

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

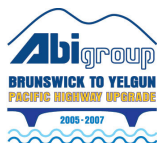
Condition	Verification	Attachments	Status
AC1	<p>The proposal shall be carried out consistent with:</p> <p>Sub Conditions below;</p> <p>Despite the above, in the event of any inconsistency, the conditions of approval by the Minister shall prevail.</p> <p>These conditions do not relieve the Proponent of the obligation to obtain all other approvals and licences from all relevant authorities required under any other Act. Without affecting the generality of the foregoing, the Proponent shall comply with the terms and conditions of such approvals and licences.</p> <p>It shall be the ultimate responsibility of the RTA to ensure compliance with all conditions of approval granted by the Minister.</p>	<p>The Construction EMP and the Work Method Statements incorporates the commitments made in the environmental impact statement and the various other environmental documents prepared for this project. This Compliance Table records the status of compliance at this time. The status of other approvals and project licences from all relevant authorities is listed in the latest Six Monthly Report for the project. This is an over-arching condition for the project and reference to other Compliance Tables will be required.</p>	WIP
AC1 a	<p>the proposal contained in the environmental impact statement 'Proposed Duplication of the Brunswick Heads Bypass and Upgrade of the Pacific Highway Brunswick River to Yelgun' dated 14 July 1998, (the EIS), prepared for the Roads and Traffic Authority (RTA) by Sinclair Knight Merz Pty Ltd, subject to modifications to the proposal as described in the 'Representations Report Duplication of Brunswick Heads Bypass and Pacific Highway Upgrade Brunswick River to Yelgun' (the Representations Report) prepared for the RTA by RTA Technology, dated 24 February 1999;</p>	<p>The Construction EMP and the Work Method Statements document the measures and the safeguards to which this condition refers. Refer to other Conditions within this Compliance Table and also tables for the EIS and the Representations Report for specific compliance.</p>	WIP
AC1 b	<p>the proposal as modified in the Environmental Impact Assessment 'Brunswick Heads to Yelgun Upgrade, Modifications to Approved Project', dated 1 November 2002, prepared for the RTA by Connell Wagner, the 'Submissions Report' prepared for the RTA by RTA Environmental Technology Branch, dated 1 April 2003, and the RTA's 'Decision Report', approved on 6 May 2003;</p>	<p>The Construction EMP and the Work Method Statements document the measures and the safeguards to which this condition refers. Refer other Conditions within this Compliance Table and also tables for the Modifications and Submissions Report for specific compliance.</p>	WIP
AC1 c	<p>the conditions of concurrence granted by the Director-General of the NPWS;</p>	<p>Refer to the Compliance Table for the status of the DEC(NPWS) Concurrence Conditions.</p>	WIP
AC1 d	<p>the conditions of approval granted by the Minister.</p>	<p>The rest of this Compliance Table documents the status of the measures and evidence against this condition.</p>	WIP
AC2	<p>The Proponent shall comply with, or ensure compliance with all requirements of the Director-General in respect of the implementation of any measures arising from the conditions of this approval. The Proponent shall bring to the attention of the Director-General any matter that may require further investigation and the issuing of instructions from the Director-General. The Proponent shall ensure that these instructions are implemented to the satisfaction of the Director-General within such time that the Director-General may specify.</p>	<p>The Construction EMP and the Work Method Statements document the implementation of the measures arising out of the project approvals. This Compliance Table documents the status of compliance with this requirement at this time. There have been no matters to date that require further investigation by the Director-General. Letters from DOP have been received concerning the approval of compounds which relate to Condition AC70.</p>	WIP

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Condition	Verification	Attachments	Status	
AC3	<p>At least one month prior to commencement of substantial construction (or within such period as otherwise agreed by the Director-General), the Proponent shall submit for approval of the Director-General a compliance report detailing compliance with all relevant conditions that apply prior to commencement of substantial construction and shall address:</p> <p>Sub conditions below;</p>	<p>A Pre-construction Compliance Report was drafted on 17 May 05 (and later revised on 27 June 05, and again on 8 July 05). These were all submitted to the RTA, and in turn the RTA submitted to DoP (DIPNR) as part of the CEMP and sub plans submission on the 15 June 05. Comment was received back from DoP (DIPNR) on the plans on the 27 June 05, and the plans and Compliance Report revised. The CEMP and sub plans were then sent back to DoP (DIPNR) on the 05 July 05 by the RTA for DoP(DIPNR) approval. A letter of approval from DoP (DIPNR) dated 15 July 05 was received on the submission of the environmental management plan.</p> <p>The EMR has reviewed this condition and is satisfied that it has been met, however noting that the final submission of the document was within one month before the start of substantial construction.</p>	<p>Letter to RTA 1</p> <p>Letter to RTA 2</p> <p>Pre Construction Compliance 17 May 05</p> <p>Pre Construction Compliance 2 July 05</p> <p>Pre Construction Compliance 27 June 05</p>	Satisfied
AC3 i	<p>the dates of submissions of the various studies and/or requirements of various relevant conditions, and their approval and terms of approval; and</p>	<p>The Pre-Construction Compliance Report documents the submission dates of the various studies and requirements and dates of the approvals and consultations required.</p>	Satisfied	
AC3 ii	<p>action taken or proposed to implement the recommendations made in terms of approvals and/or studies.</p>	<p>The Pre-construction Compliance Report contains documentation of action taken as a result of the consultations/approvals/studies.</p>	Satisfied	
AC4	<p>At least one month prior to commissioning of the proposal, or within such period as otherwise agreed by the Director General, the Proponent shall submit for approval of the DG a compliance report detailing compliance with all relevant conditions that apply prior to commencement of operation.</p>	<p>Not due until at least one month prior to commissioning of the project.</p>	WIP	
AC5	<p>The Proponent shall endeavour, as far as possible, to resolve any dispute with relevant public authorities arising out of the implementation of the conditions of this approval. Should this not be possible, the matter shall be referred to the Minister for resolution. The Minister's determination of the disagreement shall be final and binding on all parties.</p>	<p>No disputes requiring referral have arisen.</p>	WIP	
AC6	<p>Prior to the commencement of construction, the Proponent shall institute, publicise and list with a telephone company a 24 hour complaints contact telephone number, which would enable any member of the general public to reach a person who can arrange appropriate response action to the complaint.</p>	<p>The 1800 number has been publicised in local media, first appearing Saturday 16 April 2005 (RD33). The number is 1800 071 144 and manned by Wendy Dooley. The phone number has been listed with Sensis for the North Coast white and yellow pages in August 2005.</p>	<p>First 3 month Update Advertisement</p>	Satisfied

