Site.	TFNSW CPBGG-JV	McGarvie Smith Farm and McMaster Field Station as applicable to West package. Artefact (Heritage expert) engaged by TfNSW. Currently not at risk. Currently works have not reached the McGarvie Smith Farm. No damage to heritage items.		Compliant
5.26	E	E26	An experienced and qualified heritage specialist(s) must prepare and/or endorse the: (a) Heritage Interpretation Plan required by Condition E27; (b) archival photographic digital recording required by Condition E28; and (c) Heritage Report required by Condition E29.	TFNSW CPBGG-JV	M12 Motorway Project Heritage Interpretation Plan as presented during previous audit remains unchanged. No additional archival photographic digital recording required during the audit period.		Compliant
5.27	E	E27	Heritage Interpretation Plan must be prepared that identifies and interprets the key heritage values and stories of the heritage items impacted by the CSSI. The Heritage Interpretation Plan must include, but not be limited to: (a) integration of heritage themes and values in the design of the CSSI; design elements (form and fabric) and themes for the CSSI; (b) consideration of the design concepts for Western Sydney International Airport and Sydney Metro Western Sydney Airport; and (c) opportunities for design responses for Aboriginal and non-Aboriginal heritage. The Heritage Interpretation Plan must be provided to Western Sydney International Airport and Sydney Metro Western Sydney Airport to assist in guiding opportunities for integration of heritage themes and values into their design. The Heritage Interpretation Plan must be prepared in accordance with the <i>Interpreting Heritage Places and Items Guidelines</i> (NSW Heritage Office, 2005), and in consultation with Heritage NSW, Aboriginal Cultural Heritage Advisory Committee, LALC and relevant council(s). The Plan must be implemented and inform the Place, Design and Landscape Plan required by Condition E69. The Heritage Interpretation Plan must be submitted to the Planning Secretary and Heritage NSW for information prior to finalising the Place, Design and Landscape Plan required by Condition E69.	TFNSW	Integrated design across the whole project, For West: Design for great emu in the sky, GHD and Balarinji, 80% Detailed Design stage (30m). Model was sighted during visit to West compound. Logs have been transferred from JHG M12 East project for emu nest. M12 Motorway – West Package Detailed Design EIK – Great Emu in the Sky Structure 50% Design Submission M12WDD-GHDA-AAR-MS-RPT-000001 50% DD review also presented, Rev A dated 4 November 2022 by GHD. Shared user path, Aboriginal interpretation area includes emu footprints. Non-Aboriginal M12 Way Finding and Interpretative Signage for the whole project. M12 Motorway Project Heritage Interpretation Plan is unchanged since previous audit, Version 3, 15 April 2022. Submissions as verified during initial audit. Foundations are soon to commence for the Emu in the Sky. Design was only recently finalised, tender was recently awarded. Commencing artwork at Bridge BR04 dimple effect for stars.		Compliant

