

Transport
for NSW

Staging Report Kamay Ferry Wharves

February 2025



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Acknowledgement of Country

Transport for NSW acknowledges the Bidjigal and Gweagal clans who traditionally occupied Kamay (Botany Bay). We pay our respects to Elders past and present and celebrate the diversity of Aboriginal people and their ongoing cultures and connections to the lands and waters of NSW.

Many of the transport routes we use today – from rail lines, to roads, to water crossings – follow the traditional Songlines, trade routes and ceremonial paths in Country that our nation's First Peoples followed for tens of thousands of years.

Transport for NSW is committed to honouring Aboriginal peoples' cultural and spiritual connections to the lands, waters and seas and their rich contribution to society.

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Document control

Revision	Date	Comment
0.1	April 2024	Draft for Transport internal review
1.0	June 2024	Final to publish and lodge to DPHI
1.1	July 2024	Updated to address DPHI feedback
2.0	December 2024	Updated to reflect changed project open timing and completion of Ferry EOI and re-lodge with DPHI.
3.0	February 2025	Update stage 1 timing from 'early 2025' to 'February 2025' and re-lodge with DPHI

Definitions

Term	Definition
CoA	Condition of Approval
DPHI	Department of Planning, Housing, and Infrastructure
EIS	Environmental Impact Statement - Kamay Ferry Wharves June 2021
EPBC Act	Australian Government <i>Environmental Protection and Biodiversity Conservation Act 1999</i> Referral (2020/8825) and environmental assessments under the EPBC Act
ER	Environmental Representative
KFW	Kamay Ferry Wharf
MCoA	NSW Minister's Conditions of Approval
NSW	New South Wales
NPWS	National Parks and Wildlife Service
OEMP	Operational Environmental Management Plan
REMM	Revised Environmental Management Measure as outlined in the project RtS documentation.
RtS	Kamay Ferry Wharves Response to Submissions Report (October 2021)
SSI	State significant infrastructure
Stage 1	Wharf Operation Only
Stage 2	Ferry Operations
Transport	Transport for NSW (TfNSW), formerly Roads and Maritime Services

1. Introduction

1.1 Overview

Transport for NSW (Transport) has obtained approval (SSI-10049) to replace the previous ferry wharves at La Perouse and Kurnell in Botany Bay (the project).

This project is recognised as a priority under the Kamay Botany Bay National Park Plan of Management (NSW Department of Planning, Industry and Environment, DPIE, 2020a) and associated masterplan to deliver improved visitor amenity and access, provide new experiences and acknowledge the diversity of stories associated with Place. The project also supports the Kamay 2020 Project, which commemorates 250 years since the encounter between Aboriginal Australians and the crew of the HMS Endeavour.

The new wharves will create a water connection between La Perouse and Kurnell and provide a valuable recreational resource for the community. They will allow for future ferry connections between La Perouse and Kurnell and provide berthing for recreational and commercial vessels (such as whale watching vessels).

The project recognises the rich culture and ongoing importance of the area to Aboriginal people. Feedback from the community and stories of Country have helped guide the design.

The Environmental Impact Statement (EIS) assessed the expected impacts of the construction and operation of the project on the local community and environment. It also included how Transport proposes to plan, manage, and mitigate these impacts.

The reinstatement of the wharves is considered transport infrastructure and is located on Crown Land managed by National Parks and Wildlife Service (NPWS) at Kurnell, and Randwick City Council at La Perouse.

The project is underway and being delivered by Transport, separate to the rest of the Kamay Botany Bay National Park Kurnell Master Plan, which is being delivered by NPWS.

Construction of the project started in July 2023, with Stage 1 anticipated to open in February 2025 (subject to weather and completion of the Site Audit Report).

The operational components will be rolled out in two stages:

- **Stage 1:** wharf operation is established
- **Stage 2:** ferry operations.

1.2 Statutory context

The project was declared State significant infrastructure (SSI) by the NSW Minister for Planning. Transport prepared an EIS, dated June 2021. The EIS identified a range of environmental, social, and planning issues associated with the construction and operation of the project and proposed measures to mitigate and manage those potential impacts.

The EIS was publicly exhibited between 14 July and 11 August 2021. Following public exhibition, submissions from stakeholders were received and addressed by Transport in a submissions report dated October 2021, which was lodged with the now NSW Department of Planning, Housing and Infrastructure (DPHI).

The project has been assessed by DPHI in accordance with the *Environmental Planning and Assessment Act 1979 (NSW) (EP&A Act)*. The project was approved by the NSW Minister for Planning on 21 July 2022, subject to Conditions of Approval (CoAs). The planning approval applies to both stages of construction and operation.

Transport sought to modify the approval for the project, to correct the inconsistencies, typographical and cross-referencing errors, and include a reporting timeframe for Condition E106.

A Modification Report for MOD 1 was prepared and lodged on 16 November 2023 by Transport. The Modification was determined by the NSW Minister for Planning 13 December 2023, subject to modified CoAs.

1.2.1 Other approvals

On 12 January 2021, the then Commonwealth Department of Agriculture, Water and the Environment determined the proposal to be a 'controlled action' under sections 18 and 18A of the Australian Government *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This determination was due to the likelihood that the proposal could have a significant impact on listed threatened species, communities, and National Heritage Listings (NHL).

Following notification, the Department confirmed the proposal would be assessed under Schedule 1 NSW Assessment Bilateral Agreement (12 January 2021).

On 16 March 2023, under subsection 130(1), section 133 and section 134 of the EPBC Act, the project received approval, subject to conditions, for the replacement and operation of two ferry wharves and associated infrastructure at La Perouse and Kurnell.

1.3 Purpose of this document

This Staging Report has been prepared and structured to address the requirements of CoA A07 to A11, A34 and A35 of the Kamay Ferry Wharves Planning Approval (SSI-10049) as presented below in Table 1-1.

The Report is designed to outline how the project will meet these conditions during the operational phase. It focuses on the operational phase of the project and details a two-stage implementation approach:

- **Stage 1:** Wharf operation, wharves are open to the public and for use by commercial and recreational vessels up to 20 metres.
- **Stage 2:** Ferry operation.

The DPHI will be notified of the status of the project prior to the commencement of each stage of operation.

Additional information about the project can be found on the project website and in the Frequently Asked Questions.

Table 1-1: Staging – Minister’s Conditions of Approval

MCoA	Condition requirement(s)	Staging report section
A07	<p>The SSI may be constructed and operated in stages, including but not limited to temporal, location, or activity-based staging. Where staged construction and/or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared. The Staging Report must be endorsed by the [DPHI appointed Environmental Represented] (ER) and then submitted to the Planning Secretary for information no later than one month before the commencement of construction of the first of the proposed stages of construction, or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation.</p> <p>Note: Unless otherwise specified in this approval, early works are a stage of construction.</p>	This Report.
A08	The Staging Report must:	
	(a) if staged construction is proposed, set out how the construction of the whole of the SSI will be staged, including details of work and activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;	Not applicable, as there is no proposal for phased construction.
	(b) if staged operation is proposed, set out how the operation of the whole of the SSI will be staged, including details of activities to be carried out in	Section 2

MCoA	Condition requirement(s)	Staging report section
	each stage and the general timing of when operation of each stage will commence and finish (if relevant);	
	(c) specify how compliance with conditions will be achieved across and between each of the stages of the SSI; and	Section 3
	(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging. Note: A Staging Report may reflect the staged construction and operation of the project through geographical activities, temporal activities or activity-based contracting and staging.	Section 2.5
A09	The SSI must be staged in accordance with the Staging Report and submitted for information to the Planning Secretary.	The operation phase of the project will be staged in accordance with this report which will be submitted for information to the Planning Secretary for information prior to the start of the stage.
A10	Where staging is proposed, the terms of this approval that apply or are relevant to the work or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	Appendix A, Appendix B and Appendix C.
A11	Where changes are proposed to the staging of construction or operation, a revised Staging Report must be prepared, endorsed by the ER and submitted to the Planning Secretary for information no later than one month prior to proposed change in staging.	This report will be revised, endorsed by the ER and submitted to the Planning Secretary no later than one month prior to the proposed change in the staging.
A34	The Department must be notified in writing of the dates of commencement of works, construction, and operation at least one month before those dates.	The Department will be notified in writing the operation start dates at least one month before those dates.
A35	If the construction or operation of the SSI is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of the commencement of	The Department will be notified in writing the operation start dates at

MCoA	Condition requirement(s)	Staging report section
	the relevant works, construction, and operation at least one month before those dates.	least one month before those dates.

1.4 Project description

The Project is located at La Perouse and Kurnell on either side of the ocean entrance to Botany Bay, stretching over Randwick City and Sutherland Shire local government areas (LGAs). Both sites are in the Kamay Botany Bay National Park (the National Park), about 14 kilometres south of the Sydney central business district (CBD, see Figure 1-1). Other major land uses around Botany Bay include the Sydney (Kingsford Smith) Airport, Port Botany, and the suburb of Brighton-Le-Sands.

The La Perouse Wharf has a ‘dog-leg’ design. It extends around 104 metres from the shoreline into the bay. The berthing area runs adjacent to the shoreline and is around 80 metres in length. The total length of the structure is around 184 metres.

The Kurnell Wharf will extend about 224 metres from the shoreline.

Key deliverables of the project include:

- Demolition of the existing viewing platform at Kurnell
- Construction of temporary ancillary works including access roads, compound areas, stockpiles, fencing and temporary building platforms (including a temporary causeway at both sites and a temporary steel jetty at Kurnell)
- Relocation of swing moorings at La Perouse
- Construction of two wharves on piles, one at La Perouse and one at Kurnell that will include:
 - A berth for passenger ferries (to cater for ferries between 15 metres to 40 metres in length)
 - A multi-user berth for commercial and recreational vessels (to cater for vessels between two metres and 20 metres long)
 - Sheltered waiting areas and associated furniture located on the wharves
 - Signage and lighting
- Landside paving and landscaping at the entrance to the wharves
- New footpaths connecting the entrance of the wharves to the existing footpaths
- Reconfiguration of existing car parking areas at La Perouse to increase the number of spaces, and associated footpath changes to accommodate these additional car parking spaces
- Bicycle racks near the La Perouse wharf
- Installation of utilities to service the wharves including power and water.

Figure 1-2, Figure 1-3 and Figure 1-4 show the location of the project and key features.

The anticipated completion of construction and open of stage 1 is February 2025 (subject to weather and completion of the Site Audit Report).

1.4.1 Project justification

The project aims to establish waterborne access between La Perouse and Kurnell and to the National Park, accommodating ferries, tourism-related commercial, and recreational vessels while prioritising safety across all phases of its lifecycle. It adopts a place-led approach in alignment with the Movement and Place Framework (Better Placed – Aligning Movement and Place, NSW Government Architect, 2019), striving for value, efficiency in its development, delivery, and operation, ensuring the project remains within budget and is completed promptly.

Compliance with planning approvals, optimal use of resources from both private and public sectors, and the implementation of robust governance structures are key objectives. The project is committed to meaningful engagement with the Aboriginal community, ensuring culturally sensitive outcomes, and aims to meet the expectations of end users, the community, and stakeholders.

As outlined in Chapter 3 of the EIS, the replacement of the wharves at La Perouse and Kurnell are expected to yield significant benefits, such as:

- Enhanced cultural and economic impacts for local Aboriginal communities, representing a substantial step toward reconciliation at this historic First Meeting Place.
- The achievement of the Kamay Botany Bay National Park Kurnell Master Plan's objectives, fostering a better arrival experience and boosting visitation across the park.
- The completion of critical walking and cycling pathways around Botany Bay and its coastal areas.
- Upgraded access and amenities for recreational boating.
- Economic growth and job creation, particularly in construction, tourism, and hospitality sectors due to new investment opportunities.
- Promotion of active transportation options, encouraging a shift from private vehicles, thus decreasing carbon emissions.
- Safer conditions for recreational fishing, which could lead to fewer rock fishing accidents locally.

The new wharves are expected to increase visitation and promote cultural and economic involvement and growth.



Figure 1--1: Project Location – Regional Context

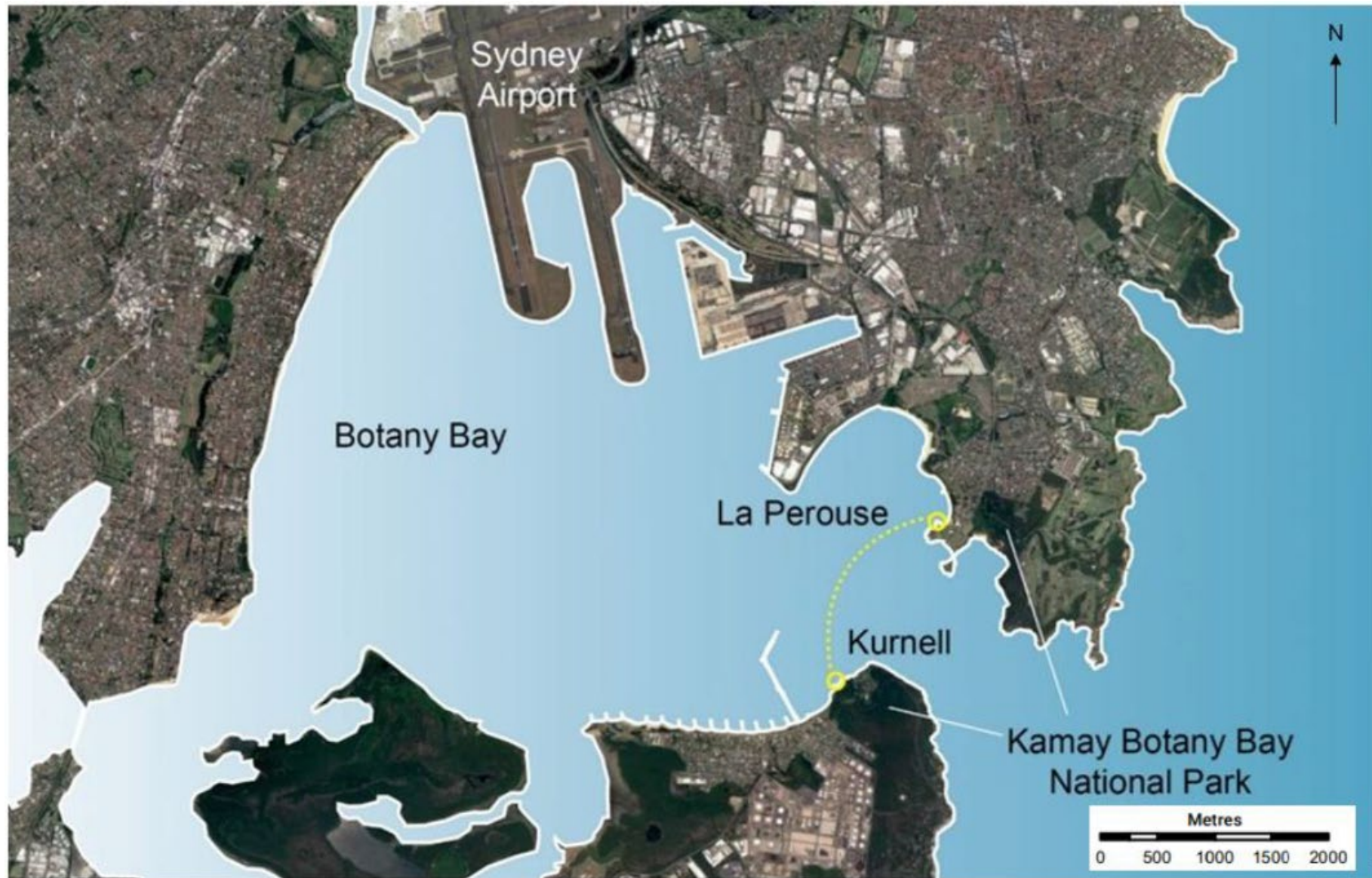


Figure 1--2: Expected Ferry Path Overview



Figure 1--3: Key features of the project (La Perouse overview)



Figure 1--4: Key features of the project (Kurnell overview)

2. Staging approach

2.1 Staging rationale and program

Construction of the wharves is due for completion in early 2025. It is anticipated that Stage 1 would become operational in February 2025 (final open date subject to weather and completion of the Site Audit Report).

As detailed in this Staging Report, Transport is developing operational plans for the multi-user wharves. These plans are required by the Australian and NSW Governments as part of the project's CoA. These planning conditions outline specific requirements for:

- Constructing the wharves
- Operating the wharves
- Enabling a ferry connection.

Transport went out with an Expression of Interest (Eoi) for a Ferry operator between 25 July to 6 September 2024. No formal expressions were received. Transport will re-visit potential opportunities in the future. Transport will be opening the wharves prior to confirming a ferry connection, so that the local community and visitors can enjoy the many benefits of these new wharves.

This Staging Report outlines our plans for a phased operation of the wharves (stage 1) and ferry operations (stage 2), which are in compliance with CoA A08.

Stage 1: The initial stage will involve opening the multi-user wharves to the public so the local community and visitors can enjoy the benefits of the new wharves. This includes berthing facilities for commercial and recreational vessels (up to 20 metres), safe areas for fishing, gathering places with seating and shade to learn about stories of Country, to rest, interact and take in the beautiful views.

Stage 2: Transport will continue to work towards a potential future ferry connection.

2.2 Stage 1 - wharf operation

Stage 1 will focus on the operational functionality of the multi-user wharves prior to the introduction of a ferry connection. The wharves will be open to the public, facilitating a range of waterborne activities including berthing for commercial vessels such as tour boats, fishing charters and private recreational vessels. The aim is to support local tourism, businesses and provide safer community access to the water.

Other benefits include:

- Delivery of the Kamay Master Plan and enhancing the recognition of Aboriginal connections to the area
- A new arrival experience by water and allow people to connect with Aboriginal and cultural values that are associated with Kamay Botany Bay
- Provide safer access for recreational fishing
- Improve the sense of arrival and place making improvements to both sides of the Kamay Botany Bay National Park.

2.2.1 Vessel size and berthing capacity

The wharves are designed to accommodate a range of vessel sizes to ensure versatility in use. Commercial and recreational berths can support vessels up to 20-metres in length. Each wharf allocates one side of the berthing areas for recreational and commercial vessel use (refer to Figure 2-2 and Figure 2-3). Key features of the berthing areas include:

- (1) **Berth structure:** The end of each wharf (the berth structure) is designed as a multi-user space, with one side allocated for recreational and commercial boat users.
- (2) **Waiting area:** Both wharf structures contain a waiting area as close to the berth structure as possible.
- (3) **Approach jetty:** The approach jetties allow for people to move in both directions and includes areas for seating, railings, and lighting.
- (4) **Entrance:** The entrance to the wharves from the land integrates and grounds the wharves to the National Park context. It includes seating to foster interactions with the public and a formal entrance in the visitor's journey to the ferry and the National Park.

