



Albion Park Rail bypass

Independent Environmental Compliance Audit of SSI 6878

Audit Report

Prepared for:

Fulton Hogan

Prepared by:

SNC-Lavalin Rail and Transit Pty Ltd

Level 17
55 Clarence Street
Sydney NSW 2000

Telephone: (02) 9262 6011

Contact details:

Richard Peterson
Associate, Environment and Geoscience

Mobile: 0429 227 775

Email: Richard.Peterson@snclavalin.com

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1 EXECUTIVE SUMMARY

SNC-Lavalin Atkins has been engaged by Fulton Hogan to undertake an audit of the Albion Park Rail bypass Project (the Project). The audit is required by the Ministers Conditions of Approval (MCoA).

To complete this audit, SNC-Lavalin Atkins undertook a site inspection, interviewed key environmental and community relations management staff and reviewed relevant and available documents relating to the approval and to the ongoing management and monitoring of the site's environmental aspects.

The inspection was undertaken on 18 November 2021. At the time of the audit, the project had become operational with only minor completion works being undertaken. The Project was audited against the MCoA.

The findings from the audit conclude:

- > Site rehabilitation, landscaping and permanent environmental controls had been installed including operational noise mounds, water quality treatment basins, riverbank scour protection and drainage works
- > Permanent fixtures as required by the project conditions of approval such as operational signage, property access and shared paths have been installed
- > An experienced environmental management and communications team has been retained on the project to oversee environmental and community relations processes for the project completion and transition into the operational phase.
- > Strong evidence on site was observed to indicate that environmental and communications management plans, systems and protocols are being correctly implemented with systems for operational environmental management developed and approved.

Overall, the site is being managed in an environmentally and socially responsible manner, and in compliance with the MCoA. The standard of environmental controls has been maintained to a high standard that is consistent with previous audits demonstrating a systematic and proactive approach to environmental management. Community engagement and management process have been managed effectively.

Zero non-compliances with the MCoA were identified by the audit.

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2 INTRODUCTION

2.1 BACKGROUND OF PROJECT

Transport for New South Wales (TfNSW) (formerly Roads and Maritime Services) have extended the M1 Princes Motorway between Yallah and Oak Flats to bypass Albion Park Rail. The motorway completes the 'missing link' for a high standard road between Sydney and Bomaderry. The Project is known as the Albion Park Rail bypass (Stage 2 – Princes Motorway between Yallah and Oak Flats) (the Project). The Project was approved subject to conditions on 30 January 2018.

The Project provides motorists with a more consistent travel experience between Sydney, Wollongong and the NSW South Coast. It increases the capacity of the road network to cope with the additional traffic generated by current and future residential development in the area.

The Project has been assessed under Part 5.1 (State significant infrastructure - now Division 5.2) of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). The NSW Department of Planning, Industry and Environment (DPIE) placed the 'Albion Park Rail bypass Environmental Impact Statement' (Roads and Maritime, October 2015) (EIS) on public exhibition between 28 October and 27 November 2015. Submissions received during the exhibition were responded to in the 'Albion Park Rail Bypass Submissions and Preferred Infrastructure Report' (Roads and Maritime, 2017) (SPIR). The report also assessed changes to the Project from the EIS.

Utility works for the Project were assessed separately under Part 5 of the EP&A Act within the 'Albion Park Rail bypass – Utility Works: Review of environmental factors' (Roads and Maritime, May 2016) (REF). It was contemplated that these works would be carried out as an early works package before completion of the EIS and thus, the reason for the separate environmental assessment. However, this did not occur and the utility works were carried out as part of the Project. Subsequent to the REF determination, an addendum REF (Roads and Maritime, April 2018) was prepared to include amendments to utility works boundaries, additional water and sewerage infrastructure, and two new ancillary facilities.

The Commonwealth determined the Project to be a 'controlled action' under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), as it was considered likely that the Project could have a significant impact on listed threatened species and communities (EPBC Act referral 2017/7909). EPBC approval was granted on 29 May 2018.

The Project consists of a new motorway bypassing the Albion Park Rail township from the Oak Flats Interchange to Yallah, connecting with the existing Princes Highway at the Duck Creek bridge. This Project, as part of the Princes Highway upgrade, will improve traffic flow and maximise the benefits of upgrading the Princes Motorway and Princes Highway corridor between Sydney and south of Nowra.

Construction commenced on 7 January 2019 and is scheduled for completion in early 2022. The project became operational in October 2021.

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2.2 INDEPENDENT AUDIT TEAM

The SNC-Lavalin Atkins audit team is a suitably qualified, experienced and independent team of experts in auditing. The details of the team are described in **Table 1** below with contact details provided.

Table 1 SNC-Lavalin Atkins Audit Team and Contacts

Role	Name	Contact Details	Qualifications and Experience
Primary Lead Auditor	Richard Peterson	M: 0429 227 775 E: Richard.Peterson@snclavalin.com	B.E Civil M. Env Eng Mgt Management Systems Auditing, Exemplar Global Leading Management Systems Audit Team, Exemplar Global 20+ years of Environmental Auditing experience. Project experience auditing: > Member of the RMS Infrastructure Auditing Panel. Totalling over 50 Infrastructure Audits over NSW. > Sapphire Wind Farm > Crudine Ridge Wind Farm > Western Sydney Airport

2.3 AUDIT OBJECTIVES

The objective of the Independent Environmental Audit was to assess compliance of the Project with the Ministers Conditions of Approval (MCoA) and the implementation of the environmental management plans as outlined in the MCoA.

The audit is to provide positive support for good practices, while providing practical and reasonable recommendations for improvement that can be carried over to the later stages of the Project, as construction accelerates.

2.4 SCOPE OF AUDIT

Fulton Hogan required an Independent Environmental Auditor to complete the requirements of the Environmental Audit Program (EAP). These were developed in line with the Ministers Conditions of Approval (MCoA) for the Project, NSW Government Guidelines and AS/NZS ISO 19011:2014 – Guidelines for Auditing Management Systems (the ISO Guideline). The audit focused on issues that were relevant to the current stage of works – Stage 2. The scope of the audit does not include any assessment of utilities performed by other utility authorities.

As per Condition A35, The audit:

- > Assessed the environmental performance of the SSI, and its effects on the surrounding environment;
- > Assessed whether the Project is complying with the terms of the approval;
- > Reviewed the adequacy of any documents required under the approval; and

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- > Identified measures or actions to improve the environmental performance of the SSI, and improvements to any documents required under the approval. These have been recommended within this report.

Table 2 Scope Requirements

Scope requirement	Where addressed
Assessed the environmental performance of the SSI, and its effects on the surrounding environment	This report Section 4.2 Section 4.7
Assessed whether the Project is complying with the terms of the approval	Section 4.4 Appendix C
Reviewed the adequacy of any documents required under the approval	Section 4.1 Appendix C
Recommended measures or actions to improve the environmental performance of the SSI, and improvements to any documents required under the approval	Section 4.13

2.5 PERIOD COVERED BY AUDIT

Condition A36 of the Project's Conditions of Approval outlines the Independent Environmental Auditing requirements for the Project. This condition requires that an Independent Environmental Audit is undertaken of the SSI in the following periods:

- > within 12 months of works commencing except in relation to the works at the Croom Regional Sporting Complex, and
- > annually thereafter during the delivery of the SSI, and
- > within 12 months of the commencement of operation and then as required by the Secretary.

This Environmental Audit Report details the findings of the third Independent Environmental Audit to be undertaken on the Project.

The site inspection was undertaken on 18th November 2021.

The audit covers the period from the second audit in November 2020 until November 2021.

The audit focused on project completion and operational issues that are relevant to the audit period.

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3 AUDIT REQUIREMENTS AND PROCESS

3.1 APPROVAL OF AUDIT TEAM

For documentation detailing the approval of the audit team from The Secretary of the Department of Planning, Industry and Environment refer to Appendix A.

3.2 DEVELOPMENT OF AUDIT SCOPE

The audit scope was developed to ensure the Project was assessed against all regulatory requirements they are operating under.

3.3 SUMMARY OF AUDIT PROCESSES

To complete the audit the following was undertaken:

- > Preliminary document review to familiarise the team with the Project and their processes
- > Opening meeting
- > Site visit
- > Interviews with key management and supervisory personnel
- > Review of documents and records on-site
- > Closing meeting
- > Follow up of residual matters

3.4 SITE PERSONNEL

The following site personnel were in attendance during the audit or parts of:

- > Peter Chudleigh - Development Manager, TfNSW
- > Jacob Cooper - Senior Environmental Engineer, Fulton Hogan
- > Karen Williams – Community Relations Manager

Each individual provided evidence of the Project's compliance at different stages during the audit.

3.5 SITE INSPECTION

A site inspection was undertaken by Lead Auditor Richard Peterson on 18 November 2021 accompanied Jacob Cooper (Fulton Hogan Senior Environmental Engineer). The weather was warm and sunny. Refer to Appendix B for site photographs and descriptions.

Environmental controls observed during the audit included

- > Permanent scour protection to creek embankments
- > Permanent retention and water quality basins

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- > Noise mound and type F Noise barriers
- > Permanent fencing
- > Permanent landscaping

3.6 COMPLIANCE DESCRIPTORS

The compliance status of each requirement was determined using the relevant descriptors in Table 3. No other terms have been used to describe the compliance status.

Table 3 Compliance descriptors

Status	Description
Compliant (C)	Sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-Compliant (NC)	One or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Technical Non-Compliance (TNC)	Condition has been triggered as a result of a non-compliance with a related condition. However, does not require direct action or recommendations.
Not Triggered (NT)	A requirement has an activation or timing trigger that has not been met at the time when the audit was undertaken.

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4 AUDIT FINDINGS

4.1 APPROVALS AND DOCUMENTS

Relevant approvals and documents were reviewed as part of this audit. Refer to Appendix C for a full list of these documents.

Site and environmental management documentation were observed to be kept on-site at the site office.

4.2 ASSESSMENT OF COMPLIANCE

The Project was audited against the Minister's Conditions of Approval with zero (0) non-compliances identified during the reporting period. There is a high degree of compliance with the conditions of approval for the current stage of work. All conditions, including those not triggered at the time of the audit, are being proactively managed to ensure compliance in the future and at a time when the condition is triggered.

4.3 PENALTY NOTICES

No penalty notices have been issued to the Project.

4.4 NON-COMPLIANCES

Zero non - compliances were identified by the audit.

4.5 PREVIOUS AUDIT ACTIONS

No actions were identified by the previous audit.

4.6 ENVIRONMENTAL MANAGEMENT SYSTEMS

This was a compliance audit (not a systems audit) and compliance was assessed in accordance with the MCoA. However, the Project's Environmental Management System (EMS) was audited at a high level.

The management plans, site systems and site processes form the environmental management systems for the Project. It was observed during the audit that all systems are being implemented efficiently overall and provide adequate environmental protection for the site.

Environmental performance on site was generally of a high standard.

4.7 COMPLAINTS

There have been 51 complaints in the period covered by the audit. The number of complaints observed is typical for a project of this size and scope. The nature of these complaints are predominately residential and relate to dust management, noise and light.

During the audit, no fugitive dust emissions, noise exceedances or effects of vibration were observed. The audit found that the likelihood of further dust, noise and vibration complaints are very low considering rehabilitation and landscaping works are now complete and no exposed surfaces are evident.

In addition to this, the Project's consultation and complaints management system is robust and appropriately responds to complaints until matters are closed.

Further findings from the audit in relation to complaints management are detailed in the audit checklist relating to Conditions B6 to B10, located in Appendix C.

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4.8 INCIDENTS

No reportable incidents have occurred in the period covered by the audit.

Since the previous audit in November 2020, a total of 12 non reportable incidents have occurred, these relate to:

- > Unexpected waste asbestos find
- > Erosion and sediment, water management
- > Hydraulic spills

No residual environmental harm or contamination was observed because of these incidents.

4.9 EVIDENCE COLLECTED

Evidence was collected during the audit through the following means:

- > Site visit
 - Site observations and notes
 - Refer to Appendix B for site photographs
- > Interviews
 - Refer to Section 3.4 for the personnel interviewed during the audit
- > Review of Project documents and records
 - Refer to Appendix C for documents that were reviewed during this audit

Refer to Appendix C for the completed audit checklist, outlining the evidence collected against each compliance condition.

4.10 EVIDENCE TO SUPPORT COMPLIANCE ASSESSMENT

Refer to Appendix C for the documents provided as evidence to support compliance assessment.

4.11 PREVIOUS COMPLIANCE REPORT ACTIONS

The following reports were reviewed as part of the audit:

- > Construction and Compliance Monitoring Report
- > Construction and Compliance Monitoring Report

In both reports, no actions required closeout from the previous Construction Compliance Report.

4.12 OPPORTUNITIES FOR IMPROVEMENT

The findings from the audit indicated the Project Team are adopting a proactive approach to the protection and management of environmental resources. No further critical opportunities for improvement have been identified on the Project.

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4.13 KEY STRENGTHS

This is the final operational audit for the project, and it is appropriate that a summary of the key strengths identified by the audits throughout the construction of the project is summarised so that best practices are consolidated and captured so they may be shared for the benefit of future projects. Key strengths identified by various audits are as follows:

- The cultural heritage controls implemented throughout the Project appeared to be highly effective. Of note is the level of attention to the promotion of Aboriginal Heritage awareness surrounding the Macquarie Rivulet site. The auditors were shown a video that presented the value of the site to the Aboriginal Community that promotes a culture of respect and awareness of the Heritage value of the site to all personnel. It was also evident that heritage controls are continuously being implemented. The daily pre-start toolbox talk, observed by the auditors, included a cultural heritage moment as part of the environmental briefing. Positive feedback was also received from aboriginal stakeholder groups regarding the rehabilitation works and integration of the new water management features into the natural environment
- The project is adjacent to an active airport and the management of Obstacle Limitation Surfaces (OLS) appeared to be effective on site. The translation of management documentation into the field was evident. A high degree of consultation with Albion Park airport has been undertaken regarding this critical issue. Proactive communication and coordination between the project team and the Airport operators was evident to ensure there was no disruption or unsafe conditions during main events such as the Wings over Illawarra event
- The ERSED and waterways management on site is highly commendable. Implementation of water separation controls early in the Project and the outcome of works at Frazer's creek are examples of industry best practice.
- Through undertaking the audit and observing the environmental performance of the development is it also evident that the dedicated environmental management professionals are experienced and highly competent in environmental management of major road projects in sensitive environments. The Environment Team are proactively managing compliance with the Conditions of Consent that are yet to be triggered at the time of the audit. Effective development of staff and succession planning was demonstrated with retention of key environmental and community relations personnel ensuring the retention of project knowledge and experience.
- The 'Beyond Compliance' approach adopted by the Albion Park Rail bypass team is a key area of strength which has enabled the Project to implement a high standard of positive community, environment and sustainability initiatives. Subsequently, biodiversity conservation is a key strength on this Project as part of the 'Beyond Compliance' approach. During the period covered by the audit, the Project team completed the Frazers Creek diversion including translocation of species from the creek prior to construction. In addition, the retention and protection, rather than fill, of a portion of the waterbody at the southern end of the Project has enhanced the biodiversity of the wetland and exhibits the commitment of the Fulton Hogan team to the 'Beyond Compliance' approach. This initiative has been successful in maintaining and promoting biodiversity in this area, as exhibited in the recolonisation of the water body by avifauna that was observed during the site visit.
- The OEH has commended Fulton Hogan's commitment to the conservation of threatened plant population of *Chorizema parviflorum* (Illawarra Flame Pea). More than 1000 seeds have been collected and provide long-term security for the conservation of the population from the Project. Email correspondence of this commendation was sighted during the audit. In addition, the Project has minimised approved clearing limits and maximised protection of the CEEC. The reuse of coarse woody debris and mulch from vegetation clearing was observed during the site visit in order to create habitat and stabilise exposed ground.

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- Sustainability initiatives being implemented as part of the Sustainability Strategy, which was developed in accordance with the ISCA rating tool, are of a high standard and are being implemented effectively. The waste management processes on the Project have achieved significant outcomes in regard to utilising recycled material. At the time the audit was undertaken, around 1.4 million tonnes of material including tunnel spoil from major Sydney projects and coal wash was utilised on the Project. Other sustainability initiatives observed through the site visit, interviews with project staff and document review indicate a high degree of planning has been undertaken for the Project. Of particular note is the use of 10% recycled glass within the asphalt layer of the road, which is an example of industry best practice.
- It is evident that the Project team have effectively engaged with the community throughout construction and have adopted different forms of communication in response to the restrictions imposed by covid-19, including an increase in engagement via social media platforms. The review undertaken of the documents and processes relating to Project communications indicates the community has been informed in a time efficient manner with meaningful Project updates. The various forms of communication utilised has allowed the Project to convey information to the community that is accessible and enables community feedback and involvement.