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Note: Nothing in this condition prevents the Proponent from preparing separate Heritage Interpretation Plans for Aboriginal and Non-Aboriginal Heritage.</i>				
5.28	E	E28	Archival photographic digital recording must be undertaken as outlined in the documents listed in Condition A1 for all listed heritage items and for all sites assessed to have heritage significance which will be affected by the CSSI. The recordings must be undertaken prior to the commencement of Work which may impact the items. The recordings must include buildings, structures and landscape features and detailed maps showing the location of features. The archival recording must be prepared in accordance with How to Prepare Archival Records of Heritage Items (NSW Heritage Office, 1998) and Photographic Recording of Heritage Items Using Film or Digital Capture (NSW Heritage Office, 2006).	TFNSW CPBGG-JV	Archival recording for McGarvie Smith Farm and McMaster Field Station as per previous audit. M12 Motorway Non-Aboriginal Photographic Archival Recording Report dated 6 May 2022 prepared by Artefact includes archival recording for the listed heritage items. None required during the audit period.		Compliant
5.29	E	E29	Following completion of all Work described in the documents listed in Condition A1 in relation to heritage items, a Heritage Report including the details of archival recordings, further historical research either undertaken or to be carried out and archaeological excavations (with artefact analysis and identification of a final repository for finds), must be prepared in accordance with any guidelines and standards required by the Heritage Council of NSW and Heritage NSW. <i>Note: Nothing in this condition prevents the Proponent from preparing separate Heritage Reports for Aboriginal and Non-Aboriginal Heritage.</i>	TFNSW CPBGG-JV	Works not yet complete. This is not yet triggered.		Not Triggered
5.30	E	E30	The Heritage Report must be submitted to the Planning Secretary and Heritage NSW for information within 12 months of completing all Work described in the documents listed in Condition A1 in relation to heritage items. Copies of the Heritage Report must also be provided to relevant local libraries and relevant local historical societies.	TFNSW CPBGG-JV	Status of Heritage Report – separate reports to be actioned – one for non-Aboriginal Heritage, other to follow. Timing of this is not yet triggered.		Not Triggered
5.31	E	E31	An Unexpected Heritage Finds and Human Remains Procedure must be prepared to manage unexpected heritage finds in accordance with any guidelines and standards prepared by the Heritage Council of NSW and Heritage NSW. The Procedure must be prepared in consultation with Heritage NSW and form part of the Heritage CEMP Sub Plan required by Condition C4 .	TFNSW CPBGG-JV	As per Appendix A - Unexpected Heritage Finds and Human Remains Procedure (Attachment 1 - Unexpected Aboriginal and non-Aboriginal heritage finds procedure and Attachment 2 - Unexpected Human Remains Procedure) included as part of the M12 Motorway West Construction Cultural Heritage Management Sub-plan, M12WCO-CPBGG-ALL-EVWM-PLN-000001, Rev 01, 1 July 2023. No changes during the audit period.		Compliant
5.32	E	E32	Unexpected Heritage Finds and Human Remains Procedure , as submitted to the Planning Secretary, must be implemented for the duration of Work.	TFNSW CPBGG-JV	As part of the induction process, however no unexpected finds to date.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Note: Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</i>				
5.33	E	E33	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).	TFNSW CPBGG-JV	No unexpected heritage or human remains finds to date.		Not Triggered
	E		NOISE AND VIBRATION				
5.34	E	E34	Work Hours Work must only be undertaken during the following hours: (a) 7:00am to 6:00pm Mondays to Fridays, inclusive; (b) 8:00am to 6:00pm Saturdays; and (c) at no time on Sundays or public holidays.	CPBGG-JV	EPL replicates these hours. Standard hours unchanged.		Compliant
5.35	E	E35	Highly Noise Intensive Work 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: (a) between the hours of 8:00am to 6:00pm Monday to Friday; (b) between the hours of 8:00am to 1:00pm Saturday; and (c) if continuously, then not exceeding three hours, with a minimum cessation of work of not less than one hour. 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.	CPBGG-JV	CRCP (soft cut only), not considered as highly noise intensive work. Works as per EPL including variation.		Not Triggered
5.36	E	E36	Variation to Work Hours Notwithstanding Conditions E24 and E35 , Work may be undertaken outside the hours specified in any of the following circumstances: (a) Safety and Emergencies , including: (i) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or (ii) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm. 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 endeavours to notify all noise	CPBGG-JV	(a) No emergency works during the audit period. (b) All OOHW are inaudible / delivery of equipment. Notification to EPA as per EPL. Noise Assessment and OOHW application provided. Sent through to the ER – ER will comment and send for up-rev if required. EPA requested all OOHW with supporting noise check calculations. (c) OOHW permits as evidenced below: OOHW-00098 dated 11 April 2024 for Luddenham Rd BR01-BR02 joint works. 18/05, 25/05 Saturday between 7am – 1pm L5.3, inaudible of nearest sensitive receiver.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			and/or vibration affected sensitive receivers of the likely impact and duration of the emergency work. (b) Work that causes: (i) LAeq(15 minute) noise levels: - 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 use(s); and (ii) LAeq(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). (c) By Approval, including: (i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; (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).		Noise assessment to support approval of OOHW, CPBGGJV uses TfNSW noise calculator tool. EPL Variation – noise monitoring first 2 days of impact, any exceedances to notify EPA, also notify 24hrs prior to works occurring (e.g., notified 15 May 2024 recommencing works). Clause L5.9 Works outside of standard construction hours to conduct soft cutting as per TfNSW QA specification R83. Noise monitoring has recently occurred for validation e.g., delivery of girders, CRCP (soft cutting) as per EPL variation. 25/03/2024 and 26/03/2024 Noise Monitoring Report 25/03/24 presented. Attended Noise Monitoring. Results over due to ambient noise insects, traffic – prediction 49dB, recorded 59dB. 7:21 to 7:36pm. Photos of reading included. Measures include installation of noise blankets, no more than 3 consecutive nights, respite. Photo of noise blankets on vehicle alongside soft cutter. Traffic Switch OOHW-000094 – broken up into stages per activity to ensure noise estimation was more accurate. Permit dated 1 March 2024 – New Elizabeth Dr for nightworks. M12WCO-CPBGGJV-000235 on 1 March 2024 Community manager phones residents + website shows notifications on monthly basis. Email to EPA sighted, dated 28 March 2024 "Attended Noise Monitoring for CRCP Works" from CPBGGJV to EPA.		
5.37	E	E37	Out-Of-Hours Work Protocol – Works Not Subject to an EPL 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: (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: (iv) the ER reviews all proposed out-of-hours activities and confirm their risk levels, (v) low risk activities can be approved by the ER, and (vi) 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;	CPBGG-JV	There are no Out-Of-Hours Work occurring that are not subject to EPL 21595. An Out-Of-Hours Work (OOHW) Protocol is included as Appendix C of the Overarching Construction Noise and Vibration Management Sub-plan, M12PPW-ADAP-ALL-EN-PLN-000008, Rev K, 19 March 2023. (a) Section 2, OOHW noise and vibration assessment, Section 4.3 OOHW process and approval (b) Section 2, OOHW noise and vibration assessment (c) Section 3 OOHW noise and vibration management measures, Attachment 2 - Application of OOHW mitigation measures (d) Section 2.3 Co-ordination of OOHW with third parties (e) Section 3 OOHW noise and vibration management measures including: Stakeholder notifications, specific notifications, phone calls, individual		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(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. This condition does not apply to Work where the requirements of Condition E36(a) or (b) are met.		briefings, respite offers, respite periods, duration respite, alternative accommodation. EPL 21595 variation signed by EPA 1 December 2022, in accordance with notice number 1624838 with regards to incorrect wording in condition L5.5 instead of L5.7. This will be captured in the updated Community and Stakeholder Plan. The CNVMP is undergoing an update and a draft is currently with the ER for review. OOHW Procedure was reviewed by TfNSW 17 March 2023. Reference is made to the Community and Stakeholder Plan. Tracked changed version presented as evidence with comments including EPL variation updates.		
5.38	E	E38	Noise Management Levels and Vibration Criteria for Work Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration objectives: (a) construction 'Noise affected' NML established using the <i>Interim Construction Noise Guideline</i> (DECC, 2009); (b) vibration criteria established using the <i>Assessing vibration: a technical guideline</i> (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 <i>German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures</i> (for structural damage). 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. <i>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.</i>	CPBGG-JV	M12 West Quarterly Environment Construction Monitoring Report (Quarter 8) – 18 November 2023 to 18 February 2024 contains results of noise and vibration monitoring data. Data is recorded to demonstrate compliance with the criteria established in the noise and vibration sub-plan. Mitigation measures were implemented as per the noise and vibration sub-plan. Attended noise monitoring was undertaken during out of hours works for deck drainage installation on bridge 1 and pavement operations at Zone 1 and Zone 2. Real time noise monitoring was undertaken during day, evening and night periods via SiteHive locations at the main alignment on Luddenham Road and Elizabeth Drive. No vibratory activities occurred within 50m of residential buildings or within safe distances for cosmetic damage and there were no complaints or incidents relating to noise and vibration. Calibration certificates sighted: Sound level meter – Job no. RD080, dated 17 March 2024 – serial number #073924		Compliant
5.39	E	E39	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	CPBGG-JV	Communication Strategy does not list any potentially affected community including religious, educational, sensitive businesses or critical working areas. None identified – 14 residents in total.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			have been made to the affected institutions and are implemented at no cost to the affected institution.				
5.40	E	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 .	CPBGG-JV	No addendums or changes during the audit period. For each OOHW an NVIS is to be developed. As per Noise Estimator (Scenario). Forwarded with email to EPA and ER 13 December 2022.		Compliant
5.41	E	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 .	TFNSW CPBGG-JV	Properties at risk are noted within the Communication Strategy as follows: - Residential: 3 - Shed or garage: 2 None at risk. Notifications as per Out of Hours Work only.		Not Triggered
5.42	E	E42	Construction Vibration Mitigation – Heritage 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 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.	CPBGG-JV	No vibratory activities causing impact to heritage to date.		Not Triggered
5.43	E	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.	CPBGG-JV	No vibratory activities causing impact to heritage to date.		Not Triggered
5.44	E	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.	TFNSW	At-property treatment has not been required for McGarvie Smith Farm and McMaster Field Station. This condition is not yet triggered. No equipment installed at heritage items.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.45	E	E45	Utility Coordination and Respite 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: (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. 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.	CPBGG-JV	No respite periods required for stakeholders. Informal discussions with Sydney Metro contractor. 1 Closure on Luddenham Road – joint closure with SCAW – coordinate OOHW with SCAW. Regular interface meetings with WSA Community manager is on both SCAW and M12 West. As per OOHW permits. The ER reviews out of hours work permits: Examples: • OOHW 00094 EDR Traffic Switch • OOHW 00095 CRCP Soff-cutting Cut 4 - Fill 5C • 24-03-OOHW-127 BR09 Linemarking and Barrier • 24-03-OOHW-126 BR10 Concrete Pour • 24-03-OOHW-128 BR06 Early Deck Pour		Compliant