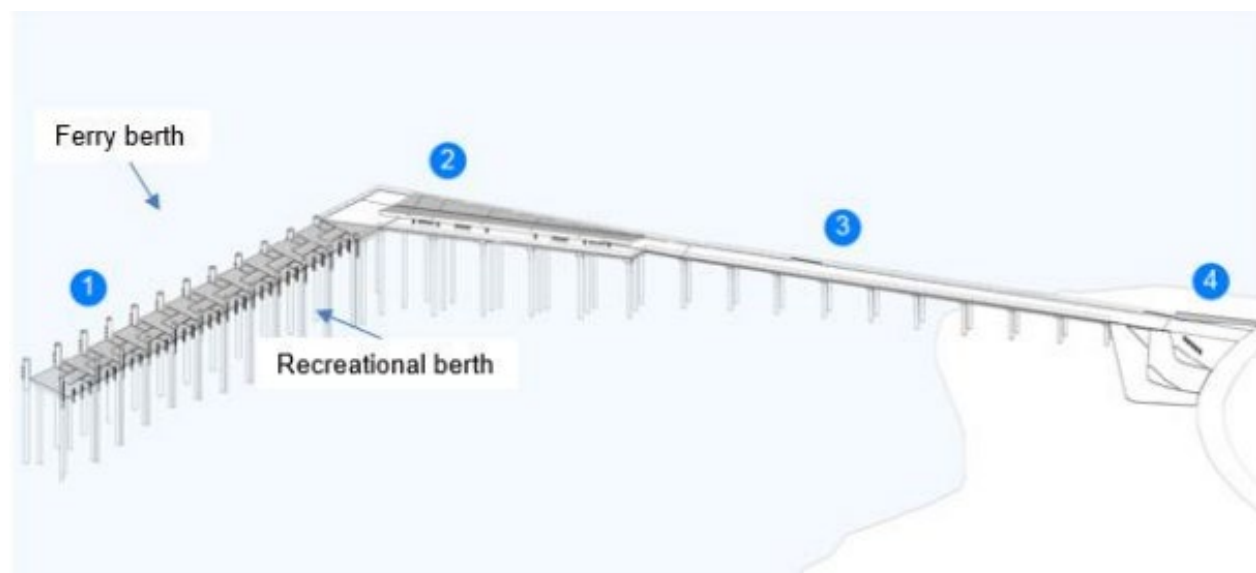


Figure 2--1: La Perouse wharf design features

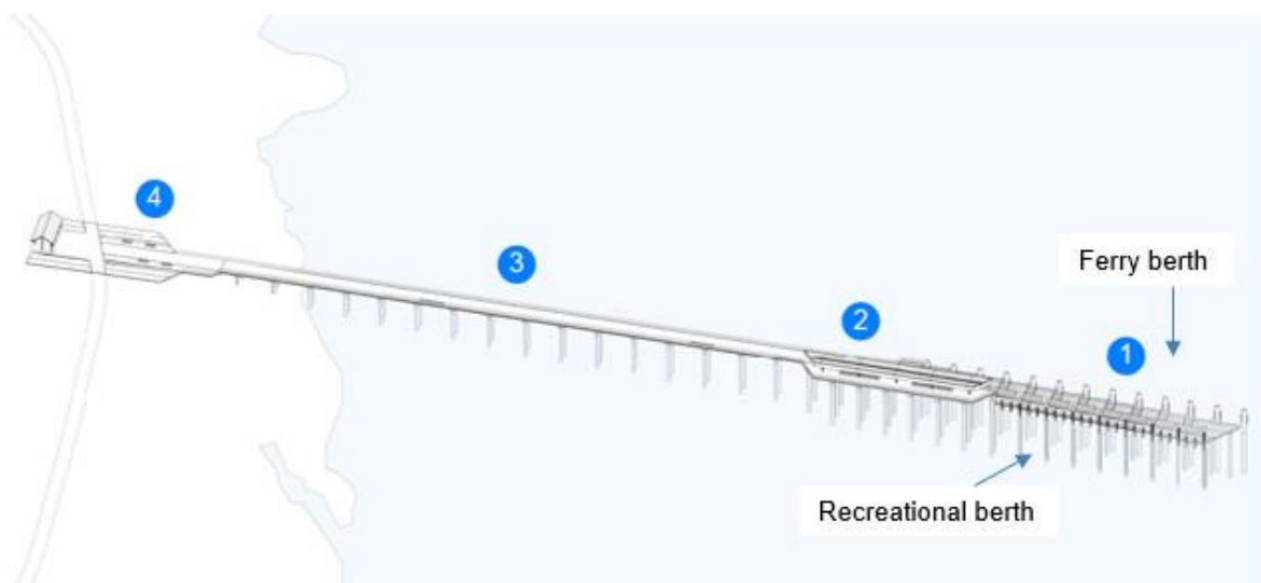


Figure 2--2: Kurnell wharf design features

2.2.2 Vessel and berthing operations

To ensure the safe and harmonious operation of the wharves, distinct zones for different vessel types will be clearly marked to mitigate any potential conflicts. These operational guidelines will delineate specific areas for various activities, enhancing safety for all. The measures will include, but are not limited to, no-anchoring zones and strategically placed buoys to guide recreational vessels away from shallow areas. Additionally, fishing will be permitted on designated sections of the wharves. Swimmers will have access to the rocky shoreline beneath the approach jetty, provided they steer clear of the berthing areas designated for recreational and ferry vessels.

Operational restrictions to control approaching, berthing, and departing from the wharves will be enforced for all vessels using the wharves to limit scour. These measures will be agreed in consultation with Port Authority of NSW (including Harbour Master). All marine vessel operators will be required to comply with the Transport Boating Handbook, which outlines measures for protecting the environment and avoiding pollution of waterways.

2.2.3 Community and stakeholder engagement

Transport will engage with key stakeholders, local businesses and communities and vessel operators prior to wharf opening. This will include information to support the use of the wharves such as community notifications, signs, web updates, emails, stakeholder briefings and community information sessions.

2.3 Stage 2 – ferry operations

In Stage 2, the ferry operations will be finalised along with vessel details. The ferry connection is intended to provide water transport between La Perouse and Kurnell, complementing other transport options and enhancing connectivity in the area.

2.3.1 Ferry size and capacity

The ferry berths are designed to accommodate vessels up to 40 metres in length with a draft of two metres and can carry as many as 450 passengers.

However, the initial ferry operation is expected to typically operate with vessels measuring between 15 to 24 metres in length, which have a draft of two metres and a passenger capacity of around 140.

These specifications ensure the ferry can efficiently handle daily passenger volumes while being agile enough to maneuver within Botany Bay. The exact size and type of vessel and frequency of the ferry would be determined once an operator is confirmed.

2.3.2 Ferry scheduling

The frequency of ferry movements will be determined by the operator, with an expectation of increased activity during weekends as compared to weekdays.

The scheduling will respond to passenger demand, and will be finalised by the operator, potentially offering more frequent services during peak tourism seasons or for special events. Nonetheless, all scheduling will adhere to the approved operating hours for ferry services, which are from 7am to 6pm daily, with the wharf continuing to remain open beyond daylight hours as planned under Stage 1. The exact route between the wharves would be determined once an operator is confirmed.

Figure 1-2 illustrates an overview of the path ferries will take between La Perouse and Kurnell, defining the expected operational zone. This route, however, may be modified as needed to adapt to local environmental variations such as wind, waves, and currents, ensuring safety and efficiency during transit. The wharves have been constructed to support ferry operations under all weather conditions, except during extreme storms events.

2.3.3 Community and stakeholder engagement

Prior to the commencement of ferry operations, Transport will communicate key information to all stakeholders, including those involved in the surrounding maritime operations and recreational boating.

2.3.4 Cumulative impacts

The EIS for the Kamay Ferry Wharves project assessed potential cumulative impacts associated with operation. It considered environmental, social, and economic impacts that might overlap with those from the Kamay Ferry Wharves project based on location, timeframe, impact type, and project status. Based on this assessment, cumulative impacts during the operation of the project are expected to be negligible.

Since the publication of the EIS and Modification Report, there have been no significant new project declarations in the Botany Bay area that would interact with the designated project zone.

Despite the proposed staging of the operations phase, the expected environmental, social, and economic impacts have not altered, with cumulative impacts projected to remain negligible.

3. Addressing conditions of approval

3.1 Applicability

An assessment has been made to identify which MCoAs, Revised Environmental Management Measures (REMMs) and EPBC CoAs apply to each stage of operation and is provided in Appendix A, Appendix B and Appendix C respectively. Where a MCoA, REMM or EPBC CoA has been deemed to be relevant to a stage, it is defined as **applicable** to that stage. Where a condition/measure does not relate to the stage, it is defined as being **not applicable**. Where only part of a condition/measure relates to the stage, it is defined as being **partially** applicable. This indicates that the condition/measure will be at least partially complied with during the stage.

In the event where there is a refinement in the operation method, the change will be considered in the context of consistency with the Minister's approval for the Project. The applicability of the condition/measure to that stage shall also be reviewed as part of the consistency assessment process.

Should a project modification be undertaken that requires a change to the conditions, the staging report will be revised, following approval of the modification, to reflect any changes to the condition allocations.

3.2 Operational environmental management

Each stage of operation will be required to adhere to, and implement, the requirements of an Operational Environmental Management Plan (OEMP) to prevent, reduce, and manage impacts on protected areas during operation (CoA D1, EPBC CoA Part A-8).

The Stage 1 OEMP was developed through discussions with stakeholders and was submitted to DPHI at least **one month** before operations begin. A separate stage 2 OEMP would be prepared in consultation with key stakeholders once the Ferry operator is confirmed.

The elements of the OEMP, along with its sub-plans for managing different operational stages, were established based on a review of the approved MCoAs and REMMs.

The OEMP for both stages consist of the following:

- Community communications measures (CoA B1 & B5)
- Marine Biodiversity Operational Impact Assessment Report (CoA E20)
- Contamination Management Measures (CoA E69)
- Operational Noise Management Measures (CoA E52) and Compliance reporting (CoA E56)
- Maritime Risk Management Subplan (CoA E86)
- Vessel Traffic Management Subplan (CoA E87)
- Operation Waste Management Measures (CoA E111)
- Water Quality Objectives Monitoring and Management Measures (CoA E115).

3.3 Consistency across stages

Appendix A outlines the key MCoAs that will be implemented across the operation stages, to ensure impacts are managed consistently and the community communications for the project are undertaken consistently across both stages of operation.

3.4 Compliance tracking

Several layers of compliance checking will be applied during the operation of the SSI. Transport will conduct an auditing program across all stages of operation with a specific focus on compliance with the conditions of approval (CoA A39 to A41) as outlined below:

- A39 In accordance with the specific requirements in the Independent Audit Post Approval Requirements (DPIE, 2020), the Proponent must
 - (a) review and respond to each Independent Audit Report prepared under Condition A37 or Condition A38;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each Independent Audit Report and response to it publicly available two months after submission to the Planning Secretary, or as otherwise agreed by the Planning Secretary.
- A40 Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Planning Secretary within two months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (DPIE, 2020).
- A41 Notwithstanding the requirements of the Independent Audit Post Approval Requirements (DPIE, 2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.

Additionally, the auditing program will take into consideration the minimum requirements outlined in the *Independent Audit Post Approval Requirements* (DPIE, 2020), which includes:

- Audit frequency (as outlined in Table 3-1-below)
- An Independent Audit Methodology
- An Independent Audit Report and
- Proponent's response to the Independent Audit findings.

Table 3-1:- Audit Frequency (DPIE,2020)

Phase	Initial Independent Audit	Ongoing Independent Audit Intervals
Operation	Within 26 weeks of the commencement of operation	At intervals, no greater than 3 years or as otherwise agreed by the Secretary.
Closure / Rehabilitation	Within 52 weeks from notifying of suspension/ceasing of operations	At intervals no greater than 1 year or as otherwise

Phase	Initial Independent Audit	Ongoing Independent Audit Intervals
		agreed by the Secretary.

Furthermore, compliance tracking will include continuous monitoring through surveillance, environmental inspections, record-keeping, and regular compliance reporting. Adherence to the Planning Approval's Conditions of Approval (CoAs) will be strictly overseen by Transport.

Appendix A Conditions of Approval applicability for each stage

Table A-1 has been based on the KFW MCoAs (SSI-10049 Mod-1 Consolidated Approval) as issued by DPHI on 13 December 2023.

Table A-1 Ministers Conditions of Approval applicable to operations

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
General	General	MCoA	A01	The Proponent must carry out the SSI in accordance with the terms of this approval and generally in accordance with the: (a) Kamay Ferry Wharves Environmental Impact Statement (the EIS), dated June 2021 ; (b) Kamay Ferry Wharves Response to Submissions Report (the Submissions Report), dated October 2021; and (c) Kamay Ferry Wharves Marine Biodiversity Offset Strategy (the MBOS), dated November 2021	Applicable	Applicable
General	General	MCoA	A02	The SSI must only be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the documents listed in Condition A1 unless otherwise specified in, or required under, this approval.	Applicable	Applicable
General	General	MCoA	A03	In the event of an inconsistency between: (a) the terms of this approval and any document listed in Condition A1 inclusive, the terms of this approval will prevail to the extent of the inconsistency; and (b) any document listed in Condition A1 inclusive, the most recent document will prevail to the extent of the inconsistency. 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.	Applicable	Applicable
General	General	MCoA	A04	The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: (a) the environmental performance of the SSI; (b) any document or correspondence in relation to the SSI; (c) any notification given to the Planning Secretary under the terms of this approval; (d) any audit of the construction or operation of the SSI; (e) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval); the carrying out of any additional monitoring or mitigation measures; and (g) in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.	Applicable	Applicable
General	General	MCoA	A05	This approval lapses five years after the date on which it is granted, unless work has physically commenced on or before that date.	Not applicable	Not applicable
General	General	MCoA	A06	References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Australian Standards or policies in the form they are in as at the date of this approval, unless otherwise approved by the Planning Secretary.	Applicable	Applicable
Staging	Staging	MCoA	A07	The SSI may be constructed and operated in stages (including but not limited to temporal, location or activity based staging). Where staged construction and/or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared. The Staging Report must be endorsed by the ER and then submitted to the Planning Secretary for information no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation). Note: Unless otherwise specified in this approval, early works are a stage of construction.	Applicable	Applicable
Staging	Staging	MCoA	A08	The Staging Report must: (a) if staged construction is proposed, set out how the construction of the whole of the SSI will be staged, including details of work and activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish; (b) if staged operation is proposed, set out how the operation of the whole of the SSI will be staged, including details of activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant); (c) specify how compliance with conditions will be achieved across and between each of the stages of the SSI; and (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging. Note: A Staging Report may reflect the staged construction and operation of the project through geographical activities, temporal activities or activity-based contracting and staging.	Applicable (partial) Components (b), (c) and (d) are applicable	Applicable (partial) Components (b), (c) and (d) are applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Staging	Staging	MCoA	A09	The SSI must be staged in accordance with the Staging Report, and submitted for information to the Planning Secretary.	Applicable	Applicable
Staging	Staging	MCoA	A10	Where staging is proposed, the terms of this approval that apply or are relevant to the work or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	Applicable	Applicable
Staging	Staging	MCoA	A11	Where changes are proposed to the staging of construction or operation, a revised Staging Report must be prepared, endorsed by the ER and submitted to the Planning Secretary for information no later than one month prior to the proposed change in the staging.	Applicable	Applicable
Staging	Staging	MCoA	A12	Should a Construction Environmental Management Framework (CEMF) be submitted for approval under Condition A15, the Staging Report must be submitted with the CEMF, i.e. no later than one month before the lodgement of any CEMP, CEMP Sub-plan or CMP to the Planning Secretary for approval.	Not applicable	Not applicable
Timing & Approvals	Timing & Approvals	MCoA	A13	Any document that must be submitted or action taken within a timeframe specified in or under the terms of this approval may be submitted or undertaken within a later timeframe agreed with the Planning Secretary. This condition does not apply to the written notification required in respect of an incident.	Applicable	Applicable
Timing & Approvals	Timing & Approvals	MCoA	A14	Where the terms of this approval require consultation to be undertaken, evidence of the consultation undertaken must be submitted to the Planning Secretary and ER (as relevant) with the corresponding documentation. The evidence must include: (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.	Applicable	Applicable
Construction Environmental Management Framework	Construction Environmental Management Framework	MCoA	A15	A Construction Environmental Management Framework (CEMF) may be prepared to facilitate the approval of construction environmental management and monitoring plans required under Conditions C1 and C15. The CEMF must: (a) identify the Construction Environmental Management Plans (CEMPs), CEMP Sub-plans and Construction Monitoring Programs (CMP) required for each stage of construction consistent with the Staging Report prepared under Condition A7; (b) document the proposed structure of the CEMPs, CEMP Sub-plans and CMPs for the relevant stage of construction; (c) provide, by way of a Risk Matrix, an assessment of the predicted level of environmental and social risk, including the potential level of community concerns posed by each construction stage. This must use a process consistent with AS/NZS ISO 31000: 2018; Risk Management — Guidelines; and (d) nominate the endorsement level for the CEMPs, CEMP Sub-plans and CMPs required for each construction stage. The endorsement level being one of the following: i) Low Risk — self endorsed and consultation with agency and council stakeholders is not mandatory; ii) Medium Risk — endorsed by the ER and consultation with stakeholders required; and iii) High Risk — endorsed by the Planning Secretary and consultation with stakeholders required. For a Low Risk Stage(s) the requirements of Part C of this approval do not apply. In these circumstances, a CEMP, CEMP Sub-plan and CMP, may be substituted with an alternate process such as a Construction Method Statement or the like. The CEMF must be endorsed by the ER and then submitted no later than one month before the lodgement of any CEMP, CEMP Sub-plan or CMP to the Planning Secretary for approval. Note: The Planning Secretary may vary the CEMF in relation the endorsement authority for the CEMPs, CEMP Sub-plans and CMPs.	Not applicable	Not applicable
Construction Environmental Management Framework	Construction Environmental Management Framework	MCoA	A16	The approved CEMF must be implemented for the duration of construction.	Not applicable	Not applicable
Construction Environmental Management Framework	Construction Environmental Management Framework	MCoA	A17	Where changes are proposed to the staging of construction, a revised CEMF must be prepared, endorsed by the ER and submitted to the Planning Secretary for approval no later than one month prior to the proposed change in the staging.	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Construction Environmental Management Framework	Staging, Combining and Updating Strategies, Plans or Programs	MCoA	A18	<p>Strategies, plans or programs required by this approval can be submitted on a progressive basis, with the agreement of the Planning Secretary.</p> <p>With the agreement of the Planning Secretary, the Proponent may prepare the updated strategy, plan or program without undertaking all the consultation required under the applicable condition in this approval.</p> <p>Strategies, plans or programs required by this approval can be combined in one document, as set out in documents in Condition A1 or with agreement with the Planning Secretary.</p> <p>Notes:</p> <p>1. While any strategy, plan or program may be submitted on a progressive basis, the Proponent must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times; and</p> <p>2. If the submission of any strategy, plan or program is to be undertaken in a progressive manner, then the relevant strategy, plan or program must clearly describe the specific stage to which strategy, plan or program applies, the relationship of this stage to future stages, and the trigger for updating the strategy, plan or program.</p>	Not applicable	Not applicable
Construction Ancillary Facilities	Construction Ancillary Facilities	MCoA	A19	<p>Construction ancillary facilities that are not identified by description and location in the documents listed in Condition A1 can only be established and used in each case if:</p> <p>(a) they are located within or immediately adjacent to the construction boundary;</p> <p>(b) they are not located next to sensitive land use(s) (including where an access road is between the facility and the land use), unless the landowner and occupier have given written acceptance to the carrying out of the relevant facility in the proposed location;</p> <p>(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</p> <p>(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.</p>	Not applicable	Not applicable
Site Establishment work	Site Establishment Management Plan	MCoA	A20	<p>Before the establishment of a construction ancillary facility that is required prior to the approval of a CEMP (excluding minor construction ancillary facilities determined by the ER to have minimal environmental impact and those established under Condition A22), the Proponent must prepare a Site Establishment Management Plan which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities. The Site Establishment Management Plan must be prepared in consultation with the relevant council and government agencies. The Plan must be submitted to the Planning Secretary for approval one month before the establishment of any construction ancillary facilities. The Site Establishment Management Plan must detail the management of the construction ancillary facilities and include:</p> <p>(a) a description of activities to be undertaken during establishment of the construction ancillary facility (including scheduling and duration of work to be undertaken at the site);</p> <p>(b) figures illustrating the proposed operational site layout and the location of the closest sensitive land use(s);</p> <p>(c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of site establishment work;</p> <p>(d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:</p> <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; and</p> <p>(e) a program for monitoring the performance outcomes, including a program for construction noise monitoring.</p> <p>Nothing in this condition prevents the Proponent from preparing individual Site Establishment Management Plans for each construction ancillary facility.</p> <p>Note: This plan is only needed before a CEMP is approved. Once a CEMP is approved a Site Establishment Management Plan(s) is not required.</p>	Not applicable	Not applicable
Site Establishment work	Use of a construction ancillary facility	MCoA	A21	<p>A construction ancillary facility established under Condition A19 must not be used for Construction until the CEMP required by Condition 0, relevant CEMP Sub-plans required by Condition C6 and relevant CMPs required by Condition C14 have been approved.</p>	Not applicable	Not applicable
Site Establishment work	Minor construction ancillary facilities	MCoA	A22	<p>Minor construction ancillary facilities can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria:</p> <p>(a) are located within or immediately adjacent to the construction boundary; and</p> <p>(b) have been assessed by the ER to have:</p> <p>(i) minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009) (ICNG), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts;</p> <p>(ii) minimal environmental impact with respect to waste management and flooding; and</p> <p>(iii) no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval.</p>	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Site Establishment work	Boundary screening	MCoA	A23	Boundary screening must be erected between construction ancillary facilities (excluding minor construction ancillary facilities) and adjacent to sensitive land use(s) for the duration of the time that the construction ancillary facility is in use, unless otherwise agreed with the owner and occupier of the adjacent sensitive land use(s). Boundary screening must minimise visual impacts on adjacent sensitive land use(s) and must incorporate Indigenous artwork wherever visible.	Not applicable	Not applicable
Site Establishment work	Boundary screening	MCoA	A24	The SSI name, application number, telephone number, postal address and email address required under Condition B8 of this approval must be made available on site boundary fencing / hoarding at each construction ancillary facility before the commencement of construction. This information must also be provided on the website required under Condition B12 of this approval.	Not applicable	Not applicable
Independent Appointments	Independent Appointments	MCoA	A25	All Independent Appointments required by the terms of this approval must have regard to Seeking approval from the Department for the appointment of independent experts (DPIE, 2020) and hold current membership of a relevant professional body, unless otherwise agreed by the Planning Secretary.	Not applicable	Not applicable
Independent Appointments	Independent Appointments	MCoA	A26	The Planning Secretary may at any time commission an audit of how an Independent Appointment has exercised their functions. The Proponent must: (a) facilitate and assist the Planning Secretary in any such audit; and (b) make it a term of their engagement of an Independent Appointment that the Independent Appointment facilitate and assist the Planning Secretary in any such audit.	Not applicable	Not applicable
Independent Appointments	Independent Appointments	MCoA	A27	The Planning Secretary may withdraw its approval of an Independent Appointment should they consider the Independent Appointment has not exercised their functions in accordance with this approval.	Not applicable	Not applicable
Environmental Representative	Environmental Representative	MCoA	A28	Work must not commence until an Environmental Representative (ER) has been nominated by the Proponent and approved by the Planning Secretary.	Not applicable	Not applicable
Environmental Representative	Environmental Representative	MCoA	A29	The Planning Secretary's approval of an ER must be sought no later than one month before the commencement of work.	Not applicable	Not applicable
Environmental Representative	Environmental Representative	MCoA	A30	The proposed ER must be a suitably qualified and experienced person(s) who was not involved in the preparation of the documents listed in Condition A1, and is independent from the design and construction personnel for the SSI and those involved in the delivery of it. Skills, qualifications, experience, availability and capacity of the ER must meet the requirements set out in Environmental Representative Protocol (Department of Planning and Environment, 2018) (the Environmental Representative Protocol).	Not applicable	Not applicable
Environmental Representative	Environmental Representative	MCoA	A31	The Proponent may engage more than one ER for the SSI, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the SSI.	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Environmental Representative	Environmental Representative	MCoA	A32	For the duration of the Work until the completion of construction, or as agreed with the Planning Secretary, the approved ER must: (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the SSI; (b) consider and inform the Planning Secretary on matters specified in the terms of this approval; (c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; (d) review documents identified in Conditions A7, A19, A20, A22, C1, C6 and C14 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so: (i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary / Department for information or are not required to be submitted to the Planning Secretary/Department); and (iii) provide a written statement / submission via the Major Projects portal to the Planning Secretary advising the documents have been endorsed by the ER; (e) regularly monitor the implementation of the documents listed in Conditions A7, A20, C11, C6 and C14 to ensure implementation is being carried out in accordance with the document and the terms of this approval; (f) as may be requested by the Planning Secretary, help plan or attend audits of the development commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under Condition A37 of this approval; (g) as may be requested by the Planning Secretary, assist in the resolution of community complaints; (h) consider or assess the impacts of minor construction ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities as required by Condition A21 of this approval; consider any minor amendments to be made to the Site Establishment Management Plan, CEMP, CEMP Sub-plans and monitoring programs without increasing impacts to nearby sensitive land uses or that comprise updating or are of an administrative nature, and are consistent with the terms of this approval and the CEMP, CEMP Sub-plans and monitoring programs approved by the Planning Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval; (j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven days following the end of each month for the duration of the ER's engagement for the SSI, or as otherwise agreed by the Planning Secretary; and (k) review the appropriateness of any activities reliant on the definition of Low Impact Work.	Not applicable	Not applicable
Environmental Representative	Environmental Representative	MCoA	A33	The Proponent must provide the ER with documentation requested in order for the ER to perform their functions specified in Condition A32 (including preparation of the Environmental Representative Monthly Report), as well as: (a) the complaints register (to be provided on a weekly basis or as requested); 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).	Not applicable	Not applicable
Notification of Commencement	Notification of Commencement	MCoA	A34	The Department must be notified in writing of the dates of commencement of works, construction and operation at least one month before those dates.	Applicable	Applicable
Notification of Commencement	Notification of Commencement	MCoA	A35	If the construction or operation of the SSI is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of the commencement of the relevant works, construction and operation at least one month before those dates.	Applicable	Applicable
Auditing	Auditing	MCoA	A36	Proposed independent auditors must be agreed to in writing by the Planning Secretary before the commencement of an Independent Audit.	Not applicable	Not applicable
Auditing	Auditing	MCoA	A37	Independent Audits of the SSI must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020).	Not applicable	Not applicable
Auditing	Auditing	MCoA	A38	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least four weeks notice (or timing as stipulated by the Planning Secretary) to the Proponent of the date upon which the audit must be commenced.	Not applicable	Not applicable
Auditing	Auditing	MCoA	A39	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (DPIE, 2020), the Proponent must: (a) review and respond to each Independent Audit Report prepared under Condition A37 or Condition A38; (b) submit the response to the Planning Secretary; and	Applicable	Applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
				(c) make each Independent Audit Report and response to it publicly available two months after submission to the Planning Secretary, or as otherwise agreed by the Planning Secretary.		
Auditing	Auditing	MCoA	A40	Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Planning Secretary within two months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (DPIE, 2020).	Applicable	Applicable
Auditing	Auditing	MCoA	A41	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (DPIE, 2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.	Applicable	Applicable
Incident and Non-Compliance Notification and Reporting	Incident Notification, Reporting and Response	MCoA	A42	The Planning Secretary must be notified via the Major Projects Website immediately after the Proponent becomes aware of an incident. The notification must identify the SSI (including the application number and the name of the SSI if it has one) and set out the location and nature of the incident.	Applicable	Applicable
Incident and Non-Compliance Notification and Reporting	Incident Notification, Reporting and Response	MCoA	A43	Subsequent notification must be given and reports submitted in accordance with the requirements set out in APPENDIX A	Applicable	Applicable
Incident and Non-Compliance Notification and Reporting	Non-Compliance Notification	MCoA	A44	The Planning Secretary must be notified via the Major Projects Website within seven days after the Proponent becomes aware of any non-compliance. The notification must identify the SSI (including the application number and the name of the SSI if it has one), identify the condition/s against which the SSI is non-compliant, the nature of the non-compliance; the reason for the noncompliance (if known) and what actions have been, or will be, undertaken to address the noncompliance.	Applicable	Applicable
Incident and Non-Compliance Notification and Reporting	Non-Compliance Notification	MCoA	A45	A non-compliance which has been notified as an incident under Condition A42 does not need to be notified as a non-compliance.	Applicable	Applicable
Community Communication Strategy	Community Communication Strategy	MCoA	B1	A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication about construction and operation of the SSI with: (a) the community (including adjoining affected landowners and businesses, and others directly impacted by the SSI); and (b) the relevant councils, EPA, EHG, DPI Fisheries, Heritage NSW, as applicable.	Applicable The CCS will continue to apply for 12 months post opening	Applicable The CCS will continue to apply for 12 months post opening