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APPENDIX A – AUDIT TEAM AGREEMENT

CHISHOLM, Shannon

From: Peter Chudleigh <Peter.Chudleigh@rms.nsw.gov.au>
Sent: Thursday, 17 October 2019 1:52 PM
To: CHISHOLM, Shannon
Subject: FW: HPE CM: SSI 6878 - CoA A35 Independent Environmental Auditor

Hi Shannon,

See below corresp from DPE in relation to the independent auditor.

I believe there are no further requirements to be met for FH to engage SNC Lavalin.

Pete

From: Jacqui McLeod <jacqui.mcleod@planning.nsw.gov.au>
Sent: Thursday, 17 October 2019 1:05 PM
To: Scott Fayers <Scott.Fayers@rms.nsw.gov.au>
Cc: Rebecca Eddington <Rebecca.Eddington@planning.nsw.gov.au>; Joanne Glass <Joanne.Glass@planning.nsw.gov.au>; Erica van den Honert <erica.vandenhonert@planning.nsw.gov.au>; Peter Chudleigh <peter.chudleigh@cardno.com.au>; Peter Hawkins <Peter.HAWKINS@rms.nsw.gov.au>; Toby Hobbs <thobbs@venv.com.au>
Subject: RE: HPE CM: SSI 6878 - CoA A35 Independent Environmental Auditor

Hi Scott,
I refer to your letter (reference SF 2012/052668) dated 11 October 2019 requesting approval of an independent audit team for the Albion Park Rail Bypass project (SSI 6768). Your submission advises that Sam Pathammavong of SNC Lavalin Australia Pty Ltd is proposed in the role of Lead Auditor for the Albion Park Rail Bypass. The submission further notes that Mr. Pathammavong will be supported in the Lead Auditor role by the following personnel, also from SNC Lavalin:

- Richard Peterson – Technical Reviewer
- Alex Major – Lead Auditor (alternate)
- Matilda Wachsmann – Environmental Auditor (support).

Condition A35 of SSI 6878 requires that all independent environmental audits be conducted by a suitably qualified, experienced and independent team of experts in auditing, and be documented in an Environmental Audit Report. We acknowledge that you have advised us that the above audit team are proposed to address condition A35.

Your submission includes a declaration of independence, such as what would be required to address Section 3.1.2 of the Independent Audit Post Approval Requirements document (June 2018) if it was to apply to the project. We acknowledge that your submission includes a declaration of independence that addresses the requirements of Section 3.1.2 of the Independent Audit Post Approval Requirements document (June 2018).

We note however that condition A35 does not require that the independent audit team be approved by the Secretary, and hence approval by the Secretary of the independent audit team is not provided.

Should you have any questions with regards to the above, please do not hesitate to give me a call.

Thanks. Jacqui.

Jacqui McLeod
Team Leader Infrastructure Management

Planning and Assessment | Department of Planning, Industry and Environment

T 02 9274 6454 | **E** Jacqui.mcleod@planning.nsw.gov

Level 29, 320 Pitt Street, Sydney NSW 2099

www.dpie.nsw.gov.au



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

From: Scott Fayers <Scott.Fayers@rms.nsw.gov.au>

Sent: Friday, 11 October 2019 2:36 PM

To: Erica van den Honert <erica.vandenhonert@planning.nsw.gov.au>

Cc: DPE PSVC Infrastructure Notifications Mailbox <infrastructure.notifications@planning.nsw.gov.au>; Jacqui McLeod <jacqui.mcleod@planning.nsw.gov.au>; Joanne

Glass <Joanne.Glass@planning.nsw.gov.au>; LEDLIN David G <david.ledlin@rms.nsw.gov.au>; Peter Hawkins <Peter.HAWKINS@rms.nsw.gov.au>; Peter Chudleigh <peter.chudleigh@cardno.com.au>

Subject: HPE CM: SSI 6878 - CoA A35 Independent Environmental Auditor

Dear Erica,

Please find attached details of the proposed Independent Environmental Auditor for Stage 2 of the Albion Park Rail bypass project (SSI 6878) to satisfy the requirements of Condition A35. Roads and Maritime seeks the written agreement of the Secretary to the proposed Auditor prior to engagement.

If you have any questions please give me a call on the number below.

Regards,
Scott Fayers
Project Manager

Southern and Western Project Office
Technical and Project Services Division

T 02 4221 2564 M 0419 262 796

www.rms.nsw.gov.au

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APPENDIX B – SITE INSPECTION PHOTOGRAPHS



Photo 1 Operational Water Quality Pond



Photo 2 Frazer Creek Rehabilitation works and bridge scour protection



Photo 4 Re-use of Course Woody Debris – Frasers Creek



Photo 5 Active Transport Link



Photo 6 Permanent Property Access



Photo 7 Completed Road and Operational Signage

APPENDIX C – INDEPENDENT AUDIT CHECKLIST

ALBION PARK RAIL BYPASS (APRB) AUDIT CHECKLIST

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
PART A ADMINISTRATIVE CONDITIONS				
General				
A1	The SSI must be carried out in accordance with: (a) the description of the SSI in the EIS as amended by the SPIR; and (b) the terms of this approval.	This audit report Desktop review of site documents Site inspection November 2021	Site documents are being implemented on site. Controls are in place for high-risk activities. Environmental controls observed are consistent with EIS	C
A2	The SSI must be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the EIS as amended by the SPIR unless otherwise specified in, or required under, this approval.	Desktop review of site documents Site Inspection November 2021	The procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the EIS as amended by the SPIR have been addressed within the approved CEMP and sub plans for Stage 2 construction works.	C
A3	In the event of an inconsistency between the EIS as amended by the SPIR or any other document required under this approval, and a term of this approval, the term of this approval prevails to the extent of the inconsistency. 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	Site inspection November 2021	No inconsistency identified during the audit	C
A4	The Proponent must comply with all requirements of the Secretary in relation to: (a) the environmental performance of the SSI; (b) any document or correspondence;	Site Inspection November 2021 Desktop review of project documents	Stage 2 works are proceeding in accordance with the management plans approved by the Department prior to construction and all	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(c) any notification given to the Secretary under the terms of this approval; (d) any audit of the construction or operation of the SSI; (e) compliance with the terms of this approval (including anything required to be done under this approval); and (f) the carrying out of any additional monitoring or mitigation measures.		requirements of the Secretary are being complied with.	
A5	In the event that there are differing interpretations of the terms of this approval, including in relation to a condition of this approval, the Secretary's interpretation is final.	Site inspection November 2021	No differing interpretations identified during the audit.	C
A6	Where the terms of approval provide the Secretary the discretion to alter the requirements of the approval, the Proponent must provide supporting evidence so that the Secretary can consider the need, environmental impacts and consistency of the alteration. Note: Inaction and/or expedience will not be supported as justifications for need unless it can be demonstrated that there will be beneficial environmental outcomes	Site inspection November 2021 Desktop review of project documents	As noted in the previous audit, the terms of the approval were altered by the Secretary as detailed in Modification of Infrastructure Approval 1, Schedule 1, 25 October 2018. This was made available to the public via the Project website. No subsequent modifications have been initiated	C
A7	Without limitation, all strategies, plans, programs, reviews, audits, report recommendations, protocols and the like required by the terms of this approval must be implemented by the Proponent in accordance with all requirements issued by the Secretary from time to time in respect of them.	Site inspection November 2021	Stage 2 construction works are being managed in accordance with the terms of approval and all management plans inclusive of programs, reviews, audits and the like are proceeding in accordance with the documentation approved by the Department prior to and during construction.	C
A8	Where the terms of this approval require consultation with identified parties, details of the consultation undertaken, matters raised by the parties, and how the matters were considered, must accompany the strategies, plans, programs, reviews, audits, protocols and the like submitted to the	Site Inspection November 2021 Consultation Manager database	Assessed as compliant by previous audits. All required consultation undertaken.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	Secretary			
A9	This approval lapses five (5) years after the date on which it is granted, unless works for the purpose of the SSI are commenced on or before that date	Site Inspection November 2021 Secretary letter of Stage 2 Start of Construction 8 January 2019	As detailed during the previous audit, the State Significant Infrastructure Approval SSI6878 was granted 30 January 2018. Construction of SSI 6878 commenced 7 January 2019, within the 5-year period. Project now operational with only minor completion works being undertaken	C
A10	The Proponent is responsible for any breaches of the conditions of this approval resulting from the actions of all persons that it invites onto any site, including contractors, sub-contractors and visitors.	Site Inspection November 2021	TfNSW are responsible for compliance with all conditions of approval. TFNSW has contracted Fulton Hogan Construction (FULTON HOGANC) Pty Ltd to deliver Stage 2 of the Albion Park Rail bypass via a Design and Construct Project Deed. The DEED ensures Fulton Hogan are responsible for complying with the project conditions of approval.	C
Croome Regional Sporting Complex				
A11	The relocation of sporting facilities and associated components of the Croome Regional Sporting Complex are not subject to Part C and Part D of this approval, subject to: (a) no works be undertaken in Precinct 7 as identified in the EIS; (b) the preparation of a Construction Environmental Management Process (Plan), in consultation with relevant government agencies and Shellharbour City Council, and endorsed by the ER under Condition A24(d) . The Plan must detail how the performance outcomes, commitments,	Construction Environmental Management Process (Plan) 22 March 2018 (Rev 0) Environmental Representative's Endorsement of CEMPP 26 March 2018	As detailed during previous audits, the CEMPP details consultation from the following bodies: • EPA • OEH • Biodiversity • Shellharbour City Council	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	mitigation and monitoring measures specified in the EIS as amended by the SPIR will be implemented and achieved during construction; and (c) the implementation of the approved Construction Environmental Management Process (Plan).		ER Endorsement sighted. The CEMPP appropriately details how the performance outcomes, commitments, mitigation and monitoring measures related to the CRSC reconfiguration works specified in the EIS and SPIR will be implemented and achieved during construction. As construction of the Croome Regional Sporting Complex has completed under Stage 1 works, the implementation of the CEMP was not audited.	
Staging				
A12	The SSI may be delivered and operated in stages (including in relation to works undertaken in Croome Regional Sporting Complex). Where staged delivery or operation is proposed, a Staging Report (for either or both delivery and operation as the case requires) must be prepared and submitted to the Secretary for information. The Staging Report must be submitted to the Secretary no later than one month prior to the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month prior to the commencement of operation of the first of the proposed stages of operation), or within another timeframe agreed with the Secretary.	Staging Report February 2018 (Rev 0) Environmental Representative's Endorsement of Staging Report 16 Feb 2018 Submission of Staging Report Letter to DPE 19 February 2018	As detailed during the previous audit, a Staging Report was prepared that details how the SSI will be staged. In accordance with CoA A24d, the Staging Report was endorsed by the ER on 16 Feb 2018. The Staging Plan was submitted to the Secretary for information on 19 Feb 2018. This audit relates to Stage 2 of the SSI.	C
A13	The Staging Report must: (a) if staged delivery is proposed, set out how the whole of the SSI will be staged, including general details of work and other activities to be carried out in each stage and the general timing of when the delivery of each stage will commence;	Staging Report February 2018 (Rev 0)	As detailed during the previous audit, a Staging Report has been prepared (Feb 2018) that details how the SSI will be staged, detailing relevant conditions that apply to each stage,	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(b) if staged operation is proposed, set out how the operation of the whole of the SSI will be staged, including general details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence; (c) specify the relevant conditions of approval that apply to each stage and how compliance with those 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.		how compliance will be achieved, and how cumulative impacts will be managed. This includes reference to Project staging during construction and operation as well as Project timing.	
A14	The SSI must be staged in accordance with the Staging Report , as submitted to the Secretary.	Staging Report February 2018 (Rev 0)	As per the staging report the Project is being delivered in 3 stages: • Stage 1 – Croome Regional Sporting Complex • Stage 2 – Princess Motorway between Yallah and Oak Flats • Stage 3 – Yallah Interchange All stages of the project are now complete (with only minor works remaining) and the project is fully operational.	C
A15	Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	Staging Report February 2018 (Rev 0)	Works are being undertaken in accordance with the approval requirements relevant to Stage 2.	C
Ancillary Facilities				
A16	Ancillary facilities that are not identified by description and location in the EIS as amended by the SPIR must meet the following criteria, unless otherwise approved by the Secretary: (a) the facility is development of a type that would, if it were not for the purpose of the SSI, otherwise be exempt or complying development; or	Site Inspection November 2021 Ancillary facilities Management Plan (July 2019)	Ancillary sites identified in the SPIR are being utilised throughout Stage 2. Additional proposed sites meet the requirements of A16(b). Notably:	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(b) the facility is located as follows: i. at least 50 metres from any waterway unless an erosion and sediment control plan is prepared and implemented so as not to adversely affect water quality in the waterway in accordance with Managing Urban Stormwater series; ii. within or adjacent to land upon which the SSI is being carried out unless it can be demonstrated that performance criteria established in this approval can be met and that there will be a reduction in impact at other sites and a reduction in the construction program; iii. with ready access to a road network; iv. to prevent heavy vehicles travelling on local streets or through residential areas in order to access the facility, except as identified in the EIS as amended by the SPIR; v. so as to be in accordance with the Interim Construction Noise Guideline (DECC 2009) or as otherwise agreed in writing with affected landowners and occupiers; vi. so as not to require vegetation clearing beyond the extent of clearing approved under other terms of this approval except as approved by the ER as minor clearing; vii. so as not to have any impact on heritage items (including areas of archaeological sensitivity) beyond the impacts identified, assessed and approved under other terms of this approval; viii. so as not to unreasonably interfere with lawful uses of adjacent properties that are being carried out at the date upon which establishment of the facility is to commence;	AFMP updated as annual review, signed off by ER	• Located no less than 50 metres from waterways without an implemented ESCP • Within or adjacent to SSI land • With suitable access to the road network AS14 has been determined compliant under CoA A16(b). Checklist included in Appendix H of AFMP All ancillary facilities have been demobilised. The main site compound is still in use, however, is planned for removal as part of the project demobilisation works.	

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	ix. to enable operation of the ancillary facility during flood events and to avoid or minimise, to the greatest extent practicable, adverse flood impacts on the surrounding environment and other properties and infrastructure; and x. so as to have sufficient area for the storage of raw materials to minimise, to the greatest extent practicable, the number of deliveries required outside standard construction hours.			
A17	Before establishment of any ancillary facility, except in relation to the delivery of the Croome Regional Sporting Complex, the Proponent must prepare an Ancillary Facilities Management Plan which details the management of the ancillary facilities. The Ancillary Facilities Management Plan must be prepared in consultation with relevant government agencies and the Relevant Council(s) and submitted to the Secretary for approval one month prior its establishment. The Ancillary Facilities Management Plan must include: (a) a description of activities to be undertaken during construction, operational and decommissioning (including scheduling of construction); (b) a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of construction of the SSI; and (c) 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 EIS as amended by the SPIR; and ii. manage the risks identified in the risk analysis undertaken in subsection (b) of this condition.	Ancillary Facilities Management Plan Stage 2 Updated 30 July 2019 ER Endorsement of AFMP 5 August 2019 Updated Secretary approval of AFMP 2 August 2019 updated AFMP to be placed on website sighted – 7 September 2020.	Assessed as compliant by previous audit. The AFMP was prepared in consultation with: - Wollongong City Council - Shellharbour City Council - Environment Protection Authority (EPA) - Department of Primary Industries Fisheries - Department of Primary Industries Water - Office of Environment and Heritage - Registered Aboriginal Parties The AFMP (including revised versions) meet the requirements of A17.	C
A18	Minor ancillary facilities comprising lunch sheds, office sheds, and portable toilet facilities, that are not identified in the EIS as amended by the SPIR and which do not satisfy the criteria set out	Site Inspection November 2021	Minor ancillary facilities meet the requirements of A18.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	in Condition A16 of this approval must satisfy the following criteria: (a) have no greater environmental and amenity impacts than those that can be managed through the implementation of environmental measures detailed in the CEMP required under Condition C1 of this approval; and (b) have been assessed by the ER to have: i. minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the ICNG, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts; ii. minimal environmental impact with respect to waste management and flooding; and iii. no impacts on biodiversity, soil and water, and heritage beyond those already approved under other terms of this approval.	Ancillary Facility Checklist AS14 – no further ones completed.	Ancillary Facility Checklist sighted for Ancillary Site 14 is the most recent checklist.	
A19	Boundary fencing must be erected around ancillary facilities that are adjacent to sensitive receivers for the duration of construction unless otherwise agreed with the affected receiver(s).	Site Inspection November 2021	Boundary fencing was observed to be erected around ancillary facilities that were adjacent to sensitive receivers.	C
A20	Boundary fencing required under Condition A19 of this approval must minimise visual, noise and air quality impacts on adjacent sensitive receivers.	Site Inspection November 2021	Boundary fencing on main compound was appropriate to respond to visual, noise and air quality impacts on adjacent sensitive receivers. All boundary fencing for other minor ancillary facilities has been removed	C
A21	Ancillary facility AS10 must only be used for works associated with the Croome Regional Sporting Complex, and must be rehabilitated on the completion of those works. The construction access road near Swansea Farm House must be rehabilitated to its pre-construction condition, unless otherwise agreed with Shellharbour City Council.	Site Inspection November 2021	As detailed during the previous audit, the initial AFMP appropriately identifies the location of AS10. AS10 has now been removed from the current AFMP and was not observed at Croome Road.	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			Ancillary Facility 10 was not used for works under stage 2. It has been rehabilitated to its pre-construction condition.	
Environmental Representative				
A22	A suitably qualified and experienced Environmental Representative (ER) who is independent of the design and construction personnel must be nominated by the Proponent, approved by the Secretary and engaged for the duration of works of the SSI. Additional ERs may be engaged for the purpose of Condition A24 , in which case the obligations to be carried out by an ER under the terms of this approval may be satisfied by any ER that is approved by the Secretary. The details of nominated ER(s) must be submitted to the Secretary for approval no later than one month prior to the commencement of works, or within another timeframe agreed with the Secretary.	Secretary approval of ER 8 February 2018 Same ER – here every fortnight. ERGs are quarterly Performance traffic light status register sighted - EPA, DPIE come out to inspect the site. October 2021 ER site inspection report	A suitably qualified experienced and independent ER has been appointed by TFNSW and approved by the Secretary. Toby Hobbs has been retained as the Environmental Representative, The ER undertakes monthly environmental and is continually engaged for the duration of the project	C
A23	Works must not commence until an ER nominated under Condition A22 of this approval in respect of such works has been approved by the Secretary.	Secretary approval of ER 8 February 2018	The ER was approved prior to commencement of works.	C
A24	From commencement of works until completion of construction, the approved ER must: (a) receive and respond to communications from the Secretary in relation to the environmental performance of the SSI; (b) consider and inform the Secretary on matters specified in the terms of this approval; (c) consider and recommend any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; (d) review all work and construction related documents required to be prepared under the terms of this approval, ensure they address any requirements in or under this approval and if so, endorse them prior to submission to the Secretary (if required to be submitted to the Secretary) or prior to implementation	ER monthly reports Discussions with ER Various documents and correspondence endorsed or reviewed by the ER	The ER is adequately meeting the requirements of A24. Monthly reports are appropriate to report on issues relevant to the nature and stage of construction.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(if not required to be submitted to the Secretary); (e) regularly monitor the implementation of all work and construction related documents required by the terms of this approval for implementation in accordance with what is stated in the document and the terms of this approval; (f) as may be requested by the Secretary, help plan, attend or undertake Department audits of the SSI, briefings, and site visits; (g) if conflict arises between the Proponent and the community in relation to the environmental performance of the SSI, follow the procedure in the Community Communication Strategy approved under Condition B2 of this approval to attempt to resolve the conflict, and if it cannot be resolved, notify the Secretary; (h) review any draft consistency assessment that may be carried out by the Proponent, and provide advice on any additional mitigation measures required to minimise the impact of the work; (i) consider any minor amendments to be made to the CEMP, CEMP sub-plans and monitoring programs 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 Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval; (j) assess the impacts of minor ancillary facilities as required by Condition A18 of this approval; and (k) prepare and submit to the Secretary and other relevant regulatory agencies, for information, a monthly Environmental Representative Report detailing the ER's actions and decisions on matters for which the ER was responsible in the preceding month (or other timeframe agreed with the Secretary). The Environmental Representative Report must be submitted within seven (7) days following the end of each month for the duration of the			

