COMPLIANCE TRACKING PROGRAM

Oxley Highway to Kempsey Pacific Highway Upgrade

JULY 2013

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Glossary / Abbreviations

Abbreviation	Meaning
CEMP	Construction environmental management plan
Compliance audit	Verification of how implementation is proceeding with respect to a construction environmental management plan (CEMP) (which incorporates the relevant approval conditions).
CoA	Conditions of approval
Director-General	Director-General of the NSW Department of Planning and Infrastructure (or delegate)
DP&I	Department of Planning and Infrastructure
EA	Environmental Assessment
Ecological 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).
EPA	NSW Environment Protection Authority
ERG	Environmental Review Group – comprising representatives of RMS, Environmental Representative, Project delivery team, regulatory authorities (EPA, DPI – Fisheries Conservation and Aquaculture, NOW) and councils (the Port Macquarie-Hastings Council and the Kempsey Shire 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 provide proactive advice on environmental management issues and review the environmental performance of the Project.
EMS	Environmental management system
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 Representative	A suitably qualified and experienced person independent of project design and construction personnel employed for the duration of construction. The principal point of advice in relation to all questions and complaints concerning environmental performance.
EP&A Act	*Environmental Planning and Assessment Act 1979*
Minister, the	Minister for Planning and Infrastructure
Non-compliance	Failure to comply with the requirements of the Project approval or any applicable license, permit or legal requirements.
Non-conformance	Failure to conform to the requirements of Project system documentation including this CEMP or supporting documentation.
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
Project	Oxley Highway to Kempsey Pacific Highway Upgrade

Abbreviation	Meaning
RMS	Roads and Maritime Services
SoC	Statement of commitments

1 Introduction

1.1 Background

On behalf of the Australian and NSW governments, Roads and Maritime Services (RMS) is progressively upgrading the Pacific Highway to dual carriageway between the Hunter and New South Wales/Queensland border. The Oxley Highway to Kempsey section of the Pacific Highway is a key link in the overall framework of the transport corridor between Sydney and Brisbane. In the local areas, this section of the existing Pacific Highway connects the region's two largest urban settlements, Port Macquarie and Kempsey.

In December 2006, the Oxley Highway to Kempsey project (the Project) was declared by the Minister for Planning to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies. The order was amended by the then Minister for Planning on 3 December 2012 and gazetted on 10 December 2012.

An Environmental Assessment was prepared and placed on public exhibition for 30 days between September and October 2010. Following consideration of submissions made during the exhibition period, the submissions report, including changes to the proposal following consideration of submissions, was submitted to the then Minister for Planning seeking approval. Approval of the Project was granted on 8 February 2012, subject to a number of Conditions of Approval (CoA). A modification to the Approval was issued on 20 November 2012 to incorporate one additional condition (C29).

1.2 Project description and staging

The Project is 37 kilometres in length, commencing approximately 700 metres north of the Oxley Highway interchange, tying in with the existing dual carriageways to the south and continuing northwards to tie in at Stumpy Creek with the dual carriageways of the Kempsey to Eungai Pacific Highway upgrade. The Project involves the duplication of the existing highway, except for sections in the vicinity of the Hastings River and Wilson River which deviates from the existing highway, and a bypass of Telegraph Point. The existing highway would be retained wherever possible for use as a service road or local road connection.

The general features of the Project are:

- Approximately 37 kilometres of four-lane dual carriageway (two lanes in each direction) with a wide median to allow a future upgrade to six lanes.
- A new alignment across the Hastings River and Wilson River floodplains and minor realignment within Maria River State Forest.
- 100 year average recurrence interval flood immunity, with the exception of the Wilson River floodplain where the road embankment would be above the 20 year average recurrence interval flood level.
- A bypass of Telegraph Point. Access to and from Telegraph Point would be provided by a new grade separated interchange in the area of Blackmans Point Road south of Telegraph Point and a half interchange in the area of Haydons Wharf Road north of Telegraph Point.
- Overbridges located to the south of Sancrox Road, at Bill Hill Road, Mingaletta Road, Wharf Road, Kundabung Road and Middle Gate Road.
- The existing Pacific Highway near Blackmans Point Road and Yarrabee Road passing under the Proposal.
- Major cuttings through Cooperabung Hill.
- New major bridge structures for the Hastings River and Wilson River crossings, and the crossing of the North Coast Railway to the north of the Wilson River.

- Smaller bridges for a number of creek crossings.
- Provision of two new rest areas south of Mingaletta Road.
- Provision of a service road network using sections of the existing highway, existing local roads and new roads.

As described in the *Oxley Highway to Kempsey Staging Report* (RMS, February 2013), the Project will be delivered in the following four stages:

- Stage 1: Sancrox Road Traffic Arrangement.
- Stage 2: Kundabung to Kempsey.
- Stage 3: Oxley Highway to Kundabung.
- Stage 4: Class A to M upgrade.

The Project stages are presented in their chronological order of construction. Due to funding, it is likely that the first three stages may all be under construction at the same time.

The extent of each stage is shown on Figure 1-1.

1.3 Purpose

The key objective of this Compliance Tracking Program (CTP) is to track compliance with the requirements of the Minister's Conditions of Approval (CoA) and the revised Statements of Commitments (SoC) during the design and each stage of construction of the Project.

RMS together with the successful contractor for each Project stage are responsible for compliance with the requirements of the CoA and SoC. The contractor for each Project stage will be responsible for maintaining the CTP as it relates to their scope of works. RMS will prepare, with input from the successful contractor for each Project stage, periodic compliance tracking reports for submission to the Director-General of the Department of Planning and Infrastructure (DP&I).

1.4 Environmental management system overview

The successful contractor for each Project stage will prepare a Construction Environmental Management Plan (CEMP). The CEMP is the primary system to manage and control the environmental aspects of the Project during pre-construction and construction. It also provides the overall framework for the system and procedures to ensure environmental impacts are minimised and legislative and other requirements are fulfilled. The strategies defined in the CEMP will be developed with consideration of the CoA, SoC and safeguards and mitigation measures presented in the environmental assessment and other approval documents. The CEMP establishes the system for implementation, monitoring and continuous improvement to minimise impacts from the Project on the environment.

This CTP is separate to the CEMP, but forms part of a suite of environmental management documents prepared for the Project.

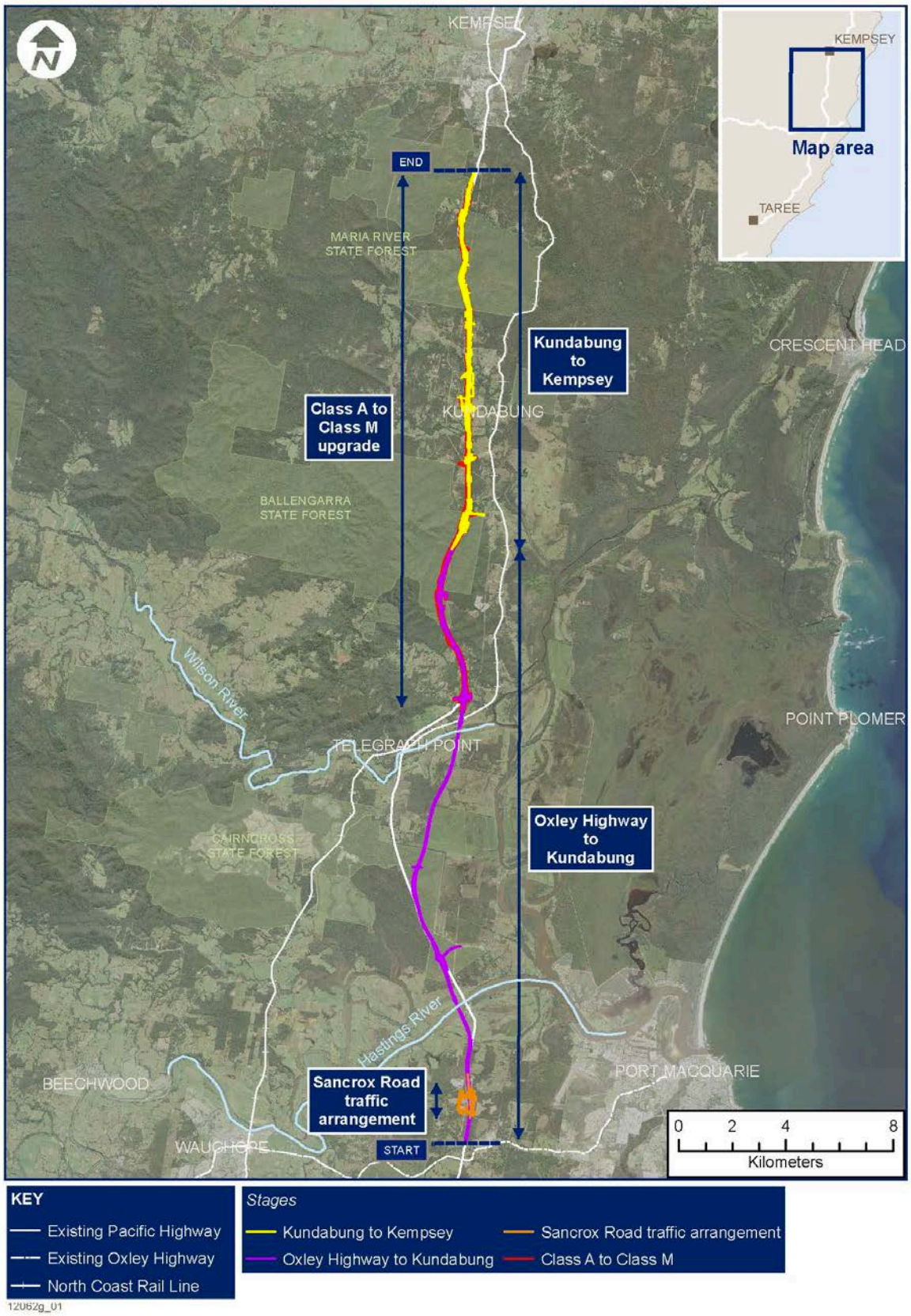

Figure 1-1 Location of OH2K Pacific Highway Upgrade

1.5 Relevant documentation

Documentation relevant to the CTP includes:

- Upgrading the Pacific Highway - Oxley Highway to Kempsey – Environmental Assessment (September 2010).
- Upgrading the Pacific Highway - Oxley Highway to Kempsey – Environmental Assessment Submissions Report (March 2011).
- Project Approval MP 07_0090 (8 February 2012).
- Modification of Project Approval MP 07_0090 Modification 1 – Minor ancillary facilities 07_0090 MODI (20 November 2011).

2 Program requirements

The CTP has been prepared as a requirement of CoA B24. The CTP requirements, as stipulated by this CoA, are detailed in Table 1.