5.46	E	E46	Out-of-Hours Works – Mitigation 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: (d) 10:00 pm and 7:00 am, Monday to Friday; (e) 10:00 pm Saturday to 8:00 am Sunday; and (f) 6:00 pm Sunday and public holidays to 7:00 am the following day unless that day is Saturday then to 8:00 am, 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. 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.	CPBGG-JV	Not triggered however might be triggered for the upcoming EDR switch – 2 nights until the middle of June 2024.		Not Triggered
5.47	E	E47	Out-of-Hours Works – Community Consultation on Respite 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.	CPBGG-JV	OOHW notifications for M12 West were viewed on the project website, for example: (a) M12 Motorway – West Out of hours work along Elizabeth Drive and Luddenham Road, Badgerys Creek, The Northern Road and Luddenham Road, December 2023 – covering 15 nights.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			This consultation must include (but not be limited to) providing the community with: (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; (c) the noise characteristics and likely noise levels of the Work; and (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). 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. <i>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.</i>		(b) M12 Motorway – West Out of hours work along Elizabeth Drive and Luddenham Road, Badgerys Creek, The Northern Road and Luddenham Road, February 2024. OOHWs covering 21 nights. Respite noted as 'will not perform high noise work activities more than two nights in a row in the same location' within notifications. No OOHW complaints received to date.		
5.48	E	E48	Crushing and Grinding Works Crushing and grinding works must only be undertaken during the hours specified in Condition E34 unless otherwise approved by the Planning Secretary or through an EPL or it meets the requirements of Condition E36(a).	CPBGG-JV	Crushing works as per CAF001-008. Occurring during the standard hours as per the EPL.		Compliant
5.49	E	E49	Blasting Blasting is not permitted as part of this CSSI approval.	CPBGG-JV	No blasting as per CSSI approval.		Compliant
5.50	E	E50	Operational Noise An independent and experienced noise specialist must be approved by the Planning Secretary to verify the validity (including being accurate and consistent with the requirements of this approval) of the: (a) operational noise modelling required under Conditions E51; (b) Operational Noise Review required under Condition E52; and (c) Operational Noise Compliance Report required under Condition E60. The Planning Secretary's approval of the noise specialist must be sought no later than one (1) month before undertaking operational noise modelling.	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Each verification must be submitted to the Planning Secretary for information within 30 days of the verification and be attached to submitted documentation as relevant.				
5.51	E	E51	Noise Mitigation - Operational Noise Modelling Noise modelling of the detailed design must be undertaken and address the following parameters: (a) application of source emission corrections to take into account the proportions of heavy vehicles; (b) modelling heavy vehicles using three distinct sources in line with Appendix B4 of the <i>NSW Road Noise Policy</i> (DECCW, 2011); (c) road surface corrections to address the assessment timeframes outlined in the <i>NSW Road Noise Policy</i> (DECCW, 2011) corresponding to the year of opening, and ten (10) years after opening; and (d) meteorological conditions in accordance with the <i>NSW Road Noise Policy</i>.	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered
5.52	E	E52	Operational Noise Mitigation Measures An Operational Noise Review (ONR) must be prepared (based on the detailed design of the CSSI) to confirm noise mitigation measures that would be implemented for the operation of the CSSI. The ONR must be prepared in consultation with the Planning Secretary and relevant council(s) and must: (a) confirm the appropriate operational noise objectives and levels for existing sensitive receivers; (b) confirm the operational noise impacts based on the final design of the CSSI and modelling undertaken under Condition E51, including operational daytime LAeq,15 hour and night-time LAeq, 9-hour traffic noise contours; (c) review the suitability of the operational noise mitigation measures identified in the documents listed in Condition A1 and, where necessary, investigate and identify additional noise and vibration mitigation measures required to achieve the noise criteria outlined in the <i>NSW Road Noise Policy</i> (DECCW, 2011), including the timing of implementation; (d) include a consultation strategy to seek feedback from directly affected landowners on the noise and vibration mitigation measures; and (e) procedures for the management of operational noise and vibration complaints. The ONR must be undertaken at the Proponent's expense and be submitted to the Planning Secretary for information prior to implementing at-property noise mitigation, unless otherwise agreed by the Planning Secretary.	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			The Proponent must implement the identified noise mitigation measures and make the ONR publicly available following its submission to the Planning Secretary for information. <i>Note: The design of noise barriers and the like must be undertaken in consultation with the community as part of the Place, Design and Landscape Plan required under Condition E69.</i>				
5.53	E	E53	Operational noise mitigation measures as identified in Condition E52 that will not be physically affected by construction and where the noise management level in Condition E38(a) is likely to be exceeded, must be implemented within six (6) months of the commencement of construction in the vicinity of the impacted residence(s) to minimise construction noise impacts, unless otherwise agreed by the Planning Secretary in accordance with Condition E55 . The operational noise mitigation measures must be detailed in the Noise and Vibration CEMP Sub-plan required by Condition C4 .	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered
5.54	E	E54	If the ONR required by Condition E52 is not prepared within six (6) months of the commencement of construction, the at-property operational noise mitigation measures required by Condition E53 must be consistent with the measures and the properties identified in Appendix G of the <i>M12 Motorway Amendment Report</i> (October, 2020).	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered
5.55	E	E55	All requests to the Planning Secretary under Condition E53 must be accompanied by a report justifying why operational noise mitigation measures will not be implemented within six (6) months, along with details of the temporary measures that the Proponent would implement to reduce construction noise impacts, until such time that the operational noise mitigation measures are implemented. The report must be submitted to the Planning Secretary before the commencement of construction which would affect identified residences. All temporary measures must be implemented within six (6) months of the commencement of construction in the vicinity of the impacted residences. <i>Note: Not having finalised detailed design is not sufficient justification for not implementing the proposed mitigation measures.</i>	TFNSW	As evidenced during the previous audit, request for extension of time to implement noise mitigation measures - letter and supporting report issued 21 July 2023, portal receipt SSI-9364-PA-191 + TfNSW letter. DPPI (formerly DPE) approval letter dated 28 July 2023 which approves extension of At-Property Noise Mitigation Measures to July 2024.		Compliant
5.56	E	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.	CPBGG-JV	Demonstrated as per compliance to preceding conditions. No alternative accommodation has been required.		Compliant
5.57	E	E57	All operational noise mitigation measures must be implemented prior to operation of the CSSI.	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.58	E	E58	Operational Noise Validation Within 12 months of the commencement of operation of the CSSI, the Proponent must undertake monitoring of operational noise to compare actual noise performance of the CSSI against the noise performance predicted in the review of operational noise mitigation measures required by Condition E52 .	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered
5.59	E	E59	Classified traffic counts must be undertaken simultaneously with noise measurements to confirm traffic volumes and traffic mix assumptions.	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered
5.60	E	E60	Operational Noise Compliance Report An Operational Noise Compliance Report (ONCR) must be prepared to document the findings of the operational noise monitoring carried out under Condition E58 . The ONCR must be prepared in accordance with the Model Validation Guideline (RMS, 16 May 2018 Version 1.1) and must address the following: (a) compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E52; (b) compliance with the operational noise levels in terms of criteria and noise goals established in the <i>NSW Road Noise Policy</i> (DECCW, 2011); (c) methodology, location and frequency of noise monitoring undertaken, including grouping monitoring sites at which CSSI noise levels are ascertained with specific reference to locations indicative of impacts on receivers. Monitoring locations must be grouped by – (vii) pavement type, (viii) topography; (d) visibility of sensitive receivers, i.e. line of sight and shielded by mounds and/or noise walls; (e) model light and heavy vehicles separately; (f) pavement corrections for light and heavy vehicles; (g) details on the acoustic performance of the different pavement types used for the CSSI ; (h) effects of meteorological conditions on traffic noise consistent with the requirements of the <i>NSW Road Noise Policy</i> (DECCW, 2011); (i) details of any complaints and enquiries received in relation to operational noise generated by the CSSI between the date of commencement of operation and the date the report was prepared; (j) any required recalibrations of the noise model taking into consideration factors such as noise monitoring, and actual traffic numbers and proportions;	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered. M12 Motorway Operational Noise and Vibration Review by GHD, Rev 1, 25 January 2023 for both Central and West projects, Section 11.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(k) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and (l) identification of additional measures to those identified in the review of noise mitigation measures required by Condition E52, that are to be implemented with the objective of meeting the criteria outlined in the <i>NSW Road Noise Policy</i> (DECCW, 2011), when these measures are to be implemented and how their effectiveness is to be measured and reported to the Planning Secretary and the EPA. The ONCR must be submitted to the Planning Secretary and the EPA for information within 60 days of completing the operational noise monitoring (required by Condition E58) and be made publicly available. Any additional measures identified in Condition E60(l) must be implemented within 18 months of submitting the ONCR to the Planning Secretary, unless an alternative timeframe is agreed to by the Planning Secretary.				
	E		PLACE, DESIGN AND LANDSCAPING				
5.61	E	E61	Construction Ancillary Facilities The CSSI must be constructed in a manner that minimises visual impacts of construction ancillary facilities, including but not limited to, providing temporary landscaping and vegetative screening of the construction sites, minimising light spill, and incorporating architectural treatment and finishes within key elements of temporary structures that reflect the context within which the construction sites are located.	CPBGG-JV	Ancillary Facilities as per previous audit. AF2 was visited during the site inspection and observed to be well within the site boundary.		Compliant
5.62	E	E62	Lighting and Security 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 <i>Australian Standard 4282-2019 Control of the obtrusive effects of outdoor lighting</i>, relevant Australian Standards in the series <i>AS/NZ 1158 – Lighting for Roads and Public Spaces</i>, and the <i>National Airports Safeguarding Framework (NASF) Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports</i>. 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.	TFNSW CPBGG-JV	AF2 Main Site Compound visited during the site inspection. No lighting complaints. Covered in the OOHW Permits. Security fencing verified during site inspection surrounding compound. Operational lighting still to be installed.		Compliant

