

M12 Motorway Project

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

Audit Reference:	1317-03
Audit Organisation:	Seymour Whyte Constructions (M12 Central) CPB Georgiou Group JV (M12 West) Ventia Limited (Devonshire Road Temporary Roundabout) Transport for NSW (Proponent)
Auditors:	Nilda Soto, APP (Lead Auditor) Barbara Pater, APP (Auditing Support) Michelle Battam, APP (Observer)
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This report has been prepared and reviewed in accordance with our quality control system.

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Date: 1 December 2023

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Date: 4 December 2023

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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
CPBGJ-JV	CPB-Georgiou Group Joint Venture
CSSI	Critical State Significant Infrastructure
CSWMP	Construction Soil and Water Management Sub-plan
DPE	Department of Planning and Environment
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
TF	Temporary Roundabout

1. Executive Summary

This Independent Audit 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 30th & 31st of October 2023 and 13th of November 2023, covering the relevant conditions of Schedule 2 Parts A, B, C, E and Appendix A of CSSI-9364.

M12 Central

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

- ▶ Good erosion and sediment controls demonstrated around watercourses,
- ▶ No evidence of dust with water cart sighted in operation,
- ▶ No dirt or mud tracking on roads or at site access,
- ▶ Clear signage throughout all site locations,
- ▶ Sediment basins appeared well maintained,
- ▶ Permanent spill way at South Creek was clear of debris, and
- ▶ Continued proactive approach by Communications team with daily meetings occurring and timely 6-monthly update of the Community and Stakeholder Plan.

M12 Central – Findings

The M12 Central independent environmental audit was carried out on the 30 October 2023, comprising of a review of documents and records, interviews with key personnel from TfNSW and Seymour Whyte, and a site inspection.

From the previous audit conducted in May 2023, the following Opportunity for Improvement was not addressed. The auditor determined that the previous improvement opportunity remains open. Refer to the Table shown below:

Finding No.	Condition of Approval	Audit Finding Details
M12C-02-OFI-01	<p>Various registers including Incidents, PESCP, Calibration Equipment Registers and OOHW Permit Registers have been established; however minor updates are required.</p> <ol style="list-style-type: none"> 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) 4. E105 Water (closed during Audit No. 3) 	<p>2. It was noted that register for OOHW permits has not been maintained. Data recorded was not up to date. This finding remains open.</p> <p>3. It was noted that register for Progressive Erosion and Sediment Control Plans (PESCPs) has not been maintained. This finding remains open.</p>

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

Finding No.	Condition of Approval	Audit Finding Details
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).
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.
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: <ul style="list-style-type: none"> (a) are located within or adjacent to the construction boundary; and (b) have been assessed by the ER to have - <ul style="list-style-type: none"> 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. 	<p><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.</p> <p>This raises a non-conformance against Condition A20.</p>
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.
M12C-03 OFI-01	Construction Environmental Management Plan C2: The CEMP must provide: <ul style="list-style-type: none"> (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; 	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)
M12C-03 OFI-02	Construction Environmental Management Plan C2: The CEMP must provide: <ul style="list-style-type: none"> (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 	A training matrix has not been developed to identify any gaps for environmental specific training requirements. C2 (j)
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.

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 monitoring practices for the project.

M12 Central – Site Observations

The following issues were identified during the M12 Central site inspection on the 30 October 2023. Close out evidence was provided following the audit as included under site photos, [Appendix G](#).

1. M12C-03-ISS-01: Waste bins at Bridge 6 were observed to be full. Close out photo received showed waste had been removed by Waste Removal Subcontractor on the day of the audit,
2. M12C-03-ISS-02: Waste bins at AF6 were also at capacity. Close out photo provided showed waste had been removed by Waste Removal Subcontractor on the day of the audit,
3. M12C-03-ISS-03: Spill kit at AF6 contained rubbish. Close out photo with spill kit reinstated for its correct use, and
4. M12C-03-ISS-04: Pier installation at Bridge 6 had fine material adjacent to South Creek which was to be replaced with rock. Close out photo confirmed works in this area were actioned and completed.

M12 West

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

- ▶ Site in good and orderly condition despite high winds recorded the previous night,
- ▶ Water observed as being reused on site for dust suppression with water cart in operation,
- ▶ Good erosion and sedimentation controls demonstrated throughout the site,
- ▶ Robust records management with registers verified to be consistently maintained,
- ▶ Monitoring of sustainability initiatives appeared well managed,
- ▶ Recent implementation of Consultation Manager presented traceability of complaints and enquiries, and
- ▶ Minor complaints received on the project to date with only three received for the year.

M12 West – Findings

The M12 West independent environmental audit was carried out on the 31 October 2023, comprising of a review of documents and records, interviews with key personnel from TfNSW and CPBGG-JV, and a site inspection.

Previous audit findings (4) were all closed out and evidence was presented accordingly.

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

Finding No.	Condition of Approval	Audit Finding Details
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:	<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

Finding No.	Condition of Approval	Audit Finding Details
	<ul style="list-style-type: none"> (c) M12 Motorway Environmental Impact Statement (dated October 2019); (d) M12 Motorway Submissions Report (dated October 2020); (e) M12 Motorway Amendment Report (dated October 2020); (f) M12 Motorway Amendment Report - Submissions Report (dated December 2020); and (g) M12 Motorway Amendment Report - Submissions Report - Amendment (dated 8 March 2021). 	<p>have been placed beyond the project boundary.</p> <p>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.</p> <p>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.</p> <p>This non-compliance was notified to DPE with Condition A2 (below).</p> <p>This raises a non-compliance against Condition A1.</p>
M12W-03 NC-02	<p>General</p> <p>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.</p>	<p><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.</p> <p>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.</p> <p>This raises a non-compliance against Condition A2.</p>
M12W-03 NC-03	<p>General</p> <p>A4: The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to:</p> <ul style="list-style-type: none"> (h) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval) 	<p>Based on the non-compliances raised against Conditions A1, A2, A34 and B10, a non-compliance is triggered against A4(f).</p>
M12W-03 NC-04	<p>Environmental Representative</p> <p>A34: For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:</p> <ul style="list-style-type: none"> (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. 	<p><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.</p> <p>This non-compliance was notified to DPE with Condition B10 (below).</p> <p>This raises a non-compliance against Condition A34.</p>
M12W-03 NC-05	<p>Provision of Electronic Information</p> <p>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)</p>	<p><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</p>

Finding No.	Condition of Approval	Audit Finding Details
	<p>must be published before the relevant Work commencing and maintained on the website or dedicated pages including:</p> <p>(e) a current copy of the final version of each document required under the terms of this approval</p> <p>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.</p>	<p>Management Plan (SEMP), to comply with Condition B10.</p> <p>This raises a non-compliance against Condition B10.</p>
M12W-03 OFI-01	<p>Construction Environmental Management Plan</p> <p>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</p>	<p>A training matrix has not been developed to identify any gaps for environmental specific training requirements. C2 (j)</p>
M12W-03 OFI-02	<p>Construction Environmental Management Plan</p> <p>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.</p>	<p>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.</p> <p>The use of Teambinder during the review process of all required plans is highly recommended for traceability purposes.</p>

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 traceability of records and review requirements of the project.

M12 West – Site Observations

No issues were raised during the site inspection carried out on the 31 October 2023 for the M12 West package.

M12 Central - Devonshire Road Temporary Roundabout

The M12 Central - Devonshire Road Temporary Roundabout works contractor, Ventia, was verified as compliant with the Conditions of Approval with the following key strengths noted:

- ▶ Site compound AF13 was in tidy condition with ER recommendations addressed e.g., noise blankets around generator, rock in place to reduce dust generation,
- ▶ Demonstrated traffic controls on Elizabeth Drive for night works,
- ▶ Proactive use of the DashPivot application for inspections,
- ▶ Site specific induction was demonstrated to be one of the highest quality,
- ▶ Good consultation measures for the 5 nights a week OOHW, and
- ▶ Only one complaint received.

M12 Central - Devonshire Road Temporary Roundabout – Findings

The independent environmental audit of the M12 Central - Devonshire Road Temporary Roundabout was conducted on the 13 November 2023, comprising of a review of documents and records, interviews with key personnel from TfNSW and Ventia, and a site inspection.

During the audit, there were two non-compliances and two opportunities for improvement identified by the auditor, within the scope of the audit. It is noted that one non-compliance was self-reported during the auditing period. Details are as follows:

Finding No.	Condition of Approval	Audit Finding Details
M12TR-NC-01	General A4: The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: <ul style="list-style-type: none"> (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).
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.
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.
M12TR-OFI-02	Waste E104: The Proponent must develop and implement a waste tracking register prior to waste generated by Work that details: <ul style="list-style-type: none"> (a) the quantity of each type of waste generated its classification and source location (recorded using latitude and longitude coordinates); (b) the destination location(s) for all wastes generated during Work; (c) the quantities of any waste types imported onto the CSSI site, including their classification and emplacement location (recorded using latitude and longitude coordinates); (d) the quantities and types of wastes that are subject to a Resource Recovery Order and/or Exemption; and (e) disposal records demonstrating that receiving facilities have lawfully accepted the waste type. 	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.

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 the CEMP.

M12 Central - Devonshire Road Temporary Roundabout – Site Observations

One issue was identified during the site inspection on the 13 November 2023 and was immediately addressed.

1. M12TR-ISS-01: During the site inspection, records for 2 personnel on site were showing as not inducted. This issue was immediately addressed and closed.

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 before 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 and Environment (DPE), 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 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.

M12 Central - Devonshire Road Temporary Roundabout

This small package of works includes construction of a temporary roundabout at the intersection of Devonshire Road and Elizabeth Drive, Kemps Creek. The roundabout is required to address Revised Environmental Management Measure TT10 to manage construction traffic impacts in the area and improve safety.

Independent Environmental Audit

TfNSW engaged APP to undertake this independent environmental audit on the M12 Central (including the temporary roundabout) and M12 West packages. The audit was conducted within 6-months from the previous construction audit, undertaken on 30, 31 October and 13 November 2023, and 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:	Construction
Project Activity Summary:	The following is a summary of the works that were in progress at the time of audit:
M12 Central:	<ul style="list-style-type: none"> ▶ Bulk earthworks complete ▶ Bridge 6 – installation of girders on headstocks over South Creek and planning for first concrete pour.

Project Details	
	<ul style="list-style-type: none"> ▶ Bridge 7 – on track for completion by end of 2023. Final trim between Bridges 7 and 8 to occur ▶ Bridge 8 – Hi-Quality Yard over Elizabeth Drive with one deck pour remaining ▶ Bridge 9 – formwork and scaffolding progressing, piers installed with other side to be primer sealed. ▶ Bridge 10 – continuing retaining wall install. ▶ Bridge 11 – progressing with deck pours actioned at Water Access Road. Fauna crossing poles now in place. ▶ Batch plant recently commissioned ▶ Installation of lighting, ITS, and stormwater drainage continuing throughout the site.
M12 West:	<ul style="list-style-type: none"> ▶ Elizabeth Drive – eastern side has minor drainage works with small pipelines for completion. ▶ Filling at Gate 2 to increase road height at SCAW project. ▶ Bridge 1 – deck pour nearly complete ▶ Bridge 2 – pavement drainage underway ▶ Bridge 4 – sealed from eastern side, Super T girders installed, retaining wall built to its height, concrete pours have commenced with topsoiling of batters ▶ Steel and formworks have commenced at bridges 21, 22 and 24. ▶ All piling is complete. ▶ New batch plant constructed and due for commission in November 2023 ▶ Concrete paving machine in place at The Northern Road end of works ▶ Earthworks nearly complete ▶ Works have commenced on Airport Land (WSA Co) ▶ Construction of the Shared User Path has commenced.
M12 Central - Temporary Roundabout:	<ul style="list-style-type: none"> ▶ Site compound has been established at AF13 ▶ Box out of pavement on Elizabeth Drive complete ▶ Ongoing stormwater works ▶ Concrete pours upcoming ▶ Earthworks have commenced ▶ Works are under a 5-night per week OOHW approval.

2.3 Audit Team

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

Name	Company	Position	Certification
Nilda Soto	APP	Lead Environmental Auditor	Exemplar Global Lead Environmental Auditor – Certificate No. 115002

Endorsement by the Department of Planning and Environment (DPE) of the Independent Environmental Auditor was granted on 12 October 2023, prior to the conduct of this audit, with the approval letter included as [Appendix C](#). Independent Audit declaration forms are included as [Appendix D](#).

Nilda was assisted by Barbara Pater, Exemplar Global Lead Environmental Auditor – Certificate No. C424613, with Michelle Battam in attendance as an observer for the M12 West and M12 Central – Devonshire Road Temporary Roundabout audits, Exemplar Global Lead Environmental Auditor – Certificate No. C-461694.

3. Audit Objectives and Scope

3.1 Audit Objectives

The objective of this audit was to undertake the third 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* (DPE, 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 Plan (SEMP).
- ▶ Community Communications Strategy
- ▶ Site inspections as conducted on:
 - 30 October 2023 – M12 Central
 - 31 October 2023 – M12 West
 - 13 November 2023 – M12 Central - Devonshire Road Temporary Roundabout
- ▶ 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 third 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 2-3 May 2023. This report is based on the result of sampling and supplied documentation/records, as well as the site activities during the audit on 30-31 October and 13 November 2023.

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 – 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	30 October 2023, 8:15am	Seymour Whyte, TfNSW, ER
M12 West	31 October 2023, 8:15am	CPBGG-JV, TfNSW, ER
M12 Central - Devonshire Rd Temporary Roundabout	13 November 2023, 5:00pm	Ventia, 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* (DPE 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 actions noted during site inspections.

4.3.3 Closing Meeting

Closing meetings were held as follows:

Package	Date and time	Attendees	Comments
M12 Central	30 October 2023, 3:45pm	Seymour Whyte, TfNSW, ER	The auditor acknowledged the cooperation and hospitality of all parties during the conduct of the audit.
M12 West	31 October 2023, 3:30pm	CPBGG-JV, TfNSW, ER	
M12 Central - Devonshire Rd Temporary Roundabout	13 November 2023, 9:15pm	Ventia, 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.
Sheila Anderson	TfNSW	Senior Environment and Sustainability Manager	Sheila fully participated in the audit and confirmed the status of overarching documentation, presented records during the applicable TfNSW conditions
Daniel Saunders	TfNSW	Environment Manager	Daniel fully participated in the audit as a representative for both Central and West packages and provided evidence of RFI design changes.
Amanda Keating	TfNSW	Community and Stakeholder Manager	Amanda attended a review of Part B, explaining the role TfNSW holds regarding community and consultation.
Raj Barot	TfNSW	CSE Officer	Raj attended a review of Part B during the Temporary Roundabout audit, explaining the role TfNSW holds regarding community and consultation.

Name	Organisation	Position	Involvement in the audit
Lisa Keliele	TfNSW	Community and Stakeholder Manager	Lisa attended a review of Part B during the M12 West audit, explaining the role TfNSW holds regarding community and consultation.
Jim Steen	TfNSW	Environment Officer	Jim provided insight into the turtle fence initiatives.
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.
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.
Sharelle Coote	CPBGG JV	Community Place Manager M12 West	Sharelle partook in Part B (Community and Consultation) of the M12 West audit.
Tiana Chezzi	CPBGG JV	Environment and Sustainability Graduate M12 West	Tiana was interviewed during the review of Sustainability conditions E91 and E92 and presented records, data and targets.
Alfred Fernandez	Ventia	Project Manager M12 Central - Temporary Roundabout	Alfred was present for the entire audit process, presenting records on behalf of Ventia.
Rowan Grace	Ventia	Environment Manager M12 Central - Temporary Roundabout	Rowan was present for the entire audit process, presenting records on behalf of Ventia.
Anthony Giannetta	Ventia	Site Engineer M12 Central - Temporary Roundabout	Anthony led the site inspection and inducted all visitors on site.
George Kollias	HBI	Independent Environmental Representative	George was present for the audit 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	30 October 2023, 8:30am	Seymour Whyte, TfNSW, ER	4 x observations
M12 West	31 October 2023, 8:30am	CPBGG-JV, TfNSW, ER	Nil issues identified
M12 Central - Devonshire Rd Temporary Roundabout	13 November 2023, 8:15pm	Ventia, TfNSW, ER	1 x observation

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 and Environment 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.

The Environmental Representative (ER) requested the following focus areas as advised by TfNSW:

- Implementation of CSWMP Section on ESCPs: separate from usual soil and water calculations; detail of site exits and concrete washouts.
- Implementation of CNVMP for OOHV Permits, Additional Mitigation Measures triggered and implemented, noise verification monitoring undertaken where required, all permits are finalised, and records kept.
- Contractors (and even TfNSW) documented Environmental Inspections, and action close-outs.

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.
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 K, 19 March 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, 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
- M12 Central Construction Contaminated Land Management Sub-plan, ref M12CCO-SYW-ALL-EN-PLN-000013 Rev E, 14 August 2023
- M12 Motorway Sustainability Strategy, ref fa11415671, Rev D, 9 June 2023
- TfNSW letter, SSI 9364 – M12 Motorway – CoA A42 and A43 Independent Audit Report and Proponent's Response (M12 Central), 9 June 2023
- TfNSW letter, Proposed extension of time to implement At-Property Noise Mitigation Measures, 21 July 2023
- TfNSW letter, "Request to approve changes to the offset requirements for the M12 Motorway, in accordance with the CoA E4", 31 July 2023
- TfNSW letter, M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364), 10 August 2023
- TfNSW letter, M12 Motorway - CoA C18 Quarterly Monitoring Reports (M12 West and M12 Central), 22 August 2023
- TfNSW letter, M12 Motorway – Non-Compliance Notification A20 (SSI-9364), 31 August 2023
- TfNSW letter, M12 Motorway - CoA C18 Quarterly Monitoring Reports (M12 West and M12 Central), 20 September 2023
- TfNSW letter, Submission of Independent Environmental Auditor, 22 September 2023
- DPE letter: Proposed extension of time to implement At-Property Noise Mitigation Measures, ref: SSI-9364-PA-191, 28 July 2023
- DPE letter: Communication regarding non-compliance A20 SSI-9364-PA-168, 8 June 2023
- DPE letter: M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364), 29 August 2023
- DPE letter: Independent Environmental Auditor approval, 12 October 2023
- DPE email: Communication regarding non-compliances E53 & E55, 4 August 2023

- Portal receipt SSI-9364-PA-173
- Portal Receipt SSI-9364-PA-174
- Portal Receipt SSI-9364-PA-177
- Portal Receipt SSI-9364-PA-178
- Portal Receipt SSI-9364-PA-182
- Portal Receipt SSI-9364-PA-188
- Portal Receipt SSI-9364-PA-191
- Portal Receipt SSI-9364-PA-192
- Portal Receipt SSI-9364-PA-199
- Portal Receipt SSI-9364-PA-203
- Portal Receipt SSI-9364-PA-205
- Portal Receipt SSI-9364-PA-207
- Portal Receipt SSI-9364-PA-208
- Portal Receipt SSI-9364-PA-214
- Portal Receipt SSI-9364-PA-217
- Portal Receipt SSI-9364-PA-224
- Portal Receipt SSI-9364-PA-225
- Portal Receipt SSI-9364-PA-226
- Portal Receipt SSI-9364-PA-230
- Portal Receipt SSI-9364-PA-234
- Portal Receipt SSI-9364-PA-240
- Portal Receipt SSI-9364-PA-277
- Portal Receipt SSI-9364-PA-228
- ER endorsement for the M12 Motorway Central – Site Establishment Management Plan Ref: M12C SEMP Rev H, 27 June 2023
- M12 Central Kemps Creek Minor Construction Ancillary Facility Checklist, M12 Motorway (Central), Badgerys Creek and the Water Tower Access Road, Cecil Hills, signed by ER on 5 May 2023
- M12 Central Minor Construction Ancillary Facility Checklist, MAFC-005, Rev D, 21 July 2023, signed by ER 25 July 2023
- M12 Central Bridge 11 Minor Construction Ancillary Facility Checklist, MAFC-007 Rev A, 21 August 2023, signed by ER 24 August 2023
- ER Monthly Report 210309-ER_DPE-May 2023 (issued 7 June 2023, SSI-9364-PA-177)
- ER Monthly Report 210309-ER_DPE-June 2023 (issued 7 July 2023, SSI-9364-PA-188)
- ER Monthly Report 210309-ER_DPE-July 2023 (issued 4 August 2023, SSI-9364-PA-199)
- ER Monthly Report 210309-ER_DPE-August 2023 (issued 7 September 2023, SSI-9364-PA-217)
- ER Monthly Report 210309-ER_DPE-September 2023 (issued 6 October 2023, SSI-9364-PA-234)
- ER endorsement for the M12 Motorway Central – Construction Environmental Management Plan Revision E 17th August 2023, Ref: M12C CEMP Rev E, 6 October 2023
- CRM email – M12 Central complaint, 16 October 2023
- CRM email – Implementation Plan for Range Road Communications package, 27 October 2023
- TfNSW TeamBinder correspondence, response to Independent Audit Report No. 2 M12CCO-TFNSW-AQUS-CORR-000002, 1 June 2023
- AQUAS email – submission of draft Independent Audit Report No. 2, 26 May 2023
- M12 Central Environmental Event Report #INC024, 15 May 2023
- M12 Central Environmental Event Report #INC025, 14 June 2023
- M12 Central Environmental Event Report #INC026, 26 June 2023
- M12 Central Environmental Event Report #INC027, 7 August 2023
- M12 Central Environmental Event Report #INC028, xx 2023
- M12 Central Environmental Event Report #INC029, 30 August 2023
- Overarching Communication Strategy, Rev 5, March 2023

- M12 Central Community and Stakeholder Engagement Plan, Rev D, 9 February 2023
- M12 Central_DPE Complaints Register
- M12 Central Monthly Report, September 2023
- M12 Central Seymour Whyte Quarterly Monitoring Report, March – May 2023, M12 Motorway – Central Package, 30 May 2023
- Seymour Whyte Quarterly Monitoring Report, June – August 2023, M12 Motorway – Central Package, 30 August 2023
- WSPO_Biodiversity_Offsets (live register)
- M12 Central OOHW-43, 14 June 2023
- M12 Central OOHW-96, 20 October 2023
- OOHW Register M12 Central (live register)
- M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park, June 2023
- M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park, July 2023
- M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park, August 2023
- Out of hours work in Kemps Creek and Cecil Park – M12 Motorway – Central, September 2023
- Out of hours work in Kemps Creek and Cecil Park – M12 Motorway – Central, October 2023
- M12 Central Operational Noise and Vibration Review (ONVR), 25 January 2023
- Utilities Management Plan for M12 Central, Rev C, 23 August 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 (live)
- M12 Central iForm Environmental inspection report SWC-015.20, 20 October 2023
- M12 Central Discharge Register 2023 (PSEM extract)
- M12 Central Calibration register (live)
- M12CCO-SYW-RFI-000628 - Bridge 06 Crane Pad Flood Modelling, 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
- M12 Central Piling Pads As-Built, 25 May 2023
- M12 Central Bridge 8 – Piling Pads As-Built, 25 May 2023
- M12 West Minor Consistency Assessment, Demolition of structures at 752 – 810 Luddenham Road, Luddenham, 15 September 2023
- M12 West HAZMAT 1901-HBMS-01-251023.v1f, Sydney Environmental Group (hygienist) Hazardous Building Materials Survey Report, 25 October 2023

- M12 West RAP, Sydney Environmental Group Report No. 1850-RAP-01-130323.V2f, 22 June 2023
- M12 West Site Establishment Management Plan (SEMP), M12W-CPBGG-ALL-EN-PLN-000011, Rev 02, 30 May 2023
- M12 West MCAF 004-007 Rev F, 17 August 2023
- M12 West MCAF 011-016 Rev B, 5 September 2023
- M12 West MCAF 017 Rev B, 6 September 2023
- M12 West ER Site Inspection Report #72 West, 23 May 2023
- M12 West ER Site Inspection Report #74 West, 6 June 2023
- M12 West ER Site Inspection Report #76 West, 20 June 2023
- M12 West ER Site Inspection Report #78 West, 4 July 2023
- M12 West ER Site Inspection Report #80 West, 18 July 2023
- M12 West ER Site Inspection Report #82 West, 1 August 2023
- M12 West ER Site Inspection Report #84 West, 15 August 2023
- M12 West ER Site Inspection Report #86 West, 29 August 2023
- M12 West ER Site Inspection Report #88 West, 12 September 2023
- M12 West ER Site Inspection Report #90 West, 27 September 2023
- M12 West ER Site Inspection Report #92 West, 11 October 2023
- M12 West CPBG-JV email in response to the ER inspection M12 92 111023 West, 27 October 2023
- M12 West Incidents and non-compliance Register
- M12 West Corrective Action Report, M12WEST-CAR-CPBGGJV-000050, 25 August 2023
- M12 West Environmental Event Report, ID #18, 6 May 2023
- M12 West Environmental Event Report, ID #19, 10 May 2023
- M12 West Environmental Event Report, ID #20, 25 May 2023
- M12 West Environmental Event Report, ID #21, 26 June 2023
- M12 West Environmental Event Report, ID #22, 25 July 2023
- M12 West Environmental Event Report, ID #25, 1 August 2023
- M12 West Environmental Event Report, ID #26, 14 September 2023
- M12 West TfNSW Non-compliance notification to DPE, 30 May 2023
- M12 West TfNSW Non-compliance notification to DPE, 31 August 2023
- M12 West Corrective Action Report, M12WEST-CAR-CPBGGJV-000050, 24 August 2023
- M12 West Acknowledgement email from DPE, 31 May 2023
- M12 West DPE Complaints Register
- M12 Motorway – West notification: Out of hours work along Elizabeth Drive and Luddenham Road, Badgerys Creek, May 2023
- M12 Motorway – West notification: Out of hours work along Elizabeth Drive and Luddenham Road, Badgerys Creek, June 2023
- M12 Motorway – West notification: Out of hours work along Elizabeth Drive and Luddenham Road, Badgerys Creek, July 2023
- M12 Motorway – West notification: Road closure on Luddenham Road, Luddenham, August 2023
- M12 Motorway – West notification: Out of hours work along Elizabeth Drive, Badgerys Creek, and The Northern Road and Luddenham Road, Luddenham, September 2023
- M12 Motorway – West notification: Out of hours work along Elizabeth Drive, Badgerys Creek, The Northern Road and Luddenham Road, Luddenham, October 2023
- M12 West CPBGG JV M12 West CEMP is M12WCO-CPBGG-ALL-EVE-PLN-00001, Rev 01, 16 March 2023
- M12 West Management Plan Review Tracker_18.04.23
- OCEMP Change Register_20230508
- 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
- M12 Motorway West CEMP: Appendix B4 Construction Noise and Vibration Management Sub-plan, M12WCO-CPBGG-ALL-EVNV-PLN-000001, Rev 01, 6 February 2023

- M12 Motorway West Appendix B8: Construction Soil and Water Management Sub-plan, M12WCO-CPBGG-ALL-EVWA-PLN-000001, Rev 01, 3 April 2023
- M12 Motorway West CEMP: Appendix B3 Construction Flora and Fauna Management Sub-plan, M12WCO-CPBGG-ALL-EVFF-PLN-000001, Rev 01, 16 May 2022
- M12 West Dust Monitor HEX-000172, calibration due 15 November 2024
- M12 West SiteHive results, October 2023
- M12 West Environmental Weekly Inspection – AAR/EDR ID 159139, 30 October 2023
- M12 West Pre Rainfall Inspection – EDR/AAR ID 154231, 4 October 2023
- M12 West Calibration Register
- M12 West Post Clearance Report, Ew220577 RP20 by EMM, 15 August 2023
- M12 West email “Logs for Transport Art” between TfNSW and JHG, 23 October 2023
- M12 West Artefact Report for Heritage Assessment for Unidentified Element at McMaster’s Farm/Field Station, 30 August 2023
- M12 West email from Artefact dated 24 August 2023
- M12 West Form 418 Unexpected heritage item recording form, 22 August 2023
- M12 West Induction
- M12 West OOHW Register
- M12 West Noise Monitoring Event Report 25 September 2023
- M12 West Noise Monitoring Event Report 15 September 2023
- M12 West Project – The Northern Road to Cosgroves Creek (MLW) PESCP-004, Rev 06, 1 October 2023
- M12 West Project – Cosgroves Creek to M12 Central boundary (MLE) PESCP-005, Rev 4, 12 October 2023
- M12 West Project – Interchange to WSA PESCP-006, Rev 10, 1 September 2023
- M12 West Project – Ancillary Site AF02 & Batch Plant, Rev 6, 22 September 2023.
- M12 West CPBGG JV Utilities Management Plan M12 - Motorway West, ref: M12WCO-CPBGGJV-ML1-UC-PLN-000001, Rev 00, 24 June 2022
- M12 West Construction Contaminated Land Management Sub-plan, M12WCO-CPBGG-ALL-EVCT-PLN-000001, Rev 01, 18 April 2023
- M12 West Asbestos Register
- M12 West Sustainability Management Plan, M12WCO-CPBGGJV-ALL-SB-PLN-000001, Rev 01, 27 October 2023
- CPBGG-JV to TfNSW, TB reference TX-000058, 13 September 2023
- M12 West Delivery Phase Quarterly Sustainability Report 1 May to 31 Jul 23 Report No. 4, M12WCO-CPBGGJV-ALL-SB-RPT-00004, Rev 00, 10 August 2023
- M12 West M12W Waste Volume Register
- M12 West Monthly Waste Report BR01 September 2023
- M12 West Appendix B9 Construction Waste and Resources Management Sub-plan, M12WCO-CPBGG-ALL-EVAH-PLN-000001, Rev 01, 18 August 2023
- M12 West - M12 Import Tracker
- M12 West Sediment Basin Discharge Register
- M12 West Permit Register (live)
- M12 West Remediation Action Plan: M12 Motorway Alignment, Badgerys Creek NSW Report No: 1850-RAP-01-130323.v2f Report, 22 June 2023
- M12 West Site Auditor Interim audit advice 22 00261.1 Endorsement of Contaminated Soil RAP and Encapsulation, 23 June 2023
- M12 West Sydney Environmental Hazardous Building Materials report, 25 October 2023
- M12 West – M12W Waste Volume Register
- M12 West - M12W Zone 1 & 2 – Material Tracker 1
- M12 West - M12W – Zone 3 & 4 – Overall Tracker 2
- M12 Motorway Central Section Consistency Assessment – Traffic and Transport Impact Technical Memorandum, by GHD, 13 July 2023

- M12 Central -Temporary Roundabout Construction Consistency assessment report Construction of a temporary roundabout at Devonshire Road intersection in M12 Central, Rev F, 14 September 2023
- M12 Central -Temporary Roundabout ER endorsement of CEMP, Ref: M12 Devonshire Rd CEMP Rev D, 22 September 2023
- M12 Central - Temporary Roundabout ER Site Inspection Report #94, 19 October 2023
- M12 Central - Temporary Roundabout ER Site Inspection Report #97, 2 November 2023
- M12 Central - Temporary Roundabout TfNSW letter to DPE for commencement date of Temporary roundabout at Devonshire Rd and Elizabeth Drive: 18 August 2023, 18 July 2023
- M12 Central - Temporary Roundabout Re-notification for start of construction date for temporary roundabout at Devonshire Road and Elizabeth Drive for the 11 September 2023, TfNSW letter to DPE, 16 August 2023
- M12 Central - Temporary Roundabout Re-notification for start of construction date for temporary roundabout at Devonshire Road and Elizabeth Drive for the 28 September 2023, TfNSW letter to DPE dated 22 September 2023
- M12 Central - Temporary Roundabout TfNSW letter for non-compliance notification for temporary roundabout, 24 October 2023
- M12 Central - Temporary Roundabout Notification: Start of work - temporary roundabout at the intersection of Elizabeth Drive and Devonshire Road in Kemps Creek, September 2023
- M12 Central - Temporary Roundabout Notification: Out of hours work for the installation of temporary roundabout in Kemps Creek, October 2023
- M12 Central - Temporary Roundabout DPE Complaints Register – Devonshire Road
- M12 Central -Temporary Roundabout Leneco letter: M12 Temporary Roundabout – Elizabeth Dr/Devonshire Rd – Grey Headed Flying Fox Monitoring, 2 November 2023
- TfNSW letter “RE: M12 Temporary Roundabout – Elizabeth Dr/Devonshire Rd – Grey Headed Flying Fox Monitoring – RFI 005” reference no. SRAPPZC-TFNSW-VTIA-CORR-001799, 9 November 2023
- TeamBinder ref SRAPPZC-TFNSW-VTIA-CORR-001799, 9 November 2023: “M12 Temporary Roundabout – Elizabeth Dr/Devonshire Rd – Grey Headed Flying Fox Monitoring – RFI 005”
- M12 Central - Temporary Roundabout Environmental Inspection, 8 November 2023
- M12 Central -Temporary Roundabout Actions Register
- M12 Central -Temporary Roundabout calibration certificate from the Acoustic Research Lab for the Sound Level Meter (IEC 61672-3:2013), model number NL-52, calibration number C23499, 1 August 2023
- M12 Central -Temporary Roundabout calibration certificate from the Acu-Vib Electronics for the ground vibration monitor, serial no UM8899, certificate number no. G36526, 21 June 2023
- M12 Central -Temporary Roundabout Calibration Register
- M12 Central -Temporary Roundabout DashPivot Vibration Monitoring Form 25 October 2023.
- M12 Central -Temporary Roundabout vibration monitoring form for the southwestern corner, 8 November 2023
- M12 Central -Temporary Roundabout Vibration Monitoring Register
- M12 Central -Temporary Roundabout Noise Verification checklist for the construction activity in northern side of the intersection, 25 October 2023.
- M12 Central -Temporary Roundabout Noise Monitoring Register
- M12 Central -Temporary Roundabout TfNSW ROL 2152972 – Monday to Friday 8:30am – 4:30pm, from Clifton Avenue, Kemps creek to Kemps creek, Cecil for subject road Elizabeth drive for duration of 1 Nov 2023 – 1 Dec 2023
- M12 Central -Temporary Roundabout TfNSW ROL 2152974 – Monday to Friday 8:30am – 4:30pm, from Clifton Avenue, Kemps creek to Kemps creek, Cecil for subject road Elizabeth drive for duration of 1 Nov 2023 – 1 Dec 2023
- M12 Central -Temporary Roundabout TfNSW ROL 2152976 – Monday to Friday 8:30am – 4:30pm, from Elizabeth Dr, Kemps Creek to Cross St, Kemps Creek for subject road Devonshire Rd for duration of 1 Nov 2023 – 1 Dec 2023
- M12 Central -Temporary Roundabout TfNSW ROL 2152978 – Monday to Friday 8:30am – 4:30pm, from Clifton Avenue, Kemps creek to Kemps creek, Cecil for subject road Elizabeth drive for duration of 1 Nov 2023 – 1 Dec 2023

- M12 Central - Temp Roundabout Enviro Induction Rev 2.0
- M12 Central -Temporary Roundabout TfNSW letter 19 September 2023: OOHW application and supporting documents for the temporary roundabout at Devonshire Rd and Elizabeth Drive
- M12 Central -Temporary Roundabout OOHW Approval Request Form, OOHW_01_Rev 2, 18 September 2023
- M12 Central -Temporary Roundabout DPE approval letter: M12 Motorway (SSI-9364) — Out of Hours Work Application for the Elizabeth Drive and Devonshire Road Temporary Roundabout, 11 October 2023
- M12 Central -Temporary Roundabout: Excavation standby summary of charges by Jemena for potholing activity in Devonshire Kemps Creek with service order 2100663445 and Jemena payroll 110541, 11 October 2023
- M12 Central -Temporary Roundabout Work Health and Safety Traffic Control Work card from SafeWork NSW, card no. TCT0034232, issue date 11/12/2015
- M12 Central - Temporary Roundabout Excavation permit PTE-005 Pavement Box Out Site Wide, 25 October 2023
- M12 Central - Temporary Roundabout DBYD search attached. Job No 34865009, 18 August 2023
- M12 Central - Temporary Roundabout Working Near Overhead Powerlines Permit, 12 November 2023
- M12 Central - Temporary Roundabout Progressive Erosion and Sediment Control Plan developed – Revision 3.1, 8 November 2023
- M12 Central -Temporary Roundabout Environmental Event Report, 30 October 2023
- M12 Central - Temporary Roundabout EP Risk email, Environmental Scientist, SafeWork NSW Licensed Asbestos Assessor, 9 November 2023
- M12 Central - Temporary Roundabout EP Risk Letter of Advice – Asbestos-Containing Material (ACM) Elizabeth Drive, Kemps Creek, NSW, 2178, Ref: EP3397.003_Ward_Kemps Creek_v1, 9 November 2023
- M12 Central - Temporary Roundabout Eurofins, Certificate of Analysis 337323, 9 November 2023
- M12 Central - Temporary Roundabout Asbestos Material Tracking Register
- M12 Central - Temporary Roundabout TfNSW letter 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, 11 August 2023
- M12 Central - Temporary Roundabout DPE letter, 29 August 2023
- M12 Central - Temporary Roundabout: M12 Waste Tracking Register
- M12 Central - Temporary Roundabout: M12 Imported Materials Register
- M12 Central - Temporary Roundabout Brandown Docket: 120021819-NCRD.2, 30 October 2023
- M12 Central - Temporary Roundabout Brandown Docket: 120021633-NCRD, 30 October 2023
- M12 Central - Temporary Roundabout Brandown Docket: 120021661-NCRD, 30 October 2023
- M12 Central - Temporary Roundabout Brandown Docket: 120021676-NCRD, 30 October 2023
- M12 Central - Temporary Roundabout Brandown Docket: 120021707-NCRD, 30 October 2023
- M12 Central - Temporary Roundabout Brandown Docket: 120021722-NCRD, 30 October 2023
- M12 Central - Temporary Roundabout Brandown Docket: 120021750-NCRD, 30 October 2023
- M12 Central - Temporary Roundabout Brandown Docket: 120021782-NCRD, 30 October 2023
- M12 Central - Temporary Roundabout Brandown Docket: 120021827-NCRD, 30 October 2023
- M12 Central - Temporary Roundabout Brandown Docket: 120021839-NCRD, 30 October 2023
- M12 Central - Temporary Roundabout Waste Classification Report, Kemps Creek, SRAPC.WC.41, Rev 01, 26 October 2023
- M12 Central - Temporary Roundabout Turnbull Engineering Memorandum, TEJ0340-REP-0001, 30 October 2023
- M12 Central - Temporary Roundabout Weekly Progress Meeting No. 12 Minutes, 2 November 2023.

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).

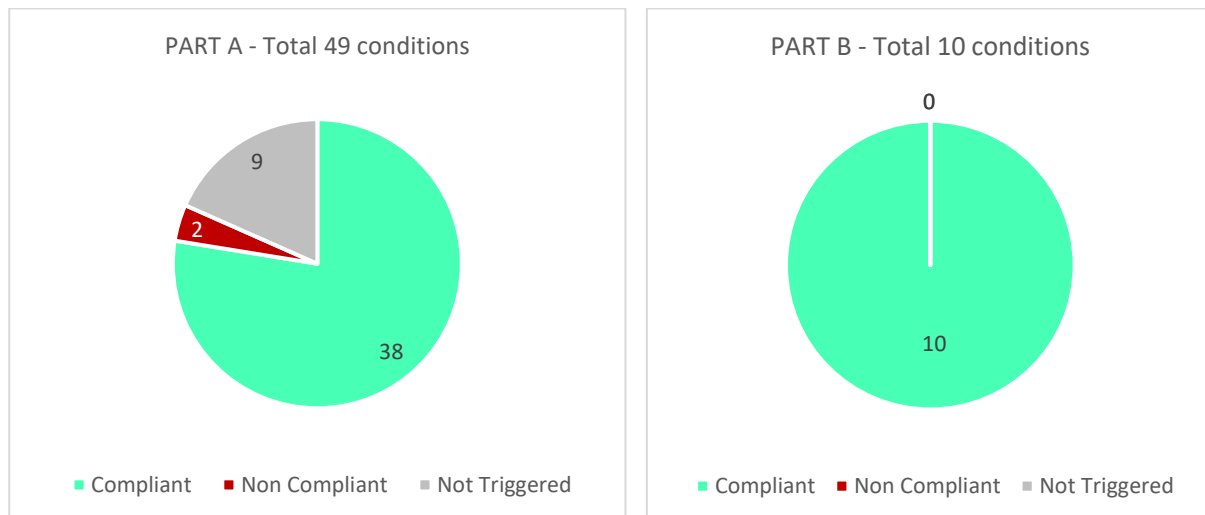
The following tables summarise the audit findings by rating category.

