

## Botany Rail Duplication Independent Environmental Audit



### Assessment of ARTC & John Holland Group Environmental System Compliance Against the CSSI-9714 Conditions of Approval

Audit Reference:	<b>AQ1315.01</b>
Audit Organisation:	<b>ARTC, John Holland Group</b>
Auditors:	<b>Annabelle Tungol, Lead Auditor, AQUAS</b>
Dates of Audit:	<b>9 June 2022</b>
Draft Report Submitted:	<b>1 July 2022</b>
Final Report Submitted:	<b>22 July 2022</b>

# Amendment, Distribution & Authorisation Record

## Version Control and Distribution

Revision No.	Date	Reasons for Revision	Issued to
Draft	1 July 2022	Draft issued to JHG	Rachael Labruyere
Final	22 July 2022	Final for issue to JHG	Rachael Labruyere

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This report has been prepared and reviewed in accordance with our IBOS system.

This report has been prepared by:

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Date: 30/06/2022

Finalised following no comments from JHG, by:

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Date: 22/07/2022

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# 1. Executive Summary

This Audit Report presents the outcomes of the assessment of environmental controls established by ARTC and John Holland Group (JHG) against the requirements of the Critical State Significant Infrastructure conditions CSSI-9714 for the Botany Rail Duplication Project. The audit was conducted by AQUAS on 9 June 2022, covering the relevant conditions of Schedule 2 Parts A, B, C, E and Appendix A of CSSI-9714. The project was verified as generally compliant with the Conditions of Approval with the following key strengths noted:

- Demonstrated environmental performance by the Environmental and Sustainability Project team with sound collaboration between stakeholders and other contractors working around the vicinity of the project i.e., ARTC, Sydney Gateway Stage 1 & 3 team, Bayside Council, surrounding business (hotels), residents and utility providers.
- Robust noise and vibration monitoring during weekend possessions and in consultation with the Acoustic Advisor.
- There were only seven complaints received for the project to date (this audit).
- Based on the site inspection, strong implementation of environmental controls were demonstrated which included:
  - Good erosion and sedimentation controls at Mill Stream Pond – silt curtain with no sediment plume evident in water and silt fence were installed around the perimeter;
  - Stabilised access/egress (paved) at site compounds with rumble grids clear of dirt / no mud tracking on roads;
  - Self-bunded fuel tank and generator with spill kits were available onsite at point of use;
  - Sustainable practices demonstrated with re-use of timber at site sheds and mulch from tree clearing used as ground cover;
  - Retainment of tree stumps for fencing integrity along Qantas Drive;
  - Asbestos stockpile was covered and fenced with signage at Botany Triangle;
  - Site compounds were kept clean and tidy with waste bins emptied and potable water available onsite; and
  - Parking was available onsite with no queuing on public roads.

## Summary of Audit Findings

Based on the independent environmental audit carried out which comprised of review of documents and records, interviews with key personnel and a site inspection, there were a total of 136 Conditions of Approval assessed.

There were two non-compliance identified by the auditor during this independent audit. The audit also identified one (1) opportunity for improvement (OFI). A summary of the findings is as follows:

Finding No.	Condition of Approval	Finding	Recommendation
BRD01-NC-01	<p><b>A1 General</b></p> <p>The CSSI must be carried out in accordance with the terms of this approval and generally in accordance with the description of the CSSI in the Botany Rail Duplication Environmental Impact Statement (October 2019) and the Botany Rail Duplication Submissions Report (March 2020).</p>	<p><b>NC-01:</b> A non-compliance is raised against CoA A1 based upon the non-compliance raised at Condition E47.</p>	<p>Addressing the non-compliance against E47 will automatically address this non-compliance.</p>

Finding No.	Condition of Approval	Finding	Recommendation
BRD01-NC-02	<p><b>E47 Traffic and Transport</b></p> <p>Before any local road is used by a heavy vehicle for the purposes of construction of the CSSI, a Road Dilapidation Report must be prepared for the road. A copy of the Road Dilapidation Report must be provided to the relevant Council within three (3) weeks of completion of the survey and at least two weeks before the road is used by heavy vehicles associated with the construction of the CSSI.</p>	<p><b>NC-02:</b> Based upon the evidence provided, submission of the Road Dilapidation Report to Bayside Council was unable to be verified.</p>	<p>The Proponent must retain all records with consistency to ensure compliance with all Conditions of Approval.</p>
BRD01-OFI-01	<p><b>B2 Communication Strategy:</b></p> <p>The Communication Strategy must:</p> <p>(e) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant communities</p>	<p><b>OFI-01:</b> An opportunity for improvement to align or combine the issues of concern to those impacts identified under Section 3 (Table 3). While the Communication Strategy lists potential Consultation Forums (Section 4), there is little detail on the relevant key environmental management issues of concern.</p>	<p>This could be addressed as part of the 'Strategy' column in Table 3. There is also an opportunity for the Compliance Matrix to better reference the Communication Strategy's content e.g. CoA B2 under the matrix makes reference to Section 6 only.</p>

These findings are further detailed in [Section 5.8.1](#) with a recommendation to address the non-compliances and opportunity to maintain full compliance with CSSI-9714 as well as improve the environmental performance of the project. In addition to the findings, notes have been recommended to the Proponent under [Section 5.8.2](#).

## 2. Introduction

### 2.1 Background

The Botany Rail Duplication (BRD) project will increase capacity on the Botany Line, encouraging road to rail freight transport, and shall reduce the rate of truck movements and traffic congestion. The duplication will also support rail services between Port Botany and metropolitan freight intermodal terminals.

John Holland Group (JHG) has been appointed by ARTC for the design and construction of the Botany Rail Duplication which comprises of the following:

- Construction of a new track within the rail corridor (track duplication)
- Realignment of part of the existing track sideways to make room for the new track
- Construction of new crossovers to allow train options to move between tracks
- Construction of new rail bridges at Mill Pond, Southern Cross Drive, O’Riordan Street and Robey Street
- Construction of embankment/retaining structures
- Ancillary work including bi-directional signalling upgrades, drainage work and protecting/relocating utilities.

ARTC and John Holland Group engaged AQUAS to undertake this initial independent environmental audit, conducted on the 9 June 2022. The audit was conducted within 20 weeks of commencement of construction, in compliance with **CSSI-9714 Condition A35** whereby “Independent Audits of the CSSI must be carried out in accordance with (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the *Independent Audit PAR 2018*”.

### 2.2 Project Details

Project Name	Botany Rail Duplication
Project Application Number	CSSI-9714
Project Address	Building D, 10 Bourke Road Mascot NSW 2020
Project Phase	Construction
Project Activity Summary	<p>The following is a summary of the works that were in progress at the time of audit:</p> <ul style="list-style-type: none"> <li>• Establishment of site access and compounds complete</li> <li>• Vegetation and earthworks at Mill Pond and Banksia Compounds</li> <li>• Utility, potholing and geotechnical investigation work in the rail corridor</li> <li>• Completion of vegetation clearance along the project alignment</li> <li>• Retaining wall installation along the project alignment</li> <li>• Earthworks, hardstand and general concrete and drainage work along the project alignment</li> <li>• Fencing and gate installation/removal work along the project alignment</li> <li>• Piling work and construction of foundations at O’Riordan Street, Robey Street and Mill Stream bridges to recommence late June 2022</li> <li>• Cable service and utility relocation along the project alignment.</li> </ul>

## 2.3 Audit Team

Details of AQUAS independent environmental auditor that was approved by DPIE for this audit are as follows:

Name	Company	Position	Certification
Annabelle Tungol	AQUAS	Lead Environmental Auditor	Exemplar Global Lead Environmental Auditor Certificate No. 119536

Endorsement by the Department of Planning and Environment (DPE) of the Independent Environmental Auditor was granted on 23 May 2022 prior to the conduct of this audit, with the approval letter included as [Appendix A](#). Independent Audit declaration forms are also attached as [Appendix B](#).

Annabelle Tungol (Lead Auditor) was assisted by Barbara Pater, Exemplar Global Lead Environmental Auditor, Certificate No. C424613.

## 2.4 Audit Objectives

The objective of this audit was to undertake the first independent environmental audit in compliance with infrastructure approval condition [CSSI-9714 A35](#) and in accordance with the requirements of the Independent Audit Methodology and Independent Audit Report as per the *Independent Audit Post Approval Requirements (DPIE, 2018)*.

## 2.5 Audit Scope

The following items were included within the scope of the audit in compliance with CSSI-9714 the relevant conditions Parts A, B, C, E and Appendix A for the Botany Rail Duplication:

- Review of implementation of management plans, including:
  - Construction Environmental Management Plan (CEMP)
  - Construction Noise and Vibration Management Sub-Plan including Construction Monitoring Program
  - Construction Traffic, Transport and Access Management Sub-Plan
  - Soil and Water Management Sub-Plan
  - Community Communications Strategy
- Site inspection conducted on 9 June 2022,
- Review of the environmental performance of the project,
- Review of environmental records including non-compliances and incidents raised by JHG,
- Interview of site personnel, and
- Consultation with stakeholders.

## 2.6 Audit Period

This is the first independent environmental audit on the project carried out by AQUAS, covering the review of environmental documentation, records and site inspection for the Botany Rail Duplication works within 20 weeks of commencement of construction. This report is based on the result of sampling and supplied documentation/records, as well as the site activities during the audit 9 June 2022.

# 3. Audit Methodology

## 3.1 Approval of Auditors

Letter from the Planning Secretary agreeing to the auditors is attached as [Appendix A](#).

### 3.2 Audit scope development

AQUAS developed the audit scope and a checklist based on the Infrastructure Requirements set out in the CSSI-9714 Approval Conditions. Refer to [Appendix C](#) of this report.

### 3.3 Audit Process

#### 3.3.1 Opening Meeting

An opening meeting was held on 9 June 2022 at the Botany Rail Duplication office with JHG, project personnel and AQUAS auditors.

Key items were discussed, including:

- Confirmation of the purpose and scope of the audit
- Overview of the Project and status of the works
- Occurrence of Environmental incidents and non-conformances
- Overview of the audit process in accordance with the conditions of approval.

#### 3.3.2 Conduct of Audit

Audit activities included the following:

- Review of the project documentation (CEMP and sub-plans) and records to verify compliance with the CSSI-9714 conditions
- Conduct of a site walk led by the JHG to review implementation of mitigation measures and environmental controls on 9 June 2022
- Conduct of the audit based on the checklist with the Conditions of Approval, interviews with personnel and review of records provided as evidence of compliance, and
- Discussion of any identified findings and any actions noted during site inspection.

#### 3.3.3 Closing Meeting

The closing meeting was held on site on the 9 June 2022 at 3:00pm with representatives of ARTC, JHG and AQUAS. General feedback and the audit findings were discussed during the closing meeting.

AQUAS auditors acknowledged the cooperation, openness and hospitality of the JHG team during the conduct of this audit and noted their strong environmental monitoring practices and records management.

### 3.4 Interviewed Persons

Name and position of persons interviewed and consulted are as follows:

Name	Organisation	Position
Rachael Labruyere	JHG	Environmental Manager
Liam Taurins	JHG	Environmental Coordinator
Mira Segaran	JHG	Graduate Sustainability and Environmental Officer
Deane Meers	JHG	Site Supervisor
Loretta Mihaljek	JHG	Community and Stakeholder Manager
Alison Wedgewood	ARTC	Project Environment Advisor



### 3.5 Details of Site Inspection

The site inspection was conducted at 10:30am on 9 June 2022, with representatives from JHG and AQUAS. No issues were identified during the site inspection. Refer for further details of the inspection in [Section 5.4](#) of this report and site photos in [Appendix D](#).

### 3.6 Consultation

Consultation emails were sent in advance of the audit to relevant personnel at the Department of Planning and Environment, Bayside Council as well as the Environmental Representative (ER) and Acoustic Advisor (AA) to request feedback about the project and highlight any areas for review by AQUAS during the audit.

Contact	Agency	Comments	Audit Findings
Michelle Larkin Planning Officer – Metro Compliance	Department of Planning and Environment	The Department does not have specific concerns in relation to compliance at this time. Ensure that the audit includes all conditions within the approval SSI-9714.	The audit checklist was developed as per the conditions of approval CSSI-9714.
Alison Wedgewood  Project Environment Advisor	ARTC	Out of Hours Works as the most material environmental issue to date on the project. Also interested in any improvements or future potential issues/risk areas that might be identified to avoid non-compliances in the future.	The audit included a focus on Out of Hours Works in which the process was verified to be compliant. No suggestions for improvement were raised in this area. Community notifications were robust and good relationship with the nearby hotels were noted based on the evidence of communication provided. Complaints were addressed accordingly within the timeframe with satisfied complainants.
George Koulis Environmental Representative	Healthy Buildings International (HBI)	No comments received.	Not applicable
Dave Anderson Acoustics Advisor	Acoustic Studio	No comments received.	Not applicable
Colin Mable	Bayside Council	With regard to any environmental issues Council would like to be assessed please refer to the following matters:  1. There are a number of Council stormwater pipes which pass into and under the Rail Corridor. Council wants to ensure these lines are kept open at all times and no construction debris is directed into these pipelines. This is around the Baxter Road Area Mascot , Myrtle Street / Bay Street / Banksia Streets Botany.	The audit determined the following:  1. The stormwater pipes mentioned are outside the scope of works. 2. The streets and track were kept clean and clear of debris as verified during the site inspection. 3. The streets were kept clean and clear of debris as

Contact	Agency	Comments	Audit Findings
		<ol style="list-style-type: none"> <li>2. Access to some sections of the track is via local streets. Ensure any spilt construction debris in these streets is removed asap and the streets kept clean.</li> <li>3. Again with access into the track via local streets restrict access to as few local streets as possible to minimise the impact of heavy vehicles in these residential streets. Myrtle Street / Bay Street / Banksia Street Botany.</li> <li>4. With any night works particularly in residential areas any excessively noisy works are to be completed before 10.30pm each night.</li> </ol>	<ol style="list-style-type: none"> <li>4. The audit included a focus on Out of Hours Works with records verifying compliance as noted in the audit checklist (Appendix C). All Out of Hours Works documents and permits are undertaken as consulted with the Acoustic Advisor. This was also demonstrated in receiving no complaints on the project during night works to date.</li> </ol>

Refer to [Appendix E](#) for copies of the consultation records.

### 3.7 Audit Compliance Status Descriptors

The following audit criteria were used for the rating of audit findings.

Status	Description
Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-Compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not Triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

In addition to the above descriptors, there was an option to raise an Opportunity for Improvement (OFI) during this audit.

## 4. Document Review

The following documents were reviewed and/or sighted as part of this audit:

- BRD-JHG-PM-0000-MPL-12007 Construction Environmental Management Plan Rev 5, 9 February 2022
- BRD-JHG-EN-0000-MPL-13003 Construction Noise and Vibration Management Plan Rev 4, 8 February 2022
- BRD-JHG-TM-0000-PLN-00001 Construction Transport, Traffic and Access Management Plan Rev 4, 9 February 2022
- BRD-JHG-EN-0000-MPL-13004 Soil and Water Management Plan Rev 4, 9 February 2022
- BRD-JHG-EN-0000-MPL-14003 Site Establishment Management Plan Rev 3, 12 April 2022
- BRD-JHG-CO-0000-STG-13000 Community Communication Strategy Rev 5, 19 January 2021
- BRD-JHG-PM-0000-MPL-12016 Sustainability Management Plan Rev 2.1, 15 February 2022
- BRD-JHG-EN-0000-MPL-12001 Enabling Works Environmental Management Plan Rev 1, 15 December 2021
- Remediation Action Plan Botany Rail Duplication Rev G, 19 May 2022 (Draft)
- DPE approval letter of Communication Strategy, 20 January 2022
- DPE approval letter of Environmental Representatives, 9 November 2020
- DPE approval letter of Acoustic Advisors, 22 December 2020
- DPE approval letter of Alternative Environmental Representative, 10 August 2021
- ER approval letter of CEMP and sub-plans, ref 201203(A)\_CEMP11FEB22DPIE, 11 February 2022
- ER approval letter of Site Establishment Plan, ref 201203 (A) BRD\_SITE EST MP R3 20APR22, 20 April 2022
- Email correspondence Douglas Partners to JHG, SWMP, 3 November 2021
- Email correspondence JHG to AA, Noise Monitoring Reports, 30 November 2021
- Email correspondence DPE, Credit report, 23 March 2022
- Email correspondence JHG to ARTC, ER, AA, Complaints Register, 18 January 2022
- Email correspondence ARTC to DPE, Communication Strategy, 20 January 2022
- Email correspondence DPE to ARTC, receipt of the Independent Audit Program, 21 March 2022
- Email correspondence DPE to ARTC, receipt of the Credit Retirement Report, 23 March 2022
- Email correspondence EPA to JHG, EPL application, 30 March 2022
- Email correspondence SEEC to JHG, ESCP, 9 May 2022
- Email correspondence JHG, Trees planting areas, 18 May 2022
- Email correspondence JHG to stakeholders, noise and vibration works, 24 May 2022
- Email correspondence JHG to ARTC, ER, AA, Complaints Register, 24 May 2022
- Email correspondence JHG to ARTC, ER, AA, Complaints Register, 30 May 2022
- Email correspondence JHG to ER, close out from inspection 14, 31 May 2022
- Email correspondence ARTC to ER, Consistency Assessment, 13 April 2022
- Email correspondence JHG internal, TfNSW ROLs, 8 June 2022
- Portal Submission SSI-9714-PA-32, 23 December 2021
- Portal Submission SSI-9714-PA-38, 11 February 2022
- Portal Submission SSI-9714-PA-41, 7 March 2022
- Portal Submission SSI-9714-PA-44, 17 March 2022
- Portal Submission SSI-9714-PA-46, 7 April 2022
- Portal Submission SSI-9714-PA-52, 6 June 2022
- ARTC letter Ref # PM-L-DPE-0001, 17 March 2022 (Biodiversity Credits)
- ARTC letter Ref # PM-L-DPE-0001, 17 March 2022 (Independent Audit Program)
- ARTC letter Ref 201203 (A) BRD\_SITE EST MP R3, 20 April 2022
- ARTC Major Construction Projects Complaints Register
- ER Inspection Action Register (live)
- Waste Site Register (live)
- Training Register (live)
- Minor Ancillary Approval Form for General Holmes Drive Toilets, 20 September 2021
- Minor Ancillary Facility Approval Form Banksia Ancillary Facility Rev 4, 23 December 2021

- Sydney Gateway & BRD - Project Coordination Meeting – No. 13 (W70), 3 March 2022
- ARTC fortnightly meeting minutes, 19 April 2022
- ARTC fortnightly meeting minutes, 3 May 2022
- BRD CEMP Sub-Plan Workshop invitation, 16 December 2021
- BRD Construction Environmental Management Plan (Sub-Plan) Consultation, 13 December 2021
- Construction Environmental Management Plan (sub-plan) Consultation – CTTAMP, 13 December 2021
- Pre-clearing assessment presented for Robey Street Vehicle Access AMBS Ecology + Heritage, Ref 21974, 19 January 2022
- Pre-clearing assessment for Mill Stream Pond Extension AMBS Ecology + Heritage, Ref 21974, 15 March 2022
- Biodiversity Conservation Trust Statement Ref BCF322, 3 March 2022
- BAM Biodiversity Credit Report assessment ID 00012151/BAAS18097/18/00012152, 31 October 2018
- BRD Environment and Sustainability induction
- BRD-JHG-NV-0000-PRT-00001 Out of Hours Work Protocol, Rev 3, 3 May 2022 (Draft)
- Out of Hours Work Permit 018, 5 May 2022
- Out of Hours Work Permit 009, 24 March 2022
- Noise Monitoring Field Form, 8 November 2021 (OOHW)
- Noise Monitoring Field Form, 10 November 2021 (OOHW)
- Noise Monitoring Field Form, 7 May 2022 during piling works
- Noise Monitoring Field Form, Robey Street at 8:45am on 7 May 2022 during piling works
- Noise Monitoring Field Form, Baxter Road at 10:27am on 7 May 2022 during piling works
- Noise Monitoring Field Form, Stamford Hotel at 11.29pm on 7 May 2022 during piling works (P6)
- Noise Monitoring Field Form, Stamford Hotel (stairs) at 7:13am on 8 May 2022 during cage installation (cage)
- Low-Impact Works Application 006 (LIWA) Rev 0, 1 November 2021
- Renzo Tonin & Associates 009 Noise and Vibration Assessment Report, March 2022
- Renzo Tonin & Associates TM232-04F02 8T Smooth Drum Roller Vibration Monitoring Report (r1), 5 May 2022
- Renzo Tonin & Associates Report TM232-04F03 Piling Vibration Monitoring Report (r2), 10 May 2022
- Renzo Tonin & Associates TM232-05F02 Impact Piling Noise and Vibration Monitoring Report (r1), 1 June 2022
- Douglas Partners Site Contamination Report Ref R.024.DftC DSI, 26 May 2022 (Draft)
- Land Surveys Condition Survey Report Ref LS-004-772 Rev 0, 8 December 2021
- Road Dilapidation Report Ref LS-004-846 Rev 0, 12 December 2021
- Progressive Erosion and Sediment Control Plan, Botany Triangle > Southern Cross Drive West Abutment, drawing P01 Version A, 14 March 2022
- Progressive Erosion and Sediment Control Plan for watercourse > Mill Pond Access and Abutment Works, drawing P02 Version B, 9 May 2022
- Aconex correspondence for Lot DP1039806 condition survey, 31 December 2021
- Aconex correspondence for engagement of site auditor, ref JH-SVVC-000104, 8 October 2021
- AS2885.6 Threat Register Botany Rail Duplication Project - CH12600 Document Number: SMS Common Threat Register, SMS Workshop Dates: Wednesday 4th May 2022
- Botany Rail Duplication Safety Management Study Jemena/JHG ref PRJ-JOHN22\_3371 Botany Rail Duplication \_SMS Report\_ Rev A, 11 May 2022 (Draft)
- Site Auditor CV – Geosyntec Consultants
- ARTC Project Update – Noise and Vibration Fact Sheet
- ARTC Upcoming works notification for July works, 8 June 2022
- Docket No. 20557, Cleanaway, Botany Rd (asbestos drill mud), 9 December 2021
- Docket No. 20558, Cleanaway, Botany Rd (asbestos drill mud), 19 December 2021
- Docket No. 34701, Demast, Banksia St (liquid waste), 16 February 2022
- Docket No. 34714, Demast, Banksia St (liquid waste), 16 February 2022
- Cleanaway Erskine Park EPL 4865, approval letter, 27 May 2022 (S143)

## 5. Audit Findings

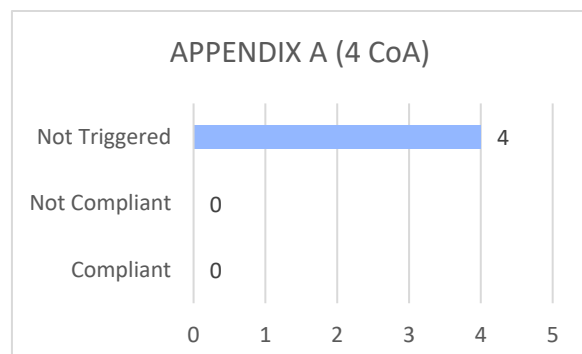
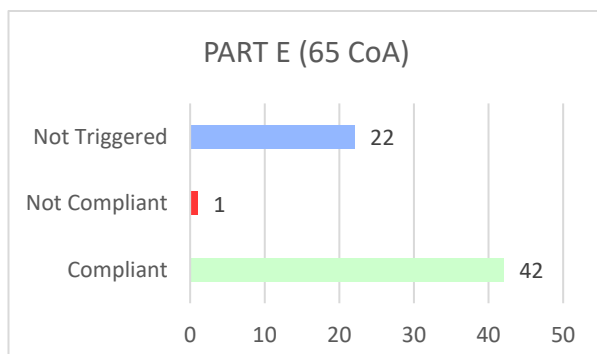
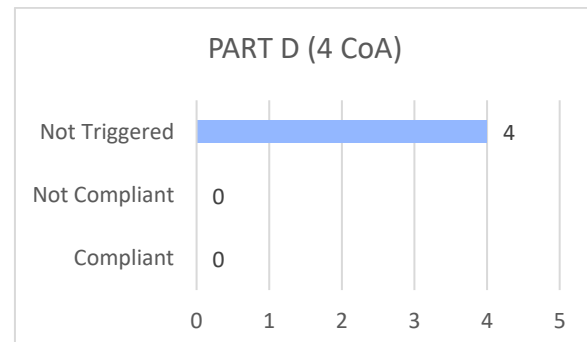
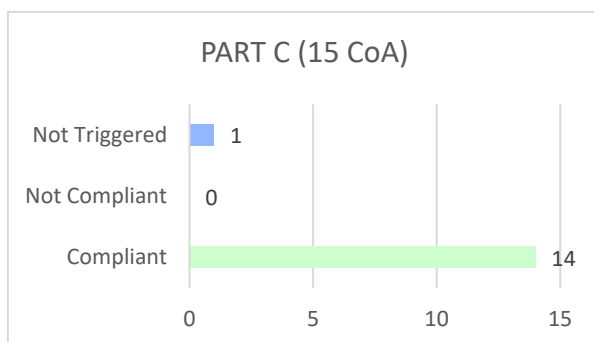
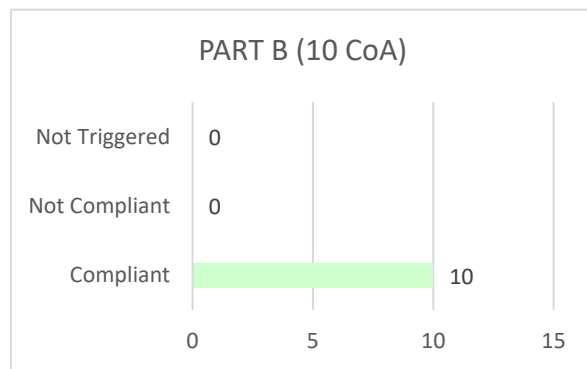
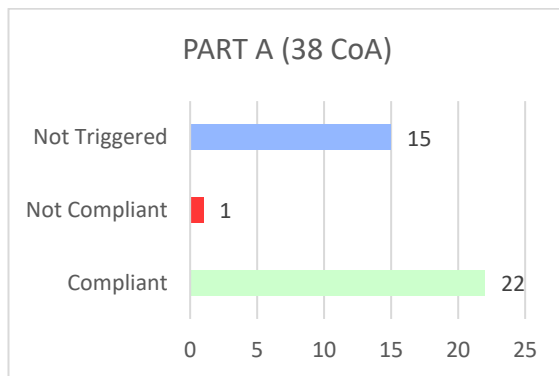
This audit was completed to assess the implementation of CEMP and environmental controls established by ARTC and JHG against the Conditions of Approval of CSSI-9714. The audit confirmed that ARTC and JHG have generally implemented its Environmental Management Plan mitigation measures in accordance with Conditions of Approval CSSI-9714. Audit findings are detailed under [Section 5.8](#) of this report.