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Condition	Verification	Attachments	Status	
AC7	<p>The Proponent shall record details of all complaints received during construction and ensure that an initial response to the complaint is provided within one working day and a detailed response within 10 days. Information on all complaints received shall be made available on request to the Director-General and all relevant government agencies. The Proponent shall nominate an appropriate person(s) to receive, log, track and respond to complaints within the specified timeframe. The name and contact details of this person(s) shall be provided to the relevant Council(s) and the Director-General upon appointment or upon any changes to that appointment.</p>	<p>A complaints management system is documented in the Community Implementation Plan for the project. An electronic complaints register system has been established. (RD65) The Abigroup QESE system is an electronic register for all community representations, and is operational. A summary of all complaints received is listed in the Six Monthly Report. The name of contact persons managing complaints is Wendy Dooley, and Terry Paxton, Telephone 1800 071 144. Letter sent to Byron Council 24 March 05. Letter sent to DOP 12 October 2005. An update letter confirming Wendy Dooley as the main contact person was sent to Byron Council and DOP on 24 January 2007. An internal audit was undertaken of the complaints management system on 1st May 2006, located on the "QESE" project database, with an Audit Report prepared. Of 11 complaints reviewed, all had initial response satisfactorily managed, and 9 of the 11 satisfactorily completed the detailed follow up within 10 days.</p>	<p>Audit Report May06 Letter to Byron Council Jan07 Letter to Byron Council Mar05 Letter to DOP Jan07 Letter to DOP Oct05</p>	WIP
AC8	<p>The Proponent shall notify the Director-General and all relevant authorities in writing of the project commencement both in terms of construction and operation (ie commissioning).</p>	<p>On the 27 June the DG DIPNR and all relevant authorities had been notified that construction commencement was anticipated for 4th July pending planning approvals (RD93). Letter was sent to DIPNR from RTA. Email was sent to state authority representatives on 27 June 2005. The notification of the operation stage is not due until just prior to operation, which is anticipated in late May to late June 2007.</p>	<p>Email State Agencies 27 June05</p>	Satisfied
AC9	<p>Prior to the commencement of construction and then at three-monthly intervals, the Proponent shall advertise in relevant local newspapers the nature of the works proposed for the forthcoming three months, the areas in which these works are proposed to occur, the hours of operation and a contact telephone number.</p> <p>The Proponent shall ensure that the local community is kept informed (by way of local newsletters, leaflets, newspaper advertisements, and community noticeboards, etc.) of the progress of the project, including any traffic disruptions and controls, construction of temporary detours and work required outside the nominated working hours, prior to such works being undertaken.</p>	<p>Prior to the commencement of construction an advertisement appeared in the local newspapers on the week beginning Saturday 16 April 2005 (RD33). Second 3 month update appeared week beginning the 19 July 2005. Third 3 month update appeared 26 October 2005. Fourth 3 month update appeared in 23 February 2006. Fifth 3 month update appeared in 1 July 2006. Sixth 3 month update appeared 26 September 2006. Seventh 3 month update appeared 21 December 2006. An example of a leaflet to residents is the notification of nightworks for a culvert installation in December 2005. An example of a detour notification letter to residents is the Banana Road closure in June 2005. Notifications have also appeared in the local press for proposed changed traffic conditions (Rajah Rd and Yelgun in May 2006), (and to River Users April 2006). A project newsletter was released in May 2006.</p>	<p>Example of Detour Notification letter Example of Nightworks leaflet First 3 month update April05 Second 3 month update July05 Third 3 month update October05</p>	WIP



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AC10	<p>A new Community Liaison Group for the construction stage of the Project has been established from an advertisement that appeared in March 2005.</p> <p>Minutes of Meeting for inaugural meeting held on 20 April 2005 (RD18). Minutes of Meeting for second meeting held on 11 May 2005 (RD19). Meetings generally on a monthly basis 8/6/05, 13/7/05, 3/8/05, 7/9/05, 5/10/05, 2/11/05, 7/12/05, 1/2/06, 1/3/06, 5/4/06, 3/5/06, 7/6/06, 5/7/06 and 2/8/06.</p> <p>Meetings are held in a project meeting room in the Site Compound. Presentations have been made during the development of the Urban Design and Landscape Plan, proposed bicycleways, modifications to the Yelgun Rest Area, construction noise, nightworks, flooding and operational noise amongst other issues. An example of where recommendations from the CLG had a big impact is during the development of the landscape plan for the Billinudgel area, and the community Habitat Boxes project.</p>	<p>Advertisement for CLG Members</p> <p>Minutes Meeting 1</p> <p>Minutes Meeting 2</p>	Satisfied
AC11	<p>A suitably qualified Environmental Management Representative (EMR) shall be available during construction activity at the site and be present on-site during any critical construction activities as defined in the Environmental Management Plan (EMP). The EMR shall have responsibility for considering and advising on matters specified in the conditions of approval and compliance with such and facilitation of an induction and training program for all persons involved with the construction activities. The following information shall be provided to the Director-General: (Refer to Sub Conditions).</p> <p>The appointment of the person nominated to serve as the EMR shall be approved by the Director-General prior to the commencement of construction.</p>	<p>Letter from DIPNR 7/2/05</p>	Satisfied
AC11 a	<p>appropriateness of the qualifications of the EMR including demonstration of general compliance with the principles of AS/NZS ISO 14012:1996 Guidelines for Environmental Auditing : Qualification criteria for environmental auditors;</p>	Refer to EMR Services Implementation Plan.	Satisfied
AC11 b	<p>role and responsibility of the EMR; and,</p>	refer to the Project Deed Schedule 46 for roles and responsibilities	Satisfied
AC11 c	<p>authority of the EMR including details of the Proponent's internal reporting structure. This shall include the authority to stop work immediately if in the view of the EMR an unacceptable impact is likely to occur or to require other reasonable steps to be taken to avoid or minimise any adverse impacts</p>	Detailed in the Project Deed Schedule 46.	Satisfied

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AC12	The Proponent shall ensure the appointment of contractors that have a demonstrated capability and experience in the implementation of an Environmental Management System prepared in accordance with the AS/NZS ISO 14000 series or BS7750-1994 certified by an accredited certifier and/or have a proven environmental management performance record of a level relevant to the scale of the works being undertaken.	Abigroup has a Certified Environmental Management System (RD1). DLIQ Certification re-issued 25 August 2005.	EMS Certification Statement	Satisfied
AC13	<p>Prior to the commencement of construction, an Environmental Management Plan (EMP) (Construction Stage) shall be prepared, following consultation with the EPA, DLWC, NSW Fisheries, NPWS, other relevant government authorities, and Byron Shire Council. Where construction activities may be undertaken in discrete stages, the Proponent may prepare individual EMPs relating to specific stages of construction. An outline of any proposed staging of EMPs shall require the approval of the Director-General.</p> <p>The EMP (Construction Stage) shall be prepared in accordance with the conditions of this approval, all relevant Acts and Regulations and accepted best practice management procedures. The EMP (Construction Stage) shall require approval by the Director-General prior to substantial construction works or within such time as otherwise agreed to by the Director-General. The EMP shall be certified as being in accordance with the conditions of approval by the EMR prior to seeking approval of the Director-General.</p> <p>The EMP (Construction Stage) shall: (Refer to Sub Conditions) The EMP(s) (Construction Stage) shall be made publicly available.</p> <p>Verification;</p>	<p>A construction stage Environmental Management Plan has been prepared addressing these items. There is no staging of the EMP. Consultation with agencies has been undertaken with the following stakeholders.</p> <p>The following dates relate to the CEMP Framework document, other sub plans are detailed elsewhere in the Compliance Table.</p> <p>DEC (EPA) sent 8 April 2005 (RD21), Comments received 10 May (RD22), DEC (NPWS) sent 15 April (RD23), Comments received 10 May (RD24), DIPNR (DLWC) sent 22 April (RD25), Comments received 10 May (RD26), DPI (Fisheries) sent 22 April (RD27), Comments received 6 May (RD28), Heritage Office sent 15 April (RD29), Comments received 5 May (RD30), Byron Shire Council sent 15 April (RD31), Comments received 30 May 2005.</p> <p>EMR Certification has been provided for the framework document as well as the separate sub-plan elements. DIPNR approval of the EMP was provided on 15 July 2005.</p> <p>A copy of the EMP is kept at the site community information centre for the purpose of being available for the public to view.</p>	DIPNR Letter of Approval EMR Certification of CEMP	Satisfied
AC13 1	address construction activities associated with all key construction sites, including staging and timing of the proposed works;	Addressed in the EMP documents (ref CEMP Framework 3.7).		Satisfied
AC13 2	cover specific environmental management objectives and strategies for the main environmental system elements and include, but not be limited to: noise and vibration; air quality; water; erosion and sedimentation; access and traffic; property adjustments; heritage and archaeology; groundwater; contaminated spoil and acid sulfate soils, spoil stockpiling and disposal; waste/resource management; flora and fauna; wetlands; flooding and stormwater control; geotechnical issues (including land slip and settlement); visual screening, landscaping and rehabilitation; hazards and risks; energy use, resource use and recycling; vermin; and utilities; and	Refer to objectives in the CEMP Framework document (Ref 1.5), as well as the strategies in the various management sub-plans. For property adjustments reference is made to SWTC Appendix 3 in Volume 2 of the Deed. For geotechnical results and groundwater refer to Roberta Carr and Assoc Geotechnical Report, various SMEC Geotechnical Reports and Section 4 of the Soil and Water Management Plan. For the management of utilities see the Utilities Implementation Schedule.		Satisfied