6.1.1.M12 Central findings summary

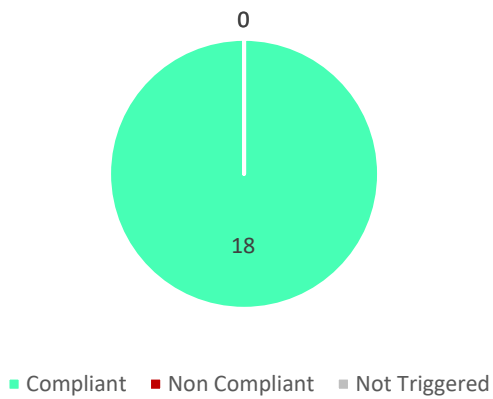
Findings Rating	Findings
Compliant	138
Non-Compliant	3
Not Triggered	61
Total	202

Table 3-1 Summary of Findings (Central)

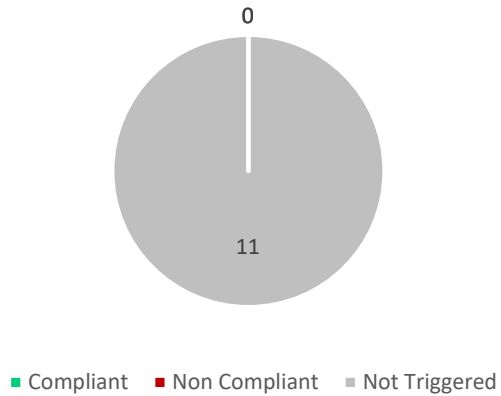
The comparison of audit requirements against the compliance ratings is as follows:



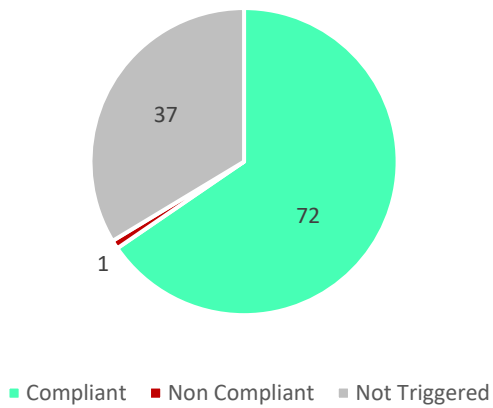
PART C - Total 18 conditions



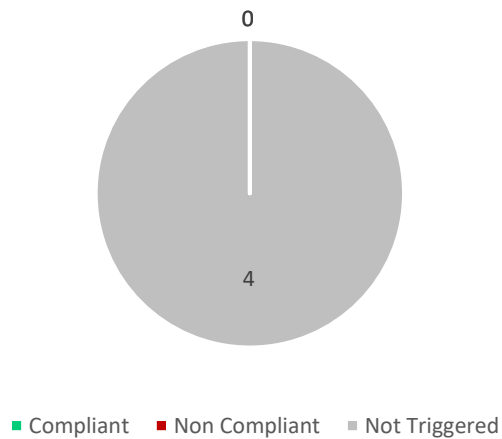
PART D - Total 11 conditions



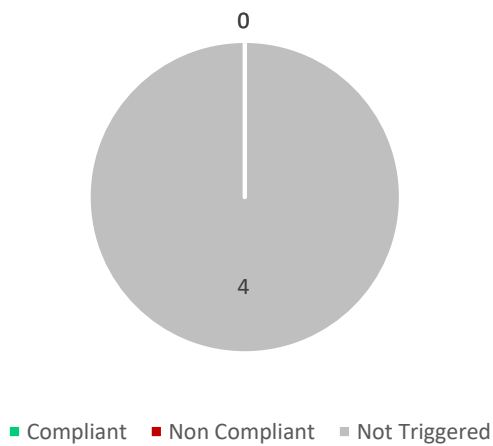
PART E - Total 110 conditions



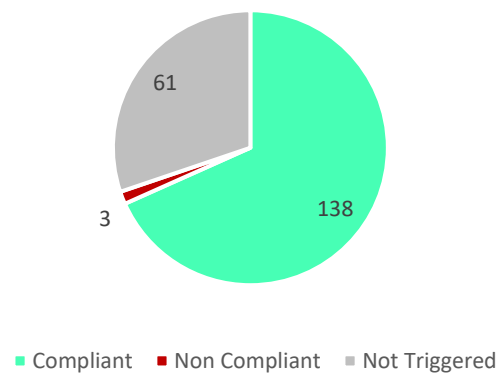
APPX A - Total 4 conditions



APPX B - Total 4 conditions



Total 202 conditions
M12 Central

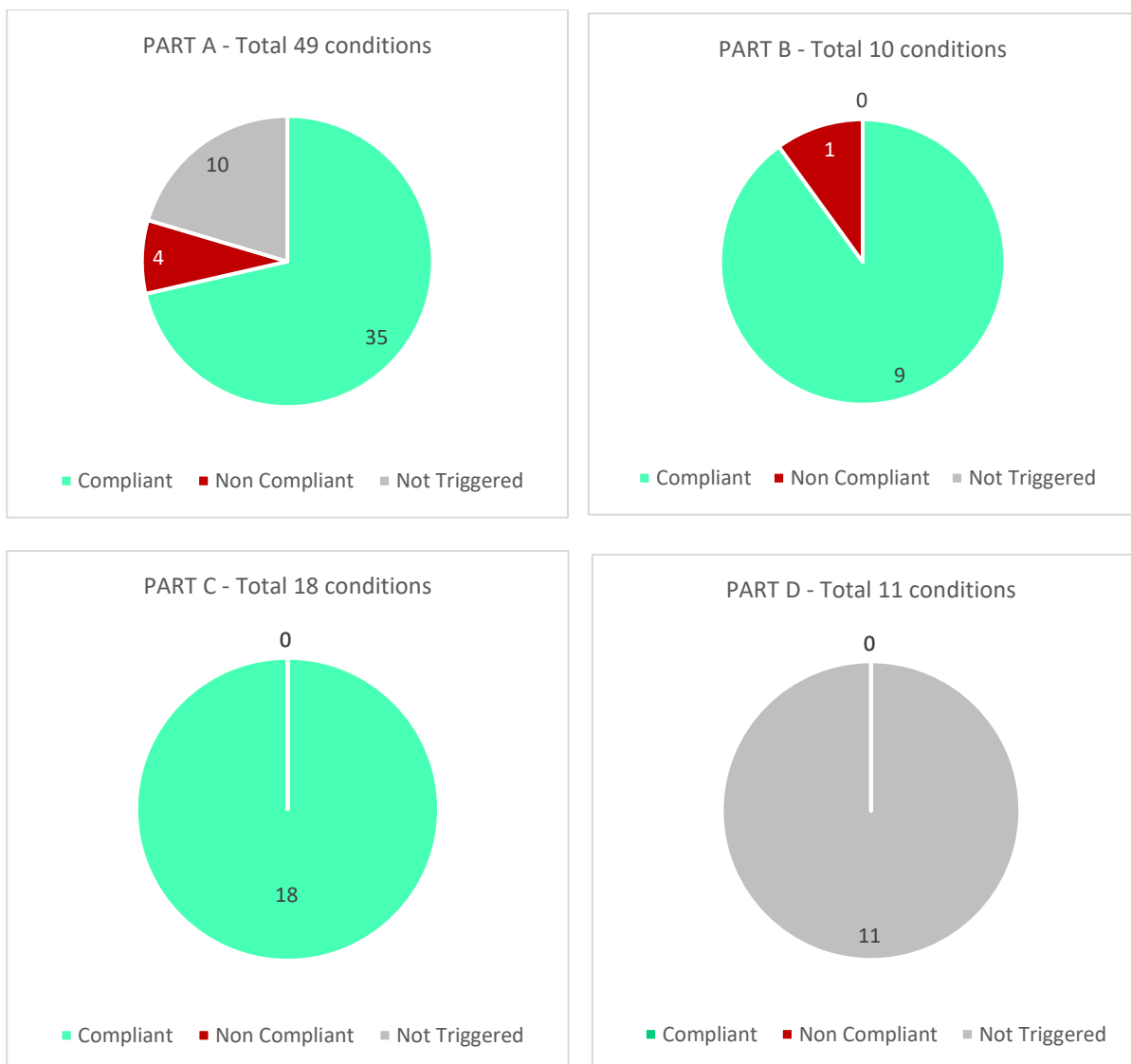


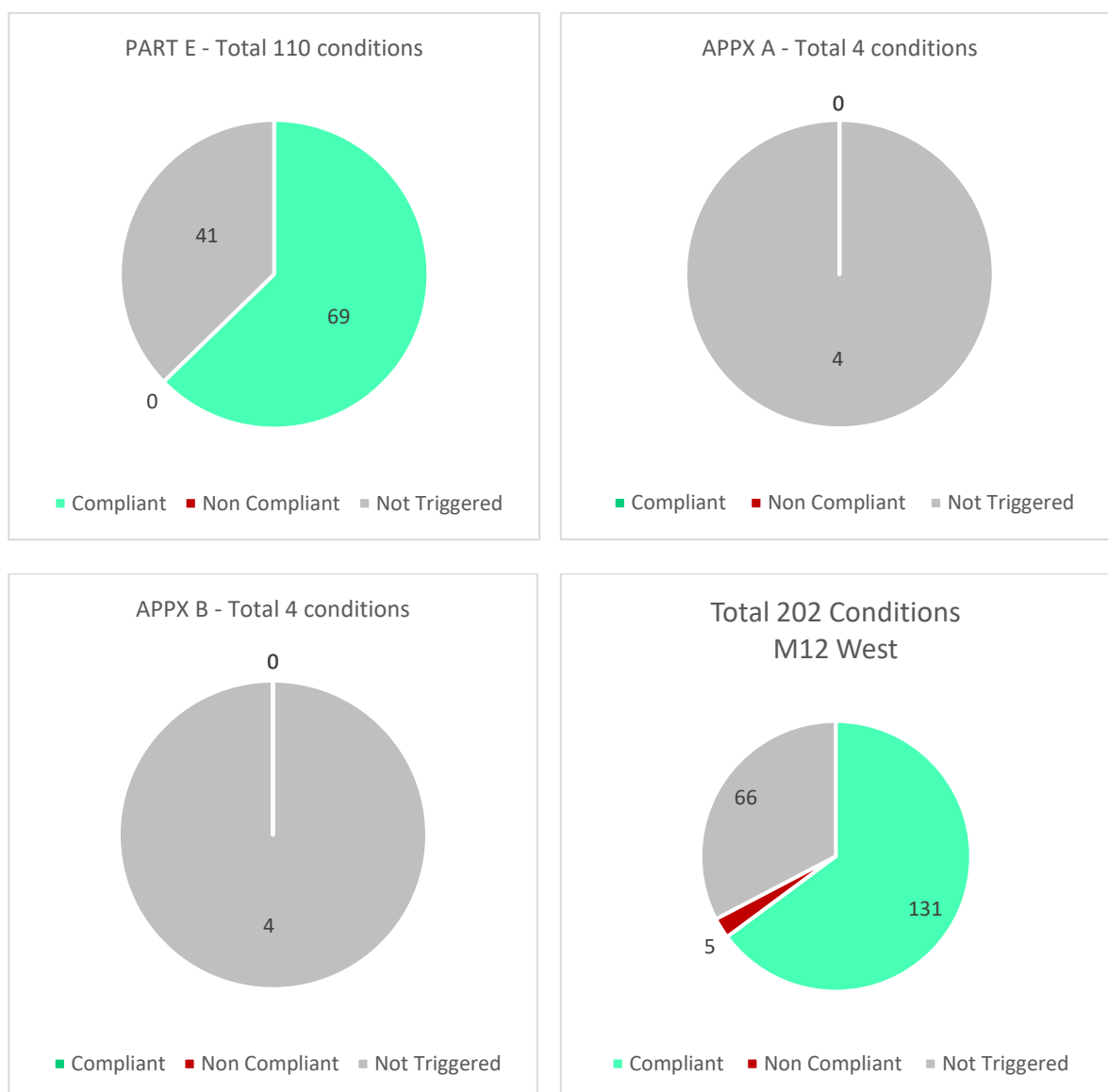
6.1.2. M12 West findings summary

Findings Rating	Findings
Compliant	131
Non-Compliant	5
Not Triggered	66
Total	202

Table 4-2 Summary of Findings (West)

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



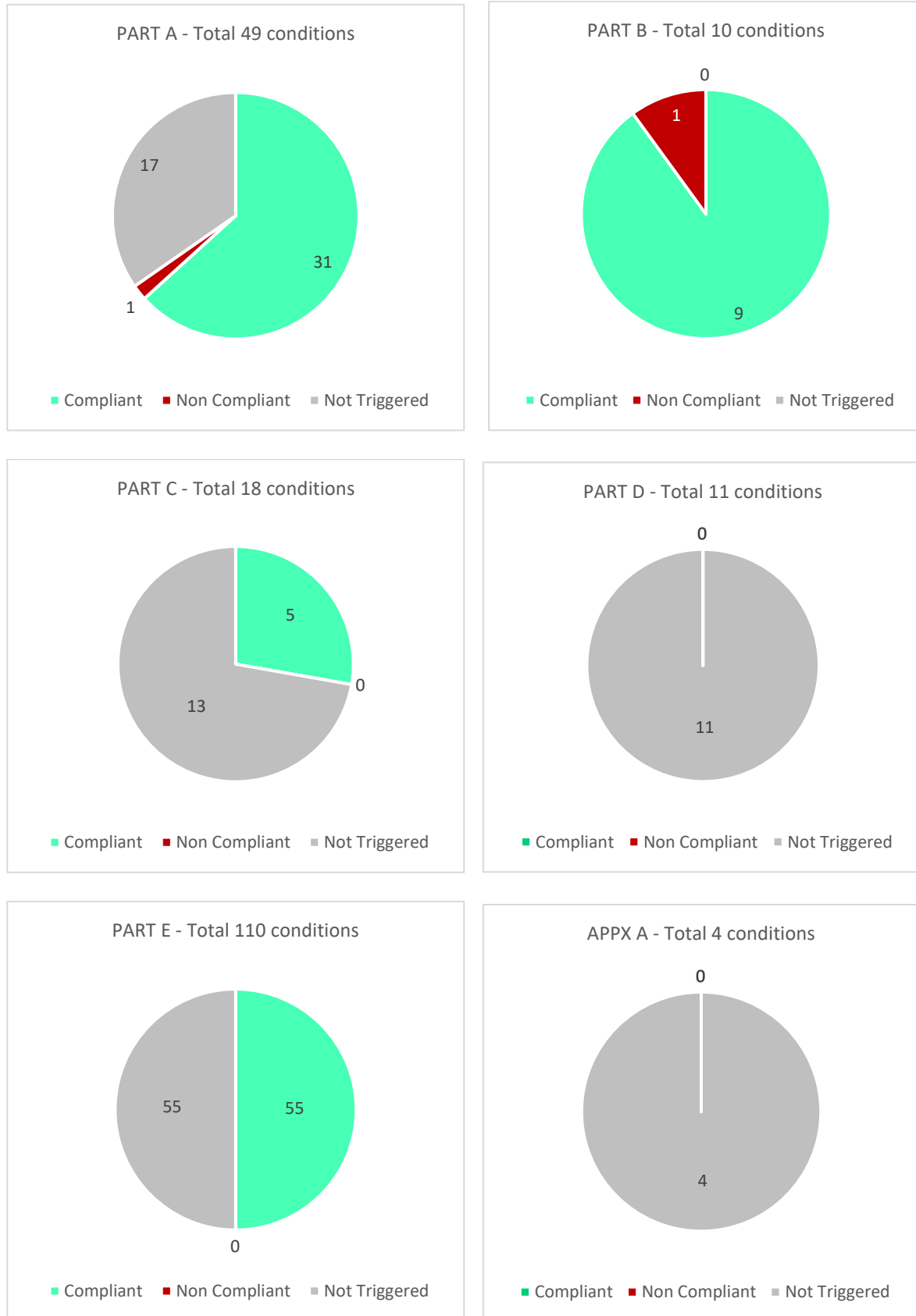


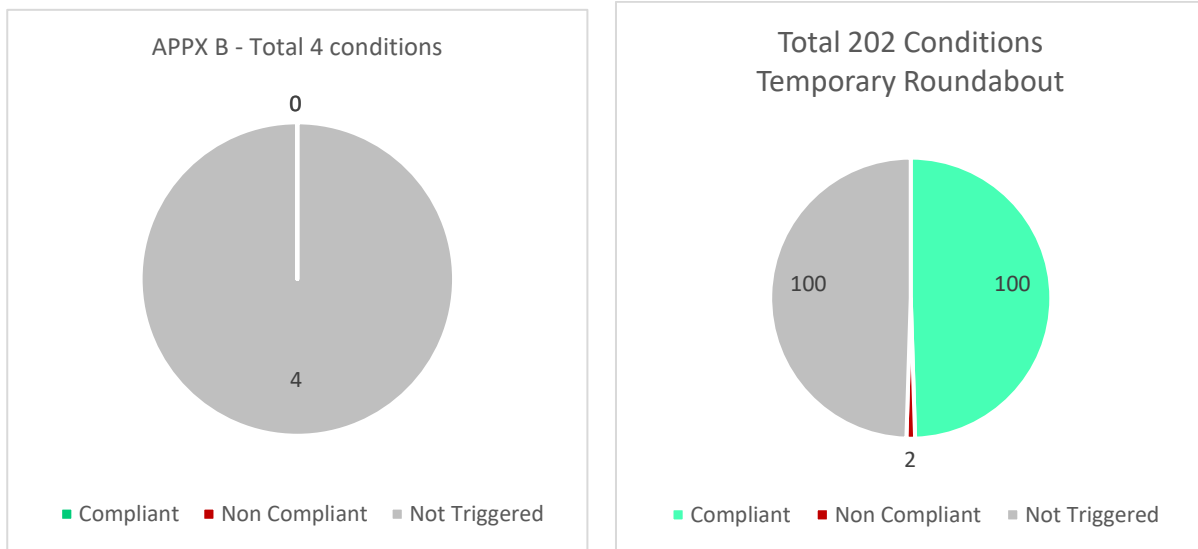
6.1.3. M12 Central - Devonshire Rd Temporary Roundabout findings summary

Findings Rating	Findings
Compliant	100
Non-Compliant	2
Not Triggered	100
Total	202

Table 5-3 Summary of Findings (Ventia)

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





6.2 Notices, Incidents and Complaints

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

An Overarching non-compliance regarding at-property treatment extension timeframe request, which was originally missed, previously submitted to DPE, was assessed in accordance with the following conditions:

- Condition E53 – Operational noise mitigation
- Condition E55 – Report on noise mitigation

NSW Planning noted that the non-compliances have been closed out and assessed and determined to record the breaches in its system. An extension to the at-property treatment has now been approved by DPE as evidenced.

6.2.1 M12 Central Complaints

A Complaints Register is maintained and managed by the Community Relations Manager (CRM). Details of the complaints are recorded and have undergone investigation and close out. 29 complaints have been received in total, all of which have been addressed and closed out. An opportunity for improvement was raised regarding the maintenance of the complaints register.

6.2.2 M12 Central Incidents

No reportable or environmental harm incidents have occurred on the M12 Central project to date. The following incidents were recorded:

- Event ID #: INC024 – Report Only – 15 May 2023 @ 7am. An un-predicted rainfall event occurred.
- Event ID #: INC025, 14 June 2023 @ 11:30am. Truck and dog was driving across fill after tipping material when a large rock damaged the diesel tank causing it to spill approximately 80 litres of diesel. All diesel was contained at the spill site and none flowed past controls. Absorbents were applied. The contaminated material was excavated and contained in plastic then disposed to a licensed landfill.
- Event ID #: INC026, 26 June 2023 @ 2:30pm. Excavator hydraulic hose failed. Less than 1 litre of oil spilled onto the fill. The excavator was immediately shutdown and spill kit materials used to clear the spill. All oil was contained at the spill site and none flowed past controls.

- Event ID #: INC027, 7 August 2023 @ 3:33pm. During sealing of the deck of Bridge 8 over Kemps Creek, a small volume of primer leaked. The spill was contained within the floating sediment curtain. Works were immediately ceased, and marine spill kit used to clean up the spill. No further sealing works occurred until amended methodology was approved.
- Event ID #: INC029 – Report Only – 30 August 2023 @ 2pm. An un-predicted rainfall event occurred.

All incidents have been addressed and closed. Refer to Audit Checklist [Appendix E](#) for further detail.

6.2.3 M12 Central Non-Compliances

Three non-compliances were identified within the scope of the audit as follows:

M12C-03-NC-01: Based on the non-compliance raised against Conditions A20 and E1, a non-compliance is triggered for Condition 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).* Condition E1 also triggers a non-compliance with A4(g): *the carrying out of any additional monitoring or mitigation measures.*

M12C-03-NC-02: Equipment used for unattended air quality monitoring is currently out of calibration. This raises a non-compliance against Condition E1 (Air Quality): *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.*

M12C-03-NC-03: *Self-reported* non-compliance. 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 *self-reported* as a non-compliance against Condition 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.*

For further details of the above non-compliances, refer to [Section 6.8](#) and [Appendix E](#).

6.2.4 M12 West Complaints

Only three complaints were received during the year which have all been addressed and closed out. CPBGG-JV have now implemented Consultation Manager and have included historical data which enables repeat complainants to be monitored as well as by complaint types for trend analysis.

6.2.5 M12 West Incidents

No reportable material harm incidents to date. All incidents recorded to date have been closed and classified as Environmental Incidents and Report only:

- Event ID #18 dated 6 May 2023 @ 10:30am (environmental incident). Compactor's hydraulics blew out and spilled hydraulic oil on the ground (~5L). Spill kit was used to contain oil spill. Earth bund installed all around compactor due to anticipated rain the next day (Sunday).
- Event ID #19 dated 10 May 2023 @ 10:30am (environmental incident). Track excavator hydraulic tank failed spilling ~ 5L of hydraulic oil. The supervisor on site deployed a spill kit to contain the spill which isolated to surface.

- Event ID #21 dated 26 June 2023 @ 1:30pm (environmental incident). Hydraulics on scraper blew out and spilled approximately 3L hydraulic oil on the ground. Spill kit was used to contain oil spill and an earth bund was installed around the scraper. Repairs on the scraper were finished the next day.
- Event ID #22 dated 25 July 2023 @ 11:30am (environmental incident). Hydraulics on truck and dog blew out, spilling approximately <10L hydraulic on the ground. Spill kit was used to contain hydraulic oil spill.
- Event ID #26 dated 14 September 2023 @ 10:00am (environmental incident). Hydraulics on a digger blew out, spilling approximately 10L of hydraulic oil on the ground. Spill kit was used to contain the spill. Spoil was contained in a contaminated waste bag and removed from site.

Refer to the audit checklist included as [Appendix E](#) for full details.

6.2.6 M12 West Non-Compliances

Five non-compliances were identified within the scope of the audit as follows:

M12W-03-NC-01: *Self-reported* non-compliances were identified during the audit period whereby it was observed that a topsoil stockpile generated from project works had been placed beyond the project boundary. This triggered a non-compliance against Condition 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).*

M12W-03-NC-02: *Self-reported* non-compliances were identified during the audit period whereby it was observed that a topsoil stockpile generated from project works had been placed beyond the project boundary. This triggered a non-compliance against Condition 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.*

M12W-03-NC-03: Based on the non-compliances raised against Conditions A1, A2, A34, and B10, a non-compliance is triggered against Condition 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).*

M12W-03-NC-04: *Self-reported* non-compliances were identified during the audit period relating to the use of the mobile crusher in a Construction Ancillary Facility prior to its assessment and approval being completed by the ER. This triggered a non-compliance against Condition A34 (Environmental Representative): *For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:*

- 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.*

M12W-03-NC-05: *Self-reported non-compliances were identified during the audit period relating to the use of the mobile crusher in a Construction Ancillary Facility prior to its assessment and approval being completed by the ER and the subsequent publishing by TfNSW of the revised Site Management Plan (SEMP). This triggered a non-compliance against Condition B10 (Provision of Electronic Information): 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:*

(e) a current copy of the final version of each document required under the terms 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.

For further details of the above non-compliances, refer to [Section 6.8](#) and [Appendix E](#).

6.2.7 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. Currently awaiting details from road safety team to assist with response.

6.2.8 M12 Central - Devonshire Rd Temporary Roundabout Incidents

One unexpected asbestos find was notified to the Department of Planning and Environment. Unexpected conduit find, notification report as raised 30 October 2023 and unexpected finds procedure demonstrated as per Condition E90. SafeWork NSW Licensed Asbestos Assessor confirmed find as bonded (non-friable), 9 November 2023. Asbestos find observed during the audit site inspection as fenced and covered (refer to photos) and currently left in-situ until confirmed for removal.

No other incidents have been identified onsite.

6.2.9 M12 Central - Devonshire Rd Temporary Roundabout Non-Compliances

Two non-compliances were identified within the scope of the audit as follows:

M12TR-NC-01: Based on the non-compliance raised against Condition B5, a non-compliance is triggered for Condition 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).*

M12TR-NC-02: 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 works were undertaken exceeding the notification (notified as only 2 consecutive nights). This raises a non-compliance against Condition B5 (Community Consultation and Involvement): *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.*

For further details of the above non-compliances, refer to [Section 6.8](#) and [Appendix E](#).

6.3 Previous Audit Findings

This was the initial independent environmental audit for the M12 Central - Devonshire Road Roundabout, therefore there are no previous findings to note.

6.3.1 M12 Central Previous Audit Findings

Finding No.	Condition of Approval	Audit Finding Details	Status
M12C-02-OFI-01	1. A48 Non-Compliance Notification	It was noted that register for Non-Compliances, Opportunities for Improvement and Incidents have not been maintained e.g., Status of close out requires completion	M12 Central Incident Register (live register) presented and verified to be up to date (INC029). Closed
	2. E37 Out-Of-Hours Work Protocol	It was noted that register for OOHW permits has not been maintained. Data recorded was not up to date	OOHW Register M12 Central – live register – includes status column (open or closed) entries up to date at 97. However, some columns were still incomplete. This finding remains Open
	3. E84 Soils	It was noted that register for Progressive Erosion and Sediment Control Plans (PESCPs) has not been maintained	M12 Central ERSED Register – shows all current PESCPs. However, some columns were still incomplete. This finding remains Open
	4. E105 Water	It was noted that register for calibration equipment has not been maintained e.g., the Horiba equipment line for date, etc has not been completed	Environmental Monitoring Equipment Register. Horiba noted to be last calibrated 11/09/23 – due 11/09/24. Closed

6.3.2 M12 West Previous Audit Findings

Finding No.	Condition of Approval	Audit Finding Details	Status
M12W-02-OFI-01	Non-Compliance Notification CoA A48 A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	The Environment Incident Report (ID # 10) was recorded as an Environment Incident and not a Non-Compliance. It is noted that TfNSW has undergone an internal training to review the categorisation when approving Event reports.	TfNSW arranged training for the personnel – 2 sessions including contractors. Presentation in PowerPoint – Section 1 includes why incidents need to be reported, procedure's purpose and scope, consequence table, significant environmental incidents, report only events, non-compliances, regulatory action, flowchart of reporting procedure, notifiable events, investigations and corrective actions, scenario exercises (x 9). Section 2 details the environmental inspection procedure including risk ratings, traffic light system and exercises (x 10). The same training was run on two different days (1st June and 1st August). Some attended in person, some on-line. Sighted Microsoft teams invitations which included contractor personnel. Closed.

Finding No.	Condition of Approval	Audit Finding Details	Status
M12W-02-OFI-02	Noise and Vibration CoA E37 An Out-of-Hours Work Protocol must be prepared to identify a process for the consideration, management and approval of Work which is outside the hours defined in Condition E34, and that are not subject to an EPL.	Under Section 3.1 of the OOHW procedure, Appendix B – Stakeholder Notifications, reference L5.3 is not included. This reference forms part of the EPL variation.	OOHW Protocol as part of CNVMP, Rev E – approved Rev 01 dated 6 February 2023. Updated to include reference L5.3 – sighted under Table 1-1 Relevant EPL Conditions under 1.1 Scope. ER endorsement 29 May 2023 Ref M12W CEMP Rev01 includes CNVMP Rev 01, dated 6 February 2023 (signed 22 March 2023). Closed.
M12W-02-OFI-03	Soils CoA 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.	M12 West Project – Cosgroves Creek to M12 Central boundary (MLE) PESCP-005, Rev 0, 31 August 2022 – this date is only updated following major changes. However, it was noted that a sump wasn't included within the current version of the plan and that minor changes had occurred on the plan.	The following Progressive Erosion and Sediment Control Plans were presented as evidence: <ul style="list-style-type: none"> • M12 West Project – The Northern Road to Cosgroves Creek (MLW) PESCP-004, Rev 06, 1 October 2023 • M12 West Project – Cosgroves Creek to M12 Central boundary (MLE) PESCP-005, Rev 4, 12 October 2023 • M12 West Project – Interchange to WSA PESCP-006, Rev 10, 1 September 2023 • M12 West Project – Ancillary Site AF02 & Batch Plant, Rev 6, 22 September 2023. Closed.
M12W-02-OFI-04	Soils CoA 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.	Minor changes to the PESCPs were not easily identified.	M12 West PESCP minor amendments register presented. Includes date of amendment, relevant PESCP, amendment details, initials of individual. Live register. Last entry 27 October 2023 for 006 – Interchange to WSA – updated controls at EDR South by TC. Closed.

6.4 Audit Site Inspection

6.4.1 M12 Central Site Inspection

A site drive through was undertaken on the 30 October 2023 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:

- ▶ Temporary crossing over South Creek has been maintained,

- ▶ Area demarked for Fleurs Radio concrete plinths (heritage items),
- ▶ Water cart sighted in operation,
- ▶ Proper sedimentation and erosion controls on culverts,
- ▶ No dust observed,
- ▶ Main site compound observed to be in a tidy condition with plenty of parking available,
- ▶ Signage and traffic controls in place,
- ▶ No sediment accumulated on haulage road due to construction works,
- ▶ Silt curtain installed at Kemps Creek adjacent to Bridge 6,
- ▶ Solar panels in use at Range Road compound,
- ▶ Nest boxes installed and being inspected by ecologist at present,
- ▶ Quality of seeding on the cut batters deemed poor and has been jointly addressed with TfNSW, Seymour Whyte and relevant supplier. This element was raised internally as a quality issue, and
- ▶ Sediment basins within capacity with lifesaver, marker, and fencing.

Observations were raised during the site inspection as follows:

Ref	Issue	Status
M12C-03- ISS-01	Waste bins located at Bridge 6 (BR06) were noted to be at full capacity.	Photo received showing emptied bins. Closed.
M12C-03- ISS-02	Waste bins at Ancillary Facility (AF6) were also observed to be full.	Photo received showing emptied bins. Closed.
M12C-03- ISS-03	Incorrect use of spill kit at Ancillary Facility (AF6), containing rubbish.	Photo received showing reinstated use of spill kit. Closed.
M12C-03- ISS-04	Fine material from piers construction at Bridge 6 (BR06) was close to watercourse (South Creek). Material was in the process of being removed and to be replaced with rock.	Photo received showing completion of works. Closed.

Table 4-1 Site Issues (Central)

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

6.4.2 M12 West Site Inspection

A site drive through was undertaken on the 31 October 2023 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 in good condition despite the 103km winds from the previous night with only minor signs of disrepair already noted by the contractor e.g., boundary shade cloth at main compound had come loose, polymer binding to be reinstated,
- ▶ Ample parking available at ancillary facilities,
- ▶ Water carts sighted in operation for dust suppression,
- ▶ Erosion and sedimentation controls in place including sediment fencing, bitumen and polymer sprayed batters, permanent sediment basins, geofabric in place, and controls at Cosgroves Creek,
- ▶ Internal roads kept clear of obstacles and appeared well maintained. Chip sealed to reduce dust generation,

- ▶ No mud tracking sighted on public roads,
- ▶ Preparation works for demolition of structures at 752-810 Luddenham Rd are in progress,
- ▶ Permanent spray grassing has been raised internally as has not been germinating,
- ▶ Clear signage and traffic controls in place throughout the site and on public roads (Elizabeth Drive, Luddenham Road), and
- ▶ Containment cell areas sighted which have been fully capped and complete.

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

6.4.3 M12 Central - Devonshire Rd Temporary Roundabout

A site walk was undertaken during the evening of the 13 November 2023 from 8:15pm to 9:15pm with representatives of Ventia, TfNSW and the ER where the APP auditors reviewed the effectiveness of environmental mitigation measures.

Observations of the site walk included:

- ▶ Ancillary Facility AF13 included noise blankets around generator, rock placed to avoid dust generation by vehicles, chemicals stored on bunded area, stockpiles separated by type in designated area with barriers in place, site signage and VMP displayed,
- ▶ Remarkable pre-start process demonstrated by the Contractor,
- ▶ Traffic controls in place including traffic controllers, boom gate, lighting, and signage to manage one lane traffic at Elizabeth Drive,
- ▶ Construction site well delineated and flagged,
- ▶ Asbestos find has been covered and fenced in preparation for removal,
- ▶ Ecologist present during works near habitat area to confirm the presence of the Grey Headed Flying Fox at the corner of Devonshire Road and Elizabeth Drive,
- ▶ Excavation area clearly delineated with spotters present, and
- ▶ Directional lighting placed so not to obstruct visibility for drivers on Elizabeth Drive.

One observation was raised during the site inspection as follows:

Ref	Issue	Status
M12TR- ISS-01	During the site inspection, records for 2 personnel on site were showing as not inducted.	This issue was immediately addressed and closed.

Table 4-2 Site Issues (Roundabout)

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

6.5 Suitability of Plans and the Environmental Management System

6.5.1 M12 Central - Seymour Whyte Plans and EMS

Updates to Seymour Whyte's Construction Environmental Management Plan (CEMP) and sub-plans were reviewed and endorsed by the Environmental Representative in October 2023 as per MCoA Condition C3. The Environmental Representative also reviews the project's environmental documentation on a regular basis as evidenced in the ER Monthly Reports, undertaking fortnightly inspections to ensure the system remains current and suitable to the works, making recommendations for action and close out.

Seymour Whyte continues to implement the contractor management plans as aligned to the overarching documents. The Site Establishment Management Plan was updated due to changes in location of the crusher to Ancillary Facility AF16a, approximately 60m south of its original location under AF16. These changes were reviewed and endorsed by the ER in June 2023.

Based on the evidence provided, the environmental management plans and system appear to be implemented well, demonstrated through the condition of the site and no material harm environmental incidents since construction commenced.

6.5.2 M12 West - CPBGG-JV Plans and EMS

CPBGG JV management plans were updated as part of the annual review which were aligned to the overarching documents, including the CEMP and sub-plans. Plans undergo a review process, first by TfNSW, and then to the Environmental Representative for final review and endorsement. Reviews are undertaken in accordance with the overarching management plans, the conditions of approval and legislative requirements. The plans have recently undergone a periodic update and were submitted to the ER for review prior to their implementation.

The M12 West Site Establishment Management Plan was updated during the audit period following inclusion of the crushing activity locations which was endorsed by the ER in accordance with condition A16.

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

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

A singular Construction Environmental Management Plan (CEMP) was developed and endorsed by the ER for the temporary roundabout with no requirement for any sub-plans or monitoring programs due to the small scale of works. The temporary roundabout works recently commenced on the 16 October 2023 and it is scheduled to be completed early 2024.

The temporary roundabout is being constructed under an Out of Hours Work approval for 5-nights a week. Noise monitoring has occurred as per the CEMP with no exceedances to the predicted noise levels under the Construction Noise and Vibration Impact Statement (CNVIS). No complaints have been received to date.

Ventia implemented the unexpected finds procedure for the uncovered pipe which was assessed and identified as containing asbestos. The area has been fenced and covered until its removal with remediation of the area to follow.

Based on the outcome of the audit, Ventia demonstrated full compliance with the conditions of approval and implementation of the CEMP.

6.6 Actual and 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 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.
- ▶ M12 Central - Devonshire Road Temporary Roundabout: the works fall under a 5-night a week Out-of-Hours Work approval until 22 December 2023. 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 complaints have been received to date.

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 were donated to the M12 West package 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 found not be impacted by construction works with areas either flagged or outside the construction boundary.

6.6.4 Soil and Water

- ▶ M12 Central: The permanent sediment basin and spillway leading into South Creek was observed to be in good condition with erosion and sedimentation controls near watercourses noted to be well maintained throughout the site. Rainfall events are reported on through application of the incident process.
- ▶ 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.
- ▶ M12 Central - Devonshire Road Temporary Roundabout: Due to the scale of the works, only one Progressive Erosion and Sediment Control Plan is in place and implemented. No discharging is occurring onsite.

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 West: Water carts were in regular operation during the site inspection. Minimal signs of dust despite windy conditions. Regular monitoring occurring with any exceedances being investigated.
- ▶ 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. Dust suppression is used as required with rock placed at the site compound to reduce dust generation.

6.6.6 Contamination

- ▶ M12 Central: All contaminated material has been encapsulated into the two designated areas as per Remediation Action Plan. Validation Reports and Long-Term Environmental Management Plan are still to be developed. No unexpected finds occurred during this audit period.
- ▶ M12 West: Encapsulation of contaminated material is now complete with a Remediation Action Plan developed. The Detailed Site Investigation currently being finalised. A register is in place to monitor and record the asbestos material including the potential asbestos findings during the demolition of structures at Luddenham Road,
- ▶ 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. The area has been clearly separated with fencing and signage with the pile covered until appropriate removal.

6.7 Key Strengths

6.7.1 M12 Central – key strengths

- ▶ Good erosion and sediment controls demonstrated around watercourses,
- ▶ No evidence of dust with water cart sighted in operation,
- ▶ No dirt or mud tracking on roads or at site access,
- ▶ Clear signage throughout all site locations,
- ▶ Sediment basins appeared well maintained,
- ▶ Permanent spill way clear of debris at South Creek, and
- ▶ Continued proactive approach by Communications team with daily meetings occurring and timely 6-monthly update on the Community and Stakeholder Plan.

6.7.2 M12 West – key strengths

- ▶ Site in good and orderly condition despite high winds recorded the previous night,
- ▶ Water observed as being reused on site for dust suppression with water cart in operation,
- ▶ Erosion and sedimentation controls demonstrated throughout the site,
- ▶ Robust records management with registers verified to be consistently maintained,
- ▶ Monitoring of sustainability initiatives appeared well managed,
- ▶ Recent implementation of Consultation Manager presented traceability of complaints and enquiries, and
- ▶ Minor complaints received on the project to date with only three received for the year.

6.7.3 M12 Central – Devonshire Rd Temporary Roundabout – key strengths

- ▶ Site compound AF13 was in tidy condition with ER recommendations addressed e.g., noise blankets around generator, rock in place to reduce the generation of dust,
- ▶ Demonstrated traffic controls on Elizabeth Drive for night time works,
- ▶ Proactive use of the DashPivot application for inspections,
- ▶ Good consultation measures for the 5 nights a week OOHW, and
- ▶ Only one complaint received.

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
M12C-03 NC-01	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: <ul style="list-style-type: none"> (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-compliance raised against Condition E1, a non-compliance is triggered for A4(f) and (g).
M12C-03 NC-02	Non-Compliance	M12 Central SWC	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.
M12C-03 NC-03	Non-Compliance	M12 Central SWC TfNSW	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: <ul style="list-style-type: none"> (a) are located within or adjacent to the construction boundary; and (b) have been assessed by the ER to have - <ul style="list-style-type: none"> 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. 	<p><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.</p> <p>This was <i>self-reported</i> as a non-compliance and recorded as Event ID #INC028 on 24 August 2023, 11:51am.</p> <p>This raises a non-conformance against Condition A20.</p>

Finding No.	Finding Type	Package + Responsible party	Condition of Approval	Audit Finding Details
M12C-03 OFI-01	Opportunity for Improvement	M12 Central SWC	Construction Environmental Management Plan C2: The CEMP must provide: (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;	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)
M12C-03 OFI-02	Opportunity for Improvement	M12 Central SWC	Construction Environmental Management Plan C2: The CEMP must provide: (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	A training matrix has not been developed to identify any gaps for environmental specific training requirements. C2 (j)
M12C-03 OFI-03	Opportunity for Improvement	M12 Central SWC	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.
M12C-03 OFI-04	Opportunity for Improvement	M12 Central SWC	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.
From Previous Audit:				
M12C-02-OFI-01	Opportunity for Improvement	M12 Central SWC	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) 4. 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. The OOHW Register 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. The ERSED Register was not up to date. This finding remains open.

Finding No.	Finding Type	Package + Responsible party	Condition of Approval	Audit Finding Details
M12W-03 NC-01	Non-Compliance	M12 West CPBGG-JV TfNSW	General A1: The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with: <ul style="list-style-type: none"> (a) M12 Motorway Environmental Impact Statement (dated October 2019); (b) M12 Motorway Submissions Report (dated October 2020); (c) M12 Motorway Amendment Report (dated October 2020); (d) M12 Motorway Amendment Report - Submissions Report (dated December 2020); and (e) M12 Motorway Amendment Report - Submissions Report - Amendment (dated 8 March 2021). 	<p><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.</p> <p>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.</p> <p>This non-compliance was notified to DPE with Condition A2 (below).</p> <p>This raises a non-compliance against Condition A1.</p>
M12W-03 NC-02	Non-Compliance	M12 West CPBGG-JV TfNSW	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.	<p><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.</p> <p>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.</p> <p>This raises a non-compliance against Condition A2.</p>
M12W-03 NC-03	Non-Compliance	M12 West CPBGG-JV TfNSW	General A4: The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: <ul style="list-style-type: none"> (f) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval) 	<p>Based on the non-compliances raised against Conditions A1, A2, A34 and B10, a non-compliance is triggered against A4(f).</p>
M12W-03 NC-04	Non-Compliance	M12 West CPBGG-JV TfNSW	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: <ul style="list-style-type: none"> (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 	<p><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</p>

Finding No.	Finding Type	Package + Responsible party	Condition of Approval	Audit Finding Details
			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.	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.
M12W-03 NC-05	Non-Compliance	M12 West CPBGG-JV TfNSW	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. 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: (e) a current copy of the final version of each document required under the terms of this approval; and 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.	<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.
M12W-03-OFI-01	Opportunity for Improvement	M12 West CPBGG-JV	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)
M12W-03-OFI-02	Opportunity for Improvement	M12 West CPBGG-JV	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.

Finding No.	Finding Type	Package + Responsible party	Condition of Approval	Audit Finding Details
M12TR-NC-01	Non-Compliance	M12 Central - Temporary Roundabout Ventia TfNSW	General A4: The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: <ul style="list-style-type: none"> (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).
M12TR-NC-02	Non-Compliance	M12 Central - Temporary Roundabout Ventia TfNSW	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.
M12TR-OFI-01	Opportunity for Improvement	M12 Central - Temporary Roundabout Ventia	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.
M12TR-OFI-02	Opportunity for Improvement	M12 Central - Temporary Roundabout Ventia	Waste E104: The Proponent must develop and implement a waste tracking register prior to waste generated by Work that details: <ul style="list-style-type: none"> (a) the quantity of each type of waste generated its classification and source location (recorded using latitude and longitude coordinates); (b) the destination location(s) for all wastes generated during Work; (c) the quantities of any waste types imported onto the CSSI site, including their classification and emplacement location (recorded using latitude and longitude coordinates); (d) the quantities and types of wastes that are subject to a Resource Recovery Order and/or Exemption; and (e) disposal records demonstrating that receiving facilities have lawfully accepted the waste type. 	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.

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	Monday, 30 October 2023 8:00 AM – 4:00 PM
Auditor	Nilda Soto (Lead Auditor) Barbara Pater (Auditor's Assist)
Site contact	Tom Bath [REDACTED]
Audit criteria	Conditions of Approval CSSI-9364 and in accordance with the Independent Audit Post Approval Requirements (Department of Planning and Environment, 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 <ul style="list-style-type: none"> Confirm scope of the audit, outline the audit process, methodology, timing, access, and resources required. 	8:15 AM – 8:30 AM
Site Walk <ul style="list-style-type: none"> 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 <ul style="list-style-type: none"> ▶ 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 <ul style="list-style-type: none"> ▶ 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 <ul style="list-style-type: none"> ▶ Construction Environmental Management Plan ▶ Construction Monitoring Programs 	1:30 PM – 1:45 PM
Review of SSD-8937 Conditions Part E – Key Issue Conditions <ul style="list-style-type: none"> ▶ 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 <ul style="list-style-type: none"> ▶ Outcome of audit and presentation of findings. Deliverables as noted overpage. 	3:45 PM – 4:00 PM

Deliverables

Audit Deliverables	Responsibility
Draft Report Submission <ul style="list-style-type: none"> ▶ 15 days following receipt of draft audit report from APP 	APP
Response to draft report <ul style="list-style-type: none"> ▶ 7 days following receipt of draft audit report from APP 	TfNSW / SWC
Final report submission <ul style="list-style-type: none"> ▶ 7 days following receipt of comments from TfNSW/SWC ▶ Submitted to TfNSW 	APP
Response to findings and submission of final audit report <ul style="list-style-type: none"> ▶ Final report and response to audit findings submitted to the Department of Planning and Environment (DPE) within 60 days of undertaking the independent audit site inspection (CoA A42) 	TfNSW
Non-Compliances (if applicable) <ul style="list-style-type: none"> ▶ TfNSW is to follow the process to notify DPE 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.

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	Tuesday, 31 October 2023 8:00 AM – 4:00 PM
Auditor	Nilda Soto (Lead Auditor) Barbara Pater (Auditor's Assist) Michelle Battam (Observer)
Site contact	Kimberley Purkiss [REDACTED] [REDACTED]
Audit criteria	Conditions of Approval CSSI-9364 and in accordance with the Independent Audit Post Approval Requirements (Department of Planning and Environment, 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 <ul style="list-style-type: none"> Confirm scope of the audit, outline the audit process, methodology, timing, access, and resources required. 	8:15 AM – 8:30 AM
Site Walk <ul style="list-style-type: none"> 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 <ul style="list-style-type: none"> ▶ 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 <ul style="list-style-type: none"> ▶ 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 <ul style="list-style-type: none"> ▶ Construction Environmental Management Plan ▶ Construction Monitoring Programs 	1:30 PM – 1:45 PM
Review of SSD-8937 Conditions Part E – Key Issue Conditions <ul style="list-style-type: none"> ▶ 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 <ul style="list-style-type: none"> ▶ Outcome of audit and presentation of findings. Deliverables as noted overpage. 	3:45 PM – 4:00 PM

Deliverables

Audit Deliverables	Responsibility
Draft Report Submission <ul style="list-style-type: none"> ▶ 15 days following receipt of draft audit report from APP 	APP
Response to draft report <ul style="list-style-type: none"> ▶ 7 days following receipt of draft audit report from APP 	TfNSW / SWC
Final report submission <ul style="list-style-type: none"> ▶ 7 days following receipt of comments from TfNSW/SWC ▶ Submitted to TfNSW 	APP
Response to findings and submission of final audit report <ul style="list-style-type: none"> ▶ Final report and response to audit findings submitted to the Department of Planning and Environment (DPE) within 60 days of undertaking the independent audit site inspection (CoA A42) 	TfNSW
Non-Compliances (if applicable) <ul style="list-style-type: none"> ▶ TfNSW is to follow the process to notify DPE 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.

Audit Agenda – M12 Central - Temporary Roundabout

Project	Independent Environmental Audit – M12 Motorway Project	
Proponent	TfNSW	
Contractor	Ventia Limited	
Location	M12 Central Site Office, Clifton Ave, Kemps Creek	
Date and Time	Monday, 13 November 2023	5:00 PM – 9:30 PM
Auditor(s)	Nilda Soto (Lead Auditor), Barbara Pater (Auditor's Assist), Michelle Battam (Observer)	
Site contact	Tracey Austin, TfNSW [REDACTED]	
Audit criteria	Conditions of Approval CSSI-9364 and in accordance with the Independent Audit Post Approval Requirements (Department of Planning and Environment, 2020)	
Audit scope	Within 6 months from previous during construction audit	

Agenda

Item and Description	Time
Opening Meeting <ul style="list-style-type: none"> Confirm scope of the audit, outline the audit process, methodology, timing, access, and resources required. 	5:00 PM – 5:15 PM

Item and Description	Time
Review of SSI-9364 Part A Administrative Conditions & Appendix A <ul style="list-style-type: none"> ▶ 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 	5:15 PM – 5:30 PM
Review of SSI-9364 Part B Community Information and Reporting <ul style="list-style-type: none"> ▶ Community Information, Consultation and Involvement ▶ Complaints Management System ▶ Provision of Electronic Information 	5:30 PM – 5:45 PM
Review of SSI-9364 Part C Construction Environmental Management <ul style="list-style-type: none"> ▶ Construction Environmental Management Plan ▶ Construction Monitoring Programs 	5:45 PM – 6:15 PM
Review of SSD-8937 Conditions Part E – Key Issue Conditions <ul style="list-style-type: none"> ▶ 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 	6:15 PM – 7:00 PM
Auditor consolidation (auditors only) / Dinner break	7:00 PM – 8:00 PM
Undertake Site Induction	8:00 PM – 8:15 PM
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.	8:15 PM – 9:15 PM

Item and Description	Time
Closing meeting <ul style="list-style-type: none"> ▶ Outcome of audit and presentation of findings. Deliverables as noted below. 	9:15 PM – 9:30 PM

Deliverables

Audit Deliverables	Responsibility
Draft Report Submission <ul style="list-style-type: none"> ▶ 15 days following receipt of draft audit report from APP 	APP
Response to draft report <ul style="list-style-type: none"> ▶ 7 days following receipt of draft audit report from APP 	TfNSW / Ventia
Final report submission <ul style="list-style-type: none"> ▶ 7 days following receipt of comments from TfNSW/Ventia ▶ Submitted to TfNSW 	APP
Response to findings and submission of final audit report <ul style="list-style-type: none"> ▶ Final report and response to audit findings submitted to the Department of Planning and Environment (DPE) within 60 days of undertaking the independent audit site inspection (CoA A42) 	TfNSW
Non-Compliances (if applicable) <ul style="list-style-type: none"> ▶ TfNSW is to follow the process to notify DPE 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.