Table 1 CoA requirements for CTP

CoA no.	Requirement	Reference
B24	The Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval. The Program shall be submitted to the Director General for approval prior to the commencement of construction and relate to both the construction and operational phases of the project, and include, but not necessarily be limited to:	This document
(a)	provisions for the notification of the Director General of the commencement of works prior to the commencement of construction and prior to the commencement of operation of the project (including prior to each stage, where works are being staged);	Section 2.1
(b)	provisions for periodic review of project compliance with the requirements of this approval and the documents listed under condition A1, including the Statement of Commitments;	Section 2.2
(c)	provisions for periodic reporting of compliance status against the requirements of this approval and the documents listed under condition A1, including the Statement of Commitments, to the Director General including at least one month prior to the commencement of construction and operation of the project and at other intervals during the construction and operation, as identified in the Program;	Section 2.3
(d)	a program for independent environmental auditing in accordance with ISO 19011:2003 - Guidelines for Quality and/ or Environmental Management Systems Auditing;	Section 2.4
(e)	mechanisms for reporting and recording incidents and actions taken in response to those incidents;	Section 2.5
(f)	provisions for reporting environmental incidents to the Director General during construction and operation; and	Section 2.6
(g)	procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management.	Section 2.7

2.1 Director-General notification

CoA B24 (a) requirement:

"provisions for the notification of the Director General of the commencement of works prior to the commencement of construction and prior to the commencement of operation of the project (including prior to each stage, where works are being staged)."

Construction will commence on each stage of the Project following approval by the Director-General of the relevant CEMP, associated environmental plans and other relevant documentation required by the CoA. Further information on the staging of the Project is provided in the Staging Report (RMS, February 2013).

RMS will advise the Director-General in writing prior to the commencement of construction and operation.

2.2 Periodic compliance review

CoA B24 (b) requirement:

"provisions for periodic review of project compliance with the requirements of this approval and the documents listed under condition A1, including the Statement of Commitments."

RMS, with input from the contractor for each Project stage, will review the status of compliance and submit periodic construction compliance reports to the Director-General at intervals including:

- Prior to the commencement of construction of each Project stage.
- Six months after the commencement of construction of Stage 1 and then at six-monthly intervals thereafter for the duration of construction. This may include reporting on multiple Project stages.
- Prior to the commencement of operation of each Project stage.

The compliance tracking tables (contained in Appendix A and B) form an integral part of this periodic review. These tables establish a format for recording compliance and include:

- Description of the environmental obligation.
- The stage(s) of the Project to which it relates.
- Status.
- Comment on compliance status.

2.3 Periodic compliance reporting

CoA B24 (c) requirement:

"provisions for periodic reporting of compliance status against the requirements of this approval and the documents listed under condition A1, including the Statement of Commitments, to the Director General including at least one month prior to the commencement of construction and operation of the project and at other intervals during the construction and operation, as identified in the Program."

The status of compliance will be reviewed and reported to the Director-General in the form of a compliance tracking report, at intervals prescribed in Section 2.2. RMS, with input from the contractor for each Project stage, will prepare compliance tracking reports for the duration of construction. Compliance tracking reports will typically include:

- Scope of the activities undertaken during the reporting period.

- Performance of environmental controls that have been implemented.
- Compliance with CoA and revised SoCs as recorded in the compliance tracking tables.
- Non-compliances during the reporting period.
- Detail of all incidents recorded and action taken during the reporting period.
- Outcomes of monitoring undertaken over the reporting period and review of compliance against relevant criteria.
- Significant outcomes of audits and environmental review group (ERG) inspections undertaken during the reporting period.
- Detail of substantiated environmental complaints received, responses taken and current status (ie open or closed).

2.4 Independent environmental auditing

CoA B24 (d) requirement:

"A program for independent environmental auditing in accordance with ISO 19011:2003 - Guidelines for Quality and/ or Environmental Management Systems Auditing."

The successful contractor for each Project stage will ensure that independent audits are undertaken in accordance with ISO 19011:2003 - *Guidelines for Quality and/or Environmental Management Systems Auditing* at six monthly intervals throughout construction. The audits will assess compliance against the CoA and SoCs.

The initial independent environmental audit will be undertaken within three months of the commencement of construction activities for each Project stage.

2.5 Incident reporting and response

CoA B24 (e) requirement:

"Mechanisms for reporting and recording incidents and actions taken in response to those incidents."

RMS's Environmental Incident Classification and Reporting Procedure will be implemented for all environmental incidents for the Project. The full procedure is provided in each CEMP.

Typically, environmental incidents will be notified verbally immediately and in writing within 1 hour of any incident occurring to the RMS Representative and the Environmental Representative. Incident reports will be provided to RMS Representative and the Environmental Representative within 24 hours of the incident occurring, 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.

The EPA will be notified of any environmental incidents or pollution incidents on or around the site via the EPA Environment Line (telephone 131 555) in accordance with Part 5.7 of the *Protection of the Environment Operations Act 1997* (NSW) (POEO Act). The circumstances where this will take place include:

- If the actual or potential harm to the health or safety of human beings or ecosystems is not trivial.
- If actual or potential loss or property damage (including clean-up costs) associated with an environmental incident exceeds $10,000.

RMS Environment Branch and each Project team will maintain all records relating to environmental incidents.

2.6 Incident reporting to Director-General

CoA B24 (f) requirement:

"Provisions for reporting environmental incidents to the Director General during construction and operation."

The Director-General will be notified of incidents in writing in circumstances where:

- The actual or potential harm to the health or safety of human beings or ecosystems is not trivial.
- The actual or potential loss or property damage (including clean-up costs) associated with an environmental incident exceeds $10,000.
- A breach of the Conditions of Approval or a breach of legislation has occurred.

An initial notification to the Director-General will be made verbally within two working days. The written notification will be made within 10 working days.

Where incidents are considered to be minor, ie do not meet the criteria above, they will be reported to the Director-General in accordance with the compliance tracking reporting frequencies prescribed in Section 2.2.

2.7 Addressing non-compliance

CoA B24 (g) requirement:

"Procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management."

The CEMP will describe in detail the system for managing non-conformity, corrective and preventative actions prior to and during construction.

Where a non-compliance has been identified, a corrective/preventative action (or actions) will be implemented.

Corrective/preventative actions will be entered into the 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. The database will be reviewed regularly to ensure actions are closed out as required.

The close-out of required actions will be reviewed during forums including Environmental Representative and ERG inspections, and the Environmental Representative will be actively involved in the review and resolution of non-compliances.

Appendix A
CoA Compliance Table

Table 1 - Minister for Planning conditions of approval (February 2012)

CoA No.	Requirement	Stage	Status / Reference
	Part A – Administrative conditions		
	Terms of approval		
A1	The Proponent shall carry out the project generally in accordance with the: a) Major Projects Application 07_0090; b) Upgrading the Pacific Highway – Oxley Highway to Kempsey - Environmental Assessment (Volumes 1, 2 and 3), prepared by GHD Pty Ltd for the NSW Roads and Traffic Authority and dated September 2010; c) Upgrading the Pacific Highway – Oxley Highway to Kempsey - Environmental Assessment Submissions Report, prepared by the NSW Roads and Traffic Authority and dated March 2011, including the revised Statement of Commitments contained therein; d) Oxley Highway to Kempsey - Pacific Highway Upgrade Ecological Review of Fauna Crossings in the Ballengarra State Forest, Roads and Maritime Services, dated October 2011; and e) The Roads and Maritime Services modification request and letter dated 25 October 2012 (07_0090 MODI); and f) The conditions of this approval.		
A2	In the event of an inconsistency between: a) the conditions of this approval and any document listed from condition A1(a) to A1(e) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and b) any document listed from condition A1(a) to A1(e) inclusive, and any other document listed from condition A1(a) to A1(e) inclusive, the most recent document shall prevail to the extent of the inconsistency.		

CoA No.	Requirement	Stage	Status / Reference
A3	The Proponent shall comply with any reasonable requirement(s) of the Director General arising from the Department's assessment of: a) any reports, plans or correspondence that are submitted in accordance with this approval; and b) the implementation of any actions or measures contained within these reports, plans or correspondence.		
A4	Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.		
	Limits of approval		
A5	This approval shall lapse ten years after the date on which it is granted, unless construction works the subject of this project approval are physically commenced on or before that date.		
	Statutory requirements		
A6	The Proponent shall ensure that all necessary licences, permits and approvals required for the development of the project are obtained and maintained as required throughout the life of the project. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such necessary licences, permits or approvals except as provided under section 75U of the Act. This shall include relevant certification requirements in accordance with section 109R of the Act.		
	Staging		
A7	The Proponent may elect to construct and/ or operate the project in stages. Where staging is proposed, the Proponent shall submit a Staging Report to the Director General prior to the commencement of the first proposed stage. The Staging Report shall provide details of: a) how the project would be staged including general details of work activities associated with each stage and the general timing of when each stage would commence; and b) details of the relevant conditions of approval, which would apply to each stage and how these shall be complied with across and between the stages of the project.		

CoA No.	Requirement	Stage	Status / Reference
	Where staging of the project is proposed, these conditions of approval are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s). The Proponent shall ensure that an updated Staging Report (or advice that no changes to staging are proposed) is submitted to the Director General prior to the commencement of each stage, identifying any changes to the proposed staging or applicable conditions. The Proponent shall ensure that all plans, sub-plans and other management documents required by the conditions of this approval and relevant to each stage (as identified in the Staging Report) are submitted to the Director General no later than one month prior to the commencement of the relevant stages, unless an alternative timeframe is agreed to by the Director General.		
	Part B – Prior to Construction		
	Biodiversity – Mitigation measures – Fauna and Waterway Crossings		
B1	The Proponent shall design (and implement) the fauna and waterway crossings identified in Table 6-2 of Appendix B of the document listed under condition A1(d), at the locations and in accordance with the minimum design principles identified in Table 6-2, unless otherwise agreed by the Director-General.		
B2	Investigations into the design of fauna and waterway crossings identified in Table 6-2 of Appendix B of the document listed under condition A1(d) during detailed design shall be undertaken with the input of a suitably qualified and experienced ecologist and in consultation with the EPA and DPI (Fishing and Aquaculture).		
B3	The Proponent shall prepare a report on the final design of fauna and/or waterway crossings identified in Table 6-2 of Appendix B of the document listed under condition A1(d), where the location of the crossing has changed and/or the crossing does not meet the minimum design principles identified in Table 6-2. The report shall be submitted to the Director General prior to the commencement of construction of the relevant crossing, and shall demonstrate how the new location and/ or design would result in acceptable biodiversity outcomes. The report shall clearly identify how the fauna and/or waterway crossing will work in conjunction with complementary fauna exclusion fencing measures to be implemented for the project. The report shall be accompanied by evidence of consultation with the EPA and DPI (Fishing and Aquaculture) in relation to the suitability of any changes to the location and/or crossing design.		