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.63	E	E63	Active Transport Active transport facilities must be designed, constructed and/or rectified in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling</i> (Austroads, 2017) and relevant Australian Standards (AS) such as <i>AS 1428.1-2009 Design for access and mobility</i> . The active transport links must also incorporate relevant Crime Prevention Through Environmental Design principles.	TFNSW CPBGG-JV	Shared user path as per Place, Design and Landscape Plan (PDLP) for West unchanged since previous audit. Construction on Shared User Path is progressing.		Compliant
5.64	E	E64	Place, Design and Landscape Outcomes 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 <i>Appendix G Landscape character, visual impact assessment and urban design report</i> of the EIS. 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.	TFNSW	Submission of Place, Design and Landscape Plan (PDLP) previously evidenced – lodged with letter via the portal (receipt ref SSI-9364-PA-78) to the Department on 24 May 2022. Acknowledgement letter received from the Department 5 July 2022. Meetings with experts undertaken as per CoA E69. No changes to the PDLP. There have been some changes to the design for tube stock planting.		Compliant
5.65	E	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 regard to wildlife strike risk in proximity to the Western Sydney International Airport.	TFNSW CPBGG-JV	Landscaping as per Place, Design and Landscape Plan (PDLP) mulch mounds as per site inspection being installed as per plan. Landscaping works have commenced.		Compliant
5.66	E	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.	TFNSW CPBGG-JV	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered
5.67	E	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.	TFNSW CPBGG-JV	Offsets are as per East package. This is not triggered.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.68	E	E68	Design Independence and Review 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): public art / cultural interpretation public art; Aboriginal cultural heritage; European cultural heritage; landscape architecture; and 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 documents listed in Condition A1, and in the development and review of the Place, Design and Landscape Plan. 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. <i>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).</i>	TFNSW	Department approval letter as per previous evidence for the nominated Independent Experts, 14 September 2021 (PDLP), prior to commencement of construction (10 August 2022). No changes. Practitioners specialise in: - Public art/cultural interpretation public art and Aboriginal cultural heritage (one individual) - European cultural heritage (one individual) - Landscape architecture and Active transport (two individuals, one lead, one consultant) Original meeting minutes as per previous audit: 11 December 2020 DD Urb Des Review Panel 13 October 2021 DD Urb Des Review Panel Includes issues, actions, and response from TfNSW. No changes during the audit period.		Compliant
5.69	E	E69	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.	TFNSW	The Place, Design and Landscape Plan (Rev C dated 17 March 2022) remains unchanged.		Compliant
5.70	E	E70	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: an analysis of the built, natural, heritage and community context and the urban design objectives, principles and standards for the CSSI; identification of opportunities for heritage interpretation during design and construction consistent with the Heritage Interpretation Plan required by Condition E27;	TFNSW	The Place, Design and Landscape Plan (PDLP) addresses the following: (a) Section 2 Contextual Analysis (b) Section 3 Urban Design, specifically 3.7 Aboriginal cultural interpretation, 3.8 Non-Aboriginal heritage interpretation. Also Appendices D and E.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			the design of the CSSI elements including their form, materials and detail; the design of the CSSI landform and earthworks; 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. active transport infrastructure, including amenities to be provided along the shared user path; developed visualisations, cross sections and plans showing the proposed design outcome; demonstrated integration of Crime Prevention Through Environmental Design principles into the detailed design process; and 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.		(c) Section 3 Urban Design and Section 5 Bridges and walls (d) Section 4.6 Landform and earthworks (e) Section 4 Landscape Design including 4.7 Restoration of local vegetation communities and 4.8 Seed collection and plant propagation (f) Section 3.6 Shared corridor and Section 5.6 Shared path connections (g) Appendix A, B and C as well as throughout the plan. (h) Section 3.11 Crime prevention through environmental design. (i) Section 4.10 Strategies to revegetate disturbed areas. Unchanged from previous audits. Team and contributors include: TfNSW, Hassell, GHD Woodhead, Balarinji, Extent Heritage Advisors, and Toolijooa.		
5.71	E	E71	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. 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). <i>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.</i>	TFNSW CPBGG-JV	Unchanged since previous audit. Tree Survey included as Appendix F of the Place, Design and Landscape Plan with the following relevant to West (as per drawings by Cadence Consulting): - Map 3: Total trees in stands: 23; Total individual trees: 56 - Map 4: Total trees in stands: 131; Total individual trees: 36 - Map 5: Total trees in stands: 470; Total individual trees: 343 - Map 6: Total trees in stands: 1,383; Total individual trees: 76 Replacement trees are yet to be actioned. Trees will be going into on site landscaping. 2:1 ratio likely to be met.		Compliant
5.72	E	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.	TFNSW CPBGG-JV	Permanent surface-built works are not yet constructed. BKH Landscaping are engaged and were present onsite installing mulch as per the PDLP.		Compliant
5.73	E	E73	The Place, Design and Landscape Plan must be implemented during construction and operation.	TFNSW CPBGG-JV	As per M12 Detailed Design Package - (West) CM+ Context (Landscape Architects) and WSP e.g., M12		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					Motorway Detailed Design Landscape works Package 1 – West. Not yet being constructed. BKH Landscaping have commenced with the mulch design as per PDLP.		
5.74	E	E74	Operational Maintenance 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 .	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered
	E		SOCIO-ECONOMIC, LAND USE AND PROPERTY				
5.75	E	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 .	TFNSW CPBGG-JV	CPBGG JV Utilities Management Plan M12 - Motorway West, ref: M12WCO-CPBGGJV-ML1-UC-PLN-000001, Rev 00, 24 June 2022 (unchanged from previous audit). It includes: - Section 8 Procedure for Coordination of Utility Adjustment Works - Section 13 Interface with Authorities - Section 14 Authority Specific Requirements, and - Appendix A Public Utilities Relocation Strategy.		Compliant
5.76	E	E76	Condition Surveys 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.	CPBGG-JV	As actioned prior to the audit period. No changes. A Pre-Construction Condition Survey - Georeferenced Video was prepared by AusDilaps on the 12 July 2022 (ref ADN22241F) which included properties on Elizabeth Drive provided this audit and previous audit. Pre-Construction Condition Survey 23 September 2022 for M12 West - AF10 Littlefields and Gates Road, Luddenham NSW. The Pre-Condition Survey Tracker spreadsheet continues to be in place. Unresponsive resident continued to be chased for survey as per line item 6 – phone call made on the 8 November 2022, email on 9 November 2022, email and formal letter sent 5 December 2022. Still no response. Only 2 actioned as 2 only confirmed.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.77	E	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.	CPBGG-JV	No damage to structures to date. Post construction surveys not yet triggered.		Not Triggered
5.78	E	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 unless another timeframe is agreed with the owner. Alternatively, the Proponent may pay compensation for the damage as agreed with the owner.	CPBGG-JV	No damage to structures to date.		Not Triggered
5.79	E	E79	Agricultural Operations The CSSI must be delivered in a manner that minimises intrusion, as far as reasonably practicable, and disruption to agricultural operations/activities in surrounding properties (e.g., stock access, access to farm dams, etc.), unless otherwise agreed by the landowner.	CPBGG-JV	No disruptions. Local farmers are granted access as needed. Cattle underpass as part of the alignment. Allowed access for grass cutting. Comms manager has organised with the site supervisors.		Compliant
5.80	E	E80	Where the viability of existing agricultural operations will be impacted by the CSSI, the Proponent must, at the request of the landowner, employ a suitably qualified and experienced independent agricultural expert to assist in identifying management measures to address the identified impacts. Where the Proponent has commenced the requirements of this condition, prior to determination of the CSSI, the Proponent may rely on these activities to fulfil this requirement.	TFNSW CPBGG-JV	Not required to date.		Not Triggered
5.81	E	E81	Upper Canal System The Proponent must have regard to the <i>Upper Canal Pheasants Nest to Prospect Reservoir Conservation Management Plan</i> (NSW Public Works Governments Architect's Office, 2016) and <i>Guidelines for development</i>	TFNSW	Applicable to M12 East package only.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>adjacent to the Upper Canal and Warragamba Pipelines</i> (WaterNSW, 2020) when constructing the CSSI.				
5.82	E	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.	TFNSW	Applicable to M12 East package only.		Not Triggered
5.83	E	E83	Property Access Any property access that is physically affected by the CSSI must be reinstated to at least an equivalent standard, in consultation with the landowner or alternative access provided in consultation with the landowner.	CPBGG-JV	No access affected.		Not Triggered
	E		SOILS				
5.84	E	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 <i>Managing Urban Stormwater, Soils and Construction Vol.1</i> (Landcom, 2004) and <i>Vol. 2D Main Road Construction</i> (DECC, 2008) must be considered.	CPBGG-JV	The following Progressive Erosion and Sediment Control Plans were presented as evidence: • PESCP 004 – Northern Road to Cosgroves Creek, Rev 7 • PESCP 005 – Cosgroves Creel to M12 Central • PESCP 006 – Interchange to WSA Positive observations were noted during the audit site inspection with good environmental controls in place; evident that action was taken pre and post rainfall based on the conditions on site. CPBG-JV steered away from plastic for concrete washout – included in checklist to check if ground is permeable as presented dated 24 April 2024: Concrete Washout General Checklist – Luddenham Concrete Washout – black plastic lined as per Item 4. “Is it confirmed that the concrete washout is not lined with geotextile or black plastic liner to avoid contamination with dry concrete waste?” Signed by Enviro Manager from CPBGGJV. TfNSW Teambinder to CPBGGJV, reference M12WEST-RFI-CPBGG-JV-000637 Closed by TfNSW on 18 December 2023 on EWMS update regarding concrete washout. Should include: sump for washout area and dump solids prior to washing out the agitator.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					New Soil Conservationist engaged – member of TfNSW Services Panel. Qualification details provided from CPBGGJV to TfNSW as per Teambinder ref M12WCO-CPBGGJV-TFNSW-CORR-000196 on 15 December 2023.		
5.85	E	E85	Contaminated sites Prior to the commencement of any Work that would result in the disturbance of potential or contaminated soils, materials, groundwater or sediments, a Detailed Site Investigation Report(s) must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. The Detailed Site Investigation Report(s) must be prepared in accordance with guidelines made or approved under section 105 of the <i>Contaminated Land Management Act 1997</i>. <i>Note: Where Preliminary and Detailed Site Investigations have already been undertaken for contaminated soils, materials, groundwater or sediments they do not need to be undertaken again for the purposes of this condition.</i>	CPBGG-JV	Detailed Site Investigation (DSI) undertaken as per Sydney Environmental Group report presented as evidence: ref 1850-DSI-01-100323 V1 10 March 2023, Stage 2. Section 14 – the report concluded that ACM was identified. Sydney Environment is engaged, certification number: 1375 CEnvP General Certification for Sydney Environmental Group has reviewed and signed off the DSI report. It is noted that this certification is not CEnvP (Site Contamination) as required by E85. DSI is still in draft – auditor has reviewed each revision of the RAP and provided Interim Audit Advice e.g., to proceed with encapsulation cells. Additional cell has required an update to the RAP – place material mid-June 2024 which will follow with another Interim Audit Advice. RAP is currently revision V3. Current version of RAP is 1850-DSI-01-100323 V2 dated 22 June 2023. The updated RAP will require resubmission to DPHI once update is finalised. 4 official cells split into 2 parts each. Sydney Enviro has undertaken validation results – targeting to close out the validation of remaining areas prior to finalisation of the validation report. IAA 3, 4 upcoming. Audit Site Statement will be A2.		Compliant
5.86	E	E86	The Detailed Site Investigation Report(s) must provide details on: (a) primary sources of contamination, for example potentially contaminating activities, infrastructure (such as underground storage tanks, fuel line, sumps or sewer lines) or site practices; (b) contaminant dispersal in air, hazardous ground gases, surface water, groundwater, soil vapour, separate phase contaminants, sediments, infrastructure (e.g. concrete), biota, soil and dust; (c) contaminant characterisation and behaviour (volatility, leachability, speciation, degradation products and physical and chemical conditions on-site which may affect how contaminants behave);	CPBGG-JV	Detailed Site Investigation ref 1850-DSI-01-100323 V1f 10 March 2023, Stage 2 by Sydney Environmental Group was noted to include the following: (a) Section 4 Previous Assessments, Section 5 Conceptual Site Model Development (b) Section 5.2 Potential Contaminants of Concern (c) Section 5.2 Potential Contaminants of Concern (d) Section 5.7 Direct Contact – Human Health, 5.8 Inhalation / Vapour Intrusion – Human Health		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(d) potential effects of contaminants on human health, including the health of occupants of built structures (for example arising from risks to service lines from hydrocarbons in groundwater, or risks to concrete from acid sulphate soils) and the environment; (e) potential and actual contaminant migration routes including potential preferential pathways; (f) the adequacy and completeness of all information available for use in the assessment of risk and for making decisions on management requirements, including an assessment of uncertainty; (g) the review and update of the conceptual site model from the preliminary and detailed site investigations; (h) nature and extent of any existing remediation (such as impervious surface cappings); and/or (i) whether the land is suitable (for the intended final land use) or can be made suitable through remediation.		(e) Section 5.2 Potential Contaminants of Concern (f) Section 7 Data Quality Objectives (g) Section 12 Discussion, Section 13 Revised Conceptual Site Model (h) Section 14 Conclusions and Recommendations (i) Section 14 Conclusions and Recommendations DSI still to be finalised. Refer above to condition E85.		
5.87	E	E87	Should remediation be required to make land suitable for the final intended land use, a Remediation Action Plan must be prepared. Prior to commencing with the remediation, the Proponent must submit to the Planning Secretary for information, the Remediation Action Plan and an Interim Audit Advice or a Section B Site Audit Statement from a NSW EPA accredited Site Auditor that certifies that the Remediation Action Plan is appropriate and that the site can be made suitable for the proposed use. The Remediation Action Plan must be implemented and any changes to the Remediation Action Plan must be endorsed in writing by the EPA-accredited Site Auditor. <i>Note: It is strongly recommended that a site auditor is engaged as early in the assessment and remediation process as possible, as early communication between parties improves the efficiency of the audit.</i>	CPBGG-JV	Remediation Action Plan: M12 Motorway Alignment, Badgerys Creek NSW Report No: 1850-RAP-01-130323.v2f Report Date: 22 June 2023. Interim audit advice Letter from Site Auditor - 23 June 2023 Interim audit advice 22 00261.1 Endorsement of Contaminated Soil RAP and Encapsulation. Sydney Environmental Hazardous Building Materials report dated 25 October 2023. No changes since previous audit.		Compliant
5.88	E	E88	A Section A1 or Section A2 Site Audit Statement (accompanied by an Environmental Management Plan) and the accompanying Site Audit Report, which states that the contaminated land disturbed by the works has been made suitable for the intended land use, must be submitted to the Planning Secretary and relevant council(s) for information after remediation and no later than one (1) month before the commencement of operation. Contaminated land must not be used for the purpose approved under the terms of this approval until a Section A1 or Section A2 Site Audit Statement is obtained which states that the land is suitable for that purpose	CPBGG-JV	Not yet triggered. Remediation works are still in progress. CGBGG-JV intend for a Section A2 Site Audit Statement to be prepared in the future - to determine land use suitability subject to compliance with either an active or passive environmental management plan EPIC Environmental SCL220026.01 dated 23 June 2023.		Not Triggered

