Ms Deanne Forrest
M12 Motorway Project Director
Transport for NSW
PO Box K659
Haymarket NSW 1240

21/12/2021

Dear Ms Forrest

M12 Motorway (SSI-9364)
Approval of Overarching Construction Environmental Management Plan

I refer to your submission dated 26 November 2021, requesting approval of the Overarching Construction Environmental Management Plan (Rev G, dated 21 November 2021), and associated Sub-Plans under conditions C3, C9 and C15 of SSI 9364. I also acknowledge your response to the Department's review comments and requests for additional information.

I note the Overarching CEMP and Sub-Plans have been:

- prepared in consultation with DPIE Water, WaterNSW, DPI Fisheries, EES Group, Heritage NSW, Heritage Council of NSW, DAWE, Fairfield City Council, Penrith City Council and Liverpool City Council (where required under the conditions);
- reviewed by Transport for NSW, and no issues have been raised with the Department;
- endorsed by the Environmental Representative; and
- contain the information required by the conditions of approval.

As nominee of the Planning Secretary, I approve the following documents under conditions C3, C9 and C15, respectively:

Document	Revision and date
Overarching Construction Environmental Management Plan	Rev. G, 21 November 2021
Overarching Construction Traffic and Transport Management Sub-Plan	Rev. G, 16 December 2021
Overarching Noise and Vibration Management Sub-Plan	Rev. H, 16 December 2021
Overarching Flora and Fauna Management Sub-Plan	Rev. G, 12 November 2021
Overarching Soil and Water Management Sub-Plan	Rev. G, 10 December 2021
Overarching Contaminated Land Management Sub-Plan	Rev. G, 10 November 2021
Overarching Cultural Heritage Management Sub-Plan	Rev. G, 15 November 2021
Overarching Air Quality Management Sub-Plan	Rev. G, 02 November 2021
Construction Noise and Vibration Monitoring Program	Rev. G, 02 November 2021
Construction Surface Water and Groundwater Monitoring Program	Rev. G, 10 December 2021

You are reminded that if there is any inconsistency between the approved documents and the conditions of approval, then the requirements of the conditions of approval prevail.

Please ensure that you make plans and this approval letter is publicly available on the project website.

If you wish to discuss the matter further, please contact Lee McCourt on 8289 6969.

Yours sincerely

Jake Shackleton
Director – Infrastructure Management
As nominee of the Planning Secretary

Overarching Construction Environmental Management Plan

M12 Motorway

November 2021

Transport for New South Wales

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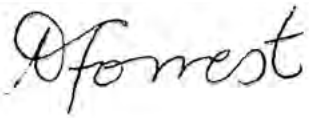
Document control

File Name	M12PPW-ADAP-ALL-EN-PLN-000003_E_S3_OCEMP
Title	M12 Motorway Overarching Construction Environmental Management Plan
Document Number (Teambinder)	M12PPW-ADAP-ALL-EN-PLN-000003

Approval and authorisation

Plan reviewed by:	Plan reviewed by:
Suzette Graham Environment and Sustainability Manager	Deanne Forrest TfNSW Project Director, M12
22/11/2021	23/11/2021
	

Revision history

Revision	Date	Description
A	09/09/2020	First draft for TfNSW review
B	08/10/2020	Response to TfNSW comments
C	05/11/2020	Response to TfNSW comments
D	09/07/2021	Updated with Final NSW and Commonwealth CoA
E	13/08/2021	Response to TfNSW and ER comments
F	03/09/2021	Response to TfNSW and ER comments
G	21/11/2021	Response to DPIE comments

List of emergency and key contacts

Position / Organisation	Name	Phone
EPA pollution hotline	n/a	131 555
Fire and Rescue NSW	n/a	000 (for pollution incidents that present an immediate threat to human health or property) 1300 729 579 (for pollution incidents that do not present an immediate threat to human health or property)
NSW Health – South Western Sydney Local Health District	n/a	(02) 8738 5755
SafeWork NSW	n/a	131 050
Penrith City Council	Ari Fernando	[redacted]
Fairfield City Council	Kerren Ven	[redacted]
Liverpool City Council	Charles Waife	[redacted]
24 hour community information line	n/a	1800 517 155
Project Manager – East	Kurt Bridde	[redacted]
Project Manager – Central	David Duffield	[redacted]
Project Manager – West	Kandiah Mahendran	[redacted]
TfNSW Project Director, M12	Deanne Forrest	[redacted]
TfNSW Environment and Sustainability Manager	Suzette Graham	[redacted]
TfNSW Senior Environment and Sustainability Officer	Foster Walker	[redacted]
TfNSW M12 Community and Stakeholder Engagement Representative	Katie Xia	[redacted]
TfNSW M12 WHS Partner	David Langdon	[redacted]
TfNSW Senior Environment and Sustainability Officer	Shannon Schofield	[redacted]
TfNSW Environment Officer	Jim Steen	[redacted]
TfNSW Sustainability Advisor	Tom O'Connor	[redacted]
Department of Planning, Industry and Environment	Lee McCourt	[redacted]
Sydney Metro – Western Sydney Airport	Mark Rivet	[redacted]

Position / Organisation	Name	Phone
University of Sydney	David Schofield	[redacted]
Western Sydney International Airport	Richard Longman	[redacted]
Western Sydney Parklands Trust	Adam Hughes David Kirkland	[redacted] [redacted]

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Glossary/Abbreviations

Abbreviation	Expanded text
ARSR	Amendment Report to the Submissions Report
CAQMP	Construction Air Quality Management Sub-plan
CCHMP	Construction Cultural Heritage Management Sub-plan
CCLMP	Construction Contaminated Land Management Sub-plan
CEMP	Construction Environmental Management Plan
CFFMP	Construction Flora and Fauna Management Sub-plan
CFMP	Construction Flood Management Sub-plan
CLM Act	*Contaminated Land Management Act 1997*
CMS	Complaints Management System
CNVMP	Construction Noise and Vibration Management Sub-plan
CoA	Conditions of Approval
Commonwealth CoA	Federal Conditions of Approval under the EPBC Act
Construction	Includes all activities required to construct the CSSI as described in the documents listed in Condition A1, including commissioning trials of equipment and temporary use of any part of the CSSI, but excluding Low Impact Work which is carried out to complete prior to the approval of the CEMP, works approved under a Site Establishment Management Plan, demolition of acquired residential houses, structures and sheds, and works specified in Appendix B and approved under an environmental management plan(s) in accordance with Condition A24.
Compliance audit	Verification of how implementation is proceeding with respect to a CEMP (which incorporates the relevant approval conditions)
CSSI	Critical State Significant Infrastructure
CSWMP	Construction Soil and Water Management Sub-plan
CTTMP	Construction Transport and Traffic Management Sub-plan
CWRMP	Construction Waste and Resource Management Sub-plan
DAWE	Commonwealth Department of Agriculture, Water and the Environment
DEC	NSW Department of Environment and Conservation, now EES
DECC	Commonwealth Department of Environment and Climate Change, now DAWE
DIPNR	Former Department of Infrastructure, Planning and Natural Resources
DPC Heritage	Department of Premier and Cabinet (Heritage)
DPIE	Department of Planning, Industry and Environment
EAP	Environmental Audit Program
Ecologically sustainable development	Using, conserving and enhancing the community's resources so that the ecological processes on which life depends are maintained and the total quality of life now and in the future, can be increased (Council of Australian Governments, 1992).

Abbreviation	Expanded text
EIS	Environmental Impact Statement
EEC	Endangered Ecological Community
EES	Environmental, Energy and Science (a part of NSW DPIE)
EMM	Environmental Management Measure as outlined in the project EIS documentation
EMS	Environmental Management System
Environmental aspect	Defined by AS/NZS ISO 14001:2015 as an element of an organisation's activities, products or services that can interact with the environment.
Environmental Assessment Documentation	Collective reference to the M12 EIS (Oct 2019), Submissions Report (Oct 2020), Amendment Report (Oct 2020), Amendment Report-Submissions Report (Dec 2020) and supplementary reports as detailed in NSW CoA A1.
Environmental impact	Defined by AS/NZS ISO 14001:2015 as any change to the environment, whether adverse or beneficial, wholly or partially resulting from an organisation's environmental aspects.
Environmental incident	An unexpected event that has, or has the potential to, cause harm to the environment and requires some action to minimise the impact or restore the environment.
Environmental objective	Defined by AS/NZS ISO 14001:2015 as an overall environmental goal, consistent with the environmental policy, that an organisation sets itself to achieve.
Environmental policy	Statement by an organisation of its intention and principles for environmental performance.
Environmental target	Defined by AS/NZS ISO 14001:2015 as a detailed performance requirement, applicable to the organisation or parts thereof, that arises from the environmental objectives and that needs to be set and met in order to achieve those objectives.
Environmental Representative (ER)	A suitably qualified and experienced person independent of project design and construction personnel employed for the duration of construction. A key point of contact for the Planning Secretary in relation to environmental performance of the CSSI.
EP&A Act	*Environmental Planning and Assessment Act 1979* (NSW)
EPA	NSW Environment Protection Authority
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
EPL	Environmental Protection Licence
ERG	Environmental Review Group – generally comprising representatives of TfNSW, ER, Project delivery team, regulatory authorities (EPA, EES) and councils (Penrith City Council, Liverpool City Council and Fairfield City Council). The ERG will be maintained for the duration of the Project and will meet regularly and undertake environmental inspections. The role the ERG is to work collaboratively with the project team to provide proactive advice on environmental management issues on the Project.
ESCP	Erosion and Sediment Control Plan

Abbreviation	Expanded text
ESM	Environment and Sustainability Manager
EWMS	Environmental Work Method Statement
Hold point	Is a verification point that prevents work from commencing prior to approval from TfNSW Services
Infrastructure Approval	Approval (SSI 9364) for carrying out of the M12 Project under Section 5.19 of the *Environmental Planning and Assessment Act 1979* subject to specific CoA as detailed in Schedule 2 of the approval.
ISCA	The Infrastructure Sustainability Council of Australia who issues IS Ratings valuating sustainability across the construction phases for the Project
km	kilometres
LGA	Local Government Area
Minister, the	Minister of the NSW Department of Planning and Environment (or delegate)
MNES	Matters of Environmental Significance
NCR	Non-conformance report
Non-compliance	Failure to comply with the requirements of the Project approval or any applicable licence, permit or legal requirements.
Non-conformance	Failure to conform to the requirements of Project system documentation including this CEMP or supporting documentation.
Notifiable event	Any environmental incident, report-only event or non-compliance that triggers a specific statutory requirement to notify a regulatory authority.
NRAR	Natural Resources Access Regulator
NSW CoA	NSW Conditions of Approval
OCS	Overarching Communication Strategy
OCEMP	Overarching Construction Environmental Management Plan
OOHW	Out-of-hours work
OSO	Western Sydney Orbital
PDLP	Place, Design and Landscape Plan
PIRMP	Pollution Incident Response Management Plan
Planning Secretary	Secretary of the NSW Department of Infrastructure, Planning and Environment, or delegate
Primary CoA/REMM	CoA that are specific to the development of this Plan
POEO Act	*Protection of the Environment Operations Act 1997* (NSW)
Pollution	Pollution (including air pollution, water pollution, noise pollution and land pollution) as defined in the dictionary to the POEO Act
Pollution incident	Has the same meaning as defined in the dictionary to the POEO Act.
Project, the	M12 Motorway Project
QA	Quality Assurance
RAP	Registered Aboriginal Party

Abbreviation	Expanded text
Regulatory action	Any formal regulatory response from an environmental regulator including but not limited to penalty notices, clean-up notices, prevention notices, official cautions, show cause notices and formal warnings.
REMM	Revised Environmental Management Measures
Report-only event	An environmental incident or unexpected find resulting from circumstances outside the scope of controls and of an activity.
ROL	Road Occupancy Licence
SAP	Sensitive Area Plan
SEAR's	Secretary's Environmental Assessment Requirements
Secondary CoA/ REMM	CoA that are related to, but not specific to, the development of this Plan
SEMP	Site Establishment Management Plan
Significant incident	An environmental incident that is likely to receive a classification of C3, C2 or C1, OR the history of the project, past performance and/or previous regulatory interest, indicate the project is likely to receive a penalty notice or be subject to prosecution, and therefore requires escalation to the Secretary and other TfNSW senior management.
SS	Sustainability Strategy
TECs	Threatened Ecological Communities
TfNSW	Transport for New South Wales (formerly Roads and Maritime Services)
Unexpected find	An unexpected discovery such as a heritage item, threatened species, contamination, asbestos or hazardous substance.
Work	Any physical work to build or facilitate the building of the CSSI, including low impact work, environmental management measures and utility works. However, it does not include activities that inform or enable detailed design of the CSSI and generate noise that is no more than 5 dB(A) above the rating background level at any sensitive receiver.
WSIA	Western Sydney International Airport
WSIP	Western Sydney Infrastructure Plan

1 Introduction

1.1 Background

Transport for New South Wales (TfNSW) is planning to construct and operate the M12 Motorway (the Project) to provide direct access between the Western Sydney International Airport (WSIA) at Badgerys Creek and Sydney's motorway network. The M12 Motorway will run between the M7 Motorway at Cecil Hills and The Northern Road at Luddenham for about 16 kilometres (km) and is expected to be opened to traffic prior to opening of the WSIA.

The Project will be constructed in three separate stages under four separate construction contracts:

- M12 West (construct only contract) – between The Northern Road, Luddenham and about 250 metres east of Badgerys Creek
- M12 Central (construct only contract) – between about 500 metres west of South Creek and the Western Sydney Parklands at Cecil Road, Cecil Park
- M12 East (construct only or design and construct contract) – Elizabeth Drive connections, south of Cecil Park
- M12 East (design and construct contract) – the M7/M12 interchange.

The Project is subject to an approval under Division 5.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as Critical State Significant Infrastructure (CSSI) (SSI-9364). The Project is also a controlled action under Section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), requiring a separate approval from the Australian Minister for the Environment.

An Environmental Impact Statement (EIS) was prepared to describe and assess the Project and recommend management measures to address impacts. The EIS was exhibited by the NSW Department of Planning, Industry and Environment (DPIE) for 34 days from 16 October 2019 to 18 November 2019 to give the community and stakeholders the opportunity to provide comment.

In accordance with Section 5.17 of the EP&A Act, the Secretary requested TfNSW to provide a response to submissions on 29 November 2019 to address the identified issues. Due to design developments since the exhibition of the EIS, an Amendment Report was developed to assess the impacts of these amendments. The Amendment Report was exhibited by DPIE for 14 days from 21 October 2020 to 4 November 2020. Following exhibition of the Amendment Report, an Amendment Report Submissions Report (ARSR) was developed December 2020 to address the identified issues followed by the ARSR – Amendment in March 2021 which addressed biodiversity matters only.

The Project must be carried out generally in accordance with the EIS, Submissions Report, Amendment Report, Amendment Report-Submissions Report and the ARSR in accordance with NSW CoA A1. These documents are collectively referred to as the Environmental Assessment Documentation. The CSSI must also be carried out in accordance with all procedures, commitments, preventative actions, performance outcomes and mitigation measures set out in the Environmental Assessment Documentation as required by NSW CoA A2.

Approval for the Project under the EP&A Act was granted by the Minister for Planning on 23 April 2021. Approval for the Project under the EPBC Act was granted by the Federal Minister for Environment on 3 June 2021. The project must be carried out in accordance with the terms of the NSW and Federal Approvals.

A detailed description of the Project is provided in Section 2. Construction of the Project will be undertaken in three stages. Further detail of the proposed Project staging is provided in the Project Staging Report, which has been prepared in accordance with NSW Condition of Approval (CoA) A13.

1.2 Purpose of this OCEMP

This Overarching Construction Environmental Management Plan (OCEMP or Plan) and associated Sub-plans provides an overarching management system to ensure that TfNSW and its Construction Contractors establish and maintain best practice controls to manage potential environmental impacts during the construction of the Project stages, which are outlined in Section 2.3. The strategies defined in this OCEMP have been developed to address the NSW and Commonwealth conditions of approval and the management measures presented in the Environmental Assessment Documentation. In accordance with NSW CoA A3 the terms of the Infrastructure Approval prevail over the Environment Assessment Documents to the extent of any inconsistencies.

This OCEMP includes general requirements for implementation, monitoring and auditing which will be applied to, and further developed in, the stage specific Construction Contractor CEMPs prepared under this OCEMP by the Construction Contractors responsible for delivering the Project stages. The approach to the preparation of the stage specific CEMPs is provided in Section 3.3 and Figure 3-2. The stage specific CEMPs and sub-plans must be consistent with the OCEMP and will be approved by the independent Environmental Representative (ER) for the project. Construction cannot commence until ER approval has been received for the stage specific CEMP and sub-plans.

This OCEMP has been prepared to outline and describe how the NSW Minister for Planning's CoA and the Federal Minister for the Environment's CoA will be complied with during the construction of the Project.

This OCEMP, and all stage specific CEMPs prepared by the Construction Contractors under the OCEMP, is consistent with:

- NSW Minister's Infrastructure Approval dated 23 April 2021
- Federal Minister for the Environment Approval dated 3 June 2021 Environmental Assessment Documentation
- TfNSW Quality Assurance (QA) Specifications
- TfNSW Guidelines
- Environmental Management Plan Guideline – Guideline for Infrastructure Projects (DPIE, April 2020)
- AS/NZS ISO 14001: Environmental Management Systems (EMS)
- ISO 9001: Quality Management Systems
- AS/NZS 4801: Safety Management Systems.

The purpose of this OCEMP is to provide a structured approach to the management and minimisation of environmental risks and issues during construction of the Project. The OCEMP outlines the requirements, controls and management procedures that provide an overall approach to the Project. It also provides requirements for and directs Construction Contractors and suppliers for the Project regarding specific measures that will be adopted for their work on the Project. Implementing this OCEMP effectively will ensure that TfNSW, the Construction Contractors and

suppliers to the Project meet regulatory and policy requirements in a systematic manner and continually improve environmental performance.

The OCEMP provides:

- A description of activities to be undertaken during construction
- Details of environmental policies, guidelines and principles to be followed in the construction of the Project
- A schedule for compliance auditing
- A program for analysis of the key environmental risks arising from the construction of the Project
- Details of how the Project will be constructed to meet the performance outcomes stated in the Environmental Assessment Documentation and to manage the identified risks
- An inspection program detailing the activities to be inspected and frequency of inspections
- A protocol for managing and reporting any incidents and non-compliances with the NSW and Federal approvals and with statutory requirements
- Procedures for rectifying non-compliances during compliance auditing, incident management or at any time during construction
- A list of the Sub-plans prepared under this OCEMP and identifies which Sub-plan applies to each construction stage
- A description of the roles and environmental responsibilities for TfNSW, construction personnel and their relationship with the independent Environmental Representative (ER)
- Details of training, inductions and awareness programs for construction personnel working on the Project, in relation to environmental and compliance obligations
- A mechanism for periodic review and update of the OCEMP and associated plans and programs, ensuring continual improvement.

This OCEMP is the overarching document in the Environmental Management System for the Project and includes a number of management documents, including stage specific Construction Contractors' CEMPs to be prepared under the OCEMP, which are described in Section 3.3.2.

This OCEMP and Construction Contractors' CEMPs will be available to all Construction Contractor personnel and sub-contractors via the Project document control management system and onsite. The OCEMP will be available for public inspection on the Project website (refer to Section 5.5.4). Confidential information, which may include the location of threatened species, Aboriginal objects or places and personnel contact details, will be removed from all documents before being made available to the public.

1.3 Works on Western Sydney International Airport (Commonwealth land)

The M12 Project requires construction work associated with tie in and intersection work to be carried out within Western Sydney International Airport (WSIA). WSIA is on Commonwealth land, therefore NSW State planning instruments and environmental legislation do not apply. Construction works to be undertaken on WSIA must comply with Commonwealth legislation specifically the *Airports Act 1996 and the Environment Protection and Biodiversity Conservation Act 1999.* This work has therefore been excluded from the NSW planning approval process for the Project and will be carried out under the provisions of the Western Sydney Airport Plan. Therefore, this OCEMP, which is for work on NSW land subject to an approval under the *Environmental*

Planning & Assessment Act 1979, does not address the requirements for working on WSIA. Notwithstanding, the Construction Contractors' CEMP for works in WSIA will be developed in accordance with this OCEMP, the Western Sydney Airport Plan, the WSIA Construction Environmental Management Framework.

The Construction Contractors' CEMP for works in WSIA will be prepared to support both the Airport Lessee Company (ALC) consent and Airport Building Control (ABC) permit applications. It will be the responsibility of the Construction Contractor to prepare the relevant documentation and obtain all approvals prior to working on WSIA.

1.4 Conditions of Approval

This OCEMP provides a consistent approach to address the requirements of both the State and Federal approvals in a single document. The requirements of the State conditions relevant to the development of this OCEMP are shown in Table 1-1. These are defined as primary CoA and specifically related to the development of the OCEMP. Secondary CoA relevant to, but not specific to the development of this Plan, have been listed in Appendix A1. A cross reference is also included to indicate where the CoA is addressed in this Plan or other Project management document.

If a proposed action has the potential to significantly impact on Matters of National Environmental Significance (MNES) or the environment of Commonwealth land it must be referred to the Australian Minister for the Environment. As the Project has potential to significantly impact on listed threatened species of communities (Section 18 and Section 18A of the EPBC Act) the Project is considered a controlled action under the EPBC Act and is therefore subject to Commonwealth CoA's. The requirements of the NSW CoA and where they are met in this OCEMP is shown in Table 1-2.

Table 1-1: NSW CoA relevant to the OCEMP

No.	Requirement	Reference
C1	A Construction Environmental Management Plan (CEMP) must be prepared having regard to the Environmental Management Plan Guideline for Infrastructure Projects (Department Planning, Industry and Environment, 2020). The CEMP must detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 will be implemented and achieved during construction.	This OCEMP Section 1.2 Appendix A9
C2	The CEMP must provide: (a) a description of activities to be undertaken during construction (including the scheduling of construction);	Section 2 Table 2-1
	(b) details of environmental policies, guidelines and principles to be followed in the construction of the CSSI;	Section 3.2 Section 4.2 Appendix A3
	(c) a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of construction of the CSSI;	Section 4.1.1 Appendix A2

No.	Requirement	Reference
	(d) details of how the activities described in subsection (a) of this condition will be carried out to: (i) meet the performance outcomes stated in the documents listed in Condition A1; and (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition;	Section 4.3 Appendix A2 OCEMP Sub-plans
	(e) an inspection program detailing the activities to be inspected and frequency of inspections;	Section 7.1 OCEMP Sub-plans
	(f) a protocol for managing and reporting any: (i) incidents; and (ii) non-compliances with this approval or statutory requirements;	Section 6 Section 7.3 Appendix A7
	(g) procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during construction;	Section 7.3.5
	(h) a list of all the CEMP Sub-plans required in respect of construction, as set out in Condition C5. Where staged construction of the CSSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction;	Section 3.3 Staging Report
	(i) a description of the roles and environmental responsibilities for relevant employees and their relationship with the ER;	Section 5.1
	(j) for training and induction for employees, including Construction Contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval; and	Section 5.3
	(k) for periodic review and update of the CEMP and all associated plans and programs.	Section 1.12 Section 7.7
	(l) the outcomes of consultation with government agencies in accordance with Condition A5.	OCEMP Sub-plans
C3	The CEMP must be endorsed by the ER and then submitted to the Planning Secretary for approval no later than one (1) month before the commencement of construction, or where construction is staged no later than one (1) month before the commencement of that stage.	Section 1.10
C4	The following CEMP Sub-plans must be prepared in consultation with the relevant government and other agencies identified for each CEMP Sub-plan. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant CEMP Sub-plan, including copies of all correspondence from those agencies as required by Condition A5.	Section 1.9.2
	(a) Traffic and Transport - Relevant Council(s)	Appendix B1

No.	Requirement	Reference
	(b) Noise and vibration - WaterNSW, Sydney Water and pipeline operators (where vibration generating activities will impact on their assets) and relevant council(s)	Appendix B2
	(c) Flora and Fauna - DPI Fisheries, EES, DAWE and relevant council(s)	Appendix B3
	(d) Soils and contamination - DPIE Water, WaterNSW and relevant council(s)	Appendix B4 Appendix B5
	(e) Surface water and groundwater - DPIE Water, WaterNSW and Sydney Water (if there are discharges to its assets) and relevant council(s)	Appendix B4
	(f) Heritage (including Aboriginal and non-Aboriginal Heritage) - Heritage Council of NSW, Heritage NSW, WaterNSW and relevant council(s)	Appendix B6
	(g) Air Quality and Odour - Relevant Council(s)	Appendix B7
C9	Any of the CEMP Sub-plans may be submitted to the Planning Secretary for approval along with, or subsequent to, the submission of the CEMP but in any event, no later than one (1) month before the commencement of construction.	Section 1.10
C10	Construction must not commence until the CEMP and all CEMP Sub-plans have been approved, unless otherwise agreed by the Planning Secretary. The CEMP and CEMP Sub-plans, as approved by the Planning Secretary, including any minor amendments approved by the ER must be implemented for the duration of construction. Where construction of the CSSI is staged, construction of a stage must not commence until the CEMP and sub-plans for that stage have been endorsed by the ER and approved by the Planning Secretary.	Section 1.10 Section 2.3

Table 1-2: Commonwealth CoA relevant to the OCEMP

Approval Requirement	Requirement	Reference
6	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	Section 1.10
8	The approval holder must maintain accurate and complete compliance records.	Section 7.3.3
9	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request. Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.	Section 7.3.3
10	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in	Section 7.3.3

Approval Requirement	Requirement	Reference
	accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must: (a) publish each compliance report on the website within 60 business days following the relevant 12 month period; (b) notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication; (c) keep all compliance reports publicly available on the website until this approval expires or as otherwise agreed by the Department in writing; (d) exclude or redact sensitive ecological data from compliance reports published on the website; and (e) where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. Note: Compliance reports may be published on the Department's website.	
11	The approval holder must notify the Department in writing of any: incident affecting protected matters; non-compliance with the conditions; or non-compliance with the commitments made in plans required in accordance with conditions 5a or 5b. The notification must be given as soon as practicable, and no later than 2 business days after becoming aware of the incident affecting protected matters or non-compliance. The notification must specify: (a) any condition which is or may be in breach (b) a short description of the incident affecting protected matters and/or non-compliance (c) the location (including co-ordinates), date, and time of the incident affecting protected matters and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.	Table 6-5 Section 7.3.1 Appendix A7
12	The approval holder must provide to the Department the details of any incident affecting protected matters or non-compliance with the conditions or commitments made in plans required in accordance with conditions Sa or Sb as soon as practicable and no later than 10 business days after becoming aware of the incident affecting protected matters or non-compliance, specifying: (a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; (b) the potential impacts of the incident affecting protected matters or non-compliance; and (c) the method and timing of any remedial action that will be undertaken by the approval holder.	Table 6-5 Section 7.3.1 Appendix A7
13	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	Section 7.4.1

Approval Requirement	Requirement	Reference
14	For each independent audit requested by the Minister under condition 13, the approval holder must: (a) provide the name and qualifications of the independent auditor and the draft audit criteria to the Department (b) only commence the independent audit once the audit criteria have been approved in writing by the Department (c) submit an audit report to the Department within the timeframe specified in the approved audit criteria.	Section 7.4.1
15	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval, or as otherwise agreed by the Department in writing.	Section 7.4.1
16	The approval holder must: (a) submit plans electronically to the Department for information; (b) unless otherwise agreed to in writing by the Minister, publish each plan on the website within 20 business days of the date: i. that the plan was approved under the State Infrastructure approval, if the plan requires approval under the State Infrastructure approval; or ii. that the plan was finalised and provided to the NSW Planning Secretary, if the plan is required for information under the State Infrastructure approval. (c) exclude or redact sensitive ecological data from plans that are to be published on the website or provided to a member of the public; and (d) keep plans published on the website for the period for which this approval has effect, or as otherwise agreed by the Department in writing.	Section 1.11

1.5 Revised Environmental Management Measures

The primary and secondary requirements of the Revised Environmental Management Measures (REMM) presented in the Environmental Assessment Documentation relevant to the development of this OCEMP are shown in Table 1-3. Secondary REMMs not specifically related, but relevant to this Plan and have been listed in Appendix A1. A cross reference is also included to indicate where the REMM is addressed in this Plan for other Project management documents.

Table 1-3: Primary REMMs relevant to the development of this Plan

REMM Reference	Measure/Requirement	Timing	Applicability			OCEMP Reference
			M12 West	M12 Central	M12 East	
G02	A CEMP will be prepared and implemented for the project in accordance with the Department of Infrastructure, Planning and Natural Resources Guideline for the Preparation of Environmental Management Plans (DIPNR 2004), for the ongoing management of environmental issues during construction of the project.	Prior to construction and during construction	✓	✓	✓	This OCEMP
TT01	A construction transport and traffic management plan (CTTMP) will be prepared as part of the CEMP in consultation with relevant local Councils, and in accordance with relevant guidelines. The CTTMP will outline: …	Prior to construction	✓	✓	✓	Appendix B1
B19	Emergency response protocols and procedures will be included in the Project CEMP and implemented in the event of a contaminant spill or leak.	During construction	✓	✓	✓	Section 6
NAH01	A construction cultural heritage management plan (CCHMP) will be prepared for the project as part of the CEMP in consultation with DPC (Heritage). The CCHMP will include as a minimum: …	Prior to construction	✓	✓	✓	Appendix B6
AQ01	A Construction Air Quality Management Sub-plan (CAQMP) will be developed and implemented as part of the CEMP to manage potential air quality impacts associated with construction. The CAQMP will identify activities that may results in air quality impacts and associated mitigation measures to avoid or minimise these impacts. The CAQMP will provide: …	Prior to construction	✓	✓	✓	Appendix B7

REMM Reference	Measure/Requirement	Timing	Applicability			OCEMP Reference
			M12 West	M12 Central	M12 East	
F03	A flood management plan will be prepared as part of the CEMP for the project and will detail the processes for flood preparedness, materials management, weather monitoring, site management and flood incident management. The flood management plan will be developed in accordance with: …	Prior to construction	✓	✓	✓	Appendix B8
W01	A construction waste and resource management plan (CWRMP) will be prepared for the project and outline appropriate management procedures. It will include, but not be limited to: …	Prior to construction	✓	✓	✓	Appendix B9
AH01	A construction cultural heritage management plan (CCHMP) will be developed for the project in consultation with the project RAPs and EESG. The CCHMP will include: …	Prior to construction	✓	✓	✓	Appendix B6
NV01	A construction noise and vibration management plan (CNVMP) will be prepared for the project to mitigate and manage noise and vibration impacts during construction. The CNVMP will be implemented for the duration of construction of the project and will: …	Prior to construction	✓	✓	✓	Appendix B2
B01	A CFFMP will be prepared. The measures in the CFFMP will include: …	Prior to construction	✓	✓	✓	Appendix B3
SWH01	A construction soil and water management plan (CSWMP) will be prepared for the project. The plan will outline measures to manage soil and water impacts associated with the construction works, including contaminated land. The CSWMP will provide: ….	Prior to construction	✓	✓	✓	Appendix B4
SC03	A contaminated land management plan (CLMP) will be prepared for the project. The CLMP will include: …	Prior to construction	✓	✓	✓	Appendix B5

1.6 TfNSW QA Specifications

The TfNSW QA Specifications set out the minimum requirements for the detailed outcomes in terms of quality or performance expected in the finished product for construction projects and are relevant to various construction activities on work sites to minimise impacts to the environment.

The Construction Contractor will incorporate the appropriate M12 TfNSW QA Specifications into the stage specific CEMPs and Sub-plans including the requirements from, but are not limited to:

- G01 – Job Specific Requirements
- G04 – Principal's Project Accommodation
- G10 – Traffic Management
- G36 – Environmental Protection
- G38 – Soil and Water Management
- G40 – Clearing and Grubbing
- R44 – Earthworks
- R178 – Vegetation
- R179 – Landscape Planting
- R201 – Fencing.

1.7 Scope of the OCEMP

The OCEMP and Sub-plans are related to the construction phase only. Low impact works controlled by the Infrastructure Approval, as discussed in the EIS Section 5.24.4 and as defined in the Infrastructure Approval can be carried out prior to the OCEMP and Sub-plans being approved by the Planning Secretary. Once the OCEMP and Sub-plans are approved, low impact works are considered construction and are then governed by the OCEMP and Sub-plans.

Work identified in Appendix B of the Infrastructure Approval is excluded from the definition of Construction and will be carried out under approved Early Works Environmental Management Plans. In the unlikely event that Early Work activities are delayed and overlap with the construction phase, they will be governed by the Early Works EMP under which they are approved. Other work excluded from the definition of Construction such as the demolition of acquired residential houses, structures and sheds can be carried out prior to OCEMP approval if the work meets the requirements of the SEPP (Exempt and Complying Development Codes) 2008.

Work that is excluded from the CSSI declaration is considered to be excluded from the definition of the Project and can be carried out as Exempt Development or through Part 5, Division 5.1 of the EP&A Act assessment process. These works are therefore not bound to the assessment and approval process for the Project, or subject to the CoA. Such works may include surveys, test drilling, test excavations, geotechnical or contamination investigations or other tests, utility location identification or surveys, sampling or investigation for the purposes of the design or assessment of the Project.

This OCEMP will cover all stages of the Project as detailed in Section 2.3:

- M12 West (construction only contract) – between The Northern Road, Luddenham and about 250 metres east of Badgerys Creek

- M12 Central (construction only contract) – between about 500 metres west of South Creek and the Western Sydney Parklands at Cecil Road, Cecil Park
- M12 East (construction only or design and construct contract) – Elizabeth Drive connections, south of Cecil Park
- M12 East (design and construct contract) – the M7/M12 interchange.

Information from further detailed design development and additional environmental assessments prepared post approval has been incorporated into the OCEMP and associated Sub-plans where relevant.

1.8 Sustainability

TfNSW places high importance on ensuring key sustainability outcomes during the delivery of the Project are achieved. Addressing sustainability requirements will be an ongoing process throughout the life cycle of the Project with delivery of the Project in accordance with relevant objectives, targets and initiatives outlined in the Sustainability Strategy 2019 – 2023 (Roads and Maritime, 2019). Key initiatives outlined in Sustainability Strategy 2019 – 2023 that are relevant to construction are listed in Table 1-4.

In accordance with NSW CoA E91 a Sustainability Strategy will be prepared by TfNSW outlining how the project will achieve a minimum excellent 'Design' and 'As-built' ISC rating.

Governance, monitoring, reporting and corrective action processes applicable to sustainability will be detailed in the Construction Contractors management system. The Construction Contractors will also be required to meet ISCA credit requirements (these include, but are not limited to, Dis-1, Dis-2, Dis-3, Dis-4, Dis-5, Lan-2, Lan-3, Was-1, Was-2, Her-1, Her-2, Wat-1, Ene-1) during the preparation of their stage specific environmental and sustainability management documentation.

Table 1-4: Key initiatives of Sustainability Strategy 2019 – 2023 relevant to Construction

Focus Area	Key initiative
Energy and carbon management	Educating and raising awareness in employees, contractors and our supply chain regarding the need for increased energy efficiency and reductions in carbon emissions.
	Using solar panels to power roadside signage, alert and messaging systems when cost effective and fit for purpose.
Climate change resilience	Consulting and partnering with key stakeholders to reduce vehicle carbon emissions and supporting new technologies to reduce road transport carbon emissions.
	Minimising the carbon impacts associated with vegetation clearance by reducing project footprints where possible.
Air quality	Actively monitoring and minimising non-road diesel emissions from our activities.
	Ensuring non-road diesel plant and equipment used in our activities comply with relevant EU or US EPA emissions standards.
	Identifying where there is potential to recover and reuse materials on site.

Focus Area	Key initiative
Resource use and waste management	Substituting non-renewable materials with recycled or reused materials where they are fit for purpose, cost effective and affordable.
	Managing waste to minimise transport related risks and impacts by using local disposal facilities where feasible and appropriate
	Maximising the use of non-potable water in preference to potable water where feasible.
Pollution control	Fostering a proactive reporting culture that promotes transparency in managing and reporting incidents internally and with regulators.
	Keeping our roads and waterways clean through litter and debris collection and removal.
Biodiversity	Minimising impacts by applying best practice approaches to unavoidable habitat loss (e.g., following pre-clearing processes, establishing exclusion zones and careful management of weeds and pathogens).
	Avoiding the spread of weeds, pests and diseases outside of our sites through appropriate management of mulch and vegetation wastes generated, reused or removed from our sites.
Sustainable procurement	Where possible, procuring from small and medium-sized enterprises, Aboriginal businesses and Australian disability enterprises by including such requirements in procurement strategies and policies.
	Supporting local suppliers to minimise haulage distances of construction materials when feasible.

1.9 Consultation

1.9.1 Consultation during the environmental assessment process

Consultation was carried out before, during preparation and during exhibition of the EIS and the Amendment Report. Consulted parties included the community, Federal, State and local government agencies, special interest groups and industry stakeholders with a specific interest in the Project. The primary objective of the consultation was to keep the community and stakeholders informed and involved during the Project development.

1.9.2 Consultation during the preparation of the OCEMP

Consultation with relevant stakeholders and Government agencies was undertaken as part of the development of this OCEMP and Sub-plans in accordance with the requirements of the NSW CoA. The agencies required to be consulted under the Infrastructure Approval are listed in Table 1-5. It is noted that the OCEMP itself does not require consultation.

Table 1-5: Consultation requirements under the Infrastructure Approval

NSW CoA and REMM Reference	OCEMP Sub-plan	Agency to be consulted	OCEMP Reference
C4(a) TT01, TT02 and TT06	Construction Transport and Traffic Management Sub-plan	Penrith City Council, Liverpool City Council, Fairfield City Council	Appendix B1
C4(b) NV10	Construction Noise and Vibration Management Sub-plan	WaterNSW, Sydney Water and pipeline operators (where vibration generating activities will impact on their assets), Penrith City Council, Liverpool City Council, Fairfield City Council	Appendix B2
C4(c) B16	Construction Flora and Fauna Management Sub-plan	DPI Fisheries, Environmental, Energy and Science (EES), DAWE, Penrith City Council, Liverpool City Council, Fairfield City Council	Appendix B3
C4(d), C4(e) SWH03	Construction Soil and Water Management Sub-plan	DPIE Water, WaterNSW, Sydney Water (if there are discharges to its assets, Penrith City Council, Liverpool City Council, Fairfield City Council	Appendix B4
C4(d)	Construction Contaminated Land Management Sub-plan	DPIE Water, WaterNSW, Penrith City Council, Liverpool City Council, Fairfield City Council	Appendix B5
C4(f) AH01-03 and 09, NAH01, 04,07 and 08	Construction Cultural Heritage Management Sub-plan	Heritage Council of NSW, Heritage NSW, WaterNSW, Penrith City Council, Liverpool City Council, Fairfield City Council	Appendix B6
C4(g)	Construction Air Quality Management Sub-plan	Penrith City Council, Liverpool City Council, Fairfield City Council	Appendix B7
C11(a)	Noise and Vibration Monitoring Program	Penrith City Council, Liverpool City Council, Fairfield City Council	Appendix B of Appendix B2
C11(b)(c)	Soil and Water Monitoring Program	DPIE Water, Sydney Water, Penrith City Council, Liverpool City Council, Fairfield City Council	Appendix C of Appendix B4

The consolidated evidence of the consultation undertaken for the preparation of the OCEMP is provided in each Sub-plan which includes:

- Documentation of the engagement with the parties identified in Table 1-3 that occurred before submitting the document to the Secretary for approval
- A log of the points of engagement or attempted engagement with the identified parties and a summary of the issues raised by them

- Documentation of the follow-up with the identified parties where feedback has not been provided to confirm that they have no feedback or have failed to provide feedback after repeated requests
- An outline of the issues raised by the identified parties, a summary of how they have been addressed and a cross reference to the section or Sub-plan of the OCEMP where the issue has been addressed
- A description of the outstanding issues raised by the identified parties and the reasons why they have not been addressed.

Where a Sub-plan and Monitoring Program requires consultation with identified parties, details of the consultation undertaken, matters raised by the parties, and how the matters were considered will accompany the strategies, plans, programs, reviews, audits, protocols and the like submitted to the Planning Secretary.

1.9.3 Consultation during construction

Consultation with the community, relevant stakeholders and agencies by TfNSW and its Construction Contractors will continue throughout the construction of the Project. The approach to community consultation is documented in the Project's Overarching Communication Strategy (OCS) that has been developed in accordance with NSW CoA B1 to B5. The OCS was approved by the Secretary on 7 July 2021. Where relevant, the outcomes of this consultation will be documented in subsequent revisions of the OCEMP (refer to Section 1.12 and Section 7.7).

1.10 OCEMP endorsement and approval

This OCEMP has been reviewed by the TfNSW Project Director and the Environment and Sustainability Manager (ESM) and endorsed by the ER prior to submission to the Secretary of the Department of Planning Industry and Environment (DPIE) in accordance with NSW CoA C3.

This OCEMP and the aspect specific Sub-plans prepared under NSW CoA C4 and Monitoring Programs prepared under NSW CoA C11 will be endorsed by the ER and submitted to the Planning Secretary for approval no later than one month prior to commencement of construction of the Project.

In accordance with NSW CoA A36, DPIE will be notified of the date of construction at least one month before that date. As Construction is to be staged, DPIE will be notified in writing at least one month prior to the commencement of construction of each stage in accordance with NSW CoA A37. Furthermore, in accordance with Commonwealth CoA 6, DAWE will be notified in writing of the date of commencement of action within 10 business days after the date of commencement of action.

Prior to endorsement, the ER will review the OCEMP, Sub-plans and construction monitoring programs to ensure consistency with the requirements in or under the Infrastructure Approval in accordance with NSW CoA A34(d).

Construction will only commence following the approval of this OCEMP, Sub-plans and Monitoring Programs, unless otherwise agreed by the Planning Secretary.

This OCEMP and the Sub-plans, as approved by the Planning Secretary, including any minor amendments approved by the ER will be implemented for the duration of construction.

1.11 OCEMP submission requirements

In accordance with Commonwealth CoA 16, the OCEMP and Sub-Plans will be submitted electronically to the DAWE for information. Unless otherwise agreed to in writing by the Minister, each plan must be on the website within 20 business days of the date:

a) That the plan was approved under the State Infrastructure approval, if the plan requires approval under the State Infrastructure approval; or

b) That the plan was finalised and provided to the NSW Planning Secretary, if the plan is required for information under the State Infrastructure approval.

The plans will be published on the website for the period for which this approval has effect, or as otherwise agreed by the DAWE in writing. Before the plans are published, the plans will be edited to exclude or redact sensitive ecological data.

1.12 Revision

The Project environmental management system review process described in Section 7.7 ensures that environmental documentation is updated as required.

1.12.1 OCEMP

The OCEMP will be reviewed within one month of any of the following occurrences, or as otherwise agreed with the Planning Secretary:

- At least annually during the senior management review (Table 7-4)
- Following reportable environmental incidents
- On identification of new risks, including risks identified during risk register updates
- When non-compliances are identified
- Following environmental audits that identify matters that require attention
- In response to project change (including consistency assessments and modifications)
- As part of a continuous improvement process.
- Should the review process identify any issues or items within the environmental documentation that must be updated, it is the responsibility of the TfNSW ESM (or delegate) to update the OCEMP.

TfNSW and/or the Construction Contractor must respond to all issues and comments raised by TfNSW and other parties in a spreadsheet at every stage of review. To aid in the approval process for the updated OCEMP, the Construction Contractor must provide the tabulated responses for each issue or comment to TfNSW when submitting the revised OCEMP. Changes to the OCEMP will be identified in writing to the Construction Contractors and the Construction Contractor's ESR will be required to update the Construction Contractor's CEMP to reflect the changes in the OCEMP.

- The ER can approve minor changes to the OCEMP in accordance with NSW CoA A34(i), including those that:
  - Are editorial in nature e.g. staff and agency/authority name changes
  - Do not increase the magnitude of impacts on the environment when considered individually or cumulatively

- Do not compromise the ability of the Project to meet approval or legislative requirements.

Amendments to the OCEMP which are not considered minor (based on the items above), will be forwarded to the Planning Secretary for approval and copies provided to the agencies required to be consulted in the preparation in the OCEMP (refer Section 1.9). The OCEMP will also be made available to the Minister for the DAWE upon request.

Revised versions of the OCEMP will be made available through the document control process described in Section 7.6.2 and on the website in accordance with NSW CoA B10.

1.12.2 Construction Contractor CEMP Revision

The Construction Contractors' CEMPs will be reviewed within one month of any of the below occurrences, or as otherwise agreed with the Planning Secretary:

- At least annually during the senior management review (Table 7-4)
- Following reportable environmental incidents
- On identification of new risks, including risks identified during risk register updates
- When non-compliances are identified
- Following environmental audits that identify matters that require attention
- In response to project change (including consistency assessments and modifications)
- As part of a continuous improvement process.

- Should the review process identify any issues or items within the environmental documentation that must be updated, it is the responsibility of the Construction Contractor to update the Construction Contractors CEMP and then submit to TfNSW for review.
- Following endorsement from TfNSW, the updated CEMP will be submitted to the ER for review and comment. All submissions to the ER must also be provided to the TfNSW ESM. A minimum 10 working day review period may be required each time the ER is required to review. The final approved and updated CEMP will then be submitted to TfNSW for release of the Hold Point.

If changes to the OCEMP are identified, this will be completed in writing to the Construction Contractors and the Construction Contractor's ESR will be required to update the Construction Contractor's CEMP to reflect the changes in the OCEMP.

Revised versions of the Construction Contractors' CEMPs will be made available through the document control process described in Section 7.6.2 and on the website in accordance with NSW CoA B10.

2 Project Description

2.1 Project overview

- TfNSW are delivering the M12 Motorway between the M7 Motorway at Cecil Hills and The Northern Road at Luddenham (the Project), over a distance of about 16 km.
- The Project will provide the main access from the WSIA at Badgerys Creek to Sydney's motorway network and is expected to be opened to traffic before the opening of the WSIA. The Project is expected to open by mid-2026. Figure 2-1 shows the Project as described in its regional context.
- An EIS was prepared to assess the potential impacts of the Project and recommended management measures to appropriately address those impacts. An Amendment Report was prepared to assess changes to the design developed after the public exhibition of the EIS. The Project, as described in the ARSR, includes the following:
  - A new dual-carriageway motorway between the M7 Motorway and The Northern Road with two lanes in each direction with a central median allowing future expansion to six lanes
  - Motorway access via three interchanges/intersections:
    - A motorway-to-motorway interchange at the M7 Motorway and associated works (extending about 4 km within the existing M7 Motorway corridor) with connection between the M12 Motorway and Elizabeth Drive
    - A grade-separated interchange referred to as the WSIA interchange, including a dual-carriageway four-lane airport access road (two lanes in each direction for about 1.5 km) connecting with the Western Sydney International Airport Main Access Road
    - A signalised intersection at The Northern Road with provision for grade separation in the future
  - Bridge structures across Ropes Creek, Kemps Creek, South Creek, Badgerys Creek and Cosgroves Creek
  - A bridge structure across the M12 Motorway into the Western Sydney Parklands to maintain access to the existing water tower and mobile telephone/other service towers on the ridgeline in the vicinity of Cecil Hills, to the west of the M7 Motorway
  - Bridge structures at interchanges and at Clifton Avenue, Elizabeth Drive, Luddenham Road and other local roads to maintain local access and connectivity
  - Inclusion of active transport (pedestrian and cyclist) facilities through provision of pedestrian bridges and an off-road shared user path, including connections to existing and future shared user path networks
  - Modifications to the local road network, as required, to facilitate connections across and around the M12 Motorway, including:
    - Realignment of Elizabeth Drive at the WSIA, with Elizabeth Drive bridging over the airport access road and the future passenger rail line to the airport
    - Two new signalised intersections from Elizabeth Drive into the WSIA, with provisions for future connection to potential developments to the north
    - Widening of Elizabeth Drive under the M7 Motorway and approaches

- Realignment of Clifton Avenue over the M12 Motorway, with associated adjustments to nearby property access
- Relocation of the Salisbury Avenue cul-de-sac, on the southern side of the M12 Motorway
- Realignment of Wallgrove Road north of its intersection with Elizabeth Drive to accommodate the M7 Motorway northbound entry ramp
- Realignment of Wallgrove Road to connect to Cecil Road, including a connection between Elizabeth Drive and Wallgrove Road via Cecil Road with a signalised intersection with Elizabeth Drive

- Adjustment, protection or relocation of existing utilities
- Ancillary facilities to support motorway operations, smart motorways operation in the future and the existing M7 Motorway operation, including gantries, electronic signage and ramp metering
- Other roadside furniture including safety barriers, signage and street lighting
- Adjustments of waterways, where required, including Kemps Creek, South Creek and Badgerys Creek
- Permanent water quality management measures including swales and basins
- Establishment and use of temporary ancillary facilities, temporary construction sedimentation basins, access tracks and haul roads during construction
- Permanent and temporary property adjustments and property access refinements as required.

- Figure 2-1 provides an overview of the key features of the Project. A detailed description of the Project is provided in Chapter 5 of the EIS.

2.1.1 Additional Works and Aspects

- New environmental aspects and impacts that are identified from additional investigations, surveys, detailed design development and/or consistency assessments/modifications will be discussed within the appropriate aspect specific Sub-Plan.
- If boundary changes are required, this will be incorporated into this OCEMP, as well as the aspects specific sub-Plan.