The following table summarises the audit findings by rating category:

Findings Rating	Findings
Compliant	88
Non-Compliant	2
Not Triggered	46
<b>Total Requirements</b>	<b>136</b>

### 5.1 Assessment of Compliance

The audit determined that ARTC and John Holland Group has complied with the Conditions of Approval. The comparison of audit requirements against the compliance ratings is as follows:



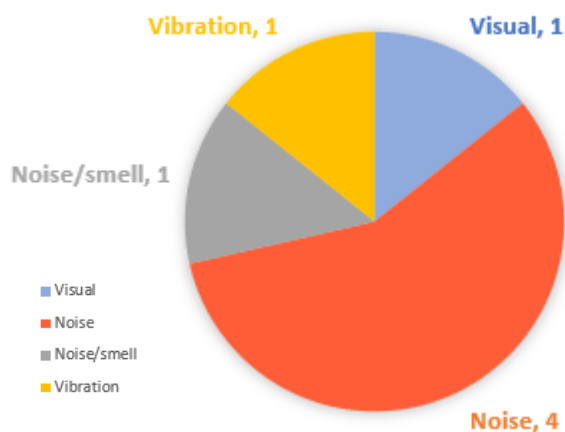
## 5.2 Notices, Incidents and Complaints

### Complaints

A Complaints Register is maintained and managed by the Community and Stakeholder Manager (CSM). Details of the complaints are recorded and have undergone an investigation and close out attempt. The Complaints Register is provided on a weekly basis and issued to the ARTC, Environmental Representative, and Acoustic Advisor.

Seven complaints have been received since the project commenced:

#### NUMBER OF COMPLAINTS (7 in total)



### Incidents

The JHG Incident and Event Management Procedure (JHMPR-SQW-010) has been implemented as well as the ARTC Incident Reporting Procedure (CORPR-PR-012) and Pollution Incident Response Procedure (ENV-WI-002). Under the procedure four classes of incidents are detailed:

- **Class 1:** Incidents which have high severity impacts on the community and/or environment and may have irreversible residual impacts.
- **Class 2:** Incidents which have moderate severity impacts on the community and/or environment (1-3 months duration) but are fully reversible with no residual impacts.
- **Class 3:** Incidents which have low severity impacts on the community and/or environment in the short term (<1 month duration) and are fully reversible with no residual impacts.
- **Report Only:** Pollution or degradation which is not related to JHG activities.

No environmental incidents have been recorded to date.

### Non-Compliances/Non-Conformances

The following non-compliances/non-conformances were raised by the John Holland during the audit period as follows:

BRD Reference	Date	Details	Status
System Non-Compliances Raised (7 in total)			
SNC/BRD/00007	31/05/2022	TfNSW D&C G10 Traffic Management Hold Points not raised prior to works undertaken	Open
SNC/BRD/00006	26/05/2022	ITP for traffic management not approved prior to traffic works commencing	Open

BRD Reference	Date	Details	Status
SNC/BRD/00005	23/05/2022	Noise assessment for piling works did not include all activities (specifically impact hammering of pile casings)	Closed
SNC/BRD/00004	23/05/2022	Previously raised as NCR001, imported material had been placed directly onto the soil (or where a stockpile extended beyond the geofabric) that the bottom 200mm of the stockpile would be left in-situ to prevent cross contamination/use of contaminated material within the works	Closed
SNC/BRD/00003	6/04/2022	A system non-conformance has been raised to address non-conformity of submission of documentation to the client ARTC as there was a lack of supporting documentation to substantiate the current works occurring on site	Open
SNC/BRD/00002	16/03/2022	Hold Point HWP/BRD/00031 raised for submission of Demolition Plan as required for Work Lot WLD/BRD/00046 O'Riordan St Demolition Preliminary Works. Hold Point documentation submitted was incorrect and not issued for IFC. Hold point to be raised following the commencement of demolition, once the Temporary Works Report has been signed and is IFC status and following the issue of the signed safety/stability report	Closed
SNC/BRD/00001	4/02/2022	Hold points released after actual work, PE inspected the work on site but the electronic sign off was missed in PPW formally as QMP, "7.15.3 hold and witness points" the hold points were not formally released on time	Closed
Project Non-Compliances Raised (6 in total)			
PNC/BRD/00006	02/06/2022	Concrete Mix design constituents swapped and not submitted for Hold Point approval	Open
PNC/BRD/00005	23/05/2022	Pit installation for CSR Design 1102 package prior to IFC Stage 3 design	Open
PNC/BRD/00004	23/05/2022	ULX 20 installation prior to IFC Stage 3 design	Open
PNC/BRD/00003	23/05/2022	Submission of documentation not followed for pit for Design Stage 2-3 1101 Package	Open
PNC/BRD/00002	29/04/2022	Noncompliance with Traffic Management ITP requirements	Open
PNC/BRD/00001	29/04/2022	Imported Material Segregation - Imported material had been placed directly onto the soil (or where a stockpile extended beyond the geofabric) that the bottom 200mm of the stockpile would be left in-situ to prevent cross contamination/use of contaminated material within the works.	Cancelled

These non-compliances were non-reportable events.

### 5.3 Previous Audit Findings

This is the first audit of the Botany Rail Duplication therefore there are no previous audit findings to note.

### 5.4 Audit Site Inspection

A site walk was conducted on the 9 June 2022 with representatives of JHG where the AQUAS auditors reviewed the effectiveness of environmental mitigation measures. The site walk included the Robey

Street and O’Riordan Street works, Botany Triangle compound, and Mill Stream Pond. The following observations during the site walk were noted:

- Robey Street – sediment controls were installed at access/egress, no mud tracking sighted on road, spill kit available, and site signage installed.
- O’Riordan Street – retaining wall adjacent to the Stamford Hotel with cleared area and piling pad established. Road kept clean and clear of dirt.
- Qantas Drive – shade cloth with project / contact details displayed on project boundary, spill kit available. Tree stumps retained for fencing integrity. Retaining wall and embankment built in collaboration with the Sydney Gateway Project Stage 1 and 3.
- Botany Triangle compound – clear access/egress, parking available onsite with traffic and erosion and sedimentation controls in place. Rumble grid established and in good working order. Site compound had policies, erosion and sedimentation plan and pre-start board on display with facilities and waste bins available. Asbestos stockpile was covered and fenced with signage.
- Mill Stream Pond – stabilised paved access with rumble grid, site signage, silt fence installed around the perimeter, mulch from tree cuttings used for ground cover, and sealed gap between jersey barriers. Self-bunded fuel tank, generator, and spill kit available. Site shed established with potable water and tanks. Stabilised batters, ballast stockpiled. Silt curtain was installed along the pond and operating well with no evidence of sediment plume. Vegetation and earthworks undergoing.
- Traffic controllers present at each site point with separated pedestrian access and clear signage.

### 5.5 Suitability of Plans and the EMS

The Construction Environmental Management Plan (CEMP) and sub-plans were reviewed and endorsed by the Environmental Representative (ER) as per condition C3, prior to construction commencing. Consultation was undertaken as required with stakeholders TfNSW, Bayside Council, and relevant service providers with the Acoustic Advisor (AA) review and endorsement received for the Noise and Vibration Management Plan which included the Construction Noise and Vibration Monitoring Program. The AA reviews all Out-of-Hours-Work documents and applications prior to works being conducted demonstrating implementation of the Noise and Vibration Management Plan and as evidenced in the AA Monthly Report. The ER also reviews the project’s environmental documentation on a regular basis as evidenced in the ER Monthly Reports, undertaking fortnightly inspections to ensure the system remains current and suitable to the works.

The project operated under a low impact works approval as per ARTC Pre-Construction Low-Impact Works Application dated 1 November 2021 including the establishment and connection of the Minor Ancillary Facility to services, and Geotechnical investigations to inform design and construction requirements. An Enabling Works Environmental Management Plan was then established on the 15 December 2021.

Based on the evidence provided, the environmental management plans and system appear to be implemented well, demonstrated through the noise and vibration monitoring activities, no environmental incidents to date, and little complaints received since construction commenced.

### 5.6 Actual and Predicted Impacts

There were no significant changes or additional impacts noted on the actual construction works and predicted impacts are as stated in the Environmental Impact Assessment (EIA).

Changes to project scope or methodology that are consistent with the approval were assessed and approved by ARTC under the process of Consistency Assessment in accordance with the CEMP.

The Site Inspection was conducted to review implementation of the CEMP and subplans identifying aspects and impacts on site. Summary of the inspection is documented in the report under [Section 5.4](#)



and [Appendix D – Photos](#). The implementation of the CEMP and subplans were evaluated considering the Out-of-Hours-Work and noise and vibration monitoring, a focus area as requested by the stakeholders during consultation. The CEMPs were reviewed and approved by the ER and AA in accordance with the Minister’s Conditions of Approval. Evidence of the review were presented in the [Appendix C – Checklist](#). It is also noted that the ER inspection reports, and AA Reports were reviewed and evaluated as part of the implementation of the CEMP and subplans.

## 5.7 Key Strengths

The project demonstrated general compliance in accordance with the conditions of approval CSSI-9714 with the following key strengths noted:

- Demonstrated environmental performance by the Environmental and Sustainability Project team with sound collaboration between stakeholders and other contractors working around the vicinity of the project i.e., ARTC, Sydney Gateway Stage 1 & 3 team, Bayside Council, surrounding business (hotels), residents and utility providers.
- Robust noise and vibration monitoring during weekend possessions and in consultation with the Acoustic Advisor.
- There were only seven complaints received for the project to date (this audit).
- Based on the site inspection, strong implementation of environmental controls were demonstrated which included:
  - Good erosion and sedimentation controls at Mill Stream Pond – silt curtain with no sediment plume evident in water and silt fence were installed around the perimeter;
  - Stabilised access/egress (paved) at site compounds with rumble grids clear of dirt / no mud tracking on roads;
  - Self-bunded fuel tank and generator with spill kits were available onsite at point of use;
  - Sustainable practices demonstrated with re-use of timber at site sheds and mulch from tree clearing used as ground cover;
  - Retainment of tree stumps for fencing integrity along Qantas Drive;
  - Asbestos stockpile was covered and fenced with signage at Botany Triangle;
  - Site compounds were kept clean and tidy with waste bins emptied and potable water available onsite; and
  - Parking was available onsite with no queueing on public roads.

## 5.8 Audit Findings and Recommendations

Two (2) non-compliances were identified by the auditor during this independent audit. The audit also identified one (1) opportunity for Improvement (OFI) which are detailed within the table below under [Section 5.8.1](#).

It is recommended to address these non-compliances and opportunity to maintain full compliance with CSSI-9714 and improve the environmental performance of the project. Refer to the checklist included as [Appendix C](#) for the full details of findings. In addition to the findings, notes have been recommended to the Proponent as further detailed in the table below, [Section 5.8.2](#).

### 5.8.1 Audit Findings and Recommendations

Finding No.	Finding Type	Condition of Approval & Requirement	Audit Finding Details	Recommendation
BRD01-NC-01	Non-Compliance	<p><b>A1 General</b></p> <p>The CSSI must be carried out in accordance with the terms of this approval and generally in accordance with the description of the CSSI in the Botany Rail Duplication Environmental Impact Statement (October 2019) and the Botany Rail Duplication Submissions Report (March 2020).</p>	<p><b>NC-01:</b> A non-compliance is raised against CoA A1 based upon the non-compliance raised at Condition E47.</p>	<p>Addressing the non-compliance against E47 will automatically address this non-compliance.</p>
BRD01-NC-02	Non-Compliance	<p><b>E47 Traffic and Transport</b></p> <p>Before any local road is used by a heavy vehicle for the purposes of construction of the CSSI, a Road Dilapidation Report must be prepared for the road. A copy of the Road Dilapidation Report must be provided to the relevant Council within three (3) weeks of completion of the survey and at least two weeks before the road is used by heavy vehicles associated with the construction of the CSSI.</p>	<p><b>NC-02:</b> Based upon the evidence provided, submission of the Road Dilapidation Report to Bayside Council was unable to be verified.</p>	<p>The Proponent must retain all records with consistency to ensure compliance with all Conditions of Approval.</p>
BRD01-OFI-01	Opportunity for Improvement	<p><b>B2 Communication Strategy:</b></p> <p>The Communication Strategy must:</p> <p>(e) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant communities</p>	<p><b>OFI-01:</b> An opportunity for improvement to align or combine the issues of concern to those impacts identified under Section 3 (Table 3). While the Communication Strategy lists potential Consultation Forums (Section 4), there is little detail on the relevant key environmental management issues of concern.</p>	<p>This could be addressed as part of the 'Strategy' column in Table 3. There is also an opportunity for the Compliance Matrix to better reference the Communication Strategy's content e.g. CoA B2 under the matrix makes reference to Section 6 only.</p>

## 5.8.2 Audit Notes and Recommendations

Condition of Approval and Requirement	Note
<p><b>A36 Auditing</b></p> <p>In accordance with the specific requirements in the Independent Audit PAR, the Proponent must:</p> <ul style="list-style-type: none"> <li>(a) review and respond to each Independent Audit Report prepared under Condition A35 of this approval; and</li> <li>(b) make each Independent Audit Report and response to it publicly available and notify the Planning Secretary in writing when this has been done.</li> </ul> <p><i>Note: Consistent with the requirements of the Independent Audit PAR, the Planning Secretary may approve a request for ongoing operational audits to be ceased where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.</i></p>	<p>The Proponent is reminded to:</p> <ul style="list-style-type: none"> <li>• review and respond to this audit report</li> <li>• make the report publicly available, and notify the Department of Planning and Environment once this has been done.</li> </ul>
<p><b>C1 Construction Environmental Management Plan</b></p> <p>A Construction Environmental Management Plan (CEMP), or a Staged CEMP where staging is proposed in accordance with Condition A11, must be prepared by having regard to the Environmental Management Plan Guideline – Guideline for Infrastructure Projects (DPIE, April 2020). The plan must detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 will be implemented and achieved during construction.</p>	<p>It is recommended to include a review of the objectives and targets as part of the bi-annual Management Review meetings once these commence, to monitor implementation and ensure objectives and targets are being met.</p>
<p><b>C14 Construction Monitoring Program</b></p> <p>The results of the Construction Monitoring Programs must be made publicly available in the form of a Construction Monitoring Report at the frequency identified in the relevant Construction Monitoring Program.</p> <p><i>Note: Where a relevant CEMP Sub-Plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-Plan.</i></p>	<p>The Proponent to ensure Construction Monitoring Reports are to be made publicly available within the timeframe.</p>
<p><b>E27 Out of Hours Work – Community Consultation on Respite</b></p> <p>In order to undertake work outside hours specified in Condition E14 and E15, the Proponent must identify appropriate respite* required by Condition E26, and/or additional mitigation measures required by Condition E28, for out-of-hours work in consultation with the community at each affected location on at least a 3 monthly basis. This consultation must include (but not be limited to) providing the community with a three-monthly forward schedule of likely out of hours works.</p>	<p>The Proponent to note to implement a three-monthly schedule with information as per Condition E27 (a) to (d) for any predicted OOHW to retain full compliance with Condition E27.</p>
<p><b>E32 Noise Mitigation - Operational Noise Mitigation Measures</b></p> <p>The Proponent must prepare an Operational Noise and Vibration Review (ONVR). The ONVR must be verified by the AA. The ONVR must be prepared at the Proponent's expense and submitted to the Planning Secretary for approval before the implementation of mitigation measures. The ONVR must be made publicly available consistent with the requirements of Condition B10. The Proponent must implement the identified noise and vibration control measures no later than 6 months after the commencement of construction, unless otherwise agreed with the Planning Secretary.</p>	<p>A note to the Proponent that an ONVR must be prepared and endorsed by the AA. Following endorsement, the ONVR is to be submitted to DPE within the 6-month timeframe / prior to implementation (by August 2022).</p>

Condition of Approval and Requirement	Note
<p><b>E33 Noise Mitigation - Operational Noise Mitigation Measures</b></p> <p>Where operational noise mitigation measures (that also assist in reducing construction noise impacts) cannot be installed within six months of commencement of construction in accordance with Condition E32, the Proponent must submit to the Planning Secretary a report providing justification as to why. The report must include details of temporary measures that would be implemented to reduce construction noise impacts, until such time that the operational noise mitigation measures identified in Condition E32 are implemented. The report must be endorsed by the AA and submitted to the ER for approval within six (6) months of the commencement of construction which would affect the identified sensitive land uses.</p>	<p>A note to the Proponent to submit a justification report to DPE, if required, as endorsed by the AA and approved by the ER, within the 6-month timeframe (by August 2022).</p>

## Appendix A. Auditors Approval

Department of Planning and Environment



Australian Rail Track Corporation  
via Major Projects Portal

Attention: Mrs Alison Wedgwood, Project Environmental Advisor

23/05/2022

Dear Mrs Wedgwood

### Botany Rail Duplication (SSI-9714) - Agreement to Independent Auditor

I refer to your request (SSI-9714-PA-51) for the Secretary's agreement to a suitably qualified, experienced and independent auditor the Botany Rail Duplication project (SSD-9714, as modified).

The Department of Planning and Environment (the department) has reviewed the nomination you have provided and is satisfied that the proposed auditor is suitably qualified, experienced and independent.

Consequently, in accordance with Condition A35(b) of SSI-9714 and section 3.1.3 of the *Independent Audit Post Approval Requirements* (2018), the Secretary has agreed to the following auditor:

- Ms Annabelle Tungol, Lead Auditor.

Please ensure this correspondence is appended to the independent audit report.

The independent audit must be prepared, undertaken and finalised in accordance with the *Independent Audit Post Approval Requirements* (2018). Failure to meet these requirements will require revision and resubmission.

The department reserves the right to request an alternate auditor/s for future audits.

Notwithstanding the agreement to the above auditor for the construction phase of this project, each project and project phase requires a request for the agreement to the auditor/s be submitted to the department for consideration of the Secretary.

Should you wish to discuss the matter further, please contact Michelle Larkin, Compliance Officer, at [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au).