Appendix B- Audit Attendance Sheets

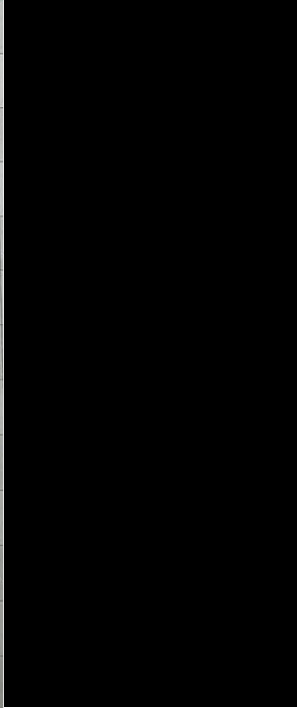
Audit Attendance Sheet

Project	M12 Motorway – Central	Audit No.	#1317-03(C)
Auditee	Seymour Whyte TFNSW	Lead Auditor	Nilda Soto
Location	Seymour Whyte Site Office, Clifton Ave, Kemps Creek NSW		
Opening Meeting Date	30 October 2023, 8:15 AM		
Closing Meeting Date	30 October 2023, 3:45 PM 4:15 PM		

Name	Organisation	Position	Signature	
			Opening Meeting	Closing Meeting
Nilda Soto	APP	Env Auditor		
Barbara Pater	APP	Asst Auditor		
Sheila Anderson	TFNSW	Mgr E+S		
Tom Bath	SWC	Env & Sust. Mgr		
Tracey Austin	TFNSW	E+S Mgr.		
DAVID SAUNDERS	TFNSW	E+S Manager		
GEORGE KOLLIAS	HBI	Independent Environmental Rep		
Jennifer Gatt	SWC	C&S Manager		
Amanda Keating	TFNSW	CSE Manager		
Jamel Ahmad	TFNSW	Project Engineer		

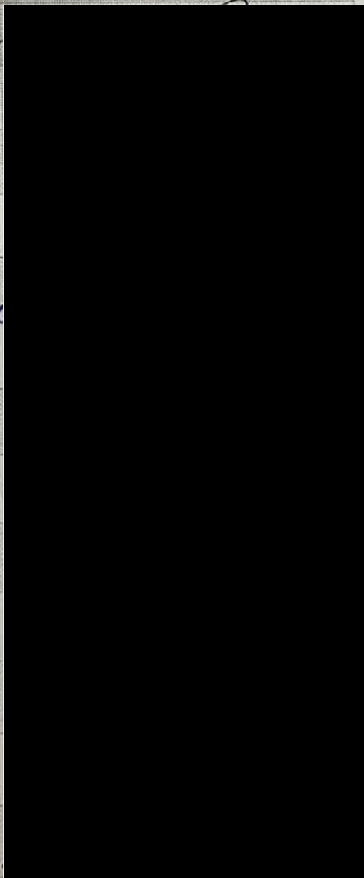
Audit Attendance Sheet

Project	M12 Motorway – West	Audit No.	#1317-03(W)
Auditee	CPBGG-JV TFNSW	Lead Auditor	Nilda Soto
Location	CPBGG-JV Site Office, Elizabeth Dr, Badgerys Creek NSW		
Opening Meeting Date	31 October 2023, 8:15 AM		
Closing Meeting Date	31 October 2023, 3:45 PM		

Name	Organisation	Position	Signature	
			Opening Meeting	Closing Meeting
Nilda Soto	APP	Auditor		
Michelle Battam	APP	Audit observer		
Barbara Pater	APP	Asst Auditor		
George Kollias	HBI	Independent Environmental Rep		
Tracey Austin	TFNSW	E+S Manager		
Andrew Brighl	CPB	Env		
Kim Parkiss	CPB	ENV		
Sheila Anderson	TFNSW	MSR E+S		
DANIEL SAUNDERS	TFNSW	MA E+S		
Greg Marshall	CPBGGJV	General Supv		
Sharelle Cote	CPB	Community Place Manager		
Lisa Kelicle	TFNSW	commis		
Tiana Chezzi	CPB	Su + Env Grad		

Audit Attendance Sheet

Project	M12 Motorway – Devonshire Rd Temporary Roundabout	Audit No.	#1317-03(TR)
Auditee	Ventia Limited + TfNSW	Lead Auditor	Nilda Soto
Location	M12 Central Site Office, Clifton Ave, Kemps Creek NSW		
Opening Meeting Date	13 November 2023, 5:00 PM		
Closing Meeting Date	13 November 2023, 8:45 PM		

Name	Organisation	Position	Signature	
			Opening Meeting	Closing Meeting
Alfred Fernandez	Ventia	Project Manager		
Ronan Grace	Ventia	Env Manager		
Tracey Austin	TfNSW	E+S Manager		
Sim Steen	TfNSW	Env. Officer		
George Kollas	HBI	Independent Environmental Rep		
DANIEL SANDERS	TfNSW	ENV Mgr		
Shawn Anderson	TfNSW	Mgr E+S		
Michelle Battam	XPP	Observer		
Barbara Pater	APP	Auditor's Assist		
Nilda Soto	APP	Auditor		
Raj Bakot	TfNSW	CSE officer		
Anthony Giannetta	Ventia	Site Engineer		
Erian Ibrahim	TfNSW	S.O.		

Appendix C – DPE 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.

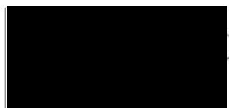
This agreement supersedes all previous agreements under Condition A38 of SSI-9364 for the M12 Motorway (West & Central).

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:	21 November 2023

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

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

Notes:

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

Name of the Auditor:	Nilda Soto
Signature:	
Qualification:	Lead Environmental Auditor
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 – 30 October 2023

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	<p>The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with:</p> <ul style="list-style-type: none"> (a) M12 Motorway Environmental Impact Statement (dated October 2019); (b) M12 Motorway Submissions Report (dated October 2020); (c) M12 Motorway Amendment Report (dated October 2020); (d) M12 Motorway Amendment Report - Submissions Report (dated December 2020); and (e) M12 Motorway Amendment Report - Submissions Report - Amendment (dated 8 March 2021). 	TFNSW SWC	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 SWC	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	<p>In the event of an inconsistency between:</p> <ul style="list-style-type: none"> (a) the terms of this approval and any document listed in Condition A1, the terms of this approval will prevail to the extent of the inconsistency; and (b) any document listed in Condition A1 inclusive, the most recent document will prevail to the extent of the inconsistency. <p><i>Note: For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</i></p>	TFNSW SWC	<p>No inconsistencies or Consistency Assessments since previous audit applicable to the M12 Central package.</p> <p>The project is being delivered in accordance with the documents listed in Condition A1 and as per previous Consistency Assessments:</p> <ul style="list-style-type: none"> • Two Consistency Assessments for M12 West and Central addressing detailed design changes for the Project construction boundary approved in October 2021 • Sydney Water Consistency Assessment related to construction boundary extensions associated with Sydney Water utility crossings; approved in June 2022 • Design Boundary Change Consistency Assessment related to design boundary changes within the M12 alignment. This required an extension of the construction footprint and operational footprint, property adjustments and the demolition of Building No.1 at McMasters Field Station; approved July 2022. Threatened Species Surveys were also undertaken along the M12 alignment between September and December 2021 to satisfy the NSW Conditions of Approval (CoA) E4, E5 and E6; the outcomes of which captured within the Design CA. 		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 30 October 2023

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					<ul style="list-style-type: none"> Minor Consistency Assessment required amendments to the construction footprint as a result of utility adjustments and tie in works, property adjustments for flood alleviation and improvements to ancillary facility access due to safety concerns, temporary widening of Elizabeth Drive and signage installation; approved in August 2022. 		
1.4	A	A4	<p>The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to:</p> <ul style="list-style-type: none"> (a) the environmental performance of the 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	<p>No additional written directions received from DPE during the audit period.</p> <p>Based on the results of this audit, the following compliance status is as follows:</p> <ul style="list-style-type: none"> a. The CEMP and sub-plans, including monitoring programs were endorsed by the ER and submitted to the Department prior to commencement of construction as per previous audit. b. As per CoA A5, consultation was undertaken and documented c. Notifications for non-compliances submitted as per set timeframes d. ER, independent auditor and experts submitted and approved by the Department as evidenced 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. Although air quality monitoring is being undertaken, the equipment being used was out of calibration. Refer to non-compliance as raised against condition E1. 	<p>M12C-03_NC-01:</p> <p>Based on the non-compliances raised against Conditions A20 and E1, a non-compliance is triggered for A4(f). Condition E1 also triggers a non-compliance against A4(g).</p>	Non-Compliant
1.5	A	A5	<p>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:</p> <ul style="list-style-type: none"> (a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval; (b) a log of the dates of engagement or attempted engagement with the identified party; (c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to 	TFNSW SWC	<p>M12 Central Site Establishment Management Plan (SEMP), M12CCO-SYW-ALL-EN-PLN-000002, Rev H, 23 June 2023 has been updated since previous audit. Includes Consultation within Section 1.6.1 Consultation for preparation of the SEMP and Table 1-1 containing a log of engagement. Copies of the correspondence as Appendix A.</p> <p>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.</p>		Compliant

Transport for NSW & Seymour Whyte

M12 Motorway (Central) - Independent Environmental Audit – 30 October 2023

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			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.				
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 SWC	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, 18 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	An extension of at-property noise treatment was made as per TfNSW letter dated 21 July 2023, requesting July 2024 as the new deadline. Approved as per DPE letter dated 28 July 2023: Proposed extension of time to implement At-Property Noise Mitigation Measures, ref: SSI-9364-PA-191. Submission of E4 biodiversity offset report – 6-month extension to February 2024 as per TfNSW letter 10 August 2023, approved by DPE – letter dated 29 August 2023: M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)		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	TFNSW	M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023, unchanged since previous audit:		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			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)		<ul style="list-style-type: none"> 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. 		
1.10	A	A10	<p>The Staging Report must:</p> <ul style="list-style-type: none"> (a) if staged construction is proposed, set out how the construction of the whole of the 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	<p>M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023 includes the following:</p> <ul style="list-style-type: none"> 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	<p>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.</p> <p>Construction of the M12 Motorway Central package commenced August 2022.</p> <p>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. On time and ahead of schedule.</p>		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 SWC	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	TFNSW	Letter of submission from TfNSW to DPE "SSI 9364 - M12 Motorway - CoA A13 Revised Staging Report"		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			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.		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.		
	A		STAGED SUBMISSIONS OF STRATEGIES, PLANS OR PROGRAMS				
1.14	A	A14	<p>With the approval of the Secretary, the Proponent may submit any strategies plans or programs required by this approval on a progressive basis.</p> <p>Notes:</p> <ol style="list-style-type: none"> 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	<p>At-property noise treatment – 6-month extension to June 2024 as requested by TfNSW, letter to DPE dated 21 July 2023.</p> <p>Approved as per DPE letter dated 28 July 2023: Proposed extension of time to implement At-Property Noise Mitigation Measures, ref: SSI-9364-PA-191 (portal receipt).</p>		Compliant
	A		CONSTRUCTION ANCILLARY FACILITIES				
1.15	A	A15	<p>Additional construction ancillary facilities</p> <p>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:</p> <ol style="list-style-type: none"> (a) they are located within or immediately adjacent to the construction boundary; and (b) they are not located next to a sensitive receiver(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. 	TFNSW SWC	<p>The following Ancillary Facilities are part of the Central package:</p> <ol style="list-style-type: none"> 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. <p>An additional construction ancillary facility – AF16a, has been required due to a change in location of a crusher, 60m south from the previously intended location of AF16.</p> <p>The M12 Central Site Establishment Management Plan has been updated as per condition A16 below.</p>		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.16	A	A16	<p>Site Establishment Management Plan</p> <p>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:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) meet the performance outcomes stated in the documents listed in Condition A1, and (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and (e) a program for monitoring the performance outcomes, including a program for noise monitoring consistent with the requirements of Condition C14. <p>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).</p> <p>Nothing in this condition prevents the Proponent from preparing individual Site Establishment Management Plans for each construction ancillary facility.</p> <p><i>Note: Condition A16 does not apply to minor construction ancillary facilities established under Condition A20.</i></p>	SWC	<p>M12 Central Site Establishment Management Plan (SEMP), M12CCO-SYW-ALL-EN-PLN-000002, Rev H, 23 June 2023. Consistent with condition A15, the SEMP lists the following construction ancillary facilities:</p> <ul style="list-style-type: none"> • 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 <p>AF16a is a new addition to the SEMP for the change in location of the crusher, 60m south from the previously intended location of AF16. The SEMP includes a noise and vibration impact statement under Appendix E with crushing to occur during standard hours and no predicted exceedances. No demolition required at the site. Consultation has been included within Section 1.6.1 Consultation for preparation of the SEMP with Table 1-1 containing a log of engagement with copies of the correspondence as Appendix A.</p> <p>ER endorsement for the M12 Motorway Central – Site Establishment Management Plan Ref: M12C SEMP Rev H, 27 June 2023.</p> <p>Section 8.1 Minor ancillary facilities and 8.2 Construction Ancillary Facilities Assessed in the Environmental Assessment Documentation. Table 8-1 lists the identified location of the ancillary facilities.</p> <ul style="list-style-type: none"> a. Section 4 Construction Ancillary Facilities b. Section 4.1 Site layout and access, Appendix D Layout of Ancillary Facilities and Proposed Uses 		Compliant

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					<ul style="list-style-type: none"> c. Section 6 Site establishment risk assessment and management approach d. Section 7 Environmental control measures e. Section 9.6 Monitoring. 		
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	<p>Use of Construction Ancillary Facilities</p> <p>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.</p> <p>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.</p>	TFNSW SWC	<p>No early works ancillary facilities were used for construction. There were no early works as part of the Central package.</p> <p>Ancillary facilities are as per the EIS and amendment reports.</p> <p>ER endorsement of minor ancillary facilities are described under condition A20.</p>		Compliant
1.19	A	A19	<p>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.</p> <p>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.</p>	TFNSW SWC	<p>Original letter as presented during previous audit dated 21 December 2021 for the approval of the overarching CEMP + sub-plans from the Department.</p> <p>No early works ancillary facilities were used for construction. Ancillary facilities used are as per EIS and amendment reports.</p>		Compliant
1.20	A	A20	<p>Minor Construction Ancillary Facilities</p> <p>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:</p> <ul style="list-style-type: none"> (a) are located within or adjacent to the construction boundary; and (b) have been assessed by the ER to have - <ul style="list-style-type: none"> (i) minor amenity impacts to surrounding residences and businesses, after consideration of matters such as 	SWC	<p>For Minor Ancillary Facilities the process is the development of a Minor Construction Ancillary Facility Checklist for ER assessment and approval.</p> <p>Kemps Creek Minor Construction Ancillary Facility Checklist presented for M12 Motorway (Central), Badgerys Creek and the Water Tower Access Road, Cecil Hills. Signed by ER on 5 May 2023 for: crib shed/lunchroom, a general storage container and</p>	<p>M12C-03 NC-03: <i>Self-reported 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</i></p>	Non-Compliant

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			<p>compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and</p> <p>(ii) minor environmental impact with respect to waste management, soil, water and flooding, and</p> <p>(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.</p>		<p>portable toilet at the former Hi-Quality yard. Also signed by TfNSW. Includes Table 3-1 Environmental aspect and impact review, completed compliance checklist and noise screening assessment (Attachment A). Facility reference MAFC-005, Rev C dated 4 May 2023.</p> <p>Minor Construction Ancillary Facility Checklist update also sighted for MAFC-005, Rev D, 21 July 2023 – signed by ER 25 July 2023.</p> <p>Bridge 11 Minor Construction Ancillary Facility Checklist, signed by ER 24 August 2023 for establishment of crib shed, general storage container, ablution block, parking area for approximately 20 vehicles. MAFC-007 Rev A, 21 August 2023.</p> <p>A <i>self-reported</i> non-compliance was raised regarding the Bridge 11 MAF location did not match the location of the approved in the EIS. TfNSW demonstrated compliance by following the non-compliance process as evidenced and notified DPE within the 7-day timeframe. Refer to Conditions A46 & A47 for non-compliance details.</p> <p>During the previous audit period, sub-contractors had placed 2 containers next to each other at BR08. On closer inspection, one container was used as crib shed. Defined as a MCAF. Not aware at the time that this was being used as a MCAF. INC021 Environmental Event Report by SWC. Email sent by SWC 19 April 2023, issued to all site supervisors – reminding requirements for all MCAFs and the definition. Email from DPE on 8 June 2023 “Communication regarding non-compliance A20 SSI-9364-PA-168” – NSW Planning assessed the non-compliance and determined to record a breach against the contractor.</p>	<p>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.</p> <p>This raises a non-conformance against Condition A20.</p> <p>Prior to the establishment of Minor Construction Ancillary Facilities, a proper survey and boundary delineation is to be undertaken. It is recommended that the area is jointly confirmed by the contractor, sub-contractors, the ER, and TfNSW.</p>	
1.21	A	A21	<p>Boundary screening</p> <p>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.</p>	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

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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
	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: <ul style="list-style-type: none"> (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 - <ul style="list-style-type: none"> (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.	TFNSW	No early works specific to the Central package. Project wide early works completed by February 2023 as evidenced during previous audit.		Compliant

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			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 .				
	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 SWC	<p>Nomination of Environmental Representative and Alternate ER unchanged.</p> <p>APP (formerly AQUAS) engaged as the independent auditor as per submission ref SSI-9364-PA-277 on 22 September 2023. Endorsement by the Department of Planning and Environment (DPE) of the Independent Environmental Auditor was granted on 12 October 2023 for both M12 Central and M12 West packages.</p> <p>Support independent noise specialist approved by the Department on 29 August 2023 as per letter presented. Applicable for the M12 East package.</p> <p>No other changes for the M12 Central package.</p>		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 independent auditors hold Exemplar Global auditing accreditations e.g., Lead Auditor Certificate No. 115002.		Compliant
1.28	A	A28	<p>The Planning Secretary may at any time commission an audit of how an independent appointment has exercised their functions. The Proponent must:</p> <ul style="list-style-type: none"> (a) facilitate and assist the Planning Secretary in any such audit; and (b) make it a term of their engagement of an 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

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	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	<p>Department approval letter dated 17 November 2022 in response to TfNSW submission on 8 November 2022 nominating an Alternate ER.</p> <p>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.</p> <p>No changes since previous audit.</p>		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. No changes.		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 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, 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: <ul style="list-style-type: none"> (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI; (b) consider and inform the Planning Secretary on matters specified in the terms of this approval; (c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; (d) review the documents identified in Conditions A9, A13, A16, A24, C1, C4 and C11 and any other documents that are identified 	ER	<p>ER Monthly Reports were presented for the 6-month period and include the following.</p> <ul style="list-style-type: none"> a. <i>Meetings attended:</i> The ER attends regular meetings with DPE e.g., 8 June 2023 and 22 June 2023 as per ER Monthly Report for June 2023 (Ref: 210309-ER_DPE-June 2023, issued 7 July 2023). Covers more than one project – M7 and M12. Regular meetings with TfNSW and DPE which ER presents an update and used as the main form of communication with DPE. 		Compliant

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			<p>by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so;</p> <p>(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</p> <p>(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);</p> <p>(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;</p> <p>(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;</p> <p>(g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;</p> <p>(h) assess the impacts of minor construction ancillary facilities, as required by Condition A20 of this approval;</p> <p>(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</p> <p>(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.</p>		<p>b. The ER informs DPE during monthly meetings + submission of monthly ER report to DPE. DPE also attends inspections e.g., ER Central inspection 81 on 26 July 2023 with DPE compliance. Nil issues raised by DPE during the inspection. Sediment fence at South Creek issue closed, part of the ER inspection close out.</p> <p>c. Recommendations are made during the fortnightly ER inspections and as summarised within the monthly reports e.g., ER Central inspections 83 on 9 August 2023 – storage of construction material, spoil and tools at Bridge BR06 must be managed to ensure environmental controls remain effective and are protected. ERSED to be replaced and repaired as required; 87 on 7 September 2023 – improve concrete washout location with flagging and signage for Shared Path drain construction. The ER also attends the fortnightly contractor M12C Environment Coordination Meetings e.g., Meeting No. 33 on 29 June 2023. No. 47 on 23 August 2023. No. 40 on 5 October 2023. ER update Section 8.</p> <p>d. The ER regularly reviews and endorses documents. ‘Reviewed Documents’ section within the monthly reports e.g., June 2023 report (ref: 210309-ER_DPE-June 2023 issued 7 July 2023) includes a review of: M12C CNVMP - Rev E, M12C-MAFC-006 M12 Central Ancillary Facility Checklist, M12C SEMP Rev H Crusher Location_Tracked Changes. July 2023 report (ref: Ref: 210309-ER_DPE-July 2023 issued 4 August 2023) includes endorsement of M12C MAFC-005 Kemps Creek MAF Rev D – ER Endorsed 25/07/23; endorsement of M12C-MAFC-007 M12 Central Ancillary Facility Checklist Bridge 11 – ER Endorsed 24/08/23 (Ref: 210309-ER_DPE-August 2023 issued 7 September 2023).</p> <p>e. Monitoring of implementation is undertaken during the fortnightly ER inspections e.g., 29 June 2023 ER Site inspection Report No. 77,</p>		

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					<p>includes Construction Activities, Key Points arising from the ER inspection, Actions/Issues/Notes with photos, close out status with photos. Previous Inspection Actions e.g., No. 75.06 at Bridge 11 Centre Pier – concrete management required. Closed 16 June 2023 with close out photo included and update 21 June 2023. Matrix for issues (H, M, L or note). Traffic light system as aligned to TfNSW. Other aspects discussed / addressed noted e.g., Ref 77B – Dust complaint Mamre Rd was not included in DPE Complaints Report. Added in revision. Closed 29 June 2023. ER Inspection on 7 September 2023 showed close out of No. 85.04 resulting in a Non-Compliance – establishment of Minor Ancillary Facility (MAF) at Bridge 11. MAF checklist submitted and approved by ER.</p> <p>f. This is the third CSSI audit on the project whereby the ER is in attendance. The ER also partook in previous audits.</p> <p>g. Complaints are monitored as demonstrated in the monthly reports under <i>Non-compliance/Incidents/Repeat Complaints</i>. e.g., August 2023 report – M12C Email Complaints forwarded 29/08/23 Road condition Clifton Ave – TfNSW received an email from John Holland advising that two Clifton Ave residents raised concerns about the condition of the road surface along Clifton Avenue when they door-knocked residents on Friday 25 August 2023. Remains open pending on a date for pavement repairs. Closed as per complaints register (ID No. 24).</p> <p>h. SEMP endorsed by ER for AF16a for re-location of crushing area (from AF16). M12C SEMP M12CCO-SYW-ALL-EN-PLN-000002, Rev H, 23 June 2023.</p> <p>i. As per h), minor amendments as reviewed and approved for relocation of crushing area as part of the SEMP from AF16 to AF16a.</p> <p>j. All ER reports are issued on or before the 7th day of the following month as evidenced: reports</p>		

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					reviewed for May 2023 (issued 7 June 2023, SSI-9364-PA-177), June 2023 (issued 7 July 2023, SSI-9364-PA-188), July 2023 (issued 4 August 2023, SSI-9364-PA-199), August 2023 (issued 7 September 2023, SSI-9364-PA-217), September 2023 (issued 6 October 2023, SSI-9364-PA-234).		
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: <ul style="list-style-type: none"> (a) the complaints register for any complaints received (on the day they are received); and (b) a copy of any assessment carried out by the Proponent of whether proposed Work is consistent with the approval (which must be provided to the ER before the commencement of the subject Work). 	TFNSW SWC	<ul style="list-style-type: none"> a. Complaints are issued to the ER on the day they occur e.g., 16 October 2023 from Community Relations Manager “M12C - 60km speed limit complaint”. ER also provided with complaint register on a fortnightly basis. b. Self-reported non-compliance as raised 24 August 2023 Incident #INC028: During review of the M12C CEMP update, the ER identified that the location of a minor ancillary facility (MAF) established adjacent to Bridge 11 did not match the location of the approved ancillary facility as outlined in the EIS. This is a non-conformance with CoA A20. The MCAF checklist was submitted and signed by the ER. Bridge 11 Minor Construction Ancillary Facility Checklist, signed by ER 24 August 2023, MAFC-007 Rev A, 21 August 2023. Refer to Conditions A46 and A47 for further details. 		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).	TFNSW	Independent auditor engaged as per submission ref SSI-9364-PA-227 dated 22 September 2023. Endorsement by the Department of Planning and Environment (DPE) of the Independent Environmental		Compliant

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			<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>		Auditor was granted on 16 October 2023, prior to the conduct of this audit.		
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.	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: <ul style="list-style-type: none"> (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	The second audit on the Central package was undertaken by AQUAS on the 2 May 2023. A draft report was issued by AQUAS on the 26 May 2023 as per email evidence. TfNSW responded with comments via TeamBinder, reference M12CCO-TFNSW-AQUS-CORR-000002 dated the 1 June 2023. Final report submitted to the Department, SSI-9364-PA-178 with TfNSW letter attached (dated 9 June 2023) and response to findings table. The independent report was verified to be posted on the project website.		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 Letter from TfNSW "SSI 9364 – M12 Motorway – CoA A42 and A43 Independent Audit Report and Proponent's Response (M12 Central)" confirms the submission of audit report held on 2 May 2023. Dated 9 June 2023 as presented.		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 SWC	No reportable material harm incidents to date. Minor environmental incidents during the auditing period are as follows: Event ID #: INC024 – Report Only – 15 May 2023 @ 7am. Site received 46.4mm of rainfall within a 24-hour period. This was a high intensity event, with 33.6mm		Not Triggered

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					<p>falling within a 2-hour period. This event resulted in the overtopping of sediment basins and site controls. Basins 3, 4, 5, 6, 7, 10, 11 and Clifton overtopped as a result of the rainfall event. The site had been set up in accordance with the relevant Progressive Erosion and Sediment Control Plans prior to the event. The five-day rainfall depth by which the sediment basins on the project are designed is 32.2mm. Project located in upper South Creek catchment.</p> <p>Event ID #: INC025, 14 June 2023 @ 11:30am. Truck and dog was driving across fill 25.5 after tipping material when a large rock damaged the diesel tank causing it to spill. Approximately 80 litres of diesel spilled onto the fill. All diesel was contained at the spill site and none flowed past controls. The driver observed the spill from their truck and stopped. A nearby excavator tracked over and constructed an earth bund to contain the spill. Absorbents were also applied. The contaminated material has been excavated and contained in plastic ready for disposal to a licensed landfill. A disposal docket to be provided when deposited at landfill. Toolbox for spill response and operators to take care and drive to conditions when working on rough or rocky ground. Signed by TfNSW 16 June 2023.</p> <p>Event ID #: INC026, 26 June 2023 @ 2:30pm. Excavator was installing conduits at Fill 28 when the operator observed a hydraulic hose fail. Less than 1 litre of oil spilled onto the fill. The excavator was immediately shutdown and spill kit materials used to clear the spill. All oil was contained at the spill site and none flowed past controls. The excavator was shutdown immediately. The minor spill was cleared using oil absorbent pads. A qualified fitter was onsite and replaced the failed hydraulic hose. Continued daily pre-start checks on all plant. Signed by TfNSW 30 June 2023.</p> <p>Event ID #: INC027, 7 August 2023 @ 3:33pm. During sealing of the deck of Bridge 8 over Kemps Creek, a small volume of primer has leaked past the backing rod which was being used to fill the gaps and prevent leakage. The spill was contained within the floating sediment curtain. A</p>		

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					<p>Marine spill kit was deployed to soak up all spilled primer from the creek. No environmental harm occurred as a result of the spill. Works were immediately ceased, and marine spill kit used to clean up the spill. No further sealing works to occur until amended methodology is approved. Amended methodology will be discussed with TfNSW tool boxed prior to proceeding. Signed by TfNSW 16 August 2023.</p> <p>Event ID #: INC029 – Report Only – 30 August 2023 @ 2pm. An un-predicted rainfall event totalling 72mm of rainfall occurred at approximately 2:00pm on Wednesday 30th August. This was a high-intensity rainfall event with 48.8mm received within one hour between 3:00pm and 4:00pm. This exceeds the 5-day 85th% percentile design rainfall of 32.2mm for the project. A post-rainfall inspection has been conducted and actions raised for repairs/maintenance as required. Signed by TfNSW 5 September 2023.</p> <p>TfNSW initiative Ngara upcoming workflow for environmental event reports (EER) still in progress. EERs to become redundant once workflow is implemented.</p>		
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	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 self-reported as a non-conformance with CoA A20. Recorded as INC028 on 24 August 2023, 11:51am. The MAF checklist was submitted and signed by the ER. Bridge 11 Minor Construction Ancillary Facility Checklist, signed by ER 24 August 2023, MAFC-007 Rev A, 21 August 2023.		Compliant

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					<p>TfNSW letter to DPE notifying non-compliance as dated 31 August 2023 as presented. Submitted within the 7-day notification timeframe.</p> <p>Overarching non-compliance previously submitted to DPE and assessed as follows:</p> <p>Non-compliance Notification submitted to NSW Planning on 2 May 2023 (during the previous audit period), DPE email 4 August 2023 for the non-compliances identified:</p> <ul style="list-style-type: none"> Condition E53 – Operational noise mitigation Condition E55 – Report on noise mitigation <p>NSW Planning noted that the non-compliances have been closed out and assessed them in accordance with NSW Planning's Compliance Policy. In this instance NSW Planning has determined to record the breaches in its system.</p> <p>This non-compliance was regarding at-property treatment extension timeframe request which was originally missed, and an extension has now been approved.</p>		
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	Letter from TfNSW dated 31 August 2023 presented as evidence to notify the non-compliance in accordance with CoA A20 was verified to include the CSSI name and application, applicable condition, and explanation as above (A46). Actions have been, or will be, undertaken to address the non-compliance noted as: <i>The checklist for the operation of a MAF in this location has now been completed and is consistent with a minor impact to the environment and the activities are consistent with the terms of the approval.</i>		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 SWC	Non-Compliances submitted have not been notified as an incident. No notifiable incidents to date.		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	TFNSW SWC	ER inspection report presented, dated 4 May 2023, ER No. 69.05 Close out on the 5 May 2023 at Cut 22 included photo with SSI sticker on vehicle.		Compliant

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			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.		ER inspection report also sighted, dated 1 June 2023 ER No. 73.12 closed 9 June 2023 for close out of SSI stickers on haulage vehicles. It is noted that little haulage is now occurring on the project. No haulage vehicles were present during the audit site inspection.		
2	PART	B	COMMUNITY INFORMATION AND REPORTING				
	B		COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT				
2.1	B	B1	<p>Communication Strategy</p> <p>A Communication Strategy must be prepared to provide mechanisms to facilitate communication about Work, construction and operation of the CSSI with:</p> <ul style="list-style-type: none"> (a) the community (including adjoining affected landowners and businesses, and others directly impacted by the CSSI); and (b) the relevant councils and relevant government agencies. <p>The Communication Strategy must address who (the Proponent, Independent Appointments and/or construction contractor) will engage with the community, relevant councils and agencies, how they will engage and the timing of engagements.</p>	TFNSW SWC	<p>M12 Motorway Overarching Communication Strategy has undergone a review since the previous audit, Rev 5 dated March 2023.</p> <p>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.</p> <p>M12 Central Community and Stakeholder Engagement Plan, Rev D, 9 February 2023 has been updated as per 6-month timeframe requirement.</p> <p>Revision E as presented, has minor edits which has been submitted to TfNSW – update for a staff change under Section 1.8.2 to assistant, removal to reference for access bridge (private property) and minor typos. Email sighted for submission of Rev E to TfNSW on 23 October 2023 from SWC Comms manager. Still with TfNSW for review.</p> <p>Implementation Plan for Range Road. Communications package sent 27 October 2023 for Badgerys Creek Tier 2 for OOHW November 2023 for release by 17 November 2023 – tracked change comments from TfNSW for temporary closure of Range Road at Kemps Creek. Includes Identified stakeholders, objectives, comms activities – meeting / discussion with stakeholders – emergency access will be provided. Mainly businesses, BMX park at Western Sydney Parklands – 8-9pm summer extension. 10pm shooting centre on</p>		Compliant

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					<p>Wednesdays. Sent to TfNSW, then to Minister's Office. December 2023 notification letter also sighted.</p> <p>Daily work coordination meetings occur at 1:30pm (12:30 Fridays). Calendar invitation regular meeting occurrence e.g., 30 October 2023, and 3 November 2023 Friday. Meetings also occur with TfNSW every 2nd Wednesday (used to be weekly) which is minuted – minutes from 18 October 2023 sighted, Section 5 for Community and Stakeholder Update e.g., Range Road comms plan. TfNSW Community and Stakeholder Manager continues to be for the whole M12 project and attends interface meetings.</p>		
2.2	B	B2	<p>The Communication Strategy must:</p> <ul style="list-style-type: none"> (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 - <ul style="list-style-type: none"> (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	<p>The M12 Motorway Overarching Communication Strategy was reviewed and the following verified:</p> <ul style="list-style-type: none"> 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. <ul style="list-style-type: none"> 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	Submission of updated Communication Strategy to the Department 13 September 2023 (SSI-9364-PA-221) including TfNSW letter dated 12 September 2023 "SSI 9364 - M12 Motorway - CoA B3 Overarching Communication Strategy"		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 as per Department letter presented, dated 11 October 2023, ref: SSI-9364-PA-221.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
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 includes community notifications and project updates for the Central package. 29 complaints have been received to date, all are closed (refer to condition B8 for details).		Compliant
	B		COMPLAINTS MANAGEMENT SYSTEM				
2.6	B	B6	<p>A Complaints Management System must be prepared and implemented before the commencement of any Work and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI. The Complaints Management System must require complainants to be advised that:</p> <ul style="list-style-type: none"> (a) the Complaints Register may be forwarded to Government agencies, including the Department, to allow them to undertake their regulatory duties; (b) by providing personal information, the complainant authorises the Proponent to provide that information to government agencies; (c) the supply of personal information by the complainant is voluntary; and (d) the complainant has the right to contact government agencies to access personal information held about them and to correct or amend that information (Collection Statement). <p>The Collection Statement must be included on the Proponent's or project website to make prospective complainants aware of their rights under the <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.</p>	TFNSW SWC	<p>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.</p> <p>A collection statement continues to be in place on the home page of the project website with a link to Transport's privacy guidelines.</p> <p>M12 Central_DPE Complaints Register was presented – 29 complaints in total to date, all closed.</p>		Compliant
2.7	B	B7	<p>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:</p> <ul style="list-style-type: none"> (a) a 24-hour telephone number for the registration of complaints and enquiries about the CSSI; (b) a postal address to which written complaints and enquires may be sent; (c) an email address to which electronic complaints and enquiries may be transmitted; and (d) a mediation system for complaints unable to be resolved. <p>This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level and must be provided on the website required under Condition B10.</p>	TFNSW SWC	<p>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:</p> <ul style="list-style-type: none"> 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 <p>Notifications also include the above. The following notifications were available on the project website: M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park – June, July, August, September and October 2023.</p>		Compliant

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2.8	B	B8	<p>A Complaints Register must be maintained recording information on all complaints received about the CSSI during the carrying out of any work and for a minimum of 12 months following the completion of construction. The Complaints Register must record the:</p> <ul style="list-style-type: none"> (a) number of complaints received; (b) the date and time of the complaint; (c) the method by which the complaint was made; (d) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; (e) nature of the complaint; (f) means by which the complaint was addressed and whether resolution was reached, with or without mediation; and (g) if no action was taken, the reason(s) why no action was taken. 	TFNSW SWC	<p>Seymour Whyte's Complaints Register continues to be maintained and records the following information:</p> <ul style="list-style-type: none"> a. No. of complaints received for Central package: 29 in total, all are closed. b. Date and time of complaint are recorded e.g., Complaint ID No. 25 received 11 September 2023 at 9:41am c. Method of complaint (by phone, email) – ID No. 16 on 25 May 2023 received by 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: Noise and driveway access/damage (ID No. 18 on 1 June 2023) 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. <p>Complaint types and trends are monitored as per monthly report. Monthly report example as presented – September 2023 – Community section lists all complaints and outcomes, media release, complaints and response. Complaint types as per graphs.</p> <p>Draft email response to complainant 27 October 2023 sent internally for serial complainant. Each time a complaint is received it is logged as a new complaint to ensure each complaint is adequately addressed.</p> <p>Some entries in the Complaints Register were missing the resolution date – e.g., ID No. 24, 25, 26, however these items are showing as closed. One entry's close out did not appear to fully address the complaint – Complaint ID 18 on 1 June 2023 – response included noise monitoring, and the recommendation that putting up a sign to stop vehicles entering the resident's driveway. Action taken only mentions noise monitoring.</p>	<p>M12C-03_OFI-03: 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.</p>	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	<p>The Complaints register is provided by TfNSW to the Department via the portal as evidenced for all packages as verified during the audit period – M12 Complaint Registers lodged:</p> <ul style="list-style-type: none"> 30 May 2023, portal reference SSI-9364-PA-174 27 June 2023, portal reference SSI-9364-PA-182 25 July 2023, portal reference SSI-9364-PA-192 8 August 2023, portal reference SSI-9364-PA-203 19 September 2023, portal reference SSI-9364-PA-224 3 October 2023, portal reference SSI-9364-PA-230 		Compliant
	B		PROVISION OF ELECTRONIC INFORMATION				
2.10	B	B10	<p>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:</p> <ol style="list-style-type: none"> information on the current implementation status of the CSSI; 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; 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); a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI; a current copy of the final version of each document required under the terms of this approval; and a copy of the audit reports required under Conditions A38 and A41 of this approval. <p>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.</p>	TFNSW SWC	<p>The M12 Motorway portal and project website: www.rms.nsw.gov.au/m12 continues to be implemented with the following information published:</p> <ol style="list-style-type: none"> Project Documents > Community updates. Up to date at September 2023 Project Documents > Reports – includes the EIS, Amendment Report, Submissions Report + Amendment, plus Consistency Assessments. Project Documents > Post approval documentation > NSW Infrastructure Approval (CSSI-9364). No modifications to date. EPL 21596 for Central – licence variation dated 6 December 2022: L5.3 - Edited wording in the condition to make the licence consistent with the model licence regarding community notification. Post approval documentation includes current Central plans e.g., M12 Central CEMP verified as current Rev E, 17 August 2023. The independent environmental audit reports for Central are included on the website, separated by audit No. 1 and 2. <p>All documentation published was noted to be current.</p> <p>It is noted that the website underwent a refresh / restructure.</p>		Compliant

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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 SWC	<p>The overarching CEMP 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 as presented.</p> <p>Seymour Whyte's CEMP for the Central package: M12 Central CEMP, M12CCO-SYW-ALL-EN-PLN-000003, Rev E, 17 August 2023, has been updated since the previous audit. EIS and Amendment Reports are as per Section 1.2.2 Statutory Context. Consistency Assessments are also noted within the CEMP Section 1.2.2 as follows:</p> <ul style="list-style-type: none"> Two Consistency Assessments for M12 West and Central addressing detailed design changes for the Project construction boundary approved in October 2021 Sydney Water Consistency Assessment related to construction boundary extensions associated with Sydney Water utility crossings; approved in June 2022 Design Boundary Change Consistency Assessment related to design boundary changes within the M12 alignment. This required an extension of the construction footprint and operational footprint, property adjustments and the demolition of Building No.1 at McMasters Field Station; approved July 2022. Threatened Species Surveys were also undertaken along the M12 alignment between September and December 2021 to satisfy the NSW Conditions of Approval (CoA) E4, E5 and E6; the outcomes of which captured within the Design CA. Minor Consistency Assessment required amendments to the construction footprint as a result of utility adjustments and tie in works, property adjustments for flood alleviation and improvements to ancillary facility access due to safety concerns, temporary widening of Elizabeth Drive and signage installation; approved in August 2022. 		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.2	C	C2	<p>The CEMP must provide:</p> <ul style="list-style-type: none"> (a) a description of activities to be undertaken during construction (including the scheduling of construction); (b) details of environmental policies, guidelines and principles to be followed in the construction of the CSSI; (c) a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of construction of the CSSI; (d) details of how the activities described in subsection (a) of this condition will be carried out to: <ul style="list-style-type: none"> (i) meet the performance outcomes stated in the documents listed in Condition A1; and (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; (e) an inspection program detailing the activities to be inspected and frequency of inspections; (f) a protocol for managing and reporting any: <ul style="list-style-type: none"> (i) incidents; and (ii) non-compliances with this approval or statutory requirements; (g) procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during construction; (h) a list of all the CEMP Sub-plans required in respect of construction, as set out in Condition C4. Where staged 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. 	<p>TFNSW</p> <p>SWC</p>	<p><u>TFNSW OCEMP:</u></p> <ul style="list-style-type: none"> a. Section 2 Project Description (incl program, construction activities), Table 2-1 Indicative construction sequence b. Section 3.2 Environmental policy, Section 4.2 Regulatory requirements and compliance, Appendix A3 Ancillary facilities assessment c. Section 4.1.1 Environmental Risk Assessment Workshop, Appendix A2 Initial Risk Register d. Section 4.3 Environmental and sustainability objectives and targets, Appendix A2 Initial risk register e. Section 7.1 Environmental inspections 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. Table 3-1: Environmental Management Sub-plans i. Section 5.1 Resources, roles, responsibilities and authority j. Section 5.3 Competence, training and awareness k. Section 1.12 Revision, Section 7.7 Environmental Management System review l. Appendix A of the OCEMP sub-plans <p><u>Seymour Whyte M12 Central CEMP:</u></p> <ul style="list-style-type: none"> 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 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 	<p>M12C-03_OFI-01: 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).</p> <p>M12C-03_OFI-02: A training matrix has not been developed to identify any gaps for environmental specific training requirements. C2 (j)</p>	Compliant

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					<p>monitored by monthly environmental reports, 6-month compliance reports, and management review. September 2023 monthly report presented, dated 4 October 2023. Overview – background during month, detail of complaints, discharges from licenced monitoring points, summary of inspection ratings – red category means immediate action / escalated issue / high: 14 June 2023 – previous occasion raised originally as amber, escalating to red as it was not addressed for dust on the roundabout. Moderate actions become amber. Green for low actions. Environmental incidents (zero), construction updates for programmed high risk activities, status of approvals, breaches, opportunities for continual improvement (CEMP update), EPL and permit / approval compliance (zero), environmental monitoring data – weather and rainfall, noise, vibration, air quality, water quality (GHD on behalf of TfNSW). Environmental information – clearing, nest boxes/tree hollows, fauna and flora relocations – 2 fauna for Aug-23 – red bellied – snake catcher rescued and relocated, and eastern brown (relocated itself), archaeological salvage, unexpected heritage items (zero), ERSED register, air quality monitoring – unattended and attended. Sustainability is reported separately – quarterly report 31 August 2023 presented – Section 2 includes Sustainability Objectives and Targets. Table 2 Sustainability Performance against Requirements. Bingo is used for waste management – waste is segregated, a report is provided monthly. Sighted up to date to September 2023 – shows % recycled. Data is used for energy and waste and reported to TfNSW and Vinci. Data hub is now being used.</p> <p>e. Section 7.1 Environmental inspections, relevant sub-plans</p> <p>f. Section 6 Emergency and incident planning, management and reporting, Section 7.3 Compliance management and monitoring, Appendix A7 Environmental incident classification and reporting</p> <p>g. Section 7.3.5 Corrective and preventative action</p> <p>h. Section 3.3.1 Environmental Management Sub-plans and Monitoring Programs</p> <p>i. Section 5.1 Resources, roles, responsibilities and authority</p> <p>j. Section 5.3 Competence, training and awareness.</p>		