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	delivery of the SSI, or as otherwise agreed with the Secretary.			
Compliance Tracking Program				
A25	A Compliance Tracking Program to monitor compliance with the terms of this approval must be prepared, taking into consideration any staging of the SSI that is proposed in a Staging Report submitted in accordance with Condition A12 and Condition A13 of this approval.0	Compliance Tracking Program 9 February 2018 (Rev 0)	The Compliance Tracking Program appropriately monitors compliance with the terms of the approval and take into consideration staging of the SSI as proposed in the Staging Report.	C
A26	The Compliance Tracking Program must be endorsed by the ER and then submitted to the Secretary for information prior to the commencement of works or within another timeframe agreed with the Secretary.	ER Endorsement of CTP 16 February 2018 Secretary approval of CTP 19 February 2018	The CTP has been endorsed by the ER and approved by the Secretary prior to the commencement of works.	C
A27	The Compliance Tracking Program in the form required under Condition A25 of this approval must be implemented for the duration of works and for a minimum of one (1) year following commencement of operation, or for a longer period as determined by the Secretary based on the outcomes of independent environmental audits, Environmental Representative Reports and regular compliance reviews submitted through Compliance Reports . If staged operation is proposed, or operation is commenced of part of the SSI, the Compliance Tracking Program must be implemented for the relevant period for each stage or part of the SSI.	Site inspection undertaken 13-14 Oct 2020 Compliance Tracking Program 2 October 2018 (Rev 5) Appendix A of the CEMP – Stage 2 Conditions of Approval Compliance Table	The CTP was being implemented at the time of the audit and is being updated. The Compliance Tracking Program (CTP) has been incorporated into Section 3 of the approved CEMP (Rev9) under "Monitoring, Inspections and Auditing".	C
Construction Compliance Reporting				
A28	Pre-Construction Compliance Report must be prepared and submitted to the Secretary for information no later than one month before the commencement of works or within another timeframe agreed with the Secretary. The Pre-Construction Compliance Report must include:	Pre-Construction Compliance Report 2 October 2019 (Rev 5)	As detailed and assessed as compliant during the previous audit, the PCCR adequately met the requirements of A28 and included details of how the terms of the approval would be	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(a) details of how the terms of this approval that must be addressed before the commencement of works have been complied with; and (b) the commencement date for works.	Endorsed and submitted to Secretary 2 October 2018. Secretary letter of Stage 2 Start of Construction 8 January 2019	addressed as well as the commencement date for works. The PCCR detailed an anticipated construction start date of 2 November 2018; however, commencement was confirmed by the Secretary as 7 January 2019.	
A29	Works must not commence until the Pre-Construction Compliance Report has been submitted to the Secretary	Endorsed and submitted to Secretary 2 October 2018. Secretary letter of Stage 2 Start of Construction 8 January 2019	As detailed and assessed as compliant during the previous audit, works did not commence until the PCCR was submitted to the Secretary.	C
A30	Construction Compliance Reports must be prepared and submitted to the Secretary for information every six (6) months from the date of the commencement of works or within another timeframe agreed with the Secretary, for the duration of works. The Construction Compliance Reports must include (as applicable): (a) a results summary and analysis of environmental monitoring; (b) the number of any complaints received, including a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints; (c) details of any review of, and minor amendments made to, the CEMP as a result of construction carried out during the reporting period; (d) a register of any consistency assessments undertaken and their status; (e) results of any environmental audits and details of any actions taken in response to the recommendations of an audit; (f) a summary of all incidents notified in accordance with	Construction Compliance and Monitoring Report 2 – 8 July 2019 – 7 Jan 2020 Construction Compliance and Monitoring Report 3 – 8 Jan 2020 – 7 July 2020 Construction and Pre-Operation Compliance and Monitoring Report 8 January - 7 July 2021 ER letter of endorsement dated 20 August 2021	The Project's six (6) monthly compliance reports were available on the project website with the most recent report covering both construction and pre-operations Evidence of the report being issued was sighted during the site inspection and was on project website. The report adequately meets the requirements of A30.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	Condition A38 and Condition A41 of this approval; and (g) any other matter relating to compliance with the terms of this approval or as requested by the Secretary.			
Pre-Operation Compliance Report				
A31	A Pre-Operation Compliance Report must be prepared and submitted to the Secretary for information no later than one month before the commencement of operation (or stage of operation) or within another timeframe agreed with the Secretary. The Pre-Operation Compliance Report must include: (a) details of how the terms of this approval that must be addressed before the commencement of operation have been complied with; and (b) the commencement date for operation.	Construction and Pre-Operation Compliance and Monitoring Report 8 January- 7 July 2021 ER letter of endorsement dated 20 August 2021	Pre-Operation Compliance Report has been completed and has been endorsed by the Environmental Representative	C
A32	Operation (or stage of operation) must not commence until the Pre-Operation Compliance Report has been submitted for information to the Secretary	Construction and Pre-Operation Compliance and Monitoring Report (number 5) - covering the period 8 January - 7 July 2021 Email dated 2/12/21 DPIE Post Approval form 23/9/21	Project commenced operation in October 2021. The pre-operation compliance report was submitted to DPIE on the 23/9/2021	C
Auditing				
A33	An Environmental Audit Program for independent environmental auditing against the terms of this approval must be prepared in accordance with <i>AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems</i> and submitted to the Secretary for information no later than one month before the commencement of works except in relation to the works at the Croome Regional Sporting Complex, or within another timeframe agreed with the Secretary	Environmental Audit Program 18 September 2018 (Rev 4) Endorsed by ER and submitted to Secretary 20 September 2018. Secretary approval of EAP 26 September 2018	As detailed during the previous audit, the Environmental Audit Program was endorsed by the ER and submitted to the Department for approval 28/09/2019.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
A34	The Environmental Audit Program , as submitted to the Secretary, must be implemented for the duration of the works except in relation to the works at the Croome Regional Sporting Complex	Environmental Audit Program 18 September 2018 (Rev 4) Independent Audit Reports.	The EAP is being implemented appropriately in accordance with condition A34. This operational audit is the final audit for the project	C
A35	All independent environmental audits of the SSI must be conducted by a suitably qualified, experienced and independent team of experts in auditing and be documented in an Environmental Audit Report which: (a) assesses the environmental performance of the SSI, and its effects on the surrounding environment; (b) assesses whether the Project is complying with the terms of this approval; (c) reviews the adequacy of any document required under this approval; and (d) recommends measures or actions to improve the environmental performance of the SSI, and improvements to any document required under this approval	Secretary approval of Independent Auditor 17 October 2019. Independent Audit Reports	SNC-Lavalin have been appointed as the Independent Auditor. This audit report has been developed to meet the requirements of A35 and is consistent with DPIE Independent Audit Post Approval Requirements May 2020. Findings from previous audits have been closed out	C
A36	The Environmental Audit must be carried out within 12 months of works commencing except in relation to the works at the Croome Regional Sporting Complex, and annually thereafter during the delivery of the SSI, and within 12 months of the commencement of operation and then as required by the Secretary	Independent Audit Reports	The previous audit (second independent audit of stage 2) was undertaken in October 2020	C
A37	The Proponent must submit a copy of the Environmental Audit Report to the Secretary with a response to any recommendations contained in the audit report within six (6) weeks of completing the audit, or within another timeframe agreed with the Secretary	-	Fulton Hogan to submit a copy of the finalised Audit Report (this report) to the Secretary.	C
Incident Notification				
A38	The Secretary must be notified as soon as possible and in any event within 24 hours of any incident associated with the	Construction Compliance Reports	No reportable incidents have been recorded during the audit period	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	delivery of the SSI.	ER's monthly reports Extract from ER's environment reports detail some nonreportable incidents that were managed using onsite plans/ procedures. Incident Register (3/12/20-26/9/21)		
A39	Notification of an incident under Condition A38 of this approval must include the time and date of the incident, details of the incident and must identify any non-compliance with this approval.	As above	No reportable incidents during audit period.	NT
A40	Any requirements of the Secretary or relevant government authority (as determined by the Secretary) to address the cause or impact of an incident reported in accordance with Condition A38 of this approval, must be met within the timeframe determined by the Secretary or relevant government authority.	As above	No reportable incidents during audit period.	NT
A41	If statutory notification is given to the EPA as required under the POEO Act in relation to the SSI, such notification must also be provided to the Secretary within 24 hours after the notification was given to the EPA.	As above	No statutory notification has been provided to NSW EPA in relation to environmental incidents within the reporting period.	NT
PART B COMMUNITY INFORMATION AND REPORTING				
Community information, consultation and involvement				
B1	A Community Communication Strategy must be prepared to facilitate communication between the Proponent and the community (including Relevant Council(s), adjoining affected landowners and businesses, and others directly impacted by the SSI), during the delivery of the SSI and for a minimum of 12 months following the completion of the SSI.	Community Communication Strategy 15 June 2020	A Community Consultation Strategy (CCS) has been prepared and approved by the Secretary to facilitate communication between Fulton Hogan and the community. Stewardship arrangements are in place for when FH demobilise from site.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
B2	The Community Communication Strategy must: (a) identify people or organisations to be consulted during the delivery of the Project; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the SSI; (c) identify opportunities to provide accessible information regarding regularly updated site activities, schedules and milestones at each construction site; (d) identify opportunities for the community to visit construction sites (taking into consideration workplace health and safety requirements); (e) involve construction personnel from each construction site in engaging with the local community; (f) 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; and (g) 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.	Community Communication Strategy 15 June 2020	The CCS meets the requirements of B2.	C
B3	The Community Communication Strategy must be submitted to the Secretary for approval no later than one (1) month before commencement of any works, or within another timeframe agreed with the Secretary.	Secretary approval of Community Communication Strategy 14 Nov 2018	The CCS was submitted to the Secretary for approval more than 1 month before commencement of works.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
B4	Work for the purposes of the SSI must not commence until the Community Communication Strategy has been approved by the Secretary	Secretary approval of Community Communication Strategy 14 Nov 2018	The CCS was submitted to the Secretary for approval more than 1 month before commencement of construction works.	C
B5	The Community Communication Strategy , as approved by the Secretary, must be implemented for the duration of the works and for 12 months following the completion of construction.	Site inspection November 2021 Project Website Community Notifications OOH works notifications Project correspondence with key stakeholders Community engagement feedback survey. Consultation Manager Facebook posts. Community survey, October 2020. Complaints Register October 2021	The CCS was being implemented by Fulton Hogan during the period of the audit. A full time and experienced Community Relations Manager has been retained on site to implement the strategy Several videos have been filmed and distributed – all FH APRb have been shared to the wider TfNSW page due to the high level of engagement. EG: Pre and post Illawarra highway closure videos Fulton Hogan will implement the CCS before a period of 12 months after completion of the works, then TfNSW will assume responsibility	C
Complaints management systems				
B6	A Complaints Management System must be prepared and submitted to the Secretary for information prior to the commencement of any works in respect of the SSI and must be implemented and maintained for the duration of works and for a minimum for 12 months following completion of construction of the SSI.	ER Endorsement of CMS 17 October 2018 Survey done with 300 responses from the community – positive responses. Positive comments on social media sites. August 2020 survey, sighted.	The CMS was being implemented by Fulton Hogan during the period of the audit. Complaints are documented in ER monthly reports (as a summary) Complaints tracking registers is kept on site. Complaint's register is kept up	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			to date. Register is sent monthly to the ER	
B7	The Complaints Management System must include a Complaints Register to be maintained recording information on all complaints received about the SSI during the carrying out of any works associated with the SSI, and for a minimum of 12 months following the completion of construction. The Complaints Register must record the: (a) number of complaints received; (b) number of people affected in relation to a complaint; and (c) nature of the complaint and means by which the complaint was addressed and whether resolution was reached, with or without mediation	Complaints are received via phone or email – the environment team will go and look in response to the complaint. If noise or vibration monitoring will be done and if its dust – the team will ensure all controls are in place. Complaints Register October 2021	The CCS meets the requirements of B7.	C
B8	The Complaints Register must be provided to the Secretary upon request, within the timeframe stated in the request	The Secretary have made no requests for the Complaints Register		NT
B9	The following facilities must be made available within one (1) month from the date of this approval or within another timeframe agreed with the Secretary, 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.	Project Website and Community notifications	TfNSW website has all contact sources and the letter drops contain all this information as well. No mediation issues	C
B10	The telephone number, postal address and email address required under Condition B9 of this approval must be published in a newspaper circulating in the local area prior to the commencement of works and published in the same way again	ER Report – September 2021	The contact information was published as required in several local and	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	prior to the commencement of operation. This information must also be provided on the website required under Condition B11 of this approval.	Illawarra Mercury 15 September (electronic version) Copies of advertisements (provided by FH)	regional newspapers in September 2021. Specifically, • South Coast Register - 15 September 2021 • The Illawarra Mercury 15 September 2021 • The Koori Mail - 22 September 2021.	
Provision Of Electronic Information				
B11	A website providing information in relation to the SSI must be established before the commencement of works and maintained during the delivery of the SSI, and for a minimum of 12 months following the completion of construction or within another timeframe agreed with the Secretary. The following up-to-date information (excluding confidential, private and commercial information) must be published and maintained on the website or dedicated pages: - information on the current implementation status of the SSI; - a copy of the documents listed in Table 2 of this approval, and any documentation relating to any modifications made to the SSI or the terms of this approval; - a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval; - a copy of each statutory approval, licence or permit required and obtained in relation to the SSI; and	www.rms.nsw.gov.au/apr Following documents on website: • news on project status • notifications to the community • project documents • approval documentation • licences and permits	Fulton Hogan updates the TFNSW website. Community Consultation Strategy (CCS) Section 5.4.1 outlines the approach to maintaining up to date information on the Project website. All resident notifications are located on the website including latest Project updates and track changes along the east link. The community display centre location and trading hours are also publicly available. Website is available and up to date.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(e) a current copy of each document required under the terms of this approval and any endorsements, approvals or requirements from the ER and Secretary, all of which must be published prior to the commencement of any works to which they relate or prior to their implementation as the case may be.			
PART C CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
Construction Environmental Management Plan				
C1	A Construction Environmental Management Plan (CEMP) must be prepared in accordance with the Department's <i>Guideline for the Preparation of Environmental Management Plans</i> to detail how the performance outcomes, commitments and mitigation measures specified in the EIS as amended by the SPIR will be implemented and achieved during construction.	Construction Environmental Management Plan (CEMP) December 2020	The CEMP has been appropriately prepared in accordance with the Guideline for the Preparation of Environmental Management Plans. December 2020 version provided on the Project website	C
C2	The CEMP must provide: (a) a description of activities to be undertaken during construction (including the scheduling of construction); (b) details of environmental policies, guidelines and principles to be followed in the construction of the SSI; (c) a schedule for compliance auditing; (d) a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of construction of the SSI; (e) 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 EIS as amended by the SPIR; and ii. manage the risks identified in the risk analysis undertaken in subsection (d) of this condition; (f) an inspection program detailing the activities to be inspected and frequency of inspections;	Construction Environmental Management Plan (CEMP) December 2020 and specialist CEMP subplans	The CEMP meets the requirements of C2 and provides all the descriptions, lists, details and programs stated. Table 1-1 of the CEMP details where the requirements of C2 are addressed. Latest versions of CEMP subplans are provided on the project website Assessed as compliant by previous audit	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(g) a protocol for managing and reporting any: I. incidents; and II. non-compliances with this approval and with statutory requirements; (h) procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during construction; (i) a list of all the CEMP Sub-plans required in respect of construction, as set out in Condition C4. 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; (j) a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER; (k) 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 (l) for periodic review and update of the CEMP and all associated plans and programs			
C3	The CEMP must be endorsed by the ER and then submitted to the Secretary for approval no later than one (1) month before the commencement of construction or within another timeframe agreed with the Secretary.	ER Endorsement of CEMP (Rev 9), 5 December 2018 Secretary approval of CEMP, Sub-Plans and Monitoring programs 7 December 2018	As detailed and assessed as compliant within the previous audit, the CEMP (Rev 9) was endorsed and submitted to the Secretary within the required timeframes.	C
C4	The following CEMP Sub-plans must be prepared in consultation with the relevant government agencies identified for each CEMP Sub-plan and be consistent with the CEMP referred to in Condition C1 . <i>Table 3: CEMP Sub-plan Consultation Requirements</i>	CEMP subplans included on project website.	The required plans have been prepared in consultation with the relevant government agencies	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status																					
	<table><tr><td></td><td>Required CEMP Sub-plan</td><td>Relevant government agencies to be consulted for each CEMP Sub-Plan</td></tr><tr><td>a)</td><td>Traffic and transport</td><td>Relevant Council(s)</td></tr><tr><td>b)</td><td>Noise and vibration</td><td>EPA</td></tr><tr><td>c)</td><td>Fauna and flora</td><td>OEHL and DPI Fisheries</td></tr><tr><td>d)</td><td>Soil and water</td><td>EPA and DPI Water and Fisheries</td></tr><tr><td>e)</td><td>Heritage</td><td>OEHL, Relevant Council(s), Registered Aboriginal Parties</td></tr><tr><td>f)</td><td>Flooding and Hydrology</td><td>OEHL and Relevant Council(s)</td></tr></table>		Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-Plan	a)	Traffic and transport	Relevant Council(s)	b)	Noise and vibration	EPA	c)	Fauna and flora	OEHL and DPI Fisheries	d)	Soil and water	EPA and DPI Water and Fisheries	e)	Heritage	OEHL, Relevant Council(s), Registered Aboriginal Parties	f)	Flooding and Hydrology	OEHL and Relevant Council(s)		Latest versions of subplans are included on the project website as follows. • Traffic and Transport (January 2020) • Noise and Vibration (August 2021) • Flora and Fauna (March 2020) • Soil and Water (April 2020) • Heritage (March 2020) • Flooding and Hydrology.	
	Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-Plan																							
a)	Traffic and transport	Relevant Council(s)																							
b)	Noise and vibration	EPA																							
c)	Fauna and flora	OEHL and DPI Fisheries																							
d)	Soil and water	EPA and DPI Water and Fisheries																							
e)	Heritage	OEHL, Relevant Council(s), Registered Aboriginal Parties																							
f)	Flooding and Hydrology	OEHL and Relevant Council(s)																							
C5	The CEMP Sub-plans must state how: (a) the environmental performance outcomes identified in the EIS as amended by the SPIR as modified by these conditions will be achieved; (b) the mitigation measures identified in the EIS as amended by the SPIR as modified by these conditions will be implemented; (c) the relevant terms of this approval will be complied with (in particular Part E of this approval); (d) the identification of the relevant environmental specific training and induction processes for construction personnel; and (e) issues requiring management during construction, as identified through ongoing environmental risk analysis, will be managed	As above	Assessed as compliant by previous audit	C																					
C6	The CEMP Sub-plans must be developed in consultation with relevant government agencies identified in Table 3 of Condition C4 of this approval. Where an agency(ies) request(s) is not included, the Proponent must provide the Secretary justification as to why. Details of all information requested by an agency to be included in a CEMP Sub-plan as a result of consultation, including copies of all correspondence from these agencies,	CEMP Appendix A5 – Stakeholder and agency CEMP consultation	The required plans have been prepared in consultation with the relevant government agencies including: • Wollongong City Council • Shellharbour City Council	C																					

