

Appendix Q

Proponent Details and Environmental Record

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Proposed development / title of the action – M12 Motorway

EPBC Referral Number - 2018/8286

EP&A Act Assessment Number – SSI 18-9364

Designated proponent – Roads and Maritime Services

ACN / ABN – 76 236 371 088

Postal address – PO Box 973, Parramatta, 2124

Roads and Maritime is a major infrastructure agency with responsibility for the delivery of a substantial road and bridge development and maintenance program. Within this context Roads and Maritime has a good environmental record, with few infringements over the last decade. Roads and Maritime is committed to reducing its impact on the environment through continual environmental performance improvement.

Requirement	Environmental record of the person undertaking the proposed action							
<p>1 Does the person taking the action have a satisfactory record of responsible environmental management? Please explain in further detail.</p>	<p>Roads and Maritime is the proponent and has a strong history of working to ensure that road projects first avoid impacts as the highest priority, and where impacts are likely, of taking steps to minimise, mitigate and offset such impacts.</p> <p>Roads and Maritime projects have achieved significant environmental outcomes, especially with regard to environmental design innovation urban design, fauna connectivity, including fauna fencing, erosion and sediment control improvements and independent verification of the implementation of environmental management measures.</p> <p>Roads and Maritime has engaged appropriately qualified and experienced ecologists to undertake environmental assessments for the project to minimise impacts to the environment and avoid or minimise impacts wherever possible.</p>							
<p>2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either</p> <p>(a) the person proposing to take the action or,</p> <p>(b) if a permit has been applied for in relation to the action – the person making the application.</p>	<p>Roads and Maritime works closely with key NSW regulatory agencies including the EPA and OEH to ensure compliance with statutory requirements but has occasionally been subject to legal proceedings with respect to environmental matters.</p> <p>Where incidents have occurred the majority have been minor and as a consequence resulted in penalty infringement notices. Details of penalty infringement notices that have been issued to Roads and Maritime since 1998 are outlined below.</p> <table border="1" data-bbox="416 1503 1422 1975"> <thead> <tr> <th data-bbox="416 1503 665 1585">Date of Penalty Notice</th> <th data-bbox="665 1503 1422 1585">Circumstance</th> </tr> </thead> <tbody> <tr> <td data-bbox="416 1585 665 1816">2 February 1998</td> <td data-bbox="665 1585 1422 1816">The NSW Land and Environment Court found that Roads and Maritime grit blasting operations on the Wallaby Rock Bridge over the Turon River near Bathurst resulted in material containing paint, limestone and copper slag grit entering the river.</td> </tr> <tr> <td data-bbox="416 1816 665 1975">3 June 1998</td> <td data-bbox="665 1816 1422 1975">Penalty Notice (P8669550) for inadequate sediment controls at an Roads and Maritime site on the corner of Stoney Creek Road and King Georges, Beverly Hills</td> </tr> </tbody> </table>		Date of Penalty Notice	Circumstance	2 February 1998	The NSW Land and Environment Court found that Roads and Maritime grit blasting operations on the Wallaby Rock Bridge over the Turon River near Bathurst resulted in material containing paint, limestone and copper slag grit entering the river.	3 June 1998	Penalty Notice (P8669550) for inadequate sediment controls at an Roads and Maritime site on the corner of Stoney Creek Road and King Georges, Beverly Hills
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	Date of Penalty Notice	Circumstance
	18 January 2002	Penalty Notice (N7899706) for contravention of a condition of environment protection licence number 10008 for the Pacific Highway Upgrade at Mullumbimby. Sub-contractor employed an incorrect sediment basin pump out procedure.
	28 October 2002	Penalty Notice (B5102543) issued to the Mona Vale Road upgrade project for pollution of waters. Sediment laden water escaped the site into stormwater drains during the works.
	7 August 2006	Penalty Notices (7616962760 & 7616962751) for failing to supply Dangerous Goods Shipping documents to two drivers of asphalt trucks near Nyngan, western NSW.
	8 November 2007	Penalty Notice (7616957069) for unauthorised discharge of water from a construction site to an adjacent water course at Pambula.
	11 December 2008	Penalty Notice (7616963164) for clearing of native vegetation (Myall Woodland) adjacent to Mitchell Highway west of Trangie.
	29 April 2008	Penalty Notice (7633250250) for pollution of waters as a result of inadequate sediment control measures, Great Western Highway, Marangaroo.
	28 September 2010	Penalty Notice (7601508934) for a breach of environment protection licence 13204 for failure to maintain pollution control equipment leading to the discharge of material from the Oxley Highway Upgrade construction works at Port Macquarie.
	22 October 2010	Penalty Notice (7601508961) for pollution of waters arising from discharges from the Central Coast Highway Upgrade project.
	31 March 2011	Three Penalty Notices (3013382406, 3013382415 & 3013382424) for breaches of Dangerous Goods transport legislation for Roads and Maritime vehicle on New England Highway.
	17 November 2011	Penalty Notice (3068038537) for pollution of waters of Byarong and America Creeks, Wollongong for failure to fully implement the sediment and erosion control measures outlined in the REF for the project.
	15 June 2012	Penalty Notice (3085764202) for a breach of environment protection licence 13135 for failure to operate pollution control equipment to prevent the discharge of material from the Central Coast Highway upgrade construction works at Erina Heights.
	17 January 2017	Penalty Notice for breaches of Dangerous Goods transport legislation for a Roads and Maritime vehicle on Cormorant Road at Kooragang.

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<p>3 Will the action be taken in accordance with the corporation's environmental policy and planning framework?</p> <p>3.1 If the person taking the action is a corporation, please provide details of the corporation's environmental policy and planning framework.</p>	<p>Yes</p> <p>Roads and Maritime has set the environmental direction for the organisation in its Corporate Framework which seeks to minimise impacts on the natural, cultural and built environment from road use and Roads and Maritime activities.</p> <p>Roads and Maritime commitment to meeting this priority is demonstrated in its Environment Policy Statement 2016 and the environmental considerations incorporated into its activities. Roads and Maritime has detailed procedures and guidelines for undertaking environmental assessment of its activities, including specific requirements for biodiversity assessment, mapping biodiversity impacts during construction and offsetting unavoidable impacts.</p> <p>In addition to environmental assessment, Roads and Maritime has implemented an environmental framework driving continual improvement. This framework allows Roads and Maritime to manage its obligations more effectively to move beyond compliance with legislative requirements. It also provides a basis for improving overall environmental performance by providing tools for effective planning, implementation and review of activities.</p>
<p>4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?</p> <p>4.1 EPBC Act No and/or Name of Proposal.</p>	<p>Yes</p> <p>Most recently:</p> <ul style="list-style-type: none"> • 2018/8288 M1 Motorway extension to Raymond Terrace, NSW • 2017/8005 Pacific Highway Upgrade, Coffs Harbour Bypass, NSW • 2017/7909 Albion Park Rail Bypass, NSW • 2016/7715 Additional crossing of the Clarence River at Grafton, NSW • 2016/7696 The Northern Road Upgrade between Mersey Road and Glenmore Parkway, Sydney, NSW • 2015/7550 Newcastle inner city bypass Rankin Park to Jesmond, NSW • 2015/7520 Construction and operation of the Westconnex New M5, Sydney, NSW • 2014/7346 Safety works along the Bells Line of road between Mt Tomah and Kurrajong Heights, NSW • 2013/6968 Princes Highway Upgrade Termeil Creek, NSW • 2013/6963 Nambucca Heads to Urunga Pacific Highway Upgrade, NSW.