

Compliance Tracking Program

Water and wastewater servicing of the
West Dapto Urban Release Area (WDURA)
Horsley and Cleveland Precincts

Package 3

MP09_0189

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Prepared by

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Approved by

Project Manager

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Revision Control Chart

Revision Number	Date revised	Author	Approved By	Endorsed by	Amended Page(s)	Description of Change
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Delivery Agent (Program Delivery) Project Manager	

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DCCEEW	DCCEEW

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1 Introduction

On 14 June 2013, the Minister for Planning and Infrastructure granted the following under Part 3A of the *Environmental Planning and Assessment Act 1979*:

- a concept approval to provide water and wastewater services for the West Dapto Urban Release Area (WDURA) and Adjacent Growth Areas (AGAs)
- a project approval to provide water and wastewater services for the WDURA first release precincts.

Indicative location of water and wastewater infrastructure is shown in Figure 1.

On 6 January 2016, the Minister for Planning and Infrastructure granted a modification to the concept approval that enabled the boundary of the concept approval to be aligned with the boundary of the project approval area. The modification also had the effect of removing equivalent or duplicate Minister's Conditions of Approval (MCoA). The project was then named "Water and Wastewater Servicing of the West Dapto Urban Release Area precincts of Kembla Grange, Sheaffes/Wongawilli and West Horsley".

Construction of the first and second packages of works are complete. Sydney Water's Delivery Agent (DA), Program Delivery (PD) will project manage the detailed design and construction works. PD will engage a Design and Construct contractor to deliver the next package of works (Package 3), which comprises construction of approximately 5.5 km of wastewater and 4 kms of watermain pipelines (Figure 2). Construction is expected to commence in early 2024. Once commissioned, the infrastructure will be operated and maintained by Sydney Water.

Sydney Water has developed this Compliance Tracking Program (CTP) to track and report compliance against the MCoA for Package 3. This program describes compliance responsibilities and provides a clear and consistent format for demonstration of compliance.

1.1 Requirement for a Compliance Tracking Program

The approval granted by the Minister includes a range of MCoA that must be met during construction and operation of the infrastructure. Concept Approval Condition 3.6 requires the development and implementation of a CTP. This report has been specifically prepared to address the requirements of Condition 3.6. It describes compliance responsibilities and presents Compliance Tracking Tables (CTTs) as a format for compliance reporting generally, and for WDURA Package 3 in particular. The CTP and CTTs will be revised for subsequent packages as more detail becomes available.

MCoA 3.6:

Prior to the commencement of construction of any project related to this Concept Plan Approval, the Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval during the construction and operation of any project related to this Concept Plan Approval and shall include, but not necessarily be limited to:

- a) provisions for the periodic reporting of compliance status to the Director-General including at least prior to the commencement of construction of the project (Pre-Construction Compliance Report), prior to the commencement of operation of the project (Pre-Operation Compliance Report), including prior to each stage, where works are being staged, and within two years of operation commencement;*
- b) provisions for periodic review of the compliance status of the project against the requirements of this approval;*
- c) a programme for independent environmental auditing in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing, for construction and operation;*
- d) mechanisms for recording environmental incidents during construction and actions taken in response to those incidents;*

- e) *provisions for reporting environmental incidents to the Director-General and relevant public authorities;*
- f) *procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and*
- g) *provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.*

Figure 1 WDURA and AGA - indicative location of infrastructure in the Project Approval Area

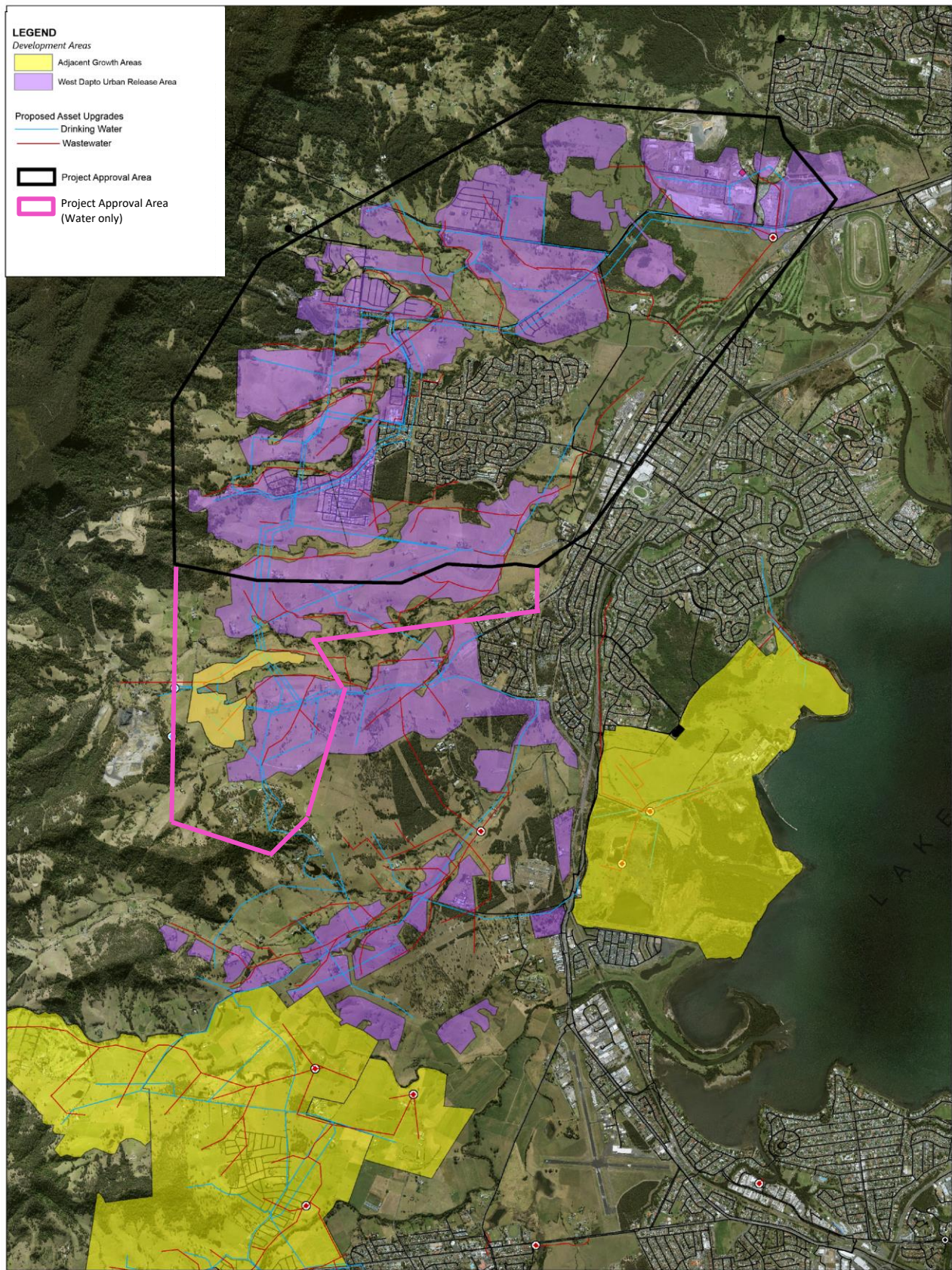
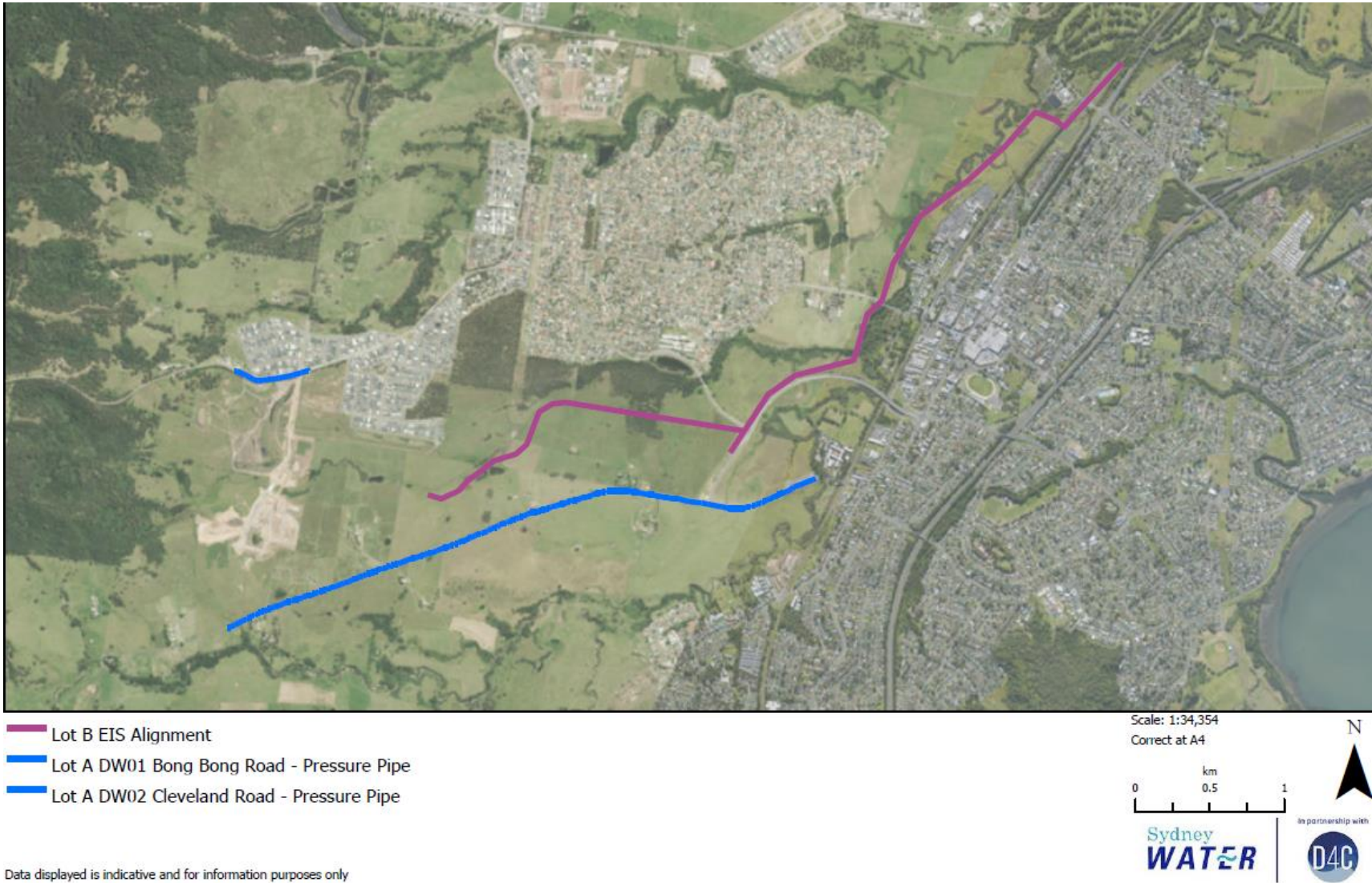


Figure 2 WDURA Package 3



2 Compliance Roles and Responsibilities

Three entities have compliance obligations in this CTP: the Proponent; the DA and the Contractor. The Department of Climate Change, Energy, the Environment and Water (DCCEEW) is the regulator for the MCoA. An independent auditor will be responsible for auditing compliance with the MCoA.

Compliance roles and responsibilities are summarised below with more detail presented in the Compliance Tracking Tables (CTT) in **Appendix A**. The CTT contains a consolidated list of the relevant MCoA and Statement of Commitments (SOC) applicable to Package 3. It identifies which of the three entities holds the primary responsibility for compliance during the phases of planning, design, pre-construction, construction and operation, and also identifies if a particular condition is relevant to a stage of works.

The Proponent (Sydney Water) - As the Proponent, Sydney Water has ultimate responsibility for tracking compliance with the MCoA and is also responsible for periodic reporting of compliance to the Secretary in relation to the status of the MCoA. Sydney Water develops the CTP and will monitor the performance of the DA and submit all required plans and reports to DCCEEW to meet the MCoA. Sydney Water will be responsible for engaging the Independent Auditor. Within Sydney Water, the Customer Delivery branch is responsible for compliance with operational MCoA and reporting during operations.

The Delivery Agent (Program Delivery for WDURA Package 3) - The DA, a branch of Sydney Water called Program Delivery, is responsible for project managing procurement, design, construction and commissioning of WDURA infrastructure that is not delivered by developers. PD will engage a Design and Construct contractor to deliver Package 3, which comprises construction of approximately 5.5 km of wastewater pipeline and 4 kms of watermains (Figure 2). The DA is responsible for and will ensure the contractor complies with the MCoA and SoC relevant to Package 3 works during design, construction and commissioning, including verifying compliance of the Contractor's management plans and site practices. The DA and the Contractor will design and implement induction programs to ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities to meet MCoA 3.6(g). The DA will resource a suitably qualified person(s) to fulfil the Environmental Representative role as required in CoA E15.

The Contractor (D4C for Package 3) – The Contractor is responsible for designing, constructing and commissioning WDURA infrastructure and for preparing management plans that meet MCoA and will appoint a construction environment representative to ensure compliance with the MCoA. The Contractor (D4C, or the Southern RDC) is an unincorporated joint venture comprising John Holland, Service Stream, Comdain. The contractor will be required to regularly report to the DA on their MCoA and SoC compliance as described in this compliance tracking program. The Contractor will design and implement an induction program to ensure that all employees and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities to meet MCoA 3.6(g).

Independent Auditor –will be responsible for auditing environmental performance. Auditing compliance of the MCoA and SoC will be done in accordance with ISO 19011.2003 – *Guidelines for Quality and/ or Environmental Management Systems Auditing* to meet CoA 3.6 (c).

3 Details of Compliance Tracking and Reporting

The compliance tracking program has been designed to meet the requirements of CoA 3.6.

3.1 Compliance Reporting – MCoA 3.6(a)

CTP Compliance Reports will be prepared and submitted to the Secretary in accordance with the requirements of 3.6(a). Reports will be based around the CTT format and coordinated to include the independent audit results from construction onwards. The primary responsibility for preparing the reports will sit with the DA during pre-construction and construction, and Sydney Water during operations.

Three compliance reports would be developed by the DA and submitted to DCCEEW:

- Pre-construction Compliance Report
- Construction Compliance Report
- Pre-operation Compliance Report

However, should the duration of construction be less than one year, the annual construction compliance report would be combined with the pre-operation's compliance report (Table 1).

One Operation Compliance Report would be developed by Sydney Water and submitted to DCCEEW within two years of operation. Ongoing operational compliance will be monitored and reported to the EPA as required by the EPL and managed in accordance with Sydney Waters certified EMS (as accepted by DCCEEW, letter dated 16 November 2015).

The Pre-Construction Compliance Report (PCCR) shall be submitted to DCCEEW as a stand-alone report for information prior to commencement of construction.

3.2 Compliance Review - MCoA 3.6(b)

The CTP and CTT has been developed to support the DA and the Contractor with compliance tracking required by MCoA 3.6.

During design and construction, the DA will periodically review compliance of the project with the requirements of the MCoA and SoC including:

- reviewing the Contractor's monthly environmental performance reports
- conducting a program of periodic internal environmental audits
- holding compliance tracking meetings between all parties to ensure approval requirements are met.

Operational compliance would be reviewed as part of Sydney Waters certified Environmental Management System (EMS), as approved by DCCEEW (letter dated 16 November 2015).