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Community Communication Strategy	Community Communication Strategy	MCoA	B2	The Community Communication Strategy must: (a) identify people, organisations, councils and agencies to be consulted during the design and work phases of the SSI; (b) identify details of the community and its demographics; (c) identify timing of consultation; (d) set out procedures and mechanisms for the regular distribution of accessible information including to Language Other than English (LOTE) and Culturally and Linguistically Diverse (CALD) and vulnerable communities about or relevant to the SSI; detail the measures for informing Registered Aboriginal Parties (RAPs) as required by Condition E24; identify opportunities for education within the community about construction sites; (g) detail the measures for advising the community in advance of upcoming construction including upcoming out-of-hours work as required by Condition E51; (h) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant community(ies) for the SSI; (i) detail the role and responsibilities of the Public Liaison Officer(s) engaged under Condition B6; (j) set out procedures and mechanisms: (i) through which the community can discuss or provide feedback to the Proponent; (ii) through which the Proponent will respond to enquiries or feedback from the community; and (iii) to resolve any issues and mediate any disputes that may arise in relation to the environmental management and delivery of the SSI, including disputes regarding rectification or compensation; and (k) address who will engage with the community, relevant councils and agencies.	Not applicable	Not applicable
Community Communication Strategy	Community Communication Strategy	MCoA	B3	The Community Communication Strategy must be submitted to the Planning Secretary and be approved prior to the commencement of any Work.	Not applicable	Not applicable
Community Communication Strategy	Community Communication Strategy	MCoA	B4	Work for the purposes of the SSI must not commence until the Community Communication Strategy has been approved by the Planning Secretary.	Not applicable	Not applicable
Community Communication Strategy	Community Communication Strategy	MCoA	B5	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for the duration of Work and for 12 months following the completion of construction.	Applicable The CCS will continue to apply for 12 months post construction	Not applicable
Community Communication Strategy	Public Liaison Officer	MCoA	B6	A Public Liaison Officer must be appointed to assist the public with questions and complaints they may have at any time during Work. The Public Liaison Officer must be available at all times that Work is occurring.	Not applicable	Not applicable
Community Communication Strategy	Complaints Management System	MCoA	B7	A Complaints Management System must be prepared and implemented before the commencement of any Work and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the SSI.	Applicable Complaints management system will be as per the CCS and managed by Transport	Not applicable
Community Communication Strategy	Complaints Management System	MCoA	B8	The following information must be available to facilitate community enquiries and manage complaints one month before the commencement of Work and for 12 months following the completion of construction: (a) a 24-hour telephone number for the registration of complaints and enquiries about the SSI; (b) a postal address to which written complaints and enquires may be sent; (c) an email address to which electronic complaints and enquiries may be transmitted; and (d) a mediation system for complaints unable to be resolved. This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level.	Applicable Communication about operation of the SSI will be as per the CCS and managed by Transport	Not applicable
Community Communication Strategy	Complaints Management System	MCoA	B9	A Complaints Register must be maintained recording information on all complaints received about the SSI during the carrying out of any work and for a minimum of 12 months following the completion of construction. The Complaints Register must record the: (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;	Applicable Complaints management system will be as per the CCS and managed by Transport	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
				(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.		
Community Communication Strategy	Complaints Management System	MCoA	B10	Complainants must be advised of the following information before, or as soon as practicable after, providing personal information: (a) the Complaints Register may be forwarded to government agencies, including the Department (via the Major Projects Website), to allow them to undertake their regulatory duties; (b) by providing personal information, the complainant authorises the Proponent to provide that information to government agencies; (c) the supply of personal information by the complainant is voluntary; and (d) the complainant has the right to contact government agencies to access personal information held about them and to correct or amend that information (Collection Statement). The Collection Statement must be included on the Proponent or development website to make prospective complainants aware of their rights under the Privacy and Personal Information Protection Act 1998 (NSW). For any complaints made in person, the complainant must be made aware of the Collection Statement.	Applicable Complaints management system will be as per the CCS and managed by Transport	Not applicable
Community Communication Strategy	Complaints Management System	MCoA	B11	The Complaints Register must be provided to the Planning Secretary upon request, within the timeframe stated in the request.	Applicable	Not applicable
Provision of Electronic Information	Provision of Electronic Information	MCoA	B12	A website or webpage providing information in relation to the SSI must be established before commencement of Work and be maintained for the duration of construction, and for a minimum of 24 months following the completion of construction. The following up-to-date information (excluding confidential, private, commercial information or any other information that the Planning Secretary has approved to be excluded) must be published before the relevant work commences and maintained on the website or dedicated pages including: (a) information on the current implementation status of the SSI; (b) a copy of the documents listed in Condition A1, and any documentation relating to any modifications made to the SSI or the terms of this approval; (c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval; (d) a copy of each statutory approval, licence or permit required and obtained in relation to the SSI; a copy of the current version of each document required under the terms of this approval; and a copy of the audit reports required under this approval. Where the information / document relates to a particular work or is required to be implemented, it must be published before the commencement of the relevant work to which it relates or before its implementation. All information required in this condition must be provided on the Proponent's website, ordered in a logical sequence and which is easy to navigate.	Applicable (partial) The website will be kept up to date for 24 months post completion of construction.	Applicable (partial) The website will be kept up to date for 24 months post completion of construction.
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C1	Except as provided by Condition A15, a Construction Environmental Management Plan (CEMP) must be prepared having regard to the Environmental Management Plan Guideline for Infrastructure Projects (Department of Planning, Industry and Environment, 2020).	Not applicable	Not applicable
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C2	The CEMP must provide: (a) a description of activities to be undertaken during construction (including the scheduling of construction); (b) details of environmental policies, guidelines and principles to be followed in the construction of the SSI; (c) a program for ongoing analysis of the key environmental and social risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of construction of the SSI. The initial risk assessment may be undertaken as part of the CEMP pursuant to Condition A15; (d) details of how the activities described in subsection (a) of this condition will be carried out to: (i) meet the performance outcomes stated in the documents listed in Condition A1 and as required by this approval; and (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; an inspection program detailing the activities to be inspected and frequency of inspections; a protocol for managing and reporting any: (i) incidents, and (ii) non-compliances with this approval or statutory requirements; (g) procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during construction; (h) a list of all the CEMP Sub-plans required in respect of construction, as set out in Condition C6. Where staged construction of the SSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction; (i) an organisational chart including description of the roles and environmental responsibilities for relevant employees and any independent appointments;	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
				(j) for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval; and (k) for periodic review and update of the CEMP and all associated plans and programs. Note: CEMP(s) may reflect the construction of the project through geographical activities, temporal activities or activity based staging.		
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C3	CEMP(s) (and relevant CEMP sub-plans) must be submitted to the Planning Secretary for approval except those permitted to be endorsed by others pursuant to a CEMF approved by the Planning Secretary under Condition A15.	Not applicable	Not applicable
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C4	Where a CEMP (and relevant CEMP sub-plans) requires Planning Secretary's approval, the CEMP (and relevant CEMP sub-plans) must be endorsed by the ER and then submitted to the Planning Secretary for approval no later than one month before the commencement of construction, or where construction is staged, no later than one month before the commencement of each stage.	Not applicable	Not applicable
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C5	CEMP(s) (and relevant CEMP sub-plans) not requiring the Planning Secretary's approval, but requiring ER endorsement, must be submitted to the ER no later than one month before the commencement of construction or where construction is staged no later than one month before the commencement of that stage. That CEMP (and relevant CEMP sub-plans) must obtain the endorsement of the ER as being consistent with the conditions of this approval and all undertakings made in the documents listed in Condition A1.	Not applicable	Not applicable
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C6	Except as provided by Condition A15, the following CEMP Sub-plans must be prepared in consultation with the relevant government agencies identified for each CEMP Sub-plan. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant CEMP Sub-plan, including copies of all correspondence from those agencies as required by Condition A14. Note: CEMP Sub-plan(s) may reflect the construction of the project through geographical activities, temporal activities or activity-based staging.	Not applicable	Not applicable
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C7	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 principles.	Not applicable	Not applicable
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C8	The Traffic, Transport and Access CEMP Sub-plan must include the following: (a) identify roads to be utilised as part of Construction and measures to ensure construction vehicles follow this route; (b) identify marine construction and vessel mooring zones and measures to delineate these areas; (c) measures to physically separate pedestrian and construction vehicle movements, such as temporary barriers; and (d) where access is via non-road land (such as across lawn areas of NPWS land) vehicle routes must be agreed in consultation with NPWS, and large vehicle movements is to be minimised to avoid excess ground compression and Aboriginal cultural heritage and vegetation impacts.	Not applicable	Not applicable
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C9	The Noise and Vibration CEMP Sub-plan must include measures to minimise vibration impacts on Aboriginal and historic heritage, including: (a) monitoring of vibration impacts in the immediate area of AHIMS Site # 45-6-0653 (Site 6 La Perouse), including procedures to be followed should any impact or damage occur; (b) identification of smaller equipment or hand tools for use in the following locations: (i) the La Perouse Monument inside the Anzac Parade Loop, which is near the construction boundary and may be impacted if large vibration generating equipment is used; (ii) the Coursed Stone Sea Wall, which is located at Kurnell and will be within 5-10 metres of Piling; (iii) the Captain Cook Monument, which is set on sandstone bedrock and is within the construction boundary and adjacent to Monument Track, where a utilities trench will be installed; and (iv) landscape works close to the ferry shelter shed, where there is potential for indirect vibration impacts to the structure.	Not applicable	Not applicable
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C10	Unexpected Heritage Finds and Human Remains Procedure required under Condition C10 may be submitted as part of the Non-Aboriginal Heritage CEMP Sub-plan and Aboriginal Cultural Heritage CEMP Sub-plan.	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation									
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C11	The Aboriginal Cultural Heritage CEMP Sub-plan must: (a) be prepared by a suitably qualified and experienced person; (b) be prepared in consultation with Heritage NSW and the RAPS; (c) include a protocol for ongoing consultation with the RAPs and LALCs for the duration of this project; (d) include measures to prevent harm to any Aboriginal objects outside the construction boundary; (e) include a program to monitor and report on the effectiveness of any mitigation and management measures in protecting or limiting harm to Aboriginal objects; (f) ensure any workers on site receive suitable Aboriginal cultural heritage induction(s) prior to carrying out any activities which may disturb Aboriginal sites, and that suitable records are kept of these inductions; (g) include a Trigger Action Response Plan that included stop work provision, notification protocols and significance assessment protocols to manage key Aboriginal heritage, including: (i) the discovery of any potential human remains; (ii) the discovery of previously unidentified Aboriginal objects within the construction footprints; and (iii) managing unauthorised ground disturbance.	Not applicable	Not applicable									
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C12	Construction must not commence until the relevant CEMP(s) and CEMP Sub-plans have been approved by the Planning Secretary or endorsed by the ER, (as applicable and as identified in the CEMF approved under Condition A15.	Not applicable	Not applicable									
Construction Environmental Management Plan	Construction Environmental Management Plan	MCoA	C13	The CEMP(s) and CEMP Sub-plans as approved or endorsed (as relevant), including any minor amendments approved by the ER, must be implemented for the duration of construction.	Not applicable	Not applicable									
Construction Monitoring Program	Construction Monitoring Program	MCoA	C14	Except as provided by Condition A15, the following CMP must be prepared in consultation with the relevant government agencies identified for each to compare actual performance of construction of the SSI against the performance predicted in the documents listed in Condition A1 or in the CEMP: <table><tr><td></td><td>Required CMP</td><td>Relevant government agencies to be consulted for each CMP</td></tr><tr><td>(a)</td><td>Noise and Vibration</td><td>EPA</td></tr><tr><td>(b)</td><td>Turbidity</td><td>DPI Fisheries</td></tr></table>		Required CMP	Relevant government agencies to be consulted for each CMP	(a)	Noise and Vibration	EPA	(b)	Turbidity	DPI Fisheries	Not applicable	Not applicable
	Required CMP	Relevant government agencies to be consulted for each CMP													
(a)	Noise and Vibration	EPA													
(b)	Turbidity	DPI Fisheries													
Construction Monitoring Program	Construction Monitoring Program	MCoA	C15	Each CMP 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 project to be undertaken; (d) the parameters of the project to be monitored; (e) the frequency of monitoring to be undertaken; (f) the location of monitoring; (g) the reporting of monitoring results and analysis results against relevant criteria; (h) details of the methods that will be used to analyse the monitoring data; (i) procedures to identify and implement additional mitigation measures where the results of the monitoring indicate unacceptable project impacts; and (j) any consultation to be undertaken in relation to the monitoring programs.	Not applicable	Not applicable									
Construction Monitoring Program	Construction Monitoring Program	MCoA	C16	CMP(s) must be submitted to the Planning Secretary for approval except those permitted to be endorsed by others pursuant to a CEMF approved by the Planning Secretary under Condition A15.	Not applicable	Not applicable									
Construction Monitoring Program	Construction Monitoring Program	MCoA	C17	Where a CMP requires Planning Secretary's approval, the CMP must be endorsed by the ER and then submitted to the Planning Secretary for approval no later than one month before the commencement of construction, or where construction is staged, no later than one month before the commencement of each stage.	Not applicable	Not applicable									
Construction Monitoring Program	Construction Monitoring Program	MCoA	C18	CMP(s) not requiring the Planning Secretary's approval, but requiring ER endorsement, must be submitted to the ER no later than one (1) month before the commencement of construction or where construction is staged no later than one (1) month before the commencement of that stage. The CMP(s) must be endorsed by the ER as being consistent with the conditions of this approval and all undertakings made in the documents listed in Condition A1 .	Not applicable	Not applicable									
Construction Monitoring Program	Construction Monitoring Program	MCoA	C19	Construction must not commence until the relevant CMP(s) have been approved by the Planning Secretary or endorsed by the ER, (as applicable and as identified in the CEMF approved under Condition A15, and all relevant baseline data for the specific construction activity has been collected.	Not applicable	Not applicable									