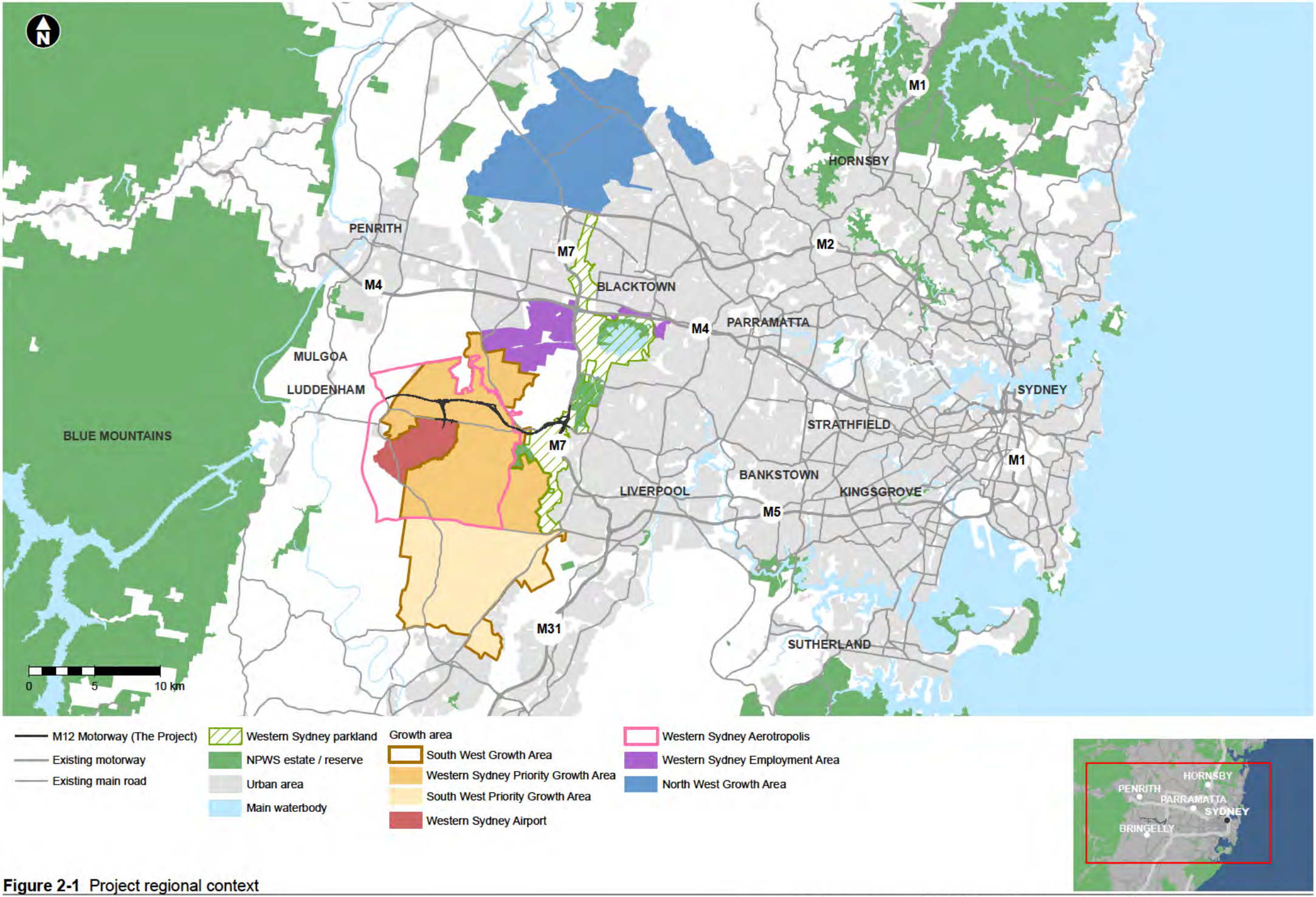

Figure 2-1 Project regional context

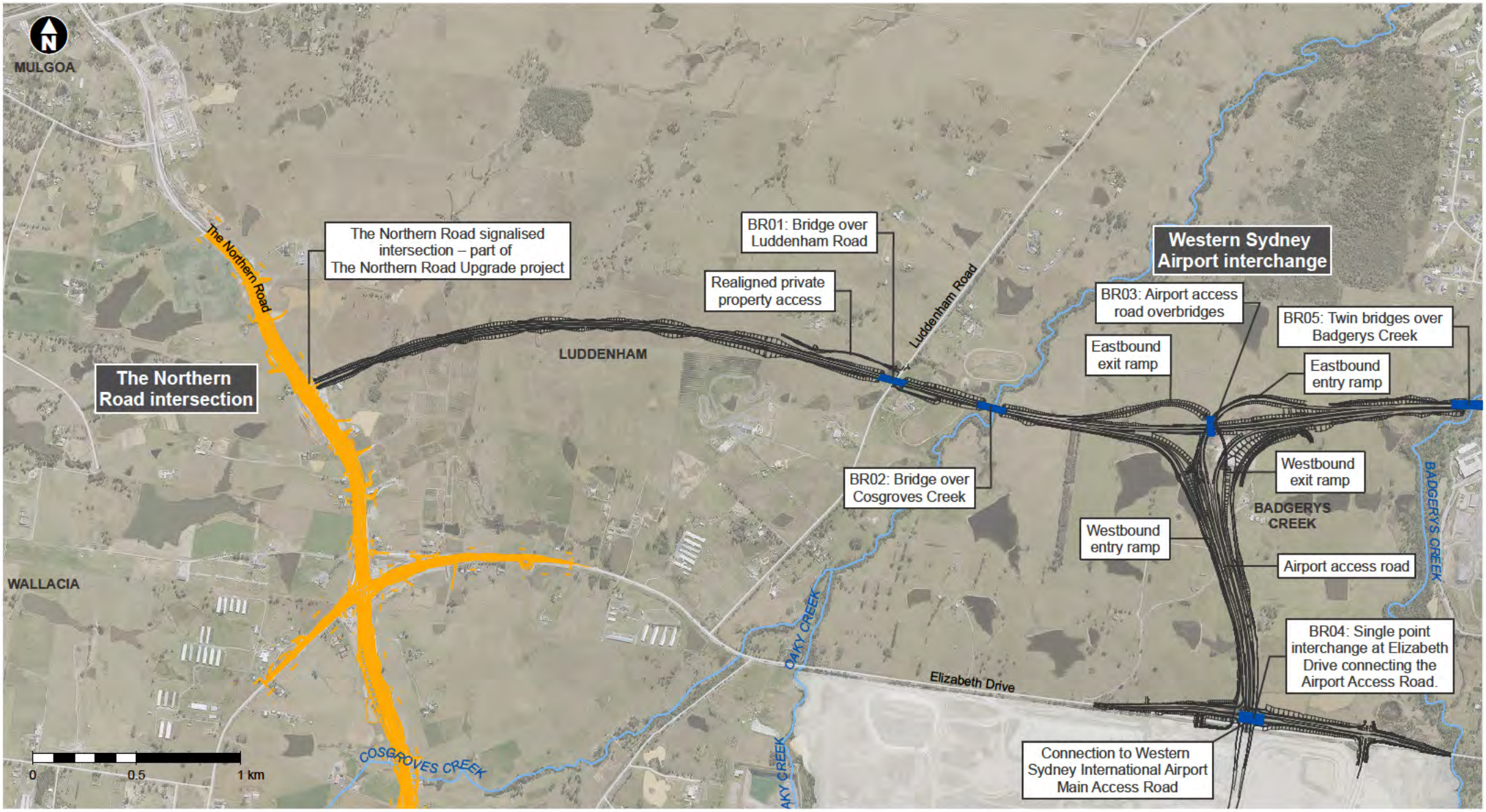

Figure 2-2 Key features of the Project

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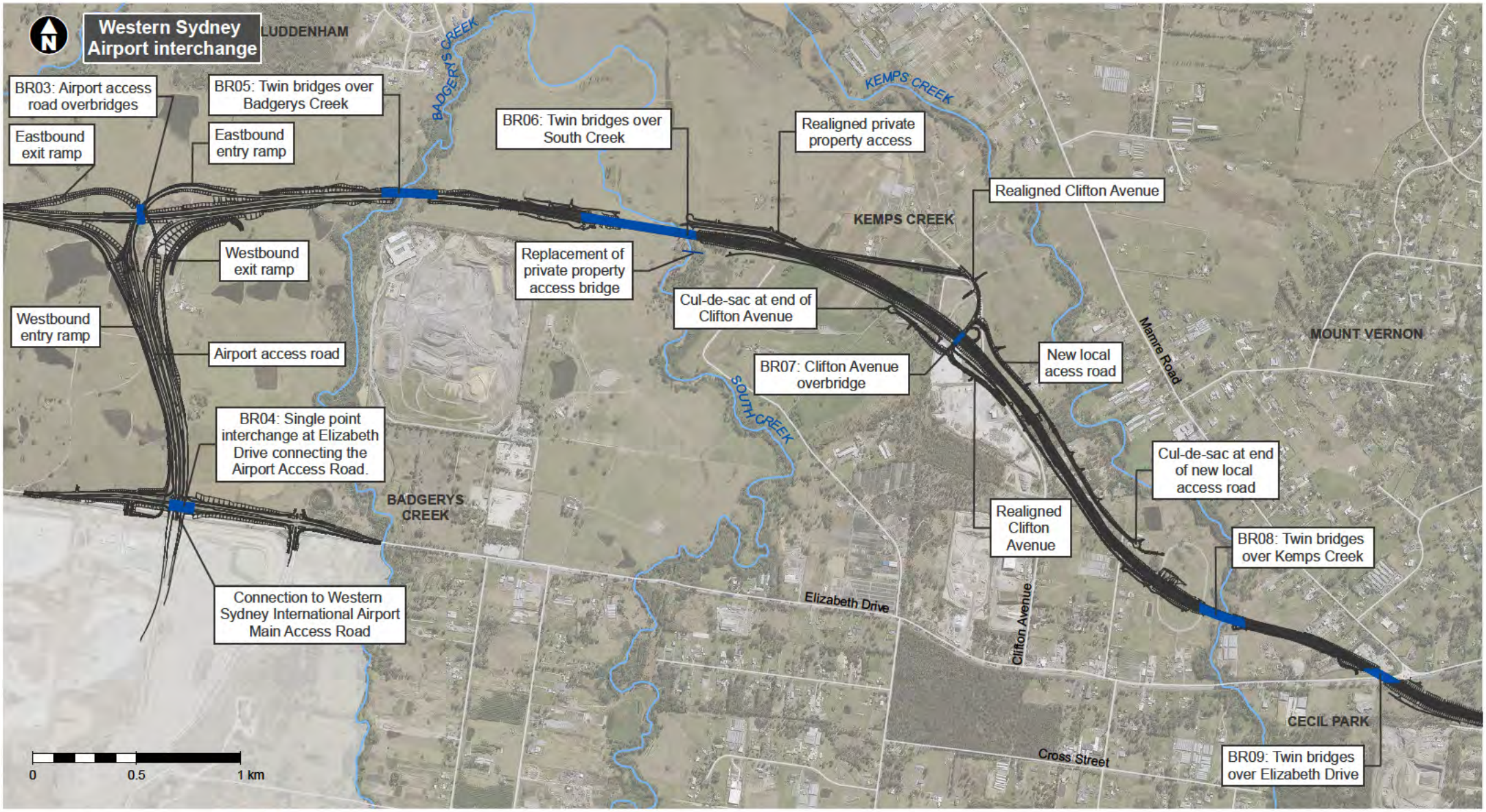

Page 2 of 3

Figure 2-2 Key features of the Project

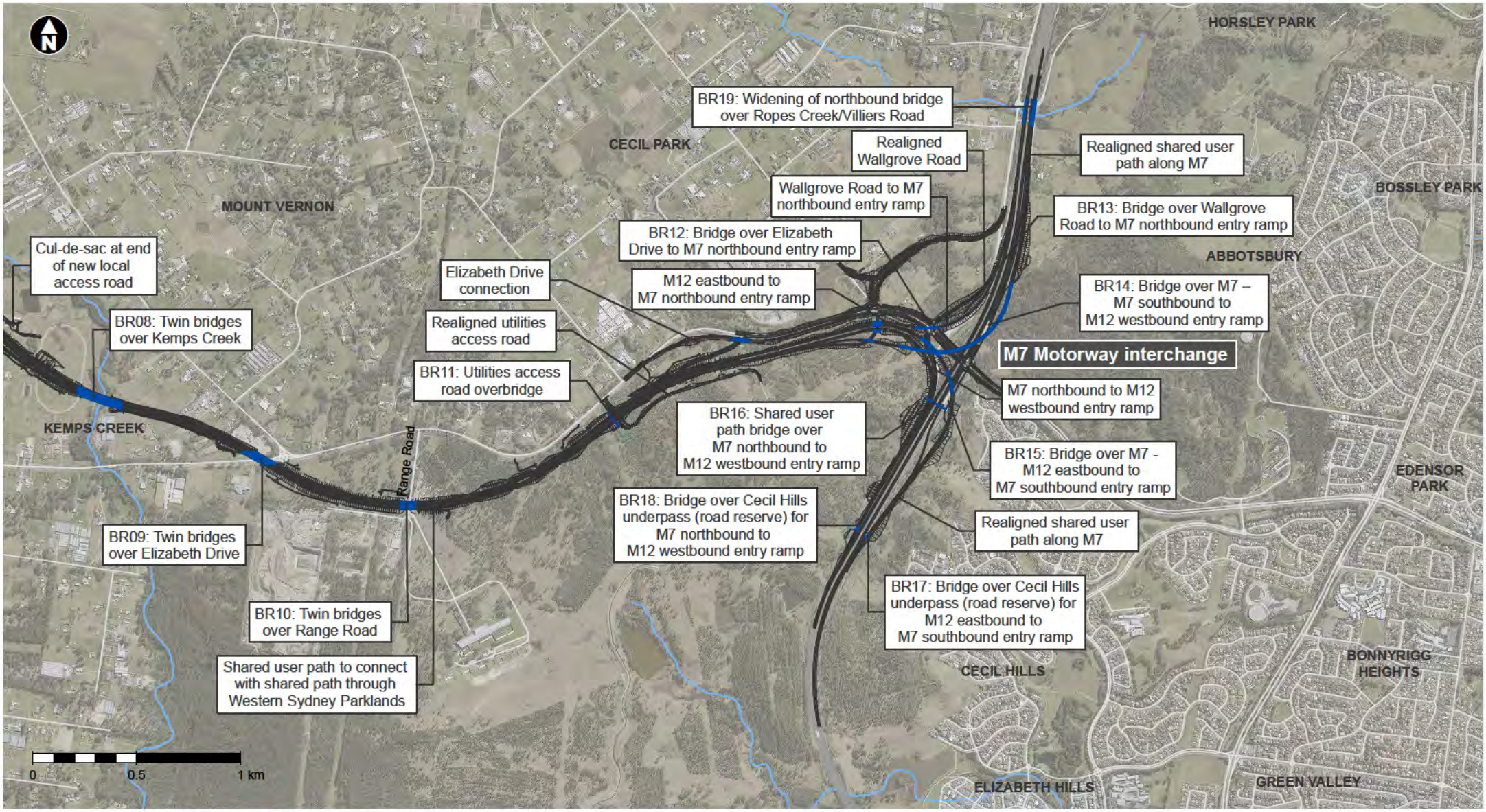

Figure 2-2 Key features of the Project

2.2 Project program

Work on-site for the M12 Motorway will take approximately five years, with Early Works (including utility relocation work) and Low Impact Works (including geotechnical and archaeological investigations) commencing in mid to late 2021. Main construction is anticipated to commence in 2022 and be completed by mid-2026. The Project program is as follows:

- West package schedule: Award of Construction contract early 2022
- Central package schedule: Award of Construction contract in early 2022
- East package (Elizabeth Drive Connection) schedule: Award of contract in late 2022
- East package (M7/M12 interchange) schedule: Deferred scope due to USP to NSW government – Decision on USP expected to be finalised in 2022.

An indicative construction sequence is provided in Table 2-1. The indicative duration of construction activities and the indicative construction program for the Project is outlined in Table 2-2. The timing and duration of construction will be confirmed once Construction Contractors are appointed for the Project.

The Infrastructure Approval will lapse on 23 April 2026, unless Work has physically commenced on or before that date.

Table 2-1: Indicative construction sequence

Phase No.	Construction phase	Activities	Plant and equipment
0	Pre-construction Activities: Early Works Low Impact Work	• Establish temporary ancillary facilities • Establish site access • Erect temporary fencing around Early Works construction footprint perimeter • Install safety barriers and traffic control devices for protection of the work area • Install environmental controls • Identify utilities and services • Remove vegetation from Early Works construction footprint • Relocation of electrical infrastructure at Luddenham Road • Relocation of electrical infrastructure at Elizabeth Drive • Installation of new Sydney Water pipeline at Elizabeth Drive • Installation of a temporary roundabout on Elizabeth Drive adjacent to WSIA • Jemena wrapping of the existing gas mains near the M7 Motorway • Work meeting the definition of Low Impact Work under the Infrastructure Approval	• Traffic control • Temporary fencing • Excavators (up to 14-20 tonnes) • Site vehicle, tippers and bogies • Plate compactors and small rollers • Lifter borer • Elevated work platforms • Water cart • Steel plates • 20T Franna crane • Compressor • Winch Trucks • Vacuum truck • Concrete Agitators • Welding Equipment
1	Site establishment and enabling works	• Set up ancillary facilities as needed • Erect temporary fencing around construction footprint perimeter • Establish temporary crossings of Luddenham Road, Clifton Avenue and Elizabeth Drive to permit haulage routes • Construct a turning head for Salisbury Avenue • Construct local access roads for properties divided by the M12 Motorway	• Trucks • Light vehicles • Generators • Crane • Bobcat • Excavator

Phase No.	Construction phase	Activities	Plant and equipment
		• Carry out early stockpiling of fill • Utility relocation works (where not undertaken as part of 'early works' prior to construction) • Installation of environmental controls	• Boring machines • Piling machines • Dump trucks • Plate compactors • Concrete pumps • Concrete truck • Graders • Vibrating rollers • Spray sealing equipment • Asphalt paving machines • Compactors
2	Bulk earthworks, drainage and structures, bridge construction, pavement works	• Construct all areas of the Project from The Northern Road (including civil works for the intersection formation and minor works and signalisation at the intersection to control site access) to the extent of the M12 Motorway interchange with the M7 Motorway • Construct bridges at Luddenham Road (BR01), over the future rail line (BR05), Clifton Avenue (BR08), Range Road (BR11) and the bridge over the main line for water reservoir access (BR12) • Construct bridges at Cosgroves Creek (BR02), Badgerys Creek (BR06), South Creek and Kemps Creek (BR09) • Construct WSIA interchange including the bridge over the main line for the WSIA access road (BR03) • Detour Wallgrove Road to construct offline sections of the M12 Motorway interchange with the M7 Motorway, including the interchange bridges (BR13, BR14, BR15, BR16, BR17 and BR18) • Construct the Elizabeth Drive northern bridge crossing the WSIA access road (BR04)	• Light vehicles • Excavator • Compactors • Bulldozers • Graders • Water carts • Dump trucks • Vibrating rollers • Spray sealing equipment • Asphalt paving machines • Concrete saws • Slip-forming machines • Concrete pumps • Concrete trucks

Phase No.	Construction phase	Activities	Plant and equipment
		• Construct the Elizabeth Drive southern bridge crossing the WSIA access road (BR04) • Construct the WSIA access road to the WSIA property boundary line • Construct tie-in works for the M12 Motorway entry to and exit from the M7 Motorway • Construct the bridge over Elizabeth Drive (BR10) • Installation of environmental controls	• Rock breaker • Welding equipment • Piling machines • Oxy-cutting equipment • Cherry pickers • Jackhammers • Boring machines • Bobcats • Cranes
3	Finishing works	• Complete all remaining work on the M12 Motorway including signage and line marking • Decommission and rehabilitate all temporary watercourse crossings and local road haulage crossings • Vacate, decommission and rehabilitate all ancillary facilities • Finalise the tie-in works at Elizabeth Drive grade separation over the WSIA access road and switch traffic • Finalise the tie-in works at Elizabeth Drive/Mamre Road intersection and switch traffic • Finalise works at The Northern Road • Removal of temporary environmental controls	• Light vehicles • Excavators • Generators • Dump trucks • Concrete trucks • Hydro-mulching equipment • Cranes • Water cart • Compactor • Bobcats • Road marking machine • Welding equipment

Table 2-2: Indicative construction program

Construction activity	M12 indicative construction program																							
	2021				2022				2023				2024				2025				2026			
Early Works (Appendix B Infrastructure Approval)			■	■	■	■	■																	
Mobilisation/ Site Compounds						■	■	■																
Property adjustments						■	■	■																
Utilities relocation						■	■	■	■															
Fencing						■	■	■	■															
Demolition/clearing							■	■	■	■														
Bulk earthworks							■	■	■	■	■	■	■	■	■	■	■	■	■					
Bridge works							■	■	■	■	■	■	■	■	■	■	■	■	■					
Drainage									■	■	■	■	■	■	■	■	■	■	■					
Pavement												■	■	■	■	■	■	■	■	■	■			
Barriers																	■	■	■	■				
Landscaping																		■	■	■	■			
Intelligent transport systems																		■	■	■	■			
Lighting																			■	■	■			
Signage																				■	■			
Decommission ancillary facilities																						■		

2.3 Staging

The Project will be delivered in three stages, with each stage delivered in a separate construction package that will include all activities needed to complete the stage, including utility adjustments, road construction, bridge construction, traffic management, intelligent transport systems, lighting and finishing work. Each stage is split as detailed in the following sections; some overlap may occur where the respective sections meet. Refer to Figure 2-3 that shows the three stages of the M12 Motorway project.

The interface between construction packages as depicted in Figure 2-3 may be subject to change based on construction staging. Notwithstanding, the EPL premises maps will be updated to reflect changes in accordance with EPL conditions.

Where construction of the CSSI is staged, construction of a stage will not commence until the OCEMP and Sub-plans for that stage have been endorsed by the ER and approved by the Planning Secretary.

The Staging Report will be endorsed by the ER and then submitted to the Planning Secretary no later than one month before the commencement of construction on the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).

2.3.1 M12 West

The M12 West package is six kilometres long and runs from The Northern Road at Luddenham to approximately 250 metres east of Badgerys Creek and features a grade separated interchange with the Airport Access Road connecting the M12 Motorway to the WSIA.

The M12 West package will provide a dual carriageway with a narrow median and safety barriers running along the entire length and designed to integrate with the future Western Sydney Orbital (OSO) project. The OSO eastbound carriageway will be built to the north of the M12 Motorway alignment and the M12 Motorway carriageway would become the westbound carriageway for OSO. Emergency stopping bays and emergency crossovers will be provided at regular intervals.

The M12 West package also consists of:

- The Airport Access Road (1.5 km)
- Multiple bridges
- Active transport (pedestrian and cyclist) facilities through the provision of a shared user path, including connections to existing paths
- A connection to the signalised at grade intersection at The Northern Road with provision for grade separation in the future as part of the future OSO.
- A realignment and duplication of approximately 1500 metres of Elizabeth Drive with a new bridge over the Airport Access Road and Metro Rail corridor, a four-way signalised intersection east of Airport Access Road, and a left-in/left-out intersection west of Airport Access Road, providing access to the WSIA and to the property to the north.
- A signalised single point interchange with north facing ramps from Elizabeth Drive to M12 Motorway and south facing ramps from Elizabeth Drive to Airport Access Road.

2.3.2 M12 Central

Construction of this package of the Project will involve building 7.5 km of motorway from east of Badgerys Creek to the Water Tower Access Road within Western Sydney Parklands.

The M12 Central package will provide a dual carriageway with a wide median to allow for future widening to six lanes. Safety barriers will be provided along the length of the package. Emergency stopping bays and emergency crossovers will be provided at regular intervals.

A shared user path with lighting will provide an active transport link along the motorway and eastward to the M7.

The M12 Central package includes several bridges. Retaining walls will be provided around Range Road to help limit the impact of the motorway on Range Road. The M12 Central package requires adjustments to local roads including Clifton Avenue and Salisbury Road. This package also requires relocation of utility services including electricity, water and telecommunications. Urban design features of the package include Aboriginal artwork on bridges, rest areas on shared user paths, interpretive signage and landscape planting.

2.3.3 M12 East

The M12 East package involves two sections of work as described below.

Elizabeth Drive connections

Construction of this package will involve the upgrade of a two km section of Elizabeth Drive from Duff Road to 300 metres east of the M7 Motorway which includes:

- The realignment of Wallgrove Road through properties to the existing Cecil Road and Elizabeth Drive intersection
- The realignment of Cecil Road to connect it to the new Wallgrove Road
- Upgrading 700 metres of Elizabeth Drive from two to three lanes in both directions from Elizabeth Drive/M7 Motorway southbound entry and exit ramp intersection to new Wallgrove Road/Elizabeth Drive intersection with provisions for three lanes on the remaining sections.

Wallgrove Road will be realigned to make room for the construction of the Elizabeth Drive connection. This will also require decommissioning a section of the existing Wallgrove Road approximately 500 metres from where it currently intersects with Elizabeth Drive. The new Wallgrove Road will connect to and replace the existing Cecil Road and Elizabeth Drive intersection and Cecil Road will be realigned to connect back into the realigned Wallgrove Road.

The package will require relocation of utility services including electricity, water and telecommunications.

Future M7/M12 connection

The Concessionaire of the M7 Motorway put an unsolicited proposal to the NSW Government in September 2020 to deliver the M7/ M12 interchange as part of a proposed program to widen the M7 Motorway. The NSW Government is considering this proposal and how it might re-shape how the M12 Motorway is delivered.

The priority to create a connection between the M7 Motorway and the WSIA before it opens in 2026, remains.

2.4 Construction activities

The Project will involve the following activities:

- Early works and property adjustments
- Low impact work including:

- Survey work including carrying out general alignment survey, installing survey controls (including installation of global positioning systems), installing repeater stations, carrying out surveys ofexisting and future utilities and building and road dilapidation surveys
- Investigations including investigative drilling, contamination investigations and excavation
- Operation of construction ancillary facilities if the ER has determined the operational activities will have minimal impact on the environment and community
- Minor clearing and relocation of native vegetation
- Installation of mitigation measures including erosion and sediment controls, temporary exclusion fencing for sensitive areas and at- property treatments
- Property acquisition adjustment work including installation of property fencing, and relocation and adjustments of utilities to property including water supply, gas and electricity
- Relocation and connection of utilities where the relocation or connection has a minor impact to the environment as determined by the ER
- Archaeological and cultural salvage undertaken in accordance with a strategy or salvage operation required by the conditions of this approval
- Maintenance of existing buildings and structures required to facilitatethe carrying out of the CSSI
- Other activities determined by the ER to have minimal environmentalimpact which may include but not be limited to construction of minoraccess roads, temporary relocation of pedestrian and cycle paths and the provision of property access
- Archaeological testing under the *Code of practice for archaeologicalinvestigation of Aboriginal objects in NSW (DECCW, 2010)* or archaeological monitoring undertaken in association with the above to ensure that there is no impact on heritage items.

- Construction of ancillary facilities
- Construction of concrete and asphalt batching plants
- Earthworks
- Traffic management and access
- Road widening and new road work
- Intersection works
- Construction of bridges and viaducts
- Construction of drainage
- Construction of pavements
- Installation of noise mitigation measures
- Relocation of utilities and services
- Finishing work and site restoration.

The indicative construction activities, plant and equipment and approximate duration of activities are provided in Table 2-1.

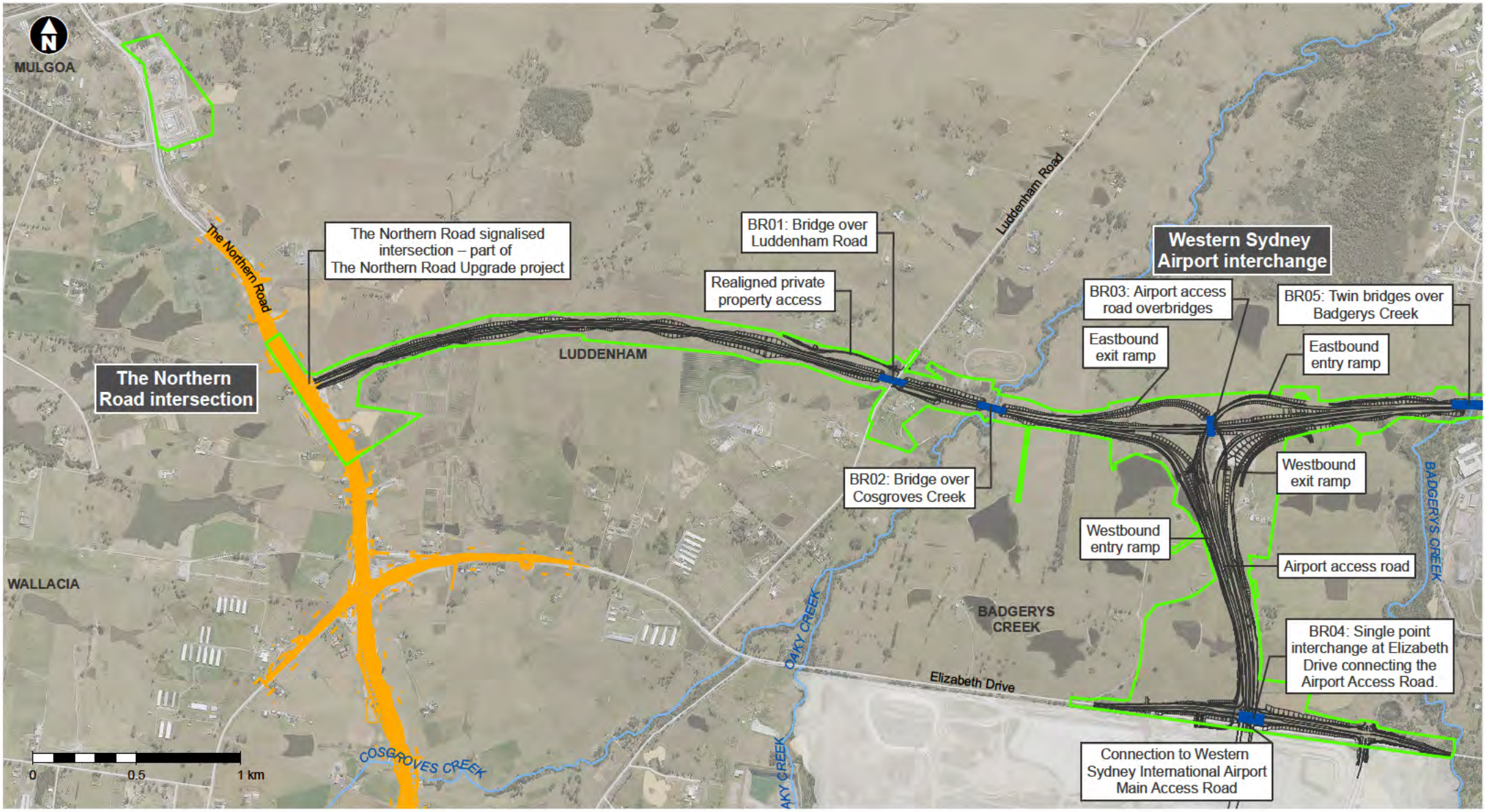

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Figure 2-3 M12 Project construction staging

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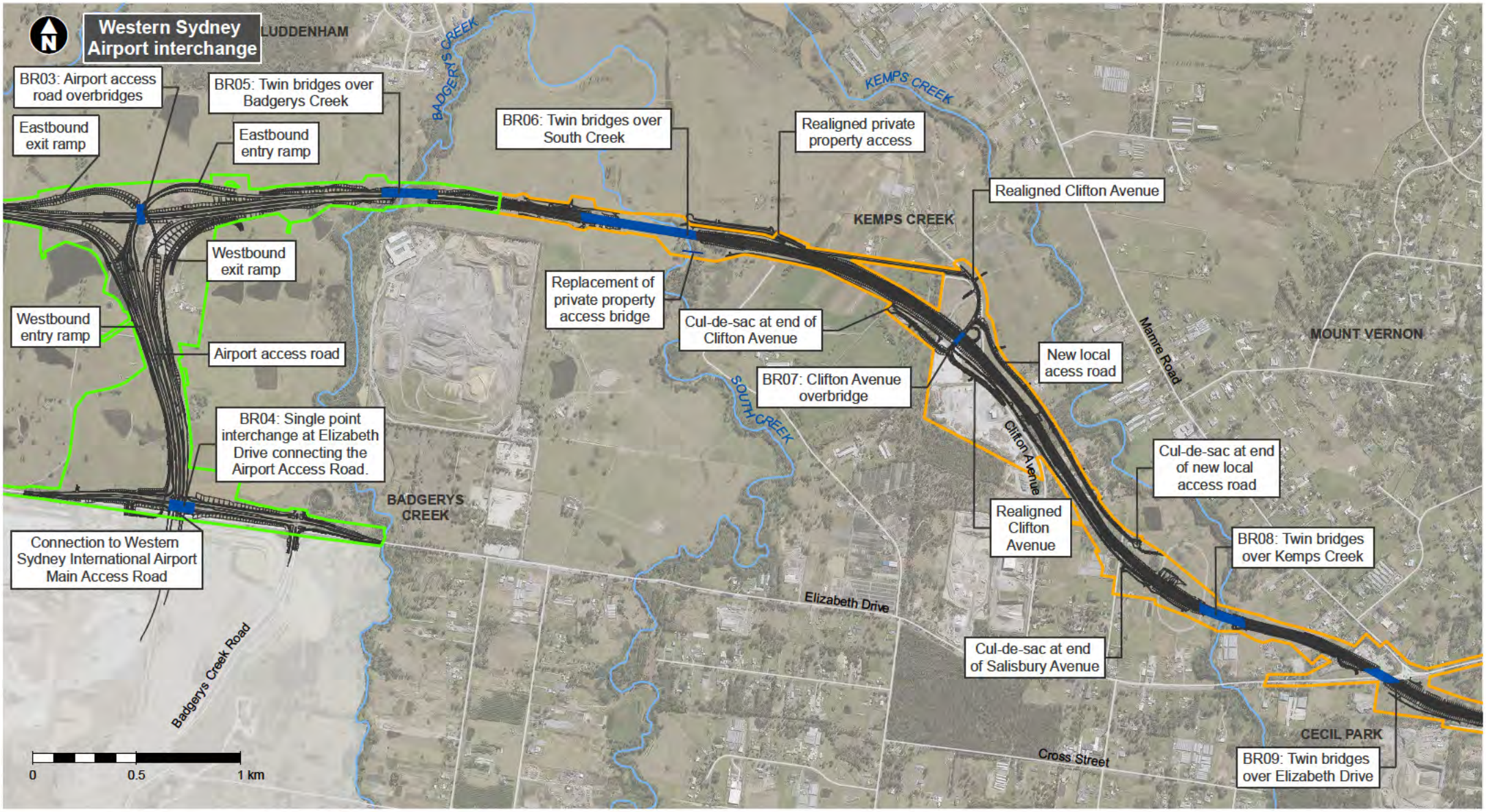

Figure 2-3 M12 Project construction staging

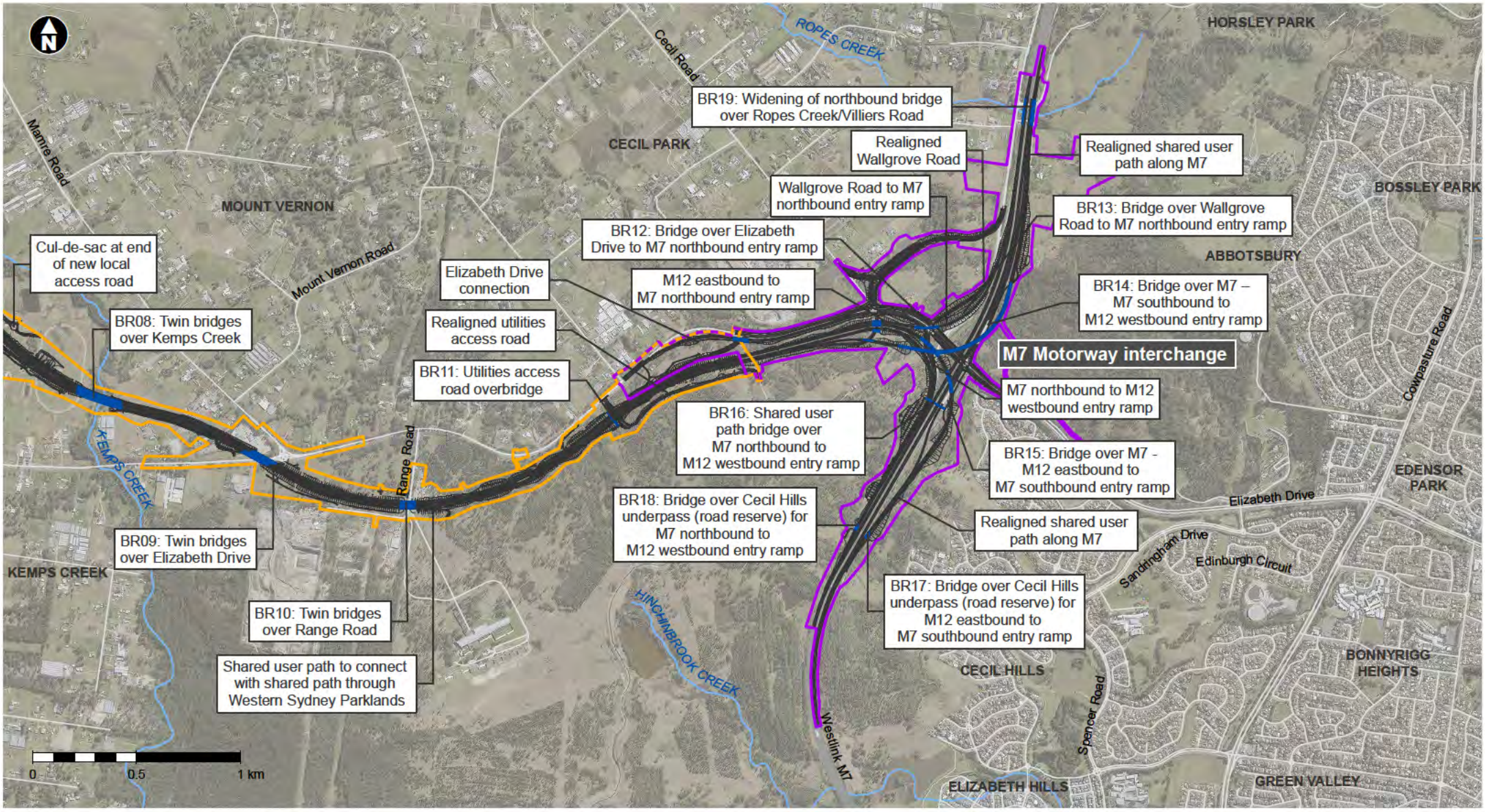

Figure 2-3 M12 Project construction staging

2.5 Ancillary facilities

Ancillary facilities are required to support construction of the Project. Two types of ancillary facilities are defined in the NSW Infrastructure Approval:

- Minor Construction Ancillary Facility: Lunch sheds, office sheds, portable toilet facilities, and the like that meet the requirements of NSW CoA A20
- Construction Ancillary Facility: A temporary facility for construction of the CSSI including an office and amenities compound, construction compound, material crushing and screening plant, materials storage compound, maintenance workshop, testing laboratory, material stockpile area, access and car parking facilities and utility connections to the facility.

Minor construction ancillary facilities assessed in the Environmental Assessment Documentation don't require approval from the ER. For minor construction ancillary facilities not included in the Environmental Assessment Documentation, the Construction Contractor will prepare a minor construction ancillary facilities assessment for review and approval by the ER in accordance with NSW CoA A20. The criteria required for ER consideration is outlined in Appendix A4.

The Environmental Assessment Documentation identified and assessed ancillary facilities AF1 to AF18. Any construction ancillary facilities that are not identified by description or location in the Environmental Assessment Documentation will comply with the requirements of NSW CoA A15, including:

- Located within or immediately adjacent to the construction boundary
- Not located next to a sensitive receiver(s) (including where an access road is between the facility and the receiver(s)), unless the sensitive receiver(s) (both the landowner(s) and occupier(s)) have given written acceptance to the carrying out of the relevant facility in the proposed location
- No impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the Infrastructure Approval
- Establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.

Before establishment of any construction ancillary facility (excluding minor construction ancillary facilities), the Construction Contractors will prepare a SEMP in accordance with NSW CoA A16. The SEMPs will detail the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities. Refer to Section 3.3.7 for further information on the SEMPs.

In accordance with NSW CoA A21, the Construction Contractor will erect boundary fencing around all construction ancillary facilities that are adjacent to sensitive receivers for the duration of construction, unless otherwise agreed with the affected residents, business operators and landowners. Boundary screening will minimise, as far as practicable, visual impacts on adjacent sensitive receivers as per NSW CoA A22.

Information on the minor construction ancillary facilities assessment and the locations of the assessed ancillary facilities is referenced in Appendix A4.

3 Environmental Management Systems Overview

3.1 Environmental Management System

The OCEMP has been prepared in accordance with the overarching environmental management principles outlined in Figure 3-1.

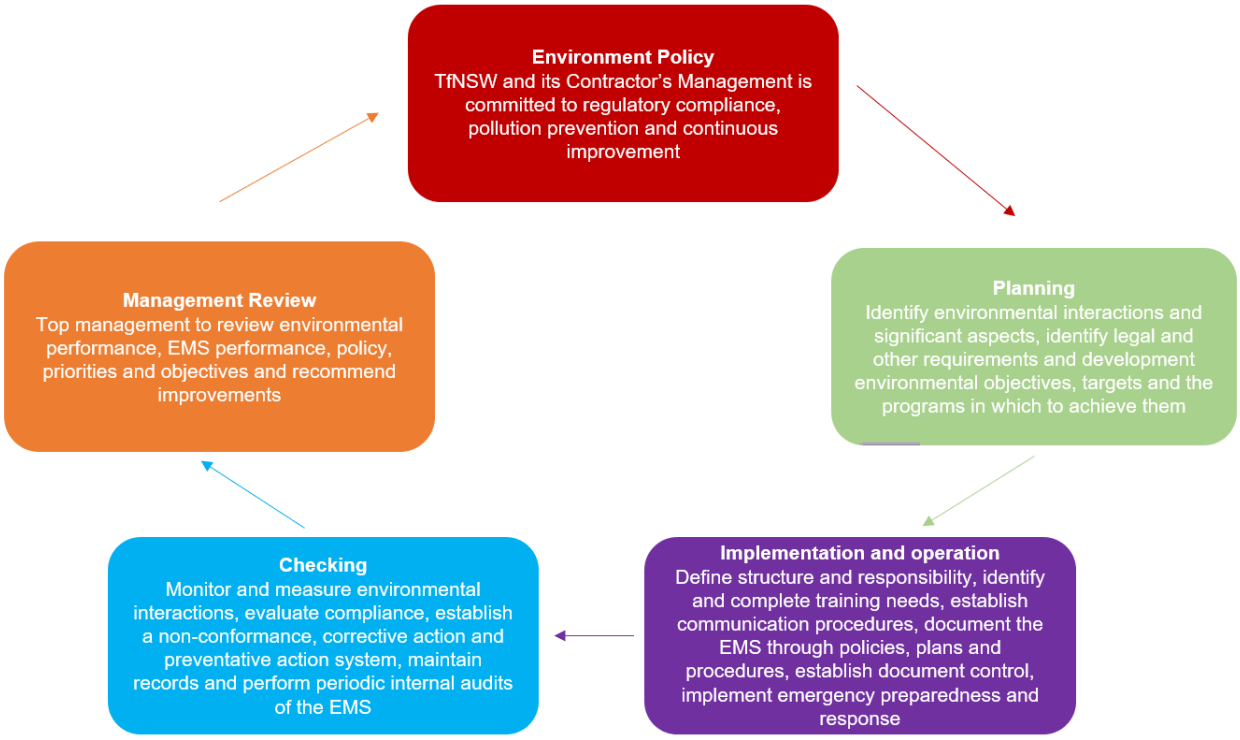

Figure 3-1: Overview of the Project environmental management principles

Source: http://www.environmentalmanagementsystem.com.au/what-is-an-environmental-management-system.html

The OCEMP is prepared in accordance with these principles and provides an overarching structure to the environmental management of the Project. The Construction Contractors delivering the Project stages will have certified Environmental Management System consistent with AS/NZS ISO 14001: Environmental Management Systems and Figure 3-1, and will prepare separate CEMPs in accordance with this OCEMP and their EMS.

3.2 Environmental policy

TfNSW's Environment and Sustainability Policy specifies TfNSW's commitment to continual improvement in environmental performance and compliance with applicable legal requirements. TfNSW's Environmental Policy is provided in Appendix A3.

The Construction Contractors delivering the Project will provide an environmental policy consistent with TfNSW's Environment and Sustainability Policy. The Construction Contractor's environmental policy will be displayed on the Project website and at the Project site offices and communicated to staff and other interested parties via inductions and ongoing awareness programs (refer to Section 5.3).

3.3 OCEMP

This OCEMP is the overarching Project document for a suite of environmental management documents (Figure 3-2).

This OCEMP addresses the requirements of the EMS described in Figure 3-1 in the following sections:

- Environmental Policy - Appendix A3
- Planning - Sections 4.1 to 4.3
- Implementation and operation - Sections 5.1 to 5.5 and appendices
- Checking - Section 7
- Management review - Section 7.7.

The supporting appendices prepared under the OCEMP comprise:

- Appendix A1 Legal and Other Requirements
- Appendix A2 Environmental Aspects and Impacts
- Appendix A3 Environmental Policy
- Appendix A4 Ancillary Facilities Assessment Criteria
- Appendix A5 Document Register
- Appendix A6 Sensitive Area Plans
- Appendix A7 Environmental Incident Classification and Reporting Procedure
- Appendix A8 Environmental Work Method Statement Template
- Appendix A9 Guideline for preparation of Environmental Management Plans Checklist.

In addition to the OCEMP Sub-plans, additional documentation is required to support the delivery of construction. This documentation is detailed in the following sub-sections.

Any document that is submitted or action taken within a timeframe specified in or under theterms of the Infrastructure Approval may be submitted or undertaken within a later timeframe agreed with the Planning Secretary. This does not apply to NSW CoA A44 and A45.

Environmental Assessment Documentation | **State and Commonwealth Approval** | **Environmental Protection Licence** | **Relevant Legislation** | **TfNSW QA Specifications**

Non-OCEMP Documents	Project-Wide Management Plans	Stage Specific Management Plans	Stage Specific Procedures/Plan
Overarching Communication Strategy	Overarching Construction Environmental Management Plan	Stage-Specific Construction Environmental Management Plan	Sensitive Area Plans
Overarching Sustainability Strategy			Clearing and Grubbing Plan
			Vegetation Clearing Procedure
			Weed and Pathogen Management Plan
			Habitat Compensation Plan
			Fauna Handling and Rescue Procedure
			Snag Management Plan
			Tree Management Plan
Place Design and Landscape Plan / Landscape designs	Construction Flora and Fauna Management Plan	Construction Flora and Fauna Management Plan	Unexpected Threatened Species Finds Procedure
	Construction Traffic and Transport Management Plan	Construction Traffic Management Plan	Traffic Control Plan
Staging Report			Traffic Staging Plan
			Vehicle Movement Plan
			Pedestrian Movement Plan
			Traffic Incident Management Plan
Early Works Environmental Management Plan			
Early Works Flora and Fauna Management Plan	Construction Contaminated Land Management Plan	Construction Contaminated Land Management Plan	Unexpected Finds Procedure
			Asbestos Management Plan
Early Works Site Establishment Management Plan			Remediation Action Plan
	Construction Noise and Vibration Management Plan, Monitoring Program and OOHW Protocol	Construction Noise and Vibration Management Plan	Out of Hours Work Protocol
Early Works Out of Hours Works Protocol			
	Construction Waste and Resources Management Plan	Construction Waste and Resources Management Plan	Spoil Management Plan
			Procurement Strategy
	Construction Air Quality Management Plan and Monitoring Program	Construction Air Quality Management Plan	Resource Management Strategy
	Construction Cultural Heritage Management Plan and Unexpected Finds and Human Remains Procedure	Construction Cultural Heritage Management Plan	Unexpected Finds and Human Remains Procedure
	Construction Soil and Water Management Plan and Surface Water and Groundwater Monitoring Program	Construction Soil and Water Management Plan	Dewatering Management Plan
	Construction Flood Management Plan	Construction Flood Management Plan	Construction Water Quality Impact Review
	Climate Change Monitoring and Adaptive Management Framework	Climate Change Monitoring and Adaptive Management Plan	Spill Response Procedure
		Site Establishment Management Plan	Water Reuse Strategy

- Project Obligations
- Project-wide documentation (DPIE approval/ER endorsement)
- Stage-specific management plan (ER approval)
- Stage-specific procedure or plan (ER approval)
- Project-wide procedure/plan (ER endorsement/DPIE information only)
- Project-wide procedure/plan (DPIE information only)
- Stage-specific procedure/plan (DPIE approval)
- Site-specific documentation (TfNSW approval)

Site Specific Documentation

Heritage Salvage Strategies | Low Impact Works EWMS | Pre-clearing Surveys (do not require TfNSW Approval) | Noise and Vibration Impact Statements | Stockpile Management Protocol | Erosion and Sediment Control Plan

Working in Sensitive Environments EWMS | Clearing and Grubbing EWMS | Working in Waterways EWMS

3.3.1 Environmental Management Sub-plans and Monitoring Programs

Aspect-specific Environmental Management Sub-plans including, issue-specific construction monitoring programs where required by the Infrastructure Approval to support the OCEMP. Where required, the Monitoring Programs are included as an appendix to the appropriate Sub-plans (refer to Section 7.2 for further information).

The Sub-plans and Monitoring Programs have been prepared to identify requirements and processes applicable to specific impacts or aspects of the activities described in Section 2. The Sub-plans and Monitoring Programs have also been prepared to compare the actual performance of construction of the Project against the performance predicted in the Environmental Assessment Documentation, in accordance with NSW CoA C11.

The Sub-plans and Monitoring Programs address requirements of the NSW and Commonwealth Infrastructure Approval and mitigation measures identified in the Environment Assessment Documentation. The Monitoring Programs will be prepared in accordance with the requirements listed in NSW CoA C13 (refer to Section 7.2 for further information).

The Sub-plans and Monitoring Programs and their approval requirements are identified in Table 3-1.

Table 3-1: Environmental Management Sub-plans

NSW CoA and REMM	Appendix	Document name	Approval
CoA C4(a), TT01	Appendix B1	Construction Transport and Traffic Management Sub-plan (CTTMP)	Planning Secretary
CoA C4(b), NV01	Appendix B2	Construction Noise and Vibration Management Sub-plan (CNVMP)	Planning Secretary
CoA C11(a), NV01 and NV04	Appendix B of Appendix B2	Construction Noise and Vibration Monitoring Program	Planning Secretary
CoA C4(c), B01	Appendix B3	Construction Flora and Fauna Management Sub-plan (CFFMP)	Planning Secretary
CoA C4(d)(e), SWH01	Appendix B4	Construction Soil and Water Management Sub-plan (CSWMP)	Planning Secretary
CoA C11(b), C11(c) and SWH05	Appendix C of Appendix B4	Soil and Water Monitoring Program	Planning Secretary
CoA C4(d), SC03	Appendix B5	Construction Contaminated Land Management Sub-plan	Planning Secretary
CoA C4(f), AH01, NAH01	Appendix B6	Construction Heritage Management Sub-plan (CHMP)	Planning Secretary
CoA C4(g), AQ01	Appendix B7	Construction Air Quality Management Sub-plan (CAQMP)	Planning Secretary
F01	Appendix B8	Construction Flood Management Sub-Plan	TfNSW

NSW CoA and REMM	Appendix	Document name	Approval
			Information only for Planning Secretary
W01	Appendix B9	Construction Waste and Resource Management Sub-Plan	TfNSW Information only for Planning Secretary
CC02	Appendix B10	Climate Change Monitoring and Adaptive Management Framework (CCMAMF)	TfNSW Information only for Planning Secretary

3.3.2 Construction Contractor's Construction Environmental Management Plans

The Construction Contractors will develop stage specific environmental management documentation to address the control requirements outlined in the OCEMP that apply to the stages they are delivering. Construction Contractors will also be required to ensure that their environmental documentation address the relevant ISCA requirements. TfNSW will review the Construction Contractor's CEMPs, aspect specific sub-plans and monitoring programs for compliance with the approved OCEMP documents. Thereafter, the ER will approve the Contractor's CEMP, aspect specific sub-plans and monitoring programs prior to implementation. Any amendments to the Construction Contractor's documents will require TfNSW review and ER approval as outlined in Section 1.12.2. .

Specific controls relevant to each Construction Contractor's stage of work and required to manage environmental issues applicable to that stage are defined in either or all of the following:

- Construction Contractor's CEMP and Sub-plans
- Erosion and Sediment Control Plans (ESCP)
- Construction Contractor's environmental management documentation
- Construction stage specific Environmental Work Method Statements (EWMS)
- Inspection and test plans/check sheets (as appropriate)
- Construction Contractor's work instructions and stage specific procedures and protocols (e.g. refuelling and servicing)
- Construction Contractors' monthly progress reports against the requirements of their CEMP including conditions of approval, EPL, incidents, complaints, non-conformances and corrective actions
- A schedule of obligations and requirements against conditions of approval as outlined in the Project Compliance Tracking Program.

Although the Construction Contractors will be responsible for preparing CEMPs for each stage of the Project, both the Construction Contractor and TfNSW will be responsible for the environmental performance of the Project and activities.

3.3.3 Other plans and strategies

In addition to the OCEMP and Sub-plans, a number of other plans and strategies are required during construction under the NSW and Commonwealth approvals. The Staging Report required in

accordance with NSW CoA A9 documents the applicability of these reports and strategies to the Project stages of the Project described in Section 2.3 above.

3.3.4 Environmental Work Method Statements (EWMS)

EWMS will be prepared to manage and control high risk activities that have the potential to negatively impact on the environment. EWMS will be prepared by the Construction Contractor's ESR and reviewed by the TfNSW Project Manager, TfNSW ESM (or delegate) and ER before commencement of the construction activities to which they apply.

EWMS incorporate appropriate mitigation measures and controls, including those identified in relevant Sub-plans. They also identify key procedures to be used concurrently with the EWMS. EWMS are specifically designed to communicate requirements, actions, processes and controls to construction personnel using plans, diagrams and simple written instructions. A template EWMS for use by the Construction Contractors is provided in Appendix A8. Appendix A8 also contains a template EWMS register and template EWMS training register.

EWMS for activities identified as having high environmental risk will undergo consultation with stakeholders and authorities before approval. A list of upcoming/future EWMS will be provided to Environmental Review Group (ERG) participants during regular meetings for consultation.

As a minimum, EWMS will be prepared for the activities identified in Table 3-2.

Table 3-2: Activities requiring preparation of EWMSs

Activity	M12 West	M12 Central	M12 East
Low impact work	✓	✓	✓
Activities with high environmental risk	✓	✓	✓
Activities that impact on or are in proximity to environmentally sensitive areas such as ecological communities and threatened species	✓	✓	✓
Activities that impact on or are in proximity to waterways including: • Ropes Creek			✓
• Kemps Creek		✓	
• South Creek		✓	
• Badgerys Creek	✓		
• Cosgroves Creek	✓		
Activities that impact on or are in proximity to non-Aboriginal heritage sites including: • McGarvie-Smith farm	✓		
• Fleurs radio telescope site		✓	

Activity	M12 West	M12 Central	M12 East
• Luddenham Road alignment	✓		
• Upper canal system (Pheasants Nest Weir to Prospect Reservoir)			✓
• McMasters field station	✓		
• Fleurs Aerodrome		✓	
• Cecil Park School, Post Office and Church Site			✓
• Exeter Farm Archaeological site		✓	
Activities that impact on or are in proximity to Aboriginal heritage sites including: • CCW	✓		
• CCE T1		✓	
• CCE T2		✓	
• CCE T3		✓	
• BWB		✓	
• BCW		✓	
• BCE		✓	
• SCW T1		✓	
• SCW T2		✓	
• SCE		✓	
• KNW		✓	
• KCW			✓
• KCE			✓
• PCP8			✓
• CHRP			✓
• RR			✓
• M12A1		✓	
• Isolated artefact	✓		

Activity	M12 West	M12 Central	M12 East
• The Northern Road-AFT-14	✓		
Pre-construction activities including (as relevant): • Delineation of sensitive areas • Installation of erosion and sedimentation control • Heritage excavation and salvage • Treatment of contamination sites	✓	✓	✓
Topsoil stripping and earthworks including temporary stockpiling and disposal of excavated material and protocols for the management of materials containing asbestos	✓	✓	✓
Utilities relocation	✓	✓	✓
Compound and ancillary facility establishment and use	✓	✓	✓
Piling	✓	✓	✓
Contaminated land	✓	✓	✓
Activities that involve work in waterways or that pose a risk to receiving water quality including:	✓	✓	✓
• Construction and operation of sediment basins and/ or buffer swales and connecting drainage for the associated catchment area	✓	✓	✓
• Construction of culverts, including associated staging, flow diversions, any dewatering, short- and long-term stabilisation and removal of existing structures	✓	✓	✓
Vegetation clearing and grubbing	✓	✓	✓
Installation of temporary construction boundary fencing	✓	✓	✓
Dewatering activities including activities where construction water may be discharged into natural waterways	✓	✓	✓
Construction and operation of concrete wash out areas	✓	✓	✓
Managing runoff from curing processes	✓	✓	✓
Activities that generate high levels of noise and/or vibration (where there are nearby receptors)	✓	✓	✓
All works associated with rehabilitation of dams including but not limited to dewatering and filling.	✓	✓	✓

The EWMS will include at least the following elements:

- Description of the work activity, including any plant and equipment to be used
- Outline of the sequence of tasks for the activity, including interfaces with other construction activities
- Identification of any environmental and/or socially sensitive areas, sites or places
- Identification of potential environmental risks/impacts due to the work activity
- Mitigation measures to reduce the identified environmental risk, including assigned responsibilities to site management personnel
- Process for assessing the performance of the implemented mitigation measures.

All construction personnel and sub-contractors undertaking a task governed by an EWMS must participate in training on the EWMS as detailed in Section 5.3, and acknowledge that they have read and understood their obligations by signing an attendance record prior to commencing work.

As outlined in Section 7 of this OCEMP, regular monitoring, inspections and auditing of compliance with the EWMS will be undertaken by Project management, quality and environmental personnel to ensure that all controls are being followed and that any non-conformances are recorded and corrective actions implemented. Where appropriate, improvements will be incorporated following reviews as described in Sections 1.12 and Section 7.7.

A register of EWMS will be maintained in Appendix A5 of the Construction Contractors' CEMPs.

3.3.5 Erosion and Sediment Control Plans

ESCPs are planning documents for managing erosion and sedimentation and show the site layout and the location of erosion and sediment control mitigation on-site. They cover all construction stages from initial vegetation clearing through to rehabilitation when erosion and sediment control are no longer required and are removed. The Construction Contractor will be responsible for ensuring that ESCPs will be developed by a person with demonstrated skills and experience in preparing the ESCP in accordance with the 'Blue Book' guidelines (Landcom, 2004) and implemented for construction.

ESCPs may be produced in conjunction with EWMS to provide more detailed site-specific environmental mitigation measures and will be developed before commencing activities within each catchment for the Project.

The requirements of ISCA Credit Dis-1 (receiving water quality) Level 2 construction requirements should also be included when preparing ESCP's. These requirements are:

- Measures to minimise adverse impacts to receiving water environmental values during construction and operation have been identified and implemented
- Monitoring of water discharges and receiving waters is undertaken at appropriate intervals and at times of discharge during construction
- Monitoring and modelling of water discharges and receiving waters demonstrates no adverse impact on receiving water environmental values
- The infrastructure does not increase peak stormwater flows for rainfall events of up to a 1.5 year average recurrence interval event discharge.

ESCPs will be developed by the Construction Contractor's environment staff in consultation with the Superintendent, Site Engineers, Foreman/ Site Supervisor, other relevant site personnel and the Project Soil Conservationist, as required. The ESCP must be signed and approved by the Construction Contractor's ESR, Construction Superintendent and Project Manager before submitting the ESCP to TfNSW for review at least 10 working days before disturbance occurs. TfNSW must review the ESCP before releasing the hold point.