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					<p>Training Register 2022-2023 lists current training and personnel / attendees – targeted environmental training. Prior to coming to site – all staff must complete an induction. However, based on the evidence presented, there was no training matrix to identify the gap of specific training.</p> <p>k. Section 1.12 Revision, Section 7.7 Environmental Management System review. Management Reviews conducted 11 May 2023 and 2 August 2023. Identifies OFIs, analysis of NCs, aspects and impacts register. CEMP is updated annually.</p> <p>l. Section 1.10 Consultation + Appendix A consultation records included in the OCEMP sub-plans</p>																										
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	<p>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.</p> <p>ER endorsement for the M12 Motorway Central – Construction Environmental Management Plan Revision E 17th August 2023, letter Ref: M12C CEMP Rev E dated 6 October 2023, including sub-plans B1-B10.</p> <p>ER endorsement unchanged for the M12 Motorway Overarching Construction Environmental Management Plan Revision J, letter Ref: M12C OCEMP Rev J, 30 March 2023, including sub-plans.</p>		Compliant																								
3.4	C	C4	<p>The following CEMP Sub-plans must be prepared in consultation with the relevant government and other agencies identified for each CEMP Sub-plan. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant CEMP Sub-plan, including copies of all correspondence from those agencies as required by Condition A5.</p> <table border="1"><thead><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></thead><tbody><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></tbody></table>		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	<p>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):</p> <ul style="list-style-type: none">a. Appendix B1: Construction Traffic and Transport Management Sub-planb. Appendix B3: Construction Noise and Vibration Management Sub-planc. Appendix B2: Construction Flora and Fauna Management Sub-pland. Appendix B4: Construction Soil and Water Management Sub-plane. Appendix B6: Construction Cultural Heritage Management Sub-planf. Appendix B7: Construction Air Quality Management Sub-plan <p>M12 Central CEMP sub-plans are as follows:</p> <ul style="list-style-type: none">a. Appendix B1: Construction Traffic and Transport 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)																													
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			<i>Note: Nothing in this condition prevents the Proponent from combining any of the above CEMP Sub-plans.</i>		<ul style="list-style-type: none"> 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 		
3.5	C	C5	<p>The CEMP Sub-plans must state how:</p> <ul style="list-style-type: none"> (a) the environmental performance outcomes identified in the documents listed in Condition A1 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	<p>Seymour Whyte CEMP sub-plans were reviewed and verified to include the following:</p> <ul style="list-style-type: none"> 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:	TFNSW	Seymour Whyte M12 Central CEMP: Appendix B2 Construction Noise and Vibration Management Sub-plan,		Compliant

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			<ul style="list-style-type: none"> (a) details of all sensitive land uses (including noise and/or vibration sensitive working areas) that are potentially exposed to construction noise and vibration; (b) construction noise and vibration performance criteria for the CSSI; (c) details of mitigation and management measures and procedures that will be implemented to manage construction noise and vibration impacts; (d) construction timetabling, in particular construction activities outside of standard hours; and (e) measures to minimise cumulative construction impacts and the likelihood for construction fatigue from both concurrent activities and other projects in the area. 	SWC	<p>M12CCO-SYW-ALL-EN-PLN-000005, Rev F, 18 July 2023.</p> <p>The Noise and Vibration Management Sub-Plan (NVMP) includes the following:</p> <ul style="list-style-type: none"> 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 		
3.7	C	C7	<p>The Surface Water and Groundwater CEMP Sub-Plan must be based on a detailed site investigation of contamination risk and include, but not be limited to:</p> <ul style="list-style-type: none"> (a) details of water pollution mitigation measures including measures to avoid and minimise discharges; (b) identification of the relevant ambient water quality objectives for receiving waterways and water quality management criteria for achieving the objectives; and (c) a Trigger Action Response Protocol for potential discharge waters, identifying alternative disposal options for water with contaminant concentrations exceeding water quality management criteria. 	TFNSW SWC	<p>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 includes:</p> <ul style="list-style-type: none"> 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

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.8	C	C8	<p>The Flora and Fauna CEMP Sub-plan must be endorsed by a suitably qualified and experienced ecologist and include, but not be limited to:</p> <ul style="list-style-type: none"> (a) details of the measures to avoid and minimise disturbance to native vegetation, and other habitat of native flora and fauna species; (b) procedures for undertaking pre-clearing surveys for native fauna, including surveys by a suitably qualified and experienced ecologist to determine the presence of native fauna in the area impacted by the CSSI, and procedures and measures to manage their relocation; (c) pre-clearing measures for Cumberland Plain Land Snail known and potential habitat and measures to protect the White-bellied Sea Eagle nest; (d) a Habitat Compensation Plan and Snag Management Plan as committed to in the document listed in Condition A1(d); (e) details of proposed management and mitigation measures for each threatened species listed in Table 3 and <i>Pimelea spicata</i> (Spiked Rice-flower) if recorded in the surveys carried out under Condition E8; (f) a weed, pest and pathogen management plan, including measures to minimise the spread of <i>Phytophthora 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	<p>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 includes:</p> <ul style="list-style-type: none"> 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	One submission for update to the Overarching Revised Construction Noise and Vibration Management Plan, Monitoring Program and Out of Hours Work (OOHW) Protocol has been actioned since previous audit, for the revision of the Noise Catchment Areas for M12 East. Letter from TfNSW to DPE presented, dated 16 October 2023 + portal receipt SSI-9364-PA-219. CNVMP M12PPW-ADAP-ALL-EN-PLN-000008, Rev K dated 19 March 2023 included consultation with Penrith City Council, Liverpool City Council, Fairfield City Council, WaterNSW, Jemena and Sydney Water (Appendix A).		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 SWC	ER endorsement for the M12 Motorway Central – Construction Environmental Management Plan Revision E 17 th August 2023, letter Ref: M12C CEMP Rev E dated 6 October 2023, including sub-plans B1-B10. As described above, contractor plans do not require DPE approval.		Compliant

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					<p>ER endorsement of minor amendments to Contractor Construction Noise and Vibration Management Sub-Plan Revision E, Ref: M12C CNVMP Rev E, 13 June 2023.</p> <p>ER endorsement Ref: CNVMP Rev M, 16 October 2023:</p> <ul style="list-style-type: none">M12 Motorway Construction Noise and Vibration Management Sub-Plan Revision M, October 2023M12 Motorway Construction Noise and Vibration Monitoring Program Revision M, October 2023 (CNVMP Appendix B)M12 Motorway Out of Hours Work Protocol Revision M October 2023 (CNVMP Appendix C) <p>Approval of Overarching CNVMP Revision M still to be received from DPE therefore Rev K is in place and being implemented. Sighted Revision M with tracked changes. 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.</p>														
	C		CONSTRUCTION MONITORING PROGRAMS																
3.11	C	C11	<p>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:</p> <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	<p>Seymour Whyte Construction Monitoring Programs have been developed as follows:</p> <ol style="list-style-type: none">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).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)Groundwater is included within the program as per b) above. <p>Endorsed by ER as part of the Sub-Plans, Ref: M12C CEMP Rev E, 6 October 2023.</p> <p>TfNSW letter dated 16 October 2023 notes update to Overarching Noise and Vibration Management Plan with consultation as appended, however no changes were</p>		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																	

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					made to the monitoring program. Refer to Condition B4 for details.		
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	Approval of Overarching CNVMP Revision M still to be received from DPE therefore Rev K is in place and being implemented. Sighted Revision M with tracked changes. 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.		Compliant
3.13	C	C13	Each Construction Monitoring Program must provide: <ul style="list-style-type: none"> (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; (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. 	TFNSW SWC	M12 Central Construction Soil and Water Monitoring Program (Appendix B of the Soil and Water Management Sub-plan), Rev E, August 2023. Reviewed and verified as follows: <ul style="list-style-type: none"> 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 		Compliant
3.14	C	C14	The Construction Noise and Vibration Monitoring Program must include, but not be limited to: <ul style="list-style-type: none"> (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; 	TFNSW SWC	Construction Noise and Vibration Monitoring Program (Appendix B of CNVMP), Rev F dated 18 July 2023. <ul style="list-style-type: none"> a. Section 3.2 Existing environment (baseline data) b. Section 3.5 Noise monitoring methods, Section 3.6 Vibration monitoring methods, Table 3-10: 		Compliant

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			(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.		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.		
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 DPE. ER endorsement of minor amendments to Contractor Construction Noise and Vibration Management Sub-Plan Revision E, Ref: M12C CNVMP Rev E, 13 June 2023. ER endorsement Ref: CNVMP Rev M, 16 October 2023: <ul style="list-style-type: none"> • 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) • M12 Motorway Out of Hours Work Protocol Revision M October 2023 (CNVMP Appendix C) 		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 DPE to approval contractor plans, only TfNSW Overarching plans. Approval of Overarching CNVMP Revision M still to be received from DPE therefore Rev K is in place and being implemented. However, no changes made to monitoring program.		Compliant

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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 March – May 2023, M12 Motorway – Central Package dated 30 May 2023 presented. Includes monitoring for noise and vibration, soil and water (surface water, groundwater), and air quality. Weather and rainfall were also monitored during the period. Report notes discharge quality in accordance with the SWC permit system Section 1.5. Also includes attended and unattended monitoring. N/A for NTU and pH for water reused on site for dust suppression. March – May 2023 and June – August 2023 Quarterly Monitoring Reports reviewed. June-August notes two noise complaints + one light disturbance, and one dust complaint (all closed).		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 SWC	Letter from TfNSW “M12 Motorway - CoA C18 Quarterly Monitoring Reports (M12 West and M12 Central)” confirms the submission of M12 Central Quarterly Environment Construction Monitoring Report for 10 February 2023 to 10 May 2023. Letter Dated: 22 August 2023. Portal receipt SSI-9364-PA-208, submitted 22 August 2023. Letter from TfNSW “M12 Motorway - CoA C18 Quarterly Monitoring Reports (M12 West and M12 Central)” confirms the submission of M12 Central Quarterly Environment Construction Monitoring Report for June 2023 to August 2023. Letter dated: 20 September 2023. Portal receipt SSI-9364-PA-225, submitted 20 September 2023.		Compliant
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

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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: <div><div>(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;</div><div>(b) issues identified through ongoing risk analysis can be managed; and</div><div>(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.</div></div>	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	<div>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.</div> <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	<div>Each operational monitoring program must include:</div> <div><div>(a) details of baseline data;</div><div>(b) details of all monitoring to be undertaken;</div><div>(c) the parameters to be monitored;</div><div>(d) the frequency and duration of monitoring to be undertaken;</div><div>(e) the location of monitoring;</div><div>(f) the reporting of monitoring and analysis results against relevant criteria;</div></div>	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									

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			(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.				
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	3 x automated monitors installed around site plus handheld monitor to supplement. Air Quality results as per Quarterly Report (June-August 2023) Unattended monitoring at AF5, AF4 and Irfan College. Attended handheld monitoring occurred at South Creek, Salisbury Ave (AF13), Kemps Creek, Elizabeth Dr (near AF5), Range Rd (AF15), Water Tower Access Rd.	M12-03-NC_02: Equipment used for unattended air quality monitoring is currently out of calibration. This raises a non-compliance against Condition E1. It is recommended to flag the expiry dates of equipment calibration within the	Non-Compliant

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					<p>Dust monitors from Airmet Scientific Pty Ltd – showing 20/10/23 – delay as no NSW service technicians. Quote requested as per email dated 24 October 2023. Monitors are onsite with solar panels; being used on site however not calibrated. Handheld has been sent for calibration. Plan is to send other monitors once handheld monitor is returned.</p> <p>The three unattended monitors were noted to be out of calibration. It is acknowledged that efforts have been made to arrange calibration, but the timeframe has exceeded with no calibrated air quality monitoring equipment currently available onsite as the attended monitor has been sent off for calibration.</p>	calibration register. It is also recommended to continuously monitor the register.	
	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. Design change occurred – no assessment of vegetation saving area. No permit open grass swale drain in front of Tree Serve. Pipe installed, boundary fence installed. This will be raised as a non-compliance – INC030. Managed as per processes, flagging installed the next day following identification. Within the clearing boundary as assessed by the ecologist.		Compliant
5.3	E	E3	<p>The Proponent must meet the biodiversity offset obligations for ecosystem and species credits as set out in Table 1, Table 2 and Table 3 in accordance with the <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:</p> <ul style="list-style-type: none"> (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. <p>Notes</p> <ol style="list-style-type: none"> 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</i> 	TFNSW SWC	<p>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.</p> <p>TfNSW spreadsheet with offset obligations continues to be in place:</p> <p>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.</p> <p>Procured all biodiversity offsets.</p>		Compliant

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			<p><i>Conservation Act 2016 by virtue of clause 19 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</i></p> <p>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></p>		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	<p>Table 1: Ecosystem Credits for Direct Impacts to be Retired</p> <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> <p>Table 2: Ecosystem Credits for Indirect Impacts to be Retired</p>	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 SWC	<p>As per condition E2, request for extension letter from TfNSW as dated 10 August 2023 for E4 Offset requirements.</p> <p>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.</p> <p>All biodiversity offsets procured.</p>	<p>Note: The letter from DPE regarding the approval of the extension refers to the West package only.</p> <p>It is recommended that a clarification be sought with DPE to ensure the extension applies to both packages.</p>	Compliant
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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,	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		Compliant																																							

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			within six (6) months of determining the final construction footprint for each stage.		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.		
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	No changes since previous audit. TfNSW letter to the Department for receipt confirming payment to Biodiversity Conservation Fund on 22 December 2022 for PCT 724 ecosystem credits and <i>Pultenaea parviflora</i> species credits. Letter dated 14 February 2023.		Compliant
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

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			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

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					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	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 audit 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				
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	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.		Compliant

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			affected landowners, DPI Water, DPI Fisheries, EES, Infrastructure NSW (INSW) and relevant councils.		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.		
5.17	E	E17	<p>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:</p> <ul style="list-style-type: none"> (a) a maximum increase in inundation time of one hour; (b) a maximum increase of 10 mm in above-floor inundation to habitable rooms where floor levels are currently exceeded; (c) no above-floor inundation of habitable rooms which are currently not inundated; (d) a maximum increase of 50 mm in inundation of land zoned as residential, industrial or commercial; (e) a maximum increase of 100 mm in inundation of land zoned as rural, primary production, environment zone or public recreation; (f) no significant increase in the flood hazard or risk to life; and (g) maximum relative increase in velocity of 10%, where the resulting velocity is greater than 1.0 m/s, unless adequate scour protection measures are implemented and/or the velocity increases do not exacerbate erosion as demonstrated through site-specific risk of scour or geomorphological assessments. <p>Where the Proponent cannot meet the requirements set out in clauses (d), (e) and (g) alternative flood levels or mitigation measures may be agreed to with the affected landowner.</p> <p>In the event that the Proponent and the affected landowner cannot agree on the measures to mitigate the impact as described in clauses (d), (e) and (g), the Proponent must engage a suitably qualified and experienced independent person to advise and assist in determining the impact and relevant mitigation measures.</p>	TFNSW SWC	<p>No changes since previous audit.</p> <p>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.</p> <p>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.</p> <p>The following flood design maps as per previous audit are unchanged and still apply:</p> <ul style="list-style-type: none"> • 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
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	<p>No changes since previous audit.</p> <p>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</p>		Compliant

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					consistency with the guidelines as per 'References' section. No changes since previous audit.		
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. No Consistency Assessments applicable to the Central Package 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

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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: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> (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. No Consistency Assessments since previous audit.		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

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			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: <ul style="list-style-type: none"> (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: Version 3, 15 April 2022 and M12 Motorway Non-Aboriginal Photographic Archival Recording Report dated 6 May 2022 prepared by Artefact (Heritage expert).		Compliant
5.27	E	E27	<p>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:</p> <ul style="list-style-type: none"> (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. <p>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.</p> <p>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).</p> <p>The Plan must be implemented and inform the Place, Design and Landscape Plan required by Condition E69.</p> <p>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.</p>	TFNSW	<p>Integrated design across the whole project, leaf structure as a Fleur Telescope site interpretation for Central project.</p> <p>Aboriginal interpretation area included, with emu footprints design (shared user path).</p> <p>Non-Aboriginal M12 Way Finding and Interpretative Signage for the whole project.</p> <p>M12 Motorway Project Heritage Interpretation Plan is unchanged since previous audits, Version 3, 15 April 2022.</p> <p>Submissions as verified during initial audit.</p>		Compliant

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			<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 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	Works not yet complete. 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	The Unexpected Heritage Finds and Human Remains Procedure continues to be included as part of the start card – task review card which is issued to all personnel onsite + project induction.		Compliant

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			<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 SWC	No unexpected 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).		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	No highly noise intensive work currently occurring. Working with TfNSW on EPL issue (SWC is the licence holder) for mainline pavement works – saw cutting required; paving to occur during the day, curing process and timing of saw cutting will occur during the night. Not yet occurred at the time of this audit.		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	SWC	No emergencies to date. 23-10 OOHW – 96, applied on 20 October 2023 for BR08 Span 5E deck bridge pour for one day 24 October 2023 – starting at 6am (prior to 7am). Noise catchment NC04 as per CNVIS. RBLs for noise catchment. Predicted noise level at 45 dBL. Low impact works. D3 includes additional mitigation measures to be put in place (none required for this example).		Compliant

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			<p>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.</p> <p>(b) Work that causes:</p> <ul style="list-style-type: none"> (i) LAeq(15 minute) noise levels: <ul style="list-style-type: none"> • no more than 5 dB(A) above the rating background level at any residence in accordance with the ICNG, and • no more than the 'Noise affected' NMLs specified in Table 3 of the ICNG at other sensitive land 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). <p>(c) By Approval, including:</p> <ul style="list-style-type: none"> (i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; (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). 		<p>OOHW Permit No. 43 – signed by staff on site. Approval 14 June 2023. Signed on the day 20 June 2023. Permit Surrender personnel signed.</p> <p>Monitoring occurs during the works. 15 June 2023 at 9:30pm Permit 23-04-OOHW-043 (Rev G) Noise Monitoring Report. Readings from the machine with comments to note what was happening at the time (e.g., traffic noise).</p>		
5.37	E	E37	<p>Out-Of-Hours Work Protocol – Works Not Subject to an EPL</p> <p>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:</p> <p>(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:</p> <ul style="list-style-type: none"> (i) the ER reviews all proposed out-of-hours activities and confirm their risk levels, (ii) low risk activities can be approved by the ER, and (iii) high risk activities that are approved by the Planning Secretary; 	SWC	<p>Seymour Whyte Out-of-Hours Work Procedure, Ref M12CCO-SYW-ALL-EN-PLN-000005, Rev F, 18 July 2023 presented as evidence.</p> <p>OOHW Register M12 Central – live register – includes status column (open or closed) entries up to date at 97 dated 20/10/23 for BR011 concrete pour. Dates, No. of nights. Columns included.</p> <p>Out-Of-Hours Work (OOHW) Protocol as 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, unchanged from previous audit.</p> <p>a. Section 2, OOHW noise and vibration assessment, Section 4.3 OOHW process and approval</p>		Compliant

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			<p>(b) a process for the consideration of out-of-hours work against the relevant NML and vibration criteria;</p> <p>(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;</p> <p>(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</p> <p>(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.</p> <p>This condition does not apply to Work where the requirements of Condition E36(a) or (b) are met.</p>		<p>b. Section 2, OOHW noise and vibration assessment</p> <p>c. Section 3 OOHW noise and vibration management measures, Attachment 2 - Application of OOHW mitigation measures</p> <p>d. Section 2.3 Co-ordination of OOHW with third parties</p> <p>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.</p>		
5.38	E	E38	<p>Noise Management Levels and Vibration Criteria for Work</p> <p>Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration objectives:</p> <p>(a) construction 'Noise affected' NML established using the <i>Interim Construction Noise Guideline</i> (DECC, 2009);</p> <p>(b) vibration criteria established using the <i>Assessing vibration: a technical guideline</i> (DEC, 2006) (for human exposure);</p> <p>(c) BS 7385 Part 2-1993 "Evaluation and measurement for vibration in buildings Part 2" as they are "applicable to Australian conditions"; and</p> <p>(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).</p> <p>Any construction or early works identified as exceeding the noise management levels and/or vibration criteria must be managed in accordance with the respective Noise and Vibration CEMP Sub-plan or Early Works Environmental Management Plan.</p> <p><i>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.</i></p>	SWC	<p>Criteria established as per the Construction Noise and Vibration Management Sub-plan. No noise exceedances to date.</p> <p>Cumulative Noise not considered an issue given the distance between surrounding projects.</p> <p>No vibratory activities triggering exceedances.</p> <p>Three noise related complaints occurred during the audit period: complaint ID No. 18, 1 June 2023, No. 19, 2 June 2023, and No. 25, 11 September 2023. Noise monitoring actioned showing no exceedances. Complaints closed.</p>		Compliant
5.39	E	E39	<p>Noise generating work in the vicinity of potentially-affected community, religious, educational institutions, noise and vibration-sensitive businesses and critical working areas (such as theatres, laboratories and operating theatres) resulting in noise levels above the NMLs must not be timetabled within sensitive periods, unless offers of other reasonable arrangements</p>	SWC	<p>Those potentially affected are noted within the Communication Strategy as follows:</p> <ul style="list-style-type: none"> • Educational institute: 2 • Place of worship: 1 <p>No sensitive periods required.</p>		Not Triggered

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			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 .	SWC	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: <ul style="list-style-type: none"> 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
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	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

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			ensure such work does not have an adverse impact on the heritage significance of the item.				
5.45	E	E45	<p>Utility Coordination and Respite</p> <p>All Work undertaken for the delivery of the CSSI, including that undertaken by third parties (such as utility relocations), must be coordinated to ensure respite periods are provided. The Proponent must:</p> <ul style="list-style-type: none"> (a) reschedule any work to provide respite to impacted noise sensitive land user(s) so that the respite is achieved in accordance with Condition E47; or (b) where respite outlined in Condition E47 cannot be achieved, consider the provision of alternative respite or mitigation to impacted noise sensitive land user(s); and (c) provide documentary evidence to the ER in support of any decision made by the Proponent in relation to respite or mitigation. <p>The consideration of respite must also include all other CSSI, SSI and SSD projects which may cause cumulative and/or consecutive impacts at receivers affected by the delivery of the CSSI.</p>	SWC	<p>Out-of-Hours Work are scheduled as no more than two consecutive nights in the one place e.g., August 2023 OOHW as per website notification, works include:</p> <ul style="list-style-type: none"> • install new communication and power mains • deliver imported earthworks material to the construction site via Elizabeth Drive, Mamre Road, Range Road and Clifton Avenue • carry out bridge pile cap, pier and abutment reinforcement, formwork and concreting activities at Elizabeth Drive • deliver, use and remove oversized equipment as required • deliver and install oversize precast concrete beams • repair, maintain and install road pavement as required • carry out stormwater drainage works, landscape maintenance and grass cutting • switch on electric generators to warm-up concrete batch plant at Clifton Avenue. <p>Under "Our work schedules" ... <i>night work hours are between 6pm and 7am, from Sunday night to Friday morning... will not work more than two nights in a row and three nights in a week, in the same location.</i></p> <p><i>Normal work hours are between 7am and 6pm, Monday to Friday and between 8am and 6pm on Saturdays. There will be no work on public holidays.</i></p> <p>No other respite periods have been required.</p>		Compliant
5.46	E	E46	<p>Out-of-Hours Works – Mitigation</p> <p>Mitigation measures such as temporary alternative accommodation or other agreed mitigation measures, must be offered/ made available to residents affected by out-of-hours Work (including where utility works are being undertaken for the CSSI or under a road occupancy licence) where the construction noise levels between:</p> <ul style="list-style-type: none"> (a) 10:00 pm and 7:00 am, Monday to Friday; (b) 10:00 pm Saturday to 8:00 am Sunday; and (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, 	SWC	<p>No alternate accommodation required. Work does not occur more than two nights in a row.</p> <p>No other out of hours work mitigation required.</p> <p>Noise monitoring occurring during OOHW e.g., 8 June 2023 at 11:15pm LAeq result 47 – noted heavy influence Elizabeth/Mamre Rd traffic. Works could be heard at 50dB although traffic was still louder (-3dB). Permit No. 23-05-OOHW-049C.</p> <p>26 July 2023 at 11:40pm NML 42 – Loudest project generated noise was squawker reversing alarm 42-49,</p>		Not Triggered

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			<p>are predicted to exceed the NML by 25 dB(A) or are greater than 75 dBA (LAeq(15 min)), whichever is the lesser and the impact is planned to occur for more than two (2) nights over a seven (7) day rolling period.</p> <p>The NML must be reduced by 5 dB where the noise contains annoying characteristics and may be increased by 10 dB if the property has received at-property noise treatment. The noise levels and duration requirements identified in this condition may be changed through an EPL applying to the CSSI.</p>		NPR traffic still louder, therefore ~5dB subtracted. Roller worked for 4mins, Excavator and tipper 10mins. Heavy influence from HV using Elizabeth Dr.		
5.47	E	E47	<p>Out-of-Hours Works – Community Consultation on Respite</p> <p>In order to undertake out-of-hours Work outside the hours specified under Condition E34, the Proponent must identify appropriate respite periods for the out-of-hours work in consultation with the community at each affected location on a regular basis.</p> <p>This consultation must include (but not be limited to) providing the community with:</p> <ul style="list-style-type: none"> (a) a progressive schedule for periods no less than three (3) months, of likely out-of-hours Work; (b) a description of the potential Work, location and duration of the out-of-hours Work; (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). <p>The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hour Work must be provided to the ER, EPA and the Planning Secretary for information prior to Work scheduled for the subject period being undertaken.</p> <p><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></p>	SWC	<p>The following OOHW notifications for Central were viewed on the project website:</p> <ul style="list-style-type: none"> • M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park – June 2023 – 21-night shifts from 1-30 June 2023 • M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park – July 2023 – 21-night shifts from 1-31 July 2023 • M12 Motorway – Central Out of hours work in Kemps Creek and Cecil Park – August 2023 – 23-night shifts from 1-31 August 2023 • Out of hours work in Kemps Creek and Cecil Park – M12 Motorway - Central – September 2023 – 20-night shifts between 3-29 September 2023 • Out of hours work in Kemps Creek and Cecil Park – M12 Motorway - Central – October 2023 – 20-night shifts from 4-31 October 2023. <p>All notifications include work schedule hours: confirmed as between 6pm and 7am, from Monday to Friday; noted not to be more than two nights in a row and three nights in the same week in the same location. Day work will continue between 7am and 6pm, from Monday to Friday and between 8am and 6pm on Saturdays. There will be no work on Sundays or public holidays.</p> <p>Letter box notifications also provided to residents.</p>		Compliant
5.48	E	E48	<p>Crushing and Grinding Works</p> <p>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).</p>	SWC	Crushing at AF16a occurring as per standard hours only.		Compliant

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5.49	E	E49	Blasting Blasting is not permitted as part of this CSSI approval.	SWC	No blasting occurring.		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. 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		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.		Compliant

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			<p>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:</p> <ul style="list-style-type: none"> (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. <p>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.</p> <p>The Proponent must implement the identified noise mitigation measures and make the ONR publicly available following its submission to the Planning Secretary for information.</p> <p><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></p>		<ul style="list-style-type: none"> a. Section 1.1 – Purpose of this report. Operational Noise and Vibration Review (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 		
5.53	E	E53	<p>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.</p>	TFNSW	<p>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.</p> <p>Notification of non-compliance with the requirement to implement noise mitigation measures within 6 months of</p>		Compliant

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					<p>starting construction also issued – SSI-9364-PA-150 – refer to conditions A46 and A47.</p> <p>Non-compliance Notification response from DPE – email dated 4 August 2023 in response to non-compliance submitted to NSW Planning on 2 May 2023:</p> <ul style="list-style-type: none"> Condition E53 – Operational noise mitigation Condition E55 – Report on noise mitigation <p>NSW Planning noted that the non-compliances have been closed out and assessed them in accordance with NSW Planning's Compliance Policy. In this instance NSW Planning has determined to record the breaches in its system.</p>		
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	<p>M12 Motorway Operational Noise and Vibration Review prepared by GHD, Rev 1, 25 January 2023.</p> <p>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.</p>		Compliant
5.55	E	E55	<p>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.</p> <p><i>Note: Not having finalised detailed design is not sufficient justification for not implementing the proposed mitigation measures.</i></p>	TFNSW	<p>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.</p> <p>At-property noise mitigation treatment – TfNSW Report July 2023.</p> <p>Notification of non-compliance with the requirement to implement noise mitigation measures within 6 months of starting construction also issued – SSI-9364-PA-150 – refer to conditions A46 and A47. Breach recorded as per condition E53.</p>		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. No alternative accommodation has been required.		Compliant

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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.		Not Triggered
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. M12 Motorway Operational Noise and Vibration Review by GHD, Rev 1, 25 January 2023 for both Central and West projects, Section 11.		Not Triggered
5.59	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: <ul style="list-style-type: none"> (a) compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E52; (b) 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 – <ul style="list-style-type: none"> (i) pavement type, (ii) 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); 	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

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			<p>(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;</p> <p>(j) any required recalibrations of the noise model taking into consideration factors such as noise monitoring, and actual traffic numbers and proportions;</p> <p>(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</p> <p>(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.</p> <p>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.</p> <p>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.</p>				
	E		PLACE, DESIGN AND LANDSCAPING				
5.61	E	E61	<p>Construction Ancillary Facilities</p> <p>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.</p>	SWC	<p>Ancillary Facilities are unchanged from previous audit.</p> <p>AF4 was visited during the site inspection and sits well within the site boundary.</p>		Compliant
5.62	E	E62	<p>Lighting and Security</p> <p>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></p>	<p>TFNSW</p> <p>SWC</p>	<p>Lighting complaints – all closed:</p> <ul style="list-style-type: none"> ID No. 19 received 2 June 2023 – light shining into property. Investigated and addressed. ID No. 20 received 8 June 2023– light shining into property. Investigated and addressed. 		Compliant

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			<p><i>Safeguarding Framework (NASF) Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports.</i></p> <p>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.</p>		<ul style="list-style-type: none"> ID No. 23 received 25 August 2023 – light tower shining into property. Addressed immediately on site. <p>Light pollution is included as part of the weekly inspections.</p> <p>Security fencing verified during site inspection surrounding AF4 compound and other ancillary facilities.</p>		
5.63	E	E63	<p>Active Transport</p> <p>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.</p>	TFNSW SWC	Construction has commenced on the Shared User Path as per design PDLP.		Compliant
5.64	E	E64	<p>Place, Design and Landscape Outcomes</p> <p>The place, design and landscape outcomes of the CSSI must be informed by and be consistent with the Urban Design Concept and have consideration of the Urban Design Opportunities as detailed in <i>Appendix G Landscape character, visual impact assessment and urban design report</i> of the EIS.</p> <p>Advice on how the Urban Design Opportunities have been considered and progressed must be provided to the Planning Secretary for information when submitting the Place, Design and Landscape Plan (as required by Condition E69) to the Planning Secretary. Where an Urban Design Opportunity has not progressed, advice as to why must also be provided to the Planning Secretary for information.</p>	TFNSW	<p>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.</p> <p>Acknowledgement letter received from the Department 5 July 2022.</p> <p>Meetings with experts undertaken as per CoA E69.</p> <p>No changes.</p>		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 as per Place, Design and Landscape Plan (PDLP). Landscaping works are not yet triggered.		Not Triggered
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

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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
5.68	E	E68	<p>Design Independence and Review</p> <p>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):</p> <ul style="list-style-type: none"> (a) public art / cultural interpretation public art; (b) Aboriginal cultural heritage; (c) European cultural heritage; (d) landscape architecture; and (e) active transport. <p>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.</p> <p>Advice and recommendations made by the practitioners must be provided to the Planning Secretary for information when submitting the Place, Design and Landscape Plan to the Planning Secretary.</p> <p><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></p>	TFNSW	<p>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).</p> <p>No changes during the audit period. As listed in the letter, the practitioners specialise in:</p> <ul style="list-style-type: none"> • 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) <p>Original meeting minutes as per previous audit:</p> <ul style="list-style-type: none"> • 11 December 2020 DD Urb Des Review Panel • 13 October 2021 DD Urb Des Review Panel <p>Includes issues, actions, and response from TfNSW.</p>		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

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5.70	E	E70	<p>The Place, Design and Landscape Plan must be prepared by a suitably qualified and experienced person in consultation with relevant councils, Western Sydney Parklands Trust, Heritage NSW, the community and affected landowners and businesses. The Place, Design and Landscape Plan must include, but not be limited to:</p> <ul style="list-style-type: none"> (a) an analysis of the built, natural, heritage and community context and the urban design objectives, principles and standards for the CSSI; (b) identification of opportunities for heritage interpretation during design and construction consistent with the Heritage Interpretation Plan required by Condition E27; (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. 	TFNSW	<p>The Place, Design and Landscape Plan (PDLP) addresses the following:</p> <ul style="list-style-type: none"> 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 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. <p>Unchanged from previous audit. Team and contributors include: TfNSW, Hassell, GHD Woodhead, Balarinji, Extent Heritage Advisors, and Toolijooa.</p>		Compliant
5.71	E	E71	<p>Revegetation and the provision of replacement trees must be informed by a Tree Survey undertaken during detailed design. The Tree Survey must identify the number, type and location of any trees to be removed. The Tree Survey must be submitted to the Planning Secretary for information with the Place, Design and Landscape Plan.</p> <p>Where trees are to be removed, the Proponent must provide a net increase in the number of replacement trees at a ratio of 2:1, except trees that are offset under Condition E3. Replacement trees must have a minimum pot size consistent with the relevant authority's plans / programs / strategies for vegetation management, street planting, or open space landscaping, or as agreed by the relevant authority(ies).</p> <p><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></p>	TFNSW SWC	<p>Tree Survey has been included as Appendix F of the Place, Design and Landscape Plan with the following relevant to Central:</p> <ul style="list-style-type: none"> • 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 <p>Maps were developed by Cadence Consulting Surveyors.</p> <p>All clearing complete as evidenced during the previous audit. Replacement trees are not yet triggered – no planting has occurred.</p>		Compliant

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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 SWC	GHD overarching compliant report – interpretation included and incorporated into Issued for Construction unchanged since previous audit. The PDLP is unchanged. Construction has commenced on the Shared User Path as per design.		Compliant
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	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

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			to the owner of the item(s) surveyed no later than one (1) month before the commencement of all other potentially impacting works.				
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.	SWC	No damage to structures to date.		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.	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

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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
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	Negotiated with Tree Serve for drainage however access was not physically 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.	SWC	The following plans were presented as evidence: <ul style="list-style-type: none"> Progressive Erosion and Sediment Control Plan (PESCP_03) Location: Elizabeth Drive to Range Road (Rev.F), 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.H), 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.D), 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. C), 2 August 2023, approved by Soil Conservationist 11 August 2023. Progressive Erosion and Sediment Control Plan (PESCP_12) Location: East of Range Road (Rev.G), 3 August 2023, approved by Soil Conservationist 11 August 2023. 	M12C-03_OFI-04: Not all Progressive Erosion and Sediment Control Plans (PESCPs) were signed by the Soil Conservationist.	Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					<ul style="list-style-type: none"> Progressive Erosion and Sediment Control Plan (PESCP_13) Location: West of South Creek (Rev. H), 3 August 2023, approved by Soil Conservationist 11 August 2023. Progressive Erosion and Sediment Control Plan (PESCP_14) Location: South Creek Piling Area (Rev. E), 10 July 2023, approved by Soil Conservationist 11 August 2023. Progressive Erosion and Sediment Control Plan (PESCP_15) Location: Batch Plant (Rev. C), 10 July 2023, not approved by Soil Conservationist <p>M12-Central ERSED Register lists the PESCP No, revision, PESCP title, Hold Point, Status.</p> <p>EWMS-06 Rev C for Temporary Crossing. Hold point release. Includes controls regarding South Creek temporary crossing – silt curtain to be in place, use of hard rock.</p>		
5.85	E	E85	<p>Contaminated sites</p> <p>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>.</p> <p><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></p>	SWC	<p>All contaminated areas have been cleared and closed within the last 6-months. No additional Detailed Site Investigations have been required.</p> <p>Previous DSI Report was prepared, reviewed and approved by ADE Consulting Group.</p>		Compliant
5.86	E	E86	<p>The Detailed Site Investigation Report(s) must provide details on:</p> <ol style="list-style-type: none"> 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); 	SWC	<p>No additional Detailed Site Investigations required.</p> <p>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:</p> <ul style="list-style-type: none"> Notification is not required to be provided to the NSW EPA 		Compliant

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			<p>(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;</p> <p>(e) potential and actual contaminant migration routes including potential preferential pathways;</p> <p>(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;</p> <p>(g) the review and update of the conceptual site model from the preliminary and detailed site investigations;</p> <p>(h) nature and extent of any existing remediation (such as impervious surface cappings); and/or</p> <p>(i) whether the land is suitable (for the intended final land use) or can be made suitable through remediation.</p>		<ul style="list-style-type: none"> A Remedial Work Plan (RWP) addendum should be prepared for removal of general unexpected 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) <p>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.</p>		
5.87	E	E87	<p>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.</p> <p>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.</p> <p><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></p>	SWC	<p>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).</p> <p>Constructed 2 cells in one location. 8 x areas noted on maps however only one area was utilised.</p> <p>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.</p> <p>All contamination is now under the containment cell. Works were completed 6 months ago.</p> <p>Validation Reports + Long Term Environmental Management Plan (LTEMP) to be developed by end of 2023</p> <p>No additional finds have occurred.</p>		Compliant
5.88	E	E88	<p>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</p>	SWC	Not yet triggered.		Not Triggered

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			<p>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 and any conditions on the Section A1 or Section A2 Site Audit Statement have been complied with.</p> <p>Nothing in the conditions prevents the Proponent from obtaining Section A Site Audit Statements for individual parcels of remediated land.</p>				
5.89	E	E89	<p>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.</p>	TFNSW SWC	<p>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.</p> <p>Roles and responsibilities are identified in Section 1.5 – includes the Contaminated Site Specialist.</p> <p>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.</p>		Compliant
5.90	E	E90	<p>The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented throughout the duration of Work.</p>	SWC	<p>No unexpected finds during the audit period.</p> <p>All contamination management as per previous audit evidence.</p>		Compliant
	E		SUSTAINABILITY				
5.91	E	E91	<p>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.</p>	TFNSW SWC	<p>M12 Motorway Sustainability Strategy, ref fa11415671 (previous ref A4199125) Rev D, 9 June 2023.</p> <p>Seymour Whyte M12 Central Climate Change Monitoring and Adaptive Management Framework, M12CCO-SYW-ALL-EN-PLN-000011, Rev E, 14 August 2023 also developed.</p> <p>Seymour Whyte M12 Construction Sustainability Management Plan, Rev C dated 27 June 2022.</p>		Compliant

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 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 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.		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 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

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5.95	E	E95	<p>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.</p> <p>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.</p>	SWC	<p>Dilapidation Report – M12 Central, Rev 02, 5 July 2022. Roads surveyed as per previous audit evidence (no changes).</p> <ul style="list-style-type: none"> Salisbury Ave Elizabeth Drive Mamre Rd Clifton Avenue Range Road <p>Complaint ID 18 on the 1 June 2023 (noise and driveway access/damage complaint) – trucks and delivery drivers driving into resident's property as lost, damaging the surface of the driveway. Addressed and closed.</p> <p>Complaint ID 22 on 20 July 2023 – caller advised that the pavement repairs carried out in front of Kemps Creek Bowling Club were not done correctly. Confirmed to complainant that asphalt works were completed on the 26 July 2023 as advised.</p>		Compliant
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	<p>No alternative parking / access required.</p> <p>Adequate signage noted throughout during the site inspection.</p>		Compliant
5.97	E	E97	<p>Road Safety</p> <p>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.</p>	TFNSW SWC	<p>As per detailed design by GHD unchanged from previous audit.</p> <p>GHD M12 Motorway, Package 2 – Central, Landscape Works, Rev F.</p> <p>Detail Design (IFT) Road Safety Audit by Samsa Consulting, December 2021.</p>		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	TFNSW SWC	<p>Unchanged since previous audit.</p> <p>Detail Design (IFT) Road Safety Audit by Samsa Consulting, December 2021 for M12 Central for the design itself.</p> <p>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.</p>		Compliant

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			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.				
5.99	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 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.		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.	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. From January to October 2023.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
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	<p>The Proponent must develop and implement a waste tracking register prior to waste generated by Work that details:</p> <ul style="list-style-type: none"> (a) the quantity of each type of waste generated, its classification and source location (recorded using latitude and longitude coordinates); (b) the destination location(s) for all wastes generated during Work; (c) the quantities of any waste types imported onto the CSSI site, including their classification and emplacement location (recorded using latitude and longitude coordinates); (d) the quantities and types of wastes that are subject to a Resource Recovery Order and/or Exemption; and (e) disposal records demonstrating that receiving facilities have lawfully accepted the waste type. <p>The waste tracking register must be made available to the Planning Secretary and EPA on request, within the timeframe stated in the request.</p>	SWC	<p>New Waste Register for M12 central – live register as implemented. Asbestos contaminated material (ACM) is as per ADE Consulting Group classification. No ACM since previous audit.</p> <p>Bingo continues to manage waste and provides reports per month. The Department has not requested the submission of the waste register.</p>		Compliant
	E		WATER				
5.105	E	E105	<p>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.</p> <p><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></p>	<p>TfNSW</p> <p>SWC</p>	iForm used for weekly environmental inspections e.g., report SWC-015.20 on 20 October 2023 Erosion and Sediment Control target inspection. Person inspecting selects relevant topic, questions applicable to that area appear for completion. Template sighted for checklist – includes erosion and sediment controls, dust control, waste management, chemicals and hazardous materials, noise and vibration, air quality, ASS, contamination, topsoil management, spoil management, vehicles, surface water, water use, heritage management, heritage, flora and fauna, RIFA, other items, light pollution, comms, procurement and economic, infrastructure sustainability, pile pre-pour marine environment. Actions are raised inside iForms and allocated – emails are issued to assigned individuals. Actions then go into PSEM – Project Safety and Environment Manager system. Checked every month as a monthly KPI Status. Safety uses the same system but can filter by environment. Open actions – showing outstanding as dated October 2023, none from previous months.		Compliant

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					Discharge permits – still through PSEM: Project Safety Environment Manager, which is a Seymour Whyte platform. Discharge Register 2023 – extract from PSEM – includes Permit No., discharge location. Testing is undertaken with calibrated equipment for Horiba, Serial No. 8RHDGNOY, Model U-52, noted to be last calibrated 11/09/23 – next due 11/09/24.		
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	<p>The temporary crossing has been installed at South Creek as verified during the previous audit for fish passage.</p> <p>PESCPs in place:</p> <ul style="list-style-type: none"> Progressive Erosion and Sediment Control Plan (PESCP_03) Location: Elizabeth Drive to Range Road (Rev.F), 2 August 2023. Progressive Erosion and Sediment Control Plan (PESCP_05) Location: South Creek to Clifton Road (Rev.H), 3 August 2023. Progressive Erosion and Sediment Control Plan (PESCP_06) Location: Tree Serve (Rev. C), 10 July 2023. Progressive Erosion and Sediment Control Plan (PESCP_07) Location: Clifton Avenue to Kemps Creek Stage (Rev.D), 2 August 2023. Progressive Erosion and Sediment Control Plan (PESCP_09) Location: Kemps Creek to Hi-Quality (Rev. C), 2 August 2023. Progressive Erosion and Sediment Control Plan (PESCP_12) Location: East of Range Road (Rev.G), 3 August 2023. Progressive Erosion and Sediment Control Plan (PESCP_13) Location: West of South Creek (Rev. H), 3 August 2023. Progressive Erosion and Sediment Control Plan (PESCP_14) Location: South Creek Piling Area (Rev. E), 10 July 2023. Progressive Erosion and Sediment Control Plan (PESCP_15) Location: Batch Plant (Rev. C), 10 July 2023. 		Compliant