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	must be provided with the relevant CEMP Sub-Plan .		- NSW Environment Protection Authority (EPA) - NSW Office of Environment and Heritage (OEH) - NSW Department of Primary Industries Fisheries - NSW Department of Primary Industries Water (formerly NSW Office of Water) - Registered Aboriginal Parties.	
C7	Any of the CEMP Sub-plans may be submitted to the Secretary for approval along with, or subsequent to, the submission of the CEMP but in any event, no later than one (1) month before commencement of construction.	ER Endorsement of CEMP Sub-plans (Rev 0) 26 March 2018 Secretary approval of TTMP 28 November 2018 Secretary approval of HMP 29 November 2018 Secretary approval of CEMP, Sub-Plans and Monitoring programs 7 December 2018 Secretary approval of FFMP 21 December 2018	As detailed and assessed as compliant within the previous audit, the CEMP Sub-plans were endorsed and submitted to the Secretary within the required timeframes.	C
C8	Construction must not commence until the CEMP and all CEMP Sub-plans have been approved by the Secretary. The CEMP and CEMP Sub-plans , as approved by the Secretary, including any minor amendments approved by the ER must be implemented for the duration of construction. Where the SI is being staged, construction of that stage is not to commence until the relevant CEMP and sub-plans have been approved by the Secretary, unless otherwise agreed by the Secretary.	ER Endorsement of CEMP Sub-plans (Rev 0) 26 March 2018 Secretary letter of Stage 2 Start of Construction 8 January 2019 Recent revisions of sub plans (as noted individually in C5)	As detailed and assessed as compliant within the previous audit, Construction did not commence until the CEMP and all sub-plans were approved by the secretary. Stage 2 works are proceeding in accordance with the management plans approved by the Department	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status															
			prior to construction, including any revisions approved during construction.																
Construction Monitoring Programs																			
C9	The following Construction Monitoring Programs must be prepared in consultation with the relevant government agencies identified for each Construction Monitoring Program to compare actual performance of construction of the SSI against performance predicted performance: <i>Table 4: Construction Monitoring Program Consultation Requirements</i> <table><tr><td></td><td>Required Construction Monitoring Programs</td><td>Relevant government agency Construction Monitoring Program</td></tr><tr><td>a)</td><td>Air Quality</td><td>EPA</td></tr><tr><td>b)</td><td>Groundwater</td><td>DPI Water</td></tr><tr><td>c)</td><td>Surface Water</td><td>EPA and DPI Fisheries</td></tr><tr><td>d)</td><td>Noise</td><td>EPA</td></tr></table>		Required Construction Monitoring Programs	Relevant government agency Construction Monitoring Program	a)	Air Quality	EPA	b)	Groundwater	DPI Water	c)	Surface Water	EPA and DPI Fisheries	d)	Noise	EPA	Construction Monitoring Programs CEMP Appendix A5 – Stakeholder and agency CEMP consultation Appendix B of the Compliance Report is the Construction Monitoring Program Report which includes environmental monitoring for water quality, sediment basin discharge, air quality and noise and vibration outlines all monitoring results.	The required CMPs have been prepared. Consultation was sought from: • NSW Environment Protection Authority (EPA) • NSW Department of Primary Industries Water (formerly NSW Office of Water) • NSW Department of Primary Industries Fisheries The relevant Construction Monitoring Programs are incorporated into the specific CEMP Sub-plan as follows: • For (a) Air Quality refer to Appendix B6 • For (b) Groundwater and (c) Surface Water refer to Appendix B4 • For (d) Noise refer to Appendix B3	C
	Required Construction Monitoring Programs	Relevant government agency Construction Monitoring Program																	
a)	Air Quality	EPA																	
b)	Groundwater	DPI Water																	
c)	Surface Water	EPA and DPI Fisheries																	
d)	Noise	EPA																	
C10	Each Construction Monitoring Program must provide: (a) details of baseline data available; (b) details of baseline data to be obtained and when; (c) details of all monitoring of the Project to be undertaken; (d) the parameters of the Project to be monitored;	Construction Monitoring Programs sighted during Site Inspection November 2021.	The monitoring program includes testing if creek samples are consistent with the natural condition. Any exceedances identified during monitoring are raised in the fortnightly	C															

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(e) the frequency of monitoring to be undertaken; (f) the location of monitoring; (g) the reporting of monitoring results; (h) procedures to identify and implement additional mitigation measures where results of monitoring are unsatisfactory; and (i) any consultation to be undertaken in relation to the monitoring programs.	Surface water quality monitoring is undertaken monthly and groundwater monitoring is undertaken quarterly.	meetings with TfNSW and the Project ER.	
C11	The Construction Monitoring Programs must be developed in consultation with relevant government agencies as identified in Table 4 of Condition C9 of this approval and must include, to the written satisfaction of the Secretary, information requested by an agency to be included in a Construction Monitoring Programs during such consultation. Details of all information requested by an agency including copies of all correspondence from those agencies, must be provided with the relevant Construction Monitoring Program	CEMP Appendix A5 – Stakeholder and agency CEMP consultation	The required CMPs were prepared in consultation with relevant agencies. Consultation was sought from: • NSW Environment Protection Authority (EPA) • NSW Department of Primary Industries Water (formerly NSW Office of Water) • NSW Department of Primary Industries Fisheries The CMPs have been incorporated in the relevant CEMP Sub-plans	C
C12	The Construction Monitoring Programs must be endorsed by the ER and then submitted to the Secretary for approval at least one (1) month before the commencement of construction or within another timeframe agreed with the Secretary	Air Quality Monitoring Program ER Endorsement 5 Dec 2018 Ground Water Monitoring Program ER Endorsement 5 Dec 2018 Noise Monitoring Program ER Endorsement 13 Nov 2018 Secretary approval of CEMP, Sub-Plans and Monitoring programs 7 December 2018	As detailed and assessed as compliant within the previous audit, the CEMP, Sub-plans inclusive of CMPs were approved by the Secretary, 7 December 2018.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
C13	Construction must not commence until the Secretary has approved all of the required Construction Monitoring Programs , and all relevant baseline data for the specific construction activity has been collected.	Secretary approval of CEMP, Sub-Plans and Monitoring programs 7 December 2018. Baseline Monitoring Program Summary Report, February 2019, sighted.	Construction did not commence until the Secretary had approved all required Monitoring Programs. All relevant baseline data was collected.	C
C14	The Construction Monitoring Programs , as approved by the Secretary, including any minor amendments approved by the ER, must be implemented for the duration of construction and for any longer period as set out in the monitoring program or specified by the Secretary, whichever is the greater.	Construction Monitoring Reports 2 and 3 (combined with compliance reports)	Stage 2 works are proceeding in accordance with the management plans approved by the Secretary prior to construction and all requirements of the CMP are being complied with. Environmental monitoring data is being recorded, reviewed and reported monthly. This is evidenced in monitoring records and relevant monitoring reports.	C
C15	The results of the Construction Monitoring Programs must be submitted to the Secretary, and relevant regulatory agencies and Relevant Council(s), for information in the form of a Construction Monitoring Report at the frequency identified in the relevant Construction Monitoring Program .	Construction Compliance and Monitoring Report (and Pre-Operational Compliance Report) – 8 Jan 2020 – 7 July 2021 ER Endorsement of Construction Compliance Monitoring Report 24 Oct 2018, July 2019 and March 2020. Construction Monitoring Report 8 January – 7 July 2021	Results of construction monitoring are documented in the 6 monthly construction compliance reports Environmental monitoring data is being recorded, reviewed and reported. This is evidenced in monitoring records and relevant monitoring reports. Monitoring reports are included as an appendix to the Compliance Reports.	C
C16	Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan .	Air Quality Monitoring Program Ground Water Monitoring Program	The relevant CMP has been incorporated into the appropriate CEMP Sub-plans.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Noise Monitoring Program Secretary approval of CEMP, Sub-Plans and Monitoring programs 7 December 2018		
PART D OPERATIONAL ENVIRONMENTAL MANAGEMENT				
Operational Environmental Management				
D1	An Operational Management Plan (OEMP) must be prepared in accordance with the Department's <i>Guideline for the Preparation of Environmental Management Plans</i> to detail how the performance outcomes, commitments and mitigation measures made and identified in the EIS as amended by the SPIR will be implemented and achieved during operation. This condition (Condition D1) does not apply if Condition D2 of this approval applies.	Operational condition – not covered in this audit.	TfNSW have decided to implement an Operational EMS in accordance with Condition D2. This condition is therefore not triggered.	NT
D2	An OEMP is not required for the SSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Secretary, and can demonstrate, to the written satisfaction of the Secretary at least one (1) month prior to the commencement of operation or within another timeframe agreed with the Secretary, that through the EMS : (a) the performance outcomes, commitments, and mitigation measures, made and identified in the EIS as amended by the SPIR, and these conditions of 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.	DPIE letter of approval dated 6/7/21	TfNSW have prepared an Environmental Management Systems Manual which is placed on the TfNSW Website. The EMS manual has been approved by DPIE and the letter of approval dated 6/7/21 is available on the TfNSW project website.	C
D3	The OEMP or EMS or equivalent as agreed with the Secretary, must be submitted to the Secretary for information on later than one (1) month before the commencement of operation or within another timeframe agreed with the Secretary.	Operational EMS	Project became operational in late October 2021. The EMS was approved by DPIE on 6/7/21 at least one month	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status															
			prior to the commencement of operation of the project.																
D4	Where an OEMP is required, the Proponent must include the following OEMP Sub-plans in the OEMP: <i>Table 5: OEMP Sub-plan Consultation Requirements</i> <table><tr><td></td><td>Required OEMP Sub-plan</td><td>Relevant government agency OEMP Sub-plan</td></tr><tr><td>a)</td><td>Noise and vibration</td><td>EPA</td></tr><tr><td>b)</td><td>Soil and Water</td><td>EPA, DPI Water and Fisheries</td></tr><tr><td>c)</td><td>Traffic and Transport</td><td>Relevant Council(s)</td></tr><tr><td>d)</td><td>Flooding</td><td>OEHS and Relevant Council(s)</td></tr></table>		Required OEMP Sub-plan	Relevant government agency OEMP Sub-plan	a)	Noise and vibration	EPA	b)	Soil and Water	EPA, DPI Water and Fisheries	c)	Traffic and Transport	Relevant Council(s)	d)	Flooding	OEHS and Relevant Council(s)	Operational EMS	Not applicable as TfNSW have adopted an Environmental Management System for the Project	NT
	Required OEMP Sub-plan	Relevant government agency OEMP Sub-plan																	
a)	Noise and vibration	EPA																	
b)	Soil and Water	EPA, DPI Water and Fisheries																	
c)	Traffic and Transport	Relevant Council(s)																	
d)	Flooding	OEHS and Relevant Council(s)																	
D5	Each of the OEMP Sub-plans must include the information set out in Condition D2 of this approval.	Operational EMS	Not triggered as an Operational EMS has been implemented	NT															
D6	The OEMP Sub-plans must be developed in consultation with relevant government agencies as identified in Table 5 of Condition D4 . Where an agency(ies) request(s) is not included in an OEMP sub-plan, the Proponent must provide to the Secretary justification as to why. Details of all information requested by an agency to be included in an OEMP Sub-plan as a result of consultation, including copies of all correspondence from those agencies, must be provided with the relevant OEMP Sub-Plan .	Operational EMS	Not triggered as an Operational EMS has been implemented	NT															
D7	The OEMP Sub-plans must be submitted to the Secretary as part of the OEMP.	Operational EMS	Not triggered as an Operational EMS has been implemented	NT															
D8	The OEMP or EMS or equivalent as agreed with the Secretary, as submitted to the Secretary and amended from time to time, must be implemented for the duration of operation and the OEMP or EMS must be made publicly available prior to commencement of operation.	Project Website	-The operational EMS has been provided on the website	C															
Operational Monitoring Program																			
Transport and Access																			