Yours sincerely



Alex McGuirk  
A/Team Leader Compliance - Government Projects  
Compliance

As nominee of the Planning Secretary

## Appendix B. Independent Audit Declaration Forms

### Declaration of Independence Form

#### Declaration of Independence - Auditor

Project Name: Botany Rail Duplication

Consent Number: SSI-9714

Description of Project: Duplication of the Botany Rail Line including:

- Construction of new track within the existing rail corridor ~3kms
- Track realignment and upgrading – relocation of track sideways
- Construction of new crossovers
- Construction of new rail bridges at Mill Stream, Southern Cross Drive, O’Riordan Street and Robey Street
- Construction of Embankment/retaining structures adjacent to Qantas Drive
- Ancillary works including bi-directional signalling upgrades, drainage work and protecting/relocating utilities

Project Address: Building D, 10 Bourke Road, Mascot NSW 2020

Proponent: ARTC – John Holland

Date: 10<sup>th</sup> May 2022

I declare that:

- I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- I am not an Environmental Representative for the project; and
- I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

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

Name of the Auditor: Annabelle Tungol

Signature: 

Qualification: Lead Environmental Auditor

Company: AQUAS Pty Ltd

Company Address: Level 7, 116 Miller Street, North Sydney NSW 2060

## Declaration of Independence Form

### Declaration of Independence - Auditor

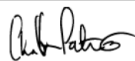
Project Name:	Botany Rail Duplication
Consent Number:	SSI-9714
Description of Project:	Duplication of the Botany Rail Line including: <ul style="list-style-type: none"> <li>• Construction of new track within the existing rail corridor ~3kms</li> <li>• Track realignment and upgrading – relocation of track sideways</li> <li>• Construction of new crossovers</li> <li>• Construction of new rail bridges at Mill Stream, Southern Cross Drive, O’Riordan Street and Robey Street</li> <li>• Construction of Embankment/retaining structures adjacent to Qantas Drive</li> <li>• Ancillary works including bi-directional signalling upgrades, drainage work and protecting/relocating utilities</li> </ul>
Project Address:	Building D, 10 Bourke Road, Mascot NSW 2020
Proponent:	ARTC – John Holland
Date:	10 <sup>th</sup> May 2022

I declare that:

- I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- I am not an Environmental Representative for the project; and
- I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

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

Name of the Auditor:	Barbara Pater
Signature:	
Qualification:	Environmental Auditor
Company:	AQUAS Pty Ltd
Company Address:	Level 7, 116 Miller Street, North Sydney NSW 2060



## Appendix C. Audit Checklist and Audit Findings

ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1	PART	A	ADMINISTRATIVE CONDITIONS			
	<b>A</b>		<b>GENERAL</b>			
1.1	A	A1	The CSSI must be carried out in accordance with the terms of this approval and generally in accordance with the description of the CSSI in the Botany Rail Duplication Environmental Impact Statement (October 2019) and the <i>Botany Rail Duplication Submissions Report (March 2020)</i> .	Based on the outcome of this audit and the evidence presented, the Proponent and Contractor demonstrated compliance with the requirements of the Environmental Impact Statement (EIS) and Response to Submissions (RtS).  However, as the CSSI must be carried out in accordance with all terms of this approval, and a non-compliance was raised at Condition E47, a non-compliance is therefore raised against CoA A1.	<b>NC-01:</b> A non-compliance is raised against CoA A1 based upon the non-compliance raised at Condition E47.  <b>Recommendation:</b> Addressing the non-compliance against E47 will automatically address this non-compliance.	Non-Compliant
1.2	A	A2	The CSSI must be carried out in accordance with all procedures, commitments, preventative actions, performance outcomes and mitigation measures set out in the documents identified in <b>Condition A1</b> unless otherwise specified in, or required under, this approval.	The audit determined that the CSSI is being carried out in accordance with the requirements of the conditions of approval, the EIS and RtS.		Compliant
1.3	A	A3	In the event of an inconsistency between the documents listed in <b>Condition A1</b> , or any other document required under this approval, and a term of this approval, the term of this approval prevails to the extent of the inconsistency.  <i>Note: For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</i>	No formal clarifications sought during this audit period. This has not been triggered. Consistency assessment under ARTC.		Not Triggered

**Audit Descriptors Compliance Codes:** Compliant; Non-Compliant; Not Triggered



ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.4	A	A4	<p>The Proponent must comply with all written requirements or directions of the Planning Secretary, in a timely manner, including in relation to:</p> <ul style="list-style-type: none"> <li>(a) the environmental performance of the CSSI;</li> <li>(b) any document or correspondence in relation to the CSSI (including the provision of such documentation or correspondence);</li> <li>(c) any independent appointment or dismissal made in relation to the CSSI;</li> <li>(d) any notification given to the Planning Secretary under the terms of this approval;</li> <li>(e) any audit of the construction or operation of the CSSI;</li> <li>(f) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval);</li> <li>(g) the carrying out of any additional monitoring or mitigation measures; and</li> <li>(h) in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.</li> </ul>	None received to date. This is not yet triggered.		Not Triggered
1.5	A	A5	<p>Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken in consultation with identified parties, evidence of the consultation undertaken must be submitted to the Planning Secretary with the document. The evidence must include:</p> <ul style="list-style-type: none"> <li>(a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval;</li> <li>(b) a log of the dates of engagement or attempted engagement with the identified party and a summary of the issues raised by them;</li> </ul>	<p>Consultation records were appended to the Construction Environmental Management Plan (CEMP Appendix E) with details of consultation undertaken and copies of correspondence.</p> <p>The following emails were verified:</p> <ul style="list-style-type: none"> <li>• BRD CEMP Sub-Plan Workshop invitation to Bayside Council members, 16 December 2021</li> <li>• BRD Construction Environmental Management Plan (Sub-Plan) Consultation to Bayside Council members and APA Group, 13 December 2021</li> </ul>		Compliant

**Audit Descriptors Compliance Codes:** Compliant; Non-Compliant; Not Triggered

ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations;</p> <p>(d) outline of the issues raised by the identified party and how they have been addressed; and (e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed.</p>	<ul style="list-style-type: none"> <li>Construction Environmental Management Plan (sub-plan) Consultation – CTTAMP to TfNSW, 13 December 2021</li> </ul> <p>There is an appendix attached to each sub-plan as well as the CEMP with a log of engagement dates, the identified parties and any comments or issues. The main avenue of consultation occurred through a workshop on the 16 December 2021. The log also includes a response status to the workshop e.g. comments received 22 December 2021 from Bayside Council regarding the Construction Noise and Vibration Management Plan CNVMP (Including Monitoring Program). Seven comments appear within the CNVMP Appendix E with a response to each from John Holland.</p>		
1.6	A	A6	This approval lapses five (5) years after the date on which it is granted, unless works are physically commenced on or before that date.	SSI-9714 approved 28 July 2020 (approval lapses July 2025). Works have commenced onsite prior to approval lapsing (11 February 2022). This is not yet triggered.		Not Triggered
1.7	A	A7	References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this approval.	Guidelines, protocols, standards, and policies applicable for the project are defined within the CEMP and subplans.		Compliant
1.8	A	A8	Any document that must be submitted within a timeframe specified in or under the terms of this approval may be submitted within a later timeframe agreed with the Planning Secretary. This condition does not apply to the immediate written notification required in respect of an incident under <b>Condition A37</b> . The Proponent must provide supporting evidence so that the Secretary can consider the need, environmental impacts and consistency of any request.	Notification of commencement of construction as 1 February 2022 as per ARTC letter dated 23 December 2021. Construction commenced on the 11 February 2022 following the Construction Environmental Management Plan (CEMP) and sub-plans as approved by the Environmental Representative 11 February 2022, ref 201203(A)_CEMP11FEB22DPIE.		Compliant

**Audit Descriptors Compliance Codes:** Compliant; Non-Compliant; Not Triggered

ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	<b>A</b>		<b>INDEPENDENT APPOINTMENTS</b>			
1.9	A	A9	All <b>Independent Appointments</b> required by this approval must be consistent / have regard with the Department's guideline <i>Seeking approval from the Department for the appointment of independent experts (DPIE, 2020)</i> .	<p>Independent Appointments have been approved by DPE as per evidence presented:</p> <ul style="list-style-type: none"> <li>• Independent Auditor approval letter received from DPE as dated 23 May 2022.</li> <li>• Approval of Environmental Representatives as per DPE letter dated 9 November 2020. An additional letter for approval of the alternative environmental representative was also issued by DPE on the 10 August 2021.</li> <li>• DPE letter dated 22 December 2020 for the approval of Principal and Alternate Acoustic Advisors.</li> </ul>		Compliant
1.10	A	A10	<p>The Planning Secretary may at any time commission an audit of how an <b>Independent Appointment</b> has exercised their functions. The Proponent must:</p> <p>(a) facilitate and assist the Planning Secretary in any such audit; and</p> <p>(b) make it a term of their engagement of an <b>Independent Appointment</b> that the <b>Independent Appointment</b> facilitate and assist the Planning Secretary in any such audit.</p> <p>The Planning Secretary may withdraw their approval if an <b>Independent Appointment</b> should they consider the <b>Independent Appointment</b> has not exercised their functions in accordance with this approval.</p>	The Planning Secretary has not made any requests.		Not Triggered

**Audit Descriptors Compliance Codes:** Compliant; Non-Compliant; Not Triggered

ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	<b>A</b>		<b>STAGING</b>			
1.11	A	A11	The CSSI may be constructed and operated in stages. Where staged construction or operation is proposed, a <b>Staging Report</b> (for either or both construction and operation as the case may be) must be prepared and submitted to the Planning Secretary for information. The <b>Staging Report</b> must be endorsed by the ER and submitted to the Planning Secretary before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, before the commencement of operation of the first of the proposed stages of operation).	The Botany Rail Duplication project is not being constructed in stages. A Staging Report is not required.		Not Triggered
1.12	A	A12	The <b>Staging Report</b> must: <ul style="list-style-type: none"> <li>(a) if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;</li> <li>(b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</li> <li>(c) specify how compliance with conditions will be achieved across and between each of the stages of the CSSI; and (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</li> </ul>	The Botany Rail Duplication project is not being constructed in stages. A Staging Report is not required.		Not Triggered

**Audit Descriptors Compliance Codes:** Compliant; Non-Compliant; Not Triggered

ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.13	A	A13	The CSSI must be staged in accordance with the Staging Report, as submitted to the Planning Secretary.	The Botany Rail Duplication project is not being constructed in stages. A Staging Report is not required.		Not Triggered
1.14	A	A14	Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	The Botany Rail Duplication project is not being constructed in stages. A Staging Report is not required.		Not Triggered
	<b>A</b>		<b>CONSTRUCTION ANCILLARY FACILITIES</b>			
1.15	A	A15	<p><b>Construction Ancillary Facilities</b>  <b>Construction ancillary facilities</b> that are not identified by description and location in the documents listed in <b>Condition A1</b> can only be established and used in each case if:</p> <ul style="list-style-type: none"> <li>(a) they are located within or immediately adjacent to the construction boundary; and</li> <li>(b) they are not located next to a sensitive land use (including where an access road is between the facility and the land use), unless the landowner and occupier have given written acceptance to the carrying out of the relevant facility in the proposed location; and</li> <li>(c) they have no impacts on heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and</li> <li>(d) the establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.</li> </ul> <p><i>Note: This condition does not preclude the use of other premises which is consistent with an approved use of those premises.</i></p>	No construction ancillary facilities are established outside of the EIS.		Not Triggered

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	<b>A</b>		<b>SITE ESTABLISHMENT</b>			
1.16	A	A16	<p><b>Site Establishment Management Plan</b></p> <p>Before establishment of a major construction ancillary facility(ies) (excluding minor construction ancillary facilities established under <b>Condition A18</b>), the Proponent must prepare a <b>Site Establishment Management Plan</b> which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facility(s). The <b>Site Establishment Management Plan</b> must be prepared in consultation with the relevant council and government authorities. The Plan must be submitted to the <b>ER</b> for approval one (1) month before the establishment of any major construction ancillary facility(ies). The <b>Site Establishment Management Plan</b> must detail the management of the establishment of ancillary facilities and include:</p> <ul style="list-style-type: none"> <li>(a) a description of activities to be undertaken during establishment of the facility (including scheduling and duration of works to be undertaken at the site);</li> <li>(b) figures illustrating the proposed operational site layout;</li> <li>(c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of site establishment works;</li> </ul>	<p>Site Establishment Management Plan BRD-JHG-EN-0000-MPL-14003 Rev 3, 12 April 2022 has been prepared.</p> <p>Appendix C demonstrates the consultation undertaken with TfNSW and Bayside Council including copies of correspondence emails.</p> <p>Submitted to the ER 20 April 2022 as per ARTC letter reference 201203 (A) BRD_SITE EST MP R3 20APR22. Approved by ER on the same day, approval letter sighted, ref 201203 (A) BRD_SITE EST MP R3 20APR22.</p> <p>Prior to approval, minor ancillary facilities were being used. The date of establishment of major construction ancillary facilities following ER approval on the 21 April 2022 i.e. Mill Pond.</p> <p>Endorsement letter to DPE by ER approving relevant plans and identifying A16 verified as per reference 201203(A)_CEMP 11FEB22 DPIE, 11 February 2022, with portal receipt of letter submission presented (SSI-9714-PA-38).</p> <p>Section 7 of the SEMP details the Management Approach and includes the following:</p> <ul style="list-style-type: none"> <li>(a) Ancillary Facilities identified as per Table 4 with Table 5 detailing the site establishment activities and indicative plant (Section 4.2)</li> <li>(b) Section 4.1 Figure 1: GHD Ancillary Facility, Figure 2: Botany Triangle Ancillary Facility, Figure 3: Mill Pond Ancillary Facility, and Figure 4: Banksia Ancillary Facility</li> </ul>		Compliant

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:</p> <p>(i) meet the performance outcomes stated in the documents listed in <b>Condition A1</b>, and</p> <p>(ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and</p> <p>(e) a program for monitoring the performance outcomes, including a program for construction noise monitoring consistent with the requirements of <b>Condition C9</b>.</p> <p>Nothing in this condition prevents the Proponent from preparing individual <b>Site Establishment Management Plans</b> for each major construction ancillary facility.</p>	<p>(c) An Indicative Program has been included under Section 4.3 and Table 6. The SEMP also addresses associated risks under Section 5 with an initial risk assessment as per Table 10: Site establishment Risk Assessment</p> <p>(d) Under Table 2: Environmental objectives and targets are defined as aligned to the performance outcomes (EIS Chapter 24); Section 5 Environmental Risk Management and Section 6 Summary of potential environmental impacts.</p> <p>(e) Appendix B – Environmental Controls defines environmental safeguards, responsibility and timing. Section 8 Environment Monitoring Program addresses noise and vibration monitoring as verified with the Construction Noise and Vibration Monitoring Program</p> <p>It is noted that a singular Site Establishment Management Plan has been prepared for all construction ancillary facilities.</p>		
1.17	A	A17	<p><b>Use of Major Construction Ancillary Facilities</b></p> <p>The use of a major construction ancillary facility for construction must not commence until the <b>CEMP</b> required by <b>Condition C1</b>, relevant <b>CEMP Sub-plans</b> required by Condition C4 and relevant Construction Monitoring Programs required by <b>Condition C9</b> have been approved by the <b>ER</b>.</p>	<p>Approval letter by ER, reference <i>201203(A)_CEMP 11FEB22 DPIE</i> dated 11 February 2022 with endorsement of CEMP and CEMP Sub-Plans.</p> <p>The letter includes reference to CoA A17 and submitted to DPE as per portal receipt SSI-9714-PA-38.</p>		Compliant
1.18	A	A18	<p><b>Minor Construction Ancillary Facilities</b></p> <p>Lunch sheds, office sheds, portable toilet facilities, material storage, parking and the like, can be established and used where they satisfy the following criteria:</p>	<p>(a) It was verified during the site inspection that site compounds and parking are located within the Construction Boundary</p> <p>(b) Minor Ancillary Approval Form for General Holmes Drive Toilets presented as evidence.</p>		Compliant

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<ul style="list-style-type: none"> <li>(a) are located within the Construction Boundary; and</li> <li>(b) have been assessed by the ER to have –               <ul style="list-style-type: none"> <li>(i) minor amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and</li> <li>(ii) minor environmental impact with respect to waste management and flooding, and</li> <li>(iii) no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval.</li> </ul> </li> </ul>	<p>Includes environmental considerations: biodiversity, noise and vibration, traffic and access, dust and odour, visual, site waste, flood management, non-indigenous and indigenous heritage. Reviewed and approved by the ER as signed on 20 September 2021.</p> <p>The Mill Stream Pond compound was included in the site inspection which had empty waste bins, potable water onsite, erosion and sedimentation controls such as a silt fence around the perimeter and silt curtain installed. Compounds appeared to have little impact visually with no light spill.</p>		
1.19	A	A19	<p><b>Boundary screening</b></p> <p>Boundary screening must be erected around major construction ancillary facilities that are adjacent to sensitive receivers for the duration of construction of the CSSI unless otherwise agreed with relevant Council, and adjacent residents, business operators or landowners.</p>	Boundary screening was verified during the site inspection. Refer to photos.		Compliant
1.20	A	A20	Boundary screening required under <b>Condition A19</b> of this approval must reduce visual, noise and air quality impacts on adjacent sensitive receivers.	Boundary screening was verified during the site inspection. Refer to photos.		Compliant

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	<b>A</b>		<b>ENVIRONMENTAL REPRESENTATIVE</b>			
1.21	A	A21	Work must not commence until an <b>ER</b> has been approved by the Planning Secretary and engaged by the Proponent.	DPE approved the Environmental Representatives as verified – letter dated 9 November 2020.  An alternative ER was approved by DPE as per letter sighted, dated 10 August 2021.		Compliant
1.22	A	A22	The Planning Secretary’s approval of an <b>ER</b> must be sought no later than one month before the commencement of work.	Approval received by DPE on 9 November 2020 for the ERs. Commencement of construction was the 11 February 2022.		Compliant
1.23	A	A23	The proposed <b>ER</b> must be a suitably qualified and experienced person who was not involved in the preparation of the documents listed in <b>Condition A1</b> , and is independent from the Proponent and companies involved in the design and construction of the CSSI. Skills, qualifications, experience, availability and capacity of the <b>ER</b> must meet the requirements of the <i>Environmental Representative Protocol</i> (Department of Planning and Environment, October 2018). The appointment of the <b>ER</b> must be consistent / have regard with the Department’s guideline <i>Seeking approval from the Department for the appointment of independent experts (DPIE, 2020)</i> .	The nominated ERs were not involved in preparing the EIS or any other documents in Condition A1 and are independent from ARTC/JH. This was verified in the DPE letter dated 9 November 2020 which confirms: <ul style="list-style-type: none"> <li>The curriculum vitae of (ER names) demonstrate that they meet the skills, qualifications and experience requirements in accordance with the Department’s <i>Environmental Representative Protocol October 2018</i>; and</li> <li>(ER names) have confirmed themselves to be independent in relation to the preparation of the EIS, Submissions Report and the construction, design and delivery of the Botany Rail Duplication SSI 9714.</li> </ul>		Compliant
1.24	A	A24	The Proponent may engage more than one <b>ER</b> for the CSSI, in which case the functions to be exercised by an <b>ER</b> under the terms of this approval may be carried	Only one ER company (HBI) has been engaged for the Botany Rail Duplication Project.		Not Triggered

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			out by any <b>ER</b> that is approved by the Planning Secretary for the purposes of the CSSI.			
1.25	A	A25	<p>For the duration of work, or as approved by the Planning Secretary, the approved <b>ER</b> must:</p> <ul style="list-style-type: none"> <li>(a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI;</li> <li>(b) consider and inform the Planning Secretary on matters specified in the terms of this approval;</li> <li>(c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;</li> <li>(d) approve documents identified in <b>Conditions A16, A17, C1, C4, C9, C13</b> and <b>E33</b> after verifying all relevant matters set out in this approval pertaining to those documents have been met and make a written statement to the Planning Secretary to this effect;</li> <li>(e) regularly monitor the implementation of the documents listed in <b>Conditions A16, C1, C4</b> and <b>C9</b> to ensure implementation is being carried out in accordance with the document and the terms of this approval;</li> <li>(f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under <b>Condition A35</b> of this approval;</li> <li>(g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;</li> <li>(h) consider the impacts of minor ancillary facilities as required by <b>Condition A18</b> of this approval; and</li> <li>(i) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an <b>Environmental Representative Monthly Report</b></li> </ul>	<p>The following were verified:</p> <ul style="list-style-type: none"> <li>(a) The ER provides monthly reports to DPE via portal and email with requests for communication from DPE to the ER where required.</li> <li>(b) The ER attends meetings with DPE e.g. 17 March 2022 meeting as noted in the March 2022 ER Report Ref: <i>201203-ER_DPE_BRD_March 2022</i> and fortnightly meetings with JHG, ARTC and the AA as per meeting minutes sighted, dated the 19 April 2022</li> <li>(c) Recommendations are raised as per Monthly ER Reports and during the ER Inspections e.g. April 2022 report Ref: <i>201203-ER_DPE_BRD_April 2022</i> includes key points – Clean-up exit at Botany Triangle. Remove/replace silt socks and clean-up road verge back of kerb.</li> <li>(d) ER letter dated 11 February 2022, ref <i>201203(A)_CEMP 11FEB22 DPIE</i> issued to DPE as per portal receipt SSI-9714-PA-38</li> <li>(e) The ER Reports include a section of Endorsed Document/s i.e. March 2022 report included the review of 009 Noise Assessment – March Possession, and endorsement of Site Establishment Management Plan Rev 2 – ER approved 2 April 2022. The ER inspections note the implementation i.e. the 20 May 2022 inspection included the JH Soil Conservation to review implementation of the erosion and sediment controls.</li> <li>(f) No involvement in audits to date</li> </ul>		Compliant

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>providing the information set out in the Environmental Representative Protocol under the heading “Environmental Representative Monthly Reports.” The <b>Environmental Representative Monthly Report</b> must be submitted within seven (7) days following the end of each month for the duration of the ER’s engagement for the CSSI.</p>	<ul style="list-style-type: none"> <li>(g) No involvement in complaints to date. Complaints are included for the month as part of the ER Reports e.g May 2022 Noise Complaint – Stamford Hotel guest, and 30/05/22 Vibration Complaint from nearby factory.</li> <li>(h) ER Site Inspection Report #14 – 24/05/22 included inspection of the Mill Stream Compound establishment, with #15 – 31/05/22 addressing Mill Stream and Banksia St Compound.</li> <li>(i) ER Monthly Reports are provided within seven days following the end of each month as evidenced – Ref: 201203-ER_DPE_BRD_April 2022 dated 6 May 2022, submitted to DPE as per portal receipt SSI-9714-PA-49.</li> </ul>		
1.26	A	A26	<p>The Proponent must provide the <b>ER</b> with all documentation requested by the ER in order for the <b>ER</b> to perform their functions specified in Condition A25 , as well as:</p> <ul style="list-style-type: none"> <li>(a) the complaints register to be provided on a weekly basis for any complaints received); and</li> <li>(b) a copy of any assessment carried out by the Proponent of whether proposed work is consistent with the approval (which must be provided to the <b>ER</b> before the commencement of the subject work).</li> </ul>	<p>The following was verified during the audit:</p> <ul style="list-style-type: none"> <li>(a) Complaints are usually sent through to the ER (and others) when received vs waiting for the end of the week. If the project starts receiving more complaints, this may be expanded to a weekly issuing of the report. Sighted emails dated 18 January 2022, 24 May 2022 and 30 May 2022 with Complaints Register attached, sent by Community and Stakeholder Manager to ER, AA, ARTC and JHG.</li> <li>(b) Pre-Construction Low-Impact Works Application (LIWA) undertaken 1 November 2021, Application 006 (Rev 0) sighted. Copy of Contamination Assessment (DSI) and Rehabilitation Action Plan are drafted and are yet to be provided to ER (prior to</li> </ul>		Compliant

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				commencement of works). ER inspection action register sighted which includes the inspection date, location, requirement, finding, action/response, due date, evidence and status. Close out email also sighted for ER Inspection 14 – fencing re-established around asbestos stockpile.		
1.27	A	A27	<p>The Planning Secretary may at any time commission an audit of an <b>ER's</b> exercise of its functions under <b>Condition A25</b>. The Proponent must:</p> <p>(a) facilitate and assist the Planning Secretary in any such audit; and</p> <p>(b) make it a term of their engagement of an <b>ER</b> that the <b>ER</b> facilitate and assist the Planning Secretary in any such audit.</p> <p><i>Note: The Planning Secretary may dismiss the <b>ER</b> should they consider the <b>ER</b> has not exercised their functions in accordance with this approval.</i></p>	No requests have been made by the Planning Secretary to date.		Not Triggered
	<b>A</b>		<b>ACOUSTICS ADVISOR</b>			
1.28	A	A28	<p>A suitably qualified and experienced <b>Acoustics Advisor (AA)</b>, who is independent of the design and construction personnel, must be nominated by the Proponent and engaged for the duration of work and at least until submission of the operational noise compliance monitoring report required by <b>Condition E34</b> to the Planning Secretary.</p> <p>The details of the nominated <b>AA</b> must be submitted to the Planning Secretary for approval no later than one (1) month before commencement of work.</p>	<p>Acoustic Studio is engaged as the Acoustics Advisor (AA) on the Botany Rail Duplication project.</p> <p>DPE approval letter of Acoustic Advisors, 22 December 2020 prior to the 11 February 2022 commencement of construction, contained the following:</p> <ul style="list-style-type: none"> <li>the curricula vitae provided in support of nominating (Acoustic Advisors / Alternate Acoustic Advisors) demonstrates that they meet the skills, qualifications and experience requirements in accordance with condition A28</li> </ul>		Compliant

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.29	A	A29	<p>The Proponent must cooperate with the <b>AA</b> by:</p> <ul style="list-style-type: none"> <li>(a) providing access to noise and vibration monitoring activities as they take place;</li> <li>(b) providing for review of noise and vibration plans, assessments, monitoring reports, data and analyses undertaken; and</li> <li>(c) considering any recommendations to improve practices and demonstrating, to the satisfaction of the <b>AA</b>, why any recommendation is not adopted.</li> </ul>	<p>Evidence of correspondence includes:</p> <ul style="list-style-type: none"> <li>(a) Noise and Vibration monitoring provided to AA – email sent 30 November 2021 from John Holland to AA sighted for November 2021 reports</li> <li>(b) Documents provided regular to AA as evidenced in AA Monthly reports e.g. March 2022 report included the review and endorsement/approval of: OOH008 O’Riordan St bridge pre-possession works, OOH009 March possession works, , OOH012 Utility relocation on Robey St, OOH013 tree clearing Qantas Drive and Robey St, and the review of Preliminary draft Operational Noise and Vibration Report (ONVR).</li> <li>(c) Recommendations by the AA as per monthly reports section ‘Noise and vibration issues, incidents, recommendations. Fortnightly meetings attended by Acoustic Advisor e.g. meeting minutes dated 19 April 2022 and 3 May 2022, Item 7 – AA inspection and monthly report update and any OOHW.</li> </ul>		Compliant
1.30	A	A30	<p>Any activities generating noise in excess of the ‘Noise affected’ Noise Management Levels derived from the <i>Interim Construction Noise Guideline</i> must not commence until an <b>AA</b>, nominated under <b>Condition A28</b> of this approval, has been approved by the Planning Secretary.</p>	<p>DPE approval letter of Acoustic Advisors as dated 22 December 2020. Weekend 45 possession reviewed and approved as per April 2022 AA Report: Noise assessment for weekend 45 (7 &amp; 8 May) possession works, approved 6 May 2022.</p>		Compliant
1.31	A	A31	<p>The approved <b>AA</b> must:</p> <ul style="list-style-type: none"> <li>(a) receive and respond to communication from the Planning Secretary in relation to the performance of the SSI in relation to noise and vibration;</li> </ul>	<p>The following evidence was presented:</p> <ul style="list-style-type: none"> <li>(a) The AA provides monthly reports to DPE via portal.</li> </ul>		Compliant