CoA No.	Requirement	Stage	Status / Reference
B4	The Proponent shall investigate the provision of widened medians (with the aim of retaining existing vegetation in a widened median where feasible and reasonable) as an alternative to the provision of glider poles and rope bridges to facilitate the movement of gliders across the project at the following locations: (a) Cairncross 1 – between station 10000 to 11600; (b) Ballengarra 1b - between station 23200 to 24100; and (c) Maria River 1b - between station 33760 to 34380. The investigation shall be undertaken by a suitably qualified and experienced ecologist and in consultation with the EPA and DPI (Forests). The Proponent shall prepare a report on the median widening investigation, including the location and final design of the glider crossing measures and consequential impacts on other ecologically significant elements potentially affected by the widening. The report shall be submitted for the approval of the Director General **no later than six months prior to the commencement of work** that would result in the disturbance of native vegetation in the median widening investigation areas, or within such period otherwise agreed by the Director General. Work within the median investigation areas shall not commence until written approval has been received from the Director General.		
B5	As part of the investigation into widened medians under condition B4, the Proponent shall investigate and report on the provision of widened medians at Barrys Creek (station 23967) as an alternative fauna crossing design for Koalas and Quolls.		
B6	The Proponent shall, in consultation with the EPA and DPI (Fishing and Aquaculture), ensure that all waterway crossings are designed and constructed consistent with the principles of the Guidelines for Controlled Activities Watercourse Crossings (Department of Water and Energy, February 2008), Policy and Guidelines for Fish Friendly Waterway Crossings (NSW Fisheries, February 2004) and Policy and Guidelines for Design and Construction of Bridges, Roads, Causeways, Culverts and Similar Structures (NSW Fisheries 1999). Where multiple cell culverts are proposed for creek crossings, at least one cell shall be provided for fish passage, with an invert or bed level that mimics creek flows.		
	Biodiversity – Mitigation measures – Nest Boxes		
B7	Prior to the commencement of construction work that would result in the disturbance of native vegetation (or as otherwise agreed by the Director General), the Proponent shall, in consultation with the EPA, prepare and submit for the approval of the Director General a Nest Box Plan to provide replacement hollows for displaced fauna. The Plan shall detail the number and type of nest boxes to be installed which must be		

CoA No.	Requirement	Stage	Status / Reference
	justified based on the number and type of hollows removed (based on detailed pre-construction surveys), the density of hollows in the area to be cleared and adjacent forest, and the availability of adjacent food resources. The Plan shall also provide details of maintenance protocols for the nest boxes installed including responsibilities, timing and duration.		
	Biodiversity offsets		
B8	The Proponent shall, in consultation with the EPA and DPI (Fishing and Aquaculture), develop a Biodiversity Offset Strategy that identifies the available options for offsetting the biodiversity impacts of the project in perpetuity, with consideration to the Principles for the use of biodiversity offsets in NSW (Office of Environment and Heritage website http://www.environment.nsw.gov.au/biocertification/offsets.htm dated 17 June 2011). Unless otherwise agreed to by the EPA and DPI (Fishing and Aquaculture), offsets shall be provided on a like-for-like basis and at a minimum ratio of 4:1 for areas of high conservation value (including EEC, salt marsh and poorly conserved vegetation communities identified as being more than 75% cleared in the catchment management area) and 2:1 for the remainder of native vegetation areas (including mangroves, seagrass, and non-EEC riparian vegetation). The Strategy shall include, but not necessarily be limited to: a) the aims and objectives of the biodiversity offset strategy; b) confirmation of the vegetation type/ habitat (in hectares) to be cleared and their condition, and the size of offsets required (in hectares); c) details of the type of available offset measures that have been identified to compensate for the loss of threatened species and vulnerable and endangered ecological communities and/ or their habitats, and native vegetation (including mangroves, seagrasses, salt marsh and riparian vegetation). The measures shall achieve a neutral or net beneficial outcome for all the biodiversity values likely to be impacted directly or indirectly during both the construction and operation of the project; d) the decision-making framework that would be used to select the final suite of offset measures to achieve the aims and objectives of the Strategy, including the ranking of offset measures; e) a process for addressing and incorporating offset measures arising from changes in biodiversity impacts (where these changes are generally consistent with the biodiversity impacts identified for the project in the documents listed under condition A1), including: (i) changes to the footprint due to detailed design; (ii) changes to predicted impacts as a result of changes to mitigation measures;		

CoA No.	Requirement	Stage	Status / Reference
	(iii) the identification of additional species/ habitat through pre-clearance surveys and construction; and (iv) additional impacts associated with the establishment of ancillary facilities; and f) options for the securing and management of biodiversity offsets in perpetuity. The Biodiversity Offset Strategy shall be submitted to the Director General for approval no later than 6 weeks prior to the commencement of construction that would result in the disturbance of native vegetation, unless otherwise agreed by the Director General. The Proponent may elect to satisfy the requirements of this condition by identifying a suitable offset strategy which addresses impacts from multiple Pacific Highway Upgrade projects within the North Coast Bio-region. Any such strategy, including an agreement made with the EPA, must be made in consultation with the Department and approved by the Director General within a timeframe agreed to by the Director General.		
B9	Within two years of the date of approval of the Biodiversity Offset Strategy, unless otherwise agreed by the Director General, the Proponent shall prepare and submit a Biodiversity Offset Package for the approval of the Director General. The Package shall be developed in consultation with the EPA and DPI (Fishing and Aquaculture), and shall include, but not necessarily be limited to: a) details of the final suite of the biodiversity offset measures to be implemented for the project demonstrating how it achieves the requirements of the Biodiversity Offset Strategy (including specified offset ratios); b) the final selected means of securing the biodiversity values of the Package in perpetuity, including ongoing management, maintenance and monitoring requirements; and c) timing and responsibilities for the implementation of the provisions of the Package over time. The requirements of the Package shall be implemented by the responsible parties according to the timeframes set out in the Package, unless otherwise agreed by the Director General.		
	Ecological Monitoring		
B10	The Proponent shall develop an Ecological Monitoring Program to monitor the effectiveness of the biodiversity mitigation measures implemented as part of the project. The program shall be developed by a suitably qualified and experienced ecologist in consultation with the EPA and DPI (Fishing and Aquaculture) and shall include but not necessarily be limited to: a) an adaptive monitoring program to assess the effectiveness of the mitigation measures identified in		

CoA No.	Requirement	Stage	Status / Reference
	conditions B1, B4, B7 and B31(b) and allow amendment to the measures if necessary. The monitoring program shall nominate performance parameters and criteria against which effectiveness will be measured and include operational road kill surveys to assess the effectiveness of fauna crossings and exclusion fencing implemented as part of the project; b) mechanisms for developing additional monitoring protocols to assess the effectiveness of any additional mitigation measures implemented to address additional impacts in the case of design amendments or unexpected threatened species finds during construction (where these additional impacts are generally consistent with the biodiversity impacts identified for the project in the documents listed under condition A1); c) monitoring shall be undertaken during construction (for construction-related impacts) and from opening of the project to traffic (for operation/ ongoing impacts) until such time as the effectiveness of mitigation measures can be demonstrated to have been achieved over a minimum of three successive monitoring periods (i.e. 6 years) after opening of the project to traffic, unless otherwise agreed by the Director General. The monitoring period may be reduced with the agreement of the Director General in consultation with the EPA and DPI (Fishing and Aquaculture), depending on the outcomes of the monitoring; d) provision for the assessment of the data to identify changes to habitat usage and whether this can be directly attributed to the project; e) details of contingency measures that would be implemented in the event of changes to habitat usage patterns directly attributable to the construction or operation of the project; and f) provision for annual reporting of monitoring results to the Director General and the EPA and DPI (Fishing and Aquaculture), or as otherwise agreed by those agencies. The Program shall be submitted to the Director General for approval no later than 6 weeks prior to the commencement of construction that would result in the disturbance of native vegetation (unless otherwise agreed by the Director General).		

CoA No.	Requirement	Stage	Status / Reference
	Hydrology and flooding		
B11	The Proponent shall ensure, where feasible and reasonable, that the project is designed to not exceed the afflux and other flooding criteria within the vicinity of the project as identified or predicted in the documents listed under condition A1. New or duplicated drainage structures shall be designed to minimise changes to afflux and flooding to waterways that traverse the project alignment to the greatest extent practicable.		
B12	The Proponent shall develop a Hydrological Mitigation Report for properties in the Hastings River and Wilson River floodplain areas where flood impacts are predicted to increase as a result of the project. The Report shall be based on detailed floor level survey and associated assessment of potentially flood affected properties in those areas. The Report shall: a) identify properties in those areas likely to have an increased flooding impact and detail the predicted increased flooding impact; b) identify mitigation measures to be implemented where increased flooding is predicted to adversely affect access, property or infrastructure; c) identify measures to be implemented to minimise scour and dissipate energy at locations where flood velocities are predicted to increase as a result of the project and cause localised soil erosion and/or pasture damage; d) be developed in consultation with the relevant council, NSW State Emergency Service and directly-affected property owners; and e) identify operational and maintenance responsibilities for items (a) to (c) inclusive. The Proponent shall not commence construction of the project on or within those areas likely to alter flood conditions until such time as works identified in the hydrological mitigation report have been completed, unless otherwise agreed by the Director General.		

CoA No.	Requirement	Stage	Status / Reference
B13	Based on the mitigation measures identified in condition B12, the Proponent shall prepare a final schedule of feasible and reasonable flood mitigation measures proposed at each directly-affected property in consultation with the property owner. The schedule shall be provided to the relevant property owner(s) prior to the implementation/ construction of the mitigation works, unless otherwise agreed by the Director General. A copy of each schedule of flood mitigation measures shall be provided to the Department and the relevant council prior to the implementation/ construction of the mitigation measures on the property.		
B14	In the event that the Proponent and the relevant property owner cannot agree on feasible and reasonable flood mitigation measures to be applied to a property within one month of the first consultation on the measures (as required under condition B13), the Proponent shall employ a suitably qualified and experienced independent hydrological engineer, who has been approved by the Director General, for the purposes of this condition prior to the commencement of construction in the Hastings River and Wilson River floodplain areas affected by increased afflux from the project to advise and assist affected property owners in negotiating feasible and reasonable mitigation measures.		
B15	The Proponent shall provide assistance to the relevant council and/ or NSW State Emergency Service, to prepare any new or necessary update(s) to the relevant plans and documents in relation to flooding, to reflect changes in flooding levels, flows and characteristics as a result of the project.		
	Sedimentation, Erosion and Water		
B16	Prior to the commencement of construction, unless otherwise agreed by the Director General, the Proponent shall in consultation with the EPA and NOW, undertake groundwater modeling on the concept design for the project, subject to the modelling being revised should the detailed design have a significantly different impact on groundwater than the concept design. The modeling shall be undertaken by a suitably qualified and experienced groundwater expert and assess the construction and operational impacts of the proposal on the groundwater resources, groundwater quality, groundwater hydrology and groundwater dependent ecosystems and provide details of contingency and management measures in the groundwater management strategy required under condition B310(vii).		