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
D9	Within 12 months and 5 years of the commencement of operation of the SSI, or within another timeframe agreed to by the Secretary, the Proponent must prepare a Road Network Performance Report to confirm the operational traffic impacts of the Project on surrounding roads and intersections. The review must be carried out in consultation with the Relevant Councils, and include: (a) an updated traffic analysis, including traffic modelling if required, of movements on the surrounding road network; (b) an assessment of the level of service at key intersections and sections of the road network; (c) mitigation measures to manage any actual or predicted traffic performance impacts; and (d) a comparison of the pre-construction and post construction road network performance for all road users. The assessment must be based on actual traffic counts, and take into consideration the Tripoli Way and Yallah Road Projects, should they be operational, and the Illawarra Highway Corridor Strategy should it be adopted by RMS, during the review periods. The Road Network Performance Report must be submitted to the Secretary and Relevant Council(s) for information within 60 days of its completion or as otherwise agreed by the Secretary, and made publicly available. The Proponent is responsible for the implementation of the identified measures under Condition D9(c). Note: Identified mitigation measures may need to be further assessed under the Environmental Planning and Assessment Act, 1979. Works will need to meet relevant design standards and be subject to independent road safety audits.	-	Not triggered, Road Network performance report is not required to be completed until 2026	NT
Operational Noise				
D10	Within 12 months of the commencement of operation of the SSI, except for the Croome Regional Sporting Complex, or as otherwise agreed by the Secretary, the Proponent must undertake monitoring of operational noise to compare actual noise performance of the SSI against the noise performance predicted in	-	Not completed yet, required to be completed by October 2022	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	the review of noise mitigation measures required by Condition E46. The Proponent must prepare an Operational Noise Compliance Report to document this monitoring. The Report must include, but not necessarily be limited to: i. noise monitoring to assess compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E46; ii. a review of the operational noise levels in terms of criteria and noise goals established in the a. <i>NSW Road Noise Policy 2011</i>; iii. 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 sensitive receivers; iv. 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; v. any required recalibrations of the noise model taking into consideration factors such as noise monitoring and actual traffic numbers and proportions; vi. an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and vii. identification of additional measures to those identified in the review of noise mitigation measures required by Condition E46, that would be implemented with the objective of meeting the criteria outlined in the <i>NSW Road Noise Policy 2011</i>, when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA. The Operational Noise Report must be submitted to the Secretary and the EPA within 60 days of completing the			

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	operational noise monitoring or as otherwise agreed by the Secretary, and made publicly available.			
PART E KEY ISSUE CONDITIONS				
Air Quality				
E1	In addition to the performance outcomes, commitments and mitigation measures specified in the EIS as amended by the SPIR, all feasibly and reasonably practicable measures must be implemented to minimise the emission of dust and other air pollutants during works and operation of the SSI.	Air Quality Management Sub-plan (rev8) as approved by the Secretary, 23 March 2020 Air Quality Monitoring records, including EPL monitoring data reports Weekly Site inspection records Prestart checklist Maintenance reports Site Inspection November 2021	Management of air quality impacts is addressed in the CEMP Air Quality Management Sub-plan. All feasible and reasonable practicable measures are being implemented to minimise the emission of dust and other air pollutants during works. Stabilisation works have now been completed and there were no observed dust issues.	C
Aviation				
E2	The SSI must be delivered and operated to comply with the Code 2 (Runway 08/26) and Code 3 (Runway 16/34) OLS for the Illawarra Regional Airport, except as provided for under Condition E3 and Condition E7	Site inspection undertaken October 2020 Aviation Management Plan May 2020, Rev 6 OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4) Technical Note - Intrusions to the OLS 17 Jan 2019	The Project is being constructed to comply with Code 2 and Code 3 OLS for the Illawarra Regional Airport. No observed impacts during the audit as all works that involved cranes or other activities that intruded the OLS have been completed, the only activity that is likely to impact the OLS is the demobilisation of the site facilities. FH	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Wollongong Aerodrome Obstacle Limitation Surfaces (Airport Survey Consultants) Site wide inspection of compliance with OLS requirements (30/10/21)	are in the process of planning these works A site wide inspection was undertaken to confirm compliance with OLS requirements in 30/10/21.	
E3	An Aviation Method of Working Plan must be developed for the Illawarra Regional Airport by an appropriately qualified expert in aviation safety in consultation with the airport operator. The Plan must provide details of any proposed works that may impact on airport operations and events. The plan must include: (a) identification of works likely to cause a hazard to or impact on aircraft and airport operations including but not limited to, intrusions into the Code 2 (Runway 08/26) and Code 3 (Runway 16/34) OLS, dust and debris, wildlife hazards, lighting and light spill, glare and reflection, and impacts from plant and equipment on aviation infrastructure (such as communication, navigation and surveillance facilities and structures); (b) identification and consultation with appropriate operators of impacted aviation infrastructure and instrument flight procedures at the airport, and known flight scheduling; (c) procedures to ensure that the runways can operate when required; (d) procedures to ensure impacts resulting in the closures or restriction of operations at either runway are limited to a duration considered reasonable in consultation with the airport operator; (e) mitigation measures for the management of those impacts and hazards to aircraft and airport operations from works; and	Aviation Management Plan (incl. Method of Working Plan) May 2020, Rev 6 Site Inspection	The AMP has been developed by and appropriately qualified expert in aviation safety in consultation with the airport operation. The Plan meets the requirements of E3. Mitigation measures are being implemented to ensure impacts and hazards to aircraft and airport operations is managed at all times throughout the works.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(f) monitoring of the effectiveness of mitigation measures to ensure impacts and hazards to aircraft and airport operations is managed at all times throughout the works. The Plan must be made publicly available prior to the commencement of any works that impact the operation of the Illawarra Regional Airport or within two weeks of any update to the Plan.			
E4	Should any works have the potential to interfere with aircraft operations, CASA, ASA, the Airport Operator and aircraft operators must be advised at least two weeks in advance of such works. All appropriate notices as may be required of these stakeholders including Notices to Airmen (NOTAM), must be prepared and received 3 days prior to the carrying out of the works	Aviation Management Plan (incl. Method of Working Plan) May 2021, Rev 6 Wollongong Aerodrome Application - Approval to Carry out Controlled Activity for 20 Feb to 31 Mar 2019. Method of Working Plan (revision 6 3/5/2021) NOTAM summary sighted, relates to bridges and if mitigation measures are required or not and what control measures need to be implemented Approval from Shellharbour City Council gives number for works and this is put into the excel spreadsheet. Issue date for NOTAM goes into the spreadsheet for each piece of work and where this is occurring. NOTAM for 3 May 2021 sighted. NOTAM process is undertaken for individual works. Information from the NOTAM register (sighted, October 2020) is provided to Airworks	NOTAM are being prepared and approved with respect to work being conducted on site. This is an appropriate measure to mitigate risks associated with the Project's potential to interfere with aircraft operation.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Consulting who provides a NOTAM number which is sent to the airport.		
E5	Works must not impede the running of the Wings Over Illawarra Air Show (nominally the first weekend of May (12:00 am Thursday to 11:59 pm Sunday)). This includes the full operation of Runway 16/34 for the duration of the Air Show. Consultation must be undertaken with Shellharbour City Council to address this matter at least two weeks prior to the Air Show	Compliance and monitoring report #3, 8 Jan- 7 Jul 2020 Email to event organisers 9 November 2021 Email to project construction team on 9th November advising of the forthcoming wings over Illawarra event Email to Shoalhaven City Council (9th November) advising them that there will not be any work held on site by FH during the wings over llawarra event. Email to ER advising of actions taken to mitigate any impact during the event	The Wings Over the Illawarra Air Show was cancelled due to COVID-19 restrictions in May 2020. Wings over Illawarra is planned for 27 th and 28 th of November. Email distributed to the Project team on 9/11/21 advising the construction team of the forthcoming event to ensure all works are programmed to avoid impacting the event. Consultation undertaken with event organiser, Shoalhaven Council and the ER. No work was undertaken during the event and no incidents occurred relating to the project.	C
E6	All lighting associated with works (including outside standard construction hours) and operation of the SSI, including lighting associated with the Croome Regional Sporting Complex, must comply with Section 9.21 of the <i>Manual of Standards Part 139 – Aerodromes</i> (as updated from time to time) and the <i>National Airports Safeguarding Framework Guideline E 'Managing the Risk of Distraction to Pilots from Lighting in the Vicinity of Airports.'</i>	Aviation Management Plan (incl. Method of Working Plan) May 2020, Rev 6 OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4) Complaints Management System March 2020 Complaints management register ITS & Street Lighting Report – final design 12/4/19	Addressed in section 5 and 7.2 of the Aviation Management Plan. No issues identified.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		ER Letter of endorsement – OLS Intrusion – Aeronautical Study		
E7	Where an intrusion into the Code 2 (Runway 08/26) and Code 3 (Runway 16/34) OLS is unavoidable during operation of the SSI, an OLS Intrusion Aeronautical Study for each intrusion must be prepared by an appropriately qualified expert in aviation safety. Each Study must identify all intrusions height and location information, assess risks to ongoing aviation safety and demonstrates will be satisfactorily managed. The Study must be prepared in consultation with and provided to Shellharbour City Council, CASA, ASA and the Airport Operator.	OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4) ER Endorsement of OLS Intrusion Aeronautical Study 8 April 2019 (Rev 2) Technical Note 31 - Intrusions to the OLS 27/2/2019 Airworks YWOL Airspace Report 29 Feb 2019 TFNSW approval to intrusions into OLS dependent on OLS IAS 27 Feb 2019	The OLS IAS was prepared by an appropriately qualified expert in aviation safety, Jason Ryan of JJRyan Consulting. The OLS IAS was prepared in consultation with Shellharbour City Council, CASA, ASA and the Airport Operator.	C
E8	Vegetation and landscaping other than groundcover within the road reserve must not intrude into the Code 2 (Runway 08/26) and Code 3 (Runway 16/34) OLS.	OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4) Site inspection undertaken November 2021	OLS restrictions have been considered in the landscape design for the project and are illustrated in the cross sections in Chapter 5 of the Urban Design & Landscape Character Strategy, 20 December 2018. The design response has been either to limit the presence of trees or the scale of trees in most cases. No tall trees observed in the OLS during the site visit.	C
E9	Mitigation measures described in section 4 of the Albion Park Rail Bypass PIR, Appendix B Addendum Aviation Assessment, September 2017, Hyder Cardno Joint Venture, must be implemented, except as required by this approval.	OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4) Aviation Management Plan (incl. Method of Working Plan) May 2020, Rev 6	Mitigation measures TT02, TT03, TT04 and TT05 as described in Section 4 of the APRb PIR are being appropriately implemented on the Project.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Appendix B – Addendum Aviation Assessment September 2017 (Rev 7) Submissions and Preferred Infrastructure Report September 2017 (Rev 15) Site inspection undertaken November 2021		
E10	During detailed design, any amendments to structures identified in the <i>Albion Park Rail Bypass PIR, Appendix B Addendum Aviation Assessment, September 2017, Hyder Cardno Joint Venture</i> , will require further windshear and turbulence assessment in accordance with the NASF Guideline B ‘managing the Risk of Building Generated Windshear and Turbulence at Airports. This additional assessment must be undertaken in consultation with CASA, Shellharbour City Council and the Airport Operator.	OLS Intrusion Aeronautical Study 1 Oct 2019 (Rev 4) Aviation Management Plan (incl. Method of Working Plan) May 2020, Rev 6 Appendix B – Addendum Aviation Assessment September 2017 (Rev 7)	The OLS IAS was prepared in consultation with CASA, Air Services Australia (AsA), Shellharbour City Council and the airport operator. Windshear and turbulence assessment compliance is detailed in Table 1 and 2 of the OLS IAS.	C
Biodiversity				
E11	The Proponent must offset impacts to the Plant Community Types and Endangered Population specified in the <i>Albion Park Rail, Biodiversity Addendum, nph environmental, December 2017</i> , in accordance with the requirements of the <i>NSW Biodiversity Offsets Policy for Major Projects</i> (OEH, 2014), the <i>Framework for Biodiversity Assessment 2014</i> , or as otherwise agreed by the Secretary in consultation with OEH.	Appendix E – Biodiversity Offset Strategy September 2017 (Rev 4.1) Progress Report on the Biodiversity Offset Package 7 June 2018 Biodiversity Addendum December 2017 (Rev 1.1) Biodiversity Offset Package August 2021 DPIE Letter to TfNSW dated 26/8/2021	Section 4 of the approved Biodiversity offset package documents compliance with condition E11 – including the referenced documents. Implementation of the Biodiversity Offset package will fulfill the requirements of this condition	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E12	The Proponent must submit a progress report to the Secretary which identifies offsets required and evidence that they are achievable, or alternatively provide details on how the offset requirements will be met using the Biodiversity Conservation Fund. This report must be provided to the Secretary for information prior to any impacts on vegetation communities and the Eastern Flame Pea endangered population, except those within the Croome Regional Sporting Complex.	Progress Report on the Biodiversity Offset Package 7 June 2018 ER Endorsement of Biodiversity Offset Progress Report 22 June 2018	The progress report meets the requirements of E12. Biodiversity offset report submitted and endorsed	C
E13	Within 24 months of the submission of the progress report (as required under Condition E12), or as otherwise agreed by the Secretary, the Proponent must finalise and submit to the Secretary for approval, a Biodiversity Offset Package . The Package must be prepared in consultation with OEH and confirm how the impacts of the SSI will be offset. The Package must be consistent with the biodiversity offset strategy requirements of the <i>NSW Biodiversity Offsets Policy for Major Projects (OEH, 2014)</i> , unless otherwise agreed by OEH. The Package must include, but not necessarily be limited to: (a) details on the biodiversity credits (including number and type) identified to offset the impacts of the SSI and evidence that they be attained and secured in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects (OEH, 2014)</i> ; and (b) for offsets not secured through the retirement of biodiversity credits, details on how offset requirements will be met.	Biodiversity Offset Package August 2021 DPIE Letter to TfNSW dated 26/8/2021	Biodiversity Offset Package has been prepared and approved by DPIE	C
E14	Should supplementary measures be proposed, the Package must also provide details on: (a) the management and monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure that outcomes of the package are achieved, including: i. the monitoring of condition of species and ecological communities at offset (including translocation) locations,	Biodiversity Offset Package August 2021	Not triggered as supplementary measures are not proposed	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	ii.the methodology for the monitoring programs(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites, iii.provisions for the annual reporting of the monitoring results to the Department, OEH and the public for a set period of time, as determined in consultation with OEH, and iv.timing and responsibilities for the implementation of the supplementary measures; and (b) processes and/or measures that would be implemented to ensure that any land offsets are protected and managed in perpetuity. The supplementary measures must be implemented by the Proponent according to the timeframes set out in the Biodiversity Offset Package.			
E15	All required offsets must be secured in consultation with the OEH, within 12 months of the approval of the Biodiversity Offset Package or within another timeframe agreed with the Secretary. The Proponent must submit to the Secretary a copy of the credit retirement report issued by the OEH once the offsets are retired, within one month of receiving the report.	Biodiversity Offset Package August 2021 DPIE Letter to TfNSW dated 26/8/2021	Biodiversity Offset Package approved 26/8/21. Offsets are not required to be secured till 26/8/2022	NT
E16	During vegetation clearing, timber and root balls must be retained for reuse in habitat enhancement and rehabilitation work. The retained timber and root balls may be used on or off the SSI site. The Proponent must consult with community and landcare groups and government agencies to determine if retained timber and root balls can be used for environmental rehabilitation Projects, before pursuing other disposal options.	Site inspection November 2021 Flora and Fauna Management Sub-Plan December 2018 - ER Endorsed 14 December 2018 Reused timber balls and roots for habitat enhancement Gave additional logs to TAFE for education – chainsaw ticket Logs placed around site for habitat	Trunks, course woody debris and stumps have been reused at Frazers Creek and adjacent areas mapped as CEEC at Yallah. Council have been offered these materials to provide community groups. TAFE has been provided with logs for use with horticultural studies.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Logs used at Frazers creek and will be put into lots of other areas – observed on site This condition FH can action onsite – Illawarra land care and original land council	Materials are being appropriately reused on site.	
Flooding and Hydrology				
E17	The design of the motorway must achieve a 100 year ARI flood immunity (minimum) for the extent of the SSI, except for the low point south of the existing Duck Creek bridge which must achieve a 50 year ARI flood immunity.	Flooding and Scour Assessment Report 18 December 2018 (Rev 3) ER Endorsement of FSAR 4 Feb 2019	Flooding and Scour assessment done by SMEC submitted to TFNSW reviewed by GHD through the Department a design document. ARI flood immunity model illustrations sighted.	C
E18	Where the flood model(s) of the Duck Creek or Macquarie Rivulet or Horsley Creek floodplains have been updated and made available to the Proponent by the Relevant Council(s) and prior to the commencement of each stage of construction, the Proponent must undertake further flood modelling of the SSI. The flood models must be operated by experienced flood modellers and be consistent with the policies and practices of the Relevant Council(s).	Flooding and Scour Assessment Report 18 December 2018 (Rev 3) Flooding presentation to council sighted Consultation with council over flood modelling 27 Sep 2018	Appropriate modelling of the SSI has been undertaken by experienced flood modellers as per the Flooding and Scour Assessment Report Dec 2018. No updates have been provided and as such this condition is not triggered.	NT
E19	The design of the detention basins adjacent to the new East-West Link Road must maintain (or increase) the flood immunity of the existing East West Link Road and ensure that the flood consequence category (risk to downstream residents) of the new basin (including hazards associated with dam-break) is not increased.	Flooding and Scour Assessment Report 18 December 2018 (Rev 3) Technical Note 7 - Dams Safety Assessment Detention basins installed – sighted during the audit. East west link installed hasn't changed regarding flood impacts	Table 7 and 8 of the FSAR detail compliance of basins.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E20	The Proponent must consult the Shellharbour City Council and the Dam Safety Committee in the design of the new Green Meadows Basin and if required, the basin bounded by Croome Road, the motorway and the East West Link Road.	Flooding and Scour Assessment Report 18 December 2018 (Rev 3) Letter to dam safety committee sighted Shellharbour Meeting Minutes 30 Jan 2019 Shellharbour City Council Consultation Meeting No.3 Presentation 29 Oct 2019 Technical Note 7 - Dams Safety Assessment	Consultation with Dam Safety Committee provided in FSAR. Consultation with appropriate Councils and Agencies has been undertaken.	C
E21	The Proponent must ensure the detailed design of the SSI is undertaken in consultation with the Shellharbour City Council and not impact any of the recommendations of the Horsley Creek Floodplain Risk Management Study and Plan (FRMS&P) 2017, except as described in the EIS as amended by the SPIR.	Flooding and Scour Assessment Report 18 December 2018 (Rev 3) Shellharbour City Council Meeting Council Consultation Meeting No.2 31 August 2018	Consultation with appropriate Councils and Agencies has been undertaken. The Detailed design of the SSI does not impact recommendation of the Horslet Creek FRMS&P.	C
E22	Prior to construction commencing (except works related to Croome Regional Sporting Complex), the Proponent must undertake an assessment of the flood access into and out of Albion Park, including areas of frequent inundation in the vicinity of Taylors Road and the Illawarra Highway, Tongarra Road and East West Link. The assessment must be prepared in consultation with Shellharbour City Council and must demonstrate that the SSI does not reduce flood access to Albion Park more than as described in the EIS as amended by the SPIR.	Flooding and Scour Assessment Report 18 December 2018 (Rev 3)	Detailed design for drainage is documented within the FSAR in Table 7. Consultation with Shellharbour Council is demonstrated. The SSI does not reduce flood access to Albion Park more than as described in the EIS as amended by the SPIR.	C
E23	Measures identified in the EIS, as amended by the SPIR, to maintain or improve flood characteristics must be incorporated	Flooding and Scour Assessment Report 18 February 2019	Measures identified in the EIS and SPIR to maintain or improve flood	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	into the detailed design of the SSI. The incorporation of these measures into the detailed design must be reviewed and endorsed by a suitably qualified and experienced person in consultation with directly affected landowners, OEHL, SES and Relevant Council(s). For any construction stages where detailed design starts later than 12 months from the date of this approval or otherwise agreed by the Secretary, the flood modelling must incorporate updated flood modelling undertaken under Condition E18. The review must be documented and provided to the Secretary, OEHL, SES and Relevant Council(s) prior to construction commencing in areas affected by increased flooding impacts.	Secretary Clarification of Condition E23 3 December 2018 TFNSW Submission of FSAR 4 February 2019	characteristics have been appropriately incorporated and refined in the detailed design. It has been advised that there are no areas of increased flooding impacts modelled associated with the Stage 2 detailed design. Consultation with appropriate Councils and Agencies has been undertaken.	
E24	For Properties 1, 2 and 3 (identified in Technical Paper 3 of the EIS, as amended by Volume 3 of the SPIR) the measures identified in environmental management measure HF06 must be completed prior to construction commencing in areas affected by increased flooding impacts, unless otherwise agreed by the Secretary.	Detailed flood modelling of potential impacts to properties 1, 2 and 3 was performed during detailed design development.	Additional environmental management measures are not required because the detailed design modifications have not resulted in any increased flooding impacts in comparison to impacts identified in the EIS and SPIR.	C
E25	Flood information including flood reports, models and geographic information system outputs, and work as executed information from a registered surveyor certifying finished ground levels and the dimensions and finished levels of all structures that have been constructed for the SSI within the flood prone land, must be provided to the OEHL, SES and Relevant Council(s). The OEHL, SES and Relevant Council(s) must be notified in writing that the information is available no later than three (3) months following the completion of construction. Information requested by the OEHL, SES or Relevant Council(s) must be provided no later than six months following the completion of construction and be provided with that information or within another timeframe agreed with the OEHL, SES or Relevant Council(s).	-	Construction works are still ongoing – minor finalisation works, Construction completion is scheduled for early - mid 2022.	NT
Heritage				
E26	Impacts to heritage, unless approved, must be avoided and minimised. Where impacts are unavoidable, works must be	Heritage Management Plan March 2020 - ER Endorsed 5 December 2018	No unapproved impacts to heritage items have occurred during the	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	undertaken in accordance with the Construction Heritage Management Sub Plan required by Condition C4(e) , except those within the Croome Regional Sporting Complex.	Aboriginal Heritage Information Management System (AHIMS) search 23 December 2018 Macquarie rivulet induction video – cultural heritage.	reporting period. No unexpected finds have been recorded during the reporting period.	
E27	This approval does not allow the Proponent to harm, modify, or otherwise impact human remains uncovered during the construction and operation of the SSI.	Unexpected Heritage Finds and Human Remains Procedure – Appendix A of the HMP (Rev 8)	The Unexpected Heritage Finds and Human Remains Procedure is implemented appropriately on site. Awareness of this procedure has been promoted through targeted toolbox training in areas of known sensitivity for possible historic Aboriginal burials, such as Macquarie Rivulet. No human remains discovered.	C
E28	The Proponent must implement the mitigation measures described in: (a) Tables 11 and 12 of the Albion Park Rail Bypass SPIR, Appendix G Addendum Statement of Heritage Impact, September 2017; and (b) Table 6 and section 7.0 of the Albion Park Rail Bypass Project PACHCI Stage 3, Aboriginal Cultural Heritage Assessment Report, Report to HCJV, October 2015. except as required by this approval.	Consultation with OEH 22 Jan 2019 Bowles and Terrys meadows Homestead Revised Statement of Heritage Impacts 13 November 2018 Submission of Archaeological Methodology 27 Feb 2019 Tongarra Road Homestead Revised Management Recommendations 25 Nov 2018	Implementation of E28 is being undertaken in accordance with the approved Heritage Management Sub-plan.	C
E29	The Aboriginal culturally sensitive area associated with the Macquarie Rivulet area directly adjoining the construction footprint must be protected for the duration of works.	AFG Communications Material 6 August 2019	Implementation of E29 is being undertaken in accordance with the	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Aboriginal Focus Group #1 meeting minutes 20 August 2018 Review of cultural heritage mitigation measure 26 – Macquarie Rivulet Cultural Fencing Site Inspection – November 2021	approved Heritage Management Sub-plan.	
E30	Salvage of sites YTOF AS 4 and YTOF AS 5 must be undertaken in accordance with the salvage methodology described in Section 6 of <i>Albion Park Rail Bypass Project PACHCI Stage 3, Aboriginal Cultural Heritage Assessment Report, Report to HCJV, October 2015</i> .	Aboriginal Artefact Salvage Works EWMS 30 Nov 2018 (Rev 1)	Implementation of E30 is being undertaken in accordance with the approved Aboriginal Cultural Heritage Assessment Report.	C
E31	Following completion of all salvage works required under Condition E30 , the Proponent must prepare a Heritage Report in accordance with any guidelines and standards required by the Heritage Council of NSW, OEH or Registered Aboriginal Parties (as relevant). The Report must provide details of any archival recording, further historical research either undertaken or to be carried out, and archaeological excavations (with artefact analysis and identification of a final repository for finds) carried out for the SSL.	Salvage Excavation Program for Aboriginal Site YTQF AS4 18 February 2019	NSW OEH has been provided a copy of the draft Lithic Analysis Report which provides detailed results of salvage and artefact analysis. The Lithic Analysis Report has also been issued to all Registered Aboriginal Participants.	C
E32	The Heritage Report must be submitted to the Secretary, and for Aboriginal heritage to the OEH or Registered Aboriginal Parties (as relevant), and for non-Aboriginal heritage to the OEH the Relevant Council and local Historical Society, for information no later than 12 months after the completion of the work referred to in Conditions E26 to E31 or within another timeframe agreed by the Secretary.	Salvage Excavation Program for Aboriginal Site YTQF AS4 18 February 2019 Appendix A – Compliance Reporting Table Draft Heritage Report January 2022	In progress – report is in draft form. The work in relation to conditions E26-E31 was completed in October 2021. The report is therefore due to be submitted in October 2022.	NT
E33	Prior to conducting acoustic treatment at any heritage item, the advice of a suitably qualified and experienced built heritage expert must be obtained and implemented, to ensure any such work does not have an adverse impact on the heritage significance of the item.	Façade Treatment Scope Resonate for Receiver 120246	Advice of suitable qualified and experience-built heritage experts has been obtained and implemented.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Preliminary Heritage Advice for Acoustic Treatments of Heritage Listed Properties 18 December 2018 Preliminary Heritage Advice for Acoustic Treatments of Ravensthorpe Homestead 2019		
E34	An Unexpected Heritage Finds and Human Remains Procedure must be prepared to manage unexpected heritage finds in accordance with any guidelines and standards prepared by the Heritage Council of NSW or OEH. The Procedure must undertake consultation with the RAPs in the event that previously unidentified Aboriginal heritage is discovered. The Procedure must be prepared by a suitably qualified and experienced heritage specialist in consultation with OEH and or the Heritage Council of NSW and submitted to the Secretary for information no later than one month prior to the commencement of works or within another timeframe agreed with the Secretary.	Unexpected Heritage Finds and Human Remains Procedure – Appendix A of the HMP (Rev 8)	Unexpected Heritage Finds and Human Remains Procedure has been prepared and implemented. No unexpected finds discovered during the reporting period Procedure developed by TFNSW to provide a consistent method for managing unexpected heritage items (both Aboriginal and non-Aboriginal) that are discovered during Roads and Maritime activities. This procedure includes Roads and Maritime’s heritage notification obligations under the Heritage Act 1977 (NSW), National Parks and Wildlife Act 1974 (NSW), Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth) and the Coroner’s Act 2009 (NSW).	C
E35	The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Secretary, must be implemented for the duration of works. Note: Human remains that are found unexpectedly during works are under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.	Unexpected Heritage Finds and Human Remains Procedure – Appendix A of the HMP (Rev 8)	Unexpected Heritage Finds and Human Remains Procedure has been and will be implemented for the duration of works.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Unexpected Heritage Finds Procedure Agency (OEH) Consultation Letter 20 February 2018 TFNSW Unexpected Heritage Items Heritage Procedure 02 November 2015 ER Endorsement Unexpected Heritage Finds and Humans Remains Procedure 29 June 2018 Email Correspondence – Skeletal Remains 17 May 2019 FULTON HOGAN/TFNSW OEH Correspondence – Skeletal Remains 17 May 2019 Environmental Incident Report – Unexpected bone find Macquarie Rivulet 17 May 2019 Email correspondence – Abandoned Vehicle in Frazers Creek 10 May 2019 FULTON HOGAN/ER/Specialist Email Correspondence – Rail Remnants 1 Apr 2019 FULTON HOGAN/TFNSW/Specialist Email Correspondence – Unexpected Bone Discovery 28 Oct 2019 FULTON HOGAN/TFNSW/Specialist	The procedure is being followed appropriately. No unexpected finds discovered during the audit period. For indigenous or non indigenous heritage	
Noise and Vibration				
Standard Construction Hours				