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AC13 3 a	identification of the statutory and other obligations which the Proponent is required to fulfil during project construction, including all approvals and consultations/agreements required from other authorities and stakeholders, and key legislation and policies which control the Proponent's construction of the project;	Addressed in the CEMP Framework document Section 1.6, 1.7, 2.1, 2.2, 2.3 and Annexure C.	Satisfied
AC13 3 b	definition of the role, responsibility, authority, accountability and reporting of personnel relevant to compliance with the EMP;  Specific requirements for some of the main environmental system elements referred to in (b) shall be as required under the conditions of this approval and/or as required under any licence or approval.	Addressed in the CEMP Framework document in Section 3.	Satisfied
AC13 3 n	measures to avoid and/or control the occurrence of environmental impacts;	Addressed in section 4.4, 4.5 and 4.6 of the CEMP Framework document.	Satisfied
AC13 3 o	measures (where possible and cost effective) to provide positive environmental offsets to unavoidable environmental impacts;	The RTA has provided a significant compensation package in liaison with NPWS for the project. A Translocation Plan has been prepared in consultation with DEC/NPWS for the management of threatened flora species associated with the project.	Satisfied
AC13 3 f	environmental management procedures for all construction processes which are important for the quality of the environment in respect of permanent and/or temporary works;	Addressed in the CEMP Framework Section 3.7 and Section 4, as well as the various element sub-plans and Work Method Statement documents.	Satisfied
AC13 3 g	monitoring, inspection and test plans for all activities and environmental qualities which are important to the environmental management of the project, including performance criteria, specific tests, protocols (eg. frequency and location) and procedures to follow;	This is addressed in Section 4.2, 4.4 and 4.5 of the CEMP, in the various sub-plans and the Work Method Statements as well as in the project Quality System documents.	Satisfied
AC13 3 h	environmental management instructions for all complex environmental control processes which do not follow common practice or where the absence of such instructions could be potentially detrimental to the environment;	Addressed by Section 3.7.2 of the CEMP Framework document, and the various Work Method Statements that are produced.	Satisfied
AC13 3 j	identification of cumulative impacts and mitigation measures for staged EMPs;	Not applicable. Stage EMPs are not being created for the construction phase of this project, and so cumulative impacts won't need to be separately identified.	Satisfied
AC13 3 k	consultation requirements with relevant government agencies; and	Addressed in section 1.3, 1.7, 3.9.3 and 3.9.4 of the CEMP Framework document.	Satisfied
AC13 3 l	steps the Proponent intends to take to ensure that all plans and procedures are being complied with;	Addressed in Section 4 of the CEMP Framework document.	Satisfied
AC13 3 c	the role of the EMR;	Addressed in the CEMP Framework in Section 3.2.4, in the Project Deed Schedule 46, as well as in the EMR Services Implementation Plan.	Satisfied
AC13 3 m	community consultation and notification strategy (including local community, relevant government agencies, and Byron Shire Council), and complaint handling procedures.	Addressed in section 3.9 of the CEMP Framework document and in the Community Involvement Plan for the project.	Satisfied

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<p>AC14 The Proponent shall submit to the Director-General, a report(s) in respect of the environmental performance of the construction works and compliance with the EMP (Construction Stage) and any other relevant conditions of this approval. The reports shall be prepared six months after the start of substantial construction and thereafter at six monthly intervals or at other such periods as requested by the Director-General to ensure adequate environmental performance over the duration of the construction works. The report(s) shall include, but not be limited to, information on:</p> <ul style="list-style-type: none"> <li>(i) applications for consents, licences and approvals, and responses from relevant authorities;</li> <li>(ii) implementation and effectiveness of environmental controls and conditions relating to the work undertaken;</li> <li>(iii) identification of construction impact predictions made in the EIS and any supplementary studies and details of the extent to which actual impacts reflected the predictions;</li> <li>(iv) details and analysis of results of environmental monitoring;</li> <li>(v) number and details of any complaints, including summary of main areas of complaint, action taken, response given and intended strategies to reduce complaints of a similar nature; and</li> <li>(vi) any other matter relating to the compliance by the Proponent with the conditions of this approval or as requested by the Director-General.</li> </ul> <p>The report(s) shall be provided to the EPA, NPWS, DLWC, NSW Fisheries and Byron Shire Council, and any other relevant government agency nominated by the Director-General. The report(s) shall also be made publicly available.</p>	<p>The end of the first six monthly period was up to 20 January 06, and the first report was distributed by the RTA to DoP and the state agencies at end of January 06, and a copy is available to the public at the Community Display Centre on site.</p> <p>The end of the second six monthly period was up to 20 July 06, and this report has also been prepared and was distributed to RTA 20 Sept 2006, state agencies in the ERG meeting of 27 Sept 06, posted to DNR and Byron Council on 28 Sept 06, and RTA distributed to DOP.</p> <p>The third six monthly report was prepared in January 07, with RTA comments received at end of February 07. The final copy is ready for distribution to DoP and Agencies in March 07.</p> <p>These items (i) to (vi) are addressed in each six monthly report.</p>		WIP
<p>AC15 An Environmental Management Plan (Operation Stage) shall be prepared prior to the commencement of operation.</p>	<p>A draft Operational Environmental Management Plan has been prepared in November 2006. This draft has been distributed to all the state and local government agency representatives by email on 5 December 2006. Comments have been received by the government agencies in January and February 2007. Final document being collated in March 2007 for distribution to RTA and DoP.</p>		WIP
<p>AC16 An Environmental Impact Audit report shall be submitted to the Director General, and the EPA, and upon request by the DG to any other relevant government authority, 12 months after the commissioning of the project.</p>	<p>This is not due until 12 months after the commissioning of the project.</p>		WIP