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			<ul style="list-style-type: none"> <li>(b) consider and inform the Planning Secretary on matters specified in the terms of this approval relating to noise and vibration;</li> <li>(c) consider and recommend, to the Proponent, improvements that may be made to avoid or minimise adverse noise and vibration impacts;</li> <li>(d) review all noise and vibration documents required to be prepared under the terms of this approval and, should they be consistent with the terms of this approval, endorse them before submission to the ER or Planning Secretary (if required to be submitted to the ER or Planning Secretary) or before implementation (if not required to be submitted to the ER or Planning Secretary);</li> <li>(e) regularly monitor the implementation of all noise and vibration documents required to be prepared under the terms of this approval to ensure implementation is in accordance with what is stated in the document and the terms of this approval;</li> <li>(f) notify the Planning Secretary of noise and vibration incidents in accordance with <b>Condition A37</b> of this approval;</li> <li>(g) in conjunction with the <b>ER</b>, the <b>AA</b> must:               <ul style="list-style-type: none"> <li>(i) as may be requested by the Planning Secretary, help plan, attend or undertake audits of noise and vibration management of the CSSI including briefings, and site visits,</li> <li>(ii) in the event that conflict arises between the Proponent and the community in relation to the noise and vibration performance of the CSSI, follow the procedure in the <b>Communication Strategy</b> approved under <b>Condition B2</b> to attempt to resolve the conflict, and if it cannot be resolved, notify the Planning Secretary,</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(b) Communication with DPE by AA attendance to meetings e.g. 17 March 2022 meeting with DPE, ARTC, JH and the ER</li> <li>(c) Monthly reports include meetings attended by AA e.g. April 2022 report 21 April 2022 monthly DPE meeting.</li> <li>(d) Recommendations with ARTC/JH as per monthly reports</li> <li>(e) Review of noise and vibration documents as evidenced in monthly reports e.g. February 2022 report includes review of the Construction Noise and Vibration Management Plan endorsed / approved on the 14 February 2022. April 2022 report dated 7 May 2022 included a review of a noise assessment for weekend 45 possession works.</li> <li>(f) Inspections undertaken as evidenced in monthly reports e.g. February 2022 report includes inspection on the 9 February 2022 at Joyce Drive to witness OOH concrete driveway lay-back works; March 2022 report inspection/site visit on the 24 March 2022 witnessing OOHW (008) from 11pm-12am, and 26 March weekend possession works including bridge deck cutting and preparation for lifting.</li> <li>(g) No audits or noise and vibration incidents required notification to DPE. No complaints requiring direct AA involvement to date. The monthly reports by the AA include a noise and vibration complaints section e.g. February</li> </ul>		

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			<p>(iii) consider relevant amendments made to the CEMP, relevant sub-plans and noise and vibration monitoring programs that require updating, and are consistent with the terms of this approval and the management plans and monitoring programs approved by the ER and, if satisfied such amendment is necessary, endorse the amendment, (this does not include any modifications to the terms of this approval),</p> <p>(iv) review the noise impacts of minor construction ancillary facilities, and</p> <p>(v) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, a <b>Monthly Noise and Vibration Report</b> detailing the AA's actions and decisions on matters for which the AA was responsible in the preceding month. The <b>Monthly Noise and Vibration Report</b> must be submitted within seven (7) days following the end of each month for the duration of the AA's engagement for the CSSI, or as otherwise agreed by the Planning Secretary.</p>	<p>2022 report dated 7 March 2022 notes one noise complaint regarding vacuum truck on Bay Street. Complaints Register is regularly provided e.g. email from Community and Stakeholder Manager 30 May 2022 to AA, ER, ARTC and JHG regarding piling work complaint.</p> <p>Approval of CEMP and sub-plans as evidenced in monthly reports e.g. February 2022 report dated 7 March 2022 includes review of the Construction Noise and Vibration Management Plan (incorporating Construction Noise and Vibration Monitoring Program) endorsed and approved on the 14 February 2022.</p> <p>The review of noise impacts of minor construction ancillary facilities is joined with the Low-Impact Works Application 006 (LIWA) Rev 0 dated 1 November 2021. The March 2022 AA Monthly Report dated 7 April 2022 included an inspection during the O'Riordan Street to General Homes Drive possession works approx. 6:30am to 10:30pm on the 26 March 2022, including bridge deck cutting and preparation for lifting. The AA Monthly Noise and Vibration Reports are submitted to DPE within 7 days of the following month.</p>		
	<b>A</b>		<b>NOTIFICATION OF COMMENCEMENT</b>			
1.32	A	A32	The Department must be notified in writing of the dates of commencement of work and operation at least one (1) month before those dates.	Notification of commencement as 1 February 2022 as evidenced – ARTC letter to the Department of Planning and Environment dated 23 December 2021, ARTC		Compliant

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				reference # PM-L-DPE-0001. Actual date of construction commenced 11 February 2022, following approval of the CEMP by the Environmental Representative. Email from ARTC to DPE advising the delay as sighted, dated 1 February 2022.		
1.33	A	A33	If staging of construction or operation is proposed, the Department must be notified in writing at least one (1) month before the commencement of each stage, of the date of commencement of that stage.	Construction is not staged.		Not Triggered
	<b>A</b>		<b>AUDITING</b>			
1.34	A	A34	No later than one (1) month before the date notified for the commencement of construction (in the pre-construction compliance report), an <b>Independent Audit Program</b> prepared in accordance with the Independent Audit Requirements ( <i>Department of Planning and Environment 2018</i> ) ( <i>the Independent Audit PAR</i> ) must be submitted to the Planning Secretary for information.	An Independent Audit Program was prepared and submitted to DPE on 23 December 2021 as verified – portal receipt SSI-9714-PA-32, within the one month timeframe. Commencement of construction notified as 1 February 2022 as per ARTC letter to the DPE, 23 December 2021 with the actual date of construction commencing 11 February 2022 (following ER approval of the CEMP). The program was revised based on the comments received from DPE and resubmitted on the 17 March 2022 as verified – portal receipt SSI-9714-PA-44 and letter from ARTC to DPE ARTC Reference # PM-L-DPE-0001. No comments were noted from DPE as per receipt email 21 March 2022.		Compliant
1.35	A	A35	<b>Independent Audits</b> of the CSSI must be carried out in accordance with:  (a) the <b>Independent Audit Program</b> submitted to the Department under <b>Condition A34</b> of this approval; and	This is the first Independent Audit carried out on the Botany Rail Duplication project in which audit activities commenced in May 2022, as aligned with the Independent Audit Program.		Compliant

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			(b) the requirements for an <b>Independent Audit Methodology and Independent Audit Report</b> in the <i>Independent Audit PAR</i> .	This audit has been carried out in accordance with the Independent Audit PAR guidelines as evidenced by DPE approval of the lead auditor.		
1.36	A	A36	<p>In accordance with the specific requirements in the <i>Independent Audit PAR</i>, the Proponent must:</p> <ul style="list-style-type: none"> <li>(a) review and respond to each <b>Independent Audit Report</b> prepared under <b>Condition A35</b> of this approval; and</li> <li>(b) make each <b>Independent Audit Report</b> and response to it publicly available and notify the Planning Secretary in writing when this has been done.</li> </ul> <p><i>Note: Consistent with the requirements of the Independent Audit PAR, the Planning Secretary may approve a request for ongoing operational audits to be ceased where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.</i></p>	<p>This is the first Independent Audit carried out on the Botany Rail Duplication project which does not yet trigger CoA A36.</p> <p>The Proponent is reminded to:</p> <ul style="list-style-type: none"> <li>(a) review and respond to each Independent Audit Report prepared under Condition A35 of this approval; and</li> <li>(b) make each Independent Audit Report and response to it publicly available and notify the Planning Secretary in writing when this has been done.</li> </ul>	<b>Note:</b> A note to the Proponent to review and respond to audit reports, make publicly available, and notify DPE once done.	Not Triggered
	<b>A</b>		<b>INCIDENT NOTIFICATION AND REPORTING</b>			
1.37	A	A37	During construction, the Department must be notified in writing immediately after the Proponent becomes aware of an incident. The notification must identify the CSSI (including the application number and the name of the CSSI if it has one), and set out the time, date, location and nature of the incident. A description of whether the incident was a result of any actual or potential noncompliance with this approval should be provided within one week of the notification.	No reportable incidents to date.		Not Triggered

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			The requirement to notify the Department under this condition excludes incidents which are required to be notified to the Office of the National Rail Safety Regulator.			
1.38	A	A38	Subsequent notification must be given and reports submitted in accordance with the requirements set out in <b>Appendix A</b> .	No reportable incidents to date.		Not Triggered
2	PART	B	COMMUNITY INFORMATION AND REPORTING			
	<b>B</b>		<b>COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT</b>			
2.1	B	B1	<p><b>Communication Strategy</b></p> <p>A <b>Communication Strategy</b> must be prepared and implemented which provides mechanisms to facilitate communication about construction and operation (within the first 12 months of operation) with:</p> <ul style="list-style-type: none"> <li>(a) the community (including affected landowners and businesses, and others directly impacted by the CSSI), and</li> <li>(b) the relevant councils and government agencies.</li> </ul>	<p>A Communication Strategy has been prepared – reference BRD-JHG-CO-0000-STG-13000, Rev 5 dated 19 January 2022.</p> <p>The Communication Strategy includes a detailed list of stakeholders including relevant councils, government agencies, businesses, the wider community, schools as defined in Section 3 Stakeholder relationships and identification, Table 2: Overview of BRD Stakeholders and the responsibilities on the project.</p>		Compliant
2.2	B	B2	<p>The <b>Communication Strategy</b> must:</p> <ul style="list-style-type: none"> <li>(a) identify people, organisations, councils and agencies to be consulted during the design and work phases;</li> <li>(b) identify community demographics and approaches to address the needs of LOTE and CALD and vulnerable communities;</li> <li>(c) set out procedures and mechanisms for the regular distribution of accessible information,</li> </ul>	<p>The Communication Strategy:</p> <ul style="list-style-type: none"> <li>(a) identifies people, organisations, councils and agencies to be consulted as per Table 2: Overview of BRD Stakeholders and the responsibilities on the project</li> <li>(b) Section 6 Working with LOTE and CALD communities includes strategies for effective communication</li> </ul>	<p><b>OFI-01:</b> An opportunity for improvement is raised with regards to CoA B2(e), to align or combine the issues of concern to those impacts identified under Section 3 (Table 3). While the Communication Strategy lists potential</p>	Compliant

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			<p>including to LOTE and CALD and vulnerable communities about or relevant to the CSSI;</p> <p>(d) identify opportunities for education within the community about construction sites;</p> <p>(e) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant communities;</p> <p>(f) set out procedures and mechanisms:</p> <p>(i) through which the community can discuss or provide feedback to the Proponent;</p> <p>(ii) through which the Proponent will respond to enquiries or feedback from the community; and</p> <p>(iii) to resolve any issues and mediate any disputes that may arise in relation to Construction of the CSSI, including disputes regarding rectification or compensation</p>	<p>(c) Section 6 Working with LOTE and CALD communities lists community forums, door knocks, face to face meetings, the use of translators and translating communications</p> <p>(d) Section 4 Consultation Forums identifies opportunities for education within the community as listed in Table 4. *check initiatives</p> <p>(e) Section 4 Consultation Forums identifies opportunities for education within the community as listed in Table 4.</p> <p>(f) Section 5 Communications and engagement tools, Table 8: Communication and engagement tools responsibility matrix. Section 8 Issues Management, Table 10: Common construction-based impacts and issues. Specifically Section 8.1 Complaints Management System provides a 24-hour community information and complaints line, email address, website and postal address.</p>	<p>Consultation Forums (Section 4), there is little detail on the relevant key environmental management issues of concern. This could be addressed as part of the 'Strategy' column in Table 3.</p> <p>There is also an opportunity for the Compliance Matrix to better reference the Communication Strategy's content e.g. CoA B2 under the matrix makes reference to Section 6 only.</p>	
2.3	B	B3	<p>The <b>Communication Strategy</b> must be submitted to the Planning Secretary for approval no later than one (1) month before commencement of construction. Construction for the purposes of the CSSI must not commence until the <b>Communication Strategy</b> has been approved by the Planning Secretary.</p>	<p>The Communication Strategy was submitted to and approved by DPE as per approval letter dated 20 January 2022.</p> <p>Commencement of construction notified as 1 February 2022 – ARTC letter to DPE, 23 December 2021, with the actual commencement date 11 February 2022, following the Environmental Representative approval of the CEMP and sub-plans.</p>		Compliant
2.4	B	B4	<p>The <b>Communication Strategy</b> must be made publicly available and implemented for the duration of construction and for a minimum of 12 months following the completion of construction.</p>	<p>The Communication Strategy is publicly available on the Project Website under the Document Library page.</p>		Compliant

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	<b>B</b>		<b>COMPLAINTS MANAGEMENT SYSTEM</b>			
2.5	B	B5	A <b>Complaints Management System</b> must be prepared and implemented before the commencement of any works and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI.	The Communication Strategy (dated January 2020) and Complaints Register have been established prior to commencement of construction (11 February 2022). Seven complaints have been received to date on the project.		Compliant
2.6	B	B6	The following information must be available to facilitate community enquiries and manage complaints one (1) month before the commencement of works and for 12 months following the completion of construction: <ul style="list-style-type: none"> <li>(a) a 24- hour telephone number for the registration of complaints and enquiries about the CSSI;</li> <li>(b) a postal address to which written complaints and enquires may be sent;</li> <li>(c) an email address to which electronic complaints and enquiries may be transmitted;</li> <li>(d) a mechanism for CALD community members to make enquiries in LOTE commonly used in the community; and</li> <li>(e) a mediation system for complaints unable to be resolved.</li> </ul> This information must be made publicly available.	The following information was verified during the audit: <ul style="list-style-type: none"> <li>(a) a 24-hour telephone number for information and complaints: 1300 550 402</li> <li>(b) a project mailing address: Level 3, 63-65 Pirrama Road, Pyrmont, NSW, 2009</li> <li>(c) email address: botanyduplication@jhg.com.au</li> <li>(d) interpretation service TIS National on 131 450 with a request to call ARTC on 1300 550 402</li> <li>(e) The Communication Strategy includes an Unresolved Complaint Process (Section 8.2)</li> </ul> This information is publicly available on the project website, as well as onsite at the project boundary (refer to photos).		Compliant
2.7	B	B7	The telephone number, postal address and email address required under <b>Condition B10</b> of this approval must be made available on site hoarding at each construction site before the commencement of construction. This information must also be provided	This information is available onsite at the project boundary (refer to photos), as well as the project website.		Compliant

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			on the website required under <b>Condition B10</b> of this approval.			
2.8	B	B8	<p><b>A Complaints Register</b> must be maintained recording information on all complaints received about the CSSI during the carrying out of any works and for a minimum of 12 months following the completion of construction. The Complaints Register must record the:</p> <ul style="list-style-type: none"> <li>(a) number of complaints received;</li> <li>(b) number of people potentially affected by the activities or impacts referenced by a complainant; and</li> <li>(c) nature, location and time of the complaint and means by which the complaint was addressed and whether resolution was reached, with or without mediation.</li> </ul>	<p>A Complaints Register is maintained in excel format &gt; ARTC Major Construction Projects Complaints Register.</p> <ul style="list-style-type: none"> <li>(a) a total of 7 complaints have been recorded to date.</li> <li>(b) The register includes the number of people potentially affected by the activities or impacts referenced by a complainant (column Q) e.g. Complaint ID: 7561 – Four</li> <li>(c) The register also records the nature of complaint, location and time, description, date of response, if complaint was avoidable/unavoidable, response details, action/s taken, date actioned / due date for action, status, if requiring mediation e.g. Noise Complaint ID:7923 received on 28 March 2022 associated with trucks and site bins with response to complainant and actions undertaken (toolbox talk, relocation of bins, noise cancelling headphones), actioned on the day of complaint and resolved.</li> </ul> <p>All complaints are treated the same if avoidable or unavoidable. Preventative measures have been put in place with face-to-face contact and community updates. For repeat noise complaints, work will stop until an investigation is undertaken including monitoring. This shall be organised within 24 hours.</p>		Compliant
2.9	B	B9	The <b>Complaints Register</b> must be provided to the Planning Secretary upon request, within the timeframe stated in the request.	No requests made to date. The Complaints Register is provided to DPE as evidenced:		Compliant

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				<ul style="list-style-type: none"> <li>BRD Complaints Register_February 2022 Portal Submission SSI-9714-PA-41, 7 March 2022</li> <li>BRD Complaints Register_March 2022 Portal Submission SSI-9714-PA-46, 7 April 2022</li> <li>BRD Complaints Register_May 2022 Portal Submission SSI-9714-PA-52, 6 June 2022</li> </ul>		
	<b>B</b>		<b>PROVISION OF ELECTRONIC INFORMATION</b>			
2.10	B	B10	<p>A website or webpage providing information in relation to the CSSI must be established before commencement of Work and maintained for the duration of construction, and for a minimum of 12 months following the completion of construction.</p> <p>The following up-to-date information (excluding confidential commercial information) must be published before the relevant Work commences and be maintained on the website or dedicated pages including:</p> <ul style="list-style-type: none"> <li>(a) the current implementation status of the CSSI;</li> <li>(b) a copy of the documents listed in <b>Condition A1</b> of this approval, and any documentation relating to any modifications made to the CSSI or the terms of this approval;</li> <li>(c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval;</li> </ul>	<p>A Project Website has been established for the Botany Rail Duplication project.</p> <p>The following is included:</p> <ul style="list-style-type: none"> <li>(a) Current status of the CSSI &gt; Overview and Planning pages</li> <li>(b) A copy of the Environmental Impact Statement (EIS) and Submissions Report under the Document Library. A link to the EIS is also included in the Overview page.</li> <li>(c) A copy of SSI-9714 as <i>Instrument of Determination BRD</i> under the Document Library page</li> <li>(d) The project EPL 21678 and OOHW Protocol are currently under review with Acoustics Advisor and will be uploaded to the website once finalised.</li> <li>(e) Copies of the relevant management plans such as Construction Environmental Management Plan (CEMP) and sub-plans, OOHW notifications, community updates are included under the Document Library and Community Updates pages</li> </ul>		Compliant

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			<p>(d) a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI;</p> <p>(e) a copy of each document required to be made publicly available under the terms of this approval must be published within 7 days of the finalisation or approval of the relevant document, unless an alternate timeframe is prescribed by another condition of this approval; and</p> <p>(f) where a condition (s) of this approval requires a document(s) to be prepared before work, construction or operational activity commences, a current copy of the relevant document(s) must be published on the website before the work, construction or operational activity commences.</p>	<p>(f) The CEMP and sub-plans required prior to commencement of work are available on the project website. It was verified during the audit that the documentation on the project website is up to date and current.</p>		
3	PART	C	CONSTRUCTION ENVIRONMENTAL MANAGEMENT			
	<b>C</b>		<b>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</b>			
3.1	C	C1	<p>A <b>Construction Environmental Management Plan (CEMP)</b>, or a Staged CEMP where staging is proposed in accordance with <b>Condition A11</b>, must be prepared by having regard to the <i>Environmental Management Plan Guideline – Guideline for Infrastructure Projects</i> (DPIE, April 2020). The plan must detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in <b>Condition A1</b> will be implemented and achieved during construction.</p>	<p>Construction Environmental Management Plan BRD-JHG-PM-0000-MPL-12007 Rev 5, 9 February 2022 has been developed and reviewed by the ER.</p> <p>Section 6.4.6 EIS Performance Objectives, includes Table 6-2 outlining the environmental performance objectives at a high-level with reference made to the relevant sub-plans e.g. Noise and Vibration Amenity. It was verified that the Construction Noise and Vibration Management Plan includes the Noise and Vibration Amenity performance outcome, the target (commitment), and how it is addressed (mitigated) as per Table 2.1.</p>	<p><b>Note:</b> It is recommended to include a review of the objectives and targets as part of the bi-annual Management Review meetings.</p>	Compliant

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				<p>Objectives and targets of the CEMP as per Section 6.4.5 and 6.4.6 includes overarching performance objectives and outcomes (targets):</p> <ul style="list-style-type: none"> <li>• Reviewing compliance: monitoring KPIs, reported by ARTC (ARTC undertake compliance review). E.g. Design compliance looking at all documents. Overall compliance later in the year to align with the EPL annually reporting.</li> <li>• NCRs monitored and reported through PPW, provided by Quality Manager to ARTC monthly</li> <li>• Updates to website provided to ARTC for compliance and document updates, discussed in ER meetings</li> <li>• Complaints register provided to ARTC, ER, AA as evidenced – email from Community and Stakeholder Manager dated 24 and 30 May 2022. Also addressed in fortnightly meetings as per minutes dated 19 April and 3 May 2022 (Item 5.2)</li> <li>• Training program &gt; working through sessions. Training Register presented (live excel register).</li> <li>• Bi-annual Management Review meeting – not yet occurred. It is recommended to include a review of the objectives and targets once these commence.</li> </ul>		
3.2	C	C2	<p>The CEMP must provide:</p> <ul style="list-style-type: none"> <li>(a) a description of activities to be undertaken during construction (including the scheduling of construction);</li> <li>(b) details of environmental policies, guidelines and principles to be followed in the construction of the CSSI;</li> <li>(c) a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of construction;</li> </ul>	<p>The CEMP as approved by the ER on the 11 February 2022, prior to commencement of construction includes the following to address CoA C2:</p> <ul style="list-style-type: none"> <li>(a) Section 2.2 Construction activities and scheduling (Table 2-1 Key construction activities), with an Indicative Construction Program (Figure 2-1)</li> <li>(b) Section 4 Environmental Management System, outlined as per Figure 4-1 Primary Sources of Environmental Considerations, and Figure 4-2 Environmental management system structure, which makes reference to ISO 14001, the Environmental Policy, Global Mandatory Requirements, Environmental Management Manual, Environment Management System procedures, guidelines, forms</li> </ul>		Compliant