3.3 Independent Auditing - MCoA 3.6(c)

An Independent Auditor will be engaged to conduct an audit during construction and operation, in accordance with ISO 19011:2003 – Guidelines for Quality and/or Environmental Management Systems Auditing. Audits will be programmed to coordinate with compliance reporting. The independent auditing program is outlined in Table 1.

3.4 Recording and reporting Environmental Incidents - MCoA 3.6(d-e)

The DA will ensure that the Contractor develops and implements an environmental incident procedure that complies with conditions 3.6(d-e), 3.7 and 3.8 during construction, including reporting to DCCEEW and relevant public authorities. This will include the immediate reporting of environmental incidents to the Secretary and NSW EPA for reportable incidents under part 5.7 of the Protection of the Environment Operations Act 1997, having regard to MCoA 3.6 (d)-(f) and condition B1 of the Project Approval.

The DA will also record incidents in Sydney Water's electronic incident management system, which will include recording and reporting details of the incident and actions taken in response to the incident, in accordance with SWEMS0009 Sydney Water Procedure for reporting incidents with an environmental impact. SWEMS0009 addresses reporting of environmental incidents to Relevant Public Authorities. In addition, reporting of incidents to the Director General will be managed via the DCCEEW Major Projects Portal.

Sydney Water Delivery Portal will be utilised to record incidents and non-conformances as Report Actions. This platform will be used by both Sydney Water and the Contractor.

Sydney Water will follow its existing incident recording and notification procedures during operation in accordance with Sydney Water's certified EMS, having regard to the requirements of MCoA 3.7 and 3.8

3.5 Management of Non-Compliances - MCoA 3.6(f)

The Contractor, the DA, and Sydney Water will implement documented procedures to record and address any non-compliances identified during environmental auditing, compliance reviews or incidents within an appropriate time frame. The DA will record non-compliances on Sydney Water's electronic incident management system, which will include recording and reporting details of the non-compliance and actions taken in response.

Non-compliances, non-conformances and environmental incidents will be managed in accordance with documented procedures in the Contractors CEMP (during construction) and Sydney Waters EMS (during operation). Ongoing operational compliance will be monitored and reported to EPA by Sydney Water, as required by the Environmental Protection Licence (EPL) and managed in accordance with Sydney Waters certified EMS (as accepted by DCCEEW, letter dated 16 November 2015).

Auditing by the DA and the Independent Auditor of the CEMP and EMS will ensure that effective mechanisms are in place to rectify any non-compliances/non-conformances within specified timeframes.

Timeframes for rectification / close-out of Contractor incidents and non-conformances will be allocated by Sydney Water on a pre-occurrence basis and managed through the Sydney Water Delivery Portal Report Action module. Requests raised by DCCEEW or during audits will be closed-out within the timeframes allocated by DCCEEW or Auditor.

Non-compliances and non-conformances identified during audits, compliance reviews, and incidents will also be reported as noted in Table 1 Compliance Tracking Program.

3.6 Environmental Awareness - MCoA 3.6(g)

The DA will require the Contractor to develop and implement an environmental induction program to ensure all employees and sub-contractors working on the project are aware of, and comply with, the conditions of this approval relevant to their respective activities. This is envisaged to include a project induction (with brief competency test to document inductee knowledge of their environmental roles and responsibilities) and task specific environmental toolbox talks. The Contractor would document the implementation of the induction program in accordance with the procedures outlined within their CEMP. This will include hard copies available on site and signed/completed induction records.

The DA will ensure the Contractor appoints a Construction Environment Representative to ensure compliance with the MCoA. The CER will undertake periodic site inspections, audits, compliance reviews and reporting.

The DA will ensure the Contractor conducts periodic compliance reviews and submits compliance reports to meet the periodic reporting requirements specified in the CTP, including reporting the performance and compliance of sub-contractors. The DA is responsible for preparing compliance reports under the CTP (except for the operations phase), and reporting on the performance and compliance of the Contractor.

3.7 Incident Reporting - MCoA 3.7 and 3.8

The Proponent shall notify the Director General of any incident with actual or potentially significant offsite impacts on people or the biophysical environment within 24 hours of becoming aware of the incident. The Proponent shall provide full written details of the incident to the Director General within seven days of the date on which the incident occurred.

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 3.7 of the Concept Plan Approval, within such period as the Director General may require.

Table 1 Compliance Tracking Program

Project Phase	Task and Output	Frequency	Approximate Timing	Responsibility	Submit to DCCEEW
Pre-Construction	Compliance Tracking Program – MCoA 3.6	Once off	Prior to the commencement of construction	Sydney Water to prepare and submit	Yes for info
Pre-Construction	Pre-Construction Compliance Report - MCoA 3.6(a)	Once off	Prior to construction	Contractor to provide input, DA to prepare and submit	Yes
Pre-Construction & Construction	Compliance tracking reports – MCoA 3.6(b)	Monthly	Commencing following Pre-construction Compliance Report and contract award	Contractor to prepare, DA to review.	No
Construction	Internal audit program – MCoA 3.6(b)	Six monthly	Initial review and ongoing	DA to audit contractor	No
Construction	Independent Audit of CTP – MCoA 3.6(c)	Annually	At the end of the first year of construction and then annually during construction	Independent auditor to audit CTP (results to feed into reports), Sydney Water to submit.	Yes (attached to construction compliance report)
Construction	Construction Compliance Report, (including Independent Audit results) – MCoA 3.6(a)	Annually	12 months after construction commences and then annually (Note: may include pre-operations compliance items depending on timing/duration of works)	Contractor to provide input, DA to prepare and submit.	Yes
Commissioning (Pre-Operation)	Pre-Operation Compliance Report - MCoA 3.6(a)	Once off **	Prior to commencement of operation (Note: may include items reported in annual construction compliance report depending on timing)	Contractor to provide input, DA to prepare and PER to submit	Yes**
Operation	Independent Audit of CTP (operational compliance) – MCoA 3.6(c)	Once off **	Within two years of operation (results to feed into reports). Once in operation infrastructure audited as per certified EMS audit schedule.	Independent auditor to audit Sydney Water to submit	Yes**
Operation	Operation Compliance Report	Once off **	Within two years of operation.	Sydney Water Customer Delivery	Yes**

** Ongoing operational compliance will be monitored and reported to EPA as required by the EPL and managed in accordance with Sydney Waters certified EMS (as accepted by DCCEEW, letter dated 16 November 2015).

Appendix A – Compliance Tracking Tables

											Primary Responsibility during Project Phase				Actions	Due by	Submit to DPIE	Approval required from DPIE	data approved	Comments	WDURA Package 1 and 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)					
											Operation	Construction	Pre-construction	Detailed Design										Planning				
Concept Approval Description																												
TERMS OF CONCEPT PLAN APPROVAL																												
1.1	The Proponent shall carry out the project generally in accordance with Major Project Application 09_0189;										SW	C	C	C	SW	✓	✓	✓	The Delivery Agent (DA) and the Contractor shall ensure that the Project Planning, detailed design and construction of the project is carried out in accordance with this requirement. The DA shall collate the evidence. The Contractor shall provide evidence to the DA to demonstrate compliance. Where the Contractor or the DA proposes a change to the project, the DA will notify Sydney Water of the proposed change, and whether it is consistent or not. Sydney Water will approve the basis of any modifications prior to any application being prepared. If Sydney Water agrees a modification is required, the Contractor (or the DA, depending on who proposed the change) shall be responsible for all assessments and preparation of documentation required to support a modification. The DA shall review and endorse all documentation. Sydney Water shall submit documentation to support a modification to DPIE, and provide environmental support in respect of managing relationships and expectations with environmental regulators (DPIE, EPA and OEH). Sydney Water will liaise with the DA if Sydney Water proposes a change. In this instance, Sydney Water will be responsible for conducting any consistency assessments and preparing any documentation for DPIE.									
	(a) the Water and wastewater servicing of the West dpto Urban Release Area and Adjacent Growth Areas Environmental Assessment, SW92 11/11, dated September 2012, prepared by Sydney Water Corporation;										SW	C	C	C	SW	✓	✓	✓										
	(b) the Water and wastewater servicing of the West dpto Urban Release Area and Adjacent Growth Areas Submissions Response Report, SW 260 02/13, dated February 2013, prepared by Sydney Water Corporation;										SW	C	C	C	SW	✓	✓	✓										
	(c) Updated Appendix 1 of Appendix G: Non Aboriginal Heritage Assessment, Volume 3 of EA, dated 11 March 2013, prepared by Sydney Water Corporation; and										SW	C	C	C	SW	✓	✓	✓										
	(d) the terms of this approval.										SW	C	C	C	SW	✓	✓	✓										
	(e) The Modification request from Sydney Water dated 18 December 2015.										SW	C	C	C	SW	✓	✓	✓										
1.2	If there is any inconsistency between any document or plan referred to in 1.1, the most recent document or plan shall prevail to the extent of the inconsistency. However conditions of the approval prevail to the extent of any inconsistency with any plan or document referred to in condition 1.1.										SW	C	C	C	SW	✓	✓	✓	The DA is responsible for undertaking planning consistent with the approved framework. The Contractor is responsible for ensuring detailed design, pre-construction and construction is consistent with the requirements of the environmental approvals. The Contractor shall be responsible for notifying the DA where they identify any inconsistency. The shall be responsible for notifying Sydney Water where the Contractor identifies an inconsistency. Sydney Water shall provide environmental support to advise on any action required as a result of an inconsistency identified by the DA or the Contractor between the Concept Plan approval and the plans or documents in condition 1.1.									
1.3	If there is any inconsistency between this concept plan approval and any related project approvals (being those approvals subject to the requirements of this Concept Plan), this Concept Plan approval shall prevail to the extent of the inconsistency.										SW	C	C	C	SW	✓	✓	✓										
1.4	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 Concept Plan approval or any related approvals; and										SW	C	C	C	SW	✓	✓	✓	Sydney Water is responsible for managing relationships and expectations with environmental regulators. Sydney Water shall notify the DA of any requirements of the Secretary arising from the Department's assessment, and provide environmental support to the DA in respect of any actions. The DA and the Contractor are responsible for implementing actions or measures in response to any reasonable requirements relating to any reports, plans or correspondence prepared by the Contractor or the DA that are submitted in accordance with this approval. OEMP is not required for F1 and F2 (as accepted by DPIE, letter dated 16 November 2015). As such, ongoing operational compliance will be monitored and reported to EPA as required by the EPL and managed in accordance with Sydney Waters certified EMS, this includes ongoing compliance review and reporting, no further reporting to DPIE once the wastewater main is operating would be completed.									
	(b) the implementation of any actions or measures contained in these reports, plans or correspondence										SW	C	C	C	SW	✓	✓	✓										
1.5	The Proponent may, with the Director-General's agreement, elect to meet the conditions of approval of multiple projects associated with this Concept Plan in a single, consolidated manner (including through a consolidated plan or other document). In this case, the Proponent shall clearly demonstrate how the requirements of each project approval, as well as the requirements of this Concept Plan approval have been addressed in the consolidated plan or document.										SW				SW	✓	✓	✓	Sydney Water is responsible for seeking the Secretary's agreement if it elects to meet the conditions of approval in a single, consolidated manner. The DA shall procure planning and environmental assessment services in a timely manner to meet this Condition. The DA will review and endorse information from the Contractor if required, that demonstrates how the requirements for each project approval and the Concept Plan approval have been met. The Contractor is responsible for engaging specialist sub-contractors where needed.									

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														Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	(C) Action by the Delivery Agent (DA)	Actions	Due by	Submit to DPIE	Approval required from DPIE	data Approved	Comments	WDURA Package 1 and 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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The Proponent may, with the Director-General's agreement, prepare and submit any management plan, strategy, monitoring program or the like required by this approval on a progressive basis. Where any such document is required by this approval or subsequent project approvals before carrying out any project or stage of any project, the document may be prepared and submitted in relation to either discrete components of the project or for a specified period of time.														SW				SW	✓	✓	✓	Sydney Water is responsible for seeking the Secretary's agreement if it elects to meet the conditions of this approval in a progressive manner. The DA is responsible for procuring planning and environmental assessment services in a timely manner to meet this Condition. The DA will be responsible for supplying relevant information to Sydney Water, including reviewed and endorsed information from the Contractor that demonstrates how the requirements for each project approval and the Concept Plan approval have been met. The Contractor is responsible for engaging specialist sub-contractors where needed.	Mgt & monitoring plans submitted prior to implementation	✓	✓	See Staging Report required by Project Approval B8	✓	✓	✓																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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This Concept Plan approval does not apply to activities legally operating at the site in accordance with other project approvals at the date of this Concept Plan approval.																			✓	✓	✓	Note: Early release lead-in works at West Horsley were approved under Part 3A of the EP&A Act and separate MCoA were issued on 11 October 2011. Works commenced prior to this Concept Approval, and therefore these works are therefore excluded from this approval. Similarly, future works to upgrade the SPS 1012 will not be subject to this Concept Plan approval.					✓	✓	✓																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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To avoid any doubt, this Concept Plan approval does not permit the construction or operation of any project, which will be subject to separate approval(s) under the Act. Construction or operation cannot commence on any development associated with this concept plan unless a separate planning approval has been granted in relation to that project.														SW	C	C	C	SW	✓	✓	✓	Noted: Sydney Water is responsible for providing environmental support & advice to the DA in relation to EP&A Act approvals. The DA is responsible for undertaking ongoing planning and timely procurement of separate planning and environmental assessment services to meet this condition. The DA shall be responsible for complying with this condition during planning & construction and Sydney Water is responsible for complying with this condition during operation.						✓	✓	✓																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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This Concept Plan approval does not remove any obligation to obtain, renew, or comply with licences, permits or approvals as required by law associated with any project subject to this Concept Plan approval.														SW	C	C	C	SW	✓	✓	✓	Sydney Water shall be responsible for obtaining all necessary licences, approvals and permits for the operational phase of the project. The Contractor is responsible for any permits or licences during the construction phase, which should be available on site at all times. The DA will manage and verify the Contractor's performance in meeting this condition.						✓	✓	✓																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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There shall be no impact on the following items of historic heritage identified in the EA:																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									