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Condition	Verification	Attachments	Status
<p>AC17 As part of the EMP(s) (Construction Stage) and (Operation Stage), a detailed Soil and Water Quality Management Sub-Plan shall be prepared to the satisfaction of the EPA and DLWC and in consultation with NSW Fisheries and Byron Shire Council. NPWS shall be consulted in relation to specific water quality control measures to be implemented in the vicinity of wetland areas.</p> <p>The Sub-plan shall be prepared in accordance with the Department of Housing's guideline Managing Urban Stormwater - Soils and Construction and where appropriate DLWC's Constructed Wetlands Manual. The Sub-plan(s) shall be prepared prior to construction or operation as appropriate and provide details of pollution control measures, including measures to treat and dispose of water from the site, and water quality monitoring to be undertaken during the construction and operation stages respectively.</p>	<p>A Soil and Water Management Plan has been prepared for the construction phase of the project in consultation with the following Agencies:</p> <p>DEC(EPA) draft sent 15 April 05 (RD71), Comments received 13 May (RD72),  DIPNR(DLWC) draft sent 21 April 05 (RD73), Comments received 11 May (RD74),  DPI(Fisheries) draft sent on 20 April 05 (RD75), Comments received 6 May (RD76),  DEC(NPWS) draft sent 21 April 05, No comments received,  Byron Council draft sent on 21 April 05, Comments received on 30 May 05.</p> <p>EMR Certification of the management plan (construction stage) on 10 June 2005.</p> <p>The sub-plan has been prepared with reference to the guideline Managing Urban Stormwater - Soils and Construction (refer to section 3.6 and 6.1). Measures to treat and dispose water as well as water quality monitoring is included (section 8 and 6.13).</p> <p>The operational phase plan has been drafted and submitted to the agencies for review on 5 Dec 2006.</p>	<p>Agency Comments compilation + response</p> <p>Byron Council Comments</p> <p>DEC(EPA) Comments</p> <p>DIPNR(DLWC) Comments</p> <p>DPI Fisheries Comments</p> <p>EMR Certification</p>	WIP
<p>AC18 The Soil and Water Management Sub-Plan shall incorporate detailed erosion and sedimentation controls and site rehabilitation requirements, which shall be prepared and submitted to the satisfaction of DLWC and EPA and sufficient to address the technical requirements for obtaining relevant EPA approvals/licences.</p> <p>The DLWC, or an appropriately qualified soil conservationist shall be consulted on a regular basis to undertake inspections of temporary and permanent erosion and sedimentation control devices to ensure that the most appropriate controls are being implemented, that they are being maintained in an efficient condition at all times and meet the requirements of any relevant approval/licence condition(s).</p>	<p>Soil Erosion and Sediment Control has been incorporated into the Soil and Water Management Plan, in section 6, and has been submitted and commented upon by the state agencies (see AC17 above). A DEC/EPA license for the project has been issued on 6 June 2005. The field advice from a Soil Conservationist is consulted on a regular basis. There is a weekly erosion and sediment control site inspection regime initiated in September 2005 that is operating well on the project. The inspection regime is reviewed regularly to ensure effective value on site. Further, erosion and sediment controls are depicted on a series of Progressive Erosion and Sediment Control Plans (PESCPs) that are updated on a needs basis.</p> <p>At a site meeting with the DNR representative (Josh Chivers) in Sept 2006, satisfactions was expressed with the standard of controls exhibited on site.</p>	<p>Letter from DEC June 2005</p> <p>Letter from DNR Sept 2006</p> <p>Soil Conservationist Plan for Sept 2005</p>	WIP

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AC19	<p>The Proponent shall develop, to the satisfaction of the EPA, procedures to control discharges of water at sites likely to be affected by flooding during the construction stage and to implement and review those procedures to the satisfaction of the EPA.</p>	<p>Procedures have been developed as part of the Soil and Water Management Plan (refer to section 6), as well as the Flooding and Drainage Management Plan (refer to section 7). These have been submitted to the DEC (refer to conditions AC17 and AC23 in this table). Both the Soil and Water Management Plan and the Flooding and Drainage Management and have been audited (in May/June 2006) and reviewed.</p> <p>Discussions have been held between Abigroup and DEC concerning the status of the Condition (ref email of 17 May 2006) and discussions on site (Friday 19 May 2006).</p> <p>DEC have been consulted during the development of various Work Method Statements for the project, as well as during project ERG meetings and numerous site inspections. DEC recommend that the status of this condition be "on-going" during the construction phase.</p>	<p>Correspondance with EPA May06</p>	WIP
AC20	<p>Prior to the commencement of construction, the Proponent shall investigate, in consultation with the NSW Department of Health and the EPA, the feasibility of using treated effluent from the Ocean Shores Sewage Treatment Plant for dust suppression and/or landscaping works. The investigation shall include assessment of the likely effects on surface water quality and groundwater quality from the use of any treated effluent. The results of the investigation shall be included in the Construction EMP referred to in Condition 13.</p>	<p>Reuse of Ocean Shores STP Treated Wastewater Feasibility Report prepared, and submitted to NSW Health 2 May 05 (RD2) and submitted to DEC 2 May 05 (RD3).</p> <p>Response from Health received 30 May 2005, and DEC on 16 June 05. The report is located in Annexure C of the Soil and Water Management Plan for the project. The groundwater impacts were not investigated as the water quality was unsuitable for public health and human contact.</p>	<p>Email DEC(EPA)</p> <p>Email Department of Health</p>	Satisfied
AC21	<p>All stormwater drainage, erosion, sedimentation and water pollution control systems and facilities of the proposal shall be located, designed, constructed operated and maintained to meet the reasonable requirements of the relevant authorities including the EPA and DLWC and in consultation with NSW Fisheries. All facilities including wetland filters, grass filter strips, gross pollutant traps and sedimentation basins shall be inspected regularly and maintained in a functional condition for the life of the project by the Proponent unless the responsibilities are transferred to other parties with the approval of the EPA.</p>	<p>Liaison has been undertaken with state agencies during the development of the detailed drainage design.</p> <p>Input was sought during the 15% stage design development released in April 2005.</p> <p>Further full set of 85% stage drainage design drawings distributed on 1 September 2005.</p> <p>DEC(EPA and NPWS) provided combined comments on 19 September 05 on the 85% stage drawings. These comments were responded to on 10 October 05, with DEC confirming the response on 11 October 05.</p> <p>DNR (formerly DIPNR and DLWC) provided comments on 20 October 05 on the 85% stage drawings. These comments were responded to on 10 October 05, with DNR confirming the response on 10 October 05.</p> <p>Final DNR design review and confirmation occurred in September 2006.</p> <p>DPI(Fisheries) provided comments on 16 September 05 on the 15% stage drawings. Final design review and confirmation occurred in August 2006.</p> <p>Full set of final design drawings handed to Scott Hunter on 19 May 2006 for comment. No final comment from DEC received as yet.</p>	<p>Correspondance with DEC May06</p> <p>Letter from DNR Sept 2006</p> <p>Letter from DPI Fisheries August 2006</p> <p>Letter to DEC Sept 2005</p> <p>Letter to DLWC Sept 2005</p> <p>Letter to DPI Fisheries Sept 2005</p> <p>Teambinder Memo to DEC April 2006</p>	WIP

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AC22	<p>The Proponent shall provide appropriate detention systems for containment of spills and materials arising from accidents and install appropriate detention systems to the satisfaction of the EPA. Lockable shut-off valves shall be provided at all points that discharge directly to natural watercourses.</p>	<p>Email to DEC 19 May 2006</p> <p>Email to DEC 5 December 2006</p> <p>Email to DEC 9 November 2005</p> <p>Letter to DEC Sept 2005</p> <p>Memo Teambinder April 2006</p>	WIP
AC23	<p>As part of the EMP (Construction Stage) a detailed Flood/Drainage Management Sub-plan shall be prepared in consultation with EPA, DLWC and Byron Shire Council. The Sub-plan shall provide details on catchment analysis (including localised flooding as recognised by the Council), existing drainage systems and capacity, drainage changes resulting from the proposal and implications for the system, detention requirements and their environmental impacts.</p>	<p>Council Comments June 2005</p> <p>EMR Correspondance Tech Meeting 2005</p> <p>Letter from DEC 20 June 2005</p>	WIP