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			<p>(d) details of how the activities described in subsection (a) of this condition will be carried out to:</p> <ul style="list-style-type: none"> <li>(i) meet the performance outcomes stated in the documents listed in <b>Condition A1</b>; and</li> <li>(ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition;</li> </ul> <p>(e) an inspection program detailing the activities to be inspected and frequency of inspections;</p> <p>(f) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> <li>(i) incidents; and</li> <li>(ii) non-compliances with this approval or statutory requirements;</li> </ul> <p>(g) procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during construction;</p> <p>(h) a list of all the <b>CEMP Sub-plans</b> required in respect of construction, as set out in <b>Condition C4</b>. Where staged construction of the CSSI is proposed, the <b>CEMP</b> must also identify which <b>CEMP Sub-plan</b> applies to each of the proposed stages of construction;</p> <p>(i) a description of the roles and environmental responsibilities for relevant positions and their relationship with the <b>ER</b>;</p> <p>(j) for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval;</p> <p>(k) for periodic review and update of the <b>CEMP</b> and all associated plans and programs;</p>	<p>and appendices CEMP and sub-plans, TRAs, ITPs, and SEPs</p> <p>(c) Section 6.1 Risks and Opportunities, and Appendix C Environmental Risk Assessment which includes Table C1: Likelihood and Consequence Grades, Table C2: Risk Rating Matrix, and Table C3: Environmental Risk Assessment</p> <p>(d) Section 6.4.6 EIS Performance Objectives, includes Table 6-2 outlining the environmental performance objectives at a high-level with reference made to the relevant sub-plans. Also Section 6.1 Risks and Opportunities, and Appendix C Environmental Risk Assessment</p> <p>(e) Section 11.1 Environmental Inspections which includes weekly environmental inspections (11.1.1), Environmental Representative and ARTC inspections (11.1.2), and daily inspections (11.1.3)</p> <p>(f) Section 10.1.1 Incident Investigation and 11.4 Environmental Non-conformance and Non-compliance</p> <p>(g) Section 11.4 Environmental Non-conformance and Non-compliance which includes 11.4.1 Corrective and Preventative Actions (actioned through a Non-Conformance report), and 11.4.2 Non-Conformance/Non-Compliance Reporting and Close-out using the John Holland Procedure Non-conformance and Corrective Action Procedure JH-MPR-SQE-007).</p> <p>(h) Section 3.1 lists the following plans as part of the CEMP:</p> <ul style="list-style-type: none"> <li>• Construction Transport, Traffic and Access Management Plan</li> <li>• Noise and Vibration Management Plan</li> <li>• Soil and Water Management Plan.</li> </ul> <p>With the following addressed as Environmental Procedures / Environmental Control Plans (ECPs)</p> <ul style="list-style-type: none"> <li>• Flora and Fauna</li> <li>• Non-Aboriginal Heritage</li> </ul>		

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			<p>(l) relevant details from the <b>Site Establishment Management Plan(s)</b>; and</p> <p>(m) the <b>Unexpected Heritage Finds Procedure</b> required under <b>Condition E12</b>.</p>	<ul style="list-style-type: none"> <li>• Aboriginal Heritage</li> <li>• Air Quality</li> <li>• Waste and Spoil</li> <li>• Visual Amenity</li> </ul> <p>(i) Roles and Responsibilities are described as per Section 7.1 and identify the Senior Project Manager (JH) and Environment and Sustainability Manager as the main contacts with the ER</p> <p>(j) Section 8 Competence, training, and awareness. Training Register sighted, includes OOHW and Respite training, 17 February 2022 (15 attendees), Imported Material, 31 March 2022 (9 attendees).</p> <p>(k) Section 12.1 Environmental Records and 12.4 Management review which are undertaken bi-annually</p> <p>(l) Section 2.4 Ancillary Facilities and Compounds</p> <p>(m) Included as Appendix F, Unexpected Finds Procedures are separated into Flora and Fauna Management Procedure, Heritage Management Procedure, and an Unexpected Finds Procedure.</p>		
3.3	C	C3	<p>The <b>CEMP</b> or a <b>Staged CEMP</b> must be prepared and submitted to the <b>ER</b> for approval no later than one (1) month before the commencement of construction or where construction is staged, no later than one (1) month before the commencement of that stage.</p> <p>Construction must not commence until the <b>ER</b> has approved the CEMP for the relevant stage.</p>	<p>Date of commencement of construction notified as 1 February 2022 as per ARTC letter to DPE dated 23 December 2021. Construction commenced on the 11 February 2022, following the ER approval of the CEMP. Approval letter by ER, reference <i>201203 (A) BRD_CEMP 11FEB22</i> dated 11 February 2022 with endorsement of CEMP and CEMP Sub-Plans. The letter includes reference to CoA A17 and submitted to DPE as per portal receipt SSI-9714-PA-38.</p>		Compliant
3.4	C	C4	<p><b>CEMP Sub-plans</b> must be prepared in consultation with the relevant government agency(ies) and council(s) identified for each <b>CEMP Sub-plan*</b> in <b>Table 3</b>.</p>	<p>CEMP Sub-Plans have been developed as follows:</p> <p>(a) Construction Transport, Traffic and Access Management Plan BRD-JHG-TM-0000-PLN-00001 Rev 4, 9 February 2022. Includes Consultation Register with Bayside Council as per Appendix 3.</p> <p>(b) Noise and Vibration Management Plan BRD-JHG-EN-0000-MPL-13003 Rev 4, 8 February 2022.</p>		Compliant

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			<i>Note: This condition does not preclude the preparation of subplans the proponent has committed to preparing in documents referenced in Condition A1.</i>	Includes Consultation undertaken as per Appendix E, e.g. Bayside Council and Ausgrid comments (c) Soil and Water Management Plan BRD-JHG-EN-0000-MPL-13004 Rev 4, 9 February 2022. Includes Consultation undertaken as per Appendix F with Bayside Council.		
3.5	C	C5	<p>The <b>CEMP Sub-plans</b> must state how:</p> <ul style="list-style-type: none"> <li>(a) the environmental performance outcomes identified in the documents listed in <b>Condition A1</b> as modified by these conditions will be achieved;</li> <li>(b) the mitigation measures identified in the documents listed in <b>Condition A1</b> as modified by these conditions will be implemented;</li> <li>(c) the relevant terms of this approval will be complied with; and</li> <li>(d) issues requiring management during construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed.</li> </ul>	<p>The CEMP Sub-Plans address CoA C5 as follows:</p> <p>Construction Transport, Traffic and Access Management Plan</p> <ul style="list-style-type: none"> <li>(a) Section 2.6 Targets and environmental performance outcomes (with table addressing specific performance outcomes)</li> <li>(b) Section 5 Traffic management strategy and planning and 6 Safeguards and mitigation measures</li> <li>(c) Compliance matrix Minister's Conditions of Approval</li> <li>(d) Section 2.9.1 Cumulative traffic impact</li> </ul> <p>Noise and Vibration Management Plan</p> <ul style="list-style-type: none"> <li>(a) Section 2.3 Targets and environmental performance outcomes (with table addressing specific performance outcomes) and Section 5</li> <li>(b) Section 7 Environmental control measures, with specific measures as per 7.1 (Revised Environmental Mitigation Measures REMMs), Section 7.4 and Section 7.5 Additional noise and vibration management measures</li> <li>(c) Compliance matrix Minister's Conditions of Approval and Section 8 Compliance Management</li> <li>(d) Section 3.4.3 Cumulative noise impact, Section 6 Environmental aspects.</li> </ul>		Compliant
3.6	C	C6	<p>The Soil and Water Management Plan must be prepared by a suitably qualified and experienced person and include:</p> <ul style="list-style-type: none"> <li>(a) an <b>Asbestos Management Plan (AMP)</b> prepared in accordance with the <i>National Environment</i></li> </ul>	The Soil and Water Management Plan BRD-JHG-EN-0000-MPL-13004 Rev 4, 9 February 2022 was prepared by Douglas Partners and includes:		Compliant

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			<p><i>Protection (Assessment of Site Contamination) Measure (NEPM) 2013</i></p> <p>(b) an <b>Acid Sulfate Soil Management Plan (ASSMP)</b> developed in accordance with the <i>Acid Sulfate Soils Manual (ASSMAC, 1998)</i>; and</p> <p>(c) an <b>Unexpected Contamination Finds Procedure</b>.</p>	<p>(a) an Asbestos Management Plan (AMP), included as Appendix B and prepared by Douglas Partners as 207996.00.R.007.Rev2, 22 November 2021</p> <p>(b) an Acid Sulfate Soil Management Plan (ASSMP), included as Appendix A and prepared by Douglas Partners as 207996.00.R.008.Rev0 – ASSMP, 1 November 2021</p> <p>(c) an Unexpected Contamination Finds Procedure is included as Appendix C</p> <p>The Environmental Sediment Control Plans (ESCPs) were prepared by the Soil Conservationist.</p>		
3.7	C	C7	<p>Details of all information requested by an agency to be included in a <b>CEMP Sub-plan</b> as a result of consultation, including copies of all correspondence from those agencies, must be provided with the relevant <b>CEMP Sub-Plan</b>.</p>	<p>CEMP Sub-Plans have been developed as follows:</p> <p>(a) Construction Transport, Traffic and Access Management Plan BRD-JHG-TM-0000-PLN-00001 Rev 4, 9 February 2022. Includes Consultation Register with Bayside Council as per Appendix 3.</p> <p>(b) Noise and Vibration Management Plan BRD-JHG-EN-0000-MPL-13003 Rev 4, 8 February 2022. Includes Consultation undertaken as per Appendix E, e.g. Bayside Council and Ausgrid comments</p> <p>(c) Soil and Water Management Plan BRD-JHG-EN-0000-MPL-13004 Rev 4, 9 February 2022. Includes Consultation undertaken as per Appendix F with Bayside Council.</p> <p>Copies of the correspondence is appended to the main CEMP document (Appendix E) with a list/register included within the sub-plans.</p>		Compliant
3.8	C	C8	<p>Construction must not commence until the <b>CEMP</b> and all <b>CEMP Sub-plans</b> have been approved by the <b>ER</b> and must be implemented for the duration of construction. Where construction of the CSSI is staged, construction of a stage must not commence</p>	<p>Approval letter by ER, reference 201203(A)_CEMP 11FEB22 DPIE dated 11 February 2022 with endorsement of CEMP and CEMP Sub-Plans.</p> <p>The letter includes reference to CoA A17 and submitted to DPE as per portal receipt SSI-9714-PA-38.</p>		Compliant

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			until the <b>CEMP</b> and sub-plans for that stage have been approved by the <b>ER</b> .			
	<b>C</b>		<b>CONSTRUCTION MONITORING PROGRAMS</b>			
3.9	C	C9	<p>The following <b>Construction Monitoring Programs</b> set out below must be prepared and implemented to enable comparison of the actual construction performance against the predicted performance.</p> <p>The <b>Construction Monitoring Programs</b> must be prepared in consultation with the relevant government agencies and councils as identified for each Construction Monitoring Program.</p> <p>_____</p>	<p>A Construction Noise and Vibration Monitoring Program has been included as Appendix A, as part of the Noise and Vibration Management Plan BRD-JHG-EN-0000-MPL-13003 Rev 4, 8 February 2022.</p> <p>Consultation was undertaken as per 16 December 2021 Workshop. Invitation to the workshop evidenced as part of the CEMP Appendix E – BRD CEMP Sub-Plan (CNVMP) Consultation Workshop Microsoft teams invite with attendees including Sydney Water, APA, and Jemena.</p>		Compliant
3.10	C	C10	<p>Each <b>Construction Monitoring Program</b> must provide:</p> <ul style="list-style-type: none"> <li>(a) details of baseline data available;</li> <li>(b) details of baseline data to be obtained and when;</li> <li>(c) details of all monitoring of the project to be undertaken;</li> <li>(d) the parameters of the project to be monitored;</li> <li>(e) the frequency of monitoring to be undertaken;</li> <li>(f) the location of monitoring;</li> <li>(g) procedure for the timing and frequency reporting of monitoring and analysis against relevant criteria, including details of the timing and frequency for reporting results to the <b>ER</b>, the Planning Secretary and relevant government agencies;</li> <li>(h) details of the methods that will be used to analyse the monitoring data;</li> </ul>	<p>The Construction Noise and Vibration Monitoring Program provides the following:</p> <ul style="list-style-type: none"> <li>(a) Baseline data as per Section 4.2 Ambient noise, of the Noise and Vibration Management Plan (Table 4.3: Summary of baseline noise monitoring data from EIS)</li> <li>(b) Baseline data to be obtained as per A5.1 Activities based monitoring</li> <li>(c) Monitoring of the project as per Sections A5.1 and A5.2 Plant and equipment noise audits</li> <li>(d) Parameters of the project to be monitored as defined under Sections A5.1, A5.2 and A5.6</li> <li>(e) Frequency of monitoring defined as per A5.4 Monitoring frequency and method (Table A.2: Monitoring frequency and method)</li> <li>(f) Location of monitoring identified under A5.6 Noise Monitoring Locations (Table A.4: Nominated verification monitoring locations)</li> </ul>		Compliant

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			<ul style="list-style-type: none"> <li>(i) procedures to identify and implement additional mitigation measures where results of monitoring identify unexpected impact; and</li> <li>(j) any consultation to be undertaken in relation to the monitoring programs.</li> </ul>	<ul style="list-style-type: none"> <li>(g) Procedure for the timing and frequency reporting of monitoring and analysis against relevant criteria as per Section A7.6 Reporting (Figure A.3: Construction Noise and Vibration Reporting Requirements). It is noted that Noise and Vibration Monitoring Reports are to be submitted every 6 months within 60 days of the end of the reporting period</li> <li>(h) Methods that will be used to analyse the monitoring data Section 8.3 of the Noise and Vibration Management Plan</li> <li>(i) Procedures to identify and implement additional mitigation measures where results of monitoring identify unexpected impact has been considered as part of the Construction Noise and Vibration Impact Statement (CNVIS)</li> <li>(j) Consultation included under Appendix E of the Noise and Vibration Management Plan.</li> </ul>		
3.11	C	C11	The <b>Construction Monitoring Programs</b> must be submitted to the ER for approval at least one (1) month before the commencement of construction.	The Construction Monitoring Program for Noise and Vibration was submitted to the ER as per Aconex correspondence as sighted Rev 4, 10 February 2022 from JHG, prior to the commencement of construction date (11 February 2022).		Compliant
3.12	C	C12	Construction, which is required to be monitored under the <b>Construction Monitoring Programs</b> , must not commence until the <b>Construction Monitoring Programs</b> have been approved by the ER, and all relevant baseline data for the specific construction activity has been collected.	<p>Approval letter by ER, reference <i>201203 (A) BRD_CEMP 11FEB22</i> dated 11 February 2022 with endorsement of the Construction Noise and Vibration Management Plan which contains the Construction Monitoring Program – Noise and Vibration. This forms part of the ER review and approval letter and notes that:</p> <ul style="list-style-type: none"> <li>• Previous versions of the documents have been reviewed and updated following comments from the ER</li> <li>• ARTC and the Acoustic Advisor (AA) have also reviewed and commented on the relevant documents</li> </ul>		Compliant

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				<ul style="list-style-type: none"> <li>AA has provided an endorsement of the Construction Noise and Vibration Management Plan</li> <li>Evidence of consultation records has been provided to the ER</li> <li>Following the above reviews, the documents are considered to contain information and consultation required</li> </ul>		
3.13	C	C13	The <b>Construction Monitoring Programs</b> , as approved by the ER must be implemented for the duration of construction and for any longer period set out in the monitoring program or specified by the Planning Secretary, whichever is the greater.	<p>Noise monitoring records presented as evidence of implementation of the Construction Monitoring Program using calibrated noise unit NL52 (00186648):</p> <ul style="list-style-type: none"> <li>Noise Monitoring Field Form, McBurney Ave at 11:33pm on 8 November 2021 during borehole drilling and test pit excavation.</li> <li>Noise Monitoring Field Form, McBurney Ave at 11:12pm on 10 November 2021 during power pole installation.</li> <li>Noise Monitoring Field Form, Stamford Hotel (stairs) at 8:07am on 7 May 2022 during piling works</li> <li>Noise Monitoring Field Form, Robey Street at 8:45am on 7 May 2022 during piling works</li> <li>Noise Monitoring Field Form, Baxter Road at 10:27am on 7 May 2022 during piling works</li> <li>Noise Monitoring Field Form, Stamford Hotel at 11.29pm on 7 May 2022 during piling works (P6)</li> <li>Noise Monitoring Field Form, Stamford Hotel (stairs) at 7:13am on 8 May 2022 during cage installation (cage)</li> </ul> <p>018 WE45 Noise Monitoring Review for the 7 May 2022 works (weekend possession) concluded that noise levels were within the predicted noise levels, aside from the pile case installation. Although this exceeded</p>		Compliant

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				the predicted noise levels, most pile casing works were completed during daytime hours. For works carried out between 18:00 and 20:00, pile case installation occurred for approximately 30min with the remaining 1.5hours consisting of noise respite. No complaints were received during these works.		
3.14	C	C14	<p>The results of the <b>Construction Monitoring Programs</b> must be made publicly available in the form of a Construction Monitoring Report at the frequency identified in the relevant <b>Construction Monitoring Program</b>.</p> <p><i>Note: Where a relevant <b>CEMP Sub-Plan</b> exists, the relevant <b>Construction Monitoring Program</b> may be incorporated into that <b>CEMP Sub-Plan</b>.</i></p>	<p>The Construction Monitoring Program Report frequency is defined as 6 monthly as per Section A7.6 of the Construction Monitoring Program.</p> <p>The EPL 21678 was issued 6 May 2022; Construction monitoring reports are not due until the end of June 2022.</p>	<p><b>Note:</b> The Proponent to ensure Construction Monitoring Reports are to be made publicly available within the timeframe.</p>	Not Triggered
3.15	C	C15	<p>The <b>Noise and Vibration Monitoring Program</b> must include:</p> <ul style="list-style-type: none"> <li>(a) noise and vibration monitoring at agreed representative locations in consultation with the AA adjacent to the construction to confirm construction noise and vibration levels; and</li> <li>(b) for the purposes of (a), noise monitoring during the day, evening and night-time periods must be undertaken within the first month of construction and must cover the range of activities being undertaken at the sites.</li> </ul>	<p>The Construction Monitoring Program for Noise and Vibration identifies:</p> <ul style="list-style-type: none"> <li>(a) Noise Monitoring Locations as per Section A5.6 – Table A4: Nominated verification monitoring locations. Section A6 Construction vibration monitoring confirms that locations would be determined on a case-by-case basis in a CNVIS.</li> <li>(b) Noise Monitoring Field Form, Stamford Hotel (stairs) at 11:29pm on 7 May 2022 during piling (P6). Noise and vibration monitoring were undertaken during the weekend 45 possession on the 7-8 May 2022, within one month of commencement of construction (11 February 2022)</li> </ul>		Compliant

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4	PART	D	OPERATIONAL ENVIRONMENTAL MANAGEMENT			
	<b>D</b>		<b>OPERATIONAL ENVIRONMENTAL MANAGEMENT – ACTIVE NOISE MITIGATION SYSTEM</b>			
4.1	D	D1	Conditions D2 and D3 apply where an active noise mitigation system such as a track lubrication system is installed to mitigate operational rail noise.	The Botany Rail Duplication project is under construction. This condition is not yet triggered.		Not Triggered
4.2	D	D2	<p><b>A Validation Program</b> must be developed to validate the performance of the active noise mitigation system in meeting the noise level reductions (L<sub>max</sub>) anticipated in the <b>Operational Noise and Vibration Review</b>. The program must:</p> <ul style="list-style-type: none"> <li>(a) facilitate the ongoing review of the effectiveness of the active noise mitigation;</li> <li>(b) include regular noise monitoring at a location where L<sub>max</sub> is expected to be elevated;</li> <li>(c) demonstrate how data collected translates to noise impacts at affected residences using the methodology set out in the Rail Infrastructure Noise Guideline; and</li> <li>(d) include a monitoring, recording and reporting process that will facilitate measuring of compliance and reporting.</li> </ul> <p>The validation program must be reviewed and endorsed by the AA as being able to meet the above requirements and be submitted to the Planning Secretary before the commencement of operation. The validation program must be able to demonstrate that the system is achieving the relevant noise reductions. The validation program may cease after 5 years with the approval of the Planning Secretary. Any request to cease monitoring must demonstrate</p>	The Botany Rail Duplication project is under construction. This condition is not yet triggered.		Not Triggered

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			<p>that the active mitigation system and monitoring system has been maintained and is effective.</p> <p>Notwithstanding, the performance of the active monitoring system must be submitted to the Planning Secretary on an annual basis and within three months of the end of each year. Regardless, the results of monitoring must be made available to the Planning Secretary on request.</p>			
4.3	D	D3	Where monitoring shows that the active noise mitigation system is not effective in achieving the noise level reductions in the Operational Noise and Vibration Review, the Proponent must implement further practicable measures to ensure the noise level reductions are achieved.	The Botany Rail Duplication project is under construction. This condition is not yet triggered.		Not Triggered
4.4	D	D4	<p><b>Operational Environmental Management</b></p> <p>Measures to manage the operation and maintenance of the CSSI must be addressed in the Proponent's Environmental Management System or equivalent as agreed with the Planning Secretary.</p>	The Botany Rail Duplication project is under construction. This condition is not yet triggered.		Not Triggered
5	PART	E	KEY ISSUE CONDITIONS			
	E		<b>AIR QUALITY</b>			
5.1	E	E1	In addition to the performance outcomes, commitments and mitigation measures specified in the documents listed in <b>Condition A1</b> , all reasonably practicable measures must be implemented to minimise the emission of dust and other air pollutants during construction of the CSSI.	<p>No dust gauges required on the Botany Rail Duplication project.</p> <p>Mill Pond water cart available for dust management.</p> <p>No dust sighted during inspection.</p>		Compliant

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	E		<b>BIODIVERSITY</b>			
5.2	E	E2	Any work associated with the CSSI must limit the clearing of native vegetation to the greatest extent practicable.	<p>Credit retirement report submitted to DPE as per ARTC letter Reference # PM-L-DPE-0001, 17 March 2022. Email response from DPE received 23 March 2022 confirming receipt and no comments.</p> <p>BAM Biodiversity Credit Report assessment ID 00012151/BAAS18097/18/00012152, 31 October 2018 sighted.</p> <p>Pre-clearing assessment presented for Robey Street Vehicle Access by AMBS Ecology + Heritage, AMBS Ref 21974, 19 January 2022.</p> <p>Pre-clearing assessment also sighted for Mill Stream Pond Extension undertaken by AMBS Ecology + Heritage, AMBS Ref 21974, 15 March 2022. Submitted by email to ER as sighted, dated 13 April 2022.</p>		Compliant
5.3	E	E3	Impacts to plant community types must not exceed those identified in the documents listed in <b>Condition A1</b>	<p>No exceedances from what was identified in the EIS.</p> <p>Weeded area for clearing missed from the EIS; cleared as per BAM Biodiversity Credit Report assessment.</p>		Compliant
5.4	E	E4	<p>Before any impact on the plant community types or species that are required to be offset, the Proponent must retire the credits specified in <b>Table 4</b> and in accordance with the offset rules of the <i>Biodiversity Conservation Act 2016</i>.</p> 	<p>Credits retired as evidenced – Biodiversity Conservation Trust statement confirming payment into the Biodiversity Conservation Fund for offset obligation. Reference BCF322 dated 3 March 2022 including offset trading group for the following credits:</p> <ul style="list-style-type: none"> <li>• 1234 – Estuarine Swamp Oak forest (8 credits)</li> <li>• 1071 – Phragmites australis and Typha orientalis coastal freshwater wetlands of the Sydney Basin Bioregion (3 credits)</li> </ul>		Compliant

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				BAM Biodiversity Credit Report assessment ID 00012151/BAAS18097/18/00012152, 31 October 2018 also sighted with credits aligned as per statement.		
5.5	E	E5	The Proponent must submit to the Planning Secretary for information a copy of the Credit Retirement Report for the retirement of the biodiversity offsets specified in Table 4 within one (1) month of receiving the report.	The credit retirement report was submitted to DPE on the 23 March 2022 within one month of receiving the Biodiversity Conservation Trust statement dated 3 March 2022 as evidenced – ARTC letter dated 17 March 2022 ARTC Reference # PM-L-DPE-0001.		Compliant
5.6	E	E6	<b>Tree Removal and Replacement Planting</b> The CSSI must deliver a net increase in trees. Replacement trees must target an increase in tree canopy and aim to enhance the relevant council's position in respect of the Sydney Green Grid. This condition does not apply to trees that are subject to a biodiversity offset.	Tree removal and replacement planting – in discussion with Bayside Council for planting but no space for tree planting. Confirmed by email dated 18 May 2022: Council advised that they submitted a Report to Council's Executive Committee seeking their advice as to where trees could be planted in the Mascot / Botany Areas to compensate for the trees that have been removed with the BRD Project. There are no suitable Council open space sites in the Mascot / Botany Areas for tree plantings. It was noted that there is a potential opportunity for planting around Mill Pond Stream area.		Not Triggered
5.7	E	E7	Replacement trees must: <ul style="list-style-type: none"> <li>(a) be located on public land and prioritised within 500 metres of the Construction Boundary in consultation with the relevant council and SACL;</li> <li>(b) comply with the <i>National Airports Safeguarding Framework Guideline C: Managing the Risk of Wildlife Strikes in the Vicinity of Airports</i>;</li> <li>(c) be provided no later than six (6) months following the commencement of operation;</li> <li>(d) have a pot size consistent with the relevant council's plans / programs / strategies for vegetation management, street planting, or open space landscaping, or as agreed by the relevant council(s). In areas not subject to council plans / programs /</li> </ul>	No replacement trees to date.		Not Triggered