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Construction Monitoring Program	Construction Monitoring Program	MCoA	C20	The CMP(s), as approved or endorsed (as relevant), including any minor amendments approved by the ER, must be implemented for the duration of construction and for any longer period set out in the monitoring program or specified by the Planning Secretary, whichever is the greater	Not applicable	Not applicable
Construction Monitoring Program	Construction Monitoring Program	MCoA	C21	The results of the CMP(s) must be submitted to the Planning Secretary, and relevant regulatory agencies, for information in the form of a Construction Monitoring Report at the frequency identified in the relevant CMP. Note: Where a relevant CEMP Sub-plan exists, the relevant CMP may be incorporated into that CEMP Sub-plan.	Not applicable	Not applicable
Operational Environmental Management	Operational Environmental Management	MCoA	D1	An Operational Environmental Management Plan (OEMP) must be prepared having regard to the Environmental Management Plan Guideline for Infrastructure Projects (Department of Planning, Industry and Environment, 2020). The OEMP must detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in Condition A1, including hours of operation, will be implemented and achieved during operation. Condition DI does not apply if Condition D2 of this approval applies.	Applicable	Applicable
Operational Environmental Management	Operational Environmental Management	MCoA	D2	An OEMP is not required for the SSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Planning Secretary, and demonstrates, to the satisfaction of the Planning Secretary, that through the EMS or equivalent: (a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in Condition A1, including hours of operation, and specified relevant terms of this approval can be achieved; (b) issues identified through ongoing risk analysis can be managed; and (c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation.	Applicable	Applicable
Operational Environmental Management	Operational Environmental Management	MCoA	D3	The OEMP or EMS or equivalent as agreed with the Planning Secretary, must be submitted to the Planning Secretary for information no later than one month before the commencement of operation.	Applicable	Applicable
Operational Environmental Management	Operational Environmental Management	MCoA	D4	The OEMP or EMS or equivalent as agreed with the Planning Secretary, as submitted to the Planning Secretary and amended from time to time, must be implemented for the duration of operation and the OEMP or EMS or equivalent must be made publicly available before the commencement of operation.	Applicable	Applicable
Biodiversity	Terrestrial Biodiversity	MCoA	E1	The clearing of native vegetation must not exceed the clearing footprint identified in the documents listed in Condition A1. All practicable measures to reduce the clearing of native vegetation within the clearing footprint must be undertaken, with the objective of reducing impacts to threatened ecological communities and threatened species habitat.	Not applicable	Not applicable
Biodiversity	Terrestrial Biodiversity	MCoA	E2	Impacts to plant community types must not exceed those identified in the documents listed in Table 1. The Proponent must minimise impacts to plant community types and not exceed the total areas impacted as listed in Table 1.	Not applicable	Not applicable
Biodiversity	Terrestrial Biodiversity	MCoA	E3	Impacts to threatened or endangered fauna and flora species exceeding those as impacted in the documents listed in Condition A1 or Table 2 must not occur. On the discovery of potential or actual impacts to any species not listed in the documents listed in Condition A1 or Table 2, all work in the associated location must stop to prevent further impact and the Planning Secretary and EHG notified. Work is not to recommence until appropriate approvals have been issued.	Not applicable	Not applicable
Biodiversity	Biodiversity Credits	MCoA	E4	The Proponent must meet the terrestrial biodiversity offset obligations for ecosystem and species credits as set out in Table 1 and Table 2. The offset obligations must be carried out in accordance with the NSW Biodiversity Offsets Policy for Major Projects and can be achieved by: (a) acquiring and retiring "biodiversity credits" within the meaning of the BC Act; and / or (b) properties secured with the NPWS, on the basis of a draft credit report to show what the property would provide and written confirmation from NPWS that the financial contributions for acquisition and management have been received; and / or (c) making a payment into the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem and species credits, as calculated by the Biodiversity Offsets Payment Calculator; or (d) a Biodiversity Offset Strategy prepared in consultation with EHG and DAWE that provides supplementary measures or where the Proponent intends to utilise the biodiversity credit variation rules.	Not applicable	Not applicable
Biodiversity	Biodiversity Credits	MCoA	E5	Evidence of the retirement of credits to satisfy Condition E4 or payment to the Biodiversity Conservation Fund to satisfy Condition E4 must be provided to the Planning Secretary, Environment and Heritage Group and DAWE for information before any impact occurs on the species or community types to be offset.	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Biodiversity	Marine Biodiversity	MCoA	E6	The location of areas of seagrass (<i>Posidonia australis</i>) and other seagrass beds (Type 1 Key Fish Habitat (KFH)) and macroalgae (Type 2 KFH) that have been identified for removal and disturbance at Kurnell and La Perouse must be confirmed and recorded by surveying and mapping prior to the commencement of clearing in consultation with DPI Fisheries and DAWE.	Not applicable	Not applicable
Biodiversity	Marine Biodiversity	MCoA	E7	An inspection must be undertaken by an appropriately qualified and experienced ecologist (and diver) in the 24 hour period prior to the start of work that may impact potential habitat for White's Seahorse (<i>Hippocampus whitei</i>) (seagrass, kelp, sargassum, and existing structures such as piles, jetties, wharf pylons) located in and within 100 metres of the construction footprint.	Not applicable	Not applicable
Biodiversity	Marine Biodiversity	MCoA	E8	Any seahorses that are detected in the construction footprint must be relocated to nearby suitable habitat in consultation with an appropriately qualified and experienced ecologist and consistent with location and design criteria provided in section 5.2 Creation of artificial habitat - seahorse hotels of the MBOS. Seahorse relocations must be performed by a suitably qualified and experienced ecologist with consultation from DPI Fisheries and as outlined in the Biodiversity Management Plan.	Not applicable	Not applicable
Biodiversity	Marine Biodiversity	MCoA	E9	An inspection must be undertaken by an appropriately qualified and experienced ecologist (and diver) when any construction methods have the potential to impact potential habitat for Black Rockcod (<i>Epinephelus daemeli</i>) (rocky reefs, caves, ledges, gutters and artificial structures such as wharves, piers and rock emplacements).	Not applicable	Not applicable
Biodiversity	Marine Biodiversity	MCoA	E10	Suitable methods must be used to protect Black Rockcod habitat and individuals in the construction footprint at La Perouse and Kurnell sites in accordance with the provisions of the MBOS, Black Rockcod Recovery Plan 2012 and DPI Fisheries' Priorities Action Statement — Actions for Black Rockcod.	Not applicable	Not applicable
Biodiversity	Marine Biodiversity	MCoA	E11	Prior to the commencement of ferry services, and to avoid and / or mitigate potential impacts on marine biodiversity including but not limited to Black Rockcod (<i>Epinephelus daemeli</i>), the Proponent must consult DPI Fisheries regarding proposed ferry swept path/navigation channels for approach, departure and maneuvering areas for all traffic using the wharves. The swept path I navigation channel with DPI Fisheries' consultation response must be submitted to the Planning Secretary no later than one month before the commencement of operation.	Not applicable	Applicable
Biodiversity	Marine Biodiversity offset strategy	MCoA	E12	The Proponent must ensure that the proposal is undertaken in accordance with the requirements of DPI Fisheries policy and guidelines, including the Policy and Guidelines for Fish Habitat Conservation and Management 2013, and the NSW Biodiversity Offsets Policy for Major Projects, Fact sheet: Aquatic biodiversity.	Not applicable	Not applicable
Biodiversity	Marine Biodiversity offset strategy	MCoA	E13	The Proponent must allow for an additional winter and summer season in which to monitor marine biodiversity within the construction footprint prior to commencement of construction.	Not applicable	Not applicable
Biodiversity	Marine Biodiversity offset strategy	MCoA	E14	The Proponent must satisfy the marine biodiversity offset obligations that specify the required offset size in accordance with the EPBC Act, Environmental Offsets Policy 2012, NSW Biodiversity Offsets Policy for Major Projects — Fact sheet: Aquatic Biodiversity. Evidence of this must be provided to the Planning Secretary, DPI Fisheries and DAWE for information, within 12 months of the commencement of construction.	Not applicable	Not applicable
Biodiversity	Marine Biodiversity offset strategy	MCoA	E15	Areas of seagrass (<i>Posidonia australis</i>) and other seagrass beds (Type 1 KFH) and macroalgae (Type 2 KFH) that have been identified for removal or disturbance within the construction footprint at Kurnell and La Perouse must be offset in accordance with the MBOS and as agreed with DPI Fisheries and DAWE.	Not applicable	Not applicable
Biodiversity	Marine Biodiversity offset strategy	MCoA	E16	Prior to the commencement of pre-construction seagrass transplantation, the Proponent must establish a MBOS Implementation Reference Panel to review data collected, including from the marine biodiversity monitoring as required by Condition E 13, recommend changes to the MBOS if required, and review the Operational Impact Assessment Report (see Condition E20). The MIRP must comprise representatives from the Proponent, DPI Fisheries-Coastal Systems, DPI Fisheries-Marine Research, DAWE, and DPIE Planning and Assessment, and include a suitably qualified, experienced and independent scientist. The MBOS Implementation Reference Panel must be operational for the life of the MBOS or as agreed by the Planning Secretary.	Applicable (partial) Implementation of the MBOS extends to June 2033 which is 10 years post MBOS approval (June 2023).	Applicable (partial) Implementation of the MBOS extends to June 2033 which is 10 years post MBOS approval (June 2023).
Biodiversity	Marine Biodiversity offset strategy	MCoA	E17	The MBOS must have an operational life of no less than ten (10) years from the date of MBOS approval, unless otherwise agreed by the Planning Secretary.	Applicable	Applicable
Biodiversity	Marine Biodiversity offset strategy	MCoA	E18	The MBOS may be reviewed and updated during its operational life as required and recommended by the MBOS Implementation Reference Panel. At least 50 per cent of the MBOS funding must be allocated to the restoration and rehabilitation of <i>Posidonia australis</i> and <i>Zostera</i> seagrass beds in consultation with the MBOS Implementation Reference Panel.	Applicable	Applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Biodiversity	Marine Biodiversity offset strategy	MCoA	E19	Prior to marine Works, a bank guarantee to a value identified by the MBOS Implementation Reference Panel must be provided to DPI Fisheries to offset marine biodiversity impacts in accordance with the DPI Fisheries Policy and guidelines for fish conservation and management, and the NSW Biodiversity Offsets Policy for Major Projects, Fact sheet: Aquatic Biodiversity. The MBOS Implementation Reference Panel may use this bank guarantee to manage key fish habitats, threatened species and/or populations if planned activities as agreed under the MBOS are unsuccessful.	Not applicable	Not applicable
Biodiversity	Marine Biodiversity offset strategy	MCoA	E20	An Operational Impact Assessment Report must be prepared on impacts to marine biodiversity following 12 months of the full operation of the ferry wharves. This report must: (a) be submitted to the MBOS Implementation Reference Panel for review no later than six (6) months after the 12-month full operation period; (b) include the results of before and after monitoring of all seagrass species, White's Seahorse, populations and habitats impacted by the ferry wharf structures and associated commercial and recreational vessel uses; and (c) be used to review the MBOS no later than six (6) months after the submission of the Operational Impact Assessment Report to the MBOS Implementation Reference Panel.	Not Applicable Required after 12 months of full operation of the wharves,	Applicable Required after 12 months of full operation of the wharves.
Heritage	Unexpected Finds and Human Remains	MCoA	E21	An Unexpected Heritage Finds and Human Remains Procedure (required to be included in the relevant CEMP Sub-plans under Condition C10) must be prepared to manage unexpected heritage finds (including maritime discoveries) in accordance with guidelines and standards prepared by the Heritage Council of NSW or Heritage NSW and submitted to the Planning Secretary no later than one (1) month before the commencement of construction.	Not applicable	Not applicable
Heritage	Unexpected Finds and Human Remains	MCoA	E22	The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of construction. 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	Not applicable	Not applicable
Heritage	Aboriginal heritage	MCoA	E23	All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects or places of cultural significance except as authorised by this approval.	Not applicable	Not applicable
Heritage	Aboriginal heritage	MCoA	E24	The RAPs must be kept informed at intervals not exceeding three (3) months about construction of the SSI. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSI throughout design and construction.	Not applicable	Not applicable
Heritage	Aboriginal heritage	MCoA	E25	At the completion of Aboriginal cultural heritage test and salvage excavations, an Aboriginal Cultural Heritage Excavation Report(s) must be prepared by a suitably qualified person. The Aboriginal Cultural Heritage Excavation Report(s), must: (a) be prepared in accordance with the Guide to Investigation, assessing and reporting on Aboriginal cultural heritage in NSW, OEH 2011 and the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, DECCW 2010; and (b) document the results of the archaeological test excavations and any subsequent salvage excavations (with artefact analysis and identification of a final repository for finds). The RAPs must be given a minimum of 28 days to provide comments before the report is finalised. The final report must be provided for information to the Planning Secretary, Heritage NSW, relevant Councils, La Perouse Local Aboriginal Land Council (LALC), RAPs and local libraries within 12 months of the completion of the Aboriginal archaeological excavations (both test and salvage).	Not applicable	Not applicable
Heritage	Aboriginal heritage	MCoA	E26	Where previously unidentified Aboriginal objects or places of cultural significance are discovered, all work must immediately stop in the vicinity of the affected area. Works potentially affecting the previously unidentified objects and places must not recommence until Heritage NSW has been informed and provided a response in writing. The measures to consider and manage this process must be specified in the Unexpected Heritage Finds and Human Remains Procedure required by Condition E21 and include registration in the Aboriginal Heritage Information Management System (AHIMS).	Not applicable	Not applicable
Heritage	Aboriginal heritage	MCoA	E27	The Proponent must undertake a visual inspection before commencement of construction of AHIMS Site # 45-6-0650 (Site 3 - La Perouse) and AHIMS Site # 45-6-0651 (Site 4 - La Perouse and geotextile fabric (or similar) should be laid on the ground surface within the location of both sites.	Not applicable	Not applicable
Heritage	Aboriginal heritage	MCoA	E28	Supervision by an appropriately qualified and experienced archaeologist of AHIMS Site # 45-60653 (Site 6 - La Perouse) must be undertaken during ground penetrating works. If the engraving is identified, all works must cease and the construction methodology revised to mitigate further impacts. Any revision to the methodology must be undertaken in consultation with Heritage NSW , RAPs and LALCs	Not applicable	Not applicable
Heritage	Aboriginal heritage	MCoA	E29	During construction works impacts to the exposed sandstone surrounding AHIMS Site # 45-60653 (Site 6 - La Perouse) must be avoided. Visual markers must be used to delineate these areas.	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Heritage	Aboriginal heritage	MCoA	E30	During construction works, monitoring of vibration impacts in the immediate area of AHIMS Site # 45-6-0653 (Site 6 -La Perouse) must be undertaken. If vibration monitors are affixed to sandstone, non-invasive adhesive methods (such as beeswax) must be used. If it is identified that levels of vibration would result in damage to AHIMS Site # 45-6-0653 (Site 6 -La Perouse), all works must cease and the construction methodology revised to mitigate further impacts. This must be undertaken in consultation with Heritage NSW, RAPs and LALCs.	Not applicable	Not applicable
Heritage	Aboriginal heritage	MCoA	E31	Supervision by an appropriately qualified and experienced archaeologist is required for any excavation near AHIMS Site #52-3-0219 (Foreshore Midden — Captain Cook's Landing Place) where it exceeds 400mm in depth. If Aboriginal cultural heritage is identified during the proposed works, further archaeological investigations may be required. This must be determined in consultation with Heritage NSW, RAPs and La Perouse LALC	Not applicable	Not applicable
Heritage	Non-Aboriginal Heritage	MCoA	E32	A Non-Aboriginal Heritage Management Plan (HMP) must be prepared and include maritime heritage considerations and requirements. A suitably qualified and experienced maritime archaeologist is to undertake the maritime component of any aspect related to maritime heritage including relevant construction management plans, in consultation with Heritage NSW. The HMP must include a policy and measures to manage the retention, conservation, storage and display of any artefacts and relics recovered by the SSI. The HMP must be prepared prior to construction and be approved by the Planning Secretary.	Not applicable	Not applicable
Heritage	Non-Aboriginal Heritage	MCoA	E33	Prior to the commencement of archaeological excavation, an Archaeological Research Design and Excavation Methodology must be prepared in accordance with the Heritage Council of NSW guidelines to guide the archaeological program. The revised methodology must be prepared in consultation with Heritage NSW and submitted to the Planning Secretary if requested.	Not applicable	Not applicable
Heritage	Non-Aboriginal Heritage	MCoA	E34	Prior to the commencement of archaeological excavation, the Proponent must nominate a suitably qualified Excavation Director who complies with Heritage NSW Excavation Director Criteria 2019 (September 2019) to direct the historical archaeological program. The Excavation Director must be present to oversee excavation, advise on archaeological issues, advise on the duration and extent of oversight required during archaeological excavations consistent with the Archaeological Research Design and Excavation Methodology required by Condition E33	Not applicable	Not applicable
Heritage	Non-Aboriginal Heritage	MCoA	E35	Following the completion of the archaeological excavation programs a Final Excavation Report must be prepared that includes: the details of any further historical research undertaken to enhance the final reporting and results of archaeological excavations (including artefact analysis and identification of a final repository for relics including details of their ongoing conservation and protection in perpetuity by the landowner). The report must be prepared in accordance with guidelines and standards required by Heritage Council of NSW and the relevant Council's local studies unit within twelve (12) months of completion of archaeological excavation.	Not applicable	Not applicable
Heritage	Landscape Heritage	MCoA	E36	The Proponent, in consultation with NPWS, must consider alternative placement locations for the installation of the Kurnell services cabinet to reduce impacts to the heritage landscape.	Not applicable	Not applicable
Heritage	Landscape Heritage	MCoA	E37	The Proponent, in consultation with Heritage NSW and NPWS, must implement measures to minimise impacts on remnant Coast Banksia communities at La Perouse and Kurnell including any offset planting (if required).	Not applicable	Not applicable
Hours of Ferry Operation	Hours of Ferry Operation	MCoA	E38	The approved hours of operation of any ferry service are 7am to 6pm every day.	Not applicable	Applicable
Landuse and Property	Landuse and Property	MCoA	E39	The Proponent must identify the utilities and services (services) potentially affected by construction to determine requirements for diversion, protection and/or support. Alterations to services must be determined by negotiation between the Proponent and the service providers. The Proponent in consultation with service providers must ensure that disruption to services resulting from the project are avoided where practical and advised to customers.	Not applicable	Not applicable
Landuse and Property	Landuse and Property	MCoA	E40	Any property access that is physically affected by the SSI must be reinstated to at least an equivalent standard, in consultation with the landowner or alternative access provided in consultation with the landowner.	Not applicable	Not applicable
Land Use	Land Use Survey	MCoA	E41	A detailed land use survey must be undertaken to confirm sensitive land user(s) potentially exposed to construction noise and vibration, construction ground-borne noise and operational noise. The survey may be undertaken on a progressive basis but must be undertaken in any one area before the commencement of work which generates construction or operational noise, vibration, or ground-borne noise in that area. The results of the survey must be included in the Noise and Vibration CEMP Sub-plan required by Condition C6.	Not applicable This has already been achieved by the construction phase land use survey. There have been no new land use changes to warrant additional assessment for operation. Operational noise risks are separately	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
					captured by MCoA E52 to E57.	
Noise and vibration	Work Hours	MCoA	E42	Work must only be undertaken during the following hours: (a) 7:00am to 6:00pm Mondays to Fridays, inclusive; (b) 8:00am to 1:00pm Saturdays; and (c) at no time on Sundays or public holidays	Not applicable	Not applicable
Noise and vibration	Highly Noise Intensive Work	MCoA	E43	Except as permitted by an EPL, highly noise intensive works that result in an exceedance of the applicable NML at the same receiver must only be undertaken: (a) between the hours of 8:00 am to 6:00 pm Monday to Friday; (b) between the hours of 8:00 am to 1:00 pm Saturday; and (c) if continuously, then not exceeding three hours, with a minimum cessation of highly noise intensive work of not less than one hour. 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.	Not applicable	Not applicable
Noise and vibration	Variation to Work Hours	MCoA	E44	Notwithstanding Conditions E42 and E43, 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 this condition, the Proponent must notify the ER, the Planning Secretary and the EPA of the reasons for such work. The Proponent must use best endeavours to notify all noise and/or vibration affected residents and owners/occupiers of properties identified sensitive land user(s) of the likely impact and duration of those work. Or (b) Low impact, including: (i) construction that causes I-Aeq(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 user(s); or (ii) construction that causes LAFmax(15 minute) noise levels no more than 15 dB(A) above the rating background level at any residence; or (iii) construction that causes: • continuous or impulsive vibration values, measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.2 of Assessing Vibration: a technical guideline (DEC, 2006), or intermittent vibration values measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006). Or (c) By Approval, including: (i) where different construction hours are permitted or required under an EPL in force in respect of the SSI; or (ii) negotiated agreements with directly affected residents and sensitive land user(s). Or (d) By Prescribed Activity, including: (i) Piling between 10:00pm and 7:00am Monday-Friday inclusive and if endorsed by the ER; (ii) delivery of material that is required to occur outside of standard construction hours in Condition E42 to directly support Piling.	Not applicable	Not applicable
Noise and vibration	Construction Noise Management Levels and Vibration Criteria	MCoA	E45	Mitigation measures must be implemented with the objective of achieving the following construction noise management levels and vibration objectives: (a) construction 'Noise affected' NMLs established using the Interim Construction Noise Guideline (DECC, 2009); (b) vibration criteria established using the Assessing vibration: a technical guideline (DEC, 2006) (for human exposure); (c) BS 7385 Part 2-1993 "Evaluation and measurement for vibration in buildings Part 2" as they are "applicable to Australian conditions"; and (d) the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration-effects of vibration on structures (for structural damage). Work that exceeds the noise management levels and/or vibration criteria must be managed in accordance with the Noise and Vibration CEMP Sub-plan. 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.	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Noise and vibration	Construction Noise Management Levels and Vibration Criteria	MCoA	E46	Mitigation measures must be applied when the following residential ground-borne noise levels are exceeded: (a) evening (6:00 pm to 10:00 pm) — internal LAeq(15 minute): 40 dB(A); and (b) night (10:00 pm to 7:00 am) — internal LAeq(15 minute): 35 dB(A). The mitigation measures must be outlined in the Noise and Vibration CEMP Sub-plan.	Not applicable	Not applicable
Noise and vibration	Construction Noise and Vibration Mitigation and Management	MCoA	E47	Industry best practice construction methods must be implemented where reasonably practicable to ensure that noise levels are minimised. Practices must include, but are not limited to: (a) use of regularly serviced low sound power equipment; and / or (b) temporary noise barriers (including the arrangement of plant and equipment) around noisy equipment and activities such as rockhammering and concrete cutting; and / or (c) use of alternative construction and demolition techniques.	Not applicable	Not applicable
Noise and vibration	Construction Noise and Vibration Mitigation and Management	MCoA	E48	Owners and occupiers of properties at risk of exceeding the screening criteria for cosmetic damage must be notified before work that generates vibration commences in the vicinity of those properties. If the potential exceedance is to occur more than once or extend over a period of 24 hours, owners and occupiers are to be provided a schedule of potential exceedances on a monthly basis for the duration of the potential exceedances, unless otherwise agreed by the owner and occupier. These properties must be identified and considered in the Noise and Vibration CEMP Sub-plan required by Condition C6 and the Community Communication Strategy required by Condition B1	Not applicable	Not applicable
Noise and vibration	Construction Vibration Mitigation - Heritage	MCoA	E49	The Proponent must conduct vibration testing before and during vibration generating activities that have the potential to impact on heritage items to identify minimum working distances to prevent cosmetic damage. In the event that the vibration testing and attended monitoring shows that the preferred values for vibration are likely to be exceeded, the Proponent must review the construction methodology and, if necessary, implement additional mitigation measures.	Not applicable	Not applicable
Noise and vibration	Construction Vibration Mitigation - Heritage	MCoA	E50	Advice from a heritage specialist must be sought on methods and locations for installing equipment used for vibration and movement monitoring at heritage-listed structures.	Not applicable	Not applicable
Noise and vibration	Out-of-Hours Works — Community Notification	MCoA	E51	In order to undertake out-of-hours work as prescribed under Condition E42(d) (piling), the Proponent must justify to the ER the reasons why these works cannot be undertaken during standard working hours. These works must be endorsed by the ER prior to the commencement of such work. Any justification must be in writing and include the following information: (a) reasons for the OOH Work; a description of location and duration of the OOH Work; (c) the noise characteristics and likely noise levels of the OOH Work; (d) likely mitigation and management measures which aim to achieve the relevant noise management levels and vibration criteria under Condition E44 (including the circumstances of when respite or relocation offers will be available and details about how the affected community can access these offers); and (e) proposed community notifications which must be provided to impacted sensitive receivers in the community at least 10 days prior to the proposed OOH Work.	Not applicable	Not applicable
Noise and vibration	Operational Noise Mitigation Measures	MCoA	E52	Prior to the commencement of ferry operation, the Proponent must prepare an Operational Noise Review (ONR) to confirm noise control measures that would be implemented for the operation of the SSI. The ONR must be prepared in consultation with relevant council(s) and must confirm the operational noise predictions based on the final vessel selection. The results of these revised predictions must be compared to the noise performance assumptions in the documents listed in Condition A1. Should the results indicate a worsening of impact predicted in the documents listed in Condition A1, appropriate mitigation measures must be identified and implemented.	Not applicable	Applicable
Noise and vibration	Operational Noise Mitigation Measures	MCoA	E53	The ferry vessel selected for operation must be free of annoying noise characteristics as determined in the Noise Policy for Industry (EPA 2017) Fact Sheet C when assessed at offset distances representative of the nearest residential receivers to each wharf. Where it is demonstrated that this is not reasonably practicable, justification of the best achievable noise levels must be submitted to the Planning Secretary, prior to the commencement of ferry operation.	Not applicable	Applicable
Noise and vibration	Operational Noise Mitigation Measures	MCoA	E54	Noise associated with the operation of the wharf and vessel based public address system(s) must not exceed 5 dB(A) above the background noise level when measured at the boundary of any sensitive receiver, excluding for emergency announcements, and testing of the emergency PA system.	Applicable (partial) Applicable only to any wharf-based PA system if in place.	Applicable Applicable to any wharf and vessel-based PA systems.