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status	
AC24	<p>The proponent shall ensure that tests are carried out in advance of excavation to test for the presence of acid sulphate soils in all areas to be disturbed by the proposal where acid sulphate soils have the potential to be present. These tests shall be undertaken in accordance with a strategy prepared to the satisfaction of EPA and DLWC.</p> <p>Should acid sulphate soils be found, a detailed Acid Sulphate Soil Management Sub-plan shall be prepared to the satisfaction of the EPA and DLWC prior to any additional construction activity taking place in the area affected. The Sub-plan shall include reference to the water quality monitoring program contained in the Soil and Water Quality Management Sub-plan. The Sub-plan shall be prepared in accordance with the Acid Sulphate Soils Manual (ASSMC, 1998). As part of the Sub-plan, a Contingency Plan to deal with the unexpected discovery of actual or potential acid sulphate soils shall be prepared to the satisfaction of the EPA and DLWC.</p>	<p>Tests have been carried out by Robert Carr and Associates July 2004 for the RTA.</p> <p>An Acid Sulphate Soils Management Plan has been prepared.</p> <p>Consultation with agencies has been undertaken with the following stakeholders:</p> <p>DEC (EPA) sent 27April 05 (RD36), Comments received 12 May 05 (RD37)</p> <p>DIPNR(DLWC) sent 27 April 05, Comments received on 3 May 05.</p> <p>Consultation summary letter received from DEC on 20 June 2005.</p> <p>EMR Certification recieved on 10 June 2005.</p>	<p>EMR Certification ASS</p> <p>Letter from DEC 20 June 2005</p>	Satisfied
AC25	<p>As part of the EMP (Construction Stage), the Proponent shall identify the location of any cattle tick dip sites likely to be affected by the proposed works (including the Hainsville Dip) and details of appropriate management measures. These are to be developed in consultation with the EPA and NSW Agriculture.</p>	<p>This is addressed in the Spoil and Fill Management Plan. Consultation with state agencies has been undertaken with the following stakeholders</p> <p>DEC sent 27April 05(RD39), Comments received 12 May 05 (RD40), DPI(Agriculture) sent 27 April 05 (RD88),Comments recieved from DPI on 16 August 05.</p> <p>Byron Shire Council sent 27 April 05 (RD43), 30 May 2005.</p> <p>EMR Certification for the sub-plan recieved 10 June 2005.</p> <p>A remediation action plan has been developed for the site and submitted to:</p> <p>DEC - with comments received back on 27 September 05.</p> <p>DPI(Agriculture) - with comments back on 16 August 05.</p> <p>EPA Accredited Auditor- with comments back on 16 September 05.</p> <p>The site remediation took place from September 2005, and a Validation Report prepared in January 2007.</p> <p>A final Site Auditor Statement is required from the auditor to confirm that the site remediation is complete.</p>	<p>EMR Certification SFP</p> <p>RAP Cattle Tick AttA</p> <p>RAP Cattle Tick AttB</p> <p>RAP Cattle Tick AttC</p> <p>RAP Cattle Tick Dip Site</p> <p>RAP Cattle Tick Report Cover</p>	Satisfied

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status
<p>AC26 A detailed Noise and Vibration Management Sub-plan shall be prepared as part of the EMP (Construction Stage) to the satisfaction of the EPA. The Sub-plan shall provide details of noise and vibration control measures to be undertaken during the construction stage, sufficient to address the technical requirements for any EPA approvals/licences. The Sub-plan shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>(i) tests for ascertaining acoustic parameters;</li> <li>(ii) identification of noise and vibration catchments and predicted noise and vibration levels;</li> <li>(iii) impacts from site compounds/construction depots;</li> <li>(iv) location, type and timing of erection of temporary and permanent noise barriers and/or other noise mitigation measures;</li> <li>(v) specific physical and managerial measures for controlling noise and vibration;</li> <li>(vi) noise and vibration monitoring, reporting and response procedures; and</li> <li>(vii) the urban design issues relating to noise and vibration control measures.</li> </ul> <p>With respect to sub-clause (iv), the Proponent shall consider the use of a range of structural and non-structural noise mitigation measures including barriers, acoustic treatment of residences, scheduling of construction activities and temporary relocation of affected residents.</p>	<p>The Noise and Vibration Management Plan has been prepared in consultation with DEC, sent on 15 April 05 (RD66), and comments received 26 May 05 (RD67).</p> <p>EMR Certification received 10 June 2005. (RD68)</p> <p>Noise and vibration control monitoring requirements are included in the Environmental Protection License issued to the project on 6 June 2005.</p> <p>As part of the annual review of the CEMP, a revised Noise and Vibration Management Plan was distributed at the ERG meeting of 27 September 2006.</p>	<p>EMR Certification NVP</p>	<p>Satisfied</p>

## Compliance Table for DIPNR Minister’s Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status
<p>AC27</p> <p>The Proponent must prepare an Operation Noise Management Report detailing its investigation of reasonable and feasible operation noise mitigation methods. The Proponent must obtain the approval of the Director General for the Report prior to construction commencing or within any other time agreed to by the DG. The report and investigation must be conducted in accordance with the NSW Government’s Environmental Criteria for Road Traffic Noise and the RTA’s Environmental Noise Management Manual. The report and investigation must include the following:</p> <ul style="list-style-type: none"> <li>a) identification of operation noise criteria;</li> <li>b) predictions of noise levels at noise sensitive locations;</li> <li>c) location, type and timing of erection of permanent noise barriers and/or other noise mitigating circumstances;</li> <li>d) details of specific physical and managerial measures for controlling noise;</li> <li>e) details of reasonable and feasible noise mitigation measures. To assist in selecting noise mitigation options for road traffic an analysis for the entire Project must be undertaken in accordance with Practice Note IV of the RTA Environmental Noise Management Manual. The importance applied to aesthetic impacts (visual, shadowing, etc) and noise mitigation along the Project must be determined in consultation with the CLG and owners of noise affected, noise sensitive land uses. Among other options considerations should be given to the inclusion of clear panels within noise barriers to reduce visual and overshadowing impacts;</li> <li>f) the urban design issues relating to noise control measures;</li> <li>g) details of noise monitoring, reporting and complaint response procedures;</li> <li>h) consideration of noise mitigation for sensitive receptors predicted to have "future existing" noise levels in the year 2016 at an acute level or above. Acute noise levels are 65dBA Leg15hr(day) and 60dBA Leq9hy (night).</li> </ul> <p>The Proponent must install all reasonable and feasible noise mitigation measures identified in the Operation Noise Management Report to the satisfaction of the Director General.</p>	<p>A 15% design stage Operating Noise Management Report was prepared and submitted to RTA and DOP for review in June 2005.</p> <p>An 85% design stage Operating Noise Management Report has been prepared and distributed for comment in December 2005. The 85% stage report was revised following receipt of comments and (Version 9) was released in April 2006. RTA submitted this to DOP.</p> <p>A presentation of the ONMR was delivered at the CLG meeting of 7 December 2005.</p> <p>The 85% report covers all the listed included items:</p> <ul style="list-style-type: none"> <li>a) in Section 3.5</li> <li>b) in Section 5.3 &amp; Annexure E</li> <li>c) in Section 5.4 &amp; Annexure C</li> <li>d) in Section 5.4</li> <li>e) in Section 3.4 &amp; 5.4</li> <li>f) in Section 6.0</li> <li>g) in Section 7.0 &amp; Annexure K</li> <li>h) in Section 5.3.1</li> </ul> <p>A final 100% stage Report was issued to the RTA in December 2006, for the RTA to forward to DOP. The RTA have made comments on this report and Abigroup’s consultantrs are revising this report by responding to RTA comments.</p>	<p>Email RTA on 15 percent June05</p>	<p>WIP</p>

