

# AURIZON HEXHAM TRAIN SUPPORT FACILITY

**MP07\_0171 Mod 1 (SSI-6090)  
2021 Independent Environmental Audit**

**Prepared for:**

Aurizon Operations Limited  
PO Box 456  
BRISBANE QLD 4001

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**SLR** 

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## BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Aurizon Operations Limited (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

## DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
630.30267-R01-v2.0	30 March 2022	Chelsey Zuiderwyk/Nathan Archer	Nathan Archer	Nathan Archer
630.30267-R01-v1.0	24 January 2022	Chelsey Zuiderwyk/Nathan Archer	Nathan Archer	Nathan Archer

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# 1 Introduction

## 1.1 Background to Site

The Aurizon Hexham Train Support Facility (TSF, the Site) is located off Tarro Interchange at Anderson Drive, parallel to Industrial Drive, Hexham, New South Wales (NSW), 2322. The Site was considered to be fully operational as of October 2015.

The Site was approved by a delegate for the Minister for Planning and Infrastructure under MP07\_0171 on the 10 October 2013. The Hexham TSF Turning Angle (the Turning Angle) Modification MP07\_0171 MOD 1 (SSI-6090) (the Approval) was approved on the 09 October 2019.

In accordance with Condition D5 of the Approval, Aurizon Operations Limited (Aurizon) is required to implement a Compliance Tracking Program (CTP). To satisfy Condition D5 of the CTP, Aurizon has committed to undertaking an Independent Environmental Audit (IEA) every three (3) years of operations as detailed in Section 4.2 of the approved Environmental Management Plan. The IEA is to be undertaken in accordance with all relevant regulatory requirements/guidelines.

## 1.2 Audit Team

The audit was undertaken by the audit team presented in **Table 1**. The lead auditor, Nathan Archer, is certified as a Lead Environmental Auditor by Exemplar Global (Certification No. 133601). The audit team was endorsed by DPIE on 14 September 2021 as per the approval letter attached as **Appendix A**.

**Table 1 Audit Team**

Name	Position	Experience
Nathan Archer BSc M Env Mgt Certified Exemplar Global Lead Auditor (#133601)	SLR Principal Environmental Scientist Lead Environmental Auditor	Nathan is a Principal Environmental Consultant with SLR Consulting (SLR) and has over fifteen years' industry and environmental consulting experience. Nathan is accredited through Exemplar Global as a Lead Auditor and has undertaken a range of environmental auditing projects including EMS auditing, compliance auditing and specialist noise auditing. Nathan has completed numerous environmental audits over several different fields in infrastructure, power, waste management, intensive agriculture, mining and quarrying. Nathan has been approved as an Auditor and noise specialist by the DPIE on numerous audits. Nathan is the Lead Environmental Auditor.
Chelsey Zuiderwyk B.Sc, B.Com	SLR Project Consultant Assistant Auditor	Chelsey is a Project Consultant in the SLR Environmental Assessment & Management team with bachelor's degrees in science and commerce, and 10 years' experience in project management and support, most recently in environmental management. Since joining SLR, Chelsey has been involved in delivering a range of projects including Environmental Management Plans, Environmental Risk Assessments, Review of Environmental Factors, Audit preparation, Annual Reviews, Mining Operations Plans and Rehabilitation Cost Estimates. Prior to joining SLR, Chelsey worked in regional and local government across a broad range of projects including infrastructure management, communications, strategic project support and stakeholder engagement with local and state government on environmental, social and infrastructure programs.

Contact details for key personnel at the site involved in the audit are provided in **Table 2**.

**Table 2 Contact Details for Key Personnel**

Name	Role	Email
Harry Egan	Senior Adviser Environment (Aurizon)	Harry.Egan@aurizon.com.au
Romana Thefs	Environmental Advisor (Aurizon)	Romana.Thefs@aurizon.com.au
Anton Reitsma	Facilities Co-ordinator NSW and SE Qld (Aurizon)	Anton.Reitsma@aurizon.com.au
David Price	Maintenance Super-Intendent Hexham (Aurizon)	Dave.Price@aurizon.com.au
Dave Mayo	Maintenance Superintendent NSW and SE Qld (Aurizon)	David.Mayo@aurizon.com.au

### 1.3 Audit Objectives

The objectives of the IEA are to:

- Assess compliance with SSI 6090 MOD 1 Conditions of Approval;
- Assess the environmental performance of the Aurizon operation at the Hexham TSF;
- Assess the effects of the Aurizon operation on the surrounding environment, including the community;
- Review the adequacy of any document required under SSI 6090 MOD 1;
- Recommend measures or actions to improve the environmental performance of the Aurizon operation; and
- Recommend improvements to any document required under the Conditions of Approval.

### 1.4 Audit Scope

The scope of the IEA is to:

- assess compliance with the following regulatory approvals and plans:
  - SSI 6090 MOD 1;
  - Environmental Assessment, NSW Train Support Facility, Maitland Road, Hexham (ADW Johnson Pty Ltd, 2012);
  - Preferred Project Report and Response to Submissions, NSW Train Support Facility, Maitland Road, Hexham (JBA, 2013);
  - SSI-6090 MOD 1 - Environmental Assessment Report Revised (Ethos Urban, June 2019);
  - Key Management Plans and post approval documents required under SSI 6090 MOD 1; and
- review the environmental performance of the development;
- review the status of implementation of previous IEA recommendations; and
- assess the adequacy of the management plans.

The physical boundaries of the audit are defined by the SSI 6090 MOD 1 area, which is outlined in **Figure 1**.

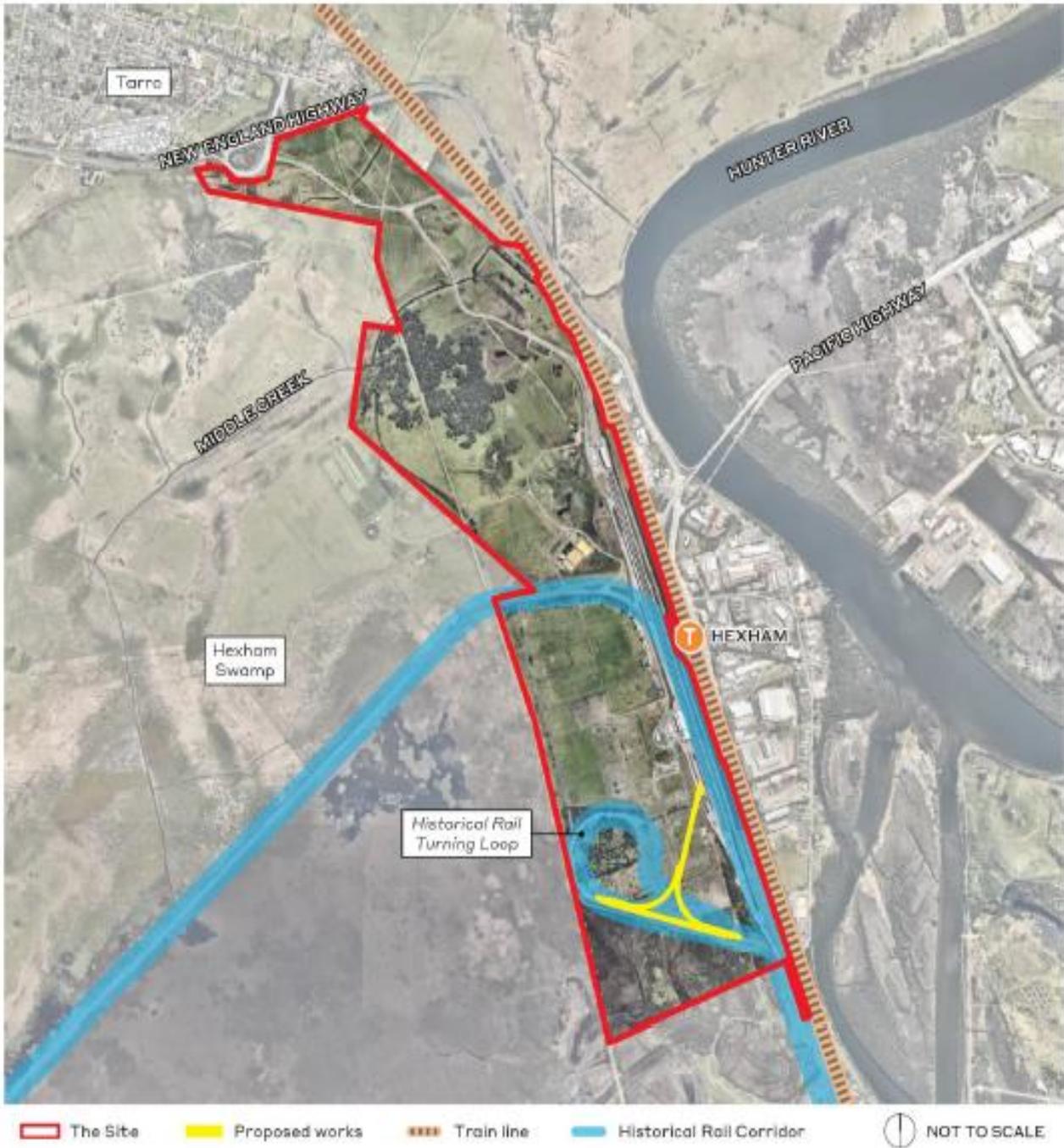
## 1.5 Audit Period

The IEA will cover the audit period from 5 November 2018 (day after previous audit) to the day of the 2021 site inspection on 2 November 2021.

## 1.6 Audit Submission

The Planning Secretary has granted an extension of time until 28 January 2022 to submit the 2021 IEA report and Proponent's response to audit findings (**Appendix B**).

Figure 1 Aurizon Hexham Project Boundary



## 2 Audit Methodology

### 2.1 Selection and Endorsement of Audit Team

The audit team presented in **Section 1.2** was endorsed by DPIE on 14 September 2021 as per the approval letter attached as **Appendix A**. SLR confirm that the audit team is independent of the development as defined under Section 3.1.2 of the *Independent Audit Post Approval Requirements* (DPIE, 2020).

### 2.2 Audit Scope Development

The audit compliance tables presented in **Appendix C** were prepared to document all conditions to be assessed as part of this audit.

### 2.3 Audit Methodology and Compliance Evaluation

The audit was undertaken on site by Nathan Archer (Lead Auditor) and Chelsey Zuiderwyk (Assistant Auditor) of SLR, with the site component completed on 2 November 2021.

The methodology for the audit consisted of the following key steps:

- Introductory and close out meetings;
- Reviewing key documents provided by Aurizon and sourced via the website prior to the audit;
- Consultation with relevant government agencies as per the audit requirements prior to the site component;
- Preparation of draft Audit Protocols and requests for information provided to Aurizon prior to the site audit;
- Site component of the audit on 2 November 2021 including inspections and discussions with key Aurizon personnel;
- Review of additional relevant documentation obtained while on site during the inspection or provided by Aurizon after the site inspection; and
- Client review and comment on the draft audit report.

The audit has been completed as per the *Independent Audit Post Approval Requirements* (DPIE 2020).

### 2.4 Site Interviews and Inspections

#### 2.4.1 Introductory and Close Out Meetings

An opening meeting was undertaken on 1 November 2021 prior to the site component of the audit. The opening meeting provided the opportunity to outline the audit process, methodology and scope, review the schedule and introduce key personnel responsible for environmental management at the site. Aurizon provided an overview of the site, history, operations and incidents during the audit period.

A further meeting was held on 25 November 2021 following the site visit to discuss initial observations and recommendations as well as the process for completion and submission of the audit. The attendees of the meetings are listed in **Table 3**.

**Table 3 Opening Meeting Attendees**

Personnel	Role	Comment
Nathan Archer	Lead Auditor (SLR)	Present at both meetings
Harry Egan	Senior Adviser Environment (Aurizon)	Present at both meetings and site inspection
Anton Reitsma	Facilities Co-ordinator NSW and SE Qld (Aurizon)	Present at opening meetings
David Price	Maintenance Super-Intendent Hexham (Aurizon)	Present at both meetings and site inspection
Dave Mayo	Maintenance Superintendent NSW and SE Qld (Aurizon)	Present at both meetings
Romana Thefs	Environmental Advisor (Aurizon)	Present at both meetings

### 2.4.2 Site Inspections and Interviews

The site component of the audit was undertaken on 2 November 2021 including inspections and interviews with key Aurizon personnel. Site inspections were undertaken by Nathan Archer (Lead Auditor) and Chelsey Zuiderwyk (Assistant Auditor) accompanied by Harry Egan (Senior Adviser Environment – Aurizon) and David Price (Maintenance Superintendent Hexham – Aurizon).

The site inspections included inspections of the following areas:

- Workshop / maintenance facility;
- Bulk fuel storage / provisioning facility Direct Into Locomotive (DIL) refuelling area;
- Yard and laydown areas;
- Turning Angle;
- Acid sulphate soil/coal washery reject stockpiles / rehabilitation areas;
- Water management infrastructure; and
- Brancourts WWTW and irrigation area.

Information obtained during the interviews conducted, whilst on site at the facility, were directly recorded as evidence. The auditor also used the interviews as an opportunity to gain an appreciation of the extent to which the measures in place to manage environmental impacts from site operations were understood and implemented.

Photographs taken during the site inspections are included in **Appendix D**.

### 2.4.3 Document Review

Information was provided by Aurizon prior to, during and following the audit. SLR also sourced information from the Aurizon website:

<https://www.aurizon.com.au/what-we-deliver/projects/hexham-turning-angle>

A large amount of information was viewed and collected as part of the audit, including monitoring records, reports, and correspondence. While this key evidence has been referenced in **Section 3**, it has not been attached to this audit report.

## 2.5 Consultation

### 2.5.1 Summary of Consultation

**Table 4** outlines the stakeholder consultation completed for IEA, undertaken in accordance with the *Independent Audit Post Approval Requirements (DPIE 2020)*.

**Table 4 Summary of Consultation**

Stakeholder	Contact Details	Response
DPIE	Joel Curran - A/ Team Leader Northern Compliance T: 02 4904 2702   M: 0412 323 331   E: joel.curran@planning.nsw.gov.au	Email received 19 October 2021 confirming no comments regarding key issues.
Newcastle City Council	Robert Manev   Senior Environment Protection Officer T: 02 4974 2538   M: 0409 448 339   E: rmanev@ncc.nsw.gov.au	Email received 13 October 2021 confirming no comments.

### 2.5.2 Request for Additional Information

Following submission of the IEA report, DPIE requested inclusion of additional information. A copy of the request for additional information letter is included in **Appendix B**. The specific information request is presented in **Table 5** along with where it has been addressed in this revision of the audit report.

**Table 5 DPIE Request for Additional Information**

#	Additional information request	Section Addressed
-	You are requested to submit a revised document that addresses the following sections of the department's <i>Independent Audit Post Approval Requirements (May 2020)</i> :	-
1	Section 4.2.3.7 - an assessment of the compliance between actual and predicted impacts documented in environmental impact assessment, including an assessment of the physical extent of the development in comparison with the approved boundary and any potential off-site impacts of the development required under the <i>Environmental Planning and Assessment Act 1979</i> .	<b>Section 3.6</b>
2	Section 4.3.2.15 - key strengths of the development's environmental management and performance identified by the auditor	<b>Section 3.10</b>

## 2.6 Compliance Status Descriptors

In accordance with the *Independent Audit Post Approval Requirements* (DPIE 2020) the terms used in the audit to describe compliance of the site with the relevant approval documentation are outlined in **Table 6**.

**Table 6 Compliance Status Descriptors**

Assessment 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 had not been met during the temporal scope of the audit being undertaken, therefore an assessment of compliance is not relevant.
Note	A statement or fact, where no assessment of compliance is required.

## 3 Audit Findings

### 3.1 Approvals and Documentation Assessed

The following approvals and documents have been assessed as part of this IEA:

- SSI 6090 MOD 1 (MP07\_0171 MOD 1);
  - Relevant operational commitments from the TSF EA (ADW Johnson Pty Ltd, 2012) and Preferred Project Report and Response to Submissions (JBA, 2013);
  - Construction and operation commitments from the SSI-6090 Modification 1 - Environmental Assessment Report Revised (Ethos Urban, June 2019); and
  - Management Plans required under SSI 6090 MOD 1, including:
    - Construction Environmental Management Plan (CEMP);
    - Construction Traffic and Access Management Plan (CTMP);
    - Construction Flora and Fauna Management Plan (FFMP);
    - Construction Noise and Vibration Management Plan (CNVMP);
    - Construction Soil and Water Management Plan (CSWMP);
    - Construction Heritage Management Plans (CAHMP and CNIHMP);
    - Construction Contamination Management Plan (CCMP);
    - Operational Environmental Management Plan (OEMP).

### 3.2 Summary of Assessment of Compliance

**Appendix C** presents the detailed Assessment of Compliance against the conditions of SSI 6090 MOD 1.

**Table 7** presents a summary of the findings of this audit in relation to the conditions of SSI 6090 MOD 1.

**Table 7 Summary Table of Compliance with SSI 6090 (as modified)**

Compliance Status	Mod 1 Approval	EA SoC	PPR/RTS SoC	Mod 1SoC	Total	Percentage of total conditions	Percentage of assessed conditions
Compliant	75	20	18	45	<b>158</b>	49%	95%
Non-Compliant	8	0	0	1	<b>9</b>	3%	5%
Not Triggered	58	42	37	5	<b>142</b>	44%	-
Note	6	2	2	1	<b>11</b>	3%	-
Total conditions	<b>147</b>	<b>64</b>	<b>57</b>	<b>52</b>	<b>320</b>	100%	-
Total assessed conditions (excluding not triggered and notes)	<b>83</b>	<b>20</b>	<b>18</b>	<b>46</b>	<b>167</b>	-	100%

Overall, 320 conditions were identified; of these 142 (44%) were not triggered during the audit period, and 11 (3%) were a note for information. Of the 167 remaining audited conditions 158 (95%) were compliant and 9 (5%) were assessed as non-compliant. Non-compliances were generally administrative and low risk. The non-compliances are summarised in **Section 3.3**.

### 3.3 Summary of Non-Compliances

**Table 8** summarises the non-compliances identified against the conditions of SSI 6090 Mod 1 and the relevant Statements of Commitments, along with relevant comments and recommendations. It is noted that only the non-compliant aspect of each condition is listed in **Table 8**, the complete assessment of the overall condition is included in **Appendix C**.

**Table 8 Summary of Non-Compliances**

NC#	Schedule and Condition Number	Conditions	Compliance Status	Evidence	Recommendation
NC1	Schedule C Environmental Performance Condition C19 and Mod 1 SoC Condition C19	<p>A Surface Water and Groundwater Monitoring Program shall be prepared and implemented to monitor impacts on surface water and groundwater quality and hydrology. The Program shall be developed in consultation with the EPA, the Water Group and Hunter LLS and shall include, but not necessarily be limited to:</p> <p>...</p> <p>(h) details of how interactions with the ARTC Hexham Relief Roads Project and potential cumulative impacts would be monitored and managed;</p> <p>....</p> <p>Monitoring shall be undertaken in accordance with the requirements of the approved Construction Soil and Water Management Plan required under Condition E 63(d) and Operation Environment Management Plan required by condition F2.</p>	Non-Compliant	h) Non-compliant - the monitoring plan does not reference interactions with the Relief Roads project or any methodology for monitoring and managing cumulative impacts.	NC Rec 1: The Surface Water and Groundwater Monitoring Program should be updated to include reference to cumulative impacts and their management as required by Condition C19(h). If cumulative impacts are no longer required to be monitored following the completion of construction the Plan should clarify and justify.
				Implementation: Non-compliance self-reported due to one GW monitoring bore not being monitored due to being removed during construction of TA. The management plan has been updated since this time.	No further recommendations.
NC2	Schedule D Community Information, Reporting and Auditing Condition D5	<b>No later than 4 weeks before the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Requirements (Department 2018) must be endorsed by the ER and submitted to the Department.</b>	Non-Compliant	Report was submitted on Thursday 19 December 2019, construction for Turning Angle commenced on Monday 13 January 2020, which is 3 days outside of the 4-week period.	NC Rec 2: Establish (or review) system to ensure required submissions to regulatory authorities are completed by the relevant due dates.

NC#	Schedule and Condition Number	Conditions	Compliance Status	Evidence	Recommendation
NC3	Schedule E Construction Environmental Management Condition E18	Construction activities (including the delivery of materials) associated with the SSI shall be undertaken during the following standard construction hours: (a) 7:00 am to 6:00 pm Mondays to Fridays, inclusive; and (b) 8:00 am to 1:00 pm Saturdays; (c) at no time on Sundays or public holidays.	Non-Compliant	As reported in 2020 construction compliance report 6 - Section 3.2, non-compliance due to work being undertaken on the Saturday outside of prescribed construction hours without an approved Out of Hours Work application being in place. Work was of a low intensity and consisted of laying of sleepers and rail which typically generates minimal noise emissions.	Construction Complete - No further recommendations
NC4	Schedule E Construction Environmental Management Condition E33	The Proponent shall engage a suitably qualified contaminated land consultant to prepare a Validation Report upon completion of the remediation of the areas identified in the Remediation Action Plan. The Validation Report shall verify that the site has been remediated in accordance with the Remediation Action Plan (if and as amended) and to a standard consistent with the intended land use. The Proponent shall engage an accredited NSW Site Auditor to prepare a Site Audit Report to determine the appropriateness of the Validation Report. The Validation Report and Site Audit Report shall be submitted to the Planning Secretary within six months of completion of remediation works. A copy of the reports shall also be submitted to the City of Newcastle for its information.	Non-Compliant	Site Audit Report 0503-2004 and Site Audit Statement dated 2 March 2021 prepared by JBS&G Australia Pty Ltd. Email dated 3 March 2021 from Aurizon sighted evidencing submission to DPIE and NCC.  Based on the pre-operation compliance report, remediation works were complete as at the end of the reporting period dated 23 July 2020. Submission of the validation report outside of required 6-month period.	NC Rec 2: Establish (or review) system to ensure required submissions to regulatory authorities are completed by the relevant due dates.

NC#	Schedule and Condition Number	Conditions	Compliance Status	Evidence	Recommendation
NC5	Schedule E Construction Environmental Management Condition E63(d)	(d) A Construction Soil and Water Management Plan to manage surface water and groundwater impacts during the construction of the SSI. The Plan shall be developed in consultation with the City of Newcastle, the Water Group and Hunter-Central Rivers CMA and include, but not necessarily be limited to: ... (x) contingency plans to be implemented in the event of major fuel spills or other chemicals;	Non-Compliant	(x) Non-compliant - the contingency plans only refer to small fuel spills. There is no contingency plan in the CEMP or SERP for a major spill incident.	NC Rec 3: Update appropriate contingency plan sections of management plans to include major spill events.
NC6	Schedule E Construction Environmental Management Condition E63(e)	(e) a Construction Heritage Management Plan to detail how construction impacts on Aboriginal and Historic heritage will be minimised and managed. The Plan shall be developed in consultation with the EESG and registered Aboriginal stakeholders (for Aboriginal heritage), and include, but not necessarily be limited to: (i) In relation to Aboriginal Heritage - ... IV. procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works in the vicinity, assessment of the significance of the item(s), determination of appropriate mitigation measures by a suitably qualified archaeologist in consultation with the Department, EESG and registered Aboriginal stakeholders, procedure for determining when works can recommence, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the SSI, and registering of any new site(s) in the AHIMS database,	Non-Compliant	IV. Non-compliant 5.2 Procedure for 'New Finds' on page 12; Appendix B – Aboriginal Cultural Heritage Site Induction on page 26; Appendix C – Aurizon New Find Procedure on page 31. Part of the condition not fully addressed as follows: procedure for determining when works can recommence, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the SSI, and registering of any new site(s) in the AHIMS database.	NC Rec 4: Clarify procedure for determining when works can recommence, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the SSI, and registering of any new site(s) in the AHIMS database.

NC#	Schedule and Condition Number	Conditions	Compliance Status	Evidence	Recommendation
NC7	Schedule F Operational Environmental Management Condition F2	<p>Prior to the commencement of operation, or as otherwise agreed by the Planning Secretary, the Proponent shall prepare and implement an Operation Environmental Management Plan for the SSI. The Plan shall detail the environmental management framework, practices and procedures to be followed during operation of the SSI. The Plan shall be consistent with the document Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004). The Plan shall be prepared in consultation with the relevant government authorities and include, but not necessarily be limited to:</p> <p>The Plan shall be submitted for the Planning Secretary's approval no later than one month prior to the commencement of operation, or as otherwise agreed by the Planning Secretary. Operation of the SSI shall not commence until written approval has been received from the Planning Secretary.</p> <p><b>Prior to construction of the Turning Angle Works, the Proponent must provide a copy of the revised plan including the Turning Angle Works to the Environmental Representative for approval. The ER may approve minor updates to the plan without further consultation with public authorities. Nothing in this condition precludes the Proponent from updating an existing Operational Environment Management Plan, (environmental) management system, existing policies and/or procedures to meet this requirement, providing the Operational Environment Management Plan demonstrates, to the satisfaction of the Planning Secretary, where the relevant conditions of this approval have been addressed.</b></p>	Non-Compliant	<p>Approval</p> <ul style="list-style-type: none"> <li>- Construction of the Turning Angle commenced on 13 January 2020.</li> <li>- Letter from ER confirming approval of the OEMP dated 26 May 2020. This plan was not approved by the ER prior to the construction of the Turning Angle.</li> </ul> <p>The auditor acknowledges that the original PA condition specified that the OEMP be approved prior to the commencement of operations.</p> <p>The Turning Angle OEMP was approved by the ER prior to the commencement of operation of the Turning Angle. Notwithstanding this, the OEMP approval is administratively non-compliant with the wording of the MOD1 condition.</p>	NC Rec 2: Establish (or review) system to ensure required submissions to regulatory authorities are completed by the relevant due dates.

NC#	Schedule and Condition Number	Conditions	Compliance Status	Evidence	Recommendation
NC8	Schedule F Operational Environmental Management Condition F4	<p>The Proponent shall undertake a noise and vibration compliance assessment to confirm the predictions of the noise assessment included at B1 and the limits referred to in condition C2. The noise and vibration compliance assessment shall be developed in consultation with the EPA and be undertaken within 12 months of the commencement of operation of the SSI, or as otherwise agreed by the Planning Secretary. The assessment shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>(a) noise and vibration monitoring and compliance assessment, to assess compliance with conditions C1 and C2 of this approval;</li> <li>(b) methodology for assessment, including the assessment of worst-case scenarios;</li> <li>(c) details of any complaints received relating to operational noise and vibration impacts;</li> <li>(d) any required recalibration of the noise and vibration model;</li> <li>(e) consideration of the cumulative noise and vibration impacts associated with the Project and the proposed ARTC Hexham Relief Roads project;</li> <li>(f) consideration of noise impacts to the Hexham Swamp Reserve with reference to the passive recreation criteria under the INP;</li> <li>(g) an assessment of the performance and effectiveness of the applied noise and vibration mitigation measures; and</li> <li>(h) identification, if required, of further noise and vibration mitigation measures to meet the requirements of C1 and C2 of this approval.</li> </ul> <p>A Noise and Vibration Compliance Assessment Report providing the results of the assessment shall be submitted to the Planning Secretary and the EPA within 60 days of its completion. If the assessment indicates an exceedance of the noise and vibration objectives identified, the Proponent shall implement further feasible and reasonable measures (where required) to mitigate these exceedances in consultation with affected property owners. If there is a dispute regarding the implementation of at-receiver treatments, either party may refer the matter to the Planning Secretary for resolution whose decision shall be final.</p>	Non-Compliant	<p>The Noise and Vibration Compliance Assessment was undertaken in accordance with condition F4 of the consent to confirm compliance with the noise and vibration goals in Conditions C1 and C2.</p> <p>However, the following aspects of the condition were assessed to be non-compliant:</p> <ul style="list-style-type: none"> <li>(c) Non-compliant - not included</li> <li>(d) Non-compliant - not included</li> <li>(e) Non-compliant - not included</li> <li>(g) Non-compliant - not included</li> <li>(h) Non-compliant - not included</li> </ul>	NC Rec 5: The noise and vibration compliance assessment should be updated to include consideration of all requirements of condition F4.

### 3.4 Previous Audit Recommendations

The previous IEA was undertaken by EMM on 8 November 2018 with the audit report submitted in January 2019. The audit concluded that the operation of the Hexham TSF is being undertaken in a responsible manner generally in accordance with the project approval.

The 2018 and 2019 Operational Compliance Reports summarised the audit findings and provided a response on how these had been or would be addressed. Appendix D of the OEMP provides regulatory consultation which includes the 2018 Audit Response to Recommendations along with target dates for completion.

Based on the findings of this audit, it is considered that the required actions from the 2018 IEA have been addressed.

### 3.5 Adequacy of Management Plans and Programs

The management plans and programs required by SSI 6090 were assessed as part of this audit. Assessment of the management plans has considered both the preparation of the documents in accordance with requirements and the effective implementation of the documented management and mitigation strategies. The compliance assessment is presented in the audit tables in **Appendix C**. Identified non-compliances and recommendations are listed in **Section 3.3**.

**Table 9** presents a summary of the assessment of the adequacy of the preparation and implementation of the management plans.

**Table 9 Assessment of Management Plan**

Management Plan	Development Consent Condition	Comment
Construction Environmental Management Plan (CEMP)	Condition E62	The most recent version of the CEMP is dated 27 November 2019 and was approved by the Environmental Representative (ER) on 19 December 2019. The preparation of the CEMP meets the requirements of the relevant consent conditions. Construction was complete at the time of the site inspection; however, the presented information, including construction compliance reports, indicates that the CEMP was effectively implemented during the construction of the Turning Angle.
Construction Traffic and Access Management Plan (CTMP)	Condition E63(a)	The most recent version of the CTMP is dated 15 October 2019 and was approved by the ER on 19 December 2019. The preparation of the CTMP meets the requirements of the relevant consent conditions. Construction was complete at the time of the site inspection; however, the information gathered during this audit including construction compliance reports indicates that traffic management was effective during the construction of the Turning Angle.
Construction Flora and Fauna Management Plan (CFFMP)	Condition E63(b)	The most recent version of the CFFMP is dated 27 November 2019 and was approved by the Environmental Representative (ER) on 19 December 2019. The preparation of the CFFMP meets the requirements of the relevant consent conditions. Construction was complete at the time of the site inspection. Based on the construction compliance assessments, no threatened flora or fauna species were encountered during construction of the turning and the requirement to implement controls was not triggered.

Management Plan	Development Consent Condition	Comment
Construction Noise and Vibration Management Plan (CNVMP)	Condition E63(c)	<p>The most recent version of the CNVMP is dated 15 October 2019 and was approved by the Environmental Representative (ER) on 19 December 2019.</p> <p>The preparation of the CNVMP meets the requirements of the relevant consent conditions.</p> <p>A non-compliance was identified with regard to activities being undertaken outside of approved construction hours without an approved Out of Hours work permit. However, no noise complaints were received during construction indicating that the CNVMP was generally implemented effectively.</p>
Construction Soil and Water Management Plan (CSWMP)	Condition E63(b)	<p>The most recent version of the CSWMP is dated 3 December 2019 and was approved by the Environmental Representative (ER) on 19 December 2019.</p> <p>The preparation of the CSWMP meet the requirements of the relevant consent conditions with the exception of:</p> <p><i>(x) contingency plans to be implemented in the event of major fuel spills or other chemicals.</i></p> <p>The contingency plans contained in the CSWMP, CEMP and Site Emergency Response Plan (SERP) specifically refer to <b>small</b> fuel spills. There is no contingency plan for a major spill incident.</p> <p>Based on the construction compliance assessment reports, erosion and sediment controls were progressively installed from the commencement of construction until the March 2021 reporting period. Following this, maintenance of the erosion and sediment controls was undertaken until the completion of construction. Photographs in compliance reports and provided during the audit indicate appropriate erosion and sediment controls.</p>
Construction Aboriginal Heritage Management Plan (CAHMP)	Condition E63(b)(i)	<p>The most recent version of the CAHMP is dated 27 November 2019 and was approved by the Environmental Representative (ER) on 19 December 2019.</p> <p>The preparation of the CAHMP meets the requirements of the relevant consent conditions with the exception of:</p> <p><i>V. procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works in the vicinity, assessment of the significance of the item(s), determination of appropriate mitigation measures by a suitably qualified archaeologist in consultation with the Department, EESG and registered Aboriginal stakeholders, procedure for determining when works can re-commence, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the SSI, and registering of any new site(s) in the AHIMS database.</i></p> <p>Construction was complete at the time of the site inspection; however, no unexpected finds were encountered during construction and the CAHMP unexpected finds protocol was not triggered.</p>
Construction Non-Indigenous Heritage Management Plan (CNIHMP)	Condition E63(b)(ii)	<p>The most recent version of the CNIHMP is dated 27 November 2019 and was approved by the Environmental Representative (ER) on 19 December 2019.</p> <p>The preparation of the CNIHMP meets the requirements of the relevant consent conditions.</p> <p>Construction was complete at the time of the site inspection; however, no unexpected finds were encountered during construction and the CNIHMP unexpected finds protocol was not triggered.</p>
Construction Contamination Management Plan (CCMP)	Condition E63(b)	<p>The most recent version of the CCMP is dated 27 November 2019 and was approved by the Environmental Representative (ER) on 19 December 2019.</p> <p>The preparation of the CCMP meets the requirements of the relevant consent conditions.</p> <p>Site Audit Report 0503-2004 and Site Audit Statement dated 2 March 2021 prepared by JBS&amp;G Australia Pty Ltd confirm remediation has been completed in accordance with requirements.</p>

Management Plan	Development Consent Condition	Comment
Operation Environmental Management Plan (OEMP)	Condition F2	<p>The most recent version of the OEMP is dated 1 October 2021. The previous version dated 19 May 2020 was approved by the Environmental Representative (ER) on 26 May 2020 for inclusion of the Turning Angle.</p> <p>The preparation of the OEMP meets the requirements of the relevant consent conditions. The OEMP is supported by the following management plans which were all approved by the ER on 26 May 2020:</p> <ul style="list-style-type: none"> <li>- Flora and Fauna Management Plan</li> <li>- Surface and Groundwater Monitoring Plan</li> <li>- Site Management Plan</li> <li>- Stormwater Management Plan</li> <li>- Waste Management Plan</li> </ul> <p>Observations during the sight inspection indicates that the site is being managed in accordance with the OEMP and relevant sub-plans.</p>

### 3.6 Comparison Against EA Predictions

The audit team completed a review of the Statements of Commitments (SoC) presented in the following Environmental Assessment documents:

- Environmental Assessment, NSW Train Support Facility, Maitland Road, Hexham (ADW Johnson Pty Ltd, 2012);
- Preferred Project Report and Response to Submissions, NSW Train Support Facility, Maitland Road, Hexham (JBA, 2013);
- SSI-6090 MOD 1 - Environmental Assessment Report Revised (Ethos Urban, June 2019).