ESCPs will be modified to reflect site condition at the time of construction. For updates to the ESCP and minor changes thereafter, the ESCP will be approved by the Construction Contractor's ESR.

3.3.6 Sensitive Area Plans

Construction works are located amongst and in proximity to sensitive areas and sites. To assist pre-construction planning and on-site construction management, these site constraints will be consolidated by the Construction Contractors on a series of map-based sheets that extend the length of the Project. Sensitive Area Plans (SAPs) include information pertaining, but not limited to:

- Threatened Ecological Communities (TECs) listed in NSW:
  - Shale Gravel Transition Forest in the Sydney Basin Bioregion (endangered)
  - Cooks River/Castlereagh Ironbark Forest in the Sydney Basin Bioregion (endangered)
  - Moist Shale Woodland in the Sydney Basin Bioregion (endangered)
  - River-Flat Eucalypt Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner Bioregions (endangered)
  - Cumberland Plain Woodland in the Sydney Basin Bioregion (critically endangered)
  - Swamp oak floodplain forest of the NSW North Coast, Sydney Basin and South East Corner bioregions (endangered)
- EPBC Act listed TECs:
  - Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest (critically endangered)
  - Western Sydney Dry Rainforest and Moist Woodland on Shale (critically endangered)
- EPBC Act listed threatened flora species:
  - Pultanaea tenuifolia parviflora (Sydney Bush Pea)
  - Dilwynnia tenuifolia
- Actual and potential habitat for Cumberland Plain Land Snail, White Bellied Sea Eagle, Grey-headed Flying-fox, Swift Parrot and Southern Myotis
- Areas of vegetation to be retained
- State forest/national parks/nature reserves/flora reserves
- Heritage items:
  - McGarvie-Smith farm
  - Fleurs radio telescope site

- Upper canal system (Pheasants Nest Weir to Prospect Reservoir)
- McMasters field station
- Fleurs Aerodrome
- Cecil Park School, Post Office and Church Site
- Exeter Farm Archaeological site

- Aboriginal heritage sites including assessment boundaries, items, places, objects and sites
- Waterways:
  - Ropes Creek
  - Kemps Creek
  - South Creek
  - Badgerys Creek
  - Cosgroves Creek
- Noise sensitive receivers e.g. residential dwellings, educational institutions
- Potential or actual acid sulphate soil areas
- Contaminated sites
- Monitoring locations for groundwater, surface water and dust.

Overarching SAPs for the Project are presented in Appendix A6. Stage specific SAPs will be prepared by the Construction Contractors as part of the Construction Contractors' CEMPs and will provide further detail for the sensitive areas for the applicable stage. The Construction Contractors' SAPs will be a working element of the Construction Contractors' CEMPs and will be revised throughout construction to reflect true ground conditions and the most up-to-date information available on sensitive sites. SAPs will be used in conjunction with EWMS to help identify key risk areas and to promote ongoing communication with construction personnel.

The Construction Contractors' SAPs will be reviewed by the TfNSW ESM (or delegate) prior to commencement of construction.

3.3.7 Site Establishment Management Plan

Before establishment of a construction ancillary facility not identified by description and location in the Environmental Assessment Documentation, the Construction Contractor will assess the ancillary facility in accordance with NSW CoA A15 and the Environment Assessment Documentation. If criteria in NSW CoA A15 cannot be complied with, a modification will be required for the establishment of the ancillary facility.

Following this assessment, and before establishment of a construction ancillary facility, the Construction Contractors will prepare a SEMP in accordance with NSW CoA A16. The SEMPs will detail the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities. The SEMPs will be prepared in consultation with the relevant council(s) and government agencies and be approved by the Secretary before the establishment of major construction ancillary facilities. The SEMPs will detail the management of the ancillary facilities and include:

- A description of activities to be undertaken during construction (including scheduling of construction)
- Figures illustrating the proposed site layout
- A program for ongoing analysis of the key environmental risks arising from the site establishment activities, including an initial risk assessment undertaken before the commencement of site establishment works
- Details of how the site establishment activities will be carried out to:
    - Meet the performance outcomes stated in the EIS and Amendment Report
    - Manage the risks identified in the risk analysis
- A program for monitoring the performance outcomes, including a program for construction noise monitoring of site establishment activities.

Information on ancillary facilities assessment is provided in Appendix A4.

3.3.8 Environmental system, procedures, forms and other documents

The Project Environmental Management System procedures, forms and other documents provide instructions and records related to both environmental and non-environmental activities throughout the Project.

Project specific procedures will be developed by the Construction Contractors as required. Where applicable, existing Construction Contractor procedures and work instructions will be applied or amended for use on the Project. TfNSW will review the Construction Contractors' documentation to confirm consistency with the requirements of this OCEMP and specifications.

The Construction Contractor will maintain a register of relevant environmental procedures and forms in Appendix A5 of the Construction Contractors' CEMPs.

4 Planning

4.1 Environmental aspects and impacts

In accordance with NSW CoA C2(c), Appendix A2 contains a list of overall Project environmental activities and impacts. The Construction Contractor responsible for each stage of the Project will further update and develop the activities and impacts listed in Appendix A2. This will be based on the outcomes of the risk assessment workshop (refer to Section 4.1.1) and as appropriate for the applicable stage of construction.

Where relevant, the requirements from the TfNSW QA Specifications, CoA and REMMs will be incorporated into the environmental risk assessment, particularly in developing the agreed activity specific site controls.

Potential environmental aspects and impacts associated with construction are identified in Table 4-1.

Table 4-1 Potential environmental impacts associated with construction

Environmental Aspect	Potential impact
Biodiversity	• Direct removal of native vegetation, threatened plant species and threatened ecological communities • Indirect impact to native vegetation and threatened plant species through edge effects • Removal of fauna habitat including woodland, riparian, native and exotic grassland and aquatic habitat • Noise, vibration and lighting impacts to fauna
Traffic and access	• High numbers of construction vehicle movements may temporarily affect the surrounding road network, particularly heavy vehicles • Site traffic resulting in changes/disruptions to local traffic movements • Traffic-related safety incidents during work (workers and road users) if management measures are not implemented.
Noise and vibration	• Vibration impacts to sensitive receivers (including utilities and heritage items) • Road traffic noise due to vehicle movements/haulage routes • Noise associated with physical works and type of plant and equipment proposed.
Air quality	• Dust associated with excavation including from exposed surfaces, spoil stockpiles or backfilling trenches • Exhaust emissions from equipment, machinery and construction vehicles.

Environmental Aspect	Potential impact
Non-Aboriginal and Aboriginal heritage	• Direct impacts to Aboriginal sites • Impact on heritage items including McGarvie Smith Farm, McMaster Field Station, Fleurs Aerodrome, Cecil Park School/Post Office/Church and the Fleurs Radio Telescope • Unexpected impacts on unknown heritage items (e.g. archaeological items) during work
Soils and water	• Erosion of soils resulting in offsite sedimentation • Interaction with groundwater is not expected, however some locally perched systems may be encountered • Potential disturbance, handling and disposal of contaminated material should these be identified through the unexpected finds procedure.
Flooding	• Potential impacts on construction activities due to flooding
Socio-economic, land use and property	• Direct impacts on properties • Changes to property access required due to realignment of local roads including Wallgrove Road and Clifton Avenue • Construction and operation footprints impact urban rural residential land and businesses • Potential changes to, or requirements for, easement arrangements for utilities
Landscape character and visual amenity	• Minor and temporary adverse visual and landscape character impacts during work on site primarily relate to residential receivers and include: ◦ Building removal ◦ Tree removal ◦ Visibility or overshadowing of temporary structures ◦ Temporary noise barriers ◦ Hoardings ◦ Visibility of ancillary facilities, including construction machinery, plant operations and site offices ◦ Temporary lighting.
Hazard and risk	• Transport and storage of hazardous substances and dangerous goods • Potential strikes of existing underground utilities • Risk of bushfires • Potential asbestos containing material finds during excavation.

Environmental Aspect	Potential impact
Resource use and waste management	• Increased demand on water supply for dust suppression during works • Impacts associated with unexpected waste volume or types.
Sustainability	• Emissions of greenhouse gases as a result of construction activities
Cumulative impacts	• Noise, amenity and traffic related impacts associated with other construction sites in proximity to the works

4.1.1 Environmental Risk Assessment Workshop

Environmental risk assessment workshops will be held for each stage of the Project by the Construction Contractors responsible for that stage of the Project.

Participants will be agreed with the TfNSW Representative and will include the Construction Contractor's site management and environmental personnel, representatives from all relevant regulatory agencies, the ER and any other personnel including sub-contractors who will be performing work on the Project.

The risk workshop will identify high risk activities. Each activity will be assessed to identify the relevant steps in the activity and the associated environmental hazards, initial risk levels, mitigation measures and to avoid, manage and/or minimise the risks and residual risks. Each of these items will be documented in an environmental risk register (refer to Appendix A2). Where residual risk is assessed as high, or if required under the Contract Specification, the Construction Contractor will develop an EWMS for that activity.

The workshop will also be used to raise general awareness of good environmental management practices among the Construction Contractor's staff and sub-contractors working on the Project and to develop ideas and actions to improve environmental practices.

Following the workshops, the OCEMP will be updated by the TfNSW's ESM (or delegate) with the Construction Contractors stage specific risk assessments, in accordance with the OCEMP revision process outlined in Section 1.12.

4.1.2 Ongoing risk analysis

The Construction Contractor's ESR are responsible for ensuring Project environmental risks are identified and included in the risk register and appropriate mitigation measures implemented throughout the construction of the Project.

Review and, if necessary, update of the Project risk register will be an ongoing process which will occur, as a minimum:

- When a risk has been identified
- Where there is a change in work systems, materials, equipment, practices or procedures on site
- In response to incidents
- Where new information about an environmental risk becomes available or where personnel raise concerns about an environmental risk

- At regularly scheduled times, including during reviews of the Project risk register at the Construction Contractor's Project meetings and the quarterly management review meetings (refer to Table 7-4).

The requirement for the regular review and update of the aspects and impacts register as part of continuous improvement is included in Table 4-2.

Where new risks are identified, these will be included in the risk register, assessed and control measures put in place to eliminate or minimise the level of risk. Monitoring and review of the effectiveness of control measures will be carried out during weekly environmental inspections and may include consultation with site personnel involved in managing the identified risks.

4.2 Relevant legislation and guidelines

4.2.1 Legislation

A register of legal requirements for the Project is contained in Appendix A1. This register will be maintained by the Construction Contractor. The Construction Contractor will review the register at regular intervals, such as during management reviews (refer to Section 7.7), and update with any applicable changes. Any changes made to the legal requirements register will be communicated to the wider project team, including sub-contractors where necessary, through toolbox talks, specific training and other methods detailed in Section 5.3.2 of this OCEMP.

4.2.2 Approvals, permits and licences

The Construction Contractor will comply with all written requirements or directions of the Planning Secretary. A number of approvals, permits and licenses have and/or will be obtained for the Project. The following approvals and licences have been or will be obtained by TfNSW:

- Infrastructure Approval under Part 5, Division 5.2 of the EP&A Act – SSI 9364 granted by the Minister for Planning on 23 April 2021
- A Commonwealth controlled action approval from the Department of Agriculture, Water and the Environment (DAWE) under Part 8 of the EPBC Act – EPBC 2018/8286 granted by the Minister for Environment on 3 June 2021
- An EPL for each stage of the Project under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) for 'road construction' and for 'extractive activity' where the stage meets the criteria.

The EPL for each stage will be held by either TfNSW or the Construction Contractor throughout the life of the Project.

It is TfNSW's intention that initial EPL applications for each stage will be prepared by TfNSW. Once a Construction Contractor is engaged for each stage, the EPL will be transferred to the Construction Contractor. Variations to EPL's will then be the responsibility of the Construction Contractor.

The Construction Contractors will obtain the following licences, approvals or exemptions:

- Road Occupancy Licence (ROL) under Section 138 of the *Roads Act 1993*
- An aquifer interference approval under the *Water Management Act 2000* if construction requires intersection of a groundwater source. It is understood that a person can take up to

3 megalitres of groundwater through an aquifer interference activity per authorised project per water year without needing to obtain a water access licence

- Exemptions to allow hot works to be undertaken on Total Fire Ban days as detailed under Section 99 of the *Rural Fires Act 1997*
- Specific Resource Recovery Exemptions, where determined
- To undertake prescribed activities involving environmentally hazardous chemicals or declared chemical wastes, as detailed under s28 of *Environmentally Hazardous Chemicals Act 1985*
- For construction or use of 'work' for purposes including the taking and using of water, as detailed under S21B of the *Water Act 1912.*

Environmental approvals, permits and licences applicable under the legislation are also noted within the register in Appendix A1.

All necessary licences, permits and approvals required for the development of the Project will be obtained and maintained as required throughout the life of the Project. No condition of the Infrastructure Approval removes the obligation for TfNSW or the Construction Contractors to obtain, renew or comply with such necessary licences, permits or approvals except as provided under Section 5.23 of the EP&A Act.

4.2.3 Guidelines and standards

The main guidelines, specifications, and policy documents relevant to this Plan include:

- Environmental Management Plan Guideline – Guideline for Infrastructure Projects (DPIE, April 2020)
- Department of Infrastructure, Planning and Natural Resources Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004)
- Managing Urban Stormwater: Soils and Construction Volume 1, Landcom, (4th Edition) March 2004 (reprinted 2006) (the "Blue Book").
- Interim Construction Noise Guideline (DECC, 2009)
- Construction Noise and Vibration Guidelines (RMS, 2016)
- AS/NZS ISO 14001: Environmental Management Systems (EMS)
- AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems
- AS/NZS 4801: Safety Management Systems.
- ISO 9001: Quality Management Systems
- AS 4282-2019 Control of the obtrusive effects of outdoor lighting and
- AS/NZ 1158 – Lighting for Roads and Public Spaces
- TfNSW Environment and Sustainability Policy (January, 2020)

The guidelines and standards listed above are specifically relevant to this plan. Relevant guidelines and standards will vary for each Sub-plan. Specific guidelines and standards are included within each Sub-plan.

4.3 Environmental and sustainability objectives and targets

The Project is a critical component of the Western Sydney Infrastructure Plan (WSIP). WSIP is a major Australian and NSW government road investment program to improve and upgrade road infrastructure in Western Sydney. The program will deliver new and upgraded roads to support an integrated transport solution for the western Sydney region and capitalise on the economic benefits from developing the WSIA at Badgerys Creek.

The strategic aims of WSIP are:

- Development and demand – support the WSIA, land use change and residential growth; balancing functional, social, environmental and value for money considerations
- Connectivity to airport – provide a resilient connection to the WSIA site for freight and people
- Integrated network – provide road improvements to support and integrate with the broader transport network
- Customer focus – provide meaningful engagement with customers and stakeholders throughout the program life.

The Project would provide a number of benefits that are in the public interest, which include:

- Facilitate the construction and ongoing operation of the WSIA
- Accommodate future traffic growth and improve accessibility for road users accessing the Western Sydney Aerotropolis and other development projects in western Sydney
- Develop new infrastructure for public and active transport modes
- Support regional benefits related to the broader program of upgrades proposed under the WSIP, such as the provision of high capacity traffic and freight links.

The Project objectives are to:

- Provide sufficient road capacity to meet traffic demand generated by the planned western Sydney urban development
- Provide a high standard connection to the airport with capacity to meet future freight and passenger needs
- Provide a road which supports and integrates with the broader transport network
- Support the provision of an integrated regional and local public transport system
- Preserve the access function of Elizabeth Drive
- Provide active local transport within the east–west corridor
- Make provision for connection to the future Outer Sydney Orbital.

Environmental objectives and targets have been established as a means of assessing environmental performance during construction of the Project. These objectives and targets have been developed with consideration of the key issues identified through the environmental assessment and risk assessment process. The objectives and targets are consistent with TfNSW's and the Construction Contractors' Environmental Policies and will assist in monitoring whether the policy commitments are being met.

The performance of the Project will be monitored against the objectives and targets and documented in the Construction Contractors' monthly reports (refer to Section 7.2), the six monthly

Construction Compliance Reports (refer to Section 7.4.3) and as part of the management review (refer to Section 7.7).

Environmental objectives and targets for the Project have been incorporated into issue-specific Sub-plans. A summary of objectives and targets is provided in Table 4-2.

Table 4-2: Environmental and sustainability objectives and targets

Objective	Target	Measurement tool
Construct the Project in accordance with environmental approvals	• Full compliance with statutory approvals	Audits, reporting, management reviews
Compliance with all legal requirements	• No regulatory infringements (PINs or prosecutions) • No formal regulatory warning	Audits, reporting, management reviews
Implement a rigorous and comprehensive EMS that meets the requirements of AS/NZS ISO 14001	• Address non-conformances and corrective actions within specific timeframes	Audits, management reviews
Engage with the affected and broader community, minimise complaints and respond to any complaints within a suitable timeframe	• Disseminate regular Project updates and other information through the Project website and other tools identified in the OCS • Record and respond to complaints within the timeframe specified in the OCS	Review complaints register, reporting, audits
Continuously improve environmental performance	• Develop and maintain a program of ongoing environmental training • Capture and disseminate lessons learnt from environmental incidents to minimise repeat issues • Encourage and reward innovation and effort throughout the workforce • Regular review and update of the aspects and impacts register, legal register and environmental induction	Audits, reporting, management reviews Revisions of management plans in response to incidents or non-conformance reports (NCRs) Risk register
Implement sustainability initiatives on the Project	• Adopt sustainability leadership and continual improvement • Integrate governance, environmental, social and economic considerations into decision-making processes within the Project	Measure, monitor and report on the implementation of the sustainability initiatives identified in the Construction Sustainability Management Plan

Objective	Target	Measurement tool
	• Enhance positive environmental, social and economic outcomes wherever possible, while minimising adverse impacts, resource use and embodied impacts • Achieve a minimum 'Excellent' ISCA Rating	Utilise the ISCA IS rating tool v1.2 to evaluate the sustainability performance of the quadruple bottom line (governance, economic, environmental and social) of the Project

5 Implementation and operation

The stage-specific Construction Contractor CEMP and Sub-plans will provide the details regarding the implementation of the Environmental Assessment Documentation and relevant management measures. This will be guided by the risk assessment process completed by the Construction Contractor.

5.1 Resources, roles, responsibilities and authority

The key environmental management roles and responsibilities for the construction of the Project are described below. The general structure of these roles is shown in Figure 5-1. Stage specific resources, roles and responsibilities will be further described in the Construction Contractors' CEMPs, as well as the names of the Construction Contractors' key personnel. The Construction Contractors will provide sufficient resources to implement the requirements of this OCEMP and their CEMPs.

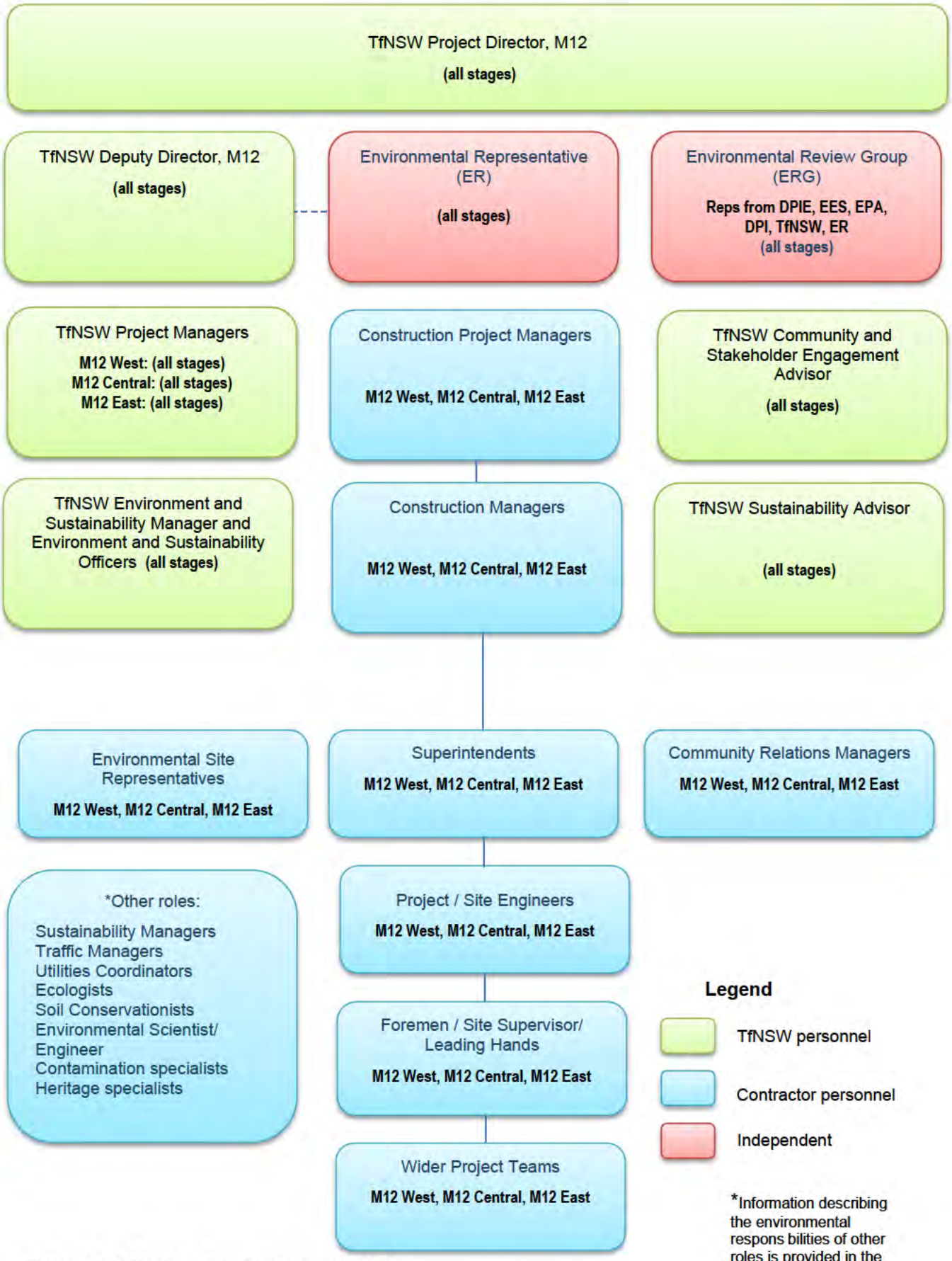

Figure 5-1: Project organisation structure

5.1.1 Independent Environmental Representative

In accordance with NSW CoA A30, an Independent Environmental Representative (ER) must be approved by the Planning Secretary prior to the commencement of work. An ER was approved by the Planning Secretary on 03 May 2021. The environmental responsibilities of the ER for the Project are detailed in NSW CoA A34 and include:

- Receive and respond to communication from the Secretary in relation to the environmental performance of the Project
- Consider and inform the Secretary on matters specified in the terms of the Infrastructure Approval
- Consider and recommend to TfNSW and the Construction Contractors any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community
- Review documents identified in NSW CoA A9, A13, A16, A24, C1, C4 and C11 and any other documents that are identified by the Secretary, to ensure they are consistent with requirements in or under the Infrastructure Approval and if so:
    - Make a written statement to this effect before submission of such documents to the Secretary (if those documents are required to be approved by the Secretary) or
    - Make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Secretary/Department for information or are not required to be submitted to the Secretary/Department)
- Regularly monitor the implementation of the documents listed in NSW CoA A9, A13, A16, A24, C1, C4 and C11 to ensure implementation is being carried out in accordance with the document and the terms of the Infrastructure Approval
- As may be requested by the Secretary, help plan, attend or undertake audits of the Project commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under NSW CoA A38 and A41
- As may be requested by the Secretary, assist the Department in the resolution of community complaints
- Assess the impacts of minor construction ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities as required by NSW CoA A20
- Consider any minor amendments to be made to the CEMP, CEMP Sub-plans, Construction Monitoring Programs and SEMPs that involve updating or are of an administrative nature and do not increase impacts to nearby sensitive receivers, and ensure they are consistent with the terms of this approval and the documents approved by the Planning Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval
- Prepare and submit to the Planning Secretary and relevant regulatory agencies, for information, an ER Monthly Report providing the information set out in the ER Protocol under the heading “Environmental Representative Monthly Reports.” The ER Monthly Report must be submitted within seven days following the end of each month for the duration of the ER’s engagement for the Project.
- The Construction Contractor will:
- Facilitate ER inspections (refer to Section 7.1.3)

- Notify the ER of any environmental incidents and identify any incident with significant off-site impacts on people or the biophysical environment which will be reported to the Secretary
- Provide the ER with all information and documents, allow the ER to attend meetings and audits of this Plan and access such premises as may be necessary or reasonably required by the ER to allow the ER to perform its functions under the Project Approval
- Update this Plan to address any relevant requirements and recommendations of the ER
- Review and analyse the cause of any non-conformances raised by the ER and develop a plan of corrective action to minimise the likelihood of recurrence
- Comply with the lawful requirements of the ER, so as to allow the ER to discharge any functions under the Planning Approval.

5.1.2 Environmental Review Group

The ERG comprises the ER and representatives of TfNSW, the Project delivery team, regulatory authorities (Environment Protection Authority [EPA], Environmental, Energy and Science [EES]) and local councils (Penrith City Council, Liverpool City Council and Fairfield City Council).

The purpose of the ERG is to ensure prompt and effective consultation and resolution of environmental issues raised by or affecting Government agencies, Council(s), TfNSW, the community and the Construction Contractors. The role of the ERG is to work collaboratively with the Project teams for each Project stage to provide proactive advice on environmental management issues on the Project and review the environmental performance of the Project.

The ERG will be maintained for the duration of the Project and will meet monthly (or as otherwise agreed by the regulatory agencies and TfNSW) and undertake environmental inspections.

The Construction Contractors' relevant personnel including the Project Manager and ESR will attend the ERG meetings.

5.1.3 TfNSW roles

The roles and responsibilities of TfNSW personnel, relevant to Construction, are outlined in Table 5-1.

Table 5-1: Roles and responsibilities of TfNSW personnel

Role	Responsibilities
TfNSW Project Director, M12	• Evaluate and advise on high-risk compliance issues relating to the Construction Contractor and TfNSW environmental requirements • Provide Construction Contractor management with environmental advice and/or directions, in consultation with TfNSW environmental staff.
TfNSW Project Director, M12	• Provide Construction Contractor management with environmental advice and/or directions, in consultation with TfNSW environmental staff • Act as delegate to TfNSW Project Director as required.
TfNSW Utilities Manager	• Evaluate and advise on high risk compliance issues relating to the Construction Contractor and TfNSW environmental requirements

Role	Responsibilities
	• Review and endorse documentation to be submitted to the Secretary of DPIE and the Commonwealth Minister of the Environment for approval • Have oversight of the review and approve any Environmental Management Plans for the Project or related activities that are not required to be approved by the Secretary of DPIE in consultation with TfNSW environmental staff and the ER. • Provide Construction Contractor management with environmental advice and/or directions, in consultation with TfNSW environmental staff
TfNSW Delivery Manager	• Evaluate and advise on high risk compliance issues relating to the Construction Contractor and TfNSW environmental requirements • Review and endorse documentation to be submitted to the Secretary of DPIE and the Commonwealth Minister of the Environment for approval • Have oversight of the review and approve any Environmental Management Plans for the Project or related activities that are not required to be approved by the Secretary of DPIE in consultation with TfNSW environmental staff and the ER. • Provide Construction Contractor management with environmental advice and/or directions, in consultation with TfNSW environmental staff.
TfNSW Project Managers	• Evaluate and advise on compliance with TfNSW environmental requirements • Review and approve any Environmental Management Plans for the Project or related activities that are not required to be approved by the Secretary of DPIE • Provide Construction Contractor staff with environmental advice and/or directions, in consultation with TfNSW environmental staff.
TfNSW ESM and Environment and Sustainability Officers	• Review any Environmental Management Plans and related documents prepared for the Project • Review and consider minor Project refinements that are consistent with the Project environmental assessment in accordance with the TfNSW EP&A Act Part 5.1 environmental assessment procedure • Monitor the environmental performance of the Project in relation to TfNSW requirements • Provide guidance and where appropriate, monitor compliance with DPIE post approval document submission requirements.

5.1.4 Construction Contractor Project Manager

The environmental responsibilities of the Construction Contractor are provided in Table 5-2.

Table 5-2: Construction Contractor roles and responsibilities

Role	Responsibilities
Project Manager	• Ensure all works comply with relevant regulatory and Project requirements, including compliance with the approvals, EPL, REMMs, TfNSW QA Specifications • Ensure the requirements of this OCEMP and the Construction Contractor's CEMP are fully implemented, and in particular, that environmental requirements are not secondary to other construction requirements

Role	Responsibilities
	• Endorse and support the TfNSW and Construction Contractor's environmental policy attached at Appendix A3 of the OCEMP and Construction Contractor's CEMP respectively • Liaise with TfNSW, ER and other government authorities as required • Participate and provide guidance in the regular review of the OCEMP and the Construction Contractor's CEMP and supporting documentation • Provide adequate resources (personnel, financial and technological) to ensure effective development, implementation and maintenance of this OCEMP and the Construction Contractor's CEMP • Ensure that all personnel receive appropriate induction training, including details of the environmental and community requirements • Ensure that complaints are investigated to ensure effective resolution • Stop work immediately if an unacceptable impact on the environment is likely to occur • Point of contact in the event of an environmental site emergency • 24-hour person of contact for environmental regulatory authorities.
Construction Manager	• Plan construction works in a manner that avoids or minimises impact to environment • Ensure the requirements of this OCEMP and the Construction Contractor's CEMP are fully implemented • Ensure construction personnel manage construction works in accordance with statutory and approval requirements • Support the Construction Contractor's ESR in achieving the Project environmental objectives • Ensure environmental management procedures and protection measures are implemented • Ensure all Project personnel attend an induction prior to commencing works • Liaise with TfNSW, the ER and government authorities as required • Stop work immediately if an unacceptable impact on the environment is likely to occur • Point of contact in the event of an environmental site emergency • 24-hour person of contact for environmental regulatory authorities.
Superintendent	• Communicate with all personnel and sub-contractors regarding compliance with the OCEMP, the Construction Contractor's CEMP and site-specific environmental issues • Ensure all site workers attend an environmental induction prior to the commencement of works • Co-ordinate the implementation of the OCEMP and the Construction Contractor's CEMP • Develop EWMS in consultation with Construction Contractor's ESR • Co-ordinate the implementation and maintenance of pollution control measures

Role	Responsibilities
	• Identify resources required for implementation of the OCEMP and the Construction Contractor's CEMP • Support the Construction Contractor's ESR in achieving the Project environmental objectives, including on ground implementation of the EWMS and ESCP • Report any activity that has resulted, or has the potential to result, in an environmental incident immediately to the Construction Contractor's ESR • Co-ordinate action in emergency situations and allocate required resources • Stop activities where there is an actual or immediate risk of harm to the environment and advise the Construction Contractor's Construction Manager and Construction Contractor's ESR
ESR(s)	• Overall responsibility for the implementation of environmental mitigation measures on the Project • Implementation of the OCEMP • The development, implementation, monitoring and updating of the Construction Contractor's CEMP and Sub-plans in accordance with ISO14001 • Report to the Construction Contractor's Project Manager on the performance and implementation of the OCEMP and the Construction Contractor's CEMP • Ensure management reviews of the Construction Contractor's CEMP are undertaken annually, documented and actions implemented • Ensure environmental risks of the Project are identified ongoing and appropriate mitigation measures implemented • Identify where environmental measures are not meeting the targets set and where improvement can be achieved • Ensure environmental protocols are in place and managed • Ensure environmental compliance with CoA and management plans • Obtain and update all environmental licences, approvals and permits as required • Liaise with the ER, the TfNSW ESM (or delegate) and approval authorities • Work collaboratively with the Construction Contractor's Sustainability Manager (or delegate) to deliver the sustainability objectives, targets and requirements for the Project • Manage environmental document control, reporting, inductions and training • Manage environmental reporting within the Construction Contractor's Project team and to TfNSW and regulatory authorities • Prepare reports on a monthly basis outlining the Project works undertaken and the achievements that have been met, as well as identifying those areas where improvements were made • Oversee site monitoring activities, site inspections, audits and site checklists • Ensure monitoring records are appropriately maintained, reviewed and any non-compliance issues addressed • Record and provide written reports to the Construction Contractor Construction Manager of non-conformances or corrective actions with the OCEMP and the Construction Contractor's CEMP. This may include the need to implement additional, or revise existing, mitigation measures

Role	Responsibilities
	• Provide reports to the Construction Contractor Project Manager on any major issues resulting from the Project • Assist all site staff with issues concerning Project environmental matters • Manage all sub-contractors and consultants with regard to environmental matters, including assessing their environmental capabilities and overseeing the submission of their environmental documents • Develop and facilitate induction, toolbox talks, environment awareness notes and other training programs regarding environmental requirements for all site personnel • Notify TfNSW and relevant authorities in the event of an environmental incident and manage close-out of these • Assist in identifying environmental risks and advise the Construction Contractor Construction Manager of any requirements to avoid or minimise impacts • Stop activities where there is an actual or immediate risk of harm to the environment, or to prevent environmental non-conformances, and advise the Construction Contractor Project Manager, Construction Contractor Construction Manager and Construction Contractor Superintendent • Assist the Construction Contractor Public Liaison Officer to resolve environment-related complaints • Develop, review and approve ESCPs in consultation with the Construction Contractor's Superintendent, Site Engineers, Foreman / Site Supervisor and other relevant site personnel, as required • Manage the day-to-day environmental elements of construction.
Public Liaison Officer	• Ensure that all community consultation activities are carried out in accordance with the overarching and stage specific Communication Strategy (CS) • Report any environmental issues to the Construction Contractor's ESR raised by stakeholders or members of the community • Communicate general Project progress, performance and issues to stakeholders including the community • Maintain the 24 hour complaints hotline • Maintain the complaints register in accordance with the Complaints Management System.
Project/Site Engineers	• Provide input into the preparation of environmental planning documents as required • Ensure that instructions are issued and adequate information provided to employees that relate to environmental risks on-site • Ensure that the works are carried out in accordance with the requirements of the OCEMP and the Construction Contractor's CEMP and supporting documentation, including the implementation of all environmental controls • Identify any environmental risks • Identify resource needs for implementation of OCEMP and the Construction Contractor's CEMP requirements and related documents. • Ensure that complaints are investigated to ensure effective resolution

Role	Responsibilities
	• Take action in the event of an emergency and allocate the required resources to minimise the environmental impact • Report any activity that has resulted, or has the potential to result, in an environmental incident immediately to the Construction Contractor Superintendent and Construction Contractor's ESR.
Foreman/ Site Supervisor	• Undertake any environmental duties as defined by the Construction Contractor Superintendent or Construction Contractor Project/Site Engineers • Control field works and implement/maintain effective environmental controls • Where required, undertake environmental risk assessment of works prior to commencement • Ensure site activities comply with EWMS and relevant records are kept • Ensure all site workers are site inducted prior to commencement of works • Attend to any spills or environmental incidents that may occur on site • Report any activity that has resulted, or has the potential to result, in an environmental incident immediately to the Construction Contractor Superintendent • Stop activities where there is an actual or immediate risk of harm to the environment and advise the Construction Contractor's Project Manager, Construction Contractor's Construction Manager, Construction Contractor's Superintendent or Construction Contractor's ESR.
Project Team (including sub-contractors)	• Comply with the relevant requirements of the OCEMP and the Construction Contractor's CEMP, or other environmental management guidance as instructed by a member of the Project's management • Participate in the mandatory Project/site induction program • Report any environmental incidents to the Construction Contractor Foreman / Site Supervisor immediately or as soon as practicable if reasonable steps can be adopted to control the incident • Undertake remedial action as required to ensure environmental controls are maintained in good working order • Stop activities where there is an actual or immediate risk of harm to the environment and advise the Construction Contractor's Project Manager, Construction Contractor's Construction Manager, Construction Contractor's Superintendent, Construction Contractor's Foreman/ Site Supervisor or Construction Contractor's ESR.
Sustainability Manager	• Ensure the development and implementation of the Sustainability Management Plan for each relevant stage of the Project • Ensure the development, implementation and verification of sustainability measures are carried out for all construction works • Support the Project Manager in achieving sustainability objectives, targets and requirements • Manage the Sustainability Induction and Training Program for relevant Project personnel • Ensure relevant Project sustainability personnel are capable and suitability skilled to undertake designated sustainability responsibilities

Role	Responsibilities
	• Assist and support the Construction Contractor Manager to ensure the sub-contractors fulfill sustainability obligations, targets and requirements • Monitor progress of sustainability targets and ensure actions are initiated and performed throughout the Project • Co-ordinate and prepare the sustainability initiative progress reports for TfNSW.

5.1.5 Regulator roles

The environmental responsibilities of Regulators are provided in Table 5-3.

Table 5-3: Regulator roles and responsibilities

Role	Responsibilities
DPIE	• Assessing compliance with the Concept Plan and Project Approval • Assessing and approving any documents under the Project Approval which require the specific approval • Assessing any proposed modifications to the Project Approval that are not consistent with the Project Approval • Liaising with TfNSW during fortnightly meetings.
EPA	• Providing comment on the environment and planning documents as specified in the Infrastructure Approval • Provision of review and comment, where applicable, to incident reports for potential or actual environmental harm.
DAWE	• Assessing compliance with Commonwealth CoA • Liaison with TfNSW with regard to Protected Matters

5.2 Sub-contractor management

The Construction Contractor will be responsible for environmental performance of the sub-contractor. The Construction Contractor will specify environmental requirements and responsibilities to sub-contractors in the contract documentation. The Construction Contractor's ESR, or delegate, will participate in the tender assessment and selection process where it is deemed necessary due to associated environmental risks. All sub-contractors are required to complete a sub-contractor questionnaire or similar. As part of the sub-contractor selection process, consideration will be given to past environmental performance.

The Construction Contractors' CEMPs will include procedures for ensuring subcontractor compliance including details of:

- The duties of each sub-contractor for planning, implementing and monitoring environmental protection measures and for keeping environmental records
- The duties the Construction Contractor will retain for environmental protection of sub-contracted work

- How environmental protection measures on sub-contracted work interact with adjacent work areas as applicable
- The Construction Contractor's surveillance program to monitor the effectiveness of each sub-contractor's environmental protection measures together with the relevant Project documentation.

The Construction Contractor and sub-contractor will determine how environmental management controls will interact.

All sub-contractors are required to work in accordance with the approved OCEMP and the Construction Contractor's CEMP. The Construction Contractor will monitor sub-contractors to ensure compliance with the OCEMP, Construction Contractor's CEMP and sub-plans is achieved.

All sub-contractors are required to attend Project and/or site inductions where the requirements and obligations of the OCEMP and the Construction Contractor's CEMP are communicated. A record of all sub-contractors inducted will be maintained as part of the Project induction and training register.

The Construction Contractor will regularly review and keep a record of:

- The sub-contractor's general work practices
- The effectiveness of the sub-contractor's environmental protection measures
- The sub-contractor's compliance with the requirements of this OCEMP and the Construction Contractor's CEMP
- The maintenance of environmental measures.

All environmental documentation submitted by sub-contractors will be subject to review and approval by the Construction Contractor to ensure compliance with TfNSW contract requirements and the CoA, EPL, REMMs and TfNSW QA Specifications before works may begin.

5.3 Competence, training and awareness

To ensure that this OCEMP and the Construction Contractor's CEMP are effectively implemented, each level of management is responsible for ensuring that all personnel reporting to them are aware of the requirements of this OCEMP and the Construction Contractors' CEMPs. The Construction Contractor's ESR will coordinate the environmental training in conjunction with other training and development activities (e.g. safety).

5.3.1 Environmental induction

All personnel (including sub-contractors) are required to attend a compulsory site induction that includes an environmental component before commencement on-site. This is undertaken to ensure all personnel involved in the Project are aware of the requirements of the OCEMP and the Construction Contractors' CEMPs.

Short-term visitors to site undertaking inspections/entering the site (such as regulators) will be required to undertake a visitor's induction and be accompanied by inducted personnel at all times.

Temporary visitors to site for purposes such as deliveries will be required to be accompanied by inducted personnel at all times.

The Construction Contractor's ESR will conduct the environmental component of the site inductions. The environmental component of the induction will cover relevant elements of the OCEMP and the Construction Contractors' CEMPs and may include:

- Relevant details of the OCEMP, the Construction Contractors' CEMPs, including all Sub-plans, procedures and strategies, their purpose and objectives
- Requirements of due diligence and duty of care
- Relevant legislation, Conditions of Approval, conditions of environmental licences, permits and approvals
- Potential environmental emergencies on-site and the emergency response procedures
- Incident notifications and requirements of the PIRMP
- Reporting and notification requirements for pollution and other environmental incidents
- Key environmental issues
- Mitigation measures for the control of environmental issues
- Complaints response and reporting
- High risk activities and associated environmental safeguards and EWMS
- Site specific environmental management requirements and responsibilities
- Incident and emergency response and reporting requirements
- Information relating to the location of environmental constraints
- SAPs
- Environmentally sensitive locations and no-go/exclusion zones
- Site flagging protocol
- Erosion and sediment controls, water quality controls, sediment basin management and dewatering activities
- Minimising light pollution on sensitive receivers, including adjacent vegetation from construction ancillary facilities and during night works
- Management of contaminated material (including asbestos impacted material)
- Location of identified potential contaminated land sites
- Signs of contaminated soil, including visual asbestos identification protocols
- Procedure for unexpected finds of contaminated land, asbestos, or human remains
- Groundwater management
- Mulch and tannin management
- Stockpile location criteria
- Working near or in drainage lines and creeks
- The location of acid sulfate soils or potential acid sulfate soils
- Obligation to report and the process for reporting environmental issues on-site including damaged environmental controls
- Obligations under the *Biosecurity Act 2015* to prevent the spread of weeds during Construction

- Responsibilities under the *National Parks and Wildlife Act 1974*, including the need to cease work immediately and report any object of potential Aboriginal heritage unearthed during clearing, grubbing and earthworks operations
- Responsibilities under the *Heritage Act 1977* if an object of potential Non-Aboriginal heritage is uncovered during construction
- Location of identified Aboriginal and non-Aboriginal archaeological heritage sites, areas of cultural sensitivity and areas of archaeological potential and the kinds of historical relics, structures or deposits which may be encountered during the construction works
- Responsibilities under the *Contaminated Land Management Act 1997*
- Noise, vibration and air quality management controls
- Standard construction hours and the process for seeking approval for out of hours works, including consultation
- Noise management measures during night works
- Location of noise, vibration and air quality sensitive receivers
- Road safety
- Road occupancy and other temporary and interim traffic arrangements
- Response procedure for dealing with traffic incidents
- Requirement to maintain surrounding property access for residences, business owners, and their visitors, and to minimise disruptions to these properties for the duration of construction
- Location of refuse bins, washing, refuelling and maintenance of vehicles, plant and equipment
- Waste minimisation principles, waste reporting and waste/recycle storage requirements
- Best practice energy efficiency
- Equipment start up and shut down procedures
- Sustainability management measures and initiatives
- Boundaries for vegetation clearing, fauna and fauna habitat management, including awareness of threatened fauna species and fauna rescue and obligations under the EPBC Act *and Biodiversity Conservation Act 2016*
- Weed control measures
- Specific species likely to be affected by the construction works and how these species can be recognised
- Specific responsibilities for the protection of flora and fauna
- Overview of Project ISCA requirements.

A record of all environment inductions will be maintained in a Project induction and training register and kept on-site. The training register will identify who is trained, when trained, the trainer and what they were trained in.

The Construction Contractor will provide refresher environmental awareness training as required, based on the environmental risk assessment and turnover of Project personnel. Refresher environmental awareness training will be included on the register of environmental training.

The Construction Contractor's ESR may authorise amendments to the induction where required to address Project modifications, legislative changes or amendments to this OCEMP or related documentation.

The ER will review and endorse the induction program before the induction is delivered and will monitor implementation.

5.3.2 Toolbox talks, training and awareness

Toolbox talks will be used to raise awareness and educate personnel on construction-related environmental issues. The toolbox talks are used to ensure environmental awareness continues throughout construction.

Toolbox talks will be tailored to specific environmental issues relevant to upcoming work, including (but not limited to):

- Incident notification requirements
- Erosion and sedimentation control
- Management of waste concrete
- Management of water/ concrete during pilling activities
- Dewatering
- Hours of work
- Emergency and spill response
- Aboriginal and non-Aboriginal heritage
- Threatened species and ecological communities
- Clearing controls and vegetation protection
- Weed management
- Dust control
- Minimising light pollution during night works
- EWMS, for relevant personnel
- Lessons learnt from other projects, where relevant
- Incident alerts, where relevant.

Toolbox talk attendance is mandatory and attendees of toolbox talks are required to sign an attendance form and the records maintained.

Targeted environmental awareness training will be provided to individuals or groups of workers with a specific authority or responsibility for environmental management or those undertaking an activity with a high risk of environmental impact. Topics covered may include those detailed above, or others deemed necessary in the lead up to or during construction.

Awareness notes, in the form of posters, booklets, or similar will be developed and distributed to the Construction Contractor Superintendent, Construction Contractor Project Engineers, Construction Contractor Foreman / Site Supervisor and other personnel with a responsibility for managing specific work locations or activities. This documentation will be distributed to the broader

Project workforce through daily pre-starts meetings and made available in Project offices/break facilities.

The Construction Contractor's ESR will review and approve the training program and monitor implementation.

5.3.3 Daily Pre-Start meetings

Daily pre-start meetings are used to inform the workforce of the day's activities, safe work practices, environmental protection practices, work area restrictions, activities that may affect the work, coordination issues with other trades, hazards and other information that may be relevant to the day's work.

The Construction Contractor's Foreman / Site Supervisor will conduct a daily pre-start meeting with the site workforce before the commencement of work each day (or shift) or where changes occur during a shift.

The environmental component of pre-start meetings will include any environmental issues that could potentially be impacted by, or impact on, the day's activities. All attendees will be required to sign on to the pre-start meeting and acknowledge their understanding of the issues explained.

Pre-start meeting topics, dates delivered, and a register of attendees will be recorded by the Construction Contractor's ESR and the records maintained.

5.3.4 Communications training

All staff (including plant operators and truck drivers) and sub-contractor personnel working on the delivery of the Project will be required to behave in a courteous and professional manner when in dialogue with any community member. All personnel will be:

- Trained on how to respond to community queries
- Aware of and abide by the requirements for the release of information
- Advised on the identity of the community within which they are working prior to their involvement in the Construction Contractor's work.

Community involvement obligations will be included in the site induction of all personnel working on the Project.

5.4 Working hours

5.4.1 Hours of work

In accordance with NSW CoA E34 and the EPL, work will be undertaken during standard construction working hours:

- 7:00 am to 6:00 pm Monday to Friday
- 8:00 am to 6:00 pm Saturday
- At no time on Sunday or public holidays.

Any application to work between 8:00am and 6:00pm on Saturdays (the allowable work hours on Saturdays identified in the Infrastructure Approval) must be submitted to the TfNSW no later than 12:00 pm on the Thursday immediately prior to the Saturday proposed to undertake work. The

application must include the details of the work activities to be undertaken. Approval is at the discretion of TfNSW.

As required by NSW CoA E35, except as permitted by an EPL, highly noise intensive works that result in an exceedance of the applicable noise management level at the relevant receiver must only be undertaken:

- Between 8:00 am to 6:00 pm Monday to Friday
- Between 8:00 am to 1:00 pm Saturday
- 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.

'Continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing the work.

All conditions relating to construction hours outlined in the Project EPL will be complied with.

5.4.2 Variation to work hours

Works associated with the delivery of the Project may be undertaken outside the hours of work identified in Section 5.4.1 in the following circumstances, in accordance with NSW CoA E36:

- Safety and emergencies
    - For the delivery of materials required by the NSW Police Force or other authority for safety reasons; or
    - Where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent material environmental harm.

On becoming aware of the need for emergency works, the Construction Contractor will notify the TfNSW Project Manager, the Planning Secretary, the ER and the EPA of the need for those works. The Construction Contractor will use its best endeavours to notify all affected sensitive receivers of the likely impact and duration of those works.

- Work that causes:
    - $L_{Aeq(15\ minute)}$ noise levels:
        - No more than 5 dB(A) above the rating background level at any residence in accordance with the *Interim Construction Noise Guideline (DECC, 2009*) and
        - No more than the 'Noise affected' NMLs specified in Table 3 of the ICNG at other sensitive land user(s)
    - LAFmax(15 minute) noise levels no more than 15 dB(A) above the rating background level at any residence during the night time period
    - Continuous or impulsive vibration values, measured at the most affected residence, that are no more than the preferred values for human exposure to vibration, specified in Table 2.2 of Assessing Vibration: a technical guideline (DEC, 2006)
    - Intermittent vibration values measured at the most affected residence that are no more than the preferred values for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006).
- By Approval, including:

- Where different construction hours are permitted or required under an EPL in force in respect of the Project
- Works which are not subject to an EPL that are approved under an Out-of-Hours Work Protocol as required by NSW CoA E37
- Negotiated agreements with directly affected residents and sensitive land uses.

The Construction Contractors will prepare an Out of Hours Work (OOHW) Protocol, in accordance with the *Construction Noise and Vibration Guidelines (Roads and Maritime, 2016)*. The procedure will be prepared to address the requirements of NSW CoA E37 and the EPL relating to OOHW and will include:

a. Identification of low and high-risk activities and an approval process that considers the risk of activities, proposed mitigation, management, and coordination, including where:
   i. the ER reviews all proposed out-of-hours activities and confirm their risk levels
   ii. low risk activities can be approved by the ER
   iii. high risk activities that are approved by the Planning Secretary.
b. A process for the consideration of OOHW against the relevant NML and vibration criteria
c. A process for selecting and implementing mitigation measures for residual impacts in consultation with the community at each affected location, including respite periods consistent with the requirements of NSW CoA E47. The measures must take into account the predicted noise levels and the likely frequency and duration of the out-of-hours works that sensitive land user(s) would be exposed to, including the number of noise awakening events
d. Procedures to facilitate the coordination of OOHW including those approved by an EPL or undertaken by a third party, to ensure appropriate respite is provided
e. Notification arrangements for affected receivers for all approved OOHW and notification to the Secretary of approved low risk OOHW.

The OOHW Protocol will be prepared in consultation with the ER and approved by the Planning Secretary before commencement of OOH work. Approvals for any changes to the construction hours outlined in Section 5.4.1 above will be attached to the Construction Contractors' CEMPs.

5.5 Communication

5.5.1 Internal Communication

The Construction Contractor's environment team will meet regularly to discuss any issues with environmental management on-site, any amendments to plans that might be required or any new/changes to construction activities. Regular meetings will also occur with the ER and TfNSW environment staff. These meetings will discuss ongoing environmental performance and identify any issues to be addressed.

In addition, the Construction Contractors' environment team members will participate in regular toolbox talks to communicate on environmental performance, advise on any upcoming sensitive environmental matters for future work areas and to receive feedback from on-site personnel.

Further internal communications regarding environmental issues and aspects will be through awareness training and pre-start meetings as described in Section 5.3.

5.5.2 Liaison with EPA, government authorities or other relevant stakeholders

TfNSW will notify DPIE in writing of the dates of commencement of early works, construction and operation at least one month before those dates.

The Construction Contractor's ESR will be the main point of contact regarding specific environmental issues. The Construction Contractor's ESR is responsible for reporting on the ongoing environmental performance of the Project to TfNSW, the ER and EPA. The Construction Contractor ESR will report regularly to TfNSW on progress and any key environmental matters, and to the EPA through monthly EPL reports.

Two Project team members have been nominated as 24-hour contacts for environmental regulatory authorities and are identified in Section 5.1.4. They have the authority to halt the progress of the work if necessary, and are the key emergency response personnel during an environmental site emergency. The name, position and contact details of these members will be provided in the Construction Contractors' CEMP.

TfNSW will be immediately notified on each occasion that the site is visited by EPA and/or other relevant agencies. The Construction Contractor will prepare a report for each occasion when the site is visited by the EPA and/or other relevant agencies, notifying TfNSW of the purpose and outcome of the EPA and/or other relevant agencies visit, and of all actions taken by the Construction Contractor in response to the EPA visit and/or other relevant agencies. The report will be provided to TfNSW within one working day of the visit.

Relevant government authorities will be consulted throughout construction through their involvement in regular ERG meetings. These meetings will discuss environmental performance, upcoming work, high risk activities and will include inspections of the work sites as required.

The Construction Contractor's ESR will report to the EPA in the event of an occurrence or set of circumstances that causes or threatens to cause material harm.

5.5.3 Community liaison and/or notification

Overarching Communication Strategy

TfNSW has prepared an Overarching Communication Strategy (OCS) in accordance with the requirements of NSW CoA B1 to document the approach to stakeholder and community communications for the Project. The OCS identifies opportunities for providing information and consulting with the community and stakeholders during the construction of the Project. The Construction Contractor will support the delivery of the OCS.

The OCS will be implemented for the duration of the Project and for 12 months following the completion of all construction stages of the Project.

The OCS includes:

- Principles to guide the overall approach to community and stakeholder involvement
- Identification of the stakeholders and groups to be consulted during the Project
- Procedures and tools for the distribution of information about the Project, such as regular updates about construction activities, the program for construction activities and key milestone dates.

- A process for communication with adjacent/nearby developments for the management of potential cumulative impacts or emissions (noise, air or odour) from their sites
- Opportunities for the community to visit Project construction sites
- Methods for involving construction personnel in engaging with the local community
- Methods and tools for engaging with the local community, including community forums to discuss key environmental management issues of concern for the Project
- Procedures and mechanisms:
    - Detailing how the community can discuss or provide feedback in relation to the Project
    - Detailing how the Project team will respond to community enquiries and feedback
    - Describing how issues will be resolved or disputes meditated in relation to environmental management and construction of the Project.
- Procedures to consult with local communities potentially affected by the impacts of multiple projects in addition to the Project.

The OCS also provides details on the requirements for coordination and communication between the Construction Contractors working on the Project stages which will include:

- Liaison meetings
- Mailing list for all communications (including community updates)
- Email communication
- Project briefings.

Where relevant, the TfNSW Community and Stakeholder Engagement Advisor and the Construction Contractor Public Liaison Officer will undertake consultation with proponents of other nearby developments to increase the overall awareness of Project timeframes and impacts.

A range of communication tools are also defined in the OCS, and may include:

- Targeted community open days
- Media releases and advertisements in local and metropolitan papers
- Public displays
- Door-knocks
- Letterbox drops
- Community update newsletters, information brochures and fact sheets
- Community information sessions and community forums
- Signage at construction sites
- Construction updates (including for councils, emergency services and bus operators)
- Project website
- Project 1800 number, email address and postal address.

The OCS was approved by the Planning Secretary on 7 July 2021, as required by NSW CoA B3.

Complaints Management

TfNSW has developed a Complaints Management System (CMS) to document the overall approach to complaints management for the Project. The CMS will be consistent with AS-ISO 10002-2006 Complaints Handling in accordance with the requirements of NSW CoA B6 to B9. The Construction Contractors will adopt the requirements of the CMS, including reporting requirements.