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status
AC28	<p>This is addressed in the CEMP Framework document in Section 3.7.4 and in the Environmental Protection License (EPL) issued by DEC(EPA).</p> <p>In accordance with the conditions in the license issued by the DEC Clause L7.1, and upon agreement with the CLG, numerous out of hours works have been proposed and agreed to, including Saturday hours which have been extended from 7am to 3pm. Other out of hours works are discussed and recorded in the Minutes of Meetings with the CLG.</p> <p>The Community Relations staff undertake notifications to potentially affected residents for out of hours works. Some examples are attached.</p> <p>The DEC have also been informed of public notification of out of hours work.</p>	<p>Example of Sunday Work permission</p> <p>Example of Toolbox Training Jan07</p> <p>Example of Toolbox Training Oct06</p> <p>Night Works Notification Example</p> <p>Saturday Hours Notification Example</p>	WIP
AC29	<p>The Proponent shall ensure that construction noise is within the following criteria unless otherwise agreed by the EPA: Refer to subconditions.</p> <p>Construction noise levels shall be monitored to verify compliance with the requirements specified in the Noise and Vibration Management sub-plan and where relevant the Noise Impact Statements. Should monitoring indicate exceedance the Proponent shall ensure consultation with the EPA and implement any additional mitigation measures as required.</p>	<p>This is addressed in the Noise and Vibration Management Plan.</p> <p>The results of noise level monitoring as well as any mitigation or follow up actions are listed in the monthly monitoring reports contained in the appendix to the Six Monthly Report.</p> <p>Reasonable and feasible noise mitigations are identified and implemented by the relevant engineers before noisy activities are due to commence. Where monitoring indicates noisy activity from the construction site that exceeds the levels predicted in the Noise and Vibration Management Plan, these are discussed at the Community Liaison Group meetings, in accordance with the requirements of the Environmental Protection License (eg. Piling at Billinudgel for Bridge 8, discussed at CLG 7 June 2006).</p>	WIP
AC29 a	for a construction period of four weeks or less, the L10 level measured over a period of not less than 15 minutes when the construction site is in operation shall not exceed the background level by more than 20dB(A);	This is addressed as Construction Noise Level Goals in Table 4.2 in the Noise and Vibration Management Plan.	WIP
AC29 b	for a construction period of greater than four weeks but less than 26 weeks, the L10 level measured over a period of not less than 15 minutes when the construction site is in operation shall not exceed the background level by more than 10dB(A); and	This is addressed as Construction Noise Level Goals in Table 4.2 in the Noise and Vibration Management Plan.	WIP
AC29 c	for a construction period greater than 26 weeks, the L10 level measured over a period of not less than 15 minutes when the construction site is in operation shall not exceed the background level by more than 5dB(A).	This is addressed as Construction Noise Level Goals in Table 4.2 in the Noise and Vibration Management Plan.	WIP

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status
<p>AC30</p> <p>As far as practicable, vibratory compactors shall not be used closer than 15 m from residential buildings and the use of rock breakers no closer than 25 m from residential buildings. Should it be necessary to use vibratory compactors closer than these limits, building condition surveys of all buildings and structures likely to be affected shall be undertaken before and after use of this type of equipment.</p>	<p>This is addressed in the Noise and Vibration Management Plan at section 3.7.3.</p> <p>Dilapidation surveys have been undertaken for all buildings within close proximity to the project, in reference to RTA's G36 requirements.</p> <p>There are no rock breakers on site closer than 25 metres to neighbouring buildings. Vibration monitoring has been undertaken at residents beside the Rajah Noise Wall, and vibratory roller restrictions occur on Riverside Drive and outside the Billinudgel industrial area.</p>		Satisfied
<p>AC31</p> <p>The Proponent shall ensure that the noise mitigation measures described in Appendix E of the Director-General's Report are implemented prior to the commencement of substantial construction unless otherwise agreed by the EPA.</p> <p>All other noise mitigation measures, including those referred to in Condition 33, shall be implemented prior to the commencement of construction where practical.</p>	<p>The following 'at residence' measures have been completed with the following residences:</p> <p>1 &amp; 2 Rajah Rd 2, 3, 5, 7 Arika Ave 1 &amp; 2 Oola Close 1 &amp; 2 Oba Place 23 Weeronga Way.</p> <p>Treatment completed prior to January 2005 on all except 1 &amp; 2 Rajah Rd where treatment has been completed by June 2005.</p> <p>Included in Operational Noise Management Report.</p> <ol style="list-style-type: none"> <li>1. RTA purchased and treated 1 &amp; 2 Oba Place and 1 &amp; 2 Oola Close. At 3 Oola Close, negotiations have been successful and treatment provided (reglazing and ducted air conditioning).</li> <li>2. Road side noise barriers will be constructed at this location.</li> <li>3. RTA purchased Villa Ruidosa, which has been demolished as part of construction works.</li> <li>4. RTA has completed treatment to 19 and 21 Gilba Ave, 121 Balemo and 123 Balemon Ave.</li> <li>5. Industrial air conditioning units have been installed in the Christian Life Centre and a an additional courtyard wall.</li> <li>6. Treatment has been completed on 171 Billinudgel Rd and Lot 3 (Stock Route Rd) Billinudgel Rd.</li> <li>7. Treatment has been completed on 170 and 175 Billinudgel Rd as well as Lot 2 (22) and Lot 2 (24) (Stock Route Rd) Billinudgel Rd.</li> </ol> <p>The permanent noise wall from Rajah Road has been the subject of a seperate agreement with DEC(EPA) because of the constructability of this structure due to its proximity to a neighbouring retaining wall. Where there was a delay in the construction of the final Noise Wall, a temporary noise curtain was installed. This Noise Wall was completed in March 2006.</p>	Meeting with DEC on Noise Wall	Satisfied

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status
AC32	Blasting shall only be undertaken between 9am and 3pm, Monday to Friday and not on Saturdays, Sundays or public holidays unless otherwise agreed by the EPA.	To date there has been no blasting. Addressed in the Noise and Vibration Management Plan in Section 3.6.	WIP
AC33	The Proponent shall consult with those landowners on Bashforth Lane on the western side of the Brunswick Bypass for whom noise mitigation measures are proposed to be implemented.	This has all been managed by the RTA. Agreement was reached on the form of treatment in August 2004. Refer to signed Deed of Release 14 December 2004. Negotiations commenced in February 2004. Type of treatment agreed as: * ducted fresh air and air conditioning in the upstairs residence. * split air conditioner in the one bedroom facing the highway in the downstairs area. * reglazing (6.38mm) of all bedroom windows and doors in upstairs residence. Works were undertaken during January 2005 and completed as per the agreed treatment. Refer to B2Y Noise Contact List. Documented by Isabel Borrelli 21.4.2005.	Satisfied
AC34	Monitoring of noise when operational shall be undertaken as part of the Noise and Vibration Management Plan.	Not due until the road is operational. Refer to section 7 of the Operation Noise Management Report. This will be addressed when the project is operational.	WIP
AC35	The Proponent shall implement the conditions contained in Section 10 of 'Concurrence Report for the Proposed Upgrading of the Pacific Highway from Brunswick to Yelgun and the Duplication of the Brunswick Heads Bypass' (NPWS, 1999) unless otherwise agreed by the NPWS.	The DEC(NPWS) Concurrence Conditions are addressed in the Flora and Fauna Management Plan, part of the CEOMP, in Table 3.2.  Also refer to separate compliance table for status of the Concurrence Conditions.	WIP
AC36	As part of the EMP the Proponent shall prepare in consultation with NPWS a detailed Flora and Fauna Management Sub-plan. The Sub-plan shall be prepared prior to construction and shall identify requirements for seed collection, strategies for minimising vegetation clearance and protection of vegetated areas outside the direct impact zone, controlling impacts due to spillages, spread of debris and refuse, movement and storage of materials and equipment, clearance of vegetation and soil for construction, revegetation of cleared areas, weed control including aquatic species, handling of any fauna and measures to manage drainage from the project in the vicinity of SEPP 14 wetlands.	The issues are documented in the Flora and Fauna Management Plan, which has been prepared in consultation with:  DEC(NPWS) sent 21 April 05 (RD81), Comments received 10 May 05 (RD82), DPI(Fisheries) sent 22 April 05 (RD73), Comments received 6 May 05 (RD74).  EMR Certification received 15 June 2005.	EMR Certification FFP Satisfied