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ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.108	E	E108	<p>The Proponent must consult DPI Fisheries and EES during the detailed design of the watercourse crossings. The consultation must include:</p> <ul style="list-style-type: none"> (a) design of bridges; (b) design of scour protection; and (c) details of riparian revegetation. 	TfNSW	<p>No changes since previous audit.</p> <p>Consultation with DPI Fisheries and EES as verified during the previous audit as follows:</p> <ul style="list-style-type: none"> • 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 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.	SWC	Timing of this condition is not yet triggered.		Not Triggered
5.110	E	E110	<p>Stormwater Drainage</p> <p>All new or modified drainage systems associated with the CSSI must be designed to:</p> <ul style="list-style-type: none"> (a) where stormwater drainage is discharged to a council's stormwater system, meet the capacity constraints of any council's drainage system to receive and convey the proposed flows from the CSSI, or otherwise upgrade council's drainage system at the Proponent's expense, in consultation with the relevant council(s); (b) minimise impacts on the receiving environment at the final outflow point resulting from any additional flow volume (including, but not limited to scour, flooding, water quality impacts, and impacts on riparian vegetation, aquatic ecology and property); and (c) ensure mitigation measures are implemented where increased flows through cross drainage systems adversely impact on council or Sydney Water drainage infrastructure and the receiving environment. 	<p>TfNSW</p> <p>SWC</p>	<p>Changes to stormwater design are captured through the RFI process. RFI process as follows:</p> <ul style="list-style-type: none"> • Relocate asset, go deeper, increase batter slope. RFI issued – reviewed and approved. GHD to approve all design changes. • As-built – changes – early warning – potential clash, remodelling, etc. Variation raised, RFI raised, variation approved prior to works. RFI included in the red line mark ups. End of the month, issued to Doc Controller, uploaded into TeamBinder. Register for design model. Every month issued As-built as per model. 		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
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 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 SWC	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 SWC	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 SWC	No incidents to date.		Not Triggered

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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	<p>The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with:</p> <ul style="list-style-type: none"> (a) M12 Motorway Environmental Impact Statement (dated October 2019); (b) M12 Motorway Submissions Report (dated October 2020); (c) M12 Motorway Amendment Report (dated October 2020); (d) M12 Motorway Amendment Report - Submissions Report (dated December 2020); and (e) M12 Motorway Amendment Report -Submissions Report - Amendment (dated 8 March 2021). 	TFNSW CPBGG-JV	<p><i>Self-reported</i> non-compliances with conditions of approval A1 and A2 were identified during the audit period 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.</p> <p>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 was recorded as Event ID #26 dated 1 August 2023 @ 9am. TfNSW complied with the non-compliance process and notified as a non-compliance to DPE. Refer to Conditions A46 & A47 for full details.</p>	<p>M12W-03_NC-01:</p> <p><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.</p> <p>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.</p> <p>This non-compliance was notified to DPE with Condition A2 (below).</p> <p>This raises a non-compliance against Condition A1.</p> <p>Prior to establishment of stockpile areas, the contractor is required to communicate the strict boundaries of the stockpile areas to sub-contractors, the ER and TfNSW. It is recommended to implement a process to clearly delineate and communicate the stockpile areas.</p>	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 CPBGG-JV	As recorded under Condition A1, potential <i>self-reported</i> non-compliances with conditions of approval A1 and A2 were identified during the audit period at 752-810 Luddenham Road Luddenham. It was observed that a	<p>M12W-03_NC-02:</p> <p><i>Self-reported</i> non-compliances with conditions of approval A1 and A2 were</p>	Non-Compliant

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ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					<p>topsoil stockpile generated from project works may have been placed beyond the project boundary.</p> <p>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 was recorded as Event ID #25 dated 1 August 2023 @ 9:30am. TfNSW demonstrated compliance with the non-compliance process and provided notification to DPE. Refer to Conditions A46 & A47 for full details.</p>	<p>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.</p> <p>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.</p> <p>This raises a non-compliance against Condition A2.</p> <p>Prior to establishment of stockpile areas, the contractor is required to communicate the strict boundaries of the stockpile areas to sub-contractors, the ER and TfNSW. It is recommended to implement a process to clearly delineate and communicate the stockpile areas.</p>	
1.3	A	A3	<p>In the event of an inconsistency between:</p> <ul style="list-style-type: none"> (a) the terms of this approval and any document listed in Condition A1, the terms of this approval will prevail to the extent of the inconsistency; and (b) any document listed in Condition A1 inclusive, the most recent document will prevail to the extent of the inconsistency. <p><i>Note: For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</i></p>	TFNSW CPBGG-JV	<p>Minor consistency assessment for proposed change to the M12 West Project – Demolition of structures at 752 – 810 Luddenham Road, Luddenham, signed by TfNSW 15 September 2023.</p> <p>Need for proposed change: The demolition of the structures is required for safety of workers on site. The condition of the buildings has deteriorated over time due to termite damage and several break ins.</p> <p>The Proposed Change involves demolition of structures at 752 – 810 Luddenham Road, Luddenham due to deteriorating condition and safety concerns. The structures are located on Transport for NSW land in the area identified as Ancillary Facility 11 in the M12 Motorway Amendment Report. While the proposed change is located within the existing M12 Motorway construction footprint and an area considered a stockpile or laydown area, demolition of structures at this property wasn't assessed in the Environmental Assessment Documentation. The proposed change includes the demolition, removal and disposal of sheds, outbuildings,</p>		Compliant

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					<p>footings and a septic tank. No inconsistencies with MCoAs, Division 5.2 Approval or EPBC Approval noted.</p> <p>Previous Consistency Assessments:</p> <ul style="list-style-type: none"> Consistency Assessment for West Package Detailed Design: Proposed changes between east of Badgerys Creek and The Northern Road, October 2021 Sydney Water Consistency Assessment related to construction boundary extensions associated with Sydney Water utility crossings; approved in June 2022 Design Boundary Change Consistency Assessment related to design boundary changes within the M12 alignment, 15 July 2022. <p>HAZMAT 1901-HBMS-01-251023.v1f dated 25 October 2023 from Sydney Environmental Group (hygienist) Hazardous Building Materials Survey Report.</p> <p>RAP developed – Sydney Environmental Group Report No. 1850-RAP-01-130323.V2f dated 22 June 2023.</p> <p>Demolition has not yet commenced. Records following demolition will be reviewed during the next audit.</p>		
1.4	A	A4	<p>The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to:</p> <ol style="list-style-type: none"> the environmental performance of the CSSI; any document or correspondence in relation to the CSSI (including the provision of such documentation or correspondence); any notification given to the Planning Secretary under the terms of this approval; any independent appointment or withdrawal of an appointment made in relation to the CSSI; any audit of the construction or operation of the CSSI; the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval); the carrying out of any additional monitoring or mitigation measures; and 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 CPBGG-JV	<p>No written directions received from DPE during this audit period.</p> <p>Based on the results of this audit, the following compliance status is as follows:</p> <ol style="list-style-type: none"> The CPBGG-JV CEMP and sub-plans were updated and endorsed by the ER as evidenced. As per CoA A5 Notifications as per previous audits. ER, independent audits and experts submitted and approved by the Department This is the third audit in which auditing activities occurred within 6-months of the previous construction audit. Refer to non-compliances identified. Noise, surface and groundwater monitoring as per CoA C11 to C18 CEMP, sub-plans and monitoring programs reviewed and revised as per Part C of the conditions. All reviewed and endorsed by the ER. TfNSW issues complaints register to the Department every 2 weeks as per B9. 	<p>M12W-03_NC-03:</p> <p>Based on the non-compliances raised against Conditions A1, A2, A34 and B10, a non-compliance is triggered against A4(f).</p>	Non-Compliant

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ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
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: <ul style="list-style-type: none"> (a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval; (b) a log of the dates of engagement or attempted engagement with the identified party; (c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations; (d) outline of the issues raised by the identified party and how they have been addressed; and (e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed. 	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
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	An extension of at-property noise treatment was made as per TfNSW letter dated 21 July 2023, requesting July 2024 as the new deadline. Approved as per DPE letter dated 28 July 2023: Proposed extension of time to implement At-Property Noise Mitigation Measures, ref: SSI-9364-PA-191. Submission of E4 biodiversity offset report – 6-month extension to February 2024 as per TfNSW letter 10 August 2023, approved by DPE – letter dated 29 August 2023: M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)		Compliant
	A		STAGING				

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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	<p>M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023, unchanged since previous audit:</p> <ul style="list-style-type: none"> 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. <p>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.</p>		Compliant
1.10	A	A10	<p>The Staging Report must:</p> <ol style="list-style-type: none"> 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	<p>M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023 includes the following:</p> <ol style="list-style-type: none"> 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. <p>It was noted that precast procurement process is a bit behind with no major impact on the project</p>		Compliant
1.11	A	A11	The CSSI must be staged in accordance with the Staging Report .	TFNSW	<p>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.</p> <p>Construction of the M12 Motorway West package commenced August 2022.</p> <p>Procuring precast have resulted in some delays to the program, however, made up in other areas.</p>		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	<p>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.</p>		Compliant

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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 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> 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 CPBGG-JV	At-property noise treatment – 6-month extension to June 2024 as requested by TfNSW, letter to DPE dated 21 July 2023. Approved as per DPE 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 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	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		Compliant

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			approval, including in relation to environmental, social and economic impacts.		<p>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.</p> <p>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.)</p> <p>6. As per SEMP: AF17 West of Luddenham Rd (crushing and screening of rock to be re-used on site)</p> <p>No Ancillary Facilities are outside the EIS or reports. Minor facilities are reviewed and approved by the ER.</p> <p>SEMP, Rev 02, 30 May 2023 also includes:</p> <ul style="list-style-type: none"> CAF001 West of Luddenham Rd (crushing and screening of rock to be re-used on site) CAF002 West of Luddenham Rd (crushing and screening of rock to be re-used on site) CAF003 West of Luddenham Rd (crushing and screening of rock to be re-used on site) CAF004 Interchange (crushing and screening of rock to be re-used on site) CAF005 West of Badgerys Creek (crushing and screening of rock to be re-used on site) CAF006 West of Badgerys Creek (crushing and screening of rock to be re-used on site) CAF007 West of Badgerys Creek (crushing and screening of rock to be re-used on site) CAF008 East of Badgerys Creek (crushing and screening of rock to be re-used on site) <p>CAF001 – CAF008: Sites will not require establishment as crusher will be placed progressively in areas where cut and fill activities have been completed.</p> <p>SEMP endorsed by ER as per condition A16 which includes changes to include additional locations.</p>		

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1.16	A	A16	<p>Site Establishment Management Plan</p> <p>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:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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. <p>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).</p> <p>Nothing in this condition prevents the Proponent from preparing individual Site Establishment Management Plans for each construction ancillary facility.</p> <p><i>Note: Condition A16 does not apply to minor construction ancillary facilities established under Condition A20.</i></p>	CPBGG-JV	<p>M12 West Site Establishment Management Plan (SEMP), M12W-CPBGG-ALL-EN-PLN-000011, Rev 02, 30 May 2023 has been updated since the previous audit.</p> <p>Table 1-2 of the SEMP lists the engagement undertaken. Appendix A Management and Mitigation Measures outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities.</p> <p>The SEMP includes the following:</p> <ul style="list-style-type: none"> a. Section 4 Site establishment works. Includes Section 4.1 Site Establishment Activities – Table 4-1 and an indicative duration under Table 4-2: <ul style="list-style-type: none"> • AF1 – 8 weeks • AF2 – 10 weeks plus 16 weeks for batch plant establishment • AF3 – stockpile site only • AF10 – existing facility • AF11 – 8 weeks • AF17 – 5 days 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. <p>The ER endorsed SEMP Rev 2 as evidenced, letter Ref: M12W SEMP Rev 02 dated 30 May 2023. Notes that minor amendments have been reviewed including additional locations for the rock crushing and screening activities, confirming that there is no increase to the impacts to nearby sensitive receivers.</p> <p>As per condition A15, CAF001 – CAF008: Sites will not require establishment as the crusher will be placed progressively in areas where cut and fill activities have been completed.</p>		Compliant

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					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 Condition A16 and approved by the Planning Secretary before commencement of the additional activities or change to site layout.	CPBGG-JV	No early works construction facilities required since previous audit.		Not Triggered
1.18	A	A18	<p>Use of Construction Ancillary Facilities</p> <p>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.</p> <p>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.</p>	TFNSW CPBGG-JV	<p>No changes since previous audit. 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.</p> <p>Current documents: Overarching CEMP and sub-plans Rev J dated March 2023. CPBGG JV MW12W CEMP Rev 01 dated March 2023</p>		Compliant
1.19	A	A19	<p>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.</p> <p>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.</p>	TFNSW CPBGG-JV	<p>21 December 2021 approval received of overarching CEMP + sub-plans from the Department has not changed since previous audit.</p> <p>ER endorsement received 28 July 2022. Commencement of construction was 10 August 2022.</p>		Compliant
1.20	A	A20	<p>Minor Construction Ancillary Facilities</p> <p>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:</p> <p>(a) are located within or adjacent to the construction boundary; and</p> <p>(b) have been assessed by the ER to have -</p> <p>(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</p>	CPBGG-JV	<p>Minor Construction Ancillary Facilities Checklists presented as follows:</p> <p>(a)</p> <ul style="list-style-type: none"> MCAF 004-007 Rev F, 17 August 2023 – located within approved Construction Boundary, however amendment to MAF locations due to the change in access gates MCAF 011-016 Rev B, 5 September 2023 – located within approved Construction Boundary, however amendment to MAF 		Compliant

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			(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.		locations due to the change in access gates. Covering additional spots. <ul style="list-style-type: none"> MCAF 017 Rev B, 6 September 2023 – located within the approved Construction Boundary, however not within a construction ancillary facility identified in the Environmental Assessment Documentation (Section 2.1 of the MCAF checklist) (b) <ul style="list-style-type: none"> MCAF 004-007 Rev F, 17 August 2023: signed by ER 17 August 2023. MCAF 011-016 Rev B, 5 September 2023: signed by ER 6 September 2023. MCAF 017 Rev B, 6 September 2023: signed by ER 13 September 2023. 		
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: <ul style="list-style-type: none"> (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; 	TFNSW	No early works specific to the West package, project wide only which is now complete. Early Works Environmental Management Plans presented as applicable during the audit period: <ul style="list-style-type: none"> Minor Amendment M12 Motorway – Early Works Environmental Management Plan (Gas Protection) Revision I, Ref: M12PPW-ADAP-ALL- 		Compliant

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			<p>(c) figures illustrating the proposed location(s) of the early works and the closest sensitive receiver(s);</p> <p>(d) a flora and fauna management sub-plan (prepared in consultation with the EES) which includes -</p> <p>(v) details of the measures to avoid and minimise disturbance to native vegetation, and other habitat of native flora and fauna species,</p> <p>(vi) details of the proposed management and mitigation measures for the affected species listed in Table 3,</p> <p>(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</p> <p>(viii) unexpected finds protocol for flora and fauna;</p> <p>(e) details of measures to avoid and minimise noise and vibration, soil, water and air quality impacts; and</p> <p>(f) unexpected finds procedures for heritage and contamination.</p>		<p>EN-PLN-000057_EWEMP_Rev I, 11 November 2022. Applicable condition as follows:</p> <ul style="list-style-type: none"> ○ A24 (a) Section 2 Early Works Description ○ A24 (b) Appendix B1 Early Works Site Establishment Plan, Section 2.3 Ancillary Facilities ○ A24 (c) Appendix B1 Early Works Site Establishment Plan, Figure 2-1 Early Works for the protection of high-pressure gas mains, Appendix A4 Sensitive Area Plans ○ A24 (e) Appendix B2 Early Works Flora and Fauna Management Plan ○ A24 (f) Appendix A8 Environmental Management Measures • Minor Amendment M12 Motorway – Early Works Flora and Fauna Management Sub-Plan (Gas Protection) Revision H, Ref: M12PPW-ADAP-ALL-EN-PLN-000058_EWFFMP_Rev_H, 11 November 2022. <p>Applicable condition as follows:</p> <ul style="list-style-type: none"> ○ CoA A24 (d) Section 1.5 Consultation, Appendix A Consultation Correspondence <ul style="list-style-type: none"> (i) Section 6 Environmental Mitigation and Management Measures (ii) Section 6.1 Pre-clearing process, Appendix C (iii) Section 6.1 Pre-clearing process, 6.6 Unexpected threatened species finds, 6.7 Fauna rescue and release procedure (iv) Section 6.6 Unexpected threatened species, Appendix D Unexpected Threatened Species and Threatened Ecological Communities (EECs) Finds Procedure 		
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	TFNSW	<p>No early works specific to the West package, project wide only which is now complete.</p> <p>ER Approval of Minor Amendment M12 Motorway – Early Works Environmental Management Plan (Gas Protection) Revision I, Ref: EWEMP Gas Prot Rev I, 22 November 2022.</p>		Compliant

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			<p>be implemented for the duration of the early works which are the subject of the plan.</p> <p>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.</p>		ER Approval of Minor Amendment M12 Motorway – Early Works Flora and Fauna Management Sub-Plan (Gas Protection) Revision H, Ref: EWFFMP Gas Prot Rev H, 22 November 2022.		
	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	<p>Nomination of Environmental Representative and Alternate ER unchanged.</p> <p>APP (formerly AQUAS) engaged as the independent auditor as per original submission ref SSI-9364-PA-277 on 22 September 2023. Endorsement by the Department of Planning and Environment (DPE) of the Independent Environmental Auditor was granted on 12 October 2023 for both M12 Central and M12 West packages.</p> <p>Support independent noise specialist approved by the Department on 29 August 2023 as per letter presented. Applicable for the M12 East package.</p> <p>No other changes for the M12 West package.</p>		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	<p>The Planning Secretary may at any time commission an audit of how an independent appointment has exercised their functions. The Proponent must:</p> <ul style="list-style-type: none"> (c) facilitate and assist the Planning Secretary in any such audit; and (d) 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 CPBGG-JV	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 CPBGG-JV	No withdrawal of approvals to date.		Not Triggered

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	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	<p>Department approval letter dated 17 November 2022 in response to TfNSW submission on 8 November 2022 nominating an Alternate ER.</p> <p>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.</p>		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	<p>For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:</p> <ul style="list-style-type: none"> (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI; (b) consider and inform the Planning Secretary on matters specified in the terms of this approval; (c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; (d) review the documents identified in Conditions A9, A13, A16, A24, C1, C4 and C11 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so; 	ER	<p>The ER issues monthly reports by the 7th day of the following month which include the following.</p> <ul style="list-style-type: none"> a. <i>Non-compliance/ Incidents / Repeat Complaints</i> section e.g., ER Monthly Report for July 2023 (Ref: 210309-ER_DPE-July 2023 dated 4 August 2023): M12W Crushing activities non-compliance with Minor Amendment for SEMP Rev 02 (COA A34(i) and B10) – EER No.INC020 being reviewed. Notified to DPE 30/05/23. M12W INC025 Non-compliance – Topsoil stockpile identified as being outside construction footprint of the Project. Identified during ER Inspection. 	M12W-03_NC-04: <i>Self-reported 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</i>	Non-Compliant

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			<p>(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</p> <p>(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);</p> <p>(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;</p> <p>(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;</p> <p>(g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;</p> <p>(h) assess the impacts of minor construction ancillary facilities, as required by Condition A20 of this approval;</p> <p>(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</p> <p>(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.</p>		<p>Investigation undertaken identified the stockpiled material was within Transport for NSW owned land, however outside the project boundary line. No material harm occurred to the land the stockpile was located. Non-compliance submitted to DPE 01/09/23.</p> <p>b. ER Inspection 82 West 1 August 2023 attended by DPE Compliance, TfNSW Operations and CPB Corporate. ER Inspection undertaken concurrent to DPE Compliance and TfNSW Assurance and Performance Improvement Team Site Inspection. CPB Environment Manager NSW & ACT also attended.</p> <p>c. Recommendations are made during the fortnightly ER inspections and as summarised within the monthly reports e.g., ER inspection No. 74 West dated 6 June 2023. ER No. 74.10 – Install Concrete Washout signs at Luddenham West for two newly constructed concrete washouts pits. Categorised as Low – close out within 5 working days. Closed 07/06/2023 as per ER Inspection No. 76 West dated 20 June 2023. <i>Other areas of project activity involving the ER generally included June 2023 ER Monthly Report: M12W discussion on Topsoil Screening and if considered an activity linked to Ancillary Facility definition; M12W Comms Notice review: Out of Hours work at Luddenham and Badgerys Creek - June 2023. No mention of saw-cutting and utilities works.</i></p> <p>d. As per 'Reviewed Documents' section within the monthly reports e.g. June 2023 Monthly Report: review of M12W EN-WMS-00013 - Concrete Batch Plant. September 2023: review of M12 West MCAF Checklist 011-016 Rev B; endorsement of M12 West MCAF Checklist 011-016 Rev B – ER Endorsed 06/09/23. August 2023 Monthly Report: endorsement of M12 West MAF Checklist_004-007 Rev F – ER Endorsed 17/08/23.</p> <p>e. Monitoring of implementation is undertaken during the fortnightly ER inspections. The ER also attends Coordination Meeting every fortnight</p>	<p>Management Plan (SEMP), to comply with Condition B10. This non-compliance was notified to DPE with Condition B10. This raises a non-compliance against Condition A34.</p> <p>It is recommended that Approvals are clearly communicated to the sub-contractors to ensure the commencement date is within the timeframe.</p>	

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					<p>(scheduled same day as inspections). M12W Environment Coordination Meetings on the 1, 15, and 29 August 2023.</p> <p>f. This is the third CSSI audit on the project whereby the ER is in attendance. The ER also partook in previous audits.</p> <p>g. Complaints are monitored as demonstrated in the monthly reports, Non-compliance/ Incidents / Repeat Complaints section. May 2023 Monthly Report: M12W Complaint Light Spill 19/05/23 – Elizabeth Drive, Badgerys Creek resident complained of light spill during OOH Road Barrier Placement activity. The ER has not been involved for resolution to date.</p> <p>h. ER inspection No. 78 on the 4 July 2023, Inspection Report No. ER No. 78.09 66 Laydown area extended at AF11 within approved Ancillary Facility boundary (note only). CPBGG JV using Ancillary Facility AF10 for storage of precast units. Gate closed and locked. No Project Signage observed (note) as per ER Inspection Report No. 84, ER No. 84.07 with Non-Compliance raised as 84A: Minor Ancillary Facility (MAF) Badgerys Creek to be revised for new location.</p> <p>i. M12W CEMP and Sub-plans Rev 01 – ER Approval Minor Amendments 29/05/23. M12W SEMP Rev 02 Revised Crusher Locations – ER Approval Minor Amendments 30/05/23. <i>Self-reported</i> non-compliances with conditions of approval A34(i) and B10 were identified during the audit period, recorded as Event ID #20 dated 25 May 2023 @ 1:30pm. Non-compliance notification by TfNSW to DPE occurred on 30 May 2023 within the 7-day timeframe and demonstrates compliance with the non-compliance process. Refer to Conditions A46 & A47 for full details.</p> <p>j. All ER monthly reports have been issued on or before the 7th day of the following month.</p> <p>Documents presented as evidence:</p>		

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					<ul style="list-style-type: none"> M12 ER Monthly Report May 2023, ref 210309-ER_DPE-May 2023 dated 7 June 2023 M12 ER Monthly Report June 2023, ref 210309-ER_DPE-June 2023 dated 7 July 2023 M12 ER Monthly Report July 2023 M12 ER Monthly Report August 2023, ref 210309-ER_DPE-July 2023 dated 4 August 2023, ref 210309-ER_DPE-August 2023 dated 7 September 2023 M12 ER Monthly Report September 2023, ref 210309-ER_DPE-September 2023 dated 6 October 2023. <p>ER inspections reports for West:</p> <ul style="list-style-type: none"> Site Inspection Report #72 West, 23 May 2023 Site Inspection Report #74 West, 6 June 2023 Site Inspection Report #76 West, 20 June 2023 Site Inspection Report #78 West, 4 July 2023 Site Inspection Report #80 West, 18 July 2023 Site Inspection Report #82 West, 1 August 2023 Site Inspection Report #84 West, 15 August 2023 Site Inspection Report #86 West, 29 August 2023 Site Inspection Report #88 West, 12 September 2023 Site Inspection Report #90 West, 27 September 2023 Site Inspection Report #92 West, 11 October 2023 		
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: <ul style="list-style-type: none"> (a) the complaints register for any complaints received (on the day they are received); and 	TFNSW CPBGG-JV	a. Complaints register issued to ER. Complaints go to ER as they come. Little received complaints for 2023 (total of 3).		Compliant

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			(b) a copy of any assessment carried out by the Proponent of whether proposed Work is consistent with the approval (which must be provided to the ER before the commencement of the subject Work).		<p>b. The ER identifies non-compliances with the conditions as per inspections and document reviews. E.g., as per ER Monthly Report for May 2023: M12W Crushing activities non-compliance with Minor Amendment for SEMP (COA A34(i) and B10) – EER No. INC020 being reviewed. Ongoing in June and July 2023 with notification to DPE on 30/05/23. June 2023 ER Monthly Report: Review commenced: M12W OOHV 00038 - Telstra Works Elizabeth Drive – Additional Mitigation Measures / Community Relations actions not detailed in OOHV Permit and timing of Community Notification. Closed as per July 2023 report. August 2023: M12W INC025 Non-compliance – Topsoil stockpile identified as being outside construction footprint of the Project. Identified during ER Inspection. Investigation undertaken identified the stockpiled material was within Transport for NSW owned land, however outside the project boundary line. No material harm occurred to the land the stockpile was located. Non-compliance submitted to DPE 01/09/23.</p> <p>Issues are closed out through emails to ER. 27 October 2023 in response to the ER inspection M12 92 111023 West – response to additional ERSR controls and endorsed PESCP for EDR South.</p> <p>For INC020 – updated SEMP, meetings dated 7 June 2023 – discuss non-compliance with TfNSW.</p> <p>Incidents and non-compliance Register. Separated tabs for incidents and non-compliance and report only entry 20 for INC020. Four NCs to date. 22 incidents. All closed.</p> <p>Corrective Action Report presented M12WEST-CAR-CPBGGJV-000050, Status: CAR100, Subject: R44 – ML1MC10. Noted as in draft as of 24 August 2023 until formally issued to TfNSW. Photos included. Dated 25 August 2023 on TeamBinder. Permanent fencing installed. Area rehabilitated.</p>		

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	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 nominated 27 July 2022 as the start of construction for M12 West. No further notifications required at this stage.		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.		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.		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

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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: <ul style="list-style-type: none"> (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	The second audit on the Central package was undertaken by AQUAS on the 2 May 2023. A draft report was issued by AQUAS on the 26 May 2023 as per email evidence. TfNSW responded with comments via TeamBinder, reference M12CCO-TFNSW-AQUS-CORR-000002 dated the 1 June 2023. Final report submitted to the Department, SSI-9364-PA-178 with TfNSW letter attached (dated 9 June 2023) and response to findings table. The independent report was verified to be posted on the project website.		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 Letter from TfNSW "SSI 9364 – M12 Motorway – CoA A42 and A43 Independent Audit Report and Proponent's Response (M12 Central)" confirms the submission of audit report held on 2 May 2023. Dated 9 June 2023 as presented.		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. All incidents recorded to date have been closed and classified as Environmental Incidents and Report only: Event ID #18 dated 6 May 2023 @ 10:30am (environmental incident) – signed by TfNSW 15 May 2023: During Saturday works, compactor driver noticed plant acting up, stopped and checked to find hydraulics blew out and spilled hydraulic oil on the ground (~5L). Spill kit was used to contain oil spill. Called service and was told repairs can be done the coming Monday. Earth bund installed all around compactor due to anticipated rain the next day (Sunday). CPBGGJV environmental coordinator was informed Monday morning of the incident, who then notified TfNSW and ER. Corrective actions: Regular maintenance checks on vehicles. Put emphasis on checking vehicle hydraulics on prestart		Not Triggered

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					<p>checks. Toolbox operators and provide locations where spill kits can be found.</p> <p>Event ID #19 dated 10 May 2023 @ 10:30am (environmental incident) – signed by TfNSW 15 May 2023: At approx 10:30, a track excavator was tracking to leave the site along cut 7 east of SCAW. Whilst tracking off site the hydraulic tank failed spilling ~ 5L of hydraulic oil onto the ground surface. The supervisor on site deployed a spill kit to contain the spill which isolated to surface. The spill occurred at estimated chainage 15500.000 greater than 500 m from Badgerys Creek. The spill was immediately contained and TfNSW/ER were notified of the event. Corrective actions: CPBGGJV immediately contained the event with a spill kit and earth bund. The material removed was <1m3, has been stockpiled and remains on site awaiting future disposal. Vehicle and plant inspections are completed prior to plant being used on site, the process will continue to be used by the JV.</p> <p>Event ID #21 dated 26 June 2023 @ 1:30pm (environmental incident) – signed by TfNSW 28 June 2023: Hydraulics on scraper blew out and spilled approximately 3L hydraulic oil on the ground. Spill kit was used to contain oil spill and an earth bund was installed around the scraper. Repairs on the scraper were finished the next day. CPBGG JV environmental coordinator was informed of the spill on the same day, and passed on the information to TfNSW and ER. Corrective action: Regular maintenance checks on vehicles. Put emphasis on checking vehicle hydraulics on prestart checks. Toolbox operators and provide locations where spill kits can be found.</p> <p>Event ID #22 dated 25 July 2023 @ 11:30am (environmental incident) – signed by TfNSW 28 July 2023: Hydraulics on truck and dog blew out, spilling approximately <10L hydraulic on the ground. Spill kit was used to contain hydraulic oil spill. Spoil was stockpiled</p>		

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					<p>awaiting removal from site. CPBGG JV environment team was informed of the spill on the same day, and passed on the information to TfNSW and ER. Regular maintenance checks. Emphasis placed on checking vehicle hydraulics during pre-start checks. Toolbox operators on the above, and provision of locations where spill kits can be found.</p> <p>Event IDs #23 and 24 withdrawn</p> <p>INC#023 was withdrawn due to additional information coming to enviro issues review meeting. This event report was withdrawn as it was unclear much (if any) construction works occurred in addition to the approved oversized plant delivery permit which was issues for this task. The JV agreed to improve the OOHW descriptions, other permitting processes and provide additional review times to enable for clarification to occur between TfNSW and the JV to reduce misunderstanding occurring in the future.</p> <p>INC#024 was withdrawn due to additional information coming to the enviro issues review meeting where each Environmental Event Report is discussed with TfNSW/JV prior to finalisation. This event was found to be covered by the existing MCAF with the exception of a poorly detail polygon in the revised MACF for developed for the area. It was accepted that the minor relocation was an improved placement, and the initial TfNSW confusion was related to a JV document quality issue and the MCAF image was revised to cover the area in question more clearly. The MCAF sitting procedure has now been improved across the site with larger tracts of the project being requested for potential MCAF to assist the pavement crews that are likely to be setting up MCAF frequently and for shorter durations. The revised method provided greater flexibility for the JV team and still provided the enviro team the appropriate checks and balances for proposing new MACF.</p>		

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					Event ID #26 dated 14 September 2023 @ 10:00am (environmental incident) – signed by TfNSW 11 October 2023: On the afternoon of 13/09/2023, the hydraulics on a digger blew out, spilling approximately 10L of hydraulic oil on the ground. Spill kit was used to contain the spill. Spoil was contained in a contaminated waste bag awaiting removal from site. CPBGG JV Environment Team was informed on the morning of 14/09/2023 after the issue was identified. TfNSW and the ER were subsequently notified. Regular maintenance checks of plant and vehicles. Emphasis placed on checking vehicle hydraulics during pre-start checks. Toolbox operators on the above, and provision of locations where spill kits can be found.		
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	Two self-reported non-compliances were raised during the audit period as follows: Event ID #20 dated 25 May 2023 @ 1:30pm (potential non-compliance) – signed by TfNSW 8 August 2023. Delays in signing were due to discussions to determine whether it was a non-compliance or not. Fortnightly M12 West ER inspection and Environment and Sustainability Coordination meeting occurred on 09/05/23. TfNSW requested CPBGGJV to complete an 'Ancillary Facility' assessment of proposed crushing locations and advice was provided by the ER that SEMP update can be undertaken in the next review cycle. The Ancillary Facility Assessment against A15/A16/A18 criteria was submitted to TfNSW on 10/05/23, each location met assessment criteria and activities posed no impacts to sensitive receivers. CPBGGJV then commenced crushing activities on 16/05/23 to		Compliant

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					<p>19/05/2023 in cut 3 of the Main Alignment. On 23/05/23 the ER advised that the SEMP will need to be updated with Ancillary Facility Assessment crusher locations. It was also decided between TfNSW, ER and CPBGGJV that SEMP update should be held off until after TfNSW/ER meeting with DPE on 25/05/23, where advice will be sought on whether crushing can be interpreted as a construction activity (not requiring SEMP update). CPBGGJV received correspondence from TfNSW on 25/05/23 informing that the SEMP will need to be updated and a non-compliance should be raised for crushing activities that were completed 16/05/23 to 19/05/23. SEMP was updated and sent to TfNSW and the ER for review on 26/05/23.</p> <p>Immediate actions: No further crushing activities planned/undertaken since TfNSW notification on 25/05/23 and SEMP was updated with proposed crushing locations on 26/05/23.</p> <p>Corrective actions: CPBGGJV will undertake due diligence compliance checks for all activity approval pathways, irrespective of advice received and CEMP and Sub-plan updates will be prior to commissioning additional ancillary facilities.</p> <p>Non-compliance notification to DPE dated 30 May 2023 (within 7 days of NC being identified on the 25 May 2023).</p> <p>Event ID #25 dated 1 August 2023 @ 9:30am (potential non-compliance) – signed by TfNSW 5 September 2023: During the fortnightly M12 West ER inspection on the 01/08/23 it was identified that a Topsoil stockpile was outside of the project boundary and screening had been completed. It was determined that the activity was non-compliant with Condition of Approval A1 and A2. Following investigation into the non-compliance it was determined that the stockpiling had occurred December 2022, prior to the final design being released by TfNSW to CPBGGJV. At the time of the stockpiling, it was agreed between CPBGGJV and TfNSW that the existing fence line was the project boundary line.</p> <p>Non-compliance notification to DPE dated 31 August 2023. The letter states confirmation of the project</p>		

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					boundary on the 25/08/23, which followed the Corrective Action Report finalisation: Corrective Action Report presented CAR Reference No: M12WEST-CAR-CPBGGJV-000050, 24 August 2023 which states that "This CAR will be in draft and will be formally issued when agreements have been made between TfNSW Enviro and JV Enviro."		
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	<p>Submission of non-compliance notification, portal receipt SSI-9364-PA-173 for Event ID #20. TfNSW letter attached dated 30 May 2023. shows CSSI number and applicable conditions A1 and A2 with ways it does not comply and reasons for the non-compliance. Actions include the following: A revised SEMP (CEMP subplan, Appendix B10) as per CoA A16, has now been redrafted to include the mobile crusher plant locations for ER review. The revised SEMP once approved by the ER, will then be published on the TfNSW M12 Project website prior to the recommencing of the mobile crusher plant activity. TfNSW and JV staff have now been made aware of these linked approval requirements for establishing a revision to the SEMP as a result of this type of activity being proposed. It is noted for all future requests of this nature that trigger an update to the SEMP, that once the assessment is completed in accordance with the relevant approval pathway, the approval is completed when the final document is published and only then can the requested activity commence. Acknowledgement email sighted from DPE dated 31 May 2023.</p> <p>Submission of topsoil stockpile generated from project works may have been placed beyond the project boundary, portal receipt SSI-9364-PA-214 for Event ID #25. Letter included from TfNSW dated 31 August 2023 shows CSSI number and applicable conditions A1 and A2 with ways it does not comply and reasons for the non-compliance. Actions noted as: The stockpile extent that was outside the project boundary has now been removed and the impacted land has now been remediated accordingly. The site boundary has been fenced and site controls reinstated in compliance with the confirmed project boundary and the stockpiling activities in this</p>		Compliant

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					location are now consistent with the terms of the approval.		
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	Non-Compliances submitted have not been notified as an incident. No notifiable incidents to date.		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	Bulk earthworks nearly complete. Photo presented by CPBGG-JV, reference 20231027_081533 – sticker on side of truck hauling to WSA site; materials to build up piling pads.		Compliant
2	PART	B	COMMUNITY INFORMATION AND REPORTING				
	B		COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT				
2.1	B	B1	<p>Communication Strategy</p> <p>A Communication Strategy must be prepared to provide mechanisms to facilitate communication about Work, construction and operation of the CSSI with:</p> <ul style="list-style-type: none"> (a) the community (including adjoining affected landowners and businesses, and others directly impacted by the CSSI); and (b) the relevant councils and relevant government agencies. <p>The Communication Strategy must address who (the Proponent, Independent Appointments and/or construction contractor) will engage with the community, relevant councils and agencies, how they will engage and the timing of engagements.</p>	TFNSW CPBGG-JV	<p>M12 Motorway Overarching Communication Strategy has undergone a review since the previous audit, Rev 5 dated March 2023.</p> <p>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.</p> <p>No major changes to the plan, added in environmental staff role. Change included a 12-month review instead of 6-months review.</p>		Compliant

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2.2	B	B2	<p>The Communication Strategy must:</p> <ul style="list-style-type: none"> (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 - <ul style="list-style-type: none"> (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 CPBGG-JV	<p>The M12 Motorway Overarching Communication Strategy was reviewed and the following verified:</p> <ul style="list-style-type: none"> 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. <ul style="list-style-type: none"> 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	Submission of updated Communication Strategy to the Department 13 September 2023 (SSI-9364-PA-221) including TfNSW letter dated 12 September 2023 "SSI 9364 - M12 Motorway - CoA B3 Overarching Communication Strategy"		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 as per Department letter presented, dated 11 October 2023, ref: SSI-9364-PA-221.		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	<p>Website includes community notifications and project updates for the Central package.</p> <p>Only 6 complaints have been received to date, all are closed (refer to condition B8 for details).</p>		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	TFNSW	The M12 Motorway Overarching Communication Strategy includes a Complaints Management System under Section 9 and specifically addressed as per		Compliant

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			<p>construction of the CSSI. The Complaints Management System must require complainants to be advised that:</p> <ul style="list-style-type: none"> (a) the Complaints Register may be forwarded to Government agencies, including the Department, to allow them to undertake their regulatory duties; (b) by providing personal information, the complainant authorises the Proponent to provide that information to government agencies; (c) the supply of personal information by the complainant is voluntary; and (d) the complainant has the right to contact government agencies to access personal information held about them and to correct or amend that information (Collection Statement). <p>The Collection Statement must be included on the Proponent's or project website to make prospective complainants aware of their rights under the <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.</p>	CPBGG-JV	<p>Section 9.2.1 Receiving complaints. Section 6.1.4 of reporting M12 Community & Stakeholder Engagement Plan for complaints management.</p> <p>A collection statement continues to be in place on the home page of the project website with a link to Transport's privacy guidelines.</p> <p>DPE Complaints Register – M12 West as at 13 October 2023. Only 3 complaints received since previous audit (6 in total to date).</p>		
2.7	B	B7	<p>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:</p> <ul style="list-style-type: none"> (a) a 24-hour telephone number for the registration of complaints and enquiries about the CSSI; (b) a postal address to which written complaints and enquires may be sent; (c) an email address to which electronic complaints and enquiries may be transmitted; and (d) a mediation system for complaints unable to be resolved. <p>This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level and must be provided on the website required under Condition B10.</p>	TFNSW CPBGG-JV	<p>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:</p> <ul style="list-style-type: none"> 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 <p>Notifications on the project website verified as follows:</p> <ul style="list-style-type: none"> • M12 Motorway – West: Out of hours work along Elizabeth Drive and Luddenham Road, Badgerys Creek, May 2023 • M12 Motorway – West: Out of hours work along Elizabeth Drive and Luddenham Road, Badgerys Creek, June 2023 • M12 Motorway – West: Out of hours work along Elizabeth Drive and Luddenham Road, Badgerys Creek, July 2023 • M12 Motorway – West: Road closure on Luddenham Road, Luddenham, August 2023 • M12 Motorway – West: Out of hours work along Elizabeth Drive, Badgerys Creek, and The Northern Road and Luddenham Road, Luddenham, September 2023 		Compliant

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2.8	B	B8	<p>A Complaints Register must be maintained recording information on all complaints received about the CSSI during the carrying out of any work and for a minimum of 12 months following the completion of construction. The Complaints Register must record the:</p> <ul style="list-style-type: none"> (a) number of complaints received; (b) the date and time of the complaint; (c) the method by which the complaint was made; (d) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; (e) nature of the complaint; (f) means by which the complaint was addressed and whether resolution was reached, with or without mediation; and (g) if no action was taken, the reason(s) why no action was taken. 	TFNSW CPBGG-JV	<ul style="list-style-type: none"> M12 Motorway – West: Out of hours work along Elizabeth Drive, Badgerys Creek, The Northern Road and Luddenham Road, Luddenham, October 2023 <p>DPE Complaints Register – M12 West as at 13 October 2023. Only 2 complaints received since previous audit (5 in total to date) provided to TfNSW fortnightly.</p> <ul style="list-style-type: none"> a. No. of complaints received for West package: 6. All closed. b. Date and time of complaint recorded. Also includes timeframe close out. c. Method of complaint is by phone, email. d. Complainant details included. e. Type of complaints e.g., 2 complaints received since previous audit for light spill (19 May 2023) and alleged damage to car and complaint about dust (31 May 2023) f. How addressed and resolved. Complaint ID 2023-3 on 31 May 2023 for allegations of works causing damage to car and complaint about dust. Response provided: Advised stakeholder that there are a number of other contractors in the area and it was impossible to determine who is responsible for the road surface conditions and the dust. Information about M12 West dust suppression measures provided to them. Nil action taken. If no action taken, explain why no action taken: Unable to determine which construction zone is responsible for alleged damage to car or may be contributing to the dust. Resolved on 31 May 2023 – closed. <p>Consultation Manager is now being used. Recent dust complaint received 30 October 2023 included. Now able to track serial complainants, types of complaints.</p>		Compliant
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	<p>The Complaints register is provided by TfNSW to the Department via the portal as evidenced for all packages as verified during the audit period – M12 Complaint Registers lodged:</p> <ul style="list-style-type: none"> 30 May 2023, portal reference SSI-9364-PA-174 27 June 2023, portal reference SSI-9364-PA-182 		Compliant

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ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					<ul style="list-style-type: none"> 25 July 2023, portal reference SSI-9364-PA-192 8 August 2023, portal reference SSI-9364-PA-203 19 September 2023, portal reference SSI-9364-PA-224 3 October 2023, portal reference SSI-9364-PA-230 <p>Involvement with stakeholders is face to face first then by phone or email. All recorded in Consultation Manager, e.g.:</p> <p>Consultation with Buckleys – new fence, property backs onto the creek, previously went into the property's land, concern about the horses. Provided 15k L of water. Fence close to the creek as possible and up to the landowner</p> <p>Brisindi on Luddenham Road – fencing and road in front of property. Sighted in consultation manager – under 'event's 27 to date. Email 9 August 2023 + various phone calls and emails.</p> <p>Luddenham Raceway. 3 March 2023 + various emails.</p> <p>Campaign email – notifications, OOHW. About 100 on mailing list.</p> <p>Due to a change in resources, the ER was missed in initial stages of receiving complaints at the initial notification. Submission will now be actioned as required. Fortnightly register also issued to the ER.</p>		
	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: <ul style="list-style-type: none"> (a) information on the current implementation status of the CSSI; 	TFNSW CPBGG-JV	<p>The M12 Motorway portal and project website: www.rms.nsw.gov.au/m12 continues to be implemented with the following information published:</p> <ul style="list-style-type: none"> a. Project Documents > Community updates. Up to date at September 2023 b. Project Documents > Reports – includes the EIS, Amendment Report, Submissions Report 	M12W-03_NC-05: <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	Non-Compliant