As presented in **Table 7** and **Table 8**, there was one non-compliance identified against the SSI-6090 EA SoC relating to the implementation of the groundwater monitoring program.

As evidenced by aerial photography and site survey documentation, the construction of the Turning Angle has been completed within the approved project boundary.

**Table 9** presents the summary of the predicted environmental impacts documented in the *SSI-6090 MOD 1 - Environmental Assessment Report* (Ethos Urban, 2019) for the construction of the Turning Angle against the findings of the audit. Based on the findings of the audit, there is no evidence that actual impacts are greater than predicted.

**Table 10 Comparison of Actual vs Predicted Impacts**

Environmental Issue	SSI-6090 MOD 1 - Environmental Assessment Report Revised Assessment of Impacts	Audit Findings
Stormwater and Water Quality	There are minor changes anticipated to stormwater across the proposal footprint based on changes to stormwater catchments.	During the site inspection surface water management system was observed to be generally contained. No evidence of significant erosion or sedimentation was observed during the site inspection.

Environmental Issue	SSI-6090 MOD 1 - Environmental Assessment Report Revised Assessment of Impacts	Audit Findings
Flooding	There are no significant changes expected to flooding impacts	<p>As per condition C12, <i>The SSI shall be designed and constructed so that it does not result in flooding impacts greater than those predicted in the documents referred to in condition B1. The cumulative impacts of the SSI and the proposed ARTC Hexham Relief Roads shall be considered in these requirements.</i></p> <p>The Flood Assessment Report for Mod 1 (BMT, May 2019) states that: "It is the opinion of BMT that the proposed Turning Angle does not have significant implications for potential impacts to the existing flood behaviour".</p> <p>There was no flooding during the audit period and therefore there is no evidence that flooding impacts are not as predicted.</p>
Biodiversity	No additional impacts outside those previously assessed as part of the original EIS are anticipated, with no increased impact to the biodiversity values outlined by the BC Act, and as such, a waiver is sought in relation to the preparation of a BDAR.	<p>Based on the construction compliance assessments, no threatened flora or fauna species were encountered during construction of the Turning Angle.</p> <p>Construction was completed within the approved footprint.</p>
Contaminated Land and Soils	No impacts on contamination or soils, including groundwater, is anticipated as excavation is minimal. The existing Unexpected Finds Protocol will continue to apply.	<p>No substantial excavation was undertaken during the construction of the Turning Angle which would have impacted the groundwater table or resulted in changes to hydrogeology.</p> <p>Site Audit Report 0503-2004 and Site Audit Statement dated 2 March 2021 prepared by JBS&amp;G Australia Pty Ltd confirm contamination remediation has been completed in accordance with requirements.</p> <p>No unexpected finds were encountered during construction of the turning angle.</p>
Traffic and Transport	The additional impact from traffic and transport associated with the proposed construction works are anticipated to be negligible due to the low number of vehicle movements each weekday to and from the site.	Information gathered during this audit including construction compliance reports indicates that traffic management was effective during the construction of the Turning Angle.
Noise and Vibration	Noise and vibration impacts are expected to be negligible given the separation of the proposed works from the nearest sensitive receivers.	<p>Turning Angle Noise and Vibration Assessment Hexham TSF (SLR 2021) was completed after the construction of the Turning Angle.</p> <p>The assessment concluded the project was compliant with noise and vibration approval conditions with and that impacts upon sensitive receivers are negligible.</p> <p>No noise or vibration complaints were received during the audit period regarding construction or operations.</p>
Air Quality	Site construction works may result in localised air quality impacts associated with dust however, these impacts are highly unlikely to exceed those assessed as part of the original EAR and PPR. The Construction Environmental Management Plan (CEMP) manages impacts on air quality.	Photographs were provided of hydromulching of bare areas and water carts in operation during construction. No dust related complaints were received. There is no evidence that dust impacts were greater than predicted.

Environmental Issue	SSI-6090 MOD 1 - Environmental Assessment Report Revised Assessment of Impacts	Audit Findings
Aboriginal Heritage	The marginal additional project footprint of the current revised design has been assessed as part of an Aboriginal Heritage Assessment Due Diligence completed, which did not identify any Aboriginal items or artefacts on the site. The proposed changes would not result in any additional impact on Aboriginal heritage. No items of non-Aboriginal heritage are present on the site.	There were no identified Aboriginal Heritage impacts for the construction of the Turning Angle. There were no unexpected finds encountered during construction.
Climate Change Risk	The proposed works are not expected to have any impacts outside those originally considered in the Preferred Project Report in terms of climate change.	There are no project approval conditions regarding climate change. There is no evidence that impacts are greater than predictions.
Protected and Sensitive Lands	The works do not impact on the biophysical, hydrological or ecological integrity of the adjacent coastal wetland. Additionally, the works do not impact on land identified as estuarine or key fish habitat.	Based on the site inspections, and the findings presented in the construction compliance reports, construction was completed within the approved footprint and there were no impacts on the adjacent coastal wetland or on land identified as estuarine or key fish habitat.
Waste Management	Construction activities would be carried out as detailed in the Construction Waste Management Plan (CWMP) and CEMP to minimise the potential for exposure to contaminated soils. Potential wastes from the turning angle construction would include scrap metal, used lubricating oil, engine oil, machinery parts and timber/wood framing.	Based on the site inspection, waste is appropriately managed at the site. Waste disposal records were provided for the construction period and indicate that wastes were appropriately managed to minimise environmental harm. Site Audit Report 0503-2004 and Site Audit Statement dated 2 March 2021 prepared by JBS&G Australia Pty Ltd confirm contamination remediation has been completed in accordance with requirements.

### 3.7 Summary of agency notices, orders, penalty notices or prosecutions

Based on site communications and documentation provided during the audit process no agency notices, orders, penalty notices or prosecutions were received during the audit period.

### 3.8 Complaints

Based on site communications and documentation provided during the audit process, no complaints were received during the audit period.

### 3.9 Incident/Non-Compliance Management

Environmental incidents during the audit period are outlined within the Operational Compliance Reports. There were two (2) incidents reported during the audit period both relating to diesel spills at the TSF. Incident investigations and reporting were completed with evidence provided to the audit team. The incidents are summarised as follows:

- 14 July 2019 - 2200 litre diesel spill occurred within the site rail yard approximately 250 m north of the maintenance facility. The incident reports have been sighted by the auditor with actions including characterisation sampling. Monitoring showed no total recoverable hydrocarbons (TRH) consistent with a diesel spill in Basin 2 with no offsite impacts.

- 20 May 2021- 2200 litre diesel spill occurred within the site rail yard approximately 250 m north of the maintenance facility. The incident reports have been sighted by the auditor with actions including characterisation sampling. The impacted soil was excavated/surface scraped and stockpiled. The fill was then classified and disposed of offsite. Sampling confirmed no offsite impacts.

Precautionary notifications to EPA were sighted for both incidents (emails dated 1/8/2019 and 20/5/2021) however, no notifications were provided to the DPIE under condition D6 of SSI 6090 which states:

*The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Proponent becomes aware of an incident. The notification must identify the SSI (including application number and the name of the SSI), and set out the location and nature of the incident.*

This condition was found non-compliant in the 2018 IEA as DPIE. Following the 2018 IEA recommendations, the OEMP was updated to clarify that notification to DPIE would only be made for offsite impacts. Section 5.2 was updated as follows:

*As required by Condition D6 of the Approval the DPI&E shall be notified of any Pollution Incident which has caused or has the potential to cause offsite Material Harm to the environment within 24 hours of being identified. A supplementary incident report will be issued to the DPI&E within 7 days.*

Based on consultation with site personnel, and the findings and responses of the previous IEA, it is considered that the notification procedure in the approved OEMP has been followed as the incidents did not have the potential for **offsite** impacts.

### 3.10 Key strengths of the development's environmental management and performance

During the audit, it was evident that the operation of the site is being undertaken in a responsible manner generally in accordance with the SSD 6090 MOD 1 and the relevant environmental management plans. Key strengths of the developments environmental management and performance are summarised as follows:

- A thorough appreciation of the environmental issues at the site and appropriate environmental management measures demonstrated through site interviews with both the Aurizon environmental and operational staff.
- Thorough site records and an internal compliance management system indicating implementation of SSD 6090 MOD 1 requirements into site development and operational activities.
- Good site housekeeping evidenced during the site inspection including minimal coal spillage within operational areas (refer photographs in **Appendix D**).
- Effective environmental controls implemented for the storage and handling of waste materials onsite including segregation of recyclables, appropriate containers in good condition, and labelled bins (refer photographs in **Appendix D**).
- Generally, effective spill management controls implemented within the development and operational area, including spill kits identified in appropriate areas and appropriate bunded storage for liquids (refer photographs in **Appendix D**).
- Effective dust management, resulting in negligible dust impacts at the site and upon sensitive receptors.
- Effective weed management, as indicated by minimal weeds requiring management within the project area.

- Effective water management with minimal evidence of erosion or sedimentation observed during the site inspection.
- Successful revegetation / rehabilitation of stockpiles.
- A good relationship with the community as evidenced through community notifications, consultation evidence and complaints management.

## 4 Recommendations and Opportunities for Improvement

**Table 11** consolidates all the recommended actions of this audit as listed in **Table 8** and **Appendix C**. Where required, audit recommendations have been included to address identified non-compliances. In addition, some recommendations have been included as potential areas for systems and compliance improvement. Recommendations specifically to address non-compliances are identified as *NC RECs*; while opportunities for improvement are identified as *Improvement RECs*.

These recommendations may be used to prepare the response to recommendations and audit action plan.

It is noted that construction associated with the TSF and Turning Angle has now been completed in accordance with the CEMP and associated sub-plans, and these plans are no longer implemented. Where recommendations have been made to address non-compliances or for improvements to CEMPs these should be considered and addressed when the CEMPs are next required to be updated (ie as part of the next TSF construction project).

**Table 11 Audit Recommendations**

Rec #.	Aspect	Recommendation
<b>Non-compliance recommendations</b>		
NC REC 1	Surface Water and Groundwater Monitoring Program	The Surface Water and Groundwater Monitoring Program should be updated to include reference to cumulative impacts and their management as required by Condition C19(h). If cumulative impacts are no longer required to be monitored following the completion of construction the Plan should clarify and justify.
NC REC 2	Document Submission	Establish (or review) system to ensure required submissions to regulatory authorities are completed by the relevant due dates.
NC REC 3	Soil and Water Management Plan – Contingency Plan	Update appropriate contingency plan sections of management plans to include major spill events.
NC REC 4	Construction Indigenous Heritage Management Plan	Clarify procedure for determining when works can re- commence, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the SSI, and registering of any new site(s) in the AHIMS database.
NC REC 5	Noise and Vibration Compliance Assessment	The noise and vibration compliance assessment should be updated to include consideration of all requirements of condition F4.
<b>Improvement Recommendations</b>		
Improvement REC 1	Inductions	It is recommended that inductions be updated to include specific reference to this development consent and environmental relevant legislation.
Improvement REC 2	Inductions	It is recommended that the visitor induction include environmental management to make visitors aware of their obligations.
Improvement REC 3	ER approval of management plans	It is recommended that ER approval of management plans include reference to the version approved.
Improvement REC 4	Hydrocarbon management	Ensure empty drums are stored in appropriately bunded areas.
Improvement REC 5	Waste management	Some areas of legacy waste were identified at the site which are recommended for removal.

Rec #.	Aspect	Recommendation
Improvement REC 6	Management Plans	Review management plans to ensure: <ul style="list-style-type: none"><li>- A reference table referring to consent conditions is included;</li><li>- Where conditions are not addressed, include justification as to why;</li><li>- Cross references in management plans are correct;</li><li>- All Appendixes are attached to management plans published on the website;</li><li>- Full names of acronyms used in the report are included;</li><li>- Other management plans are correctly referenced within the document;</li><li>- A full reference list is included in every Management Plan; and</li><li>- Document control including version and date is consistent throughout.</li></ul>

## 5 Conclusion

SLR was commissioned to undertake an Independent Environmental Audit (IEA) for the Hexham TSF in accordance with the Compliance Tracking Program (CTP) prepared to satisfy condition D5 of SSD 6090. The IEA is to be undertaken in accordance with all relevant regulatory requirements/guidelines.

This IEA has been completed in accordance with the *Independent Audit Post Approval Requirements* (DPIE 2020).

The IEA has assessed compliance with the key approvals and documentation, including:

- SSI 6090 MOD 1;
- Environmental Assessment, NSW Train Support Facility, Maitland Road, Hexham (ADW Johnson Pty Ltd, 2012);
- Preferred Project Report and Response to Submissions, NSW Train Support Facility, Maitland Road, Hexham (JBA, 2013);
- SSI-6090 MOD 1 - Environmental Assessment Report Revised (Ethos Urban, June 2019);
- Key Management Plans and post approval documents required under SSI 6090 MOD 1.

The site component of the IEA was undertaken on 2 November 2021, with SLR being supplied additional documentation and information as requested following the site inspection.

Overall, 320 conditions were identified, of these 142 (44%) were not triggered during the audit period, and 11 (3%) were a note for information. Of the 167 remaining audited conditions 158 (95%) were compliant and 9 (5%) were assessed as non-compliant. Non-compliances were generally administrative and low risk.

SLR has provided recommendations to address identified non-compliances and to improve environmental performance.

During the audit, it was evident that the operation of the site is being undertaken in a responsible manner generally in accordance with the SSD 6090 MOD 1 and the relevant environmental management plans. Key strengths of the Aurizon environmental management and performance were considered as follows:

- The Aurizon site personnel and environmental staff interviewed demonstrate a thorough appreciation of the environmental issues at the site and appropriate environmental management measures.
- Thorough site records and an internal compliance management system indicating implementation of SSD 6090 MOD 1 requirements into site development and operational activities.
- Effective environmental management measures and practices implemented and evidenced during the site inspection including:
  - Good housekeeping and waste management;
  - Good spill management / hydrocarbon management;
  - No noise or dust issues identified;
  - Minimal weed infestation;
  - Good water management;

- No erosion or sedimentation identified;
- Minimal coal spillage; and
- Successful revegetation / rehabilitation of stockpiles.

The following general areas of improvement were identified based on the site inspection:

- Some areas of legacy waste / scrap metals noted around the site which are recommended for removal.
- An “empty” drum noted not stored in appropriately bunded areas which is recommended for removal and appropriate disposal / relocation to bunded area.
- The presence of *Gambusia holbrooki* (Eastern Mosquitofish) was noted in drainage channels; however, appropriate drainage controls are in place to prevent migration into the Hexham Swamp Nature Reserve.

Recommended actions for improvements have been included in **Table 10**.

# APPENDIX A

## Auditor Endorsement Letters



Harry Egan  
Senior Advisor Environment  
Aurizon Operations Limited  
GPO Box 456  
Brisbane QLD 4000

By email only: [Harry.Egan@aurizon.com.au](mailto:Harry.Egan@aurizon.com.au)

14/09/2021

Dear Mr Egan

**Hexham Train Facility (SSI-6090)  
2021 IEA auditor endorsement request**

Reference is made to your post approval matter, SSI-6090-PA-32, request for the Secretary's endorsement of suitably qualified persons to prepare the 2021 Independent Environmental Audit (IEA) for the Hexham Train Facility, submitted to the Department of Planning, Industry and Environment (the Department) on 13 September 2021.

The Department has reviewed the nominations and information provided and is satisfied that these experts are suitably qualified, experienced, and independent. In accordance with the Departments *Independent Audit Post Approval Requirements (2020)*, the Secretary has agreed to the following audit team:

- Ms Renae Gifford (Lead Auditor)
- Mr Nathan Archer (Lead Auditor)
- Ms Chelsea Zuiderwyk (Assistant Auditor)

Please ensure this correspondence is appended to the Independent Audit Report.

In accordance with Schedule B, Condition B3 of SSI-6090 as modified (the approval) the Department requests that the Independent Audit be prepared, undertaken and finalised in accordance with the Departments *Independent Audit Post Approval Requirements (2020)*. Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

If you wish to discuss the matter further, please contact Joel Curran, Senior Compliance Officer on (02) 4904 2702 or [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink that reads 'H Watters'.

Heidi Watters  
Team Leader Northern  
Compliance  
As nominee of the Planning Secretary

# APPENDIX B

Consultation



Mr Harry Egan  
Senior Adviser Environment  
Aurizon

By email only: [Harry.Egan@aurizon.com.au](mailto:Harry.Egan@aurizon.com.au)

05/11/2021

Dear Mr Egan

**Hexham Train Facility (SSI-6090)**  
**Extension of time to submit 2021 Independent Environmental Audit**

I refer to your request (SSI-6090-PA-34) for an extension of time to submit the 2021 Independent Environmental Audit (IEA) report as required under the conditions of SSI-6090, as modified (the approval) for the Hexham Train Facility.

The Department notes:

- the IEA site inspection was undertaken on 2 November 2021
- the Department's Independent Audit Post Approval Requirements (May 2020) requires the IEA report and Proponent's response to audit findings to be submitted within 2 months of the site inspection (i.e. by 2 January 2022)
- Aurizon seeks an extension to submit the final IEA report by 28 January 2022 to account for the closure of the SLR (the Auditor) offices from 23 December 2021 to 17 January 2022.

Accordingly, the Planning Secretary has granted an extension of time until 28 January 2022 to submit the 2021 IEA report and Proponent's response to audit findings.

If you wish to discuss the matter further, please contact Heidi Watters on 02 6575 3401 or email [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink that reads 'H Watters'.

Heidi Watters  
Team Leader Northern  
Compliance

As nominee of the Planning Secretary

## Nathan Archer

---

**From:** Joel Curran <Joel.Curran@planning.nsw.gov.au>  
**Sent:** Tuesday, 19 October 2021 11:32 AM  
**To:** Nathan Archer  
**Cc:** Chelsey Zuiderwyk  
**Subject:** RE: 630.30267 Hexham Train Facility IEA Consultation (SSI 6690).

Hi Nathan

No comments from me at this time regarding any key issues in the upcoming IEA.

Regards

**Joel Curran**  
**A/ Team Leader Northern Compliance**

Planning & Assessment | Department of Planning, Industry and Environment  
**T** 02 4904 2702 | **M** 0412 323 331 | **E** [joel.curran@planning.nsw.gov.au](mailto:joel.curran@planning.nsw.gov.au)  
PO Box 1226 | Newcastle NSW 2300  
*Please direct all email correspondence to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)*



**Planning,  
Industry &  
Environment**

*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.*

*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](#).*

---

**From:** Nathan Archer <narcher@slrconsulting.com>  
**Sent:** Tuesday, 19 October 2021 11:09 AM  
**To:** Joel Curran <Joel.Curran@planning.nsw.gov.au>  
**Cc:** Chelsey Zuiderwyk <czuiderwyk@slrconsulting.com>  
**Subject:** 630.30267 Hexham Train Facility IEA Consultation (SSI 6690).

Hi Joel

SLR has been engaged to undertake the Independent Environment Audit (IEA) for the Aurizon Hexham Train Facility .

As required by the *Independent Audit Post Approval Requirements* (DPIE 2020), please see attached letter requesting your feedback and comment on any key issues you would like to draw the audit team's attention to prior to the audit.

Regards  
Nathan

## Nathan Archer

---

**From:** Robert Manev <rmanev@ncc.nsw.gov.au>  
**Sent:** Tuesday, 19 October 2021 12:02 PM  
**To:** Nathan Archer  
**Subject:** RE: 630.30267 Hexham Train Facility IEA Consultation (SSI 6690).

Hey Nathan,

Thanks for that mate, I'll have a read and if we think there's anything there I'll mention it if not, you guys just proceed.

Cheers,

Rob

**Robert Manev | Senior Environment Protection Officer**  
**City of Newcastle | Governance**

Regulatory, Planning & Assessment | Regulatory Section

T: +61249742538 | M: +61409448339 | E: [rmanev@ncc.nsw.gov.au](mailto:rmanev@ncc.nsw.gov.au)



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**From:** Nathan Archer <narcher@slrconsulting.com>  
**Sent:** Tuesday, 19 October 2021 11:12 AM  
**To:** Robert Manev <rmanev@ncc.nsw.gov.au>  
**Cc:** Chelsey Zuiderwyk <czuiderwyk@slrconsulting.com>  
**Subject:** 630.30267 Hexham Train Facility IEA Consultation (SSI 6690).

[EXTERNAL] This email originated from outside of the organisation.

Hi Robert

SLR has been engaged to undertake the Independent Environment Audit (IEA) for the Aurizon Hexham Train Facility .

As required by the *Independent Audit Post Approval Requirements* (DPIE 2020), please see attached letter requesting your feedback and comment on any key issues you would like to draw the audit team's attention to prior to the audit.

Regards  
Nathan



Nathan Archer

## Principal - Environmental Assessment & Management

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President's Award 2020**

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Mr Harry Egan  
Senior Adviser  
Environment Aurizon

By email only: [Harry.Egan@aurizon.com.au](mailto:Harry.Egan@aurizon.com.au)

14/03/2022

Dear Mr Egan

**Hexham Train Facility (SSI-6090)**  
**2021 Independent Environmental Audit - Request for Additional Information**

I refer to the 2021 Independent Environmental Audit (IEA) report submitted to the Department of Planning and Environment (the department) as required under the conditions of SSI-6090, as modified (the approval) for the Hexham Train Facility. After careful consideration, the Department is requesting that you provide additional information.

You are requested to submit a revised document that addresses the following sections of the department's *Independent Audit Post Approval Requirements* (May 2020):

1. Section 4.2.3.7 - an assessment of the compliance between actual and predicted impacts documented in environmental impact assessment, including an assessment of the physical extent of the development in comparison with the approved boundary and any potential off-site impacts of the development required under the *Environmental Planning and Assessment Act 1979*.
2. Section 4.3.2.15 - key strengths of the development's environmental management and performance identified by the auditor

You are requested to provide the information, or notification that the information will not be provided, to the Department by **4 April 2022**. If you are unable to provide the requested information within this timeframe, you are required to provide, and commit to, a timeframe detailing the provision of this information.

The department also noted that the following documents are not currently available on the SSI website:

- Compliance Monitoring and Reporting Program (dated 19/12/2019)
- Independent Environmental Audit 2018 and Aurizon's Response to Audit Recommendations.

The department requests the website is updated with the above documents by 4 April 2022 to maintain compliance with condition D4 of the approval.

If you have any questions, please contact Ann Hagerthy, Senior Compliance Officer, who can be contacted on 02 6575 3407 or [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely



Heidi Watters  
Team Leader Northern  
Compliance  
As nominee of the Planning Secretary



# APPENDIX C

## Compliance Spreadsheets

# Audit Summary

Compliance Status	Mod 1 Approval	EA	PPR/RTS	Mod 1SoC	Total	% of total	% of assessed
Compliant	75	20	18	45	158	49%	95%
Non-Compliant	8	0	0	1	9	3%	5%
Not Triggered	58	42	37	5	142	44%	-
Note	6	2	2	1	11	3%	-
Total conditions	147	64	57	52	320	100%	-
Total assessed conditions	83	20	18	46	167	-	100%

# SSI MP07\_0171 Mod 1 Consolidated Approval

Proponent Aurizon Operations Ltd  
 Date of Approval: Oct-19  
 Authority DPIE

Condition Number	Condition	Compliance Status	Evidence	Recommended Action														
<b>SCHEDULE B ADMINISTRATIVE CONDITIONS</b>																		
<b>TERMS OF APPROVAL</b>																		
B1	The proponent shall carry out the SSI generally in accordance with the: a) Application MP 07_0171; b) Environmental Assessment, NSW Train Support Facility, Maitland Road, Hexham (ADW Johnson Pty Limited, November 2012); c) Preferred Project Report and Response to Submissions, NSW Train Support Facility, Maitland Road, Hexham (JBA, June 2013); d) State Significant Infrastructure Modification Detailed Environmental Assessment Report, Maitland Road, Hexham (Ethos Urban, June 2019); e) State Significant Infrastructure MP07_0171 Modification Response to Submissions (Ethos Urban, August 2019); and f) conditions of this approval.	Compliant	Based on the findings of the audit presented below and the site inspection, the works completed at Aurizon Hexham have generally been undertaken in accordance with the EAs, Statements of Commitments and Conditions of Approval.															
B2	In the event of an inconsistency between: (a) the conditions of this approval and any document listed from condition B1(a) to B1(e) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; (b) any document listed from condition B1(a) to B1(e) inclusive, the most recent document shall prevail to the extent of the inconsistency.	Note																
B3	The Proponent shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of: (a) any reports, plans or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained within these reports, plans or correspondence.	Compliant	Directions from Department have been received to include additional information in the annual reports / compliance tracking sheets. Letter from DPIE sighted requesting additional information be included in future Compliance Reports.  Hexham Compliance Report Number 3 dated 14 February 2019 sighted including address of requests in section 1.5.															
B4	Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.	Compliant	No direct requests have been received however, website contains relevant documents as required.															
B4A	The following Conditions of Approval do not apply to the Turning Angle Works: B5, C3, C16, C18, C22, C23, C33, C34, C35, C38, C39, E1, E5, E13, E14, E15, E16, E17, E24, E25, E26, E30, E32, E36, E42, E43, E44, E49, E59, E60, and F3.	Note																
B4B	Any references to entities listed in column A are to be interpreted as entities in column B throughout the approval:  <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: center;">A</th> <th style="width: 50%; text-align: center;">B</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Director-General</td> <td style="text-align: center;">Planning Secretary</td> </tr> <tr> <td style="text-align: center;">Hunter-Central Rivers CMA</td> <td style="text-align: center;">Hunter LLS</td> </tr> <tr> <td style="text-align: center;">NoW</td> <td style="text-align: center;">the Water Group</td> </tr> <tr> <td style="text-align: center;">OEH</td> <td style="text-align: center;">EESG</td> </tr> <tr> <td style="text-align: center;">DPI</td> <td style="text-align: center;">RIAR</td> </tr> <tr> <td style="text-align: center;">Heritage Council, OEH (Heritage Branch) or Heritage Branch</td> <td style="text-align: center;">Heritage Division</td> </tr> </tbody> </table>	A	B	Director-General	Planning Secretary	Hunter-Central Rivers CMA	Hunter LLS	NoW	the Water Group	OEH	EESG	DPI	RIAR	Heritage Council, OEH (Heritage Branch) or Heritage Branch	Heritage Division	Note		
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Director-General	Planning Secretary																	
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OEH	EESG																	
DPI	RIAR																	
Heritage Council, OEH (Heritage Branch) or Heritage Branch	Heritage Division																	
<b>LIMITS OF APPROVAL</b>																		
B5	This approval shall lapse 10 years after the date on which it is granted, unless works that are the subject of this SSI approval are physically commenced on or before that date.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.															
<b>STATUTORY REQUIREMENTS</b>																		
B6	The Proponent shall ensure that all necessary licences, permits and approvals required for the development of the SSI are obtained and maintained as required throughout the life of the SSI. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such necessary licences, permits or approvals.	Compliant	Approvals sighted including: SSI MP07_0171 Mod 1 Modification approval, council approval for the operation of the onsite sewage management system including evidence of renewal dated 29 September 2021, relevant building certificates,															
B7	Any changes to the scope of the SSI activity shall be subject to a consistency review. Should the review identify activity scope and environmental impacts inconsistent with the assessed SSI activity, a modification to the Infrastructure Approval will be required.	Compliant	Three consistency reviews undertaken for female amenities (19/11/2018), virtual reality training facility (15/08/2019), DIL pipeline (26/02/2018). Consistency reviews sighted.  First consistency review was DIL pipeline. Based on site coms with HE, this was submitted to DPIE as FYI and to show how proposed to be done but no response received. Substantial ones done externally by Ethos Urban. Minor consistency reviews undertaken internal. Email to Mick Fallon dated 14/03/2018 evidenced submission of consistency review.															
<b>STAGING</b>																		
B8	<del>The Proponent may elect to construct and/or operate the SSI in stages. Where staging is proposed, the Proponent shall submit a Staging Report to the Director-General for approval prior to the commencement of the first proposed stage, which provides details of:                      (a) how the SSI would be staged including general details of work activities associated with each stage and the general timing of when each stage would commence and be completed; and                      (b) the relevant conditions of approval which would apply to each stage and how these will be addressed across and between the stages of the SSI.                      Where staging of the SSI is proposed, these conditions of approval are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).                      The Proponent shall ensure that an updated Staging Report (or advice that no changes to staging are proposed) is submitted to the Director-General for approval prior to the commencement of each stage, identifying any changes to the proposed staging or applicable conditions.</del>	Not triggered	Condition not applicable															
B9	<del>The Proponent shall ensure that all plans, sub-plans and other management documents required by the conditions of this approval and relevant to each stage (as identified in the Staging Report) are submitted to the Director-General for approval no later than one month prior to the commencement of the relevant stage(s), unless otherwise agreed by the Director-General.                      Note: These conditions do not relate to staged infrastructure within the meaning of section 116ZD of the Environmental Planning and Assessment Act 1979.</del>	Not triggered	Condition not applicable															
B10	<del>With the approval of the Director-General, the Proponent may:                      (a) submit any strategy, plan or program required by this approval on a progressive basis; and                      (b) combine any strategy, plan or program required by this approval.                      Notes:                      While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the existing activities on site are covered by suitable strategies, plans or programs at all times.                      If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</del>	Not triggered	Condition not applicable															
B8	The SSI 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 no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).	Not triggered	No staging was undertaken for the turning angle. TSF staging outside of audit period.															
B9	The Staging Report must: (a) if staged construction is proposed, set out how the construction of the whole of the SSI 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; (b) if staged operation is proposed, set out how the operation of the whole of the SSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant); (c) specify how compliance with conditions will be achieved across and between each of the stages of the SSI; and (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.	Not triggered	No staging was undertaken for the turning angle. TSF staging outside of audit period.															