CoA No.	Requirement	Stage	Status / Reference
B17	The Proponent shall prepare and implement a Water Quality Monitoring Program to monitor the impacts of the project on surface and groundwater quality and resources and wetlands, during construction and operation. The Program shall be developed in consultation with the EPA, DPI (Fishing and Aquaculture) and NOW and shall include but not necessarily be limited to: a) identification of surface and groundwater quality monitoring locations (including watercourses, waterbodies and SEPP14 wetlands) which are representative of the potential extent of impacts from the project; b) the results of the groundwater modelling undertaken under condition B16; c) identification of works and activities during construction and operation of the project, including emergencies and spill events, that have the potential to impact on surface water quality of potentially affected waterways, including the risks to oyster farming in the Hastings River; d) development and presentation of parameters and standards against which any changes to water quality will be assessed, having regard to the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000 (Australian and New Zealand Environment Conservation Council, 2000); e) representative background monitoring of surface and groundwater quality parameters for a minimum of twelve months (considering seasonality) prior to the commencement of construction, to establish baseline water conditions, unless otherwise agreed by the Director General; f) a minimum monitoring period of three years following the completion of construction or until the affected waterways and/ or groundwater resources are certified by an independent expert as being rehabilitated to an acceptable condition. The monitoring shall also confirm the establishment of operational water control measures (such as sedimentation basins and vegetation swales); g) contingency and ameliorative measures in the event that adverse impacts to water quality are identified; and h) reporting of the monitoring results to the Department, EPA and NOW. The Program shall be submitted to the Director General for approval six (6) months prior to the commencement of construction of the project, or as otherwise agreed by the Director General. A copy of the Program shall be submitted to the EPA, DPI (Fishing and Aquaculture) and NOW prior to its implementation.		

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	Heritage impacts		
B18	Prior to the commencement of pre-construction and construction in Aboriginal sites OHK46/A, OHK47/A, OHK54/A, OHK90/A, OHK91/A and OHK219/A, the Proponent shall undertake the relevant salvage mitigation measures outlined in section 19.4.1 of Volume 1 of the EA for these sites. The results of the salvage program shall be provided to the Department, the OEH and Aboriginal stakeholders within six months of the completion of the salvage program, unless otherwise agreed by the Director General.		
B19	Prior to the commencement of pre-construction and construction that affects the farm complex identified as OHK11 in Table 20-1 of Volume 1 of the EA, the Proponent shall prepare an archaeological assessment, which includes a research design and methodology to guide any proposed archaeological investigation, in accordance with the relevant Heritage Council of NSW guidelines. The archaeological assessment shall be prepared in consultation with the Office of Environment and Heritage (Heritage Branch) and submitted for the approval of the Director General prior to work commencing on site OHK11, unless otherwise agreed to by the Director General. The Excavation Director for the archaeological program shall meet the requirements of the Heritage Council of NSW's Excavation Director Criteria (Heritage Council of NSW website http://www.heritage.nsw.gov.au/docs/excavationdirectors.pdf dated July 2011). Any further archaeological work recommended on this site by the assessment shall be undertaken by the Proponent in consultation with the Office of Environment and Heritage (Heritage Branch). A final report on the excavation shall be submitted to the Director General and the Heritage Council of NSW within six months of the completion of the archaeological fieldwork, unless otherwise agreed to by the Director General.		
	Urban design and landscaping		
B20	The Proponent shall prepare and implement an Urban Design and Landscape Plan for the project. The Plan shall be prepared in consultation with the relevant council and shall present an integrated urban design for the project. The Plan shall include, but not necessarily be limited to: a) a principal goal of achieving the urban design objectives outlined in Table 17-4 of Volume 1 of the EA; b) location of existing vegetation and proposed landscaping (including use of indigenous and endemic species where possible) and design features;		

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	c) graphics such as sections, perspective views and sketches for key elements of the project (including, but not limited to built elements such as retaining walls, cuttings, embankments, bridges, and noise barriers); d) a description of locations along the project corridor directly or indirectly impacted by the construction of the project (e.g. temporary ancillary facilities, access tracks, watercourse crossings, etc.) and details of the strategies to progressively rehabilitate regenerate and/ or revegetate the locations with the objective of promoting biodiversity outcomes and visual integration. Details of species to be replanted/ revegetated shall be provided, including their appropriateness to the area and considering existing vegetation and habitat for threatened species; e) an assessment of the visual screening affects of existing vegetation and the proposed landscaping. Where residences and businesses have been identified as likely to experience high visual impact as a result of the project and high residual impacts are likely to remain, the Proponent shall in consultation with affected receptors, identify opportunities for providing at-receptor landscaping to further screen views of the project. Where agreed to with the landowner, these measures shall be implemented during the construction of the project; f) strategies for progressive landscaping of other environmental controls such as erosion and sedimentation controls, drainage and noise mitigation; g) location and design treatments for any associated footpaths and cyclist elements, and other features such as seating, lighting (in accordance with AS 4282-1997 Control of the Obtrusive Effect of Outdoor Lighting), fencing, and signs; h) evidence of consultation with the relevant council and community on the proposed urban design and landscape measures prior to its finalisation; and i) monitoring and maintenance procedures for the built elements, rehabilitated vegetation and landscaping (including weed control) including performance indicators, responsibilities, timing and duration and contingencies where rehabilitation of vegetation and landscaping measures fail. The Plan shall be submitted for the approval of the Director General prior to the commencement of permanent built works and/ or landscaping, unless otherwise agreed by the Director General. The Plan may be submitted in stages to suit the staged construction program of the project.		

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	Traffic and access		
B21	The Proponent shall ensure that the project is designed in consultation with DPI (Forests) to ensure that access of a standard that is at least equivalent to that currently existing and which meets relevant road safety standards is maintained within state forests to enable continued forestry operations, fire management and recreation during construction and operation unless otherwise agreed with DPI (Forests).		
B22	The Proponent shall ensure that the project is designed to incorporate appropriate signage for townships along the existing highway that are bypassed by the project, in consultation with the relevant council and community. The signage policy shall be consistent with the Roads and Maritime Service's standard signposting policy and provide information on the range of services available within the towns including advice that the route through the towns may be taken as an alternative to the highway.		
	Property and landuse		
B23	The Proponent shall ensure that the project is designed to minimise land take impacts to surrounding properties (including agricultural properties) as far as feasible and reasonable, in consultation with the affected landowners. Where the viability of existing agricultural operations are identified to be highly affected by the land requirements of the project, the Proponent shall as part of detailed design employ a suitably qualified and experienced independent agricultural specialist (that is approved by the Director General for the purpose of this condition), to assist in the following (where agreed to by the relevant landowner): a) identifying alternative farming opportunities for the relevant properties including purchase of other residual land to enable existing/new agricultural activities to continue; and/ or b) negotiating appropriate compensation and/or arrangements for the purchase of the property under the Land Acquisition (Just Terms Compensation) Act 1991.		

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	Compliance tracking		
B24	The Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval. The Program shall be submitted to the Director General for approval prior to the commencement of construction and relate to both the construction and operational phases of the project, and include, but not necessarily be limited to: a) provisions for the notification of the Director General of the commencement of works prior to the commencement of construction and prior to the commencement of operation of the project (including prior to each stage, where works are being staged); b) provisions for periodic review of project compliance with the requirements of this approval and the documents listed under condition A1, including the Statement of Commitments; c) provisions for periodic reporting of compliance status against the requirements of this approval and the documents listed under condition A1, including the Statement of Commitments, to the Director General including at least one month prior to the commencement of construction and operation of the project and at other intervals during the construction and operation, as identified in the Program; d) a program for independent environmental auditing in accordance with ISO 19011:2003 - Guidelines for Quality and/ or Environmental Management Systems Auditing; e) mechanisms for reporting and recording incidents and actions taken in response to those incidents; f) provisions for reporting environmental incidents to the Director General during construction and operation; and g) procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management.		
	Community information and involvement – provision of electronic information		
B25	Prior to the commencement of construction, the Proponent shall establish and maintain a new website, or dedicated pages within an existing website, for the provision of electronic information associated with the project. The Proponent shall, subject to confidentiality, publish and maintain up-to-date information on the website or dedicated pages including, but not necessarily limited to: a) information on the current implementation status of the project;		

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	b) a copy of the documents referred to under condition A1 of this approval, and any documentation supporting modifications to this approval that may be granted from time to time; c) a copy of this approval and any future modification to this approval; d) a copy of each relevant environmental approval, licence or permit required and obtained in relation to the project; e) a copy of each current strategy, plan, program or other document required under this approval; and f) the outcomes of compliance tracking in accordance with the requirements of condition B24.		
	Complaints and enquiries procedure		
B26	Prior to the commencement of construction, the Proponent shall ensure that the following are available for community complaints and enquiries during the construction period: a) a telephone number on which complaints and enquiries about construction and operation activities may be registered; b) a postal address to which written complaints and enquiries may be sent; and c) an email address to which electronic complaints and enquiries may be transmitted. The telephone number, the postal address and the email address shall be published in a newspaper circulating in the local area prior to the commencement of construction and prior to the commencement of project operation. The above details shall also be provided on the website (or dedicated pages) required by this approval.		
B27	The Proponent shall prepare and implement a Construction Complaints Management System consistent with AS 4269 Complaints Handling prior to the commencement of construction activities and must maintain the System for the duration of construction activities. Information on all complaints received, including the means by which they were addressed and whether resolution was reached and whether mediation was required or used, shall be maintained by the Proponent and included in a complaints register. The information contained within the System shall be made available to the Director General on request.		

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	Community involvement		
B28	The Proponent shall prepare and implement a Community Communication Strategy for the project. This Strategy shall be designed to provide mechanisms to facilitate communication between the Proponent, the Contractor, the Environmental Representative, the relevant council and the local community (broader and local stakeholders) on the construction and environmental management of the project. The Strategy shall include, but not necessarily be limited to: a) identification of stakeholders to be consulted as part of the Strategy, including affected and adjoining landowners; b) procedures and mechanisms for the regular distribution of information to stakeholders on the progress of the project and matters associated with environmental management; c) procedures and mechanisms through which stakeholders can discuss or provide feedback to the Proponent and/ or Environmental Representative in relation to the environmental management and delivery of the project; d) procedures and mechanisms through which the Proponent can respond to enquires or feedback from stakeholders in relation to the environmental management and delivery of the project; and e) procedures and mechanisms that would be implemented to resolve issues/ disputes that may arise between parties on the matters relating to environmental management and the delivery of the project. This may include the use of an appropriately qualified and experienced independent mediator. The Proponent shall maintain and implement the Strategy throughout construction of the project. The Strategy shall be approved by the Director General prior to the commencement of construction, or as otherwise agreed by the Director General.		