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E36	Works must only be undertaken during the following construction hours: (a) 7:00am to 7:00pm Mondays to Fridays, inclusive; (b) 8:00am to 5:00pm Saturdays; and (c) at no time on Sundays or public holidays.	Noise and Vibration Management Plan August 2019 Site induction records Site inspection undertaken 13-14 Nov 2019 OOHW email sighted. Outlines works and timing etc	Works are undertaken as per the construction hours outlined in E36. Where works are undertaken outside of these ours and OOHW permits has been applied for and approved. These working hours are promoted through the site induction and referred to in all public information notifications and associated collateral.	C
E37	Except as permitted by an EPL, activities resulting in impulsive or tonal noise emissions 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) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. For the purposes of this condition, 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.	Noise and Vibration Management Plan August 2019	Work hours are detailed in the NVMP. The NVMP are informed and guided by the Interim Construction Noise Guidelines (NSW DECC, 2009) in relation to impulsive or tonal noise management. Activities resulting in impulsive or tonal noise emissions are only undertaken as per the hours outlined in E37.	C
E38	Notwithstanding Condition E36, works associated with the SSI may be undertaken outside the specified hours in the following circumstances: (a) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or (b) 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; or (c) where it causes LAeq(15 minute) noise levels: i. no more than 5 dB(A) above the rating background level at any residence in accordance with the (d) <i>Interim Construction Noise Guideline</i> (DECC, 2009), and i. no more than the noise management levels	Noise and Vibration Management Plan August 2019 Out of Hours Work Approval Procedure - Appendix C of the NVMP OOHW Permit examples	Work hours are detailed in the NVMP. Compliance is demonstrated through consultation records detailing liaison with NSW EPA and potentially affected receivers. Evidence of compliance with OOH works process observed.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	specified in Table 3 of the <i>Interim Construction Noise Guideline</i> (DECC, 2009) at other sensitive land uses, and ii. continuous or impulsive vibration values at the most affected residence are no more than those for human exposure to vibration, specified in Table 2.2 of <i>Assessing Vibration: a technical guideline</i> (DEC, 2006), and iii. intermittent vibration values at the most affected residence are no more than those for human exposure to vibration, specified in Table 2.4 of <i>Assessing Vibration: a technical guideline</i> (DEC, 2006), or (e) no more than 15dBA above the night time rating background level at any residence during the night time period, when measured using the LAeq(1 minute) noise descriptor; or (f) where different hours are permitted or required under an EPL in force in respect of the works, in which case those hours must be complied with.			
E39	The Proponent must ensure that all works for the delivery of the SSI are coordinated with utility works, including those works undertaken by third parties, to minimise cumulative impacts of noise and vibration and provides maximise respite for affected sensitive receivers.	Noise and Vibration Management Plan August 2019	Works to minimise cumulative impacts of noise and vibration have been appropriately implemented.	C
E40	On becoming aware of the need for emergency works in accordance with Condition E38 E36 the Proponent must notify the ER and the EPA (if an EPL applies) of the need for those works. The Proponent must also use its best endeavours to notify all affected sensitive receivers of the likely impact and duration of those works.	Noise and Vibration Management Plan August 2019	No emergency works have been required.	NT
Construction and Vibration				
E41	The SSI must be delivered with the aim of achieving the following vibration goals: (a) for structural damage to heritage structures, the vibration	Noise and Vibration Management Plan August 2019	Vibration management is detailed in the NVMP.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	limits set out in the German Standard <i>DIN 4150-3: Structural Vibration – Part 3 Effects of vibration on structures</i>; (b) for damage to other buildings and/or structures, the vibration limits set out in the British Standard BS 7385-1:1990 – Evaluation and measurement of vibration in buildings—Guide for measurement of vibration and evaluation of their effects on buildings (and referenced in Australian Standard 2187.2 – 2006 Explosives – Storage and use – Use of explosives); and (c) for human exposure, the acceptable vibration values set out in Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).	Dilapidation reports	Compliance is demonstrated through environmental inspection records and vibration monitoring records. Pre-construction building condition reports have been undertaken on the Project. The majority of these were for commercial properties and a few for residential receivers.	
E42	Blasting associated with the SSI must only be undertaken during the following hours: (a) 9:00am to 5:00pm, Monday to Friday, inclusive; (b) 9:00am to 1:00pm on Saturday; and (c) at no time on Sunday or public holidays. This condition does not apply in the event of a direction from the NSW Police Force or other relevant authority for safety or emergency reasons to avoid loss of life, property loss and / or to prevent environmental harm. Blasting may be undertaken outside the above hours where: (a) no sensitive receivers would be impacted by blasting; or (b) an agreement has been made with potentially affected receivers	Blasting does not occur on this Project.	-	NT
E43	Airblast overpressure generated by blasting associated with the SSI must not exceed the criteria in Table 6 when measured at the most affected residence or other sensitive receiver. <i>Table 6: Airblast overpressure limits for human comfort</i>	Blasting does not occur on this Project.	-	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status												
	<table><tr><td>Receiver</td><td>Type of Blasting operations</td><td>Airblast Overpressure Limited</td></tr><tr><td>Sensitive site</td><td>Blasting operations lasting more than 12 months or more than 20 blasts</td><td>15dBL for 95% of blast per year 120dBL maximum limit</td></tr><tr><td>Sensitive site</td><td>Blasting operations lasting less than 12 months or less than 20 blasts in total</td><td>120dBL for 95% of blasts per year 125dBL maximum limit</td></tr><tr><td>Occupied non-sensitive sites, such as factories and commercial premises</td><td>All blasting</td><td>125dBL maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacture's specifications or levels that can be shown to adversely affect the equipment operation.</td></tr></table> Source – Table J5.4(A) – AS2187.2 – 2006 Note: a sensitive site includes houses and low rise residential buildings, theatres, schools and other similar buildings occupied by people.	Receiver	Type of Blasting operations	Airblast Overpressure Limited	Sensitive site	Blasting operations lasting more than 12 months or more than 20 blasts	15dBL for 95% of blast per year 120dBL maximum limit	Sensitive site	Blasting operations lasting less than 12 months or less than 20 blasts in total	120dBL for 95% of blasts per year 125dBL maximum limit	Occupied non-sensitive sites, such as factories and commercial premises	All blasting	125dBL maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacture's specifications or levels that can be shown to adversely affect the equipment operation.			
Receiver	Type of Blasting operations	Airblast Overpressure Limited														
Sensitive site	Blasting operations lasting more than 12 months or more than 20 blasts	15dBL for 95% of blast per year 120dBL maximum limit														
Sensitive site	Blasting operations lasting less than 12 months or less than 20 blasts in total	120dBL for 95% of blasts per year 125dBL maximum limit														
Occupied non-sensitive sites, such as factories and commercial premises	All blasting	125dBL maximum limit. For sites containing equipment sensitive to vibration, the vibration level should be kept below manufacture's specifications or levels that can be shown to adversely affect the equipment operation.														
E44	Ground vibration generated by blasting associated with the SSI must not exceed the criteria specified in Table 7 and Table 8 when measured at the most affected residence or other sensitive receiver. <i>Table 7: Ground Vibration limits for human comfort</i> <table><tr><td>Receiver</td><td>Type of Blasting operations</td><td>Peak component particle velocity (mm/s)</td></tr><tr><td>Sensitive site</td><td>Blasting operations lasting more than 12 months or more than 20 blasts</td><td>5mm/s for 95% of blasts per year 10mm/s maximum limit</td></tr><tr><td>Sensitive site</td><td>Blasting operations lasting less than 12 months or less than 20 blasts in total</td><td>10mm/s maximum limit</td></tr><tr><td>Occupied non-sensitive sites, such as factories and commercial premises</td><td>All blasting</td><td>25mm/s maximum limit. For Sites containing equipment sensitive to vibration, the vibration level should be kept below manufacture's specifications or levels that can be shown to adversely affect the equipment operation.</td></tr></table> Source – Table J4.5(A) – AS 2187.2 – 2006 Note: a sensitive site includes houses and low rise residential buildings, theatres, schools and other similar buildings occupied by people. <i>Table 8: Ground vibration limits for control of damage to structures</i>	Receiver	Type of Blasting operations	Peak component particle velocity (mm/s)	Sensitive site	Blasting operations lasting more than 12 months or more than 20 blasts	5mm/s for 95% of blasts per year 10mm/s maximum limit	Sensitive site	Blasting operations lasting less than 12 months or less than 20 blasts in total	10mm/s maximum limit	Occupied non-sensitive sites, such as factories and commercial premises	All blasting	25mm/s maximum limit. For Sites containing equipment sensitive to vibration, the vibration level should be kept below manufacture's specifications or levels that can be shown to adversely affect the equipment operation.	Blasting does not occur on this Project.	-	NT
Receiver	Type of Blasting operations	Peak component particle velocity (mm/s)														
Sensitive site	Blasting operations lasting more than 12 months or more than 20 blasts	5mm/s for 95% of blasts per year 10mm/s maximum limit														
Sensitive site	Blasting operations lasting less than 12 months or less than 20 blasts in total	10mm/s maximum limit														
Occupied non-sensitive sites, such as factories and commercial premises	All blasting	25mm/s maximum limit. For Sites containing equipment sensitive to vibration, the vibration level should be kept below manufacture's specifications or levels that can be shown to adversely affect the equipment operation.														