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			and any conditions on the Section A1 or Section A2 Site Audit Statement have been complied with. Nothing in the conditions prevents the Proponent from obtaining Section A Site Audit Statements for individual parcels of remediated land.		Additional cell required at tie in section, Elizabeth Drive. Interim Audit Advice No. 3 and update to RAP with Site Auditor for review.		
5.89	E	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.	TFNSW CPBGG-JV	No changes to the procedure. Prepared as part of the Construction Contaminated Land Management Sub-plan (M12WCO-CPBGG-ALL-EVCT-PLN-000001, Rev 01, 18 April 2023): - Appendix A – Unexpected Contaminated Land Finds Procedure. Roles and responsibilities included under Section 1.4 and throughout the procedure itself - Appendix B – Asbestos Management Plan Roles and responsibilities included under Section 1.5 and throughout the procedure itself		Compliant
5.90	E	E90	The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented throughout the duration of Work.	CPBGG-JV	Asbestos Register – M12 West ACM Register (live register). ACM find – last entry 28 August 2023 during the last period. This triggered an update to the RAP which is currently under review by the Site Auditor. .		Compliant
	E		SUSTAINABILITY				
5.91	E	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.	TFNSW CPBGG-JV	M12 Motorway Sustainability Strategy prepared, ref A4199125 Rev C, 10 May 2022 is unchanged since previous audit. Appendix A10 Climate Change Monitoring and Adaptive Management Framework also developed for the M12 Motorway West. Sustainability Management Plan 27 October 2023 – issued to TfNSW as per TB reference TX-000058 13 September 2023 Rev 01 M12WCO-CPBGGJV-ALL-SB-PLN-000001. The project received as 'Excellent' Design Rating by ISC on the 8 September 2022.		Compliant