The CMS will be provided to the Planning Secretary for information before any work commencing on the Project, as part of the OCS.

All community enquiries and complaints related to the construction activities will be referred to the 24-hour toll free community information line (1800 517 155). The Project postal address (Transport for NSW, PO Box 973 Parramatta CBD NSW 2124) and email address (m12motorway@rms.nsw.gov.au) are also available for receipt of enquiries and complaints. Stage specific contact details will be provided in the Construction Contractors' CEMPs.

Details of the telephone number, postal address and email address for enquiries and complaints related to the Project will be on the Project website, one month before the commencement of work, as required under NSW CoA B7.

The CMS includes a Complaints Register in accordance with NSW CoA B8 which will record the details of all complaints relating to the Project including the following as a minimum:

- Date and time of the complaint
- Method by which the complaint was made
- Any personal details of the stakeholder
- Number of people affected in relation to a complaint
- Nature of the complaint
- Action taken in relation to the complaint, means by which the complaint was addressed and any follow up
- Whether resolution was reached, with or without mediation
- If no action taken, reasons why
- The status of resolution of the complaint.

The Complaints Register will be provided to the Planning Secretary on request in accordance with NSW CoA B9. In accordance with NSW CoA A35(a), the Complaints Register will be provided to the ER on the day complaints are received. The Construction Contractor's CEMP will outline the EPL reporting requirements associated with complaints received in relation to construction activities which are regulated by the EPL.

Attempts will be made to resolve all complaints in accordance with the CMS. Figure 5-2 provides a flow chart of the complaints management process provided in the CMS. All complaints will be investigated and the source of the complaint determined immediately, with a phone call made to the complainant (when received by phone) within two hours. An initial response will be provided during this phone call, unless the complainant agrees otherwise.

An initial written response to email complaints will be provided within 24 hours (or during the next business day if received out-of-hours) and a resolution provided within seven business days, if the complaint cannot be resolved in the initial contact.

The complainant will be kept informed and updated of the progress until the complaint is resolved. The complainant has the right to contact TfNSW to access personal information held about them and to correct or amend that information (Collection Statement). For any complaints made in person the complainant must be made aware of the Collection Statement.

All complaints will be recorded in the Complaints Register (by the Consultation Manager) within 24 hours.

An initial internal escalation process will be followed for the resolution of complaints which requires escalation to the TfNSW Communication and Stakeholder Engagement Advisor and TfNSW Project Director and following that to the next level which includes the ER as per the Complaints Management Process (refer to Figure 5-2).

TfNSW will set up a mediation system for complaints unable to be resolved before the commencement of construction (within one month of NSW Infrastructure Approval). The mediation system will be available for the duration of the Project. Further details of the mediation system are provided in the OCS.

The Construction Contractor's ESR will apply an adaptive approach to ensure that corrective actions are applied in consultation with the appropriate construction staff to allow modifications and improvements in the management of any environmental issues resulting in community complaints.

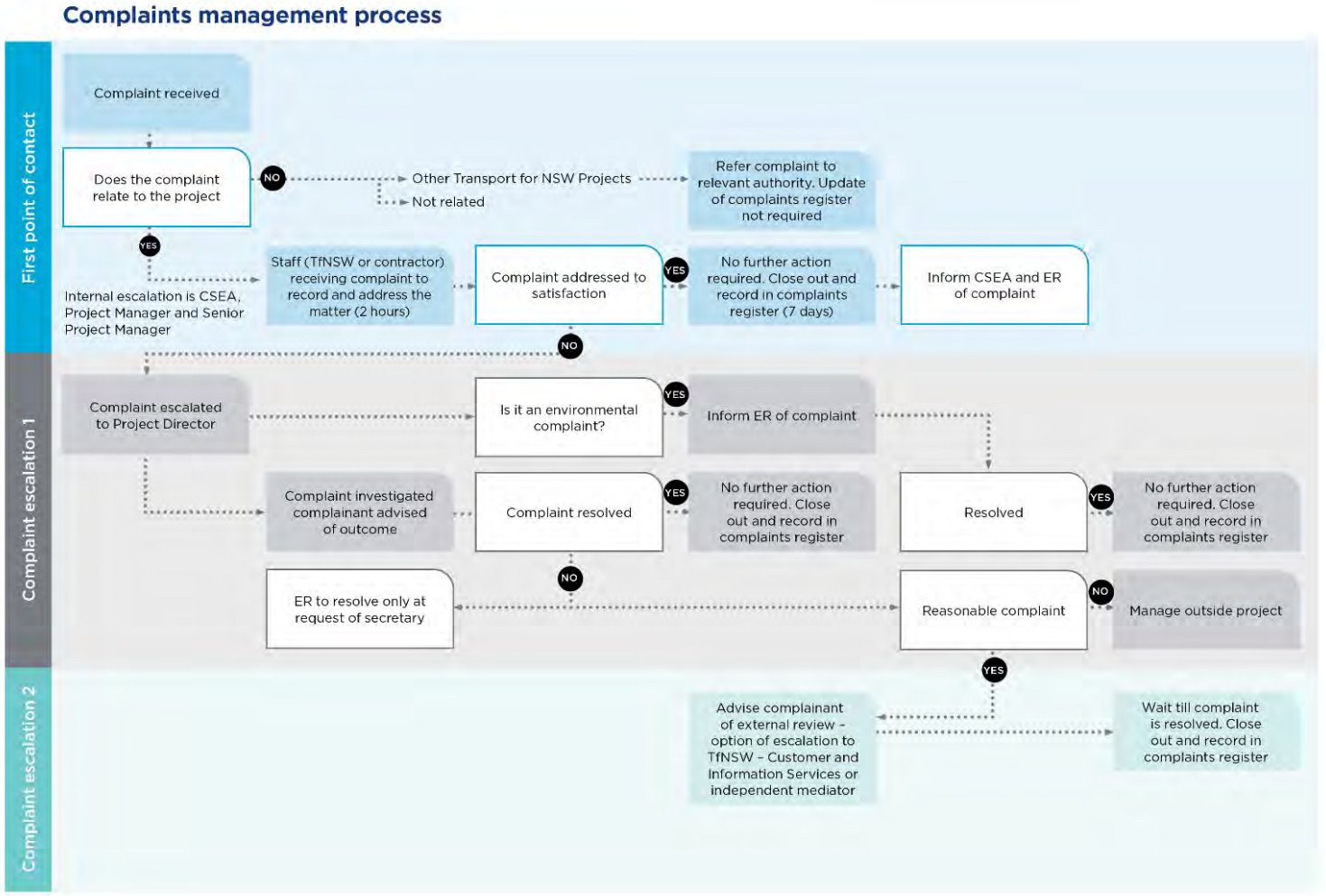

Figure 5-2: Complaints management process

5.5.4 Project website

A website has been established for the Project (***https://www.rms.nsw.gov.au/projects/m12-motorway/index.html***) and will be regularly maintained during construction of the Project. The website will be kept up to date with the latest Project information, environmental assessments, and will include all community updates. The Early Works Contractor will provide TfNSW will all relevant documents that are required to be published on the Project website. The Project website will also publish methods to communicate feedback, enquiries and complaints related to the Project.

In accordance with NSW CoA B10, the following information will be maintained on the Project website:

- Information on the current implementation status of the Project
- The Environmental Assessment Documentation and any documentation relating to any modifications made to the Project
- A copy of the Infrastructure Approval in its original form, a current consolidated copy of the Approval (including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of the Approval
- A copy of each statutory approval, licence or permit required and obtained in relation to the Project
- A current copy of each document required under the terms of the Approval
- A copy of any audit reports required under NSW CoA A38 and A41.

Where the information/document relates to a particular Work or is required to be implemented, it must be published before the commencement of the relevant Work to which it relates or before its implementation.

Additionally, in accordance with NSW CoA B6, the Collection Statement must be included on the Project Website to make prospective complainants aware of their rights under *the Privacy and Personal Information Protection Act 1998*.

Relevant Project information will be published on the website for the duration of construction. As required by Commonwealth CoA 16(b), CEMP Sub-Plans will be published on the Project website within 20 business days of the date of their approval date, unless otherwise agreed to in writing by the Federal Minister for the Environment.

Confidential information, which may include the location of threatened species, Aboriginal objects or places and personnel contact details, will be removed from all documents provided before being made available to the public.

6 Emergency and incident planning, management and reporting

The M12 Environmental Incident Classification and Reporting Procedure (refer to Appendix A7) outlines the procedure to be followed if, during an activity being carried out there is:

- A report-only event
- A non-compliance
- Regulatory action received
- An environmental incident.

The Procedure sets out the steps for the:

- Identification
- Classification
- Reporting of report-only events, non-compliances, regulatory action and environmental incidents
- The M12 Environmental Incident Classification and Reporting Procedure (refer to Appendix A7) has been modified to be made site-specific and includes requirements under the NSW CoA and the Commonwealth CoA for this Project. The following sections summarise the requirements.

6.1 Emergency preparedness

Emergency planning and awareness training will be undertaken for construction and based upon the M12 Environmental Incident Classification and Reporting Procedure in Appendix A7. All site personnel will be inducted on the incident management process detailed in Appendix A7.
The Construction Contractor will ensure that the following equipment will be available to all site personnel to utilise in the event of an incident:

- Protective gloves for certain types of corrosive chemicals
- Other personal protective equipment required for the handling of hazardous chemicals and radioactive substances
- Spill kits
- Stormwater drain guards
- Alarms for when there are issues with processes
- Firefighting equipment
- Up-to-date safety data sheets for any chemicals or fuels used or stored at the premises
- Hard hats for designated ‘emergency controllers’
- Eye-wash stations.

The Construction Contractor will ensure that all site personnel are aware of where the equipment listed above is located on site and appropriately trained on the use of all equipment.

6.2 Incident identification

Section 3 of the M12 Environmental Incident Classification and Reporting Procedure provides the actions to be undertaken for incident response.

6.3 Incident classification

Section 3.1.1 of the TfNSW Environmental Incident Procedure details environmental incident classification based upon three risk areas (refer to Appendix A7):

- Environment
- Reputation and integrity
- Regulation and compliance.

Table 6-1 provides the definitions of each type of environmental incident/issue.

Table 6-1: Incident definitions

No.	Requirement
Environmental event	• A report-only event, non-compliance, regulatory action or environmental incident
Environmental incident	• An environmental incident is an event or set of circumstances, as a consequence of which pollution (air, water, noise, or land) or an adverse environmental impact has occurred, is occurring, or is likely to occur. • Adverse environmental impact includes contamination, harm to flora and fauna (either individual species or communities), damage to heritage items and adverse community impacts. • An unexpected find that is not managed in accordance with relevant procedures / guidelines is also considered an environmental incident
Non-compliance (as per the TfNSW Environmental Incident Procedure)	• A failure to comply with any CoA, REMM, licence condition (where applicable), permit or any other statutory approval relevant to the activity and/or area where the activity occurs
Notifiable event	• Any environmental incident, report-only event or non-compliance that triggers a specific statutory requirement to notify a regulatory authority i.e. under NSW CoA A44 – A48 and Federal CoA 11 and 12
Report-only event	• An environmental incident or unexpected find resulting from circumstances outside the scope of controls and of an activity
Significant incident	• An environmental incident that is likely to receive a classification of C3, C2 or C1, OR the history of the project, past performance and/or previous regulatory interest, indicate the project is likely to receive a penalty notice or be subject to prosecution, and therefore requires escalation to the Secretary and other TfNSW senior management.
Incident affecting protected matter (s)	• An event that has the potential to, or does impact, Matters of National Environmental Significance other than as authorised by the M12 Federal approval.

6.4 Incident notification

Reporting of environmental incidents will be in accordance with Section 3.2 of the M12 Environmental Incident Reporting Procedure, specifically Figure 2-1 and utilising the Environmental Event Reporting Form (624/400). A summary of notification requirements is provided in Table 6-2.

Potential class C1, C2 or C3 incidents will be notified verbally immediately to the ER and the TfNSW ESM (or delegate). Incident reports will be provided to TfNSW Project Manager and the ER in accordance with the TfNSW procedure, including lessons learnt from each environmental incident and proposed measures to prevent the occurrence of a similar incident. All efforts will be undertaken immediately to avoid and reduce impacts of incidents and suitable controls put in place. Incidents will be closed out as quickly as possible, taking all required action to resolve each environmental incident.

Incidents that meet the criteria outlined in the NSW CoA and Commonwealth CoA will also be notified verbally immediately to the ER and TfNSW ESM. Incident reports will be provided to TfNSW Project Manager and ER. TfNSW will provide written notification to DPIE and/or DAWE in accordance with the procedure outlined in Appendix A7. In accordance with NSW CoA A44, the Planning Secretary must be notified in writing via the Major Projects website as soon as possible and no later than 12 hours after the Construction Contractor/TfNSW become aware of the incident.

NSW CoA A45 also requires additional written notification within seven days and a detailed report within 30 days of the incident occurring. Further information on incident reporting for the Planning Secretary can be found in Appendix A7. TfNSW and the Construction Contractor will undertake an investigation and implement corrective action to minimise the impact of the incident where possible.

6.4.1 Notifiable events

Section 3.3 of the M12 Environmental Incident Procedure outlines the requirements for the notification of any environmental incident, report-only event or non-compliance that triggers a specific statutory requirement to notify an authority.

Table 6-2: Summary of requirements for incident notification and reporting

Incident type	Notify	Notification timeframe	Notification responsibility	Written report	Written report timeframe	Written report responsibility
Regulatory action (material harm under the POEO Act)	EPA environment line Fire and Rescue NSW Ministry of Health SafeWork NSW Relevant Council TfNSW Project Manager and ESM (or delegate)	Immediately	Construction Contractor	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor
	Secretary of DPIE	As soon as possible, and no later than 12 hours after TfNSW becomes aware of an incident.	TfNSW (via the major projects portal)	In accordance with NSW CoA A44 and A45: • Written notification report • Detailed incident report	In accordance with NSW CoA A44 and A45: • Within 7 days • Within 30 days	Construction Contractor/ TfNSW
Regulatory action (other than material harm under the POEO Act): • Discovery of Aboriginal objects	TfNSW Project Manager and ESM (or delegate) RAPs EES	As soon as possible, and no later than 12 hours after TfNSW becomes aware of an incident.	Construction Contractor/ TfNSW	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor/ TfNSW

Incident type	Notify	Notification timeframe	Notification responsibility	Written report	Written report timeframe	Written report responsibility
• Discovery of all human remains	NSW Police	Immediately	Construction Contractor	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor/ TfNSW
• If TfNSW activities have contaminated land or if TfNSW owns land that has been contaminated	EPA	Immediately	Construction Contractor/ TfNSW	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor/ TfNSW
• The location of a relic once a relic has been discovered or located	TfNSW Project Manager and ESM (or delegate) Heritage NSW	Immediately	Construction Contractor/ TfNSW	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor/ TfNSW
• The inability to extinguish any fire burning during a bush fire danger period applicable to the land	An appropriate officer of the NSW Rural Fire Service	Immediately	Construction Contractor/ TfNSW	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor/ TfNSW
• Environmental incident with the potential for unapproved impacts on a drinking water supply	Local water supply authority EPA	Immediately	Construction Contractor/ TfNSW	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor/ TfNSW

Incident type	Notify	Notification timeframe	Notification responsibility	Written report	Written report timeframe	Written report responsibility
TfNSW Incident Classification C1, C2, C3 (excluding material harm)	TfNSW PM and ESM (or delegate) ER	Immediately	Construction Contractor	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor/ TfNSW
Significant Incident (C1, C2, C3) with potential for: • Regulatory action (e.g. EPA Penalty Infringement Notice) and/ or • Reputational damage (e.g. media coverage) and/ or • Significant environmental harm.	TfNSW Executive Director Environment and Sustainability who will determine whether further escalation to the Secretary and other senior management is required	Immediately	TfNSW PM and ESM (or delegate)	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor/ TfNSW
TfNSW Incident Classification C4, C5, and C6	TfNSW PM and ESM (or delegate)	Immediately	Construction Contractor	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor
Report-only events	TfNSW PM and ESM (or delegate)	Immediately	Construction Contractor	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor

Incident type	Notify	Notification timeframe	Notification responsibility	Written report	Written report timeframe	Written report responsibility
Any incident (as defined in the NSW Infrastructure approval)	Secretary DPIE Minister for DAWE ER	As soon as possible and no later than 12 hours after TfNSW becomes aware of an incident.	TfNSW / Construction Contractor	In accordance with NSW CoA A44 and A45: • Written notification report • Detailed incident report	In accordance with NSW CoA A44 and A45: • Within 7 days • Within 30 days	Construction Contractor/ TfNSW
Incident affecting protected matters	TfNSW Project Manager and ESM (or delegate) ER	Immediately	Construction Contractor	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor
	DAWE	As soon as practicable, and no later than 2 business days after becoming aware of the incident	TfNSW	In accordance with Section 3.2 of the reporting procedure in Appendix A7	In accordance with Section 3.2 of the reporting procedure in Appendix A7	Construction Contractor/ TfNSW

6.4.2 Pollution Incident Response Management Plan (PIRMP)

Pollution incidents will also be managed in accordance with stage specific PIRMP, to be prepared by the Construction Contractors as required by the EPL and included in the Construction Contractors' CEMPs prior to the commencement of construction. The PIRMP will be prepared and tested in accordance with *Environmental guidelines: Preparation of pollution incident response management plans (EPA, 2012)*.

The Construction Contractors' PIRMPs will document the procedures to be followed in the event of an environmental emergency including:

- The names and contact details (including all-hours telephone numbers) for emergency response personnel
- Response personnel responsibilities
- Contact details for emergency services (ambulance, fire brigade, spill clean-up services)
- The location of on-site information on hazardous materials, including Safety Data Sheets and spill containment materials
- Steps to following to minimise damage and control and environmental emergency
- Instructions and contact details for notifying relevant government agencies, local councils and, if necessary, nearby residents
- Include measures to avoid spillages of fuels, chemicals, and fluids onto any surfaces or into any adjacent waterways.

All necessary contact numbers will be identified in advance and stored for immediate access should a pollution incident need to be notified. These contact numbers will also be identified in the PIRMP prepared for the Project by the Construction Contractor in accordance with the EPL.

6.5 Incident investigation

Reporting of environmental incidents will be in accordance with the TfNSW Environmental Incident Classification and Reporting Procedure (refer to Appendix A7).

The responsibilities for incident reporting are provided in Section 5.1. The Construction Contractor Environmental Site Representatives are responsible for reporting on incidents.

Where required, due to the severity or ongoing nature of the incident, investigations will be conducted and action plans established to ensure that the incident does not occur again. Environmental investigations will include:

- Identification of the cause, extent and responsibility of the incident
- Identification and implementation of the necessary corrective action
- Identification of the personnel responsible for carrying out the corrective action
- Implementation or modification of controls necessary to avoid a repeat occurrence of the incident
- Recording of any changes in written procedures required

- Notifying all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the POEO Act.

Where there are lessons learnt from the investigation or current procedures are identified as being ineffective, the Construction Contractor's CEMP will be revised by the Construction Contractor Environmental Site Representatives to include the improved procedures or requirement.

In accordance with Commonwealth CoA 11 and 12, DAWE must also be notified in writing of any incident affecting protecting matters. The notification must be submitted as soon as practicable and no later than 10 business days after becoming aware of the incident affecting protected matters.

7 Monitoring and review

7.1 Environmental inspections

The purpose of the inspections is to identify and minimise environmental risk. A summary of the overarching approach to inspections are provided in the sections below. Further details of proposed inspections regimes will be provided in the Construction Contractors' CEMPs.

Copies of all environmental inspection reports prepared by the Construction Contractors will be kept with the Project records and closed out within the agreed timeframes.

Construction Contractors will ensure that COVID-19 protocols are implemented on site during inspections to protect the wellbeing of inspection participants. Inspection participants to be informed of COVID-19 management measures during the pre-start briefing.

7.1.1 Weekly and post-rainfall inspections

The Construction Contractor's ESR will carry out weekly and post rainfall inspections of the work sites to evaluate the effectiveness of environmental controls. Weekly inspections will also inspect work next to or within sensitive areas and high-risk activities.

The Construction Contractor's ESR will record inspection findings on an inspection checklist form. Observed deficiencies in maintenance, environmental controls or standard of environmental performance will be recorded on the checklist form. Details of any maintenance required, the nature of the deficiency, any actions required and an implementation priority will be recorded. Actions will be closed out in accordance with the identified priority and evidence of close out will be kept on file.

7.1.2 Wet weather preparation inspections

The Construction Contractor will undertake an inspection of environmental controls where a wet weather event is predicted. The wet weather event is 10 mm or more of rain within 24 hours recorded at the Badgerys Creek AWS Bureau of Meteorology (BoM) gauge (#067108). This definition has been adopted as a wet weather trigger preparedness.

Erosion and sediment controls and preventions will be inspected by the Construction Contractor (as detailed in the CSWMP) where a flood is expected to occur. These measures include erosion / sedimentation controls, protection of disturbed ground from erosion and the prevention of pollution incidents are in place. Following the wet weather event, a post wet weather inspection will be undertaken to review site performance and repair controls as required.

7.1.3 ER and TfNSW inspections

The ER and TfNSW Project Managers (or delegates) and TfNSW ESM (or delegate) will carry out regular inspections of work sites and critical activities throughout construction of the Project. Inspections by the ER and TfNSW will typically occur on a weekly or fortnightly basis depending on the complexity and anticipated risks associated with the stage of construction. Inspections will be carried out in accordance with the TfNSW inspection procedure.

The Construction Contractors' ESR and Project Engineer and/ or Superintendent and/ or Foreman/ Site Supervisor will participate in all ER and TfNSW inspections and will maintain appropriate records. Deficiencies and required actions will be analysed and prioritised at the completion of the

inspection and timeframes for implementation of corrective actions agreed in accordance with the TfNSW inspection procedure. Timeframes for the Construction Contractors to close out issues will be nominated on the inspection form.

7.1.4 ERG inspections

ERG inspections will typically occur on a monthly timeframe or as otherwise required depending on the construction staging of the Project. Section 7.3.4 of this OCEMP describes the process if the ERG raises non-conformances or issues requiring corrective/preventative action during site inspections.

The Construction Contractor's ESR and Project Engineer and/or Superintendent and/ or Foreman/ Site Supervisor will also participate in all ERG inspections to maintain appropriate records, identify required actions and timeframes for implementation of corrective actions. ERG inspection frequency may be reduced based on performance of the Construction Contractor and agreement with all ERG members.

7.1.5 Inspections by EPA and other agencies

The Construction Contractor will prepare a report on each occasion that the site is visited by the EPA and/or other relevant agencies. The report will advise TfNSW of the purpose and outcome of the EPA and/or other relevant agencies visit, and of all actions taken by the Construction Contractor in response to the EPA visit and/ or other relevant agencies. The report will be provided to TfNSW within one working day of the visit.

7.1.6 Pre-work inspections

Before the commencement of each shift, the Construction Contractor's Foreman/ Site Supervisor will inspect the environmental controls in place for the work to ensure they are operating as designed. The Construction Contractor's Foreman/ Site Supervisor will also ensure that all resources required to perform the works effectively are available and in place. Works will not commence unless inspections are found to be satisfactory.

7.1.7 Shutdown inspections

Prior to any period where the Project will be shut down for more than four days (i.e. long weekends, the Christmas period, etc.) or a significant weather event is forecast (e.g. storm event requiring shutdown of the site), a shutdown inspection will be undertaken to identify any additional environmental controls needed to minimise the potential for environmental impacts during the site shutdown period.

7.1.8 Start-up inspections

Start-up inspections will be conducted following the shutdown period if significant weather event has occurred during this time. This will be prior to the recommencement of construction works to ensure no damage to environmental controls have occurred during the significant weather event.

7.2 Environmental monitoring

Monitoring will be undertaken to validate the impacts predicted for the Project, to measure the effectiveness of environmental controls and implementation of this OCEMP and the Construction Contractor's CEMP and to address approval requirements. The monitoring requirements for

required aspects are included in the relevant issue-specific environmental management plans and summarised in Table 7-1.

Table 7-1: Summary of CoA and REMMs environmental monitoring requirements

NSW CoA and REMM	Description	Relevant plan	Reporting requirements
CoA A16(e)	Program for monitoring the performance outcomes, including a program for noise monitoring consistent with the requirements of NSW CoA C14	Site Establishment Management Plan	Refer to Section 2.5 and Appendix A4
CoA C11(a)	Noise and vibration monitoring	Construction Noise and Vibration Monitoring Program	Refer to Appendix B of B2
CoA C11(b) SWH05	Surface water monitoring program	Construction Soil and Water Monitoring Program	Refer to Appendix C of B4
CoA C11(c)	Groundwater monitoring program	Construction Soil and Water Monitoring Program	Refer to Appendix C of B4
SC11	Ground gas monitoring during construction	Construction Contaminated Land Management Plan	Refer to B8

The Construction Monitoring Programs required by NSW CoA C13 will provide:

- Details of baseline data available
- Details of baseline data to be obtained and when
- Details of all monitoring of the project to be undertaken
- The parameters of the project to be monitored
- The frequency of monitoring to be undertaken
- The location of monitoring
- The reporting of monitoring results
- Procedures to identify and implement additional mitigation measures where results of monitoring are unsatisfactory
- Any consultation to be carried out in relation to the monitoring programs.

Each Sub-plan contains the consultation information required by NSW CoA A5 (refer to Section 1.9 for further details).

The Construction Monitoring Programs will be endorsed by the ER and submitted to the Secretary for approval at least one month before commencement of construction, in accordance with NSW CoA C15. Construction will not commence until the Secretary has approved the Construction Monitoring Programs required under NSW CoA C16, and all relevant baseline data for the specific construction activity has been collected.

The Construction Monitoring Programs, as approved by the Secretary including any minor amendments approved by the ER, will be implemented for the duration of construction and for any longer period set out in the monitoring program or specified by the Secretary, whichever is the greater.

The Monitoring Programs, as approved by the Secretary including any minor amendments approved by the ER, will be implemented for the duration of construction and for any longer period set out in the monitoring program or specified by the Secretary, whichever is the greater.

The results of the Monitoring Programs will be submitted to the Planning Secretary, and relevant government agencies, for information in the form of a Construction Monitoring Report and submitted quarterly until operation is fully commenced.

The ER, TfNSW Project Manager and ESM (or delegate) will be advised of any non-conformances from monitoring and details reported in the Monthly Environmental Reports.

Should a non-conformance be detected or monitoring results directly attributable to the Project exceed the target set in the monitoring programs, the following will be implemented:

- Analysis of the results by the Construction Contractor's ESR in more detail with a view of determining possible causes for the non-conformance
- Site inspection by the Construction Contractor's ESR
- Advising relevant personnel of the problem
- Identifying and agreeing on actions to resolve or mitigate the non-conformance
- Implementing actions to rectify or mitigate the non-conformance.

A non-conformance Environmental Incident Report and/or Environmental Improvement Notice may be issued by the TfNSW ESM (or delegate) or the TfNSW Project Manager in response to the non-conformance if it is found to be construction related. The timing for any improvement will be agreed between the relevant Construction Contractor's Project Engineer/Superintendent and TfNSW ESM (or delegate) based on the level of risk (e.g. a significant risk will require immediate action). The ER will be kept informed of any non-conformance, any Environmental Incident Report and/or any Environmental Improvement Notice issued, and the status of implementation or improvement actions.

All environmental monitoring equipment will be maintained and calibrated according to manufacturers' specifications and appropriate records kept.

7.3 Compliance management and monitoring

A non-compliance is the failure or refusal to comply with any CoA, REMM, licence condition (where applicable), permit or any other statutory approval relevant to the activity and/or area where the activity occurs.

7.3.1 Reporting a non-compliance under the State Infrastructure Approval

In accordance with NSW CoA A46, the Planning Secretary must be notified in writing via the Major Projects website within seven days after TfNSW becomes aware of any non-compliance.

As required by NSW CoA A47, a non-compliance notification must identify the Project and the application number for it, set out the condition of approval that the Project is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance. The ER will also be informed of any non-compliance.

As specified in NSW CoA A48, a non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

In accordance with Commonwealth CoA 11 and 12, DAWE must also be notified in writing of any non-compliance with the conditions or non-compliance with the commitments made in plans required in accordance with Commonwealth CoA 5a or 5b. The notification must be submitted as soon as practicable and no later than 10 business days after becoming aware of the non-compliance.

7.3.2 Reporting a non-compliance under the TfNSW Environmental Incident Procedure

A non-compliance as defined in this management plan must be reported using the Environmental Event Reporting Form (624/400) and in accordance with Appendix A5.

7.3.3 Compliance records and reports

The Construction Contractor's ESR is responsible for maintaining compliance records as current at the point of use. The Construction Contractor will provide TfNSW with a copy of all compliance records to satisfy the requirements of the Commonwealth CoA. TfNSW are required to maintain accurate and complete compliance records.

If DAWE makes a request in writing, TfNSW must provide electronic copies of compliance records to DAWE within the timeframe specified in the request.

In accordance with Commonwealth CoA 10, a compliance report will be prepared by TfNSW for each 12 month period following the commencement of construction. TfNSW will:

- Publish the report on the website within 60 business days following the relevant 12 month period
- Notify DAWE by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication
- Keep all compliance reports publicly available on the website
- Exclude or redact sensitive ecological data from published compliance reports
- Where any sensitive ecological data has been excluded from the version published, submit the full compliance report to DAWE within 5 business days of publication.

7.3.4 Non-conformances

A non-conformance is the failure or refusal to comply with the requirements of project system documentation including this CEMP and supporting documentation that does not result in a non-compliance as defined in this management plan.

Non-conformances may be identified through the review of compliance (refer to Section 7.3), environmental auditing (refer to Section 7.3.6) or incident management (refer to Section 6.2).

Any member of the Construction Contractor's Project team may raise a non-conformance the Construction Contractor's Quality Plan describes the process for managing non-conforming work practices and initiating corrective/preventative actions or system improvements. The ER, TfNSW

Project Manager, TfNSW ESM (or delegate) or a representative of a public authority may also raise a non-conformance or improvement opportunity using the same process.

Non-conforming activities may be stopped, if necessary, by the Construction Contractor's ESR or Project/Site Engineers following consultation with the Construction Contractor's Construction Manager or delegate. The ER may also stop works in these circumstances, in which case a non-conformance report will be prepared by the Construction Contractor in accordance with the Quality Plan. The works will not recommence until corrective/ preventative actions have been closed out.

7.3.5 Corrective and preventative action

When a non-conformance is identified, the following will be completed to rectify the non-conformance:

- Construction Contractor will liaise with the appropriate site personnel or qualified person to identify the appropriate corrective/preventative actions and improvement opportunities
- Corrective/preventative actions and improvement opportunities will be entered into the Construction Contractor's quality system database and include detail of the issue, action required and timing and responsibilities. The record will be updated with date of close out and any necessary notes
- Construction Contractor will provide the corrective/preventative actions and improvement opportunities information to TfNSW in monthly reports
    - If a corrective action is required, a process will be completed for verification of how the non-conformance has been closed out and to confirm that it is effective in addressing the non-conformance
    - If a preventive action is required, relevant incidents, complaints, audit findings and non-conformances will be discussed with the Construction Contractor, TfNSW and the ER
- The Construction Contractor's quality system database will be reviewed regularly to ensure actions are closed out as required.

Any environmental management improvement opportunities can be initiated as a result of incidents or emergencies, monitoring and measurement, review of compliance, audit findings or other reviews.

7.3.6 Compliance monitoring

The Compliance Monitoring Program will track and manage compliance against the CoAs, REMMs, permits and licenses. NSW CoAs that are not included in this OCEMP and the aspect specific Sub-plans will be included in this Compliance Monitoring and Reporting Program (e.g. NSW CoA E63 and E73 relating to place, design and landscape aspects).

The Compliance Monitoring and Reporting Program will be prepared generally in accordance with the *Compliance Reporting Post Approval Requirements* (Department of Planning, Industry, and Environment, 2020) by the Construction Contractor and will be endorsed by the ESR. While the Compliance Monitoring and Reporting Program is not required by the Conditions of Approval, the Construction Contractor will prepare a Compliance Monitoring and Reporting Program will be submitted to TfNSW and supplied to the ER as requested for information.

Compliance Reports will be prepared quarterly by the Construction Contractor and will provide details of any review of, and minor amendments made to, the CEMP (which must be endorsed by the Construction Contractors ESR and approved by the ER), resulting from construction carried out during the reporting period.

Each Compliance Report will be made publicly available by TfNSW.

The Compliance Monitoring and Reporting Program will be implemented for the duration of construction and for a minimum of one year following completion, or for a longer period as determined by TfNSW based on the outcomes of independent audits, ESR reports, ER reports and regular compliance reviews submitted through Compliance Reports.

7.4 Auditing

7.4.1 Independent audits – NSW Requirements

In accordance with NSW CoA A38, independent audit reporting for the Project will be in accordance with the *Independent Audit Post Approval Requirements (DPIE, 2020).* The auditing report will also be prepared in accordance with AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems.

The requirements for the Independent Audit as detailed in DPIE (2020) *Independent Audit – Post Approval Requirements* are as follows[1]:

1. An assessment of compliance with:
    a. All NSW and Commonwealth CoA applicable to the phase of the development that is being audited. Should there be any uncertainty to which conditions are to be audited, the auditor can seek clarification during the consultation
    b. All post approval and compliance documents prepared to satisfy the CoA, including an assessment of the implementation of Environmental Management Plans and Sub-plans
    c. All environmental licences and approvals applicable to the development excluding environment protection licences issued under the *Protection of the Environment Operations Act 1997* or as agreed by the Planning Secretary.
2. A review of the environmental performance of the development, including but not necessarily limited to, an assessment of:
    a. Actual impacts compared to predicted impacts documented in the Environmental Impact Assessment
    b. The physical extent of the development in comparison with the approved boundary;
    c. Incidents, non-compliances and complaints that occurred or were made during the audit period
    d. The performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit

[1] It is noted that during NSW CoA A38 independent auditing, both NSW and Commonwealth CoA will be audited.

e. Feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the project during the audit period

3. The status of implementation of previous Independent Audit findings, recommendations and actions (if any)
4. A high-level assessment of whether Environmental Management Plans and Sub-plans are adequate
5. Any other matters considered relevant by the auditor or DPIE, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

In accordance with NSW CoA A38, and the DPIE 2020 *Independent Audit – Post Approval Requirements,* the independent environmental audits of the Project will be conducted by a suitably qualified, experienced and independent team of experts in auditing. The results of the audit will be documented in an Environmental Audit Report which:

- Assesses the environmental performance of the Project and its effects on the surrounding environment
- Assesses whether the Project is complying with the NSW and Commonwealth CoA and REMMs
- Reviews the adequacy of any document required under the Infrastructure Approval
- Verifies compliance with this OCEMP, the Construction Contractors' CEMPs and issue-specific plans
- Verifies compliance with any relevant legal and other requirements (e.g. licenses, permits, regulations, TfNSW contract documentation including specifications)
- Recommends measures or actions to improve the environmental performance of the Project, and improvements to any document required under the Approval.

In accordance with NSW CoA A38, the Independent Auditor will be approved by the Planning Secretary no later than two weeks following commencement of the construction.

The first independent environmental audit will be carried out within 12 weeks of the commencement of construction. Ongoing independent environmental audits will occur at intervals, no greater than 26 weeks from the date of the initial audit, or as agreed by the Planning Secretary. However, the Planning Secretary may request the independent audits to be completed at different times. If this occurs, the Planning Secretary will give one month's notice to the Construction Contractor of the date upon which the audit will be required.

Under NSW CoA A41, the Planning Secretary may direct independent audits in addition to those provided for in NSW CoA A38 when considered necessary to address a particular issue.

TfNSW will submit a copy of the Environmental Audit Report to the Secretary with a response to any recommendations contained in the audit report within two months of completing the audit, or within another timeframe agreed with the Secretary, in accordance with NSW CoA A43. The Environmental Audit Reports will also be provided to the Commonwealth Minister for the Environment if a non-compliance or incident relating to protect Matters is identified.

7.4.2 Independent audits – Commonwealth Requirements

Independent audits of compliance with the Commonwealth CoA will be conducted as requested by DAWE. In accordance with Commonwealth CoA 14, audit criteria must be agreed to by DAWE and the audit report must address the criteria to the satisfaction of DAWE.

In accordance with Commonwealth CoA 15, the Construction Contractor will publish the Audit Report on the website within 10 business days of receiving the Planning Secretary's approval of the audit report. The Construction Contractor will keep the Audit Report published on the website until the end date of this approval, or as otherwise agreed by the Planning Secretary in writing.

The Construction Contractor will maintain accurate records substantiating all activities associated with or relevant to the Commonwealth CoA, including measures taken to implement all management plans required by the Commonwealth CoAs, and make them available upon request to DAWE. Such records may be subject to audit by DAWE or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the Commonwealth CoA.

7.4.3 Internal audits

Internal auditing will be undertaken by the Construction Contractor on a six-monthly basis during construction of the Project to verify compliance with:

- This OCEMP, the Construction Contractors' CEMPs and Sub-plans Approval requirements (CoAs, REMMS)
- Any relevant legal and other requirements (e.g. licenses, permits, regulations, TfNSW contract documentation, including specifications).

An audit checklist will be developed and amended as necessary to reflect changes to this OCEMP, subsequent approvals and changes to Acts, regulations or guidelines.

All internal environmental audits will be undertaken in accordance with AS/NZS ISO 19011.

7.4.4 Audit of the ER's exercise of its functions

The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under NSW CoA A28. TfNSW, the Construction Contractor and ER will facilitate and assist the Secretary in any such audit.

Table 7-2 summarises the auditing to be undertaken for the Project.

Table 7-2: Project audit requirements

Audit	Requirement	Timing	Responsibility	Recipient
Independent audit (NSW CoA A38)	As detailed in DPIE (2020) *Independent Audit – Post Approval Requirements* and summarised above. The independent environmental audits of the Project will be conducted by a suitably qualified, experienced and independent team of experts in auditing and the audit will be documented in an Environmental Audit Report.	The first independent environmental audit will be carried out within 12 weeks of the commencement of construction. Ongoing independent environmental audits will occur at intervals, no greater than 26 weeks from the date of the initial audit or as agreed by the Planning Secretary.	TfNSW to procure suitably qualified, experienced and independent team of auditors Independent auditor to undertake audit and prepare audit report	Planning Secretary Minister for DAWE
Internal audit	Verify compliance with approval and legal requirements, TfNSW QA Specifications and construction documentation	The first audit to be carried out within three months of the commencement of construction and then at six monthly intervals thereafter. The final submitted within five working days of contract completion date.	Construction Contractor's ESR	Project Manager TfNSW ER
ER (NSW CoA A28)	Audit of the ER's exercise of its functions	As required by the Planning Secretary	TfNSW and the ER to facilitate and assist with the audit	Planning Secretary

7.5 Reporting and identified records

Various reports will be prepared to address the requirements of the Infrastructure Approval, commitments under the Environmental Assessment Documentation, TfNSW QA Specifications and other reporting needs. Table 7-3 sets out the overarching reporting requirements for the Project. Further details will be provided in the Construction Contractors' CEMPs. The OCEMP Sub-plans also identify reports, plans, strategies and procedures that will be prepared by the Construction Contractors. Section 7.6.2 outlines the approach to be adopted for document control on the Project. The Construction Contractors' approach to document control will be described in the Construction Contractors' CEMPs.

The Construction Contractors will maintain accurate records substantiating all activities associated with the Project or relevant to the conditions of approval, including measures taken to implement all management plans. Records will be made available to DPIE and DAWE upon request, within the timeframe nominated in the request.

Table 7-3: Project reporting requirements

Report	Requirement	Timing	Responsibility	Recipient
Construction Contractor reporting to TfNSW under the Contract				
Monthly Environmental Report	For incorporation in Project Monthly Reports including environmental statistics (i.e. incidents, regulatory action, complaints on environmental issues), regulatory and authority considerations, monitoring program performance, compliance report and key environmental issues.	Monthly	Construction Contractor's ESR	TfNSW ER (for information)
Reporting to EPA under the EPL				
EPL Monthly Report	Details of all non-compliances with conditions of EPL, measures taken to prevent recurrence	Within 10 working days of the end of each calendar month.	Construction Contractor's ESR	EPA
EPL Annual Returns	Report on compliance with EPL including: • Statement of Compliance • Monitoring and Complaints Summary • Statement of Compliance for: - Licence conditions - Load based fee - Requirement to prepare PIRMP - Publish pollution monitoring data - Environmental Management Systems and practices	Within 60 days of the anniversary of the EPL	Construction Contractor's ESR	EPA

Report	Requirement	Timing	Responsibility	Recipient
Inspection Reports (not related to CoA)				
EPA or any other agency inspection report (other than for arranged inspections	The report will detail the purpose, outcome and actions pertaining to the visit and will be submitted to the TfNSW Project Manager.	Within one working day of the EPA or any other Authority visit, other than for arranged inspections	Construction Contractor's ESR	TfNSW
TfNSW Environmental Inspection Reports	Response to matters raised in TfNSW site inspections Refer to Section 7.1.3	As required. Typically, every two weeks for TfNSW inspection reports and monthly for EPA inspection reports	Construction Contractor's ESR	TfNSW EPA
Reporting under the NSW Infrastructure Approval				
Part A - Administrative				
Staging Report (NSW CoA A10)	Details the work and activities to be carried and their timing for each Project stage	One month before the proposed change in the staging	TfNSW	ER Planning Secretary (for information)
Site Establishment Management Plan (NSW CoA A16)	Refer to Section 3.3.7 and Appendix A4	Prior the installation of any ancillary facilities	Stage specific SEMP – Construction Contractors	Planning Secretary (for approval)
ER Monthly Reports (NSW CoA A34(j))	Report of site environmental performance following routine inspections Refer to Section 5.1.1	Monthly, and submitted within seven days following the end of each month for the duration of the ER's engagement	ER	Planning Secretary Other regulatory agencies TfNSW
Notification of Construction Commencement (NSW CoA E36)	Notification in writing of the commencement date for construction	At least one month before commencement of construction	TfNSW	Planning Secretary

Report	Requirement	Timing	Responsibility	Recipient
Notification of Staged Construction Commencement (NSW CoA E37)	If construction is staged, notification in writing of the commencement date of each stage	At least one month before the commencement of each stage, of the date of the commencement of that stage	TfNSW	Planning Secretary
Independent Environment Audit Report (NSW CoA A38)	Refer to Section 7.4.1	Annually, starting within 12 months of commencement of construction Occur at intervals, no greater than 26 weeks from the date of the initial audit	Suitably qualified, experienced, independent team of auditors	Planning Secretary (for information) Minister for DAWE
Notification of incident (NSW CoA A44)	Refer to Section 6	As early as possible and within 24 hours of the incident	TfNSW Construction Contractors	DPIE DAWE ER (for information)
Part B - Communication Information and Reporting				
Overarching Communication Strategy (NSW CoA B1)	Refer to Section 5.5.3	One month prior to commencement of construction	TfNSW Community and Stakeholder Engagement Advisor	Planning Secretary (for Approval)
Complaints Management System (NSW CoA B6)	Refer to Section 5.5	One month prior to commencement of construction	TfNSW Community and Stakeholder Engagement Advisor	Planning Secretary (for information)
Complaints Register (NSW CoA B10)	Refer to Section 5.5	On request during construction (Planning Secretary) On the day complaints are received (TfNSW and ER)	Construction Contractor's ESR	Planning Secretary (for information) TfNSW ER

Report	Requirement	Timing	Responsibility	Recipient
Part C – Construction Environment Management				
CEMP (NSW CoA C1)	This document Refer to Sections 1.2 and 1.4	OCEMP - One month prior to commencement of construction of Project	TfNSW	ER (for endorsement) Planning Secretary (for approval)
		Construction Contractors CEMP - One month prior to commencement of construction of stage	Construction Contractor's ESR	TfNSW
CEMP Sub-plans (NSW CoA C4)	Refer to Section 3.3.1	OCEMP Sub-plans - One month prior to commencement of construction of Project	TfNSW	ER (for endorsement) Planning Secretary (for approval)
		Construction Contractors CEMP Sub-plans - One month prior to commencement of construction of stage	Construction Contractor's ESR	TfNSW
Construction Monitoring Report (NSW CoA C18)	Refer to Section 7 Refer to Appendix B2, Appendix B4, Appendix B7	OCEMP Monitoring Programs - Quarterly until operation is fully commenced	TfNSW	ER (for endorsement) Planning Secretary (for approval)
		Construction Contractors Monitoring Programs - Quarterly until operation is fully commenced	Construction Contractor's ESR	TfNSW

Report	Requirement	Timing	Responsibility	Recipient
Part E – Key Issues				
Heritage				
Heritage Interpretation Plan (NSW CoA E27)	Identifies heritage items to be used in the final design of the Project Refer to Appendix B6 Refer PDLP	No later than the commencement of operation Submitted to the Planning Secretary and Heritage NSW prior to finalising the PDLP required by NSW CoA E69	Construction Contractor's ESR	Planning Secretary and Heritage NSW (for information)
Heritage Report (NSW CoA E30)	Details of any cultural heritage investigations either undertaken or to be carried out including analysis of artefacts from excavations and identification of a final repository for finds carried out for the Project. Refer to Appendix B6	Within 12 months after the completion of all work	Construction Contractor's ESR	Planning Secretary (for information)
Unexpected Heritage Finds Procedure (NSW CoA E31)	Refer to Appendix B6	One month prior to commencement of construction	TfNSW	Planning Secretary (for information)
Property and Land Use				
Pre-construction Condition Survey Report (NSW CoA E76)	Pre-construction surveys for owners of surface and sub-surface structures and other relevant assets identified at risk from vibration, including all listed heritage items and buildings/structures of heritage significance as identified in the documents listed in NSW CoA A1	Prior to the commencement of any works	Construction Contractor's ESR	Property owner Local council(s)

Report	Requirement	Timing	Responsibility	Recipient
Soils and Contamination				
Detailed Site Investigation Report (s) (NSW CoA E85)	Documents outcomes of contamination assessments of land on which the Project is located Refer to Appendix B5	Prior to the commencement of any work that would result in the disturbance of potential or contaminated land and/or soil	Suitably qualified and experienced person under the CLM Act	Planning Secretary (for information)
Remedial Action Plan (NSW CoA E87)	Documents approach to remediation of specified contaminated land Refer to Appendix B5	Prior to commencing with remediation	Suitably qualified and experienced person under the CLM Act and approved by	Planning Secretary (for information)
Section A Site Audit Statement and Site Audit Report (NSW CoA E88)	Verifies land is suitable for intended land use Refer to Appendix B5	After remediation and no later than one month before the commencement of operation	EPA Accredited Site Auditor	Planning Secretary Relevant local Council(s)
Unexpected Contaminated Land and Asbestos Finds Procedure (NSW CoA E89)	Refer to Appendix B5	Implement during construction	Overarching – TfNSW	Planning Secretary
			Stage Specific – Construction Contractors	TfNSW
Sustainability				
Sustainability Strategy (NSW CoA E91)	Refer to the Sustainability Strategy	Prior to the commencement of construction	Overarching – TfNSW	Planning Secretary (for information)
			Stage Specific – Construction Contractors	TfNSW
Transport and Traffic				
Road Dilapidation Report (NSW CoA E95)	Road dilapidation report for local roads proposed to be used by construction vehicles	Within three weeks of completing the surveys and at least two weeks before the	Construction Contractor Report to be prepared by a suitably qualified person	Relevant local Council(s)

Report	Requirement	Timing	Responsibility	Recipient
		road is used by heavy vehicles		
Place and Design				
Place, Design and Landscape Plan (NSW CoA E69)	Inform the final design of the Project	No later than one month prior to the commencement of permanent works that are the PDLP	TfNSW	Planning Secretary (for approval)
TfNSW Specifications				
Compliance Report	Manage compliance against CoA, REMMs, permits and licenses for which the Construction Contractor are responsible	Quarterly	Construction Contractor ESR	TfNSW (for approval) Planning Secretary and ER (for information)

7.6 Records of environmental activities

7.6.1 Environmental records

The Construction Contractor's ESR is responsible for maintaining the Construction Contractor's environmental management documents and records as current at the point of use. Types of documents and records include:

- Monitoring, inspection and compliance reports/records
- Correspondence with public authorities
- Internal and external audit reports
- Induction and training records
- Reports on environmental incidents, other environmental non-conformances, complaints and follow-up action
- Community engagement information
- Minutes of Construction Contractor's CEMP and Construction Environmental Management System review meetings and evidence of any action taken
- Construction Contractor's CEMP and Sub-plans EWMS.

The Construction Contractor's environmental management documents are subject to ongoing review and continual improvement. This includes times of change to scheduled activities or to legislative or licensing requirements.

Only the Construction Contractor's ESR has the authority to change the Construction Contractor's environmental management documentation. This documentation will be held for five years after the actual completion date and be available to TfNSW and EPA upon request.

The TfNSW ESM (or delegate) is responsible for amending the OCEMP and Sub-plans and maintaining TfNSW's environmental records.

7.6.2 Document control

The Construction Contractor's ESR will coordinate the preparation, review and distribution of the Construction Contractor's environmental documents and records. The distribution list for the Construction Contractor's CEMP and Sub-plans will be provided in the Construction Contractor's CEMP.

The TfNSW ESM (or delegate) and Project Managers will coordinate the preparation, review and distribution of the OCEMP and Sub-plans. The distribution list for the OCEMP and Sub-plans is provided in Section 1.5.

Table 7-3 identifies the recipients for the overarching Project documentation.

During the Project, the Construction Contractor's environmental documents and records will be stored at the main site compounds for each stage. The documents required to be prepared under the Infrastructure Approval will be made available on the Project website (refer to Section 5.5.4).

The Construction Contractors will implement a document control procedure to control the flow of documents within and between TfNSW, stakeholders and sub-contractors. The procedure will ensure that documentation is:

- Developed, reviewed and approved prior to issue
- Issued for use
- Controlled and stored for the legally required timeframe
- Removed from use when superseded or obsolete
- Archived.

A register and distribution list will identify the current revision of documents, records or data. The Document Register is maintained in Appendix A5.

7.7 Environmental Management System review

Periodic reviews of the Project Environmental Management System will be undertaken as part of the continual improvement process for the Project through meetings of relevant personnel. Table 7-4 sets out the purpose, frequency and attendees for the Environmental Management System review meetings.

The outcomes of the management, environmental group and senior management reviews could include amendments to this OCEMP, Construction Contractors' CEMPs, Sub-plans and related documentation, revision to the Project's Environmental Management System, review of the risk assessment, re-evaluation of the Project objectives and targets as well as input into other Project documents. For further details on the OCEMP and CEMP revision process, refer to Section 1.12.

Table 7-4: Project Environmental Management System reviews

Meeting	Purpose	Frequency	Attendees
Management review	• Identification of areas of opportunity for improved environmental performance • Analysis of the causes of nonconformities and deficiencies, including those identified in environment inspections and audits • Verification of the effectiveness of corrective and preventative actions • Highlight any changes in procedures resulting from process improvement • A review of the aspects and impacts register, legal register and environmental induction	Quarterly	At minimum: • TfNSW Project Managers and ESM (or delegate) • Construction Contractor's Project Manager, Construction Manager, Superintendent and ESR
Environment Review Group	• A review of the aspects and impacts register, legal register and environmental induction • Consideration of monitoring, inspection and audit results • Consideration of incidents and any lessons learnt • Consideration of any new regulatory issues • A review of the effectiveness of erosion and sediment controls • Consideration of ERG issues • Consideration of changes in operational needs such as resourcing • Feedback from management reviews	Quarterly	• TfNSW ESM (or delegate) • Construction Contractor's ESR

Meeting	Purpose	Frequency	Attendees
Senior management review	• Review of OCEMP and Construction Contractors CEMPs • Effectiveness of environmental management documentation implementation • Management effectiveness • Potential improvements to the environmental management documentation • Adequacy of resources • Findings of audits • Environmental objectives and targets • Environmental performance • Compliance with legal and other requirements • Critical non-conformance or repeated non-conformances • Organisation changes • Effectiveness of training and inductions	Annually	• TfNSW Project Director and ESM (or delegate) • Construction Contractor's Project Manager, Construction Manager and ESR

7.7.1 Project refinements

Modifications or refinements to the Project may result from detailed design refinement or changed circumstances during construction, resulting in the need of a Modification or Consistency Assessment. TfNSW (or the delivery Construction Contractors) is responsible for formally seeking approval from the Planning Secretary for any Project modifications and for documenting refinements that are consistent with the approved Project. Approval of a Modification or Consistency Assessment will result in the update of the OCEMP and Sub-plans as relevant.

The TfNSW ESM (or the Construction Contractors) is responsible for the assessment of Project refinements and management of the consistency assessment process. The Construction Contractor's ESR are responsible for incorporating any new environmental impacts and/or new statutory approval requirements into the appropriate environmental management documentation. This includes OCEMP updates, as outlined in Section 1.12.

Any design changes or changes in scope of works will be communicated to the Construction Contractor's ESR. The Construction Contractor's ESR will undertake an environmental assessment and consistency review for the proposed changes in consultation with the TfNSW ESM (or delegate) to determine if a Project modification may be required.

Should the consistency review determine that a Project modification may be required (i.e. the impacts are of a nature and scale that it is not considered consistent with the Project approval), the ER will be informed immediately and a modification application under Section 5.25 of the EP&A Act will be prepared and submitted to the Secretary for determination.

The TfNSW Project Director and TfNSW ESM (or delegate) will approve all refinements that are deemed consistent with the Infrastructure Approval. Endorsement will be sought from the ER. A copy of any Consistency Assessment will be provided to the ER before the commencement of the subject work.