Concept Approval Description	Primary Responsibility during Project Phase					Actions	Due by	Submit to DPIE	Data Submitted	Approval required from DPIE	Data Approved	Comments	WDURA Package 1 and 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
	Planning	Detailed Design	Pre-construction	Construction	Operation										
(d) address relevant statutory matters and Issue-Specific Requirements for construction and operation and the identification of relevant avoidance, mitigation and management issues to minimise impacts.	da				✓	✓	✓						N/A	N/A	N/A
(e) A review of the flora and fauna impacts which includes:					✓	✓	✓						N/A	N/A	N/A
(i) measures to offset impacts to flora and fauna. Measures to be considered shall include, but not be limited to, land offsets, management and/or rehabilitation measures and research program (including funding of such relative to projects' impacts). The provision of measures to offset impacts shall consider the NSW OEH Interim Policy on assessing and offsetting biodiversity impacts of Part 3A, State Significant Development (SSD) and State Significant Infrastructure (SSI) projects. (OEH, 2014), any superseding government policy and priority actions identified by the OEH. Any inconsistency with the relevant documents shall be identified and the proposed approach justified, demonstrating how the proposed offset measures maintain or improve biodiversity for the relevant species, populations or communities in the region;	da				✓	✓	✓						N/A	N/A	N/A
(ii) quantified impacts to flora and fauna species, communities and populations, including location of infrastructure within riparian areas with reference to the <i>Riparian Corridor Management Study</i> . (DIPNR 2004);	da				✓	✓	✓						N/A	N/A	N/A
(iii) revise and update any proposed mitigation and management measures to reflect accepted best practice at that time, including consideration of any relevant recovery plans;	da				✓	✓	✓						N/A	N/A	N/A
(f) a review of local flood ing for the purposes of final infrastructure placement, taking into account subsequent development and any relevant flood studies subsequent to the concept approval.	da				✓	✓	✓					Email correspondence from P&I dated 11 February 2014 stating:	N/A	N/A	N/A
(g) a review of the Aboriginal heritage assessment to reflect any changes to the proposal or proposed mitigation. The revised assessment shall:	da				✓	✓	✓					2.1(a) – no need to submit it to P&I for adequacy but send final electronic copy for records. Regional P&I office should be advised of any exhibition	N/A	N/A	N/A
(i) detail the proposed mitigation and management measures, including an evaluation of the effectiveness of the measures, for identified items of Aboriginal heritage; and	da				✓	✓	✓					2.1(c) – consult with the regional office.	N/A	N/A	N/A
(ii) demonstrate effective consultation with Aboriginal communities in developing and selecting final mitigation measures and protocols.	da				✓	✓	✓						N/A	N/A	N/A
(h) A review of the non-Aboriginal heritage assessment where impacts are identified on non-Aboriginal heritage to include:	da				✓	✓	✓						N/A	N/A	N/A
(i) a statement of heritage impact for each item that will be impacted;	da				✓	✓	✓						N/A	N/A	N/A
(ii) an archaeological assessment for any potential archaeological sites; and	da				✓	✓	✓						N/A	N/A	N/A
(iii) detail the proposed mitigation and management measures for identified items.	da				✓	✓	✓						N/A	N/A	N/A
(i) a review of creek crossings , including justification of proposed construction methods, associated impacts and mitigation	da				✓	✓	✓						N/A	N/A	N/A
(j) a review of the construction noise and vibration assessment taking into account development which occurs subsequent to this approval resulting in changes to identified noise mitigation and management measures to be adopted. The assessment shall be undertaken in accordance with the Interim Construction Noise Guideline (DECC, 2009) or relevant government policy at the time. Where work hours outside of standard construction hours are proposed, clear justification and detailed assessment of these work hours must be provided, including alternatives considered, mitigation measures proposed and details of construction practices, work methods, compound design, etc.	da				✓	✓	✓						N/A	N/A	N/A
(k) Sewage Treatment Plant Upgrades- Details of proposed upgrade(s) including the proposed technology, construction requirements, interruptions to existing operation/services and measures to manage impacts, including:	da				✓	✓	✓						N/A	N/A	N/A
(i) a description of alternatives to the selected technology including consideration of outfall configuration;	da				✓	✓	✓						N/A	N/A	N/A
(ii) justification for any decision to not use Best Available Technology Economically Achievable (BATEA) taking into account environmental, economic and social considerations;	da				✓	✓	✓						N/A	N/A	N/A
(iii) confirmation that the effluent discharge (during wet and dry weather) resulting from any upgrade(s) to Wollongong Water Recycling Plant and/or Shellharbour Wastewater Treatment Plant will be no greater than predictions made in the document listed under condition 1.1(b);	da				✓	✓	✓						N/A	N/A	N/A

~~The Proponent shall maintain and implement the strategy throughout construction of the Project. The Strategy shall be approved by the Director General prior to the commencement of construction or as otherwise agreed by the Direct General.~~

~~(c) a copy of, or a link to the Department website for, this approval and any future modification to this approval;~~

~~ENVIRONMENTAL REPRESENTATIVE~~

3.9

Description	Primary Responsibility during Project Phase													These conditions only apply to Stages within the PA area				
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)		
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT																		
B1																		
The proponent shall implement management and mitigation measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the project in accordance with the commitments made in documents listed under condition B2, except as amended by this approval. In the event or likelihood of unforeseen environmental harm, the proponent shall implement all feasible and reasonable measures to prevent or minimise environmental harm.	SW	C	C	C	SW	✓	✓	✓						✓	✓	✓		
TERMS OF APPROVAL																		
B2																		
The Proponent shall carry out the project generally in accordance with the:														✓	✓	✓		
(a) Project Application MP 09_0189;	SW	C	C	C	SW	✓	✓	✓	If Modifications are sought	✓		✓		✓	✓	✓		
(b) the <i>Water and Wastewater servicing of the West Dapto Urban Release Area and Adjacent Growth Areas Environmental Assessment</i> , SW92 11/11, dated September 2012, prepared by Sydney Water Corporation;	SW	C	C	C	SW	✓	✓	✓						✓	✓	✓		
(c) the <i>Water and Wastewater servicing of the West Dapto Urban Release Area and Adjacent Growth Areas Submissions Response Report</i> , SW 260 02/13, dated February 2013, prepared by Sydney Water Corporation;	SW	C	C	C	SW	✓	✓	✓						✓	✓	✓		
(d) Updated Appendix 1 of Appendix G: Non Aboriginal Heritage Assessment, Volume 3 of EA, dated 11 March 2013, prepared by Sydney Water Corporation; and	SW	C	C	C	SW	✓	✓	✓						✓	✓	✓		

Description	Primary Responsibility during Project Phase													These conditions only apply to Stages within the PA area				
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 & 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)		
(e) conditions of this approval.	SW	C	C	C	SW	✓	✓	✓						✓	✓	✓		
B3 If there is any inconsistency between any document or plan referred to in B2, the most recent document or plan shall prevail to the extent of the inconsistency. However conditions of the approval prevail to the extent of any inconsistency with any plan or document referred to in condition B2.	SW	C	C	C	SW	✓	✓	✓						✓	✓	✓		
B4 The Proponent shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of:	C	C	C	C	SW	✓	✓	✓	If requests are made from DPIE	✓				✓	✓	✓		
(a) any reports, plans or correspondence that are submitted in accordance with this approval or any related approvals; and	C	C	C	C	SW	✓	✓	✓						✓	✓	✓		
(b) the implementation of any actions or measures contained within these reports, plans or correspondence	C	C	C	C	SW	✓	✓	✓						✓	✓	✓		
														✓	✓	✓		

Description	Primary Responsibility during Project Phase												These conditions only apply to Stages within the PA area				
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 & 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)	
B5	Subject to confidentiality, the Proponent shall make all documents required under this approval publicly available.																
	SW	C	C	C	SW	✓	✓	✓						✓	✓	✓	
LIMITS OF APPROVAL																	
B6	This approval shall lapse five (5) years after the date on which it is granted, unless works subject of this approval are physically commenced on or before that date. <i>Note: Approval granted on 14 June 2013</i>																
	SW	SW	SW	SW	SW	✓								✓	✓	✓	
STATUTORY REQUIREMENTS																	
B7	The Proponent shall ensure that all licences, permits and approvals are obtained as required by law and maintained as required throughout the life of the project. No condition of this approval removes any obligation for the Proponent to obtain, renew or comply with any licences, permits or approvals required by any other legislation.																
		C	C		SW	✓	✓	✓						✓	✓	✓	

		Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area				
		Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
Description STAGING B8	The Proponent may elect to construct and/ or operate the project in stages. Where staging is proposed, the Proponent shall submit a Staging Report to the Director-General prior to the commencement of the first proposed stage. The Staging Report shall provide details of:																
	(a) how the project would be staged, including general details of works associated with each stage and the general timing of when each stage would commence ; and																
	(b) details of the relevant conditions of approval, which would apply to each stage and how these shall be complied with across and between the stages of the project.																
	Where staging of the project is proposed, these conditions of approval are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).																
	The Proponent shall ensure that an updated Staging Report (or advice that no changes to staging are proposed) is submitted to the Director-General prior to the commencement of each stage, identifying any changes to the proposed staging or applicable conditions .																
	The Proponent shall ensure that all plans, sub-plans and other management documents required by the conditions of this approval and relevant to each stage (as identified in the Staging Report) are submitted to the Director-General no later than one month prior to the commencement of the relevant stages, unless otherwise agreed by the Director-General.																
STAGE SUBMISSION OF ANY STRATEGY, PLAN OR PROGRAM																	
B9	With the approval of the Director-General, the Proponent may:																
	(a) submit any strategy, plan or program required by this consent on a progressive basis; and																
	(b)																
		combine any strategy, plan or program required by this consent with any similar strategy, plan or program required.															

		Primary Responsibility during Project Phase													These conditions only apply to Stages within the PA area			
		Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 & 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)	
Description																		
Notes :																		
• While any strategy , plan or program may be submitted on a progressive basis , the Proponent will need to ensure that the existing operations on site are covered by suitable strategies , plans or programs at all times.		C	C	C	C	SW	✓	✓	✓						✓	✓	✓	
COMPLIANCE																		
B10	The Proponent shall:																	
(a)																		
ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities; and		C	C	C	C	SW	✓	✓	✓						✓	✓	✓	
(b)																		
be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.		C	C	C	C	SW	✓	✓	✓						✓	✓	✓	
B11	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 project, 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.	SW	SW	SW	SW	SW	✓	✓	✓						✓	✓	✓	
ENVIRONMENTAL PERFORMANCE																		
AIR QUALITY																		

Description	Primary Responsibility during Project Phase													These conditions only apply to Stages within the PA area				
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)		
C1	The project shall be constructed in a manner that minimises dust emissions from the site, including wind-blown and traffic-generated dust and tracking of material onto public roads. All activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should visible dust emissions occur at any time, the Proponent shall identify and implement all feasible and reasonable dust mitigation measures, including cessation of causal works, as appropriate, such that visible dust emissions cease.														✓	✓	✓	
BIODIVERSITY																		
C2	No clearing of Illawarra Lowland Grassy Woodland is permitted at the Avondale Reservoir site without the written approval of the Director-General. If refinement of the reservoir design and construction methods indicates that clearing of Illawarra Lowland Grassy Woodland cannot be avoided, the proponent shall demonstrate, to the satisfaction of the Director-General, in consultation with the OEH, that all feasible and reasonable options to avoid clearing have been considered and that residual clearing has been minimised to the greatest extent practicable. Offset measures shall be identified and provided before any clearing of Illawarra Lowland Grassy Woodland occurs at this location.																	
		C	C	C	C	SW	✓	✓	✓		✓	✓		N/A	N/A	N/A		
C3																		
		SW			C	C		✓	✓	✓		✓	✓	✓	✓	✓		
The proponent shall include in the Rehabilitation and Landscape Plan , required by condition E7, measures to offset the impacts of clearing 0.15 ha of Illawarra Lowland Grassy Woodland resulting from the wastewater pipeline construction. Demonstration of how the measures meet the objective of maintain or improve shall be provided and consideration of the efficacy of the measures proposed.																		

Description	Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area				
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
C4		C	C	C		✓	✓	✓	If biodiversity certification is implemented. Submit plans and management documents at least one month prior to relevant stages.	✓		✓		✓	✓	✓
SOIL, WATER QUALITY AND HYDROLOGY																
C5		C	C	C	SW	✓	✓	✓						✓	✓	✓
Watercourse Crossings and Riparian Corridors																
C6.		C	C	C			✓	✓	If condition cannot be complied with.	✓		✓		✓	✓	✓
C7					C		✓	✓						✓	✓	✓

	Primary Responsibility during Project Phase												These conditions only apply to Stages within the PA area					
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)		
Description C8																		
The project shall minimise impacts on riparian corridors to the greatest extent practicable. Where disturbance is unavoidable, these shall be rehabilitated to their pre-construction condition, including ground, shrub and canopy strata, where appropriate. All seed and plant material shall be sourced from species of local provenance where practicable.																		
Construction Soil and Water management C9																		
Soil and water management measures consistent with <i>Managing Urban Stormwater - Soils and Construction Vols 1</i> (Landcom, 2004) shall be employed during the construction to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.																		
Dust Management C10																		
The Project shall be constructed in a manner that minimises dust emissions from the site, including wind-blown and traffic-generated dust and tracking of material onto public roads. All activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all feasible and reasonable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.																		
HAZARDS AND RISK C11																		
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 per cent of the volume of the largest single stored volume within the bund; and																		
(c) the <i>Environment Protection Manual for Authorised Officers: Bunding and Spill Management , technical bulletin</i> (Environment Protection Authority , 1997).																		

	Primary Responsibility during Project Phase												These conditions only apply to Stages within the PA area			
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 & 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
Description																
In the event of an inconsistency between the requirements listed from (a) to (c) above, the most stringent requirements shall prevail to the extent of the inconsistency.				C	SW	✓	✓	✓						✓	✓	✓
ANCILLARY CONSTRUCTION FACILITIES																
C12	Unless otherwise approved by the Director General, the location of Ancillary Construction Facilities shall:															
(a)	be located more than 50 metres from a waterway;	C	C	C				✓	✓	Submit for DG as part	✓		✓	✓	✓	✓
(b)	be located within or adjacent to land where the project is being carried out;	C	C	C				✓	✓				✓	✓	✓	✓
(c)	have ready access to the road network;	C	C	C				✓	✓				✓	✓	✓	✓
(d)	be located to minimise the need for heavy vehicles to travel through residential areas;	C	C	C				✓	✓				✓	✓	✓	✓
(e)	be sited on relatively level land;	C	C	C				✓	✓				✓	✓	✓	✓
(f)	be separated from nearest residences by at least 200 metres (or at least 300 metres for a temporary batching plant);	C	C	C				✓	✓				✓	✓	✓	✓
(g)	not require vegetation clearing beyond that already required by the project;	C	C	C				✓	✓				✓	✓	✓	✓
(h)	not impact on heritage items (including areas of archaeological sensitivity) beyond those already impacted by the project;	C	C	C				✓	✓				✓	✓	✓	✓
(i)	not unreasonably affect the land use of adjacent properties;	C	C	C				✓	✓				✓	✓	✓	✓
(j)	be above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented; and	C	C	C				✓	✓				✓	✓	✓	✓

		Primary Responsibility during Project Phase													These conditions only apply to Stages within the PA area		
		Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
Description																	
	(k) 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.	C	C	C				✓	✓						✓	✓	✓
	Where any of the criteria cannot be met for any proposed ancillary construction facility, the Proponent shall demonstrate to the satisfaction of the Director General that there will be no significant adverse impact from the facility(ies)'s construction or operation. The location of and proposed measures to manage the ancillary construction facilities shall be identified in the CEMP required by condition E5.		C	C				✓	✓						✓	✓	✓
C13	The Director General's approval is not required for minor ancillary construction facilities (e.g. lunch sheds, office sheds , and portable toilet facilities, etc.) that do not comply with the criteria set out in condition C12 of this approval and which :		C	C				✓	✓						✓	✓	✓
	(a) are located within an active construction zone within the approved project footprint ; and		C	C				✓	✓						✓	✓	✓
	(b) have been assessed by the Environmental Representative to have:		C	C				✓	✓						✓	✓	✓
	(i) minimal amenity impacts to surrounding residences , with consideration to matters such as noise and vibration impacts, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and		C	C				✓	✓						✓	✓	✓
	(ii) minimal environmental impact in respect to waste management , and no impacts on flora and fauna , soil and water , and heritage beyond those approved for the project; and		C	C				✓	✓						✓	✓	✓
	(c) have environmental and amenity impacts that can be managed through the implementation of environmental measures detailed in a Construction Environment Management Plan for the project.		C	C				✓	✓						✓	✓	✓
	All Ancillary Construction Facilities shall be rehabilitated to at least their pre-construction condition , unless otherwise agreed by the landowner where relevant.		C	C				✓	✓						✓	✓	✓
CONSTRUCTION IMPACTS																	
C14	Where available, and of appropriate chemical and biological quality, stormwater, recycled water or other water sources shall be used in preference to potable water for construction activities, including concrete mixing and dust control.			C				✓	✓						✓	✓	✓
WASTE MANAGEMENT																	