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.92	E	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.	TFNSW CPBGG-JV	Electrical excavator, fodmaps, bio coir logs are new initiatives for the project. 50% green power onsite. Delivery Phase Quarterly Sustainability Report November 2023 to January 2024, ref M12WCO-CPBGGJV-ALL-SB-RPT_00006, Rev 00 dated 9 February 2024.		Compliant
	E		TRAFFIC AND TRANSPORT				
5.93	E	E93	The Planning Secretary's approval is required before any heavy vehicles used for spoil and fill haulage or concrete deliveries (for the purpose of the CSSI) are driven on local roads within one (1) kilometre of early works, construction and construction ancillary facilities and that are not identified for use by heavy vehicles in the documents listed in Condition A1 . The local roads must be identified in the Early Works Environment Management Plan and Traffic Management CEMP Sub-plan .	TFNSW CPBGG-JV	No changes to haul routes. Early Works Environmental Management Plan for temporary roundabout early works (M12 Motorway Early Works Environmental Management Plan Zinfra Early Works, ref M12PPW-ADAP-ALL-EN-PLN-000057, Rev H, 5 August 2022) determined no local roads beyond those outside the Environmental Assessment Documentation are expected to be utilised.		Compliant
5.94	E	E94	All requests to the Planning Secretary for approval to use local roads in accordance with Condition E93 , must include a traffic and pedestrian impact assessment and be prepared in consultation with the relevant local council(s). The assessment must be undertaken by an appropriately qualified and experienced person and must include a swept path analysis if required by the Department. The traffic and pedestrian impact assessment must: (a) demonstrate that the use of local roads will not compromise the safety of the public and have no more than minimal amenity impacts; (b) provide details as to the date of completion of the road dilapidation surveys for the subject local roads; and (c) describe the measures that will be implemented to avoid where practicable the use of local roads past schools, aged care facilities and childcare facilities during peak times for operation. The outcomes and recommendations of the traffic and pedestrian impact assessment must be incorporated into the Site Establishment Management Plan or Traffic Management CEMP Sub-plan as relevant.	TFNSW CPBGG-JV	No Department approval required for additional local roads. All as per the EIS.		Not Triggered
5.95	E	E95	Before any local road is used by a heavy vehicle for the purposes of the CSSI, a Road Dilapidation Report must be prepared for the road unless otherwise agreed by the relevant road authority. A copy of the Road Dilapidation Report must be provided to the relevant road authority within three (3) weeks of completion of the survey and at least two (2) weeks before	CPBGG-JV	No new dilapidation reports require. A Road Dilapidation Report was prepared by AusDilaps on the 12 July 2022 (ref ADN22241F) as part of a Pre-Construction Condition Survey - Georeferenced Video which included properties as well as roadways on Elizabeth Drive. Types of defects (e.g., cracking, potholing) and their location were listed.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			the road is used by heavy vehicles associated with the construction of the CSSI. If damage to roads occurs as a result of the construction of the CSSI, the Proponent must rectify the damage to restore the road to at least the condition it was in pre-construction in consultation with the relevant road authority. Rectification works must be undertaken within three (3) months of the subject road no longer being used for the construction of the CSSI unless an alternative timeframe is agreed to by the relevant road authority.		No damage to roads has occurred as a result of the M12 West construction.		
5.96	E	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 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.	CPBGG-JV	None affected. Verified during site inspection.		Compliant
5.97	E	E97	Road Safety 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.	TFNSW CPBGG-JV	No change since previous audit. Road Safety implemented as verified.		Compliant
5.98	E	E98	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 (preopening 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. 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.	TFNSW CPBGG-JV	No new Road Safety Audits. A Road Safety Audit was undertaken by WSP for the M12 West – 80% Detailed Design, Rev B, 15 December 2021 Findings and recommendations were discussed and closed as evidenced – minutes from M12 West Project Road Safety Audit Close-out Meeting on the 9 December 2021 between WSP and TfNSW. Detailed design plans were included within the audit report as Appendix A: M12 Motorway Detailed Design and Investigation Services Guidance & Delineation Systems Package 1 – West 80% Detailed Design: - Project Wide Drawing No. M12WDD-WSP-ALL-GD-DRG-000011, Rev A (Key Plan) - Main Alignment – Zone 1 Drawing No. M12WDD-WSP-ML1-GD-DRG-001101, Rev A (General Arrangement Plan) - Airport Access Road – Zone 2 Drawing No. M12WDD-WSP-AAR-GD-DRG-002101, Rev A Elizabeth Drive – Zone 3 Drawing No. M12WDD-WSP-EDR-GD-DRG-003031, Rev A.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					M12 West Audit Close out presented with resolution and status as closed for all findings (~40), February 2022.		
5.99	E	E99	Pedestrian and Cyclist Access Safe pedestrian and cyclist access must be maintained around work sites during Work. In circumstances where pedestrian and cyclist access is restricted or removed due to Work, an alternate route which complies with the relevant standards must be provided and signposted.	CPBGG-JV	Not applicable for M12 West. Applicable to M12 East project.		Not Triggered
	E		WASTE				
5.100	E	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.	CPBGG-JV	Appendix B9 Construction Waste and Resources Management Sub-plan (M12WCO-CPBGG-ALL-EVAH-PLN-000001, Rev 01, 18 August 2023) includes Waste Management under Section 5. No waste offsite. Only imported waste. Construction and office waste only. Aussie Skips now in place. M12W Waste Volume Register to date. Monthly Waste Report BR01 September 2023. Non-Recyclable waste goes to Bingo Industries 2%. Recycled 98%. Positive site observations were noted regarding good housekeeping and waste management practices.		Compliant
5.101	E	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 <i>Protection of the Environment Operations (Waste) Regulation 2014</i> , as the case may be.	CPBGG-JV	Material tracker presented. Section 143 for sandstone and shale e.g., Location "Off roundabout at 1953 Elizabeth Dr Badgerys Creek" S143 Approved Notice as per POEO Action 1997 – 115KT VENM dated 29 February 2024 – Letter also dated 29 February 2024 from CPBGGJV accepting classified VENM in accordance with EI Australia assessment E2009.E05.008_Rev 0. Dated 3 May 2023 for 115,000T. Mulch: original classification received prior to receiving product, quality, enviro and TfNSW completed audit on facility on sawmill; brought into site, TfNSW review each load brought in at first. Monthly analysis asbestos sampling reports from delivered stockpiles. Mulch inspection reports, photos and lab analysis report. Lab analysis report N81151 received 6 March 2024, report date 7 March 2024 NATA Eurofins testing. Report No. 1075415-AID.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.102	E	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 <i>Protection of the Environment Operations (Waste) Regulation 2014</i> , or to any other place that can lawfully accept such waste, except in accordance with Condition E15 .	CPBGG-JV	No material / waste has been disposed offsite to landfill		Not Triggered
5.103	E	E103	All waste generated by Works must be classified in accordance with the EPA's <i>Waste Classification Guidelines</i> , with appropriate records and disposal dockets retained for audit purposes.	CPBGG-JV	View waste tracker and waste classification reports. Pick 2 random from tracker and view waste classification reports.No classification required during this period.		Compliant
5.104	E	E104	The Proponent must develop and implement a waste tracking register prior to waste generated by Work that details: (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. The waste tracking register must be made available to the Planning Secretary and EPA on request, within the timeframe stated in the request.	CPBGG-JV	M12W Waste Volume Register (a) Tonnage for each waste type up to date to March 2024 (b) 4 March 2024 – asphalt to High Quality Kemps Creek – docket number 120046639-NCRD (c) Quantities in tonnage (d) N/A (e) As per dockets e.g., 4 March 2024 – asphalt to High Quality Kemps Creek – docket number 120046639-NCRD		Compliant
	E		WATER				
5.105	E	E105	The CSSI must be designed, constructed and operated so as to maintain the <i>NSW Water Quality Objectives</i> where they are being achieved as at the date of this approval, and contribute towards achievement of the <i>NSW Water Quality Objectives</i> over time where they are not being achieved as at the date of this approval, unless an EPL in force in respect of the CSSI contains different requirements in relation to the <i>NSW Water Quality Objectives</i>, in which case those requirements must be complied with. <i>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 consultation with the EPA and be consistent with the National</i>	TfNSW CPBGG-JV	As per previous audit, detailed design drawings by WSP: 100% DD Catchments, Rev 1, 30 Jun 2021, and Model Build, Rev A, 2 July 2021. M12 West Sediment Basin Discharge Register – condition in EPL – discharge water within 5 days of receiving rainfall. Holding water where possible – retained on site. Discharge permit issued following treatment and testing. Each discharge has an associated permit. Permit No. 956 dated 14 May 2024 into Clean Water Drain – signed by EM + supervisor who accepted permit. Photo of readings 8.15 pH criteria: 6.5-8.5 NTU – 49.6 – must be under 50.		Compliant