Appendix A1

Legal and Other Requirements

M12 Motorway

November 2021

Legal requirements

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
General					
Environmental Planning and Assessment Act 1979	All	The Project is subject to an approval under Division 5.2 of the Environmental Planning and Assessment Act 1979 (EP&A Act) as Critical State Significant Infrastructure (CSSI) (SSI-9364). Comply with the terms Minister for Planning's approval for the project. Obtain the Minister's approval for any project modifications that are not consistent with the planning approval.	S5.14 S5.25	Yes	OCEMP refer to Section 1.1 and 1.2
Airport					
Airports Act 1996	Airport access	The *Western Sydney Airport: Airport Plan* (Commonwealth of Australia, 2016) was prepared under Division 4A of Part 5 of the Airports Act during the Stage 1 development of the WSIA. The WSIA was approved as part of the determination of the Western Sydney Airport Plan on 12 December 2016. If tie-in work is required at the Airport Access Road on Commonwealth land, it would be carried out under the Airport Plan and in consultation with Western Sydney Airport (WSA Co).	All	Yes	OCEMP refer to Section 1.3

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
Water					
Water Management Act 2000 With the exception of controlled activity approvals, the *Water Management Act 2000* (WM Act) only applies in relation to those water sources covered by operational water sharing plans – these areas cover most of the State's major regulated river systems.	Water access and use	Do not take water from a water source (a lake, river or estuary or place where water occurs naturally on or below the surface of the ground, and includes coastal waters) without an access licence. Do not use of water on land (unless supplied by a water utility, irrigation corporation etc or in accordance with basic landholder rights) without a water use approval.	S56 S60A S89 S91A	No	CSWMP refer to Section 7.5.1
Water Management Act 2000	Water management works	Do not construct/use a water supply work, drainage work or flood work without the appropriate approval.	S90 S91B S91C S91D	No	CSWMP refer to Section 7.5.1
Water Management Act 2000	Waterfront land	Do not deposit material, excavate, or remove material within a watercourse bank, shore or bed, or on land 40 metres inland, or interfere with the likely flow of water to such a body, without a controlled activity approval.	S91	No Public authorities are exempt from the need to obtain a controlled activity approval. Water Management (General)	CSWMP refer to Section 7.5.1

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
				Regulation 2011 (cl.38)	
Water Management Act 2000	Water access and use	An aquifer interference approval/licence may be required under Section 91(3) if construction requires intersection of a groundwater source	S91	Yes	OCEMP refer to Section 4.2.2
Water Management (General) Regulation 2018	Water access and use	Exemptions for the requirement of a water access license for roads authority in relation to water required for road construction and road maintenance as listed in Clause 2 of Schedule 4. Exemptions for the requirement of a water access license for any public authority lawfully engaged in the use of water for dust suppression—in relation to water required for that purpose as listed in Clause 5 of Schedule 4	S21(1) Schedule 4 (2) Schedule 4 (5)	Yes	CSWMP refer to Section 7.5.1
Water Act 1912 Note that this Act is being progressively repealed by the WM Act. With the exception of controlled activity approvals, the WM Act only applies in relation to those water sources covered by operational water sharing plans –	Surface water	Obtain a licence or permit for construction or use of 'work' for purposes including the taking and using of water	S21B	Yes	OCEMP refer to Section 4.2.2 CSWMP refer to Section 7.5.1
	Groundwater	Obtain a licence where interference with groundwater is likely to occur.	S112 S121A	S112 does not apply to the Crown. TfNSW is therefore not required to obtain	CSWMP refer to Section 7.5.1

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
these areas cover most of the State's major regulated river systems.				a licence under this provision.	
	Floodplains	Obtain an approval for controlled works. These include works which occur on a designated floodplain, which can prevent land from being flooded or which can affect water flow to or from a river or lake.	91D	An exemption in relation to roads potentially applies – see clause 41E of the *Water Management (Regulation) 2011*.	CFMP refer to Appendix B
Protection of the Environment Operations Act 1997	Water pollution	Do not cause water pollution (other than to a sewer), except in accordance with the conditions of an Environment Protection Licence.	S120 S122	Yes	CSWMP refer to Section 3.5 CCLMP refer to Appendix B
Noise					
Protection of the Environment Operations Act 1997	Plant maintenance and operation	Do not operate plant if it emits noise caused by poor maintenance or operation.	S139	Yes	CNVMP refer to Section 8
Protection of the Environment Operations Act 1997	Materials management	Do not cause noise by failing to properly and efficiently deal with materials.	S140	Yes	CNVMP refer to Section 8
Contaminated material					
Protection of the Environment Operations Act 1997	Land pollution	Do not cause or permit land pollution other than under authority of a licence or regulation. (However it is not a land pollution offence to place virgin excavated natural material or lawful pesticides and fertilisers on	S142A – S142E	Yes	CCLMP refer to Section 6.5

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
		land, or by placing matter on land that has been notified to the EPA as an unlicensed landfill and which is operated in accordance with the regulations.)			
Contaminated Land Management Act 1997	Reporting contamination	Notify the EPA if; Contaminants exceed thresholds contained in guidelines or the regulations where contamination has entered or will foreseeably enter neighbouring land, the atmosphere, groundwater or surface water. Contaminants in soil are equal to or exceed guideline levels with respect to the current or approved use of the land. Contamination meets other criteria that may be prescribed by the regulations.	S60	Yes	CCLMP refer to Section 6.5 CSWMP refer to Section 7.6.1 and Appendix E
Biodiversity					
Biodiversity Conservation Act 2016	Fauna	Do not harm any animal that is; of a threatened species, that is part of a threatened ecological community or is a protected animal, unless authorised under other legislation (e.g. planning approval).	S2.1 S2.8	Yes	CFFMP refer to Section 6.12
Biodiversity Conservation Act 2016	Habitat	Do not damage habitat of a threatened species or ecological community unless authorised under other legislation (e.g. planning approval).	S2.4 S2.8	Yes	CFFMP refer to Section 6.12

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
Biodiversity Conservation Act 2016	Biodiversity	Do not damage declared areas of outstanding biodiversity value unless authorised under other legislation (e.g. planning approval).	S2.3 S2.8	Yes	CFFMP refer to Section 6.12
Biodiversity Conservation Act 2016	Flora	Do not pick a plant that is; of a threatened species, that is part of a threatened ecological community or is a protected plant, unless authorised under other legislation (e.g. planning approval).	S2.2 S2.8	Yes	CFFMP refer to Section 6.12
Biodiversity Conservation (Savings and transitional) Regulation 2017	Flora and fauna conservation	The regulation is in place to assist with repealing and replacing of the previous biodiversity legislation, including the *Threatened Species Conservation Act 1995*, *and* the *Native Vegetation Act 2003*. The biodiversity assessment for the Project was carried out under the *Framework for Biodiversity Assessment* which was the standard method for assessing impacts of major projects on biodiversity and determining offsetting requirements.		Yes	CFFMP refer to Section 6.12
Biosecurity Act 2015	Weeds	Manage weeds on site in accordance with the relevant Regional Strategic Weed Management Plan.	S22	Yes	CFFMP refer to Section 6.12 and Appendix E
Biosecurity Regulation 2017	Pests and Diseases	Notify the presence any pest or disease listed in Schedule 1 of the *Biosecurity Regulation 2014*, within one working day after suspecting or becoming aware of the pest or disease.	Regulation cl.7 Schedule 1	Yes	CFFMP refer to Section 6.12 and Appendix E

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
Fisheries Management Act 1994	Dredging or reclamation	Provide the Minister for Primary Industries 28 days-notice of planned dredging or reclamation work. Temporary creek crossings would be required to build bridges at Cosgroves Creek, Badgerys Creek, South Creek and Kemps Creek. Bridge piers would be permanently placed within Badgerys Creek, South Creek, Kemps Creek to allow for the construction of the bridges. This may require dredging or reclamation work.	S199	Yes	CFFMP refer to Section 6.12
Fisheries Management Act 1994	Fish passage	Do not block fish passage without a permit	S219	No	CFFMP refer to Section 6.12
Environment Protection Biodiversity Conservation Act, 1999 (Commonwealth)	Flora and fauna conservation	Do not kill, injure or take a member of a listed threatened species without a permit.	Part 13	Yes	CFFMP refer to Section 6.12
		Comply with the terms of any EPBC Act approval for the project.		NA	CFFMP refer to Section 3.3
Waste					
Protection of the Environment Operations Act 1997	Littering	Do not litter in a public place or an open private place. Do not litter from a vehicle. Only deposit advertising material in receptacles provided for mail or newspapers or under the door of the premises.	Part 5.6A	Yes	CWRMP refer to Section 5.9

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
		Do not deposit advertising material on or in vehicles.			
Protection of the Environment Operations Act 1997	Waste and transportation	Do not undertake a scheduled waste activity unless in accordance with an EPL. A licence must be obtained when construction and demolition wastes are applied to land under certain circumstances. This includes the reincorporation of crushed road base material back into roads and the placing of excess fill material onto properties. A licence is not required if the material: • Is VENM. • Does not exceed 200 tonnes in the Sydney, Newcastle and Wollongong areas, or 20,000 tonnes outside these areas. • Is covered by a "general exemption". Current exempted materials are ENM, recycled aggregates and raw mulch. These exemptions are conditional and require some chemical testing of materials before they are placed onto land. • A licence must be obtained if more than 2,500 tonnes (or cubic metres) is stored on a stockpile site at any one time, or more than 30,000	Part 3.2 Schedule 1	Yes	CWRMP refer to Section 5.1 CSWMP refer to Section 7.6.1

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
		tonnes of waste is received per year from off site.			
		Only transport waste to a facility that can lawfully accept the waste.	S143	Yes	CWRMP refer to Section 5.7.4 and Section 7
		Do not dispose of waste in a manner that harms or is likely to harm the environment.	S115	Yes	CWRMP refer to Section 5.7.4 and Section 7
Protection of the Environment Operations (Waste) Regulation 2005	Waste and transportation	Comply with general requirements for the transport of waste. For example, any vehicle used by the person to transport waste must be kept in a clean condition and be maintained so as to prevent spillage of waste. For some wastes only licensed transporters can be used.	Regulation cl.49	Yes	CWRMP refer to Section 5.7.3 and Section 7
		Comply with record keeping requirements in relation to the transport of certain types of waste.	Regulation Part 3	Yes	CWRMP refer to Section 5.7.4 and Appendix C
Protection of the Environment Operations (Waste) Regulation 2014 (POEO Regulation)		Any excavations on former landfill sites must be approved	Regulation 110a	Yes	CWRMP refer to Section 5.1 and Section 5.9
Heritage					
Heritage Act 1977	Heritage	Do not undertake an activity that will affect a place, building, work, relic, moveable object or precinct which is subject to an Interim Heritage Order or is listed on the State	S56-57	No	CCHMP refer to Section 6.5

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
		Heritage Register without approval from the Heritage Council.			
		Do not disturb or excavate land with knowledge or reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed; or Do not disturb or excavate land on where a relic has been discovered or exposed.	S139	No	CCHMP refer to Section 6.5
		Notify the heritage Council on discovery of a relic	S146	Yes	CCHMP refer to Section 6.3 and Appendix D
National Parks and Wildlife Act 1974	Aboriginal places and objects	Do not harm or desecrate an Aboriginal object or Aboriginal place without consent.	S86 S90	No	CCHMP refer to Section 6.3 and Appendix D
		Notify the NPWS within reasonable time of becoming aware of the location or discovery of certain Aboriginal objects.	S89A	Yes	CCHMP refer to Section 6.3 and Appendix D
Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth)	Protection of areas and objects	Report any discovery of Aboriginal remains to the Federal Minister for the Environment and Heritage.	S20	Yes	CCHMP refer to Section 6.3 and Appendix D
		Comply with the provisions of any declaration in relation to a significant Aboriginal area or object.	S22	Yes	CCHMP refer to Section 6.3 and Appendix D

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
General					
Protection of the Environment Operations Act 1997	Harming the environment	Do not risk harming the environment by wilfully or negligently: • Disposing of waste unlawfully. • Causing any substance to leak, spill or otherwise escape (whether or not from a container); or • Emitting an ozone depleting substance.	S115 S116 S117	Yes	CCLMP refer to Section 6.5 CWRMP refer to Section 5.9 and 7 CAQMP refer to Section 7
Protection of the Environment Operations Act 1997	Control equipment	Properly and efficiently maintain and operate any installed pollution control equipment (including monitoring devices).	S167	Yes	CCLMP refer to Section 6.5
Protection of the Environment Operations Act 1997	Notification of pollution incidents	Notify the EPA immediately of pollution incidents where material harm to the environment is caused or threatened.	S148	Yes	CCLMP refer to Section 6.5 Appendix A7 of the OCEMP
Protection of the Environment Operations Act 1997	Site licensing	Do not carry out or allow an activity listed in Schedule 1, or carry out work to enable such an activity, unless the premises are licensed by the EPA. This applies to: • Road construction: meaning the construction, widening or re-routing of roads if it results in the existence of four or more traffic lanes (other than bicycle lanes or lanes used for entry or exit) for one kilometres of	S47 S48	Yes	OCEMP refer to Section 4.2.2 CTTMP refer to Section 6.1.1

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
		their length in the metropolitan area, or five kilometres in length in any other area, where the road is classified, or proposed to be classified, as a freeway or tollway under the *Roads Act 1993*.			
Environmentally Hazardous Chemicals Act 1985	Hazards and risks	Obtain a licence to undertake prescribed activities involving environmentally hazardous chemicals or declared chemical wastes.	S28	Yes	OCEMP refer to Section 4.2.2 CCLMP refer to Section 7.1.1 and Appendix B
Dangerous Goods (Road and Rail Transport) Act 2008	Hazards and risks	Ensure that dangerous goods are transported in a safe manner.	S9	Yes	CCLMP refer to Section 6.5
Rural Fires Act 1997	Bushfire risk	The Act provides for the prevention, mitigation and suppression of bush and other fires in local government area. Exemptions can be sought to allow hot works to be undertaken on Total Fire Ban days	Division 6 S99	Yes	OCEMP refer to Section 4.2.2
National Greenhouse and Energy Reporting Act, 2007 and Regulations 2008	Greenhouse gas emissions	Accounting and reporting of greenhouse gases produced and energy consumed during construction. Applicability dependent on thresholds.	-	Yes	CAQMP refer to Section 7 and Appendix C
Land Acquisition (Just Terms and Compensation) Act 1991 (Land Acquisition Act)	Property acquisition	Applies to the acquisition of any land required for the project.	-	Yes	Individual agreements with landowners

Act	Activity / aspect	Requirement	Reference	Division 5.2 applicability	Relevant section or supporting documentation
Pesticides Act 1999	Hazards and risks	Use pesticides in an environmentally sensitive manner. Do not use an unregistered pesticide without a permit. Read the label or permit for the pesticide. Use registered pesticides in accordance with instructions on the label. Do not use any restricted pesticide unless authorised by a certificate of competency or a pesticide control order under the Act. • Compliance with pesticide codes of practice is required.	S12 S13 S14 S15 S17	Yes	CFFMP refer to Section 6.12 and Appendix E
Western Sydney Parklands Act 2006	Land acquisition	The *Western Sydney Parklands Act* applies to the land located within the Western Sydney Parklands and establishes certain land to be Trust Land. Trust Land affected by the project would be subject to the Land Acquisition Act.	-	Yes	Not applicable to OCEMP and Sub-plans

Secondary CoA and REMMs

The primary NSW CoA specifically relevant to the development of this Plan are listed in **Error! Reference source not found.** of the OCEMP. Secondary conditions that are related to the development of the OCEMP (and Sub-plans were relevant) have been listed in the table. A cross reference is also included to indicate where the CoA is addressed in this Plan or other Project management documents. This table is a review mechanism by TfNSW to ensure the relevant CoA and REMMs are being addressed appropriately in the OCEMP (and Sub-plans were relevant).

NSW CoA

CoA	Condition Requirements	Applicability			OCEMP Reference
		M12 West	M12 Central	M12 East	
A1	The Proponent must carry out the CSSI in accordance with the terms of approval and generally in accordance with:	✓	✓	✓	Section 1.1
	a) M12 Motorway Environmental Impact Statement (dated October 2019);				
	b) M12 Motorway Submissions Report (dated October 2020);				
	c) M12 Motorway Amendment Report (dated October 2020);				
	d) M12 Motorway Amendment Report - Submissions Report (dated December 2020); and				
	e) M12 Motorway Amendment Report - Submissions Report - Amendment (dated 8 March 2021).				
A2	The CSSI must only be carried out in accordance with all procedures, commitments, preventative actions, performance outcomes and mitigation measures set out in the documents listed in Condition A1 unless otherwise specified in, or required under, this approval.	✓	✓	✓	Section 1.1
A3	In the event of an inconsistency between:	✓	✓	✓	N/A

CoA	Condition Requirements	Applicability			OCEMP Reference
		M12 West	M12 Central	M12 East	
	a) The terms of this approval and any document listed in Condition A1, the terms of this approval will prevail to the extent of the inconsistency; and b) Any document listed in Condition A1, the most recent document will prevail to the extent of the inconsistency.				
A4	The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: (a) the environmental performance of the CSSI; (b) any document or correspondence in relation to the CSSI (including the provision of such documentation or correspondence); (c) any notification given to the Planning Secretary under the terms of this approval; (d) any independent appointment or withdrawal of an appointment made in relation to the CSSI; (e) any audit of the construction or operation of the CSSI; (f) the terms of this approval and compliance with the terms of this approval (including anythingrequired to be done under this approval); (g) the carrying out of any additional monitoring or mitigation measures; and (h) in respect of ongoing monitoring and management obligations, and following consultation with the Proponent, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.	✓	✓	✓	Section 4.2.2
A6	This approval lapses five (5) years after the date on which it is granted, unless Work has physically commenced on or before that date.	✓	✓	✓	Section 2.2
A5	Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken and submitted to the Planning Secretary, and the terms of this approval require the document, monitoring program or review to be prepared/undertaken in consultation with identified parties, evidence of the consultation must be submitted to the Planning Secretary with the relevant document, monitoring program or review. The evidence must include:	✓	✓	✓	Section 1.9 Section 5.5.2 OCS

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	a) Documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval				
	b) A log of the dates of engagement or attempted engagement with the identified party				
	c) Documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations				
	d) Outline of the issues raised by the identified party and how they have been addressed				
	e) A description of the outstanding issues raised by the identified party and the reasons why they have not been addressed.				
A7	References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this approval.	✓	✓	✓	Appendix A1 OCS
A8	Any document that must be submitted or action taken within a timeframe specified in or under the terms of this approval may be submitted or undertaken within a later timeframe agreed with the Planning Secretary. This condition does not apply to the written notification required in respect ofan incident under **Condition A44** and **Condition A45**.	✓	✓	✓	Section 3.3
A9	The CSSI may be constructed and operated in stages. Where staged construction or operation is proposed, a **Staging Report** (for either or both construction and operation as the case may be) must be prepared and submitted to the Planning Secretary for information. The **Staging Report** must be endorsed by the **ER** and then submitted to the Planning Secretary no later than one (1) month before the commencement of construction of the first of the proposed stages of construction(or if only staged operation is proposed, one (1) month before the commencement of operation ofthe first of the proposed stages of operation).	✓	✓	✓	Section 2.3 Staging Report
A10	The **Staging Report** must: (a) if staged construction is proposed, set out how the construction of the whole of the CSSI will	✓	✓	✓	Staging Report

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	be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish; (b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant); (c) specify how compliance with conditions will be achieved across and between each of the stages of the CSSI; and (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.				
A11	The CSSI must be staged in accordance with the **Staging Report.**	✓	✓	✓	Staging Report
A12	Where staging is proposed, the terms of this approval that apply or are relevant to the work or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	✓	✓	✓	Staging Report
A13	Where changes are proposed to the staging of construction or operation, a revised **Staging Report** must be prepared and submitted to the Planning Secretary for information no later than one (1) month before the proposed change in the staging. The revised **Staging Report** must beendorsed by the **ER** before submitting it to the Planning Secretary.	✓	✓	✓	Staging Report
A14	With the approval of the Secretary, the Proponent may submit any strategies plans or programs required by this approval on a progressive basis. *Notes:* 1. *While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the Work being undertaken on site is covered by suitable strategies, plans or programs atall times; and* 2. *If the submission of any strategy, plan or program is to be submitted on a progressive basis, then therelevant strategy, plan or program must clearly describe the specific Work or stage to which the strategy, plan or program applies, the relationship of the Work or stage to any future Work or stages,and the trigger for updating the strategy, plan or program if and as relevant.*	✓	✓	✓	Staging Report

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A15	Construction ancillary facilities (excluding minor construction ancillary facilities established under Condition A20) that are not identified by description and location in the documents referred to in Condition A1 can only be established and used in each case if:	✓	✓	✓	Appendix A4 (Section 2.2)
	a) They are located within or immediately adjacent to the construction boundary; and	✓	✓	✓	
	b) They are not located next to a sensitive receiver(s) (including where an access road is between the facility and the receiver(s)), unless the sensitive receiver(s) (both the landowner(s) and occupier(s)2) have given written acceptance to the carrying out of the relevant facility in the proposed location; and	✓	✓	✓	
	c) They have no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and	✓	✓	✓	
	d) The establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.	✓	✓	✓	
A16	Before the establishment of a major construction ancillary facility (i.e. excluding minor construction ancillary facility(s) established under Condition A20), the Proponent must prepare a Site Establishment Management Plan which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facility(s). The Site Establishment Management Plan must be prepared in consultation with the relevant council(s) and government agencies. The Plan must be endorsed by the ER and then submitted to the Planning Secretary for approval one (1) month before the establishment of the construction ancillary facility(ies). The Site Establishment Management Plan must detail the management of the construction ancillary facility(ies) and include:	✓	✓	✓	Appendix A4 (Section 2.3)

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	a) A description of activities to be undertaken during establishment of the construction ancillary facility(ies) (including scheduling and duration of works to be undertaken at the site)	✓	✓	✓	
	b) Figures illustrating the proposed site layout and the closest sensitive receiver(s);	✓	✓	✓	
	c) A program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of site establishment work;	✓	✓	✓	
	d) Details of how the site establishment activities described in subsection (a) of this condition will be carried out to:	✓	✓	✓	
	i. meet the performance outcomes stated in the documents listed in Condition A1, and	✓	✓	✓	
	ii. manage the risks identified in the risk analysis undertaken in subsection of this condition; and	✓	✓	✓	
	e) A program for monitoring the performance outcomes, including a program for construction noise monitoring consistent with the requirements of Condition C14.	✓	✓	✓	
	The Site Establishment Management Plan must be approved before the establishment of a construction ancillary facility(ies) (excluding minor construction ancillary facilities established under Condition A20). Nothing in this condition prevents the Proponent from preparing individual Site Establishment Management Plans for each construction ancillary facility. Note: Condition A16 does not apply to minor construction ancillary facilities established under Condition A20.	✓	✓	✓	
A17	Where a construction ancillary facility(ies) has been established for any early works listed in Appendix B and is to be used for construction, a new or revised Site Establishment Management Plan must be prepared where additional activities are required to establish the site for the purposes of construction or there is a change to the site layout. The new or revised Site Establishment	✓	✓	✓	Appendix A4 (Section 2.3)

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	Management Plan must be prepared in accordance with Condition A16 and approved by the Planning Secretary before commencement of the additional activities or change to site layout.				
A18	The use of a construction ancillary facility for construction (excluding minor construction ancillary facilities established under Condition A20 and construction ancillary facilities established for the purposes of early works in accordance with Condition A24) must not commence until the CEMP required by Condition C1, relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C11 have been approved by the Planning Secretary. This condition does not apply to the use of construction ancillary facilities where the ER has determined that the use of the facility will have a minimal impact on the environment and community.	✓	✓	✓	Appendix A4
A19	Construction ancillary facilities established for the purposes of early works in accordance with Condition A24 cannot be used for construction until the CEMP required by Condition C1, relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C11 have been approved by the Planning Secretary. This condition does not apply to the use of construction ancillary facilities where the ER has determined that the use of the facility will have a minimal impact on the environment and community.	✓	✓	✓	Appendix A4
A20	Lunch sheds, office sheds, portable toilet facilities, and the like, can be established and operated where they satisfy the following criteria:	✓	✓	✓	Appendix A4 (Section 3)
	a) Are located within or adjacent to the construction boundary	✓	✓	✓	
	b) Have been assessed by the ER to have:	✓	✓	✓	
	i. Minor amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and	✓	✓	✓	

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	ii. Minor environmental impact with respect to waste management, soil, water and flooding, and	✓	✓	✓	
	iii. No impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval.	✓	✓	✓	
A21	Boundary screening must be erected around all construction ancillary facilities that are adjacent to sensitive receivers for the duration of construction of the CSSI unless otherwise agreed with affected residents, business operators and landowners.	✓	✓	✓	Appendix A4 (Section 2.3.4)
A22	Boundary screening required under Condition A21 of this approval must minimise, as far as practicable, visual impacts on adjacent sensitive receivers.	✓	✓	✓	Appendix A4 (Section 2.3.4)
A23	The CSSI name; application number; telephone number, postal address and email address required under Condition B7 of this approval must be made available on site boundary fencing / hoarding at the entrance of each ancillary facility before the commencement of construction.	✓	✓	✓	Appendix A4
A30	Work must not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by the Proponent.	✓	✓	✓	Section 5.1.1
A34	For the duration of Work until the commencement of operation, or as agreed with the Planning Secretary, the approved **ER** must: (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI; (b) consider and inform the Planning Secretary on matters specified in the terms of this approval; (c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; (d) review the documents identified in **Conditions A9, A13, A16, A24, C1, C4** and **C11** and anyother documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so:	✓	✓	✓	Section 1.10 Section 1.12 Section 5.1.1 Section 7.5

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	(i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary / Department for information or are not required to be submitted to the Planning Secretary / Department); (e) regularly monitor the implementation of the documents listed in **Conditions A9, A13, A16, A24, C1, C4** and **C11** to ensure implementation is being carried out in accordance with the documents and the terms of this approval; (f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the CSSI commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under **Conditions A38** and **A41** of this approval; (g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints; (h) assess the impacts of minor construction ancillary facilities, as required by **Condition A20** ofthis approval; (i) consider any minor amendments to be made to the **CEMP**, **CEMP Sub-plans**, **Construction Monitoring Programs**, **Site Establishment Management Plans** and **Early Works Environmental Management Plan** that involve updating or are of an administrative nature and do not increase impacts to nearby sensitive receivers, and ensure they are consistent with the terms of this approval and the documents approved by the Planning Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval; (j) prepare and submit to the Planning Secretary and relevant regulatory agencies (where requested by those agencies), for information, an **Environmental Representative Monthly Report** providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports." **The Environmental Representative Monthly Report** must be submitted within seven (7) days following the end of each month for the duration of the ER's engagement for the CSSI.				

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A35	The Proponent must provide the **ER** with all documentation requested by the **ER** in order for the **ER** to perform their functions specified in **Condition A34** (including preparation of the **ER** monthly report), as well as: (a) the complaints register for any complaints received (on the day they are received); and (b) a copy of any assessment carried out by the Proponent of whether proposed Work is consistent with the approval (which must be provided to the **ER** before the commencement of the subject Work).	✓	✓	✓	Section 5.5.3 Section 7.5 Section 7.7.1
A36	The Department must be notified in writing of the dates of commencement of early works, construction and operation at least one (1) month before those dates.	✓	✓	✓	Section 1.10
A37	If the construction or operation of the CSSI is to be staged, the Department must be notified in writing at least one (1) month before the commencement of each stage, of the date of the commencement of that stage.	✓	✓	✓	Section 1.10
A38	The Proponent must engage an independent auditor and conduct auditing and audit reporting of the CSSI in accordance with the document Independent Audit Post Approval Requirements (DPIE, 2020). Note: The independent auditor must be approved by the Planning Secretary no later than two weeks following the commencement of construction as required by Independent Audit Post Approval Requirements (DPIE, 2020).	✓	✓	✓	Section 7.4.1 Section 7.4.2
A40	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to that set out in Independent Audit, Post Approval Requirements (DPIE, 2020), upon giving at least one (1) month's notice to the Proponent of the date upon which the audit must be commenced	✓	✓	✓	Section 7.4.1
A41	The Planning Secretary may direct the Proponent to undertake Independent Audits in addition to those provided for in Condition A38 when considered necessary to address a particular issue.	✓	✓	✓	Section 7.4.1 Section 7.4.2

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A42	In accordance with the specific requirements in the Independent *Audit Post Approval Requirements*, the Proponent must:	✓	✓	✓	Section 7.4
	a) Review and respond to each Independent Audit Report prepared under Condition A38 or Condition A41;	✓	✓	✓	
	b) Submit the response to the Planning Secretary; and	✓	✓	✓	
	c) Make each Independent Audit Report and response to it publicly available 60 days after submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	✓	✓	✓	
A43	Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Planning Secretary for information within two (2) months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (DPIE, 2020).	✓	✓	✓	Section 7.4
A44	The Planning Secretary must be notified in writing via the Major Projects Website as soon as possible and no later than 12 hours after the Proponent becomes aware of an incident. The notification must identify the CSSI (including the application number and the name of the CSSI) and the date, time, location and nature of the incident.	✓	✓	✓	Section 6.4 Appendix A7
A45	Subsequent notification must be given and reports submitted to the Planning Secretary in accordance with the requirements set out in Appendix A.	✓	✓	✓	Section 6.4 Appendix A7
A46	The Planning Secretary must be notified in writing via the Major Projects website within seven (7) days after the Proponent becomes aware of any non-compliance.	✓	✓	✓	Section 6.4 Section 7.3 Appendix A7
A47	A non-compliance notification must identify the CSSI and the application number for it, set out the condition of approval that the CSSI is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	✓	✓	✓	Section 7.3 Appendix A7

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A48	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	✓	✓	✓	Section 7.3.1 Section 7.3.1 Appendix A7
A49	All heavy vehicles used for construction spoil haulage must be clearly marked on the sides and rear with the CSSI name (or where the CSSI is staged, the name of that stage) to enable immediate identification by a person viewing the heavy vehicle. Details of the CSSI identification markings must be submitted to the Planning Secretary for approval and approved prior to the heavy vehicles being used for construction spoil haulage. There must only be one CSSI form of signage on a heavy vehicle at any one time.	✓	✓	✓	CTTMP
B1	A Communication Strategy must be prepared to provide mechanisms to facilitate communication about Work, construction and operation of the CSSI with: a) The community (including adjoining affected landowners and businesses, and others directly impacted by the CSSI); and b) The relevant councils and relevant government agencies. The Communication Strategy must address who (the Proponent, Independent Appointments and/or construction contractor) will engage with the community, relevant councils and agencies, how they will engage and the timing of engagements.	✓	✓	✓	Section 5.5.3 OCS
B6	A Complaints Management System must be prepared and implemented before the commencement of any Work and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI. The Complaints Management System must require complainants to be advised that: a) The Complaints Register may be forwarded to Government agencies, including the Department, to allow them to undertake their regulatory duties; b) By providing personal information, the complainant authorises the Proponent to provide that information to government agencies;	✓	✓	✓	Section 5.5.3 OCS

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	c) The supply of personal information by the complainant is voluntary; and				
	d) The complainant has the right to contact government agencies to access personal information held about them and to correct or amend that information (Collection Statement).				
	The Collection Statement must be included on the Proponent's or project website to make prospective complainants aware of their rights under the Privacy and Personal Information Protection Act 1998. For any complaints made in person, the complainant must be made aware of the Collection Statement.				
B7	The following information must be available to facilitate community enquiries and manage complaints one (1) month before the commencement of Work and for 12 months following the completion of construction:	✓	✓	✓	Section 5.5.3 Section 5.5.4
	a) 24-hour telephone number for the registration of complaints and enquiries about the CSSI	✓	✓	✓	
	b) A postal address to which written complaints and enquires may be sent	✓	✓	✓	
	c) An email address to which electronic complaints and enquiries may be transmitted; and	✓	✓	✓	
	d) A mediation system for complaints unable to be resolved.	✓	✓	✓	
	This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level and must be provided on the website required under Condition B10.	✓	✓	✓	
B8	A Complaints Register must be maintained recording information on all complaints received about the CSSI during the carrying out of any work and for a minimum of 12 months following the completion of construction. The Complaints Register must record the:	✓	✓	✓	Section 5.5.3
	a) Number of complaints received;	✓	✓	✓	
	b) The date and time of the complaint;	✓	✓	✓	
	c) The method by which the complaint was made;	✓	✓	✓	

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	d) Any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;	✓	✓	✓	
	e) Nature of the complaint;	✓	✓	✓	
	f) Means by which the complaint was addressed and whether resolution was reached, with or without mediation; and	✓	✓	✓	
	g) If no action was taken, the reason(s) why no action was taken.	✓	✓	✓	
B9	The Complaints Register must be provided to the Planning Secretary upon request, within the timeframe stated in the request.	✓	✓	✓	Section 5.5.3 OCS
B10	A website or webpage providing information in relation to the CSSI must be established before commencement of Work and be maintained for the duration of construction, and for a minimum of 24 months following the completion of construction. The following up-to-date information (excluding confidential, private, commercial information or any other information that the Planning Secretary has approved to be excluded) must be published before the relevant Work commencing and maintained on the website or dedicated pages including:	✓	✓	✓	Section 5.5.3 Section 5.5.4
	a) Information on the current implementation status of the CSSI;	✓	✓	✓	
	b) A copy of the documents listed in Condition A1 of this approval, and any documentation relating to any modifications made to the CSSI or the terms of this approval;	✓	✓	✓	
	c) A copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval (ordered in a logical sequence and easy to navigate);	✓	✓	✓	
	d) A copy of each statutory approval, licence or permit required and obtained in relation to the CSSI;	✓	✓	✓	
	e) A current copy of the final version of each document required under the terms of this approval; and	✓	✓	✓	

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	f) A copy of the audit reports required under Conditions A38 and A41 of this approval.	✓	✓	✓	
	Where the information / document relates to a particular Work or is required to be implemented, it must be published on the Proponent's website before the commencement of the relevant Work to which it relates or before its implementation.	✓	✓	✓	
C11	The following Construction Monitoring Programs must be prepared in consultation with the relevant government agencies identified for each to compare actual performance of construction of the CSSI against the performance predicted in the documents listed in Condition A1 or in the CEMP: (a) Noise and vibration - relevant councils (b) Surface water quality - DPIE Water, Sydney Water (if there are any discharges to their assets) and relevant council(s) (c) DPIE Water	✓	✓	✓	Section 1.9.2 Section 3.3.1 Section 7.2
C12	Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant Construction Monitoring Programs, including copies of all correspondence from those agencies as required by Condition A5.	✓	✓	✓	Section 1.9.2 Section 7.2
C13	Each **Construction** Monitoring **Program** must provide: (a) details of baseline data available; (b) details of baseline data to be obtained and when; (c) details of all monitoring of the CSSI to be undertaken; (d) the parameters of the CSSI to be monitored; (e) the frequency of monitoring to be undertaken; (f) the location of monitoring; (g) the reporting of monitoring results and analysis of results against the relevant criteria; (h) details of methods that will be used to analyse monitoring data;	✓	✓	✓	Section 3.3.1 Section 7.2

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	(i) procedures to identify and implement additional mitigation measures where results of monitoring indicate unsatisfactory CSSI impacts; (j) a consideration of SMART principles; (k) any consultation to be undertaken in relation to the monitoring programs; and (l) any specific requirements as required by Condition C14.				
C15	The Construction Monitoring Programs must be endorsed by the ER and then submitted to the Planning Secretary for approval at least one (1) month before the commencement of construction.	✓	✓	✓	Section 1.10
C16	Unless otherwise agreed with the Planning Secretary, construction must not commence until all of the relevant Construction Monitoring Programs have been approved by the Planning Secretary, and all relevant baseline data for the specific construction activity has been collected.	✓	✓	✓	Section 1.10 Section 7.2
C17	The Construction Monitoring Programs, as approved by the Planning Secretary, including any minor amendments approved by the ER, must be implemented for the duration of construction and for any longer period set out in the monitoring program or specified by the Planning Secretary, whichever is the greater.	✓	✓	✓	Section 7.2
C18	The results of the **Construction Monitoring Programs** must be submitted to the Planning Secretary, and relevant government agencies, for information in the form of a **Construction Monitoring Report** at the frequency identified in the relevant **Construction Monitoring Program**. *Note: Where a relevant **CEMP Sub-plan** exists, the relevant **Construction Monitoring Program** may be incorporated into that **CEMP Sub-plan.***	✓	✓	✓	Section 7.2
E34	Work must only be undertaken during the following hours:	✓	✓	✓	Section 5.4.1
	a) 7:00 am to 6:00 pm Mondays to Fridays, inclusive;	✓	✓	✓	
	b) 8:00 am to 6:00 pm Saturdays; and	✓	✓	✓	
	c) At no time on Sundays or public holidays.	✓	✓	✓	

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E35	Except as permitted by an EPL, highly noise intensive works that result in an exceedance of the applicable noise management level (NML) at the same receiver must only be undertaken: (a) between the hours of 8:00 am to 6:00 pm Monday to Friday; (b) between the hours of 8:00 am to 1:00 pm Saturday; and (c) if continuously, then not exceeding three hours, with a minimum cessation of work of not lessthan one hour. For the purposes of this condition, 'continuously' includes any period during which there is less than one hour between ceasing and recommencing any of the Work.	✓	✓	✓	Section 5.4.1
E36	Notwithstanding Condition E34 and E35, Work may be undertaken outside the hours specified in any of the following circumstances: (a) **Safety and Emergencies**, including: (i) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or (ii) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm. On becoming aware of the need for emergency work in accordance with Condition E36(a), the Proponent must notify the ER, the Planning Secretary and the EPA of the reasons for such emergency work. The Proponent must use best endeavours to notify all noise and/or vibration affected sensitive land user(s) of the likely impact and duration of the emergency work. (b) **Work that causes:** (i) LAeq(15 minute) noise levels: • no more than 5 dB(A) above the rating background level at any residence in accordance with the ICNG, and	✓	✓	✓	Section 5.4.2

CoA	Condition Requirements	Applicability			OCEMP Reference
		M12 West	M12 Central	M12 East	
	• no more than the 'Noise affected' NMLs specified in Table 3 of the ICNG at other sensitive land user(s); and (ii) LAFmax(15 minute) noise levels no more than 15 dB(A) above the rating background level at any residence during the night time period; and (iii) continuous or impulsive vibration values, measured at the most affected residence, that are no more than the preferred values for human exposure to vibration, specified in Table 2.2 of Assessing Vibration: a technical guideline (DEC, 2006); and (iv) intermittent vibration values measured at the most affected residence that are no more than the preferred values for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006). (c) **By Approval**, including: (i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; or (ii) works which are not subject to an EPL that are approved under an Out-of-Hours Work Protocol as required by Condition E37; or (iii) negotiated agreements with directly affected residents and sensitive land user(s).				
E61	The CSSI must be constructed in a manner that minimises visual impacts of construction ancillary facilities, including but not limited to, providing temporary landscaping and vegetative screening of the construction sites, minimising light spill, and incorporating architectural treatment and finishes within key elements of temporary structures that reflect the context within which the construction sites are located.	✓	✓	✓	Section 2.3 of Appendix A4
E62	The CSSI must be constructed and operated with the objective of minimising light spillage to surrounding properties. All lighting associated with the construction and operation of the CSSI must be consistent with the requirements of Australian Standard 4282-2019 *Control of the obtrusive effects of outdoor lighting*, relevant Australian Standards in the series AS/NZ 1158 – *Lighting for Roads and Public Spaces, and the National Airports Safeguarding Framework (NASF)* Guideline E: *Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports.*	✓	✓	✓	Section 2.3 of Appendix A4

CoA	Condition Requirements	Applicability			OCEMP Reference
		M12 West	M12 Central	M12 East	
	Additionally, mitigation measures must be provided to manage residual night lighting impacts to protect properties adjoining or adjacent to the CSSI, in consultation with affected landowners.	✓	✓	✓	
E75	The Proponent must identify the utilities and services (hereafter "services") potentially affected by Work to determine requirements for diversion, protection and/or support. Alterations to services must be determined by negotiation between the Proponent and the service providers. The Proponent in consultation with service providers must ensure that disruption to services resulting from the CSSI are avoided where possible and where unavoidable, customers are advised in accordance with the Communication Strategy required under Condition B1.	✓	✓	✓	Table 2-1 Section 2.2 OCS
E83	Any property access that is physically affected by the CSSI must be reinstated to at least an equivalent standard, in consultation with the landowner or alternative access provided in consultation with the landowner.	✓	✓	✓	Appendix A4 OCS
E91	A Sustainability Strategy must be prepared to achieve a minimum excellent 'Design' and 'As built' rating under the Infrastructure Sustainability Council of Australia infrastructure rating tool.	✓	✓	✓	Section 1.8 Sustainability Strategy

REMMs

The primary REMMs relevant to the development of this Plan are listed in Table 3-3 of the OCEMP. Secondary REMMs related, but not specific to the development of this Plan are listed in the table below. A cross reference is also included to indicate where the REMM is addressed in this Plan or other Project management documents.

ID	Measure/Requirement	Timing	Applicability			OCEMP Reference
			M12 West	M12 Central	M12 East	
B19	Emergency response protocols and procedures will be included in the Project CEMP and implemented in the event of a contaminant spill or leak.	During construction	✓	✓	✓	Section 6.1 Appendix A7
B20	Spill kits will be located to allow for timely response to uncontained spills. Site inductions will include a briefing on the use of spill kits.	During construction	✓	✓	✓	Section 6.1 Appendix A7
LVIA05	Project elements such as ancillary facility hoardings will be designed and maintained to minimise impacts on landscape character and visual amenity. This will include selecting colours and materials that are visually recessive and blend into the surrounding landscape where practicable, and the prompt removal of graffiti.	Detailed design, prior to construction and during construction	✓	✓	✓	Appendix A4 PDLP
LVIA07	Temporary and permanent lighting will be designed and implemented with consideration of:	Detailed design, prior to construction and during construction	✓	✓	✓	Appendix A4 PDLP
	• The need to orientate lighting to minimise light spill and glare impacts on nearby receivers		✓	✓	✓	
	• The need to minimise vandalism and maintenance requirements		✓	✓	✓	
	• Requirements of the National Airports Safeguarding Framework (NASF) (National Airports Safeguarding Advisory Group, n.d.) for operational lighting		✓	✓	✓	

ID	Measure/Requirement	Timing	Applicability			OCEMP Reference
			M12 West	M12 Central	M12 East	
	• Opportunities to implement sustainability initiatives in design such as energy efficient or solar lighting		✓	✓	✓	
SLP01	Areas of land leased for the purposes of construction will be reinstated at the end of the lease to at least equivalent standard in consultation with the landowner.	During construction	✓	✓	✓	Appendix A4 OCS
SLP07	Construction activities will be planned to minimise disruption to existing agricultural operations/activities in surrounding properties where feasible and reasonable (e.g. stock access, access to farm dams, etc) unless otherwise agreed by the landowner.	Prior to construction	✓	✓	✓	CTTMP OCS
AH01	Procedures for consideration of heritage aspects within site inductions and toolbox talks for construction workers and supervisors	Prior to construction	✓	✓	✓	Section 5.3.2 CCHMP
AH03	A work method statement will be prepared for the works within identified Aboriginal sites in consultation with a suitably qualified and experienced archaeologist. The method statement will be prepared to minimise impacts on Aboriginal sites where feasible, including input into detailed design. Measures will include (but not be limited to):	Detailed design, prior to construction and during construction	✓	✓	✓	Section 3.3.4 CCHMP
	• Designing and locating bridges (including bridge pylons), haulage routes and other access roads to minimise potential disturbance of soils where feasible		✓	✓	✓	
	• Focusing protection measures on the zone within 100 metres of creeks including consideration of opportunities to cover the original cultural deposits in temporary protective barriers such as geotextile fabric and a layer of clean fill.		✓	✓	✓	

Appendix A2

Initial Risk Register

M12 Motorway

November 2021

Risk Assessment and Management Approach

The aspects and impacts in Section 4.1 of the OCEMP have been worked into this initial risk assessment. The risk management process involved an assessment of all specific activities/aspects and resulted in the development of a list of environmental risks (impacts) and a corresponding risk mitigation strategy and risk ranking.

Each environmental risk was categorised, based on the following:

- The environmental aspect
- Relative scale of the potential impact
- Type of potential impact
- Likelihood of occurrence.

Table 1 identifies the likelihood criteria used for the initial risk assessment. The identification of risks included a revision of the proposed works, the CoA, REMMs, and revision of the environmental risks identified by the Environment Assessment Documentation. The risk matrix identified in Table 2 has been used to undertake the risk assessment located in Table 3.

Table 1: Likelihood criteria

Likelihood	Definition	Probability
Almost certain	Expected to occur frequently during time of activity or project (10 or more times per year)	>90%
Likely	Expected to occur occasionally during time of activity or project 75% to 90% (1 to 10 times per year)	75% to 90%
Possible	More likely to occur than not occur during time of activity or project 50% to 75% (once per year)	50% to 75%
Unlikely	More likely to not occur than occur during time of activity or project 25% to 50% (once every 1 to 10 years)	25% to 50%
Rare	Not expected to occur during the time of the activity or project 10% to 25% (once every 10 to 100 years)	10% to 25%
Almost unprecedented	Not expected to ever occur during time of activity or project (less than once every 100 years)	<10%

Table 2: Risk assessment matrix

Likelihood	Consequence					
	Insignificant	Minor	Moderate	Major	Severe	Catastrophic
Almost certain	Moderate	High	High	Very high	Very high	Very high
Likely	Moderate	Moderate	High	High	Very high	Very high
Possible	Low	Moderate	Moderate	High	High	Very high
Unlikely	Low	Low	Moderate	Moderate	High	High
Rare	Very low	Low	Low	Moderate	Moderate	High
Almost unprecedented	Very low	Very low	Low	Low	Moderate	Moderate

General management measures and requirements to reduce environmental impact of each activities is detailed in Table 3. Furthermore, aspect-specific management measures are detailed in full within each aspect-specific Sub-plan.

Table 3: Initial construction risk assessment

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
Site clearing works	Accidental clearing outside of the construction boundary	Likely	Moderate	High	• Daily pre-start outlining the vegetation areas to be cleared • Clearing will be undertaken in accordance with the staged Vegetation Clearing Procedure (CFFMP) • All site personnel to undertake site inductions outlining no vegetation or tree removal will be undertaken without prior approval • Exclusion zones will be established in accordance with FF15 of the CFFMP • Exclusion zones will be delineated with flagging (or similar) in accordance the Flagging Protocol (Vegetation Clearing Procedure (CFFMP) • The CFFMP details trees to be remained and trees to be removed within the construction boundary.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate
	Impacts on unexpected threatened species	Unlikely	Moderate	Moderate	• Toolbox talks regarding the potential for unexpected threatened species will be undertaken • Threatened species surveys will be undertaken prior to construction activities performed by a suitably qualified ecologist (if required). • Implementation of the Unexpected Threatened Species or EEC Finds Procedures in accordance with Guide 1 of the *Biodiversity Guidelines* (RTA, 2011), TfNSW specifications, Appendix D of the CFFMP (Appendix B2 of the OCEMP).	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Rare	Moderate	Low
	Spreading of noxious weeds via personnel, plant / equipment, topsoil / mulch	Possible	Moderate	Moderate	• Toolbox talks regarding the location and treatment of weeds • Works will be carried out such that no noxious weeds are imported to the site or around the site including the washing of wheels of all plant prior to transportation to site • Hygiene protocols outlined in the Weed and Pathogen Management Plan (Appendix E of the CFFMP) will be implemented throughout site clearing activities.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate
	Generation of dust	Likely	Moderate	High	• Construction activities with the potential to generate dust will be modified or ceased during high winds to reduce the potential for dust generation • Access roads within the construction boundary will be maintained and managed to reduce dust generation • Stockpiles that have the potential to result in dust generation will be minimised at all times and comply with RMS – *Stockpile Site Management Guideline* (May 2015) in accordance with Soil and Water Management Plan (Appendix B4 of the OCEMP) • During high wind and/or dry conditions, programming of dust generating activities is to be considered in order to reduce nuisance to neighbouring properties • Adequate dust suppression will be available and applied where required e.g. watercart	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Possible	Moderate	Moderate

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• In addition to the above mitigation measure, AQ1 – AQ3 from Appendix B7 of the OCEMP will be implemented.				
	Bushfire	Likely	Severe	Very High	• Prepare and implement a Work Health and Safety Management Plan that incorporate measures to manage and mitigate bushfire risk • All site personnel to be inducted on bushfire hazards and how they are to be managed • Hazardous materials will be appropriately bunded with a volume of 110 per cent of the largest receptacle • All works involving a fire source will have a hot works permit in place with specific controls to prevent fire risk • No smoking (including e-cigarettes) will be allowed on site except at designated areas. Dedicated butt disposals will be located in all designated smoking areas • Cutting, welding or grinding will not be undertaken on total fire ban days, unless the works takes place in an area at least 50 metres away from an ignition source and appropriate fire controls are in place • Vehicles will not be driven or idled in areas of long grass on fire ban days or after prolonged periods of dry weather.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Rare	Severe	Moderate
	Erosion and sedimentation impacting nearby dams or downstream watercourses due to exposed land, inadequate controls or control failure	Likely	Moderate	High	• Erosion and Sediment Control Plans (ESCPs) will be prepared by the Construction Contractor for all work and implemented in advance of site disturbance • All site personnel will undergo a site induction and ongoing toolbox talks outlining erosion and sediment control management measures • Hardstand areas and surrounding public roads will be cleaned as required, using methods such as street sweepers • In addition to the above mitigation measures management measures SWH1 to SWH14 from Appendix B4 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Possible	Moderate	Moderate
	Inappropriate disposal of waste (including, vegetation and contaminated materials) or disposal at an unlicensed waste facility	Possible	Moderate	Moderate	• All site personnel will undergo a site induction that will detail waste and resource management measures • Additional targeted toolbox talks will be given on waste disposal from time to time • HAZMAT surveys will be undertaken and removal of asbestos will be undertaken prior to demolition activities (if required) • Suitably licensed waste contractors will be used for the collection and transport of all waste for either offsite processing and/or disposal to an appropriately licensed facility. Receipts for waste transfer and disposal will be checked to ensure all details are correct and retained for audit purposes	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• In addition to the mitigation measures specified above, the disposal of waste will be managed in accordance with W1 – W4 from Appendix B5 of the OCEMP will be implemented.				
	Traffic impacts on local roads	Possible	Minor	Moderate	• Designated haul routes will be used, as identified in the Environmental Assessment Documentation, including the M7 Motorway, Elizabeth Drive and The Northern Road for heavy vehicles • Measures identified in the Traffic Control Plan (TCP) (if developed) will be implemented • Drivers will be inducted on the haulage roads including the use of The Northern Road and avoidance of other local roads • In addition to the above mitigation measures, TT1 to TT10 of Appendix B1 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Tracking of mud from site on public roads	Possible	Minor	Moderate	• Site exit points will be fitted with appropriate controls to limit tracking of material out of site as soon as possible to limit the amount of material transported off site. Controls may include hardstand material; wheel washes; rumble grids; rip rap etc. • Street sweepers will be used to manage sediment/mud tracking.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Noise and vibration impacts to sensitive receivers	Possible	Minor	Moderate	• Maximise works during the standard construction hours • All construction plant and equipment used on site will be fitted with properly maintained noise suppression devices in accordance with the manufacturer's specifications. • Erection of temporary acoustic barriers will be undertaken, where required • Community updates will be provided throughout the construction works, when necessary • Activities that result in high noise impacts will be subject to respite periods as outlined in NSW CoA E37 and NSW CoA E45-E47 • The Noise and Vibration Monitoring Program prepared by TfNSW and provided in Appendix D will be implemented throughout the duration of construction activities • In addition to the above mitigation measures, noise and vibration impacts will be managed in accordance with NV1 – NV15 outlined in Appendix B2 of the OCEMP.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Contamination of soil or water due to a spill or leak from plant/equipment or chemicals required for construction purposes	Possible	Moderate	Moderate	• Hazardous substance handling and use will be conducted away from drainage, stormwater lines and waterways and, wherever possible, within defined bunds • Safety Data Sheets will be obtained for dangerous goods and hazardous substances stored onsite before their arrival • All site personnel will be responsible for ensuring that refuelling undertaken on site will be undertaken in designated areas only, outside riparian areas and well away from drainage, stormwater inlets or waterways	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• Hazardous materials will be stored on drip trays or have secondary containment and be located at least 30m from the dam • Hazardous materials will be appropriately bunded with a volume of 110 per cent of the largest receptacle • Any spills or leaks will be immediately contained and absorbed Spill kits will be placed at strategic locations (e.g. access points, plant/ machinery storage areas) • In addition to the above mitigation measures, management measures SWH1 – SWH14 from Appendix B4 of the OCEMP will be implemented.				
	Missed opportunities to maximise the beneficial re-use of waste	Possible	Minor	Moderate	• Resource recovery will be applied to the management of waste and will include the recovery of resources for reuse-reusable materials generated by the construction and will be segregated for reuse on site, or off site, where possible • Recovery of recyclable resources generated during construction • Recovery of resources for reprocessing, such as the onsite mulching of cleared vegetation for use in landscaping use, in the absence of a higher beneficial use being identified • Segregation of resources for recycling for effective processing at recycling facility • Prior to the commencement of clearing, a Reuse strategy will be prepared by the Construction Contractor detailing practicable options to reuse native trees or vegetation that are to be removed • Where offsite reuse is proposed, the Construction Ecologist is to examine the material as per EPA Mulch Order 2016.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
General earthworks and drainage	Complete or partial loss of an unexpected heritage item while undertaking general earthworks and drainage	Possible	Moderate	Moderate	• All works to be undertaken in accordance with the CCHMP (Appendix B5 of the OCEMP) • Any excavations, intrusive works or other operations that have the potential to impact areas of known heritage, cultural or archaeological items must not be undertaken prior to heritage salvage • Any item of potential Aboriginal archaeological/cultural heritage conservation significance, or human remains discovered during the construction works will be managed in accordance with the Unexpected Finds Procedure provided in Appendix B5 of the OCEMP.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate
	Erosion and sedimentation impacting nearby dams or downstream watercourses due to exposed land, inadequate controls or control failure	Possible	Moderate	Moderate	• ESCPs will be prepared for all work and implemented in advance of site disturbance • All site personnel will undergo a site induction and ongoing toolbox talks outlining erosion and sediment control management measures • Hardstand areas and surrounding public roads will be cleaned as required, using methods such as street sweepers	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• In addition to the above mitigation measures, SWH1 – SWH14 from Appendix B4 of the OCEMP will be implemented.				
	Generation of dust	Likely	Moderate	High	• Construction activities with the potential to generate dust will be modified or ceased during high winds to reduce the potential for dust generation • Access roads within the construction boundary will be maintained and managed to reduce dust generation • Stockpiles that have the potential to result in dust generation will be minimised at all times and comply with RMS – *Stockpile Site Management Guideline* (May 2015) in accordance with SWH4 (Appendix B4 of the OCEMP) • During high wind and/or dry conditions, programming of dust generating activities is to be considered in order to reduce nuisance to neighbouring properties • Adequate dust suppression will be available and applied where required e.g., watercart, misters • In addition to the above mitigation measure, AQ1 – AQ3 from Appendix B7 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Possible	Moderate	Moderate
	Inappropriate disposal of waste (including, vegetation and contaminated materials) or disposal at an unlicensed waste facility	Possible	Moderate	Moderate	• All site personnel working on-site will undergo a site induction that will detail waste and resource management measures • Additional targeted toolbox talks will be given on waste disposal from time to time • HAZMAT surveys will be undertaken and removal of asbestos will be undertaken prior to demolition activities (if required) • Suitably licensed waste contractors will be used for the collection and transport of all waste for either offsite processing and/or disposal to an appropriately licensed facility. Receipts for waste transfer and disposal will be checked to ensure all details are correct and retained for audit purposes • In addition to the mitigation measures above, disposal of waste will be managed in accordance with W1 – W4 from Appendix B8 of the OCEMP.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate
	Traffic impacts on local roads	Possible	Minor	Moderate	• Designated haul routes will be used, as identified in the Environmental Assessment Documentation, including the M7 Motorway, Elizabeth Drive and The Northern Road for heavy vehicles • Measures identified in the Traffic Control Plan (TCP) (if developed) will be implemented • Drivers will be inducted on the haulage roads including the use of The Northern Road and avoidance of other local roads • In addition to the above mitigation measures, TT1 to TT10 from Appendix B1 in the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
	Tracking of mud from site on public roads	Possible	Minor	Moderate	• Site exit points will be fitted with appropriate controls to limit tracking of material out of site as soon as possible to limit the amount of material transported off site. Controls may include hardstand material; wheel washes; rumble grids; rip rap etc. • Street sweepers will be used to manage sediment/mud tracking.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Noise and vibration impacts to nearby sensitive receivers	Possible	Minor	Moderate	• Maximise works during the standard construction hours • All construction plant and equipment used on site will be fitted with properly maintained noise suppression devices in accordance with the manufacturer's specifications • Erection of temporary acoustic barriers will be completed, where required • Community updates will be provided throughout the construction works, when necessary • Activities resulting in high noise impacts will be subject to respite periods as outlined in NSW CoA E37 and E45-E47 • The Noise and Vibration Monitoring Program (Appendix D) will be implemented throughout the duration of construction activities • In addition to the mitigation measures above, noise and vibration impacts will be managed in accordance with NV1 to NV14 from Appendix B2 of the OCEMP.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Impacts on visual amenity i.e. light spill	Possible	Minor	Moderate	• Lights will be located as far away as possible and directed away from neighbours/sensitive receivers • Boundary screening will be installed in accordance with NSW CoA A21 and A22 • In addition to the mitigation measures above, impacts on visual amenity will be managed in accordance with LVIA1 to LVIA3 of Appendix A1 in the OCEMP and PDLP.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Contamination of soil or water due to a spill or leak from plant/equipment or chemicals	Possible	Moderate	Moderate	• Hazardous substance handling and use will be conducted away from drainage, stormwater lines and waterways and, wherever possible, within defined bunds • Safety Data Sheets will be obtained for dangerous goods and hazardous substances stored onsite before their arrival • All site personnel will be responsible for ensuring that refuelling undertaken on site will be undertaken in designated areas only, outside riparian areas and well away from drainage, stormwater inlets or waterways • Hazardous materials will be stored on drip trays or have secondary containment and be located at least 30m from the dam. • Hazardous materials will be appropriately bunded with a volume of 110 per cent of the largest receptacle • Any spills or leaks will be immediately contained and absorbed Spill kits will be placed at strategic locations (e.g. access points, plant/ machinery storage areas)	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• In addition to the mitigation measures above, SWH1 to SWH14 from Appendix B4 of the OCEMP will be implemented.				
	Missed opportunities to maximise the beneficial re-use of waste	Possible	Minor	Moderate	• Resource recovery will be applied to the management of waste and will include the recovery of resources for reuse-reusable materials generated by the construction and will be segregated for reuse on site, or off site, where possible • Recovery of recyclable resources generated during construction • Recovery of resources for reprocessing, such as the onsite mulching of cleared vegetation for use in landscaping use, in the absence of a higher beneficial use being identified • Segregation of resources for recycling for effective processing at recycling facility • Prior to the commencement of clearing, a Reuse strategy will be prepared by the Construction Contractor detailing practicable options to reuse native trees or vegetation that are to be removed • Where offsite reuse is proposed, the Construction Ecologist is to examine the material as per EPA Mulch Order 2016.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
General pavement and structure works	Generation of dust	Likely	Moderate	High	• Construction activities with the potential to generate dust will be modified or ceased during high winds to reduce the potential for dust generation • Access roads within construction boundary will be maintained and managed to reduce dust generation • Stockpiles that have the potential to result in dust generation will be minimised at all times and comply with RMS – *Stockpile Site Management Guideline* (May 2015) in accordance with SWH4 (Appendix B4 of the OCEMP) • During high wind and/or dry conditions, the Construction Contractor will ensure programming of dust generating activities is to be considered in order to reduce nuisance to neighbouring properties • Adequate dust suppression will be available and applied where required e.g., watercart, misters • In addition to the above mitigation measure, AQ1 – AQ3 from Appendix B7 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Possible	Moderate	Moderate
	Bushfire	Likely	Severe	Very High	• Prepare and implement a WHSMP that incorporate measure to manage and mitigate bushfire risk • All site personnel are inducted on bushfire hazards and how they are to be managed • Hazardous materials will be appropriately bunded with a volume of 110 per cent of the largest receptacle. • All works involving a fire source will have a hot works permit in place with specific controls to prevent fire risk	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Rare	Severe	Moderate