Description	Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area				
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
C15					C		✓	✓						✓	✓	✓
														✓	✓	✓
C16					C	SW	✓	✓	✓					✓	✓	✓
														✓	✓	✓
C17					C	SW	✓	✓	✓					✓	✓	✓
														✓	✓	✓
NOISE AND VIBRATION																
C18					C	SW	✓	✓	✓					✓	✓	✓
C19					C			✓	✓					✓	✓	✓
C20					C	SW	✓	✓	✓					✓	✓	✓
Construction Hours																

Description	Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area				
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
C21	Construction activities associated with the project shall be undertaken during the following standard construction hours:					C		✓						✓	✓	✓
	(a) 7:00am to 6:00pm Mondays to Fridays, inclusive; and					C		✓						✓	✓	✓
	(b) 8:00am to 1:00pm Saturdays ; and					C		✓						✓	✓	✓
	(c) at no time on Sundays or public holidays.					C		✓						✓	✓	✓
C22	Construction works outside of the standard construction hours identified in condition C21 may be undertaken in the following circumstances:					C	✓	✓	✓					✓	✓	✓
	(a) construction works that generate noise that is:					C	✓	✓	✓					✓	✓	✓
	(i) no more than 5 dB(A) above rating background level at any residence in accordance with the <i>Interim Construction Noise Guideline</i> (Department of Environment and Climate Change, 2009); and					C	✓	✓	✓					✓	✓	✓
	(ii) no more than the noise management levels specified in Table 3 of the <i>Interim Construction Noise Guideline</i> (Department of Environment and Climate Change , 2009) at other sensitive receivers; or					C	✓	✓	✓					✓	✓	✓
	(b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or					C	✓	✓	✓					✓	✓	✓
	(c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm;					C	✓	✓	✓					✓	✓	✓
	(d) works approved through an EPL, or					C	✓	✓	✓					✓	✓	✓
	(e) works as approved through the out-of-hours work protocol outlined in condition E6(c).					C		✓	✓					✓	✓	✓
C23	Except as expressly permitted by an EPL, activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering , pile driving) shall only be undertaken:					C		✓	✓					✓	✓	✓
	(a) between the hours of 8:00 am to 5:00 pm Monday to Friday;					C		✓	✓					✓	✓	✓
	(b) between the hours of 8:00 am to 1:00 pm Saturday; and					C		✓	✓					✓	✓	✓
	(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.					C		✓	✓					✓	✓	✓

		Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area				
		Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
Description																	
	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 the subject of this condition.					C		✓	✓						✓	✓	✓
C24	The Project shall be constructed with the aim of achieving the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the CEMP .					C		✓	✓						✓	✓	✓
	<i>Note : The Interim Construction Noise Guideline identifies 'particularly annoying ' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction NML.</i>					C		✓	✓						✓	✓	✓
C25	The Project shall be constructed with the aim of achieving the following construction vibration goals:					C		✓	✓						✓	✓	✓
	(a) for structural damage to heritage structures , the vibration limits set out in the <i>German Standard DIN 4150-3: Structural Vibration - effects of vibration on structures</i> ;					C		✓	✓						✓	✓	✓
	(b) for damage to other buildings and/or structures , the vibration limits set out in the British Standard BS 7385-1:1990 - <i>Evaluation and measurement for vibration in buildings . Guide for measurement of vibration and evaluation of their effects on buildings</i> ; and					C		✓	✓						✓	✓	✓
	(c) <i>Management Assessing Vibration : A Technical Guideline</i> (Department of Environment and Conservation, 2006).					C		✓	✓						✓	✓	✓
TRANSPORT AND ACCESS																	
C26	Construction vehicles (including staff vehicles) associated with the project shall be managed to:					C		✓	✓						✓	✓	✓
	(a) minimise parking or queuing on public roads;					C		✓	✓						✓	✓	✓
	(b) minimise idling and queuing in local residential streets where practicable; and					C		✓	✓						✓	✓	✓
	(c) minimise the use of local roads (through residential streets and town centres) to gain access to construction sites and compounds					C		✓	✓						✓	✓	✓

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	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
C27																
		C					✓	✓						✓	✓	✓
	The project shall be designed with the objective of minimising adverse changes to existing access arrangements and transport services, including school bus services. Any need to alter public transport services or their routes shall be discussed with the provider and suitable alternative arrangements agreed.															
C28																
	All landowners or residents whose access will be affected during construction shall be notified a minimum of 48 hours in advance. Access to a property that is physically affected by the project shall be reinstated to an equivalent standard, in consultation with the property owner.			C	C		✓	✓						✓	✓	✓
	Road Dilapidation															
C29	Upon determining the haulage route(s) for construction vehicles associated with the project, and prior to construction, an independent and qualified person or team shall undertake a Road Dilapidation Report . The report shall assess the current condition of the road. The Report shall be submitted to the relevant road authority for review and comment prior to the commencement of haulage.			C	C		✓	✓						✓	✓	✓
	Following completion of construction, a subsequent report shall be prepared to identify any damage that can be attributed to the construction of the project and describe measures to restore any damage caused by construction of the project. The Report shall be submitted to the relevant road authority for review and comment.				C		✓	✓						✓	✓	✓
	Measures proposed to restore or reinstate roads affected by the project shall be implemented in a timely manner, in accordance with the reasonable requirements of the relevant road authority, and at the full expense of the Proponent.				C		✓	✓						✓	✓	✓

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	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)		
HERITAGE																		
C30	This approval does not allow the Proponent to destroy, modify or otherwise physically affect human remains, with the exception of Item 2, Settler's Cemetery (Kembla Grange Cemetery) where the proponent is able to demonstrate, to the satisfaction of the Director General (under condition C35) that impacts to burials within the cemetery cannot be avoided.									If cannot avoid impacts to Settler's Cemetery	✓	✓			N/A	N/A	N/A	
C31	The Proponent shall not destroy, modify or otherwise physically affect:																	
(a)	item 18, 'Brisbane Grove' Homestead, Garden and Dairy; and								C	C	C	SW	✓	✓	✓		N/A	N/A
(b)	the non-Aboriginal sites identified as being not impacted in the document listed under condition B2(d).								C	C	C	SW	✓	✓	✓		N/A	N/A
C32																		
									C	C	C		✓	✓		✓	✓	TBC
	Impacts to Aboriginal heritage identified in Tables 25 and 26 of Appendix F in the document listed under condition B2(b) shall be minimised to the greatest extent practicable through both detailed design and construction. Where impacts are unavoidable, works shall be undertaken in accordance with condition C36 and the actions to manage construction Aboriginal heritage required by condition E6(b).																	

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	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)		
C33		C	C	C			✓	✓						✓	N/A	TBC		
C34		C	C				✓	✓						✓	N/A	TBC		
C35	Prior to the commencement of pre-construction and construction activities affecting the non-Aboriginal archaeological items 2 (the Settler's Cemetery/Kembla Grange Cemetery) 20 (the chapel , West Dapto Catholic Cemetery) ,182, 183, 184, 185, 186 and 187 the Proponent must:								Program must satisfy DG. Heritage consultant / Excavation Director must be approved by ^{nc}	✓		✓		N/A	N/A	TBC		
(a)	Undertake an Historic archaeological investigation program in accordance with the Heritage Council's <i>Archaeological Assessments Guideline</i> (1996) and <i>Skeletal Remains</i> (1998) 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 approved by the Director-General. The nomination for the Excavation Director shall demonstrate ability to comply with the Heritage Council's Criteria for the <i>Assessment of Excavation Directors</i> (July 2011)	C	C			✓	✓	✓						N/A	N/A	TBC		
(b)	Report on the results of the non-Aboriginal archaeological investigation program, including recommendations (such as for further archaeological work), in consultation with the Heritage Branch OEH and to the satisfaction of the Director General and shall include, but not necessarily be limited to:	C	C	C		✓	✓	✓	Submit report within 12 months of completing C35 (a), (b) and (c) (if 'c' required)	✓		✓		N/A	N/A	TBC		
(i)	consideration of measures to avoid or minimise disturbance to archaeology, where archaeology of non-Aboriginal archaeological significance is found to be present;	C	C			✓	✓	✓						N/A	N/A	TBC		
(ii)	where it cannot be avoided, recommendations for any further investigations for archaeology of historical archaeological significance; and	C	C			✓	✓	✓						N/A	N/A	TBC		

		Primary Responsibility during Project Phase												These conditions only apply to Stages within the PA area			
		Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
Description	(iii)		C	C	C		✓	✓	✓						N/A	N/A	TBC
	(c)		C	C	C		✓	✓	✓						N/A	N/A	TBC
C36	Prior to the commencement of pre-construction and construction activities affecting the Aboriginal archaeological sites identified in Table 25 and Table 26 of Appendix F in the document listed under condition B2(b), the Proponent must:	C	C							Submit program prior to pre-construction activities affecting tabulated sites	✓		✓	✓	✓	✓	TBC
	(a)	C	C				✓	✓	✓					✓	✓		TBC
	(b)	C	C	C			✓	✓	✓	Submit report within 12 months of completing conditions C36 (a), (b) and (c) if required	✓		✓	✓	✓	✓	TBC
	(i)	C	C	C			✓	✓	✓					✓	✓		TBC
	(ii)	C	C	C			✓	✓	✓					✓	✓		TBC
	(iii)	C	C	C			✓	✓	✓					✓	✓		TBC
	(c)	C	C	C			✓	✓	✓					✓	✓		TBC

	Primary Responsibility during Project Phase	These conditions only apply to Stages within the PA area			Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved
		WDURA Package 3 (PA area)	WDURA Package 2 (PA area)	WDURA Package 1 &1a (PA area)					
	Action by Contractor (C)								
	Action by Delivery Agent (DA)								
	Action by Sydney Water (SW)								
	Operation								
	Construction								
	Pre-construction								
	Detailed Design								
	Planning								
Description									

Description

Within twelve 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 artifact analysis, and the identification of final storage place for Aboriginal objects, prepared in consultation with the Registered Aboriginal Stakeholders, the OEH (Aboriginal objects) and to the satisfaction of the Director-General.

C

✓

✓

✓

✓

✓

TBC

SCHEDULE D COMMUNITY INFORMATION, REPORTING AND AUDITING**COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT**

D1

Prior to the commencement of construction a **Community Communication Strategy** shall be prepared and implemented to provide mechanisms to facilitate communication between the Proponent (and its contractor(s)), the Environmental Representative required by condition 3.9, the Relevant Council(s) and community stakeholders (particularly adjoining landowners) on the construction environmental management of the project. The Strategy shall be prepared to the satisfaction of the Director-General, and include, but not be limited to:

DA

C

C

C

✓

✓

Prior to commencement of construction

✓

✓

✓

✓

✓

(a) identification of stakeholders to be consulted as part of the Strategy, including affected and adjoining landowners;

DA

C

C

C

✓

✓

✓

✓

✓

(b) procedures and mechanisms for the regular distribution of information to community stakeholders on construction progress and matters associated with environmental management;

DA

C

C

C

✓

✓

✓

✓

✓

(c) procedures and mechanisms through which the community stakeholders can discuss or provide feedback to the Proponent and/or Environmental Representative in relation to the environmental management and delivery of the project;

DA

C

C

C

✓

✓

✓

✓

✓

(d) procedures and mechanisms through which the Proponent can respond to enquiries or feedback from the community stakeholders in relation to the environmental management and delivery of the project;

DA

C

C

C

✓

✓

✓

✓

✓

(e) procedures and mechanisms that would be implemented to resolve issues/disputes that may arise between parties on the matters relating to environmental management and the delivery of the project. This may include the use of an appropriately qualified and experienced independent mediator; and

DA

C

C

C

✓

✓

✓

✓

✓

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Description																	
(f) ongoing consultation throughout the life of the project.		DA	C	C	C	SW	✓	✓	✓						✓	✓	✓
Issues that shall be addressed through the Community Communication Strategy include (but are not necessarily limited to) finalisation of pipeline alignment and associated infrastructure and the finalisation of measures to mitigate and/or minimise human amenity and environmental impacts, consistent with the management measures proposed in the documents		DA	C	C	C			✓	✓						✓	✓	✓
The Proponent shall maintain and implement the strategy throughout construction of the Project. The Strategy shall be approved by the Director General prior to the commencement of construction, or as otherwise agreed by the Direct General.					C	C									✓	✓	✓
Complaints and Enquiries Procedure																	
D2	Prior to the commencement of construction, or as otherwise agreed by the Director-General, the Proponent shall ensure that the following are available for community enquiries and complaints for the duration of construction:			C	C			✓	✓	Prior to commencement of construction					✓	✓	✓
	(a) a 24-hour telephone number(s) on which complaints and enquires about construction may be registered;			C	C			✓	✓						✓	✓	✓
	(b) a postal address to which written complaints and enquires may be sent;			C	C			✓	✓						✓	✓	✓
	(c) an email address to which electronic complaints and enquires may be transmitted; and			C	C			✓	✓						✓	✓	✓
	(d) a mediation system for complaints unable to be resolved.			C	C			✓	✓						✓	✓	✓
	The telephone number, postal address and email address shall be published in newspaper(s) circulating in the area of the project on at least one occasion prior to the commencement of construction; at six-monthly intervals during construction; and prior to the commencement of operation. This information shall also be provided on the website (or dedicated pages) required by this approval. At a minimum, the telephone number shall also be displayed on a sign near the entrance to each construction site, in a position that is clearly visible to the public.			SW	C		✓	✓	✓						✓	✓	✓
D3	The Proponent shall record details of all complaints. Information recorded shall include, but not necessarily be limited to:				C	SW	✓	✓	✓						✓	✓	✓
	(a) the date and time of the complaint;				C	SW	✓	✓	✓						✓	✓	✓

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		Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
Description	(b) the means by which the complaint was made (telephone, mail or email);					C	SW	✓	✓	✓					✓	✓	✓
	(c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;					C	SW	✓	✓	✓					✓	✓	✓
	(d) the nature of the complaint;					C	SW	✓	✓	✓					✓	✓	✓
	(e) any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and					C	SW	✓	✓	✓					✓	✓	✓
	(f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.					C	SW	✓	✓	✓					✓	✓	✓
	The record of complaints shall be made available to the Director-General for inspection upon request.					C	SW	✓	✓	✓					✓	✓	✓
	<i>Note: If the Proponent has a corporate system for managing complaints which would be adopted for the development and which substantially addresses the matters raised in condition 3.3, this may be submitted in fulfilment of this condition.</i>					C									✓	✓	✓
D4	The Proponent shall provide an initial response to any complaint made relation to the project during construction or operation, within 48 hours of the complaint being made. The response and any subsequent action taken shall be recorded in accordance with condition 3.3. Any subsequent detailed response or action is to be provided within two weeks of the original complaint, or as otherwise agreed by the complainant.					C	SW	✓	✓	✓					✓	✓	✓
Provision of Electronic Information																	
D5	Prior to the commencement of construction , or as otherwise agreed by the Director-General, the Proponent shall establish and maintain a new website, or dedicated pages within an existing website, for the provision of electronic information associated with the project, for the duration of construction and for 12 months following completion of the project. The Proponent shall, subject to confidentiality, publish and maintain up-to-date information on the website or dedicated pages including, but not necessarily limited to:					DA	DA	SW		✓	✓	Establish prior to commencement of construction			✓	✓	✓
	(a) information on the current implementation status of the project;					DA	DA	SW							✓	✓	✓