Transport for NSW & CPBGG-JV

M12 Motorway West – Independent Environmental Audit – 16 May 2024

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<i>Water Quality Guidelines, with the level of detail commensurate with the potential water pollution risk.</i>		Permit No. 960 dated 15 May 2024 signed same day; pH 8.16, NTU 32.1. Water Quality Meter Serial No. VH007F2K 2022 Horiba U-52 dated 10 October 2023, valid for one year. Incident on 24 April 2024 – water being pumped into project drain, travelling 650m to Cosgroves Creek. Submitted earlier in the week May 2024 to TfNSW, however not yet finalised. Must be reported within 24hrs of confirming the incident. Delays in classifying the incident. Environmental Event Report INC042 - turbid water observed being discharged out of sediment basin. Classification to occur following TfNSW review/approval. Delays in confirming and classification of the incident (Category 2) – discussed during a phone call between TfNSW and CPBGGJV.		
5.106	E	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.	TfNSW CPBGG-JV	No changes during audit period. WSP technical report (M12 Motorway Package 1 – West Hydrologic and Hydraulic Assessment Report, M12WDD-WSP-ALL-SD-RPT-000001 Rev F, 8 October 2021) describes the hydrologic and hydraulic modelling undertaken to support the M12W 100% detailed design development: - The flooding and drainage design criteria per the Department Project Approval - Update of flood models to reflect design development; and - Refinement of flood impact assessment with a focus on the interface with WSA and Sydney Metro Greater West (SMWSA). Drainage and Water Quality Detailed Design Report (M12WDD-WSP-ALL-SD-RPT-000002) is also referred throughout the report.		Compliant
5.107	E	E107	Work on waterfront land must have regard to the <i>Guidelines for controlled activities on waterfront land – Riparian Corridors</i> (NRAR, 2018), <i>Controlled activities on waterfront land – Guidelines for watercourse crossings on waterfront land</i> (NSW Office of Water, 2012) and <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI Fisheries, 2013).	TfNSW CPBGG-JV	As per detailed design. A Permit Register (live) is in place as sighted for any dewatering. No works near waterways during audit period.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.108	E	E108	The Proponent must consult DPI Fisheries and EES during the detailed design of the watercourse crossings. The consultation must include: (a) design of bridges; (b) design of scour protection; and (c) details of riparian revegetation.	TfNSW	No further consultation required. Consultation with DPI Fisheries and EES was demonstrated as follows: - Transmittal dated 26 March 2021 M12CDD-TFNSW-TX-000511 from TfNSW to DPI Fisheries and EES for Bridge over Cosgroves Creek – West. - DPI Fisheries review as per letter for both Central and West packages e.g. Bridge over Badgerys Creek M12WDD-WSP-ML1BR05-BR-RPT-0000001.C, 22 April 2021. - TfNSW response letter 27 May 2021 to DPI Fisheries with Attachment A responses.		Compliant
5.109	E	E109	Rehabilitation and revegetation of the riparian corridor and banks of watercourses impacted by the CSSI must be commenced within three (3) months of the completion of the watercourse work, bridge works (sub-structure, super-structure and pavement) and any other construction work required in the riparian corridor.	CPBGG-JV	Timing of this condition is not yet triggered. Creek rehabilitation scope to occur end of May/June 2024		Not Triggered
5.110	E	E110	Stormwater Drainage All new or modified drainage systems associated with the CSSI must be designed to: (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.	TfNSW PBGG-JV	No changes to detailed design. 100% Detailed Design Culvert Catchment maps 1 to 6 dated 30 June 2021 by WSP. As per WSP technical report (M12 Motorway Package 1 – West Hydrologic and Hydraulic Assessment Report, M12WDD-WSP-ALL-SD-RPT-000001 Rev F, 8 October 2021) - There are no drainage connections to council stormwater systems aside from the 3 x RCP900 culvert under Luddenham Road. M12W Works at this location is discussed in Section 5.1. - The DPIE Project Approval and EIS do not specify any change in flow criteria. Any changes to peak flows will be minimised and assessed against the flood impact criteria as listed in Clause E17.		Compliant
6	APPX	A	WRITTEN INCIDENT AND NOTIFICATION AND REPORTING REQUIREMENTS				
6.1	APPX A	1.	A written incident notification addressing the requirements set out below must be submitted to the Department via the Major Projects website within seven days after the Proponent becomes aware of an incident. Notification is required to be given even if the Proponent fails to give the notification required under Condition A44 or, having given such notification, subsequently forms the view that an incident has not occurred.	TfNSW CPBGG-JV	No material harm incidents to date.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
6.2	APPX A	2.	Written notification of an incident must: (a) identify the CSSI and application number; (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); (c) identify how the incident was detected; (d) identify when the Proponent became aware of the incident; (e) identify any actual or potential non-compliance with conditions of approval; (f) describe what immediate steps were taken in relation to the incident; (g) identify further action that will be taken in relation to the incident; and (h) identify a project contact for further communication regarding the incident.	TfNSW CPBGG-JV	No material harm incidents to date.		Not Triggered
6.3	APPX A	3.	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Proponent must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	TfNSW CPBGG-JV	No material harm incidents to date.		Not Triggered
6.4	APPX A	4.	The Incident Report must include: (e) a summary of the incident; (f) outcomes of an incident investigation, including identification of the cause of the incident; (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and (h) details of any communication with other stakeholders regarding the incident.	TfNSW CPBGG-JV	No material harm incidents to date.		Not Triggered

Appendix F – Consultation

Barbara Pater

From: Alexandra Sands [REDACTED]
Sent: Tuesday, 7 May 2024 2:54 PM
To: Barbara Pater
Cc: Tracey Austin; Anderson, Sheila; Dylan Jones; Nilda Soto; Thomas Minchin
Subject: RE: Independent Environmental Audit - M12 Motorway (SSI-9364)

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL

Hi Barbara,

Thank you for your email regarding the upcoming M12 West and Central audit and apologies for the delayed response.

NSW Planning would appreciate if the following are a focus of the audit:

- Concrete washout management and processes
- Stockpile management and processes
- ERSER controls

Please contact me if you have any questions regarding this matter.

Best regards,

Alex Sands
Senior Compliance Officer
NSW Planning
Department of Planning, Housing and Infrastructure

T [REDACTED] E [REDACTED]
dphi.nsw.gov.au



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all Aboriginal and Torres Strait Islander staff working with the NSW Government.

Please consider the environment before printing this email.