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• Smoking (including e-cigarettes) will not be allowed on site except at designated areas. Dedicated butt disposals will be located in all designated smoking areas • Cutting, welding or grinding will not be undertaken on total fire ban days, unless the works takes place in an area at least 50 metres away from an ignition source and appropriate fire controls are in place • Vehicles will not be driven or idled in areas of long grass on fire ban days or after prolonged periods of dry weather.				
	Erosion and sedimentation impacting nearby dams or downstream watercourses due to exposed land, inadequate controls or control failure	Possible	Moderate	Moderate	• ESCPs will be prepared for all work and implemented in advance of site disturbance • All site personnel will undergo a site induction and ongoing toolbox talks outlining erosion and sediment control management measures • Hardstand areas and surrounding public roads will be cleaned as required, using methods such as street sweepers • In addition to the above mitigation measures, SWH1 to SWH 14 from Appendix B4 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate
	Inappropriate disposal of waste (including contaminated materials) or disposal at an unlicensed waste facility	Possible	Moderate	Moderate	• All site personnel working on-site will undergo a site induction that will detail waste and resource management measures • Additional targeted toolbox talks will be given on waste disposal from time to time • HAZMAT surveys will be undertaken and removal of asbestos will be undertaken prior to demolition activities (if required) • Suitably licensed waste contractors will be used for the collection and transport of all waste for either offsite processing and/or disposal to an appropriately licensed facility. Receipts for waste transfer and disposal will be checked to ensure all details are correct and retained for audit purposes. • In addition to the mitigation measures above, disposal of waste will be managed in accordance with W1 to W4 from Appendix B8 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate
	Traffic impacts on local roads	Possible	Minor	Moderate	• Designated haul routes will be used, as identified in the Environmental Assessment Documentation, including the M7 Motorway, Elizabeth Drive and The Northern Road for heavy vehicles • Measures identified in the Traffic Control Plan (TCP) (if developed) will be implemented • Drivers will be inducted on the haulage roads including the use of The Northern Road and avoidance of other local roads • In addition to the above mitigation measures, TT1 to TT10 of Appendix B1 in the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
	Tracking of mud from site on public roads	Possible	Minor	Moderate	• Site exit points will be fitted with appropriate controls to limit tracking of material out of site as soon as possible to limit the amount of material transported off site. Controls may include hardstand material; wheel washes; rumble grids; rip rap etc. • Street sweepers will be used to manage sediment/mud tracking.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Noise and vibration impacts to sensitive receivers	Possible	Minor	Moderate	• Maximise works during the standard construction hours • All construction plant and equipment used on site will be fitted with properly maintained noise suppression devices in accordance with the manufacturer's specifications • Erection of temporary acoustic barriers will be completed, where required • Community updates will be provided throughout the construction works, when necessary • Activities resulting in high noise impacts will be subject to respite periods as outlined in NSW CoA E37 and E45-E47 • The Noise and Vibration Monitoring Program (Appendix D) will be implemented throughout the duration of construction activities • In addition to the above mitigation measures, noise and vibration impacts will be managed in accordance with NV1 to NV15 from Appendix B2 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Impacts on visual amenity i.e. light spill	Possible	Minor	Moderate	• Lights will be located as far away as possible and directed away from neighbours/sensitive receivers • Boundary screening will be installed in accordance with NSW CoA A21 and A22 • Boundary screening in the form of chain wire fencing with shade cloth will be installed around the construction boundary in accordance with NSW CoA A21 and A22 • In addition to the above mitigation measures, impacts on visual amenity will be managed in accordance with LVIA1 to LVIA3 of Appendix A1 in the OCEMP and PDLP.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Contamination of soil or water due to a spill or leak from plant/equipment or chemicals	Possible	Moderate	Moderate	• Hazardous substance handling and use will be conducted away from drainage, stormwater lines and waterways and, wherever possible, within defined bunds • Safety Data Sheets will be obtained for dangerous goods and hazardous substances stored onsite before their arrival • All site personnel will be responsible for ensuring that refuelling undertaken on site will be undertaken in designated areas only, outside riparian areas and well away from drainage, stormwater inlets or waterways • Hazardous materials will be stored on drip trays or have secondary containment and be located at least 30m from the dam • Hazardous materials will be appropriately bunded with a volume of 110 per cent of the largest receptacle	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• Any spills or leaks will be immediately contained and absorbed Spill kits will be placed at strategic locations (e.g. access points, plant/ machinery storage areas) • In addition to the above mitigation measures, SWH1 to SWH14 from Appendix B4 of the OCEMP will be implemented.				
	Missed opportunities to maximise the beneficial re-use of waste such as concrete and asphalt	Possible	Minor	Moderate	• Resource recovery will be applied to the management of waste and will include the recovery of resources for reuse-reusable materials generated by the construction and will be segregated for reuse on site, or off site, where possible • Recovery of recyclable resources generated during construction • Recovery of resources for reprocessing, such as the onsite mulching of cleared vegetation for use in landscaping use, in the absence of a higher beneficial use being identified • Segregation of resources for recycling for effective processing at recycling facility • Prior to the commencement of clearing, a Reuse strategy will be prepared detailing practicable options to reuse native trees or vegetation that are to be removed • Where offsite reuse is proposed, the Construction Ecologist is to examine the material as per EPA Mulch Order 2016.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
Installation of site facilities	Generation of dust	Likely	Moderate	High	• Construction activities with the potential to generate dust will be modified or ceased during high winds to reduce the potential for dust generation • Access roads will be maintained and managed to reduce dust generation • Stockpiles that have the potential to result in dust generation will be minimised at all times and comply with RMS – *Stockpile Site Management Guideline* (May 2015) in accordance with SW4 (Appendix B4 of the OCEMP) • During high wind and/or dry conditions, the Construction Contractor will ensure programming of dust generating activities is to be considered in order to reduce nuisance to neighbouring properties • Adequate dust suppression will be available and applied where required e.g. watercart, misters • In addition to the above mitigation measure, AQ1 to AQ3 from Appendix B7 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Possible	Moderate	Moderate
	Bushfire	Likely	Severe	Very High	• Prepare and implement a WHSMP that incorporate measure to manage and mitigate bushfire risk • All site personnel are inducted on bushfire hazards and how they are to be managed • Hazardous materials will be appropriately bunded with a volume of 110 per cent of the largest receptacle	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Rare	Severe	Moderate

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• All works involving a fire source will have a hot works permit in place with specific controls to prevent fire risk. • Smoking (including e-cigarettes) will not be allowed on site except at designated areas. Dedicated butt disposals will be located in all designated smoking areas • Cutting, welding or grinding will not be undertaken on total fire ban days, unless the works takes place in an area at least 50 metres away from an ignition source and appropriate fire controls are in place. • Vehicles will not be driven or idled in areas of long grass on fire ban days or after prolonged periods of dry weather.				
	Erosion and sedimentation impacting nearby dams or downstream watercourses due to exposed land, inadequate controls or control failure	Possible	Moderate	Moderate	• ESCPs will be prepared for all work and implemented in advance of site disturbance • All site personnel will undergo a site induction and ongoing toolbox talks outlining erosion and sediment control management measures • Hardstand areas and surrounding public roads will be cleaned as required, using methods such as street sweepers • In addition to the above mitigation measures, SWH1 to SWH14 from Appendix B2 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate
	Inappropriate disposal of waste (including contaminated materials) or disposal at an unlicensed waste facility	Possible	Moderate	Moderate	• All site personnel working on-site will undergo a site induction outlining waste and resource management measures • Additional targeted toolbox talks will be given on waste disposal • HAZMAT surveys will be undertaken and removal of asbestos will be undertaken prior to demolition activities (if required) • Suitably licensed waste contractors will be used for the collection and transport of all waste for either offsite processing and/or disposal to an appropriately licensed facility. Receipts for waste transfer and disposal will be checked to ensure all details are correct and retained for audit purposes • In addition to the mitigation measures above, disposal of waste will be managed in accordance with W1 to W4 from Appendix B8 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate
	Traffic impacts on local roads	Possible	Minor	Moderate	• Designated haul routes will be used, as identified in the Environmental Assessment Documentation, including the M7 Motorway, Elizabeth Drive and The Northern Road for heavy vehicles • Measures identified in the Traffic Control Plan (TCP) (if developed) will be implemented • Drivers will be inducted on the haulage roads including the use of The Northern Road and avoidance of other local roads • In addition to the above mitigation measures, TT1 to TT10 from Appendix B1 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
	Tracking of mud from site on public roads	Possible	Minor	Moderate	• Site exit points will be fitted with appropriate controls to limit tracking of material out of site as soon as possible to limit the amount of material transported off site. Controls may include hardstand material; wheel washes; rumble grids; rip rap etc. • Street sweepers will be used to manage sediment/mud tracking.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Noise and vibration impacts to sensitive receivers	Possible	Minor	Moderate	• Maximise works during the standard construction hours • All construction plant and equipment used on site will be fitted with properly maintained noise suppression devices in accordance with the manufacturer's specifications • Erection of temporary acoustic barriers will be completed, where required • Community updates will be provided throughout the construction works, when necessary • Activities resulting in high noise impacts will be subject to respite periods as outlined in NSW CoA E37 and E45-E47 • The Noise and Vibration Monitoring Program (Appendix D) will be implemented throughout the duration of construction activities • In addition to the mitigation measures above, noise and vibration impacts will be managed in accordance with NV1 to NV15 from Appendix B2 in the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Impacts on visual amenity i.e. light spill	Possible	Minor	Moderate	• Lights will be located as far away as possible and directed away from neighbours/sensitive receivers • Boundary screening will be installed, where appropriate, in accordance with NSW CoA A21 and A22 • In addition to the above mitigation measures, impacts on visual amenity will be managed in accordance with LVIA1 to LVIA3 of Appendix A1 in the OCEMP and PDLP.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Contamination of soil or water due to a spill or leak from plant/equipment or chemicals	Possible	Moderate	Moderate	• Hazardous substance handling and use will be conducted away from drainage, stormwater lines and waterways and, wherever possible, within defined bunds • Safety Data Sheets are obtained for dangerous goods and hazardous substances stored onsite before their arrival • All site personnel will be responsible for ensuring that refuelling undertaken on site will be undertaken in designated areas only, outside riparian areas and well away from drainage, stormwater inlets or waterways • Hazardous materials will be stored on drip trays or have secondary containment and be located at least 30m from the dam. Hazardous materials will be appropriately bunded with a volume of 110% of the largest receptacle • Any spills or leaks will be immediately contained and absorbed • Spill kits will be placed at strategic locations (e.g. access points, plant/machinery storage areas)	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• In addition to the above mitigation measures, SWH1 to SWH14 from Appendix B4 of the OCEMP will be implemented.				
	Missed opportunities to maximise the beneficial re-use of waste	Possible	Minor	Moderate	• Resource recovery will be applied to the management of waste and will include the recovery of resources for reuse-reusable materials generated by the construction and will be segregated for reuse on site, or off site, where possible • Recovery of recyclable resources will be generated during construction • Recovery of resources for reprocessing, such as onsite mulching of cleared vegetation for use in landscaping use, in the absence of a higher beneficial use identified • Segregation of resources for recycling for effective processing at recycling facility • Prior to the commencement of clearing, a Reuse Strategy will be prepared detailing practicable options to reuse native trees or vegetation that are to be removed • Where offsite reuse is proposed, the Construction Ecologist is to examine the material as per *EPA Mulch Order 2016*.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
Site facilities operation	Traffic impacts on local roads	Possible	Minor	Moderate	• Designated haul routes will be used, as identified in the Environmental Assessment Documentation, including the M7 Motorway, Elizabeth Drive and The Northern Road for heavy vehicles • Measures identified in the Traffic Control Plan (TCP) (if developed) will be implemented • Drivers will be inducted on the haulage roads including the use of The Northern Road and avoidance of other local roads • In addition to the above mitigation measures, TT1 to TT10 from Appendix B1 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Tracking of mud from site on public roads	Possible	Minor	Moderate	• Site exit points will be fitted with appropriate controls to limit tracking of material out of site as soon as possible to limit the amount of material transported off site. Controls may include hardstand material; wheel washes; rumble grids; rip rap etc. • Street sweepers will be used to manage sediment/mud tracking.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Impacts on visual amenity i.e. light spill	Possible	Minor	Moderate	• Lights will be located as far away as possible and directed away from neighbours/sensitive receivers • Boundary screening will be installed, where appropriate, in accordance with NSW CoA A21 and A22 • In addition to the above mitigation measures, impacts on visual amenity will be managed in accordance with LVIA1 to LVIA3 as outlined in Appendix A1 of the OCEMP and PDLP.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Noise and vibration impacts to sensitive receivers	Possible	Minor	Moderate	• Maximise works during the standard construction hours	Construction Contractor (e.g. Project Manager,	Unlikely	Minor	Low

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• All construction plant and equipment used on site will be fitted with properly maintained noise suppression devices in accordance with the manufacturer's specifications • Erection of temporary acoustic barriers will be completed, where required • Community updates will be provided throughout the construction works, when necessary • Activities resulting in high noise impacts will be subject to respite periods as outlined in NSW CoA E37 and E45-E47 • The Noise and Vibration Monitoring Program (Appendix D) will be implemented throughout the duration of construction activities • In addition to the mitigation measures above, noise and vibration impacts will be managed in accordance with NV1 to NV15 from Appendix B2 of the OCEMP will be implemented.	Construction Manager, Superintendent, ESR)			
	Generation of dust	Unlikely	Moderate	Moderate	• Access roads will be maintained and managed to reduce dust generation • Stockpiles that have the potential to result in dust generation will be minimised at all times and comply with RMS – *Stockpile Site Management Guideline* (May 2015) in accordance with SWH4 (Appendix B4 of the OCEMP) • During high wind and/or dry conditions, the Construction Contractor will ensure programming of dust generating activities is to be considered in order to reduce nuisance to neighbouring properties • Adequate dust suppression will be available and applied where required e.g. watercart, misters • In addition to the above mitigation measure, AQ1 to AQ3 from Appendix B7 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Rare	Moderate	Low
	Contamination of soil or water due to a spill or leak from plant/equipment or chemicals	Possible	Moderate	Moderate	• Hazardous substance handling and use will be conducted away from drainage, stormwater lines and waterways and, wherever possible, within defined bunds • Safety Data Sheets will be obtained for dangerous goods and hazardous substances stored onsite before their arrival • All site personnel will be responsible for ensuring that refuelling undertaken on site will be undertaken in designated areas only, outside riparian areas and well away from drainage, stormwater inlets or waterways • Hazardous materials will be stored on drip trays or have secondary containment and be located at least 30m from the dam. • Hazardous materials will be appropriately bunded with a volume of 110 per cent of the largest receptacle • Any spills or leaks will be immediately contained and absorbed Spill kits will be placed at strategic locations (e.g. access points, plant/ machinery storage areas)	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• In addition to the above mitigation measures, SWH1 to SWH14 from Appendix B4 of the OCEMP will be implemented.				
	Bushfire	Likely	Severe	Very High	• Prepare and implement a WHSMP that incorporate measure to manage and mitigate bushfire risk • All site personnel will be inducted on bushfire hazards and how they are to be managed • Hazardous materials will be appropriately bunded with a volume of 110 per cent of the largest receptacle • All works involving a fire source will have a hot works permit in place with specific controls to prevent fire risk. • No smoking (including e-cigarettes) will be allowed on site except at designated areas. Dedicated butt disposals will be located in all designated smoking areas. • Cutting, welding or grinding will not be undertaken on total fire ban days, unless the works takes place in an area at least 50 metres away from an ignition source and appropriate fire controls are in place • Vehicles will not be driven or idled in areas of long grass on fire ban days or after prolonged periods of dry weather.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Rare	Severe	Moderate
Finishing works and site restoration	Revegetation of disturbed areas	Possible	Minor	Moderate	• A Place, Design and Landscape Plan (PDLP) will be prepared and implemented following the completion of construction • In addition to the above mitigation measures, FF63 to FF66 from Appendix B3 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Traffic impacts on local roads	Possible	Minor	Moderate	• Designated haul routes will be used, as identified in the Environmental Assessment Documentation, including the M7 Motorway, Elizabeth Drive and The Northern Road for heavy vehicles • Measures identified in the Traffic Control Plan (TCP) (if developed) will be implemented • Drivers will be inducted on the haulage roads including the use of The Northern Road and avoidance of other local roads • In addition to the above mitigation measures, TT1 to TT10 from Appendix B1 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Tracking of mud from site on public roads	Possible	Minor	Moderate	• Site exit points will be fitted with appropriate controls to limit tracking of material out of site as soon as possible to limit the amount of material transported off site. Controls may include hardstand material; wheel washes; rumble grids; rip rap etc. • Street sweepers will be used to manage sediment/mud tracking.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Noise and vibration impacts to sensitive receivers	Possible	Minor	Moderate	• Maximise works during the standard construction hours • All construction plant and equipment used on site will be fitted with properly maintained noise suppression devices in accordance with the manufacturer's specifications	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• Erection of temporary acoustic barriers will be completed, where required • Community updates will be provided throughout the construction works, when necessary • Activities resulting in high noise impacts will be subject to respite periods as outlined in NSW CoA E37 and E45-E47 • The Noise and Vibration Monitoring Program (Appendix D) will be implemented throughout the duration of construction activities • In addition to the mitigation measures above, noise and vibration impacts will be managed in accordance with NV1 to NV15 from Appendix B2 of the OCEMP will be implemented.				
	Erosion and sedimentation impacting nearby dams or downstream watercourses due to exposed land, inadequate controls or control failure	Possible	Moderate	Moderate	• Disturbed areas will be rehabilitated as soon as practicable • ESCPs will be prepared for all work and implemented • All site personnel will undergo a site induction and ongoing toolbox talks outlining erosion and sediment control management measures • Hardstand areas and surrounding public roads will be cleaned as required, using methods such as street sweepers • In addition to the above mitigation measures, SWH1 – SWH14 from Appendix B4 of the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate
	Generation of dust	Unlikely	Moderate	Moderate	• Access roads will be maintained and managed to reduce dust generation • Stockpiles that have the potential to result in dust generation will be minimised at all times and comply with RMS – *Stockpile Site Management Guideline* (May 2015) in accordance with SW4 (Appendix B4 of the OCEMP) • During high wind and/or dry conditions, the Construction Contractor will ensure programming of dust generating activities is to be considered in order to reduce nuisance to neighbouring properties • Adequate dust suppression will be available and applied where required e.g. watercart, misters • In addition to the above mitigation measure, AQ1 to AQ3 of Appendix B7 in the OCEMP will be implemented.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Rare	Moderate	Low
	Inappropriate disposal of waste (including, vegetation and contaminated materials) or disposal at an unlicensed waste facility	Possible	Moderate	Moderate	• All site personnel working on-site will undergo a site induction that will detail waste and resource management measures • Additional targeted toolbox talks will be given on waste disposal from time to time • Suitably licensed waste contractors will be used for the collection and transport of all waste for either offsite processing and/or disposal to an appropriately licensed facility. Receipts for waste transfer and disposal will be checked to ensure all details are correct and retained for audit purposes.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Moderate	Moderate

Activity	Potential impact	Likelihood	Consequence	Risk level prior to mitigation	Mitigation measure	Responsibility	Likelihood	Consequence	Risk level following mitigation
					• In addition to the mitigation measures specified above, the disposal of waste will be managed in accordance with W1 – W4 in Appendix B8 of the OCEMP.				
	Missed opportunities to maximise the beneficial re-use of waste	Possible	Minor	Moderate	• Resource recovery will be applied to the management of waste and will include the recovery of resources for reuse-reusable materials generated by the construction and will be segregated for reuse on site, or off site, where possible • Recovery of recyclable resources will be generated during construction • Recovery of resources for reprocessing, such as onsite mulching of cleared vegetation for use in landscaping use, in the absence of a higher beneficial use identified • Segregation of resources for recycling for effective processing at recycling facility • Where offsite reuse is proposed, the Construction Ecologist is to examine the material as per *EPA Mulch Order 2016*.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Unlikely	Minor	Low
	Bushfire	Likely	Severe	Very High	• Prepare and implement a WHSMP that incorporate measure to manage and mitigate bushfire risk • All site personnel will be inducted on bushfire hazards and how they are to be managed • Hazardous materials will be appropriately bunded with a volume of 110 per cent of the largest receptacle • All works involving a fire source will have a hot works permit in place with specific controls to prevent fire risk • No smoking (including e-cigarettes) will be allowed on site except at designated areas. Dedicated butt disposals will be located in all designated smoking areas • Cutting, welding or grinding will not be undertaken on total fire ban days, unless the works takes place in an area at least 50 metres away from an ignition source and appropriate fire controls are in place • Vehicles will not be driven or idled in areas of long grass on fire ban days or after prolonged periods of dry weather.	Construction Contractor (e.g. Project Manager, Construction Manager, Superintendent, ESR)	Rare	Severe	Moderate

Appendix A3

TfNSW Environment and Sustainability Policy

M12 Motorway

November 2021

Transport Environment and Sustainability Policy

Transport is a key enabler of economic and social activity. We are committed to delivering transport which contributes to economic prosperity and social inclusion in an environmentally responsible and sustainable manner, consistent with the Future Transport Strategy 2056.

Transport for NSW's activities cover the whole State and its infrastructure will last for generations to come. We have a duty to undertake our activities in the interest of the greater good, moving beyond compliance, and being a genuine leader in environment and sustainability performance.

We will work towards achieving this for NSW by:

- Leadership – contributing to and influencing the strategic environment and sustainability agenda of the NSW Government
- Environmental protection – being accountable for addressing and minimising the environmental impacts of our activities to satisfy the expectations and legislative requirements of the NSW Government and community
- Energy and carbon – improving energy efficiency and working towards net zero carbon emissions
- Resilience – embedding climate risk and resilience considerations in our activities
- Sustainable procurement – procuring and delivering sustainable, efficient and cost effective transport options, including responsible supply chains
- Whole of life – considering whole of life benefits and impacts from our activities across all life cycle stages - demand/need, plan, acquire, operate/maintain and disposal
- Social – recognising the social impacts and benefits of our activities, and working for healthy liveable communities
- Awareness – raising the awareness and capacity of our workforce to be accountable for implementing the Policy through their activities to achieve enhanced environmental outcomes and a culture of environmental responsibility
- Communication – communicating openly, responsively and empathetically with our customers, partners and stakeholders on environmental matters and report on our performance

This Policy applies to the agencies listed below:

- Transport for NSW
- Department of Transport
- Sydney Trains
- NSW Trains
- RailCorp
- State Transit Authority
- Sydney Metro

This Policy applies to permanent, temporary and casual staff of the above agencies, staff seconded from another organisation and contingent workers including labour hire, professional services contractors and consultants.

Rodd Staples
Secretary
13 January 2020

Appendix A4

Ancillary Facility Assessment Criteria

M12 Motorway

November 2021

Document control

File Name	M12PPW-ADAP-ALL-EN-PLN-000003_E_S3_OCEMP APP A4 Appendix A4 - Ancillary Facilities Assessment Criteria
Title	M12 Motorway OCEMP Appendix A4 - Ancillary Facilities Assessment Criteria
Document Number (Teambinder)	M12PPW-ADAP-ALL-EN-PLN-000003

Approval and authorisation

Plan reviewed by:	Plan reviewed by:
Suzette Graham TfNSW Environment and Sustainability Manager	Deanne Forrest TfNSW M12 Project Director
22/11/2021	23/11/2021
	

Revision history

Revision	Date	Description
A	09/09/2020	First draft for TfNSW review
B	08/10/2020	Response to TfNSW comments
C	05/11/2020	Response to TfNSW comments
D	09/07/2021	Updated with State and Commonwealth CoAs
E	13/08/2021	Response to TfNSW and ER comments
F	03/09/2021	Response to TfNSW and ER comments
G	21/11/2021	Response to DPIE comments

Contents

Tables

Glossary/ Abbreviations

Abbreviations	Expanded text
ARI	Average Recurrence Interval
CEMP	Construction Environmental Management Plan
CFFMP	Construction Flora and Fauna Management Sub-plan
CoA	Conditions of Approval
CSSI	Critical State Significant Infrastructure
DECC	Former NSW Department of Environment and Climate Change
DPIE	NSW Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
Environmental Assessment Documentation	Collective reference to the M12 EIS, Submissions Report and Amendment Report and supplementary reports as detailed in NSW CoA A1.
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EPL	Environment Protection Licence
ER	Environmental Representative
ICNG	Interim Construction Noise Guideline
NML	Noise Management Levels
OCEMP	Overarching Construction Environmental Management Plan
OCS	Overarching Communications Strategy
PDLP	Place, Design and Landscape Plan
PLO	Public Liaison Officer
Primary CoA/ REMM	CoA/REMM that are specific to the development of this Plan
Secondary CoA/ REMM	CoA/REMM that are related to, but not specific to, the development of this Plan
SEMP	Site Establishment Management Plan

Abbreviations	Expanded text
TEC	Threatened Ecological Communities
TfNSW	Transport for New South Wales

1 Introduction

Ancillary facilities are required to support construction of the Project. Two types of ancillary facility are defined in the NSW Infrastructure Approval:

- Minor Construction Ancillary Facility: Lunch sheds, office sheds, portable toilet facilities, and the like that meet the requirements of NSW CoA A20
- Construction Ancillary Facility: A temporary facility for construction of the CSSI including an office and amenities compound, construction compound, material crushing and screening plant, materials storage compound, maintenance workshop, testing laboratory, material stockpile area access and car parking facilities and utility connections to the facility. Where an approved CEMP contains a stockpile management protocol, a material stockpile area located within the construction footprint is not considered to be a Construction ancillary facility.

As a stockpile management protocol will be prepared by the Construction Contractors as part of the stage-specific CEMPs, material stockpile areas are not included in the definition of Construction Ancillary Facilities for the Project.

The Environmental Assessment Documentation for the Project identified a number of compounds and construction ancillary facilities that will be required for the construction of the Project, including locations for hardstand areas, temporary building and offices, parking areas, material laydown and storage areas. A description of the ancillary facilities assessed in the Environmental Assessment Documentation is provided in Section 2.1 and their location shown in Annexure A. Section 2.1 outlines the key features of the assessed ancillary facilities.

Section 2.2 provides the Construction Ancillary Facilities assessment criteria to be adopted where Construction Contractors propose to use ancillary facilities that are not identified by description and location in the Environmental Assessment Documentation including the requirements for the preparation of the Site Establishment Management Plan (SEMP) in accordance with NSW CoA A16. It is noted that the SEMP is required for the establishment of a Construction Ancillary Facility (excluding minor construction ancillary facilities), whether previously assessed, or additional to those identified in the Environmental Assessment Documentation.

The purpose of this document is to summarise the requirements for ancillary facility establishment in accordance with NSW CoA A15 to A23. The size of the ancillary facilities are subject to lease arrangements with landowners and could be reduced in size.

2 Construction ancillary facility assessment criteria

2.1 Approved construction ancillary facilities

Table 2-1 provides a summary of the key details of the construction ancillary facilities assessed in the Environmental Assessment Documentation. The location of these facilities is shown in Annexure A. It is noted that the area of AF1 has been expanded as described in the Early Works (Electrical Relocation and Water Main Installation) SEMP to use the existing access and building present in the northern portion of the property now owned by TfNSW.

Table 2-1: Construction ancillary facilities locations and purposes

AF	Location	Approximate size (ha)	Purpose
AF1	East of The Northern Road	8.66	Plant servicing workshop, stockpile and laydown area (including crushing and screening activities), secondary offices, amenities, vehicular access, car park
AF2	North of Elizabeth Drive opposite the Elizabeth Drive/Airport Access Road intersection	21.1	Concrete/asphalt batching plant, plant servicing workshop, stockpile and laydown area (including crushing and screening activities), main office, amenities, vehicular access, car park
AF3	North of Elizabeth Drive between proposed Airport Access Road and Sydney Metro Greater West	11.8	Concrete/asphalt batching plant, plant servicing workshop, stockpile and laydown area, secondary offices, amenities, vehicular access, car park
AF4	West of Clifton Avenue, north of proposed main line	3.0	Concrete/asphalt batching plant, plant servicing workshop, stockpile and laydown area, secondary offices, amenities, vehicular access, car park
AF5	West of Mamre Road North of Elizabeth Drive	4.1	Plant servicing workshop, stockpile and laydown area, secondary offices, vehicular access, car park
AF6	South of Elizabeth Drive opposite Duff Road	1.9	Plant servicing workshop, stockpile and laydown area, secondary offices, vehicular access, car park

AF	Location	Approximate size (ha)	Purpose
AF7	West of the M7, North east corner of Western Sydney Parklands	1.3	Plant servicing workshop, stockpile and laydown area, secondary offices, vehicular access, car park
AF8	East of the M7, south of Elizabeth Drive	0.2	Plant servicing workshop, stockpile and laydown area, secondary offices, vehicular access, car park
AF9	East of the M7, north of Elizabeth Drive	14.0	Stockpile and laydown area, secondary offices, vehicular access, car park
AF10	East of The Northern Road, South of Gates Road. Existing ancillary facility for construction of Stages 5 and 6 of The Northern Road	12.2	Concrete/asphalt batching plant, stockpile and laydown area (including crushing and screening activities), secondary offices, amenities, vehicular access, car park
AF11	East of Luddenham Road	4.6	Stockpile and laydown area, secondary offices, amenities, vehicular access, car park
AF12	West of Clifton Avenue	3.9	Stockpile and laydown area, amenities, vehicular access, car park
AF13	East of Salisbury Avenue	4.1	Stockpile and laydown area, secondary offices, amenities, vehicular access, car park
AF14	West of Salisbury Avenue	1.5	This ancillary facility will no longer be available for use by Contractor
AF15	South of the intersection of Elizabeth Drive and Mamre Road	2.08	Stockpile and laydown area, secondary offices, amenities, vehicular access, car park
AF16	Within the carpark of the existing Wylde Mountain Bike Trail	1.0	Stockpile and laydown area, secondary offices, amenities, vehicular access, car park
AF17	West of the M7 Motorway	4.5	Stockpile and laydown area, amenities, vehicular access, car park
AF18	West of the M7 Motorway	1.1	Stockpile and laydown area, secondary offices, amenities, vehicular access, car park.

The impacts of the construction ancillary facilities were assessed in the Environmental Assessment Documentation in accordance with criteria for ancillary facility location set out in the Critical State Significant Infrastructure (CSSI) Standard Conditions of Approval (CoA) for linear infrastructure

projects (refer DPIE website). A summary of the assessment of the construction ancillary facilities against the criteria is provided in Annexure B.

Establishment and operation of the construction ancillary facilities will result in a range of potential environmental impacts, including those identified in Table 2-2.

Table 2-2: Potential environmental impacts

Environmental aspect	Potential impacts
Flora and fauna	Vegetation clearing Disturbance or mortality of fauna during clearing works Habitat loss, degradation, or fragmentation
Traffic	Traffic impacts associated with spoil and material haulage including potential conflicts with local traffic and increased congestion
Erosion and sedimentation	Mobilisation of sediment laden/contaminated runoff entering waterways and drainage lines
Noise and vibration	Noise and vibration disturbance to neighbouring sensitive receivers during compound/ancillary facility establishment and operation Noise disturbance to sensitive receivers due to out of hours work Noise generated by operation of facility and construction traffic accessing facilities
Air quality	Generation of dust emissions and odours from stockpiles, access roads and transport of materials and from earthworks and clearing during facility establishment
Heritage	Impact to undiscovered or undocumented heritage sites
Storage of hazardous substances	Accidental spills and leaks, resulting in pollution of waterways and soils
Waste and recycling	Generation of waste by site personnel using offices and staff amenities Generation of waste during establishment of ancillary facilities disposed of incorrectly, e.g. recyclable materials being sent to landfill
Visual amenity	Potential for site hoardings or other exposed surfaces to be vandalised Potential for site lighting to affect the amenity of surrounding land uses Potential for waste to not be placed in appropriate bins and result in litter around the construction worksites
Contaminated land	Potential for encountering previously undocumented contaminated material

Environmental aspect	Potential impacts
Socio-economic	Direct land use impacts associated with the location of construction compounds, temporarily disrupting use and access to land including rural or vacant land, residential and commercial uses

2.2 New or amended construction ancillary facilities assessment

Where Construction Contractors propose to use construction ancillary facilities, including stockpiles located outside of the construction footprint, that are not identified by description and location in the Environmental Assessment Documentation (as listed in Table 2-1), they must be assessed against, and meet the criteria listed in Table 2-3 unless otherwise approved by the Planning Secretary, in accordance with NSW CoA A15.

The Construction Contractors will document the outcomes of the assessment in a report to be included in the SEMP, in accordance with NSW CoA A16, which will include:

- Details on the site location and access arrangements
- A description of the activities to be undertaken including the hours of use and storage of dangerous goods
- Outcomes of the assessment of the site against the locational criteria set out in Table 2-3
- An assessment of the environmental impacts on the site and the surrounding environment, including, but not limited to noise, vibration, air quality, traffic and access during site establishment and operation, flora and fauna, heritage, erosion and sedimentation, water quality and light spill
- Details of the mitigation, monitoring and management procedures specific to the construction ancillary facility that will be implemented to minimise environmental impacts
- Demonstrated overall consistency with the approved Project (including impacts identified in the Environmental Assessment Documentation).

The assessment report will be endorsed by the ER and provided to the Planning Secretary, as part of the SEMP, at least one month before the establishment of the facility.

Where any alternative sites are located outside the Project construction footprint, further environmental assessment will be required.

Table 2-3: Construction ancillary facilities criteria in accordance with NSW CoA A15

Requirement	Criteria
A15(a)	They are located within or immediately adjacent to the construction boundary
A15(b)	They are not located next to a sensitive receiver(s) (including where an access road is between the facility and the receiver(s)), unless the sensitive receiver(s) (both the landowner(s) and occupier(s)) have given written acceptance to the carrying out of the relevant facility in the proposed location; and
A15(c)	they have no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and

Requirement	Criteria
A15(d)	The establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.

2.2.1 AF1 amendment

The Environmental Assessment Documentation did not detail the extension of AF1 however, it is still located wholly within the nominated construction boundary in accordance with NSW CoA A15(a). The northern boundary of AF1 has been extended to use the existing access and building present in the northern portion of the property now owned by TfNSW. Additionally, a demountable toilet block will be added near to the existing house. This will be located within the eastern portion of the site and would not impact receivers located on the western side of The Northern Road.

Sensitive receivers surrounding the site remain unchanged; the distance from the surrounding receivers to AF1 is about 98 metres. As the extension of the facility falls entirely within the nominated construction boundary, the establishment and use of this extended area is not expected to result in further impacts not already identified in the Environmental Assessment Documentation. As such, the extended area can be managed in accordance with NSW CoA A15(b).

AF1 does not impact heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities, as outlined in NSW CoA A15(c).

Refer to the SEMP for more detail regarding the extension of AF1 boundary.

2.3 Site Establishment Management Plan

The Contractor's SEMP will be developed in accordance with NSW CoA's related to the SEMP and associated construction ancillary facilities is detailed in Annexure D.

In accordance with NSW CoA A16, prior to establishment of any Construction Ancillary Facility (other than minor construction ancillary facilities), the Construction Contractors will prepare an SEMP. The SEMP will detail the management of the construction ancillary facilities and include:

- A description of activities to be undertaken during establishment of the construction ancillary facility (including scheduling and duration of work to be undertaken at the site)
- Figures illustrating the proposed site layout and the location of the closest sensitive receiver(s)
- A program for ongoing analysis of the key environmental risks arising from the construction activities, including an initial risk assessment undertaken prior to the commencement of site establishment work
- Details of how the site establishment activities will be carried out to:
  - Meet the performance outcomes stated in the Environmental Assessment Documentation
  - Manage the risks identified in the initial risk assessment undertaken and included within the SEMP

The SEMP will be endorsed by the ER and submitted to the Planning Secretary for approval no less than one (1) month before the establishment of the ancillary facilities.

As required by NSW CoA A17, a new or revised SEMP must be prepared for any amended construction ancillary facilities if, upon the completion of Early Works, additional activities are

required to establish a construction ancillary facility or there is a change to the site layout of a construction ancillary facility, in order to support construction of the Project.

The use of a construction ancillary facility for construction (excluding minor construction ancillary facilities described in Section 3) must not commence until the OCEMP and Sub-plans required by have been approved by the Planning Secretary.

2.3.1 Consultation

The Construction Contractors' SEMPs will be developed in consultation with relevant government agencies and local Councils (Liverpool City Council, Penrith City Council and Fairfield City Council as appropriate) in accordance with NSW CoA A16.

In accordance with NSW CoA A4 and A5, evidence of consultation during the preparation of the Construction Contractors' SEMPs will be appended to the SEMP and submitted to the Planning Secretary. The information documented will include details of the consultation activities undertaken, a register of completed or attempted engagement with relevant stakeholders, issues raised and addressed, follow-up actions, any outstanding or unresolved issues and reasons why they remain to be addressed. The Construction Contractors will carry out ongoing consultation with the relevant Council regarding issues relevant to construction ancillary facilities throughout construction of the Project.

2.3.2 Pre-construction land condition assessments

A pre-construction land condition assessment will be arranged by the Construction Contractor prior to possession of any area of land nominated by TfNSW for the location of site facilities, including areas for construction materials storage and stockpiling in accordance with the requirements of TfNSW QA Specification G36.

The pre-construction land condition assessment:

- Will be undertaken by an independent environmental consultant approved by TfNSW, with experience in site environmental inspections and construction waste management
- Will identify any existing waste or stored materials on the land prior to the area being occupied.
- Will be undertaken for any areas, additional to those nominated, that have been authorised by TfNSW and the necessary statutory and environmental planning approvals for the intended use of the land will be obtained
- Report will include text, photographs and maps to describe any existing waste or stored materials on the site. The report will be prepared in accordance with TfNSW Environmental Procedure "*Management of Wastes on Roads and Maritime Services Land*" (refer to Annexure C)
- Report will be submitted to the TfNSW Environment and Sustainability Manager (or delegate) for approval, prior to establishment of the ancillary facility.

The TfNSW Environment and Sustainability Manager (or delegate) may undertake an inspection of the ancillary facility site prior to commencement of establishment activities by the Construction Contractor.

2.3.3 Post-construction restoration and land condition assessment

At the completion of the Project stage, the Construction Contractor will decommission the ancillary facilities and any disturbed land rehabilitated and landscaped to a minimum standard of its pre-construction condition in accordance with G36. Any disturbed areas (including areas for site compounds, material storage, access and haul roads and project accommodation) will be restored to a condition similar to that existing before disturbance, unless authorised otherwise by TfNSW.

Restoration will include spill clean-up and soil remediation where applicable, topsoiling of the area, weed control and seeding, planting, watering and maintenance, removal of temporary erosion control devices and sediment in drainage lines plus removal of unused construction materials.

Areas disturbed as a result of construction will be progressively rehabilitated as soon as practicable.

The work site will be left tidy and free of rubbish upon completion of construction.

Following restoration of the land by the Construction Contractor, a post-construction land condition assessment will be conducted by an independent environmental consultant approved by TfNSW. The report will be prepared in accordance with TfNSW Environmental Procedure "*Management of Wastes on Roads and Maritime Services Land*" (refer Annexure C).

The post-construction land condition assessment will confirm that no unauthorised Project waste remains on the site. The post-construction land condition assessment report will be submitted to the TfNSW Environment and Sustainability Manager (or delegate).

If required by the post-construction land condition assessment report, the Construction Contractors will undertake additional restoration works to ensure all waste is removed and the site returned to pre-construction condition.

The TfNSW Environment and Sustainability Manager (or delegate) may carry out an inspection of the ancillary facility site, before approving that it has been restored.

2.3.4 Boundary fencing

In accordance with NSW CoA A21, the Construction Contractor will erect boundary fencing around all construction ancillary facilities that are adjacent to sensitive receivers for the duration of construction, unless otherwise agreed with the affected residents, business operators and landowners. The boundary fencing will minimise, as far as practicable, visual impacts on adjacent sensitive receivers, as required by NSW CoA A22.

In accordance with NSW CoA A23, the CSSI name, application number, telephone number, postal address and email address must be made available on site boundary fencing at the entrance of each ancillary facility before the commencement of construction.

2.3.5 Visual and lighting impacts

In accordance with NSW CoA E61 and E62, visual impacts and light spillage of the construction ancillary facilities will be minimised. The Construction Contractor will provide temporary landscaping

and vegetative screening of the construction ancillary facilities and incorporate architectural treatment and finishes within temporary structures that reflect the context of the environment surrounding the construction ancillary facility.

All lighting associated with the construction of the Project will be consistent with the requirements of *AS 4282-2019 Control of the obtrusive effects of outdoor lighting* and relevant *AS/NZ 1158 – Lighting for Roads and Public Spaces, and the National Airports Safeguarding Framework (NASF) Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports*.

Additionally, mitigation measures will be implemented by the Construction Contractor to manage residual night lighting impacts to protect properties adjacent to the Project, in consultation with affected landowners.

2.3.6 Property access

In accordance with NSW CoA E83, the Construction Contractor will reinstate any property access that has been affected by the construction of the Project to at least an equivalent standard or alterative access will be provided in consultation with the landowner.

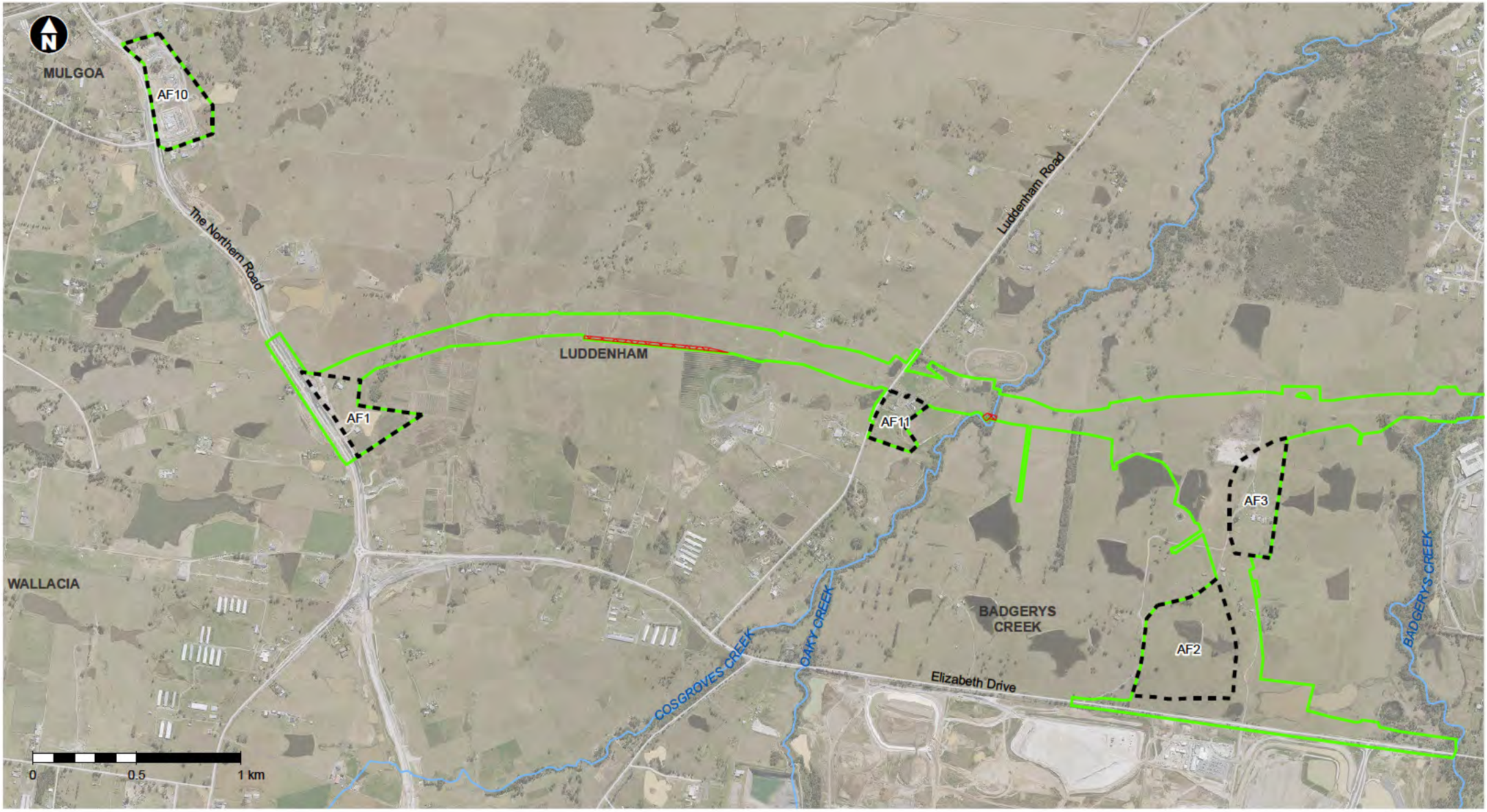
3 Minor construction ancillary facilities assessment criteria

Minor construction ancillary facilities include offices, sheds and staff amenities and can be established and operated within and adjacent to the construction boundary with Environmental Representative (ER) approval in accordance with NSW CoA A20.

Minor construction ancillary facilities assessed in the Environmental Assessment Documentation don't require approval from the ER. For minor construction ancillary facilities not included in the Environmental Assessment Documentation, the Construction Contractor will prepare an assessment against the minor ancillary facilities assessment criteria in accordance with NSW CoA 20 to be presented to the ER for approval. The criteria is outlined below:

- No greater environmental and amenity impacts than those that can be managed through the implementation of environmental measures detailed in the OCEMP
- Minor amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (ICNG), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts
- Minimal environmental impact with respect to waste management, soil, water and flooding
- No impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of the Infrastructure Approval.

Annexure A - Location of ancillary facilities



Project construction boundary (CA for West and Central, Jul 2021; ARSR for East, Dec 2020)

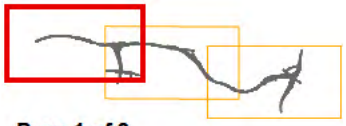
M12 West

The refined project ancillary facilities (CA for West and Central, Jul 2021; ARSR for East, Dec 2020)

Project exclusion zones

Existing road

Waterways



Page 1 of 3

Imagery: Aerometrex August 2020

Appendix A4 Construction ancillary facilities

Date: 3/09/2021 Path: \\hc-aus-ns-fs-01\jobs\300584841\L-GIS\A_Current\B_Maps\Management Plans\G300584841_OCEMP_004_AncillaryFacilities_DDP_A4L_v0.mxd
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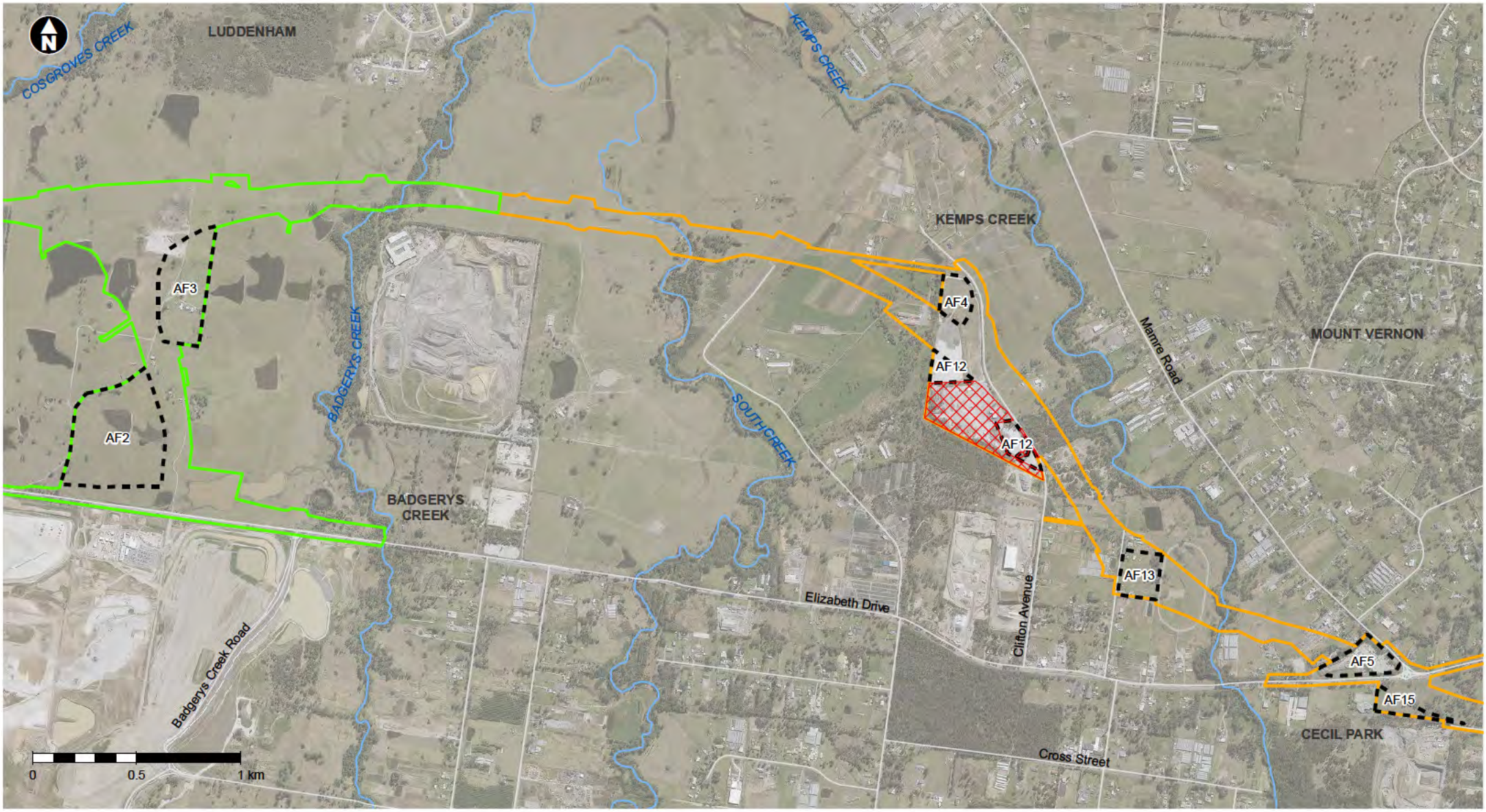


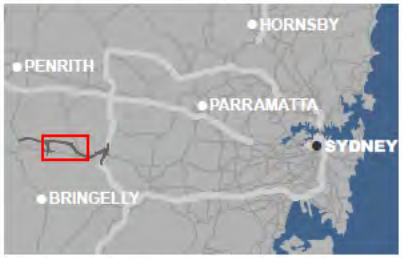
Project construction boundary (CA for West and Central, Jul 2021; ARSR for East, Dec 2020)

- M12 West
- M12 Central
- The refined project ancillary facilities (CA for West and Central, Jul 2021; ARSR for East, Dec 2020)

- Project exclusion zones
- Existing road
- Waterways

Page 2 of 3

Imagery: Aerometrex August 2020



Appendix A4 Construction ancillary facilities

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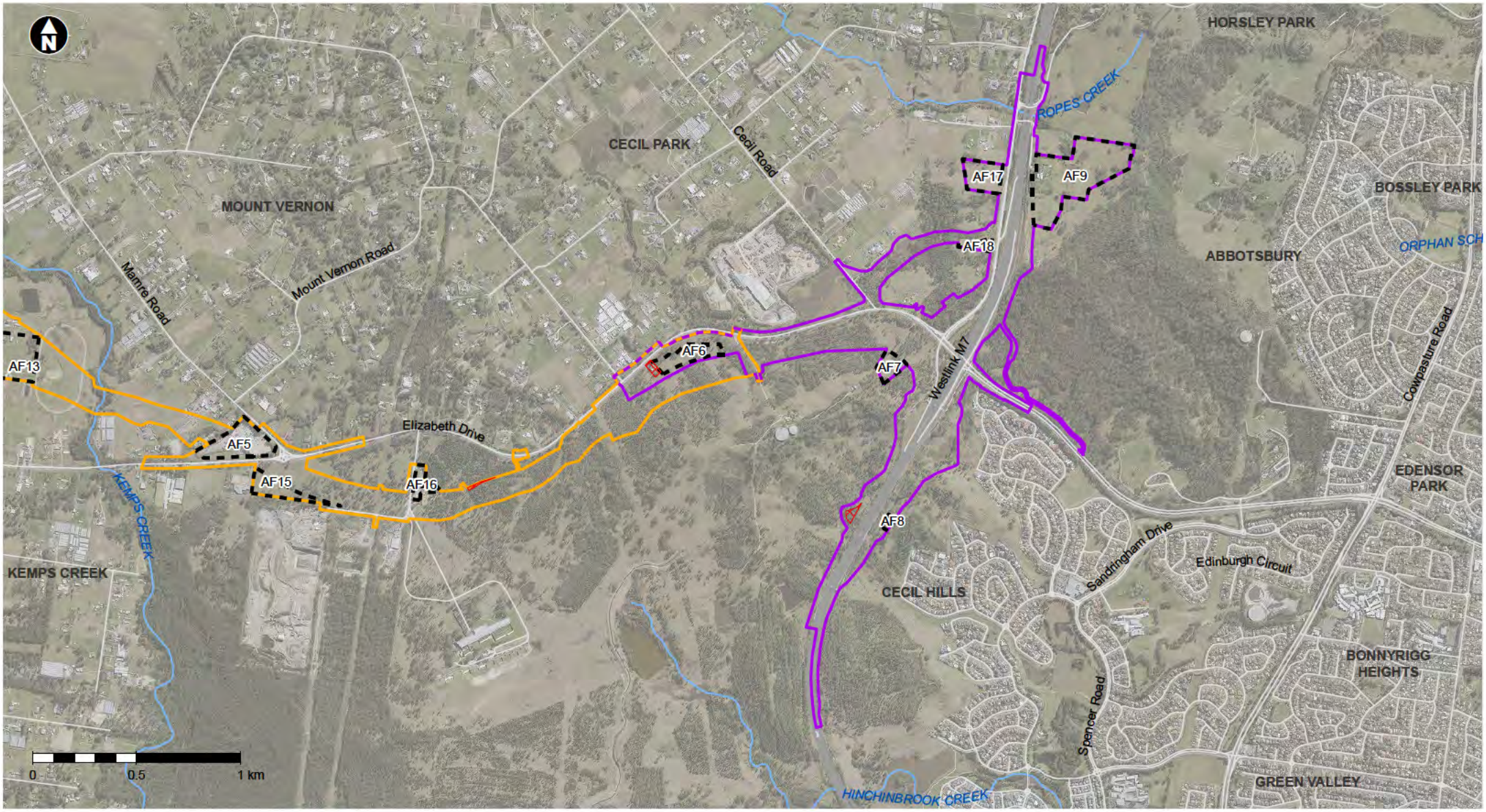

Project construction boundary (CA for West and Central, Jul 2021; ARSR for East, Dec 2020)

- M12 Central
- M12 East

The refined project ancillary facilities (CA for West and Central, Jul 2021; ARSR for East, Dec 2020)

- Project exclusion zones
- Existing motorway
- Existing road
- Waterways

Page 3 of 3

Imagery: Aerometrex August 2020

Appendix A4 Construction ancillary facilities

Date: 1/10/2021 Path: \\hs-aus-ns-fs-01\jobs\300584\NL-GIS\A_Current\B_Maps\Management Plans\G300584#_OCEMP_004_AncillaryFacilities_DDP_A4L_v7.mxd
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Annexure B - EIS and Amendment Report assessment of construction ancillary facility locations

The construction ancillary facilities identified in the EIS and Amendment Report were assessed in accordance with the Critical SSI Standard Conditions of Approval for linear infrastructure projects.