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	Environmental management – Environmental Representative		
B29	Prior to the commencement of construction of the project, or as otherwise agreed by the Director General, the Proponent shall nominate for the approval of the Director General a suitably qualified and experienced Environment Representative(s) that is independent of the design (including preparation of documentation referred to in condition A1), and construction personnel. The Proponent shall employ the Environmental Representative(s) for the duration of construction, or as otherwise agreed by the Director General. The Environment Representative(s) shall: a) be the principal point of advice in relation to the environmental performance of the project; b) be consulted in responding to the community concerning the environmental performance of the project where the resolution of points of conflict between the Proponent and the community is required; c) monitor the implementation of environmental management plans and monitoring programs required under this approval; d) monitor the outcome of environmental management plans and advise the Proponent upon the achievement of project environmental outcomes; e) have responsibility for considering and advising the Proponent on matters specified in the conditions of this approval, and other licences and approvals related to the environmental performance and impacts of the project; f) ensure that environmental auditing is undertaken in accordance with the requirements of condition B24 and the project's Environmental Management System(s); g) be given the authority to approve/ reject minor amendments to the Construction Environment Management Plan. What constitutes a "minor" amendment shall be clearly explained in the Construction Environment Management Plan required under condition B30; and h) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.		

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	Construction Environmental Management Plan		
B30	The Proponent shall prepare and (following approval) implement a Construction Environmental Management Plan for the project. The Plan shall outline the environmental management practices and procedures that are to be followed during construction, and shall be prepared in consultation with the relevant agencies and in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to: a) a description of activities to be undertaken during construction of the project or stages of construction, as relevant; b) statutory and other obligations that the Proponent is required to fulfil during construction including approvals, consultations and agreements required from agencies and key legislation and policies. Evidence of consultation with relevant agencies shall be included identifying how issues raised by these agencies have been addressed in the Plan; c) a description of the roles and responsibilities for relevant employees involved in the construction of the project including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval; d) identification of ancillary facility site locations, including an assessment against the location criteria outlined in condition C28; e) an environmental risk analysis to identify the key environmental performance issues associated with the construction phase and details of how environmental performance would be monitored and managed to meet acceptable outcomes including what actions will be taken to address identified potential adverse environmental impacts (including any impacts arising from the staging of the construction of the project and/ or concurrent construction works with adjacent Pacific Highway Upgrade projects, as relevant). In particular, the following environmental performance issues shall be addressed in the Plan: (i) measures to monitor and manage dust emissions including dust from stockpiles, blasting, traffic on unsealed public roads and materials tracking from construction sites onto public roads; (ii) measures to minimise hydrology impacts, including measures to stabilise bed and bank structures as required, (iii) measures to monitor and manage impacts associated with the construction and operation of ancillary facilities,		

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	(iv) measures for the handling, treatment and management of contaminated materials, (v) measures to monitor and manage waste generated during construction including but not necessarily limited to: general procedures for waste classification, handling, reuse, and disposal; use of secondary waste material in construction wherever feasible and reasonable; procedures for dealing with green waste including timber and mulch from clearing activities; and measures for reducing demand on water resources (including the potential for reuse of treated water from sediment control basins); (vi) measures to monitor and manage spoil, fill and materials stockpile sites including details of how spoil, fill or material would be handled, stockpiled, reused and disposed and a stockpile management protocol detailing locational criteria that would guide the placement of stockpiles and management measures that would be implemented to avoid/ minimise amenity impacts to surrounding residents and environmental risks (including to surrounding water courses). Stockpile sites that affect heritage, threatened species, populations or endangered ecological communities require the approval of the Director General, in consultation with the EPA; (vii) measures to monitor and manage hazard and risks including emergency management; and (viii) the issues identified in condition B31; f) details of community involvement and complaints handling procedures during construction, consistent with the requirements of conditions B25 to B28; g) details of compliance and incident management consistent with the requirements of condition B24; and h) procedures for the periodic review and update of the Construction Environmental Management Plan and sub-plans required under condition B31, as necessary (including where minor changes can be approved by the Environmental Representative). The Plan shall be submitted for the approval of the Director General no later than one month prior to the commencement of construction, or within such period otherwise agreed by the Director General. Construction works shall not commence until written approval has been received from the Director General.		
B31	As part of the Construction Environment Management Plan for the project required under condition B30, the Proponent shall prepare and implement the following sub plan(s):		
B31a	A Construction Traffic Management Sub-plan, prepared in accordance with the Roads and Maritime Service's QA Specification G10 – Control of Traffic and Traffic Control at Work Sites Manual (2003) to manage disruptions to traffic movements as a result of construction traffic associated with the project. The sub-plan shall be developed in consultation with the relevant council and shall include, but not necessarily		

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	be limited to: (i) identification of construction traffic routes and quantification of construction traffic volumes (including heavy vehicle/ spoil haulage) on these routes; (ii) details of vehicle movements for construction sites and site compounds including parking, dedicated vehicle turning areas, and ingress and egress points; (iii) details of potential impacts to traffic on the existing highway and associated local roads, including intersection level of service and potential disruptions to pedestrians, public transport, parking, cyclists and property access; (iv) details of temporary and interim traffic arrangements to address potential impacts; (v) a response procedure for dealing with traffic incidents; and (vi) mechanism for the monitoring, review and amendment of this sub-plan;		
B31b	A Construction Flora and Fauna Management Sub-plan to detail how construction impacts on ecology will be minimised and managed. The sub-plan shall be developed in consultation with the EPA and DPI (Fishing and Aquaculture) and shall include, but not necessarily be limited to: (i) details of pre-construction surveys undertaken to verify the construction boundaries/ footprint of the project based on detailed design and to confirm the vegetation to be cleared as part of the project (including tree hollows, threatened flora and fauna species, mangroves, seagrass and riparian vegetation). The surveys shall be undertaken by a suitably qualified and experienced ecologist and include targeted surveys during suitable conditions for Koalas, Green-thighed Frog, Giant Barred Frog and microbats within and in the vicinity of the project corridor; (ii) updated sensitive area/ vegetation maps based on B31(b)(i) above and previous survey work; (iii) details of general work practices and mitigation measures to be implemented during construction to minimise impacts on native fauna and native vegetation (particularly threatened species and EECs) not proposed to be cleared as part of the project, including, but not necessarily limited to: fencing of sensitive areas, a protocol for the removal and relocation of fauna during clearing, presence of a suitably qualified and experienced ecologist to oversee clearing activities and facilitate fauna rescues and re-location, clearing timing with consideration to breeding periods, measures for maintaining existing habitat features (such as bush rock and tree branches etc), seed harvesting and appropriate topsoil management, construction worker education, weed management (including controls to prevent the introduction or spread of Phytophthora cinnamomi), erosion and sediment control and progressive re-vegetation; (iv) specific procedures to deal with EEC/ threatened species anticipated to be encountered within the project corridor including re-location, translocation and/or management and protection measures; (v) a management strategy for the Green-thighed Frog and Giant Barred Frog in the case that the pre-		

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	construction surveys identify the presence of these species or its habitats in the project corridor or its vicinity. The strategy shall include details of the measures to avoid, minimise and mitigate impacts to these species; (vi) a Microbat management strategy in the case that the pre-construction surveys (undertaken at least 12 months in advance of disturbance to potential roosting structures, or as agreed by the Director General) identify the presence of or evidence of microbat roosting in the project corridor or its vicinity. The strategy shall detail measures to avoid, minimise and mitigate impacts to microbats and identified roost sites, including short and long term management measures; (vii) an aquatic vegetation management strategy for mangroves and seagrass. The strategy shall: i. identify the potential for the translocation of mangroves and/ or seagrass impacted by the project; ii. if translocation is feasible, include details of a translocation plan consistent with Policy and Guidelines for Fish Habitat Conservation and Management (NSW Fisheries 1999) including details of ongoing maintenance such as responsibilities, timing and duration; iii. identify a process for incorporating appropriate compensatory habitat for mangroves and/ or seagrass impacted by the project in the Biodiversity Offset Strategy referred to in condition B8 of this approval, should the information obtained during the investigation find that translocation is not feasible or where the monitoring undertaken finds that translocation measures have not been successful (as identified through performance criteria); iv. include detail of mitigation measures to be implemented during construction to avoid and minimise impacts to areas identified to contain these species, including impacts from the use and storage of construction plant, equipment, materials and entry by personnel; (viii) a procedure for dealing with unexpected EEC/ threatened species identified during construction including cessation of work and notification of the EPA, determination of appropriate mitigation measures in consultation with the EPA (including relevant re-location measures) and update of ecological monitoring and/ or biodiversity offset requirements consistent with conditions B8 and B10; and (ix) mechanism for the monitoring, review and amendment of this sub-plan;		
B31c	A Construction Noise and Vibration Management Sub-plan to detail how construction noise and vibration impacts will be minimised and managed. The sub-plan shall be developed in consultation with the EPA and include, but not necessarily be limited to: (i) identification of nearest sensitive receptors and relevant construction noise and vibration goals applicable to the project; (ii) identification of key noise and/or vibration generating construction activities (based on representative		

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	construction scenarios, including at ancillary facilities) that have the potential to impact on surrounding sensitive receivers including expected noise/ vibration levels; (iii) identification of feasible and reasonable measures proposed to be implemented to minimise construction noise and vibration impacts (including construction traffic noise impacts); (iv) procedures for dealing with out-of-hour works in accordance with condition C4, including procedures for notifying the Director General concerning complaints received in relation to the extended hours approved under condition C4(d); (v) procedures and mitigation measures to ensure relevant vibration and blasting criteria are achieved, including a suitable blast program, applicable buffer distances for vibration intensive works, use of low-vibration generating equipment/ vibration dampeners or alternative construction methodology, and pre- and post- construction dilapidation surveys of sensitive structures where blasting and/ or vibration is likely to result in damage to buildings and structures (including surveys being undertaken immediately following a monitored exceedance of the criteria); (vi) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints; and (vii) a program for construction noise and vibration monitoring clearly indicating monitoring frequency, location, how the results of this monitoring would be recorded and, procedures to be followed where significant exceedences of relevant noise and vibration goals are detected;		
B31d	A Construction Soil and Water Quality Management Sub-plan to manage surface and groundwater impacts during construction of the project. The sub-plan shall be developed in consultation with the EPA, DPI (Fishing and Aquaculture) and NOW and include, but not necessarily be limited to: (i) identification of potential sources of erosion and sedimentation, and water pollution (including those resulting from maintenance activities); (ii) details of how construction activities would be managed and mitigated to minimise erosion and sedimentation consistent with condition C17; (iii) where construction activities have the potential to impact on waterways or wetlands (through direct disturbance such as construction of waterway crossings or works in close proximity to waterways or wetlands), site specific mitigation measures to be implemented to minimise water quality, riparian and stream hydrology impacts as far as practicable, including measures to stabilise bed and/ or bank structures where feasible and reasonable, and to rehabilitate affected riparian vegetation to existing or better condition. The timing of rehabilitation of the waterways shall be identified in the sub-plan; (iv) a contingency plan, consistent with the Acid Sulfate Soils Manual, to deal with the unexpected discovery of actual or potential acid sulfate soils, including procedures for the investigation, handling, treatment and		