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																																											
B10	The SSI must be staged in accordance with the Staging Report, as submitted to the Planning Secretary.	Not triggered	No staging was undertaken for the turning angle. TSF staging outside of audit period.																																																												
B10A	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.	Not triggered	No staging was undertaken for the turning angle. TSF staging outside of audit period.																																																												
<b>COMPLIANCE</b>																																																															
B11	The Proponent shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.	Compliant	Hexham site induction sighted including Environmental Management Requirements. Aurizon environmental awareness training sighted including induction register. Daracon contractor induction report sighted including register of inductees. Included relevant environmental management measures from Aurizon management plans. <b>Observation:</b> While extensive induction material has been sighted and provided with relevant environmental information, the inductions do not refer to the conditions of this consent or specific environmental legislation.	Improvement Rec 1: It is recommended that the inductions be updated to include reference to this development consent and relevant legislation.																																																											
B12	The Proponent shall be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.	Compliant	Based on site communications there were no incidents during Daracon construction activities. Site and contractor inductions sighted. Auditors completed the visitor induction on site. It is noted that the visitor induction did not include information regarding environmental responsibilities, however, visitors are escorted on site at all times.. Evidence of correspondence with contractors regarding minor incidents sighted during site visit. Incidents are registered into Beacon (formerly SHEM), new system. Incident register sighted.	Improvement Rec2: It is recommended that the visitor induction include environmental management to make visitors aware of their obligations.																																																											
B13	In the event of a dispute between the Proponent and a public authority in relation to an applicable requirement in this approval or relevant matter relating to the SSI, either party may refer the matter to the Director-General for resolution. The Director-General's determination of any such dispute shall be final and binding on the parties.	Not triggered	Based on site communications there have been no disputes during the audit period.																																																												
<b>SCHEDULE C ENVIRONMENTAL PERFORMANCE</b>																																																															
<b>NOISE AND VIBRATION</b>																																																															
<b>Operational Noise and Vibration</b>																																																															
C1	The SSI shall be designed and operated with the objective of not exceeding the vibration goals for human exposure for existing sensitive receivers, as presented in Assessing Vibration: a Technical Guideline (DECC, 2006).	Compliant																																																													
C2	The Proponent shall ensure that the SSI is designed and operated so as not to exceed the operational noise limits presented in Table 1 at the nominated receivers.	Compliant	Turning Angle Noise and Vibration Assessment Hexham TSF (SLR 2021) completed after the construction of the turning angle. The Noise and Vibration Assessment was undertaken as required by condition F4 of this consent to confirm compliance with the noise and vibration goals in Conditions C1 and C2 and to confirm the predictions from the EIS as specified in condition B1. The assessment concluded the project was compliant with noise and vibration approval conditions. No noise or vibration complaints have been received during the audit period with regard to construction or operations.																																																												
	<p><b>Table 1: Operational Noise Limits (dB(A))</b></p> <table border="1"> <thead> <tr> <th rowspan="2">Receiver</th> <th>Daytime</th> <th>Evening</th> <th>Night</th> <th>Night</th> </tr> <tr> <th>L<sub>Aeq</sub> (15 minute)</th> <th>L<sub>Aeq</sub> (15 minute)</th> <th>L<sub>Aeq</sub> (15 minute)</th> <th>L<sub>A1</sub> (1 minute)</th> </tr> </thead> <tbody> <tr> <td>R1 Hain Property</td> <td>46</td> <td>46</td> <td>45</td> <td>56</td> </tr> <tr> <td>R2 Lynch Property</td> <td>60</td> <td>50</td> <td>45</td> <td>62</td> </tr> <tr> <td>R3 New England Highway</td> <td>60</td> <td>50</td> <td>45</td> <td>62</td> </tr> <tr> <td>R4 Old Maitland Road (North)</td> <td>45</td> <td>45</td> <td>44</td> <td>54</td> </tr> <tr> <td>R5 Old Maitland Road</td> <td>45</td> <td>45</td> <td>44</td> <td>54</td> </tr> <tr> <td>R6 Old Maitland Road (South)</td> <td>45</td> <td>45</td> <td>44</td> <td>54</td> </tr> <tr> <td>R7 Maitland Road</td> <td>60</td> <td>50</td> <td>45</td> <td>62</td> </tr> <tr> <td>R8 Church Old Maitland Road</td> <td colspan="3">40 (internal - when in use)</td> <td>N/A</td> </tr> <tr> <td>R9 Tarro Primary School</td> <td colspan="3">35 (internal - when in use)</td> <td>N/A</td> </tr> <tr> <td>Hexham Reserve Swamp Nature</td> <td colspan="3">50 (when in use)</td> <td>N/A</td> </tr> </tbody> </table>	Receiver	Daytime	Evening	Night	Night	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>A1</sub> (1 minute)	R1 Hain Property	46	46	45	56	R2 Lynch Property	60	50	45	62	R3 New England Highway	60	50	45	62	R4 Old Maitland Road (North)	45	45	44	54	R5 Old Maitland Road	45	45	44	54	R6 Old Maitland Road (South)	45	45	44	54	R7 Maitland Road	60	50	45	62	R8 Church Old Maitland Road	40 (internal - when in use)			N/A	R9 Tarro Primary School	35 (internal - when in use)			N/A	Hexham Reserve Swamp Nature	50 (when in use)			N/A	Compliant		
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	<p>Notes:</p> <ul style="list-style-type: none"> <li>For the purposes of this condition, daytime is defined as the period from 7am to 6pm, Monday to Saturdays and 8am to 6pm on Sundays and public holidays. Evening is defined as the period from 6pm to 10pm and night time is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and public holidays.</li> <li>The noise emission limits apply under all meteorological conditions except during wind speeds greater than 3m/s at 10m height; stability category F temperature inversion conditions and wind speeds greater than 2m/s at 10m height; or stability category G temperature inversion conditions as described in the NSW Industrial Noise Policy.</li> <li>For the purpose of noise measurement required for this condition, the L<sub>Aeq</sub>(15minute) noise level must be measured approximately on the property boundary, where any residence is situated 30m or from the property boundary closest to the premises; within 30m of a residence, but not closer than 3m, where any residence is located more than 30m from the boundary closest to the premises; and within 50m of the boundary of a National Park or Nature Reserve.</li> <li>For the purpose of noise measurement required for this condition, the L<sub>A1</sub>(1minute) noise level must be measured within 1m of a residence.</li> <li>Noise measurement equipment must be located at the most affected point at a location.</li> </ul>	Compliant																																																													
<b>BIODIVERSITY</b>																																																															
<b>Ecological Monitoring</b>																																																															
C3	Prior to the commencement of construction work that would result in the disturbance of any native vegetation, threatened flora and fauna or endangered ecological communities (EECs) and their habitats, the Proponent shall develop an Ecological Monitoring Program to monitor the effectiveness of the biodiversity mitigation measures implemented as part of the SSI. The Program shall be developed by a suitably qualified and experienced ecologist in consultation with the OEH. The Program shall include, but not necessarily be limited to: (a) an adaptive monitoring program to assess the effectiveness of the mitigation measures identified in conditions E3, E4, E5, E7, E8, E9, E10, E11, E12 and E63 (b) and allow amendment to the measures if necessary; (b) monitoring and/or assessment measures for assessing changes in groundwater dependent ecosystems, including impact assessment criteria; (c) identification of appropriate and justified monitoring periods and performance targets against which effectiveness of the mitigation measures will be measured; (d) provision for the assessment of data to identify changes to habitat usage and groundwater dependent ecosystems and if this can be attributed to the SSI activity; (e) details of contingency measures that would be implemented in the event of any exceedance of water quality thresholds which would be injurious to biotic systems and/or species, or changes to the structure and composition of groundwater dependent ecosystems which are directly attributable to the construction or operation of the SSI activity; (f) monitoring protocols for the Hunter Wetland National Park; (g) monitoring protocols for Saltmarsh endangered ecological community and Freshwater Wetland ecological community; (h) monitoring protocols for habitat conditions that support the Green and Golden Bell Frog; (i) mechanisms for developing additional monitoring protocols to assess the effectiveness of any additional mitigation measures implemented to address additional impacts in the case of design amendments or unexpected threatened species finds during construction (where these changes are generally consistent with the biodiversity impacts identified for the SSI in the documents listed under conditions B1 (a) and B1 (c) inclusive; and (j) provision for annual reporting of monitoring results to the Director-General and the OEH, or as otherwise agreed by the Director-General and the OEH. Monitoring shall be undertaken during construction (for construction-related impacts) and upon operation of the SSI (for operation/ongoing impacts) until such time as the effectiveness of mitigation measures can be demonstrated to have been achieved over a minimum of three successive monitoring periods after the commencement of operation, or as otherwise agreed by the Director-General.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.																																																												
<b>Biodiversity Offsets</b>																																																															
C4	In the event that the extent, type or condition of native vegetation communities or flora and fauna habitat are to be lost or degraded as a result of the SSI varies to that described in the documents referred to in condition B1 within twelve months of the commencement of construction, or as otherwise agreed to by the Planning Secretary, the Proponent shall develop and submit a Biodiversity Offset Package for the approval of the Planning Secretary within 12 months of the commencement of construction. The Package shall detail how the ecological values lost as a result of the SSI will be offset. The Package shall be developed in consultation with the EESG and the Hunter LLS and shall include, but not necessarily be limited to:																																																														