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status
AC37	<p>The proponent shall identify the position of all threatened flora species within or close to the road footprint to sub-metre accuracy and demonstrate in the Pre-Construction Compliance Report how the detailed design of the proposal has been developed to minimise impacts on these species.</p>	<p>Addressed in Annexure A to the Pre-Construction Compliance report.</p> <p>There exists a 1 to 3 metre Construction Buffer Zone along most of the project alignment, which is designed to limit the extent of vegetation clearing.</p> <p>A Threatened Species Translocation Plan, along with three appendices, has been prepared for the project, and actioned in consultation with DEC(NPWS).</p> <p>The protection afforded to the Hairy Joint Grass (Arthraxon) at a neighbouring spoil site is a good example of the protection measures used on site:</p> <ul style="list-style-type: none"> <li>•Maintain a fenced off 15m buffer (parraweb fencing) of surrounding vegetation.</li> <li>•Install parraweb fencing along the freshwater wetland (allowing a 30m buffer from the EEC)</li> <li>•Deliver Toolbox training to field personnel working in the vicinity</li> <li>•Install vegetation protection signage on the parrawebbing surrounding the Arthraxon and adjacent to the EEC.</li> </ul>	Satisfied
AC38	<p>The Flora and Fauna Management Sub-Plan shall contain mitigation measures to protect trees during construction. Consideration shall be given to the recommendations contained in Section 11.0 of 'Review of Ecological Aspects - Proposed Brunswick to Yelgun Pacific Highway Upgrade Routes A2 and J1' (Payne, 1999).</p>	<p>These mitigation measures are addressed in the Flora and Fauna Management Plan section 5.2.</p>	Satisfied
AC39	<p>A qualified ecologist shall be consulted on the location of individual rare or threatened plants or communities, to ensure minimal disturbance to native vegetation, to provide direction on methods for relocation and/or replacement plantings, and to ensure implementation of rehabilitation works as soon as practicable.</p>	<p>This has been addressed in the Flora and Fauna Management Plan section 5.2 and 5.3.</p> <p>A project flora ecologist is employed by the project site to provide ecological guidance, and has prepared the Threatened Species Translocation Plan. Details of some of the consultation is documented in the six monthly reports.</p>	Satisfied
AC40	<p>If, during the course of construction, the Proponent becomes aware of the presence of any threatened species which are likely to be significantly affected and are not recognised in an existing concurrence from NPWS for the proposal under the Threatened Species Conservation Act 1995, the Proponent shall immediately advise the Director-General of the NPWS. No activity which places any of these species at risk shall be undertaken until advice has been received from the NPWS. All recommendations by the NPWS shall be complied with prior to any works likely to affect any threatened species.</p>	<p>This is addressed in the Flora and Fauna Management Plan. A Threatened Species Translocation Plan and four separate Addenda have been prepared, approved by DEC(NPWS) and actioned. If any new plants are found, DEC(NPWS) will be advised. For more details see the NPWS Concurrence Condition.</p>	WIP



## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status
AC41	<p>Seed of locally endemic species shall be collected prior to the commencement of construction to provide seed stock for revegetation purposes to the satisfaction of a appropriately qualified specialist. Topsoil and leaf mulch shall be stripped and stored for placement back in the vegetation zone from where it was removed.</p>	<p>Photo Plant Propagation Photo Seed Collection</p>	WIP
AC42	<p>Weed infested topsoil as identified by a qualified ecologist shall not be used in the rehabilitation works unless it is to be sterilised or treated as specified by the ecologist. Measures to control invasion of weeds during operation of the proposal, including aquatic weed species, shall also be addressed.</p>	<p>DEC Letter 1 August 2005 Weed Field Checklist Example Weed Management Strategy July 2005 Weed Management Strategy Plan2 Weed Management Strategy Plan3 Weed Management Strategy Plan4 Weed Management Strategy Plan5 Weed Management Strategy Plan6 Weed Management Toolbox Example</p>	WIP
AC43	<p>Unless otherwise approved by the EPA, cleared vegetation shall not be burnt. Rather, as much as possible shall be mulched and stored for use in rehabilitation. All reasonable measures to use any surplus vegetation shall be undertaken including donation to community groups, distribution to the local community, etc.</p>	<p>Mulch Donation Letter of Appreciation Mulch Donation Letter of Offer</p>	WIP
	<p>Some large logs were used by DPI Fisheries in a river re-snagging program in March 2006.</p>		

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status	
AC44	<p>Prior to the commencement of construction, a detailed Urban Design and Landscape Sub-plan shall be prepared in consultation with Byron Shire Council and the Community Liaison Group. The Sub-plan shall include sections and perspective sketches. The Sub-plan shall include the location and names of existing and proposed tree and shrub species, mounds, bunds, structures or any other proposed treatments, finish of exposed surfaces (including paved areas), use of public art, measures to preserve biodiversity along the roadside, colours and specifications, staging of works, methodology of landscaping works, monitoring and maintenance. The Sub-plan shall also include landscape strategies incorporating other environmental controls such as erosion and sedimentation controls, drainage, noise mitigation, lighting etc.</p>	<p>An Urban Design and Landscape Plan was prepared before the start of substantial construction and distributed for comment.</p> <p>The plan has been developed in consultation with the Community Liaison Group and Byron Shire Council.</p> <p>The following chapters/sections of the plan address the requirements of this condition,</p> <ul style="list-style-type: none"> <li>* Sections and perspective sketches are addressed in chapter, B, C, D, E, F and I.</li> <li>* Location and names of existing trees and shrub species are addressed in chapter A and Appendix 1.</li> <li>* Location and names of proposed trees and shrub species are addressed in chapters F and H.</li> <li>* Mounds and Bunds are addressed in chapters D, E and F.</li> <li>* Structures are addressed in chapters B, C and D.</li> <li>* Materials, finishes and colour are addressed in chapter J.</li> <li>* Public Art is not a component of this project.</li> <li>* Biodiversity preservation is addressed in chapter F.</li> <li>* Staging of works is addressed in chapter K.</li> <li>* Methodology of landscape works is addressed in chapter F.</li> <li>* Monitoring and maintenance is are addressed in chapter F.</li> <li>* Landscape strategies: Erosion and Sedimentation is addressed in chapter F. Drainage is addressed in chapters</li> </ul> <p>F. Noise mitigation is addressed in chapter D. Lighting is addressed in chapter G.</p> <p>The Community Liaison Group (Refer Minutes of first Meeting). Follow up presentation to the Community Liaison Group in November 2005 and May 2006.</p> <p>Copies sent to Byron Council in June 2005.</p> <p>Certification has been provided by the EMR on 19 July 05. 100% design stage landscape design drawings have since been issued in July 2006.</p>	EMR Certification UDLP	WIP
AC45	<p>All landscaping works undertaken outside the road reserve shall be monitored and maintained by a suitably qualified landscape specialist for a period of not less than three years from commissioning of the road unless otherwise agreed with relevant landowners.</p>	<p>This is not due until the project is commissioned.</p> <p>The monitoring and management of the landscaping will be on-going during the maintenance phase of the project. This has been detailed in the operational phase Maintenance Manual (the O-EMP) for the project. This is also addressed in the Landscape Management Plan.</p>		WIP