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Noise and vibration	Operational Noise Mitigation Measures	MCoA	E55	Operational noise mitigation measures as identified in Condition E52 that will not be physically affected by work, must be implemented within six months of submitting the ONR, unless otherwise agreed by the Planning Secretary. Where implementation of operational noise mitigation measures are not proposed to be in accordance with this requirement, the Proponent must submit to the Planning Secretary a report providing justification as to why, along with details of temporary measures that would be implemented to reduce construction noise impacts, until such time that the operational noise mitigation measures are implemented. The report must be submitted to the Planning Secretary within six months of submitting the ONR. Note: Not having finalised detailed design is not sufficient justification for not implementing the proposed mitigation measures.	Not applicable	Applicable
Noise and vibration	Operational Noise Validation	MCoA	E56	Within six (6) months of the commencement of ferry operation of the SSI, the Proponent must undertake monitoring of operational noise to compare actual noise performance of the SSI against the noise performance predicted in the review of noise mitigation measures required by Condition E52.	Not applicable	Applicable
Noise and vibration	Operational Noise Compliance Report	MCoA	E57	An Operational Noise Compliance Report (ONCR) must be prepared to document the findings of the operational noise monitoring carried out under Condition E56. The ONCR must address the following: (a) compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E52; (b) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which SSI noise levels are ascertained, with specific reference to locations indicative of impacts on receivers; (c) details of any complaints and enquiries received in relation to operational noise generated by the SSI between the date of commencement of operation and the date the report was prepared; (d) any required recalibrations of the noise model taking into consideration factors such as noise monitoring; (e) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and (f) identification of additional measures to those identified in the review of noise mitigation measures required by Condition E52, that are to be implemented, the effectiveness of the mitigation measures and reported to the Planning Secretary. The Operational Noise Compliance Report must be submitted to the Planning Secretary and the EPA within 60 days of completing the operational noise monitoring and made publicly available.	Not applicable	Applicable
Noise and vibration	Condition Survey	MCoA	E58	A pre-construction condition assessment of Aboriginal and non-Aboriginal heritage items that have the potential to be impacted must be carried out by a suitably qualified building condition surveyor prior to construction. During construction, inspections of the construction activities and work areas must be undertaken to monitor and review the construction methodology and confirm the integrity of the nearby significant structural elements. For heritage items identified at risk during the pre-construction condition assessment, minimum safe working distances must be established, and vibration monitoring must be carried out prior to the commencement of construction and monitored through construction to identify any construction-related impacts. If impacts are detected during construction, work in the area must stop and appropriate environmental management measures must be implemented such as alternative construction techniques or installing protection structures in collaboration with a heritage specialist.	Not applicable	Not applicable
Noise and vibration	Condition Survey	MCoA	E59	The Proponent, where liable, must rectify any property damage caused directly or indirectly (for example from vibration) by construction at no cost to the owner. Alternatively, the Proponent may pay compensation for the property damage as agreed with the property owner.	Not applicable	Not applicable
Soil, Water and Contamination	Erosion and Sediment Control	MCoA	E60	Prior to the commencement of any Work, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'.	Not applicable	Not applicable
Soil, Water and Contamination	Soils	MCoA	E61	Prior to the commencement of any Work, the Proponent must prepare a Soil and Water Management Plan (SWMP) to address any contamination found during construction works. The SWMP must be prepared in consultation with NPWS in respect of NPWS land. The SWMP must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme and include detailed measures to: (a) identify contamination during works; (b) store, test and appropriately dispose of disturbed groundwater and soils; (c) include a clear and detailed unexpected finds protocol for use and implementation throughout the duration of construction works; (d) include turbidity monitoring at both Kurnell and La Perouse at a frequency commensurate with the level of risk for each construction phase; and include a Trigger Action Response Plan (TARP) which includes contingencies to identify and manage any unpredicted impacts and their consequences to ensure corrective actions are implemented. The Plan must be submitted to the Planning Secretary for information prior to the commencement of construction.	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Soil, Water and Contamination	Contaminated sites	MCoA	E62	The Proponent must engage a NSW EPA-accredited site Auditor to review contamination reports relating to the site throughout the duration of the project to ensure that any work required in relation to sediment, soil or groundwater contamination is appropriately managed.	Not applicable	Not applicable
Soil, Water and Contamination	Contaminated sites	MCoA	E63	Prior to the commencement of construction, the Proponent must obtain: a. a Section B1 Site Audit Statement to certify that the nature and extent of the contamination has been appropriately determined; and b. a Section B2 Site Audit Statement to certify that the Soil and Water Management Plan required by Condition E61 is appropriate. A copy must be provided to the Planning Secretary.	Not applicable	Not applicable
Soil, Water and Contamination	Contaminated sites	MCoA	E64	Following the NSW EPA-accredited Site Auditor review of contamination reports, if it is determined that remediation is required, a Remedial Action Plan must be prepared in accordance with the guidelines made and approved under section 105 of the Contaminated Land Management Act 1997, and reviewed by the EPA-accredited Site Auditor.	Not applicable	Not applicable
Soil, Water and Contamination	Contaminated sites	MCoA	E65	Where remediation is required, the Remedial Action Plan must be: (a) prepared or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme and reviewed by an EPA-accredited Site Auditor; and (b) prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the Contaminated Land Management Act 1997 and must include measures to remediate the contamination at the site to ensure the site will be suitable for the proposed use when the Remedial Action Plan is implemented.	Not applicable	Not applicable
Soil, Water and Contamination	Contaminated sites	MCoA	E66	Where remediation is required, prior to commencing with the remediation works, the Proponent must submit to the Planning Secretary for information the Remedial Action Plan and an Interim Audit Advice or a Section B Site Audit Statement prepared by a NSW EPA-accredited Site Auditor which certifies that the Remedial Action Plan is appropriate and that the site can be made suitable for the proposed use.	Not applicable	Not applicable
Soil, Water and Contamination	Contaminated sites	MCoA	E67	Once reviewed by the auditor, the Remedial Action Plan must be implemented, and any changes must be approved in writing by the EPA-accredited Site Auditor.	Not applicable	Not applicable
Soil, Water and Contamination	Contaminated sites	MCoA	E68	Where remediation has taken place, a Section A1 Site Audit Statement — or a Section A2 Site Audit Statement (SAS) accompanied by an Environmental Management Plan — and a Site Audit Report (SAR) must be prepared certifying that the remediation works have made the land suitable for the intended land use.	Not applicable	Not applicable
Soil, Water and Contamination	Contaminated sites	MCoA	E69	The SAS and SAR must be submitted to the Planning Secretary no later than one (1) month prior to the commencement of operation of the approved land use.	Applicable	Not applicable
Soil, Water and Contamination	Contaminated sites	MCoA	E70	Where, following site auditor review, remediation is not considered necessary, an Unexpected Contamination Finds Procedure for Contamination must be prepared before the commencement of Work and must be followed should unexpected contamination including asbestos (or suspected contamination) be excavated or otherwise discovered. The procedure must include details of who will be responsible for implementing the unexpected finds procedure and the roles and responsibilities of all parties involved. The Procedure must be submitted to the Planning Secretary for information (if requested) before Work commences and must be implemented during all stages of work and construction. The unexpected finds procedure must be prepared or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.	Not applicable	Not applicable
Traffic and Transport	Construction traffic management	MCoA	E71	Access to all utilities and properties must be maintained during construction, where practicable, unless otherwise agreed with the relevant utility owner, landowner or occupier.	Not applicable	Not applicable
Traffic and Transport	Construction traffic management	MCoA	E72	Any property access physically affected by the SSI must be reinstated to at least an equivalent standard, unless otherwise agreed by the landowner or occupier.	Not applicable	Not applicable
Traffic and Transport	Construction traffic management	MCoA	E73	Local roads proposed to be used by heavy vehicles to directly access the construction boundary and ancillary facilities that are not shown in Figure 49 and 50 of Appendix K of the EIS listed in Condition A1 must be approved by the Planning Secretary and included in the Traffic, Transport and Access Management CEMP Sub-plan required in Condition C6.	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Traffic and Transport	Construction traffic management	MCoA	E74	All requests to the Planning Secretary for approval to use local roads for construction activities must include a Traffic and Pedestrian Impact Assessment and be prepared in consultation with the relevant local council(s). The assessment must be undertaken by an appropriately qualified and experienced person and must include a swept path analysis if required by the Department. The assessment must include the following: (a) a swept path analysis; (b) demonstration that the use of local roads by heavy vehicles for the SSI will not compromise the safety of pedestrians and cyclists or the safety of two-way traffic flow on two-way roadways; (c) provide details as to the date of completion of the road dilapidation surveys for the subject local roads; and (d) describe the measures that will be implemented to avoid where practicable the use of local roads past schools, aged care facilities and child care facilities during their peak operation times. The outcomes and recommendations of the assessment must be incorporated into the Traffic Management CEMP Sub-plan required in Condition C6 as relevant.	Not applicable	Not applicable
Traffic and Transport	Road Dilapidation	MCoA	E75	Before any local road is used by a heavy vehicle for the purposes of the SSI, a Road Dilapidation Report must be prepared for the road. A copy of the Road Dilapidation Report must be provided to the relevant council within three weeks of completion of the survey and no later than one month prior to the road being used by heavy vehicles associated with the SSI.	Not applicable	Not applicable
Traffic and Transport	Road Dilapidation	MCoA	E76	If damage to roads occurs as a result of the SSI, the Proponent must either (at the relevant road authority's discretion): (a) compensate the relevant road authority for the damage so caused; or (b) rectify the damage to restore the road to at least the condition it was in pre-works as identified in the Road Dilapidation Report(s).	Not applicable	Not applicable
Traffic and Transport	Pedestrian and Cyclist Access	MCoA	E77	Safe pedestrian and cyclist access must be maintained around work sites during construction. In circumstances where pedestrian and cyclist access is restricted or removed due to construction activities, a proximate alternative route which complies with relevant standards, unless otherwise endorsed by an independent, appropriately qualified and experienced person, must be provided (including signposting) prior to the restriction or removal of the impacted access.	Not applicable	Not applicable
Traffic and Transport	Construction Parking Management	MCoA	E78	Construction and construction worker vehicles (including light and heavy vehicles) associated with the SSI must be accommodated within the construction boundaries on both the La Perouse and Kurnell sites at all times. On-site parking must be provided within the construction boundary to: (a) minimise parking on public roads; (b) minimise idling and queueing on local roads; (c) not carry out marshalling of construction vehicles near sensitive land use(s); (d) not block or disrupt access across pedestrian or shared user paths at any time; and	Not applicable	Not applicable
Traffic and Transport	Construction Parking Management	MCoA	E79	During construction, all reasonably practicable measures must be implemented to maintain pedestrian and vehicular access to, and parking in the vicinity of, businesses and affected properties. Disruptions are to be avoided, and where avoidance is not possible, minimised. Where disruption cannot be minimised, alternative pedestrian and vehicular access, and parking arrangements must be developed in consultation with affected businesses and implemented prior to the disruption. Adequate signage and directions to businesses must be provided prior to, and for the duration of, any disruption.	Not applicable	Not applicable
Traffic and Transport	Road Safety	MCoA	E80	The SSI must be designed to meet relevant design, engineering and safety guidelines, including the Austroads Guide to Traffic Management for new or modified local roads, parking, pedestrian and cycle infrastructure.	Not applicable	Not applicable
Traffic and Transport	Anzac Parade Parking Loop	MCoA	E81	To improve local traffic flow and where existing road widths allow, line marking for two lanes within the Anzac Parade loop, La Perouse, must be provided before the commencement of operation of the SSI. Line marking must be undertaken in consultation with Randwick City Council and NPWS, unless otherwise agreed by the Planning Secretary.	Applicable	Not applicable
Traffic and Transport	Operational Parking at La Perouse	MCoA	E82	Prior to the commencement of operation of Ferry services, the Proponent must provide an increase in car parking spaces (greater than 13) at La Perouse along the Anzac Parade parking loop through the reconfiguration of parking bays. The establishment of additional car parking spaces must be undertaken during the winter months. The Proponent must avoid the temporary closure of existing car parking bays for the purposes of installing the additional car parking spaces during the peak visitation periods at La Perouse. The Proponent must consider the impact that the provision of additional parking would have on surrounding heritage and artifacts and demonstrate the total and additional number of spaces that can be provided. This must be undertaken in consultation with relevant council(s) and NPWS. Evidence of consultation must be provided to the Planning Secretary for approval within 60 days of its completion. Note: Identified mitigation measures may need to be further assessed under the EP&A Act. Work will need to meet relevant design standards and subject to independent road safety audits.	Not applicable	Applicable (partial) Car parking spaces must be provided prior to commencement of ferry services.
Traffic and Transport	Operational Parking at Kurnell	MCoA	E83	The operation of ferry services must not commence until the off-street parking at Kurnell, that is to be undertaken by NPWS, is operational, unless otherwise agreed to by the Planning Secretary. Associated wayfinding and signage must be provided to encourage the use of these parking facilities.	Not applicable	Applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Traffic and Transport	Operational Parking at Kurnell	MCoA	E84	Car parking facilities must be designed to meet the relevant Australian Standards to provide safe, convenient and disabled access from the carpark to the ferry service.	Not applicable	Not applicable
Traffic and Transport	Maritime Risk Management Plans	MCoA	E85	Prior to the commencement of Construction, a Construction Marine Works Management Plan (CMWMP) must be prepared by a suitably qualified person, in consultation with the Harbour Master. The CMWMP should, at a minimum, include the management and mitigation measures and recommendations outlined in the Navigation Safety Assessment prepared by Thompson Clarke Shipping, dated September 2021. Note: Prior to the commencement of any Works that will disturb the bed of a port, the Proponent must seek written approval from the Harbour Master in accordance with clause 67ZN of the Ports and Maritime Administration Regulation 2012.	Not applicable	Not applicable
Traffic and Transport	Maritime Risk Management Plans	MCoA	E86	Prior to the commencement of operation of the SSI, an Operational Maritime Risk Management Plan (OMRMP) must be prepared by a suitably qualified person, in consultation with the Harbour Master. The OMRMP must demonstrate how vessel movements associated with the proposal will not impact on commercial shipping movements in Port Botany and how vessel movements will interact with recreational vessels.	Applicable	Applicable
Traffic and Transport	Vessel Traffic Management Plan	MCoA	E87	The Proponent must prepare a Vessel Traffic Management Plan (VT MP) in consultation with Port Authority of NSW that identifies priority to sea going ships and protocols for interactions between different vessel types to aid with the safe operation of ferry vessels associated with the SSI. The VTMP must include operation of recreational vessels around the wharves and the use of the wharves for berthing/drop off/pick up (signage). The VT MP must include emergency management arrangements for incidents and accidents.	Applicable	Applicable
Traffic and Transport	Vessel Traffic Management Plan	MCoA	E88	Ferry movements must not impede any future activities by the Port Operator of the Port of Botany Bay within the navigation channel including, but not limited to, any dredging activities.	Not applicable	Applicable
Traffic and Transport	Vessel Traffic Service System	MCoA	E89	All passenger ferry vessels operating between La Perouse and Kurnell to service the SSI must participate in the Vessel Traffic Service (VTS) system at all times. All ferry activities must be reported to the Harbour Master and all vessels must be fitted with an Automatic Identification System (AIS) transponder, in consultation with the Harbour Master, to enable monitoring of vessels by VTS and other AIS fitted vessels in the area.	Not applicable	Applicable
Place and visual Amenity	Construction Sites	MCoA	E90	The SSI must be constructed in a manner that minimises adverse visual impacts of construction sites on the public domain, including provision of high quality public art and graphics to the hoarding surrounding the construction sites, minimising light spill, and incorporating high quality treatments and finishes for temporary structures that reflect the context within which the construction sites are located.	Not applicable	Not applicable
Place and visual Amenity	General Design Outcomes	MCoA	E91	The SSI must be designed with consideration of: (a) the design objectives, principles and guidelines identified in documents listed in Condition A1; (b) the principles and objectives of the draft Connecting with Country Framework; and (c) relevant conservation management plans, masterplans and initiatives, where this information is known and/or available. Responses to items (a) — (c) must be reviewed by the State Design Review Panel (SDRP) to inform the final design of permanent built works and landscape design of the SSI.	Not applicable	Not applicable
Place and visual Amenity	Lighting and Security	MCoA	E92	The SSI must be constructed and operated with the objective of minimising light spillage to surrounding properties and wildlife habitat. All lighting associated with the construction and operation of the SSI must be consistent with the requirements of AS/NZS 4282:2019 Control of the obtrusive effects of outdoor lighting and relevant Australian Standards in the series AS/NZ 1158 — Lighting for Roads and Public Spaces. Additionally, the Proponent must provide mitigation measures to manage any residual night lighting impacts to protect properties adjoining or adjacent to the SSI, in consultation with affected landowners.	Applicable (partial) Operational Lighting as per approved requirements	Applicable (partial) Operational Lighting as per approved requirements
Place and visual Amenity	Lighting and Security	MCoA	E93	Adequate lighting and Aids to Navigation must be incorporated into the design of the wharf and jetty for navigation safety purposes.	Not applicable	Not applicable
Place and visual Amenity	Finishes	MCoA	E94	The use of neutral external colour schemes and finishes that avoid reflection to minimise visual impacts must be maximised.	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Place and visual Amenity	Urban Design and Landscape Plan	MCoA	E95	An updated Urban Design and Landscape Plan (UDLP) must be prepared to inform the final design of the SSI and detail how the SSI is to be maintained. The UDLP must be: (a) submitted to the Planning Secretary prior to the construction of permanent built surface works and / or landscaping, excluding those for ecological requirements, or technical requirements, or requirements as agreed by the Planning Secretary that do not allow for alternate design outcomes; and (b) implemented during construction and operation of the SSI.	Applicable (partial) Operation of the wharf as per approved UDLP	Applicable (partial) Operation of the wharf as per approved UDLP
Place and visual Amenity	Design Review Panel	MCoA	E96	The Proponent must establish an independent DRP to provide advice and recommendations to the Proponent during the finalisation of the SSI's design and construction detailing to facilitate quality design and place outcomes. The DRP must be formed and hold its first meeting within six months of the date of this approval, or as otherwise agreed with the Planning Secretary. Note: Nothing in this approval prevents the use of an existing design panel/ as the DRP convened for this project where the function and composition of that panel complies with the terms of this approval.	Not applicable	Not applicable
Place and visual Amenity	Design Review Panel	MCoA	E97	The responsibilities of the DRP include: (a) providing advice and recommendations to the Proponent for consideration in finalisation of the design development of the SSI; and (b) provide advice on the application of Kamay Ferry Wharves Submissions Report — UDLP to key design elements in relation to place making, architecture, heritage, urban and landscape design and artistic aspects of the SSI. The DRP's advice must be consistent with the SSI as approved.	Not applicable	Not applicable
Place and visual Amenity	Design Review Panel	MCoA	E98	The DRP must be chaired by the NSW Government Architect (or their nominee), and must be comprised of, where relevant, suitably qualified, experienced and independent professional(s) in each of the fields of: (a) urban design and place making; (b) landscape architecture; (c) historic heritage; and (d) architecture. The DRP must also comprise a First Nations representative with a background in design. The DRP may seek advice from suitably qualified, experienced independent professionals in other fields as required, including but not limited to sustainability and active transport.	Not applicable	Not applicable
Place and visual Amenity	Design Review Panel	MCoA	E99	The DRP members must be sourced from the NSW State Design Review Panel Pool or otherwise be approved by the NSW Government Architect.	Not applicable	Not applicable
Place and visual Amenity	Operation of the Design Review Process	MCoA	E100	Prior to forming the DRP, a Design Review Panel Terms of Reference must be developed and endorsed by the NSW Government Architect. The Terms of Reference must be submitted to the Planning Secretary once it is endorsed by the NSW Government Architect and: (a) must be generally consistent with the NSW State Design Review Panel Terms of Reference (version 5); (b) outline the frequency of DRP meetings, coordinated with the Proponent's program requirements, to ensure timely advice and design adjustment; and (c) identify cessation arrangements.	Not applicable	Not applicable
Place and visual Amenity	Operation of the Design Review Process	MCoA	E101	The DRP must be operated and managed in accordance with the Design Review Panel Terms of Reference.	Not applicable	Not applicable
Place and visual Amenity	Operation of the Design Review Process	MCoA	E102	The relevant councils, Heritage NSW, RAPs and La Perouse LALC may be invited to the meetings of the Panel as observers or to provide feedback on key design elements of the SSI.	Not applicable	Not applicable
Place and visual Amenity	Operation of the Design Review Process	MCoA	E103	The Proponent must respond to the outcomes of the DRP's review. The DRP advice and recommendations, and the Proponent's response to each recommendation must be included when submitting the final UDLP to the Planning Secretary for information.	Not applicable	Not applicable
Place and visual Amenity	Tree Removal, Replacement Plantings and Rehabilitation	MCoA	E104	The SSI must be designed to retain as many existing trees as possible. Replacement trees and plantings must be provided at a ratio of no less than 2:1 and deliver a net increase in tree canopy and aim to enhance the relevant council's position in respect of the Sydney Green Grid, unless otherwise agreed by the Planning Secretary.	Not applicable	Not applicable