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			<p>(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;</p> <p>(c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval (ordered in a logical sequence and easy to navigate);</p> <p>(d) a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI;</p> <p>(e) a current copy of the final version of each document required under the terms of this approval; and</p> <p>(f) a copy of the audit reports required under Conditions A38 and A41 of this approval.</p> <p>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.</p>		<p>+ Amendment, plus Consistency Assessments.</p> <p>c. Project Documents > Post approval documentation > NSW Infrastructure Approval (CSSI-9364). No modifications to date.</p> <p>d. EPL 21595 for West including variation Notice Number 1624838 and Premise maps</p> <p>e. Post approval documentation includes current West plans e.g., CEMP, CAQMP, CNVMP, CSWMP, etc.</p> <p>f. The independent environmental audit reports for West are included on the website, separated by audit No. 1 and 2.</p> <p>All documentation published was noted to be current. It is noted that the website underwent a refresh / restructure.</p> <p><i>Self-reported</i> non-compliances with conditions of approval A34(i) and B10 were identified during the audit period, recorded as Event ID #20 dated 25 May 2023 @ 1:30pm. Non-compliance notification by TfNSW to DPE occurred on 30 May 2023 within the 7-day timeframe and demonstrates compliance with the non-compliance process. Refer to Conditions A46 & A47 for full details.</p>	<p>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.</p> <p>This raises a non-compliance against Condition B10.</p> <p>It is recommended that an item be included as part of the contractor environmental meetings to monitor all publications and ensure they are up to date.</p>	
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	<p>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.</p> <p>EIS is addressed in Section 1.2 and Appendix A9.</p> <p>CPBGG JV current CEMP: CPBGG JV M12 West CEMP is M12WCO-CPBGG-ALL-EVE-PLN-00001, Rev 01 dated 16 March 2023.</p>		Compliant
3.2	C	C2	<p>The CEMP must provide:</p> <p>(a) a description of activities to be undertaken during construction (including the scheduling of construction);</p> <p>(b) details of environmental policies, guidelines and principles to be followed in the construction of the CSSI;</p> <p>(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;</p>	TFNSW CPBGG-JV	<p><u>TfNSW OCEMP:</u></p> <p>a. Section 2 Project Description (incl program, construction activities), Table 2-1 Indicative construction sequence</p> <p>b. Section 3.2 Environmental policy, Section 4.2 Regulatory requirements and compliance, Appendix A3 Ancillary facilities assessment</p> <p>c. Section 4.1.1 Environmental Risk Assessment Workshop, Appendix A2 Initial Risk Register</p>	<p>M12W-03_OFI-01:</p> <p>A training matrix has not been developed to identify any gaps for environmental specific training requirements. C2 (j)</p>	Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(d) details of how the activities described in subsection (a) of this condition will be carried out to:</p> <p>(i) meet the performance outcomes stated in the documents listed in Condition A1; and</p> <p>(ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition;</p> <p>(e) an inspection program detailing the activities to be inspected and frequency of inspections;</p> <p>(f) a protocol for managing and reporting any:</p> <p>(i) incidents; and</p> <p>(ii) non-compliances with this approval or statutory requirements;</p> <p>(g) procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during construction;</p> <p>(h) a list of all the CEMP Sub-plans required in respect of construction, as set out in Condition C4. Where staged construction of the CSSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction;</p> <p>(i) a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER;</p> <p>(j) for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval;</p> <p>(k) for periodic review and update of the CEMP and all associated plans and programs; and</p> <p>(l) the outcomes of consultation with government agencies in accordance with Condition A5.</p>		<p>d. Section 4.3 Environmental and sustainability objectives and targets, Appendix A2 Initial risk register</p> <p>e. Section 7.1 Environmental inspections</p> <p>f. Section 6 Emergency and incident planning, management and reporting, Section 7.3 Compliance management and monitoring, Appendix A7 Environmental incident classification and reporting</p> <p>g. Section 7.3.5 Corrective and preventative action</p> <p>h. Table 3-1: Environmental Management Sub-plans</p> <p>i. Section 5.1 Resources, roles, responsibilities and authority</p> <p>j. Section 5.3 Competence, training and awareness</p> <p>k. Section 1.12 Revision, Section 7.7 Environmental Management System review</p> <p>l. Appendix A of the OCEMP sub-plans</p> <p>CA general 6-monthly review – reduced to annual reviews.</p> <p>CNVMP protocol updated as per previous audit finding.</p> <p>SEMP as per MCAF and crushing activities (approved by ER).</p> <p>Adopted changes from OCEMP into contractor plans.</p> <p>Sighted tracked change CEMP Rev 01 dated 16 March 2023. Signed 16 March 2023. Consistency Assessment inclusions noted throughout the CEMP</p> <p><u>CPBGG JV M12 West CEMP:</u></p> <p>a. Section 1.3 Project description includes activities with Table 1-5 M12 West Indicative Construction Program listing the construction activities and timing.</p> <p>b. Section 3.2.1, Appendix A1 – Legal requirements and compliance tracking, Appendix A3 – Environmental Policy</p> <p>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.</p> <p>d. Section 4 Construction control, CEMP sub-plans</p> <p>e. Section 3.9, Appendix A8 – Monitoring Inspection Reporting Review Audit (MIRRA) Schedule</p> <p>f. Section 3.8.3 Incident notification, Section 9, Monitoring, inspections and auditing, Section 3.10</p>		

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					<p>Environmental non-conformities, Appendix A7 – TfNSW Environmental incident classification and reporting</p> <p>g. Section 3.10 Environmental non-conformities</p> <p>h. Section 1.5.2 Interface with other plans – includes list of sub-plans B1 to B10.</p> <p>i. Section 3.3.1 Roles and responsibilities</p> <p>j. Section 3.5 Competence, training and awareness, Appendix A11 – Initial Training Plan</p> <p>k. Section 3.11.2 Document control, Section 3.12 Management review, Section 3.13 CEMP/Sub Plan revision and changes to the Project</p> <p>l. Undertaken as per OCEMP relevant sub-plans (Appendix A)</p>		
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	<p>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 update. Sighted: OCEMP Change Register_20230508</p> <p>Management Plan Review Tracker_18.04.23 includes status of the plans, comments, if endorsed by ER.</p> <p>ER endorsement M12 Motorway West – Construction Environmental Management Plan Revision 01, Ref: M12W CEMP Rev 01, 16 March 2023. ER (HBI) letter dated 29 May 2023.</p> <p>ER endorsement unchanged for the M12 Motorway Overarching Construction Environmental Management Plan Revision J, letter Ref: M12C OCEMP Rev J, 30 March 2023, including sub-plans.</p>	<p>M12W-03_OFI-02: 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.</p> <p>The use of Teambinder during the review process of all required plans is highly recommended for traceability purposes.</p>	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	<p>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):</p> <p>a. Appendix B1: Construction Traffic and Transport Management Sub-plan</p> <p>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</p> <p>c. Appendix B2: Construction Flora and Fauna Management Sub-plan</p>		Compliant

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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> <p><i>Note: Nothing in this condition prevents the Proponent from combining any of the above CEMP Sub-plans.</i></p>		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)		<p>d. Appendix B4: Construction Soil and Water Management Sub-plan</p> <p>e. Appendix B6: Construction Cultural Heritage Management Sub-plan</p> <p>f. Appendix B7: Construction Air Quality Management Sub-plan</p> <p>M12 West CEMP sub-plans are as follows:</p> <p>a. Appendix B1: Construction Transport and Traffic Management Sub-plan</p> <p>b. Appendix B4: Construction Noise and Vibration Management Sub-plan</p> <p>c. Appendix B2: Construction Flora and Fauna Management Sub-plan</p> <p>d. Appendix B3: Construction Contaminated Land Management Sub-plan; Appendix B8: Construction Soil and Water Management Sub-plan</p> <p>e. Appendix B8: Construction Soil and Water Management Sub-plan</p> <p>f. Appendix B7: Construction Cultural Heritage Management Sub-plan</p> <p>g. Appendix B6: Construction Air Quality Management Sub-plan.</p>		
	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)																													
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(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	<p>The CEMP Sub-plans must state how:</p> <p>(a) the environmental performance outcomes identified in the documents listed in Condition A1 will be achieved;</p> <p>(b) the mitigation measures identified in the documents listed in Condition A1 will be implemented;</p> <p>(c) the relevant terms of this approval will be complied with; and</p> <p>(d) issues requiring management during construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART (Specific, Measurable, Achievable, Realistic and Timely) principles.</p>	TFNSW CPBGG-JV	<p>CPBGG JV M12 West CEMP sub-plans were reviewed and verified to include the following:</p> <p>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.</p> <p>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. Handheld dust monitors have only just arrived. Using Site Hive for 24hr surveillance.</p> <p>c. Addressed in Section 3.2 of the Construction Soil and Water Management Sub-plan.</p> <p>d. 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 addresses Environmental aspects and impacts, including cumulative impacts.</p>		Compliant																								

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3.6	C	C6	<p>The Noise and Vibration CEMP Sub-Plan must include, but not be limited to:</p> <ul style="list-style-type: none"> (a) details of all sensitive land uses (including noise and/or vibration sensitive working areas) that are potentially exposed to construction noise and vibration; (b) construction noise and vibration performance criteria for the CSSI; (c) details of mitigation and management measures and procedures that will be implemented to manage construction noise and vibration impacts; (d) construction timetabling, in particular construction activities outside of standard hours; and (e) measures to minimise cumulative construction impacts and the likelihood for construction fatigue from both concurrent activities and other projects in the area. 	TFNSW CPBGG-JV	<p>The Contractor Construction Noise and Vibration Management Sub-plan continues to be established 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).</p> <p>The Construction Noise and Vibration Management Sub-Plan (CNVMP) includes the following:</p> <ul style="list-style-type: none"> 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	<p>The Surface Water and Groundwater CEMP Sub-Plan must be based on a detailed site investigation of contamination risk and include, but not be limited to:</p> <ul style="list-style-type: none"> (a) details of water pollution mitigation measures including measures to avoid and minimise discharges; (b) identification of the relevant ambient water quality objectives for receiving waterways and water quality management criteria for achieving the objectives; and (c) a Trigger Action Response Protocol for potential discharge waters, identifying alternative disposal options for water with contaminant concentrations exceeding water quality management criteria. 	TFNSW CPBGG-JV	<p>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 has been updated since the previous audit.</p> <p>Includes the following:</p> <ul style="list-style-type: none"> 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	<p>The Flora and Fauna CEMP Sub-plan must be endorsed by a suitably qualified and experienced ecologist and include, but not be limited to:</p> <ul style="list-style-type: none"> (a) details of the measures to avoid and minimise disturbance to native vegetation, and other habitat of native flora and fauna species; (b) procedures for undertaking pre-clearing surveys for native fauna, including surveys by a suitably qualified and experienced ecologist to determine the presence of native fauna in the area impacted by the CSSI, and procedures and measures to manage their relocation; (c) pre-clearing measures for Cumberland Plain Land Snail known and potential habitat and measures to protect the White-bellied Sea Eagle nest; (d) a Habitat Compensation Plan and Snag Management Plan as committed to in the document listed in Condition A1(d); (e) details of proposed management and mitigation measures for each threatened species listed in Table 3 and <i>Pimelea spicata</i> 	TFNSW CPBGG-JV	<p>Current version as presented: M12 Motorway West CEMP: Appendix B3 Construction Flora and Fauna Management Sub-plan, M12WCO-CPBGG-ALL-EVFF-PLN-000001, Rev 01, 17 May 2022. Includes:</p> <ul style="list-style-type: none"> 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 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 		Compliant

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			<p>(Spiked Rice-flower) if recorded in the surveys carried out under Condition E8;</p> <p>(f) a weed, pest and pathogen management plan, including measures to minimise the spread of <i>Phytophthora cinnamomic</i>;</p> <p>(g) procedures for the dewatering of farm dams, including the relocation of aquatic fauna; and</p> <p>(h) protocols for incidental finds of threatened species and ecological communities within the construction boundary.</p>		<p>f. Section 1.3 Induction / training, Section 5.2 Ecological impacts, Appendix C Weed and Pathogen Management Plan</p> <p>g. Section 6.5 Aquatic and riparian habitat, Appendix F Farm Dam Dewatering Procedure, Appendix G Fauna Handling and Rescue Procedure</p> <p>h. Section 6.7, Appendix B Unexpected Threatened Species and Threatened Ecological Communities (TECs) Finds Procedure</p> <p>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.</p>		
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	One submission for update to the Overarching Revised Construction Noise and Vibration Management Plan, Monitoring Program and Out of Hours Work (OOHW) Protocol has been actioned since previous audit, for the revision of the Noise Catchment Areas for M12 East. Letter from TfNSW to DPE presented, dated 16 October 2023 + portal receipt SSI-9364-PA-219. CNVMP M12PPW-ADAP-ALL-EN-PLN-000008, Rev K dated 19 March 2023 included consultation with Penrith City Council, Liverpool City Council, Fairfield City Council, WaterNSW, Jemena and Sydney Water (Appendix A).		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	<p>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.</p> <p>ER endorsement for Overarching CNVMP Ref: CNVMP Rev M, 16 October 2023:</p> <ul style="list-style-type: none"> 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) M12 Motorway Out of Hours Work Protocol Revision M October 2023 (CNVMP Appendix C) <p>Approval of Overarching CNVMP Revision M still to be received from DPE therefore Rev K is in place and being</p>		Compliant

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					implemented. Sighted Revision M with tracked changes. 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.														
	C		CONSTRUCTION MONITORING PROGRAMS																
3.11	C	C11	<p>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:</p> <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	<p>Program as per previous audit, no updates have been made during the auditing period.</p> <p>Construction Monitoring Programs have been developed for as per contractor management plans and as follows:</p> <ul style="list-style-type: none">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. <p>TfNSW letter dated 16 October 2023 notes update to Overarching Noise and Vibration Management Plan with consultation as appended, however no changes were made to the monitoring program. Refer to Condition B4 for details.</p>		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	Approval of Overarching CNVMP Revision M still to be received from DPE therefore Rev K is in place and being implemented. Sighted Revision M with tracked changes. 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.		Compliant												
3.13	C	C13	Each Construction Monitoring Program must provide: <ul style="list-style-type: none">(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;	TFNSW CPBGG-JV	<p>No changes to the program from previous audit.</p> <p>M12 Motorway West Construction Soil and Water Monitoring Program (Appendix C of the Soil and Water Management Sub-plan) provides the following:</p> <ul style="list-style-type: none">a. Section 5 Baseline data		Compliant												

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<ul style="list-style-type: none"> (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. 		<ul style="list-style-type: none"> 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	<p>The Construction Noise and Vibration Monitoring Program must include, but not be limited to:</p> <ul style="list-style-type: none"> (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	<p>No changes to the program from previous audit.</p> <p>Construction Noise and Vibration Monitoring Program (Appendix A of CNVMP)</p> <ul style="list-style-type: none"> 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	<p>The Construction Monitoring Programs must be endorsed by the ER and then submitted to the Planning Secretary for approval at least one (1) month before the commencement of construction.</p>	TFNSW	<p>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</p>		Compliant

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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 Monitoring Reports Quarter 6 – 18 May to 18 August 2023. Calibration Register includes noise meter dBair date of issue 4 March 2022, calibration due 4 March 2024 Certificate No. 074649/81761 for issue 30 August 2022 for noise meter Serial No. 3290080 – due August 2024 (2 years).		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	Letter from TfNSW “M12 Motorway - CoA C18 Quarterly Monitoring Reports (M12 West and M12 Central)” confirms the submission of M12 Quarterly Environment Construction Monitoring Report for 10 November 2022 to 10 February 2023. Letter Dated: 28 March 2023.		Compliant
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

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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	<div>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.</div> <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	<div>Each operational monitoring program must include:</div> <div><div>(a) details of baseline data;</div><div>(b) details of all monitoring to be undertaken;</div><div>(c) the parameters to be monitored;</div><div>(d) the frequency and duration of monitoring to be undertaken;</div><div>(e) the location of monitoring;</div><div>(f) the reporting of monitoring and analysis results against relevant criteria;</div><div>(g) details of the methods that will be employed to analyse the monitoring data;</div><div>(h) procedures to identify and implement additional mitigation measures where results of monitoring are unsatisfactory; and</div><div>(i) any consultation to be undertaken in relation to the monitoring programs.</div></div>	TFNSW	The M12 Motorway Project is currently under construction. This condition is not yet triggered.		Not Triggered									

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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.	CPBGG-JV	<p>Dust results reported in the quarterly monitoring as submitted to TfNSW.</p> <p>2 x site hexanodes monitoring gauges – one located AF2 on Elizabeth Drive, one at AF11 Luddenham Road for bulk earthworks.</p> <p>HEX-000172 at EDR/AAR (calibration due 15 November 2024) and HEX-000174 at main alignment.</p> <p>SiteHive application is used to monitor PM10 and PM2.5. Spikes result in a text or email notification. Spikes are usually from battery being changed or a movement to monitor. Also includes weather conditions. Locations have not changed. Month of October 2023 presented. Shows spike for early morning of the 31 October 2023 due to windy and dry conditions.</p> <p>Dust Deposition Monitors on hand, however, have not been required to use to date.</p>		Compliant

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					30 October 2023 M12 West Enviro Weekly Inspection – AAR/EDR ID 159139. Synergy Enablon system is used. Standard template. Includes General Enviro, Air Quality, Contamination, flora and fauna, hazardous substances, soil and water, heritage management, etc.		
	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	<p>All clearing complete for West.</p> <p>M12-West Post-Clearance report by ecologist received for Area 1-4 The Northern Rd to Elizabeth Drive March 2023, V1. Doc RP17_E220577_HBT Clearing Area 1_4 Version 0.2. Includes marking, tree removal, tree retained for habitats, aquatic habitat clearance – 4 dams decommissioned. Salvaged 340 truck sections and 40 root balls. 11 nest boxes. Appended is the Habitat Tree Register with photos. Reference JV31 – dead tree.</p> <p>Two small patches of clearing occurred. EMM engaged as ecologist.</p> <p>Pre-clearing for Cumberland Snail. 23 March 2023 Progressive Ecological Preclearance Assessment M12 Mainline works – Area 5 Eliz Dr South. E220577RP18. Version 1. EMM Ecologist. No hollow bearing trees. No threatened flora species. Cleared area of snail.</p> <p>TfNSW GIS mapping for threatened species map – ecologist inputs into portal – east side EDR road e.g., Tree ID 1129. Up to date. Grey Box – Forest Red Gum grassy woodland on flats of the Cumberland Plan.</p> <p>M12 West Post Clearance Report, Ew220577 RP20 dated 15 August 2023 prepared by EMM.</p>		Compliant
5.3	E	E3	<p>The Proponent must meet the biodiversity offset obligations for ecosystem and species credits as set out in Table 1, Table 2 and Table 3 in accordance with the <i>M12 Motorway Amendment Report - Submissions Report</i> (December 2020) and M12 Motorway Amendment Report -Submissions Report - Amendment (dated 8 March 2021) within 12 months of the commencement of construction. The offset obligations must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by:</p> <ul style="list-style-type: none"> (a) acquiring and retiring “biodiversity credits” within the meaning of the <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	<p>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.</p> <p>TfNSW spreadsheet with offset obligations continues to be in place:</p> <p>WSPO_Biodiversity_Offsets (live register) which includes credit type, No. of credits as per EIS, Amendment</p>		Compliant

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			<p>confirmation from NPWS that the financial contributions for acquisition and management have been received; and/or</p> <p>(c) making a payment into the Biodiversity Conservation Fund; or</p> <p>(d) a Biodiversity Offset Strategy prepared in consultation with EES and DAWE that provides supplementary measures or where the Proponent intends to utilise the biodiversity credit variation rules.</p> <p><i>Notes</i></p> <p>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></p> <p>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></p>		<p>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.</p> <p>Procured all biodiversity offsets.</p> <p>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.</p>																													
5.3.1	E	E3	<p>Table 1: Ecosystem Credits for Direct Impacts to be Retired</p> <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> <p>Table 2: Ecosystem Credits for Indirect Impacts to be Retired</p>	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	<p>As per condition E2, request for extension letter from TfNSW as dated 10 August 2023 for E4 Offset requirements.</p> <p>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.</p> <p>All biodiversity offsets procured.</p>		Compliant
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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																																							

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					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.		
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	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 CPBGG-JV	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	No changes since previous audit. TfNSW letter to the Department for receipt confirming payment to Biodiversity Conservation Fund on 22 December 2022 for PCT 724 ecosystem credits and <i>Pultenaea parviflora</i> species credits. Letter dated 14 February 2023.		Compliant
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	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

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			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 CPBGG-JV	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 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.		Compliant

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					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.		
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 RFI 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. Post-clearance report by ecologist received for Area 1-4 The Northern Rd to Elizabeth Drive March 2023, V1. Includes marking, tree removal, tree retained for habitats, aquatic habitat clearance – 4 dams decommissioned. Salvaged 340 truck sections and 40 root balls. 11 nest boxes. Appended is the Habitat Tree Register with photos. Logs being used from M12 East for Emu nest. Email "Logs for Transport Art" between TfNSW and JHG dated 23 October 2023 confirming delivery of logs.		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 suitably qualified and experienced person in consultation with directly affected landowners, DPI Water, DPI Fisheries, EES, Infrastructure NSW (INSW) and relevant councils.	TFNSW CPBGG-JV	No changes to design. As defined within the WSP Detailed Design Hydraulic and Hydrology Report Rev F dated 8 October 2021 (West), M12WDD-WSP-ALL-SD-RPT-000001, verified during the initial audit.		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;	TFNSW CPBGG-JV	All detailed design as per previous audit. 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		Compliant

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			<p>(e) a maximum increase of 100 mm in inundation of land zoned as rural, primary production, environment zone or public recreation;</p> <p>(f) no significant increase in the flood hazard or risk to life; and</p> <p>(g) maximum relative increase in velocity of 10%, where the resulting velocity is greater than 1.0 m/s, unless adequate scour protection measures are implemented and/or the velocity increases do not exacerbate erosion as demonstrated through site-specific risk of scour or geomorphological assessments.</p> <p>Where the Proponent cannot meet the requirements set out in clauses (d), € and (g) alternative flood levels or mitigation measures may be agreed to with the affected landowner.</p> <p>In the event that the Proponent and the affected landowner cannot agree on the measures to mitigate the impact as described in clauses (d), (e) and (g), the Proponent must engage a suitably qualified and experienced independent person to advise and assist in determining the impact and relevant mitigation measures.</p>		<p>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</p> <p>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.</p>		
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
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

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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.		Compliant
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				
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. Vibration monitors (Omnicon) soon to arrive. Currently works have not reached the McGarvie Smith Farm. Septic pit queried discovered when clearing – part of McGarvie's farm but not deemed a heritage item (est as 1980s), 24 August 2023 – likely installed in the late 20 th century. Email from Heritage Consultant Artefact. Recommended to open lid of tank and look inside, provide photos to Artefact. Artefact Report for Heritage Assessment for Unidentified Element at McMaster's Farm/Field Station, 30 August 2023		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 ;	TFNSW CPBGG-JV	M12 Motorway Project Heritage Interpretation Plan as presented during previous audit remains unchanged: Endorsement by expert – as per TfNSW thematic study for farms within Heritage Interpretation Plan. M12		Compliant

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ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(b) archival photographic digital recording required by Condition E28; and</p> <p>(c) Heritage Report required by Condition E29.</p>		Motorway Project Heritage Interpretation Plan as presented – Version 3, 15 April 2022 and M12 Motorway Non-Aboriginal Photographic Archival Recording Report dated 6 May 2022 prepared by Artefact (Heritage expert).		
5.27	E	E27	<p>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:</p> <ul style="list-style-type: none"> (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. <p>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.</p> <p>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).</p> <p>The Plan must be implemented and inform the Place, Design and Landscape Plan required by Condition E69.</p> <p>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.</p> <p><i>Note: Nothing in this condition prevents the Proponent from preparing separate Heritage Interpretation Plans for Aboriginal and Non-Aboriginal Heritage.</i></p>	TFNSW	<p>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.</p> <p>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.</p> <p>Shared user path, Aboriginal interpretation area includes emu footprints.</p> <p>Non-Aboriginal M12 Way Finding and Interpretative Signage for the whole project.</p> <p>M12 Motorway Project Heritage Interpretation Plan is unchanged since previous audit, Version 3, 15 April 2022. Submissions as verified during initial audit.</p>		Compliant
5.28	E	E28	<p>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,</p>	TFNSW CPBGG-JV	Archival recording for McGarvie Smith Farm and McMaster Field Station as per previous audit.		Compliant

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			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).		M12 Motorway Non-Aboriginal Photographic Archival Recording Report dated 6 May 2022 prepared by Artefact includes archival recording for the listed heritage items. No changes during the audit period.		
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	Works not yet complete. 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. Stop work – notified TfNSW – engaged Artefact through TfNSW. Report received, TfNSW approved to proceed. Form 418 completed: Unexpected heritage item recording form, 22 August 2023 Description of item: "Concrete septic/water tank adjacent to McMaster Farm/Field Station. Tank is embedded into the ground, with only the top of the tank accessible at ground level." Describe how works would impact on the item: "The tank is located within the construction footprint of the project. Consequently, the tank must be removed to enable the continuation of works. The tank has been assessed by the project archaeologist (Artefact) to be of "little significance within the overall McMaster Farm/Field Station heritage item". The TfNSW Environmental		Compliant

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					<p>Representative for the project has confirmed that works can recommence at the location following the archaeologist's recommendation."</p> <p>Photo included with form.</p> <p>Email from Artefact dated 24 August 2023. "From the historical aerials the tank first seems to be visible in the 1980s, so it was likely installed in the late twentieth century. Our preliminary assessment is that the tank is an element of little significance within the overall McMaster Farm/Field Station heritage item. Unlike the other concrete/mid-20th century elements on the farm which have been graded as being of moderate significance (such as the concrete feeding troughs and animal pens), this tank appears to be less representative of the farming practices that the site is significant for. As a result, its contribution to the significance of the heritage item is reduced... given the assessment that the element is of little significance additional photographic archival recording under REMM NAH07 is not recommended."</p>		
5.32	E	E32	<p>Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of Work.</p> <p><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></p>	TFNSW CPBGG-JV	<p>As part of the induction process, however no unexpected finds to date.</p> <p>Site induction attended by all personnel and part of Damstra training.</p> <p>Induction slides presented – slide 69 for environment onwards, EPL, EWMS, SAPs, Sensitive Receivers, Enviro Mgmt, incident response and reporting, pollution incident response MP, Concrete washout refuelling, hazardous, spill response, contaminated materials, flagging, no clearing, Slide 82 for unexpected finds, dewatering process.</p>		Compliant
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	<p>No unexpected heritage or human remains finds to date.</p> <p>Unexpected find – septic tank, was not an Aboriginal object.</p>		Not Triggered
	E		NOISE AND VIBRATION				
5.34	E	E34	<p>Work Hours</p> <p>Work must only be undertaken during the following hours:</p> <p>(a) 7:00am to 6:00pm Mondays to Fridays, inclusive;</p>	CPBGG-JV	Working hours are communicated as part of the induction Noise and Hours of Operation – OOHW. EPL-21595.		Compliant

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			(b) 8:00am to 6:00pm Saturdays; and (c) at no time on Sundays or public holidays.				
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	No highly noise intensive work occurring.		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 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	CPBGG-JV	No safety incidents or emergencies requiring variations to work hours to date. OOHW – up to 00077 – No. 77 noise estimator tool. Notification 1 October 2023, approved date 29 October 2023 for the Bebo Arch Installation works. M12 West OOHW Register showing up to 00077, EPL condition L5.3(a). Expires 2 November 2023. EPA and TfNSW notified. 26 October 2023 – email to TfNSW and the ER. Includes attachments for noise estimator and permit. Email dated 20 October 2023 also sighted for OOHW 00076. Inaudible has not required monitoring. OOHW permits are reviewed by the ER. August 2023 ER Report includes a review of the following permits: <ul style="list-style-type: none"> • OOHW 00042 - Piling Rig and Crane Float Delivery Rev 1 • OOHW 00045 - Utilities Works Elizabeth Drive 2 Rev 2 • OOHW 00048 – Delivery of Imported Spoil • OOHW 00048 – Delivery of Imported Spoil (revised) • OOHW 00049 – BR01 Girder Dressing • OOHW 00045 - Utilities Works Elizabeth Drive 2 Rev 3 		Compliant

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			<p>(iv) intermittent vibration values measured at the most affected residence that are no more than the preferred values for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006).</p> <p>(c) By Approval, including:</p> <p>(i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI;</p> <p>(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</p> <p>(iii) negotiated agreements with directly affected residents and sensitive land user(s).</p>		<ul style="list-style-type: none"> OOHW 00050 - Bridge 04 Early Concrete Pour OOHW 00050 - Bridge 04 Early Concrete Pour Rev 1 OOHW 00051 - Bridge 04 Green cutting OOHW 00051 - Bridge 04 Green cutting Rev 1 OOHW 00052 - Bridge 04 Late Concrete Green Cutting OOHW 0054 BR04 Crane Delivery 		
5.37	E	E37	<p>Out-Of-Hours Work Protocol – Works Not Subject to an EPL</p> <p>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:</p> <p>(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:</p> <p>(i) the ER reviews all proposed out-of-hours activities and confirm their risk levels,</p> <p>(ii) low risk activities can be approved by the ER, and</p> <p>(iii) high risk activities that are approved by the Planning Secretary;</p> <p>(b) a process for the consideration of out-of-hours work against the relevant NML and vibration criteria;</p> <p>(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;</p> <p>(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</p> <p>(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.</p> <p>This condition does not apply to Work where the requirements of Condition E36(a) or (b) are met.</p>	CPBGG-JV	<p>There are no Out-Of-Hours Work occurring that are not subject to the EPL 21595.</p> <p>Works outside of standard construction hours (OOH) have been undertaken for gate construction, utility relocation/ installation, early start of water carts and oversize deliveries. OOH activities are undertaken in accordance with the conditions of EPL 21596. Ref: Quarterly Monitoring Report February 2023</p> <p>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.</p> <p>a. Section 2, OOHW noise and vibration assessment, Section 4.3 OOHW process and approval</p> <p>b. Section 2, OOHW noise and vibration assessment</p> <p>c. Section 3 OOHW noise and vibration management measures, Attachment 2 - Application of OOHW mitigation measures</p> <p>d. Section 2.3 Co-ordination of OOHW with third parties</p> <p>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.</p> <p>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.</p> <p>OOHW Procedure was reviewed by TfNSW 17 March 2023. Reference is made to the Community and</p>		Compliant

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					Stakeholder Plan. Tracked changed version presented as evidence with comments including EPL variation updates.		
5.38	E	E38	<p>Noise Management Levels and Vibration Criteria for Work</p> <p>Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration objectives:</p> <ul style="list-style-type: none"> (a) construction 'Noise affected' NML established using the <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 "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). <p>Any construction or early works identified as exceeding the noise management levels and/or vibration criteria must be managed in accordance with the respective Noise and Vibration CEMP Sub-plan or Early Works Environmental Management Plan.</p> <p><i>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.</i></p>	CPBGG-JV	<p>M12 West Noise Monitoring Results records all results for the reports, up to No. 32 on 26 September 2023.</p> <ul style="list-style-type: none"> • Noise Monitoring event report for Telstra Splicing dated 25/9/2023 for the location: Telstra Splicing. The equipment used was Rion NL20, and the calibrator used was Pulsar Instruments 106. The observations noted a background noise level of 42 dB, without any construction noise, traffic, or vehicle sounds. The measurement was taken at a distance of 25 meters from the generator, and 100 meters from the works area. The works were inaudible at 100 meters, with the main source of noise being traffic along Elizabeth Drive. The works vehicle was turned off during the operation. The primary noise source was traffic, and the activity remained within the Reference Background Level (RBL) + 5dB when the distance was greater than 100 meters from the resident area. • Noise Monitoring event report for concrete pour dated 15/9/2023 for the location: BR02 (between fill 5B and 5C). The equipment used was Rion NL20, and the calibrator used was Pulsar Instruments 106. The observations recorded a background noise level measured at Luddenham Road, indicating no construction noise, traffic, or vehicle sounds at 55 dB. Measurements were taken at the following distances from the equipment: <ul style="list-style-type: none"> ➢ 10 meters from the Concrete Agitator ➢ 10 meters from the Concrete Vibrator ➢ 10 meters from the Concrete Pump <p>Screening involved the Concrete Agitator, Concrete Vibrator, and Concrete Pump.</p>		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 have been made to the affected institutions and are implemented at no cost to the affected institution.	CPBGG-JV	<p>Communication Strategy does not list any potentially affected community including religious, educational, sensitive businesses or critical working areas.</p> <p>None identified – 14 residents in total.</p>		Not Triggered

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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 since previous audit. 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: <ul style="list-style-type: none"> 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 activities causing vibration to have been required 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 activities causing vibration to have been required 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.		Not Triggered
5.45	E	E45	Utility Coordination and Respite	CPBGG-JV	No respite periods required for stakeholders. Informal discussions with Sydney Metro contractor.		Compliant

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			<p>All Work undertaken for the delivery of the CSSI, including that undertaken by third parties (such as utility relocations), must be coordinated to ensure respite periods are provided. The Proponent must:</p> <ul style="list-style-type: none"> (a) reschedule any work to provide respite to impacted noise sensitive land user(s) so that the respite is achieved in accordance with Condition E47; or (b) where respite outlined in Condition E47 cannot be achieved, consider the provision of alternative respite or mitigation to impacted noise sensitive land user(s); and (c) provide documentary evidence to the ER in support of any decision made by the Proponent in relation to respite or mitigation. <p>The consideration of respite must also include all other CSSI, SSI and SSD projects which may cause cumulative and/or consecutive impacts at receivers affected by the delivery of the CSSI.</p>		<p>Interface meeting – with engineers only. TfNSW has an interface team across all projects. Environment teams are during site establishment.</p> <p>The ER reviews out of hours work permits e.g., July 2023 ER Report includes a review of the following:</p> <ul style="list-style-type: none"> • OOHW 00044 - Grouting Bebo Arches • OOHW 00043 - Delivery of Imported Spoil • OOHW 00045 - Utilities Works Elizabeth Drive 2 • OOHW 00042 - Piling Rig and Crane Float Delivery • OOHW 00043 - Delivery of imported spoil Rev 1 • OOHW 00045 - Utilities Works Elizabeth Drive 2 Rev 1 		
5.46	E	E46	<p>Out-of-Hours Works – Mitigation</p> <p>Mitigation measures such as temporary alternative accommodation or other agreed mitigation measures, must be offered/ made available to residents affected by out-of-hours Work (including where utility works are being undertaken for the CSSI or under a road occupancy licence) where the construction noise levels between:</p> <ul style="list-style-type: none"> (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, <p>are predicted to exceed the NML by 25 dB(A) or are greater than 75 dBA (LAeq(15 min)), whichever is the lesser and the impact is planned to occur for more than two (2) nights over a seven (7) day rolling period.</p> <p>The NML must be reduced by 5 dB where the noise contains annoying characteristics and may be increased by 10 dB if the property has received at-property noise treatment. The noise levels and duration requirements identified in this condition may be changed through an EPL applying to the CSSI.</p>	CPBGG-JV	No alternative accommodation or other out of hours work mitigation required to date.		Not Triggered
5.47	E	E47	<p>Out-of-Hours Works – Community Consultation on Respite</p> <p>In order to undertake out-of-hours Work outside the hours specified under Condition E34, the Proponent must identify appropriate respite periods for the out-of-hours work in consultation with the community at each affected location on a regular basis.</p>	CPBGG-JV	<p>The following OOHW notifications for West were viewed on the project website:</p> <ul style="list-style-type: none"> • M12 Motorway – West Out of hours work along Elizabeth Drive and Luddenham Road, Badgerys Creek, June 2023, 21-night shifts between Thursday 1 June 2023 and Friday 30 June 2023 		Compliant

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ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>This consultation must include (but not be limited to) providing the community with:</p> <ul style="list-style-type: none"> (a) a progressive schedule for periods no less than three (3) months, of likely out-of-hours Work; (b) a description of the potential Work, location and duration of the out-of-hours Work; (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). <p>The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hour Work must be provided to the ER, EPA and the Planning Secretary for information prior to Work scheduled for the subject period being undertaken.</p> <p><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></p>		<ul style="list-style-type: none"> M12 Motorway – West Out of hours work along Elizabeth Drive, Badgerys Creek, The Northern Road and Luddenham Road, Luddenham, August 2023, 23-night shifts between Tuesday 1 August 2023 and Thursday 31 August 2023 M12 Motorway – West Out of hours work along Elizabeth Drive, Badgerys Creek, The Northern Road and Luddenham Road, Luddenham, October 2023, 21-night shifts between Tuesday 3 October 2023 and Tuesday 31 October 2023. <p>Respite noted as 'will not work more than two nights in a row in the same location' within notifications.</p> <p>No OOHW complaints received to date.</p>		
5.48	E	E48	<p>Crushing and Grinding Works</p> <p>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).</p>	CPBGG-JV	Crushing works as per CAF001-008. Occurring during the standard hours as per the EPL.		Compliant
5.49	E	E49	<p>Blasting</p> <p>Blasting is not permitted as part of this CSSI approval.</p>	CPBGG-JV	No blasting as per CSSI approval.		Compliant
5.50	E	E50	<p>Operational Noise</p> <p>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:</p> <ul style="list-style-type: none"> (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. <p>The Planning Secretary's approval of the noise specialist must be sought no later than one (1) month before undertaking operational noise modelling.</p>	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered

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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: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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. <p>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.</p>	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered

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			<p>The Proponent must implement the identified noise mitigation measures and make the ONR publicly available following its submission to the Planning Secretary for information.</p> <p><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></p>				
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	<p>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.</p> <p><i>Note: Not having finalised detailed design is not sufficient justification for not implementing the proposed mitigation measures.</i></p>	TFNSW	<p>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.</p> <p>At-property noise mitigation treatment – TfNSW Report July 2023.</p> <p>Notification of non-compliance with the requirement to implement noise mitigation measures within 6 months of starting construction also issued – SSI-9364-PA-150 – refer to conditions A46 and A47. Breach recorded as per condition E53.</p>		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

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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: <ul style="list-style-type: none"> (a) compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E52; (b) 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 – <ul style="list-style-type: none"> (iii) pavement type, (iv) 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

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			<p>(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</p> <p>(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.</p> <p>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.</p> <p>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.</p>				
	E		PLACE, DESIGN AND LANDSCAPING				
5.61	E	E61	<p>Construction Ancillary Facilities</p> <p>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.</p>	CPBGG-JV	<p>Ancillary Facilities as per previous audit.</p> <p>AF2 was visited during the site inspection and sits well within the site boundary.</p>		Compliant
5.62	E	E62	<p>Lighting and Security</p> <p>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>.</p> <p>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.</p>	TFNSW CPBGG-JV	<p>AF2 Main Site Compound visited during the site inspection. No lighting complaints.</p> <p>Security fencing verified during site inspection surrounding compound.</p>		Compliant

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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 has commenced as per design.		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 previous 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.		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) - not yet triggered. Meetings are occurring with the construction team. Team are aware of the state of the seeding issues (quality issue).		Not Triggered
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

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5.68	E	E68	<p>Design Independence and Review</p> <p>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):</p> <ul style="list-style-type: none"> (a) public art / cultural interpretation public art; (b) Aboriginal cultural heritage; (c) European cultural heritage; (d) landscape architecture; and (e) active transport. <p>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.</p> <p>Advice and recommendations made by the practitioners must be provided to the Planning Secretary for information when submitting the Place, Design and Landscape Plan to the Planning Secretary.</p> <p><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></p>	TFNSW	<p>Department approval letter as per previous audit for the nominated Independent Experts, 14 September 2021 (PDLP), prior to commencement of construction (10 August 2022). No changes.</p> <p>Practitioners specialise in:</p> <ul style="list-style-type: none"> • 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) <p>Original meeting minutes as per previous audit:</p> <ul style="list-style-type: none"> • 11 December 2020 DD Urb Des Review Panel • 13 October 2021 DD Urb Des Review Panel <p>Includes issues, actions, and response from TfNSW.</p>		Compliant
5.69	E	E69	<p>A Place, Design and Landscape Plan must be prepared to inform the final design of the CSSI and to give effect to the commitments made in the documents listed in Condition A1. The Plan does not apply to works, which for technical, engineering, or ecological requirements, or other requirements as agreed by the Planning Secretary, do not allow for alternate design outcomes.</p>	TFNSW	<p>The Place, Design and Landscape Plan (Rev C dated 17 March 2022) remains unchanged.</p>		Compliant
5.70	E	E70	<p>The Place, Design and Landscape Plan must be prepared by a suitably qualified and experienced person in consultation with relevant councils, Western Sydney Parklands Trust, Heritage NSW, the community and affected landowners and businesses. The Place, Design and Landscape Plan must include, but not be limited to:</p> <ul style="list-style-type: none"> (a) an analysis of the built, natural, heritage and community context and the urban design objectives, principles and standards for the CSSI; 	TFNSW	<p>The Place, Design and Landscape Plan (PDLP) addresses the following:</p> <ul style="list-style-type: none"> 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

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			<p>(b) identification of opportunities for heritage interpretation during design and construction consistent with the Heritage Interpretation Plan required by Condition E27;</p> <p>(c) the design of the CSSI elements including their form, materials and detail;</p> <p>(d) the design of the CSSI landform and earthworks;</p> <p>(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.</p> <p>(f) active transport infrastructure, including amenities to be provided along the shared user path;</p> <p>(g) developed visualisations, cross sections and plans showing the proposed design outcome;</p> <p>(h) demonstrated integration of Crime Prevention Through Environmental Design principles into the detailed design process; and</p> <p>(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.</p>		<p>c. Section 3 Urban Design and Section 5 Bridges and walls</p> <p>d. Section 4.6 Landform and earthworks</p> <p>e. Section 4 Landscape Design including 4.7 Restoration of local vegetation communities and 4.8 Seed collection and plant propagation</p> <p>f. Section 3.6 Shared corridor and Section 5.6 Shared path connections</p> <p>g. Appendix A, B and C as well as throughout the plan.</p> <p>h. Section 3.11 Crime prevention through environmental design.</p> <p>i. Section 4.10 Strategies to revegetate disturbed areas.</p> <p>Unchanged from previous audit. Team and contributors include: TfNSW, Hassell, GHD Woodhead, Balarinji, Extent Heritage Advisors, and Toolijooa.</p>		
5.71	E	E71	<p>Revegetation and the provision of replacement trees must be informed by a Tree Survey undertaken during detailed design. The Tree Survey must identify the number, type and location of any trees to be removed. The Tree Survey must be submitted to the Planning Secretary for information with the Place, Design and Landscape Plan.</p> <p>Where trees are to be removed, the Proponent must provide a net increase in the number of replacement trees at a ratio of 2:1, except trees that are offset under Condition E3. Replacement trees must have a minimum pot size consistent with the relevant authority's plans / programs / strategies for vegetation management, street planting, or open space landscaping, or as agreed by the relevant authority(ies).</p> <p><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></p>	TFNSW CPBGG-JV	<p>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):</p> <ul style="list-style-type: none"> 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 <p>Replacement trees are yet to be actioned.</p>		Compliant
5.72	E	E72	<p>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.</p>	TFNSW CPBGG-JV	<p>Permanent surface-built works and landscaping are not yet constructed. Garden beds are ready. Landscaping package not yet awarded. Seed collection project.</p>		Not Triggered
5.73	E	E73	<p>The Place, Design and Landscape Plan must be implemented during construction and operation.</p>	TFNSW CPBGG-JV	<p>As per M12 Detailed Design Package - (West) CM+ Context (Landscape Architects) and WSP e.g., M12</p>		Compliant

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					Motorway Detailed Design Landscape works Package 1 – West. Not yet being constructed.		
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: <ul style="list-style-type: none"> 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. An annual update to the plan will be submitted to TfNSW for review, however this has not been finalised yet.		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	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

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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.		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

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			<i>adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW, 2020) when constructing the CSSI.</i>				
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	Resident on Luddenham Road – fencing and road in front of property. Sighted in Consultation Manager – under 'event's 27 to date. Email 9 August 2023 + various phone calls and emails. Reinstatement not required.		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	<p>The following Progressive Erosion and Sediment Control Plans were presented as evidence:</p> <ul style="list-style-type: none"> M12 West Project – The Northern Road to Cosgroves Creek (MLW) PESCP-004, Rev 06, 1 October 2023 M12 West Project – Cosgroves Creek to M12 Central boundary (MLE) PESCP-005, Rev 4, 12 October 2023 M12 West Project – Interchange to WSA PESCP-006, Rev 10, 1 September 2023 M12 West Project – Ancillary Site AF02 & Batch Plant, Rev 6, 22 September 2023. <p>Prepared by CPBGG JV staff and regularly reviewed by Soil Conservationist.</p> <p>Erosion and sedimentation controls were verified to be in good working order during the site inspection.</p> <p>M12 West PESCP minor amendment register (Microsoft excel file) – presented.</p>		Compliant
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	CPBGG-JV	Detailed Site Investigation 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.	M12W-03 Note: It is noted that the DSI has not been prepared by a CEnvP (Site Contamination) as required by E85. Prior to finalisation of the report, it is recommended	Compliant

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			<p>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>.</p> <p><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></p>		<p>DSI under review. No further investigation.</p> <p>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.</p>	that a CEnvP be engaged to review and approve the final report.	
5.86	E	E86	<p>The Detailed Site Investigation Report(s) must provide details on:</p> <ul style="list-style-type: none"> (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); (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. 	CPBGG-JV	<p>Detailed Site Investigation ref 1850-DSI-01-100323 V1f 10 March 2023, Stage 2 by Sydney Environmental Group was noted to include the following:</p> <ul style="list-style-type: none"> 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 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 <p>DSI still to be finalised. Refer above to condition E85.</p>		Compliant
5.87	E	E87	<p>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</p>	CPBGG-JV	<p>Remediation Action Plan: M12 Motorway Alignment, Badgerys Creek NSW Report No: 1850-RAP-01-130323.v2f Report Date: 22 June 2023</p> <p>Interim audit advice Letter from Site Auditor - 23 June 2023 Interim audit advice 22 00261.1 Endorsement of Contaminated Soil RAP and Encapsulation.</p>		Compliant