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			strategies, pot sizes must be informed through consultation with the relevant council(s) and Sydney Airport.			
	<b>E</b>		<b>FLOODING</b>			
5.8	E	E8	Measures identified in in the documents listed in <b>Condition A1</b> to not worsen or improve flood characteristics must be incorporated into the detailed design of the CSSI.	Mill Stream Pond identified as a high-risk flood area. The Soil and Water Management Plan was prepared by Douglas Partners and includes Section 4.5 Flooding which addresses Mill Stream (4.5.1). Flooding has been considered in the development of the Progressive Erosion and Sediment Control Plan (ESCP) for Mill Stream Pond.		Compliant
5.9	E	E9	Flood information developed during detailed design, such as flood reports, models and geographic information system outputs, and work as executed information from a registered surveyor certifying finished ground levels, the dimensions and finished levels of all structures constructed as part of the CSSI within flood prone land, must be provided to the relevant council, EESG and the SES in order to assist in preparing relevant documents and to reflect changes in flood behaviour as a result of the CSSI. The council, EESG and the SES must be notified in writing that the information is available no later than one (1) month following the completion of construction. Information requested by the relevant Council, EESG or the SES must be provided no later than six (6) months following the completion of construction or within another timeframe agreed with the relevant council, EESG and the SES.	Submission to Council/EESG and SES has not been carried out yet as design has not reached IFC phase. The requirement under CoA E9 is to notify in writing of the availability of the information no later than one (1) month following the completion of construction.  Flood Modelling and Assessment Report BRD-JAC-FL-0000-REP-0001 Rev 02, 11 March 2022 has been prepared by Jacobs. It includes a pre and post flood assessment and associated maps.		Not Triggered

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	<b>E</b>		<b>HERITAGE</b>			
5.10	E	E10	Following completion of all work described in the documents listed in <b>Condition A1</b> in relation to heritage items, except for the archaeological mitigation programs proposed, a <b>Heritage Report</b> including the details of any archival recording, must be prepared in accordance with guidelines and standards published by the Heritage Council of NSW and EESG.	<p>The Botany Rail Duplication Project is under construction. This is not yet triggered.</p> <p>Archival Recording has commenced. Heritage specialist AMBS is preparing the report.</p>		Not Triggered
5.11	E	E11	The <b>Heritage Report</b> must be submitted to the Planning Secretary, the Heritage Council of NSW and EESG for information no later than 12 months after the completion of the work referred to in <b>Condition E10</b> .	<p>The Botany Rail Duplication Project is under construction. This is not yet triggered.</p> <p>Section 170 submitted to Heritage NSW for O’Riordan bridge as evidenced – letter from the Department of Premier and Cabinet dated 2 March 2022 which states:</p> <p>This notification is supported by ARTC letter dated 25 February 2022: Notice under Section 170A Heritage Act 1977 – Demolition and replacement of the Mascot (O’Riordon Street) Underbridge (SHI no. 4801830) and Mascot (Robey Street) Underbridge (SHI no. 4801848); should demolition proceed it is recommended that you record the asset in accordance with the heritage guidelines: <i>How to Prepare Archives Records of Heritage Items and Guidelines for Photographic Recording of Heritage Sites, Buildings and Structures (2006) (photographic guidelines)</i>.</p>		Not Triggered
5.12	E	E12	An <b>Unexpected Heritage Finds Procedure</b> must be prepared to manage unexpected heritage finds in accordance with guidelines and standards published by the Heritage Council of NSW or EESG Human	Unexpected Heritage Finds Procedures has been prepared and included as Appendix F of the CEMP. The Heritage Management Procedure dated 16 November 2021 addresses both heritage finds and human remains.		Compliant

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			Remains would classify as an unexpected find and should be managed as part of this protocol.  <i>Note: Human remains that are found unexpectedly during the carrying out of works may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</i>	No unexpected finds to date.		
5.13	E	E13	The <b>Unexpected Heritage Finds Procedure</b> must be implemented for the duration of construction work.	No unexpected finds to date.		Not Triggered
	<b>E</b>		<b>NOISE AND VIBRATION</b>			
5.14	E	E14	<b>Construction Hours</b> Work must only be undertaken during the following standard construction hours:  (a) 7:00am to 6:00pm Mondays to Fridays, inclusive; (b) 8:00am to 1:00pm Saturdays; and (c) at no time on Sundays or public holidays.	Construction hours are outlined under Section 5.1 of the Noise and Vibration Management Plan:  (a) 7:00am to 6:00pm Mondays to Fridays, inclusive; (b) 8:00am to 1:00pm Saturdays; and (c) at no time on Sundays or public holidays.  BRD Environment and Sustainability induction presented as evidence as PowerPoint presentation. Includes standard construction hours under the Noise and Vibration section.		Compliant
5.15	E	E15	Notwithstanding <b>Condition E14</b> , work may be undertaken between 1:00 pm to 6:00 pm on Saturday.	Out of Hours Work Permit 018 dated 5 May 2022 for works carried out between Saturday 6 May 2022 (2am) to Monday 9 May 2022 (2am). Approvals as signed by John Holland, ARTC and includes notification to AA.		Compliant
5.16	E	E16	<b>Variation to Work Hours</b> Notwithstanding <b>Conditions E14, E15 and E19</b> work may be undertaken outside the hours specified in the following circumstances:  (a) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or	Out of Hours Work Permit 009 (see Noise and Vibration assessment) dated 24 March 2022 for works carried out between 25 March 2022 (11pm) to 28 March 2022 (5am) – 52hour railway possession. Approvals signed off by JH, ARTC and AA reviewed. Work undertaken in accordance with the O’Riordan Street Road Occupancy		Compliant

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			<p>(b) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm; or</p> <p>(c) an approval has been obtained for a controlled activity under the Airports Act 1996; or</p> <p>(d) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; or</p> <p>(e) work approved under an <b>Out-of-Hours Work Protocol</b> for work not subject to an EPL as required by <b>Condition E29</b>; or</p> <p>(f) construction that causes LAeq(15 minute) noise levels:</p> <p>(i) no more than 5 dB(A) above the rating background level at any residence in accordance with the <i>Interim Construction Noise Guideline</i> (DECC, 2009), and</p> <p>(ii) no more than the 'Noise affected' noise management levels specified in Table 3 of the <i>Interim Construction Noise Guideline</i> (DECC, 2009) at other sensitive land uses, and</p> <p>(iii) continuous or impulsive vibration values, measured at the most affected residence are no more than the maximum values for human exposure to vibration, specified in Table 2.2 of <i>Assessing Vibration: a technical guideline</i> (DEC, 2006), and (iv) intermittent vibration values measured at the most affected residence are no more than the maximum values for human exposure to vibration, specified in Table 2.4 of <i>Assessing Vibration: a technical guideline</i> (DEC, 2006); or</p> <p>(g) negotiated agreements with directly affected residents.</p> <p><i>Note: Section 5.24(1)(e) of the EP&amp;A Act requires that an EPL be substantially consistent with this approval.</i></p>	<p>Licence (ROL) with no alternatives available due to railway possession requirements, justified as OOHW to enable safe working.</p> <p>009 Noise and Vibration Assessment Report by Renzo Tonin &amp; Associates for 25 March to 28 March 2022 Work activities for OOHW listed as:</p> <ul style="list-style-type: none"> <li>• O’Riordan Bridge Demolition</li> <li>• SR/GLT Installation</li> <li>• Cable Pulling</li> <li>• Trenching</li> <li>• Storage and laydown at Banksia compound.</li> </ul> <p>The report included associated sound power levels, location of construction activities, noise and vibration impacts, summary of exceedances and mitigation measures.</p> <p>The weekend 45 possession included OOHW noise monitoring during piling and cage installation on the 7 May 2022, 11:29pm. Noise was dominated by traffic and sirens with no exceedances noted during out of hours works. Exceedances were determined during day works as per 018 W45 Noise Monitoring Review: the majority of works were completed during daytime working hours under Condition E14 and E15. For works carried out between 18:00 and 20:00, pile case installation occurred for approximately 30min with the remaining 1.5hours consisting of noise respite. The weekend 45 possession noise assessment was reviewed and approved on the 6 May 2022 by the AA as evidenced in the AA Monthly Report for April 2022.</p>		
5.17	E	E17	<p>On becoming aware of the need for emergency works in accordance with <b>Condition E16</b>, the Proponent must notify the <b>AA, ER</b> and the EPA (if an EPL applies)</p>	<p>No emergency works to date.</p> <p>Staff undertook EPL 21678 noise training for emergency works on 10 May 2022 (PowerPoint presentation slides</p>		Not Triggered

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			of the need for that work. The Proponent must use best endeavours to notify all noise and/or vibration affected occupants of sensitive land uses of the likely impact and duration of those works.	evidenced), in accordance with EPL Condition L3.4. Also included in Training Register (25 attendees).		
5.18	E	E18	<p>Except as permitted by an EPL, out-of-hours work that may be regulated through the <b>Out of Hours Work Protocol</b> as per <b>Condition E28</b> includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>(a) carrying out work that, during standard hours, would result in a high risk to construction personnel or public safety, based on a risk assessment carried out in accordance with AS/NZS ISO 31000:2009 “Risk Management”; or</li> <li>(b) where the relevant road authority has advised the Proponent in writing that carrying out the work during standard hours would result in a high risk to road network performance and a road occupancy licence will not be issued; or</li> <li>(c) where the relevant utility service operator has advised the Proponent in writing that carrying out the work during standard hours would result in a high risk to the operation and integrity of the utility network; or</li> <li>(d) where an approval is required for a controlled activity in accordance with the Airports Act 1996; or</li> <li>(e) work undertaken in a rail possession for operational or safety reasons.</li> </ul> <p><i>Note: Other out-of-hours works can be undertaken with the approval of an EPL, or through the project’s <b>Out-of-Hours Work Protocol</b> for works not subject to an EPL.</i></p>	<p>An Out of Hours Work Protocol has been prepared BRD-JHG-NV-0000-PRT-00001, Rev 3, 3 May 2022. The OOHW Protocol is not officially approved and is currently waiting on Acoustic Advisor endorsement.</p> <p>The following OOHW permits were verified:</p> <ul style="list-style-type: none"> <li>• Out of Hours Work Permit 018 dated 5 May 2022 for works carried out between Saturday 6 May 2022 (2am) to Monday 9 May 2022 (2am). Approvals as signed by JH, ARTC and notification to AA.</li> <li>• Out of Hours Work Permit 009 (see Noise and Vibration assessment) dated 24 March 2022 for works carried out between 25 March 2022 (11pm) to 28 March 2022 (5am) – 52-hour railway possession. Approvals as signed by JH, ARTC and reviewed by AA.</li> </ul>		Compliant

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5.19	E	E19	<p><b>Highly Noise Intensive Work</b></p> <p>Except as permitted by an EPL or approved through the Out of Hours Work Protocol in <b>Condition E29</b>, highly noise intensive work must only be undertaken:</p> <ul style="list-style-type: none"> <li>(a) between the hours of 8:00 am to 6:00 pm Monday to Friday;</li> <li>(b) between the hours of 8:00 am to 1:00 pm Saturday; and</li> <li>(c) if continuously, then not exceeding three (3) hours, with a minimum cessation of work of not less than one (1) hour between each block where the work is likely to impact the same noise sensitive receivers.</li> </ul> <p>For the purposes of this condition, 'continuously' includes any period during which there is less than one (1) hour between ceasing and recommencing any of the work.</p> <p><i>Note: This condition does not prevent a negotiated agreement being reached with affected sensitive receivers as per <b>Condition E16</b>.</i></p>	<p>Section 5.1 of the Noise and Vibration Management Plan defines the working hours as aligned to CoA E19, with standard hours and OOHW periods depicted in Figure 5.1: Construction hours. The OOHW periods are further defined as:</p> <ol style="list-style-type: none"> <li>1. OOHW Period 1 - 8:00 am to 6:00 pm Sunday (or public holidays) or 6:00 pm to 10:00pm weekdays</li> <li>2. OOHW Period 2 - 10:00 pm to 7:00 am weekday nights, 10:00 pm to 8:00 am Saturday night or 6:00 pm to 7:00 am Sunday or public holiday nights</li> </ol> <p>A Non-Conformance Report (NCR) was raised under High Noise Intensive Work – NCR No. SNC/BRD/00005 on the 23 May 2022 whereby noise assessment for piling works did not include all activities (specifically impact hammering of pile casings). Meetings were held with piling contractors to understand process, additional equipment added to Gatewave System, noise trials proposed for future piling works. Closed on the same day (23 May 2022).</p> <p>Within the EPL 21678 there is a 24hr allowance for High Noise Intensive Work during possession periods. A Project EPL 21678 - Noise Requirements training was conducted on the 10 May 2022 as evidenced – PowerPoint presentation slides including High Noise Impact Works in accordance with Condition L3.2.</p>		Compliant
5.20	E	E20	<p><b>Construction Noise – Coordination</b></p> <p>The Proponent must consult with proponents or applicants of other State Significant development and infrastructure within 200 metres of the CSSI and take reasonable steps to coordinate work, including</p>	<p>Noise Assessment discussion regarding weekend 45 possession as per emails presented – Environmental Manager, Sydney Gateway to and from John Holland Environmental Manager on the 2 June 2022. Using same noise consultant for cumulative assessment.</p>		Compliant

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			utility work, to minimise cumulative impacts of noise and vibration and maximise respite for affected sensitive receivers.			
5.21	E	E21	<p>All work undertaken for the delivery of the CSSI, including those undertaken by third parties (such as utility relocations), must be coordinated to ensure respite is provided. The Proponent must:</p> <ul style="list-style-type: none"> <li>(a) reschedule any work to provide respite to impacted noise sensitive receivers so that the respite is achieved in accordance with <b>Condition E26</b>; or</li> <li>(b) consider the provision of alternative respite or mitigation to impacted noise sensitive receivers; and</li> <li>(c) provide documentary evidence to the <b>AA</b> and <b>ER</b> in support of any decision made by the Proponent in relation to respite or mitigation.</li> </ul>	<p>The Construction Noise and Vibration Management Plan includes Section 7.4.3 Community consultation on respite, and Section 7.5.2 Respite periods (RP).</p> <p>The weekend 45 possession 018 W45 Noise Monitoring Review notes that the majority of works were completed during daytime working hours under Condition E14 and E15. For works carried out between 18:00 and 20:00, pile case installation occurred for approximately 30min with the remaining 1.5hours consisting of noise respite.</p> <p>No complaints were received during these works.</p> <p>Out of Hours Noise and Respite training undertaken 17 February 2022 (15 attendees, internally run through JHG) as sighted in Training Register.</p>		Compliant
5.22	E	E22	Noise generating work in the vicinity of potentially affected community, religious, educational institutions and noise and vibration-sensitive businesses and critical working areas (such as theatres, laboratories and operating theatres) resulting in noise levels above the relevant NML must not be timetabled within sensitive periods, unless other reasonable arrangements with the affected institutions are made at no cost to the affected institution.	<p>No institutions or sensitive businesses in the vicinity.</p> <p>Complaint received on the 24 May 2022 from the Stamford Hotel: Stamford Hotel Manager emailed to complain about loud works undertaken between the hours of 2.30pm and 4.00pm and confirmed that several guests complained of a loud banging noise with one guest providing an audio clip. At the time there were flight staff staying at hotel. The John Holland Community and Stakeholder Manager contacted the hotel by email on the 24 May 2022 as sighted with an additional email sent directly to a flight staff member. The complaint was ongoing and being monitored at the time of the audit.</p>		Compliant

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5.23	E	E23	<p><b>Noise and Vibration Mitigation</b></p> <p>Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration criteria:</p> <ul style="list-style-type: none"> <li>(a) construction ‘Noise affected’ noise management levels established using the <i>Interim Construction Noise Guideline</i> (DECC, 2009);</li> <li>(b) vibration criteria established using the <i>Assessing vibration: a technical guideline</i> (DEC, 2006) (for human exposure);</li> <li>(c) Australian Standard AS 2187.2 - 2006 “<i>Explosives - Storage and Use - Use of Explosives</i>”;</li> <li>(d) BS 7385 Part 2-1993 “<i>Evaluation and measurement for vibration in buildings Part 2</i>” as they are “applicable to Australian conditions”; and</li> <li>(e) the vibration limits set out in the <i>German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures</i> (for structural damage).</li> </ul> <p>Any work identified as exceeding the noise management levels and/or vibration criteria must be managed in accordance with the <b>Noise and Vibration CEMP Sub-plan</b>.</p> <p><i>Note: The Interim Construction Noise Guideline identifies ‘particularly annoying’ activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction Noise Management Level. Mitigation measures must provide ongoing mitigation for construction noise</i></p>	<p>Renzo Tonin &amp; Associates undertook vibration monitoring as per 8T Smooth Drum Roller Vibration Monitoring Report <i>TM232-04F02 8T Smooth Drum Roller Vibration Monitoring Report (r1)</i> dated 5 May 2022. Instruments used were Type 1 Signal Analyser (Soundbook-2), and Accelerometer (Endevco 61C3). The report included baseline monitoring, during the use of a 8T smooth drum roller on the 2 May 2022. The vibration results were below the established vibration criterion.</p> <p>Renzo Tonin &amp; Associates also undertook vibration monitoring as per Piling Vibration Monitoring Report <i>TM232-04F03 Piling Vibration Monitoring Report (r2)</i> dated 10 May 2022. Instruments used were Type 1 Signal Analyser (Soundbook-2), and Accelerometer (Endevco 61C3). The report included baseline monitoring, during the use of a hydraulic piling rig (impact piling), and hydraulic rotary rig (bored piling), on the 7 May 2022. Both vibration results from the piling rigs were below the established vibration criterion.</p> <p>Renzo Tonin &amp; Associates undertook noise and vibration monitoring as per Impact Piling Noise and Vibration Monitoring Report <i>TM232-05F02 Impact Piling Noise and Vibration Monitoring Report (r1)</i> dated 1 June 2022. Instruments used were:</p> <ul style="list-style-type: none"> <li>• Type 1 Sound Level Meter (NTI-XL2) Serial No. A2A-03167-D1 (last calibrated 22 February 2022)</li> <li>• Type 1 Sound Level Meter Calibrator (B&amp;K-4231) Serial No. 3009707 (last calibrated 3 December 2021)</li> <li>• Type 1 Signal Analyser (Soundbook-2)</li> </ul>		Compliant

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				<ul style="list-style-type: none"> <li>Accelerometer (Endevco 61C3).</li> </ul> <p>The report included baseline monitoring for vibration, during the use of 2 x hydraulic piling rigs (impact piling), on the 27 May 2022. Both vibration results from the piling rigs were below the established vibration criterion. The calculated sound power level of the 68-70T PM20 hydraulic piling rig was 131 dB(A), below the calculated L<sub>Amax</sub> Sound Power Level.</p>		
5.24	E	E24	<p>Owners and occupiers of properties at risk of exceeding the screening criteria for cosmetic damage must be notified before works that generate vibration commences in the vicinity of those properties. If the potential exceedance is to occur more than once or extend over a period of 24</p> <p>hours, owners and occupiers are to be provided a schedule of potential exceedances on a monthly basis for the duration of the potential exceedances, unless otherwise agreed by the owner and occupier. These properties must be identified and considered in the <b>Noise and Vibration CEMP Sub-plan</b>.</p>	<p>The Noise and Vibration Management Plan considers any properties at risk of cosmetic damage will be identified through the vibration screening drawings, prepared based on proposed vibration intensive construction activities and presented in the CNVIS prepared for the Project. Pre-construction surveys must be offered to the owners of surface and sub-surface structures and other relevant assets identified at risk of damage from vibration, in accordance with CoA E25. Specific properties will be identified in the CNVIS prepared for the Project. Aconex correspondence surrounding the CNVMP Dilapidation Survey shows submission requests were sent to 9 lots of which only 1 responded and confirmed.</p> <p>A monthly update is provided on the project website detailing the works for the month and any OOHW.</p>		Compliant
5.25	E	E25	<p>The Proponent must conduct vibration testing before and during vibration generating activities that have the potential to impact on heritage items to be retained and protected, to identify minimum working distances to prevent cosmetic damage. In the event that the vibration testing and monitoring shows that the preferred values for vibration are likely to be exceeded, the Proponent must review the</p>	<p>The Noise and Vibration Management Plan confirms that pre-construction surveys must be offered to the owners of surface and sub-surface structures and other relevant assets identified at risk of damage from vibration, in accordance with CoA E25.</p> <p>Aconex correspondence surrounding the CNVMP Dilapidation Survey shows submission requests were sent to 9 lots of which only 1 responded and confirmed.</p>		Compliant

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			construction methodology and, if necessary, implement additional mitigation measures.	Vibration monitoring also undertaken at O’Riordan Bridge. It is noted that the abutments are not counted as Heritage items.		
5.26	E	E26	<p><b>Construction Noise Mitigation – Respite</b></p> <p>The Proponent must provide respite* for sensitive land uses where work is undertaken outside hours specified in <b>Condition E14</b> and <b>E15</b> and exceeds the NML by 25 dB(A) or are greater than 75 dB(A) (LAeq(15 min)), whichever is the lesser at the façade of the building of a residential receiver.</p> <p>(The noise level must be reduced by 5dB where the noise contains annoying characteristics and increased by 10dB if the property has been treated or offered at-property noise treatment)</p> <p><i>Note: * respite can be any combination of days or hours where out of hours work would not be more than 5dB(A) above the rating background level at any residence.</i></p>	<p>Community engagement has been undertaken with face-to-face consultation for upcoming OOHW respite periods for piling works. This included a request made to the Stamford Hotel to confirm specific respite hours.</p> <p>No noise complaints received for any out of hours work.</p> <p>Noise complaint received on the 24 May 2022 (Complaint ID 7943) – Stamford Hotel Manager emailed to complain about loud works undertaken between the hours of 2.30pm and 4.00pm and confirmed that several guests complained of a loud banging noise with one guest providing an audio clip. Appropriate actions undertaken and the status is still being monitored. No mediation or respite has been required.</p>		Compliant
5.27	E	E27	<p><b>Out of Hours Work – Community Consultation on Respite</b></p> <p>In order to undertake work outside hours specified in <b>Condition E14</b> and <b>E15</b>, the Proponent must identify appropriate respite* required by <b>Condition E26</b>, and/or additional mitigation measures required by <b>Condition E28</b>, for out-of-hours work in consultation with the community at each affected location on at least a 3 monthly basis. This consultation must include (but not be limited to) providing the community with a three-monthly forward schedule of likely out of hours works.</p>	<p>A monthly notification update is provided and available on the project website including the out of hours work for the month.</p> <p>3-month lookahead (fact sheets) available on the website e.g. Noise and Vibration Fact Sheet Project Update. Targeted notification to residents also issued e.g. for July 2022 piling works issued on the 8 June 2022.</p> <p>Prior to weekend possession 45 in May 2022, out of hours work was not predicted, previously not triggering CoA E27.</p>	<p><b>Note:</b> The Proponent to note to implement a three-monthly schedule with information as per Condition E27 (a) to (d) for any predicted OOHW to retain full compliance with Condition E27.</p>	Compliant