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status																								
	<table><tr><th>Receiver</th><th>Type of blasting operations</th><th colspan="2">Peak component particle velocity (mm/s)</th></tr><tr><td>Other structures or architectural elements that include masonry, plaster and plasterboard in their construction</td><td></td><td>15mm/s 4Hz to 15Hz, except for heritage structures where a frequency dependent vibration criteria would be determined in accordance with AS2187.2 - 2006</td><td>20mm/s 15Hz and above</td></tr><tr><td>Reinforced or framed structures, industrial and heavy commercial buildings</td><td>All blasting</td><td>50mm/s at 4Hz and above</td><td></td></tr><tr><td>Unreinforced or light framed structure, Residential or light commercial type building</td><td>All blasting</td><td>15mm/s at 4Hz increasing to 20 mm/s at 15Hz</td><td>20mm/s at 15Hz increasing to 50mm/s at 40Hz and above</td></tr><tr><td>Unoccupied structures of reinforced concrete or steel construction</td><td>All blasting</td><td colspan="2">100mm/s maximum, where agreed with the structure owner.</td></tr><tr><td>Infrastructure service structures, such as pipelines, powerlines, cables and reservoirs</td><td>All blasting</td><td colspan="2">Limits to be determined by structural design methodology in consultation with the infrastructure service provider</td></tr></table> Source: Table J4.5(B) – AS 2187.2-2006 and Table J4.4.2.1 – AS 2187.2-2006 (BS 7385-2)	Receiver	Type of blasting operations	Peak component particle velocity (mm/s)		Other structures or architectural elements that include masonry, plaster and plasterboard in their construction		15mm/s 4Hz to 15Hz, except for heritage structures where a frequency dependent vibration criteria would be determined in accordance with AS2187.2 - 2006	20mm/s 15Hz and above	Reinforced or framed structures, industrial and heavy commercial buildings	All blasting	50mm/s at 4Hz and above		Unreinforced or light framed structure, Residential or light commercial type building	All blasting	15mm/s at 4Hz increasing to 20 mm/s at 15Hz	20mm/s at 15Hz increasing to 50mm/s at 40Hz and above	Unoccupied structures of reinforced concrete or steel construction	All blasting	100mm/s maximum, where agreed with the structure owner.		Infrastructure service structures, such as pipelines, powerlines, cables and reservoirs	All blasting	Limits to be determined by structural design methodology in consultation with the infrastructure service provider				
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E45	The blasting criteria specified in the tables in Conditions E43 and E44 may be exceeded where the Proponent has obtained the written agreement of the landowner to increase the relevant criteria. In obtaining the agreement, the Proponent must make available to the landowner: (a) details of the proposed blasting program and justification for the proposed increase in blasting criteria including alternatives considered (where relevant); (b) an assessment of the environmental impacts of the	Blasting does not occur on this Project.	-	NT																								

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	increased blasting criteria on the surrounding environment and most affected residences or other sensitive receivers including, but not limited to noise, vibration and air quality and any risk to surrounding utilities, services or other structures; and (c) details of the blast management, mitigation and monitoring procedures to be implemented. The Proponent must provide a copy of the landowner written agreement to the Secretary and the EPA, including details of the consultation undertaken (with clear identification of proposed blast limits and potential property impacts, prior to commencing blasting at the higher limits. Unless otherwise agreed by the Secretary, the following exclusions apply: (a) The landowner may terminate at any time an agreement made with the Proponent to increase the blasting criteria, should concerns made by the landowner about the blasting criteria be unresolved. Where an agreement is terminated, the Proponent must not exceed the criteria specified in the tables in Conditions E43 and E44 for future blasting that affects the property; and (b) (b) the blasting limit agreed to under any agreement must not exceed a maximum Peak Particle Velocity vibration level of 25 mm/s or maximum Airblast Overpressure level of 125 dBL.			
Operational Noise Mitigation Report				
E46	The Proponent must undertake a review of the operational noise mitigation measures proposed to be implemented for the SSI. The review must be prepared in consultation with the EPA and submitted to the Secretary for approval prior to construction commencing, except for the Croome Regional Sporting Complex works, unless otherwise agreed by the Secretary. The review must: (a) confirm the operational noise predictions of the SSI based on detailed design. The operational noise assessment shall be based on an appropriately calibrated noise model (which has	Operational Noise Mitigation Report 26 March 2019 (Rev 3A) Secretary approval of ONMR 10 May 2019 Email correspondence – EPA consultation of ONMR review	Appendix 7 of the ONMR details consultation undertaken. The review of the ONMR was prepared in consultation with the EPA. The review meets the requirements of E46.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	incorporated additional noise monitoring, where necessary for calibration purposes); (b) review the suitability of the operational noise mitigation measures identified in the EIS as amended by the SPIR. The review must take into account the detailed design of the SSI and where necessary, refine the proposed measures with the objective of meeting the criteria outlined in the <i>NSW Road Noise Policy (DECCW 2011)</i>, based on the operational noise performance of the SSI predicted under (a) above; (c) where necessary, investigate additional noise mitigation measures to achieve the criteria outlined in the <i>NSW Road Noise Policy (DECCW, 2011)</i>; and (d) investigate noise mitigation measures to achieve the criteria outlined in the <i>Industrial Noise Policy (DECCW 2011)</i> for the Croome Regional Sporting Complex. Note: noise barriers that may penetrate the OLS must comply with the requirements of Condition E7.			
E47	Operational noise mitigation measures identified in Condition E46 (such as at-property architectural treatments) that will not be affected by construction works, must be implemented within six (6) months of the commencement of construction, except for the Croome Regional Sporting Complex works, or at other times during construction to minimise construction noise impacts. These measures must be detailed in the Construction Noise and Vibration Management Plan for the SSI, unless otherwise agreed by the Secretary. Where early implementation of noise mitigation measures are not proposed, the Proponent must submit to the 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 identified in Condition E46 are implemented. The report must be provided to the Secretary for approval prior to the commencement of construction which would affect the identified receivers.	Noise and Vibration Management Plan August 2019 Letter 15/10/21 from DPIE to TfNSW	FULTON HOGAN has an early implementation approach to noise mitigation measures. This includes at-house acoustic treatments. During the site inspection - acoustic impacts have been prioritised at 26 properties. These were identified because of construction impacts within the EIS. 200 houses had been assessed over the lifetime of the project. The Independent Acoustic Team includes: • Resonate. • Broad crest for house assessments.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			- Heritage specialist if required - Independent consultant if required to determine assessment necessity. Works are 95% complete. An extension to all property treatments has been provided till 31/12/21	
Property and Land Use				
E48	Where the viability of existing agricultural operations are identified to be impacted by the land requirements of the SSI, the Proponent must, at the request of the landowner, employ a suitably qualified and experienced independent agricultural expert, to assist in identifying alternative farming opportunities for the land. Where the Proponent has commenced the requirements of this condition, prior to determination, the Proponent may rely on these activities to fulfil this requirement.	-	Assessed as compliant by previous audit	C
E49	Unencumbered access to private property must be maintained during construction, unless otherwise agreed with the landowner in advance. A landowner's access that is physically affected by the SSI must be reinstated to at least an equivalent standard, in consultation with the landowner.	Examples of retained access observed during the audit	Implementation of CCS ensures access to private property remains unencumbered by construction. Property adjustments have been designed in accordance with E49. Permanent access has been provided and were observed during the audit	C
E50	The SSI must be delivered in a manner that minimises intrusion and disruption to agricultural operations/activities in surrounding properties (e.g. stock access, access to farm dams, etc.), unless otherwise agreed by the landowner.	Traffic and Transport Management Plan February 2020	Private property access is detailed in the TTMP.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			No disruption to properties observed during the audit	
Building and Structure Condition Survey				
E51	Prior to commencement of any works, a suitably qualified person must undertake building and structure condition surveys of all building and structures identified in the EIS as amended by the SPIR as being at risk of damage. The results of the surveys must be documented in a Building and Structure Condition Survey Report for each building structure surveyed. Copies of Building and Structure Condition Survey Reports must be provided to the landowners of the building and structures surveyed, and if agreed by the landowner, the Relevant Council(s), within three weeks of completing the surveys and no later than one month prior to the commencement of works.	Building and Structure Condition Surveys Reports	Building and Structure Condition Surveys Reports have been prepared by suitably qualified persons and provided to landowners within the appropriate timeframes.	C
E52	After completion of the works, condition surveys of all building and structures for which pre-construction condition surveys were undertaken in accordance with Condition E51 must be undertaken by a suitably qualified person. The results of the surveys must be documented in a Building and Structure Condition Survey Report for each building and structure surveyed. Copies of Building and Structure Condition Survey Reports must be provided to the landowners of the buildings and structures surveyed, and if agreed by the landowner, the Relevant Council(s), within three weeks of completing the surveys and no later than three (3) months following the completion of the works.	Letter 15/10 from DPIE to TfNSW	December 2021 and an extension to all property building condition surveys by 30 June 2022	C
E53	Any damage caused to property as a result of the SSI must be rectified or the landowner compensated, within a reasonable timeframe, with the costs borne by the Proponent. This condition does not limit any claims that the landowner may have against the Proponent.	Site Inspection – November 2021	No damage to property reported	C
Croome Regional Sporting Complex				
E54	The replacement sporting infrastructure and buildings must be of a comparable scale to existing facilities, unless that infrastructure or building is approved under the EP&A Act.	-	Not applicable to Independent Environmental Audit of Stage 2	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E55	The facilities and associated infrastructure and landscaping identified in the Croome Regional Sporting Complex Detailed Design dated 15 November 2017, must be delivered and be operational prior to any impact to the corresponding existing facilities, unless otherwise agreed by the Secretary following consultation with Shellharbour City Council and the relevant sporting group(s).	-	Not applicable to Independent Environmental Audit of Stage 2	NT
Soils				
E56	Erosion and sediment controls must be installed and appropriately maintained to minimise water pollution. When implementing such controls, any relevant guidance in the <i>Managing Urban Stormwater</i> series must be considered.	Soil and Water Management Plan April 2020 Site Inspection November 2021	ERSED Controls have been installed and appropriately maintained to minimise water pollution. Works have now been completed and sites landscaped/rehabilitated thereby elimination the risk of erosion	C
Contaminated Land				
E57	A Site Contamination Report , documenting the outcomes of Stage 1 and Stage 2 contamination assessments of land upon which the SSI is to be carried out, that is suspected, or known to be, contaminated must be prepared by a suitably qualified and experienced person in accordance with guidelines made or approved under the <i>Contaminated Land Management Act 1997 (NSW)</i> .	Contaminated Land Management Plan 12 October 2018, ER Endorsed 12 Oct 2018 1. Stage 2 – Detailed Site Investigations (DSI) PAEC02 Cut No.1 June 2019 2. Stage 2 – Detailed Site Investigations (DSI) The Island Fill No.1 3. Remedial Action Plan – Asbestos in Soil June 2019 Interim Site Audit Advice No.4 – 1508-1904 9 August 2019	ENRS conducted site investigations and prepared reports following unexpected discovery of contamination comprising generally of Asbestos in Soils. Three site contamination reports have been developed by ENRS with oversight by EPA accredited Contaminated Sites Auditor.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Interim Site Audit Advice No.3 – 1508-1904 21 June 2019 Interim Site Audit Advice No.2 – 1508-1904 17 June 2019		
E58	If a Site Contamination Report prepared under Condition E57 finds such land contains contamination, a site audit is required to determine the suitability of a site for a specified use. If a site audit is required, a Site Audit Statement and Site Audit Report must be prepared by a NSW EPA Accredited Site Auditor. Contaminated land must not be used for the purpose approved under the terms of this approval until a Site Audit Statement is obtained that declares the land is suitable for that purpose and any conditions on the Site Audit Statement have been complied with.	Notice of remediation work 25 June 2019 Approval of Notice of Cat 2 Remediation Work Fill 4 Easting and Northings 5 July 2019 Email correspondence- cut 1 unexpected contamination land and asbestos find 13 June 2019 Draft Sample Analysis & Quality Control Plan – Asbestos in Soil April 2019 Email Correspondence – Hold Point release for ACM soils remedial works associated with ENRS RAP 26 June 2019 Site photos of asbestos management Email correspondence – Update on Cut 1 Unexpected Contaminated Land & Asbestos Find 22 March 2019 Survey of Cut 1 Asbestos Area 12 June 2019 Site Audit statement dated 25/2/2021	Cavvanba Pty Ltd oversaw the assessment and development of the RAP and assessments. No issues identified.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E59	A copy of the Site Audit Statement and Site Audit Report must be submitted to the Secretary and Relevant Council(s) for information no later than one (1) month before the commencement of operation.	-Site Audit Statement - Email from FH to EPA, Shellharbour and Wollongong Councils dated 26/2/21	Site audit statement issued to relevant councils on 26 February 2021, more than 1 month prior to the commencement of operations	C
E60	An Unexpected Contaminated Land and Asbestos Finds Procedure must be prepared and must be followed should unexpected contaminated land or asbestos be excavated or otherwise discovered during works.	Unexpected Contaminated Land and Asbestos finds procedure – 20 August 2018 ER Endorsement 20 August 2018	The Unexpected Contaminated Land and Asbestos Finds Procedure has been prepared and is being followed.	C
E61	The Unexpected Contaminated Land and Asbestos Finds Procedure must be implemented throughout the delivery of the Project.	Unexpected Contaminated Land and Asbestos finds procedure – 20 August 2018	The Unexpected Contaminated Land and Asbestos Finds Procedure is being implemented on site.	C
Sustainability				
E62	A Sustainability Strategy for the delivery for the SSI, except for the Croome Regional Sporting Complex works, must be prepared in accordance with the Infrastructure Sustainability Council of Australia infrastructure rating tool or other justified rating mechanism.	Sustainability Strategy July 2020 Project has implemented various sustainability initiatives: • Solar – VMS, sites • 10% recycled glass in asphalt. Project received endorsement from EPA- circular economy grant • REAL values – regional and national awards. • Utilising fly ash – cheaper, stronger and environmentally friendly	A Sustainability Strategy has been prepared in accordance with the ISCA rating tool. This Strategy was drafted by Ken Lundy from Edge, who is also an accredited ISCA verifier. Patrick Illott from Perspective an independent professional consultant engaged to review and monitor sustainability performance. Patrick is the ISCA verifier for the project. Sustainability initiatives are of a high standard and are being implemented effectively.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		- Reusing tunnel spoil from Sydney, excavated public road waste - Beyond compliance strategy. Reduced clearing of CEC - Retention of portion of wetland and relocation of species - Plans use LED lamps in operation - Recycled material – 1.4 million tonnes used on the project. Eg: coal wash, tunnel spoil, Policy mapping spreadsheet sighted. Design scorecard sighted. Materiality weightings assessment (aspects change depending on the project)		
E63	The Sustainability Strategy must be submitted to the Secretary for information prior to the commencement of works, except for the Croome Regional Sporting Complex works, or within another timeframe agreed with the Secretary, and must be implemented throughout the delivery of the SSI. The Sustainability Strategy must include: (a) details of the sustainability objectives and targets for the design and delivery of the SSI; (b) details of the sustainability initiatives which will be investigated and / or implemented; and (c) a description of how the strategy will be implemented for the SSI.	Sustainability Strategy July 2020 Submission of Sustainability Strategy to Secretary 8 October 2018	The Sustainability Strategy meets the requirements of E63.	C
Traffic and Transport				