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Place and visual Amenity	Tree Removal, Replacement Plantings and Rehabilitation	MCoA	E105	Replacement trees must: (a) be located on public land in consultation with NPWS, that delivers increased shading to footpaths, pedestrian and cycle paths; be of a species suitable to the location, having regard for local ecology and existing street trees; (c) meet the requirements for quality tree stock specified in the AS2303:2018: Tree Stock for Landscape Use; (d) be provided no later than six months following the commencement of operation; and have a minimum pot size consistent with the relevant council's plans / programs / strategies for vegetation management, street planting, or open space landscaping, or as agreed by NPWS.	Not applicable	Not applicable
Place and visual Amenity	Operational Maintenance	MCoA	E106	The ongoing maintenance and operation costs of urban design, open space, landscaping and recreational items and work implemented as part of this approval remain the Proponent's responsibility until satisfactory arrangements have been put in place for the transfer of the asset to the relevant authority. Before the transfer of assets, the Proponent must maintain items and work to at least the design standards established in the UDLF. The Planning Secretary must be advised of the date of transfer of the asset(s) to the relevant authority.	Applicable (partial)	Applicable (partial)
Place and visual Amenity	Operational Maintenance	MCoA	E107	Should any plant loss occur during the maintenance period the plants should be replaced by the same plant species unless it is determined by a suitably qualified person that a different species is more suitable for that location.	Applicable (partial) Applicable during the maintenance period.	Applicable (partial) Applicable during the maintenance period.
Place and visual Amenity	Operational Maintenance	MCoA	E108	Management and routine maintenance for design elements and landscaping work (including weed management) to ensure the success of the design and landscape outcomes must be undertaken for the life of the SSI.	Applicable (partial) Applicable for assets remaining with the proponent. Excludes assets transferred to a new authority.	Applicable (partial) Applicable for assets remaining with the proponent. Excludes assets transferred to a new authority.
Place and visual Amenity	Active Transport Network	MCoA	E109	Prior to operation of the SSI the Proponent must install bicycle parking racks near the entrances to the ferry wharves as recommended by the documents listed in Condition A1 . At Kurnell, the Proponent must consult with NPWS on the installation of bicycle parking near the ferry wharf. The Proponent must also ensure that dedicated bicycle parking is provided on the ferry service and that the future ferry operator will accept bicycles on board all vessels.	Applicable	Applicable
Place and visual Amenity	Active Transport Network	MCoA	E110	Continuous active transport paths linking the ferry wharves to the nearest public transport bus stops, located on Anzac Parade, La Perouse and Captain Cook Drive, Kurnell must be provided. Wayfinding signage must be provided to direct commuters from the ferry wharves to the bus stops. In Kamay Botany Bay National Park, all new permanent signage must be provided in consultation with NPWS. The path must be in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling (Austroads, 2017).	Applicable	Not applicable
Waste	Waste	MCoA	E111	Waste generated during construction 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.	Applicable (partial)	Applicable (partial)
Waste	Waste	MCoA	E112	The importation of waste and the storage, treatment, processing, reprocessing or disposal of such waste must be done in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, as the case may be.	Not applicable	Not applicable
Waste	Waste	MCoA	E113	Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, or to any other place that can lawfully accept such waste.	Not applicable	Not applicable
Waste	Waste	MCoA	E114	All waste must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.	Not applicable	Not applicable
Soil, Water and Contamination	Water	MCoA	E115	The SSI must be designed, constructed and operated so as to maintain the NSW Water Quality Objectives where they are being achieved as at the date of this approval, and contribute towards achievement of the NSW Water Quality Objectives over time where they are not being achieved as at the date of this approval, unless an EPL in force in respect of the SSI contains different requirements in relation to the NSW Water Quality Objectives, in which case those requirements must be complied with	Applicable (partial)	Applicable (partial)

Requirement Type			Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry operation
Soil, Water and Contamination	Water	MCoA	E116	The Proponent must consider the Department of Industry's Guidelines for controlled activities on waterfront land Riparian corridors 2018 when carrying out work within 40 metres of a watercourse, including its bed.	Not applicable	Not applicable
Soil, Water and Contamination	Water	MCoA	E117	If construction stage stormwater discharges are proposed, a water pollution impact assessment must be undertaken to inform licensing consistent with section 45 of the POEO Act. Any such assessment must be prepared in consultation with the EPA and be consistent with the National Water Quality Guidelines, with a level of detail commensurate with the potential water pollution risk.	Not applicable	Not applicable
Soil, Water and Contamination	Water	MCoA	E118	Drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) and drainage swales and depressions must be carried out in accordance with relevant guidelines and designed by a suitably qualified and experienced person.	Not applicable	Not applicable
Soil, Water and Contamination	Water	MCoA	E119	All new or modified drainage systems associated with the SSI must be designed to: (a) meet the capacity constraints of any council's drainage system to receive and convey the proposed flows from the SSI, or otherwise upgrade council's drainage system at the Proponent's expense, in consultation with the relevant council(s); (b) minimise impacts on the receiving environment at the final outflow point resulting from any additional flow volume (including, but not limited to scour, flooding, water quality impacts, and impacts on riparian vegetation, aquatic ecology and property); and (c) ensure mitigation measures are implemented where increased flows through cross drainage systems adversely impact on council or Sydney Water drainage infrastructure and/or the receiving environment.	Not applicable	Not applicable

Appendix B Revised Environmental Management Measures applicability

Table B-1 has been based on the latest version of the Revised Environmental Mitigation Measures taken from Appendix B of the Kamay Ferry Wharves Response to Submissions Report October 2021.

Table B-1 REMMs applicable to Operation Phase

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
General	Construction impacts	REMMs	G1	Construction Environmental Management Plan (CEMP) will be prepared in accordance with the Environmental Management Plan Guideline (NSW DPIE, 2020) and Environmental Management Plan Guidelines (Australian Government, 2014). It will be implemented before starting work. As a minimum, the CEMP will include: a. Statutory approval requirements b. How the project will implement the identified mitigation and management measures outlined in the EIS c. Issue-specific environmental management plans d. Roles and responsibilities, including those of sub-contractors e. Communication requirements, including liaison with stakeholders and the community f. Induction and training requirements g. Environmental performance monitoring and evaluation procedures and remedial actions h. Reporting requirements and record-keeping arrangements i. Emergency and incident management procedures j. Audit and review procedures.	Not applicable	Not applicable
Operational Environmental Management	Operational Impacts	REMMs	G2	Prior to starting operations, operational environmental management measures will be incorporated into the existing Transport for NSW ferry wharf operational management system.	Applicable	Applicable
Community Communication Strategy	Community engagement during construction	REMMs	C1	A Community Liaison Implementation Plan (CLIP) will be prepared and implemented under the CEMP. As a minimum the CLIP will: a. Identify people, community interest groups, businesses, priority groups and stakeholders to be consulted with before and during construction b. Set out procedures and mechanisms for distributing accessible information about, or relevant to, the project's construction c. Provide for the formation of community-based forums that focus on key environmental management construction issues d. Set out procedures and mechanisms to: • Provide updates at key milestones and before starting impacting activities • Allow the community to discuss or provide feedback • To respond to community enquiries or feedback • To resolve issues and mediate any disputes e. Include the means for Aboriginal community consultation with the La Perouse Local Aboriginal Land Council, Registered Aboriginal Parties and other interest groups. f. Include contact name and number for complaints g. Include information on the actual impacts that can be expected because of the construction of the project and ways in which these will be mitigated h. Include opportunities for community involvement in monitoring impacts.	Not applicable	Not applicable
Heritage	Aboriginal heritage	REMMs	AH1	Detailed design will consider opportunities to avoid impacts to significant heritage values and known/discovered intact archaeological remains in consultation with La Perouse Local Aboriginal Land Council and other Registered Aboriginal Parties.	Not applicable	Not applicable
Heritage	Aboriginal heritage	REMMs	AH2	During detailed design, elements of design such as finishes and treatments as well as heritage interpretation, such as displays and panels, will be informed by the Aboriginal cultural heritage principles in the following policies and plans: a. Kamay Botany Bay National Park: Interpretation and Storytelling Plan (WolfPeak Environment and Heritage, 2020) b. Kamay Botany Bay National Park Kurnell Master Plan (NSW DPIE, 2019). c. Kamay Botany Bay National Park Plan of Management (NSW DPIE, 2020a) d. Meeting Place Precinct: Botany Bay National Park – Kurnell. Conservation Management Plan (Context Pty Ltd, 2008). e. La Perouse Headland Conservation Management Plan (Jill Sheppard Heritage Consultants, 2009).	Not applicable	Not applicable
Heritage	Aboriginal heritage	REMMs	AH3	A Construction Heritage Management Plan (HMP) will be prepared and implemented under the CEMP. The HMP will include: a. Construction measures and procedures to minimise and manage impacts on Aboriginal cultural heritage b. Sensitive area maps that identify Aboriginal heritage values, culturally and archaeologically sensitive areas and constraints within the study area c. Unexpected Heritage Items Procedure (NSW Roads and Maritime Services, 2015d) d. Include consultation with and contact details for the La Perouse Local Aboriginal Land Council, Registered Aboriginal Parties and National Parks and Wildlife Service.	Not applicable	Not applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Heritage	Aboriginal heritage	REMMs	AH4	Aboriginal Cultural Heritage Awareness Inductions will be given to all workers during site inductions. This will ensure they are aware of the site's heritage values and context. Updates will be provided based on stakeholder feedback, consultation with the La Perouse Local Aboriginal Land Council, Registered Aboriginal Parties and following any unexpected finds.	Not applicable	Not applicable
Heritage	Aboriginal heritage	REMMs	AH5	A Salvage Excavation Program will be developed and be carried out prior to any subsurface impacts within the Low Potential PAD at La Perouse. This includes the jetty tie-in where utilities, wharf piles and landscaping works. Following completion of the archaeological excavation and the subsequent analysis and reporting, further consultation will be undertaken to determine the long-term repository for any retrieved Aboriginal objects.	Not applicable	Not applicable
Heritage	Aboriginal heritage	REMMs	AH6	A visual inspection of the potential rock engravings (Site 3, La Perouse [AHIMS ID 45-6-0650] and Site 4, La Perouse [AHIMS ID 45-6-0651]) will be undertaken before setting-up the ancillary facilities and starting construction.	Not applicable	Not applicable
Heritage	Aboriginal heritage	REMMs	AH7	Establish exclusion zones for all registered AHIMS rock engraving sites within the construction boundary or directly adjacent and cover with geotextile fabric (or similar) before setting-up the ancillary facilities and creating the construction compound.	Not applicable	Not applicable
Heritage	Aboriginal heritage	REMMs	AH8	Archaeological work method statements will be prepared prior to setting up ancillary facilities, construction compounds or construction works to prevent impact and preserve the integrity the rock engraving at La Perouse (AHIMS ID 45-6-0653). During excavation and subsurface works or any other identified high risk activities, archaeological supervision and vibration monitoring will be undertaken at the potential location of the rock engraving at La Perouse (AHIMS ID 45-6-0653). If the engraving is identified and/or the vibration levels would result in damage to the integrity of the sandstone structure, works must cease, the site protected and the construction methodology be reviewed in consultation with a heritage consultant to mitigate further impacts.	Not applicable	Not applicable
Heritage	Aboriginal heritage	REMMs	AH9	Archaeological supervision will be undertaken during excavations below 400mm at Kurnell within the Foreshore Midden – Captain Cook's Landing Place (AHIMS ID 52-3-0219). If archaeological material is identified, further archaeological investigations may be required following review and assessment of the archaeological resources identified.	Not applicable	Not applicable
Heritage	Non-Aboriginal heritage	REMMs	NAH1	Detailed design will consider opportunities to avoid impacts to significant heritage values and known/discovered intact archaeological remains in consultation with Heritage NSW. Options to consider during the detailed design include: a. Excavating the utility trench at Kurnell underneath the buried portion of the course stone sea wall near the wharf tie-in instead of removing a section of the sea wall b. Excavating the utility trench at Kurnell underneath the archaeological remains of the former sea wall near the wharf tie-in instead of impacting the archaeological remains c. Limiting the impact depth of landscape works at La Perouse to reduce impacts to the archaeological remains of the former wharf approach road d. Avoiding impact to remnant Coast Banksia community at La Perouse. Where impact cannot be avoided, offset planting of native vegetation at La Perouse and Kurnell will be provided.	Not applicable	Not applicable
Heritage	Non-Aboriginal heritage	REMMs	NAH2	During detailed design, elements of design such as finishes and treatments as well as heritage interpretation, such as displays and panels, will be informed by the non-Aboriginal cultural heritage principles in the following policies and plans: a. Kamay Botany Bay National Park Kurnell Master Plan (NSW DPIE, 2019). b. Kamay Botany Bay National Park Plan of Management (NSW DPIE, 2020a) c. Meeting Place Precinct: Botany Bay National Park – Kurnell. Conservation Management Plan (Context Pty Ltd, 2008). d. La Perouse Headland Conservation Management Plan (Jill Sheppard Heritage Consultants, 2009).	Not applicable	Not applicable
Heritage	Non-Aboriginal heritage	REMMs	NAH3	Non-Aboriginal heritage management measures will be included as part of the Construction Heritage Management Plan (HMP). The HMP will include: a. Construction measures and procedures to minimise and manage impacts on non-Aboriginal cultural heritage b. Sensitive area maps that identify non-Aboriginal heritage values, culturally and archaeologically sensitive areas and constraints within the study area c. Identification of heritage protection zones and protection requirements for heritage items within and in the vicinity of the construction boundary d. An outline of the required archaeological management strategies e. A heritage register to document the location, condition, significance, storage requirements of any memorials, monuments and interpretive panels which need temporarily relocating and storing during construction including The Captain Cook watering well, The Landing Place Memorial and interpretative panels on the extant wharf. f. Unexpected Heritage Items Procedure (NSW Roads and Maritime Services, 2015d) g. Consultation with National Parks and Wildlife Service, Heritage NSW, Randwick City Council and Sutherland Shire Council.	Not applicable	Not applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Heritage	Non-Aboriginal heritage	REMMs	NAH4	An Archaeological Research Design (ARD) will be prepared before work starts. The ARD will confirm the areas within the construction boundaries requiring archaeological investigation, management and any salvage requirements, following detailed design. It will outline the archaeological investigation method. Archaeological Work Method Statements (AWMS) will be prepared prior to construction to support the ARD.	Not applicable	Not applicable
Heritage	Non-Aboriginal heritage	REMMs	NAH5	Where any archaeological investigations identify remains, opportunities should be considered for leaving archaeological remains exposed and incorporating them into the visual landscape. Consultation with Heritage NSW and National Parks and Wildlife Service will be undertaken to determine the long-term repository for any retrieved objects.	Not applicable	Not applicable
Heritage	Non-Aboriginal heritage	REMMs	NAH6	Non-Aboriginal Heritage Awareness Inductions will be given to all workers during site inductions. This will ensure they are aware of their obligations under the NSW Heritage Act 1977 and best practice as outlined in The Burra Charter (Australia ICOMOS 2013). Updates will be provided based on stakeholder feedback and following any unexpected finds and the outcome of the ARD.	Not applicable	Not applicable
Heritage	Non-Aboriginal heritage	REMMs	NAH7	A Photographic Archival Recording Program will be undertaken in accordance with the How to Prepare Archival Recording of Heritage Items (NSW Heritage Office 1998) and Photographic Recording of Heritage Items Using Film or Digital Capture (NSW Heritage Office 2006). Photographic archival recording will be carried out for heritage items that are directly impacted within the construction boundaries and record the setting and views of the heritage items within the study area that will be subject to minor or greater visual impacts based on Table 8-4 of the EIS. The impacted elements include but are not limited to: a. The former sea wall at Kurnell b. The former wharf approach road at La Perouse c. The archaeological potential areas at La Perouse d. Nearby heritage items subject to minor visual impacts including; Kurnell Peninsula Headland, Kamay Botany Bay National Park (North and South) and Towra Point Reserve, Kurnell Historic Site (in Kamay Botany Bay National Park), Kurnell monuments (in Kamay Botany Bay National Park) and Captain Cook monument.	Not applicable	Not applicable
Heritage	Non-Aboriginal heritage	REMMs	NAH8	Monument Track will be reinstated in the same location following construction. This will ensure that the historical circulation pattern is maintained in accordance with the policies outlined in section 5.5: Landscape of the Meeting Place Precinct CMP. Specifically: a. The existing concrete slabs will be temporarily removed and reinstated rather than being replaced. If this is not possible, replaced sections will match the existing track b. Care will be taken to remove sections with interpretive text and ensure that they are returned to their original location.	Not applicable	Not applicable
Heritage	Underwater heritage	REMMs	UH1	Underwater heritage management measures will be included as part of the Construction Heritage Management Plan (HMP). The HMP will include: a. Construction measures and procedures to minimise and manage impacts on underwater heritage b. Sensitive area maps that identify areas of underwater heritage sensitivity and constraints in the study area c. Artefact management procedures, including identification of approved submerged reburial locations d. Relevant work method requirements, including the installation and removal of the construction platform at La Perouse, temporary causeway at Kurnell and any other temporary structures e. Maritime heritage inductions tailored for underwater work activities including, but not limited to anchoring or trenching f. Restricted zones to be established for the following heritage items; First Slipway at La Perouse, Remains of the sandstone block causeway for La Perouse wharf, Paragon Restaurant / Boat Davits, Holt Jetty / Isaac Smith memorial/ Captain Cook's Landing Site which limit activities and movements ie no tracked machines. g. Archival, baseline and periodic monitoring protocols (before and during construction, including a final site inspection within three months of completion of works) for the heritage items identified in UH1(g) h. Unexpected Heritage Items Procedure (NSW Roads and Maritime Services, 2015d) i. Consultation requirements with National Parks and Wildlife Service, Heritage NSW, Randwick City Council and Sutherland Shire Council.	Not applicable	Not applicable
Heritage	Underwater heritage	REMMs	UH2	An archaeological dive inspection will be carried out within the footprint of the wharves. Where a culturally significant heritage item is present, any movable heritage items will be relocated away from the impact area before starting work.	Not applicable	Not applicable
Heritage	Underwater heritage	REMMs	UH3	Unidentified seabed anomalies will be avoided through the use of a five metre no-anchoring exclusion zone. If these areas are required for anchoring or mooring, a dive inspection will determine if the item is of low cultural heritage sensitivity to enable these activities to occur.	Not applicable	Not applicable
Biodiversity	Marine biodiversity	REMMs	MB1	Design and lighting opportunities will be considered during the detailed design, including: a. Use of light permeable materials for the wharves to minimise shading impacts to marine habitats b. Measures in the National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds, and Migratory Shorebirds (Australian Government Department of Environment and Energy, 2020).	Not applicable	Not applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Biodiversity	Marine biodiversity	REMMs	MB2	A Construction Biodiversity Management Plan (BMP) will be prepared in accordance with the Biodiversity Assessment Method (NSW DPIE, 2020h). It will be implemented under the CEMP. The BMP will detail the measures and procedures to minimise and manage construction impacts on marine biodiversity. The BMP will include: a. Sensitive area maps that identify sensitive habitats, protection areas, no anchoring zones, and exclusion zones to protect seagrass and threatened species b. Define procedures addressing relevant matters specified in the NSW DPI Fisheries Policy and guidelines for fish habitat conservation and management (NSW Department of Primary Industries, 2013). c. Include measures to prevent and monitor: • Water pollution • Sediment disturbance during construction • Construction vessel/barge movements, anchoring, and shading • Impact on known Black Rockcod habitat where possible • Biosecurity risks • Vessel strike by maintaining safe distances and approaches as identified in section 2.3 and 2.5 of the Biodiversity Conservation Regulation 2017 and limiting speeds. d. Define and implement marine ecology induction to all workers during site inductions e. Consultation with DPI Fisheries, NSW Environment, Energy and Science Group, Randwick City Council, Sutherland Shire Council, National Parks and Wildlife Service for the preparation of the BMP.	Not applicable	Not applicable
Biodiversity	Marine biodiversity	REMMs	MB3	Establish no anchoring zones to minimise impacts from anchor points within seagrass meadows of Posidonia Australis at Kurnell and La Perouse.	Not applicable	Not applicable
Biodiversity	Marine biodiversity	REMMs	MB4	Avoid fixed location of barges at locations of Posidonia australis outside of the marine habitat impact area within the construction boundary to minimise shading impacts.	Not applicable	Not applicable
Biodiversity	Marine biodiversity	REMMs	MB5	Implement biosecurity management measures applicable and relevant to the project in accordance with relevant NSW DPI Fisheries policies and procedures and National biofouling management guidelines for marinas, slipways, boat maintenance and recreational boating facilities (DAWE, 2021).	Applicable	Applicable
Biodiversity	Marine biodiversity	REMMs	MB6	Establish suitable navigation channels to avoid areas of listed species habitat, including: Kurnell a. Watts reef (likely Black Rockcod habitat) b. Large TEC seagrass meadow of Posidonia Australis La Perouse c. Avoid accessing near reef habitat d. No access over patch of Posidonia Australis to the east of the wharf.	Not applicable	Applicable
Biodiversity	Marine biodiversity	REMMs	MB7	Vessels are to maintain safe distances and approaches as identified in section 2.3 and 2.5 of the Biodiversity Conservation Regulation 2017.	Not applicable	Not applicable
Biodiversity	Marine biodiversity	REMMs	MB8	Where possible, areas of known Black Rockcod habitat will be identified in detailed design and avoided during construction and within the ferry swept path during operation.	Not applicable	Applicable
Biodiversity	Marine biodiversity	REMMs	MB9	Establish areas of no wash zones in consultation with Port Authority NSW, NSW DPI Fisheries and Transport for NSW at: a. La Perouse to minimise wash effects on the coastal subtidal and intertidal reef areas b. Watts Reef near Kurnell to minimise wash effects on the subtidal habitat on the reef c. Near both wharves to minimise excess wash from the ferry and recreational vessel access.	Applicable (partial) Part (c) applicable	Applicable
Biodiversity	Marine biodiversity	REMMs	MB10	A Marine Biodiversity Offset Strategy (MBOS) will be prepared in consultation with NSW DPI Fisheries. As a minimum the MBOS will include: a. Pre and post construction seagrass monitoring program to validate construction impacts b. A seagrass translocation and rehabilitation plan c. Investigation of other offset opportunities which may include artificial marine fauna habitat such as seahorse habitat structures, environmentally friendly moorings or research trials on environmentally friendly moorings.	Applicable (partial) Separate to OEMP and to be maintained 10 years post MBOS approval	Applicable (partial) Separate to OEMP and to be maintained 10 years post MBOS approval