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	<p>(a) the objectives and biodiversity outcomes to be achieved;</p> <p>(b) confirmation of the extent (in hectares), types and condition of the native vegetation communities (including SEPP 14 wetlands) and flora and fauna habitat to be lost or degraded as a result of the final design of the SSI, including consideration of the indirect impacts on adjacent retained vegetation and impacts caused through weed invasion, hydrological changes and potential edge effects;</p> <p>(c) a process for addressing and incorporating offset measures arising from changes in biodiversity impacts (where these changes are generally consistent with the biodiversity impacts identified for the SSI in the documents listed under conditions B1(a) to B1(c) inclusive from –</p> <p>(i) changes to the footprint due to design changes,</p> <p>(ii) changes to predicted impacts as a result of changes to mitigation measures, and</p> <p>(iii) identification of additional species/specimens and/or habitat during pre-clearing surveys, construction or the establishment of ancillary facilities);</p> <p>(d) a statement of the methodology used to determine the offsets required;</p> <p>(e) details of the final suite of the biodiversity offset measures selected and secured with consideration of the Biodiversity Offset Strategy (as set out in Appendix G of the document referred to in condition B1 (c));</p> <p>(f) justification for the application of any Tier 2 and Tier 3 outcomes;</p> <p>(g) the final selected means of securing the biodiversity values of the offset package in perpetuity;</p> <p>(h) the management and monitoring requirements for compensatory habitat works (excluding biobanking sites) and other biodiversity offset measures proposed to ensure the outcomes of the Package are achieved including -</p> <p>(i) the monitoring of the condition of species and ecological communities at offset locations (excluding biobanking sites),</p> <p>(ii) the methodology for the monitoring program(s), including the number and location of offset monitoring sites and the sampling frequency at these sites, and</p> <p>(iii) provisions for annual reporting of the monitoring results for a specified period of time as determined in consultation with the EESG; and</p> <p>(i) timing and responsibilities for the implementation of the provisions of the Package.</p> <p>Land offsets shall be consistent with the Principles for the Use of Biodiversity Offsets in NSW and the Interim Policy on Assessing and Offsetting Biodiversity Impacts of Part 3A, State Significant Development (SSD) and State Significant Infrastructure (SSI) Projects (OEH, 2011). Any land offset shall be enduring and be secured by a conservation mechanism which protects and manages the land in perpetuity. Where land offsets cannot solely achieve compensation for the loss of affected biodiversity, additional measures shall be provided to collectively deliver a biodiversity offset in accordance with the Interim Policy on Assessing and Offsetting Biodiversity Impacts of Part 3A, State Significant Development (SSD) and State Significant Infrastructure (SSI) Projects (OEH, 2011) and to provide a positive biodiversity outcome for the region.</p> <p>Where possible, priority shall be given to securing offset sites as near to the location of the impact/loss as possible to assist with the preservation of the specific endemic community of the area and assure that the ecological and amenity benefits of retaining endemic vegetation remain within the locality.</p> <p>Should a conservation agreement under the National Parks and Wildlife Act 1974 not be considered a viable alternative, then the Proponent must ensure that any offset arrangement it enters into in relation to the Northern and Southern offset sites must provide a provision for in-perpetuity conservation title on the land and a monetary contribution sufficient to carry out rehabilitation and monitoring actions pursuant to this consent and any actions outlined under a Vegetation Management Plan. This may be the subject of a Planning Agreement within the meaning of section 93F of the Environmental Planning and Assessment Act 1979. Upon execution of the Planning Agreement, or other conservation mechanism to the satisfaction of the EESG, the Proponent shall inform the Secretary on the outcomes of such an agreement.</p> <p>Should updates to the Nest Box Plan be required in accordance with condition E7, updates shall be undertaken in consultation with EESG.</p>	Compliant	<p>Biobanking credit transfer report, DPIE response to offsite credits. Letters from DPIE (23/6/2016) states satisfaction and endorsement by OEH (letter dated 13/4/2016) subject to final package.</p> <p>Email was sent to Mick Fallon (DPIE) dated 1/9/2018 confirming compliance with condition. No response received from DPIE.</p>	
C5	The Proponent shall ensure that groundwater dependent ecosystems outside the project footprint are not adversely affected by the design, construction and operation of the SSI.	Compliant	Groundwater dependent ecosystems were monitored in accordance with the Ecological Monitoring Program under condition C3. As per condition C3, letter from DPIE dated 19/03/2019, has approved that the requirements have been met and that ecological monitoring has demonstrated that the mitigation measures have been successful in meeting the performance indicators. The letter states that the Secretary has approved the suspension of the ecological monitoring until further notice.	
<b>HYDROLOGY AND HYDROGEOLOGY</b>				
C6	Except as may be provided by an EPL, the SSI shall be constructed and operated to comply with section 120 of the Protection of the Environment Operations Act 1997 which prohibits the pollution of waters.	Compliant	<p>The site is not regulated by an EPL.</p> <p>Annual and quarterly surface water monitoring undertaken by GHD. Monitoring reports sighted for the audit period.</p> <p>2 reportable incidents occurred during the audit period both relating to diesel spills at the TSF. Notifications to EPA were sighted for both incidents (emails dated 1/8/2019 and 20/5/2021).</p> <p>Incidents as follows:</p> <p>14/7/2019 - 2200 L N of maintenance facility. Incident report sighted. Includes actions sampling. Monitoring showed TRH consistent with diesel spill in on site channels. No TRH consistent with spill in Basin 2 - no offsite impacts.</p> <p>2021 incident was notified to EPA, internal Aurizon email sighted dated (20/5/2021) stating received call from the EPA and no incident report was required. No incident report but learnings from previous spill -&gt; excavated and surface scrape fill material and stockpiled impacted fill material, and had classified and disposed of offsite.</p>	
<b>Stormwater Management</b>				
C7	The SSI shall be designed, and employ surface water management techniques, such that runoff volumes, rates and pollutant loads are maintained as far as practicable to pre-construction levels and there are no adverse effects to adjoining lands as a result of runoff. The stormwater design shall be undertaken in consultation with the OEH and City of Newcastle, and shall have consideration of the Newcastle Development Control Plan 2012.	Compliant	<p>2018 Audit confirmed compliance with this condition for the construction of the construction of the SSI. The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management.</p> <p>The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle.</p> <p>During the site inspection surface water management system was observed to be generally contained. No evidence of significant erosion or sedimentation was observed during the site inspection.</p>	
C8	The SSI shall be designed and constructed to incorporate operational stormwater management measures, including (but not limited to): (a) areas of high sediment, areas of storage and use of oil and grease and areas containing nutrient loads (including the wash bays, provisioning sheds and servicing sheds) shall be separated from the general site stormwater system through the use of separate drainage systems, bunds and hardstands and subject to separate discharge to trade waste or re-use in the wash down bays; (b) where connection to the reticulated sewer system is identified to not be feasible, subject to justification based on further investigations, wastewater from the administration buildings, toilets, showers, lunch rooms, etc. shall be managed through a water treatment plant and be disposed via irrigation into existing agricultural pasture land. (c) site stormwater shall be directed into a drain on the western boundary of the SSI site and directed into one of three stormwater detention basins for treatment of suspended sediments and nutrients through floating wetlands, prior to its offsite discharge. This stormwater system shall be capable of treating at least a 1% AEP stormwater event; and (d) access roads shall be provided with road side swales to provide treatment through flow attenuation and entrainment of suspended sediments.	Compliant	<p>2018 Audit confirmed compliance with this condition for the construction of the construction of the SSI.</p> <p>The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle.</p> <p>During the site inspection surface water management system was observed to be generally contained with areas of use of oil and grease isolated from the main stormwater system. No evidence of significant erosion or sedimentation or contamination was observed during the site inspection.</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
C9	<p>Prior to the commencement of construction, the Proponent shall, in consultation with the <b>Water Group</b> and <b>EESG</b>, prepare a Stormwater Management Plan and submit the plan for the approval for the Planning Secretary at least one month prior to the commencement of construction of the SSI. The Plan shall include but not necessarily be limited to:</p> <p>(a) final details of operational stormwater management measures to be implemented for the SSI based on detailed design, including identification of offsite discharge locations;</p> <p>(b) if required, identification of the water quality standards to which wastewater from the wastewater treatment plant would be treated to prior to its irrigation. The plan shall demonstrate that the water quality criteria to which the waste water would be treated to is suitable for irrigation purposes based on the land capability of the irrigation site (including nutrient loads, pH and salinity), considering existing baseline conditions and cumulative inputs from other irrigation sources to the site;</p> <p>(c) identification of the water quality standards to which stormwater from the three stormwater detention basins would be treated to prior to offsite discharge with consideration of the receiving environment and relevant water quality standards such as Managing Urban Stormwater: Environmental Targets (DECC &amp; CMA, October 2007); and</p> <p>(d) monitoring, review and maintenance procedures to assess and maintain the operational stormwater integrity and performance of the SSI consistent with the requirements of condition C19.</p> <p>Nothing in this condition precludes the Proponent from updating the Stormwater Management Plan presented in Appendix E (Stormwater Management Plan) or the document referred to in condition C19 to meet the requirements of this condition.</p> <p><b>Prior to construction of the Turning Angle Works, the Proponent must provide a copy of the revised plan including the Turning Angle Works to the Environmental Representative for approval. The ER may approve minor updates to the plan without further consultation with public authorities.</b></p>	Compliant	<p>2018 Audit confirmed compliance with this condition for the construction of the construction of the SSI.</p> <p><b>Preparation</b> Construction of the Turning Angle commenced on 13 January 2020.</p> <p>Letter confirming ER approval of the Stormwater management plan dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted. The Stormwater Management Plan approved by the ER was incorporated into the Construction Soil and Water Management Plan</p> <p>The current version of the Stormwater Management Plan (v10) applicable to the operation of the TSF and Turning Angle is dated 1/10/2021. The current version of the management plan includes the requirements of this condition:</p> <p>a) Section 3.1 b) Section 3.3 and Section 5.2 c) Section 5.2 refers to the performance criteria detailed in the Surface Water and Groundwater Management Plan. d) Sections 5 and 6.</p> <p><b>Implementation</b> During the site inspection surface water management system was observed to be generally contained with areas of use of oil and grease isolated from the main stormwater system. No evidence of significant erosion or sedimentation or contamination was observed during the site inspection.</p>	Improvement Rec 3: It is recommended that ER approval of management plans includes reference to the version approved.
<b>Groundwater</b>				
C10	Excavation activities near the Hexham Swamp Nature Reserve shall be undertaken in a manner which prevents the drawdown of groundwater within the Nature Reserve to a level which results in desaturation of acid sulfate soils within the Nature Reserve.	Compliant	Groundwater monitoring reports pick up groundwater level. No substantial excavation during the construction of the Turning Angle which would have impacted the groundwater table.	
C11	All drainage structures, including but not limited to pits, pipes, cess drains, sediment basins and detention basins, shall be designed and constructed so as to minimise long term connection with groundwater. The stormwater system components, including but not limited to detention basins and floating wetlands, shall be designed and constructed to ensure that there is no permanent interception of, and/or connection with groundwater.	Compliant	No new basins created as part of the Turning Angle project. Basins all constructed with impermeable clay layers so no connectivity, additional protection against contamination.	
<b>Flooding</b>				
C12	The SSI shall be designed and constructed so that it does not result in flooding impacts greater than those predicted in the documents referred to in condition B1. The cumulative impacts of the SSI and the proposed ARTC Hexham Relief Roads shall be considered in these requirements.	Compliant	<p>Flood modelling undertaken for the TSF and the Turing angle EA. The Flood Assessment Report for Mod 1 (BMT, May 2019) states that: "It is the opinion of BMT that the proposed turning angle does not have significant implications for potential impacts to the existing flood behaviour".</p> <p>There is no requirement to do any verification studies under condition F5 to date as there has been no flooding. Flood Assessment Report for Mod 1 (BMT, May 2019) included consideration of the TSF project and Hexham Relief Roads.</p>	
C13	All buildings or structures below the 10% AEP level shall be constructed of flood compatible materials.	Not triggered	No additional buildings have been constructed during the audit period except the virtual reality room, outside of the 10% AEP level.	
C14	Electrical supply and signalling locations associated with the operation of the SSI shall be elevated above the 1% AEP flood level and include a freeboard of 250 millimetres.	Not triggered	No new electrical supply installed during the audit period. No signalling on the turning angle.	
C15	<p>The Proponent shall prepare a Flood Emergency Management Plan which sets out the management requirements and procedures for managing flood risks during the construction and operation of the SSI, including flood recovery measures. The Plan shall be prepared in consultation with City of Newcastle and <b>EESG</b> and be submitted to the Planning Secretary at least one month prior to the commencement of construction, or as otherwise agreed by the Planning Secretary.</p> <p><b>Prior to construction of the Turning Angle Works, the Proponent must provide a copy of the revised plan including the Turning Angle Works to the Environmental Representative for approval. The ER may approve minor updates to the plan without further consultation with public authorities.</b></p>	Compliant	<p><b>Preparation</b> Construction of the Turning Angle commenced on 13 January 2020.</p> <p>Letter confirming ER approval of the management plan dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted.</p> <p>A subsequent revision of the Flood Emergency Management was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020.</p> <p><b>Implementation</b> Based on site communications, no flooding review reports (required under condition F2) were triggered in the audit period</p>	Improvement Rec 5: It is recommended that ER approval of management plans includes reference to the version approved.
C16	Within 12 months of the commencement of construction, or as otherwise agreed by the Director-General, the Proponent shall consult with the landowner of Lot 100, DP 1044020, to develop feasible and reasonable measures for managing and/or mitigating flood impacts associated with the construction of the SSI to the residence located on the property. The Proponent shall forward a statement of agreed measures, including a timetable for implementation, to the Director-General within one month of reaching an agreement with the landowner. If there is a dispute regarding the proposed flood management measures, either party may refer the matter to the Director-General for resolution whose decision shall be final.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>Watercourse Crossings</b>				
C17	All temporary and permanent watercourse crossings shall be designed in consultation with the NoW, and with the DPI (Aquaculture and Fisheries) where the crossing has the potential to impact on fish passage. Where feasible and reasonable, the crossings shall be consistent with the NoW's Guidelines for Controlled Activities and Policy and Guidelines for Fish Friendly Waterway Crossings (NSW Fisheries, 2004) and Policy for and Guidelines for Design and Construction of Bridges, Roads, Causeways, Culverts and Similar Structures (NSW Fisheries, 1999).	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
C18	The Proponent shall ensure that the upgrade of the Purgatory and Middle Creek crossings are designed to provide an equivalent hydraulic capacity to the existing culverts, not reduce the existing waterway area and to withstand heavy vehicle movements associated with the construction and operation of the SSI. The Proponent shall liaise with the City of Newcastle and the DPI in regards to the design and construction of the crossings.	Not triggered	Prior to the audit period.	
<b>Surface Water and Groundwater Monitoring Program</b>				
C19	<p>A Surface Water and Groundwater Monitoring Program shall be prepared and implemented to monitor impacts on surface water and groundwater quality and hydrology. The Program shall be developed in consultation with the EPA, the Water Group and Hunter LLS and shall include, but not necessarily be limited to:</p> <p>(a) identification of works and activities during construction of the SSI, including emergencies and spill events, that have the potential to impact on surface and groundwater water quality and groundwater depths and flows;</p> <p>(b) identification of surface and groundwater monitoring locations which are representative of the potential extent of impacts from the construction and operation of the SSI on water quality and groundwater depths and flows (including watercourses, waterbodies, wetlands, drainage swales and licensed discharge points);</p> <p>(c) a description of the parameters (including physico-chemical) and standards against which any changes to water quality will be monitored and assessed, having regard to the principles of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000 (ANZECC, 2000);</p> <p>(d) details of representative background monitoring of surface and groundwater quality parameters and groundwater depths and flows undertaken to date (or required to be undertaken) to establish baseline conditions;</p> <p>(e) identification of 'trigger points' for further investigation or action to be taken;</p> <p>(f) identification of the frequency and methodology of monitoring during background, construction and operation monitoring periods;</p> <p>(g) details of how the results of monitoring would be recorded;</p> <p>(h) details of how interactions with the ARTC Hexham Relief Roads Project and potential cumulative impacts would be monitored and managed;</p> <p>(i) contingency and ameliorative measures in the event that adverse impacts to surface waters and groundwater are identified consequent to the construction and/or operation of the SSI; and</p> <p>(j) methodology for reporting of the monitoring results to the Department and EPA.</p> <p>Monitoring shall be undertaken in accordance with the requirements of the approved Construction Soil and Water Management Plan required under Condition E 63(d) and Operation Environment Management Plan required by condition F2.</p> <p>The Program shall be submitted to the <b>Planning Secretary</b> for approval at least one month prior to the commencement of construction of the SSI, or as otherwise agreed by the <b>Planning Secretary</b>.</p> <p><b>Prior to construction of the Turning Angle Works, the Proponent must provide a copy of the revised plan including the Turning Angle Works to the Environmental Representative for approval. The ER may approve minor updates to the plan without further consultation with public authorities.</b></p>	Non-compliant	<p>2018 Audit confirmed compliance with this condition for the construction of the construction of the SSI.</p> <p><b>Preparation</b> Construction of the Turning Angle commenced on 13 January 2020.</p> <p>Letter confirming ER approval of the Surface Water and Groundwater Monitoring Program dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted.</p> <p>A subsequent revision of the Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020.</p> <p>The current version of the Surface Water and Groundwater Monitoring Program (v10) applicable to the operation of the TSF and Turning Angle is dated 30/03/2021. The current version of the monitoring program plan was resubmitted for information to the DPIE on 31 March 2021, with resubmission acknowledged as containing required updates by letter dated 27/04/2021.</p> <p>The latest version of the Monitoring program includes the requirements of this condition:</p> <p>a) N/A to operations, however, it is recommended that the plan identifies key activities which have the potential to impact on water resources. b) Section 2.1 c) Section 2.3 d) Section 2.3 states that performance criteria have been developed utilising baseline data. e) Section 3.2 f) Section 2.1 and 2.4 g) Section 3.1 h) <b>Non-compliance</b>, the monitoring plan does not reference interactions with the Relief Roads project or any methodology for monitoring and managing cumulative impacts. i) Section 3.2 j) Section 3.1</p> <p><b>Implementation</b> Ongoing quarterly monitoring is undertaken for groundwater and surface water. Quarterly monitoring reports have been sighted for the audit period.</p> <p><b>Non-compliance</b> self reported due to one GW monitoring bore not being monitored due to being removed due to construction of TA. The management plan has been updated since this time. No further recommendations.</p>	NC Rec 1: The Surface Water and Groundwater Monitoring Program should be updated to include reference to cumulative impacts and their management as required by Condition C19(h). If cumulative impacts are no longer required to be monitored following the completion of construction the Plan should clarify and justify.
<b>Acid Sulfate Soils</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
C20	The Proponent shall ensure that all acid sulfate soils and acid generating material excavated on site is disposed offsite in an appropriately licensed landfill facility, unless proposed to be re-used on site. Any acid sulphate soils or acid generating material to be re-used on site shall be temporarily stored and treated on site to required standards in an appropriately lined and bunded storage area located above the 1% AEP flood level. Procedures for the treatment, temporary storage and monitoring of these materials shall be in accordance with the Acid Sulfate Soil Management Plan required to be prepared under condition E63 (d) (xi) of this approval.	Compliant	Excavated ASS has been stockpiled and stored on site. Process of the ASS treatment discussed in detail on site. lime on base, lay HDPE, lime then 30cm lifts of HDPE lined after placement and validated, neutralisation with lime, then next lift. Site audit statement dated 2/3/2021 for the turning angle alignment development confirming works in accordance with requirements.	
C21	No acid sulfate soils or acid generating material shall be permanently stored on site, unless the material has been treated and validated as neutralised and the material is stored above the 1% AEP flood level and protected by appropriate erosion and sediment control measures, and as agreed to by the EPA and the Director-General.	Compliant	Excavated ASS has been stockpiled and stored on site. Process of the ASS treatment discussed in detail on site. lime on base, lay HDPE, lime then 30cm lifts of HDPE lined after placement and validated, neutralisation with lime, then next lift. Site audit statement dated 2/3/2021 for the turning angle alignment development confirming works in accordance with requirements.	
<b>HERITAGE</b>				
<b>Aboriginal Heritage</b>				
C22	Prior to the commencement of construction the Proponent shall liaise with Registered Aboriginal Stakeholders on the conclusions and recommendations of the revised heritage assessments presented in Appendices J and K of the document referred to in condition B1 (c) of this approval, in relation to the sites identified as HS1 and HS2. Prior to the commencement of construction the Proponent shall submit evidence to the Director-General and OEH that the final mitigation approach for sites HS1 and HS2 (including opportunity for salvage or agreement that no further mitigation is required) has been determined in consultation with Registered Aboriginal Stakeholders.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>Historic Heritage</b>				
C23	Prior to the commencement of pre-construction and construction activities in the vicinity of the junction of the Minmi to Hexham Railway and the Great Northern Railway, the Proponent shall prepare an Archaeological Assessment in accordance with the Heritage Council's Archaeological Assessments Guideline (1996). Should the assessment identify areas of potential archaeological resources, the Proponent shall further: (a) prepare a Historic archaeological investigation program using a methodology prepared in consultation with the OEH (Heritage Branch), and to the satisfaction of the Director-General. This work should be undertaken by an archaeological heritage consultant as agreed by the Heritage Branch and approved by the Director-General. The nomination for the Excavation Director shall demonstrate ability to comply with the Heritage Council's Criteria for the Assessment of Excavation Directors (July 2011); (b) report on the results of the Historic archaeological investigation program, including recommendations (such as for further archaeological work), in consultation with the Heritage Branch and to the satisfaction of the Director-General, and shall include, but not necessarily be limited to: (i) consideration of measures to avoid or minimise disturbance to archaeology, where archaeology of non-Aboriginal archaeological significance is found to be present, (ii) where impacts cannot be avoided, recommendations for any further investigations for archaeology of historical archaeological significance, and (iii) management and mitigation measures to ensure there are no additional impacts due to pre-construction and construction activities; and (c) undertake any further archaeological excavation works recommended by the results of the Historic archaeological investigation program.  Within 12 months of completing the above work, unless otherwise agreed by the Director-General, the Proponent shall submit a report containing the findings of the excavations, including artefact analysis, and the identification of a final repository for finds, prepared in consultation with the Heritage Branch and to the satisfaction of the Director-General. A copy of the final report shall be submitted to the Heritage Council library.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>HAZARDS AND RISKS</b>				
C24	Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with: (a) all relevant Australian Standards; (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and (c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (EPA, 1997).  In the event of an inconsistency between the requirements listed from (a) to (c) above, the most stringent requirement shall prevail to the extent of the inconsistency.	Compliant	Dangerous goods report being commissioned. Site is self bunded and self contained. Based on site inspection, oil and diesel storages appropriately bunded and safely stored. Refer photos. One empty drum sighted outside of bunded area during site inspection.	Improvement Rec 4: Ensure empty drums are stored in appropriately bunded areas.
<b>WASTE MANAGEMENT</b>				
C25	The Proponent shall ensure that all liquid and/or non-liquid waste generated on the site is assessed and classified in accordance with Waste Classification Guidelines (DECCW, 2009), or any future guideline that may supersede that document, and that it is appropriately handled.	Compliant	Waste is classified by Remondis as they take it and dispose of it. Waste tracking, category breakdowns produced by Remondis monthly. Sighted version dated 2019 and March 2020.	
C26	The Proponent shall maximise the reuse and/or recycling of waste materials generated on site as far as practicable, to minimise the need for treatment or disposal of those materials off site.	Compliant	Waste is segregated, washdown water is recycled, coolant is recycled, Waste segregation sighted during the site inspection, bins labelled, and segregated, scrap steel etc. Refer photos	
C27	The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997, if such a licence is required in relation to that waste. This condition is independent of the operation of the Brancourts facility and Sewerage Treatment Plant.	Not triggered	No wastes are received from offsite.	
C28	All waste materials removed from the site shall be appropriately tracked and shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Compliant	Waste is classified by Remondis as they take it and dispose of it. Waste tracking, category breakdowns produced by Remondis monthly. Sighted version dated 2019 and March 2020.	Improvement Rec 5: Some areas of legacy waste were identified at the site which are recommended for clear up.
<b>UTILITIES AND SERVICES</b>				
C29	Utilities, services and other infrastructure potentially affected by construction of the SSI shall be identified prior to commencement of that part of construction which affects the item, to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the SSI shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The Proponent shall ensure that disruption to any service is minimised and shall be responsible for advising impacted service recipients prior to any planned disruption of service. The cost of any such arrangements shall be borne by the Proponent, unless otherwise agreed with the utility/service provider.	Compliant	Evidence of consultation with ARTC provided, because impacting on ARTC access road. Private landowner access road email consultation sighted dated 25/11/2019.	
C30	Utilities, services and other infrastructure owners to be consulted shall include, but not be limited to, the Hunter Water Corporation, Jemena, Ausgrid, Optus and Brancourts.	Compliant	As above	
<b>PROPERTY AND BUSINESS IMPACTS</b>				
C31	Subject to agreement with the relevant property owner, any damage caused to property or infrastructure as a result of the SSI shall be rectified or the property owner compensated, within a reasonable timeframe, with the costs borne by the Proponent. This condition is not intended to limit any claims that the property owner may have against the Proponent.	Not triggered	Based on site communications there have been no damage and no claims.	
<b>ACCESS</b>				
C32	The Proponent shall not affect or alter any existing access routes currently in place between the OEH (NPWS) and landowners to the Hexham Swamp Nature Reserve, unless otherwise agreed to by the NPWS and landowners.	Compliant	No access has been prevented. Main site access gate is after the nature reserve access.	
C33	The Proponent shall provide a new private access track (consistent with that described in the document referred to in condition B1(c)) to service properties located to the west and south of the SSI. The access track shall utilise existing track footprints where practical.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
C34	The SSI shall be designed so as not to preclude future pedestrian access across the site from the Hexham Railway Station to future industrial uses on the adjoining site.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
C35	The SSI shall be designed and constructed with the objective of minimising adverse changes to existing access arrangements and services for other transport modes (including pedestrians and cyclists) and, where feasible and reasonable, facilitate an improved level of access and service to other transport modes comparable to the existing situation.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
C36	The SSI shall be designed to not preclude the location of identified future proposals, including the future Richmond Vale Rail Trail and the F3 Freeway to Raymond Terrace upgrade. In particular, any changes to the F3 Freeway to Raymond Terrace upgrade concept design, necessitated by the SSI, shall be at the Proponent's cost except where those changes are as a result of works outside of the F3 Freeway to Raymond Terrace footprint identified in B1.	Compliant	The construction of the turning angle has been as per the approved design in the EIS.	
<b>LIGHTING</b>				
C37	The Proponent shall ensure, where practicable, that all external lighting associated with the construction and operation of the SSI is mounted, screened and directed in such a manner so as not to create nuisance to residences. The lighting shall be the minimum level of illumination necessary and shall comply with the Australian Standard AS 4282:1997 – Control of the Obtrusive Effects of Outdoor Lighting and relevant Australian Standards in the series AS/NZ 1158 – Lighting for Roads and Public Spaces.	Compliant	No new lighting has been installed as part of turning angle. No lighting complaints have been received during the audit period.	
<b>LANDSCAPING</b>				
C38	The Proponent shall undertake tree planting, where practicable, to screen views of the site from residences to the north and west of the site and from the viewpoints from the Pacific and New England Highways and the Hexham industrial/commercial area.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>COMMUNITY CONTRIBUTIONS</b>				
C39	The Proponent must ensure that any voluntary arrangement it enters into with the City of Newcastle, in relation to the provision of a monetary contribution or other material public benefit, which is to be applied to a public purpose, is the subject of a Planning Agreement within the meaning of section 93F of the EP&A Act. Upon execution of any Planning Agreement, the Proponent shall inform the Director-General on the outcomes of such an agreement.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>SCHEDULE D COMMUNITY INFORMATION, REPORTING AND AUDITING</b>				
<b>COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT</b>				
Community Involvement				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
D1	<p>The Proponent shall prepare and implement a Community Communication Strategy for the SSI. The Strategy shall be designed to provide mechanisms to facilitate communication between the Proponent (and its contractors), the Environmental Representative, City of Newcastle and the local community (broader and local stakeholders) on the detailed design, construction and environmental management of the SSI. The Strategy shall include, but not necessarily be limited to:</p> <p>(a) identification of stakeholders to be consulted as part of the Strategy, including affected and adjoining landowners;</p> <p>(b) procedures and mechanisms for the regular distribution of information to stakeholders on the progress of the SSI and matters associated with environmental management;</p> <p>(c) procedures and mechanisms through which stakeholders can discuss or provide feedback to the Proponent and/or Environmental Representative in relation to the environmental management and delivery of the SSI;</p> <p>(d) procedures and mechanisms through which the Proponent can respond to any enquires or feedback from stakeholders in relation to the environmental management and delivery of the SSI; and</p> <p>(e) procedures and mechanisms that would be implemented to resolve any issues/disputes that may arise between parties on the matters relating to the environmental management and delivery of the SSI. This may include the use of an appropriately qualified and experienced independent mediator.</p> <p>Key issues to be addressed in the Community Communication Strategy should include, but not necessarily be limited to:</p> <p>(a) traffic management (including construction access and construction vehicle management);</p> <p>(b) noise and vibration mitigation and management;</p> <p>(c) erosion, sedimentation and stormwater management;</p> <p>(d) surface and groundwater management;</p> <p>(e) air quality; and</p> <p>(f) construction scheduling and progress on construction activities.</p> <p>The Proponent shall maintain and implement the Strategy throughout construction of the SSI. The Strategy shall be submitted to the Planning Secretary for approval at least one month prior to the commencement of construction, or as otherwise agreed to by the Planning Secretary.</p> <p><b>Prior to construction of the Turning Angle Works, the Proponent must provide a copy of the revised plan including the Turning Angle Works to the Environmental Representative for approval. The ER may approve minor updates to the plan without further consultation with public authorities.</b></p>	Compliant	<p>Preparation Construction of the Turning Angle commenced on 13 January 2020.</p> <p>Letter confirming ER approval of the CCS dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted.</p> <p>Implementation During construction Consultation with Mick Hain undertaken verbally with a follow up email. Example email dated 14/01/2021 sighted.</p> <p>Consultation with regard to upgraded access road dated 24/04/2020.</p> <p>Pre construction Sighted meeting minutes of landowner meeting from 7/12/2018 prior to EA for TA to discuss issues.</p>	
<b>Community Involvement</b>				
D2	<p>Prior to the commencement of construction, the Proponent shall ensure that the following are available for community complaints and enquiries for the duration of construction:</p> <p>(a) a 24 hour telephone number(s) on which complaints and enquiries about the construction and operation of the SSI may be registered;</p> <p>(b) a postal address to which written complaints and enquiries may be sent;</p> <p>(c) an email address to which electronic complaints and enquiries may be transmitted; and</p> <p>(d) a mediation system for complaints unable to be resolved.</p> <p>The telephone number, the postal address and the email address shall be published in newspaper(s) circulating in the local area both prior to the commencement of construction and prior to the commencement of operation. The above details shall also be provided on the website (links or dedicated pages) required by this approval.</p> <p>Nothing in this condition precludes the Proponent from incorporating the requirements of this condition into, or utilising, an existing complaints and enquiries procedure administered by the Proponent, provided it is demonstrated to meet the requirements of this condition.</p>	Compliant	<p>Evidence of publication in Newcastle Herald 9 December 2019.</p> <p>Complaints line viewed on the website.</p>	
D3	<p>The Proponent must prepare and implement a Complaints Management System consistent with AS 4269 Complaints Handling prior to the commencement of construction activities and must maintain the System for the duration of construction and for up to 12 months following completion of construction of the SSI.</p> <p>Information on all complaints received, including the means by which they were addressed and whether resolution was reached and whether mediation was required or used, must be maintained by the Proponent and included in a complaints register. The information contained within the System must be made available to the Director- General on request.</p> <p>Nothing in this condition precludes the Proponent from incorporating the requirements of this condition into, or utilising, an existing complaints management system administered by the Proponent, provided it is demonstrated to meet the requirements of this condition.</p>	Compliant	<p>Complaints register sighted, Aurizon overall complaints in sharepoint.</p> <p>No complaints received for Hexham.</p> <p>Includes complaints, complainee name, contact, nature of enquiry</p> <p>Open complaints reported to the board every month.</p>	
<b>Provision of Electronic Information</b>				
D4	<p><b>A website providing information in relation to the SSI must be established before commencement of works and maintained for the duration of construction. Up-to-date information (excluding confidential commercial information) must be published before the relevant works commence+E67+A108:C108+B108:C108+C108</b></p>	Compliant	<p><a href="https://www.aurizon.com.au/what-we-deliver/projects/hexham-turning-angle">https://www.aurizon.com.au/what-we-deliver/projects/hexham-turning-angle</a></p>	
<b>COMPLIANCE TRACKING</b>				
D5	<p><b>No later than 4 weeks before the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Requirements (Department 2018) must be endorsed by the ER and submitted to the Department.</b></p>	Non-compliant	<p>Preparation Construction of the Turning Angle commenced on 13 January 2020.</p> <p>Letter confirming ER approval of the Compliance Monitoring and Report Program dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted.</p> <p>Report was submitted on Thursday 19 December 2019, construction for turning angle commenced on Monday 13 January 2020. 3 days outside of 4 week period.</p>	NC Rec 2: Establish (or review) system to ensure required submissions to regulatory authorities are completed by the relevant due dates.
D5A	<p><b>Compliance reports of the SSI must be carried out in accordance with the Compliance Reporting Requirements (Department 2018). The Department must be notified of the commencement dates of construction and operation of the SSI in the pre-construction and pre-operational compliance reports.</b></p>	Compliant	<p>Construction start date informed in the preconstruction compliance report. Automatic reply from the portal dated 13/1/2021.</p> <p>Email from HE to compliance team dated 13/1/2020 with submission of pre-compliance report.</p>	
D5B	<p><b>The construction compliance report must provide details of any review of, and minor amendments made to, the CEMP (which must be approved by the ER), resulting from construction carried out during the reporting period.</b></p>	Compliant	<p>Reporting period management plan updates reported in table 4 of the compliance reports</p>	
D5C	<p><b>The Proponent must make each compliance report publicly available and notify the Department in writing when this has been done.</b></p>	Compliant	<p>All reports available on the website and notification cover letter sighted satisfying this condition as notifying. Example dated 4 May 2020 sighted.</p>	
D5D	<p><b>The Compliance Monitoring and Reporting Program in the form required under Condition A30 of this approval must be implemented for the duration of construction and for a minimum of one (1) year following commencement of operation, or for a longer period as determined by the Planning Secretary based on the outcomes of independent audits and regular compliance reviews submitted through Compliance Reports. If staged operation is proposed, or operation is commenced of part of the SSI, the Compliance Monitoring and Reporting Program must be implemented for the relevant period of each stage or part of the SSI.</b></p>	Compliant	<p>Evidence of the implementation of the compliance monitoring and reporting program has been sighted in the form of:</p> <ul style="list-style-type: none"> <li>- Operation and construction compliance reports for the audit period</li> <li>- Quarterly and annual monitoring reports</li> <li>- internal compliance audits</li> <li>- inspection reports</li> </ul> <p>Note: the condition incorrectly refers to condition A30.</p>	
<b>Incident Reporting</b>				
D6	<p><b>The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Proponent becomes aware of an incident. The notification must identify the SSI (including application number and the name of the SSI), and set out the location and nature of the incident.</b></p>	Compliant	<p>2 incidents occurred during the audit period both relating to diesel spills at the TSF.</p> <p>Incidents as follows: 14/7/2019 - 2200 L N of maintenance facility. Incident report sighted. Includes actions sampling. Monitoring showed TRH consistent with diesel spill in on site channels. No TRH consistent with spill in Basin 2 - no offsite impacts.</p> <p>2021 incident was notified to EPA, internal Aurizon email sighted dated (20/5/2021) stating received call from the EPA and no incident report was required. No incident report but learnings from previous spill -&gt; excavated and surface scrape fill material and stockpiled impacted fill material, and had classified and disposed of offsite.</p> <p>Precautionary notifications to EPA were sighted for both incidents (emails dated 1/8/2019 and 20/5/2021) however, no notifications were provided to the DPIE. This condition was found non-compliant in the 2018 IEA and the OEMP was updated to clarify that notification to DPIE would only be made for offsite impacts with section 5.2 updated as follows:</p> <p><b>As required by Condition D6 of the Approval the DPI&amp;E shall be notified of any Pollution Incident which has caused or has the potential to cause offsite Material Harm to the environment within 24 hours of being identified. A supplementary incident report will be issued to the DPI&amp;E within 7 days.</b></p> <p>Based on consultation with site personnel, and the findings and responses of the previous audit it is considered that the notification procedure in the approved OEMP has been followed and this condition is compliant.</p>	
D7	<p>The Proponent shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition D6, within such period as the Director-General may require</p>	Not triggered	<p>Given that the DPIE were not notified of the above incidents, not reporting requirements were required by DPIE. Directions of the EPA were followed.</p>	
Note	<p>Note: Nothing in this approval removes the Proponent's obligation under Section 148 of the Protection of the Environment Operations Act 1997 to notify the appropriate regulatory authority (as defined under Section 6 of the Protection of the Environment Operations Act 1997) where a pollution incident occurs in the course of the development so that material harm to the environment is caused or threatened</p>	Note		
<b>SCHEDULE E CONSTRUCTION ENVIRONMENTAL MANAGEMENT</b>				
<b>BIODIVERSITY</b>				
<b>Clearing</b>				
E1	<p>The Proponent shall ensure that clearing of native vegetation and infilling of SEPP 14 Wetland No. 833 is limited to the minimal extent required for the construction and operation of the SSI, and no greater than 12 hectares (including SEPP 14 wetlands).</p>	Not triggered	<p>As per condition B4A, this condition is not applicable to the Turning Angle Works.</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
E2	The Proponent shall implement all mitigation measures as identified in the Construction Flora and Fauna Management Plan (condition E63 (b)), to minimise the potential for damage to native vegetation (particularly threatened species and endangered ecological communities and their habitat) not proposed to be cleared as part of the SSI, to ensure that there is no incursion into, or clearing of the vegetation.	Compliant	Pre-clearing survey as part of the turning angle - Jacobs 20/12/2019. No trees were knocked and all movements restricted to project boundary.	
E3	The Proponent shall mark areas of endangered ecological communities and threatened species habitat not to be impacted by the SSI with flagging tape or similar prior to commencing construction to ensure that there is no incursion into or clearing of the areas.	Not triggered	Not in the vicinity of the EEC. No EECs inside the project boundary.	
E4	Any areas temporarily disturbed during construction (including access tracks and compound sites) shall be rehabilitated to a standard equal to or better than the existing condition, as soon as feasible and reasonable following the completion of construction activities in the affected location. Replanting of affected vegetation shall be undertaken using locally occurring native species.	Compliant	Stockpile areas and access tracks, ripped and reseeded etc. Based on the site inspection there is no obviously remnant disturbance remaining from the TA construction.	
E5	The Proponent shall ensure that any coarse woody debris removed from the site, including timber from felled trees (particularly hollow bearing timber), shall be relocated to the Northern Offset site as identified in Appendix G of the document referred to in condition B1 (c) of this approval, for the enhancement of the ecological values of that site.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>Pre-clearing surveys</b>				
E6	Prior to construction, pre-clearing surveys and inspections for threatened flora and fauna species and habitat features (including hollow bearing trees) shall be undertaken. The surveys and inspections, and any subsequent relocation of species, shall be undertaken under the guidance of a suitably qualified and experienced ecologist. The methodology for pre-clearance surveys shall be incorporated into the Construction Flora and Fauna Management Plan (condition E63(b)).  <b>The Proponent is to undertake pre-clearing surveys prior to commencement of construction of the Turning Angle Works.</b>	Compliant	Pre-clearing survey as part of the turning angle - Jacobs 20/12/2019. No trees were knocked and all movements restricted to project boundary.	
E7	Should pre-clearing surveys reveal the need to remove tree hollows to construct and/or operate the SSI, the Proponent shall consider the need for the preparation of a <b>Nest Box Plan</b> . If a Plan is required, it shall be included as part of the Biodiversity Offset Package required by condition C4 and detail the number and type of nest boxes to be installed, which shall be justified based on the number and type of hollows removed, the density of hollows in the area to be cleared and in adjacent areas, and the availability of adjacent food resources. The Plan shall also consider the relocation of any hollows removed from the site to provide for potential nesting habitat. The Plan shall also provide details of maintenance protocols for any nest boxes installed including responsibilities, timing and duration.	Not triggered	No trees were knocked and all movements restricted to project boundary.	
<b>Litoria aurea (Green and Golden Bell Frog)</b>				
E8	The Proponent shall prepare a management plan that identifies the strategies that would be implemented in the event that the Green and Golden Bell Frog is identified during construction. The plan shall be developed in consultation with the OEH and include details on the mitigation measures to be implemented to minimise the risk to this species, including direct and indirect impacts to its habitat. The plan is to be submitted to the Director-General at least one month prior to construction, unless otherwise agreed by the Director-General. Nothing in this condition precludes the inclusion of this plan in the Flora and Fauna Management Plan (condition E63(b)).	Compliant	Preparation Letter confirming ER approval of the Construction Flora and Fauna Management Plan dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted. Flora and Fauna Management Plan contains Green and Golden Bell Frog Management Plan as Attachment E addressing these requirements. It is noted that there was no requirement for resubmission of this plan for the Turning Angle Works.	
E9	In the event that the Green and Golden Bell Frog is identified to occur during construction, all work in the vicinity of the sighting shall stop to the extent necessary to allow the procedures set out in the management plan (condition E8) to be implemented.	Not triggered	Based on site correspondence there were no sightings during construction	
<b>Flora and Fauna Mitigation Measures</b>				
E10	In the event that other threatened fauna or flora species are identified during construction, all work in the vicinity of the sighting shall stop and management measures to minimise the risk to the species implemented in accordance with the procedure required by condition E63 (b)(iv).	Not triggered	Based on site correspondence there were no sightings during construction	
E11	The Proponent shall implement measures to minimise impacts to fauna species and their habitat as far as practicable (and where feasible and reasonable), during the construction of the SSI, including: (a) protocols for the removal and relocation of fauna during clearing, including a two-stage clearing strategy; (b) establishing "no go" zones, including at freshwater wetland and coastal saltmarsh sites outside of the construction zone; (c) provision of setbacks; (d) presence of a suitably qualified and experienced ecologist to oversee clearing activities and facilitate fauna rescues and relocation; (e) timing construction to be outside of the breeding season of threatened species with the potential to occur on the site; (f) maintaining and reinstating habitat features (such as large woody debris, bush rock, leaf litter/mulch and topsoil etc.); (g) developing measures for minimising the incidence of fauna being trapped in excavation cells (such as minimising the length of time that cells are left exposed) and measures to deal with trapped or injured fauna; (h) implementing drainage controls to prevent the extension of Gambusia holbrooki (Eastern Mosquitofish) into the Hexham Swamp Nature Reserve; and (i) progressive re-vegetation of areas temporarily disturbed by construction.  <b>The Proponent is to implement the specific flora and fauna mitigation measures prior to commencement of construction of the Turning Angle Works.</b>	Compliant	Construction was complete at the time of the site inspection. Based on the construction compliance assessments, this condition was not triggered. The Construction Flora and Fauna Management Plan lists the appropriate control as per this condition.	
E12	Where reasonable and feasible, all private access tracks and internal service roads are to be at least 50 metres from SEPP 14 wetlands and the Hexham Swamp Nature Reserve, <b>unless this is in conflict with condition C33</b> , or as otherwise agreed by the <b>Planning Secretary</b> , or as specified at an alternative distance in the documents listed under conditions B1 (c) of this approval.	Compliant	Based on maps provided and site inspections the access tracks at the southern boundary of the site are within 50m of the SEPP14 wetlands at some points. However, as per the approved Turning Angle EIS (Ethos Urban, 2019) "The access tracks located along the southern boundary of the LITTSF site are existing and will be upgraded as part of the works. These tracks are necessary to provide access to the turning angle and also to provide access to properties to the south of the site."	
<b>HERITAGE</b>				
<b>Aboriginal Heritage</b>				
E13	During detailed design and construction of the SSI, impacts to Aboriginal objects shall, where feasible and reasonable, be avoided and minimised, under the guidance of an appropriately qualified archaeological heritage consultant. Where impacts are unavoidable, works shall be undertaken in accordance with the strategy outlined in the Construction Heritage Management Plan (condition E63(e)).	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E14	Prior to the commencement of pre-construction and/or construction activities, the Proponent shall provide registered Aboriginal stakeholders with the opportunity to collect the shell material located in fill material near the southern end of the proposed SSI and for the material to be lodged in a keeping place in accordance with condition E63 (e)(i)(v).	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E15	Prior to the commencement of pre-construction and/or construction activities that will impact on HS1 and HS2, the Proponent shall provide for an appropriately qualified archaeological heritage consultant and registered Aboriginal stakeholders to record and collect any surface artefacts which would be affected by the construction of the SSI. The artefacts shall be lodged in a keeping place as identified under condition E63 (e)(j)(v).	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E16	The Proponent shall erect a protection zone around the rise of land near to Woodlands Close to prevent incursion into the HS1 area during the pre-construction and construction phases of the SSI. The area to be protected shall be delineated in consultation with the registered Aboriginal stakeholders and an appropriately qualified archaeological heritage consultant.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>Historic Heritage</b>				
E17	The Proponent shall prepare an Interpretation Plan to ensure that the proposed plaque and salvaged building materials are used appropriately and placed in appropriate locations to ensure that the sites users are able to understand and appreciate the sites history and heritage. The Interpretation Plan will be prepared by an appropriately qualified interpretation specialist and will be submitted to the Heritage Council for review prior to the installation of these interpretive features.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>NOISE AND VIBRATION</b>				
<b>Construction Hours</b>				
E18	Construction activities (including the delivery of materials) associated with the SSI shall be undertaken during the following standard construction hours: (a) 7:00 am to 6:00 pm Mondays to Fridays, inclusive; and (b) 8:00 am to 1:00 pm Saturdays; (c) at no time on Sundays or public holidays.	Non-compliant	Out of hours work protocols are listed in Section 4.2 of the CNVMP.  As reported in 2020 construction compliance report 6 - Section 3.2, non-compliance due to work being undertaken on the Saturday outside of prescribed construction hours without an approved Out of Hours Work application being in place. Work was of a low intensity and consisted of laying of sleepers and rail which typically generates minimal noise emissions.	Construction Complete - No further recommendations
E19	Construction activities (including the delivery of materials) outside of the prescribed construction hours identified in condition E18 may be undertaken in the following circumstances: (a) construction works where the cumulative air-borne noise generated is: (i) no more than 5 dB(A) above the rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and (ii) no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive receivers; (b) where a negotiated agreement has been reached with affected receivers as the prescribed noise and vibration levels cannot be achieved; (c) for the delivery of materials required outside these hours by the NSW Police Force, RMS or other authorities for safety reasons; (d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or (e) works approved through an EPL (including rail possessions) and in accordance with an out-of-hours works procedure.	Compliant	Out of hours work protocols are listed in Section 4.2 of the CNVMP. Example completed Out Of hours Works application forms sighted for Saturday works on 20/6/2020 and Saturday and Sunday works on 18-19/07/2020. Signed off by the ER.  As per condition E18 above, non-compliance identified with regard to unapproved works being undertaken outside of standard hours, however based on site correspondence and the information presented in the 2020 construction compliance report 6 - Section 3.2, this was unlikely to have resulted in noise impacts. No complaints were received as a result of the activities.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
E20	Except as expressly permitted by an EPL, high noise impact activities and works resulting in impulsive or tonal noise emissions (such as rock braking, rock hammering and pile driving) shall only be undertaken: (a) between the hours of 8:00 am to 5:00 pm Monday to Friday; (b) between the hours of 8:00 am to 1:00 pm Saturday; and (c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. For the purposes of this condition 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work which is the subject of this condition.	Compliant	The site is not regulated by an EPL. Out of hours work protocols are listed in Section 4.2 of the CNVMP. Example completed Out Of Hours Works application forms sighted for Saturday works on 20/6/2020 and Saturday and Sunday works on 18-19/07/2020. Signed off by the ER. Out of hours activities were not considered to be high noise impact activities.  As per condition E18 above, noncompliance identified with regard to unapproved works being undertaken outside of standard hours, however based on site correspondence and the information presented in the 2020 construction compliance report 6 - Section 3.2, this was unlikely to have resulted in noise impacts. No complaints were received as a result of the activities.	
<b>Construction Noise and Vibration</b>				
E21	The Proponent shall implement all reasonable and feasible noise mitigation measures with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). Any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Plan required under condition E63 (c) of this approval.  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 levels.	Compliant	This condition was compliant during the construction of the turning angle, based on the Construction Compliance Reports: - Construction Compliance Report 1 dated 3/3/2020 - Construction Compliance Report 2 dated 11/3/2020 - Construction Compliance Report 3 dated 7/4/2020 - Construction Compliance Report 4 dated 4/5/2020 - Construction Compliance Report 5 dated 17/6/2020 - Construction Compliance Report 6 dated 31/7/2020 and - Pre Operation Compliance Report dated 22/7/2020  It is noted that the CNVMP does not require ongoing noise and vibration monitoring except in response to community complaints. Based on the information provided, there were no complaints during the construction of the turning angle.	
E22	The SSI shall be constructed with the aim of achieving the following construction vibration goals and ground-borne noise levels: (a) for structural damage vibration, the vibration limits set out in the German Standard DIN 4150 Part 3-1999 Structural Vibration in Buildings - Effects on Structures; (b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: A Technical Guideline (DEC, 2006); and (c) the ground-borne noise levels set out in the Interim Construction Noise Guideline (DECC, 2009).	Compliant	This condition was compliant during the construction of the turning angle, based on the Construction Compliance Reports: - Construction Compliance Report 1 dated 3/3/2020 - Construction Compliance Report 2 dated 11/3/2020 - Construction Compliance Report 3 dated 7/4/2020 - Construction Compliance Report 4 dated 4/5/2020 - Construction Compliance Report 5 dated 17/6/2020 - Construction Compliance Report 6 dated 31/7/2020 and - Pre Operation Compliance Report dated 22/7/2020  It is noted that the CNVMP does not require ongoing noise and vibration monitoring except in response to community complaints. Based on the information provided, there were no complaints during the construction of the turning angle.	
E23	Wherever feasible and reasonable, piling activities shall be undertaken using quieter alternative methods than impact or percussion piling, such as bored piles or vibrated piles.	Not triggered	This condition was not triggered during the construction of the turning angle, based on the Construction Compliance Reports: - Construction Compliance Report 1 dated 3/3/2020 - Construction Compliance Report 2 dated 11/3/2020 - Construction Compliance Report 3 dated 7/4/2020 - Construction Compliance Report 4 dated 4/5/2020 - Construction Compliance Report 5 dated 17/6/2020 - Construction Compliance Report 6 dated 31/7/2020 and - Pre Operation Compliance Report dated 22/7/2020	
E24	The Proponent shall identify and consult with potentially-affected community, religious, educational institutions and vibration-sensitive businesses and critical working areas, including the Church on Old Maitland Road, Hexham, and where feasible and reasonable ensure that noise generating construction works in the vicinity of the receivers are not timetabled during sensitive periods, unless appropriate other arrangements are made.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E25	During construction, Proponents of other construction works in the vicinity of the SSI shall be consulted, and feasible and reasonable steps taken to coordinate works to minimise impacts on, and maximise respite for, affected sensitive receivers.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>Rail Possessions</b>				
E26	The Proponent shall prepare and implement a management plan for each rail possession where construction works are being undertaken. The Plan shall include, but not be limited to: (a) a description of the works to be undertaken during the rail possession; (b) justification for the works to be undertaken during the possession, including reasons as to why the works are unable to be undertaken during standard construction hours; (c) timing and duration of the possession; (d) an out-of-hours work (OOHW) protocol for the assessment, management and approval of works outside of standard construction hours as defined in condition E18 including a risk assessment process under which an Environmental Representative may approve out-of-hour construction activities deemed to be of low environmental risk and refer high risk works for the Director-General's approval. The OOHW protocol shall detail standard assessment, mitigation and notification requirements for high and low risk out-of-hour works, and detail a standard protocol for referring applications to the Director-General; (e) a construction noise impact statement detailing the predicted noise levels, and specific management measures in relation to properties where noise levels are predicted to exceed the noise criteria in the Interim Construction Noise Guidelines (DECC, 2009); and (f) a consultation and notification process for affected sensitive receivers.  The Plan shall be submitted to the Director-General at least one month prior to the rail possession, unless otherwise agreed by the Director-General.  Works undertaken during a rail possession shall be limited to those necessary to facilitate critical work on or in the immediate vicinity of the rail line which cannot otherwise be undertaken due to safety issues and/or track reliability.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>SOIL, WATER QUALITY AND HYDROLOGY</b>				
<b>Sedimentation and Erosion</b>				
E27	Fluvial geomorphology, soil and water management measures consistent with the recommended mitigation measures in Appendix E of the document referred to in condition B1 (c) and the measures in Managing Urban Stormwater - Soils and Construction Volumes 1 and 2, 4th Edition (Landcom, 2006) shall be employed prior to and during the construction of the SSI (including prior to clearing) to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.	Compliant	Construction was complete at the time of the site inspection. Based on the construction compliance assessment reports, erosion and sediment controls were progressively installed from the commencement of construction until the March 2021 reporting period. Following this, maintenance of the erosion and sediment controls was undertaken until the completion of construction  Photographs in compliance reports and provided during the audit indicate appropriate erosion and sediment controls	
E28	Facilities shall be provided (including at all exit points leading onto public roads) to minimise tracking mud, dirt or other material onto a public road or footpath. In the event of any spillage, the Proponent shall remove the spilled material as soon as practicable within the working day of the spillage.	Compliant	Letter from Aurizon to DPIE dated 11/3/2020 requesting DPIE confirmation that they are satisfied with the existing operational controls to prevent the tracking of material offsite. DPIE response by email dated 13/3/2021 confirmed satisfaction.	
E29	Where reasonable and feasible, the Proponent shall undertake the upgrade of waterway crossing during periods of dry weather.	Not triggered	This condition was not triggered during the construction of the turning angle, based on the Construction Compliance Reports: - Construction Compliance Report 1 dated 3/3/2020 - Construction Compliance Report 2 dated 11/3/2020 - Construction Compliance Report 3 dated 7/4/2020 - Construction Compliance Report 4 dated 4/5/2020 - Construction Compliance Report 5 dated 17/6/2020 - Construction Compliance Report 6 dated 31/7/2020 and - Pre Operation Compliance Report dated 22/7/2020	
<b>Contamination</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
E30	Prior to the commencement of construction the Proponent shall undertake further investigations as recommended in the Remediation Action Plan included in Appendix H of the document referred to in condition B1 (c), to confirm the presence of contaminants on site, based on detailed design requirements. Upon confirmation of the contaminated areas on site, the Proponent shall update the Remediation Action Plan as required to take into account any new or updated procedures relevant to any new areas of contamination identified and remediate the identified sites in accordance with the updated Remediation Action Plan, prior to the commencement of construction in the impacted areas.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E31	Where unexpected contaminated materials are identified during construction works, these materials would be identified, managed, treated and disposed of in accordance with the procedures outlined in the updated <b>Site Management Plan</b> . Where required, the Proponent shall engage a suitably qualified contaminated land consultant to prepare an addendum to the Validation Report referred to in condition E33, to cover the additional areas of contamination identified and additional remediation measures undertaken. The Proponent shall also engage an accredited NSW Site Auditor to prepare an updated Site Audit Report to assess the addendum Validation Report and submit a copy of both reports to the <b>Planning Secretary</b> and City of Newcastle.	Compliant	Section 2.1.12 of the Construction Contamination Management Plan lists the unexpected finds procedure for the turning angle works. Site Audit Report 0503-2004 and Site Audit Statement dated 2 March 2021 prepared by JBS&G Australia Pty Ltd. Email dated 3 March 2021 from Aurizon sighted evidencing submission to DPIE and NCC.	
E32	Prior to the reuse of ballast, chitter or tailings within the existing railway corridor, the Proponent shall undertake sampling and testing of the materials to establish whether: (a) the materials are of a quality suitable for the intended reuse; and (b) the removal and reuse of the materials would not result in contaminated runoff. Materials that are not suitable for reuse are to be classified in accordance with the Waste Classification Guidelines (DECCW, 2009) or any superseding document.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E33	The Proponent shall engage a suitably qualified contaminated land consultant to prepare a Validation Report upon completion of the remediation of the areas identified in the Remediation Action Plan. The Validation Report shall verify that the site has been remediated in accordance with the Remediation Action Plan (if and as amended) and to a standard consistent with the intended land use. The Proponent shall engage an accredited NSW Site Auditor to prepare a Site Audit Report to determine the appropriateness of the Validation Report. The Validation Report and Site Audit Report shall be submitted to the <b>Planning Secretary within six months of completion of remediation works</b> . A copy of the reports shall also be submitted to the City of Newcastle for its information.	Non-compliant	Site Audit Report 0503-2004 and Site Audit Statement dated 2 March 2021 prepared by JBS&G Australia Pty Ltd. Email dated 3 March 2021 from Aurizon sighted evidencing submission to DPIE and NCC. Based on the pre-operation compliance report, remediation works were complete as at the end of the reporting period dated 23 July 2020. Submission of the validation report outside of required 6 month period.	NC Rec2: Establish (or review) system to ensure required submissions to regulatory authorities are completed by the relevant due dates.
<b>Riparian and Aquatic Ecology</b>				
E34	Impacts to riparian areas shall be minimised to the greatest extent practicable. Riparian vegetation in and around watercourses affected by the construction of the SSI shall be restored and rehabilitated in consultation with NoW and DPI (Aquaculture and Fisheries). Restoration and rehabilitation measures, including timeframes and reporting on completion of works, shall be included in the <b>Construction Flora and Fauna Management Plan as required by (condition E63(b))</b> .	Not triggered	This condition was not triggered during the construction of the turning angle, based on the Construction Compliance Reports.	
E35	Construction activities undertaken in and around watercourses (including creek crossings) shall be consistent with the relevant NoW's Guidelines for Controlled Activities, including, but not limited to, 'In-stream Works', 'Outlet Structures', 'Riparian Corridors', 'Vegetation Management Plans', and 'Watercourse Crossings', or any guidelines which supersede these documents.	Not triggered	This condition was not triggered during the construction of the turning angle, based on the Construction Compliance Reports.	
E36	The Proponent shall schedule earthworks and any works on hydraulic controls to ensure that connection between the Hunter River and Hexham Swamp floodplain is retained throughout construction.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>Flooding</b>				
E37	The Proponent shall ensure that all fuels, dangerous goods and hazardous substances used in the construction of the SSI are stored in bunded locations above the 1% AEP flood level, unless otherwise agreed by the Director-General.	Compliant	Based on the site inspection, all fuels and hazardous materials were observed to be appropriately stored in bunded areas. All	
E38	The Proponent shall ensure that all areas used for the storage and treatment of acid sulfate soils during construction of the SSI are located or elevated above the 1% AEP flood level, unless otherwise agreed by the Director-General.	Compliant	Based on the site plans and the 1% AEP flood conditions presented in figure 4 of the HEXHAM TRAIN SUPPORT FACILITY TURNING ANGLE – FLOOD ASSESSMENT dated 27/5/2019, the Acid Sulphate soil treatment pad was located above the 1% flood level.	
<b>Groundwater</b>				
E39	Changes to hydrogeology, including groundwater depths, interception and connection with surface water, shall be minimised to the greatest extent practicable.	Compliant	Based on the construction compliance reports, this was compliant at the completion of construction. As per condition, C10, Groundwater monitoring reports pick up groundwater level. No substantial excavation during the construction of the Turning Angle which would have impacted the groundwater table or resulted in changes to hydrogeology.	
E40	Dewatered groundwater shall not be discharged from the construction site or applied on site unless in accordance with an EPL.	Compliant	The site is not regulated by an EPL. Based on the construction compliance reports, no water was discharged and this was compliant at the completion of construction.	
<b>TRANSPORT AND ACCESS</b>				
<b>Road Dilapidation</b>				
E41	The Proponent shall engage an independent and qualified person(s) to prepare Road Dilapidation Reports for the Tarro Interchange prior to their use by construction heavy vehicles. The report shall assess the current condition of the road and describe mechanisms to restore any damage that may result due to traffic and transport related to the construction of the SSI. The Report shall be submitted to the relevant road authority(ies) for review prior to use of the roads for construction. Following completion of construction, a subsequent report shall be prepared to assess any damage caused by the construction of the SSI. The Proponent shall ensure that any measures to restore or reinstate roads affected by the construction of the SSI are undertaken in a timely manner, in accordance with the requirements, and to the satisfaction, of the relevant road authority(ies), and at the full expense of the Proponent. Any pavement failures arising from construction traffic that result in safety concerns for other road users, shall be repaired in accordance with the relevant road authority's specifications no later than 48 hours following notification by the relevant road authority. <b>The Proponent must ensure that Road Dilapidation Reports are prepared prior to commencement of construction of the Turning Angle Works.</b>	Compliant	Construction of the Turning Angle commenced on 13 January 2020 Road dilapidation report dated 19 December 2019 prepared for the Tarro Interchange. Road dilapidation close out letter dated 26 August 2020 confirms the condition of the intersection observed on 24 August 2020 is consistent with the condition observed prior to the works in December 2019.	
<b>Construction Access</b>				
E42	The Proponent shall construct, in the event it is responsible, a new T-intersection on Anderson Drive (Tarro Interchange) on the southern side of the New England Highway, in accordance with the requirements of the RMS, including entering into a Works Authorisation Deed with the RMS. The T-intersection at the Tarro Interchange shall be linked to Woodlands Close via a construction access road as detailed in the document referred to in condition B1 (c).	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E43	The Proponent shall design, in the event it is responsible, the T-intersection and construction access road and all associated traffic control signals and other structures in accordance with current AusRoads Standards and to the satisfaction of the relevant road authority(ies), and ensure that it is capable of accommodating the proposed construction traffic generated by the SSI and proposed ARTC Hexham Relief Roads project.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E44	The Proponent shall, in the event it is responsible, seal the construction access road prior to commencement of use by construction traffic to provide all weather access.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E45	Construction traffic shall not be permitted to access the SSI site via the New England Highway/Woodlands Close intersection at any time, <b>except in accordance with condition E47 or</b> unless otherwise approved by RMS.	Compliant	As per CTMP - All construction traffic gain access via the access off Anderson Drive at the Tarro interchange. No vehicles will access via Woodlands Close.	
E46	Construction heavy vehicle traffic shall not utilise Anderson Drive between Woodberry Drive and its intersection with the New England Highway near Glenwood Drive, Tarro, unless otherwise approved under the Construction Traffic and Access Management Plan required by condition E63 (a).	Compliant	As per CTMP - All heavy vehicle movements will be directed along the New England Highway directed not to access the site via Anderson Drive through Woodberry. Drivers will be briefed with regard to access routes to ensure compliance. Anderson Drive is not an access route to be used by heavy vehicle traffic servicing the project.	
E47	<del>Access (including heavy vehicles) to the construction site via Woodlands Close is permitted for up to 12 weeks during night time hours and on specified days of the week in accordance with a Traffic Control Plan to be approved by RMS and City of Newcastle. In the event of delays (eg. due to wet weather, materials supply, equipment availability, industrial action etc.); access via Woodlands Close may need to be extended beyond 12 weeks to enable completion of the Tarro interchange, subject to approval by RMS. Written notice would be given to the Director-General and City of Newcastle of any RMS approved extension.</del>	Not triggered	Condition not applicable	
E48	During construction of the SSI, the Proponent shall take all feasible and reasonable measures to minimise impacts on intersection performance and maintain the existing levels of service. Where modifications to intersections are required to maintain intersection performance, the Proponent shall obtain the necessary approvals from the relevant road authority.	Not triggered	This condition was not triggered during the construction of the turning angle, based on the Construction Compliance Reports.	
E49	All construction works associated with the T-intersection on Anderson Drive (Tarro Interchange), Woodlands Close and the construction access road must be at no cost to the relevant road authorities, and to the satisfaction of the relevant road authorities.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E50	The Proponent shall ensure as far as practicable that construction heavy and over-sized vehicles associated with the construction of the SSI adhere to nominated haulage routes identified in the Construction Traffic and Access Management Plan (condition E63 (a)).	Compliant	As per CTMP - Drivers will be inducted to the site and this induction will include briefing on access routes. Toolbox meetings will also be utilised to highlight access routes and ensure conformance.	
E51	The Proponent shall ensure as far as practicable that all construction vehicles using public roads are maintained to prevent any loss of load, whether dust, liquid or soils.	Compliant	Maintenance logs of 3777 CAT 730C2 Ejector Truck and 3635 CAT 329DL Excavator provided from 12/10/18 to 21/05/20, and 17/06/13 to 30/05/20. CTMP - Drivers briefed on vehicle maintenance requirements and covering of loads in induction and toolbox mtgs utilised to ensure conformance.	
E52	Safe pedestrian and cyclist access through or around worksites shall be maintained during construction. In circumstances where pedestrian and cyclist access is restricted due to construction related activities, a feasible and reasonable alternate route shall be provided and signposted.	Not triggered	This condition was not triggered during the construction of the turning angle, based on the Construction Compliance Reports.	
<b>Private Property Access and Infrastructure</b>				
E53	Access to private property shall be maintained during construction, unless otherwise agreed with the property owner in advance. Where access to a property is to be affected by construction of the SSI, the Proponent shall provide an alternative access of a standard that is at least equivalent to that currently existing and meets relevant road safety standards, prior to commencement of construction, unless otherwise agreed with the property owner. Details for provision of altered access shall be determined in consultation with the landholder.	Compliant	- Email to David Smith with reference to a conversation and attached letter regarding impact on access road between 20.01.20 and 15.05.20, and alternative access to be used, sighted. No reply/confirmation of receipt by David Smith sighted. - All landowner access will be maintained during construction and an escort vehicle will be provided if required. Newsletters and letterbox drops will be provided to provide regular updates on access routes through the site.	
E54	Subject to agreement with the relevant landowner, a landowner's access that is physically affected by the SSI shall be reinstated to at least an equivalent standard upon completion of construction of the SSI, in consultation with the property owner.	Compliant	As per CTMP - It is not envisaged any neighbours will be impacted by this construction activity. Ron Smiths access route shall be managed in accordance with the CoC.	
<b>AIR QUALITY</b>				
E55	The Proponent shall construct the SSI in a manner that minimises, as far as practicable, dust emissions from the site, including wind-blown and traffic-generated dust, dust from stockpiles, and dust from the tracking of materials from the construction site onto public roads.	Compliant	Construction was complete at the time of the site inspection. Photographs were provided of hydromulching of bare areas and water carts in operation during construction and no dust related complaints were received therefore there is no reason to believe this condition was not complied with.	
E56	Should such visible dust emissions occur at any time, the Proponent shall identify and implement all feasible and reasonable dust mitigation measures (including temporary cessation of relevant works) such that emissions of visible dust cease.	Compliant	Construction was complete at the time of the site inspection. Photographs were provided of hydromulching of bare areas and water carts in operation during construction and no dust related complaints were received therefore there is no reason to believe this condition was not complied with.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
E57	The Proponent shall ensure that plant and equipment used in connection with the construction of the SSI is maintained and operated in a proper and efficient condition to minimise air quality impacts.	Compliant	Maintenance records of Daracon construction equipment sighted. Daracon training records detailing contractor competencies sighted.	
<b>VISUAL AMENITY</b>				
E58	The SSI shall be constructed in a manner that minimises, as far as practicable, visual impacts resulting from construction sites, including retaining existing vegetation around the perimeter of construction sites, where feasible and reasonable, providing temporary landscaping or screening, and minimising light spillage.	Compliant	Construction was completed prior to the audit inspection, however operations are generally well screened from the surrounding areas and impacts were unlikely. No visual complaints were received during construction.	
<b>ANCILLARY FACILITIES</b>				
E59	<p>Unless otherwise approved by the Director-General, Ancillary Facilities shall:</p> <p>(a) be located more than 50 metres from a waterway, SEPP 14 wetland or the Hexham Swamp Nature Reserve;</p> <p>(b) be located within or in close proximity to the construction footprint for the SSI;</p> <p>(c) be sited on relatively level land;</p> <p>(d) be separated from nearest residences by at least 200 metres (or at least 300 metres for a temporary batching plant);</p> <p>(e) not require native vegetation clearing beyond that already required by the SSI;</p> <p>(f) not impact on known heritage items (including areas of archaeological sensitivity) beyond those already impacted by the SSI;</p> <p>(g) not unreasonably affect the land use of adjacent properties;</p> <p>(h) be above the 10% AEP flood level unless a contingency plan to manage flooding is prepared and implemented; and</p> <p>(i) provide sufficient area for the storage of raw materials to minimise, to the greatest extent practical, the number of deliveries required outside standard construction hours.</p> <p>The location of the ancillary facilities shall be identified in the Construction Environmental Management Plan (condition E62) and include consideration of the above criteria. Where the above criteria cannot be met for any proposed ancillary facility, the Proponent shall demonstrate to the satisfaction of the Director-General that there will be no significant adverse impact from that facility's construction. Such assessment(s) can be submitted separately or as part of the Construction Environmental Management Plan.</p> <p>The Director-General's approval is not required for the construction site compounds already identified in the document referred to in condition B1 (c) of this approval</p>	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
E60	All Ancillary Facilities shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the landowner where relevant.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>ENVIRONMENTAL REPRESENTATIVE</b>				
E61	<p>Prior to the commencement of construction of the SSI, or as otherwise agreed by the <b>Planning Secretary</b>, the Proponent shall nominate for the approval of the <b>Planning Secretary</b> a suitably qualified and experienced Environment Representative(s) that is independent of the design (including preparation of documentation referred to condition B1, and construction personnel. The Proponent shall employ the Environment Representative(s) for the duration of construction, or as otherwise agreed by the <b>Planning Secretary</b>. The Environment Representative(s) shall:</p> <p>(a) be the principal point of advice in relation to the environmental performance of the SSI;</p> <p>(b) monitor the implementation and outcome of all environmental management plans and monitoring programs required under this approval and advise the Proponent upon the achievement of these plans and programs;</p> <p>(c) have responsibility for considering and advising the Proponent on matters specified in the conditions of this approval, and all other licences and approvals related to the environmental performance and impacts of the SSI;</p> <p>(d) ensure that environmental auditing is undertaken in accordance with the requirements of condition <b>DSA</b> of this approval and the Proponent's Environmental Management System(s);</p> <p>(e) be given the authority to approve/reject minor amendments to the Construction Environmental Management Plan. What constitutes a "minor" amendment shall be clearly explained in the Construction Environmental Management Plan required under condition E62;</p> <p>(f) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur; and</p> <p>(g) be consulted in responding to the community concerning the environmental performance of the SSI where the resolution of points of conflict between the Proponent and the community is required.</p> <p><b>The Environmental Representative must be retained for the duration of the construction of the Turning Angle Works. If the Environmental Representative previously engaged by this condition has been discharged from the SSI, a new Environmental Representative must be nominated to and approved by the Planning Secretary.</b></p>	Compliant	Letter from DPIE dated 13/11/2021 approved Mr Martin Hicks as being the Environmental Representative for the project under SSI 6090 MOD 1.	
<b>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</b>				
E62	<p>Prior to the commencement of construction, the Proponent shall prepare and (following approval) implement a Construction Environmental Management Plan for the SSI. The Plan shall be prepared in accordance with the Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004) and outline the environmental management practices and procedures to be followed during construction, and shall include, but not necessarily be limited to:</p> <p>(a) a description of all relevant activities to be undertaken during construction of the SSI, including scheduling;</p> <p>(b) statutory and other obligations that the Proponent is required to fulfill during construction including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies. Evidence of consultation with relevant public authorities shall be included;</p> <p>(c) a description of the roles and responsibilities for all relevant employees involved in the construction of the SSI, including relevant training and induction provisions for ensuring that all employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval;</p> <p>(d) identification of ancillary facility site locations, including an assessment against the location criteria outlined in condition E59;</p> <p>(e) an environmental risk analysis to identify the key environmental performance issues associated with the construction phase and details of how environmental performance would be monitored and managed to meet acceptable outcomes including the actions to be undertaken to address identified potential adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan:</p> <p>(i) measures to monitor and manage dust emissions including dust generated by haulage trucks, traffic on unsealed internal access roads and stockpile management;</p> <p>(ii) measures to monitor and manage waste (solid and liquid) generated during construction including, but not necessarily limited to, identification of potential waste streams, general procedures for waste classification, waste management and mitigation measures, use of secondary waste material in construction wherever feasible and reasonable, and procedures for dealing with green waste;</p> <p>(iii) measures to monitor and manage spoil and fill including earthworks volumes, details of how spoil and fill would be handled, stockpiled, classified, used and disposed of, and a stockpile management protocol detailing location criteria that would guide the placement of stockpiles and minimum management measures (including rehabilitation) that would be implemented to avoid and/or minimise amenity impacts to surrounding residents and environmental risks (including to surrounding watercourses and wetlands); and</p> <p>(iv) measures to monitor and manage hazard and risks including emergency management;</p> <p>(f) measures for rehabilitating construction disturbance areas that are not required for ongoing operations including construction compounds;</p> <p>(g) details of community complaints handling procedures and community involvement strategies during construction, consistent with the requirements of conditions D1 and D2 of this approval;</p> <p>(h) details of compliance and incident management and reporting consistent with the requirements of conditions D5, D6 and D7;</p> <p>(i) procedures for the periodic review and update of the Construction Environmental Management Plan as necessary (including where minor changes can be approved by the Environment Representative); and</p> <p>(j) the additional Plans listed under condition E63.</p> <p>The Plan shall be submitted for the approval of the Planning Secretary at least one month prior to the commencement of construction, or within such period otherwise agreed by the Planning Secretary. Construction works shall not commence until written approval has been received from the Planning Secretary.</p> <p><b>Prior to construction of the Turning Angle Works, the Proponent must provide a copy of the revised plan including the Turning Angle Works to the Environmental Representative for approval.</b></p>	Compliant	<p><b>CEMP – Preparation</b></p> <p>-Construction of the Turning Angle commenced on 13 January 2020 .</p> <p>-Letter form DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted.</p> <p>-Letter confirming ER approval of the CEMP dated 19 December 2019 sighted.</p> <p>-Email of ER approval sent to DPIE dated 19 December 2019 sighted.</p> <p>-Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.</p> <p><b>Preparation</b></p> <p>(a) Section 2.0 - Construction Activities and Methodology</p> <p>(b) Section 3.3 – Approval and Licensing Requirements</p> <p>(c) Section 3.2 – Roles and Responsibilities and Section 5.8.1 – Training</p> <p>(d) Annexure 2 – Site and Ancillary Features –Addressed in CEMP, noting assessment against E59 is not applicable as per condition B4.</p> <p>(e) Section 3.5 and Annexure 6 – Environmental Risk Assessment</p> <p>(i) Annexure 6 – Environmental Risk Assessment and AQMP</p> <p>(ii) Annexure 6 – Environmental Risk Assessment And CWSMP</p> <p>(iii) Annexure 6 – Environmental Risk Assessment And CWSMP</p> <p>(iv) Annexure 6 – Environmental Risk Assessment, Site Emergency Response Plan, and Flood Emergency MP.</p> <p>(f) Section 2.1.7 Demobilisation</p> <p>(g) Section 5.9 Complaints</p> <p>(h) Section 5 and 7</p> <p>(i) Section 6</p> <p><b>Observation</b></p> <p>In section 1.3 Project Context, Appendix B is referenced as including a matrix of the relevant conditions of approval but this does not exist.</p> <p>In section 3.3 Approval and Licensing Requirements, Annexure 5 and 6 are referred to as addressing the relevant conditions of the Approval and Statement of Commitments but Annexure 5 is not included and Annexure 6 is the risk assessment.</p> <p><b>Implementation</b></p> <p>Construction was completed prior to the site inspection. Implementation of the CEMP and sub plans has been assessed based on the Construction Compliance Reports.</p> <p>Based on the presented information, the CEMP was implemented effectively during construction.</p>	<p>Improvement Rec 6:</p> <p>Review management plans to ensure:</p> <ul style="list-style-type: none"> <li>- A reference table referring to consent conditions is included;</li> <li>- Where conditions are not addressed, include justification as to why;</li> <li>- Cross references in management plans are correct;</li> <li>- All Appendices are attached to management plans published on the website;</li> <li>- Full names of acronyms used in the report are included;</li> <li>- Other management plans are correctly referenced within the document;</li> <li>- A full reference list is included in every Management Plan; and</li> <li>- Document control including version and date is consistent throughout.</li> </ul>
	Note: The approval of a Construction Environmental Management Plan does not relieve the Proponent of any requirement associated with this infrastructure approval. If there is an inconsistency with an approved Construction Environmental Management Plan and the conditions of this infrastructure approval, the requirements of this infrastructure approval prevail.	Note		