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			<p>The schedule must include:</p> <ul style="list-style-type: none"> <li>(a) an indicative schedule of likely out-of-hours work for a period no less than three (3) months;</li> <li>(b) a description of the potential work, location and duration;</li> <li>(c) the noise characteristics and likely noise levels of the work; and</li> <li>(d) likely mitigation and management measures to be implemented and/or offered.</li> </ul> <p>The outcomes of the community consultation (including any agreed alternative arrangements), the identified respite periods and the scheduling of the likely out-of-hour works must be provided to the <b>AA, ER and EPA</b>.</p> <p><i>Note: * respite periods can be any combination of days or hours where out of hours works would not be more than 5dB(A) above the rating background level at any residence.</i></p>			
5.28	E	E28	<p><b>Out of Hours Work – Mitigation</b></p> <p>Additional mitigation measures such as temporary alternative accommodation or other agreed mitigation measure, must be offered/ made available to residents affected by out-of-hours work</p> <p>(including where utility work is being undertaken for the project) where the construction noise levels, between:</p> <ul style="list-style-type: none"> <li>(a) 10:00 pm and 7:00 am, Monday to Friday;</li> <li>(b) 10:00 pm Saturday to 8:00 am Sunday; and</li> <li>(c) 6:00 pm Sunday and public holidays to 7:00 am the following day unless that day is Saturday then to 8:00am,</li> </ul>	<p>No out of hours work noise complaints as verified in 'ARTC Major Construction Projects Complaints Register_March 2022'.</p> <p>No activities requiring alternative accommodation.</p> <p>No noise and vibration or OOHW complaints were received during the weekend 45 possession undertaken on the 7 May 2022. Based on the timings of the works Condition E28 did not apply to the WE45 works as per 018 WE45 Noise Monitoring Review. The majority of works were completed during daytime working hours under Condition E14 and E15. For works carried out between 18:00 and 20:00, pile case installation occurred for approximately 30min with the remaining 1.5hours consisting of noise respite.</p>		Not Triggered

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			<p>are predicted to exceed the NML by 25 dB(A) or are greater than 75 dBA (LAeq(15 min)), whichever is the lesser and the impact is planned to occur for more than two (2) nights over a seven (7) day rolling period.</p> <p>The NML must be reduced by 5 dB where the noise contains annoying characteristics and increased by 10 dB if the property has been treated or offered at-property noise treatment. The noise levels and duration requirements identified in this condition may be changed through an EPL applying to the CSSI.</p>	<p>Out of hour work has not exceeded more than two nights over a seven day rolling period.</p>		
5.29	E	E29	<p><b>Out-of-Hours Work Protocol – Work not subject to an EPL</b></p> <p>An <b>Out-of-Hours Work Protocol</b> must be prepared to describe the process for the consideration, management and approval of work which is outside the hours defined in <b>Conditions E14</b> and <b>E15</b> and <b>E19</b> and that is not subject to an EPL. The Protocol must be approved by the Planning Secretary before commencement of out of hours work. The Protocol must be prepared in consultation with the <b>AA</b>. The Protocol must:</p> <ul style="list-style-type: none"> <li>(a) provide a process for the consideration of out-of-hours work against the relevant noise management level and vibration criteria (including ground-borne noise), including the determination of low and high-risk activities;</li> <li>(b) provide a process for the identification of mitigation measures for residual impacts, including respite periods in consultation with the community at each affected location, consistent</li> </ul>	<p>EPL in place. Out-of-Hours Work Protocol in approval stages.</p>		Not Triggered

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			<p>with the requirements of <b>Condition E26</b> and <b>E27</b>, and additional mitigation measures in accordance with <b>Condition E28</b>;</p> <p>(c) identify procedures to facilitate the coordination of out-of-hours works approved by an EPL to ensure appropriate respite is provided;</p> <p>(d) identify an approval process that considers the risk of activities, proposed mitigation, management and coordination, including where:</p> <p>(i) low risk activities can be approved by the <b>ER</b> in consultation with the <b>AA</b>, and</p> <p>(ii) high risk activities can be approved by the <b>ER</b> in consultation with the <b>AA</b>, and the approval provided to the Planning Secretary for information before work commences; and</p> <p>(e) identify arrangements to notify EPA and community for approved out of hours works, which maybe detailed in the <b>Communication Strategy</b>.</p>			
5.30	E	E30	<p><b>Operation Ground-borne Noise</b></p> <p>The project must be designed to comply with the ground-borne noise trigger levels in the <i>Rail Infrastructure Noise Guideline</i> (EPA, 2013). Where the ground-borne noise trigger levels cannot be achieved the Proponent must implement management and/or mitigation measures to minimise exceedances.</p> <p><i>Note: In determining whether the ground-borne noise trigger levels in the Rail Infrastructure Noise Guideline are applicable, the effect of operational mitigation measures including noise barriers and architectural acoustic treatments must be considered. To assist in policy interpretation, the comparison for predictions or</i></p>	<p>Ground-borne Noise monitoring is to be carried out as part of the Operational Noise and Vibration Report (ONVR) process. A meeting was undertaken on the 29 March 2022, attended by ARTC, JH, AA, ER, Jacobs, and Pulse White Noise to discuss the preliminary draft of the ONVR as evidenced and included in the Acoustic Advisor Report for the period of March 2022 (dated 7 April 2022).</p> <p>Additional monitoring has taken place with feedback received from the AA e.g. the weekend 45 possession was reviewed and approved on the 6 May 2022 by the AA as evidenced in the AA Monthly Report for April 2022. Works included noise monitoring during piling</p>		Compliant

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			<i>measured data is to be made between internal ground-borne noise and internal airborne noise levels. Where mechanical ventilation complying with the BCA is provided, windows may be considered closed. Where mechanical ventilation is not provided windows should be open to limits recommended by the BCA.</i>	<p>and cage installation on the 7-8 May 2022 with no exceedances noted during most activities Exceedances were determined as per 018 W45 Noise Monitoring Review: works carried out between 18:00 and 20:00, pile case installation occurred for approximately 30min with the remaining 1.5hours consisting of noise respite. No complaints were received during the works.</p> <p>Noise and Vibration Assessment Reports also prepared by Renzo Tonin &amp; Associates:</p> <ul style="list-style-type: none"> <li>• 009 Noise and Vibration Assessment Report for 25 March to 28 March 2022</li> <li>• Impact Piling Noise and Vibration Monitoring Report <i>TM232-05F02 Impact Piling Noise and Vibration Monitoring Report (r1)</i> dated 1 June 2022</li> </ul>		
5.31	E	E31	Baseline ground-borne noise monitoring must be completed before the commencement of construction where ground-borne noise is predicted to exceed the trigger level for Ground borne noise in the <i>Rail Infrastructure Noise Guideline</i> .	Ground-borne Noise monitoring (as part of the ONVR) carried out as part of the OMVR process and under AA review		Not Triggered
5.32	E	E32	<p><b>Noise Mitigation - Operational Noise Mitigation Measures</b></p> <p>The Proponent must prepare an <b>Operational Noise and Vibration Review (ONVR)</b> to confirm noise and vibration control measures that would be implemented for the operation of the CSSI.</p> <p>The <b>ONVR</b> must be prepared as an iterative design development and in consultation with relevant council(s) and other relevant stakeholders and must:</p>	An ONVR is yet to be prepared / verified by the Acoustic Advisor. It is noted that the ONVR is to be actioned and implemented within 6-months following the commencement of construction. This is not yet triggered.	<b>Note:</b> The Proponent must prepare an ONVR (endorsed by the AA) and submit to DPE prior to implementation (by August 2022).	Not Triggered

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			<p>(a) confirm the appropriate operational noise and vibration objectives and levels for surrounding development, including existing sensitive land uses;</p> <p>(b) confirm the operational noise predictions (including ground-borne noise) based on the final design. Confirmation must be based on an appropriately calibrated noise model (which has incorporated data obtained from noise monitoring and traffic counts where necessary for calibration purposes).;</p> <p>(c) confirm the operational noise and vibration impacts at sensitive receivers based on the final design of the CSSI, including operational daytime LAeq,15 hour and night-time LAeq, 9 hour traffic noise contours;</p> <p>(d) examine all noise and vibration mitigation measures that could be applied to address the impacts identified in (c), with a focus on source control and design;</p> <p>(e) identify specific physical and other mitigation measures that will be installed for controlling noise and vibration impacts at the source and at the receiver (if relevant) including location, type and timing of their installation;</p> <p>(f) where noise and vibration objectives cannot be achieved, the <b>ONVR</b> must present an analysis of all noise and vibration mitigation measures, the 'best practice' achievable noise and vibration outcome and justification for the measure decided upon based upon the analysis;</p> <p>(g) fully describe the design, assumptions, calculation process, mitigation strategy, and other relevant factors (including the procedures in place to ensure trains do not stop within the Botany Rail Duplication and details of exceptions that may result in trains stopping).</p> <p>(h) include a consultation strategy to seek feedback from directly affected landowners on the noise and vibration mitigation measures; and</p> <p>(i) procedures for the management of operational noise and vibration complaints.</p> <p>The <b>ONVR</b> must be verified by the <b>AA</b>. The <b>ONVR</b> must be prepared at the Proponent's expense and</p>			

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			<p>submitted to the Planning Secretary for approval before the implementation of mitigation measures. The ONVR must be made publicly available consistent with the requirements of <b>Condition B10</b>.</p> <p>The Proponent must implement the identified noise and vibration control measures no later than 6 months after the commencement of construction, unless otherwise agreed with the Planning Secretary.</p>			
5.33	E	E33	<p>Where operational noise mitigation measures (that also assist in reducing construction noise impacts) cannot be installed within six months of commencement of construction in accordance with <b>Condition E32</b>, the Proponent must submit to the Planning Secretary a report providing justification as to why. The report must include details of temporary measures that would be implemented to reduce construction noise impacts, until such time that the operational noise mitigation measures identified in <b>Condition E32</b> are implemented. The report must be endorsed by the AA and submitted to the ER for approval within six (6) months of the commencement of construction which would affect the identified sensitive land uses.</p>	Timeframe noted as within 6-months. This is not yet triggered.	<b>Note:</b> The Proponent is to submit a justification report to DPE, if required, as endorsed by the AA and approved by the ER by August 2022.	Not Triggered
5.34	E	E34	<p>Within 12 months of the commencement of operation of the CSSI, the Proponent must undertake monitoring of operational noise (including ground borne noise) to compare actual noise performance of the CSSI against the noise performance predicted in the review of noise mitigation measures required by <b>Condition E32</b>.</p>	The Botany Rail Duplication Project is still in its construction phase. This is not yet triggered.		Not Triggered

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			<p>The Proponent must prepare an <b>Operational Noise Compliance Report</b> to document this monitoring. The Report must include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>(a) airborne and ground-borne noise monitoring to assess compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under <b>Condition E32</b>;</li> <li>(b) a review of the operational noise levels in terms of noise trigger levels established in the <i>Rail Infrastructure Noise Guideline</i> (EPA, 2013);</li> <li>(c) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which CSSI noise levels are ascertained, with specific reference to locations indicative of impacts on receivers;</li> <li>(d) details of any complaints and enquiries received in relation to operational noise generated by the CSSI between the date of commencement of operation and the date the report was prepared;</li> <li>(e) any required recalibrations of the noise model taking into consideration factors such as noise monitoring and actual traffic numbers and proportions;</li> <li>(f) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of mitigation measures; and</li> <li>(g) identification of additional measures to those identified in the review of noise mitigation measures required by <b>Condition E32</b>, that are to be implemented with the objective of meeting the trigger levels outlined in the <i>Rail Infrastructure Noise Guideline</i> (EPA, 2013) and <i>Noise Policy for Industry</i> (EPA, 2017), when these measures are to be implemented and how their effectiveness is to be measured and reported to the Planning Secretary and the EPA.</li> </ul>			

**Audit Descriptors Compliance Codes:** Compliant; Non-Compliant; Not Triggered

ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			The <b>Operational Noise Compliance Report</b> must be submitted to the Planning Secretary and the EPA, following review by the AA and within 60 days of completing the operational noise monitoring and made publicly available.			
	<b>E</b>		<b>LAND USE AND PROPERTY</b>			
5.35	E	E35	The Proponent must identify the utilities and services (hereafter “services”) potentially affected by Construction to determine requirements for diversion, protection and/or support. The Proponent, in consultation with service providers, must ensure that disruption to services resulting from the Construction is avoided where possible. Where unavoidable, customers must be advised in accordance with the <b>Communication Strategy</b> required under <b>Condition B1</b> .	<p>The Construction Noise and Vibration Management Plan includes the Land Use Survey undertaken by Renzo Tonin &amp; Associates dated 22 November 2021 under Appendix B. No utility impacts.</p> <p>Workshop for Safety Management Study (SMS) Review –Botany Rail Duplication undertaken on the 4 May 2022 including attendees from John Holland, ARTC, Jemena and CNC.</p> <p>A Botany Rail Duplication Safety Management Study was prepared for Jemena and John Holland, ref PRJ-JOHN22_3371 Botany Rail Duplication _SMS Report_Rev A, 11 May 2022 as a draft pending John Holland and Jemena review. The study included the workshop presentation as Appendix A which detailed the following:</p> <ul style="list-style-type: none"> <li>• Final BRD design plan, Final BRD design elevation</li> <li>• Location plan, Site plan, Main plan, Piling plan</li> <li>• Site controls and project details; Project interfaces</li> <li>• Pipe parameters, pipeline alignment, assessments</li> </ul> <p>As an outcome of the workshop a threat register was developed with SMS actions.</p>		Compliant

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.36	E	E36	<p><b>Condition Survey</b></p> <p>Before commencement of any construction, a structural engineer must undertake condition surveys of buildings, structures, utilities and the like that are identified in the <b>Noise and Vibration CEMP Sub-Plan</b> as being at risk of damage due to construction vibration unless as otherwise instructed or agreed to by the pipeline or utility operator.</p> <p>The results of the surveys or agreement with the pipeline or utility operator must be documented in a <b>Condition Survey Report</b> for each item at risk of damage. Copies of <b>Condition Survey Reports</b> must be provided to the owners of the items surveyed, and no later than one month before the commencement of construction.</p>	<p>A Condition Survey Report has been prepared by Land Surveys, reference LS-004-772, Rev 0 dated 8 December 2021 and reviewed by van de Meer Consulting as signed on the 22 December 2021 (commencement of construction 11 February 2022) and undertaken in accordance with the Noise and Vibration Management Plan.</p> <p>Section 7.3.2 of the Noise and Vibration Management Plan considers structures with potential for cosmetic damage.</p> <p>Aconex internal correspondence on 31 December 2021 from John Holland to ARTC sighted with confirmation of Lot DP1039806 condition survey. The request was made to 9 x lots, however only one lot provided confirmation to proceed with the Condition Survey.</p>		Compliant
5.37	E	E37	<p>After completion of construction, condition surveys must be undertaken by a structural engineer of all items for which condition surveys were undertaken in accordance with <b>Condition E36</b>. The results of the surveys must be documented in a <b>Condition Survey Report</b> for each item surveyed. Copies of <b>Condition Survey Reports</b> must be provided to the landowners of the items surveyed no later than three (3) months following the completion of construction.</p>	<p>The Botany Rail Duplication Project is still in its construction phase. This is not yet triggered.</p>		Not Triggered
5.38	E	E38	<p>The Proponent, where liable, must rectify any property damage caused directly or indirectly (for example from vibration or groundwater change) by the construction or operation of the CSSI at no cost to the owner unless otherwise agreed with owner.</p>	<p>No damage to properties to date.</p>		Not Triggered

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.39	E	E39	Reinstated billboards must be reinstated like for like (the billboard must be no larger than existing and use the same technology) in the immediate vicinity of their current location.  <i>Note: Any billboards to be reinstated in an alternative location may be subject to further assessment under the EP&amp;A Act.</i>	No billboards requiring reinstallation.		Not Triggered
	<b>E</b>		<b>SOILS</b>			
5.40	E	E40	All reasonably practicable erosion and sediment controls must be installed and appropriately maintained to minimise water pollution. When implementing such controls, any relevant guidance in the <i>Managing Urban Stormwater</i> series must be considered.	Progressive Erosion and Sediment Control Plan presented as evidence for the Botany Triangle > Southern Cross Drive West Abutment, drawing P01 Version A dated 14 March 2022.  Progressive Erosion and Sediment Control Plan for watercourse > Mill Pond Access and Abutment Works, drawing P02 Version B, 9 May 2022 also sighted with correspondence provided from the consultant (SEEC) on the same day.  Verified onsite: Silt curtain in place at Mill Stream Pond with no plume evident in water as verified during the site inspection. Silt fences, coir logs, rumble grids also noted.		Compliant
5.41	E	E41	<b>Contaminated sites</b> A <b>Site Contamination Report</b> , documenting the outcomes of Stage 1 and Stage 2 contamination assessments of land upon which the CSSI is to be carried out, or land associated with the CSSI, that is suspected, or known to be, contaminated must be prepared by a suitably qualified and experienced person in accordance with guidelines made or approved under Section 105 of the <i>Contaminated Land Management Act 1997</i> (NSW).	A Site Contamination Report has been drafted by Douglas Partners, reference R.024.DftC DSI dated 26 May 2022.  The report concludes that the site is suitable for the proposed development subject to the appropriate management of soils and can be made suitable subject to the preparation and implementation of a remediation action plan (RAP).		Compliant

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			<i>Note: for that land where Stage 1 and Stage 2 contamination assessments have already been undertaken, they do not need to be undertaken again for the purposes of this condition.</i>			
5.42	E	E42	A <b>Remediation Action Plan</b> must be prepared by a suitably qualified and experienced person in accordance with guidelines made or approved under Section 105 of the <i>Contaminated Land Management Act 1997</i> (NSW).	The Remediation Action Plan Botany Rail Duplication, Rev G 19 May 2022 is in draft form. Currently with Transport Asset Holding Entity (TAHE, Sydney Trains owners of the lands) for review. The RAP was prepared by Douglas Partners.		Compliant
5.43	E	E43	The proponent must engage a NSW EPA accredited Site Auditor throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed. The Proponent must adhere to the management measures accepted by the Site Auditor.	Geosyntec is engaged as the site auditor. Letter of engagement presented as Aconex ref JH-SVVC-000104, 8 October 2021. CV also sighted for Geosyntec as accredited Contaminated Site Auditor, NSW EPA (No. 0302).		Compliant
5.44	E	E44	The Proponent must submit to the Planning Secretary the following: <ul style="list-style-type: none"> <li>(a) an <b>Interim Audit Advice</b> or a <b>Section B Site Audit Statement</b> prepared by the Site Auditor that certifies that the <b>Remediation Action Plan</b> prepared in <b>Condition E42</b> is appropriate and that the site can be made suitable for the proposed use.</li> <li>(b) if work is to be completed in stages, any <b>Interim Audit Advice/s</b> issued by the Site Auditor to confirm satisfactory completion of each stage.</li> <li>(c) a <b>Section A1 Site Audit Statement</b> or a <b>Section A2 Site Audit Statement</b> and accompanying <b>Site Audit Report</b> prepared by a NSW EPA accredited Site Auditor must be submitted to the Planning Secretary and the relevant Council for information no later than one month before the commencement of operation.</li> </ul>	The Remediation Action Plan (RAP) Botany Rail Duplication, Rev G 19 May 2022 is in draft form. The site audit activities will not occur until the RAP is approved.		Not Triggered

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.45	E	E45	Contaminated land must not be used for the purpose approved under the terms of this approval until a <b>Site Audit Statement</b> determines the land is suitable for that purpose and any conditions on the <b>Site Audit Statement</b> have been complied with.	The Remediation Action Plan (RAP) Botany Rail Duplication, Rev G 19 May 2022 is in draft form. The site audit statement will not trigger until the RAP is approved.		Not Triggered
	<b>E</b>		<b>SUSTAINABILITY</b>			
5.46	E	E46	The Proponent must endeavour to achieve a best practice level of performance for the CSSI being a minimum 'Design' and 'As built' rating score of 65 using the Infrastructure Sustainability Council of Australia infrastructure rating tool or an equivalent level of performance using a demonstrated equivalent rating tool.	Sustainability Management Plan BRD-JHG-PM-0000-MPL-12016 Rev 2.1 dated 15 February 2022 as available on website. Sustainability Lead (consultant), and Sustainability Graduate engaged. Currently the project is showing a sustainability rating score at 80.		Compliant
	<b>E</b>		<b>TRAFFIC AND TRANSPORT</b>			
5.47	E	E47	Before any local road is used by a heavy vehicle for the purposes of construction of the CSSI, a <b>Road Dilapidation Report</b> must be prepared for the road. A copy of the <b>Road Dilapidation Report</b> must be provided to the relevant Council within three (3) weeks of completion of the survey and at least two weeks before the road is used by heavy vehicles associated with the construction of the CSSI.	A Road Dilapidation Report has been prepared by Land Surveys, reference LS-004-846 Rev 0 dated 12 December 2021 for O'Riordan Street, Mascot. No defects observed.  Although the submission of the Road Dilapidation Report was advised as actioned, there was no evidence provided to address the requirements of CoA E47.	<b>NC-02:</b> Based upon the evidence provided, submission of the Road Dilapidation Report to Bayside Council was unable to be verified. <b>Recommendation:</b> The Proponent must retain all records with consistency to ensure compliance	Non-Compliant

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
					with all Conditions of Approval.	
5.48	E	E48	<p>The use of local roads must minimise impacts to local traffic, cyclists and pedestrians. Management measures must be incorporated in the <b>Construction Transport, Traffic and Access Management Plan</b> as relevant, and:</p> <ul style="list-style-type: none"> <li>(a) demonstrate that the use of local roads will not compromise the safety of the public;</li> <li>(b) describe the measures that will be implemented to avoid where practicable the use of local roads past schools, aged care facilities and childcare facilities during peak times for operation.</li> </ul>	<p>The Construction Transport, Traffic and Access Management Plan incorporates the following management measures:</p> <ul style="list-style-type: none"> <li>(a) Section 5.3 Safety and amenity of road users and the public</li> <li>(b) Section 5.4 whereby Site Traffic Management Plans (TMPs) will evolve with the progression of works, with routes planned to avoid local roads during peak operational times.</li> </ul> <p>Section 4 Risk and Assessment, 4.1.1 Safety of road users, 4.1.2 Vulnerable road users, and specifically Table 4-1: Risk considerations and treatments, also identify the risks associated with local traffic, pedestrians and cyclists, with controls listed such as separation of pedestrians from workforce and traffic control measures. Managing risks and approvals is also demonstrated under Section 6.1.</p>		Compliant
5.49	E	E49	<p>Closure and relocation of bus stops during construction must be undertaken in consultation with the relevant bus service providers and relevant council(s).</p>	<p>No closures / relocation of bus stops have been required.</p>		Not Triggered
5.50	E	E50	<p>If damage to roads occurs as a result of construction of the CSSI, the Proponent must either (at the landowner's discretion):</p> <ul style="list-style-type: none"> <li>(a) compensate the relevant road authority for the damage so caused. The amount of compensation may be agreed with the relevant road authority, but compensation must be paid even if no agreement is reached; or</li> </ul>	<p>No damage to any roads to date.</p>		Not Triggered

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			(b) rectify the damage to restore the road to at least the condition it was in before work commenced as identified in the <b>Road Dilapidation Report</b> .			
5.51	E	E51	<p><b>Property Access</b></p> <p>During work, all reasonably practicable measures must be implemented to maintain pedestrian, cyclist and vehicular access to, and parking in the vicinity of, businesses and affected properties.</p> <p>Where disruption cannot be avoided or minimised, alternative pedestrian, cyclist and vehicular access, and parking arrangements must be developed in consultation with affected businesses and implemented before the disruption. Adequate signage and directions to businesses must be provided before, and for the duration of, any disruption.</p>	Appropriate access has been maintained as verified during the site inspection (refer to photos). No alternate arrangements have been required.		Compliant
5.52	E	E52	Access to all utilities and properties must be maintained during construction, where practicable, unless otherwise agreed with the relevant utility owner, landowner or occupier.	Banksia compound has APA Group pipe. ATF has been installed to separate access to pipeline and as considered in the Minor Ancillary Facility Approval Form Banksia Ancillary Facility Rev 4, 23 December 2021.		Compliant
5.53	E	E53	Any property access physically affected by the CSSI during construction must be reinstated to at least an equivalent standard, unless otherwise agreed by the landowner or occupier.	No access issues to date.		Not Triggered
5.54	E	E54	<p><b>Pedestrian and Cyclist Access</b></p> <p>Safe pedestrian and cyclist access must be maintained around work sites during construction. In circumstances where pedestrian and cyclist access is</p>	Access retained as per site inspection.		Compliant