These standard conditions have been developed to help infrastructure providers understand the types of conditions likely to be applied to State significant projects if they are approved, including conditions related to construction ancillary facilities.

As discussed in the EIS, when locating construction ancillary facilities, the following criteria should generally be applied:

(a) Located more than 50 m from a waterway unless an erosion and sediment control plan is prepared and implemented so as not to affect water quality in the waterway in accordance with Managing Urban Stormwater series

(b) Within or adjacent to land where the critical state significant infrastructure is being carried out

(c) With ready access to a road network

(d) So as to avoid the need for heavy vehicles to travel on local streets or through residential areas in order to access the facility

(e) On level land

(f) So as to be in accordance with the *Interim Construction Noise Guidelines* (DECC, 2009) by 200 metres of the nearest residences (300 metres for a temporary batching plant)

(g) So as not to require vegetation clearing beyond the extent of clearing for the Project area

(h) 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

(i) So as not to affect lawful uses of adjacent properties that are being carried out at the date upon which construction or establishment of the facility is to commence

(j) To enable operation of the ancillary facility during flood events referred to in Section 7.8 of the EIS and Appendix H of the Amendment Report and to avoid or minimise, to the greatest extent practicable, adverse flood impacts on the surrounding environment and other properties and infrastructure

(k) 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.

The results of the assessment of each proposed construction ancillary facility against the criteria above is summarised in Table B-1.

Table B-1: Construction ancillary facility assessment

Compound location	Construction ancillary facility site locations criteria (as detailed in Appendix B)									
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
AF1	N	Y	Y	Y Access via The Northern Road with some residence adjacent	Y	N	Y	Y	Y	Y
AF2	Y	Y	Y	Y Noting there are some residences located adjacent to Elizabeth Drive	Y	N	Y	N McGarvie-Smith Farm impacted	Y	Y
AF3	Y	Y	N Access via AF2 or via construction footprint	Y Noting there are some residences located adjacent to Elizabeth Drive	Y	Y	Y	N McMaster Field Station impacted	Y	Y
AF4	Y	Y	Y	N Access via Clifton Avenue	Y	Y	N Contains about 0.4 ha of Hard leaved Scribbly Gum - Parramatta	Y	Y	Y

Compound location	Construction ancillary facility site locations criteria (as detailed in Appendix B)									
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
							Red Gum heathy woodland of the Cumberland Plain, Sydney Basin Bioregion			
AF5	N	Y	Y	N Access via Mamre Road and Elizabeth Drive	Y	N	Y	Y	Y	N Small sections of the site are withing 2-year ARI (5 per cent AEP) flood extent
AF6	Y	Y	Y	Y Access via Elizabeth Drive passes some residences	Y	N	N Contains about 0.14 ha amounts of Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Y	Y	Y
AF7	Y	Y	N	Y	N	Y	N	Y	Y	Y

Compound location	Construction ancillary facility site locations criteria (as detailed in Appendix B)									
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
			Access via AF6 or via construction footprint	Access via Elizabeth Drive passes some residences			Contains about 0.2 ha of Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion and 0.12 ha of 'Revegetation'			
AF8	Y	Y	N Access via AF6 or via construction footprint	Y	N	Y	Y	Y	Y	Y
AF9	Y	Y	Y	Y	Y	N	N	Y Aboriginal heritage exclusion zone located within this AF	Y	N
AF10	Y	N Currently established AF for The Northern Road	Y	Y	Y	N	Y	Y	Y	N

Compound location	Construction ancillary facility site locations criteria (as detailed in Appendix B)									
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
		upgrade project; located along The Northern Road at Luddenham								
AF11	Y	Y	Y	Y	Y	N	N	N	Y	Y
AF12	Y	Y	Y	Y	Y	N	Y Biodiversity exclusion zone located within this AF	Y	Y	Y
AF13	Y	Y	Y	Y	Y	N	Y TEC located within this AF	Y	Y	Y
AF14	Y	Y	Y	Y	Y	N	N	Y	Y	Y
AF15	Y	Y	N Access via construction footprint	Y	Y	Y	N	Y	Y	Y
AF16	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
AF17	Y	Y	Y	Y	Y	N	N	Y Aboriginal heritage exclusion zone located within AF	Y	N

Compound location	Construction ancillary facility site locations criteria (as detailed in Appendix B)									
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
AF18	Y	Y	Y	Y	Y	Y	N Threatened species located within this AF	Y	Y	N

Annexure C – Pre-construction land condition assessment report procedure

ENVIRONMENTAL PROCEDURE

MANAGEMENT OF WASTES ON ROADS AND MARITIME SERVICES LAND

August 2014

CONTENTS

1. Introduction

The construction of road projects often requires contractors to occupy land in Roads and Maritime Services (RMS) owned or leased land for ancillary construction activities such as the temporary stockpiling of soils, concrete batching and locating of site sheds. RMS land adjacent to road corridors may also be used to construct permanent structures such as visual and noise mounds.

This document contains RMS' procedures for:

- Using RMS owned or leased land sites for ancillary road construction purposes and
- Permanently locating wastes onto RMS owned or leased sites for the creation of permanent structures such as noise and visual mounds.

For the purposes of this procedure, an RMS land site is defined as land that is either:

- Residual to RMS road proposals
- Land that may be required for future infrastructure proposals
- Land that RMS has leased for ancillary construction or maintenance purposes.

1.1. Purpose

The purpose of this document is to set out the RMS approval and waste management procedures for utilising RMS land sites for road construction activities.

This procedure has been developed to minimise the risks of unauthorised waste materials remaining on RMS land after the completion of road construction activities.

The procedure details:

- Environmental planning and internal RMS approval processes.
- Pre-construction land condition assessments.
- Post-construction land condition assessments and site hand back processes.

A summary flowchart outlining the key steps in this procedure is shown in Figure 1.

1.2. Scope

This procedure applies to all RMS land sites outside the road corridor that are used for temporary ancillary construction activities or for permanently placing materials on these sites for beneficial re-use. The procedure applies to RMS and its construction and maintenance contractors.

Temporary ancillary construction activities include but are not limited to:

- Soil and rock stockpiling
- Storage of construction materials
- Locating site sheds, storage sheds and maintenance yards
- Concrete crushing
- Temporary concrete or asphalt batching plants
- Location of temporary sediment basins
- Vegetation storage
- Construction staging areas (e.g. assembling bridge structures)

Permanent beneficial re-uses include:

- Noise mounds
- Visual mounds
- Engineered fill
- Flood relief mounds

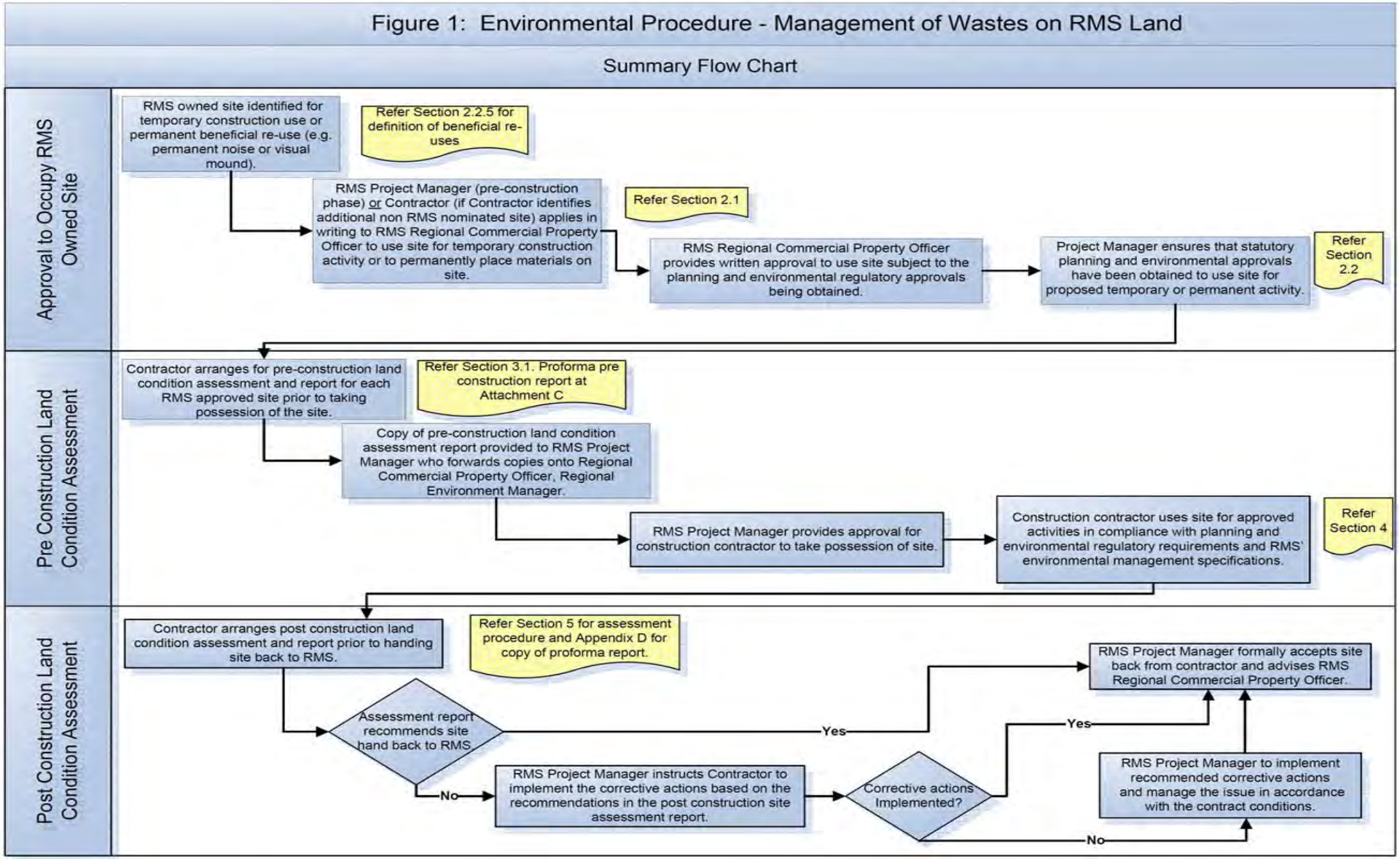
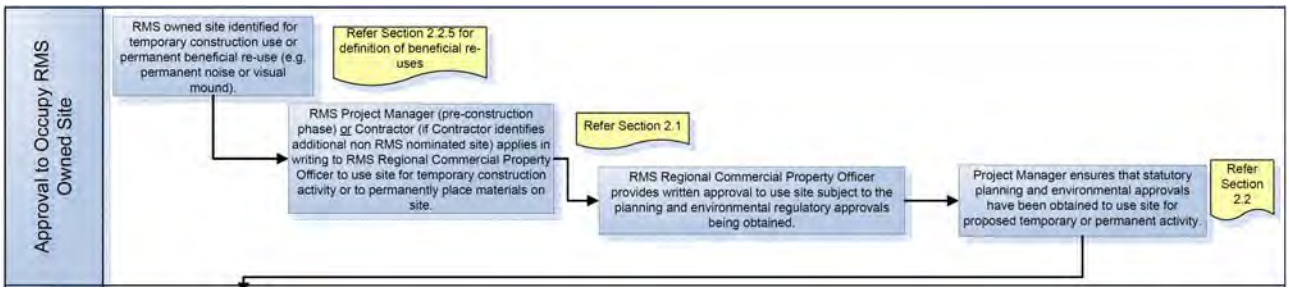


Figure 1: Environmental Procedure - Management of Wastes on RMS Land
Summary Flow Chart
Approval to Occupy RMS Owned Site
RMS owned site identified for temporary construction use or permanent beneficial re-use (e.g. permanent noise or visual mound).
Refer Section 2.2.5 for definition of beneficial re-uses
RMS Project Manager (pre-construction phase) or Contractor (if Contractor identifies additional non RMS nominated site) applies in writing to RMS Regional Commercial Property Officer to use site for temporary construction activity or to permanently place materials on site.
Refer Section 2.1
RMS Regional Commercial Property Officer provides written approval to use site subject to the planning and environmental regulatory approvals being obtained.
Project Manager ensures that statutory planning and environmental approvals have been obtained to use site for proposed temporary or permanent activity.
Refer Section 2.2
Pre Construction Land Condition Assessment
Contractor arranges for pre-construction land condition assessment and report for each RMS approved site prior to taking possession of the site.
Refer Section 3.1. Proforma pre construction report at Attachment C
Copy of pre-construction land condition assessment report provided to RMS Project Manager who forwards copies onto Regional Commercial Property Officer, Regional Environment Manager.
RMS Project Manager provides approval for construction contractor to take possession of site.
Construction contractor uses site for approved activities in compliance with planning and environmental regulatory requirements and RMS' environmental management specifications.
Refer Section 4
Post Construction Land Condition Assessment
Contractor arranges post construction land condition assessment and report prior to handing site back to RMS.
Refer Section 5 for assessment procedure and Appendix D for copy of proforma report.
Assessment report recommends site hand back to RMS.
Yes
No
RMS Project Manager instructs Contractor to implement the corrective actions based on the recommendations in the post construction site assessment report.
Corrective actions Implemented?
Yes
No
RMS Project Manager formally accepts site back from contractor and advises RMS Regional Commercial Property Officer.
RMS Project Manager to implement recommended corrective actions and manage the issue in accordance with the contract conditions.

2. Obtaining Approval to Use RMS Land Sites

Summary of Approvals Process



2.1 Internal RMS Approval to Occupy Sites

Each RMS regional office has a regional property team, with some teams having a Commercial Property Officer. For the purposes of this procedure, it is assumed, subject to any clarification of organisational roles, that Commercial Property Officers are responsible for providing approval for the use of RMS sites for construction purposes.

RMS' Project Managers are required to obtain the prior approval of the relevant regional property team prior to nominating any RMS sites for use by the contractor.

In some cases, construction contractors may request the use of additional RMS land not nominated by the RMS Project Manager for temporary or permanent construction use. In these cases, it will be the responsibility of the contractor to seek all RMS and statutory approvals (such as planning approvals) for the use of these sites.

Project Managers or contractors should seek approval via email specifying:

- The site location (Lot and DP)
- Portion of the site required
- Intended use of the site
- Type and estimated quantities of any wastes or materials to be placed on site
- Period of time the site will be required

RMS Regional Commercial Property Officers are to provide written approval for the temporary or permanent use of the site and include any approval conditions. Examples of approval conditions include:

- Requiring that all necessary statutory environmental and planning approvals are obtained to use the proposed site for the proposed construction activities (see Section 2.2).
- Any post construction requirements, such as post construction engineered fill compaction requirements to prepare the site for future land use (such as residential building).

The RMS Project Manager is to ensure that the Contractor is made aware of the approval conditions provided by RMS Commercial Property Officers throughout the contract.

Prior to a contractor taking possession of the site, the contractor is to arrange for a pre-construction land condition assessment to be undertaken as per Section 3 of this procedure.

Important Note: RMS should not make any sites available to a contractor where the site is known or suspected to be contaminated by previous land uses and that contamination poses a known risk to human health and/or the environment. The environmental assessment for the road project should have identified any known or potential contaminated sites.

2.2 Statutory Approvals

This section provides a summary of key statutory environment and planning obligations that relate to waste management and the temporary or permanent use of sites. Detailed advice on environment and planning compliance requirements can be obtained from RMS Environment Branch or RMS Legal Branch.

2.2.1 Environmental Planning and Assessment Act, 1979 (EP&A Act)

RMS has a statutory responsibility under the EP&A Act to consider the impacts of its activities on the environment. This extends to the use of sites for any temporary or permanent road construction related use.

RMS fulfils its statutory planning responsibility through the environmental impact assessment (EIA) process. The likely environmental impacts of a proposed activity are assessed to inform the decision to proceed.

Key Approval Requirements: All RMS land sites proposed for temporary or permanent road construction activities must be assessed and approved for use under the EP&A Act prior to the commencement of any proposed activities.

The proposed activities and specific sites to be used must be described and assessed in the project environmental assessment report, Environmental Impact Assessment (EIS) or Review of Environmental Factors (REF). If the proposed site and activities are not described in the original project EIS or REF then a supplementary assessment must be undertaken and approval obtained. RMS Environment Branch can advise on the correct planning approval pathway to take and the level of documentation required.

Where planning approval has been issued by the Department of Planning it is important to comply with all conditions attached to the approval including those related to the temporary storage of materials or construction and operation of ancillary facilities.

A Best Practice Note for addressing waste contingency planning in environmental assessment documents is provided at Section 2.2.5 of this procedure. The practice note aims to cover the range of possible waste activities that may occur during the construction phase so as to reduce the need to obtain supplementary approvals during the construction stage.

2.2.2 Protection of the Environment Operations Act 1997 (POEO Act)

The Protection of the Environment Operations Act:

- Specifies requirements for licences and the regulation of various activities that have the potential to pollute or harm the environment.
- Integrates EPA licensing with the development approval procedures under the Environmental Planning and Assessment Act 1979.
- Provides for the issuing of clean-up notices, prevention notices and environment protection notices.
- Classifies environment protection offences and penalties.
- Allows for mandatory audits and provides authorised officers' with the power to undertake investigations.

Key Compliance Requirements: Refer to Attachment A to determine if the proposed waste activity at the site requires an Environment Protection Licence (EPL) noting that the proposed activity may already be covered by an existing EPL for the road construction project. If this is the case, an additional EPL may not be required.

2.2.3 Protection of the Environment Operations (Waste) Regulation 2005

This Regulation sets out the provisions related to the storage and transportation of waste as well as reporting and record keeping requirements for waste facilities. It also provides for:

- Setting special requirements for the management of certain special wastes including asbestos.
- Payment of waste contributions (also referred to as a waste and environment levy) by the occupiers of licensed waste facilities for each tonne of waste received at the facility or generated in a particular area.
- Exemption of certain occupiers or types of waste from paying waste contributions and from requiring an Environment Protection Licence.

Key Compliance Requirements: RMS and its contractors must comply with the waste tracking and reporting requirements that apply to wastes. The regulation also specifies the waste and environment levy fees that apply to the disposal of wastes at licensed waste facilities.

"Resource recovery exemptions" for certain road related wastes are issued by the EPA under this regulation where it can be shown that the wastes are being beneficially re-used. Beneficial re-use is described as where the land application of a waste material is a genuine, fit for purpose, reuse of the waste rather than another path to waste disposal. An exemption facilitates the use of these waste materials outside of certain regulatory requirements such as the need to obtain an environment protection licence or the payment of waste levies.

The following resource recovery exemptions are of most relevance to road construction activities:

- Excavated natural material
- Excavated public road material
- Raw mulch
- Reclaimed asphalt pavement
- Recovered aggregate

Summary fact sheets on these wastes and the use of resource recovery exemptions, including any sampling and testing requirements, can be found on RMS' Intranet site- Waste Fact Sheets.

2.2.4 Contaminated Land Management Act, 1997 (CLM Act)

The CLM Act allows the EPA to respond to contamination of soil, groundwater and surface water and specifies the level of responsibilities for managing contamination. It also provides the regime for the accreditation of site auditors.

Section 60 of the Act introduces a mandatory obligation for a person whose activities have contaminated land or owns land that is contaminated (whether before or during the owner's ownership) to report contamination in writing to the EPA, known as 'Duty to Report'.

Key Compliance Requirements: There is a duty for landowners and people who have responsibility for contamination to report it to the NSW Environment Protection Authority (NSW EPA).

It should be noted that the RMS protocol is to pro-actively communicate with relevant agencies when contamination is identified. This will ensure that the needs of all relevant stakeholders can be incorporated into the management of contamination.

Reporting triggers, and guidance on how they should be applied, are provided within the NSW EPA (2009) 'Guidelines on the Duty to Report Contamination under the CLM Act 1997'. RMS' Guideline for the Management of Contamination outlines RMS' reporting requirements.

2.2.5 Best Practice Note: Environmental Assessment Reports and Waste Contingency Planning

Road project environmental assessment (EA) reports include information on the management of excavated soils and other materials.

EA reports should identify options for managing road construction materials in accordance with the waste hierarchy principles of:

- ***Waste avoidance:*** Minimising the amount of material that needs to be excavated and managed in the first place.
- ***Re-use on site:*** Where possible, the re-use of excavated materials within the project site is to be maximised. This reduces the need to import materials onto the site, reduces the need to find off site re-use or disposal locations and the associated materials handling and transport issues, reduces fuel use and minimises the project footprint.
- **Re-use off site:** Where all attempts to re-use excavated materials on site have been exhausted, re-use opportunities must be found off site. This includes finding sites that are approved by the relevant planning consent authority (e.g. local council) to accept the specific type of material that has been excavated from the road construction project. For example, transporting virgin excavated natural material (VENM) to a building development site that has Development Consent from the local council to accept VENM for use as engineered fill.
- ***Disposal:*** *Disposal* is the last and least preferable management option to be considered. If excavated materials must be disposed of, it must be transported to a facility that is licensed by the EPA to accept the specific material that requires disposal.

The EA report should include estimates of the total volume of surplus material to be generated by the project and identify how this material is to be managed in accordance with the waste hierarchy.

For materials that are to be re-located off-site, specific details are required for each permanent re-use and disposal site as well as all temporary material storage sites. The EA report should include the following:

- Site locations
- Type of waste to be deposited on the site (e.g. virgin excavated natural material, concrete waste)
- Volume of waste to be deposited on the site
- Whether the material will be placed on the site permanently or temporarily
- If the material is to remain on site permanently, what is the beneficial re-use of the material? (e.g. noise mound, visual barrier, engineered fill) - Note that it is illegal to leave waste on a site permanently unless it is being beneficially re-used as per a relevant EPA resource recovery exemption (see Section 2.2.3) or the site is licensed as a waste facility to accept the waste.

Planning for Waste Contingencies

Pre-construction estimates of the volume of surplus material to be generated by a project are often exceeded. One of the main reasons that this occurs is that the quality of the sub-surface ground conditions are only well understood once construction earthworks commence. As a result, materials that were expected to be re-used for engineering purposes can be found to be unsuitable (e.g. soils are found to be too wet to be compacted for use in embankment construction).

Similarly, extended wet weather periods during the construction phase can saturate soils making them no longer suitable for compaction. These types of scenarios can sometimes result in the pre-construction estimates of the volume of surplus material to be significantly exceeded, requiring additional re-use or disposal sites to be identified.

EA reports should cover the possibility of additional surplus material being excavated and identify contingency sites where additional volumes of surplus material can be managed. If the EA report does not identify all potential sites where surplus material may be permanently placed or temporarily stored, there is the potential for significant project delays during the construction stage while supplementary planning approval is sought to use these additional sites.

Ideally, contingency planning should:

- Where possible, estimate the additional volume of surplus material that may need to be managed.
- Build in contingency by considering as many options as possible to beneficially re-use materials so as to allow for flexibility at construction stage (see below for examples of acceptable beneficial re-use options).
- Identify a range of potential sites both within the project boundary and off-site that could be used for the permanent re-use or temporary storage of additional volumes of material.
- Identify possible detailed road design changes that could be made that will allow for the beneficial re-use of additional surplus material (for example, changes to road batters).
- RMS' Stockpile Management Guidelines (RMS 2011) provides the basic principles for the temporary storage of materials.

Acceptable beneficial re-uses

In assessing permanent re-use options the concept of beneficial re-use is to be applied. Beneficial re-use is where the land application of the material is a genuine, fit for purpose re-use of the waste rather than another path to waste disposal.

Acceptable beneficial re-uses on road projects include:

- Construction of acoustic and visual mounds where there is a benefit to residents and other sensitive receivers
- Flattening of road batters
- Rehabilitation of borrow pits
- Engineered fill (e.g. establishment of house pads on RMS land)
- Approved improvements to flood prone land

Urban Design Best Practice

It is RMS urban design policy that earthworks are designed so the project fits into the natural and built landscape. This includes cuttings, embankments, fills, noise mounds and any mounds created out of surplus material either on site or off site.

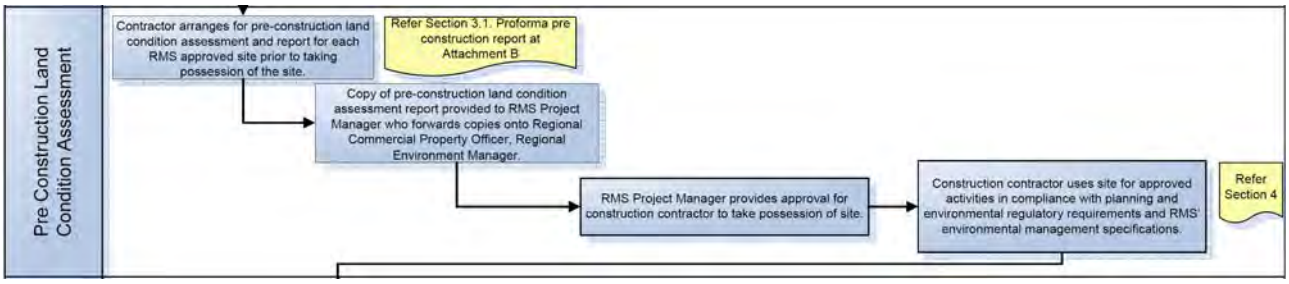
This means that earthworks must be sensitive to the shape of the natural landform in which the project is situated, unless more formal sculptural forms are created with RMS approval. Slopes should be compatible with stable vegetated slopes of the area. Large unnatural flat horizontal areas should be avoided. Changes in gradients and orientations of slopes should be rounded smooth transitions. Ridges and mounds should be asymmetric and avoid horizontal lines and formal shapes.

3. Pre-Construction Land Condition Assessments

When RMS land is used for ancillary construction purposes, there is the potential for unapproved wastes to remain on the site, or for the site to become contaminated from construction activities.

Prior to an RMS site being handed over to a construction contractor, the contractor must arrange for a pre-construction land condition assessment of the site. The purpose of the pre-construction land assessment is to identify any pre-existing wastes on the site before the contractor takes possession of the site. The pre-construction land condition assessment will be used to compare against the post construction condition of the site.

Summary Pre-Construction Land Condition Assessment



3.1 Pre-Construction Land Condition Assessment Reports

Pre-Construction Land Condition Assessments Reports are not site contamination reports, rather they seek to establish and document whether there are any pre-existing wastes on the site prior to the site being occupied by a construction contractor.

Pre-Construction Land Condition Assessment reports are to be undertaken by a qualified independent environmental consultant approved by RMS. The environmental consultant is to have experience in site environmental inspections and construction waste management. RMS is to be nominated as the primary recipient of the report.

Pre-Construction Land Condition Assessment Reports are to include text, photographs and maps to describe the land condition, focussing on any pre existing wastes on the site.

A proforma Pre-Construction Land Condition Assessment Report is included in Attachment B

As a minimum include the following information:

- Name of RMS project
- Name of construction company and construction site manager
- Description of site being acquired by construction company (Lot and DP)
- Estimated period of site occupation
- Current site use
- Proposed construction activities on the site
- Date of site inspection
- Evidence of RMS approval to use the site for the proposed activities (required where the contractor is seeking approval to use additional sites not already nominated by the Principal)
- Evidence of planning consent to use the site for the proposed activities - confirmation that the environmental assessment report has identified the use of the sites for the proposed activities. (required where the contractor is seeking approval to use additional sites not nominated by the Principal)

- Site observations (include descriptions, photographs and annotated site maps) showing:
  - Pre-existing wastes on site (stockpiles, type of waste, where on the site is the waste located, estimated quantity)
  - Materials stored on site
  - Existing excavated areas
  - Waterways running through the sites (comments and photographs of any dumped materials in waterways)
  - Any other features that help establish the pre construction condition of the site

3.2 Who arranges for the Pre-Construction Land Condition Assessment?

The site contractor is to arrange a Pre-Construction Land condition Assessment and report. It is important that it be made clear to any consultant engaged to prepare a Pre-Construction Land Condition Assessment Report that the primary recipient of the report is RMS.

3.3 Who performs the Pre-Construction Land Condition Assessment ?

Pre-Construction Land Condition Assessment inspections and reports are to be prepared by an independent environmental consultant approved by RMS with experience in areas such as site environmental inspections and construction waste management.

3.4 How long will it take to prepare a Pre-Construction Land Condition Assessment Report?

As a guide, Pre-Construction Land Condition Assessment inspections and reports should take approximately one to two weeks to complete.

3.5 Who receives copies of Pre-Construction Land Condition Assessment Report?

The contractor is to provide final copies of Pre-Condition Site Assessment Report to the RMS Project Manager. The RMS Project Manger is to forward copies of the reports to:

- RMS Regional Property Team (Commercial Property Officer)
- RMS Regional or RMS Project Environment Manager

4. Construction Phase Site Management

Construction Phase Management

During the construction phase contractors must comply with all relevant environmental regulatory requirements related to the testing, record keeping, transport and storage of materials onto RMS' site. RMS' environmental management specifications G36: Environmental Protection and G38: Soils and Water Management must also be complied with.

The ability to supply records showing compliance with environmental regulations and RMS' environmental management specifications will facilitate the Post-construction Site Assessment (see Section 5) and approval for the site to be returned to RMS.

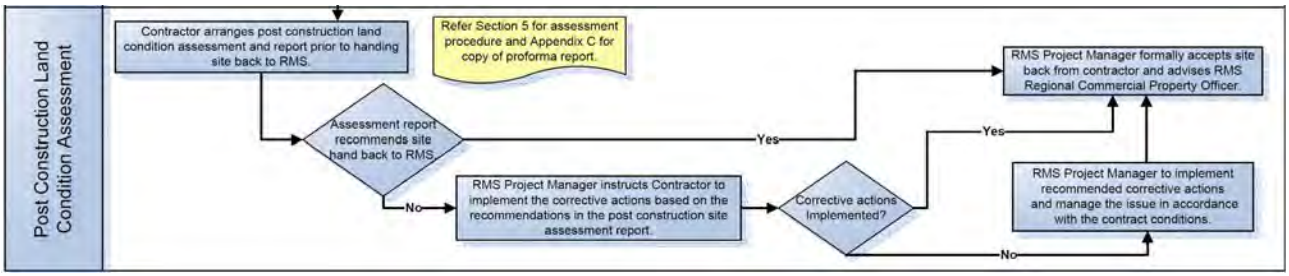
These records include:

- ☐ Copies of any written approvals from RMS Property to use the site for the construction activities undertaken at the site (where the contractor has sought permission to use sites addition to those nominated by RMS in the contract).
- ☐ Copies of planning consents to use the site for the construction activities (where the contractor has sought permission to use sites addition to those nominated by RMS in the contract).
- ☐ Evidence of compliance with any planning consent conditions or EPA licence requirements related to the activities on the site.
- ☐ Site maps showing location of temporary construction activities including location of temporary stockpiles.
- ☐ Site maps showing location and type of waste that permanently remaining on site.
- ☐ Evidence of RMS approval to leave materials permanently on the site.
- ☐ Register of materials transported to the site in accordance with the requirements of RMS G36 Specification clause 4.11.2 - Waste Management Register.
- ☐ Copies of any test results to show compliance with any relevant resource recovery exemptions.
- ☐ Evidence of compliance with any additional conditions specified by RMS Property or the Project Manager (e.g. soil engineering compaction rates, retain clean topsoil on the site).

5. Post-Construction Land Condition Assessments

Prior to a site being handed back to RMS, a post-construction land condition assessment is required to verify that no unauthorised construction wastes remain the site.

Summary Post-Construction Land Condition Assessment



5.1 Post-Construction Land Condition Assessment Reports

RMS has developed a pro-forma Post-Construction Land Condition Assessment report which is to be used to determine whether a site is suitable to be handed back to RMS. The report includes a series of waste management and environmental planning compliance questions that are to be answered and the citing of documentary evidence to support the answers to some questions. The report is also to be used to record any observations of significant staining of the ground which needs to be managed. A copy of the Post-Construction Land Condition Assessment Report proforma is included as Attachment C.

Prior to a site being occupied by a construction contractor, a Pre Construction Land Condition Assessment Report (see Section 3) should have been prepared. This report is to be used as the benchmark to compare against the post construction land condition of the site.

In summary, the Post-Construction Land Condition Assessment Report includes the following information.

- Name of RMS project
- Name of construction company and construction site manager
- Description of site being acquired by construction company (Lot and DP)
- Whether the site was used for temporary materials storage.
- Whether materials have permanently been left on site.
- Record of any observations of significant staining of the ground.
- Evidence of compliance with any relevant resource recovery exemptions.
- Evidence of compliance with any EPA licence conditions and Department of Planning consent conditions.
- Evidence of internal and statutory approvals to use the site.
- Recommends whether the site is in a condition to be handed back to RMS.
- Any recommended corrective actions that should be completed before the site is handed back to RMS.

5.2 What if the site is not in a condition to be handed back to RMS?

If the report concludes that unapproved wastes attributable to the activities of the construction contractor remain on site and that RMS should not accept hand back of the site, the construction contractor should be given an opportunity to complete any corrective actions.

If the contractor fails to complete the corrective actions, the RMS Project Manager must make alternative arrangements to implement the corrective actions before handing the site back to the RMS Property. RMS' Project Manager will manage the issue in accordance with the provisions of the construction contract.

5.3 Who arranges for the Post-Construction Land Condition Assessment?

The contractor is to ensure that the post construction site assessment is undertaken. It must be made clear to any consultant engaged to prepare a Post-Construction Land Condition assessment report that the primary recipient of the report is RMS.

5.4 Who performs the Post-Construction Land Condition Assessment?

The Post-Construction Land Condition Assessment is to be completed by an independent environmental consultant approved by RMS with experience in areas such as site environmental inspections, construction waste management.

5.5 Who receives copies of Post-Construction Land Condition Assessment Report?

The contractor is to provide final copies of Post-Construction Land Condition Assessment Reports to the RMS Project Manager. The RMS Project manager is to forward copies of the report to:

- RMS Regional Property Team (Commercial Property Officer)
- RMS Regional or RMS Project Environment Manager

ATTACHMENT A: WASTE AND MATERIALS MANAGEMENT ACTIVITIES REQUIRING AN ENVIRONMENT PROTECTION LICENCE

Activity	Licence Trigger
Chemical storage - hazardous waste, restricted solid waste or liquid waste (or combination of these)	- Having on site at any time more than 5 tonnes of hazardous waste, restricted solid waste or liquid waste, or combination of them).
Contaminated soil treatment	- Capacity to treat more than 1,000m^3 per year of contaminated soil received from off-site; or - Treatment of contaminated soil originating exclusively on-site with capacity: o Greater than 1000m^3 per year for incineration o Storage and treatment of greater than 30,000m^3 per year where treatment is other than incineration o To disturb more than an aggregate area of 3 hectares of contaminated soil
Contaminated groundwater treatment	- Capacity to treat more than 100 megalitres per year of contaminated groundwater.
Waste disposal (application to land) Includes application of waste for the filling, reclaiming or contouring of land. **(eg. re-using excavated road materials)**	Waste disposal by application to land, meaning the application to land of waste received from off site, including (but not limited to) application by any of the following methods: (a) spraying, spreading or depositing on the land, (b) ploughing, injecting or mixing into the land, (c) filling, raising, reclaiming or contouring the land. **No licence is required if:** o The material is virgin excavated natural material (VENM) o Covered by a "resource recovery exemption' such as ▪ Excavated public road materials – if applied within road corridors ▪ Excavated natural material - applied off-site ▪ Recovered asphalt pavement – if re-applied for road making activities
Waste processing (non thermal treatment) **(eg. concrete crushing)**	Receiving and processing of waste from off-site that involves having on site at any time: - more than 2,500 m^3 or tonnes of general solid waste or involves the processing of more than 120 tonnes per day, or 30,000 tonnes per year. - more than 200 kilograms of hazardous waste - more than 200 kilograms of liquid waste - more than 2,000 litres of waste oil or involves processing of more than 20 tonnes per year - more than 50 tonnes of waste tyres or processing more than 20 tonnes per day or, 5,000 tonnes per year. **Note:** Crushing, grinding or separating non waste materials such as sand, gravel, rock or minerals, requires a licence if the plant or equipment has a capacity to process more than 150 tonnes of materials per day or 30,000 tonnes of materials per year.
Waste storage (storage of waste received from off-site, including storage for transfer of waste) **(eg. Stockpiles)**	(a) Greater than 5 tonnes of hazardous waste, restricted solid waste, liquid waste, clinical or related waste or asbestos waste is stored on the premises at any time, or (b) Greater than 50 tonnes of waste tyres or 5,000 waste tyres is stored on the premises at any time, or (c) Greater than 2,500 tonnes or 2,500 cubic metres of waste (other than waste referred to in a and b above) is stored on the premises at any time, or (d) Greater than 30,000 tonnes of waste (other than waste referred to in a and b above) is received per year from off-site. **No licence is required for stockpiling of excavated road materials if it is done in accordance with the RMS Stockpile Exemption (2011).**

ATTACHMENT B: PRE-CONSTRUCTION LAND CONDITION ASSESSMENT REPORT

PRE-CONSTRUCTION LAND CONDITION ASSESSMENT REPORT

Instructions

This report is to be completed by a qualified independent environmental consultant approved by RMS. RMS is the primary recipient of the report.

This report and attached supporting information is to be used to establish and document any pre-existing wastes on an RMS site that is to be used for temporary site facilities or sites where material is to be permanently located for beneficial re-use.

Temporary site facilities include but are not limited sites where the following activities take place:

- Soil and rock stockpiling
- Storage of construction materials
- Locating site sheds, storage sheds and maintenance yards
- Concrete crushing
- Temporary concrete or asphalt batching plants
- Location of temporary sediment basins
- Vegetation storage
- Construction staging areas (e.g. assembling bridge structures)

Permanent beneficial re-use includes:

- Noise mounds
- Visual mounds
- Engineered fill
- Flood relief mounds

This Pre-construction Land Condition Assessment Report is to be completed prior to a contractor taking possession of an RMS site and will be used as the benchmark to compare against the post construction condition of the site.

Copies of the final report and any supporting information are to be provided to the RMS Project Manager. The RMS Project Manager is to provide copies to:

- RMS Regional Commercial Property Officer
- RMS Regional or RMS Project Environment Manager

If multiple RMS sites are to be occupied by a construction contractor, a separate Pre Construction Land condition Assessment report is to be prepared for each site.

Section A: Project Information	
Project Name:	
RMS Project Manager:	
Construction Contractor:	
Construction Manager:	
Proposed period of site occupation:	dd/mm/yy to dd/mm/yy
Section B: Site Location	
Location and current land use of the site	Information attached □ Map showing site location □ Lot and DP_____ □ Current land use_____ □ Other information attached (specify) _____
Section C: Proposed Construction Activities for the Site	
Describe the construction activities that are proposed for the site.	
Section D: Planning Consent and Internal RMS Consent for Use of Site	
What planning permission has been obtained for the proposed construction activities? (E.g. EIS, REF, local council consent. Attach evidence of approval, consistency assessment)	Information attached □ EIA (Part 5 or 5.1 EP&A Act) □ Statement of Environmental Effects (Local council approval under Part 4 EP&A Act) □ Written evidence showing that consent is not required □ Other (specify) _____
Did the Regional RMS Property section provide written consent for the site to be used for the proposed construction activities?	Information attached □ Yes. Written consent provided □ No. Written consent not provided

Section E: Pre-Construction Site Inspection	
Date of site inspection:	
Name of consultant undertaking inspection:	
Position title:	
Name of consulting company:	

Attach to this section of the report text descriptions, photographs and annotated site maps to describe the wastes and materials that exist on the site at the time of inspection. Site observations include the following:

- Pre-existing wastes on site (stockpiles, type of waste, where on the site is the waste located, estimated quantity)
- Existing materials stored on site
- Existing excavated areas
- Waterways running through the sites (comments and photographs of any dumped materials in waterways)
- Any other features that help establish the pre-construction land condition (e.g. obvious staining on the ground.

ATTACHMENT C: POST-CONSTRUCTION LAND CONDITION ASSESSMENT REPORT

POST-CONSTRUCTION LAND CONDITION ASSESSMENT REPORT

Instructions

This report and attached supporting information is to be used to verify that no unauthorised wastes remain on RMS sites that have been occupied by contractors for road construction activities.

Prior to an RMS site being occupied by a construction contractor, a Pre-Construction Land Condition Assessment Report should have been prepared. The Pre-Construction Land Condition Assessment Report is to be used as the benchmark to compare against the post construction condition of the site.

This report is to be completed by a qualified independent environmental consultant approved by RMS. RMS is the primary recipient of the report.

Copies of the final report and any supporting information are to be provided to the RMS Project Manager. The RMS Project Manager is to provide copies to:

- RMS Regional Commercial Property Officer
- RMS Regional or RMS Project Environment Manager

If multiple sites have been occupied by a construction contractor, use a separate Post-Construction Site Condition Assessment report for each site.

Section A: Project Information	
Project Name:	
RMS Project Manager:	
Construction Contractor:	
Construction Manager:	
Construction commencement date:	
Construction completion date:	
Section B: Site Location	
Location of the site	Information attached □ Map showing site location □ Lot and DP_____ □ Other information attached (specify) _____

Section C: Waste Information – Temporary Storage	
Was any part of the site used to temporarily store project materials or create temporary structures? (e.g. temporary hardstand areas for site sheds or concrete batching facilities)	☐ Yes ☐ No (If no, proceed to Section D)
Provide information on the location and type of materials temporarily stored or used on the site?	Information attached ☐ Map showing exact locations of temporary storage facilities or temporary structures ☐ Description of types of material temporarily stored or used on the site.
Have all temporary materials been removed from the site?	☐ Yes ☐ No

Section D: Waste Information – Materials Permanently Remaining on Site

Describe the types and quantity of wastes left on the site.

Type of waste	Quantity (m^3)	Dates material was deposited (dd/mm/yyy to dd/mm/yyyy)
☐ Virgin excavated natural material (VENM)		
☐ Excavated natural material (ENM)		
☐ Recovered aggregates		
☐ Reclaimed asphalt pavement (RAP)		
☐ Crushed concrete		
☐ Mixed building and demolition waste	Not permitted to be permanently left on RMS land	
☐ Mulch		
☐ Unmulched vegetation		
☐ Other wastes (specify)		
☐ Obvious staining indicating a possible fuel or chemical spill	Estimate size of stained area, photograph stained area, make enquiries re. type of liquid spilled and attach information to this pro-forma. Include any recommendations in Attachment A.	

If no project wastes remain on the site go to Section F of this report.
If you have entered information into the above table you must complete Sections D, E and F of this report.

If more than one type of waste has been left on site, is it mixed together or separated and located in different locations?	☐ Mixed ☐ Separated in different locations ☐ Not applicable
Section D: Location of waste	
Describe the exact location(s) of the waste (Attach maps, map co-ordinates (map grid of Australia (mga)), depth of waste below surface, area of waste, lot and DP of site, chainage)	Information attached ☐ Map showing waste deposition area ☐ Map co-ordinates ☐ Depth of waste below surface ☐ Lot and DP of waste deposition site ☐ Road Chainage ☐ Other information attached (specify) _____

Section E: Compliance with EPA Resource Recovery Exemptions (RRE) or Report Indicating Material is Suitable for Future Land Use	
Is the material ENM, recovered aggregates or RAP If any of the materials are ENM, recovered aggregates or RAP, the conditions attached to the corresponding EPA resource recovery exemptions (RRE) must be complied with. Have all conditions attached to the relevant RRE been complied with?	□ Yes □ No □ Not applicable Information attached □ Test reports □ RRE records □ Other information attached (specify) _____
The use of resource recovery exemptions requires that the material has been "beneficially re-used". What is the beneficial re-use of permanently leaving the material on the site (e.g. noise mound, visual mound, engineered fill or earthworks to improve the property)	□ Noise mound □ Visual mound □ Landscape mound □ Engineered fill or earthworks (specify how this improves the property) _____ _____ □ Other beneficial re-use (specify) _____ _____
In some instances, compliance with a relevant RRE is not legally required (e.g. the material was excavated and placed within the site boundary or the material was VENM). Are there any other records or reports indicating that the material is suitable for the intended post construction land use? (Attach copies of any relevant records or reports).	□ Yes □ No □ Not applicable Information attached □ Test reports □ Other information attached (specify) _____
Section E: Consents: RMS Property/Planning Consent/EPA Compliance	
Did RMS provide written consent for the specified waste materials to be permanently left on the site?	Information attached □ Yes. Written consent provided □ No. Written consent not provided
Did RMS Property require any additional technical requirements to be complied with? For example, RMS property may have required that material placed on the site be compacted to meet engineering standards for residential sites.	Information attached □ Yes □ No □ Not applicable

What planning permission was obtained for the material to permanently remain on the site? (E.g. EIS, REF, local council consent. Attach evidence of approval, consistency assessment)	Information attached □ EIA (Part 5 or 5.1 EP&A Act) □ Statement of Environmental Effects (SEE) (Local council approval under Part 4 EP&A Act) □ Written evidence showing that consent is not required □ Other (specify) _____
Were the conditions of the planning consent related to waste storage and use of ancillary facilities complied with?	Information attached □ Yes. □ No.

Section F: Recommendation

Based on the above information and the attached evidence it is recommended that:

□ The site be handed back to RMS as no residual wastes attributable to the activities of the contractor remain on the site.

□ The site be handed back to RMS as any wastes that remain on the site attributable to the activities of the contractor have been placed on site with the approval of RMS' regional infrastructure property team and in accordance with all necessary environmental statutory requirements.

□ The site should not be handed back to RMS as unapproved wastes and/or contamination attributable to the activities of the contractor currently remain on the site. It is recommended that the corrective actions listed in Attachment A to this report be completed before the site is handed back to the landholder.

Name of Site Assessor:
Position:
Company:

Signed:
Date:

ATTACHMENT A: POST-CONSTRUCTION LAND ASSESSMENT REPORT

CORRECTIVE ACTIONS It is recommended that the following corrective action be implemented before the site is handed back to the landholder.	
Reference	**Recommendation**

Definitions	
Excavated natural material (ENM)	ENM is naturally occurring rock and soil (including materials such as sandstone, shale, clay and soil) that has: a) been excavated from the ground, and b) contains at least 98% (by weight) natural material, and c) does not meet the definition of Virgin Excavated Natural Material (VENM). Excavated Natural Material does not include material that has been processed or contains acid sulphate soils or potential acid sulphate soils.
Reclaimed asphalt pavement (RAP)	Means and asphalt matrix which was previously used as an engineering material and which must not contain a detectable quantity of coal tar or asphalt.
Recovered aggregates	Means material comprising of concrete, brick, ceramics, natural rock and asphalt processed into an engineered material. This does not include refractory bricks or associated refractory materials, or asphalt that contains coal tar.
Resource Recovery Exemptions (RRE)	RREs are granted by the EPA where the land application or use as fuel of a waste material is a genuine, fit for purpose, reuse of the waste rather than another path to waste disposal. An exemption facilitates the use of these waste materials outside of certain requirements of the waste regulatory framework.
Virgin Excavated Natural Material (VENM)	VENM is natural material: • that has been excavated or quarried from areas that are not contaminated with manufactured chemicals or process residues, as a result of industrial, commercial, mining or agricultural activities, and • that does not contain sulphidic ores or soils.
Waste	Waste is as defined in the Protection of the Environment Operations Act 1997 and is classified in accordance with the NSW EPA's *Waste Classification Guidelines*. Wastes can include excess soil, rock, concrete, aggregates, general construction and demolition waste, waste vegetation.