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			<p>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.</p> <p>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.</p> <p><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></p>		Sydney Environmental Hazardous Building Materials report dated 25 October 2023.		
5.88	E	E88	<p>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 and any conditions on the Section A1 or Section A2 Site Audit Statement have been complied with.</p> <p>Nothing in the conditions prevents the Proponent from obtaining Section A Site Audit Statements for individual parcels of remediated land.</p>	CPBGG-JV	<p>Not yet triggered.</p> <p>Remediation works are still in progress.</p> <p>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</p> <p>EPIC Environmental SCL220026.01 dated 23 June 2023.</p>		Not Triggered
5.89	E	E89	<p>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.</p>	TFNSW CPBGG-JV	<p>Prepared as part of the Construction Contaminated Land Management Sub-plan (M12WCO-CPBGG-ALL-EVCT-PLN-000001, Rev 01, 18 April 2023):</p> <ul style="list-style-type: none"> 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	<p>The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented throughout the duration of Work.</p>	CPBGG-JV	<p>Unexpected finds tracked in the M12 West ACM Register which is maintained by the soil hygienist due to the volume of ACM on site. Last entry 5 April 2023 reg</p>		Compliant

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					<p>ASB49. Sydney Environmental Group attends to activities.</p> <p>Dropbox provided by consultant including air monitoring results, asbestos material clearance reports, inspection reports, contamination assessments.</p> <p>Asbestos Register (excel spreadsheet) for M12 Motorway West included ID, location, size, asbestos type, sampling date, removal date and comment on whether unexpected find, topsoil removal, hazardous material from building or finding from DSI. The most recent updates include information for August 2023.</p>		
	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	<p>M12 Motorway Sustainability Strategy prepared, ref A4199125 Rev C, 10 May 2022 is unchanged since previous audit.</p> <p>Appendix A10 Climate Change Monitoring and Adaptive Management Framework also developed for the M12 Motorway West.</p> <p>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</p>		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 CPBGG-JV	<p>Delivery Phase Quarterly Sustainability Report 1 May to 31 Jul 23 Report No. 4, Rev 00 dated 10 August 2023 M12WCO-CPBGGJV-ALL-SB-RPT-00004. This report includes sustainability strategies and activities, performance against the is rating tool and the sustainability targets, greenhouse gas reduction initiatives, energy consumption and water usage and sustainable procurement. Table 1 shows contract requirements, Table 2 shows Progress Tracker excerpt and Table 3 shows Quarterly progress against sustainability commitments which outlines the targets and status of the ongoing work in percentage.</p> <p>Green power requirement has been delayed due to no connection. Expects to be 50% (target of 20%) once connected. Office paper – should be meeting 50% target in next report</p>		Compliant

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	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 since previous audit. 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: <ul style="list-style-type: none"> (a) demonstrate that the use of local roads will not compromise the safety of the public and have no more than minimal amenity impacts; (b) provide details as to the date of completion of the road dilapidation surveys for the subject local roads; and (c) describe the measures that will be implemented to 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 the road is used by heavy vehicles associated with the construction of the CSSI. <p>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.</p>	CPBGG-JV	No changes since previous audit. 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. <p>No damage to roads has occurred as a result of the M12 West construction.</p>		Compliant

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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 changes since previous audit. 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: <ul style="list-style-type: none">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. M12 West Audit Close out presented with resolution and status as closed for all findings (~40), February 2022.		Compliant
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	CPBGG-JV	Not applicable for West. Applicable to M12 East project.		Not Triggered

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			restricted or removed due to Work, an alternate route which complies with the relevant standards must be provided and signposted.				
	E		WASTE				
5.100	E	E100	Waste generated during Work and operation must be dealt with in accordance with the following priorities: <ul style="list-style-type: none"> (a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced; (b) where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered; and (c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of. 	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%.		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	Imported material is for construction as stockpiled. M12W Zone 1 & 2 – Material Tracker 1 7 July 2023 – Docket # 5320611 – State Road Construction – Destination: Cut 1 – Material type: DGB20 - Recycled Class 2 M12W – Zone 3 & 4 – Overall Tracker 2 11 October 2023 – Earthworx – Sandstone – Stockpile for backwall.		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 .	CPBGG-JV	M12 West Monthly Report for May 2023, June 2023, July 2023 and August 2023		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.	CPBGG-JV	EPA waste classification guidelines implemented and recorded as per Waste Register.		Compliant
5.104	E	E104	The Proponent must develop and implement a waste tracking register prior to waste generated by Work that details: <ul style="list-style-type: none"> (a) the quantity of each type of waste generated, its classification and source location (recorded using latitude and longitude coordinates); (b) the destination location(s) for all wastes generated during Work; 	CPBGG-JV	M12W Waste Volume Register M12W Material Tracking Register – EDR_AAR M12W Zone 1 & 2 – Material Tracker 1 M12W – Zone 3 & 4 – Overall Tracker 2 <ul style="list-style-type: none"> a. Tonnage for each waste type up to date to October 2023 		Compliant

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			<p>(c) the quantities of any waste types imported onto the CSSI site, including their classification and emplacement location (recorded using latitude and longitude coordinates);</p> <p>(d) the quantities and types of wastes that are subject to a Resource Recovery Order and/or Exemption; and</p> <p>(e) disposal records demonstrating that receiving facilities have lawfully accepted the waste type.</p> <p>The waste tracking register must be made available to the Planning Secretary and EPA on request, within the timeframe stated in the request.</p>		<p>b. 18 August 2023 Shale to SBT – Aerotropolis, Waste Classification Report SWMSASBT-CPG-SWD-SW000-GE-RPT-040551 Rev A01</p> <p>c. Quantities in tonnage</p> <p>d. N/A</p> <p>e. As per dockets e.g., 141330083, 6 June 2023 – concrete, 34416047, 29 September 2023 – riprap</p> <p>Toolbox actioned for OOH Spoil Deliveries 15 September 2023.</p>		
	E		WATER				
5.105	E	E105	<p>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.</p> <p><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></p>	TfNSW CPBGG-JV	<p>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.</p> <p>M12 West Sediment Basin Discharge Register – has several tabs – manual discharge, water transfer, natural discharge, farm Dam Dewatering, EPL Summary last entry 20 October 2023 Basin SB14650C pH 8.39 and NTU 6.98.</p> <p>Permit No. 582 dated 20 October 2023 also sighted (expired 20 November 2023 – clean water drain location for discharge – intake to be placed in a float / bucket or similar to prevent pumping silt at the bottom of basin. Signed copy also sighted: Presented dewatering permit no. 582, inspected on October 20, 2023, and is set to expire on November 20, 2023. The water release point specified is the clean water drain, and it was signed off on October 20, 2023.</p> <p>70 permits to date.</p> <p>All permit copies are saved as per folder structure.</p> <p>Induction slides presented – slide 69 for environment onwards, EPL, EWMS, SAPs, Sensitive Receivers, Enviro Mgmt, incident response and reporting, pollution incident response MP, Concrete washout refuelling, hazardous, spill response, contaminated materials, flagging, no clearing, Slide 82 for unexpected finds, dewatering process.</p> <p>Every time it rains, wet weather training is actioned. 15 May 2023 Dewatering Permit training sign off at AF2. SEMP Training 4 July 2023 and 18 August 2023</p>		Compliant

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					<p>attendance register. Followed as a corrective action from crushing.</p> <p>Actions register 4 October – Ensure progressive bund topping for BR05 piling pad. Register captures ER Actions, Soil Con, Weekly inspections, Rainfall inspections. Close out – install sediment fence around dams. 16 October 2023 Close out for emptying sed traps – removing runoff 30 August 2023 for sumps (closed same day).</p> <p>Rainfall + Shutdown inspections. 4 October 2023 ID 154231 post-down, pre-rainfall inspection – EDR/AAR.</p> <p>Water meter – Horiba U-52/10m VH007F2k 2022 next due 20 October 2024. Calibration certificate dated 10 October 2023 also sighted.</p>		
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	<p>Unchanged since previous audit. 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:</p> <ul style="list-style-type: none"> • 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). <p>Drainage and Water Quality Detailed Design Report (M12WDD-WSP-ALL-SD-RPT-000002) is also referred throughout the report.</p>		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	<p>As per detailed design. A Permit Register (live) is in place as sighted for any dewatering.</p> <p>M12 Motorway (West) Construction between The Northern Road, Luddenham and Badgerys Creek including the Western Sydney Airport (WSIA) Interchange Monthly Reports include rainfall monitoring e.g., for February 2023, 32.8 mm of total rainfall was recorded at the M12 Badgerys Creek AWS, during the month of February. The project area received two (2) heavy rainfalls, 10 mm occurred on Saturday 18th February and 13mm on Wednesday 22nd February</p>		Compliant

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					2023. Controlled dewatering presented under Section 7.5.		
5.108	E	E108	The Proponent must consult DPI Fisheries and EES during the detailed design of the watercourse crossings. The consultation must include: <ul style="list-style-type: none"> (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 was demonstrated as follows: <ul style="list-style-type: none"> • 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.		Not Triggered
5.110	E	E110	Stormwater Drainage All new or modified drainage systems associated with the CSSI must be designed to: <ul style="list-style-type: none"> (a) where stormwater drainage is discharged to a council's stormwater system, meet the capacity constraints of any council's drainage system to receive and convey the proposed flows from the CSSI, or otherwise upgrade council's drainage system at the Proponent's expense, in consultation with the relevant council(s); (b) minimise impacts on the receiving environment at the final outflow point resulting from any additional flow volume (including, but not limited to scour, flooding, water quality impacts, and impacts on riparian vegetation, aquatic ecology and property); and (c) ensure mitigation measures are implemented where increased flows through cross drainage systems adversely impact on council or Sydney Water drainage infrastructure and the receiving environment. 	TfNSW PBGG-JV	As per 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) <ul style="list-style-type: none"> • 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				

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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
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: (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 CPBGG-JV	No material harm incidents to date.		Not Triggered

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1	PART	A	ADMINISTRATIVE CONDITIONS				
	A		GENERAL				
1.1	A	A1	<p>The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with:</p> <ul style="list-style-type: none"> (a) M12 Motorway Environmental Impact Statement (dated October 2019); (b) M12 Motorway Submissions Report (dated October 2020); (c) M12 Motorway Amendment Report (dated October 2020); (d) M12 Motorway Amendment Report - Submissions Report (dated December 2020); and (e) M12 Motorway Amendment Report -Submissions Report - Amendment (dated 8 March 2021). 	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	<p>In the event of an inconsistency between:</p> <ul style="list-style-type: none"> (a) the terms of this approval and any document listed in Condition A1, the terms of this approval will prevail to the extent of the inconsistency; and (b) any document listed in Condition A1 inclusive, the most recent document will prevail to the extent of the inconsistency. <p><i>Note: For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</i></p>	TFNSW Ventia	<p>M12 Central Temporary Roundabout Construction Consistency Assessment Report - Construction of a temporary roundabout at Devonshire Road intersection in M12 Central, Rev F, 14 September 2023. The Proposed Change involved the construction of a temporary roundabout located at the Elizabeth Drive and Devonshire Road intersection with three associated temporary signage areas.</p> <p>Traffic assessment – for the CEMP undertaken by GHD. Originally there were 2 roundabouts – reduced to the one roundabout following assessment.</p>		Compliant
1.4	A	A4	<p>The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to:</p> <ul style="list-style-type: none"> (a) the environmental performance of the 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); 	TFNSW Ventia	<p>No written directions received from DPE regarding the temporary roundabout.</p> <p>Based on the results of this audit, the following compliance status is as follows:</p> <ul style="list-style-type: none"> (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) Refer to non-compliance notification as per A46 and A47. 	M12TR_NC-01: Based on the non-compliance raised against Condition B5, a non-compliance is triggered against A4(f).	Non-Compliant

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			<p>(g) the carrying out of any additional monitoring or mitigation measures; and</p> <p>(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.</p>		<p>(d) ER, independent auditors and experts submitted and approved by the Department</p> <p>(e) This is the third audit in which auditing activities for the Central package, and first audit on the Temporary Roundabout works.</p> <p>(f) Refer to non-compliance identified</p> <p>(g) Noise and vibration monitoring occurring for OOHW works</p> <p>(h) Works are planned for completion by December 2023. CEMP in place.</p>		
1.5	A	A5	<p>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:</p> <p>(a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval;</p> <p>(b) a log of the dates of engagement or attempted engagement with the identified party;</p> <p>(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;</p> <p>(d) outline of the issues raised by the identified party and how they have been addressed; and</p> <p>(e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed.</p>	<p>TFNSW</p> <p>Ventia</p>	<p>Monitoring programs are not required for the temporary roundabout works.</p> <p>Overarching CEMP justification streamline for monitoring and sub-plans.</p> <p>M12 Central Ancillary Facility 13 (AF13) located about 430 metres away from the Temporary Roundabout site on Salisbury Avenue. A Site Establishment Management Plan (SEMP) was prepared for the Project in accordance with NSW CoA A16 that included this ancillary facility.</p> <p>Consultation as part of the OOHW application, 5-night community consultation. No other consultation required relevant to this condition.</p>		Compliant
1.6	A	A6	<p>This approval lapses five (5) years after the date on which it is granted, unless Work has physically commenced on or before that date.</p>	<p>TFNSW</p>	<p>The Infrastructure Approval for the M12 Motorway was granted on 23 April 2021 as per Schedule 1, CSSI-9364.</p> <p>The approval has not yet lapsed. No modifications have been required.</p>		Not Triggered
1.7	A	A7	<p>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.</p>	<p>TFNSW</p> <p>Ventia</p>	<p>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.</p>		Compliant
1.8	A	A8	<p>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</p>	<p>TFNSW</p> <p>Ventia</p>	<p>An extension of at-property noise treatment was made as per TfNSW letter dated 21 July 2023, requesting July 2024 as the new deadline. Approved as per DPE letter</p>		Compliant

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			condition does not apply to the written notification required in respect of an incident under Condition A44 and Condition A45 .		<p>dated 28 July 2023: Proposed extension of time to implement At-Property Noise Mitigation Measures, ref: SSI-9364-PA-191.</p> <p>Submission of E4 biodiversity offset report – 6-month extension to February 2024 as per TfNSW letter 10 August 2023, approved by DPE – letter dated 29 August 2023: M12 Motorway - E4 Offset Requirements Extension Request (SSI-9364)</p> <p>No other later timeframes required.</p>		
	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. M12 Central (temporary roundabout): Temporary roundabout installation at Elizabeth Drive and Devonshire Road, Kemps Creek included under Section 2.1 Project Packages, specifically Section 2.1.3: This small package will include construction of a temporary roundabout at the intersection of Devonshire Road and Elizabeth Drive, Kemps Creek. The roundabout is required to address Revised Environmental Management Measure TT10 to manage construction traffic impacts in the area and improve safety. Section 3.2 Environmental Management Approach: for the M12 Central temporary roundabout package at Kemps Creek, a streamlined CEMP will be prepared with no monitoring programs or sub-plans so as to be commensurate with the nature and extent of the required construction activities. No consultation on the streamlined CEMP is proposed due to the minor nature of the works.		Compliant
1.10	A	A10	<p>The Staging Report must:</p> <ul style="list-style-type: none"> (a) if staged construction is proposed, set out how the construction of the whole of the 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); 	TFNSW	<p>M12 Motorway Staging Report, Rev G, M12PPW-ADAP-ALL-EN-RPT-000001, 03 April 2023 includes the following:</p> <ul style="list-style-type: none"> 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 		Compliant

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			(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.		d. Section 2.5 Cumulative Impacts, Appendix A CoA applicable to Staging. Refer to above Condition A9 for details relevant to the Temporary Roundabout.		
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. As per Staging Report, contract was to be awarded in May 2023 (to Ventia) with construction expected to commence in June 2023. Contract awarded to Ventia, August 2023, commencement of construction mid-October 2023. Contract as per TeamBinder reference: SRAPPZC-TFNSW-VTIA-SPPR-000216.19, 11 August 2023.		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 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	Letter of submission from TfNSW to 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. Temporary roundabout has been 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> <ol style="list-style-type: none"> 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 	TFNSW Ventia	At-property noise treatment – 6-month extension to June 2024 as requested by TfNSW, letter to DPE dated 21 July 2023. Approved as per DPE letter dated 28 July 2023: Proposed extension of time to implement At-Property Noise Mitigation Measures, ref: SSI-9364-PA-191 (portal receipt).		Not Triggered

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			<i>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>		However, these are not applicable to the roundabout works, main works only.		
	A		CONSTRUCTION ANCILLARY FACILITIES				
1.15	A	A15	<p>Additional construction ancillary facilities</p> <p>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:</p> <ul style="list-style-type: none"> (a) they are located within or immediately adjacent to the construction boundary; and (b) they are not located next to a sensitive receiver(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. 	TFNSW Ventia	<p>Ventia is utilising part of site compound AF13, located on Salisbury Avenue, about 430 metres away from the Works.</p> <p>A Site Establishment Management Plan (SEMP) was prepared in accordance with NSW CoA A16. However, the use of the facility for the purpose of the Works was not assessed within the Environmental Assessment Documentation. The Devonshire Road Consistency Assessment identified that the use of AF13 for the Works will not cause additional impacts from those that were reported in the Environmental Approval Documentation.</p>		Compliant
1.16	A	A16	<p>Site Establishment Management Plan</p> <p>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:</p> <ul style="list-style-type: none"> (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); 	Ventia	<p>AF13 is shared with Ventia for the temporary roundabout works.</p> <p>Included as part of Section 2.5 of the Temporary Roundabout CEMP.</p> <p>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. Consistent with condition A15, the SEMP lists the following construction ancillary facilities:</p> <ul style="list-style-type: none"> • AF4 - West of Clifton Avenue, north of proposed main line • AF5 - West of Mamre Road North of Elizabeth Drive 		Compliant

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			<p>(c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of site establishment work;</p> <p>(d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:</p> <p>(v) meet the performance outcomes stated in the documents listed in Condition A1, and</p> <p>(vi) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and</p> <p>(e) a program for monitoring the performance outcomes, including a program for noise monitoring consistent with the requirements of Condition C14.</p> <p>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).</p> <p>Nothing in this condition prevents the Proponent from preparing individual Site Establishment Management Plans for each construction ancillary facility.</p> <p><i>Note: Condition A16 does not apply to minor construction ancillary facilities established under Condition A20.</i></p>		<ul style="list-style-type: none"> 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 		
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	<p>Use of Construction Ancillary Facilities</p> <p>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.</p>	TFNSW Ventia	<p>No early works ancillary facilities were used for construction. There were no early works as part of the Central package and temporary roundabout.</p> <p>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.</p>		Compliant

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			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.				
1.19	A	A19	<p>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.</p> <p>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.</p>	TFNSW Ventia	<p>ER endorsement of Temporary Roundabout CEMP received 22 September 2023, Ref: M12 Devonshire Rd CEMP Rev D.</p> <p>Commencement of roundabout construction was mid-October 2023.</p>		Compliant
1.20	A	A20	<p>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:</p> <ul style="list-style-type: none"> (a) are located within or adjacent to the construction boundary; and (b) have been assessed by the ER to have - <ul style="list-style-type: none"> (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. 	Ventia	No Minor Construction Ancillary Facilities required for the temporary roundabout package.		Not Triggered
1.21	A	A21	<p>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.</p>	Ventia	Boundary screening at AF13 as observed 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.	Ventia	As verified during site inspection.		Compliant
1.23	A	A23	<p>Project identification The CSSI name; application number; telephone number, postal address and email address required under Condition B7 of this approval must be made</p>	Ventia	As verified during site inspection.		Compliant

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			available onsite boundary fencing / hoarding at the entrance of each ancillary facility before the commencement of construction.				
	A		ENVIRONMENTAL MANAGEMENT – EARLY WORKS				
1.24	A	A24	<p>Before undertaking early works specified in Appendix B, the Proponent must prepare an Early Works Environmental Management Plan. The Plan must include:</p> <ul style="list-style-type: none"> (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 - <ul style="list-style-type: none"> (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	<p>No early works specific to the M12 Central package / Devonshire Rd Temporary Roundabout.</p> <p>Project wide early works completed by February 2023 as evidenced during main works audit.</p>		Not Triggered
1.25	A	A25	<p>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.</p> <p>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.</p>	TFNSW	<p>No early works specific to the M12 Central package / Devonshire Rd Temporary Roundabout.</p> <p>Project wide early works completed by February 2023 as evidenced during main works audit.</p>		Not Triggered

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	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	<p>Nomination of Environmental Representative and Alternate ER unchanged.</p> <p>APP (formerly AQUAS) engaged as the independent auditor as per submission ref SSI-9364-PA-277 on 22 September 2023. Endorsement by the Department of Planning and Environment (DPE) of the Independent Environmental Auditor was granted on 12 October 2023 for both M12 Central and M12 West packages.</p> <p>Support independent noise specialist approved by the Department on 29 August 2023 as per letter presented. Applicable for the M12 East package.</p> <p>No other changes for the M12 Central Temporary Roundabout works.</p>		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
1.28	A	A28	<p>The Planning Secretary may at any time commission an audit of how an independent appointment has exercised their functions. The Proponent must:</p> <ul style="list-style-type: none"> (a) facilitate and assist the Planning Secretary in any such audit; and (b) make it a term of their engagement of an 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	As per main works audit:		Compliant

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					<p>Department approval letter dated 17 November 2022 in response to TfNSW submission on 8 November 2022 nominating an Alternate ER.</p> <p>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.</p>		
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 main works 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 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 main works 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	<p>For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:</p> <ul style="list-style-type: none"> (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI; (b) consider and inform the Planning Secretary on matters specified in the terms of this approval; (c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; (d) review the documents identified in Conditions A9, A13, A16, A24, C1, C4 and C11 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so; <ul style="list-style-type: none"> (i) make a written statement to this effect before submission of such documents to the Planning 	ER	<p>The ER issues monthly reports by the 7th day of the following month which include the following.</p> <ul style="list-style-type: none"> a. The ER attends monthly meetings with DPE and provides monthly ER reports. b. ER recommendation regarding OOHW as per September 2023 report: <i>Devonshire Rd Roundabout "high-risk" OOH Works needing Secretary approval</i> c. Recommendations are made during the fortnightly ER inspections e.g., ER inspection No. 94 dated 19 October 2023. Noise blankets around site generator in the direction of nearest residential receivers. Inspection No. 97 on 2 November 2023: Remove topsoil stockpile and 		Compliant

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			<p>Secretary (if those documents are required to be approved by the Planning Secretary); or</p> <p>(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);</p> <p>(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;</p> <p>(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;</p> <p>(g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;</p> <p>(h) assess the impacts of minor construction ancillary facilities, as required by Condition A20 of this approval;</p> <p>(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</p> <p>(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.</p>		<p>stabilise ground either side of new access gate; Polymer applied to stabilise site (erosion control) and sandbag check dam as sediment control at the edge of works.</p> <p>d. As per 'Reviewed Documents' section within the monthly reports e.g., August 2023 Monthly Report: review Devonshire Road CEMP Rev B; September 2023 report: Devonshire Rd EWMS Utility Investigation & Protection, Devonshire Rd EWMS Site Establishment; Devonshire Road Contractor CEMP Rev D – ER Endorsed 21/09/23</p> <p>e. Monitoring of implementation is undertaken during the fortnightly ER inspections. The ER also attends Coordination Meeting every fortnight (scheduled same day as inspections)..</p> <p>f. The ER attended the temporary roundabout audit.</p> <p>g. Complaints are monitored as demonstrated in the monthly reports, Non-compliance/ Incidents / Repeat Complaints section. No complaints received for the works to date.</p> <p>h. ER Inspection Report No. 94 on 19 October 2023: Site compound including office and amenities setup on site of Construction Ancillary Facility AF13. No minor construction ancillary facilities required for the temporary roundabout works.</p> <p>i. As per endorsed CEMP.</p> <p>j. All ER monthly reports have been issued on or before the 7th day of the following month.</p> <p>Documents presented as evidence:</p> <ul style="list-style-type: none"> M12 ER Monthly Report August 2023, ref 210309-ER_DPE-July 2023 dated 4 August 2023, ref 210309-ER_DPE-August 2023 dated 7 September 2023 M12 ER Monthly Report September 2023, ref 210309-ER_DPE-September 2023 dated 6 October 2023. <p>ER inspections reports for Temporary Roundabout:</p>		

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					<ul style="list-style-type: none"> Site Inspection Report #94, 19 October 2023 Site Inspection Report #97, 2 November 2023 		
1.35	A	A35	<p>The Proponent must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in Condition A34 (including preparation of the ER monthly report), as well as:</p> <ul style="list-style-type: none"> (a) the complaints register for any complaints received (on the day they are received); and (b) a copy of any assessment carried out by the Proponent of whether proposed Work is consistent with the approval (which must be provided to the ER before the commencement of the subject Work). 	<p>TFNSW</p> <p>Ventia</p>	<ul style="list-style-type: none"> a. Complaints register issued to ER. Complaints go to ER as they come. One complaint received. 23 October 2023 – complaint went to TfNSW regarding the median strip. b. Close out of ER issues through DashPivot as per stockpile issue above. 		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	<p>Notification as per 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</p> <p>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.</p> <p>Additional re-notification for the 28 September 2023 as per TfNSW letter to DPE dated 22 September 2023.</p>		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	<p>Notification as per 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</p> <p>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 September 2023 as per TfNSW letter to DPE dated 22 September 2023.</p>		Compliant

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	A		AUDITING				
1.38	A	A38	<p>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).</p> <p><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></p>	TFNSW	<p>Independent auditor engaged as per submission ref SSI-9364-PA-227 dated 22 September 2023.</p> <p>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.</p>		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 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	<p>In accordance with the specific requirements in the <i>Independent Audit Post Approval Requirements</i>, the Proponent must:</p> <ul style="list-style-type: none"> (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	This is the first audit on the temporary roundabout works. This condition is not yet triggered.		Not Triggered
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	This is the first audit on the temporary roundabout works. This condition is not yet triggered.		Not Triggered
	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	TFNSW Ventia	No reportable material harm incidents applicable to the temporary roundabout works.		Not Triggered

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			(including the application number and the name of the CSSI) and the date, time, location and nature of the incident.				
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	A self-reported non-compliance was notified in accordance with Condition B5 as the original Out-of-Hours Work was notified as 3 nights as per application; notification should have been 5 nights. Letter provided from TfNSW to DPE 24 October 2023		Compliant
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	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 miscommunication), 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).		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-Compliance reported was 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 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	TFNSW	M12 Motorway Overarching Communication Strategy has undergone a review since the previous audit, Rev 5		Compliant

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			<p>A Communication Strategy must be prepared to provide mechanisms to facilitate communication about Work, construction and operation of the CSSI with:</p> <ul style="list-style-type: none"> (a) the community (including adjoining affected landowners and businesses, and others directly impacted by the CSSI); and (b) the relevant councils and relevant government agencies. <p>The Communication Strategy must address who (the Proponent, Independent Appointments and/or construction contractor) will engage with the community, relevant councils and agencies, how they will engage and the timing of engagements.</p>	Ventia	<p>dated March 2023 (August 2023 noted in title and footer). Says annual review but 2022 missed. Confirm.</p> <p>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.</p> <p>Temporary Roundabout CEMP includes Section 5.5.3 Community Liaison and/or Notification.</p> <p>Community Liaison Officer responsible for Ventia comms. Develops notification to TfNSW for approval. Then distributed as notification. Three rounds of consultation has been actioned.</p>		
2.2	B	B2	<p>The Communication Strategy must:</p> <ul style="list-style-type: none"> (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 - <ul style="list-style-type: none"> (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. 	<p>TFNSW</p> <p>Ventia</p>	<p>The M12 Motorway Overarching Communication Strategy was reviewed and the following verified:</p> <ul style="list-style-type: none"> 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. <ul style="list-style-type: none"> 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

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	Submission of updated Communication Strategy to the Department 13 September 2023 (SSI-9364-PA-221) including TfNSW letter dated 12 September 2023 "SSI 9364 - M12 Motorway - CoA B3 Overarching Communication Strategy"		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 as per Department letter presented, dated 11 October 2023, ref: SSI-9364-PA-221.		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	<p>Website includes community notifications and project updates for the Devonshire Rd Temporary Roundabout.</p> <p>One complaint record has been registered as follows: 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. At the time of the audit, the client was awaiting details from the road safety team to assist with response.</p> <p>One <i>self-reported</i> non-compliance was identified 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). Re-notification occurred to align with the OOHW approval of 5-nights a week. TfNSW demonstrated compliance with the non-compliance process by notifying 24 October 2023. Refer to Conditions A46 and A47 for non-compliance notification in accordance with Condition B5.</p>	<p>M12TR-NC-02: 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.</p> <p>It is recommended that a forum be established to clearly communicate notification requirements between the contractor, TfNSW and the ER.</p>	Non-Compliant
	B		COMPLAINTS MANAGEMENT SYSTEM				
2.6	B	B6	<p>A Complaints Management System must be prepared and implemented before the commencement of any Work and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI. The Complaints Management System must require complainants to be advised that:</p> <p>(a) the Complaints Register may be forwarded to Government agencies, including the Department, to allow them to undertake their regulatory duties;</p>	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.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(b) by providing personal information, the complainant authorises the Proponent to provide that information to government agencies;</p> <p>(c) the supply of personal information by the complainant is voluntary; and</p> <p>(d) the complainant has the right to contact government agencies to access personal information held about them and to correct or amend that information (Collection Statement).</p> <p>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.</p>		<p>A collection statement continues to be in place on the home page of the project website with a link to Transport's privacy guidelines.</p> <p>Complaints Register in place – DPE Complaints Register – Devonshire Road 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. At the time of the audit, the client was awaiting details from the road safety team to assist with response.</p>		
2.7	B	B7	<p>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:</p> <p>(a) a 24-hour telephone number for the registration of complaints and enquiries about the CSSI;</p> <p>(b) a postal address to which written complaints and enquires may be sent;</p> <p>(c) an email address to which electronic complaints and enquiries may be transmitted; and</p> <p>(d) a mediation system for complaints unable to be resolved.</p> <p>This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level and must be provided on the website required under Condition B10.</p>	TFNSW Ventia	<p>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:</p> <ol style="list-style-type: none"> 24-hour Phone number: 1800 517 155 Postal address: Transport for NSW, PO Box 973 Parramatta NSW 2124 Email: m12motorway@transport.nsw.gov.au Mediation as per collection statement <p>Two notifications – one for commencement of start of work, the other for 5 nights a week OOHW.</p> <p>25 September 2023, 25 October 2023:</p> <ul style="list-style-type: none"> Start of work - temporary roundabout at the intersection of Elizabeth Drive and Devonshire Road in Kemps Creek, September 2023 Out of hours work for the installation of temporary roundabout in Kemps Creek, October 2023 		Compliant
2.8	B	B8	<p>A Complaints Register must be maintained recording information on all complaints received about the CSSI during the carrying out of any work and for a minimum of 12 months following the completion of construction. The Complaints Register must record the:</p> <ol style="list-style-type: none"> number of complaints received; the date and time of the complaint; the method by which the complaint was made; 	TFNSW Ventia	<p>Complaints Register in place – DPE Complaints Register – Devonshire Road.</p> <ol style="list-style-type: none"> 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 		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(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.		d. First name, Surname, Contact Details, Suburb complaint relates to, Property No. Location of complaint e.g., street/compound e. Issue, Construction site/work complaint relates to, Complaint description f. Response provided to stakeholder by community team, Action taken, Resolution date, Resolution responsibility, Status, Other Comments/Info g. If no action taken, explain reason why no action taken column. Ongoing involvement with stakeholder at Petrol Station median strip: Owner raised concerns 23 October regarding the raised median being built that will block access for vehicles right in and out of Salisbury Avenue. This will affect business. A site meeting occurred. Currently awaiting details from road safety team to assist with response. Complaints management system was followed with records presented demonstrating compliance with the process for managing complaints.		
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.		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);	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. Up to date at September 2023 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 roundabout works. e. Post approval documentation includes current version of the CEMP.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(d) a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI;</p> <p>(e) a current copy of the final version of each document required under the terms of this approval; and</p> <p>(f) a copy of the audit reports required under Conditions A38 and A41 of this approval.</p> <p>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.</p>		<p>f. The independent environmental audit reports are included on the website, separated by audit No. 1 and 2 for West and Central main works.</p> <p>All documentation published was noted to be current.</p>		
3	PART	C	CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
	C		CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
3.1	C	C1	<p>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.</p>	<p>TFNSW</p> <p>Ventia</p>	<p>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.</p> <p>EIS is addressed in Section 1.2 and Appendix A9.</p> <p>A Construction Environmental Management Plan has been developed for the M12 Motorway – Devonshire Road Temporary Roundabout, Kemps Creek, M12PPW-ADAP-ALL-EN-PLN-XX, Rev D, 1 September 2023.</p> <p>Toolbox – Record of Meetings sighted, dated 31 Oct 2023, Job no. 20107. The meeting type is Environmental Induction Sign Off. Environmental induction covers Work hour and parking, Environmental Incident Identification, Notification and Response, Environmental Sensitive Areas, Noise Sensitive Receivers, ERSED/ Water Quality, Chemical Storage, Waste Management, Heritage, Unexpected Finds, Media & Community and Site Emergency Response Plan. The toolbox was signed off by all persons working on-site.</p> <p>Presented Daily Prestart form for work area “20102 - SRAPC M12 Roundabout” dated 16 Oct 2023. This includes project details, work activities, required permit, applicable documents, site layout, prestart guidelines etc. The prestart was signed off by all relevant personnel.</p> <p>Daily Prestart form also sighted for work area “20102 - SRAPC M12 Roundabout” dated 17 Oct 2023. This</p>		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					includes project details, work activities, required permit, applicable documents, site layout, prestart guidelines etc. The prestart was signed off by all relevant personnel.		
3.2	C	C2	<p>The CEMP must provide:</p> <ul style="list-style-type: none"> (a) a description of activities to be undertaken during construction (including the scheduling of construction); (b) details of environmental policies, guidelines and principles to be followed in the construction of the CSSI; (c) a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of construction of the CSSI; (d) details of how the activities described in subsection (a) of this condition will be carried out to: <ul style="list-style-type: none"> (i) meet the performance outcomes stated in the documents listed in Condition A1; and (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; (e) an inspection program detailing the activities to be inspected and frequency of inspections; (f) a protocol for managing and reporting any: <ul style="list-style-type: none"> (i) incidents; and (ii) non-compliances with this approval or statutory requirements; (g) procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during construction; (h) a list of all the CEMP Sub-plans required in respect of construction, as set out in Condition C4. Where staged 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	<p><u>TFNSW OCEMP:</u></p> <ul style="list-style-type: none"> a. Section 2 Project Description (incl program, construction activities), Table 2-1 Indicative construction sequence b. Section 3.2 Environmental policy, Section 4.2 Regulatory requirements and compliance, Appendix A3 Ancillary facilities assessment c. Section 4.1.1 Environmental Risk Assessment Workshop, Appendix A2 Initial Risk Register d. Section 4.3 Environmental and sustainability objectives and targets, Appendix A2 Initial risk register e. Section 7.1 Environmental inspections 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. Table 3-1: Environmental Management Sub-plans i. Section 5.1 Resources, roles, responsibilities and authority j. Section 5.3 Competence, training and awareness k. Section 1.12 Revision, Section 7.7 Environmental Management System review l. Appendix A of the OCEMP sub-plans <p><u>M12 Central - Temporary Roundabout CEMP:</u></p> <ul style="list-style-type: none"> 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 		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating																								
					<div><div>i. Section 5.1 Resources, Roles, Responsibilities and Authority</div><div>j. Section 5.3 Competency, Training and Awareness</div><div>k. Section 7.7 Environmental Management System Review</div><div>l. Section 1.6 Consultation</div></div>																										
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	<div>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.</div> <div>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</div>		Compliant																								
3.4	C	C4	<div>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.</div> <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> <div>Note: Nothing in this condition prevents the Proponent from combining any of the above CEMP Sub-plans.</div>		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 are 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)																													
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(g)	Air quality	Relevant council(s)																													

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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 are 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: (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 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
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	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;	TFNSW Ventia	Not required for the temporary roundabout works. The CEMP outlines Biodiversity Impacts under Section 4.2.1: Approximately 0.001 ha of PCT 724 associated with the TEC Shale Gravel Transition Forest in the Sydney Basin Bioregion and condition class 724 – Moderate_Good/Poor will be impacted through the trimming of branches and removal of small shrubs located within the understorey within the construction		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<ul style="list-style-type: none"> (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. 		<p>footprint. An exclusion zone will be erected to protect the PCT 724 area within the temporary signage area 3. The Construction Contractor will identify locations of the priority weed <i>Senecio madagascariensis</i> (Fireweed) and will manage this in accordance with the Project Weed Management Plan.</p> <p>Letter presented from Ecologist Leneco confirms the monitoring of grey-headed flying foxes dated 2 November 2023. In the letter, it is mentioned that the ecologist's supervision of these night works while the trees are not in flower is not necessary and should cease until the trees are in flower.</p> <p>Letter from TfNSW "RE: M12 Temporary Roundabout – Elizabeth Dr/Devonshire Rd – Grey Headed Flying Fox Monitoring – RFI 005" reference no. SRAPPZC-TFNSW-VTIA-CORR-001799 dated 9 November 2023 confirming the satisfaction with the Leneco report.</p> <p>RFI 005 actioned through TeamBinder – SRAPPZC-TFNSW-VTIA-CORR-001799 dated 9 November 2023: "M12 Temporary Roundabout – Elizabeth Dr/Devonshire Rd – Grey Headed Flying Fox Monitoring – RFI 005" confirming that the ecologist has provided a reasonable account for not continuing monitoring.</p>		
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	One submission for update to the Overarching Revised Construction Noise and Vibration Management Plan, Monitoring Program and Out of Hours Work (OOHW) Protocol has been actioned since previous audit, for the revision of the Noise Catchment Areas for M12 East. Letter from TfNSW to DPE presented, dated 16 October 2023 + portal receipt SSI-9364-PA-219. CNVMP M12PPW-ADAP-ALL-EN-PLN-000008, Rev K dated 19 March 2023 included consultation with Penrith City Council, Liverpool City Council, Fairfield City Council, WaterNSW, Jemena and Sydney Water (Appendix A).		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 Ventia	As per ER approval of CEMP. Environmental Inspections occur weekly or at times 1-2 times a week e.g., 8 November 2023 inspection checklist – Site Access/Egress – action raised – aggregate placed in area and closed out immediately. ERSed controls – OFI raised – sandbags to be implemented along SW corner – actioned on the night with photos. Water discharge, stockpiles – should be covered – closed out immediately	M12TR_OFI-01: 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.	Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating												
					onsite. Actioned through DashPivot. Reviewed by supervisor and accepted. Actions Register in teams. Automatic emails are issued to the individuals. ACT-172 stockpile loadout and topsoil uncovered 30 October 2023. Compound establishment 5 October 2023. First ER inspection 19 October 2023.														
	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 are 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 are 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; (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 .	TFNSW Ventia	No monitoring programs are 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
3.14	C	C14	<p>The Construction Noise and Vibration Monitoring Program must include, but not be limited to:</p> <ul style="list-style-type: none"> (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. 	<p>TFNSW</p> <p>Ventia</p>	<p>No monitoring programs are required for the temporary roundabout works.</p> <p>Presented the calibration certificate from the Acoustic Research Lab for the Sound Level Meter (IEC 61672-3:2013), model number NL-52, calibration number C23499, dated August 1, 2023, indicating satisfactory calibration results.</p> <p>Presented the calibration certificate from the Acu-Vib Electronics for the ground vibration monitor, serial no UM8899, certificate number no. G36526, dated 21/6/2023, indicating satisfactory calibration results.</p> <p>Calibration Register includes the calibration records of the Acoustic Monitors, Sound Calibrators, Vibration monitors, Texcel monitor and water monitor. The register include device, serial no., manufacturer, certificate no., date of calibration, next due date and Nata lab no. columns.</p> <p>DashPivot Vibration Monitoring Form 25 October 2023.</p> <p>Sydney Water Asset in the area. Mainly static. Photos included.</p> <p>Presented vibration monitoring form for the southwestern corner. Backfilling of stormwater works and whacker packer was monitored on 8 November 2023. Photos attached in the form.</p> <p>Sighted Vibration Monitoring Register, showing all monitoring result entries last updated on 14 November 2023.</p> <p>All levels are within modelled predictions. Additional comms actioned. No complaints.</p> <p>Noise is monitored at the start of each activity or during works (twice per night).</p> <p>Presented Noise Verification checklist for the construction activity in northern side of the intersection, the monitoring location is 1640 Elizabeth drive. The inspection was carried out on 25 October 2023. The photo of result from the monitor is attached at the end of the report.</p> <p>Sighted Noise Monitoring Register, showing all monitoring result entries last updated on 14 November 2023.</p> <p>DashPivot used as register as demonstrated live.</p>		Not Triggered

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	No monitoring programs are 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 are 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 are 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 . <i>Note: Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan.</i>	TFNSW Ventia	No monitoring programs are required for the temporary roundabout works.		Not Triggered
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	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									
			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.													
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	<div>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.</div> <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 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	<div>Each operational monitoring program must include:</div> <div>(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</div>	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
			(i) any consultation to be undertaken in relation to the monitoring programs.				
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.	Ventia	Surfaces stabilised with polymer binding, water trailer, stockpiles covered, hardstand in compound.		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 for temporary roundabout works. Only minor grass cutting.		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating															
5.3	E	E3	<p>The Proponent must meet the biodiversity offset obligations for ecosystem and species credits as set out in Table 1, Table 2 and Table 3 in accordance with the <i>M12 Motorway Amendment Report - Submissions Report</i> (December 2020) and M12 Motorway Amendment Report -Submissions Report - Amendment (dated 8 March 2021) within 12 months of the commencement of construction. The offset obligations must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by:</p> <ul style="list-style-type: none">(a) acquiring and retiring “biodiversity credits” within the meaning of the <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. <p><i>Notes</i></p> <ol style="list-style-type: none">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>	TFNSW Ventia	<p>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.</p> <p>TfNSW spreadsheet with offset obligations continues to be in place:</p> <p>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.</p> <p>Procured all biodiversity offsets.</p> <p>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.</p>		Compliant															
5.4	E	E3	<p>Table 1: Ecosystem Credits for Direct Impacts to be Retired</p> <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></table>	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	TFNSW CPBGG-JV	<p>As per condition E2, request for extension letter from TfNSW as dated 10 August 2023 for E4 Offset requirements.</p> <p>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.</p> <p>All biodiversity offsets procured.</p>		Compliant
Ecosystem Credits																						
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ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating																																																			
			<table><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> <p>Table 2: Ecosystem Credits for Indirect Impacts to be Retired</p> <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> <p>Table 3: Species Credits to be Retired</p> <table><tr><th>Species</th><th>Loss of habitat or individuals</th><th>Number of Credits</th></tr><tr><td>Dillwynia tenuifolia</td><td>244 individuals</td><td>4392</td></tr><tr><td>Pultenaea parviflora Sydney Bush-pea</td><td>Up to 100 individuals</td><td>1500</td></tr><tr><td>Meridolum corneovirens Cumberland Plain Land Snail</td><td>5.10 ha</td><td>66</td></tr><tr><td>Myotis macropus Southern Myotis</td><td>1.05 ha</td><td>23</td></tr><tr><td>TOTAL SPECIES CREDITS</td><td></td><td>5981</td></tr></table> <p>Notes:</p> <ol style="list-style-type: none">Credits have been calculated using the Framework for Biodiversity Assessment.Includes credits required under the Threatened Species Conservation Act 1995 and the Environment Protection and Biodiversity Conservation Act 1999.Excludes certified areas.	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	Species	Loss of habitat or individuals	Number of Credits	Dillwynia tenuifolia	244 individuals	4392	Pultenaea parviflora Sydney Bush-pea	Up to 100 individuals	1500	Meridolum corneovirens Cumberland Plain Land Snail	5.10 ha	66	Myotis macropus 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	TFNSW Ventia	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		Compliant																																																			

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			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.		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.		
5.6	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.	Ventia	As per above letters under Condition E4. Previously evidenced April 2023 report Lenoco. Post Completion Clearing Report April 2023 (Rev 0, 24 April 2023). Summary of clearing to date report provided 2 May 2023.		Compliant
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 ecosystems may be applied to conservatively evaluate impacts and associated credit requirements.	TFNSW Ventia	M12 East applicable for survey only.		Not Triggered
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. TfNSW letter to the Department for receipt confirming payment to Biodiversity Conservation Fund on 22 December 2022 for PCT 724 ecosystem credits and <i>Pultenaea parviflora</i> species credits. Letter dated 14 February 2023.		Compliant
5.9	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	TFNSW	This requirement is 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
			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.				
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 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 Ventia	As per M12 Central main works 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