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	management of such soils and water seepage; (v) a tannin leachate management protocol to manage the stockpiling of mulch and use of cleared vegetation and mulch filters for erosion and sediment control; (vi) construction water quality monitoring requirements consistent with condition B16; and (vii) a groundwater management strategy, including (but not necessarily limited to): i. description and identification of groundwater resources (including depths of the water table and water quality) potentially affected by the project based on baseline groundwater monitoring undertaken in accordance with condition B16; ii. identification of surrounding licensed bores, dams or other water supplies and groundwater dependant ecosystems and potential groundwater risks associated with the construction of the project on these groundwater users and ecosystems; iii. measures to manage identified impacts on water table, flow regimes and quality and to groundwater users and ecosystems; iv. groundwater inflow control, handling, treatment and disposal methods; and v. a detailed monitoring plan to identify monitoring methods, locations, frequency, duration and analysis requirements; and		
B31e	A Construction Heritage Management Sub-plan to detail how construction impacts on Aboriginal and non-Aboriginal heritage will be minimised and managed. The sub-plan shall be developed in consultation with the OEH and registered Aboriginal stakeholders (for Aboriginal heritage), and include, but not necessarily be limited to: (i) In relation to Aboriginal Heritage: i. details of management measures to be carried out in relation to recorded sites and potential Aboriginal deposits (including further archaeological investigations, salvage measures and/ or measures to protect unaffected sites during construction works in the vicinity); ii. procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified archaeologist in consultation with the Department, OEH and registered Aboriginal stakeholders and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the project, and registering of the new site in the OEH's Aboriginal Heritage Information Management System (AHIMS) register; iii. procedures for dealing with human remains, including cessation of works in the vicinity and		

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	notification of the Department, NSW Police Force, OEH and registered Aboriginal stakeholders and not recommencing any works in the area unless authorised by the OEH and/ or the NSW Police Force); and iv. Aboriginal cultural heritage induction processes for construction personnel (including procedures for keeping records of inductions) and procedures for ongoing Aboriginal consultation and involvement; and (ii) In relation to non-Aboriginal Heritage: i. details of management measures to be carried out in relation to recorded sites (including further heritage investigations, archival recordings and/ or measures to protect unaffected sites during construction works in the vicinity), consistent with the Mitigation and Management Strategies listed in Section 9 of the Non-Indigenous Heritage Impact Assessment prepared by South East Archaeology Pty Limited (dated December 2007); ii. procedures for dealing with previously unidentified non-Aboriginal objects, (including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified and experienced archaeologist in consultation with the Department and Office of Environment and Heritage (Heritage Branch) and assessment of the consistency of any new non-Aboriginal heritage impacts against the approved impacts of the project; and iii. non-Aboriginal heritage induction processes for construction personnel (including procedures for keeping records of inductions).		
	Part C – During construction		
	Biodiversity		
C1	The Proponent shall employ feasible and reasonable measures to minimise the clearing of native vegetation during the construction of the project.		

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	Air quality impacts		
C2	The Proponent shall employ feasible and reasonable measures (including cessation of relevant works, as appropriate) to ensure that the project is constructed in a manner that minimises dust generation, including wind-blown dust, traffic-generated dust, dust from stockpiles and material tracking from construction and ancillary facility sites onto public roads.		
	Noise and vibration impacts – construction hours		
C3	Construction Hours The Proponent shall only undertake construction activities associated with the project during the following standard construction hours: a) 7:00am to 6:00pm Mondays to Fridays, inclusive; and b) 8:00am to 1:00pm Saturdays; and c) at no time on Sundays or public holidays.		
C4	Works outside of the standard construction hours identified in condition C3 may be undertaken in the following circumstances: a) works that generate noise that is: (i) no more that 5 dB(A() above rating background level at any residence; or (ii) no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) at other sensitive land uses; or b) for delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or d) construction works undertaken through sparsely populated areas (being those areas in which sensitive receptors are located greater than 200 metres away from the project boundary). In this case construction is permissible during the following hours: 6.00am to 6.00pm Monday to Friday and 7.00am to 4.00pm Saturdays and at no time on Sundays or public holidays. These works hours may		

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	be reviewed and/ or revoked by the Director General in consultation with the EPA in the case of excessive or unresolved noise complaints; or e) with the approval of the Director General in accordance with condition C5.		
C5	Construction activities (Out of Hours work) may be allowed to occur outside the construction hours specified in condition C3 with the prior written approval of the Director General. Requests for Out of Hours approval will be considered for construction activities which cannot be undertaken during the construction hours specified in condition C3 for technical or other justifiable reasons and will be considered on a case by case or activity-specific basis. Request for Out of Hours work must be accompanied by: a) details of the nature and need for activities to be conducted during the varied construction hours; b) written evidence to the EPA and the Director General that activities undertaken during the varied construction hours are justified, appropriate consultation with potentially affected receivers and notification of the relevant Council has been undertaken, issues raised have been addressed, and all feasible and reasonable mitigation measures have been put in place; and c) evidence of consultation with the EPA on the proposed variation in standard construction hours. Despite the above, Out of Hours work may also occur in accordance with an approved Construction Environment Management Plan or Construction Noise and Vibration Management Sub-plan for this project, where that plan provides a process for considering the above on a case by case or activity specific basis by the Proponent, including factors (a) to (c) above.		
C6	Blasting associated with the project shall only be undertaken during the following hours: a) 9:00am to 5:00pm, Mondays to Fridays, inclusive; b) 9:00am to 1:00pm on Saturdays; and c) at no time on Sundays or public holidays. This condition does not apply in the event of a direction from the NSW Police Force or other relevant authority for safety or emergency reasons to avoid loss of life, property loss and/or to prevent environmental harm.		

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	Noise and vibration impacts – construction noise and vibration goals		
C7	Construction Noise and Vibration Goals The Proponent shall implement feasible and reasonable noise mitigation measures with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) during construction activities. Any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Sub-plan required under condition B310.		
C8	The Proponent shall implement all feasible and reasonable mitigation measures with the aim of achieving the following construction vibration goals: a) for structural damage, the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration - effects of vibration on structures; and b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).		
C9	The Proponent shall ensure that airblast overpressure generated by blasting associated with the project does not exceed the criteria specified in Table 1 when measured at the most affected residence or other sensitive receiver. Table 1 Airblast overpressure criteria		

Airblast overpressure (dB(Lin Peak))	Allowable exceedance
115	5% of total number of blasts over a 12 month period
120	0%

<table>
<tr><th>CoA No.</th><th>Requirement</th><th>Stage</th><th>Status / Reference</th></tr>
<tr><td>C10</td><td>The Proponent shall ensure that ground vibration generated by blasting associated with the project does not exceed the criteria specified in Table 2 when measured at the most affected residence or other sensitive receiver.

Table 2 Peak particle velocity criteria
<table><tr><th>Peak particle velocity (mms-1)</th><th>Allowable exceedance</th></tr><tr><td>5</td><td>5% of total number of blasts over a 12 month period</td></tr></table></td><td></td><td></td></tr>
<tr><td>C11</td><td>To ensure that the criteria specified in conditions C9 and C10 are satisfied at the most affected residence or other sensitive receiver, blasting trials shall be undertaken prior to the commencement of the project‘s blasting program, with results from the trial blasts used to determine site specific blast design to satisfy the relevant criteria.</td><td></td><td></td></tr>
<tr><td>C12</td><td>The blasting criteria identified in conditions C9 and/or C10 may be exceeded where the Proponent has a written agreement with the EPA and the relevant landowner to exceed the criteria identified in conditions C9 and/ or C10 and the Director General has approved the exceedance. In obtaining the Director General approval for any such exceedance the Proponent shall submit to the Director General:

a) details of the proposed blasting program and justification for the proposed increase to blasting criteria including alternatives considered (where relevant);

b) an assessment of the environmental impacts of the increased blast limits on the surrounding environment and most affected residences or other sensitive receivers including, but not limited to noise, vibration and air quality and any risk to surrounding utilities, services or other structures;

c) details of the blast management, mitigation and monitoring procedures to be implemented; and

d) details of consultation undertaken (including clear identification of proposed blast limits and potential property impacts) and agreement reached with the relevant landowners and EPA (including a copy of the agreement in relation to increased blasting limits).</td><td></td><td></td></tr>
</table>

CoA No.	Requirement	Stage	Status / Reference
	Unless otherwise agreed by the Director-General, the following exclusions apply to the application of this condition: a) any agreements reached may be terminated by the landowner at any time should concerns about the increased blasting limits be unresolved; b) the blasting limit agreed to under any agreement can at no time exceed a maximum Peak Particle Velocity vibration level of 25 mm/s or maximum Airblast Overpressure level of 125 dBL; and c) these provisions under condition C12 (to increase applicable blast criteria in agreement with the relevant landowners) do not apply where the property is a non-Aboriginal heritage item.		
	Operational noise mitigation review		
C13	Unless otherwise agreed by the Director General, within six months of commencing construction, the Proponent shall, in consultation with the EPA, prepare and submit for the approval of the Director General, a review of the operational noise mitigation measures proposed to be implemented for the project. The review shall: a) confirm the operational noise predictions of the project based on detailed design. This operational noise assessment shall be based on an appropriately calibrated noise model (which has incorporated additional noise monitoring, where necessary for calibration purposes). The assessment shall specifically include verification of noise levels at the Mingaletta Road rest areas, based on additional noise monitoring undertaken at this location; b) review the suitability of the operational noise mitigation measures identified in the documents listed under condition A1 to achieve the criteria outlined in the Environmental Criteria for Road Traffic Noise (Environment Protection Authority, 1999), based on the operational noise performance of the project predicted under (a) above; and c) where necessary, investigate additional feasible and reasonable noise mitigation measures to achieve the criteria outlined in the Environmental Criteria for Road Traffic Noise (Environment Protection Authority, 1999).		

CoA No.	Requirement	Stage	Status / Reference
	Heritage impacts		
C14	This approval does not allow the Proponent to destroy, modify or otherwise physically affect any heritage items or human remains as part of the project.		
C15	The Proponent shall not destroy, modify or otherwise physically affect the Maria River bridge (OHK14), unless otherwise agreed by the Director General.		
C16	The measures to protect Aboriginal or historic heritage sites near or adjacent to the project during construction shall be detailed in the Heritage Management Sub-plan required under condition B310		
	Sedimentation, erosion and water		
C17	Soil and water management measures consistent with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004) and Managing Urban Stormwater Soils And Construction Vols 2A and 2D Main Road Construction (Department of Environment and Climate Change, 2008) shall be employed during the construction of the project for erosion and sediment control.		
C18	Where available, and of appropriate chemical and biological quality, the Proponent shall use stormwater, recycled water or other water sources in preference to potable water for construction activities, including concrete mixing and dust control.		
	Property and landuse – property impacts		
C19	The Proponent shall construct the project in a manner that minimises impacts to private properties and other public or private structures (such as dams, fences, utilities, services etc) along the project corridor. In the event that construction of the project results in direct or indirect damage to such property or structure, the Proponent shall arrange and fund repair of the damage to a standard comparable to that in existence prior to the damage occurring, unless otherwise agreed by the relevant property or utility owner.		
C20	The Proponent shall ensure that access to property is maintained during construction unless otherwise agreed with the property owner in advance and that access physically affected by the project is reinstated to at least an equivalent standard, in consultation with the property owner.		