Annexure D – Construction Contractors SEMP requirements

NSW CoA	Description	Where addressed
A15	Construction ancillary facilities (excluding minor construction ancillary facilities established under Condition A20) that are not identified by description and location in the documents listed in Condition A1 may only be established and used in each case if:	Section 2.3 SEMP
	(a) They are located within or immediately adjacent to the construction boundary	
	(b) They are not located next to a sensitive receiver(s) (including where an access road is between the facility and the receiver(s)), unless the sensitive receiver(s) (both the landowner(s) and occupier(s)) have given written acceptance to the carrying out of the relevant facility in the proposed location; and	
	(c) they have no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and	
	(d) The establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.	
A16	Before establishment of a construction ancillary facility(ies) (excluding minor construction ancillary facilities established under Condition A20), the Proponent must prepare a Site Establishment Management Plan which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facility(ies). The Site Establishment Management Plan must be prepared in consultation with the relevant council(s) and relevant State government agencies. The Plan must be endorsed by the ER and then submitted to the Planning Secretary for approval one (1) month before the establishment of the construction ancillary facility(ies). The Site Establishment Management Plan must detail the management of the construction ancillary facility(ies) and include:	Section 2.3 SEMP
	(a) a description of activities to be undertaken during establishment of the construction ancillary facility(ies) (including scheduling and duration of work to be undertaken at the site);	
	(b) figures illustrating the proposed site layout and the location of the closest sensitive receiver(s);	

NSW CoA	Description	Where addressed
	(c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of site establishment work;	
	(d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:	
	(i) meet the performance outcomes stated in the documents listed in Condition A1, A1, and	
	(ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and	
	(e) a program for monitoring the performance outcomes, including a program for noise monitoring consistent with the requirements of Condition C14.	
	The Site Establishment Management Plan must be approved before the establishment of a construction ancillary facility(ies) (excluding minor construction ancillary facilities established under Condition A20). Nothing in this condition prevents the Proponent from preparing individual Site Establishment Management Plans for each construction ancillary facility. *Note: Condition A16 does not apply to minor construction ancillary facilities established under Condition A20.*	
A17	Where a construction ancillary facility(ies) has been established for any early works listed in Appendix B and is to be used for construction, a new or revised Site Establishment Management Plan must be prepared where additional activities are required to establish the site for the purposes of construction or there is a change to the site layout. The new or revised Site Establishment Management Plan must be prepared in accordance with Condition A16 and approved by the Planning Secretary before commencement of the additional activities or change to site layout.	Section 2.3 SEMP

NSW CoA	Description	Where addressed
A18	The use of a construction ancillary facility for construction (excluding minor construction ancillary facilities established under Condition A20 and construction ancillary facilities established for the purposes of early works in accordance with Condition A24) must not commence until the CEMP required by Condition C1, relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C11 have been approved by the Planning Secretary. This condition does not apply to the use of construction ancillary facilities where the ER has determined that the use of the facility will have a minimal impact on the environment and community.	Section 2.3 SEMP
A19	Construction ancillary facilities established for the purposes of early works in accordance with Condition A24 cannot be used for construction until the CEMP required by Condition C1, relevant CEMP Sub-plans required by Condition C4 and relevant Construction Monitoring Programs required by Condition C11 have been approved by the Planning Secretary. This condition does not apply to the use of construction ancillary facilities where the ER has determined that the use of the facility will have a minimal impact on the environment and community.	Section 2.3 SEMP
A20	Lunch sheds, office sheds, portable toilet facilities, and the like, can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria:	Section 2.3 Section 3 SEMP
	(a) are located within or adjacent to the construction boundary; and	
	(b) have been assessed by the ER to have -	
	(i) minor amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and	
	(ii) minor environmental impact with respect to waste management, soil, water and flooding, and	

NSW CoA	Description	Where addressed
	(iii) no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval.	
A21	Boundary screening must be erected around all construction ancillary facilities that are adjacent to sensitive receivers for the duration of construction of the CSSI unless otherwise agreed with affected residents, business operators and landowners.	Section 2.3 Section 2.3.4
A22	Boundary screening required under **Condition A21** of this approval must minimise, as far as practicable, visual impacts on adjacent sensitive receivers.	Section 2.3 Section 2.3.4
A23	The CSSI name; application number; telephone number, postal address and email address required under Condition B7 of this approval must be made available on site boundary fencing / hoarding at the entrance of each ancillary facility before the commencement of construction.	Section 2.3 Section 2.3.4
E61	The CSSI must be constructed in a manner that minimises visual impacts of construction ancillary facilities, including but not limited to, providing temporary landscaping and vegetative screening of the construction sites, minimising light spill, and incorporating architectural treatment and finishes within key elements of temporary structures that reflect the context within which the construction sites are located.	Section 2.3 Section 2.3.5
E62	The CSSI must be constructed and operated with the objective of minimising light spillage to surrounding properties. All lighting associated with the construction and operation of the CSSI must be consistent with the requirements of *Australian Standard 4282-2019 Control of the obtrusive effects of outdoor lighting,* relevant Australian Standards in the series *AS/NZ 1158 – Lighting for Roads and Public Spaces,* and the *National Airports Safeguarding Framework (NASF) Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports.*	Section 2.3 Section 2.3.5
	Additionally, mitigation measures must be provided to manage residual night lighting impacts to protect properties adjoining or adjacent to the CSSI, in consultation with affected landowners.	
E83	Any property access that is physically affected by the CSSI must be reinstated to at least an equivalent standard, in consultation with the landowner or alternative access provided in consultation with the landowner.	Section 2.3 Section 2.3.6

Appendix A5

Document Register Template

M12 Motorway

November 2021

Environmental Management Document	Document No.	Approval Requirement	Agency Correspondence
Contractor Environmental Policy	[Insert document number]	Insert relevant Contractor personnel with approval authority, if endorsed by ER, if submitted to Secretary for approval, etc]	[Insert requirement for any external consultation or provisions of notice, eg government authorities, local council]
Contractor Environmental Management System			
M12 Construction Environmental Management Plan			
M12 Site Establishment Management Plan			
M12 Construction Flora and Fauna Management Sub-plan			
Overarching Communication Strategy			
Unexpected Contaminated Finds Procedure			
Unexpected Heritage Finds Procedure			
XXXX			

Appendix A6

Sensitive Area Plans

M12 Motorway

November 2021

Appendix A7

M12 Environmental Incident Classification and Reporting

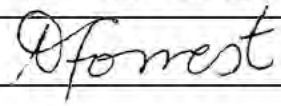
M12 Motorway

November 2021

Document control

File Name	M12PPW-ADAP-ALL-EN-PLN-000003_E_S3_OCEMP APP A7 Appendix A7: M12 Environmental Incident Classification and Reporting
Title	M12 Environmental Incident Classification and Reporting
Document Number (Teambinder)	M12PPW-ADAP-ALL-EN-PLN-000003

Approval and authorisation

Plan reviewed by:	Plan reviewed by:
Suzette Graham	Deanne Forrest
TfNSW Environment and Sustainability Manager	TfNSW Project Director
22/11/2021	23/11/2021
	

Revision history

Revision	Date	Description
A	09/07/2021	First draft for TfNSW review
B	13/08/2021	Updated with TfNSW and ER comments
C	03/09/2021	Updated with TfNSW and ER comments
D	01/10/2021	Updated with DPIE comments
E	22/11/2021	Date updated

Contents

Figures

Tables

Definitions

All terminology in this Procedure is taken to mean the generally accepted or dictionary definition with the exception of the following terms which have a specifically defined meaning. Acronyms are as per the OCEMP.

Term	Definition
Environmental event	A report-only event, non-compliance, regulatory action or environmental incident
Environmental incident (*as per the TfNSW Environmental Incident Procedure*)	An environmental incident is an event or set of circumstances, as a consequence of which pollution (air, water, noise, or land) or an adverse environmental impact has occurred, is occurring, or is likely to occur. Adverse environmental impact includes contamination, harm to flora and fauna (either individual species or communities), damage to heritage items and adverse community impacts. An unexpected find that is not managed in accordance with relevant procedures / guidelines is also considered an environmental incident
Investigation	The process by which the cause(s) of an environmental incident is examined and identified.
Non-compliance (*as per the TfNSW Environmental Incident Procedure*)	A failure to comply with any condition of approval, environmental assessment safeguard / mitigation measure, licence condition, permit or any other statutory approval relevant to the activity and/or area where the activity occurs
Notifiable event	Any environmental incident, report-only event or non-compliance that triggers a specific statutory requirement to notify a regulatory authority.
Pollution	Pollution (including air pollution, water pollution, noise pollution and land pollution) as defined in the dictionary to the POEO Act
Pollution incident	Has the same meaning as defined in the dictionary to the POEO Act. NB: a pollution incident as defined in the POEO Act does not include an incident or a set of circumstances involving only the emission of noise.
Regulatory action	any formal regulatory response from an environmental regulator including but not limited to penalty notices, clean-up notices, prevention notices, official cautions, show cause notices and formal warnings.
Report-only event	An environmental incident or unexpected find resulting from circumstances outside the scope of controls and of an activity.
Significant incident	An environmental incident that is likely to receive a classification of C3, C2 or C1, OR the history of the project, past performance and/or previous regulatory interest, indicate the project is likely to receive a penalty notice or be subject to prosecution, and therefore requires escalation to the Secretary and other TfNSW senior management.
Unexpected find	An unexpected discovery such as a heritage item, threatened species, contamination, asbestos or hazardous substance.

1 Introduction

The M12 Environmental Incident Classification and Reporting Procedure (the Procedure) is based upon the TfNSW Environmental Incident Classification and Reporting Procedure and amended to ensure applicability to the M12 Motorway Project (the Project) and associated State and Federal approvals.

1.1 Purpose

The Procedure aims to ensure that all personnel employed to work on the Project understand how to classify, respond to and report environmental incidents that occur as a result of Project activities.

The purpose of this Procedure is to set out the process to be followed if, during an activity being carried out, there is:

- A report-only event
- A non-compliance
- Regulatory action received
- An environmental incident
- An incident as defined under the State Infrastructure Approval
- An incident affecting protected matter(s) or non-compliance with the Federal Approval.

The Procedure sets out the steps for the:

- Identification
- Classification
- Reporting.

1.2 Scope

The Procedure is applicable to all Project activities where report-only events, non-compliances, regulatory action and environmental incidents may occur. The requirements of the Procedure must be communicated to all Project personnel (e.g. during inductions) who undertake those activities.

This includes (but is not limited to):

- Activities undertaken by contractors on behalf of TfNSW
- Temporary activities, such as preliminary investigations (e.g. geotechnical and environmental surveys)
- Construction and maintenance of TfNSW assets
- Activities at TfNSW properties and facilities.

Guidance on management responses and corrective actions required following environmental incidents and non-compliances, are detailed in the Overarching Construction Environmental Management Plan (OCEMP) and will be addressed by those with responsibility for the activity that caused the incident or non-compliance.

It is noted that the TfNSW E&S Branch is available to provide advice on appropriate responses and corrective actions in relation to individual incidents or non-compliances.

2 Emergency Preparedness and Response

Emergency planning and awareness training will be undertaken for construction based upon this Procedure. All site personnel will be inducted on the incident management process detailed herein. The following equipment will be available to site personnel to utilise in the event of an incident:

- Protective gloves for certain types of corrosive chemicals
- Other personal protective equipment required for the handling of hazardous chemicals and radioactive substances
- Spill kits
- Stormwater drain guards
- Alarms for when there are issues with processes
- Firefighting equipment
- Up-to-date safety data sheets for any chemicals or fuels used or stored at the premises
- Hard hats for designated ‘emergency controllers’
- Eye-wash stations.

The locations of the equipment will be detailed in the site induction. Relevant personnel will be appropriately trained on the use of all equipment. The procedure to following an event of an incident is detailed in Figure 2-1.

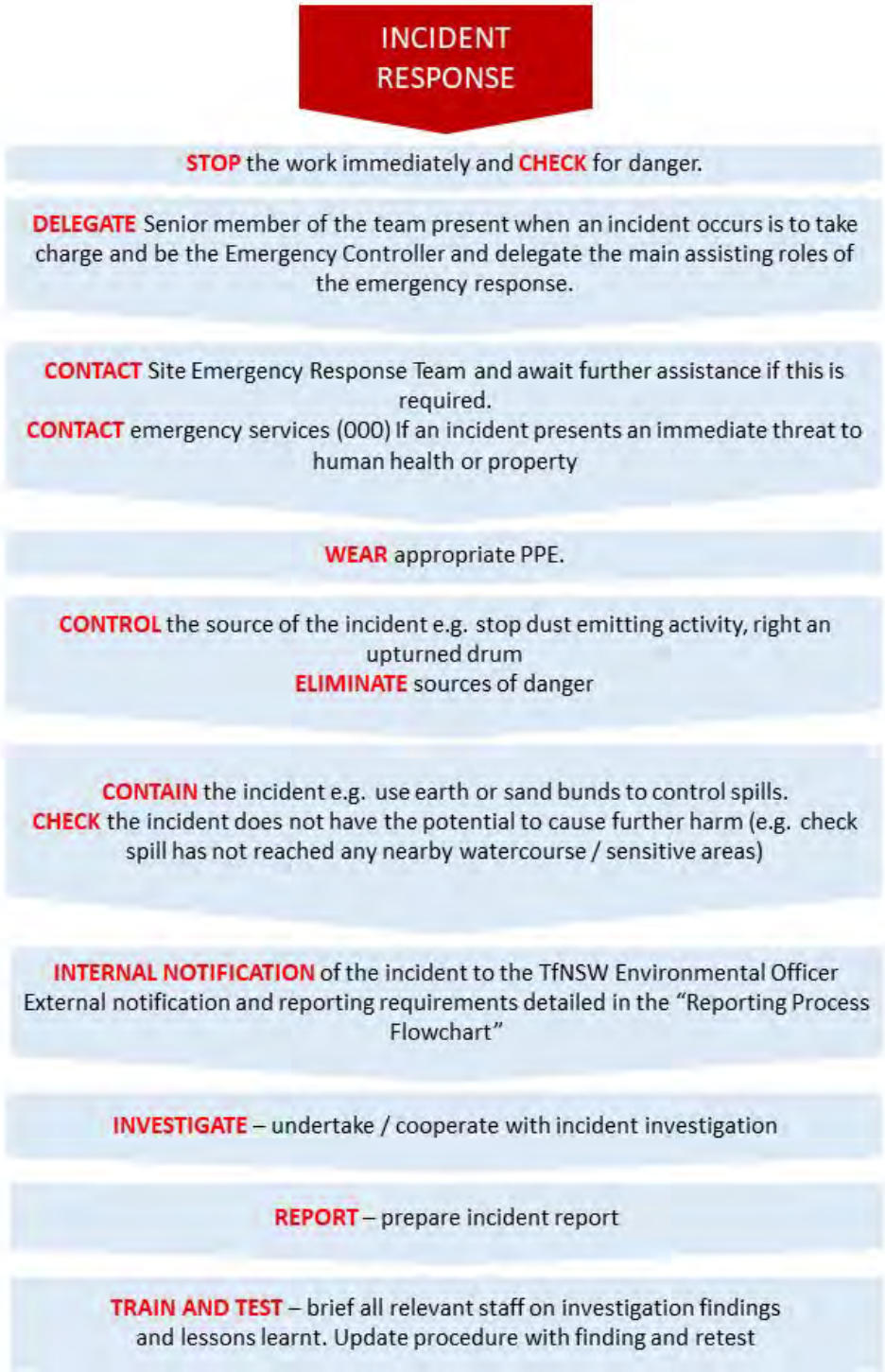


Figure 2-1: Incident response Process

2.1 Emergency and key contacts

The TfNSW Environment and Sustainability Manager is the first point of contact for enquiries relating to environmental incidents. Current contacts for relevant M12 personnel are provided in Table 2-1.

Table 2-1: Emergency and key contacts

Position / Organisation	Name	Phone
EPA pollution hotline	n/a	131 555
Fire and Rescue NSW	n/a	000 (for pollution incidents that present an immediate threat to human health or property) 1300 729 579 (for pollution incidents that do not present an immediate threat to human health or property)
NSW Health – South Western Sydney Local Health District	n/a	(02) 8738 5755
SafeWork NSW	n/a	131 050
Penrith City Council	Ari Fernando	[redacted]
Liverpool City Council	Charles Waife	[redacted]
24 hour community information line	n/a	[redacted]
Project Manager – East	Kurt Bridde	[redacted]
Project Manager – Central	David Duffield	[redacted]
Project Manager – West	Kandiah Mahendran	[redacted]
TfNSW Project Director	Deanne Forrest	[redacted]
TfNSW Utilities Manager	Daniel Farrugia	[redacted]
TfNSW Environment and Sustainability Manager	Suzette Graham	[redacted]
TfNSW Environment and Sustainability Manager	Foster Walker	[redacted]
TfNSW M12 Community and Stakeholder Engagement Representative	Katie Xia	[redacted]
TfNSW M12 WHS Partner	David Langdon	[redacted]
TfNSW Environment Officer	Shannon Schofield	[redacted]
TfNSW Sustainability Advisor	Tom O'Connor	[redacted]

Position / Organisation	Name	Phone
Department of Planning, Industry and Environment	Post-Approval: Lee McCourt Senior Compliance Officer: Alex McGuirk	[redacted]
Sydney Metro – Western Sydney Airport	Mark Rivet	[redacted]
University of Sydney	David Schofield	[redacted]
Western Sydney International Airport	Richard Longman	[redacted]

2.2 Accountabilities

Table 2-2: Key accountabilities for implementing this Procedure

Requirement	Detail
TfNSW Environment Director	• Oversee compliance with the procedure and make the final determination on the classification of all environmental incidents, report-only events and non-compliances
TfNSW Environment reporting team	• Recording of all environmental incidents, report-only events, non-compliances and regulatory action, confirm / amend the classification of environmental incidents, report-only events and non-compliances in accordance with section 3.1 and monitor compliance with the Procedure
TfNSW Executive Director Environment and Sustainability	• Make determinations on whether an environmental incident will be considered a Significant Incident (see section 3.1.2). Assume the role of Information Distributor when a Significant Incident has occurred (see Appendix A).
Observer of environmental incident, report-only event, non-compliance or regulatory action	• Immediately report in accordance with this Procedure
Person/s responsible for environmental incident, report-only event, non-compliance or regulatory action	• Report and respond in accordance with this Procedure
Project Managers	• Provide appropriate resources to respond to an environmental incident, report-only event, non-compliance or regulatory action in accordance with this Procedure
Environmental Site Representative	• Notify TfNSW and relevant authorities in the event of an environmental incident and manage close-out of these • Stop activities where there is an actual or immediate risk of harm to the environment, or to prevent environmental non-conformances, and advise the Construction Contractor's Project Manager, Construction Manager and Superintendent • Report and respond in accordance with this Procedure

3 Requirements

3.1 Incident classification

This Procedure is applicable to a range of environmental incidents, report-only events, non-compliances and regulatory action that may occur during Project activities. Each of these events and their reporting requirements are described in the following sections.

Personnel using this Procedure should consider the definitions of each of these events when reporting. Definitions are provided in the definitions table at the beginning of this Procedure.

Note that a set of circumstances may be both a non-compliance and an environmental incident. An environmental incident could also result in regulatory action.

3.1.1 Environmental incidents

Environmental incident classifications are described in Table 3-1. The classification system is aligned to the consequence levels (C6 – C1) from the TfNSW Enterprise Risk Management Standard and considers the key risk areas of:

- Environment
- Reputation and Integrity
- Regulations and Compliance.

The appropriate consequence level for each of the three key risk areas will be recorded for each incident, but only the highest recorded consequence level will be used as the incident classification for reporting purposes.

Note that not all criteria described for each consequence level in Table 3-1 need to be met in order to assign an incident classification – the most appropriate criteria should be considered when determining the consequence level for each key risk area for each incident.

Table 3-1: Environmental incident classification

Key risk area	Incident Category					
	C6 Insignificant	C5 Minor	C4 Moderate	C3 Major	C2 Severe	C1 Catastrophic
Environment	No appreciable changes to environment.	Change from existing conditions that can be rectified immediately (< 1 day) with available resources.	Short-term (< 1 year) and/or well-contained environmental impact. Minor remedial actions probably required.	Short to medium term (between 1 and <5 years) environmental impact. Considerable remedial actions probably required.	Medium-term (>5 years) environmental impact. Extensive remedial actions probably required.	Long-term (>10 years) large-scale environmental impact. Extensive and ongoing remedial actions probably required.
Reputation and integrity	Single negative article in local media. Limited social media commentary. Goodwill, confidence and trust retained. Confined to the Branch. Local council may want to discuss.	Series of negative articles in local media (District / electorate based adverse media). Some social media commentary. Confidence remains - minor loss of goodwill. Confined to Branch but requiring notification to Division. Council requires written explanation. Recoverable with little effort or cost. Some continuing scrutiny/attention.	Extended local media coverage with some broader Regional media coverage. Extended negative social media coverage. Confidence and trust of stakeholders dented (recoverable at modest cost within existing budget and resources). Division formal response needed to State Government/Regulator.	State media coverage, short term negative national media coverage. Widespread social media coverage Confidence/trust impaired. Project/activity credibility under question. TfNSW and/or Ministers Department requires update.	Sustained negative State media coverage. Regular 'talk-back' programs questioning credibility and capability. Confidence and trust are severely damaged. Widespread negative social media coverage. Regular updates demanded by Minister. Stakeholders withdraw their support recoverable at considerable cost, time and staff effort.	Sustained, high profile media attention at National level. Material change in the public perception of the Agency. Extensive negative social media coverage Confidence and trust non-existing. Government forced to reverse decision. Stakeholders are actively campaigning against the organisation.

Key risk area	Incident Category					
	C6 Insignificant	C5 Minor	C4 Moderate	C3 Major	C2 Severe	C1 Catastrophic
Regulations and compliance	Low-level/Technical non-compliance with legal and/or regulatory requirement or duty by individuals or TfNSW- not reportable. Minor non-compliance to a low impact contract clause – little or no interest by either party to pursue or rectify.	Non-compliance with whole or significant aspects of Government policy not reportable but requiring internal activity to put in place. Formal investigation and/or formal notification to regulator. Minor breach of contract by either party rectified through local management discussion.	Non-compliance with key Government policy - reportable and/or explanation required – need to put in place as soon as possible. Non-compliance – key obligation. Formal notification to regulator. Agency on notice. Breach of contract by either party rectified at Branch level management discussion. Small fine and no disruption to services.	Technical non-compliance with a minor Government Policy - not reportable. Low level non-compliance. Technical non-conformance. Minor non-compliance to a low impact contract clause – little or no interest by either party to pursue or rectify. Substantial fine and no disruption to services.	Non-compliance with high profile, outward facing Government policy or Ministerial decree - immediately reportable to Government body (e.g. Treasury) and action to put in place required immediately (high priority). Continuous breach resulting in prohibition notices. Breach of significant, key aspects of contract by either party leading to lodgement (threat) to sue and recompense at severe financial levels Cessation of contract may occur. Large fines as a result of non-compliance. Licence or accreditation restricted or conditional affecting ability to operate.	Non-compliance with high profile Government policy or Ministerial decree - immediately reportable to Ministerial level requiring actions to put in place immediately (high priority) and progress to be reported to the Minister on an agreed and appropriate schedule. Litigation and potentially imprisonment. Loss of Operating licenses. Continued breach cannot be tolerated. Major contract breach by either party leading to significant litigation and financial costs . Total breakdown and cessation of contract. Criminal prosecution as a result of non-compliance.

3.1.2 Significant environmental incidents

Significant Incidents are environmental incidents that are serious in nature and have significant consequences warranting escalation to TfNSW senior management.

An environmental incident is to be defined and treated by the TfNSW Environment Manager as a potential Significant Incident if it meets one or both of the following:

- The severity of the incident is likely to be classified as C3, C2, or C1 in accordance with Table 3-1
- The history of the Project, past performance and/or previous regulatory interest, indicate the Project is likely to be the subject of a penalty notice or prosecution.

Potential Significant Incidents are escalated by TfNSW to the Executive Director Environment and Sustainability, who will determine whether the incident is deemed to be a Significant Incident and require further escalation to the Secretary and other senior management, to ensure they are aware of the incident and can implement or authorise any required responses.

3.1.3 Incidents affecting protected matter(s)

In the Commonwealth Approval, incident affecting protected matter(s) means any event which has the potential to, or does, impact on one or more protected matter(s), other than as authorised by the Commonwealth Approval. Protected matter means Matters of National Environmental Significance (MNES) as outlined in Part 3 of the *Environmental Protection and Biodiversity Conservation Act 1999 (*EPBC Act). These include:

- World Heritage sites
- National Heritage sites
- Wetlands of International Importance (RAMSAR Wetlands)
- Listed threatened species and communities
- Listed migratory species
- Marine environments.

Should an incident directly or indirectly impact protected matter(s) identified by the EPBC Act, the Procedure outlined in the Procedure outlined below should be followed.

3.1.4 Report-only events

Examples of report-only events include:

- Environmental incidents caused by weather events that are beyond the design capacity of environmental controls and/or mitigation measures in accordance with project specific requirements
- Environmental incidents caused by persons or entities not associated with an activity being undertaken by the Project
- Pre-existing conditions not associated with an activity being undertaken by the Project
- Unexpected finds that are managed in accordance with relevant procedures / guidelines.

Report-only events can be considered to be unavoidable and so not reflecting the performance of a site, and will not be included in performance reporting. However, the response to a report-only event should be taken into account when considering site performance, as a deficient or inappropriate management response could result in a non-compliance and/or an environmental incident.

Where a report-only event relates to an unexpected find and the same issue can then reasonably expected to be found at the same location in future, additional finds from that location need not be reported.

3.2 Reporting Process

3.2.1 Standard notification and reporting

The standard reporting process for all environmental incidents, significant environmental incidents, report-only events, non-compliances and regulatory action is detailed in Figure 3-1.

Where the reporting process requires submission of a written report to TfNSW, the person making the report must use the Environmental Event Reporting Form (624/400).

Initial notification

Advise TfNSW Environment staff and the Project Manager immediately on becoming aware of an environmental event.

Initial notification of the environmental event must be submitted to TfNSW within 24 hours of the incident. The Environmental Event Reporting Form must be completed and submitted within 48 hours for environmental incidents, non-compliances and report-only events.

Information included in reporting must be factual and accurate.

For the initial 24-hour email notification, the following information must be provided:

- Date of event
- Project / site name
- Type of event that has occurred (i.e. environmental incident, incident and non-compliance, non-compliance, report-only or regulatory action)
- Description of the event
- Quantity / volume
- Immediate response actions that were implemented
- Notification/s undertaken.

In the case that regulatory action is received relating to a previously reported environmental incident, non-compliance or report-only event, reference to the relevant event must be made in the report for the regulatory action.

Environmental Event Reporting Form

All Environmental Incident Reporting Forms must be populated, signed and submitted electronically (never printed / signed / scanned etc.) to enable TfNSW to electronically capture the information entered in the form.

Completed Environmental Event Report Forms should be submitted by the Construction Contractor's Environmental Site Representative to the Environment Operations mailbox:

- envops@transport.nsw.gov.au

It is essential that a clear and consistent subject line convention is used to allow tracking of correspondence about each incident. All emails about an incident between all parties should structure the subject line as follows:

- Category X - project name / incident location - date
- For example, Category 1 – Main Road Upgrade – dd/mm/yy.

Where information cannot be gathered within the timeframes set out in this Procedure, the incident form should be submitted to the mailbox as a 'draft', whether or not the information contained is fully completed.

- For example, Category 1 – Main Road Upgrade – dd/mm/yy (DRAFT).

The Construction Contractor's Environment Manager should then request further information from the person making the report, and the final report should be submitted within the next 24 hours.

3.2.2 NSW Infrastructure Approval

In addition to the reporting requirements outlined in Section 3.2.1, an incident that meets the criteria outlined in Schedule 1 of the Infrastructure Approval must also be reported in accordance with NSW CoA A44 and A45.

An 'incident' as defined by the State Infrastructure Approval includes 'an occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance'.

Material harm is defined within the State Infrastructure Approval as harm that:

1. Involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or
2. Results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding $10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment).

TfNSW are responsible for notifying the Planning Secretary of an incident in writing via the Major Projects Website as soon as possible and no later than 12 hours after becoming aware of an incident.

In accordance with Appendix A of the NSW Infrastructure approval:

1. Additional written incident notification addressing the requirements set out below must be submitted to DPIE via the Major Projects website within seven days after becoming aware of an incident. The incident notification must include the following:
    a. Identify the CSSI and application number
    b. Provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident)
    c. Identify how the incident was detected
    d. Identify when the Proponent became aware of the incident
    e. Identify any actual or potential non-compliance with conditions of approval
    f. Describe what immediate steps were taken in relation to the incident
    g. Identify further action that will be taken in relation to the incident
    h. Identify a project contact for further communication regarding the incident.
2. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, TfNSW must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested:
    a. A summary of the incident
    b. Outcomes of an incident investigation, including identification of the cause of the incident

c. Details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence

d. Details of any communication with other stakeholders regarding the incident.

3.2.3 Commonwealth incident reporting

Should an event occur that has the potential to, or does impact Matters of National Environmental Significance (MNES) other than as authorised by the Commonwealth Approval, the Department of Agriculture, Water and Environment (DAWE) will require notification as outlined in Commonwealth CoA 11 and 12. MNES relevant to construction are outlined in Section 4.2 of the CFFMP and include:

- Grey-headed Flying-fox habitat
- Southern Myotis
- Sydney Bush Pea (*Pultenaea parviflora*)
- Spiked Rice flower (*Pimelea spicata*).

In the event of an incident that has the potential to impact or does impact a protected matter other than as authorised by the Commonwealth approval the Construction Contractor will verbally notify the Environmental Representative (ER) and the TfNSW Environment and Sustainability Manager (or delegate) immediately.

The Construction Contractor will submit an Environmental Event Report Form as outlined in Section 3.2 of this Procedure.

In accordance with the Commonwealth Approval, TfNSW must notify DAWE in writing as soon as practicable and no later than 2 business days after becoming aware of the incident. The notification must specify:

- Any condition which is or may be in breach
- A short description of the incident affecting protected matters and/or non-compliance
- The location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.

TfNSW will be responsible for providing DAWE with further details of the incident as soon as practicable and no later than 10 business days after becoming aware of the incident.

The details to be provided to DAWE include:

- Any corrective action or investigation which TfNSW has already taken or intends to take in the immediate future
- The potential impacts of the incident affecting protected matters or non-compliance
- The method and timing of any remedial action that will be undertaken by TfNSW.

3.2.4 Other TfNSW notification requirements

When reporting in accordance with this Procedure, TfNSW project management teams should also undertake the following internal notifications as appropriate:

- Corporate Communications / Media for any environmental incidents, report-only events, non-compliances and regulatory action that have potential for negative community or media attention;
- Legal Branch, for any environmental incidents, report-only events, non-compliances and regulatory action that could result in a (further, in the case of the latter) regulatory response against TfNSW. In these instances, limit written commentary on the incident by all staff, including emails;

- Safety Branch for any incidents that involve actual or potential risks to the health and safety of workers or the general public.

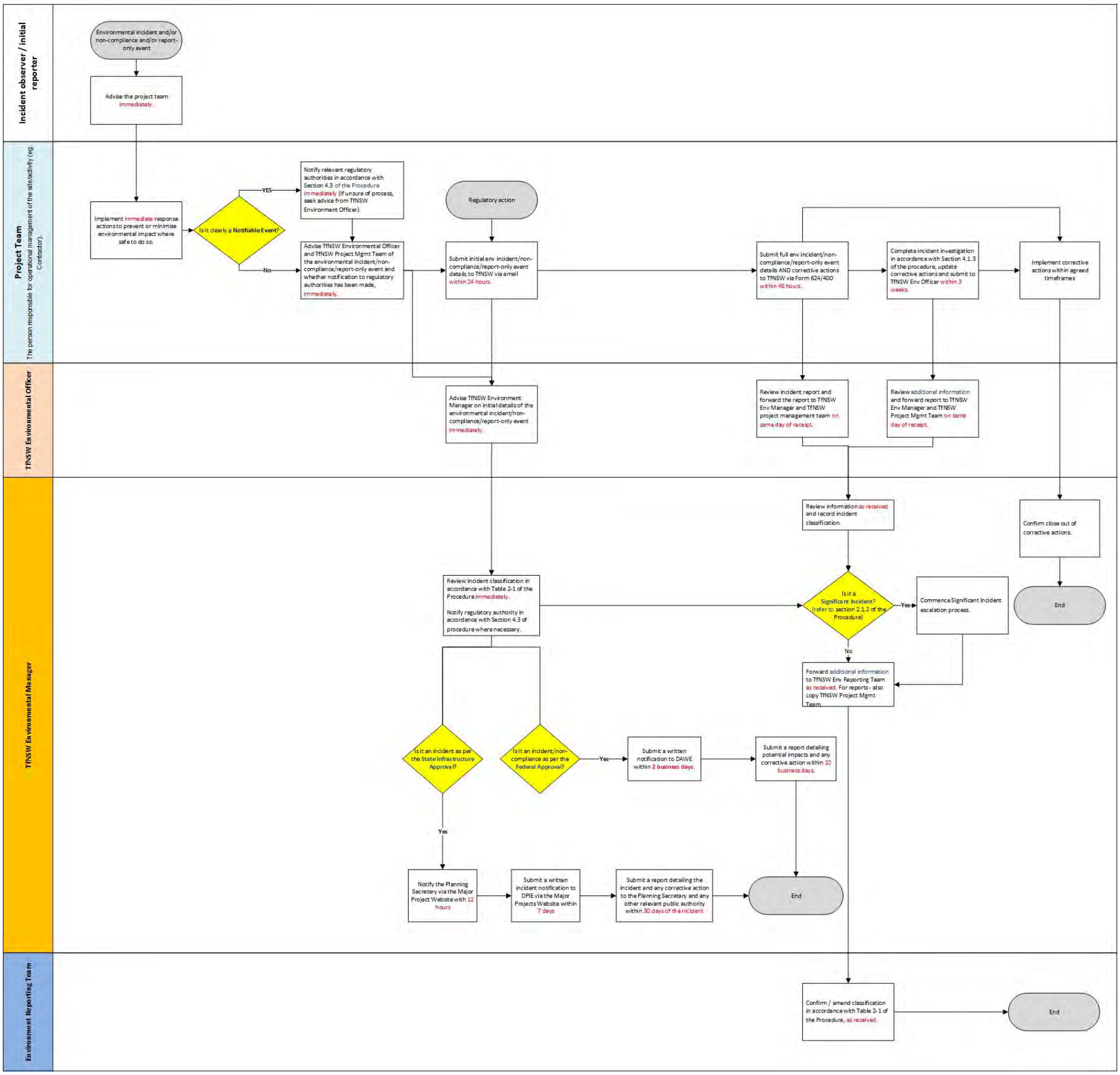


Figure 3-1: Reporting Process

3.3 Notifiable incidents – POEO Act

A notifiable event is any environmental incident, report-only event or non-compliance that triggers a specific statutory requirement to notify an authority.

The key notification requirements are described in Section 3.3. Note each statutory requirement to notify may specify a particular person who is responsible to make the notification as well as the timing of when this must occur.

3.3.1 Material Harm pollution incidents

Under Part 5.7 of the POEO Act, there is a duty to immediately notify (i.e. promptly and without delay) each relevant authority (refer to Section 1) of a pollution incident where material harm to the environment is caused or threatened.

The POEO Act states that a pollution incident should be considered Material Harm if:

> *"(i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or*
>
> *(ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding $10,000"*

Material Harm only relates to pollution incidents. Other environmental incidents, such as conservation, heritage and planning breaches, are not included in the definition of a pollution incident.

Material Harm pollution incidents require notification to the NSW Planning Secretary as required by NSW CoA A44 and A45.

3.3.2 Determination of Material Harm

The determination on whether a pollution incident should be considered Material Harm should be made in accordance with Table 3-2.

Table 3-2: Determination of Material Harm pollution incidents

Project delivery	Material Harm determination
Activities undertaken by contractors	The M12 project team will make the determination (and any associated notifications) on whether a pollution incident should be considered Material Harm. The relevant TfNSW Environment Manager or Environment Branch Director may contact the DES to assist in making an assessment of the incident, to aid the contractor in determining if the pollution incident should be considered Material Harm. Where TfNSW believes a pollution incident should be considered Material Harm but the contractor disagrees, TfNSW is required by law to notify EPA, NSW DPIE and other relevant authorities. In this instance the DES or DE would make a determination on whether the incident should be notified by Transport for NSW as Material Harm. Transport for NSW would provide details of any notifications made to the contractor.

Even if only limited information is available for a pollution incident being considered Material Harm, each relevant authority must be immediately notified with the information available and updates provided as soon as further relevant information becomes available.

In circumstances where there is doubt about the need to notify a pollution incident as Material Harm, Transport for NSW and its contractors should always err on the side of notification.

3.3.3 Notification of Material Harm pollution incidents

The relevant authorities that must be notified for a Material Harm pollution incident are listed in and below. It is important to note the order of notification and phone numbers to use can vary depending on the nature of the pollution incident, as detailed in Table 3-3 and Table 3-4.

All of the authorities listed (whether considered relevant or not) must be contacted for each Material Harm pollution incident to satisfy POEO Act requirements. Serious penalties apply to both individuals and corporations for failing to notify Material Harm pollution incidents:

- Maximum penalty for individuals - $500,000
- Maximum penalty for corporations - $2,000,000.

Table 3-3: Authorities to notify for Material Harm pollution incidents that present an immediate threat to human health or property

Order	Authority	Contact Number
1	Fire and Rescue NSW	000
2	NSW EPA environment line	131 555
3	Ministry of Health (via the local Public Health Unit)	Contact 1300 066 055 to be directed to the local Public Health Unit, or visit the NSW Health Website
4	SafeWork NSW	131 050
5	The Appropriate Regulatory Authority, being either: • Local council • DPIE	Local council - contact Office of Local Government on 4428 4100, or visit the Office of Local Government website Via the Major Projects Portal

Table 3-4: Authorities to notify for Material Harm pollution incidents that do NOT present an immediate threat to human health or property

Order	Authority	Contact Number
1	NSW EPA environment line	131 555
2	Fairfield City Council	02 9725 0222
3	Liverpool City Council	1300 362 170
4	Penrith City Council	02 4732 7777
5	Ministry of Health (via the local Public Health Unit)*	Contact 1300 066 055 to be directed to the local Public Health Unit, or visit the NSW Health Website
6	SafeWork NSW	131 050
7	Fire and Rescue NSW	1300 729 579
8	DPIE Alex McGuirk (Senior Compliance Officer)	Via the Major Projects Portal or (0[redacted] [redacted]

Relevant information to provide

Section 150 of the POEO Act provides the information that needs to be notified, being:

a) The time, date, nature, duration and location of the incident

b) The location of the place where pollution is occurring or is likely to occur, the nature, the estimated quantity or volume and the concentration of any pollutants involved, if known

c) The circumstances in which the incident occurred (including the cause of the incident, if known)

d) The action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known

e) Other information prescribed by the regulations.

Only known information should be provided when notifying of a Material Harm pollution incident. If further information becomes known after the initial notification, that information must immediately be notified to all authorities in accordance with Section 150. The immediate verbal notification is to be followed by written notification to each relevant authority within seven days of the date on which the incident occurred.

Complying with these notification requirements does not remove the need to comply with any other legislative requirements for incident notification (e.g. requirements under the conditions of an EPL or the Work Health and Safety Act 2011).

Relevant information required for notification to DPIE in accordance with NSW CoA A44 and NSW CoA A45 is outlined in Section 3.2.2.

3.3.4 Summary of other regulatory agency notification requirements

Specific statutory requirements relating to the notification of environmental incidents to relevant regulatory agencies are summarised in Table 3-5. Additional requirements adopted by TfNSW are indicated in *italics*. Any notification to regulatory agencies should be indicated in the Environmental Event Report Form to confirm that any required notifications have been initiated.

Table 3-5: Regulatory agency notification requirements

	Regulating authority	Section / requirement
Commonwealth Aboriginal and Torres Strait Islanders Heritage Protection Act 1984	Department of Agriculture, Water and Environment	Section 20 – requirement to notify the Minister of the discovery of Aboriginal remains.
Contaminated Land Management Act 1997	EPA	Section 60 – requirement to notify if Transport for NSW activities have contaminated land or if Transport for NSW owns land that has been contaminated.
Heritage Act 1977	Heritage NSW	Section 146 – requirement to notify the Heritage Council of the location of the relic once a relic has been discovered or located.
National Parks and Wildlife Act 1974	Environmental, Energy and Science (a part of NSW DPIE)	Section 89A – requirement to notify the location of an Aboriginal object that is the property of the Crown.

Legislation / issue	Regulating authority	Section / requirement
Protection of the Environment Operations Act 1997	EPA and other relevant authorities	Section 148 – requirement to immediately notify pollution incidents that cause or threaten Material Harm to the environment (see Section 5.1)
	EPA	*Pro-active reporting to the local EPA officer of offsite pollution incidents that occur as a result of Transport for NSW activities is encouraged as soon as practicable after the pollution incident occurs.*
Rural Fires Act 1997	NSW Rural Fire Service	Section 64 – requirement to notify an appropriate fire officer of the inability to extinguish any fire burning during a bush fire danger period applicable to the land.
Incidents as defined under the NSW Infrastructure Approval or the Commonwealth Approval	Department of Planning, Industry and Environment (DPIE) Department of Agriculture, Water and Environment (DAWE)	NSW CoA A44 and A45 Commonwealth CoA 11 and CoA 12
Water supply catchment areas	Local water supply authority	If an environmental incident has the potential for unapproved impacts on a drinking water supply, the relevant water supply authority must be advised.

3.4 Requests for written reports from regulatory authorities

Should the Construction Contractor directly receive a request from a regulatory authority for a written report regarding an environmental incident, the TfNSW Environment and Sustainability Manager must be immediately contacted for advice. No further correspondence (including email) about the incident should be distributed either internally or externally until advice is received. The TfNSW Environment and Sustainability Manager will then assist the Contractor to:

- Assist in the investigation of the incident
- Provide legal advice to the Project
- Co-ordinate the preparation of the written response to the regulatory authority.

4 Significant incident escalation process

Where a TfNSW Environment Manager believes that a Significant Incident has occurred, they must immediately phone the relevant TfNSW Environment Director. The TfNSW Environment Director will consult with the TfNSW Executive Director Environment and Sustainability, who will determine whether the incident will be considered a Significant Incident. Once a Significant Incident has been determined, the escalation process will commence as outlined below.

4.1.1 Significant incident information management

Following determination of a Significant Incident, it is essential that there is fast, consistent and accurate reporting of information to the TfNSW senior management. As such, clear roles and responsibilities must be established in two key areas, as described in Table 4-1.

Table 4-1: Roles and responsibilities during a significant incident

Role	Who	Responsibilities
Information Controller	TfNSW Environment Manager (or relevant TfNSW Environment Officer in their absence)	• Liaise between the on-site TfNSW project management team and the Information Distributor (below) • Be the single point of contact to provide information and updates about the status of the Significant Incident to the Information Distributor
Information Distributor	TfNSW Executive Director Environment and Sustainability (or relevant TfNSW Environment Director in their absence)	• Identify the relevant members of the TfNSW Executive and other TfNSW senior management that will form the distribution group to be informed about the Significant Incident • Consolidate information from the Information Controller, and distribute it to the distribution group • Provide key ongoing updates to the distribution group as it becomes available • Respond to enquiries from the distribution group, ensuring all members of the distribution group are copied into every response

4.1.2 Parties to be notified

The Information Distributor must identify relevant TfNSW senior management from delivery and client divisions that will form the distribution group to be informed about the Significant Incident, including ongoing updates. Table A3 provides the key positions that must be included (at a minimum), depending on who is undertaking the activity. Depending on the type and location of the activity, there may be other areas of TfNSW that should be included in the distribution group.

The distribution group should all be notified concurrently in a single email that a Significant Incident has occurred. The email should be sent by the Information Distributor within five minutes of making the determination of the Significant Incident.

Table 4-2: TfNSW Distribution group to be notified of a Significant Incident

Position	Greater Sydney
Transport exec notification	• Secretary

SER executive notification	• Deputy Secretary, Safety Environment and Regulation
Client executive notification	• Deputy Secretary, Greater Sydney • Executive Director, Community and Place • Director Western Parkland City
Delivery executive notification	• Deputy Secretary, Infrastructure and Place • Head of Sydney Project Delivery • Executive Director Western Sydney Project Office
Project Team notification	• M12 Project Director • M12 Deputy Project Director • M12 Project Manager • M12 Environment Manager

4.1.3 Non-compliances

A non-compliance is a failure to comply with any condition of approval, environmental assessment safeguard / mitigation measure, licence condition, permit or any other statutory approval relevant to the activity and/or area where the activity occurs.

A non-compliance could also be an environmental incident.

4.1.4 Regulatory action

Regulatory action includes, but is not limited to:

- Prosecutions
- Penalty notices
- Clean up notices
- Prevention notices
- Official cautions
- Formal warnings
- EPA show cause notifications.

Copies of any regulatory action issued by an environmental regulator must be provided as part of the reporting that is undertaken in accordance with this Procedure.

5 Investigations

A root cause analysis investigation must be completed by the Construction Contractor for all environmental incidents with a classification of C1, C2 or C3, or any other environmental incidents or non-compliances as determined by TfNSW.

The scope of the investigation will be determined by the TfNSW Environment Officer or Environment Manager. The Construction Contractor must provide TfNSW with a final investigation report within three weeks of the environmental incident or non-compliance being identified. The report must include the minimum information described in Table 6-1.

Table 6-1: Investigation report

Element	Description
Sequence of events	The sequence of events that led to the incident or non-compliance
Findings	Given the sequence of events, what are the key findings of the investigation (i.e. what are the main causes of the incident or non-compliance).
Management methods	A record of the management methods to be changed and/or implemented to avoid the incident or non-compliance reoccurring.
Key learnings	Describe the key learnings from the investigation into the incident or non-compliance. Detail which learnings may be relevant to other transport projects.

6 Corrective actions

There are a variety of scenarios in which an environmental event may occur. It is important that corrective actions are:

- Specific to the incident that has occurred
- Meaningfully address the root cause(s) of the incident
- Designed to prevent incident reoccurrence.

Corrective actions could include (but are not limited to) the following:

- Physical works to install, augment or rectify controls or a site issue
- Testing and/or monitoring
- Review and improvement of construction methods or work practices
- Review and update of management plans, procedures or other tools
- Communication, training and awareness initiatives for workers.

In most cases it will not be sufficient to simply notify workers of correct systems / procedures (e.g. via toolbox talk). A review should be undertaken by the Construction Contractor following an incident or non-compliance to determine why the systems / procedures failed (or alternatively a formal investigation), and necessary changes made to ensure they do not fail in future. Site personnel should then be made aware of the changes and trained as necessary.

Immediate/short-term corrective actions including timeframes for completion must be clearly described in incident/non-compliance reporting. Updates about longer-term corrective actions including timeframes for completion can be provided to the TfNSW Environment Officer and TfNSW Project Management Team post submission of the incident/non-compliance report.

Appendix A8

TfNSW Environmental Work Method Statements (EWMS)

M12 Motorway

November 2021

Transport for New South Wales

Environmental Work Method Statement

Template

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EWMS guidance notes:

1. An EWMS is a planning and communication tool to help site crews manage their environmental impact during construction. Site crews should be trained in, and sign-on to, the EWMS (see section 3) before commencing the associated construction activity. Language used in the EWMS should be suitable for the audience that are expected to implement it.
2. This EWMS template should be completed to describe the methods and sequence of a construction activity (e.g.- clearing, earthworks, drainage works), the environmental hazards or risks associated with each step of the activity, and the corresponding site specific environmental controls that need to be implemented to manage the associated risks.
3. The template provides the minimum information that should be included in the EWMS - the level of detail included should be appropriate for the scale and risk of the activity.
4. A map that summarises key aspects of the activity, including identification of known environmentally sensitive areas, must be included in the appendix and cross-referenced throughout the document. The level of detail in the map should be appropriate for the scale and risk of the activity.
5. Other visual aids such as diagrams and photos should also be included in the document and/or attached in the appendices to illustrate how this EWMS will be implemented – the text content may be minimised by cross-referencing the visual aids
6. Additional sections can be added as necessary, and relevant information can be attached in Section 4.
7. The EWMS is a live document, and **must be updated** (see section 1.12) to address changed circumstances and ensure adequate mitigation of environmental impacts. The Revision History should be used to reflect updates.
8. While this is the current TfNSW template for EWMS, when developing your own EWMS, TfNSW requires that the Construction Contractor consider how the document will succinctly and effectively communicate the key risks and management measures to engage staff on site. In relation to this requirement, the Construction Contractor is to collaborate with TfNSW and the ER on the proposed approach.

Environmental Work Method Statement

<insert activity>

Approval				
Approved by (name)	**Position**	**Company**	**Signature**	**Date**
<insert environment rep>				
<insert construction rep>				

Revision History		
Version	**Release date**	**Description**

1. ACTIVITY DETAILS

1.1 Description of the activity

<insert a summary of the activity, including the scope and how it fits into the broader construction program>

1.2 EWMS objectives

The objectives for this specific EWMS are <insert objectives>.

1.3 Key environmental elements

The key environmental elements that could be affected by construction impacts and need to be protected are:

- <insert key environmental element>
- <insert key environmental element>
- <insert key environmental element>
- <insert key environmental element>

Known environmentally sensitive areas are detailed in the map at Attachment A.

1.4 Construction method

<clearly describe the construction method that will be used. Cross-reference the attached map where relevant>

1.5 Location of the activity

<insert activity> will occur at <insert appropriate location detail corresponding to the scale of the activity, and consider using chainages, street intersections or appropriate landmarks>.

A map showing the key features of the activity, and the environmentally sensitive areas, is included at <insert Attachment name>.

1.6 Timing of works and expected duration

<insert activity> will commence on <insert date> and is expected to be completed by <insert date>.

Hours of operation for the activity are:

Day/s	Hours of operation
Monday to Friday	
Saturday	
Sunday	
Public holidays	

Other timing restrictions include <include other timing restrictions, such as noise respite periods>.

1.7 Approvals / permits / licences required

The key environmental approvals / licences / permits required to undertake <insert activity> are:

- <insert environmental approval>
- <insert environmental approval>
- <insert environmental approval>
- <insert environmental approval>

1.8 Consultation / communication required

The stakeholder consultation that will be undertaken before, during or after this activity is as follows:

Consultation / communication activity	Stakeholder	Timing	Responsibility
Eg- Notification of start of works	*Local residents and businesses*	*>5 days prior to commencing works*	*Communications manager*

1.9 Incident response

Environmental incidents will be managed in accordance with the incident procedure detailed in the <insert document name (eg- CEMP)> and the <insert relevant TfNSW incident procedure name>.
The key step on-site is immediate notification of environmental incidents to:

- <insert name>, <insert title>, <insert phone number>

1.10 Relevant documents

The key documents that relate to this activity are:

<insert project name> CEMP	<insert document name>
<insert document name>	<insert document name>
<insert document name>	<insert document name>
<insert document name>	<insert document name>

1.11 Training

All personnel undertaking <insert activity> will be trained in this EWMS. Training will be delivered by <insert name/title of trainer> via <insert detail of how training will be delivered (eg- toolbox talk)>.
EWMS training will cover all aspects of this EWMS.

The EWMS sign-on sheet (see <insert section number>) will be completed by all personnel who have undertaken training and will be filed for record-keeping on <insert record keeping method>.

Relevant staff will also have the following training in order to effectively implement this EWMS:

Training	Relevant Personnel
Eg- Erosion and Sediment Control	*Leading hands, foreman*

1.12 Updates to this EWMS

The implementation of this EWMS and the effectiveness of environmental controls will be reviewed <insert review frequency> by <insert process that will be used to review EWMS>.

The EWMS will also be reviewed if the scope of works, construction methods, site conditions and/or required environmental controls change.

EWMS reviews, and any required updates, will be undertaken by <insert person>.

EWMS updates will be approved by <insert person>.

The updated EWMS will be provided to the Principal and re-communicated to all personnel involved in the activity, in accordance with section 1.11.

2. RISK ASSESSMENT AND ENVIRONMENTAL CONTROLS

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Instructions for completing 'Table 2.3: Risk Assessment and Environmental Controls'

1. Identify the sequential tasks for the activity, and the plant / equipment required to complete the tasks. Photos / maps / plans / diagrams can be included and cross-referenced to help illustrate the tasks (and also the environmental controls in Step 4) and reduce the amount of text required.
2. Identify the corresponding hazards for each task
3. Determine the initial environmental risk for each activity, in the absence of any environmental controls. To determine the risk you may use the risk matrix included in this template (Table 2.1). You may also delete this table and include an equivalent risk matrix.
4. Clearly describe the site-specific environmental controls that will be implemented to manage each hazard. These controls should be consistent with the safeguards / mitigation measures included in the project's environmental assessment (eg- REF). Controls should be practical to implement. The hierarchy of controls, from highest level of environmental protection to lowest, is as follows: Eliminate→Substitute→Engineering controls→Administrative controls
5. Determine the residual risk level that will remain after implementation of the environmental controls.
6. Table 2.2 describes the risk tolerance that can be accepted. Use Table 2.2, or an equivalent table, to determine the residual risks in the Risk Assessment that are acceptable. If the residual risk is deemed to be too high, review and adjust controls or adopt an alternative methodology with an acceptable risk level.

Note: In some cases a formal risk assessment may not be required – consult your EWMS approver (eg- the Principal) to discuss. Where it is agreed that a risk assessment is not required, remove Tables 2.1 and 2.2 and simply populate Table 2.3 without including the initial risk and residual risk.

<Insert contractor / project name>	ENVIRONMENTAL WORK METHOD STATEMENT	EWMS	#
	<INSERT ACTIVITY>	REV.	
		DATE	

Table 2.1: Risk Matrix

		Consequence →	Insignificant	Minor	Moderate	Major	Severe	Catastrophic
			C6	C5	C4	C3	C2	C1
Likelihood ↓			No appreciable changes to environment.	Change from existing conditions that can be rectified immediately (< 1 day) with available resources.	Short-term (< 1 year) and/or well-contained environmental impact. Minor remedial actions probably required.	Short to medium term (between 1 and <5 years) environmental impact. Considerable remedial actions probably required.	Medium-term (>5 years) environmental impact. Extensive remedial actions probably required.	Long-term (>10 years) large-scale environmental impact. Extensive and ongoing remedial actions probably required.
Almost Certain	**L1**	Expected to occur frequently during time of activity or project. There is a very strong chance of this risk occurring. History shows that it is something that occurs frequently.	Low	Medium	High	Very High	Very High	Very High
Very Likely	**L2**	Expected to occur occasionally during time of activity or project. There is a good chance of this risk occurring. History shows that the risk occurs unacceptably too often.	Low	Medium	High	High	Very High	Very High
Likely	**L3**	More likely to occur than not occur during time of activity or project. There is a chance of this risk occurring in the current period. History shows that the risk has occurred on a number of occasions.	Low	Medium	Medium	High	High	Very High
Unlikely	**L4**	More likely not to occur than occur during time of activity or project. There is a chance of this risk occurring but not very often. History shows that this risk does happen but not very frequently.	Low	Low	Medium	Medium	High	High
Very Unlikely	**L5**	Not expected to occur during the time of activity or project. There is only an unusual chance of this risk occurring. History shows that this risk rarely happens, usually under unusual circumstances.	Low	Low	Low	Medium	Medium	High
Almost Unprecedented	**L6**	Not expected to ever occur during time of activity or project. There is very little or no real chance of this risk occurring. History shows that this risk hardly ever happens, if at all.	Low	Low	Low	Low	Medium	Medium

Table 2.2: Risk Tolerance and Response	
Risk rating	**Tolerance and Response**
Very High	**Very High** risks are generally intolerable and should be avoided except in extraordinary circumstances. An alternative solution must be found and all necessary steps must be taken to reduce the risk below this level.
High	**High** risks are undesirable. They can only be tolerated if it is not reasonably practicable to reduce the risk further. High risks are considered to be on the verge of being unacceptable and must be given immediate priority.
Medium	**Medium** risks are typically tolerable if it is not reasonably practicable to reduce the risk further. Additional controls should be sought if significant benefit can be demonstrated and/or there is an additional treatment measure which is recognised as good practice in other like environments.
Low	**Low** risks are considered to be broadly acceptable. If options for further risk reduction exist and costs are proportionate to the benefit, then implementation of such measure should be considered.

<Insert contractor / project name>	ENVIRONMENTAL WORK METHOD STATEMENT	EWMS	#
	<INSERT ACTIVITY>	REV.	
		DATE	

Table 2.3: Risk Assessment and Environmental Controls

	Sequence of tasks	Plant / equipment	Hazard	Initial risk	Site-specific Environmental Controls	Residual risk	Responsibility for managing environmental risks
1	*Eg- Install orange flagging (bunting) with star pickets to delineate construction boundary*	*Hand tools only*	*Flagging installed in wrong area, resulting in clearing outside construction boundary*	*VH*	*Survey used to confirm construction boundary*	*L*	*Environment Mgr, Survey*
2							
3							
4							
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17							
18							
19							
20							

3. SIGN-ON

Training in this EWMS delivered by:				
Name	**Position**	**Company**	**Signature**	**Date**

EWMS Sign-on: Personnel signing on to this EWMS confirm they understand the content of the EWMS and will implement the environmental controls contained within				
Name	**Position**	**Company**	**Signature**	**Date**

4. ATTACHMENTS

Attachments to this EWMS are:

A. Map of activity, including known environmentally sensitive areas
B. Diagram of environmental controls
C. <insert attachment (eg- photos of sensitive area/s)>
D. <insert attachment (eg- toolbox package)>
E. <insert attachment>