

Attachment 1: M12 independent environmental audit #5 findings and proponent responses

Finding #	Finding type	Area	CoA	Audit Finding	Recommendation	Response	Response Date	Proposed completion date	Date completed
M12O-05 NC-01	Non - compliance	M12 Overarching TfNSW	A43: Submission of Independent Audit Reports and the Proponent's response to audit findings within two (2) months of undertaking the independent audit site inspection.	The previous audit report was not finalised until 19 July 2024 and submitted to DPHI 22 July 2024. However, the audit was 16 May 2024, exceeding the submission timeframe (within 2-months of the audit site inspection). A Non-Compliance is raised against the auditor as the report was submitted to TfNSW beyond the 2-month timeframe, leading to the submission timeframe not being met.	It is recommended that any delays in submitting audit reports within the 2-month timeframe be requested as an extension for DPHI approval.	<p>The non-compliance was reported to the Department (PA-375) on 21/11/24 and closed out on 2/12/24.</p> <p>The auditors committed to provide the next IA Report in a timely manner to enable submission to be made in accordance with CoA A43.</p> <p>Prior to the current audit TfNSW requested an extension of this audit report submission timeframe to 28 February 25 (PA-369) which DPHI approved on 4/11/24.</p>	24/02/25	n/a	2/12/24
M12C-05 NC-01	Non - compliance	M12 Central SWC	A35(a): The Proponent must provide the ER with the complaints register for any complaints received (on the day they are received); and	A non-compliance was <i>self-reported</i> during the audit period against Condition A35(a) during this audit period there were two complaints received 20 September 2024, however, they were only submitted to the ER on 24 September 2024, which exceeded the same-day provision timeframe.	The complaints register must be submitted to the ER on the day of the complaint in accordance with Condition A35(a).	The Contractor was reminded of timing requirements to notify the ER and for the need to have alternate arrangements in place if someone is away from work.	24/02/25	n/a	22/10/24

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M12C-05 NC-02	Non-Compliance	M12 Central SWC	E34: Work Hours	A non-compliance was <i>self-reported</i> during the audit period to DPHI on the 24 September 2024 with regards to pavement works occurring outside hours on the 27 August 2024, confirmed as a non-compliance on 19 September 2024.	It is recommended that any future works with the potential to exceed the approved hours i.e. concrete pouring must be planned ahead of time and apply for an out of hours work approval.	Project teams were reminded of the approved working hours as per the COA. The project team have provided additional training to their contractors in how to raise an out-of-hours request process if the risk of exceeding approved working hours is identified in the planning stage.	24/02/25	n/a	22/10/24
M12C-05 OFI-01	Opportunity for Improvement	M12 Central SWC	E84: Erosion and sediment control	The Soil Conservationist has been inconsistent in signing or endorsing the PESCPs.	Record the sign off by the Soil Conservationist to demonstrate that the PESCPs have been reviewed.	CPESC provided endorsement for PESCP's via email on December 14 th 2024	24/02/25	n/a	14/12/24
M12C-05 OFI-02	Opportunity for Improvement	M12 Central SWC	E104: Waste Tracking Register	The Material Tracking Register did not include up to date disposal of waste records.	Update the waste register regularly and ensure accurate records are maintained.	Material tracking register was transferred to an online Sharepoint on 14 th December 2024.	24/02/25	n/a	14/12/24
						Waste records will be reviewed to identify any gaps and consolidated.	24/02/25	14/03/25	n/a
M12W-05 NC-01	Non-Compliance	M12 West TFNSW CPBGJ-JV	E87 Submission of Remediation Action Plan (RAP) and EPA Accredited interim audit advice to the Planning Secretary for information prior to remediation commencing	A non-compliance was <i>self-reported</i> during the audit period to DPHI on the 17 September 2024 for the failure to provide the projects Remediation Action Plan (RAP) and EPA Accredited interim audit advice to the Planning Secretary for information prior to remediation commencing.	Submission of documentation or information required by DPHI must be on time as per the condition requirements.	Project Remediation Action Plan and Interim audit advice was submitted to DPHI on 16th September 2024 (PA-357). Project Hold Point release process under review to ensure all relevant Condition of Approval requirements have been considered prior to hold point release and commencement of works.	24/02/25	n/a	9/10/24

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M12W-05 OFI-01	Opportunity for Improvement	M12 West TFNSW CPBGG-JV	A35(b): The Proponent must provide the ER with.... 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).	One consistency assessment for the M12 West during the audit period was not issued to the ER as required by A35 (b). However, it is noted that the works under the Consistency Assessment have not yet commenced.	A copy of any assessment carried out by the Proponent of whether proposed Work is consistent with the approval must be provided to the ER before the commencement of the subject Work.	The Consistency Assessment was provided to the ER on 18/11/24 (Transmittal # M12WCO-TfNSW-TX-000537), prior to commencement of work in 2025.	24/02/25	n/a	18/11/24
M12W-05 OFI-02	Opportunity for Improvement	M12 West CPBGG-JV	E36: Variation to Work Hours Work may be undertaken outside the hours specified in any of the following circumstances	Out-of-Hours Permit ref PER-00112 dated 14 November 2024, showed ER notified as 'Yes' in permit, however the ER did not receive a copy of this permit. It is acknowledged that the Document Controller has been on leave causing some submissions to be missed.	All permits must be issued to the ER prior to work commencing as per the OOHW process.	OOHW Permit 000112 was issued to the ER via JV Teambinder on 14/11/2024 prior to works commencing. Mail ref: M12WEST-GEN-CPBGGJV-000444.00. Subsequent OOHW permits (#112 - #116) have been provided to the ER prior to works commencing.	24/02/25	n/a	14/11/24
M12W-05 OFI-03	Note only	M12 West CPBGG-JV	E105: The CSSI must maintain the <i>NSW Water Quality Objectives</i>unless an EPL in force differs....those requirements must be complied with.	The in-situ calibration of the equipment used to monitor NTU and pH levels (e.g., the Apera water quality monitor) prior to site water discharge was not recorded.	There is an improvement opportunity to update the discharge permit to include the equipment's in-situ calibration status to ensure the quality of the water discharge is within the EPL criteria.	Permit to Dewater template updated to include equipment calibration status on 19/11/2024	24/02/25	n/a	19/11/24