CoA No.	Requirement	Stage	Status / Reference
C21	The Proponent shall, in consultation with relevant property owners, construct the project in a manner that minimises intrusion and disruption to agricultural operations/ activities in surrounding properties (e.g. stock access, access to farm dams etc), unless otherwise agreed by the relevant property owner.		
	Property and landuse – forestry impacts		
C22	Where the project traverses the Cairncross, Ballengarra and Maria River state forests, the Proponent shall, in consultation with DPI (Forests), ensure that construction activities do not unduly disrupt existing forestry activities, access for fire fighting and recreation activities during construction, unless otherwise agreed by DPI (Forests).		
	Traffic impacts		
C23	The roads likely to be used by the project's heavy construction vehicles shall be identified in the Traffic Management Sub-plan required under condition B31(a). Road dilapidation reports shall be prepared for local roads likely to be used by the project's construction traffic, and a copy of the report(s) shall be provided to the relevant council, prior to use by the project's heavy construction vehicles. Any damage resulting from the use of the identified local roads by the project's heavy construction vehicles, aside from that resulting from normal wear and tear, shall be repaired at the cost of the Proponent, unless otherwise agreed by the relevant council.		
	Waste management		
C24	The Proponent shall not cause, permit or allow waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997, if such a licence is required in relation to that waste.		
C25	The Proponent shall maximise the reuse and/or recycling of waste materials generated on site as far as practicable, to minimise the need for treatment or disposal of those materials off site.		

CoA No.	Requirement	Stage	Status / Reference
C26	The Proponent shall ensure that liquid and/or non-liquid waste generated on the site is assessed and classified in accordance with Waste Classification Guidelines (Department of Environment and Climate Change, 2008) and where removed from the site is directed to a waste management facility lawfully permitted to accept the materials.		
	Hazards and Risks		
C27	The Proponent shall store and handle dangerous goods, as defined by the Australian Dangerous Goods Code, strictly in accordance with: a) relevant Australian Standards; b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, Technical Bulletin (Environment Protection Authority, 1997). In the event of an inconsistency between the requirements listed from (a) to (c) above, the most stringent requirement shall prevail to the extent of the inconsistency.		
	Ancillary facilities		
C28	Unless otherwise approved by the Director General in accordance with this condition, the sites for ancillary facilities (except stockpiles) associated with the construction of the project shall: a) be located more than 50 metres from a waterway; b) have ready access to the road network or direct access to the construction corridor; c) be located in areas of low ecological significance and require minimal clearing of native vegetation (not beyond that already required by the project); d) be located on relatively level land; e) be separated from the nearest residences by at least 200 metres (or at least 300 metres for a temporary batching plant);		

CoA No.	Requirement	Stage	Status / Reference
	f) not unreasonably affect the land use of adjacent properties; g) be above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented; h) provide sufficient area for the storage of raw materials to minimise, to the greatest extent practical, the number of deliveries required outside standard construction hours; and i) be located in areas of low heritage conservation significance (including identified Aboriginal cultural value) and not impact on heritage sites beyond those already impacted by the project. Ancillary sites identified that do not meet the above criteria shall be assessed against this criteria to demonstrate how any impacts can be mitigated and managed to acceptable standards (including demonstrating consistency with project impacts identified in the documents listed under condition A1, to the satisfaction of the Director General. Such assessment(s) can be submitted separately or as part of the Construction Environmental Management Plan required under condition B30.		
C29	The Director General's approval is not required for minor ancillary facilities (e.g. lunch sheds, office sheds, and portable toilet facilities) that do not comply with the criteria set out in condition C2B of this approval and which: a) are located within an active construction zone within the approved project footprint; and b) have been assessed by the Environmental Representative to have: (i) minimal amenity impacts to surrounding residences, with consideration to matters such as noise and vibration impacts, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and (ii) minimal environmental impact in respect to waste management, and no impacts on flora and fauna, soil and water, and heritage beyond those approved for the project; and c) have environmental and amenity impacts that can be managed through the implementation of environmental measures detailed in a Construction Environment Management Plan for the project.		

CoA No.	Requirement	Stage	Status / Reference
	Part D – Prior to Operations		
	Operational Environment Management System		
D1	Prior to the commencement of operation, the Proponent shall incorporate the project into its existing environmental management systems.		
	Part E – During Operations		
	Operational noise		
E1	Operational Noise Within 12 months of the commencement of operation of the project, or as otherwise agreed by the Director General, the Proponent shall undertake operational noise monitoring to compare actual noise performance of the project against noise performance predicted in the review of noise mitigation measures required by condition C13, and prepare an Operational Noise Report to document this monitoring The Report shall include, but not necessarily be limited to: a) noise monitoring to assess compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under condition C13 and documents specified under condition A1 of this approval; b) a review of the operational noise levels in terms of criteria and noise goals established in the Environmental Criteria for Road Traffic Noise (Environment Protection Authority, 1999); c) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers; d) details of any complaints and enquiries received in relation to operational noise generated by the project between the date of commencement of operation and the date the report was prepared; e) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and proportions; f) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all feasible and reasonable mitigation measures; and		

CoA No.	Requirement	Stage	Status / Reference
	g) identification of additional feasible and reasonable measures to those identified in the review of noise mitigation measures required by condition C13, that would be implemented with the objective of meeting the criteria outlined in the Environmental Criteria for Road Traffic Noise (Environment Protection Authority, 1999), when these measures would be implemented and how their effectiveness would be measured and reported to the Director General and the EPA. The Proponent shall provide the Director General and the EPA with a copy of the Operational Noise Report within 60 days of completing the operational noise monitoring referred to in (a) above or as otherwise agreed by the Director General.		

Appendix B

SoC Compliance Table

Table 1 – Revised Statements of Commitments

SoC No.	Requirement	Stage	Reference / status
	Environmental management		
EM1	The head contractor for the Proposal will have an environmental management system.		
EM2	Suitable qualified and experienced personnel will develop and implement project-specific environmental management plans and procedures. The environmental management plans and procedures will incorporate management measures identified in the environmental assessment.		
EM3	A construction resource plan will be developed to ensure there are adequate resources to undertake the proposed works according to programme.		
EM4	The head contractor will implement a construction environmental management plan.		
	Community consultation		
CC1	The community will be provided with regular project updates, given prior notice of project activities and provided contact details for enquiries. Where required, affected individuals or groups will be consulted directly and provided with targeted notifications (eg watercourse users and noise affected residences).		
CC2	The community will be able to make complaints using the project's 24-hour toll free complaints number or the project web page. The number will be publicised and the project-specific web page will include directions on how to register a complaint. All complaints will be acknowledged within a specified timeframe, recorded and tracked until resolved.		
CC3	A community consultation plan will be implemented.		

SoC No.	Requirement	Stage	Reference / status
CC4	Consultation will take place between the RTA and Forests NSW and all other necessary agencies to agree management principles for Crown land.		
	Land use and property		
LP1	All property acquisitions will be negotiated in accordance with the RTA Land Acquisitions, Policy Statement and compensation will be assessed under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.		
LP2	Where alternative access arrangements are not feasible or practical and a property is left with no access to a public road, negotiations will be undertaken with the relevant property owners for the acquisition of the property in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.		
LP3	Forests NSW will have access to areas of state forest land identified for acquisition to remove any harvestable timber within the footprint of the Proposal.		
LP4	Where a licensed bore, dam or other property water supply is adversely affected the RTA will investigate an alternative source of water or negotiate compensation with the property owner.		
	Socio-economic		
SE1	On-going consultation with potentially affected community and businesses will occur prior to and during construction to address concerns and issues and to identify any adaptive management requirements where feasible and reasonable.		
SE2	Adequate signage will be implemented during construction and operation to ensure businesses and their patrons are aware of new access routes and/or potential disruptions.		
SE3	Occupation and use of compounds and work sites will minimise disturbance to adjacent residents by managing, and minimising where possible: the movement of vehicles, particularly outside of standard working hours; providing temporary noise attenuation (eg, shielding) if practicable; and providing screening to minimise visual intrusion.		

SoC No.	Requirement	Stage	Reference / status
SE4	Traffic management procedures to minimise disruption.		
SE5	Adopt a construction environmental management plan to minimise amenity impact.		
SE6	Management of acid sulfate soils to minimise impacts on priority oyster aquaculture areas.		
	Surface and groundwater		
SGW1	Bunded areas will be used for storage of oils, chemicals, toxic substances and combustible liquids, and for potentially hazardous and contaminating activities (eg washing construction vehicles, plant and equipment, handling and pouring hazardous materials and liquids etc).		
SGW2	Spills will be contained immediately and will be stored in bunded areas until disposal. Spills will be disposed of at a facility that is licensed to receive the waste, or may be disposed of after appropriate treatment.		
SGW3	Water quality will be monitored upstream and downstream of the Proposal site during construction to determine the effectiveness of mitigation strategies. The monitoring program will be developed in consultation with DECCW.		
SGW4	Specific work method statements for in-stream works will be developed and implemented in consultation with relevant government agencies.		
SGW5	Sediment and erosion control measures will be implemented during the construction and the post construction rehabilitation process.		
SGW6	The potential for changes in the groundwater table will be further investigated before any major earthworks (defined as a cut or fill with a depth or height exceeding five metres) are undertaken. Where a potential for change is identified, the significance of the change and any resultant impacts will be determined. Where necessary, measures to manage the changes will be designed and implemented.		
SGW7	Areas of potential acid sulfate soils and actual acid sulfate soils will be confirmed and managed in accordance with standard environmental management measures.		

SoC No.	Requirement	Stage	Reference / status
SGW8	Design to be sensitive to stream morphology, reduce scour and minimise impacts to vegetation.		
SGW9	The detailed design of minor waterway crossing structures will be refined during detailed design to maximise hydraulic performance.		
SGW10	Measures to mitigate potential impacts on local geomorphology will be investigated during detailed design.		
SGW11	A water management plan will be developed to ensure water resources are used in the most efficient manner with a focus on achieving water savings and targeting water recycling and re-use.		
	Flora and fauna		
F1	Detailed design will minimise the area of native vegetation and habitat to be cleared wherever reasonable and feasible.		
F2	The limits of clearing and other native vegetation disturbance will be clearly marked on relevant work plans and on site with temporary fencing installed prior to clearing.		
F3	Rehabilitation and revegetation will be undertaken in stages and as early as practicable to restore and enhance habitat opportunities.		
F4	Habitat features and resources for native fauna (such as hollow-bearing trees, hollow logs, nest boxes and bush rocks) impacted by the Proposal will be relocated where feasible and reasonable. Such relocation will be undertaken in a manner to limit damage to existing vegetation and will not occur in high condition remnant vegetation.		
F5	Native and locally indigenous plants will be used in the landscaping and disturbed areas will be progressively revegetated.		
F6	Watercourse crossings will be designed to facilitate fish passage where appropriate and in consultation with relevant government agencies.		