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(b) a copy of, or a link to the Department website for, the documents referred to under condition 1.1 of this Concept Plan Approval, and any documentation supporting modifications to this approval that may be granted from time to time;				DA	DA	SW								✓	✓	✓
(c) a copy of, or a link to the Department website for, this approval and any future modification to this approval;				DA	DA	SW								✓	✓	✓
(d) a description of the current environmental approval, licence or permit required and obtained in relation to the project;				DA	DA	SW	✓	✓						✓	✓	✓
(e) a list of each current strategy, plan, program or other document required under this approval;				DA	DA	SW	✓	✓						✓	✓	✓
(f) a description of the outcomes of compliance tracking in accordance with condition 3.6 of this approval, including a list of the documents prepared under that condition; and				SW	SW	SW	✓	✓						✓	✓	✓
(g) details of contact point(s) to which community complaints and enquiries may be directed, including a telephone number, a postal address and an email address.				DA	DA	SW	✓	✓						✓	✓	✓
SCHEDULE E CONSTRUCTION ENVIRONMENTAL MANAGEMENT																
LAND CONTAMINATION																
E1																
Appropriate studies and assessments shall be undertaken prior to construction to identify and manage any localised contaminated soils. Soils shall be analysed for a broad range of potential contaminants to provide an indication of potential waste classification against the <i>Waste Classification Guidelines -Part 1</i> (DECCW 2009) for off-site disposal purposes and to determine mitigation measures required. Should contaminated soil be encountered, consideration of the provisions of SEPP 55 - Remediation of Land and any relevant guidelines made or approved under the <i>Contaminated Land Management Act 1997</i> is required.	C	C					✓	✓	Prior to construction					✓	✓	✓
BORING																

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	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)	
E2	The Proponent must address management of drilling slurry for all directional drilling sites as part of the Construction Environmental Management Plan (CEMP) required by condition E5 including monitoring of cutting fluid returns and actions to be taken in the event of losses in drilling fluid.																
			C	C				✓	Prior to construction (no later than one month prior to the commencement), as part of CEMP	✓		✓		✓	✓	✓	
BIODIVERSITY																	
E3	Following the completion of construction, the Proponent shall confirm the extent of vegetation impacts was commensurate with and not greater than that identified in Table C1 If clearing is greater than assess in Table C1 Q - think this Should be Table 6-20 of the EA) the Proponent shall consult with OEH and demonstrate how the offset package will be modified to offset the value of actual biodiversity loss.																
				C			✓	✓	Following completion of construction					✓	✓	✓	
E4	Hollow-bearing trees shall be protected where feasible and reasonable. Where impacts cannot be avoided specialist advice from a qualified ecologist shall be sought prior to and during vegetation removal to mark any hollow-bearing trees, check for fauna prior to removal and undertake any necessary fauna rescue.																
			C	C			✓	✓	Prior to and during vegetation clearing					✓	✓	✓	
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN																	
E5	The Proponent shall prepare and implement a Construction Environmental Management Plan for the project in accordance with the <i>Guideline for the Preparation of Environmental Management Plans</i> (Department of Infrastructure, Planning and Natural Resources 2004). No construction associated with the project shall commence until written approval of this plan has been received from the Director-General or his nominee. The Plan must:																
			C	C			✓	✓	Prior to construction (no later than one month prior to the commencement). Written approval required prior to construction.	✓		✓		✓	✓	✓	
(a)	be submitted to the Director-General for approval no later than one (1) month prior to the commencement of construction or demolition or with in such period otherwise agreed by the Director-General;																
			C	C			✓	✓						✓	✓	✓	
(b)	include actions to manage:																
(i)	soil and water;																
			C	C			✓	✓						✓	✓	✓	

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Description	(ii)			C	C			✓	✓						✓	✓	✓
	(iii)			C	C			✓	✓						✓	✓	✓
	(iv)			C	C			✓	✓						✓	✓	✓
	(v)			C	C			✓	✓						✓	✓	✓
															✓	✓	✓
<i>Note: The guideline provides guidance for preparing environmental management documents for projects of varying scale. The proponent may choose to structure its documentation as appropriate however the content should be consistent with that outlined in the guideline. An existing Construction Environmental Management Plan may be used where that plan meets the requirements of this condition.</i>																	
E6	As well as the general requirements of an EMP as outlined in condition E5, the following shall be addressed:									Prior to construction (no later than one	✓		✓				
	(a) Soil and Water														✓	✓	✓
	(i)																
	identification of management measures consistent with <i>Managing Urban Stormwater - Soils and Construction Vols 1</i> (Landcom, 2004) to be employed during construction to minimise soil erosion, discharge of sediment and other pollutants to land and/or waters, spoil and fill material management; dewatering and disposal procedures; and measures to be implemented following rainfall			C	C			✓	✓						✓	✓	✓

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(ii)																
all watercourse crossings (vehicle access and pipeline crossings) shall be designed by a suitably qualified person and the design and measures shall generally be prepared and implemented in accordance with the NOW's <i>Guidelines for Controlled Activities</i> , (NSW Fisheries, 2004) and <i>Why Do Fish Cross Need to Cross the Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries, 2004));	C	C	C			✓	✓							✓	✓	✓
(b) Aboriginal Heritage																
(i)																
actions to manage identified Aboriginal objects directly and indirectly impacted by construction, developed in consultation with registered Aboriginal stakeholders prior to any archaeological or salvage works commencing, including but not limited to:	C	C	C			✓	✓							✓	✓	✓
- management measures and strategies for protection, monitoring, salvage, archival recording and/or conservation of sites and items that will be directly or indirectly impacted during construction;	C	C				✓	✓							✓	✓	✓
- procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works, assessment of significance and determination of appropriate management measures, involvement of a suitably qualified archaeologist and consultation with the Department and registered Aboriginal stakeholders, actions required to enable construction to recommence and notification to the OEH, in accordance with section 89A of the National Parks and Wildlife Act 1974, and the department ;		C	C			✓	✓							✓	✓	✓
- procedures for dealing with human remains, including cessation of works in the vicinity of the remains and notification of relevant stakeholders, including NSW Police, the department and the OEH;		C				✓	✓							✓	✓	✓
- training and induction processes for construction personnel on site identification, protection and conservation of Aboriginal cultural heritage;.		C				✓	✓							✓	✓	✓
- procedures for ongoing stakeholder consultation and involvement for the duration of the project; and		C		SW		✓	✓							✓	✓	✓

Description	Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area				
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
- procedures for monitoring and reporting effectiveness of management measures, including reporting of non-compliance.			C				✓	✓						✓	✓	✓
(c) Non-Aboriginal Heritage																
(i)																
actions to manage identified non-Aboriginal items directly and indirectly impacted by construction, developed in consultation with the Heritage Branch, OEH prior to any archaeological works commencing, including but not limited to:	C	C	C				✓	✓						✓	✓	✓
- management measures and strategies for protection, excavation, archival recording and/or conservation of sites and items that will be directly or indirectly impacted during construction;	C	C					✓	✓						✓	✓	✓
- procedures for monitoring and reporting on effectiveness of management measures, including reporting of non-compliance;			C	C			✓	✓						✓	✓	✓
- procedures for dealing with previously unidentified heritage items (excluding human remains) including cessation of works, assessment of significance and determination of appropriate management measures, including involvement of a suitable qualified archaeologist and consultation with the Department and actions required to enable construction to recommence and notification of the Heritage Council of NSW, in accordance with Section 146 of the NSW Heritage Act 1977, and the department;		C					✓	✓						✓	✓	✓
procedures for dealing with human remains, including cessation of works in the vicinity of the remains and notification of relevant stakeholders, including NSW Police, the department and the OEH; and		C					✓	✓						✓	✓	✓
training and induction processes for construction personnel on site identification, protection and conservation of heritage.		C					✓	✓						✓	✓	✓
(d) Noise and Vibration																
(i)																
measures identified shall be developed and implemented in accordance with the <i>Interim Construction Noise Guidelines</i> (DECC , 2009); and	C	C	C					✓						✓	✓	✓

Description	Primary Responsibility during Project Phase													These conditions only apply to Stages within the PA area		
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
(ii) include an out-of-hours work (OOHW) protocol for the assessment, management and approval of works outside of standard construction hours as defined in condition C21, including a risk assessment process under which the 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.		C	C	C				✓						✓	✓	✓
(e) Traffic and Access																
(i) identification of construction traffic routes and construction traffic volumes (including heavy vehicle/ spoil haulage) on these routes;			C	C			✓	✓						✓	✓	✓
(ii) details of vehicle movements for construction sites and site compounds including parking, dedicated vehicle turning areas, and ingress and egress points;			C	C			✓	✓						✓	✓	✓
(iii) identification of construction activities that could disrupt traffic, public transport, pedestrian, cycle and property access;			C	C			✓	✓						✓	✓	✓
(iv) management measures to minimise traffic impacts, including temporary road work traffic control measures, onsite vehicle queuing and parking areas and management measures to minimise peak time congestion and measures to ensure safe pedestrian and cycle access;			C	C			✓	✓						✓	✓	✓
(v) a response plan which sets out a proposed response to any traffic, construction or other incident; and			C	C			✓	✓						✓	✓	✓
(vi) mechanisms for the monitoring , review and amendment of this plan.			C	C			✓	✓						✓	✓	✓
REHABILITATION AND LANDSCAPE PLAN																
E7	A Rehabilitation and Landscape Plan shall be prepared and implemented for the project to manage rehabilitation/revegetation of disturbed areas and landscaping or screening of built features. The Plan shall be prepared by an appropriately qualified person(s) in consultation with the relevant landowner(s) or Council. The Plan shall include, but not necessarily be limited to:															
(a)	identification of principles, standards and objectives for rehabilitation and landscaping;		C	C			✓	✓		Prior to disturbance of areas requiring rehabilitation/landscaping	✓	✓		✓	✓	✓
(b)	the location of vegetation to be cleared, high risk areas experiencing erosion and waterway crossings that have been identified as sensitive and prone to erode if disturbed;		C	C			✓	✓						✓	✓	✓

		Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area				
		Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
Description	(c)	proposed rehabilitation or landscaping (including use of indigenous and native species where possible);							✓	✓					✓	✓	✓
	(d)	monitoring and maintenance procedures for the rehabilitated or revegetated areas and landscaping including performance indicators, responsibilities, timing and duration and contingencies where rehabilitation of vegetation and landscaping measures fail; and							✓	✓					✓	✓	✓
	(e)	provisions for the rectification of any damage caused to property as a result of the construction of the project.							✓	✓					✓	✓	✓
		The Plan shall be submitted for the approval of the Director General prior to disturbance of areas requiring rehabilitation or landscaping, unless otherwise agreed by the Director General.							✓	✓					✓	✓	✓
E8	The Proponent shall ensure that all rehabilitation measures are implemented progressively where possible and in all cases within one month of the cessation of construction activities at the relevant area unless otherwise agreed with the local council or other stakeholders.									✓	✓	Within one month of the cessation of construction			✓	✓	✓
E9	All Ancillary construction facilities sites shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the landowner, where relevant.									✓	✓				✓	✓	✓
HERITAGE																	
Aboriginal																	

		Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area					
		Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)	
Description																		
E10	<p>Prior to the commencement of pre-construction and/or construction activities that will impact the Aboriginal archaeological sites identified in Table 6-22 of the document listed under condition B2(b), the Proponent shall undertake an archaeological salvage program using a methodology prepared in consultation with the registered Aboriginal stakeholder, and to the satisfaction of the Director-General. This work shall be undertaken by an appropriately qualified archaeological heritage consultant.</p> <p>Within two years of completing the salvage, unless otherwise agreed by the Director General, the Proponent shall submit a report containing the findings of the salvage, including artefact analysis , and the identification of a final repository for any Aboriginal objects, prepared in consultation with the Aboriginal stakeholders and to the satisfaction of the Director-General.</p>	C	C	C			✓	✓		Prior to pre-construction activities that might impact Table 6-22 items	✓		✓		✓	N/A	TBC	
					C		✓	✓		within two years of completing salvage	✓		✓		✓	N/A	TBC	
Non-Aboriginal																		
E11	<p>Prior to the commencement of pre-construction and/ or construction activities that will impact the non-Aboriginal archaeological sites identified in the document listed under condition B2(b) as items 182, 183, 184, 185, 186 and 186, the Proponent shall undertake an archaeological salvage program using a methodology prepared in consultation with the OEH (Heritage Branch) and to the satisfaction of the Director-General. This work shall be undertaken by an appropriately qualified archaeological heritage consultant.</p> <p>Within two years of completing the salvage, unless otherwise agreed by the Director General, the Proponent shall submit a report containing the findings of the salvage, including artifact analysis, prepared in consultation with the OEH (Heritage branch) and to the satisfaction of the Director-General.</p>	C	C	C			✓	✓	✓	Prior to pre-construction activities that might impact listed B2(b) items	✓		✓		N/A	N/A	TBC	
					C		✓	✓	✓	Within two years of completing salvage	✓		✓		N/A	N/A	TBC	
CONSTRUCTION NOISE AND VIBRATION																		

		Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area				
		Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
Description																	
E12	During construction, affected education institutions shall be consulted and reasonable steps taken to ensure that noise generating construction works in the vicinity of affected buildings are not timetabled during examination periods where practicable, unless other reasonable arrangements to the affected institutions are made at no cost to the affected institution.				C		✓	✓						✓	✓	✓	
PROPERTY IMPACTS																	
E13																	
	During the detailed design stage of the project, the Proponent shall consult with all landowners of those properties that are to be traversed by the project, for the purposes of ensuring landowner concerns are considered in determining the final project alignment.		C				✓	✓						✓	✓	✓	
E14																	
	Any damage caused to property as a result of the construction of the project 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.				C		✓	✓						✓	✓	✓	
E15																	
	Prior to the commencement of construction of the project, or as otherwise agreed by the Director-General, the Proponent shall nominate for the approval of the Director-General a suitably qualified and experienced Environmental Representative(s) that is independent of the design and construction personnel. The Proponent shall employ the Environmental Representative(s) for the duration of construction, or as otherwise agreed by the Director-General. The Environmental Representative(s) shall:																
	(a) be the principal point of advice in relation to the environmental performance of the project;					DA	DA	DA	✓	✓	✓	Nominate ER prior to construction	✓	✓	✓	✓	
	(b) monitor the implementation of environmental management plans and monitoring programs required under this approval and advise the Proponent upon the achievement of these plans/ programs;																
	(c) have responsibility for considering and advising the Proponent on matters specified in the conditions of this approval, and other licences and consents related to the environmental performance and impacts of the project;					DA	DA		✓	✓	✓			✓	✓	✓	

Description	Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area				
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
(d) ensure that environmental auditing is undertaken in accordance with the project's Environmental Management System(s);				DA	DA	✓	✓	✓						✓	✓	✓
(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 E5;				DA	DA	✓	✓	✓						✓	✓	✓
(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 cease immediately should an adverse impact on the environment be likely to occur; and			DA	DA	DA	✓	✓	✓						✓	✓	✓
(g) be consulted in responding to the community concerning the environmental performance of the project where the resolution of points of conflict between the Proponent and the community is required.					DA	✓	✓	✓						✓	✓	✓
F1 The Proponent shall prepare and implement (following its approval) an Operation Environmental Management Plan (OEMP) . The Plan shall outline the environmental management practices and procedures that are to be followed during operation, and shall be prepared in consultation with relevant agencies and in accordance with the <i>Guideline for the Preparation of Environmental Management Plans</i> (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to:					SW	✓			No later than one month before commencement of Operation	✓	✓			✓	✓	✓
(a) details of management and monitoring of environmental performance, including the actions to be taken to address identified potential adverse environmental impacts, including those safeguards and mitigation measures detailed in section 6 of the document listed under condition B2(b) (and any impacts arising from staging of the project construction); and					SW	✓								✓	✓	✓
(b) a description of the proposed and/or implemented measures to minimise visual impact of the above-ground project components , including the reservoir site and water pumping stations, such as landscaping and design considerations.					SW	✓								✓	✓	✓
The Plan shall be submitted for the approval of the Director-General no later than one month prior to the commencement of operation, or as otherwise agreed by the Director- General. Operation shall not commence until written approval has been received from the Director-General.					SW	✓								✓	✓	✓

Description	Primary Responsibility during Project Phase											These conditions only apply to Stages within the PA area				
	Planning	Detailed Design	Pre-construction	Construction	Operation	Action by Sydney Water (SW)	Action by Delivery Agent (DA)	Action by Contractor (C)	Due by	Submit to P&I	Date Submitted	Approval required from P&I	Date Approved	WDURA Package 1 &1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)
						SW	✓							✓	✓	✓
F2						SW	✓							✓	✓	✓
F2. Notwithstanding condition F1, if an existing environmental management system that is administered by the Proponent and prepared in accordance with the <i>AS/NZS ISO 14000 Environmental Management System</i> (EMS) series, which addresses and is applicable to this project, then that EMS may be submitted in lieu of the OEMP. Details of the existing EMS must be provided to the Director-General demonstrating its application to this project.																