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
E63(a)	<p>As part of the Construction Environment Management Plan for the SSI required under condition E62 of this approval, the Proponent shall prepare and implement the plans listed at (a) to (f) below. Where a plan is required to be prepared in consultation with an authority or stakeholders, the plan shall provide details on the consultation undertaken including any comments received and where these have been addressed in the plan.</p> <p>(a) A Construction Traffic and Access Management Plan to manage construction traffic and access impacts of the SSI and minimise disruptions to local traffic movements. The Plan shall be developed in consultation with the relevant road authority(ies) and include, but not necessarily be limited to:</p> <p>(i) identification of construction traffic and haulage routes and quantification of projected construction traffic volumes (including light, heavy and over- dimensional/ over mass sized vehicle movements, and spoil haulage), including any necessary route or timing restrictions on oversized loads. Construction traffic volumes and haulage routes should be detailed for the proposed T-intersection at the Tarro Interchange and New England Highway/Woodlands Close;</p> <p>(ii) details of the construction program for the T-intersection at the Tarro Interchange and construction access road connecting the intersection to Woodlands Close;</p> <p>(iii) a description of the site access arrangements for light, heavy and over- sized vehicles prior to and upon completion of the T-intersection at the Tarro Interchange and construction access road connecting the intersection to Woodlands Close;</p> <p>(iv) a Vehicle Movement Plan and Traffic Control Plans;</p> <p>(v) a protocol for minimising the cumulative construction traffic impacts of the SSI and proposed ARTC Hexham Relief Roads project, prepared in consultation with ARTC;</p> <p>(vi) methods for advising motorists of construction activities at the T- intersection on Anderson Drive (Tarro Interchange);</p> <p>(vii) details of the traffic management measures and key warning signage to be installed at the T-intersection on Anderson Drive (Tarro Interchange);</p> <p>(viii) construction staff parking requirements and the location(s) of proposed parking facilities;</p> <p>(ix) details of all temporary road closures and detours and measures to minimise impacts on local traffic;</p> <p>(x) a description of any proposed changes to pedestrian access at Woodlands Close, including measures to minimise impacts on pedestrian access;</p> <p>(xi) a driver code of conduct; and</p> <p>(xii) mechanisms for the monitoring, review and amendment of this plan.</p>	Compliant	<p>CTMP - Preparation</p> <p>-Construction of the Turning Angle commenced on 13 January 2020 sighted.</p> <p>-Letter form DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted.</p> <p>-Letter confirming ER approval of the CEMP dated 19 December 2019 sighted.</p> <p>-Email of ER approval sent to DPIE dated 19 December 2019 sighted.</p> <p>-Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.</p> <p>Preparation</p> <p>(a)</p> <p>(i) Table 1-1, Section 2.1 Access and Section 2.2 Construction Traffic Numbers</p> <p>(ii) Table 1-1</p> <p>(iii) Table 1-1</p> <p>(iv) Section 3 and Appendix A and B.</p> <p>(v) Table 1-1</p> <p>(vi) Table 1-1</p> <p>(vii) Table 1-1</p> <p>(viii) Table 1-1</p> <p>(ix) Table 1-1</p> <p>(x) Table 1-1</p> <p>(xi) Section 3.1 and Appendix B</p> <p>(xii) Section 5</p> <p>Implementation</p> <p>Construction was completed prior to the site inspection. Implementation of the CEMP and sub plans has been assessed based on the Construction Compliance Reports. Based on the presented information, the CEMP was implemented during construction.</p>	<p>Improvement Rec 6:</p> <p>Review management plans to ensure:</p> <ul style="list-style-type: none"> <li>- A reference table referring to consent conditions is included;</li> <li>- Where conditions are not addressed, include justification as to why;</li> <li>- Cross references in management plans are correct;</li> <li>- All Appendices are attached to management plans published on the website;</li> <li>- Full names of acronyms used in the report are included;</li> <li>- Other management plans are correctly referenced within the document;</li> <li>- A full reference list is included in every Management Plan; and</li> <li>- Document control including version and date is consistent throughout.</li> </ul>
E63(b)	<p>(b) A Construction Flora and Fauna Management Plan to detail how construction impacts on ecology will be minimised, managed and monitored. The Plan shall be developed in consultation with the EESG and the Water Group and shall include, but not necessarily be limited to:</p> <p>(i) details of pre-construction surveys required to verify the construction boundaries/footprint of the SSI based on detailed design and to confirm the vegetation to be cleared as part of the SSI (including threatened flora and fauna species, endangered ecological communities, riparian vegetation and tree hollows);</p> <p>(ii) details on the location (including plans) of all native vegetation communities, threatened flora and fauna species and their habitat, and endangered ecological communities to be impacted by the SSI;</p> <p>(iii) details of mitigation measures to be implemented during construction to minimise impacts on native fauna and vegetation (particularly threatened species and endangered ecological communities and their habitats), including measures to be implemented in those areas that will not be cleared. Measures shall include, but not necessarily be limited to, the mitigation measures set out in this infrastructure approval, delineation of sensitive areas, a protocol for the removal and relocation of fauna during clearing, fauna rescue procedure, appropriate topsoil management, erosion and sediment control, and construction worker education;</p> <p>(iv) a procedure for dealing with unexpected finds of threatened species and endangered ecological communities and their habitat identified during construction, including stopping works and notification to the EESG and the Department, determination of appropriate mitigation measures in consultation with the EESG (including relevant re-location measures), and updating of biodiversity offset requirements consistent with condition C4;</p> <p>(v) procedures for clearing blockages in waterways resulting from construction of the SSI;</p> <p>(vi) weed management measures focusing on early identification of invasive weeds and effective management controls;</p> <p>(vii) proposed revegetation and rehabilitation measures, including identification of flora species and sources, completion criteria and measures for the management and maintenance of rehabilitated/ revegetated areas;</p> <p>(viii) a description of how the effectiveness of management measures would be monitored and linked to the Ecological Monitoring Program required under condition C3; and</p> <p>(ix) mechanisms for the monitoring, review and amendment of this plan.</p>	Compliant	<p>FFMP - Preparation</p> <p>-Construction of the Turning Angle commenced on 13 January 2020 sighted.</p> <p>-Letter form DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted.</p> <p>-Letter confirming ER approval of the CEMP dated 19 December 2019 sighted.</p> <p>-Email of ER approval sent to DPIE dated 19 December 2019 sighted.</p> <p>-Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.</p> <p>Preparation</p> <p>(b) Section 1.3</p> <p>(i) Table 7</p> <p>(ii) Attachment A</p> <p>(iii) Table 7</p> <p>(iv) Table 7</p> <p>(v) Table 7</p> <p>(vi) Section 4 and Table 8 (not Table 4.1)</p> <p>(vii) Table 7 (and Section 2.4 and Attachment C)</p> <p>(viii) NA</p> <p>(ix) Section 5.0</p> <p>Implementation</p> <p>Construction was completed prior to the site inspection. Implementation of the CEMP and sub plans has been assessed based on the Construction Compliance Reports. Based on the presented information, the CEMP was implemented during construction.</p>	<p>Improvement Rec #:</p> <ul style="list-style-type: none"> <li>- Ensure reference tables in management plans are correct</li> </ul>
E63(c)	<p>(c) A Construction Noise and Vibration Management Plan to detail how construction noise and vibration impacts will be minimised and managed. The Plan shall include, but not necessarily be limited to:</p> <p>(i) identification of the nearest sensitive receivers and relevant construction noise and vibration goals applicable to the SSI;</p> <p>(ii) identification of key noise and vibration generating construction activities (based on representative construction scenarios) that have the potential to impact on surrounding sensitive receivers;</p> <p>(iii) details on predicted worst-case construction noise impacts, including traffic noise and cumulative noise impacts associated with on-site construction activities and construction of the adjacent proposed HRR project;</p> <p>(iv) identification of all feasible and reasonable measures for minimising construction noise and achieving the relevant noise management goals at sensitive receivers (including construction traffic noise impacts) required by condition E21;</p> <p>(v) procedures and mitigation measures to ensure relevant vibration criteria are achieved, including applicable buffer distances for vibration intensive works, use of low-vibration generating equipment/vibration dampeners or alternative construction methodology, and pre- and post- construction dilapidation surveys of sensitive structures where vibration is likely to result in damage to structures;</p> <p>(vi) a protocol for minimising the cumulative construction noise and vibration impacts of the SSI and proposed ARTC Hexham Relief Roads project, prepared in consultation with ARTC;</p> <p>(vii) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints;</p> <p>(viii) a safety risk assessment to determine the availability of safe alternatives to 'beeper' type reversing or movement alarms on vehicles, plant and equipment used during the construction of the SSI;</p> <p>(ix) a program and procedures for construction noise and vibration monitoring indicating monitoring frequency and location, monitoring methods, responsibilities for monitoring and assessment, methods for recording and reporting monitoring results, and procedures to be followed where exceedances of relevant noise and vibration goals are detected; and</p> <p>(x) mechanisms for the monitoring, review and amendment of this Plan.</p>	Compliant	<p>CNVMP - Preparation</p> <p>-Construction of the Turning Angle commenced on 13 January 2020 sighted.</p> <p>-Letter form DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted.</p> <p>-Letter confirming ER approval of the CEMP dated 19 December 2019 sighted.</p> <p>-Email of ER approval sent to DPIE dated 19 December 2019 sighted.</p> <p>-Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.</p> <p>Preparation</p> <p>(c)</p> <p>(i) Section 2.1</p> <p>(ii) Section 2.2</p> <p>(iii) Section 2.2</p> <p>(iv) Section 4.1</p> <p>(v) Section 4.1</p> <p>(vi) NA</p> <p>(vii) Section 4.1</p> <p>(viii) Annexure 2</p> <p>(ix) Section 5.1 (and Section 5.2)</p> <p>(x) Section 6 (not Section 5.3.1)</p> <p>Implementation</p> <p>Construction was complete at the time of the site inspection. Based on the findings presented in the construction compliance reports, construction was compliant with the relevant construction consent conditions (with the exception of condition E18) therefore it is considered that the construction management plans were likely implemented as required:</p>	<p>Improvement Rec 6:</p> <p>Review management plans to ensure:</p> <ul style="list-style-type: none"> <li>- A reference table referring to consent conditions is included;</li> <li>- Where conditions are not addressed, include justification as to why;</li> <li>- Cross references in management plans are correct;</li> <li>- All Appendices are attached to management plans published on the website;</li> <li>- Full names of acronyms used in the report are included;</li> <li>- Other management plans are correctly referenced within the document;</li> <li>- A full reference list is included in every Management Plan; and</li> <li>- Document control including version and date is consistent throughout.</li> </ul>