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Biodiversity	Terrestrial biodiversity	REMMs	B1	Measures to further avoid and minimise the construction footprint, native vegetation or habitat removal will be considered during the detailed design stage and implemented where practicable and feasible. Measures to avoid and minimise impacts should be prioritised in the following order: a. Critical habitat b. Threatened species, endangered ecological communities or their habitat c. Native vegetation and habitat supporting flora and fauna connectivity and/or that supports other environmental objectives such as protecting water quality, hydrology or erosion and sediment controls d. Native vegetation of higher quality condition e. Other native vegetation.	Not applicable	Not applicable
Biodiversity	Terrestrial biodiversity	REMMs	B2	As a part of detailed design, opportunities to minimise disturbance of foreshore and forested habitats as a result of light spill are to be investigated. This will include: a. Minimising the number of proposed permanent lights and optimising their locations where possible so as to provide maximum setbacks to adjacent habitats b. Where lights cannot be avoided, use of lower impact globes, directional shields, timers, sensors or motion detectors.	Not applicable	Not applicable
Biodiversity	Terrestrial biodiversity	REMMs	B3	Terrestrial biodiversity management measures will be included as part of the Construction Biodiversity Management Plan (BMP). As a minimum the BMP will include: a. Sensitive area maps that identify native vegetation, flora and fauna habitat, threatened species and endangered ecological communities b. Maps showing areas to be cleared and areas to be protected, including exclusion zones, protected habitat features (eg hollow-bearing trees), and areas for rehabilitation or re-establishment of native vegetation c. Site inductions and training to ensure awareness of requirements of the BMP and relevant statutory responsibilities. Site-specific training will be given to personnel when working in the vicinity of areas of identified biodiversity value that are to be protected. d. Requirements set out in the Roads and Traffic Authority (RTA) Landscape Guideline e. Procedures addressing relevant matters specified in the Biodiversity Guidelines -Protecting and managing biodiversity on RTA Projects (NSW Roads and Traffic Authority, 2011a) including but not limited to: • Pre-clearing, including the outcomes of final flora and fauna species checks, establishment of exclusion zones and on-ground identification of specific habitat features to be retained (such as hollow-bearing trees) • Vegetation clearing and bushrock removal, including staged habitat removal and any specified seasonal limits on clearing activities • Fauna handling and unexpected threatened species finds • Rehabilitation, revegetation, re-use of soils, woody debris and bushrock, and other habitat management actions • Weed and pathogen management • Unexpected finds procedure. f. Monitoring during construction and post-construction g. Adaptive management measures to be applied if monitoring indicates unexpected adverse impacts.	Not applicable	Not applicable
Biodiversity	Terrestrial biodiversity	REMMs	B4	A consulting arborist is to carry out an assessment of all trees within the construction boundary that are proposed for retention in accordance with Australian Standard 4970: Protection of Trees on Development Sites. The arborist is to provide a report with recommendations on the viable retention of all native trees within the construction boundary of the mapped PCTs, and include recommendations for amending design or using alternate construction methods to reduce any impacts on retained trees.	Not applicable	Not applicable
Biodiversity	Terrestrial biodiversity	REMMs	B5	A Terrestrial Biodiversity Offset Strategy will be prepared in accordance with the NSW Biodiversity Offset Scheme (NSW Department of Planning, Industry and Environment (DPIE), 2020i). Biodiversity credits are required to be obtained for the following PCTs and fauna species: • PCT 1823 – Coastal headland cliffline scrub • PCT 661 – Coastal sand littoral forest (Kurnell Dune Forest in the Sutherland Shire and City of Rockdale) • PCT 772 - Coastal foredune wattle scrub • Gang-gang Cockatoo • Potential foraging habitat for Large-eared Pied Bat • Potential foraging habitat for Eastern Cave Bat • Potential foraging/breeding habitat for Pied Oystercatcher • Potential foraging/breeding habitat for Sooty Oystercatcher.	Not applicable	Not applicable
Traffic and transport	Construction traffic management	REMMs	T1	A Traffic Management Plan (TMP) will be prepared in accordance with Traffic Control at Work Sites - Technical Manual (Transport for NSW, 2020h) and QA Specification G10 - Traffic Management (Transport for NSW, 2020i). It will be implemented under the CEMP. The TMP will focus on maintaining general traffic flow, specifying appropriate site accesses, construction parking and construction traffic routes. The TMP will be prepared in consultation with National Parks and Wildlife Service, Randwick City Council and Sutherland Shire Council.	Not applicable	Not applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Traffic and transport	Parking within Kamay Botany Bay National Park	REMMs	T2	Transport for NSW will continue to liaise with National Parks and Wildlife Services to support its delivery of additional car parking within the Kamay Botany Bay National Park at Kurnell prior to operations.	Not applicable	Not applicable
Traffic and transport	Construction traffic management	REMMs	T3	Construction worker parking along Anzac Parade at La Perouse will be avoided during peak periods (weekends). Consideration of a temporary parking facility at La Perouse will be considered during development of the TMP.	Not applicable	Not applicable
Traffic and transport	Construction traffic management	REMMs	T4	Interaction between cyclists and construction related vehicles will be managed and proposed alternative routes provided within the TMP.	Not applicable	Not applicable
Traffic and transport	Construction traffic management	REMMs	T5	Where disruption or closure of pedestrian routes is required during construction, alternate pedestrian routes, appropriate signage and safe access will be provided in consultation with Randwick City Council, Sutherland Shire Council and National Parks and Wildlife Services.	Not applicable	Not applicable
Traffic and transport	Construction traffic management	REMMs	T6	Emergency vehicle access will be maintained during construction. Any site-specific requirements will be determined in consultation with the relevant emergency services agency.	Not applicable	Not applicable
Traffic and transport	Conflict between marine construction works and other marine users	REMMs	T7	A Marine Works Management Plan (MWMP) will be prepared in consultation with the Port Authority NSW (including Harbour Master), Transport for NSW, and other relevant stakeholders. The plan will define exclusion zones, methods of marking the zones, clearance distances, mooring plans, communication protocol, emergency and incident response procedures, vessel movements, contact details of all parties and responsible persons, and transit routes. The MWMP will be consistent with the Biodiversity Management Plan.	Not applicable	Not applicable
Traffic and transport	Conflict of water users and construction vessels	REMMs	T8	Maritime exclusion zones will be established to prevent unauthorised vessels entering the area. These zones will be clearly defined to communicate access for other water users and will be lit to account for the measures in National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds, and Migratory Shorebirds (Australian Government Department of the Environment and Energy, 2020).	Not applicable	Not applicable
Traffic and transport	Swing moorings conflicting with construction boundary and operational swept ferry path	REMMs	T9	Moorings that conflict with construction or the operational ferry swept path will be relocated outside of the construction boundary in accordance with Transport for NSW standard mooring relocation processes. Mooring relocation will be undertaken in consultation with Port Authority NSW and notify any affected stakeholders.	Not applicable	Applicable
Traffic and transport	Increase in commercial and recreational vessels using the area	REMMs	T10	Consultation and notification will be carried out before the commencement of operations to ensure the surrounding maritime operations, including recreational boating, are informed about the project.	Applicable	Applicable
Landscape character and visual amenity	Placemaking	REMMs	L1	The design will be developed in consultation with National Parks and Wildlife Service, the La Perouse Local Aboriginal Land Council, Registered Aboriginal Parties, Port Authority NSW and Transport for NSW's Maritime and Urban Design Divisions. These reviews will follow Beyond the Pavement (Transport for NSW, 2020a) and Connecting with Country (Government Architect, 2020).	Not applicable	Not applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Landscape character and visual amenity	Change to existing lighting environment	REMMs	L2	The lighting will be designed in accordance with AS/NZS 1158:2005 Lighting for Roads and Public Spaces (Australian and New Zealand Standard, 2005), AS/NZS 4282:2019 Control of Obtrusive Effects of Outdoor Lighting (Australian and New Zealand Standard, 2019) and to be guided by the National Light Pollution Guidelines for Wildlife (Australian Government, Department of the Environment and Energy, 2013).	Not applicable	Not applicable
Landscape character and visual amenity	Loss of vegetation and landscape character	REMMs	L3	The Urban Design and Landscape Plan (UDLP) will be implemented under the CEMP to ensure: a. The design objectives and principles are met b. A sampling process will be carried out in consultation with Transport for NSW and the design team to ensure these outcomes are achieved c. Any further consultation requirements are carried out with National Parks and Wildlife Service, Local Aboriginal Land Council, and Registered Aboriginal Parties d. With regard to implementing the art strategy, prototyping will be carried out and signed off by Transport for NSW to ensure quality standards and the design intent is met e. The planting as outlined in the UDLP is implemented and maintained for the specified duration f. Any deviation from the design, as documented in the UDLP, will be in consultation with Transport for NSW to ensure the quality and design intent is met.	Not applicable	Not applicable
Landscape character and visual amenity	Finalisation of the landscaping	REMMs	L4	Transport for NSW will continue to consult with National Parks and Wildlife Service to inform the final landscape design at Kurnell. Any changes required to be made to the landside layout of seating at Kurnell, proposed landscaping and proposed lighting will be coordinated by Transport for NSW in collaboration with National Parks and Wildlife Service.	Not applicable	Not applicable
Landscape character and visual amenity	Maintain amenity during construction	REMMs	L5	All areas and activities in the construction boundary will be managed to ensure the appropriate storage of equipment, parking, stockpile screening and arrangements for the storage and removal of rubbish and waste materials.	Not applicable	Not applicable
Landscape character and visual amenity	Integration of cultural artwork	REMMs	L6	Delivery of the cultural artwork on site shall be completed in close collaboration with the selected Aboriginal artists and the Gujaga Foundation to ensure the artist intent is achieved. Any deviation from the design will be considered in consultation with Transport for NSW to ensure the project design objectives are met.	Not applicable	Not applicable
Landscape character and visual amenity	Ongoing maintenance	REMMs	L7	The ongoing maintenance of urban design and landscaping for the project shall remain Transport for NSW's responsibility unless satisfactory arrangements are put in place for the transfer of ownership to another authority. The landscaping outlined in the UDLP will be maintained to the standards established in the UDLP, unless and until landscaping items have been transferred to another authority.	Applicable (partial)	Applicable (partial)
Socioeconomic	Aboriginal heritage	REMMs	S1	Transport for NSW will consult with Aboriginal land claimants that will be impacted by the project to resolve any outstanding claims.	Not applicable	Not applicable
Socioeconomic	Access restrictions	REMMs	S2	Private property access will be maintained. If any temporary access restrictions are needed, those affected will be consulted in accordance with the CLIP.	Not applicable	Not applicable
Socioeconomic	Employment opportunities over the project's life	REMMs	S3	A Skills and Employment Strategy will be prepared setting out how the project will promote opportunities for upskilling and training of the local workforce during construction and operation. The strategy will promote and include employment particularly for people with a disability, Aboriginal people, the unemployed and other vulnerable groups. The strategy will include a target for local employment and skills attainment that could be used to monitor success of implementation. The strategy will align with the NSW Government Procurement Board Direction Skills, training and diversity in construction and the NSW Government Policy on Aboriginal Participation in Construction.	Not applicable	Not applicable
Noise and vibration	Construction noise and vibration management	REMMs	SN1	A Construction Noise and Vibration Management Plan (NVMP) will be prepared and implemented as part of the CEMP. The plan will generally follow the approach of the Interim Construction Noise Guideline (NSW DECC, 2009) and provide details of construction management measures and procedures. The plan will include: a. An Out of Hours Works Protocol and provision to cover working outside of the standard hours set by the Construction Noise and Vibration Strategy (ST-157/4.1, Transport for NSW, 2020j) b. Identify all potential significant noise and vibration generating activities c. Noise and vibration management measures such as restrictions on working hours, staging, placement and operation of work compounds, parking and storage areas, temporary noise barriers, haul road maintenance, equipment selection and controlling the location and use of vibration generating equipment d. A monitoring and reporting program to assess performance against relevant noise and vibration criteria e. Consultation arrangements with affected neighbours and sensitive receivers, including notification and complaint handling procedures f. Consultation with NSW EPA, Randwick City Council, Sutherland Shire Council and National Parks and Wildlife Service for preparation of the NVMP g. Contingency measures in the event of non-compliance with noise and vibration criteria.	Not applicable	Not applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Noise and vibration	Vibration impacts to heritage items	REMMs	SN2	A pre-construction building condition assessment of Aboriginal and non-Aboriginal heritage items within 70 metres of the construction boundary will be carried out by a suitably qualified person prior to construction. During construction, inspections of the construction activities and work areas will be undertaken to monitor and review the construction methodology and confirm the integrity of the nearby significant structural elements. For heritage items identified at risk during the pre-construction condition assessment, minimum safe working distances will be established and vibration monitoring be carried out prior to the commencement of construction and monitored throughout construction to identify any construction-related impacts. If impacts are detected, work in the area will stop and appropriate environmental management measures will be implemented such as using alternative construction techniques or installing protection structures in collaboration with a heritage consultant.	Not applicable	Not applicable
Noise and vibration	Unavoidable noise and vibration impacts	REMMs	SN3	Any noise or vibration affected sensitive receivers will be notified at least five days before starting work. The notification will include details of: a. Construction periods and working hours b. Contact information for project management staff c. Complaint and incident reporting d. How to obtain further information. This excludes emergency works which will be covered under the CLIP.	Not applicable	Not applicable
Noise and vibration	Underwater noise and vibration	REMMs	UN1	Underwater noise management measures will be included as part of a Construction Noise and Vibration Management Plan (CNVMP). The CNVMP will include: a. Identification of potential significant underwater noise and vibration generating activities b. Management measures that will be guided by section 5 of the SA Underwater Piling Noise Guidelines (Government of South Australia, 2012). This will include: • Investigating the use bubble curtains to reduce the severity of the energy of the sounds caused by the driving of the piles. • Carrying out observations for 30 minutes before starting work in all zones. • A slow-start process for the piling works that would last for 10 minutes. • Implement a stand-by and shut down process. • Prepare and maintain a compliance and siting report while piling takes place. • Notify the recreational user groups in the area and post notices at the key beaches warning people of the ongoing piling works so that can expect potential underwater noise. • Aim to avoid piling on weekends and during public holidays.	Not applicable	Not applicable
Noise and vibration	Underwater noise impacts on humans	REMMs	UN2	Public communication, including website updates and notices at the project areas, will be carried out before any piling starts. This will be included as part of the CLIP.	Not applicable	Not applicable
Noise and vibration	Underwater noise impacts on marine fauna	REMMs	UN3	Underwater noise monitoring may be carried out before the main construction works starts. This will be used to define three zones in accordance with section 5.2 of the Underwater Piling Noise Guidelines (Government of South Australia, 2012): a. Zone 1: stop work b. Zone 2: introduce work restrictions c. Zone 3: use marine spotters. A specialist marine spotter will be responsible for observing and implementing the three zones during piling activities.	Not applicable	Not applicable
Soil, Water and Contamination	Localised stormwater flooding	REMMs	SW1	All new paved areas will be designed to drain freely.	Not applicable	Not applicable
Soil, Water and Contamination	Localised water quality impacts	REMMs	SW2	All new footpaths will be designed to drain to grassed areas to promote infiltration and cleansing of pollutants.	Not applicable	Not applicable
Soil, Water and Contamination	Pollution through discharge of sediment and other pollutants from construction compound and works areas	REMMs	SW3	A Soil and Water Management Plan (SWMP) will be prepared in accordance with QA Specification G38, Soil and Water Management (Transport for NSW, 2020). It will be implemented under the CEMP. The SWMP will: a. Identify all reasonably foreseeable risks relating to soil erosion, soil contamination, asbestos, acid sulfate soils and water pollution associated with undertaking the activity b. Describe how these risks will be managed and minimised including the management of potential acid sulfate soils and potential contamination c. Include the required processes/procedures for excavation, handling, storage, and transport of sediment and arrangements for managing pollution risks associated with spillage or contamination. d. Consultation with NSW Environment Protection Authority (EPA), NSW Environment, Energy and Science Group, Sydney Water, Randwick City Council, Sutherland Shire Council and National Parks and Wildlife Service.	Not applicable	Not applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Soil, Water and Contamination	Reduced soil and water quality due to erosion and sediment runoff	REMMs	SW4	An Erosion and Sediment Control Plan (ESCP) will be prepared in accordance with Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2 (Blue Book, Landcom, 2004). It will be implemented under the SWMP. The ESCP will include: a. Detailed measures and controls to minimise erosion and manage sediment control risks to prevent pollution of waterways b. Arrangements for managing wet weather events, including monitoring of potential high-risk events (such as storms) and specific controls and follow-up measures to be applied in the event of wet weather.	Not applicable	Not applicable
Soil, Water and Contamination	Pollution through fuel leaks	REMMs	SW5	Equipment, plant and machinery refuelling and maintenance will be carried out in impervious bunded areas. Vessels and associated plant and equipment will be maintained and refuelled at appropriate facilities offsite or adhere to industry standards, Port Authority NSW and pollution prevention regulations during refuelling, transfer, storage and handling of hazardous materials. Refuelling will always be attended. Machinery will be checked daily to ensure that there are no oil, fuel, or other liquid leaks.	Not applicable	Not applicable
Soil, Water and Contamination	Pollution through fuel leaks	REMMs	SW6	Vehicle wash-downs will be carried out offsite or within a designated bunded area with an impervious surface	Not applicable	Not applicable
Soil, Water and Contamination	Encountering groundwater	REMMs	SW7	Shallow groundwater will be managed in accordance with the Technical Guideline for Environmental Management of Construction Site Dewatering (NSW Roads and Traffic Authority, 2011b).	Not applicable	Not applicable
Soil, Water and Contamination	Coastal processes	REMMs	CP1	If a temporary causeway is constructed at Kurnell, temporary causeway armour (ie sandbags, rock) will be selected to account for and withstand the local wave climate.	Not applicable	Not applicable
Soil, Water and Contamination	Turbidity impacts for the temporary causeway	REMMs	CP2	If construction of the temporary causeway at Kurnell is to occur, a turbidity monitoring specification will be developed and implemented to achieve the limits in the Turbidity Water Quality Standards Criteria Summaries; A Compilation of State/Federal Criteria (USEPA, 1988) and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality Volume 1 (ANZECC& ARMCANZ, 2000). Should the monitoring record an exceedance, measures such as stopping work and rectifying the exceedances will be carried out.	Not applicable	Not applicable
Soil, Water and Contamination	Scour of the seabed	REMMs	CP3	Operational restrictions to control approaching, berthing and departing from the wharves will be enforced for all vessels using the wharves to limit scour. These measures will be agreed in consultation with Port Authority NSW (including Harbour Master).	Applicable Applicable only for recreational and commercial vessels.	Applicable
Climate change	Climate change	REMMs	CC1	The wharves will be designed to account for impacts of climate change, such as sea level rise and severe weather events.	Not applicable	Not applicable
Climate change	Climate change	REMMs	CC2	Consultation will continue with National Parks and Wildlife Service on the development of Stage 1 of the Kamay Botany Bay National Park Kurnell Master Plan that will occur through the development of the project to manage any cumulative impacts	Not applicable	Not applicable
Climate change	Climate change	REMMs	CC3	Consultation will continue with Sutherland Shire Council, Randwick City Council and Port Authority NSW through the development of the project to manage any unforeseen cumulative impacts.	Not applicable	Not applicable
Air Quality	Air Quality	REMMs	A1	Air quality management measures will be incorporated into the CEMP. This will include: a. Dust mitigation and suppression measures such as spraying or covering exposed surfaces, providing vehicle clean down areas, covering of loads, street cleaning, use of dust screens, maintenance of plant in accordance with manufacturer's instructions b. Methods to manage works during strong winds or other adverse weather conditions c. A progressive rehabilitation strategy for exposed surfaces.	Not applicable	Not applicable
Greenhouse Gas	Greenhouse Gas Emissions	REMMs	GG1	The wharf design will include materials that have low embodied carbon, are durable (to reduce maintenance), and/ or are highly efficient such as LED lighting.	Not applicable	Not applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Greenhouse Gas	Embodied carbon in construction materials	REMMs	GG2	Where practicable and feasible, construction materials will be managed to: a. Maximise onsite materials reuse b. Reuse recycled aggregates c. Manage waste to maximise recycling and minimise the percentage sent to landfill d. Incorporate fly ash in concrete e. Procure prefabricated materials to eliminate offcuts onsite f. Reduce use of reinforcement bar/steel.	Not applicable	Not applicable
Greenhouse Gas	Greenhouse Gas Emissions	REMMs	GG3	The ferry vessels will be operated and maintained in accordance with the Transport for NSW operational management system to ensure optimal operational conditions to minimise fuel use.	Not applicable	Applicable
Sustainability	Sustainable Development	REMMs	SU1	The project will implement sustainability objectives driven by the Environmental Sustainability Strategy 2019-2023 (NSW Roads and Maritime Services, 2019) throughout all stages.	Applicable	Applicable
Waste	Waste	REMMs	W1	A Waste and Energy Management Plan (WEMP) will be prepared in accordance with the Environmental Procedure - Management of Wastes on Roads and Maritime Services Land (NSW Roads and Maritime Services, 2014). It will be implemented under the CEMP. The WEMP will include: a. Measures and controls to minimise the amount of waste b. Measures to store, test, handle, transport, recovery, reuse, dispose of waste. It will also address any recovered material imported to site c. Waste management classification measures d. Measures to ensure organic waste is covered and stored onsite to prevent birds being attracted to the area e. Measure to ensure no construction generated waste is placed in public or residential bins. f. Monitoring, record keeping and reporting, including any documentation management obligations arising from resource recovery exemptions g. Sampling and waste management measures in accordance with the Roads and Maritime Services Environmental Fact Sheet EFS-706 (NSW Roads and Maritime Services, 2015b) h. Measures to reuse and mulch cleared vegetation in accordance with QA Specification R178 (Vegetation).	Not applicable	Not applicable
Waste	Waste	REMMs	W2	A Pre-Construction Land Condition Assessment will be carried out in accordance with the Environmental Procedure - Management of Wastes on Roads and Maritime Services Land (NSW Roads and Maritime Services, 2014) before starting work. This will also identify any pre-existing wastes.	Not applicable	Not applicable
Waste	Waste	REMMs	W3	A Post-Construction Land Condition Assessment will be carried out in accordance with the Environmental Procedure - Management of Wastes on Roads and Maritime Services Land (NSW Roads and Maritime Services, 2014). This will ensure the site condition is reinstated and suitable for handback in accordance with wider contractor specifications.	Not applicable	Not applicable
Waste	Waste	REMMs	W4	Onsite effluent will either be discharged to the local sewage system or temporarily stored in septic or portable facilities. These facilities will be of sufficient capacity and located away from environmentally sensitive areas such as waterways. The effluent will be regularly collected and disposed of to an appropriately licenced facility. Pit toilets will not be permitted.	Not applicable	Not applicable
Waste	Waste	REMMs	W5	Recycling and general waste bins will be installed at the wharves. Note: operational waste will be incorporated into existing management systems operated by Transport for NSW, National Parks and Wildlife Service, Randwick City Council and Sutherland Shire Council.	Applicable	Applicable
Hazard and Risk	Construction equipment potential to intrude airspace	REMMs	HZ1	All equipment used onsite will not exceed the maximum obstacle limit survey height of 50 metres Above Height Datum (mAHD) at La Perouse and 50 to 70 mAHD at Kurnell. Equipment used on site will also not exceed the PAN-OPS limit of 126.4mAHD	Not applicable	Not applicable
Hazard and Risk	Nearby bird populations startled during construction	REMMs	HZ2	A gradual start-up of noise generating construction activities will be introduced each day onsite.	Not applicable	Not applicable
Hazard and Risk	Construction vessels impacting submerged cable	REMMs	HZ3	An exemption certificate will be obtained from the Port Authority NSW to allow construction vessels to anchor within the 200-metre exclusion zone of the submerged Ausgrid power cable. Vessels will not be allowed to anchor on the cable or environmentally sensitive areas.	Not applicable	Not applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Hazard and Risk	Accidental spills	REMMs	HZ4	An Emergency Spill Management Plan (ESMP) will be prepared in accordance with the Code of Practice for Water Management (NSW Roads and Traffic Authority, 1999) and relevant NSW EPA guidelines. It will be implemented under the WEMP. The ESMP will measures to be implemented in the event of a spill, including initial response, containment/cleaning up, and emergency services and relevant authority notifications including Transport for NSW, Port Authority NSW and NSW EPA.	Applicable	Applicable
Hazard and Risk	Accidental spills	REMMs	HZ5	Spill kits will be kept onsite, on vessels and held within all vehicles. Training will be provided in the use and correct disposal of kits.	Not applicable	Not applicable
Hazard and Risk	Accidental spills over water	REMMs	HZ6	Any significant spill not contained onsite, whether it occurred in water or on land and subsequently entered the water, will be immediately reported to the Harbour Master and Sydney Vessel Traffic Service (VTS).	Not applicable	Not applicable
Hazard and Risk	Operational spill over water	REMMs	HZ7	Operational spill management environmental mitigation measures will be included in the standard operating procedure for ferries in Sydney managed by Transport for NSW and required by the Harbour Master.	Applicable	Applicable
Cumulative Impact	New approved projects that have not been identified at the time of this EIS	REMMs	CU1	Collaboration and engagement will take place with the proponents of any new approved projects that will be built or start to operate at the same time as the Kamay Ferry Wharves. This will be used to minimise the cumulative impacts.	Applicable	Applicable
Cumulative Impact	Consultation to manage construction fatigue and cumulative impacts	REMMs	CU2	Consultation will continue with National Parks and Wildlife Service on the development of Stage 1 of the Kamay Botany Bay National Park Kurnell Master Plan that will occur through the development of the project to manage any cumulative impacts.	Not applicable	Not applicable
Cumulative Impact	Consultation to manage construction fatigue and cumulative impacts	REMMs	CU3	Consultation will continue with Sutherland Shire Council, Randwick City Council and Port Authority NSW through the development of the project to manage any unforeseen cumulative impacts.	Not applicable	Not applicable