Statements of Commitment					Primary Responsibility during Project Phase																
SOC #	Environmental Aspect	Status	Compliance	Evidenced by	Planning	Pre-construction Detailed Design	Construction	Operation	Action by Sydney Water (SW)	Action by Contractor (C) Action by Delivery Agent (DA)	Actions	Due by	Comments	WDURA Package 1 and 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)					
1.	Erosion and sedimentation control will be managed using measures developed in accordance with <i>Managing Urban Stormwater, Soils and Construction</i> (Volume 1, Landcom 2004 and Volume 2A, DECC 2008).	Ongoing	Compliant	Appendix ECP 01 outlines soil and water management and mitigation measures to be implemented to minimise erosion and sedimentation impacts and ensure compliance with Section 120 of the POEO Act. Also contains relevant mitigation and management measures for stockpile management, excavation dewatering and inspection of sediment controls following rainfall.		C	C			✓	✓			✓	✓	✓					
2.	Groundwater encountered during construction will be pumped out of the work area into a contained area, tested and if necessary appropriately treated, prior to re-use, appropriate discharge or disposal.	Ongoing	Compliant	Appendix ECP 01 and ECP 05 outlines relevant mitigation and management measures for excavation dewatering including appropriate testing, re-use and discharge or disposal controls.			C			✓	✓			✓	✓	✓					
3.	ASS will be managed in accordance with the <i>Acid Sulfate Soils Management Advisory Committee: Acid Sulfate Soils Assessment Guidelines</i> (ASSMAC, 1998).	Ongoing	Compliant	Appendix ECP 13 outlines relevant mitigation and management measures for the identification and management of any identified or suspected ASS encountered during construction.		C	C			✓	✓			✓	✓	✓					
4.	The Proposal will be designed and operated to meet wastewater system EPLs.	N/A	N/A	N/A to construction of the project.	C		SW	✓	✓	✓	See general action above. Sydney Water will operate the proposal in accordance with its standard operating procedures to meet the requirements of the EPL.			✓	✓	✓					
Riparian and aquatic habitats																					
5.	Detailed design will consider how impacts to riparian and aquatic habitats can be avoided or minimised by:	N/A	N/A	N/A - the project would not disturb riparian corridors or aquatic habitat.	C	C				✓	✓	See general action above		✓	✓	✓					
	• placing pipeline alignments outside the 'top of bank'				C	C				✓	✓			✓	✓	✓					
	• utilising existing and/or proposed road infrastructure to cross watercourses				C	C				✓	✓			✓	✓	✓					
	• avoiding farm dams and freshwater lagoons				C	C				✓	✓			✓	✓	✓					
	• applying pipeline construction methods for watercourse crossings in accordance with the objectives of with the DIPNR (2004) Riparian Corridor Management Study.				C	C				✓	✓			✓	✓	✓					

Statements of Commitment					Primary Responsibility during Project Phase																
SOC #	Environmental Aspect	Status	Compliance	Evidenced by	Planning	Pre-construction Detailed Design	Construction	Operation	Action by Sydney Water (SW)	Action by Contractor (C) Action by Delivery Agent (DA)	Actions		Comments Due by	WDURA Package 1 and 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)					
6.	Sydney Water will design and construct the Proposal's wastewater pipelines using techniques to minimise inflow/infiltration.	Ongoing	Compliant	Design and construction of the proposed wastewater pipeline has been certified to; 1) WSA 02-2002-2.2 Part 1 Planning and Design 2) WSA 02-2002-22 Part 3 Construction 3) Sydney Water Technical Specification V10.0 Certified design and construction to these specifications demonstrate the minimisation of water inflow/ infiltration into the wastewater pipeline		C	C			✓	✓	See general action above		✓	✓	✓					
Terrestrial flora and fauna																					
7.	Detailed design will consider how impacts to native vegetation can be avoided or minimised by: <ul style="list-style-type: none">placing pipelines to have the least impact to native vegetation and avoid EECs and significant hollow-bearing	Complete	Compliant	The detailed design for Package 3 has been developed to ensure construction methodology which avoids impact to the ILGW EEC and hollow bearing trees. Such design outcomes include implementation of micro-tunnelling rather than open trenching, and positioning of access roads and construction compounds outside of mapped EEC areas and riparian corridors.		C	C					See general action above		✓	✓	✓					
					C	C			✓	✓			✓	✓							
						C	C			✓	✓			✓	✓						
8.	Construction management measures will be developed and implemented to minimise impacts to flora and fauna.						C	C		✓	✓			✓	✓	✓					
9.	Sydney Water will progressively rehabilitate work sites following completion of construction.	Ongoing	Compliant	The Rehabilitation and Landscape Management Plan (Appendix 8 CEMP) commits to the progressive rehabilitation of disturbed areas, as well as stabilisation of all disturbed areas within 20 days post construction in line with Blue Book requirements (unless otherwise agreed with the landowner).				C		✓	✓	See general action above		✓	✓	✓					
Aboriginal heritage																					
10.	Sydney Water is committed to avoiding impacts on items of Aboriginal cultural heritage significance where practicable.	Ongoing	Compliant	Appendix ECP 05 of the CEMP provides a protocol for the identification, assessment, management and notification of unexpected heritage finds.	DA	C	C			✓	✓	See general action above. Also, DA to comply with this SOC during options development and concept design.		✓	✓	✓					
11.	Where it is not practicable to avoid impacts, management measures will be implemented to mitigate impacts.	Ongoing	Compliant	Appendix ECP 05 of the CEMP provides a protocol for the identification, assessment, management and notification of unexpected heritage finds.				C		✓	✓			✓	✓	✓					
12.	Sydney Water will undertake on-going consultation with RAPs.	Ongoing	Compliant	Appendix ECP 05 of the CEMP provides a protocol for the identification, assessment, management and notification of unexpected heritage finds.		C	C	C		✓	✓			✓	✓	✓					
13.	Procedures will be implemented to ensure planned maintenance activities are undertaken in a manner that minimises impact on the Aboriginal heritage items.							SW	✓			Sydney Water will operate the Proposal in accordance with its standard operating procedures. Where relevant, these operating procedures may be amended reflect the requirements of this SOC		✓	✓	✓					
Non-Aboriginal heritage																					
14.	Where practicable, the pipelines will be re-located to avoid areas of non-Aboriginal heritage value.	N/A	N/A	N/A - The project alignment would not impact upon areas of non-Aboriginal heritage value.	DA	C	C			✓	✓			✓	✓	✓					

[illegible]

Statements of Commitment					Primary Responsibility during Project Phase																			
SOC #	Environmental Aspect	Status	Compliance	Evidenced by	Planning	Pre-construction Detailed Design	Construction	Operation	Action by Sydney Water (SW)	Action by Contractor (C) (DA)	Actions			Due by	Comments	WDURA Package 1 and 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)						
25.	Fuel and chemical storage areas will be maintained within bunded facilities that conform with relevant standards and codes, primarily AS 1940: <i>The Storage and Handling of Combustible and Flammable Liquids and Dangerous Goods Storage Codes</i> .	Ongoing	Compliant	Appendix ECP 07 contains all proposed management and mitigation measures to be implemented during construction to ensure appropriate management of dangerous goods.			C	SW	✓	✓	✓	See general action above					✓	✓	✓					
Consultation																								
26.	During construction, communities will be informed prior to the start of any works in their area and will be notified at regular intervals throughout the construction process.	Ongoing	Compliant	Appendix 5 of the CEMP outlines a commitment to the notification of all potentially impacted parties prior to the commencement of construction and ongoing during the course of construction activity.			C	C	✓	✓	✓	The DA shall prepare the Community Communications Strategy (CCS) to meet this condition. Sydney Water will submit the CCS to the Director-General.The Contractor will develop a Community Stakeholder Engagement Plan (CSEP) to implement the Strategy. The DA will review and endorse the CSEP, prior to submitting to Sydney Water for their approval.					✓	✓	✓					
Traffic, transport and access																								
27.	Road closures will be developed and implemented in consultation with the relevant road authorities (council and/or the RMS).	Ongoing	Compliant	Appendix ECP 09 of the CEMP includes a commitment to consult with the relevant road authority in the event of any unforeseen partial or full road closure requirements.			C	C		✓	✓	See general action above					✓	✓	✓					
28.	Appropriate construction methodologies for road crossings will be developed and implemented in consultation with the relevant council and/or the RMS.	Ongoing	Compliant	The detailed design has incorporated micro-tunnelling under each road crossing to minimise the potential for traffic disruption and road restoration requirements.		C	C	C		✓	✓						✓	✓	✓					
29.	Where there is a potential to impact on access to private property or pedestrian pathways, property owners, the local community and councils will be informed appropriately. Mitigation measures may include providing alternative access, reinstating access at the end of each day, and reinstating impacted areas to their original condition.	Ongoing	Compliant	The detailed design has incorporated micro-tunnelling under each road crossing to minimise the potential for traffic disruption and road restoration requirements. Specifically, Darkes Rd, Bong Bong Rd and Fairwater Drive will be crossed by micro-tunnelling. D4C has managed consistent consultation with Wollongong City Council. Meeting have occurred 3rd March, 5th of May, 6th of June,6th of July, 6th of September, 13th of October and 15th of Nov 2023. Further meetings with council will occur when the Lot A design has been finalised and methodology is known for the Cleveland Rd crossing			C	C		✓	✓	See general action above					✓	✓	✓					
Waste generation and management																								
30.	Excavated spoil will be reused on site for backfilling, landscaping and other uses. Where spoil is unsuitable for reuse, spoil would be classified according to the DECCW <i>Waste Classification Guidelines</i> (DECCW 2009a) and disposed of at an appropriately licensed facility.	Ongoing	Compliant	Further meetings with council will occur when the Lot A design has been finalised and methodology is known for the Cleveland Rd crossing				C		✓	✓						✓	✓	✓					

[illegible]

Statements of Commitment				Evidence by	Primary Responsibility during Project Phase					Actions	Due by	Comments	WDURA Package 1 and 1a (PA area)	WDURA Package 2 (PA area)	WDURA Package 3 (PA area)					
SOC #	Environmental Aspect	Status	Compliance		Planning	Pre-construction Detailed Design	Construction	Operation	Action by Sydney Water (SW)	Action by Contractor (C)	Action by Delivery Agent (DA)									
37.	Relevant service providers will be consulted during detailed design to identify interactions and develop procedures to be implemented to minimise service interruptions. This will involve confirming any requirements or standards that will apply if it is determined that existing utilities or services need to be temporarily or permanently relocated. Inspections will be undertaken before construction starts in each location to confirm that there are no services in the area that were previously unknown.	Ongoing	Compliant	During detailed design, consultation was carried out with: •Transgrid in relation to the overhead services running parallel with the alignment on the eastern side of Shone Avenue. The basis of this consultation was to ascertain the required clearances to the powerlines and cable support structures. Additionally, Transgrid were made aware of the proposed design and the proximity to their assets. •Jemena in relation to the crossing of the Eastern Gas Pipeline, south of Fairwater Drive. The basis of this consultation was to agree on a safe methodology for the crossing of their high pressure gas pipeline. As outlined in the CEMP, final checks for services would be carried out before construction starts in each location to confirm that there are no services in the area that were previously unknown. All services in the vicinity of the works will be located in the field and pegged-out and noted in the work plans prior to excavation works. "BYDA" underground service searches are obtained and reviewed prior to any excavation works. Any services identified within 5m of an excavation are positively identified by Non-destructive techniques. To minimize risk of unknown services, a new BYDA search is undertaken every 28 days for each work area.		C	C	C		✓	✓	See general action above	✓	✓	✓					<input type="checkbox"/>

Responding to incidents with an environmental impact

1. Purpose

The Sydney Water Incident Management Procedure ([D0000506](#)) describes the requirements for managing Level 1 events and covers all requirements of the Prevent, Prepare, Respond, Recovery (PPRR) cycle.

This procedure supports [D0000506](#) and defines the 'respond' phase and investigation requirements of incidents that result in actual or potential environmental harm.

2. Scope

This procedure applies to [all Sydney Water staff and contractors](#) working in Sydney Water's areas of operations, including all sites under Sydney Water contractor control.

It outlines the notification requirements for those incidents that are 'notifiable' under applicable environmental legislation.

Excluded from this procedure are customer complaints related to noise. These are recorded, monitored and resolved through Customer Relationship Management (CRM) (refer to the Noise Management Procedure ([SWEMS0056](#)), and Complaint Procedure ([735113](#))).

Odour complaints that are recorded in CRM that also meet the criteria for notification as air quality impacts as defined in the *Protection of the Environment Operations Act 1997* (POEO Act), should also be recorded in the Sydney Water Incident Recording and Learnings (SWIRL) system.

Emergency and Crisis Management are excluded from the scope of this procedure. Requirements for Level 2 events are described in the [Emergency Management Procedure \(D0000507\)](#) and Level 3 events in the [Crisis Management Guide \(D0000507.12\)](#).

3. Minimum requirements

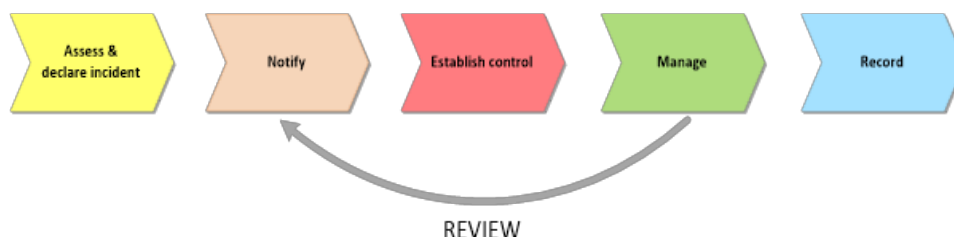
This procedure clarifies tasks and accountabilities for the effective response to, and investigation of, incidents with an environmental impact. The procedure ensures Sydney Water complies with the relevant legislation.

By planning to prevent or mitigate adverse environmental impacts Sydney Water conforms to the International Standard *ISO 14001:2015 Environmental Management Systems*.

4. Procedure in detail

This procedure supports the Sydney Water Incident Management Procedure ([D0000506](#)) and sets out the incident management requirements of a 'respond' phase and investigation of Level 1 events (near miss event, incident and significant incident) that result in actual or potential environmental harm.

The [Business Resilience Manual](#) details Sydney Water's emergency preparedness and response requirements to effectively manage events, including emergencies and crises. The incident response process is as per the [Business Resilience Manual](#) and is illustrated below.