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
E63(d)	<p>(d) A Construction Soil and Water Management Plan to manage surface water and groundwater impacts during the construction of the SSI. The Plan shall be developed in consultation with the City of Newcastle, the Water Group and Hunter-Central Rivers CMA and include, but not necessarily be limited to:</p> <p>(i) surface water and groundwater impact assessment criteria consistent with the principles of the Australian and New Zealand Environment Conservation Council (ANZECC) guidelines;</p> <p>(ii) identification of all potential sources of water pollution and contaminants and details on the mitigation measures to be implemented to prevent the discharge of pollutants and contaminants from the SSI site, including saline and acid sulphate soils, and groundwater contaminants;</p> <p>(iii) details of the control measures to be employed to minimise surface and groundwater impacts, including drawdown of groundwater levels and connections with surface waters;</p> <p>(iv) management measures to be used to minimise surface and groundwater impacts, including identification of water treatment measures and discharge points, details of how spoil and fill material required by the SSI will be sourced, handled, stockpiled, reused and managed; erosion and sediment control measures; salinity control measures and the consideration of flood events;</p> <p>(v) management measures for contaminated material and a contingency plan to be implemented in the case of unanticipated discovery of contaminated material during construction;</p> <p>(vi) details on the methods for managing surface water runoff (including inlets and outlets and their capacity) and any accumulation of groundwater (including from excavation and dewatering) and surface water, including procedures for handling, treatment and disposal and/or reuse;</p> <p>(vii) details of how construction activities would be managed and mitigated to minimise erosion and sedimentation, consistent with condition E27;</p> <p>(viii) a program for reporting on the effectiveness of the water management measures and sediment and erosion controls against performance criteria; including procedures for rectifying any non-compliances;</p> <p>(ix) water quality monitoring consistent with the requirements of condition C19;</p> <p>(x) contingency plans to be implemented in the event of major fuel spills or other chemicals;</p> <p>(xi) an Acid Sulfate Soils Management Plan consistent with the Acid Sulfate Soils Manual, including a contingency plan to deal with the unexpected discovery of actual or potential acid sulfate soils, including procedures for the investigation, handling, treatment and management of such soils and water seepage;</p> <p>(xii) a contingency plan in the event that groundwater levels are observed to fall below the top of areas defined as containing potential acid sulfate soils;</p> <p>(xiii) a water balance plan detailing the source and security of construction water supply, water use on site, and water and wastewater management on site;</p> <p>(xiv) measures to minimise stream hydrology impacts, including measures to stabilise bank structures where required and details of proposed buffer zones adjacent to waterways;</p> <p>(xv) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be undertaken, the locations where monitoring would take place, how the results of the monitoring would be recorded and reported, and, if any exceedance of the criteria is detected how any non-compliance can be rectified; and</p> <p>(xvi) mechanisms for the monitoring, review and amendment of this Plan</p>	Non-compliant	<p><u>Soil and Water MP Preparation</u></p> <p>-Construction of the Turning Angle commenced on 13 January 2020 sighted.</p> <p>-Letter form DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted.</p> <p>-Letter confirming ER approval of the CEMP dated 19 December 2019 sighted.</p> <p>-Email of ER approval sent to DPIE dated 19 December 2019 sighted.</p> <p>-Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.</p> <p><u>Preparation</u></p> <p>(d)</p> <p>(i) Section 5.3</p> <p>(ii) Section 2.0</p> <p>(iii) Section 3.0</p> <p>(iv) Section 3.0 and 4.0</p> <p>(v) Site Management Plan</p> <p>(vi) Section 3.0</p> <p>(vii) Section 4.0</p> <p>(viii) Section 5.0 and Section 6.0</p> <p>(ix) Section 5.0</p> <p>(x) Section 6. This also refers to the SERP. <u>Non-compliant</u> - the contingency plans only refer to small fuel spills. There is no contingency plan in the CEMP or SERP for a major spill incident.</p> <p>(xi) SMP/ASSMP - addresses this condition, ER approved use of National ASS Guidance 2018 instead of ASS Manual (email dated 28 November 2019). (Note SMP is Site Management Plan).</p> <p>(xii) Section 3.0 and 6.0</p> <p>(xiii) Section 3.4</p> <p>(xiv) Section 4.0</p> <p>(xv) Section 5.0 and 6.0</p> <p>(xvi) Section 6.0</p> <p><u>Implementation</u></p> <p>Construction was complete at the time of the site inspection. Based on the construction compliance assessment reports, erosion and sediment controls were progressively installed from the commencement of construction until the March 2021 reporting period. Following this, maintenance of the erosion and sediment controls was undertaken until the completion of construction</p> <p>Photographs in compliance reports and provided during the audit indicate appropriate erosion and sediment controls</p>	<p>NC Rec3 : Update appropriate contingency plan sections of management plans to include major spill events.</p> <p>Improvement Rec 6:</p> <p>Review management plans to ensure:</p> <ul style="list-style-type: none"> <li>- A reference table referring to consent conditions is included;</li> <li>- Where conditions are not addressed, include justification as to why;</li> <li>- Cross references in management plans are correct;</li> <li>- All Appendixes are attached to management plans published on the website;</li> <li>- Full names of acronyms used in the report are included;</li> <li>- Other management plans are correctly referenced within the document;</li> <li>- A full reference list is included in every Management Plan; and</li> <li>- Document control including version and date is consistent throughout.</li> </ul>
E63(e)(i)	<p>(e) a Construction Heritage Management Plan to detail how construction impacts on Aboriginal and Historic heritage will be minimised and managed. The Plan shall be developed in consultation with the EESG and registered Aboriginal stakeholders (for Aboriginal heritage), and include, but not necessarily be limited to:</p> <p>(i) In relation to Aboriginal Heritage -</p> <p>I. identification of Aboriginal objects directly and indirectly affected by the SSI,</p> <p>II. details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, salvage, and conservation of objects associated with the SSI,</p> <p>III. procedures and timing for implementing the requirements of conditions E13 to E16 inclusive,</p> <p>IV. procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works in the vicinity, assessment of the significance of the item(s), determination of appropriate mitigation measures by a suitably qualified archaeologist in consultation with the Department, EESG and registered Aboriginal stakeholders, procedure for determining when works can re-commence, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the SSI, and registering of any new site(s) in the AHIMS database,</p> <p>V. details of an appropriate keeping place agreement with local Aboriginal community representatives for any Aboriginal objects salvaged during construction,</p> <p>VI. procedures for ongoing Aboriginal consultation and involvement for the duration of the SSI, and</p> <p>VII. procedures for managing the discovery of confirmed or potential human remains, including the temporary cessation of works in the vicinity and notification to the NSW Police Force, EESG, the Department and registered Aboriginal stakeholders and not recommencing any works in the area unless authorised by the EESG and/ or the NSW Police Force;</p>	Non-compliant	<p><u>Preparation</u></p> <p>-Construction of the Turning Angle commenced on 13 January 2020 sighted.</p> <p>-Letter form DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted.</p> <p>-Letter confirming ER approval of the CEMP dated 19 December 2019 sighted.</p> <p>-Email of ER approval sent to DPIE dated 19 December 2019 sighted.</p> <p>-Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.</p> <p><u>Construction Aboriginal Heritage MP:</u></p> <p>As per condition 63 note (below) the plans required by Condition E63(e) only apply to the Turning Angle Works insofar as they provide for unexpected finds procedures and staff training and induction.</p> <p>IV. <u>Non-compliant</u> 5.2 Procedure for 'New Finds' on page 12 Appendix B – Aboriginal Cultural Heritage Site Induction on page 26 Appendix C – Aurizon New Find Procedure on page 31 – Part of the condition not fully addressed as follows: procedure for determining when works can re-commence, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the SSI, and registering of any new site(s) in the AHIMS database.</p> <p>(iii) 4.0 Cultural Heritage Controls on page 10 Appendix B – Aboriginal Cultural Heritage Site Induction on page 26 Appendix C – Aurizon New Find Procedure on page 31 Appendix D – Aurizon Human Remains Procedure on page 33.</p> <p><u>Implementation</u></p> <p>Construction was completed prior to the site inspection. Implementation of the CEMP and sub plans has been assessed based on the Construction Compliance Reports.</p>	<p>NC Rec 4: Clarify procedure for determining when works can re-commence, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the SSI, and registering of any new site(s) in the AHIMS database.</p>
E63(e)(ii)	<p>(ii) In relation to Historic Heritage -</p> <p>I. developed in consultation with the Heritage Division,</p> <p>II. identification of heritage items directly and indirectly affected by the SSI,</p> <p>III. details of management measures to be implemented to prevent and minimise impacts on heritage items including measures to protect unaffected sites during construction works in the vicinity,</p> <p>IV. details of the Interpretation Plan as required by condition E17;</p> <p>V. details of monitoring and reporting requirements for impacts on heritage items;</p> <p>VI. procedures for dealing with previously unidentified heritage items, (including cessation of works in the vicinity), assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified and experienced archaeologist in consultation with the Heritage Division, and assessment of the consistency of any new heritage impacts against the approved impacts of the SSI;</p> <p>(iii) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this approval including site identification, protection and conservation of Aboriginal and historic heritage; and</p> <p>(iv) mechanisms for the monitoring, review and amendment of this Plan.</p>	Compliant	<p><u>Preparation</u></p> <p>-Construction of the Turning Angle commenced on 13 January 2020 sighted.</p> <p>-Letter form DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted.</p> <p>-Letter confirming ER approval of the CEMP dated 19 December 2019 sighted.</p> <p>-Email of ER approval sent to DPIE dated 19 December 2019 sighted.</p> <p>-Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.</p> <p><u>Preparation</u></p> <p>As per condition 63 note (below) the plans required by Condition E63(e) only apply to the Turning Angle Works insofar as they provide for unexpected finds procedures and staff training and induction.</p> <p>(iii) 4.0 Cultural Heritage Controls on page 10 Appendix B – Aboriginal Cultural Heritage Site Induction on page 26 Appendix C – Aurizon New Find Procedure on page 31 Appendix D – Aurizon Human Remains Procedure on page 33.</p> <p><u>Implementation</u></p> <p>Construction was completed prior to the site inspection. Implementation of the CEMP and sub plans has been assessed based on the Construction Compliance Reports.</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
E63(f)	(f) a Construction Contamination Management Plan to detail how contaminated materials, water and soil will be managed to protect human health and the environment. The Plan shall include, but not necessarily be limited to: (i) location of areas identified as contaminated;(ii)procedures for the sampling and assessment of excavated material at depth consistent with the requirements of condition E30; (iii) procedures for the sampling and testing of ballast, chitter and tailings consistent with the requirement of condition E32; (iv) procedures for the classification, remediation, handling and monitoring of contaminated materials, water and soils identified during construction (including asbestos), consistent with the Remediation Action Plan included as Appendix H in the document referred to in condition B1(c); (v) a contingency plan to be implemented in the case of unanticipated discovery of contaminants; (vi) a procedure for updating the Remediation Action Plan consequent to amendments in the remediation procedures or the discovery of contaminants during construction; (vii) program for validating soil quality upon completion of remediation; and (viii) mechanisms for the monitoring, review and amendment of this Plan.	Compliant	CCMP Preparation -Construction of the Turning Angle commenced on 13 January 2020 sighted. -Letter form DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted. -Letter confirming ER approval of the CEMP dated 19 December 2019 sighted. -Email of ER approval sent to DPIE dated 19 December 2019 sighted. -Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.  Preparation (f) (i) Section 2.0 and Annexure 2 (ii) Section 2.1.5 (note that E30 is not triggered) (iii) NA (iv) Section 2.1, 2.2 & 5.0 (plus section 1.0) (v) Section 2.1, Table 3.1 (Reference should be 2.1.2 and Table 4.1) (vi) Section 2.1 & 5.2 (vii) Sections 2.1.2, 2.1.3, 2.1.4, 2.1.5 & 2.1.6 (viii) Section 5.5 E31 Section 2.1.12 – audit report sighted E33 Section 2.1.2 – audit report sighted  Observation (iv) - There is no Annexure 10 in the CEMP as referred to in Section 2.1 - This reference should include Section 1.0, which states SMP supersedes the RAP (Appendix H of B1(c))  Implementation Construction was completed prior to the site inspection. Implementation of the CEMP and sub plans has been assessed based on the Construction Compliance Reports.	Improvement Rec 6: Review management plans to ensure: - A reference table referring to consent conditions is included; - Where conditions are not addressed, include justification as to why; - Cross references in management plans are correct; - All Appendixes are attached to management plans published on the website; - Full names of acronyms used in the report are included; - Other management plans are correctly referenced within the document; - A full reference list is included in every Management Plan; and - Document control including version and date is consistent throughout.
	Prior to construction of the Turning Angle Works, the Proponent must submit revised plans including the Turning Angle Works to the Environmental Representative for approval. The ER may approve minor updates to the plan without further consultation with public authorities. The plans required by Condition E63(e) only apply to the Turning Angle Works insofar as they provide for unexpected finds procedures and staff training and induction. The reference to the ecological monitoring plan referred to in condition E63(b)(viii) does not apply to the Turning Angle Works.	Note	Assessed as required above	
<b>SCHEDULE F OPERATIONAL ENVIRONMENTAL MANAGEMENT</b>				
<b>OPERATIONAL ENVIRONMENTAL MANAGEMENT</b>				
F1	Prior to commencement of operations, the Proponent shall incorporate the SSI into an existing environmental management system administered by the Proponent and prepared in accordance with the AS/NZS ISO 14000 Environmental Management System series or equivalent.	Not Triggered	The OEMP was prepared for the SSI prior to the audit period. The OEMP was updated to include the turning angle on 28/04/20.	
F2	Prior to the commencement of operation, or as otherwise agreed by the <b>Planning Secretary</b> , the Proponent shall prepare and implement an Operation Environmental Management Plan for the SSI. The Plan shall detail the environmental management framework, practices and procedures to be followed during operation of the SSI. The Plan shall be consistent with the document Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004). The Plan shall be prepared in consultation with the relevant government authorities and include, but not necessarily be limited to: (a) a description of all relevant activities to be undertaken during operation of the SSI; (b) statutory and other obligations that the Proponent is required to fulfil during operation including all approvals, consultations and agreements required from authorities, and key legislation and policies; (c) details of how the SSI's environmental performance will be monitored and what actions will be taken to address identified adverse environmental impacts; (d) where required, measures to monitor and maintain biodiversity offset measures implemented in accordance with condition C4 of this approval; (e) measures to monitor and maintain the effectiveness of flora and fauna management measures, including revegetated areas, landscaped areas and the control of the spread of weeds; (f) measures to monitor and manage noise impacts; (g) measures to monitor and control soil erosion and the discharge of sediment and other pollutants to surrounding lands and waterways; (h) procedures for periodic monitoring of groundwater depth and flow and groundwater quality in the vicinity of the SSI and groundwater seepage, including the location and frequency of monitoring; (i) a contingency plan to address changes in groundwater depths and flows and/or groundwater quality and groundwater seepage into the drainage swales; (j) measures to monitor and manage hazards and risks; (k) management and maintenance measures for the floating wetlands, and for the entire stormwater system, including pits and pipes, cess drains, sediment basins, gross pollutant traps and detention basins; (l) management measures for maintaining the Purgatory Creek culvert; (m) emergency management procedures; (n) measures for maintaining the stormwater management system including the drainage swales; and (o) measures to minimise dust generation from internal service roads.  The Plan shall be submitted for the <b>Planning Secretary's</b> approval no later than one month prior to the commencement of operation, or as otherwise agreed by the <b>Planning Secretary</b> . Operation of the SSI shall not commence until written approval has been received from the <b>Planning Secretary</b> . Prior to construction of the Turning Angle Works, the Proponent must provide a copy of the revised plan including the Turning Angle Works to the Environmental Representative for approval. The ER may approve minor updates to the plan without further consultation with public authorities. Nothing in this condition precludes the Proponent from updating an existing Operational Environment Management Plan, (environmental) management system, existing policies and/or procedures to meet this requirement, providing the Operational Environment Management Plan demonstrates, to the satisfaction of the <b>Planning Secretary</b> , where the relevant conditions of this approval have been addressed.	Non-compliant	Preparation (a) Section 1.2 - operational activities (b) Section 1.3 and 2.3 - legislative context and approvals, licenses and agreements (c) Section 4.0 - Monitoring, external reporting, auditing and inspections, document control and record management, corrective action. (d) Not applicable refer to FFMP and BioBankin credit transfer report (201607-TF-156) (e) FFMP (f) Section 3.3 - Noise and Vibration Mgt Strategy (g) SWMP - Stormwater MP and ESCP (h) Section 4.0 - Compliance & Reporting, and Water Quality MP (SGMP) (i) Section 4.0 - Compliance & Reporting, and Water Quality MP (SGMP) (j) Appendix C - Environmental Risk Assessment (k-i) SWMP - Stormwater MP and ESCP (m) Section 5.0 - Incidents, and Flood Emergency MP (FEMP). (n) Section 4.0 - Compliance and Reporting, and SWMP (o) Section 3.4 - Air Quality Management Strategy  Approval -Construction of the Turning Angle commenced on 13 January 2020. - <b>Non-compliant</b> Letter from ER confirming approval of the OEMP dated 26/05/2020. This approval was not approved by the ER prior to the construction of the turning angle.  The auditor acknowledges that the original PA condition specified that the OEMP be approved prior to the commencement of operations. The Turning Angle OEMP was approved by the ER prior to the commencement of operation of the Turning Angle. Notwithstanding this, the OEMP approval is administratively non-compliant with the wording of the MOD1 condition.  Implementation Based on the observations during the site inspection it appears that the site is being managed in accordance with the OEMP.	NC Rec 2: Establish (or review) system to ensure required submissions to regulatory authorities are completed by the relevant due dates.
	Note: The approval of an Operation Environmental Management Plan does not relieve the Proponent of any requirement associated with this SSI approval. If there is an inconsistency with an approved Operation Environmental Management Plan and the conditions of this SSI approval, the requirements of this SSI approval prevail.	Note		
<b>OPERATIONAL PERFORMANCE</b>				
F3	Within 15 months of the completion of construction of the SSI, or as otherwise agreed by the Director-General, the Proponent shall commission an independent, qualified person or team to undertake an Operational Performance Audit of the SSI. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. The Operational Performance Audit Report shall be submitted to the Director-General within one month of the completion of the Audit, unless otherwise agreed by the Director-General. The Audit shall: (a) assess compliance with the requirements of this approval, and other licences and approvals that apply to the SSI; (b) assess the operational performance of the SSI against the predictions made and conclusions drawn in the documents referred to under condition B1 of this approval; and (c) review the effectiveness of the environmental management of the SSI, including any environmental impact mitigation works.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
<b>NOISE AND VIBRATION</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
F4	<p>The Proponent shall undertake a noise and vibration compliance assessment to confirm the predictions of the noise assessment included at B1 and the limits referred to in condition C2. The noise and vibration compliance assessment shall be developed in consultation with the EPA and be undertaken within 12 months of the commencement of operation of the SSI, or as otherwise agreed by the Planning Secretary. The assessment shall include, but not necessarily be limited to:</p> <p>(a) noise and vibration monitoring and compliance assessment, to assess compliance with conditions C1 and C2 of this approval;  (b) methodology for assessment, including the assessment of worst-case scenarios;  (c) details of any complaints received relating to operational noise and vibration impacts;  (d) any required recalibration of the noise and vibration model;  (e) consideration of the cumulative noise and vibration impacts associated with the Project and the proposed ARTC Hexham Relief Roads project;  (f) consideration of noise impacts to the Hexham Swamp Reserve with reference to the passive recreation criteria under the INP;  (g) an assessment of the performance and effectiveness of the applied noise and vibration mitigation measures; and  (h) identification, if required, of further noise and vibration mitigation measures to meet the requirements of C1 and C2 of this approval.</p> <p>A Noise and Vibration Compliance Assessment Report providing the results of the assessment shall be submitted to the Planning Secretary and the EPA within 60 days of its completion. If the assessment indicates an exceedance of the noise and vibration objectives identified, the Proponent shall implement further feasible and reasonable measures (where required) to mitigate these exceedances in consultation with affected property owners. If there is a dispute regarding the implementation of at-receiver treatments, either party may refer the matter to the Planning Secretary for resolution whose decision shall be final.</p>	Non-compliant	<p>Turning Angle Noise and Vibration Assessment Hexham TSF (SLR 2021) completed after the construction of the turning angle. The Noise and Vibration Assessment was undertaken in accordance with condition F4 of this consent to confirm compliance with the noise and vibration goals in Conditions C1 and C2 and to confirm the predictions from the EIS as specified in condition B1.</p> <p><u>Preparation</u>  (a) The Noise and Vibration Assessment was undertaken in accordance with condition F4 of this consent to confirm compliance with the noise and vibration goals in Conditions C1 and C2.  (b) Section 3  (c) Non-compliant - not included  (d) Non-compliant - not included  (e) Non-compliant - not included  (f) Section 3  (g) Non-compliant - not included  (h) Non-compliant - not included</p> <p>The assessment concluded the project was compliant with noise and vibration approval conditions.</p>	NC Rec 5: The noise and vibration compliance assessment should be updated to include consideration of all requirements of condition F4
F4A	The Proponent shall undertake a noise and vibration compliance assessment, consistent with the requirement of condition F4 to include the Turning Angle Works within 12 months of the commencement of operation of the Turning Angle Works.	Compliant	<p>As per the above, the Noise and Vibration Assessment prepared was not consistent with the requirements of Condition F4.</p> <p><u>Submission</u>  The Noise and Vibration Assessment for the turning angle was submitted on 5/10/2021, this was within within 12 months of its completion on 27/5/2020.</p>	
<b>FLOODING</b>				
F5	<p>A Flood Review Report shall be prepared following each of the following flood events at the SSI site – 1%, 2%, 5% and 10% AEP flood events to assess the actual flood impacts against those predicted in Appendix D of the Preferred Infrastructure Report referred to in condition B1(c) and the Modification Report referred to in condition B1(d). The Report shall be prepared by an appropriately qualified person(s) and include:</p> <p>(a) Identification of the properties and infrastructure affected by flooding during the reportable event;  (b) A comparison of the actual extent, level and duration of the flooding event against the impacts predicted in Appendix D of the document referred to in condition B1(c);  (c) Where the actual extent and level of flooding exceeds the predicted level with the consequent effect of adversely impacting on property(ies), structures and infrastructure, identification of the measures to be implemented to reduce future impacts of flooding including the timing and responsibilities for implementation.</p> <p>Flood mitigation measures shall be developed in consultation with the affected property/structure/infrastructure owners, the Water Group and City of Newcastle.</p>	Not triggered	Based on site communications, no flood review reports were triggered during the audit period.	

Compliance Status	
Compliant	75
Non-compliant	8
Not triggered	58
Note	6
Total conditions	147
Total assessed conditions	83

# MP07\_0171 EA - Statement of Commitments

Document Environmental Assessment NSW Train Support Facility  
 Version Date 16-Nov-12  
 Author ADW Johnson

Item	Commitment	Compliance Status	Evidence	Recommended Action
<b>Plans, Documentation and Approvals</b>				
P1	Construction and operation of the TSF will be undertaken in accordance with the submitted plans and the description of the proposed development provided in this Environmental Assessment.	Compliant	Based on the findings of the audit and the site inspection, the works completed at Aurizon Hexham have generally been undertaken in accordance with the EAs, Statements of Commitments and Conditions of Approval.	
P2	All licences, permits and approvals required by law to construct and operate the TSF will be obtained and maintained as required.	Compliant	Approvals sighted including: SSI MP07_0171 Mod 1 Modification approval, council approval for the operation of the onsite sewage management system including evidence of renewal dated 29 September 2021, relevant building certificates.	
P3	Operation of the TSF will be undertaken in accordance with the Environmental Management Plan (EMP). The EMP will address all measures to be implemented to minimise and manage potential environmental impacts during the operation of the TSF. The EMP will include the following plans: a) Conservation Management Plan; b) Waste Management Plan; c) Traffic Management Plan; d) Stormwater Management Plan; e) Erosion and Sediment Control Plan; f) Flood Emergency Management Plan; g) Water Quality Management Plan; h) Acid Sulphate Soil Management Plan; and i) Aboriginal Cultural Heritage Management Plan.	Compliant	Operation of the site is undertaken in accordance with the OEMP. The OEMP was prepared for the SSI prior to the audit period. The OEMP was updated to include the turning angle on 28/04/2020. Letter from ER confirming approval of the OEMP dated 26/05/2020. The OEMP includes reference to the required management plans as relevant.	
<b>Construction</b>				
C1	Construction of the TSF will be undertaken in accordance with the Construction Environmental Management Plan (CEMP). The CEMP will outline the environmental mitigation measures to be implemented during the construction phase and will document mechanism for demonstrating compliance with the relevant approvals. The CEMP will include the plans that address the following: a) construction traffic management; b) construction noise and vibration management; c) water quality and soil management; d) groundwater management; e) flora, fauna and weed management; f) non-indigenous and indigenous heritage management; g) aboriginal heritage management; h) community liaison; i) hazards and risk management; j) spoil management; k) waste management; and l) air quality management.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
C2	Construction activities associated with the TSF will be undertaken during the following hours: a) Monday to Friday (inclusive) – 7:00am to 6:00pm b) Saturday – 8:00am to 1:00pm c) Sundays and public holidays – No works to be undertaken at any time	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
C3	Where construction works are required to be undertaken outside of the standard construction hours, the following measures will be implemented: a) works will be kept to a minimum; b) where feasible noise generating works would be scheduled to be completed outside of the 10:00pm to 7:00am night time period; and c) the works will be undertaken in accordance with the Environment Protection Licence for the TSF Project.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
<b>Ecology</b>				
E1	During construction and operation of the TSF, the Conservation Management Plan will be followed. The Conservation Management Plan will include: a) strategies to avoid or minimise impacts to flora and fauna; b) procedures to monitor and control weeds (with special methods for eradicating alligator weed); c) measures to prevent erosion and sediment control procedures, which will also be incorporated into the Erosion and Sediment Control Plan; d) monitoring of frog ponds; e) strategies to minimise the impact of the access route through Proposed Offset Area 2; and f) contingency procedures or corrective actions to be followed should monitoring indicate that the identified objectives and outcomes are not being achieved.	Not triggered	Biobanking credit transfer report, DPIE response to offsite credits. Letters from DPIE (23/6/2016) states satisfaction and endorsement by OEH (letter dated 13/4/2016) subject to final package.	
E2	Ecological surveys will be undertaken prior to clearing or filling of the wetland to minimise impacts on threatened and endangered species and ensure that direct impacts to flora and fauna are avoided.	Not triggered	Biobanking credit transfer report, DPIE response to offsite credits. Letters from DPIE (23/6/2016) states satisfaction and endorsement by OEH (letter dated 13/4/2016) subject to final package.	
E3	The management of the Southern Offset Area will include: a) the establishment and fencing of the conservation area; b) entering into an appropriate arrangement for the security of the offset area such as a Voluntary Conservation Agreement; c) management of habitat for existing terrestrial and aquatic, flora and fauna species; and d) an annual monitoring program for the first five years.	Not triggered	Biobanking credit transfer report, DPIE response to offsite credits. Letters from DPIE (23/6/2016) states satisfaction and endorsement by OEH (letter dated 13/4/2016) subject to final package.	
E4	The management of the Northern Offset Area will include: a) improving the condition of the Swamp Oak Forest and the Coastal Floodplain Sedgelands; b) entering into an appropriate arrangement for the security of the offset area such as a Voluntary Conservation Agreement; and c) construction of the access route through the Northern Offset Area in a manner that minimises the impact on threatened and endangered species.	Not triggered	Biobanking credit transfer report, DPIE response to offsite credits. Letters from DPIE (23/6/2016) states satisfaction and endorsement by OEH (letter dated 13/4/2016) subject to final package.	
<b>Traffic, Access and Car Parking</b>				

T1	A Construction Traffic Management Plan will be prepared and implemented, which will outline: a) the safe access routes to and from site; b) vehicle parking areas during construction; c) appropriate signage requirements; d) construction activities that will result in the disruption of traffic and the arrangements for traffic management; and e) methods to minimise impacts associated with construction activities.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
T2	A new T-intersection will be constructed on the Tarro Interchange with a sheltered right turn lane that will be able to accommodate the site access road.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
T3	An access road connecting the Tarro Interchange with the TSF will be constructed.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
T4	Road construction and associated drainage works will comply with relevant Newcastle City Council and Roads & Maritime Services standards.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
T5	Dedicated onsite parking will be provided adjacent to the offices and amenities and on hardstand areas adjacent to main work areas. The facility car park will have 38 parking spaces including two disabled spaces.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
<b>Flooding</b>			
F1	A Flood Emergency Management Plan will be prepared which provides mitigation and management measures to be implemented in the event of a flood on site.	Compliant	Flood Emergency Management was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020.
F2	The TSF will be constructed using flood compatible material and site power facilities will be placed above the 1% AEP flood levels.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
<b>Stormwater Management</b>			
S1	A Stormwater Management Plan will be prepared and implemented and will address the following matters: a) the current site hydrology, water quality and changes to these as a result of the development; b) the formation of a network of catch drains (cess drains) which will drain the TSF site; and c) appropriate erosion and sediment controls to be implemented at discharge locations and spillways to prevent the discharge of sedimentation.	Compliant	2018 Audit confirmed compliance with this condition for the construction of the construction of the SSI. The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management.  The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle.  During the site inspection surface water management system was observed to be generally contained. No evidence of significant erosion or sedimentation was observed during the site inspection.
S2	Areas of high sediment, oil & grease and nutrient loads will be separated from the stormwater system (e.g. wash bays, provisioning sheds, servicing sheds). These areas will be treated separately and discharged to trade waste or for re-use in wash down.	Compliant	The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management.  The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle.  Operational activities identified as potentially generating significant contamination are isolated from the greater stormwater system where practicable. These areas include the Provisioning Facility (PF), Combined Maintenance Facility (CMF) and Package Waste Water Treatment Plant. All water generated in the PF and CMF is to be disposed of as trade waste or treated on-site and re-used.  During the site inspection surface water management system was observed to be generally contained. No evidence of significant erosion or sedimentation was observed during the site inspection.
S3	Gross Pollutant Traps (GPTs) will be utilised to provide primary screening of stormwater. A secondary system of GPTs will be located at the outlet of each Water Quality Control Pond as a final barrier to remove suspended solids, remaining floating debris and hydrocarbons.	Compliant	The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management.  The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle.  During the site inspection surface water management system was observed to be generally contained. Traps sighted at the discharge points from the sediment dams
S4	Access roads will be constructed with road side swales to provide treatment through flow attenuation and sedimentation of suspended sediments.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
<b>Effluent Disposal</b>			
ED1	A wastewater system for effluent disposal will be established.	Compliant	Surface and Groundwater Monitoring Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020. Waste water management detailed in Section 3.3
ED2	A recycle system for wash down water will be established.	Compliant	Surface and Groundwater Monitoring Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020. Waste water management detailed in Section 3.3
ED3	An irrigation area with the following site improvements will be established: a) removal of the concrete hardstand and footings in the central portion of the site, or placement of 0.5m of suitable clay loam fill material over concrete; b) addition of lime to acidic soils to maintain plant growth; c) addition of gypsum to improve the soil structure and reduce dispersion/erosion; d) earthworks to recontour and fill drainage channels and redirect surface water flow around the proposed irrigation area (meeting buffer distance requirements); e) where required, placement of suitable fill or earthworks to raise site levels to at least 1m above the permanent groundwater table and/or at least 0.6m between the highest seasonal water table level and the base of the irrigation areas (whichever is the greater); f) importation and placement of a suitable clay loam fill to form the surface of the irrigation area to improve soil properties and minimise the potential for the groundwater pollution; and g) installation of catch drains/bunds upslope and downslope of the irrigation area to prevent rainfall run-on and runoff.	Compliant	Surface and Groundwater Monitoring Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020. Waste water management detailed in Section 3.3
ED4	Dewatering licences will be obtained in respect of the sewer installations where required.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
ED5	Rainwater tanks will be installed to top up the recycled water system.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
<b>Contamination</b>			
CT1	Further assessment of potential contamination will be undertaken, including an assessment of the following: a) the lateral extent and depth of hydrocarbon contamination across the site including in the former refuelling areas; b) the potential source of the hydrocarbon contamination across the site; c) the elevated TRH (C10-C36) concentration in groundwater in Bore 108, MW01, MW03 and MW09; d) the fill materials to determine its leachability and suitability to remain on site; e) the coal reject and fines to be disturbed during construction to assess the extent of potential contaminants (i.e. asbestos, etc.) and the potential management options for the re-use of these coal reject and fines materials on-site; and f) the western portion of Lot 113, DP 755232 (i.e. west of Chichester pipeline), which has not currently been investigated due to modification of the site boundary after completion of field work.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
CT2	The sampling and analysis of contaminated land will be undertaken at a density which is commensurate with the NSW EPA Sampling Guidelines.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.

CT3	Appropriate management action will be taken, including a Remedial Action Plan if required, to: a)remediate hydrocarbon contamination present in fill material; b)remove by localised excavation those hydrocarbon impacted soil associated with former fuel tank (Pit 128) and the former refuelling area (Bore 102 and Pit 128); and c)remove and validate fibro fragments containing asbestos in the former control cabin and former baling shed or establish on-site management of asbestos impacted materials.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
<b>Surface and Groundwater Management</b>			
SG1	Surface water and groundwater monitoring will be undertaken prior to the commencement of construction to: a) establish existing water quality baselines; b) identify sources of potential impact from construction operations; and c) determine the potential for off-site migration of contaminants through water sources.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
SG2	Surface water and groundwater monitoring will be regularly undertaken during the ongoing operation of the TSF to: a) identify any change in water quality; and b) determine the appropriate treatment strategies to be implemented to maintain or improve water quality.	Compliant	Surface and Groundwater Monitoring Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020. Ongoing quarterly monitoring is undertaken for groundwater and surface water. Quarterly monitoring reports have been sighted for the audit period.
SG3	A Water Quality Management Plan will be prepared and implemented and will identify a range of preventative, treatment and contingency measures for the TSF project.	Compliant	
<b>Acid sulphate soils</b>			
A1	An Acid Sulphate Soil Management Plan will be prepared and implemented which includes methods and procedures for: a) minimising the disturbance of potential acid sulphate soils through appropriate dewatering and excavation procedures; b) monitoring of soils, water and leachate throughout construction to identify acid sulphates; c) the storage, treatment and disposal of excavated soils, water and leachate containing acid sulphate; d) managing acid sulphate produced from excavated soil and dewatering, in accordance with the NSW Acid Sulphate Soil Management Advisory Committee Guidelines; and e) remedial action or mitigation action to be implemented as a contingency if the acceptance criteria has not been achieved.	Compliant	Excavated ASS has been stockpiled and stored on site. Process of the ASS treatment discussed in detail on site. lime on base, lay HDPE, lime then 30cm lifts of HDPE lined after placement and validated, neutralisation with lime, then next lift. Site audit statement dated 2/3/2021 for the turning angle alignment development confirming works in accordance with requirements.
<b>Geotechnical</b>			
G1	Deep soil mixing will be utilised for ground improvement. Piling will be used to support building footings.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
G2	The ground improvement method will be monitored by geotechnical instrumentation to measure and verify performance.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
<b>Aboriginal Archaeology</b>			
AA1	An Aboriginal Heritage Management Plan will be prepared and implemented prior to the commencement of any works that may impact on Aboriginal heritage.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
AA2	All staff, contractors and others involved in construction and maintenance related activities will be made aware of the statutory provisions protecting Aboriginal objects and Aboriginal places of significance. A cultural awareness program will be included as part of the site induction program and developed in consultation with the registered Aboriginal stakeholders.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
AA3	The involvement of the registered Aboriginal stakeholders in the ongoing management of the Aboriginal cultural materials within the project study will be promoted and included in the Environmental Management Plan and the Aboriginal Heritage Management Plan.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
AA4	If the identified Potential Cultural Deposit will be impacted upon by the proposed works an archaeological subsurface investigation and salvage will be undertaken in accordance with the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
AA5	If the potential subsurface component of site 'HS1' will be impacted on, an archaeological subsurface investigation and salvage will be undertaken in accordance with the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
<b>European Heritage</b>			
EH1	A Construction Non-Indigenous Cultural Heritage Management Plan will be prepared and implemented, which will set out the mitigation and management strategies to be implemented to minimise potential impacts to European heritage items.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
EH2	Serviceable bricks from the Control Box will be salvaged and appropriately reused in a symbolic linkage of the past and proposed uses of the place.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
EH3	A plaque providing details of the site's heritage will be located on the site.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
EH4	An Excavation Director, with appropriate experience will be appointed prior to any excavation within the vicinity of the junction of the Minmi to Hexham Railway and the Great Northern Railway.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
EH5	The Excavation Director will advise on archaeological matters associated with the excavation, and will ensure compliance with procedures to be adopted in the event of unexpected finds and measures for protecting heritage items that are to be conserved.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
EH6	All archaeological deposits, features and relics that are exposed during the works associated with the proposed TSF will be recorded in accordance with Heritage Branch guidelines.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
<b>Noise and Vibration</b>			
N1	A Construction Noise Management Plan (CNMP) will be prepared and implemented prior to commencement of construction works at the site. The CNMP will include the following: a) construction noise goals; b) specific practical, feasible and reasonable measures for controlling noise, noise and vibration monitoring programs and reporting procedures; and c) mechanisms to provide ongoing community liaison.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
N2	A Construction Noise Management Plan (CNMP) will be prepared and implemented prior to commencement of construction works at the site. The CNMP will include the following: a) construction noise goals; b) specific practical, feasible and reasonable measures for controlling noise, noise and vibration monitoring programs and reporting procedures; and c) mechanisms to provide ongoing community liaison.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
N3	When noisy operations associated with construction activities must be carried out: a) Australian Standard 2436-1981 'Guide to noise control on construction, maintenance and demolition sites' will be followed when relevant; b) there reasonable and feasible, noisy equipment will be sited behind structures that act as barriers or at the greatest distance from the noise-sensitive areas; and c) a responsible person will maintain liaison between the neighbouring community and the contractor.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
<b>Air Quality and Greenhouse Gas</b>			
AQ1	Activities carried out on site will be undertaken in a manner that will ensure that all equipment used, and all facilities erected, are designed and operated to control the emission of smoke, dust, fumes and other pollutants into the atmosphere.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.