Appendix C EPBC Act Conditions of Approval applicability

Table C-1 has been based on the CoAs within the Notification of approval for the Kamay Ferry Wharves Project, NSW (EPBC ref 2020/8825).

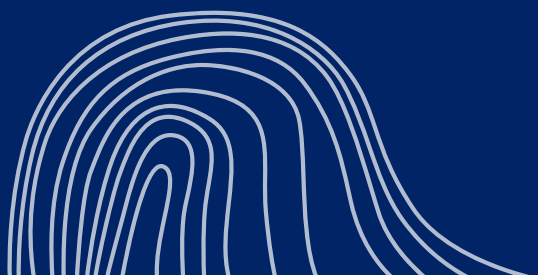
Table C-1 EPBC CoAs applicable to Operation Phase

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
General	General	EPBC-CoA	Part A -1	The approval holder must not clear outside of the project area.	Not applicable	Not applicable
Heritage	National Heritage Places	EPBC-CoA	Part A -2	The approval holder must comply with NSW Approval conditions E21 – E37 and E49 to minimise impacts on the Indigenous, Non-Indigenous, and Natural heritage values of Kurnell Peninsula Headland.	Not applicable	Not applicable
Biodiversity	Listed Threatened Species and Ecological Communities	EPBC-CoA	Part A -3	Within the project area, the approval holder must not clear more than: a) 0.0683 hectares of seagrass meadows b) 0.0683 hectares of White’s Seahorse habitat.	Not applicable	Not applicable
Biodiversity	Listed Threatened Species and Ecological Communities	EPBC-CoA	Part A -4	The approval holder must comply with NSW Approval conditions E6 –E8 and E11 related to preconstruction surveying and protection measures.	Not applicable	Not applicable
Biodiversity	Listed Threatened Species and Ecological Communities	EPBC-CoA	Part A -5	The approval holder must comply with NSW Approval conditions E62 –E65, E67 –E68, and E70 related to the prevention and management of contamination on protected matters.	Not applicable	Not applicable
General	Construction Environmental Management Plan	EPBC-CoA	Part A -6	The approval holder must comply with NSW Approval conditions C1 –C13 related to the preparation and implementation of a Construction Environmental Management Plan (CEMP) to avoid, mitigate and manage impacts on protected matters during construction	Not applicable	Not applicable
General	Construction Environmental Management Plan	EPBC-CoA	Part A -7	The CEMP required by the NSW Approval must include environmental management measures to manage impacts to protected matters and be informed by the contamination documentation.	Not applicable	Not applicable
General	Operational Management Plan	EPBC-CoA	Part A -8	The approval holder must prepare, in consultation with the department, an Operational Environmental Management Plan (OEMP) to avoid, mitigate and manage impacts on protected matters during operation. The OEMP must be informed by the contamination documentation.	Applicable	Applicable
General	Operational Management Plan	EPBC-CoA	Part A -9	The approval holder must comply with NSW Approval conditions D1 –D4 related to the submission and implementation of the OEMP.	Applicable	Applicable
Biodiversity	Marine Biodiversity offset strategy	EPBC-CoA	Part A -10	The approval holder must comply with NSW Approval conditions E12 –E20 related to the requirements of the Marine Biodiversity Offset Strategy (MBOS) to compensate for the clearing of 0.0683 hectares of seagrass meadows and White’s Seahorse habitat.	Applicable	Applicable
Biodiversity	Marine Biodiversity offset strategy	EPBC-CoA	Part A -11	To monitor the outcomes of the MBOS for seagrass meadows and White’s Seahorse habitat, the approval holder must include a Marine Biodiversity Offset Report as part of the compliance report until at least the 10th anniversary of the commencement of the action, unless otherwise agreed to in writing by the Minister. Each Marine Biodiversity Offset Report must include: a) a progress report on the implementation of the MBOS; b) a list of success metrics; c) details of the monitoring methodology(ies) implemented and the locations of reference sites; d) monitoring results including a comparison against reference sites; e) a summary of any adaptive management steps taken to improve implementation and/or monitoring methodology(ies); and f) a conclusion as to whether the outcomes, as measured against the success metrics, have been achieved, are likely to be met or are unlikely to be met, as determined by a suitably qualified person.	Applicable	Applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Biodiversity	Marine Biodiversity offset strategy	EPBC-CoA	Part A -12	To assess the ongoing success of the MBOS, the approval holder must submit a Rehabilitation Monitoring Review to the department within 6 years of the date of this approval and every 5 years thereafter, unless otherwise agreed to in writing by the Minister. Each Rehabilitation Monitoring Review must include: a) a review of the monitoring methodology by a suitably qualified person; b) a conclusion based on the success metrics as to whether the environmental offsets for seagrass meadows and White's Seahorse habitat have been achieved, are likely to be met or are unlikely to be met, as determined by a suitably qualified person; and c) if environmental offsets for seagrass meadows and White's Seahorse habitat have not been achieved based on the success metrics: i) a list measurable and time-bound remediation measures which will be undertaken to ensure the success metrics are achieved; and ii) justification for how the remediation measures will provide full compensation for the impacts to seagrass meadows and White's Seahorse habitat.	Applicable	Applicable
General	Submission and Publication of Plans	EPBC-CoA	Part A -13	The approval holder must submit all plans required by these conditions electronically to the department.	Applicable	Applicable
General	Submission and Publication of Plans	EPBC-CoA	Part A -14	If the approval holder submits a revised version of a plan for the Planning Secretary's approval, the approval holder must provide the revised plan to the department within 5 business days and an explanation of the differences between the approved plan and the revised plan.	Applicable	Applicable
General	Submission and Publication of Plans	EPBC-CoA	Part A -15	If a revised version of a plan is approved by the Planning Secretary, the approval holder must provide the revised plan to the department within 10 business days of the Planning Secretary's approval.	Applicable	Applicable
General	Submission and Publication of Plans	EPBC-CoA	Part A -16	Unless otherwise agreed to in writing by the Minister, the approval holder must publish each plan on the website within 15 business days of the date: a) the plan is approved by the Planning Secretary; or b) a revised version of the plan is approved by the Planning Secretary.	Applicable	Applicable
General	Submission and Publication of Plans	EPBC-CoA	Part A -17	The approval holder must keep all published plans required by these conditions on the website until the expiry date of this approval.	Applicable	Applicable
General	Submission and Publication of Plans	EPBC-CoA	Part A -18	The approval holder must exclude or redact sensitive ecological data from plans published on the website or otherwise provided to a member of the public.	Applicable	Applicable
General	Submission and Publication of Plans	EPBC-CoA	Part A -19	If sensitive ecological data is excluded or redacted from a plan, the approval holder must notify the department in writing what exclusions and redactions have been made in the version published on the website.	Applicable	Applicable
Administrative conditions	Notification of date of commencement of the action	EPBC-CoA	Part B -20	The approval holder must notify the department electronically of the date of commencement of the action, within 5 business days of the commencement of the action.	Not applicable	Not applicable
Administrative conditions	Notification of date of commencement of the action	EPBC-CoA	Part B -21	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.	Not applicable	Not applicable
Administrative conditions	Compliance Records	EPBC-CoA	Part B -22	The approval holder must maintain accurate and complete compliance records.	Applicable	Applicable
Administrative conditions	Compliance Records	EPBC-CoA	Part B -23	If the department makes a request in writing, the approval holder must provide electronic copies of compliance records to the department within the timeframe specified in the request. Note: Compliance records may be subject to audit by the department, or by an independent auditor in accordance with section 458 of the EPBC Act, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the department's website or through the general media.	Applicable	Applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Administrative conditions	Compliance Records	EPBC-CoA	Part B - 24	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guidelines for biological survey and mapped data (Commonwealth of Australia 2018), or as otherwise specified by the Minister in writing.	Applicable	Applicable
Administrative conditions	Compliance Records	EPBC-CoA	Part B - 25	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guide to providing maps and boundary data for EPBC Act projects (Commonwealth of Australia 2021), or as otherwise specified by the Minister in writing.	Applicable	Applicable
Administrative conditions	Compliance Records	EPBC-CoA	Part B - 26	The approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department within 12 months of the date of this approval.	Applicable	Applicable
Administrative conditions	Annual Compliance Reporting	EPBC-CoA	Part B - 27	The approval holder must prepare a compliance report for each 12-month period following the date of this approval, or as otherwise agreed to in writing by the Minister.	Applicable	Applicable
Administrative conditions	Annual Compliance Reporting	EPBC-CoA	Part B - 28	Each compliance report must be consistent with the Annual Compliance Report Guidelines (Commonwealth of Australia 2014).	Applicable	Applicable
Administrative conditions	Annual Compliance Reporting	EPBC-CoA	Part B - 29	Each compliance report must include: a) Accurate and complete details of compliance and any non-compliance with the conditions and the plans, and any incidents. b) One or more shapefile showing all clearing of any protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared. c) A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.	Applicable	Applicable
Administrative conditions	Annual Compliance Reporting	EPBC-CoA	Part B - 30	The approval holder must: a) Publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required. b) Notify the department electronically, within 5 business days of the date of publication, that a compliance report has been published on the website. c) Provide the weblink for the compliance report in the notification to the department. d) Keep all published compliance reports required by these conditions on the website until the expiry date of this approval. e) Exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public. f) If sensitive ecological data is excluded or redacted from the published version, submit the full compliance report to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website. Note: Compliance reports may be published on the department's website.	Applicable	Applicable
Administrative conditions	Reporting Non-Compliance	EPBC-CoA	Part B - 31	The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance with these conditions or commitments made in a plan.	Applicable	Applicable
Administrative conditions	Reporting Non-Compliance	EPBC-CoA	Part B - 32	The approval holder must specify in the notification: a) Any condition or commitment made in a plan which has been or may have been breached. b) A short description of the incident and/or potential non-compliance and/or actual noncompliance. c) The location (including co-ordinates), date, and time of the incident and/or potential noncompliance and/or actual non-compliance. Note: If the exact information cannot be provided, the approval holder must provide the best information available.	Applicable	Applicable
Administrative conditions	Reporting Non-Compliance	EPBC-CoA	Part B - 33	The approval holder must provide to the department in writing, within 12 business days of becoming aware of any incident and/or potential non-compliance and/or actual noncompliance, the details of that incident and/or potential non-compliance and/or actual noncompliance with these conditions or commitments made in a plan. The approval holder must specify: a) Any corrective action or investigation which the approval holder has already taken. b) The potential impacts of the incident and/or non-compliance and/or non-compliance. c) The method and timing of any corrective action that will be undertaken by the approval holder.	Applicable	Applicable
Administrative conditions	Independent Audit	EPBC-CoA	Part B - 34	The approval holder must ensure that an independent audit of compliance with these conditions is conducted for every five-year period following the commencement of the action until this approval expires, unless otherwise specified in writing by the Minister.	Applicable	Applicable

Environmental Issue		Requirement Type	Reference	Requirement	Stage 1 - Wharf Operation	Stage 2 - Ferry service operation
Administrative conditions	Independent Audit	EPBC-CoA	Part B - 35	For each independent audit, the approval holder must: a) Provide the name and qualifications of the nominated independent auditor, the draft audit criteria, and proposed timeframe for submitting the audit report to the department prior to commencing the independent audit. b) Only commence the independent audit once the nominated independent auditor, audit criteria and timeframe for submitting the audit report have been approved in writing by the department. c) Submit the audit report to the department for approval within the timeframe specified and approved in writing by the department. d) Publish each audit report on the website within 15 business days of the date of the department's approval of the audit report. e) Keep every audit report published on the website until this approval expires.	Applicable	Applicable
Administrative conditions	Independent Audit	EPBC-CoA	Part B - 36	Each audit report must report for the five-year period preceding that audit report.	Applicable	Applicable
Administrative conditions	Independent Audit	EPBC-CoA	Part B - 37	Each audit report must be completed to the satisfaction of the Minister and be consistent with the Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines (Commonwealth of Australia 2019).	Applicable	Applicable
Administrative conditions	Completion of the Actions	EPBC-CoA	Part B - 38	The approval holder must notify the department electronically 60 business days prior to the expiry date of this approval, that the approval is due to expire.	Applicable	Applicable
Administrative conditions	Completion of the Actions	EPBC-CoA	Part B - 39	Within 20 business days after the completion of the action, and, in any event, before this approval expires, the approval holder must notify the department electronically of the date of completion of the action and provide completion data.	Applicable	Applicable
Administrative conditions	Changes to State Conditions	EPBC-CoA	Part B - 40	The approval holder must inform the department in writing within 2 business days of requesting any change to the NSW Approval conditions that may relate to protected matters.	Applicable	Applicable
Administrative conditions	Changes to State Conditions	EPBC-CoA	Part B - 41	The approval holder must inform the department in writing within 5 business days of any approved changes made to the NSW Approval conditions that may relate to protected matters.	Applicable	Applicable



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