From: Barbara Pater [REDACTED]
Sent: Friday, 26 April 2024 9:34 AM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Tracey Austin [REDACTED], Anderson, Sheila [REDACTED]
Dylan Jones [REDACTED], Nilda Soto [REDACTED]
Subject: Independent Environmental Audit - M12 Motorway (SSI-9364)

Dear Sir/Madam,

I am writing to advise that The APP Group – HSEQ Systems and Auditing (APP) will be conducting the fourth independent environmental audit of the M12 Motorway Project as a requirement of Infrastructure Approval SSI-9364 and Department guideline *Independent Audit Post Approval Requirements* (IAPAR 2020).

The audit is planned for the 9 and 16 May 2024 and will include a review of the construction and associated compliance activities onsite for the M12 West and M12 Central packages, in accordance with SSI-9364 Schedule 2, Parts A, B, C, E and Appendix A. We note that the approval of APP's auditing team is still in progress.

In line with the consultation requirements of the *Independent Audit Post Approval Requirements* (IAPAR 2020), Section 3.2, APP seeks your input into the scope of the audit and advice on any particular areas where you would like us to focus on.

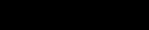
Please also advise if you wish for any stakeholders to be contacted to obtain their input into the scope of this audit.

Regards,

Barbara Pater

Exemplar Global Lead Environmental Auditor | Consultant – HSEQ Systems and Auditing



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The APP Group acknowledges Aboriginal and Torres Strait Islander Peoples as the Traditional Custodians of the Land, Rivers and Sea. We acknowledge and pay our respects to Elders past, present and emerging.

This email and any files transmitted with it are confidential and intended solely for the use of the individual to whom it is addressed. If you have received this email in error, please inform the postmaster@app.com.au or the sender.
APP Corporation Pty Limited, ABN 29 003 764 770.

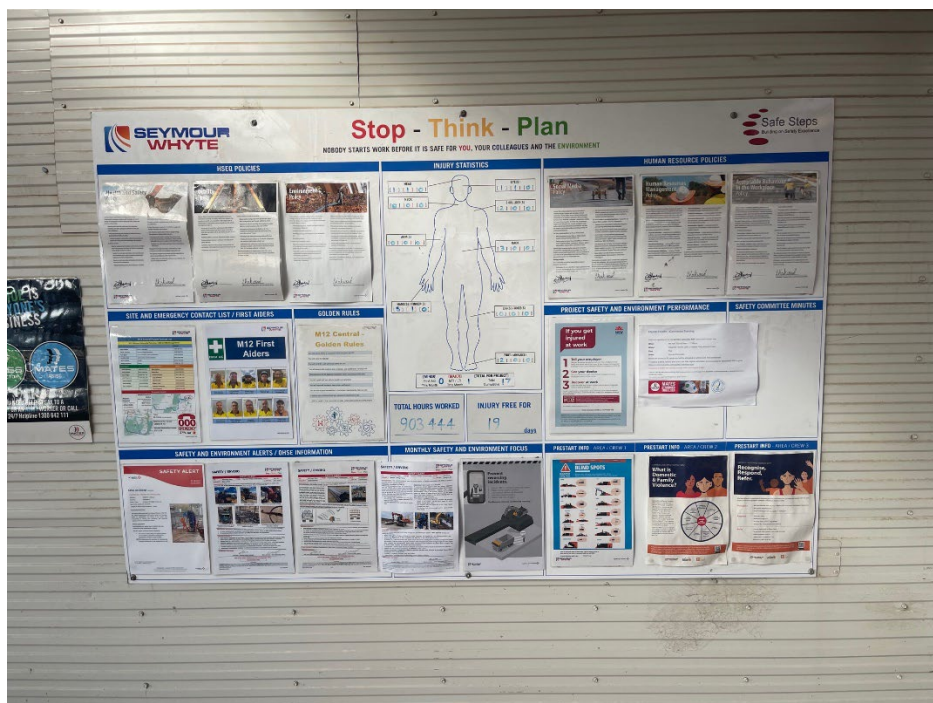
Appendix G – Audit Photos

Audit Photos – M12 Central – 9 May 2024

Audit Photos – M12 Central – 9 May 2024



M12 Central – site compound area containing facilities and amenities.



M12 Central – company policies on display.

Audit Photos – M12 Central – 9 May 2024



Bridge 10, Gate 5, entrance to site.



M12C-03- OBS -05 - Gate 5 – concrete washout location. Maintenance of plastic lining required.

Audit Photos – M12 Central – 9 May 2024



M12C-04-OBS-01 - Gate 5 – failed ERSED controls requiring replacement.



M12C-03-OBS-02 - Sediment basin 9 – rill erosion on basin batters.

Audit Photos – M12 Central – 9 May 2024



M12C-03- OBS -03 - Gate 5 – waste bins at capacity and IBCs containing residual liquids without secondary containment.



Gate 5 – environmental protection zone with fence demarcation.

Audit Photos – M12 Central – 9 May 2024



Hydro seed applied to batters. The project has recently changed hydro seed product type which is reportedly performing better than the previous product.



ERSED controls utilised on newly constructed stormwater pits.

Audit Photos – M12 Central – 9 May 2024



M12C-03- OBS -04 - Some stormwater pits requiring maintenance of ERSED controls.



Sydney Water CA for additional land

Audit Photos – M12 Central – 9 May 2024



M12C-03- OBS -05 - Northern end of alignment - concrete washout area. No signage or plastic lining utilised.



Site boundary. Fauna escape passage.

Audit Photos – M12 Central – 9 May 2024



Gate 7 – stabilised access with rumble grid.



Gate 7 / Bridge 9 laydown area – waste bins at capacity.

Audit Photos – M12 Central – 9 May 2024



M12C-03- OBS -05 - Gate 7 / Bridge 9 laydown area – designated concrete washout location showing failure of containment bunds and plastic lining – requiring maintenance.



Bridge 9 – stabilisation of batter recommended.

Audit Photos – M12 Central – 9 May 2024



Bridge 9, rip-rap sediment controls at entrance to drainage channel.



M12C-03- OBS -06 - Stockpile yard – sediment fence at capacity requiring maintenance.

Audit Photos – M12 Central – 9 May 2024



M12C-03- OBS -06 - Stockpile yard – section of sediment fence either completely failed or has been removed.



M12C-03- OBS -07 - Stockpile yard – crusher dust stockpile stored greater than 2m high and with vertical sides.

Audit Photos – M12 Central – 9 May 2024



Main alignment looking south showing final pavement.



Cut 22 – showing slumping of batter and slippage of compost hydro mulch.

Audit Photos – M12 Central – 9 May 2024



Temporary creek crossing and water collection locations.



Cutt 22 – hydro mulching works in progress.

Audit Photos – M12 West – 16 May 2024

Audit Photos – M12 West – 16 May 2024



Main alignment, sealing works in progress. Rock lined stormwater drainage channel with a perimeter sediment fence installed.



Bridge construction in progress. Note evidence of erosion on batters from recent rainfall.

Audit Photos – M12 West – 16 May 2024



Low points within main alignment holding water from recent rainfall.



Cut batter where previous hydro seed product failed to germinate and take hold. Batters were being resprayed with a new seed product at the time of the audit.

Audit Photos – M12 West – 16 May 2024



Waste bins were clean and tidy.



Creek crossing showing stabilisation of banks and surfaces close to the creek. Trees were previously cut with the stumps left insitu to help stabilise the creek banks.

Audit Photos – M12 West – 16 May 2024



Bridge batter recently sprayed and stabilised with polymer.



Permanent stormwater pits with ERSER controls in place.

Audit Photos – M12 West – 16 May 2024



Current extent of mainline concrete pavement with asphal sealant beneath.



One of the four bioretention basins where organic pollutants are removed from surface runoff prior to discharge.

Audit Photos – M12 West – 16 May 2024



Close up view of bioretention basin – note the aquatic flora being installed for removal of organic pollutants.



Permanent basin with overflow into rock channel.

Audit Photos – M12 West – 16 May 2024



Mulch 'mounds' recently installed as part of the final landscape plans. Vegetation yet to be planted within the mounds.

Nil issues/observations were raised during the site inspection.

Refer to Section 6.8 for observation details as raised during site inspection.



The APP Group

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