AQ2	Measures to minimise the impact of dust generated in association with the proposed development will be implemented including: a) watering of roads and sealing of roads if required; b) stabilisation of disturbed areas as soon as possible; c) wind breaks composed of earth banks and other screens to protect areas by reducing capacity of the wind to raise dust; d) trucks entering and leaving the site will be well maintained in accordance with the manufacturer's specification to comply with all relevant regulations; e) fines may be imposed on vehicles which do not comply with smoke emission standards; f) truck movement will be controlled on site and restricted to designated roadways; g) truck wheel washes or other dust removal procedures (including covering of loads) will be installed to minimise transport of dust offsite if necessary; h) during construction if there are periods of high winds, stockpiles and exposed areas will be covered, or watered, or revegetated; i) procedures to control dust and other emissions from construction operations and on-site equipment will be implemented; j) stockpiles and handling areas will be maintained in a condition which minimises windblown or traffic generated dust; k) construction equipment and transport vehicles will be properly maintained to ensure exhaust emissions comply with relevant regulatory requirements, and to minimise emissions; l) cleared vegetation, demolition, materials and other combustible waste material will not be burnt on site; m) silt will be removed from behind filter fences and other erosion control structures on a regular basis, to prevent it becoming a source of dust; n) non-essential idling of locomotives will be minimised, and locomotives with excessive smoke will be expeditiously repaired; and o) low sulphur diesel fuel will be used where available.	Compliant	Construction was complete at the time of the site inspection. Photographs were provided of hydromulching of bare areas and water carts in operation during construction and no dust related complaints were received therefore there is no reason to believe this condition was not complied with.
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**Social and Economic**

SE1	The following information will be available for community enquiries and complaints prior to and during the construction and operation of the TSF: a) a contact number on which complaints and enquiries about construction and operational activities may be registered; b) a postal address to which written complaints and enquiries may be sent; and c) an email address to which electronic complaints and enquiries may be sent.	Compliant	Complaints line viewed on the website.
SE2	A Near Neighbour Consultation Strategy will be implemented for ongoing proactive engagement and communication with surrounding and adjoining residents. This strategy will include: a) policies which aim to increase project knowledge and develop community-staff relations; and b) processes to inform neighbours about access arrangements to the development site and changes to property access that may affect them.	Compliant	Community consultation strategy (CCS) prepared for the turning angle project. Letter confirming ER approval of the CCS dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted.
SE3	Employment of local and regional workers will be promoted to retain and develop the local skills- base. Local businesses will be utilised where possible for resources and materials for construction and operations	Note	
SE4	Appropriate security protocols will be established to ensure unauthorised persons do not access the TSF site.	Compliant	Evidenced during site inspection, access via security gate. It is noted that should the additional projects such as the Richmond Vale Rail Trail, access may be possible from the west of the site and additional security measures may be required.
SE5	Open and direct communications will be maintained with Australian Rail Track Corporation and the Hunter Valley Coal Chain Coordinator, to ensure that potential benefits of the project are maximised and negative impacts minimised.	Note	

**Waste Management**

WM1	A Construction Waste Management Plan will be prepared prior to the commencement of construction on the site. The Construction Waste Management Plan will address the following: a) appropriate waste identification, handling, storage and disposal in accordance with the Department of Environment Climate Change and Water Guidelines; and b) procedures for how the different waste streams will be stored, collected and disposed of by licensed waste contractors.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
WM2	An Operational Waste Management Plan will be prepared to address the ongoing handling, storage and disposal of waste. The Operational Waste Management Plan will provide: a) identification of the types of waste likely to be generated during construction; b) appropriate storage of waste on site; c) measures to minimise the amount of waste produced; d) measures to increase the potential for waste to be re-used and recycled; e) appropriate methods to assess if waste can be re-used, recycled or disposed to landfill; and f) maintaining records of waste re-use, recycling and/or disposal.	Compliant	Operational waste management plan dated 1/10/2021. Based on site inspection, waste is well managed and segregated.
WM3	Licensed waste contractors will be made responsible for collection and appropriate disposal of waste.	Compliant	Waste is classified by Remondis as they take it and dispose of it. Waste tracking, category breakdowns produced by Remondis monthly. Sighted version dated 2019 and March 2020.

**Visual**

V1	Following construction, landscaping treatment will be undertaken within the developed area of the site. Appropriate locations for landscaping treatment will be determined based on environmental, operational and safety considerations.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
V2	Buildings will be constructed of low reflective materials and colours will be of earth tones.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.

**Hazardous Material**

H1	Any hazardous materials will be stored and disposed of in accordance with WorkCover Authority requirements.	Compliant	Dangerous goods report being commissioned. Site is self bunded and self contained. Based on site inspection, oil and deisel storages appropriately bunded and safely stored. Refer photos. One empty drum sighted outside of bunded area during site inspection.
H2	The amount of diesel fuel to be stored at the TSF exceeds the NSW WorkCover 100kL threshold for C1 combustible goods. As such notification of Dangerous Goods on Premises will be lodged with WorkCover NSW prior to construction being initiated.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.

**Building Codes Australia**

B1	The proposed development will comply with either the 'deemed to satisfy' provisions of the Building Code of Australia, or alternatively provide a performance-based solution prepared by a suitably qualified person.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.
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Compliance Status	
Compliant	20
Non-compliant	0
Not triggered	42
Note	2
Total conditions	64
Total assessed conditions	20

# MP07\_0171 PPR and RTS - Statement of Commitments

Document Preferred Project Report and Response to Submissions, NSW Train Support Facility, Maitland Road, Hexham  
 Version Date 01-Jun-13  
 Author JBA

Issue	Commitment	Compliance Status	Evidence	Recommended Action
<b>FINAL STATEMENT OF COMMITMENTS</b>				
Plans, Documentation and Approvals	Construction and operation of the TSF will be undertaken in accordance with the submitted plans and the description of the proposed development provided in Environmental Assessment as amended by the Preferred Project Report.	Compliant	Based on the findings of the audit and the site inspection, the works completed at Aurizon Hexham have generally been undertaken in accordance with the EAs, Statements of Commitments and Conditions of Approval.	
	All licences, permits and approvals required by law to construct and operate the TSF will be obtained and maintained as required.	Compliant	Approvals sighted including: SSI MP07_0171 Mod 1 Modification approval, council approval for the operation of the onsite sewage management system including evidence of renewal dated 29 September 2021, relevant building certificates,	
	Operation of the TSF will be undertaken in accordance with the Environmental Management Plan (EMP). The EMP will address all measures to be implemented to minimise and manage potential environmental impacts during the operation of the TSF. The EMP will include the following plans: a) Conservation Management Plan; b) Waste Management Plan; c) Traffic Management Plan; d) Stormwater Management Plan; e) Erosion and Sediment Control Plan; f) Flood Emergency Management Plan; g) Water Quality Management Plan; h) Acid Sulphate Soil Management Plan; and i) Aboriginal Cultural Heritage Management Plan.	Compliant	Operation of the site is undertaken in accordance with the OEMP. The OEMP was prepared for the SSI prior to the audit period. The OEMP was updated to include the turning angle on 28/04/2020. Letter from ER confirming approval of the OEMP dated 26/05/2020. The OEMP includes reference to the required management plans as relevant.	
Construction	Construction of the TSF will be undertaken in accordance with the Construction Environmental Management Plan (CEMP). The CEMP will outline the environmental mitigation measures to be implemented during the construction phase and will document mechanism for demonstrating compliance with the relevant approvals. The CEMP will include the plans that address the following: a) construction traffic management; b) construction noise and vibration management; c) construction stormwater management; d) water quality and soil management; e) groundwater management; f) flora, fauna and weed management; g) non-indigenous and indigenous heritage management; h) aboriginal heritage management; i) community liaison; j) hazards and risk management; k) acid sulphate soils management; l) spoil management; m) waste management; and n) air quality management.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Construction activities associated with the TSF will be undertaken during the following hours: a) Monday to Friday (inclusive) – 7:00am to 6:00pm b) Saturday – 8:00am to 1:00pm c) Sundays and public holidays – No works to be undertaken at any time	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Where construction works are required to be undertaken outside of the standard construction hours, the following measures will be implemented: a) works will be kept to a minimum; and b) where feasible noise generating works would be scheduled to be completed outside of the 10:00pm to 7:00am night time period.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
Ecology	The Construction Environmental Management Plan will include the ecological management measures / procedures set out in the Ecological Investigations report, as follows: a) Site-specific environmental induction for all staff. b) Identification of clearing limits and avoiding the storage of materials and vehicles under the drip line of retained vegetation. c) Ecological surveys will be undertaken prior to clearing or filling of the wetland to minimise impacts on threatened and endangered species and ensure that direct impacts to flora and fauna are avoided. d) When clearing vegetation timber, particularly sections with hollows will be retained as Coarse Woody Debris for enhancement of the Northern Offset area. e) Cease work immediately if any previously unknown threatened flora or fauna species are encountered. WIRES should be consulted if any injured fauna are encountered. f) Provide appropriate controls to manage exposed soil surfaces and stockpiles to prevent erosion and subsequent sediment discharge into surrounding wetlands. g) Clearly identify stockpile and storage locations and provide erosion and sediment controls around stockpiles. h) Stockpiles of topsoil to be stored in windrows no higher than 2m and be maintained free of weeds. i) Undertake dust suppression where required in accordance with the Protection of the Environment Operations Act 1997 (POEO Act) where there is a risk of increased dust outside of acceptable levels j) Establish and implement a Hygiene Protocol for vehicles entering and leaving the site to minimise spread of weeds and other biological risks such as alligator weed. k) Develop a monitoring program during construction (including a weekly checklist) to ensure that all mitigation measures proposed have been undertaken. The checklist should include items such as fencing and sediment and erosion control.	Not triggered	Biobanking credit transfer report, DPIE response to offsite credits. Letters from DPIE (23/6/2016) states satisfaction and endorsement by OEH (letter dated 13/4/2016) subject to final package.	
	A Conservation Management Plan will be prepared and implemented in accordance with the NP&W Act for management of the offset areas. The Conservation Management Plan will include: a) strategies to avoid or minimise impacts to flora and fauna; b) procedures to monitor and control weeds (with special methods for eradicating alligator weed); c) measures to prevent erosion and sediment control procedures, which will also be incorporated into the Erosion and Sediment Control Plan; d) monitoring of frog ponds; e) strategies to minimise the impact of the access route through Proposed Offset Area 2; and f) contingency procedures or corrective actions to be followed should monitoring indicate that the identified objectives and outcomes are not being achieved.	Not triggered	Biobanking credit transfer report, DPIE response to offsite credits. Letters from DPIE (23/6/2016) states satisfaction and endorsement by OEH (letter dated 13/4/2016) subject to final package.	
	The management of the Southern Offset Area will include: a) the establishment and fencing of the conservation area; b) entering into an appropriate arrangement for the security of the offset area such as a Voluntary Conservation Agreement; c) management of habitat for existing terrestrial and aquatic, flora and fauna species; and d) an annual monitoring program for the first five years.	Not triggered	Biobanking credit transfer report, DPIE response to offsite credits. Letters from DPIE (23/6/2016) states satisfaction and endorsement by OEH (letter dated 13/4/2016) subject to final package.	

	The management of the Northern Offset Area will include: a) improving the condition of the Swamp Oak Forest and the Coastal Floodplain Sedgeland; and b) entering into an appropriate arrangement for the security of the offset area such as a Voluntary Conservation Agreement; and c) construction of the access route through the Northern Offset Area in a manner that minimises the impact on threatened and endangered species.	Not triggered	Biobanking credit transfer report, DPIE response to offsite credits. Letters from DPIE (23/6/2016) states satisfaction and endorsement by OEH (letter dated 13/4/2016) subject to final package.	
Traffic, Access and Car Parking	A Construction Traffic Management Plan will be prepared and implemented, which will outline: a) the safe access routes to and from site; b) vehicle parking areas during construction; c) appropriate signage requirements; d) construction activities that will result in the disruption of traffic and the arrangements for traffic management; and e) methods to minimise impacts associated with construction activities.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	A new T-intersection will be constructed on the Tarro Interchange with a sheltered right turn lane that will be able to accommodate the site access road.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	An access road connecting the Tarro Interchange with the TSF will be constructed.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Road construction and associated drainage works will comply with relevant Newcastle City Council and Roads & Maritime Services standards.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Dedicated onsite parking will be provided adjacent to the offices and amenities and on hardstand areas adjacent to main work areas. The facility car park will have 38 parking spaces including two disabled spaces.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
Flooding	A Flood Emergency Management Plan will be prepared which provides mitigation and management measures to be implemented in the event of a flood on site.	Compliant	Flood Emergency Management was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020.	
	The TSF will be constructed using flood compatible material and site power facilities will be placed above the 1% AEP flood levels.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
Surface and Groundwater Monitoring	The Stormwater management Plan prepared by Worley Parson's forms part of this project and the management, monitoring and maintenance requirements set out in that plan will be implemented. The Plan will be reviewed and updated as part of the detailed design process.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	A Construction Water Quality Management Plan will be prepared and implemented as part of the CEMP once the final construction methodology is confirmed. The Plan will identify a range of preventative, treatment and contingency measures for the construction phase of the TSF project including further details regarding appropriate erosion and sediment controls to be implemented at discharge locations and spillways to prevent the discharge of sedimentation during construction. Stormwater management measures for the construction phase will be developed in accordance with the Landcom 'Blue Book' and incorporated in the Construction Environmental Management Plan prior to the commencement of construction.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Surface water and groundwater monitoring will be undertaken prior to the commencement of construction to: a) establish existing water quality baselines; b) identify sources of potential impact from construction operations; and c) determine the potential for off-site migration of contaminants through water sources.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Areas of high sediment, oil & grease and nutrient loads will be separated from the stormwater system (e.g. wash bays, provisioning sheds, servicing sheds). These areas will be treated separately and discharged to trade waste or for re-use in wash down.	Compliant	The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management.  The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle.  Operational activities identified as potentially generating significant contamination are isolated from the greater stormwater system where practicable. These areas include the Provisioning Facility (PF), Combined Maintenance Facility (CMF) and Package Waste Water Treatment Plant. All water generated in the PF and CMF is to be disposed of as trade waste or treated on-site and re-used.  During the site inspection surface water management system was observed to be generally contained. No evidence of significant erosion or sedimentation was observed during the site inspection.	
	Gross Pollutant Traps (GPTs) will be utilised to provide primary screening of stormwater. A secondary system of GPTs will be located at the outlet of each Water Quality Control Pond as a final barrier to remove suspended solids, remaining floating debris and hydrocarbons.	Compliant	The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management.  The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle.  During the site inspection surface water management system was observed to be generally contained. Traps sighted at the discharge points from the sediment dams	
	Access roads will be constructed with road side swales to provide treatment through flow attenuation and sedimentation of suspended sediments.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
Effluent Disposal	Surface water and groundwater monitoring will be regularly undertaken during the ongoing operation of the TSF to: a) identify any change in water quality; and b) determine the appropriate treatment strategies to be implemented to maintain or improve water quality.	Compliant	Surface and Groundwater Monitoring Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020.	
	The water monitoring program for the TSF project will include monitoring of changes in hydrological regime associated with discharges to catchment 2 (which contains the Swamp Oak Forest EEC) in the northwest and to Catchment 5 (which contains the Coastal Saltmarsh EEC) to the south. Further opportunities will be investigated to manage stormwater flows on the site to assist in creating favourable water flows and levels that support rehabilitated and offset areas of significant ecological value.	Compliant	Ongoing quarterly monitoring is undertaken for groundwater and surface water. Quarterly monitoring reports have been sighted for the audit period.	
	A wastewater system for effluent disposal will be established.	Compliant	Surface and Groundwater Monitoring Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020. Waste water management detailed in Section 3.3	
	A recycle system for wash down water will be established.	Compliant	Surface and Groundwater Monitoring Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020. Waste water management detailed in Section 3.3	
Effluent Disposal	An irrigation area with the following site improvements will be established: a) removal of the concrete hardstand and footings in the central portion of the site, or placement of 0.5m of suitable clay loam fill material over concrete; b) addition of lime to acidic soils to maintain plant growth; c) addition of gypsum to improve the soil structure and reduce dispersion/erosion; d) earthworks to recontour and fill drainage channels and redirect surface water flow around the proposed irrigation area (meeting buffer distance requirements); e) where required, placement of suitable fill or earthworks to raise site levels to at least 1m above the permanent groundwater table and/or at least 0.6m between the highest seasonal water table level and the base of the irrigation areas (whichever is the greater); f) importation and placement of a suitable clay loam fill to form the surface of the irrigation area to improve soil properties and minimise the potential for the groundwater pollution; and g) installation of catch drains/bunds upslope and downslope of the irrigation area to prevent rainfall run-on and runoff.	Compliant	Surface and Groundwater Monitoring Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020. Waste water management detailed in Section 3.3	
	Dewatering licences will be obtained in respect of the sewer installations where required.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Rainwater tanks will be installed to top up the recycled water system.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
Contamination	Remediation will be carried out in accordance with the Remedial Action Plan to: a) remediate hydrocarbon contamination present in fill material; b) remove by localised excavation those hydrocarbon impacted soil associated with former fuel tank (Pit 128) and the former refuelling area (Bore 102 and Pit 128); and c) Asbestos from within buildings to be demolished, and asbestos containing soils, will be removed for disposal in appropriate licenced landfill facilities. Asbestos will be removed by a suitably licenced contractor in accordance with WorkCover requirements.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	

Acid Sulphate Soils	The ASSMP prepared by Douglas Partners forms part of the project. The ASSMP will be updated following further soil sampling and validation of ASS, and the confirmation of construction methodology.	Compliant	Excavated ASS has been stockpiled and stored on site. Process of the ASS treatment discussed in detail on site. lime on base, lay HDPE, lime then 30cm lifts of HDPE lined after placement and validated, neutralisation with lime, then next lift.  Site audit statement dated 2/3/2021 for the turning angle alignment development confirming works in accordance with requirements.	
Aboriginal Archaeology	The persons responsible for the management of works on site will ensure that all staff, contractors and others involved in construction and maintenance related activities are made aware of the statutory legislation protecting sites and places of significance. Of particular importance is the National Parks and Wildlife Amendment (Aboriginal Objects and Aboriginal Places) Regulation 2010, under the National Parks and Wildlife Act 1974.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	The involvement of the registered Aboriginal stakeholders in the ongoing management of the Aboriginal cultural materials within the project study should be promoted and included in the Environmental Management Plan and the Aboriginal Heritage Management Plan.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	A cultural awareness program will be included as part of the site induction program and developed with the registered Aboriginal stakeholders (where appropriate) and form part of the Environmental Management Plan and/or the Aboriginal Heritage Management Plan.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
European Heritage	A Construction Non-Indigenous Cultural Heritage Management Plan will be prepared and implemented, which will set out the mitigation and management strategies to be implemented to minimise potential impacts to European heritage items.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Serviceable bricks from the Control Box will be salvaged and appropriately reused in a symbolic linkage of the past and proposed uses of the place.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	A plaque providing details of the site's heritage will be located on the site.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	An Excavation Director, with appropriate experience will be appointed prior to any excavation within the vicinity of the junction of the Minmi to Hexham Railway and the Great Northern Railway.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	The Excavation Director will advise on archaeological matters associated with the excavation and will ensure compliance with procedures to be adopted in the event of unexpected finds and measures for protecting heritage items that are to be conserved.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
Noise and Vibration	All archaeological deposits, features and relics that are exposed during the works associated with the proposed TSF will be recorded in accordance with Heritage Branch guidelines.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	A Construction Noise Management Plan (CNMP) will be prepared and implemented prior to commencement of construction works at the site. The CNMP will include the following: a) construction noise goals; b) specific practical, feasible and reasonable measures for controlling noise, noise and vibration monitoring programs and reporting procedures; and c) mechanisms to provide ongoing community liaison.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Equipment will be kept well maintained to prevent unnecessary noise and vibration.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
Air Quality and Greenhouse Gas	When noisy operations associated with construction activities must be carried out: a) Australian Standard 2436-1981 'Guide to noise control on construction, maintenance and demolition sites' will be followed when relevant; b) where reasonable and feasible, noisy equipment will be sited behind structures that act as barriers or at the greatest distance from the noise-sensitive areas; and c) a responsible person will maintain liaison between the neighbouring community and the contractor.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Activities carried out on site will be undertaken in a manner that will ensure that all equipment used, and all facilities erected, are designed and operated to control the emission of smoke, dust, fumes and other pollutants into the atmosphere.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
Social and Economic	Measures to minimise the impact of dust generated in association with the proposed development will be implemented including: a) watering of roads and sealing of roads if required; b) stabilisation of disturbed areas as soon as possible; c) wind breaks composed of earth banks and other screens to protect areas by reducing capacity of the wind to raise dust; d) trucks entering and leaving the site will be well maintained in accordance with the manufacturer's specification to comply with all relevant regulations; e) fines may be imposed on vehicles which do not comply with smoke emission standards; f) truck movement will be controlled on site and restricted to designated roadways; g) truck wheel washes or other dust removal procedures (including covering of loads) will be installed to minimise transport of dust offsite if necessary; h) during construction if there are periods of high winds, stockpiles and exposed areas will be covered, or watered, or revegetated; i) procedures to control dust and other emissions from construction operations and on-site equipment will be implemented; j) stockpiles and handling areas will be maintained in a condition which minimises windblown or traffic generated dust; k) construction equipment and transport vehicles will be properly maintained to ensure exhaust emissions comply with relevant regulatory requirements, and to minimise emissions; l) cleared vegetation, demolition, materials and other combustible waste material will not be burnt on site; m) silt will be removed from behind filter fences and other erosion control structures on a regular basis, to prevent it becoming a source of dust; n) non-essential idling of locomotives will be minimised, and locomotives with excessive smoke will be expeditiously repaired; and o) low sulphur diesel fuel will be used where available.	Compliant	Construction was complete at the time of the site inspection. Photographs were provided of hydromulching of bare areas and water carts in operation during construction and no dust related complaints were received therefore there is no reason to believe this condition was not complied with.	
	The following information will be available for community enquiries and complaints prior to and during the construction and operation of the TSF: a) a contact number on which complaints and enquiries about construction and operational activities may be registered; b) a postal address to which written complaints and enquiries may be sent; and c) an email address to which electronic complaints and enquiries may be sent.	Compliant	Complaints line viewed on the website.	
	A Near Neighbour Consultation Strategy will be implemented for ongoing proactive engagement and communication with surrounding and adjoining residents. This strategy will include: a) policies which aim to increase project knowledge and develop community-staff relations; and b) processes to inform neighbours about access arrangements to the development site and changes to property access that may affect them.	Compliant	Community consultation strategy (CCS) prepared for the turning angle project. Letter confirming ER approval of the CCS dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted.	
	Employment of local and regional workers will be promoted to retain and develop the local skills base. Local businesses will be utilised where possible for resources and materials for construction and operations.	Note		
	Appropriate security protocols will be established to ensure unauthorised persons do not access the TSF site.	Compliant	Evidenced during site inspection, access via security gate. It is noted that should the additional projects such as the Richmond Vale Rail Trail, access may be possible from the west of the site and additional security measures may be required.	
Waste Management	Open and direct communications will be maintained with Australian Rail Track Corporation and the Hunter Valley Coal Chain Coordinator, to ensure that potential benefits of the project are maximised and negative impacts minimised.	Note		
	A Construction Waste Management Plan will be prepared prior to the commencement of construction on the site. The Construction Waste Management Plan will address the following: a) appropriate waste identification, handling, storage and disposal in accordance with the Department of Environment Climate Change and Water Guidelines; and b) procedures for how the different waste streams will be stored, collected and disposed of by licensed waste contractors.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	An Operational Waste Management Plan will be prepared to address the ongoing handling, storage and disposal of waste. The Operational Waste Management Plan will provide: a) identification of the types of waste likely to be generated during construction; b) appropriate storage of waste on site; c) measures to minimise the amount of waste produced; d) measures to increase the potential for waste to be re-used and recycled; e) appropriate methods to assess if waste can be re-used, recycled or disposed to landfill; and f) maintaining records of waste re-use, recycling and/or disposal.	Compliant	Operational waste management plan dated 1/10/2021.  Based on site inspection, waste is well managed and segregated.	
Licensed waste contractors will be made responsible for collection and appropriate disposal of waste.	Compliant	Waste is classified by Remondis as they take it and dispose of it. Waste tracking, category breakdowns produced by Remondis monthly. Sighted version dated 2019 and March 2020.		
Visual	Following construction, landscaping treatment will be undertaken within the developed area of the site. Appropriate locations for landscaping treatment will be determined based on environmental, operational and safety considerations.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
	Buildings will be constructed of low reflective materials and colours will be of earth tones.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	

Hazardous Material	Any hazardous materials will be stored and disposed of in accordance with WorkCover Authority requirements.	Compliant	Dangerous goods report being commissioned. Site is self banded and self contained. Based on site inspection, oil and deisel storages appropriately banded and safety stored. Refer photos. One empty drum sighted outside of banded area during site inspection.	
	The amount of diesel fuel to be stored at the TSF exceeds the NSW WorkCover 100kL threshold for C1 combustible goods. As such notification of Dangerous Goods on Premises will be lodged with WorkCover NSW prior to construction being initiated.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	

Compliance Status	
Compliant	18
Non-compliant	0
Not triggered	37
Note	2
Total conditions	57
Total assessed conditions	18

# SSI-6090 Mod 1 EIS - Statement of Commitments

Document: SSI-6090 Modification 1 - Environmental Assessment Report Revised  
 Version Date: 12-Jun-19  
 Author: Ethos Urban