4.1 Process overview

The table below outlines the key tasks and accountabilities.

Task details	Accountability	References
1. Assess and declare incident		
<p>a All Sydney Water staff/ contractors must immediately report all 'near miss events' and 'incidents' at the first point of awareness to the site supervisor/ controller, and then to their manager or Sydney Water project manager (if reported by a contractor) (for information) immediately. This applies to all staff and contractors on site witnessing the incident or involved in the management of the services/ works and/ or asset involved in the incident.</p> <p>These events include Sydney Water pollution or where unauthorised impacts to the environment, including heritage items have occurred or are likely to occur, as well as unexpected finds involving heritage, contamination and hazardous building materials</p> <p>For Networks incident refer to specific process in DOC0158 Notification and reporting of material harm to regulators.</p> <p>Any unexpected finds involving hazardous building materials must be immediately notified to Property Environmental Services - propertyenvironmental@sydneywater.com.au or 8849 5155</p> <p>Any incidents involving the contamination of land or water on Sydney Water property should also be notified to Property Environmental Services.</p> <p>Where available refer to site specific emergency response, unexpected finds protocols and incident management processes.</p>	All Sydney Water staff and contractors	

Task details	Accountability	References
<p>b Record situational information (e.g. what happened, where and when occurred, actual and potential impacts, actions taken). Where available refer to site specific emergency response, unexpected finds protocols and incident management processes including Emergency and Pollution Incident Response Management Plans (EPIRMPs) for specific requirements and documentation.</p>	First responder and/ or site controller	<p>D00001234 Emergency and Pollution Incident Response Management Planning Guide</p> <p>D0001222 Treatment Plants – Common Incident Response Manual</p>
2. Notify		
<p>a Determine if the incident is a 'notifiable' environmental incident as per environmental legislative requirements and immediately notify all relevant authorities. For Network related potential material harm incidents, refer to DOC0158 and D0001275. For Production treatment plant incidents, refer to DC-TOHQ0015 and site specific EPIRMPs</p> <p>See Attachment 1 for external authority notification requirements as per legislation.</p> <p>It is recommended that advice be sought from an appropriately qualified Environmental Representative (refer also to SWEMS0001.09) before notification, for all incidents other than Network pollution incidents covered by DOC0158 / D0001275.</p>	<p>Delegated officer as per the Delegations Manual</p> <p>Contractor nominated personnel</p>	<p>Delegations Manual</p> <p>DOC0158 – Notification and reporting of material harm to regulators</p> <p>D0001275 – Networks pollution incident response management plan</p> <p>DC-TOHQ0015 Treatment Notification and Reporting Procedure</p>
3. Establish control		
<p>a Incident control refers to the overall leadership, direction and management of an incident.</p> <ul style="list-style-type: none"> For all incidents a Site Controller should be nominated who will follow the local site incident management process or the Sydney Water Incident Management Procedure (D0000506). <p>If the incident is classified as a significant incident it is managed using the enhanced leadership of an Incident Controller still using the local site incident management process or the Sydney Water Incident Management Procedure (D0000506).</p>	Site Controller/ Incident controller	Incident Management Procedure (D0000506)

Task details	Accountability	References
4. Manage		
<p>a All incidents with an environmental impact shall be managed as per the local site incident management process or the Sydney Water Incident Management Procedure and Incident Controller Checklist (D0000526.01). For network Material Harm incidents (e.g. sewer overflows) refer to D0001275 Networks Pollution Incident Response Management Plan – Wastewater for detail on the response process. Environmental or heritage advice should be sought from an Environmental Representative for tasks associated with the response, control and handling of the incident. For networks incidents, advice is sought for more complex incidents.</p> <p>Environmental clean-up and monitoring should be carried out as per local procedures and / or the advice of an Environmental Representative.</p>	<p>Site controller/ Incident controller</p>	<p>Incident Management Procedure (D0000506)</p> <p>D0001275 Networks PIRMP</p> <p>Incident Controller (IC) Checklist D0000526.01</p>
5. Record		
<p>a All near miss events and incidents should be recorded in the Sydney Water Incident Recording and Learnings system (SWIRL) within seven (7) calendar days as per the requirements of D0000506.</p> <p>Incident data must be recorded in SWIRL in accordance with the SWIRL user guide and local business procedures.</p> <p>For network incidents, incident data must be recorded in the corresponding IL and RN (if applicable) modules in SWConnect.</p> <p>Note: Program Delivery (PD) and RDCs also use Delivery Portal Report Action Module to report non-conformances and incidents, incidents then get transferred to SWIRL by the PD Environment Lead.</p>	<p>All Sydney Water staff and contractors</p>	<p>Incident Management Procedure (D0000506)</p>
<p>b Near miss event and incident records in SWIRL should be closed within 90 calendar days as per the requirements of D0000506. Network near miss events and incident records in SWIRL are auto closed once data transfer to SW Connect is complete.</p>	<p>Business unit manager</p>	<p>Incident Management Procedure (D0000506)</p>
<p>c Use Consultation Manager to record communication details with authorities.</p> <p>Note: For networks incidents communications with authorities are recorded in SWConnect.</p>	<p>Incident owner/ Environmental Representative/ Relationship Managers</p>	<p>Consultation Manager</p>

4.2 Incident investigation

The table below outlines key tasks and responsibilities to be undertaken when investigating events and incidents.

Task details	Responsibility	References
1. Investigations and lessons learned		
<p>a All near miss events and incidents with actual or potential environmental harm should be reviewed to determine a root cause and investigated using the Sydney Water Investigations and Lessons Learned procedure (D0000513).</p> <p>At minimum a hot debrief must take place and Significant Incident Debriefs are conducted when required as detailed in D0000512.</p> <p>Note 1: the investigation undertaken is based on the highest actual or potential consequence (see matrix in Appendix 2 of D0000513).</p> <p>Note 2: when an environmental incident may result in regulatory action contact Sydney Water's legal team for all incidents other than Network and Treatment pollution incidents, for these incidents contact the Environmental Regulatory Team.</p>	Incident owner	<p>D0000513 Investigations & lessons learned procedure</p> <p>D0000512 Debrief Procedure</p> <p>D0001275 Networks Pollution Incident Response Management Plan (PIRMP)</p> <p>Treatment EPIRMPs</p>
b Outcomes of investigations, including root cause and results of incident debriefs/ learnings/ actions raised are to be placed in SWIRL. Ensure any document links are SWIM hyperlinks.	Incident owner	SWIRL user guide (D0000352)
c Use SWEMS0007.02 Environment Alert template to communicate and raise awareness of systematic or significant environmental issues and particularly lessons learnt from environmental incidents, which could help stop re-occurrence or severity of future incidents.	Incident owner/ Environmental Representative	SWEMS0007.02 Environment Alert template
2. Monitoring and trend analysis		
a Notify Environmental Stewardship (Governance and Assurance (G&A)) at WastewaterandEnvironment@sydneywater.com.au of any breach, or potential breach, of environmental legislation, permit or planning approval as soon as feasible.	Incident owner/ Environmental Representative	Environmental Management Monitoring and Measurement Plan (SWEMS0010)
b Ensure details of any breach, or potential breach, of environmental legislation, permit or planning approval (notified to Environmental Stewardship) are included in the Corporate Performance Report .	Environmental Reporting Specialist, G&A	Environmental Management Monitoring and Measurement Plan (SWEMS0010)
c Review all incidents with an environmental impact in SWIRL each quarter (input into quarterly Environmental Impact Index calculation, and 1MS Management Review). Report on trends, relevant actions and recommendations (Corporate Performance Report, relevant governance forums, management review etc.)	Environmental Reporting Specialist, G&A	Environmental Management Monitoring and Measurement Plan (SWEMS0010)

4.3 Incident preparedness and response planning

The [Business Resilience Manual](#) describes the process for the Training, Testing, Exercising, Debriefing (TTED) Program. The key tasks and accountabilities for incident preparedness and response planning are in the table below.

Task details	Responsibility	References
1. Training and awareness		
<p>a Ensure all staff receive general awareness training on Sydney Water's Incident Management Procedure and protocols, including awareness of their team's Business Continuity Plan (BCP), Common and site-specific incident response manuals and PIRMPs.</p> <p>See the D0000509 - Training (TTED1) procedure for more details regarding incident management training.</p>	Head of business	<p>D0000509 - Training (TTED1) procedure</p> <p>Production Capability Framework</p>
<p>b Ensure all staff involved in responding to incidents are trained in relevant PIRMP and project specific incident management procedures.</p> <p>For network Material Harm incidents (e.g. sewer overflows) minimise the impact of environmental harm by following D0001275 Networks Pollution Incident Response Management Plan – Wastewater, DOC0331 Clean up of overflow or surcharge and undertaking all relevant role-based training as set out in the PIRMP – Wastewater</p>	Head of business	<p>D0001275 Networks Pollution Incident Response Management Plan - Wastewater</p> <p>DOC0331 Clean up of overflow or surcharge</p>
2. Testing of incident preparedness and response		
<p>a An annual program for testing BCPs and PIRMPs should be developed and executed. Testing should include scenarios with actual or potential environmental impacts. Equipment and Systems associated with response plans should be regularly checked through calibration, notifications, audits and inspections.</p> <p>Refer to the D0000510 - Testing (TTED2) procedure.</p> <p>Note: PIRMPs should be tested at least once every 12 months and within one month of any pollution incident occurring.</p>	Head of business	D0000510 - Testing (TTED2) procedure
<p>b The owner of critical assets, systems and processes, as identified in Business Impact & Asset Criticality Assessments, must develop an annual exercise program and include relevant staff, stakeholders, suppliers and contractors.</p> <p>The exercise program should outline the scope, frequency and exercise format to be undertaken.</p> <p>Refer to the D0000511 - Exercise (TTED3) procedure.</p>	Head of business	D0000511 - Exercise (TTED3) procedure

5. Definitions

Term	Definition	Source
Incident with an Environmental Impact	<p>An occurrence or set of circumstances, where pollution or an adverse impact to the environment has occurred or is likely to occur as a consequence (near miss event).</p> <ul style="list-style-type: none"> • Adverse environmental impacts can include contamination, harm to flora and fauna, and damage to heritage • Pollution can be to water, air and land. • Adverse community impacts from odour and avoidable noise emissions from plant are also classified as environmental incidents. 	
Heritage	<p>Heritage means those places, buildings, works, relics, infrastructure, movable objects, landscapes and precincts, of State or local heritage significance.</p> <p>It applies to all types of 'environmental heritage' as defined in the Office of Environment and Heritage, Interpreting Heritage Places and Items: Guidelines, applying to natural and cultural (Aboriginal and non-Aboriginal) and also to movable heritage – any natural or manufactured object or collection of heritage significance. The umbrella term item means a place, building, work, relic, movable object, precinct or landscape.</p>	Office of Environment and Heritage, Interpreting Heritage Places and Items: Guidelines
Notifiable environmental incidents	<p>Environmental incidents that trigger a regulatory obligation to formally notify a relevant authority.</p> <p>Notifiable environmental incidents:</p> <ul style="list-style-type: none"> • require immediate formal notification to the relevant authorities • must be managed and reported as per the relevant legislative requirements and supported by relevant protocols. <p>See Attachment 1 for notification requirements.</p>	<p>Attachment 1 Notification and reporting to external authorities</p> <p>For Networks incidents refer to DOC0158 for criteria</p> <p>For treatment incidents refer to DC-TOHQ0015</p>
Pollution incident	<p>Pollution incident means an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in which a substance has been placed or disposed of on premises, but it does not include an incident or set of circumstances involving only the emission of any noise (POEO Act 1997).</p>	POEO Act 1997
Harm to the environment	<p>Includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution.</p>	POEO Act 1997
Material harm to the environment	<p><i>Harm to the environment is material if:</i></p> <ul style="list-style-type: none"> • <i>it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or</i> • <i>it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and</i> • <i>Loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.</i> • <i>It does not matter that harm to the environment is caused only in the premises where the pollution incident occurs.</i> 	<p>POEO Act 1997, ch5, pt5.7, s147</p> <p>For Networks incidents refer to DOC0158 for criteria</p> <p>For treatment incidents refer to DC-TOHQ0015</p>

6. Context

6.1 Accountabilities

Position	Accountabilities
Head of Business	<ul style="list-style-type: none"> Ensure all staff have a general understanding of incident management procedures Ensure business procedures relating to incident management are in place and staff trained as required Ensure debriefs, investigations and testing are conducted as required and actions completed Ensure all near misses and Level 1 events are recorded in SWIRL
Contractors	<ul style="list-style-type: none"> Declare all incidents immediately at the first point of awareness by notifying their immediate manager and/ or site supervisor as relevant Notify Sydney Water Contract Manager of all environmental incidents Participate in debrief and investigation of incidents as required Complete assigned actions arising from incident investigations
Environmental Representative (Refer also to SWEMS0001.09)	<ul style="list-style-type: none"> Provide specialised environmental advice on management of incidents with environmental impacts (clean-up and monitoring), to the Incident Controller as requested. Provide advice on notifiable incidents that are causing or potentially causing environmental harm. Advise Incident Controller to notify relevant authorities of an environmental incident as required. Notify relevant authority's relationship manager within Sydney Water of environmental incident (e.g. NSW Department of Planning, Industry and Environment (DPIE) - Environment, Energy and Science (EES) Group relationship manager, refer to Compliance Accountability Register). Advise Incident Owner/Controller to contact Sydney Water's legal team when an environmental incident may result in regulatory action e.g. statutory fine, enforceable undertaking and/ or prosecution, or refer to Environmental Regulatory Team (EnvironmentalRegulation@sydneywater.com.au) for Network and Treatment pollution incidents. This role must be performed by a person meeting the minimum competence requirements as per the environmental delegations (section 11) Sydney Water Delegations Manual. Additional subject matter expert advice should be sought by the Environmental Representative and/ or Incident Controller as required (e.g. impacts to aquatic ecology, terrestrial ecology, archaeology, contaminated land etc.).
Incident Controller	<ul style="list-style-type: none"> Perform situational awareness Coordinate management of the incident response Establish command and control Notify and communicate with internal and external stakeholders (as Sydney Water Delegated Officer or Contractor nominated personnel) Establish recovery operations and ensure debrief and investigations are undertaken
Incident Owner	<ul style="list-style-type: none"> Ensure all incident data is recorded accurately in SWIRL as per agreed metrics Ensure events are investigated and details updated in SWIRL Ensure actions are completed and details updated in SWIRL Ensure events are closed off in SWIRL as per agreed metrics <p>Note: Business specific operational processes may include additional reporting requirements and systems e.g. SWConnect, Delivery Portal, etc.</p>

Position	Accountabilities
Site Controller	<ul style="list-style-type: none"> Assess the situation Manage the site response Establish site command and communications Request notification of internal and external stakeholders
Sydney Water staff	<ul style="list-style-type: none"> Immediately report all incidents at the first point of awareness to the site supervisor/ controller in the first instance. Notify their manager (for information) immediately after being made aware of an incident. Record all near misses and incidents in SWIRL when instructed Participate in debrief and investigation of incidents as required Complete assigned actions arising from incident investigations

6.2 Training and competencies

Position	Training or competency
All staff	Awareness of this procedure (also refer to Section 4.3)
Environmental Representative (Refer also to SWEMS0001.09)	<p>A Sydney Water environmental officer with appropriate environmental qualifications and minimum three years' relevant environment impact assessment (EIA) experience.</p> <p>OR</p> <p>A contractor with appropriate environmental qualifications and minimum three years' relevant EIA experience.</p>