SoC No.	Requirement	Stage	Reference / status
F7	Water quality control measures will be installed as early as possible in the construction program and will be designed / selected to meet identified receiving water objectives.		
F8	A weed management strategy would be developed as part of the construction environmental management plan.		
F9	Threatened plants in proximity to the Proposal that are to be retained will be identified by pre construction surveys and protected during construction through exclusion fencing and education of construction workers through the site induction process.		
F10	The feasibility of relocating individuals of threatened species to suitable habitat will be investigated.		
F11	Consideration would be given to constructing artificial frog ponds if appropriate.		
F12	A suitably qualified ecologist will undertake preclearance surveys. Searches will include nests and large hollow-bearing trees and target habitats of hollow-dwelling species, koalas and frogs. Fauna species found in pre-clearance surveys will be relocated to suitable habitat as close as possible to the area in which they were found.		
F13	Where feasible and reasonable, removal of frog habitat along drainage lines will not be undertaken during periods of wet weather.		
F14	The construction contractor will maintain contact details for local DECCW officers, WIRES and/or other relevant local wildlife carer groups.		
F15	Surveys will be undertaken for threatened bat species by a suitably qualified ecologist to identify any roosting bats prior to the demolition of the existing highway bridges. Any bats will be moved and relocated following consultation with DECCW.		
F16	Development of a nest box strategy will be undertaken.		
F17	Culverts and bridges identified in the Environmental Assessment as having a potential role in fauna crossing will be designed to facilitate fauna movements where feasible and reasonable.		

SoC No.	Requirement	Stage	Reference / status
F18	The feasibility of widening the median will be further investigated in consultation with DECCW during the detailed design.		
F19	Fauna exclusion fencing (eg floppy-top fencing) will be erected along the Proposal at appropriate locations to direct fauna movement towards fauna crossing structures.		
F20	An agreement will be developed in negotiation with Department of Planning and in consultation with DECCW for habitat offsets.		
F21	A monitoring program will be developed to allow the effectiveness of mitigation and offset measures to be assessed and allow for their modification if necessary. The program will be for a minimum of 12 months after construction completion.		
	Noise and vibration – construction noise		
CN1	All feasible and reasonable mitigation and management measures to minimise construction noise and vibration at sensitive receivers will be investigated. Noise and vibration will be monitored to measure against predicted levels. Where required, feasible and reasonable mitigation measures will be implemented.		
CN2	All reasonable attempts will be made to contact sensitive receivers that will be affected by blasting at least 48 hours prior. Blasting will normally be limited to between 9am and 5pm Monday to Friday and between 9am and 1pm Saturday. No blasting will take place outside these hours without approval from Department of Planning and following consultation with and/or notification of local residents and DECCW.		
CN3	Construction will normally be limited to the following hours: • Between 6am and 6pm Monday to Friday. • Between 7am and 4pm Saturday. There would be no works outside these hours, or on Sundays or public holidays, except: a) For works that do not cause construction noise to be audible at any sensitive receivers. b) For the delivery of materials required outside these hours by the Police or other authorities for safety		

SoC No.	Requirement	Stage	Reference / status
	reasons. c) Where work is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm. d) For any other work as agreed through negotiations between the RTA and potentially affected sensitive receivers. Any such agreement must be recorded in writing and a copy kept on site for the duration of the works. e) Where the work is identified in the construction noise and vibration management plan and approved as part of the construction environmental management plan. f) As otherwise agreed by the DECCW. Local residents and the DECCW will be informed of the timing and duration of work approved under items (d) and (e) at least 48 hours before that work commences. Hours of work will be addressed in the construction noise and vibration management plan, which will be finalised in consultation with the Department of Planning and the DECCW.		
	Noise and vibration – operational noise		
ON1	Where required, reasonable and feasible noise and vibration management measures will be further developed and implemented during detailed design in consultation with relevant property owners.		
ON2	Operational noise will be monitored within one year after construction is finished. If monitoring indicates a clear trend that traffic noise levels exceed those predicted, all further feasible and reasonable measure will be investigated. Any additional mitigation measures will be developed in consultation with a suitably qualified and experienced acoustic specialist and the affected property owner.		
	Visual amenity and design		
VAD1	A detailed urban and landscape design plan would be developed during the detailed design phase. The detailed design and implementation of built elements (such as new carriageways, bridges and roadside furniture) and landscapes, and the mitigation of residual impacts will be undertaken in accordance with the visual and design objectives and principles of the Proposal.		
VAD2	Built elements will be robust, long-lasting, replaceable and easy to maintain materials and designs.		

SoC No.	Requirement	Stage	Reference / status
VAD3	The schedule of species to be used in the landscaping treatments will include self-sustaining native and locally indigenous plants that will be selected in consultation with a qualified landscape officer.		
VAD4	Disturbed areas will be progressively revegetated with consideration to related controls such as erosion and sedimentation controls, drainage and future road user safety requirements.		
VAD5	Design criteria will be applied during detailed design to reduce any potential adverse visual impacts to the existing landscape character and visual amenity.		
VAD6	Landscaped or rehabilitated areas will be monitored and maintained for a minimum of two years after opening.		
	Traffic and Transport		
T1	Pre-construction dilapidation reports will be prepared for all non-arterial roads likely to be used by construction traffic. Copies of the reports will be provided to the relevant roads authority.		
T2	Post–construction dilapidation reports will be prepared for the roads assessed in T1 above. Copies of the reports will be provided to the relevant roads authority. Any damage resulting from construction, (not normal wear and tear), will be repaired or an alternative arrangement for road damage will be agreed with the relevant roads authority.		
T3	Construction vehicle movements, work programs and traffic control measures will be planned to avoid or minimise impacts on traffic through the implementation of all feasible and reasonable design, and mitigation and management measures.		
T4	The centre spans of the bridges over the Hastings River and the Wilson River will be no lower in height than the existing bridges to ensure navigational clearance is maintained.		
T5	Consultation with those residents whose access will be affected during construction will be undertaken.		
T6	Signposting and crossing points will be provided for cyclists at the on and off ramps at interchanges offering a safer cycling and pedestrian environment.		

SoC No.	Requirement	Stage	Reference / status
T7	Provision will be made to maintain access for the existing bus operation.		
	Aboriginal heritage		
AH1	An Aboriginal heritage management plan will be developed to document procedures, management measures and protocols to minimise impacts.		
AH2	Items and areas of archaeological significance not directly affected will be protected during construction.		
AH3	Protocols will be established and implemented should any previously unidentified Aboriginal objects or human skeletal remains be encountered during construction works on the project. All works in the vicinity of the find will cease until Police and Aboriginal heritage specialist advice is obtained and the DECCW.		
AH4	Any Aboriginal heritage items directly affected will be managed in consultation with Aboriginal stakeholders and the DECCW.		
AH5	All construction personnel will receive Aboriginal heritage awareness training on their obligations for protection of Aboriginal cultural materials, including information on site locations, conservation management requirements and legal obligations in regard to Aboriginal cultural materials.		
AH6	The RTA will comply with the NSW Government's Aboriginal Participation in Construction Guidelines.		
AH7	The RTA will consult with the Birpai Local Aboriginal Land Council regarding management of any potential adverse impacts on the identified sensitive site in accordance with the aboriginal heritage management plan.		

SoC No.	Requirement	Stage	Reference / status
	Air quality		
AQ1	Feasible and reasonable mitigation measures will be adopted to minimise windblown, traffic-generated or equipment-generated dust and emissions.		
AQ2	Dust generating activities will stop where visible dust is being emitted outside the construction corridor and when dust suppression methods are ineffective.		
	Greenhouse gases and energy		
G1	Energy efficient work practices will be adopted to limit energy use. Where reasonable and feasible, equipment and management measures will be adopted to minimise energy use and greenhouse gas production. Minimise vegetation clearance where possible.		
G2	A lighting scheme will be developed during detailed design. The aim of the design will be to minimise the use of lighting.		
	Non-Aboriginal heritage		
NH1	The detailed design will minimise impacts to the identified non-Aboriginal heritage items where feasible and reasonable.		
NH2	A non-Aboriginal heritage management plan will be developed.		
NH3	Staff will receive training with respect to identifying items of non-Aboriginal heritage during construction and the correct methods of communication on the worksite.		
NH4	If any material of potential archaeological significance is unearthed, work will cease until specialist heritage advice has been obtained. Should any material of potential archaeological significance be unearthed, the Heritage Branch would be notified.		

SoC No.	Requirement	Stage	Reference / status
	Waste minimisation and management		
WMM1	The 'waste hierarchy' (avoid/reuse/recycle/ resource recovery/disposal) will be maximised during construction; incorporated into work programs, purchase strategies and site inductions; and will be assessed quarterly to identify opportunities for improvement. Recycled materials will be used where feasible.		
WMM2	Staff to be trained in waste reduction.		
WMM3	A waste register to be developed during construction.		
WMM4	Any waste material that is unable to be re-used, reprocessed or recycled will be disposed at a facility approved to receive that type of waste. Waste will be disposed at a facility licensed to accept that classification of waste.		
	Contamination		
C1	Areas of potential contamination identified during preconstruction and construction activities will be further investigated and appropriately managed.		
	Geology and Soils		
GS1	Erosion and sedimentation management and control measures will be designed and installed with the advice of a soil conservationist. Controls will be inspected regularly, maintained and managed to maximise their effectiveness.		
GS2	Acid Sulphate Soil Management Plan will be developed to outline strategies that will be implemented to manage potential impacts of development works that are likely to disturb acid sulfate soils.		
GS3	Geotechnical investigations will be undertaken as part of the detailed design phase to confirm preliminary geotechnical investigative works.		
GS4	Geomorphologic investigations will be undertaken during the detailed design phase to determine bank and		

SoC No.	Requirement	Stage	Reference / status
	riverbed stability.		
GS5	A spoil management strategy will be identifying opportunities for re-using the material onsite and locations outside the Proposal for re-use or disposal. Re-use onsite will be the priority.		
GS6	Detailed design of cut slopes and embankments will be undertaken to ensure there will be minimal long term adverse impacts to banks.		
	Utility Services		
US1	Utilities and services potentially affected by construction will be identified and requirements for their diversion, protection and / or support identified. Alterations to services will be determined in negotiation with the service providers and will ensure that disruption to services resulting from the project are limited and advised to customers.		