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
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 audit. 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
5.14	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 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
5.15	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 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	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
			suitably qualified and experienced person in consultation with directly affected landowners, DPI Water, DPI Fisheries, EES, Infrastructure NSW (INSW) and relevant councils.				
5.18	E	E17	<p>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:</p> <ul style="list-style-type: none"> (a) a maximum increase in inundation time of one hour; (b) a maximum increase of 10 mm in above-floor inundation to habitable rooms where floor levels are currently exceeded; (c) no above-floor inundation of habitable rooms which are currently not inundated; (d) a maximum increase of 50 mm in inundation of land zoned as residential, industrial or commercial; (e) a maximum increase of 100 mm in inundation of land zoned as rural, primary production, environment zone or public recreation; (f) no significant increase in the flood hazard or risk to life; and (g) maximum relative increase in velocity of 10%, where the resulting velocity is greater than 1.0 m/s, unless adequate scour protection measures are implemented and/or the velocity increases do not exacerbate erosion as demonstrated through site-specific risk of scour or geomorphological assessments. <p>Where the Proponent cannot meet the requirements set out in clauses (d), (e) and (g) alternative flood levels or mitigation measures may be agreed to with the affected landowner.</p> <p>In the event that the Proponent and the affected landowner cannot agree on the measures to mitigate the impact as described in clauses (d), (e) and (g), the Proponent must engage a suitably qualified and experienced independent person to advise and assist in determining the impact and relevant mitigation measures.</p>	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

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
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 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 Ventia	Not applicable to the temporary roundabout works.		Not Triggered
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.		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

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	E		HERITAGE				
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. Design away from impact.		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 .	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
			<p>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.</p> <p><i>Note: Nothing in this condition prevents the Proponent from preparing separate Heritage Interpretation Plans for Aboriginal and Non-Aboriginal Heritage.</i></p>				
5.29	E	E28	<p>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).</p>	TFNSW Ventia	Not applicable to the temporary roundabout works. Refer to M12 Central main works.		Not Triggered
5.30	E	E29	<p>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.</p> <p><i>Note: Nothing in this condition prevents the Proponent from preparing separate Heritage Reports for Aboriginal and Non-Aboriginal Heritage.</i></p>	TFNSW Ventia	Not applicable to the temporary roundabout works.		Not Triggered
5.31	E	E30	<p>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.</p>	TFNSW Ventia	Not applicable to the temporary roundabout works.		Not Triggered
5.32	E	E31	<p>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.</p>	TFNSW Ventia	<p>An Unexpected Heritage Finds and Human Remains Procedure, September 2023 is included as part of the CEMP, Appendix K. Prepared by:</p> <p>Gretta Logue, former Environment Officer (Heritage) with Roads and Maritime Services. Gretta has a B.Sc. Hons (Archaeology), M.Sc. Hons (Forensic Anthropology, PG Diploma (Environment Law) and at</p>		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					the time of preparation of the procedure had 10 years professional heritage experience Daniel Percival, Environment Officer (Heritage) with Roads and Maritime Services. Daniel has a BA Hons (Archaeology) (First Class) with over 10 years professional heritage experience.		
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.		Compliant
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.		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. Road Occupancy Licences applied for monthly: <ul style="list-style-type: none">TFNSW ROL 2152972 – Monday to Friday 8:30am – 4:30pm, from Clifton Avenue, Kemps creek to Kemps creek, Cecil for subject road Elizabeth drive for duration of 1 Nov 2023 – 1 Dec 2023.TFNSW ROL 2152974 – Monday to Friday 8:30am – 4:30pm, from Clifton Avenue, Kemps creek to Kemps creek, Cecil for subject road Elizabeth drive for duration of 1 Nov 2023 – 1 Dec 2023.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					<ul style="list-style-type: none"> TfNSW ROL 2152976 – Monday to Friday 8:30am – 4:30pm, from Elizabeth Dr, Kemps Creek to Cross St, Kemps Creek for subject road Devonshire Rd for duration of 1 Nov 2023 – 1 Dec 2023. TfNSW ROL 2152978 – Monday to Friday 8:30am – 4:30pm, from Clifton Avenue, Kemps creek to Kemps creek, Cecil for subject road Elizabeth drive for duration of 1 Nov 2023 – 1 Dec 2023. 		
5.36	E	E35	<p>Highly Noise Intensive Work</p> <p>Except as permitted by an EPL, highly noise intensive works that result in an exceedance of the applicable noise management level (NML) at the same receiver must only be undertaken:</p> <ol style="list-style-type: none"> between the hours of 8:00am to 6:00pm Monday to Friday; between the hours of 8:00am to 1:00pm Saturday; and if continuously, then not exceeding three hours, with a minimum cessation of work of not less than one hour. <p>For the purposes of this condition, 'continuously' includes any period during which there is less than one hour between ceasing and recommencing any of the Work.</p>	Ventia	<p>No EPL in place for temporary roundabout works.</p> <p>EPL clarification 14 February 2023 received. Works are undertaken 5-nights a week as per OOHW approval until 22 December 2023. Refer to Condition E36.</p> <p>Working as per Construction Noise and Vibration Impact Statement (CNVIS) dated September 2023</p> <p>Load out of waste during standard hours.</p>		Compliant
5.37	E	E36	<p>Variation to Work Hours</p> <p>Notwithstanding Conditions E24 and E35, Work may be undertaken outside the hours specified in any of the following circumstances:</p> <ol style="list-style-type: none"> Safety and Emergencies, including: <ol style="list-style-type: none"> for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm. <p>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.</p> Work that causes: <ol style="list-style-type: none"> LAeq(15 minute) noise levels: <ul style="list-style-type: none"> no more than 5 dB(A) above the rating background level at any residence in accordance with the ICNG, and 	Ventia	<p>TfNSW letter 19 September 2023: OOHW application and supporting documents for the temporary roundabout at Devonshire Rd and Elizabeth Drive. It has been confirmed as high risk by the ER so requires approval from the Planning Secretary, 20 September 2023, portal receipt SSI-9364-PA-226.</p> <p>OOHW Approval Request Form, OOHW_01_Rev 2, 18 September 2023.</p> <p>DPE approval letter dated 11 October 2023: M12 Motorway (SSI-9364) — Out of Hours Work Application for the Elizabeth Drive and Devonshire Road Temporary Roundabout.</p>		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<ul style="list-style-type: none"> 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). <p>(c) By Approval, including:</p> <ul style="list-style-type: none"> (i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; (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). 				
5.38	E	E37	<p>Out-Of-Hours Work Protocol – Works Not Subject to an EPL</p> <p>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:</p> <ul style="list-style-type: none"> (a) identification of low and high-risk activities and an approval process that considers the risk of activities, proposed mitigation, management, and coordination, including where: <ul style="list-style-type: none"> (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; (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; 	Ventia	<p>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.</p> <ul style="list-style-type: none"> 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. <p>The Out-Of-Hours Work (OOHW) Protocol is included as Appendix M of the M12 Central Temporary Roundabout CEMP, September 2023.</p> <p>DPE letter dated 11 October 2023: M12 Motorway (SSI-9364) — Out of Hours Work Application for the Elizabeth Drive and Devonshire Road Temporary Roundabout.</p>		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(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</p> <p>(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.</p> <p>This condition does not apply to Work where the requirements of Condition E36(a) or (b) are met.</p>				
5.39	E	E38	<p>Noise Management Levels and Vibration Criteria for Work</p> <p>Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration objectives:</p> <ul style="list-style-type: none"> (a) construction 'Noise affected' NML established using the <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). <p>Any construction or early works identified as exceeding the noise management levels and/or vibration criteria must be managed in accordance with the respective Noise and Vibration CEMP Sub-plan or Early Works Environmental Management Plan.</p> <p><i>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.</i></p>	Ventia	<p>Monitoring during works:</p> <p>Noise Verification Checklist, 25 October 2023: Northern side of the intersection @ 10:45pm. Includes meteorological conditions, environment: Soft - Mostly open field area. However, heavy traffic area. Sound meter record: Rion NL-52, Serial No. 00553919, Noise Catchment Area: NCA 1; Noise levels: 37 RBL, 42 NML; Predicted noise levels as per CNVIS: 75 LAeq15min (dBA), recorded levels showing 62.0 – Comment: Values are under the predicted levels for this property. Includes photo of sound meter results.</p> <p>Vibration Monitoring Form, 8 November 2023: Southwestern Corner. Monitor is set up on the Sydney Water main @ 11:09pm. Works being monitored: Backfilling of stormwater works and whacker packer. Minimum distance 10 meters to the excavation works. Vibration Logger Model: InstanTel – Micromate, Serial No. UM8899 V 10-77 Micromate ISEE. No exceedances. Includes photo of works + vibration results.</p> <p>Calibration Register presented – includes Acoustic Monitor Rion NL-52, Serial No. 553919, date of calibration 22 July 2023, next due 22 July 2024. Sound Calibrator Plusar Model 105, Serial No. 72908, next due for calibration 14 February 2024. Vibration Monitor as above, next due 21 June 2024.</p> <p>Sound Level Meter IEC 61672-3:2013 Calibration Certificate, Calibration Number C23499. Sound Level Meter IEC 61672-3:2013 Calibration Test Report Calibration Number C23499, 1 August 2023.</p> <p>Certificate of Calibration, Certificate No. G36526, UM8899 V 10-77 Micromate ISEE.</p>		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
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 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.	Ventia	No sensitive periods required. No potentially affected receivers near the works.		Not Triggered
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

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
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 causing vibration to heritage items have been required.		Not Triggered
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 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: <ul style="list-style-type: none"> (a) reschedule any work to provide respite to impacted noise sensitive land user(s) so that the respite is achieved in accordance with Condition E47; or (b) where respite outlined in Condition E47 cannot be achieved, consider the provision of alternative respite or mitigation to impacted noise sensitive land user(s); and (c) provide documentary evidence to the ER in support of any decision made by the Proponent in relation to respite or mitigation. 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	Only encasement of Telstra assets. Telstra was present during works – sighted Daily Pre-starts sign off 16 October 2023 and 17 October 2023. Excavation standby summary of charges by Jemena for potholing activity in Devonshire Kemps Creek with service order 2100663445 and Jemena payroll 110541, dated 11/10/2023. 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: <ul style="list-style-type: none"> (a) 10:00 pm and 7:00 am, Monday to Friday; (b) 10:00 pm Saturday to 8:00 am Sunday; and (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

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.48	E	E47	<p>Out-of-Hours Works – Community Consultation on Respite</p> <p>In order to undertake out-of-hours Work outside the hours specified under Condition E34, the Proponent must identify appropriate respite periods for the out-of-hours work in consultation with the community at each affected location on a regular basis.</p> <p>This consultation must include (but not be limited to) providing the community with:</p> <ul style="list-style-type: none"> (a) a progressive schedule for periods no less than three (3) months, of likely out-of-hours Work; (b) a description of the potential Work, location and duration of the out-of-hours Work; (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). <p>The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hour Work must be provided to the ER, EPA and the Planning Secretary for information prior to Work scheduled for the subject period being undertaken.</p> <p><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></p>	Ventia	<p>The following OOHW notification for the Devonshire Road Roundabout was viewed on the project website:</p> <ul style="list-style-type: none"> • Out of hours work for the installation of temporary roundabout in Kemps Creek, October 2023: When and where we'll be working "We will start work on the southern side of the Elizabeth Drive and Devonshire Road intersection between 8pm and 5am, Sunday to Thursday between Wednesday 25 October 2023 and Friday 22 December. No work will take place on Friday and Saturday nights or public holidays. This work needs to be carried out at night for the safety of our workers and road users and to minimise traffic disruption. We will continue to move vehicles and materials to and from the construction compound at the northern end of Salisbury Avenue between 7am to 6pm, Monday to Friday." <p>No OOHW complaints received to date.</p>		Compliant
5.49	E	E48	<p>Crushing and Grinding Works</p> <p>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).</p>	Ventia	No crushing or grinding required as part of the temporary roundabout works.		Not Triggered
5.50	E	E49	<p>Blasting</p> <p>Blasting is not permitted as part of this CSSI approval.</p>	Ventia	No blasting as per CSSI approval.		Compliant
5.51	E	E50	<p>Operational Noise</p> <p>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:</p> <ul style="list-style-type: none"> (a) operational noise modelling required under Conditions E51; (b) Operational Noise Review required under Condition E52; and 	TFNSW	As per M12 Central audit checklist.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(c) Operational Noise Compliance Report required under Condition E60.</p> <p>The Planning Secretary's approval of the noise specialist must be sought no later than one (1) month before undertaking operational noise modelling.</p> <p>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.</p>				
5.52	E	E51	<p>Noise Mitigation - Operational Noise Modelling</p> <p>Noise modelling of the detailed design must be undertaken and address the following parameters:</p> <ul style="list-style-type: none"> (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.		Compliant
5.53	E	E52	<p>Operational Noise Mitigation Measures</p> <p>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:</p> <ul style="list-style-type: none"> (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.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>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.</p> <p>The Proponent must implement the identified noise mitigation measures and make the ONR publicly available following its submission to the Planning Secretary for information.</p> <p><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></p>				
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	<p>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.</p> <p>Notification of non-compliance with the requirement to implement noise mitigation measures within 6 months of starting construction also issued – SSI-9364-PA-150 – refer to conditions A46 and A47.</p> <p>Non-compliance Notification response from DPE – email dated 4 August 2023 in response to non-compliance submitted to NSW Planning on 2 May 2023:</p> <ul style="list-style-type: none"> Condition E53 – Operational noise mitigation Condition E55 – Report on noise mitigation <p>NSW Planning noted that the non-compliances have been closed out and assessed them in accordance with NSW Planning's Compliance Policy. In this instance NSW Planning has determined to record the breaches in its system.</p>		Compliant
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	<p>M12 Motorway Operational Noise and Vibration Review prepared by GHD, Rev 1, 25 January 2023.</p> <p>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</p>		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					measures to July 2024; mitigation measures are not expected to be completed until approximately March 2024. Approval letter from DPE received 28 July 2023.		
5.56	E	E55	<p>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.</p> <p><i>Note: Not having finalised detailed design is not sufficient justification for not implementing the proposed mitigation measures.</i></p>	TFNSW	<p>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.</p> <p>At-property noise mitigation treatment – TfNSW Report July 2023.</p> <p>Notification of non-compliance with the requirement to implement noise mitigation measures within 6 months of starting construction also issued – SSI-9364-PA-150 – refer to conditions A46 and A47. Breach recorded as per condition E53.</p>		Compliant
5.57	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.	Ventia	Demonstrated as per compliance to preceding conditions. No alternative accommodation has been required.		Compliant
5.58	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
5.59	E	E58	<p>Operational Noise Validation</p> <p>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.</p>	TFNSW	The M12 Motorway Project is under construction. This condition is not yet triggered.		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	The M12 Motorway Project is under construction. This condition is not yet triggered.		Not Triggered
5.61	E	E60	<p>Operational Noise Compliance Report</p> <p>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:</p> <p>(a) compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E52;</p>	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
			<p>(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);</p> <p>(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 –</p> <p>(iii) pavement type,</p> <p>(iv) topography;</p> <p>(d) visibility of sensitive receivers, i.e. line of sight and shielded by mounds and/or noise walls;</p> <p>(e) model light and heavy vehicles separately;</p> <p>(f) pavement corrections for light and heavy vehicles;</p> <p>(g) details on the acoustic performance of the different pavement types used for the CSSI ;</p> <p>(h) effects of meteorological conditions on traffic noise consistent with the requirements of the <i>NSW Road Noise Policy</i> (DECCW, 2011);</p> <p>(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;</p> <p>(j) any required recalibrations of the noise model taking into consideration factors such as noise monitoring, and actual traffic numbers and proportions;</p> <p>(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</p> <p>(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.</p> <p>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.</p> <p>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.</p>				

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	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 – shared use with Ventia. Verified during site inspection. Refer to photos		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 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 Ventia	AF13 Minimise light spill – moving light tower – flood lights – as discussed during ER inspections. Refer to photos from site inspection.		Compliant
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. Width of the lanes for cyclists updated as part of the Consistency Assessment. ROLs finish at 5am. Ventia opens the road each morning. Maintain flow at Elizabeth Drive, usually only close one lane at a time. TGS developed by Chandos Traffic. Chandos Traffic holds TfNSW G10 Accreditation and SAI Global Accreditation. Traffic Control Plan TGS-CT-23-VEN-M12KC-02 dated 22/08/2023 designed by Jennifer O'Brien and approved by Kyla Hunt: verified Presented Work Health and Safety Traffic Control Work card for Jennifer O'Brien from SafeWork NSW, card no. TCT0034232, issue date 11/12/2015. The type of traffic control is IMP, PWZ and TCR.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.65	E	E64	<p>Place, Design and Landscape Outcomes</p> <p>The place, design and landscape outcomes of the CSSI must be informed by and be consistent with the Urban Design Concept and have consideration of the Urban Design Opportunities as detailed in <i>Appendix G Landscape character, visual impact assessment and urban design report</i> of the EIS.</p> <p>Advice on how the Urban Design Opportunities have been considered and progressed must be provided to the Planning Secretary for information when submitting the Place, Design and Landscape Plan (as required by Condition E69) to the Planning Secretary. Where an Urban Design Opportunity has not progressed, advice as to why must also be provided to the Planning Secretary for information.</p>	TFNSW	<p>Submission of Place, Design and Landscape Plan as per M12 Central main works audit – lodged with letter via the portal (receipt ref SSI-9364-PA-78) to the Department on 24 May 2022.</p> <p>Acknowledgement letter received from the Department 5 July 2022.</p> <p>Meetings with experts undertaken as per CoA E69.</p>		Compliant
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 not applicable to this scope of 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	The M12 Motorway Project is under construction. This condition is not yet triggered.		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 agreement established with the Western Sydney Parkland Trust. All offsets must be delivered prior to operation, unless agreed by the Planning Secretary.	TFNSW Ventia	Offsets are as per East package. This is not triggered.		Not Triggered
5.69	E	E68	<p>Design Independence and Review</p> <p>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):</p> <ul style="list-style-type: none"> (a) public art / cultural interpretation public art; (b) Aboriginal cultural heritage; (c) European cultural heritage; (d) landscape architecture; and (e) active transport. 	TFNSW	<p>Department approval letter as per previous M12 Central main works audit for the nominated Independent Experts, 14 September 2021 (PDLP), prior to commencement of construction (10 August 2022). No changes.</p> <p>Practitioners specialise in:</p> <ul style="list-style-type: none"> • Public art/cultural interpretation public art and Aboriginal cultural heritage (one individual) • European cultural heritage (one individual) 		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>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.</p> <p>Advice and recommendations made by the practitioners must be provided to the Planning Secretary for information when submitting the Place, Design and Landscape Plan to the Planning Secretary.</p> <p><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></p>		<ul style="list-style-type: none"> Landscape architecture and Active transport (two individuals, one lead, one consultant) <p>Original meeting minutes as per previous audit:</p> <ul style="list-style-type: none"> 11 December 2020 DD Urb Des Review Panel 13 October 2021 DD Urb Des Review Panel <p>Includes issues, actions, and response from TfNSW.</p>		
5.70	E	E69	<p>A Place, Design and Landscape Plan must be prepared to inform the final design of the CSSI and to give effect to the commitments made in the documents listed in Condition A1. The Plan does not apply to works, which for technical, engineering, or ecological requirements, or other requirements as agreed by the Planning Secretary, do not allow for alternate design outcomes.</p>	TFNSW	<p>The Place, Design and Landscape Plan (Rev C dated 17 March 2022) remains unchanged as per M12 Central main works audit.</p>		Compliant
5.71	E	E70	<p>The Place, Design and Landscape Plan must be prepared by a suitably qualified and experienced person in consultation with relevant councils, Western Sydney Parklands Trust, Heritage NSW, the community and affected landowners and businesses. The Place, Design and Landscape Plan must include, but not be limited to:</p> <ol style="list-style-type: none"> 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; 	TFNSW	<p>The Place, Design and Landscape Plan (PDLF) addresses the following:</p> <ol style="list-style-type: none"> Section 2 Contextual Analysis Section 3 Urban Design, specifically 3.7 Aboriginal cultural interpretation, 3.8 Non-Aboriginal heritage interpretation. Also Appendices D and E. Section 3 Urban Design and Section 5 Bridges and walls Section 4.6 Landform and earthworks Section 4 Landscape Design including 4.7 Restoration of local vegetation communities and 4.8 Seed collection and plant propagation Section 3.6 Shared corridor and Section 5.6 Shared path connections Appendix A, B and C as well as throughout the plan. Section 3.11 Crime prevention through environmental design. 		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(g) developed visualisations, cross sections and plans showing the proposed design outcome;</p> <p>(h) demonstrated integration of Crime Prevention Through Environmental Design principles into the detailed design process; and</p> <p>(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.</p>		<p>i. Section 4.10 Strategies to revegetate disturbed areas.</p> <p>Unchanged from M12 Central main works audit. Team and contributors include: TfNSW, Hassell, GHD Woodhead, Balarinji, Extent Heritage Advisors, and Toolijooa.</p>		
5.72	E	E71	<p>Revegetation and the provision of replacement trees must be informed by a Tree Survey undertaken during detailed design. The Tree Survey must identify the number, type and location of any trees to be removed. The Tree Survey must be submitted to the Planning Secretary for information with the Place, Design and Landscape Plan.</p> <p>Where trees are to be removed, the Proponent must provide a net increase in the number of replacement trees at a ratio of 2:1, except trees that are offset under Condition E3. Replacement trees must have a minimum pot size consistent with the relevant authority's plans / programs / strategies for vegetation management, street planting, or open space landscaping, or as agreed by the relevant authority(ies).</p> <p><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></p>	TFNSW Ventia	Not applicable to the temporary roundabout 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	Not applicable.		Not Triggered
5.74	E	E73	The Place, Design and Landscape Plan must be implemented during construction and operation.	TFNSW Ventia	Not applicable.		Not Triggered
5.75	E	E74	<p>Operational Maintenance</p> <p>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</p>	TFNSW	<p>The M12 Motorway Project is under construction. This condition is not yet triggered.</p> <p>Not applicable.</p>		Not Triggered

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			established in the Place, Design and Landscape Plan , required by Condition E69 .				
	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	Excavation Permit PTE-005 Pavement Box Out Site Wide on 25 October 2023. Signed on by all workers. DBYD search attached. Job No 34865009 on 18 August 2023. Working Near Overhead Powerlines Permit, 12 November 2023 – 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. 8 surveys undertaken around the site compound and work area.		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 later than four (4) months following the completion of construction activities that have the potential to impact on the structure / asset.	Ventia	No damage to structures to date. Post construction surveys not yet triggered.		Not Triggered
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	Ventia	No damage to structures to date.		Not Triggered

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			damage unless another timeframe is agreed with the owner. Alternatively, the Proponent may pay compensation for the damage as agreed with the owner.				
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	Not applicable		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
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

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	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	<p>Contaminated sites</p> <p>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>.</p> <p><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></p>	Ventia	<p>From the CEMP:</p> <p>There are two Areas of Environmental Interest (AEI) sites identified in the EAD located adjacent to the Works include:</p> <ul style="list-style-type: none"> AEI 16: Mobil (Caltex) Service Station – TRH, BTEX, PAH, heavy metals AEI 3: BP (Apex) Service Station – TRH, BTEX, PAH, heavy metals. <p>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.</p> <p>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.</p>		Compliant
5.87	E	E86	<p>The Detailed Site Investigation Report(s) must provide details on:</p> <ol style="list-style-type: none"> 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 risks to service lines from hydrocarbons in groundwater, or risks to concrete from acid sulphate soils) and the environment; 	Ventia	As above.		Not Triggered

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			<ul style="list-style-type: none"> (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	<p>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.</p> <p>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.</p> <p><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></p>	Ventia	Not applicable to the temporary roundabout works.		Not Triggered
5.89	E	E88	<p>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 and any conditions on the Section A1 or Section A2 Site Audit Statement have been complied with.</p>	Ventia	Not applicable to the temporary roundabout works.		Not Triggered

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			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	<p>Unexpected Contaminated Land and Asbestos Finds Procedure detailed in Appendix L of the CEMP, 1 September 2023.</p> <p>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.</p> <p>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.</p> <p>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.</p>		Compliant
5.91	E	E90	The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented throughout the duration of Work.	Ventia	<p>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 9 November 2023, MS01 as per Certificate of Analysis 337323. Included in Asbestos Material Tracking Register – destination noted as Bingo Eastern Creek.</p>		Compliant

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					Asbestos noted during the site inspection as fenced and covered. To be left in-situ until confirmed for removal.		
	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	M12 Motorway Sustainability Strategy, ref fa11415671 (previous ref A4199125) Rev D, 9 June 2023. Falls under sustainability requirements for the main works for Central.		Compliant
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 prepared, ref A4199125 Rev C, 10 May 2022 was submitted to the Department 11 May 2022 as evidenced in Department 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.		Compliant
	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	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: <ul style="list-style-type: none"> The construction impacts detailed in the EAD remain consistent for the Works, including the following: <ul style="list-style-type: none"> Work site and construction ancillary facility access assumptions Use of Devonshire Road to access the site 		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					<ul style="list-style-type: none">○ Road closures, detours and other temporary traffic management○ Construction worker parking and impacts on on-street parking○ Impacts on public transport○ Impacts on pedestrians and cyclists○ Other impacts of construction.● Traffic generated during construction will be localised and is expected to include:<ul style="list-style-type: none">○ 150 truck movements over 6 days which is approximately a total of 25 trucks per day○ 12 light vehicles per day○ Bus services may be provided for workers○ 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	<p>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:</p> <ul style="list-style-type: none"> (a) demonstrate that the use of local roads will not compromise the safety of the public and have no more than minimal amenity impacts; (b) provide details as to the date of completion of the road dilapidation surveys for the subject local roads; and (c) describe the measures that will be implemented to avoid where practicable the use of local roads past schools, aged care facilities and childcare facilities during peak times for operation. <p>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.</p>	<p>TFNSW</p> <p>Ventia</p>	<p>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.</p> <p>CEMP Appendix J – M12 Motorway Central Section Consistency Assessment – Traffic and Transport Impact Technical Memorandum, 13 July 2023 by GHD.</p> <p>Section 1.2 Purpose of this Memorandum:</p> <p>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.</p> <p>The purpose of this memorandum is to:</p> <ul style="list-style-type: none"> • 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. <ul style="list-style-type: none"> a. 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. b. Section 4.1 Haulage routes c. Section 4.1 Haulage routes, 4.2.2 Construction hours d. Section 4.3 Proposed temporary roundabout intersection performance 		Compliant

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5.96	E	E95	<p>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.</p> <p>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.</p>	Ventia	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	Traffic controllers in place. Pedestrian access maintained. Refer to consultation with stakeholder with regards to median strip. ROLs in place.		Compliant
5.98	E	E97	<p>Road Safety</p> <p>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.</p>	TFNSW Ventia	<p>Design change was related to converting the roundabout to a higher profile to prevent trucks driving straight over the top.</p> <p>Turnbull Engineering Memorandum to TfNSW presented, TEJ0340-REP-0001 dated 30 October 2023 for Devonshire Temporary Roundabout Accepted for Construction Design_B</p> <p>Discussed as per Minutes sighted; M12 Temporary Roundabout – Weekly Progress Meeting No. 12 dated 2 November 2023 between TfNSW and Ventia.</p>		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 ancillary facilities) to ensure that they meet the requirements of relevant design, engineering and safety guidelines, including Austroads Guide to Traffic Management.	TFNSW Ventia	Road safety audit as included as part of M12 Central main works.		Compliant

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			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 proposed roundabout is 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. Waste classification work occurs in house by EPA approved personnel e.g., 30 October 2023 – GSW – Non-Putrescible, Brandown Docket No. 120021827-NCRD.4, Waste Classification No. SRAPC.WC.41, classified as recycled waste.	.	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. e.g., 19 October 2023 Recycled DGB20, Delivery location 26-32 Salisbury Ave, Supplier Source Brandown, Supplier Location Cecil Park, Rego HQG 234, Docket No. 150008912, tonnage 35.76.		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 any other place that can lawfully accept such waste, except in accordance with Condition E15 .	Ventia	GSW Non-Putrescible waste transported to Brandown – Cecil Hills as per dockets sighted for 30 October 2023: <ul style="list-style-type: none"> 120021819-NCRD.2 120021633-NCRD 120021661-NCRD 120021676-NCRD 120021707-NCRD 		Compliant

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					<ul style="list-style-type: none"> 120021722-NCRD 120021750-NCRD 120021782-NCRD 120021827-NCRD 120021839-NCRD <p>It is noted that the dockets numbers correlate to those recorded in the waste tracking register.</p>		
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	<p>Bingo is managing site waste. Works only recently commenced; monthly report has not yet been received. Dockets as verified above for waste disposal.</p> <p>Waste Classification Report - M12 Temporary Roundabout 20107, Rev 01, 26 October 2023, Kemps Creek, SRAPC.WC.41 – classified as GSW Non-Putrescible (below CT1 criteria). Includes chain of custody records + eurofins lab results, reference 1034496.</p>		Compliant
5.105	E	E104	<p>The Proponent must develop and implement a waste tracking register prior to waste generated by Work that details:</p> <ul style="list-style-type: none"> (a) the quantity of each type of waste generated, its classification and source location (recorded using latitude and longitude coordinates); (b) the destination location(s) for all wastes generated during Work; (c) the quantities of any waste types imported onto the CSSI site, including their classification and emplacement location (recorded using latitude and longitude coordinates); (d) the quantities and types of wastes that are subject to a Resource Recovery Order and/or Exemption; and (e) disposal records demonstrating that receiving facilities have lawfully accepted the waste type. <p>The waste tracking register must be made available to the Planning Secretary and EPA on request, within the timeframe stated in the request.</p>	Ventia	<p>M12 Waste Tracking Register developed for the M12 Temporary Roundabout.</p> <p>Includes Waste, Import, Fuel, Electricity, Water and Data Summary tabs.</p> <p>No material exported noted as per waste tab. Register includes:</p> <ul style="list-style-type: none"> a. Source location, NSW EPA Waste Classification, Waste Type, Waste Type Description b. Disposal Facility, Vehicle details c. Import tab – shows one entry ANL Landscapes for VENM (Turf underlay) – stockpiled, Docket No. 01-2-00084508. M12 Imported Materials Register. Date, Product, Delivery Location, Supplier Source, Supplier Location, Rego, Docket No, Weight. d. Not applicable. e. No disposal to date. <p>No requests from the Department to date.</p>	<p>M12TR_OFI-02: The column for the correlating classification reports was incomplete in the waste tracking register.</p> <p>It is recommended to update the register to provide a link to the classification reports.</p>	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</i>	TfNSW Ventia	No discharge occurring for the temporary roundabout works.		Not Triggered

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			<p><i>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.</p> <p><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></p>				
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	<p>The Proponent must consult DPI Fisheries and EES during the detailed design of the watercourse crossings. The consultation must include:</p> <ul style="list-style-type: none"> (a) design of bridges; (b) design of scour protection; and (c) details of riparian revegetation. 	TfNSW	<p>No changes as per M12 Central main works audit. Consultation with DPI Fisheries and EES was demonstrated as follows:</p> <ul style="list-style-type: none"> • 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
5.110	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	TfNSW Ventia	Applicable modified design which is currently under RFI process.		Compliant

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>All new or modified drainage systems associated with the CSSI must be designed to:</p> <ul style="list-style-type: none"> (a) where stormwater drainage is discharged to a council's stormwater system, meet the capacity constraints of any council's drainage system to receive and convey the proposed flows from the CSSI, or otherwise upgrade council's drainage system at the Proponent's expense, in consultation with the relevant council(s); (b) minimise impacts on the receiving environment at the final outflow point resulting from any additional flow volume (including, but not limited to scour, flooding, water quality impacts, and impacts on riparian vegetation, aquatic ecology and property); and (c) ensure mitigation measures are implemented where increased flows through cross drainage systems adversely impact on council or Sydney Water drainage infrastructure and the receiving environment. 				
6	APPX A	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 Ventia	No incidents to date.		Not Triggered
6.2	APPX A	2.	<p>Written notification of an incident must:</p> <ul style="list-style-type: none"> (a) identify the CSSI and application number; (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); (c) identify how the incident was detected; (d) identify when the Proponent became aware of the incident; (e) identify any actual or potential non-compliance with 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

ID No.	CSSI Part	Req. No.	CSSI-9364 Requirement	Owner	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
6.4	APPX A	4.	<div>The Incident Report must include:<ul style="list-style-type: none">(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.</div>	<div>TfNSW</div> <div>Ventia</div>	No incidents to date.		Not Triggered

Appendix F – Consultation with DPE

From: [Damien Smith](#)
To: [Barbara Pater](#)
Subject: Re: Independent Environmental Audit - M12 Motorway (SSI-9364) - West and Central Packages
Date: Friday, 27 October 2023 6:53:05 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

EXTERNAL

Thank you for confirming Barbara,

Please include a review of the practices (of the contractors on West and Central) and processes for establishing minor ancillary facilities as part of the audit.

NSW Planning does not require any other additional issues for including within the scope of the Audit that are not already captured by the Approval, and NSW Planning's Independent Audit Post Approval Requirements (May 2020).

If you have any questions or would like to discuss this matter please give me a call or email.

Best Regards

Damien Smith

Senior Compliance Officer – Government Projects

Planning & Assessment | Department of Planning and Environment

T 02 9995 6289 | M | E
Locked Bag 5022 | PARRAMATTA NSW 2124
www.dpie.nsw.gov.au

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



**Planning,
Industry &
Environment**

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

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

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

From: Barbara Pater < >
Sent: Friday, 27 October 2023 11:00 AM
To: Damien Smith < >

Subject: RE: Independent Environmental Audit - M12 Motorway (SSI-9364) - West and Central Packages

Hi Damien,

Confirming that the audit scope is for M12 Central and M12 West only.

For this particular audit we will be including the M12 Central (temporary roundabout) stage: Temporary roundabout installation at Elizabeth Drive and Devonshire Road, Kemps Creek.

This stage has been added into the scope and is being delivered by a separate contractor. However, it still forms part of the M12 Central package.

If you need any further information please let me know.

Regards,

Barbara Pater

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



app.com.au
Gadigal Country | Level 14, 10 Spring Street, Sydney, NSW 2000



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.

From: Damien Smith <>
Sent: Friday, 27 October 2023 10:44 AM
To: Barbara Pater <>
Subject: RE: Independent Environmental Audit - M12 Motorway (SSI-9364) - West and Central Packages

EXTERNAL

Good afternoon Barbara,

Thank you for the below email regarding the independent audit of the M12 Motorway project SSI-9364 (the **Approval**).

Can you please confirm that this is for the West and Central packages only?

If you have any questions or concerns regarding the above please feel to contact me.

Best Regards

Damien Smith

Senior Compliance Officer – Government Projects

Planning & Assessment | Department of Planning and Environment

T 02 9995 6289 | **M** | **E**

Locked Bag 5022 | PARRAMATTA NSW 2124

www.dpie.nsw.gov.au

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



**Planning,
Industry &
Environment**

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

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

From: Laura Papoulias <
Compliance Mailbox

> **On Behalf Of** DPE PSVC

Sent: Wednesday, 18 October 2023 8:02 AM

To: Thomas Minchin <

>

Cc: Rob Sherry <

>

Subject: FW: Independent Environmental Audit - M12 Motorway (SSI-9364)

From: Barbara Pater <

>

Sent: Tuesday, 17 October 2023 5:54 PM

To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>

Cc: Tracey Austin <

>; Anderson, Sheila

<

>; Nilda Soto <

>

Subject: Independent Environmental Audit - M12 Motorway (SSI-9364)

Dear Sir/Madam,

I am writing to advise that APP HSEQ Systems and Auditing (APP) will be conducting the third independent environmental audit of the M12 Motorway project, as a requirement of Infrastructure

Approval SSI-9364 and Independent Audit Post Approval Requirements (IAPAR) 2020.

The audit is to be conducted on the 30 & 31 October 2023, and 6 November 2023, and will include a review of the construction and associated compliance activities onsite, in accordance with SSI-9364 Schedule 2, Parts A, B, C, E and Appendix A.

It is noted that previous audits of the M12 Motorway Project were undertaken under AQUAS, which now has been rebranded as APP HSEQ Systems and Auditing as part of a consolidation move by our parent company, The APP Group. There are no changes in the services provided by the APP team under the new name.

In line with the consultation requirements of the Independent Audit Post Approval Requirements, 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



app.com.au

Gadigal Country | Level 14, 10 Spring Street, Sydney, NSW 2000



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APP Corporation Pty Limited, ABN 29 003 764 770.

Appendix G – Audit Photos

Audit Photos – M12 Central – 30 October 2023

Audit Photos – M12 Central – 30 October 2023



Hardstand driveway at Seymour Whyte site compound Clifton Ave. ERS&D controls in place.



Seymour Whyte main compound noted to be in clean and tidy condition.

Audit Photos – M12 Central – 30 October 2023



Ample parking available on Seymour Whyte main compound



Flours Aerodome. Sits outside the M12 Central project boundary.

Audit Photos – M12 Central – 30 October 2023



Performance of proganics product used for revegetation of batters being investigated for M12 Central

Audit Photos – M12 Central – 30 October 2023



M12 Central Batch Plant commissioned. Spill kits available. Area fenced and observed to be tidy.

Audit Photos – M12 Central – 30 October 2023



Fencing in place at sediment basin, South Creek, M12 Central



South Creek sediment basin M12 Central

Audit Photos – M12 Central – 30 October 2023



Permanent spillway leading into South Creek, M12 Central



South Creek temporary crossing

Audit Photos – M12 Central – 30 October 2023



M12 Central internal roads kept clear. No evidence of dust.



Pavement works progressing M12 Central



Water cart sighted in operation M12 Central

Audit Photos – M12 Central – 30 October 2023



Controls in place at Kemps Creek, Bridge 6 (BR06) M12 Central



Spill kit available at Kemps Creek, Bridge 6 works.

Audit Photos – M12 Central – 30 October 2023



Water cart spraying batters.



M12 Central Bridge 11 (BR11) Water Tower Access Road



Fauna crossing pole installed at BR11, M12 Central

Audit Photos – M12 Central – 30 October 2023



M12 Central Pavement works progressing



M12 Central Ancillary Facility (AF6)



M12 Central solar panels in place for hybrid generator at Range Road facility.

Audit Photos – M12 Central – 30 October 2023



M12 Central project and traffic signage, Elizabeth Drive



Boundary shade cloth with project details, Elizabeth Drive.

Identified observations during site inspection – M12 Central

Identified observations during site inspection	Close out photos
<p>M12C-03-ISS-01 – Waste bins at capacity at BR06</p> 	<p>Photo received 8/11/23. Bins emptied.</p> 
<p>M12C-03-ISS-02 – Waste bins at capacity at AF6</p> 	<p>Photo received 8/11/23. Bins within capacity.</p> 

Identified observations during site inspection

M12C-03-ISS-03 – Incorrect use of spill kit



M12C-03-ISS-04 – fine material from pier installation at BR06 close to Kemps Creek. Was working to be replaced with rock at the time.



Close out photos

Photo received 8/11/23. Rubbish removed from spill kit.



Photos received 8/11/23 showing completion of works.



Audit Photos – M12 West – 31 October 2023

Audit Photos – M12 West – 31 October 2023

Site Compound parking. Waste bins available.



Audit Photos – M12 West – 31 October 2023



Batch plant soon to be commissioned. Bunds stabilised with polymer.



Audit Photos – M12 West – 31 October 2023



Encapsulation area



No evidence of dust during activities

Audit Photos – M12 West – 31 October 2023



Water carts sighted in operation.



Audit Photos – M12 West – 31 October 2023



Dead tree as retained



High winds from the previous night affected conditions onsite which were being addressed on the day.

Audit Photos – M12 West – 31 October 2023



Imported DGB and materials stockpiled by type



Moxys are also used as water carts.

Audit Photos – M12 West – 31 October 2023



Encapsulation area



Permanent basin with additional basin for overflow

Audit Photos – M12 West – 31 October 2023



Water cart filling from standpipe



Sheds due to be demolished in accordance with Consistency Assessment

Audit Photos – M12 West – 31 October 2023



Super T Girders installed



Audit Photos – M12 West – 31 October 2023



Neighbouring property.



Germination issues with sprayed grass

Audit Photos – M12 West – 31 October 2023



Internal roads kept clean and clear. No evidence of dust.



Sediment fencing in place

Audit Photos – M12 West – 31 October 2023



Concrete Slip form Paver at The Northern Road end of works.



Elizabeth Drive heading east.



Chip sealing of some areas complete

Nil issues/observations were raised during the site inspection.

Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023

Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023



Rock placed to stabilise ground at AF13 site compound.



Hazardous materials and spill kit available at AF13 site compound.

Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023



Chemicals as stored on bund



Noise blankets installed around the generator at AF13

Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023



Shade cloth fencing and covered bunds at AF13 site compound.



Site sheds at AF13.

Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023



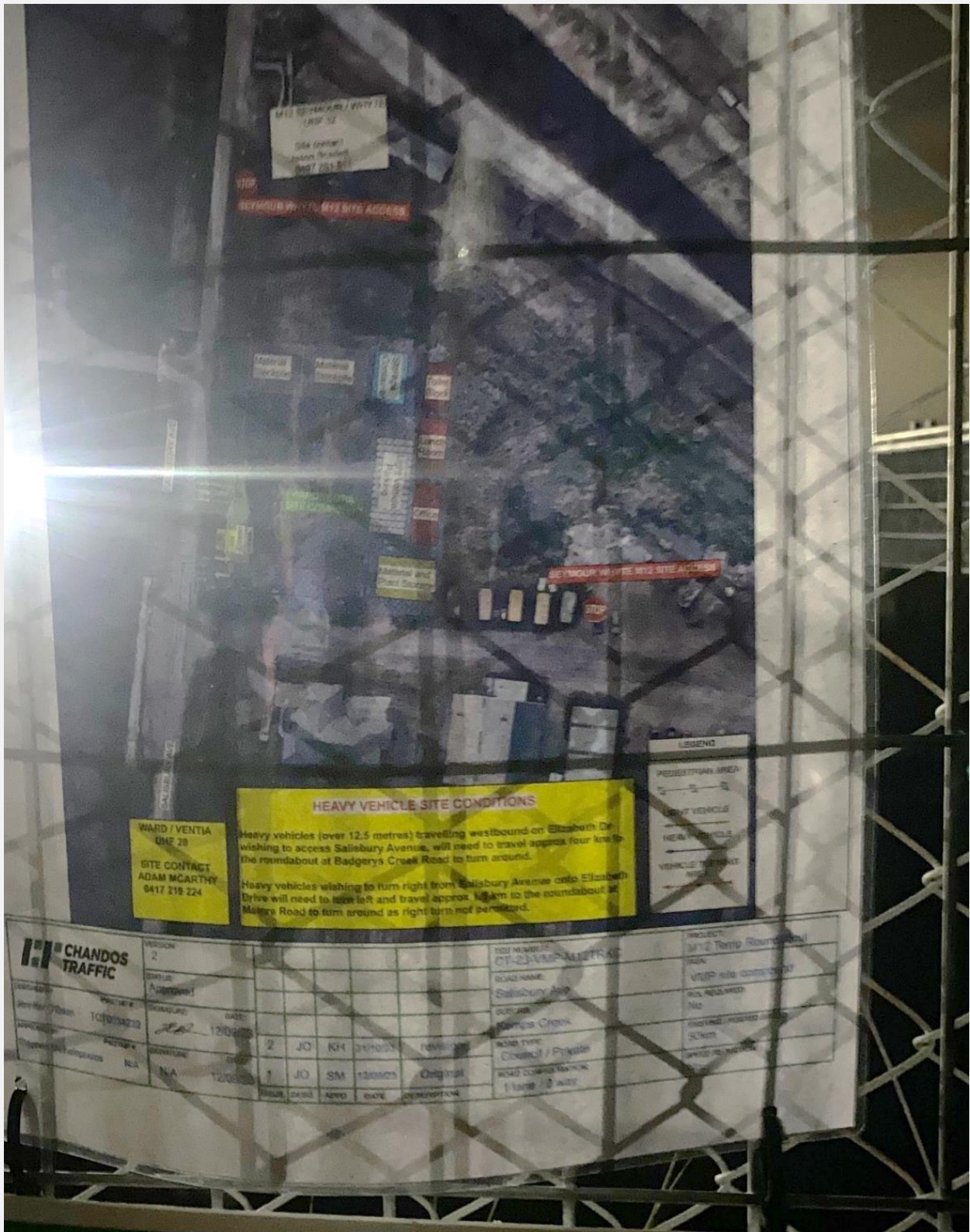
Materials stockpiled and covered at AF13.





Project signage displayed on AF13.

Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023



VMP displayed at AF13 site compound

Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023



Corner of Elizabeth Drive and Salisbury Avenue.



Asbestos find fenced and covered.

Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023



Yellow line is alignment of asbestos pipe.



Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023



Excavation works at the corner of Elizabeth Drive and Devonshire Road.



Site fencing surrounding works with noise blankets on hand if required.

Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023



Lighting noted to be facing down onto works.

Audit Photos – M12 Central - Devonshire Rd Temporary Roundabout – 13 November 2023



Traffic controls on Elizabeth Drive.



Traffic controls are managed by Chandos Traffic.

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



The APP Group

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