6.3 References

Document type	Title
Compliance obligations	<p><i>Biodiversity Conservation Act 2016</i></p> <p><i>Contaminated Land Management Act 1997</i></p> <p><i>Environment Protection and Biodiversity Conservation Act 1999</i></p> <p><i>Environmental Planning and Assessment Act 1979 (EP&A Act)</i></p> <p><i>Fisheries Management Act 1994</i></p> <p><i>Heritage Act 1977</i></p> <p><i>National Parks and Wildlife Act 1974 (NPW Act)</i></p> <p><i>Protection of the Environment Operations Act 1997 (POEO Act)</i></p> <p><i>Water Management Act 2000</i></p> <p><i>Water NSW Act 2014</i></p>
Policies and procedures	<p>SWEMS0010 – Environmental Management Monitoring and Measurement Plan</p> <p>QMAF0015- Management Review Procedure</p> <p>402848 – Sydney Water Delegations, section 11</p> <p>SWEMS0056 – Noise Management Procedure</p> <p>D0000504 – Business Resilience Manual</p> <p>D0000506 – Sydney Water Incident Management Procedure</p> <p>D0000507- Emergency Management Procedure</p> <p>D0000507.12 Crisis management guide</p> <p>D0000509 - Training (TTED1) procedure</p> <p>D0000510 - Testing (TTED2) procedure</p>

Document type	Title
	D0000511 - Exercise (TTED3) procedure
	D0000513 - Investigations & lessons learned procedure
	DC-TOHQ0015 Treatment Notification and Reporting Procedure
	D00001234 Emergency and Pollution Incident Response Management Planning Guide
	D0001222 Treatment Plants – Common Incident Response Manual
	D0000512 Debrief Procedure
	SWEMS0170 Biodiversity Conservation Trust – Exemption and Access Protocol
Other documents	D0000526.01 - Incident Controller Checklist Sydney Water Incident Recording and Learnings system - SWIRL DOC0158 – Notification and reporting of material harm to regulators D0001275 Networks PIRMP IMS0150 - Networks & Treatment Pollution Incident Written Notification Form R2 Notification – Treatment R2 Notification - Networks SWEMS0007.02 - Environment Alert template SWEMS0001.09 - Sydney Water Environmental Advisor and Subject Matter Experts DOC0331- Clean up of overflow or surcharge SWEMS0007.02 - Environment Alert template D0000352 - SWIRL user guide Business Resilience Manual

6.4 Attachments

Attachment	Title
1	Notification and reporting to external authorities

7. Ownership

Role	Title
Group	Governance & Assurance
Owner	Melissa Skrgatich, Environmental Stewardship Manager
Author	Ellie Robbie, Environmental Stewardship Graduate

7.1 Change history

Version	Issue Date	Approved by	Brief description of change and consultation
16	16/12/2021	Environmental Stewardship Manager	Updated to include notification of fish kills, updated notification emails, and reference to new BCT protocol.
15	01/09/2021	Environmental Stewardship Manager	Updated to new template, updated hyperlinks, removed reference to archived SWEMS0014, included reference to QMAF0015, <i>Water Management Act 2000</i> added, Section 4.3, 1b added. Updates throughout.
1-14			See version 14 for previous change history

Attachment 1 Notification and reporting of Sydney Water events to external authorities

Protection of the Environment Operations Act 1997 (POEO Act)

Duty to notify pollution incidents that cause or threaten material harm to the environment. The POEO Act defines material harm as:

(a) *harm to the environment is material if:*

- (i) *it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or*
- (ii) *it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and*

(b) *loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.*

For Network pollution incidents, follow [DOC0158 – Notification and reporting of material harm to regulators and /D0001275 Networks PIRMP](#).

For Production treatment plant incidents, follow [DC-TOHQ0015](#) Treatment Notification and Reporting Procedure and site specific PIRMPs

For all other Sydney Water pollution incidents, the [Sydney Water delegated officer](#) or [Contractor nominated personnel](#) must **verbally** notify all relevant authorities **IMMEDIATELY**.

- Keep [Sydney Water Contract Manager](#) informed of incident (if notified by [Contractor nominated personnel](#)).
- **Seek advice from an [Environmental Representative](#) before notification (recommended).**
- Keep Sydney Water's Environmental Regulatory Team informed via EnvironmentalRegulation@sydneywater.com.au

If the incident presents an immediate threat to human health or property call 000.

If the incident does not require a 000 response, **verbally** notify the incident to the following five authorities as a minimum:

1. **Environmental Protection Authority** on Environment Line – **13 15 55**
2. **Relevant local authority for the area** –
 - a. WaterNSW for Special and Controlled Areas (Emergency reporting - 24 hours (fires, chemical spills) Phone: **1800 061 069**)
 - b. Relevant Local Council/s (refer to <http://www.olg.nsw.gov.au/local-government-directory>).
Note: If there is more than one relevant local authority for the area, ensure that each relevant local authority is notified. For example, if the pollution incident occurs on a council boundary, ensure that each relevant local council is notified. Also, ensure that if the impacts of the pollution incident move into a different local authority area, the relevant local authority is notified. For example, if a waterway is affected, the impact from the pollution incident may move downstream into a different council area if it is not able to be contained to the immediate incident site.
3. **Ministry of Health (NSW Health) - 9391 9000**
4. **SafeWork NSW – 13 10 50**
5. **Fire and Rescue NSW – 1300 729 579** (emergency only **000**)

In addition to the above five authorities, others may need to be informed where relevant. They may include, but not limited to the following:

6. **Beachwatch - 9995 5344**
7. **National Parks and Wildlife service (NPWS)** – Contacts as per [Access for Maintenance, Repair and Operation of Sydney Water Infrastructure in Parks and Reserves Consent and Protocol](#)

Branch	Email	24h Phone #
Blue Mountains	npwsBMB.dutyofficer@environment.nsw.gov.au	(02) 8275 1748
Greater Sydney	npwsgsb.dutyofficer@environment.nsw.gov.au	1300 056 294
South Coast/Illawarra	npwsSCB.dutyofficer@environment.nsw.gov.au	(02) 8275 1752

8. **NSW SafeFoods notified (1300 552 406).** – Contact Name Anthony Zammit - Program Manager Phone (02) 9741 4749. After Hours 0407 078 269.
9. **Water NSW - Incident Number 1800 061 069 (24 Hour Service)**

[Relevant information to be given](#) includes:

1. the time, date, nature, duration and location of the incident
2. the location of the place where pollution is occurring or is likely to occur
3. the nature, the estimated quantity or volume and the concentration of any pollutants involved, (if known)
4. the circumstances in which the incident occurred (including the cause of the incident, if known)
5. the action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known
6. other information prescribed by the regulations.

If the information above is not known when the initial notification is made but becomes known afterwards, that information must be notified immediately after it becomes known.

- **Please note - EPA** requires **written notification within 7 days** of the date on which the incident occurred. For network or treatment incidents see clause R2 of the Environmental Protection Licence (EPL).
- Other authorities may require that verbal notification be followed by written notification as per the legislative requirements or advice from an authority.
- Local templates exist that may assist with this reporting including [R2 Notification Template – Networks](#) and [R2 Notification Template – Treatment](#).

Biodiversity Conservation Act 2016

Environmental incidents relating to harming **threatened species, populations or ecological communities** or associated habitat where work is not authorised under the *Biodiversity Conservation Act 2016* or *Environmental Planning and Assessment Act 1979*.

The [Sydney Water delegated officer](#) or [Contractor nominated personnel](#) must seek advice from an [Environmental Representative](#) within a reasonable period of becoming aware of the incident.

- The incident should be reported to the Department of Planning, Industry and Environment (DPIE) - Environment, Energy and Science (EES) Group through the Environment Line – 13 15 55
- Follow up written notification of the incident must then be provided to DPIE-EES, if required.

[Sydney Water's legal team](#) should be consulted before providing any written report and/ or correspondence to DPIE-EES.

The [Environmental Representative](#) should advise [Senior Strategy Advisor \(Customer Strategy and Engagement\)](#) responsible for Sydney Water's relationship with DPIE-EES of any potential or actual incident within a reasonable period of becoming aware of the incident.

When undertaking routine and/ or emergency works on assets within land subject to a Biodiversity Conservation Trust agreement, Sydney Water will follow the Biodiversity Conservation Trust – Exemption and Access Protocol ([SWEMS0170](#)). This provides the legal pathway for Sydney Water to access and work on infrastructure and restore vegetation in biodiversity stewardship sites following removal required for routine and/ or emergency works on or near Sydney Water assets.

Environmental Planning and Assessment Act 1979

Notifiable incidents under a Ministers Condition of Approval (MCoA)

Notifiable incidents must be reported to the **Department of Planning, Industry and Environment (DPIE)** project-specific contact officer by the relevant delegate (e.g. [Environmental Representative](#), [Project Manager](#)), or as otherwise identified in the project approval.

NOTE: The [Project Manager](#) must consult with the [Sydney Water Environmental Representative](#) **before** notifying the relevant authority.

Fisheries Management Act 1994

Environmental incidents relating to damage to aquaculture areas and/ or aquatic habitats are incidents where harm to mangroves, saltmarsh and/ or seagrasses, aquaculture leases and/ or dredging and/ or reclamation activities in Key Fish Habitat occurs without appropriate notification and/ or approvals under the *Fisheries Management Act 1994*. These incidents should be **reported** to the Department of Primary Industries (DPI)-Fisheries.

The [Sydney Water delegated officer](#) or [Contractor nominated personnel](#) must seek advice from an [Environmental Representative](#) within a reasonable time of becoming aware of the incident.

The incident should be reported to DPI Fisheries on **1300 550 474** or as otherwise outlined in a Fisheries Permit. [Sydney Water's legal team](#) should be notified when an environmental incident may result in regulatory action, and before providing any written report/ correspondence to DPI-Fisheries.

Sydney Water are required to notify the EPA and NSW Fisheries when deceased fish are observed in waterways when responding to Sydney Water incidents and/or when performing other planned or unplanned works. Although there is no regulatory requirement to notify Fisheries, it is considered best practice.

Contaminated Land Management Act 1997

Environmental incidents relating to contaminated land must be notified to the EPA in writing in accordance with Section 60 of the *Contaminated Land Management Act 1997*. Guidance is provided in NSW EPA (2015) Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997*.

The [Sydney Water delegated officer](#) or [Contractor nominated personnel](#) must seek advice from an [Environmental Representative](#) and [Property Environmental Services](#) immediately following becoming aware of the incident.

Heritage Act 1977

Notifiable environmental incidents relating to heritage include:

- unauthorised impacts to an item of natural and cultural heritage (including relics)
- unexpected discovery of a non-Aboriginal relic.

The [delegated Sydney Water Officer](#) or [contractor nominated personnel](#) must seek advice from an [Environmental Representative](#) and [Sydney Water Heritage Advisor](#) within a reasonable time of becoming aware of the incident.

- The incident should be reported to the Heritage NSW.
- Follow up **written notification** of the incident must then be provided, if required.

Notifiable incidents in relation to human skeletal material (bones)

If bone material is unexpectedly discovered, stop work and prevent further disturbance.

Immediately call Police Assistance Line **131 444** and notify the police of the location of the bone material.

Ensure the [Sydney Water Contract Manager](#) is informed of the incident (if contractor related incident).

The [Sydney Water delegated officer](#), after receiving information from the police about the age (antiquity) and ancestry (Aboriginal or not) of the bone material:

- must seek advice from an [Environmental Representative](#)
- provide written notification to Heritage NSW if relevant (see *Heritage Act 1977 and below National Parks and Wildlife Act 1974*).

National Parks and Wildlife Act 1974

Notifiable environmental incidents relating to **Aboriginal heritage** include:

- incidents where unauthorised harm to or desecration of an Aboriginal object and/or Aboriginal Place is caused that is not trivial or negligible
- Unexpected discovery of an Aboriginal object.

The [Sydney Water delegated officer](#) or [Contractor nominated personnel](#) must seek advice from an [Environmental Representative](#) and [Sydney Water Heritage Advisor](#) within a reasonable time of becoming aware of the incident.

- The incident should be reported to the Heritage NSW
- For Aboriginal Places, a [Sydney Water Environmental Representative](#) and/ or [Senior Heritage Advisor](#) will also notify the relevant Aboriginal Traditional Owner or Local Aboriginal Land Council.
- Follow up written notification of the incident must then be provided to the DPIE and the relevant Aboriginal Traditional Owner or Local Aboriginal Land Council.
- The Environmental Representative should advise Sydney Water's Senior Strategy Advisor (Customer Strategy and Engagement) responsible for Sydney Water's relationship with DPIE/ NPWS of any potential or actual incident within a reasonable period of time of becoming aware of the incident.

National Parks and Wildlife Act 1974

Written notification of any substantive non-compliance with the *Access for Maintenance, Repair and Operation of Sydney Water Infrastructure in Parks and Reserves Consent and Protocol* ([BMIS0128](#)), relevant Environmental Management Plan (EMP) or multi-site Review of Environmental Factors (REF) must be provided by the [Sydney Water project manager](#) to the relevant National Parks and Wildlife Service (NPWS) Area manager within two (2) weeks of their identification via email provided in Schedule 4 of the Consent. Substantive non-compliance with the consent, relevant EMP or multi-site REF will be considered as an **environmental incident** for the purposes of this procedure.

The [Sydney Water delegated officer](#) or [Contractor nominated personnel](#) must seek advice from an [Environmental Representative](#) immediately once becoming aware of the incident.

The [Senior Strategy Advisors \(Customer Strategy and Engagement\)](#) responsible for Sydney Water's relationship with DPIE-EES/ NPWS is to be immediately notified of the incident.

[Sydney Water's legal team](#) should be consulted before providing any written report and/ or correspondence to NPWS.

Water NSW Act 2014

Any incident or activity on WaterNSW managed land that:

- has caused, or is likely to cause, material harm to the environment (including water quality in a catchment area), and
- is not authorised under the *WaterNSW Act 2014* and/ or
- is a substantial breach of the [Sydney Water and Water NSW - Joint Access Protocol \(D0000755\)](#)

shall be considered an **environmental incident** for the purposes of this procedure.

The [Sydney Water delegated officer](#) or [Contractor nominated personnel](#) must seek advice from an [Environmental Representative](#) within a reasonable period of becoming aware of the incident.

- All incidents, spills or fire sightings that occur in the Special or Controlled Areas must be reported to the WaterNSW's Incident Number **1800 061 069** (24 Hour Service)
- Where an incident is reported to the Water NSW's Incident Number that has or is likely to cause material harm to water quality or a catchment area, a written report detailing what occurred and the actions taken to combat the incident (including rectification actions) will be prepared and submitted to the Water NSW within 7 days of the incident occurring.

The Sydney Water – Strategic Operations Manager (Customer Delivery) should be consulted before providing any written report to WaterNSW, and notified of any breach of the [Sydney Water and Water NSW - Joint Access Protocol \(D0000755\)](#).

Water Management Act 2000

Environmental incidents relating to emergency work involving the removal of groundwater and overland flow water must be notified to NRAR as soon as feasible following the [emergency works exemption](#).

When working under this exemption all emergency dewatering must be initially reported to NRAR before or as soon as feasible after commencing the relevant emergency works. The initial report may be provided to NRAR by phone **1800 633 362** or email nrar.enquiries@nrar.nsw.gov.au.

A completed [Emergency work exemption report form](#) must then be submitted to NRAR via email within 14 days of completing the emergency works. A copy of all correspondence with NRAR should be included in the incident log.

Emergency works are limited to doing only what is necessary to address the significant risk. Any further activities done once the immediate risk has been addressed are not covered by this exemption and will be required to apply for and hold [relevant water access licence and approvals](#).