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E64	The SSI must be designed, delivered and operated to meet relevant road design standards, and ensure that it does not adversely impact network connectivity, or the safety and efficiency of the road network in the vicinity of the SSI.	Detailed Design Road Alignment Report Rev 4 Road Alignment Report 6 February 2019 Independent Project Verifier certificate dated 13/5/2019	The SSI has been designed and delivered to meet the requirements of E64. Independent certifier has confirmed compliance with the design requirements	C
E65	Vehicles used in the delivery of the Project must not use local roads unless no suitable alternatives are available. Where local roads are used, these must be identified in a Construction Traffic and Access Management Plan .	Traffic and Transport Management Plan February 2020 Construction Traffic and Access Management Plan – Appendix A of the TTMP Secretary approval of TTMP 28 Nov 2018	The TTMP and CTAMP outline the local road usage requirements. The use of local roads has been appropriately minimised on the Project.	C
E66	During the delivery of the SSI, measures must be implemented to maintain pedestrian and vehicular access to, and parking in the vicinity of, businesses and affected properties. Alternative pedestrian and vehicular access, and parking arrangements must be developed in consultation with affected businesses.	Traffic and Transport Management Plan November 2018 Construction Traffic and Access Management Plan – Appendix A of the TTMP	Measures are being appropriately implemented to maintain pedestrian and vehicular access to businesses and affected properties.	C
E67	Signage and directions to businesses must be provided before, and for the duration of, any disruption during the delivery of the SSI.	Site Inspection November 2021	No disruption to businesses was observed during the audit.	NT
E68	Operational signage must be provided along the Project alignment to inform motorists of services and Council and community assets within the vicinity of the SSI including the Illawarra Regional Airport, community facilities and tourist areas, in accordance with the <i>Guide: Signposting (RTA July 2007)</i> and <i>Tourist Signposting Guide</i> (RMS and Destination NSW 2012).	Site Inspection November 2021	Operational signage has been installed	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E69	The Proponent must implement the off-road shared path pedestrian and cyclist facilities connections indicated in Figure 3-8 and 3-9 of Appendix A of the SPIR, in consultation with the Relevant Council(s) and Bicycle NSW.	Road Alignment Report 6 February 2019 Signage, Line marking and Road Furniture Report 2 May 2019 (Rev 4) Urban Design and Landscape Character Strategy Email correspondence – Croome Rd Shared Path 17 June 2019 Shellharbour City Council Consultation Meeting No.3 30 Jan 2019 SCC meeting minutes 30 Jan 2019	Off-road shared path pedestrian and cyclist facilities connections are being implemented as part of Stage 2. Consultation has been undertaken with: • Shellharbour City Council (SCC) • Wollongong City Council (WCC) • Bicycle NSW An extensive shared user path has been constructed and ties into council paths and into the sporting complex.	C
E70	The Proponent must provide improved connectivity for cyclist and pedestrians between Croome Lane and Darcy Dunster Reserve.	Road Alignment Report 6 February 2019	The Proponent is providing for improved cyclist and pedestrian connectivity.	C
E71	The Proponent must investigate options to minimise the interaction between pedestrians, cyclist and cattle.	Road Alignment Report 6 February 2019	Cattle proof fencing and a grade separated shared path at Bridges 7 and 14 have been designed and are being constructed to avoid interactions with cattle underpasses.	C
E72	The Proponent must implement the facilities consistent with the reasonable requirements of the Relevant Council(s) and Bicycle NSW, prior to the operation of the SSI, unless otherwise agreed by the Secretary	Road Alignment Report 6 February 2019 Signage, Line marking and Road Furniture Report 2 May 2019 (Rev 4)	Consultation has been undertaken with: • Shellharbour City Council (SCC) • Wollongong City Council (WCC) • Bicycle NSW	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			Reasonable requirements have been implemented into the design of the Project.	
E73	The SSI must be designed to not preclude delivery of the Tripoli Way and Yallah Road Projects. Consultation with the Relevant Council(s) must be undertaken during detailed design of the SSI to facilitate future integration with these Projects. Current traffic modelling and assessment, and the result of the Road Network Performance Review Plan required under Condition D9 must be provided to the relevant road authority for their consideration in the development of the Tripoli Way and Yallah Road Projects.	Road Alignment Report 6 February 2019	The Project's 'future third lane strategy' allows for connection to the future bypass.	C
E74	The Proponent must consult with Wollongong City Council and the Tallawarra Lands developer on the timing of the proposed closure of Cormack Avenue.	-	This portion of the works has been removed from this Project.	NT
E75	A Road Dilapidation Report must be prepared by a suitably qualified person, for local roads (and associated infrastructure) proposed to be used by construction vehicles for works associated with the SSI, before the commencement of use by such vehicles. Copies of the Road Dilapidation Report must be provided to the Relevant Council(s) within three weeks of completing the surveys and no later than one (1) month before the use of local roads by Project vehicles.	Road Dilapidation Report examples	Dilapidation Reports have been prepared by suitably qualified persons and provided to relevant councils within the required timeframes.	C
E76	If damage to roads occurs as a result of works associated with the SSI, the Proponent must rectify the damage so as to restore the road to at least the condition it was in pre-works, unless otherwise agreed by the Relevant Council(s).	-	Damage to roads had not occurred at the time of the audit.	NT
Urban Design and Visual Amenity				
E77	The SSI must be designed to retain as many trees as possible. Where trees are to be removed on areas that are zoned for residential, commercial or industrial, the Proponent must provide a net increase in the number of replacement trees. Replacement trees must be planted within the SSI boundary, unless otherwise agreed by the Secretary.	Detailed Design Drainage Report (Rev 4) Detailed Design Road Alignment Report (Rev 4)	The Project has reasonably sought to retain trees through design. All replacement trees have been designed to be planted within the project boundary.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Urban Design and Landscape Character Strategy (UDLCS) Landscape Design package GIS maps showing retained vegetation through planning and mapping		
E78	Replacement trees are to have a variable pot size consistent with the pot sizes specified in the Relevant Council(s) plans / programs/ strategies for vegetation management, street planting, or open space landscaping, unless otherwise agreed by the Secretary. This condition does not apply to landscaping associated with the Croome Regional Sporting Complex	Landscape Design package Master Plant List (LD-01-0021) Urban Design and Landscape Character Strategy (USLCS)	Consultation with relevant councils has been undertaken to determine required pot sizes of replacement trees.	C
E79	The Urban Design and Landscape Character Strategy must be finalised based on the detailed design, and in accordance with the commitments made in <i>Technical Paper 10 – Landscape character and visual amenity</i> of the EIS and the SPIR. The Urban Design and Landscape Character Strategy must incorporate monitoring and maintenance procedures for the built elements, rehabilitated vegetation (including the requirements of Condition E77) and landscaping (including visual screening and weed control) and performance indicators, responsibilities, timing and duration and contingencies where rehabilitation of vegetation and landscaping measures fail. The Strategy does not include the Croome Regional Sporting Complex works as subject to Condition E55.	Urban Design and Landscape Character Strategy (UDLCS) Site Inspection November 2021	The UDLCS meets the requirements of E79. Maintenance activities were being undertaken at the time of the audit.	C
E80	The Urban Design and Landscape Character Strategy must be finalised in consultation with the Relevant Council(s) and the community	Urban Design and Landscape Character Strategy (UDLCS)	The UDLCS meets the requirements of E80 and was finalised in consultation with relevant councils and the community. The UDLCS was exhibited on the project website during November and December 2018, along with staffed pop-up displays at Albion Park	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			Shopping Village, Illawarra Convoy event, Stockland Shellharbour and an unstaffed display at the Roads and Maritime Services Regional Office in Wollongong. A media release advising the exhibition of the UDLCS was issued by Member for Kiama.	
E81	The Urban Design and Landscape Character Strategy must be made publicly available and submitted to the Secretary for information prior to the commencement of works that require community consultation, unless otherwise agreed by the Secretary. The Strategy shall incorporate evidence of consultation on the proposed urban design and landscape measures and the monitoring and maintenance procedures. Note: Works that are subject to community consultation include those design and landscaping details that are not required to meet the other requirements of this approval and/or specific technical criteria. For example, it does not include structures or landscaping works associated with riparian areas, fauna crossings and the like.	Urban Design and Landscape Character Strategy (UDLCS)	The UDLCS meets the requirements of E81. The Urban Design and Landscape Character Strategy (UDLCS) was endorsed by the ER and provided to the Secretary 4 February 2019.	C
E82	Operational noise barriers must be designed to minimise visual and amenity impacts and be designed in accordance with the Noise wall design guideline – Design guideline to improve the appearance of noise walls in NSW, Roads and Maritime Services, March 2016	Site inspection November 2021	The project includes one operational noise mound, located along the northern side of the East West Link. Operational Type F barriers have also been implemented to minimise noise from tyres and engines and to act as a safety barrier	C
Utilities and Services				
E83	Utilities, services and other infrastructure potentially affected by the delivery of the SSI must be identified before works affecting them commence, to determine the requirements for access to, diversion protection, and/or support of such services. The relevant	Infrastructure Utility Coordination Plans (Detailed Design - Rev 2) Detailed Design ITS	All utilities, services and infrastructure affecting the delivery of the SSI has been identified prior to construction.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	owner and/or provider of services must be consulted to make suitable arrangements for access to diversion, protection, and/or support of the affected infrastructure as required. The Proponent must ensure that disruption to any service is minimised and be responsible for advising local residents and businesses affected before any planned disruption of service occurs.	Street Lighting Report (Rev 4) Community Communication Strategy (CCS)	Management of communication and consultation is appropriately described in the CCS and implemented on site.	
Waste				
E84	Waste generated in the delivery of the SSI must be dealt with in accordance with the following priorities: (a) waste generation is to be avoided and where avoidance is not reasonably practicable, waste generation is to be reduced; (b) where avoiding or reducing waste is not possible, waste is to be re-used, recycled, or recovered; and (c) where re-using, recycling or recovering waste is not possible, waste is to be treated or disposed of at a waste management facility or premises lawfully permitted to accept the materials.	Waste and Energy Management Sub-Plan (WEMP - Rev 4) Submission to Secretary 12 October 2018. Waste tracking register 2021 sighted which provides details of tonnage and volumes tonnage, volume included	Minimisations of waste generation on the project is implemented appropriately according to E84. Waste register is kept up to date.	C
E85	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence or waste exemption under the <i>Protection of the Environment Operations Act 1997</i> , if such a licence is required in relation to that waste.	Waste and Energy Management Sub-Plan (WEMP - Rev 4)	Project consultation with NSW EPA is undertaken to maintain compliance. Wastes generated outside the project that comply with a current NSW EPA Resource Recovery Order (RRO) and Resource Recovery Exemption (RRE) and may be lawfully used as engineering fill are utilised in Stage 2 works.	C
E86	All waste materials removed from the SSI site must only be directed to a waste management facility or premise lawfully permitted to accept the materials or in accordance with a Resource Recovery Exemption or Order issued under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> , or to any other place that can lawfully accept such waste.	Waste and Energy Management Sub-Plan (WEMP - Rev 4) Project Induction Project Waste Register	Waste materials removed from the SSI are directed to appropriate waste management facilities.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
		Waste Disposal Dockets Section 143 Notice Records	Training and awareness for these processes are provided through the Project induction and toolbox talks.	
E87	All waste must be classified in accordance with the EPA's <i>Waste Classification Guidelines</i> , with appropriate records and disposal dockets retained for audit purposes.	Waste and Energy Management Sub-Plan (WEMP - Rev 4) Project Induction Waste Classification Reports Waste records and disposal dockets	Waste is appropriately classified in accordance with EPA requirements.	C
Water				
E88	Strategies for the management of Acid Sulfate Soils during works must be implemented.	Soil and Water Management Plan April 2020, ER Endorsed 5 December 2018 Acid Sulfate Soil Management Procedure – Appendix C of the SWMP Site photos	No acid sulfate soils encountered during the audit period, all major excavation works had been completed	C
E89	Where available and practicable, and of appropriate chemical and biological quality, stormwater, recycled water or other water sources shall be used in preference to potable water for the delivery of the SSI, including dust control.	Soil and Water Management Plan April 2020, ER Endorsed 5 December 2018	Alternative water sources are prioritised on the Project. Dust suppression water is sourced from dams requiring dewatering, captured rainfall runoff in sediment basins and from Macquarie Rivulet, in preference to the Sydney Water potable supply. The Project is in consultation to have bores installed on the Project site for the use of on-site water.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E90	Drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) and drainage swales and depressions must be undertaken in accordance with relevant guidelines and designed by a suitably qualified and experienced person in consultation with DPI Fisheries and the EPA.	Stakeholder and agency CEMP consultation – Appendix A5 of the CEMP	Drainage feature crossings and drainage swales and depressions are undertaken in accordance with guidelines by qualified individuals and in consultation with appropriate parties. Designs of the crossings and the realignments of Frazers creek have been submitted to the agencies during the detailed design and construction phases and regular updates have been provided during construction.	C
E91	The realignment of Frazers Creek must be undertaken in consultation with and meet the reasonable requirements of DPI Fisheries.	Stakeholder and agency CEMP consultation – Appendix A5 of the CEMP Works around Waterways workshop meeting minutes	Design of the Creek realignments at Frazers 1 and 3 have been submitted and endorsed by NSW DPI Fisheries. During the site visit it was observed that the Frazers 3 diversion appeared consistent with local waterway characteristics with revegetation complementary to the surrounding environment The design of the creek meets the requirements of DPI fisheries and mimics an endemic ecosystem for fish.	C

APPENDIX D – INDEPENDENT AUDIT DECLARATION FORM

Appendix C – Independent Audit Declaration Form Template

Independent Audit Declaration Form

Project Name Albion Park Rail bypass

Consent Number SSI 6878

Description of Project New 9.8km motorway to bypass Albion Park Rail

Project Address 1914 Illawarra Hwy, Albion Park Rail NSW 2527

Proponent Fulton Hogan

Title of Audit Albion Park Rail bypass Independent Environmental Audit

Date 17 January 2022

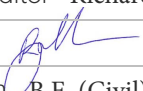
I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2018)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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

Name of Auditor Richard Peterson

Signature 

Qualification B.E. (Civil)

Company SNC-Lavalin

Company Address Level 17, 55 Clarence St, Sydney NSW 2000