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			restricted or removed due to construction, the relevant council(s) must be informed two weeks before any disruption, and alternate routes which comply with the relevant standards must be provided and signposted or controlled before, and for the duration of, any disruption.			
5.55	E	E55	<p><b>Construction Traffic Coordination and Management</b></p> <p>The Proponent must take reasonable steps to coordinate construction traffic impacts with Proponents of other State Significant proposals near the CSSI and take reasonable steps to coordinate work to minimise cumulative traffic impacts in consultation with TfNSW and key Stakeholders.</p>	<p>Sydney Gateway &amp; BRD - Project Coordination Meeting – No. 13 (W70) minutes presented from 3 March 2022 including track possession planning, construction and site access, traffic, SYD/Sydney Airport Interface. Attended by John Holland Group, ARTC, TfNSW and Gateway contractors. TfNSW ROLs as per email 8 June 2022 as sighted with summary of confirmed blackout dates/times over the July school holiday period and will apply to all major road corridors across the State, including those within the Airport precinct:</p> <ul style="list-style-type: none"> <li>• 8pm Thursday 30 June to Monday 04 July (night shift is permitted on Monday)</li> <li>• 5am Friday 08 July to Sunday 10 July (night shift is permitted on Sunday)</li> <li>• 5am Friday 15 July to Monday 18 July (night shift is permitted on Monday)</li> </ul>		Compliant
5.56	E	E56	<p><b>Parking</b></p> <p>Construction vehicles (including staff vehicles) associated with the CSSI must be managed to minimise parking, idling and queuing on public roads.</p>	<p>Parking at compounds as verified during site inspection. No parking was sighted on any public roads.</p>		Compliant

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	<b>E</b>		<b>VISUAL AMENITY</b>			
5.57	E	E57	<p><b>Construction Ancillary Facilities</b></p> <p>The CSSI must be constructed in a manner that minimises visual impacts of construction sites, including light spill.</p>	<p>Verified during site inspection as per photos. No light spill noted. One complaint was received 12 November 2021 regarding the electricity box installed to power the Botany site compound. Community and Stakeholder manager visited face-to-face to confirm that the electricity box was Ausgrid approved. Complaint was resolved 16 November 2021.</p> <p>OLS during construction – directional lighting in place for night works in Botany Triangle. The Low-Impact Works Application 006 (Rev 0), 1 November 2021 considers directional/activity specific lighting arrangements.</p>		Compliant
5.58	E	E58	<p><b>Lighting and Security</b></p> <p>The Proponent must construct and operate the CSSI with the objective of minimising the impact of light spill to surrounding properties and aircraft operations.</p>	<p>The CEMP includes an Environmental Control Plan (02) for Visual Amenity under Appendix D. This considers any potential lighting impacts.</p> <p>No light impacts or complaints associated with lighting.</p>		Compliant
5.59	E	E59	<p>All lighting associated with the construction and operation of the CSSI must be consistent with the requirements of <i>Australian Standard 4282-1997 Control of the obtrusive effects of outdoor lighting</i> and relevant Australian Standards in the series <i>AS/NZ 1158 – Lighting for Roads and Public Spaces</i> and <i>NASF Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports</i>. Additionally, the Proponent must manage residual night lighting impacts to protect properties adjoining</p>	<p>No additional lighting within the construction. No changes with respect to the lighting (working within the same corridor). Lighting used as part of construction has been limited to temporary lighting (moved on a daily basis) as detailed in the CEMP (ECP Appendix) and prior to approval of the CEMP the LIWA documents and Enabling Works EMP.</p> <p>The CEMP includes an Environmental Control Plan (02) for Visual Amenity under Appendix D and considers the following:</p> <ul style="list-style-type: none"> <li>AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting; and</li> </ul>		Compliant

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			or adjacent to the CSSI, in consultation with affected landowners.	<ul style="list-style-type: none"> <li>AS/NZ 1158 - Lighting for Roads and Public Spaces (where relevant Australian Standards are applicable to BRD works)</li> <li>NASF Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of airports</li> </ul>		
	<b>E</b>		<b>UTILITIES MANAGEMENT</b>			
5.60	E	E60	Nothing in this approval allows for the undertaking of any third-party utility work not required for the purposes of the CSSI.  <i>Note: Third-party utility work, including but not limited to drainage, water or energy supply etc. identified not required for the project is not the responsibility of the Proponent and is subject to separate approvals process.</i>	No third-party utility work being undertaken.		Not Triggered
	<b>E</b>		<b>WASTE</b>			
5.61	E	E61	Waste generated during construction and operation must be dealt with in accordance with the following priorities: <ul style="list-style-type: none"> <li>(a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced;</li> <li>(b) where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered; and</li> <li>(c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of at a waste management facility or premise lawfully permitted to accept the materials or in accordance with a Resource Recovery Exemption</li> </ul>	Waste Site Register (live register in excel) presented as evidence. Includes disposal date, haulage company, excavation location / material, waste type, quantity, receival site, disposal docket, and disposal site EPL. e.g. 2 December 2021, Austip Recycling, 12.28T Asbestos Liquid Waste from Botany Rd, disposal docket No. 20458 (Cleanaway). Also sighted Cleanaway Erskine Park EPL 4865 for GSM (ASM), approval letter 27 May 2022 (S143). Waste leaving site has been in skip bins and categorised as NDD (asbestos contaminated drill mud) and liquid waste only. Stockpiles still being retained on site as verified during inspection.		Compliant

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			or Order issued under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> .	<p>EPA email dated 30 March 2022 includes the following advice regarding waste:</p> <p>Moving waste from BYS (Botany Yard Signalling) to BRD areas: If John Holland consider that a scheduled activity is to be conducted in regard to waste, this can be included in its application for the construction EPL. If smaller volumes of waste are to be moved, disposed etc this can be done with the relevant assessments and receipts.</p> <p>Imported Material training undertaken 31 March 2022 as per Training Register (9 attendees, run internally through JHG). Project EPL 21678 Waste Training upcoming 28 July 2022 as per Training Register.</p>		
5.62	E	E62	All waste must be classified in accordance with the EPA's <i>Waste Classification Guidelines</i> , with appropriate records and disposal docket retained for audit purposes.	<p>No offsite soil disposal has occurred. Classification of waste actioned by Douglas Partner – mainly Stockpile testing. In-situ testing upcoming.</p> <p>The following dockets were verified as aligned to the waste register:</p> <ul style="list-style-type: none"> <li>• Docket No. 20557, Cleanaway, Botany Rd (asbestos drill mud), 9 December 2021</li> <li>• Docket No. 20558, Cleanaway, Botany Rd (asbestos drill mud), 19 December 2021</li> <li>• Docket No. 34701, Demast, Banksia St (liquid waste), 16 February 2022</li> <li>• Docket No. 34714, Demast, Banksia St (liquid waste), 16 February 2022</li> </ul>		Compliant
	<b>E</b>		<b>WATER</b>			
5.63	E	E63	The CSSI must be designed, constructed and operated so as to not worsen water quality of surface water discharged from the rail corridor unless an EPL in	No allowance to discharge water. One Revised Environmental Mitigation Measure (REMM) for trenches to drain into groundwater. EPL 3142 includes		Compliant

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			force in respect of the CSSI contains different requirements.	<p>re-use of water, catchment onsite, test pH, used for dust suppression.</p> <p>Email received from EPA dated 30 March 2022 which advised the following:</p> <ul style="list-style-type: none"> <li>• piling activities on site may generate approximately 2000 to 5000 litres of combined groundwater or surface water. This is not considered to be a significant quantity of water requiring a water discharge licence. The EPA considers that volumes such as this may be processed and dealt with either on site (dust suppression for example) or off site at an appropriately qualified liquid waste receiver without the need to discharge off site to the environment.</li> <li>• Water may be moved and utilised between sites. Water may for example be generated on one site and utilised for dust suppression between both EPL sites. The EPA has no concern in this regard so long as contaminated water is not discharged from site to the environment.</li> </ul> <p>Majority of water taken off-site has been categorised as liquid waste.</p>		
5.64	E	E64	Drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) and drainage swales and depressions must be constructed in accordance with relevant guidelines and designed by a suitably qualified and experienced person.	<p>Erosion and sedimentation controls as per blue book. Soil and Water Management Plan and Appendix C – Surface Water Monitoring Program were developed by Douglas Partner as evidenced – email correspondence from Douglas Partners Pty Ltd, 3 November 2021.</p> <p>Progressive Erosion and Sediment Control Plans (e.g. for Mill Pond Access and Abutment Works, 9 May 2022) developed by ESC specialist consultant (SEEC).</p>		Compliant

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ID No.	CSSI Part	Req. No.	SSI Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
5.65	E	E65	Works on waterfront land must be carried out in accordance with <i>Guidelines for Controlled Activities on Waterfront Land</i> (NRAR 2018).	Progressive Erosion and Sediment Control Plan for watercourse > Mill Pond Access and Abutment Works presented as evidence, drawing P02 Version B dated 9 May 2022. Includes check dam locations, floating silt curtains, diversion drains, the use of jute matting and bund locations. NRAR 2018 excluded activity for the Botany Rail Duplication Project as ARTC project and as part of Botany Sands.		Not Triggered
6	APPX	A	WRITTEN INCIDENT NOTIFICATION & REPORTING REQUIREMENTS			
6.1	APPX A	1.	A written incident notification addressing the requirements set out below must be submitted to the Department via the Major Projects website  ( <a href="https://www.planningportal.nsw.gov.au/major-projects">https://www.planningportal.nsw.gov.au/major-projects</a> ) within seven days after the Proponent becomes aware of an incident. Notification is required to be given under this condition even if the Proponent fails to give the notification required under <b>Condition A37</b> or, having given such notification, subsequently forms the view that an incident has not occurred.	No incidents have occurred to date.		Not Triggered
6.2	APPX A	2.	Written notification of an incident must: <ul style="list-style-type: none"> <li>(a) identify the CSSI and application number;</li> <li>(b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);</li> <li>(c) identify how the incident was detected;</li> <li>(d) identify when the Proponent became aware of the incident;</li> </ul>	No incidents have occurred to date.		Not Triggered

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			<ul style="list-style-type: none"> <li>(e) identify any actual or potential non-compliance with conditions of approval;</li> <li>(f) describe what immediate steps were taken in relation to the incident;</li> <li>(g) identify further action that will be taken in relation to the incident; and</li> <li>(h) identify a project contact for further communication regarding the incident.</li> </ul>			
6.3	APPX A	3.	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Proponent must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	No incidents have occurred to date.		Not Triggered
6.4	APPX A	4.	<p>The Incident Report must include:</p> <ul style="list-style-type: none"> <li>(a) a summary of the incident;</li> <li>(b) outcomes of an incident investigation, including identification of the cause of the incident;</li> <li>(c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and</li> <li>(d) details of any communication with other stakeholders regarding the incident.</li> </ul>	No incidents have occurred to date.		Not Triggered

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## Appendix D. Audit Photos



# **Botany Rail Duplication**

**9/6/2022, 10:09 am**

**Independent Environmental Audit -01**

**Thursday, 9 June 2022**

**Prepared For ARTC - JHG**

**37 Notes**



Photo 1 Retaining wall adjacent to Stamford Hotel



Photo 2 Clear road no dust tracking



Photo 3 Spill kit is available on site



Photo 4 Sediment controls installed at Robey St access/egress



Photo 5 Robey St access - no mud tracking



Photo 6 Stamford Hotel - Cleared area - Piling pad



Photo 7 Retaining wall and embankment was built with Gateway Project

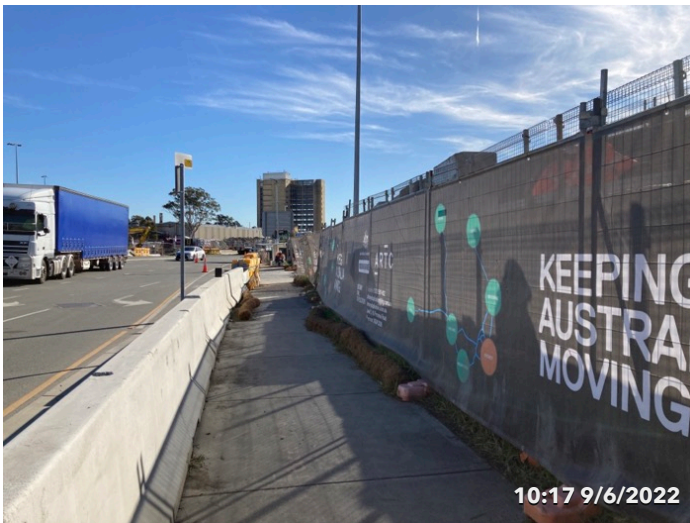


Photo 8 Qantas Drive - Shade cloth around the site



Photo 9 Access at Qantas Drive - stabilised with spill kit available at the entrance.





Photo 10 Retaining walls along Qantas Drive



Photo 11 Stumps were retained for the fencing integrity



Photo 12 Project community hotline contact number is printed on the shade cloth.



Photo 13 Shade Cloth around the work perimeter



Photo 14 Environmental Management Notice signage installed at Qantas Drive work area.



Photo 15 Looking at Robey St access

Photo 16 Policies posted on site shed



Photo 17 ESCP for Mill Pond Access and Abutment Works posted on site shed visible to workers

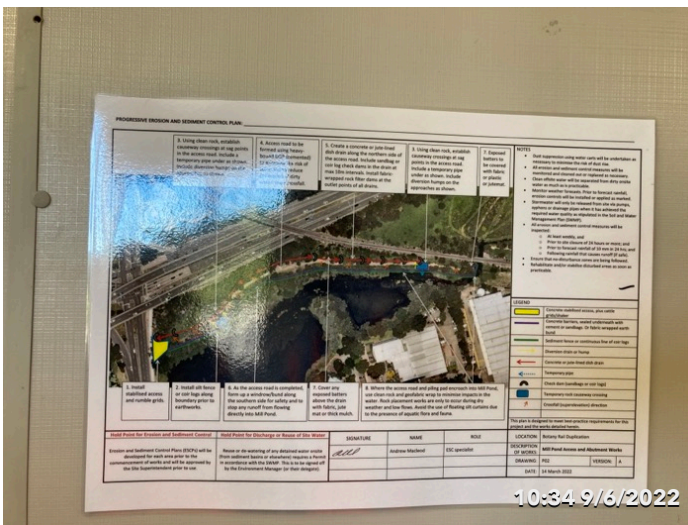


Photo 18 Pre start board at Mill Pond

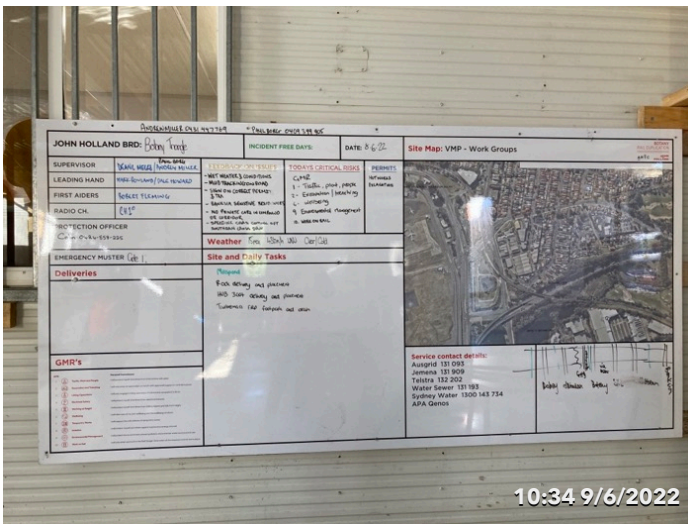




Photo 19 Rumble Grid at Botany Triangle



Photo 20 Neat access at Botany Triangle



Photo 21 Mill Pond Compound - silt fence installed around the perimeter



Photo 22 Mill Street Access track stabilised paved access with rumble grid



Photo 23 Botany Road - neat access/egress



Photo 24 Mulch from the tree cuttings



Photo 25 Mill Street - gap between the jersey barriers was also sealed for sediment controls



Photo 26 Self bunded fuel tank and generator with spill kits



Photo 27 Site Shed at Mill Pond



Photo 28 Mill Pond - Stabilised batters on the left and stockpile of ballast on the right



Photo 29 Mill pond - silt curtains installed



Photo 30 Piling pad preparation



Photo 31 Road improvement area at Mill Street. Silt curtain was installed.



Photo 32 Access and egress from Mill Street



Photo 33 Site signage Mill Street Access





Photo 34 Site signage at Mill Pond access



Photo 35 Heritage listed bridge



Photo 36 Waste bins emptied



Photo 37 Asbestos containing material stockpile - covered and fenced.  
Signage also installed.

Annabelle Tungol  
AQUAS

## Appendix S. Consultation Records

### Consultation with the Department of Planning & Environment (DPE)

#### **Pater, Barbara**

**From:** Michelle Larkin <michelle.larkin@dpie.nsw.gov.au>  
**Sent:** Thursday, 9 June 2022 9:10 AM  
**To:** Pater, Barbara  
**Cc:** Rachael Labruyere-JHG; Tungol, Annabelle  
**Subject:** Botany Rail Duplication SSI-9714

EXTERNAL

Good morning Barbara,

Thank you for consulting the Department in relation to the Independent Environmental Audit of the Botany Rail Duplication project.

The Department does not have specific concerns in relation to compliance at this time. Please ensure that the audit includes all conditions within the approval SSI-9714.

Regards

**Michelle Larkin**  
**Planning Officer – Metro Compliance**

Energy, Industry & Compliance | Planning & Assessment | Department of Planning and Environment  
T 02 9995 6799 | M 0424 197 922 | E [michelle.larkin@dpie.nsw.gov.au](mailto:michelle.larkin@dpie.nsw.gov.au)  
Locked Bag 5022 | PARRAMATTA NSW 2124  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



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

*Please note that I work flexibly. I'm sending this message now because it's a good time for me, but I don't expect that you will read, respond to or action it outside of your own regular hours.*

*If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au).*

*The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).*

**Our Vision:** Together, we create thriving environments, communities and economies.

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

## Consultation with ARTC

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**Pater, Barbara**

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**From:** Alison Wedgwood <AWedgwood@ARTC.com.au>  
**Sent:** Thursday, 2 June 2022 8:42 AM  
**To:** Pater, Barbara  
**Cc:** Tungol, Annabelle; Rachael Labruyere-JHG  
**Subject:** RE: Independent Environmental Audit - Botany Rail Duplication

EXTERNAL

Hi Barbara,

Nothing too specific from me – I think Out of Hours Works has probably been the most material environmental issue to date on the project, I don't believe we have any non-compliances to date however I'm more interested in any improvements or future potential issues/risk areas that you might be able to identify so we stay on top of them now and avoid non-compliances in the future.

Looking forward to meeting you all

Thanks  
Alison

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**From:** Pater, Barbara <Barbara.Pater@aquas.com.au>  
**Sent:** Tuesday, 31 May 2022 9:01 AM  
**To:** Alison Wedgwood <AWedgwood@ARTC.com.au>  
**Cc:** Tungol, Annabelle <Annabelle.Tungol@aquas.com.au>; Rachael Labruyere-JHG <Rachael.Labruyere@jhg.com.au>  
**Subject:** [EXT] Independent Environmental Audit - Botany Rail Duplication

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Dear Alison

I am writing to advise that AQUAS will be conducting the Independent Environmental Audit of the Botany Rail Duplication as a requirement of Infrastructure Approval SSI-9714. Annabelle Tungol will be leading the audit with myself assisting.

The audit will be conducted on 9 June 2022 and will cover construction and associated compliance activities in accordance with SSI-9714 Schedule 2, Parts A, B, C and E, and Appendix A.

In line with the consultation requirements of the DPE guideline *Independent Audit Post Approval Requirements 2018*, Section 3.2, AQUAS seeks your input into the scope of the audit and advice on any particular areas where you would like us to focus on during this stage of the project.

Yours sincerely,

**Barbara Pater** | SAI Global Lead Environmental Auditor | AQUAS Consultant | Infrastructure support APP Corporation

## Consultation with the ER

### **Pater, Barbara**

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**From:** Pater, Barbara  
**Sent:** Tuesday, 31 May 2022 9:00 AM  
**To:** george.kollias@hbi.com.au  
**Cc:** Tungol, Annabelle; Rachael Labruyere-JHG  
**Subject:** Independent Environmental Audit - Botany Rail Duplication

Dear George,

I am writing to advise that AQUAS will be conducting the Independent Environmental Audit of the Botany Rail Duplication as a requirement of Infrastructure Approval SSI-9714. Annabelle Tungol will be leading the audit with myself assisting.

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Yours sincerely,

**Barbara Pater** | SAI Global Lead Environmental Auditor | AQUAS Consultant | Infrastructure support APP Corporation

*Please note part time: Monday to Thursday*

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**E** [barbara.pater@aquas.com.au](mailto:barbara.pater@aquas.com.au) | <https://www.aquas.com.au> | <https://www.app.com.au/aquas>

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## Consultation with the AA

### **Pater, Barbara**

---

**From:** Pater, Barbara  
**Sent:** Tuesday, 31 May 2022 9:01 AM  
**To:** dave.anderson@acousticstudio.com.au  
**Cc:** Tungol, Annabelle; Rachael Labruyere-JHG  
**Subject:** Independent Environmental Audit - Botany Rail Duplication

Dear Dave,

I am writing to advise that AQUAS will be conducting the Independent Environmental Audit of the Botany Rail Duplication as a requirement of Infrastructure Approval SSI-9714. Annabelle Tungol will be leading the audit with myself assisting.

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**Barbara Pater** | SAI Global Lead Environmental Auditor | AQUAS Consultant | Infrastructure support APP Corporation

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## Consultation with the Bayside Council

### Pater, Barbara

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**From:** Colin Mable <Colin.Mable@bayside.nsw.gov.au >  
**Sent:** Tuesday, 31 May 2022 1:47 PM  
**To:** Pater, Barbara  
**Cc:** Tungol, Annabelle; Rachael Labruyere-JHG  
**Subject:** RE: Independent Environmental Audit - Botany Rail Duplication

**Follow Up Flag:** Flag for follow up  
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#### EXTERNAL

Barbara,

Thanks for your advice that you will be conducting an Environmental Audit along the BRD Line. With regard to any environmental issues Council would like to be assessed please refer to the following matters:

1. There are a number of Council stormwater pipes which pass into and under the Rail Corridor. Council wants to ensure these lines are kept open at all times and no construction debris is directed into these pipelines. This is around the Baxter Road Area Mascot, Myrtle Street / Bay Street / Banksia Streets Botany.
2. Access to some sections of the track is via local streets. Ensure any spilt construction debris in these streets is removed asap and the streets kept clean.
3. Again with access into the track via local streets restrict access to as few local streets as possible to minimise the impact of heavy vehicles in these residential streets. Myrtle Street / Bay Street / Banksia Street Botany.
4. With any night works particularly in residential areas any excessively noisy works are to be completed before 10.30pm each night.

Cheers



**Colin Mable** Executive Engineer  
444 – 446 Princes Highway Rockdale  
**M** 0412 915 287  
**E** [colin.mable@bayside.nsw.gov.au](mailto:colin.mable@bayside.nsw.gov.au) **W** [www.bayside.nsw.gov.au](http://www.bayside.nsw.gov.au)

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**From:** Pater, Barbara <Barbara.Pater@aquas.com.au>  
**Sent:** Tuesday, 31 May 2022 12:56 PM  
**To:** Colin Mable <Colin.Mable@bayside.nsw.gov.au>  
**Cc:** Tungol, Annabelle <Annabelle.Tungol@aquas.com.au>; Rachael Labruyere-JHG <Rachael.Labruyere@jhg.com.au>  
**Subject:** Independent Environmental Audit - Botany Rail Duplication

Dear Colin,

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Yours sincerely,

**Barbara Pater** | SAI Global Lead Environmental Auditor | AQUAS Consultant | Infrastructure support APP Corporation

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