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>SUMMARY OF COLLECTIVE MITIGATION AND MANAGEMENT MEASURES</b>				
<b>Stormwater and Water Quality</b>				
Stormwater and Water Quality	Mitigation measures as detailed in soil assessment (GHD 2019).	Compliant	The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management. The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle. During the site inspection surface water management system was observed to be generally contained. Traps sighted at the discharge points from the sediment dams	
	Construct stormwater drainage of the proposal as per the design.	Compliant	The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management. The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle. During the site inspection surface water management system was observed to be generally contained. Traps sighted at the discharge points from the sediment dams	
	Maintain the existing stormwater management system as per the existing Operational Stormwater Management Sub-Plan.	Compliant	During the site inspection surface water management system was observed to be generally contained with areas of use of oil and grease isolated from the main stormwater system. No evidence of significant erosion or sedimentation or contamination was observed during the site inspection.	
	Update the Operational Stormwater Management Sub-Plan for consistency once construction of the proposal is complete.	Compliant	The current version of the Stormwater Management Plan (v10) applicable to the operation of the TSF and Turning Angle is dated 1/10/2021.	
<b>Existing Consent Conditions and Commitments</b>				
Condition C7	The SSI shall be designed, and employ surface water management techniques, such that runoff volumes, rates and pollutant loads are maintained as far as practicable to pre-construction levels and there are no adverse effects to adjoining lands as a result of runoff;	Compliant	2018 Audit confirmed compliance with this condition for the construction of the construction of the SSI. The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management. The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle. During the site inspection surface water management system was observed to be generally contained. No evidence of significant erosion or sedimentation was observed during the site inspection.	
Condition C8	The SSI shall be designed and constructed to incorporate operational stormwater management measures, including (but not limited to): (a) areas of high sediment, areas of storage and use of oil and grease and areas containing nutrient loads (including the wash bays, provisioning sheds and servicing sheds) shall be separated from the general site stormwater system through the use of separate drainage systems, bunds and hardstands and subject to separate discharge to trade waste or re-use in the wash down bays; (b) where connection to the reticulated sewer system is identified to not be feasible, subject to justification based on further investigations, wastewater from the administration buildings, toilets, showers, lunch rooms, etc. shall be managed through a water treatment plant and be disposed via irrigation into existing agricultural pasture land. (c) site stormwater shall be directed into a drain on the western boundary of the SSI site and directed into one of three stormwater detention basins for treatment of suspended sediments and nutrients through floating wetlands, prior to its offsite discharge. This stormwater system shall be capable of treating at least a 1% AEP stormwater event; and (d) access roads shall be provided with road side swales to provide treatment through flow attenuation and entrainment of suspended sediments.	Compliant	2018 Audit confirmed compliance with this condition for the construction of the construction of the SSI. The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle. During the site inspection surface water management system was observed to be generally contained with areas of use of oil and grease isolated from the main stormwater system. No evidence of significant erosion or sedimentation or contamination was observed during the site inspection.	
Condition C10	Excavation activities near the Hexham Swamp Nature Reserve shall be undertaken in a manner which prevents the drawdown of groundwater within the Nature Reserve to a level which results in desaturation of acid sulfate soils within the Nature Reserve.	Compliant	Groundwater monitoring reports pick up groundwater level. No substantial excavation during the construction of the Turning Angle which would have impacted the groundwater table.	
Condition C11	All drainage structures, including but not limited to pits, pipes, cess drains, sediment basins and detention basins, shall be designed and constructed so as to minimise long term connection with groundwater. The stormwater system components, including but not limited to detention basins and floating wetlands, shall be designed and constructed to ensure that there is no permanent interception of, and/or connection with groundwater.	Compliant	No new basins created as part of the Turning Angle project. Basins all constructed with impermeable clay layers so no connectivity, additional protection against contamination.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Condition C19	<p>A Surface Water and Groundwater Monitoring Program shall be prepared and implemented to monitor impacts on surface water and groundwater quality and hydrology. The Program shall be developed in consultation with the EPA, NoW and Hunter-Central Rivers CMA and shall include, but not necessarily be limited to:</p> <p>(a) identification of works and activities during construction of the SSI, including emergencies and spill events, that have the potential to impact on surface and groundwater water quality and groundwater depths and flows;</p> <p>(b) identification of surface and groundwater monitoring locations which are representative of the potential extent of impacts from the construction and operation of the SSI on water quality and groundwater depths and flows (including watercourses, waterbodies, wetlands, drainage swales and licensed discharge points);</p> <p>(c) a description of the parameters (including physico-chemical) and standards against which any changes to water quality will be monitored and assessed, having regard to the principles of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000 (ANZECC, 2000);</p> <p>(d) details of representative background monitoring of surface and groundwater quality parameters and groundwater depths and flows undertaken to date (or required to be undertaken) to establish baseline conditions;</p> <p>(e) identification of 'trigger points' for further investigation or action to be taken;</p> <p>(f) identification of the frequency and methodology of monitoring during background, construction and operation monitoring periods;</p> <p>(g) details on how the results of monitoring would be recorded;</p> <p>(h) details of how interactions with the ARTC Hexham Relief Roads Project and potential cumulative impacts would be monitored and managed;</p> <p>(i) contingency and ameliorative measures in the event that adverse impacts to surface waters and groundwater are identified consequent to the construction and/or operation of the SSI; and</p> <p>(j) methodology for reporting of the monitoring results to the Department and EPA.</p> <p>Monitoring shall be undertaken in accordance with the requirements of the approved Construction Soil and Water Management Plan required under Condition E63 (d) and Operation Environment Management Plan required by condition F2. The Program shall be submitted to the Director-General for approval at least one month prior to the commencement of construction of the SSI, or as otherwise agreed by the Director-General.</p>	Non-compliant	<p>2018 Audit confirmed compliance with this condition for the construction of the construction of the SSI.</p> <p><u>Preparation</u> Construction of the Turning Angle commenced on 13 January 2020.</p> <p>Letter confirming ER approval of the Surface Water and Groundwater Monitoring Program dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted.</p> <p>A subsequent revision of the Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020.</p> <p>The current version of the Surface Water and Groundwater Monitoring Program (v10) applicable to the operation of the TSF and Turning Angle is dated 30/03/2021. The current version of the monitoring program plan was resubmitted for information to the DPIE on 31 March 2021, with resubmission acknowledged as containing required updates by letter dated 27/04/2021.</p> <p>The latest version of the Monitoring program includes the requirements of this condition:</p> <p>a) N/A to operations, however, it is recommended that the plan identifies key activities which have the potential to impact on water resources. b) Section 2.1 c) Section 2.3 d) Section 2.3 states that performance criteria have been developed utilising baseline data. e) Section 3.2 f) Section 2.1 and 2.4 g) Section 3.1 h) <u>Non-compliant</u>, the monitoring plan does not reference interactions with the Relief Roads project or any methodology for monitoring and managing cumulative impacts. i) Section 3.2 j) Section 3.1</p> <p><u>Implementation</u> Ongoing quarterly monitoring is undertaken for groundwater and surface water. Quarterly monitoring reports have been sighted for the audit period.</p> <p><u>Non-compliance</u> self reported due to one GW monitoring bore not being monitored due to being removed due to construction of TA. The management plan has been updated since this time. No further recommendations.</p>	
Condition E39	Changes to hydrogeology, including groundwater depths, interception and connection with surface water, shall be minimised to the greatest extent practicable.	Compliant	<p>Based on the construction compliance reports, this was compliant at the completion of construction.</p> <p>As per condition, C10, Groundwater monitoring reports pick up groundwater level. No substantial excavation during the construction of the Turning Angle which would have impacted the groundwater table or resulted in changes to hydrogeology.</p>	
Condition E40	Dewatered groundwater shall not be discharged from the construction site or applied on site unless in accordance with an EPL.	Compliant	<p>The site is not regulated by an EPL.</p> <p>Based on the construction compliance reports, no water was discharged and this was compliant at the completion of construction.</p>	
Condition E63	As part of the Construction Environment Management Plan for the SSI required under condition E62 of this approval, the Proponent shall prepare and implement the plans listed at (a) to (f) below. Where a plan is required to be prepared in consultation with an authority or stakeholders, the plan shall provide details on the consultation undertaken including any comments received and where these have been addressed in the plan. (d) A Construction Soil and Water Management Plan to manage surface water and groundwater impacts during the construction of the SSI. The Plan shall be developed in consultation with the City of Newcastle, NoW and Hunter-Central Rivers CMA...[continues]	Compliant	<p>Soil and Water MP Preparation -Construction of the Turning Angle commenced on 13 January 2020 sighted. -Letter from DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted. -Letter confirming ER approval of the CEMP dated 19 December 2019 sighted. -Email of ER approval sent to DPIE dated 19 December 2019 sighted. -Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.</p>	
Existing Commitment	The Stormwater management Plan prepared by Worley Parson's forms part of this project and the management, monitoring and maintenance requirements set out in that plan will be implemented. The Plan will be reviewed and updated as part of the detailed design process.	Compliant	<p>2018 Audit confirmed compliance with this condition for the construction of the construction of the SSI. The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management.</p> <p>The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle.</p> <p>During the site inspection surface water management system was observed to be generally contained. No evidence of significant erosion or sedimentation was observed during the site inspection.</p>	
Existing Commitment	A Construction Water Quality Management Plan will be prepared and implemented as part of the CEMP once the final construction methodology is confirmed. The Plan will identify a range of preventative, treatment and contingency measures for the construction phase of the TSF project including further details regarding appropriate erosion and sediment controls to be implemented at discharge locations and spillways to prevent the discharge of sedimentation during construction. Stormwater management measures for the construction phase will be developed in accordance with the Landcom 'Blue Book' and incorporated in the Construction Environmental Management Plan prior to the commencement of construction.	Compliant	<p>The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle.</p> <p>During the site inspection surface water management system was observed to be generally contained. No evidence of significant erosion or sedimentation was observed during the site inspection.</p>	
Existing Commitment	Gross Pollutant Traps (GPTs) will be utilised to provide primary screening of stormwater. A secondary system of GPTs will be located at the outlet of each Water Quality Control Pond as a final barrier to remove suspended solids, remaining floating debris and hydrocarbons.	Compliant	<p>The turning angle is a modification to existing development and continues to be managed in accordance with the site surface water management.</p> <p>The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle.</p> <p>During the site inspection surface water management system was observed to be generally contained. Traps sighted at the discharge points from the sediment dams</p>	
Existing Commitment	Access roads will be constructed with road side swales to provide treatment through flow attenuation and sedimentation of suspended sediments.			
Existing Commitment	Surface water and groundwater monitoring will be regularly undertaken during the ongoing operation of the TSF to: a) identify any change in water quality; and b) determine the appropriate treatment strategies to be implemented to maintain or improve water quality. The water monitoring program for the TSF project will include monitoring of changes in hydrological regime associate with discharges to catchment 2 (which contains the Swamp Oak Forest EEC) in the northwest and to Catchment 5 (which contains the Coastal Saltmarsh EEC) to the south. Further opportunities will be investigated to manage stormwater flows on the site to assist in creating favourable water flows and levels that support rehabilitated and offset areas of significant ecological value	Compliant	<p>Surface and Groundwater Monitoring Program was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020.</p> <p>Ongoing quarterly monitoring is undertaken for groundwater and surface water. Quarterly monitoring reports have been sighted for the audit period.</p>	
<b>FLOODING</b>				
<b>Existing Consent Conditions and Commitments</b>				
Condition C12	The SSI shall be designed and constructed so that it does not result in flooding impacts greater than those predicted in the documents referred to in condition B1. The cumulative impacts of the SSI and the proposed ARTC Hexham Relief Roads shall be considered in these requirements.	Compliant	<p>Flood modelling undertaken for the TSF and the Turing angle EA. The Flood Assessment Report for Mod 1 (BMT, May 2019) states that: "It is the opinion of BMT that the proposed turning angle does not have significant implications for potential impacts to the existing flood behaviour".</p> <p>There is no requirement to do any verification studies under condition F5 to date as there has been no flooding. Flood Assessment Report for Mod 1 (BMT, May 2019) included consideration of the TSF project and Hexham Relief Roads.</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Condition C15	The Proponent shall prepare a Flood Emergency Management Plan which sets out the management requirements and procedures for managing flood risks during the construction and operation of the SSI, including flood recovery measures. The Plan shall be prepared in consultation with City of Newcastle and the OEH and be submitted to the Director-General at least one month prior to the commencement of construction, or as otherwise agreed by the Director-General.	Compliant	<u>Preparation</u> Construction of the Turning Angle commenced on 13 January 2020.  Letter confirming ER approval of the management plan dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted.  A subsequent revision of the Flood Emergency Management was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020.  <u>Implementation</u> Based on site communications, no flooding review reports (required under condition F2) were triggered in the audit period	
Condition F5	A Flood Review Report shall be prepared following each of the following flood events at the SSI site – 1%, 2%, 5% and 10% AEP flood events to assess the actual flood impacts against those predicted in Appendix D of the Preferred Infrastructure Report referred to in condition B1(c). The Report shall be prepared by an appropriately qualified person(s) and include: (a) identification of the properties and infrastructure affected by flooding during the reportable event; (b) a comparison of the actual extent, level and duration of the flooding event against the impacts predicted Appendix D of the document referred to in condition B1(c); (c) where the actual extent and level of flooding exceeds the predicted level with the consequent effect of adversely impacting on property(ies), structures and infrastructure, identification of the measures to be implemented to reduce future impacts of flooding including the timing and responsibilities for implementation. Flood mitigation measures shall be developed in consultation with the affected property/structure/infrastructure owners, NoW and City of Newcastle.	Not triggered	Based on site communications, no flood review reports were triggered during the audit period.	
Existing Commitment	A Flood Emergency Management Plan will be prepared which provides mitigation and management measures to be implemented in the event of a flood on site.	Compliant	Flood Emergency Management was approved by the ER as part of the OEMP as evidenced by letter dated 26/05/2020.	
Existing Commitment	The TSF will be constructed using flood compatible material and site power facilities will be place above the 1% AEP flood levels.	Not triggered	Construction of the TSF was completed prior to the audit period. Construction of the turning angle assessed under MOD 1 statement of commitments.	
<b>BIODIVERSITY MANAGEMENT</b>				
<b>Existing Consent Conditions and Commitments</b>				
Condition E1	The Proponent shall ensure that clearing of native vegetation and infilling of SEPP 14 Wetland No. 833 is limited to the minimal extent required for the construction and operation of the SSI, and no greater than 12 hectares (including SEPP 14 wetlands).	Not Triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
Condition E2	The Proponent shall implement all mitigation measures as identified in the Construction Flora and Fauna Management Plan (condition E63 (b)), to minimise the potential for damage to native vegetation (particularly threatened species and endangered ecological communities and their habitat) not proposed to be cleared as part of the SSI, to ensure that there is no incursion into, or clearing of the vegetation.	Compliant	Pre-clearing survey as part of the turning angle - Jacobs 20/12/2019. No trees were knocked and all movements restricted to project boundary.	
Condition E3	The Proponent shall mark areas of endangered ecological communities and threatened species habitat not to be impacted by the SSI with flagging tape or similar prior to commencing construction to ensure that there is no incursion into or clearing of the areas.	Not Triggered	Not in the vicinity of the EEC. No EECs inside the project boundary.	
Condition E4	Any areas temporarily disturbed during construction (including access tracks and compound sites) shall be rehabilitated to a standard equal to or better than the existing condition, as soon as feasible and reasonable following the completion of construction activities in the affected location. Replanting of affected vegetation shall be undertaken using locally occurring native species.	Compliant	Stockpile areas and access tracks, ripped and reseeded etc. Based on the site inspection there is no obviously remnant disturbance remaining from the TA construction.	
Condition E5	The Proponent shall ensure that any coarse woody debris removed from the site, including timber from felled trees (particularly hollow bearing timber), shall be relocated to the Northern Offset site as identified in Appendix G of the document referred to in condition B1(c) of this approval, for the enhancement of the ecological values of that site.	Not Triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
Condition E6	Prior to construction, pre-clearing surveys and inspections for threatened flora and fauna species and habitat features (including hollow bearing trees) shall be undertaken. The surveys and inspections, and any subsequent relocation of species, shall be undertaken under the guidance of a suitably qualified and experienced ecologist. The methodology for pre-clearance surveys shall be incorporated into the Construction Flora and Fauna Management Plan (condition E63 (b)).	Compliant	Pre-clearing survey as part of the turning angle - Jacobs 20/12/2019. No trees were knocked and all movements restricted to project boundary.	
Condition E8	The Proponent shall prepare a management plan that identifies the strategies that would be implemented in the event that the Green and Golden Bell Frog is identified during construction. The plan shall be developed in consultation with the OEH and include details on the mitigation measures to be implemented to minimise the risk to this species, including direct and indirect impacts to its habitat. The plan is to be submitted to the Director-General at least one month prior to construction, unless otherwise agreed by the Director-General. Nothing in this condition precludes the inclusion of this plan in the Flora and Fauna Management Plan (condition E63 (b)).	Compliant	<u>Preparation</u> Letter confirming ER approval of the Construction Flora and Fauna Management Plan dated 19/12/2019 and email from DPIE dated 19/12/2019 acknowledging ER approval of the plans from the CEMP sighted. Flora and Fauna Management Plan contains Green and Golden Bell Frog Management Plan as Attachment E addressing these requirements. It is noted that there was no requirement for resubmission of this plan for the Turning Angle Works.	
Condition E9	In the event that the Green and Golden Bell Frog is identified to occur during construction, all work in the vicinity of the sighting shall stop to the extent necessary to allow the procedures set out in the management plan (condition E8) to be implemented.	Not Triggered	Based on site correspondence there were no sightings during construction	
Condition E10	In the event that other threatened fauna or flora species are identified during construction, all work in the vicinity of the sighting shall stop and management measures to minimise the risk to the species implemented in accordance with the procedure required by condition E63 (b)(iv).	Not Triggered	Based on site correspondence there were no sightings during construction	
Condition E11	The Proponent shall implement measures to minimise impacts to fauna species and their habitat as far as practicable (and where feasible and reasonable), during the construction of the SSI, including: (a) protocols for the removal and relocation of fauna during clearing, including a two stage clearing strategy; (b) establishing "no go" zones, including at freshwater wetland and coastal saltmarsh sites outside of the construction zone; (c) provision of setbacks; (d) presence of a suitably qualified and experienced ecologist to oversee clearing activities and facilitate fauna rescues and relocation; (e) timing construction to be outside of the breeding season of threatened species with the potential to occur on the site; (f) maintaining and reinstating habitat features (such as large woody debris, bush rock, leaf litter/mulch and topsoil etc.); (g) developing measures for minimising the incidence of fauna being trapped in excavation cells (such as minimising the length of time that cells are left exposed) and measures to deal with trapped or injured fauna; (h) implementing drainage controls to prevent the extension of Gambusia holbrooki (Eastern Mosquitofish) into the Hexham Swamp Nature Reserve; and (i) progressive re-vegetation of areas temporarily disturbed by construction.	Compliant	Construction was complete at the time of the site inspection. Based on the construction compliance assessments, this condition was not triggered. The Construction Flora and Fauna Management Plan lists the appropriate control as per this condition.	
Condition E12	Where reasonable and feasible, all private access tracks and internal service roads are to be at least 50 metres from SEPP 14 wetlands and the Hexham Swamp Nature Reserve, unless this is in conflict with condition C33, or as otherwise agreed by the Director-General, or as specified at an alternative distance in the documents listed under conditions B1 (c) of this approval.	Compliant	Based on maps provided and site inspections the access tracks at the southern boundary of the site are within 50m of the SEPP14 wetlands at some points. However, as per the approved Turning Angle EIS (Ethos Urban, 2019) "The access tracks located along the southern boundary of the LTTSF site are existing and will be upgraded as part of the works. These tracks are necessary to provide access to the turning angle and also to provide access to properties to the south of the site."	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Existing Commitment	The Construction Environmental Management Plan will include the ecological management measures / procedures set out in the Ecological Investigations report, as follows: a) Site-specific environmental induction for all staff. b) Identification of clearing limits and avoiding the storage of materials and vehicles under the drip line of retained vegetation. c) Ecological surveys will be undertaken prior to clearing or filling of the wetland to minimise impacts on threatened and endangered species and ensure that direct impacts to flora and fauna are avoided. d) When clearing vegetation timber, particularly sections with hollows will be retained as Coarse Woody Debris for enhancement of the Northern Offset area. e) Cease work immediately if any previously unknown threatened flora or fauna species are encountered. WIRES should be consulted if any injured fauna are encountered. f) Provide appropriate controls to manage exposed soil surfaces and stockpiles to prevent erosion and subsequent sediment discharge into surrounding wetlands. g) Clearly identify stockpile and storage locations and provide erosion and sediment controls around stockpiles. h) Stockpiles of topsoil to be stored in windrows no higher than 2m and be maintained free of weeds. i) Undertake dust suppression where required in accordance with the Protection of the Environment Operations Act 1997 (POEO Act) where there is a risk of increased dust outside of acceptable levels j) Establish and implement a Hygiene Protocol for vehicles entering and leaving the site to minimise spread of weeds and other biological risks such as alligator weed. k) Develop a monitoring program during construction (including a weekly checklist) to ensure that all mitigation measures proposed have been undertaken. The checklist should include items such as fencing and sediment and erosion control.	Compliant	Construction fauna and flora management plan (FFMP) - Preparation -Construction of the Turning Angle commenced on 13 January 2020 sighted. -Letter from DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted. -Letter confirming ER approval of the CEMP dated 19 December 2019 sighted. -Email of ER approval sent to DPIE dated 19 December 2019 sighted. -Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.  Preparation (b) Section 1.3 (i) Table 7 (ii) Attachment A (iii) Table 7 (iv) Table 7 (v) Table 7 (vi) Section 4 and Table 8 (not Table 4.1) (vii) Table 7 (and Section 2.4 and Attachment C) (viii) NA (ix) Section 5.0  Implementation Construction was completed prior to the site inspection. Implementation of the CEMP and sub plans has been assessed based on the Construction Compliance Reports. Based on the presented information, the CEMP was implemented during construction.	
<b>CONTAMINATION MANAGEMENT</b>				
Acid Sulfate Soils	The ASSMP previously prepared will continue to apply to the works. See the Soil Assessment at <b>Appendix F</b> for specific details. Identified contamination is to be managed in accordance with the previously approved RAP (GHD 2014) and the measures listed in the Site Management Plan (SMP)	Note		
Contamination	•Soils are to be managed in accordance with the SMP/ASSMP, which may include: – Soils requiring disturbance which exhibit visual or olfactory signs of contamination or coal wash reject are to be excavated. Laboratory analysis by a NATA accredited laboratory will be required to confirm presence/absence of contamination. Prior to backfilling the excavation floor and walls will undergo validation sampling to confirm absence of contamination or if further neutralisation of coal washery reject is required. – Excavated soil which is to be transported to a different area from its existing location will also be subject to waste classification. If any ACM is observed during construction, work is to cease until the ACM has been disposed of to a licenced facility and the area has been cleared by an authorised consultant.	Compliant	Excavated ASS has been stockpiled and stored on site. Process of the ASS treatment discussed in detail on site. lime on base, lay HDPE, lime then 30cm lifts of HDPE lined after placement and validated, neutralisation with lime, then next lift.  Site audit statement dated 2/3/2021 for the turning angle alignment development confirming works for acid sulphate soils has been undertaken in accordance with requirements.	
Soil Salinity	The following mitigation measures will be implemented to minimise potential impacts to soil salinity: •Earthworks will be staged where possible to minimise the time that any potentially saline subsoils are exposed. •Erosion and sediment control measures will be implemented to prevent mobilisation of any potentially saline soils. •All deep-rooted trees are to be retained where possible to minimise impacts to groundwater levels. The surface and groundwater monitoring program currently undertaken by Aurizon is to continue. Any exceedances of the adopted conductivity performance criteria are to be investigated to determine the cause, potential impacts and feasible mitigation measures. Site drainage is to be designed to maintain existing levels of runoff and infiltration where possible.	Compliant	Construction was complete at the time of the site inspection however, disturbed areas were generally revegetated. No trees were removed during construction of the turning angle. Minimal erosion and sedimentation was noted.  Ongoing quarterly monitoring is undertaken for groundwater and surface water. Quarterly monitoring reports have been sighted for the audit period.	
Soil and Land Resources	General mitigation measures are to be implemented in accordance with Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (DECC, 2008), including: •Define access and no/go areas on site. Early installation of physical controls, including cross drainage to convey clean water around or through the site.	Compliant	The current Hexham TSF Stormwater Management Plan v10 dated 1/10/2021 includes details of the turning angle and erosion and sediment control.  During the site inspection surface water management system was observed to be generally contained. Traps sighted at the discharge points from the sediment dams	
	•Minimising the duration of exposed topsoil by retaining topsoil cover, grassed drainage lines and shrub cover on the soil surface for as long as possible minimising the extent of disturbed areas. •Interim stockpiling of materials (minimal permanent stockpiles). •Minimising the lengths of slopes by limiting the extent of excavations and/or using diversion drains to reduce water velocity over disturbed areas. Progressive rehabilitation or sealing of works areas.	Compliant	During the site inspection it was noted that the vegetation cover over previously disturbed areas was established and minimal bare areas were evident. Minimal erosion and sedimentation was noted.	
<b>Existing Consent Conditions and Commitments</b>				
Condition C20	The Proponent shall ensure that all acid sulfate soils and acid generating material excavated on site is disposed offsite in an appropriately licensed landfill facility, unless proposed to be re-used on site. Any acid sulphate soils or acid generating material to be re-used on site shall be temporarily stored and treated on site to required standards in an appropriately lined and bunded storage area located above the 1% AEP flood level. Procedures for the treatment, temporary storage and monitoring of these materials shall be in accordance with the Acid Sulfate Soil Management Plan required to be prepared under condition E63 (d) (xi) of this approval.	Compliant	Excavated ASS has been stockpiled and stored on site. Process of the ASS treatment discussed in detail on site. lime on base, lay HDPE, lime then 30cm lifts of HDPE lined after placement and validated, neutralisation with lime, then next lift.  Site audit statement from EPA dated 2/3/2021 for the turning angle alignment development NSW.	
Condition C21	No acid sulfate soils or acid generating material shall be permanently stored on site, unless the material has been treated and validated as neutralised and the material is stored above the 1% AEP flood level and protected by appropriate erosion and sediment control measures, and as agreed to by the EPA and the Director-General.	Compliant	Excavated ASS has been stockpiled and stored on site. Process of the ASS treatment discussed in detail on site. lime on base, lay HDPE, lime then 30cm lifts of HDPE lined after placement and validated, neutralisation with lime, then next lift.  Site audit statement from EPA dated 2/3/2021 for the turning angle alignment development NSW.	
Condition E27	Fluvial geomorphology, soil and water management measures consistent with the recommended mitigation measures in Appendix E of the document referred to in condition B1(c) and the measures in Managing Urban Stormwater - Soils and Construction Volumes 1 and 2, 4th Edition (Landcom, 2006) shall be employed prior to and during the construction of the SSI (including prior to clearing) to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.	Compliant	Construction was complete at the time of the site inspection. Based on the construction compliance assessment reports, erosion and sediment controls were progressively installed from the commencement of construction until the March 2021 reporting period. Following this, maintenance of the erosion and sediment controls was undertaken until the completion of construction  Photographs in compliance reports and provided during the audit indicate appropriate erosion and sediment controls	
Condition E28	Facilities shall be provided (including at all exit points leading onto public roads) to minimise tracking mud, dirt or other material onto a public road or footpath. In the event of any spillage, the Proponent shall remove the spilled material as soon as practicable within the working day of the spillage.	Compliant	Letter from Aurizon to DPIE dated 11/3/2020 requesting DPIE confirmation that they are satisfied with the existing operational controls to prevent the tracking of material offsite. DPIE response by email dated 13/3/2021 confirmed satisfaction.	
Condition E29	Where reasonable and feasible, the Proponent shall undertake the upgrade of waterway crossing during periods of dry weather.			
Condition E30	Prior to the commencement of construction the Proponent shall undertake further investigations as recommended in the Remediation Action Plan included in Appendix H of the document referred to in condition B1 (c), to confirm the presence of contaminants on site, based on detailed design requirements. Upon confirmation of the contaminated areas on site, the Proponent shall update the Remediation Action Plan as required to take into account any new or updated procedures relevant to any new areas of contamination identified and remediate the identified sites in accordance with the updated Remediation Action Plan, prior the commencement of construction in the impacted areas.	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
Condition E31	Where unexpected contaminated materials are identified during construction works, these materials would be identified, managed, treated and disposed of in accordance with the procedures outlined in the updated Remediation Action Plan. Where required, the Proponent shall engage a suitably qualified contaminated land consultant to prepare an addendum to the Validation Report referred to in condition E33 to cover the additional areas of contamination identified and additional remediation measures undertaken. The Proponent shall also engage an accredited NSW Site Auditor to prepare an updated Site Audit Report to assess the addendum Validation Report and submit a copy of both reports to the Director-General and City of Newcastle.	Compliant	Section 2.1.12 of the Construction Contamination Management Plan lists the unexpected finds procedure for the turning angle works.  Site Audit Report 0503-2004 and Site Audit Statement dated 2 March 2021 prepared by JBS&G Australia Pty Ltd. Email dated 3 March 2021 from Aurizon sighted evidencing submission to DPIE and NCC.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Condition E33	E33. The Proponent shall engage a suitably qualified contaminated land consultant to prepare a Validation Report upon completion of the remediation of the areas identified in the Remediation Action Plan. The Validation Report shall verify that the site has been remediated in accordance with the Remediation Action Plan (if and as amended) and to a standard consistent for the intended land use. The Proponent shall engage an accredited NSW Site Auditor to prepare a Site Audit Report to determine the appropriateness of the Validation Report. The Validation Report and Site Audit Report shall be submitted to the Director-General <b>upon completion of construction related activities and finalisation of the Site Audit Report and Site Audit Statement process prior to the laying of track in the remediated area(s)</b> . A copy of the reports shall also be submitted to the City of Newcastle for its information.	Compliant	Site Audit Report 0503-2004 and Site Audit Statement dated 2 March 2021 prepared by JBS&G Australia Pty Ltd. Email dated 3 March 2021 from Aurizon sighted evidencing submission to DPIE and NCC.	
Condition E32	Prior to the reuse of ballast, chitter or tailings within the existing railway corridor, the Proponent shall undertake sampling and testing of the materials to establish whether: (a) the materials are of a quality suitable for the intended reuse; and (b) the removal and reuse of the materials would not result in contaminated runoff. Materials that are not suitable for reuse are to be classified in accordance with the Waste Classification Guidelines (DECCW, 2009) or any superseding document	Not triggered	As per condition B4A, this condition is not applicable to the Turning Angle Works.	
Condition E38	The Proponent shall ensure that all areas used for the storage and treatment of acid sulfate soils during construction of the SSI are located or elevated above the 1% AEP flood level, unless otherwise agreed by the Director-General.	Compliant	Based on the site plans and the 1% AEP flood conditions presented in figure 4 of the HEXHAM TRAIN SUPPORT FACILITY TURNING ANGLE – FLOOD ASSESSMENT dated 27/5/2019, the Acid Sulphate soil treatment pad was located above the 1% flood level.	
Condition E63	As part of the Construction Environment Management Plan for the SSI required under condition E62 of this approval, the Proponent shall prepare and implement the plans listed at (a) to (f) below. Where a plan is required to be prepared in consultation with an authority or stakeholders, the plan shall provide details on the consultation undertaken including any comments received and where these have been addressed in the plan. (f) a Construction Contamination Management Plan to detail how contaminated materials, water and soil will be managed to protect human health and the environment. The Plan shall include, but not necessarily be limited to: (i) location of areas identified as contaminated; (ii) procedures for the sampling and assessment of excavated material at depth consistent with the requirements of condition E30; (iii) procedures for the sampling and testing of ballast, chitter and tailings consistent with the requirement of condition E32; (iv) procedures for the classification, remediation, handling and monitoring of contaminated materials, water and soils identified during construction (including asbestos), consistent with the Remediation Action Plan included as Appendix H in the document referred to in condition B1(c). (v) a contingency plan to be implemented in the case of unanticipated discovery of contaminants; (vi) a procedure for updating the Remediation Action Plan consequent to amendments in the remediation procedures or the discovery of contaminants during construction; (vii) program for validating soil quality upon completion of remediation; and (viii) mechanisms for the monitoring, review and amendment of this Plan.	Compliant	CCMP Preparation -Construction of the Turning Angle commenced on 13 January 2020 sighted. -Letter form DPIE clarifying ER approval is acceptable for minor CEMP update dated 29 November 2019 sighted. -Letter confirming ER approval of the CEMP dated 19 December 2019 sighted. -Email of ER approval sent to DPIE dated 19 December 2019 sighted. -Email from DPIE acknowledging receipt of ER approved management plans, including for Condition E62 dated 20 December 2019 sighted.  Preparation (f) (i) Section 2.0 and Annexure 2 (ii) Section 2.1.5 (note that E30 is not triggered) (iii) NA (iv) Section 2.1, 2.2 & 5.0 (plus section 1.0) (v) Section 2.1, Table 3.1 (Reference should be 2.1.2 and Table 4.1) (vi) Section 2.1 & 5.2 (vii) Sections 2.1.2, 2.1.3, 2.1.4, 2.1.5 & 2.1.6 (viii) Section 5.5 E31 Section 2.1.12 – audit report sighted E33 Section 2.1.2 – audit report sighted  Observation (iv) - There is no Annexure 10 in the CEMP as referred to in Section 2.1 - This reference should include Section 1.0, which states SMP supersedes the RAP (Appendix H of B1(c))  Implementation Construction was completed prior to the site inspection. Implementation of the CEMP and sub plans has been assessed based on the Construction Compliance Reports.	Improvement Rec 6: Review management plans to ensure: - A reference table referring to consent conditions is included; - Where conditions are not addressed, include justification as to why; - Cross references in management plans are correct; - All Appendixes are attached to management plans published on the website; - Full names of acronyms used in the report are included; - Other management plans are correctly referenced within the document; - A full reference list is included in every Management Plan; and - Document control including version and date is consistent throughout.
Existing Commitment	Remediation will be carried out in accordance with the Remedial Action Plan to: a) remediate hydrocarbon contamination present in fill material; b) remove by localised excavation those hydrocarbon impacted soil associated with former fuel tank (Pit 128) and the former refuelling area (Bore 102 and Pit 128); and c) Asbestos from within buildings to be demolished, and asbestos containing soils, will be removed for disposal in appropriate licenced landfill facilities. Asbestos will be removed by a suitably licenced contractor in accordance with WorkCover requirements.	Not triggered		
Existing Commitment	The ASSMP prepared by Douglas Partners forms part of the project. The ASSMP will be updated following further soil sampling and validation of ASS, and the confirmation of construction methodology.	Compliant		
<b>HERITAGE</b>				
Unexpected Finds	•All activity in the vicinity of the find should cease immediately. Aboriginal objects are protected by the National Parks and Wildlife Act 1974. It is an offence under the NPW Act 1974 to disturb or destroy an Aboriginal object without an Aboriginal Heritage Impact Permit (AHIP). A qualified archaeologist should be contacted to assess the find and the OEH and the Local Aboriginal Land Council (LALC) notified. •If human remains, or suspected human remains, are found during excavation, all work in the vicinity should cease immediately, the site should be secured and the NSW Police and the OEH should be notified.	Compliant		
<b>WASTE MANAGEMENT</b>				
<b>Existing Consent Conditions and Commitments</b>				
Condition C25	The Proponent shall ensure that all liquid and/or non-liquid waste generated on the site is assessed and classified in accordance with Waste Classification Guidelines (DECCW, 2009), or any future guideline that may supersede that document, and that it is appropriately handled.	Compliant	Waste is classified by Remondis as they take it and dispose of it. Waste tracking, category breakdowns produced by Remondis monthly. Sighted version dated 2019 and March 2020.	
Condition C26	The Proponent shall maximise the reuse and/or recycling of waste materials generated on site as far as practicable, to minimise the need for treatment or disposal of those materials off site.	Compliant	Waste is segregated, washdown water is recycled, coolant is recycled, Waste segregation sighted during the site inspection, bins labelled, and segregated, scrap steel etc. Refer photos	
Condition C27	The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997, if such a licence is required in relation to that waste. This condition is independent of the operation of the Brancourts facility and Sewerage Treatment Plant.	Not Triggered	No wastes are received from offsite.	
Condition C28	All waste materials removed from the site shall be appropriately tracked and shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Compliant	Waste is classified by Remondis as they take it and dispose of it. Waste tracking, category breakdowns produced by Remondis monthly. Sighted version dated 2019 and March 2020.	
Existing Commitment	A Construction Waste Management Plan will be prepared prior to the commencement of construction on the site. The Construction Waste Management Plan will address the following: a) appropriate waste identification, handling, storage and disposal in accordance with the Department of Environment Climate Change and Water Guidelines; and b) procedures for how the different waste streams will be stored, collected and disposed of by licensed waste contractors.	Compliant	Construction waste management plan approved by the ER on 19/12/2019. Construction was complete at the time of the site inspection.	
Existing Commitment	An Operational Waste Management Plan will be prepared to address the ongoing handling, storage and disposal of waste. The Operational Waste Management Plan will provide: a) identification of the types of waste likely to be generated during construction; b) appropriate storage of waste on site; c) measures to minimise the amount of waste produced; d) measures to increase the potential for waste to be re-used and recycled; e) appropriate methods to assess if waste can be re-used, recycled or disposed to landfill; and f) maintaining records of waste re-use, recycling and/or disposal.	Compliant	Operational waste management plan approved by the ER on 26/05/2020. Latest version dated 1/10/2021. Based on site inspection, waste is well managed and segregated.	
Existing Commitment	Licensed waste contractors will be made responsible for collection and appropriate disposal of waste.	Compliant	Waste is classified by Remondis as they take it and dispose of it. Waste tracking, category breakdowns produced by Remondis monthly. Sighted version dated 2019 and March 2020.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
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Compliance Status	
Compliant	45
Non-compliant	1
Not triggered	5
Note	1
Total conditions	52
Total assessed conditions	46

# APPENDIX D

## Photographs



**Photo 1** Appropriate Bin Signage and Waste Management in the Workshop



**Photo 2** Waste Management and Good Housekeeping in the Workshop



**Photo 3 Yard Housekeeping and Waste Management**



**Photo 4 Legacy Waste to be cleared up around the site (1)**



**Photo 5 Legacy Waste to be cleared up around the site (2)**



**Photo 6 Hydrocarbon Management and Bunding**



**Photo 7** Empty drum noted in non-bunded area – to be removed/relocated



**Photo 8** No evidence of dust impacts due to operations. Internal roads well maintained



**Photo 9** Some minor areas of weeds requiring management noted



**Photo 10** Spill management at the DIL. No evidence of staining and spill kits in place



**Photo 11** Spill Kits appropriately located around the site

# APPENDIX E

## Independent Audit Certification

Independent Audit Certification Form	
Project Name	Aurizon Hexham Train Support Facility
Consent No.	MP07_0171 Mod 1 (SSI-6090)
Description of Project	Construction and operation of a train support facility
Project Address	Off Tarro Interchange & Woodlands Close. Parallel to Industrial Drive Hexham NSW 2322
Proponent	Aurizon Operations Limited
Operator Address	GPO Box 456 Brisbane QLD 4000
Title of Audit	Aurizon Hexham Train Support Facility MP07_0171 Mod 1 (SSI-6090) 2021 Independent Environmental Audit
Date	24 January 2022
<p><i>I declare that I have undertaken the Independent Audit and prepared the contents of the attached independent audit report and to the best of my knowledge:</i></p> <ul style="list-style-type: none"> <li><i>i) The audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019);</i></li> <li><i>ii) The findings of the audit are reported truthfully, accurately and completely;</i></li> <li><i>iii) I have exercised due diligence and professional judgement in conducting the audit;</i></li> <li><i>iv) I have acted professionally, objectively and in an unbiased manner;</i></li> <li><i>v) I am not related to any proponent, owner or operator of the project, neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;</i></li> <li><i>vi) I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;</i></li> <li><i>vii) Neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and</i></li> <li><i>viii) I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i></li> </ul> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li><i>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</i></li> </ul> <p><i>The Crimes Act 1990 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)</i></p>	
Name of Auditor	Nathan Archer
Signature	
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