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status	
AC46	<p>As part of the EMP(s) (Construction Stage) and (Operation Stage), the Proponent shall prepare an Indigenous Heritage Management Sub-plan. The Sub-plan shall identify archaeological items and present management options. In the preparation of the Sub-plan, the Proponent shall consult with Byron Shire Council, NPWS and the Tweed-Byron Local Aboriginal Land Council.</p>	<p>These items are addressed in a construction stage Heritage Management Plan prepared in consultation with agencies and organisations:</p> <p>DEC (NPWS) sent 15 April (RD46), Comments received 10 May (RD47), TBLALC sent on 15 April (RD48), No comments received, Byron Council sent 15 April (RD49), No comments received.</p> <p>EMR Certification received 14 June 2005.</p> <p>An operation stage EMP is still to be prepared.</p>	EMR Certification HMP	WIP
AC47	<p>Prior to disturbance of any identified Aboriginal site(s), the Proponent shall, at its own expense, comply with the requirements of the NPWS and where appropriate the relevant Local Aboriginal Land Council(s).</p>	<p>Addressed in the Heritage Management Plan in Section 6.</p> <p>An application to disturb the last remaining Aboriginal heritage site JW-OS-4 (PAD 7) was assessed by DEC(NPWS), with a Consent to Destroy issued 14 December 2005.</p> <p>Representatives of the Tweed Byron Local Aboriginal Land Council have been on site to inspect initial ground disturbing works.</p> <p>A Final Report has been submitted to the DEC(NPWS) in March 2006 concerning the impacts to the identified sites during the initial site disturbance phase of the construction.</p>		Satisfied
AC48	<p>The Proponent shall protect the scarred tree identified as site BH-ST-1 (as defined in the EIS) during construction of the works and shall ensure there is no direct disturbance of this site. Mitigation measures shall be developed in consultation with NPWS and included in the Indigenous Heritage Management Sub- plan to minimise any indirect impacts on this site.</p>	<p>Identified in the Sensitive Area Plan.</p> <p>This tree has been fenced off on site, and been inspected by members of the TBLALC.</p> <p>The tree has also been inspected by an arborist in March 2006, and DEC kept informed of protection status.</p>	<p>Correspondance with DEC March 06</p> <p>Photo 1 after wind in March 06</p> <p>Photo 2 showing fence protection</p>	WIP
AC49	<p>Temporary protective fences shall be placed around all sites considered to be archaeologically sensitive.</p>	<p>Sites have been Identified in the Sensitive Area Plan. Protection is addressed in the Heritage Management Plan in Section 6 and the Flora and Fauna Management Plan.</p> <p>Sites have been fenced and maintained on site in accordance with the Management Plan.</p>		Satisfied
AC49a	<p>The Proponent must ensure that a qualified archaeologist is present prior to and during initial site clearance for construction of the project in the vicinity of SEPP 14 Wetlands Nos. 62 and 65 and the Brunswick Heads Nature Reserve (ie between chainages 44600 and 45400 shown on Figure 4.5 of the REF). The Proponent must also ensure that a representative of the Tweed-Byron Local Aboriginal Land Council is invited to be present during the same works.</p>	<p>On numerous occasions the archeologist and representatives of the TBLALC have been on site to witness early clearing and disturbance to nominated areas.</p> <p>This work is now complete.</p>	Aboriginal Presence Summary	Satisfied

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status
AC50	<p>Included in the construction stage Heritage Management Plan. Consultation with agencies has been undertaken:</p> <p>Heritage Office sent 15 April (RD51), Comments received 13 May (RD52), Brunswick Valley Historical Society sent on 15 April, Comments on 18 May. Other consultation as per AC46.</p> <p>The operation stage EMP is due prior to operation.</p>		WIP
AC51	<p>Procedures for the discovery of relics is identified in the Heritage Management Plan in Section 6.</p> <p>One such unexpected discovery has been an old jetty in July 2005, and at the request of the Heritage Office (20 July 2005) a heritage assessment report was prepared by the project archaeologist, and sent to the local council and Heritage Office.</p> <p>A stone implement was found in 23 August 2006, and another in 24 November 2006. The TBLALC and DEC were notified on both occasions, with a short report prepared in each case (copy attached). The stone implements were taken away for protection by DEC and TBLAC respectively.</p>	<p>DEC Acknowledge August 06 Report</p> <p>DEC Sent November 06 Report</p> <p>Jetty Find July 2005</p> <p>Stone Object Find August 2006</p> <p>Stone Object Find November 2006</p>	WIP
AC52	<p>An Air Quality Management Plan has been prepared in consultation with agencies:</p> <p>DEC(EPA) sent 8 April (RD78), Comments received 6 May (RD79), EMR Certification received 24 May 2005 (RD80).</p>	EMR Certification AQP	Satisfied
AC53	<p>Addressed in the Air Quality Management Plan and the six monthly report.</p> <p>Dust guage site number 8 is located outside the pie shop at Billinudgel and monitored monthly.</p> <p>Reasonable extra mitigation measures is documented in a Billinudgel Work Method Statement. The earthworks batters have been sprayed with a soil binder (as an erosion control measure) and the boundary has been protected with a shade cloth screen, in consultation with the manager of the food preparation business.</p>		WIP

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status
AC54	All construction vehicles using public roads shall be maintained and covered as required to prevent any loss of load, whether in the form of dust, liquid, solids.	Addressed in the Air Quality Management Plan.  This information is covered in the project site induction. Site personnel have been reminded of this condition in field toolbox sessions. Loaded trucks have their loads covered when travelling on public roads.	Example of Toolbox reminder training  WIP
AC55	No open burning or incineration shall be permitted on site unless otherwise approved by the EPA.	Addressed in the Air Quality Management Plan. No burning has occurred to date.	WIP
AC56	Agreement on the management of construction traffic on local roads shall be reached with the relevant Council prior to commencement of construction. The Proponent shall monitor the use of local roads by heavy vehicle traffic to the satisfaction of the local Council and shall consult with the local Council to develop measures to minimise and/or restrict use of local roads by heavy vehicle traffic involved in project construction if so required. Truck access points from local roads to the site and truck routes on local roads shall be designated prior to commencement of bulk earthworks in consultation with the relevant Council.	A Traffic Management and Safety Plan has been forwarded to Byron Council for comment, Sent 29 April 2005. There has been ongoing correspondence and consultation with Byron Council concerning Traffic Access, and these are indicated in the attached Meeting reports. There has not been any use of local roads for bulk haulage of earthworks for this project. All bulk earthworks transport has been within the alignment.	Initial Email Contact with Council April 05  Meet with Council also Oct 05  Meet with Council April 05  Meet with Council April 06  Meet with Council March 06  Meet with Council May 06  Meet with Council Oct 05  WIP
AC57	A road dilapidation report shall be prepared for all non-arterial roads likely to be used by construction traffic prior to commencement of construction and after construction is complete. Copies of the report shall be provided to all relevant councils. Any damage aside from that resulting from normal wear and tear shall be repaired at the cost of the Proponent.	A dilapidation survey has been undertaken prior to construction commencing. The local roads covered by the dilapidation reports include: Bashforth Lane, Bonanza Drive, Lucky Lane, Rajah Road, Saddle Road and Wilfred Street. Copies of the dilapidation report have been sent to Byron Shire Council in May 2005, and another copy handed to Brett Lee (Director Infrastructure) on CD on 19 October 2005.	WIP
AC58	All local service roads shall be constructed to standards as negotiated with the relevant local Council. The Proponent shall negotiate with the relevant local Council regarding contributions to costs for maintenance and enhancement.	The Project Deed, SWTC, Appendix 20 s20.1.2(a) gives the agreed (with Council) design criteria for the Service Road. With regard to other local roads S20.1.2(b) requires that "Local roads and connections to local roads are to be designed to meet the requirements of Byron Shire Council." These requirements were progressively negotiated with Council resulting in the preparation of a document titled "Schedule of Local Roads and Byron Shire Council Requirements". This document was issued to tenderers as Information Document 64. The negotiation of the contributions is an RTA retained responsibility. Initial handover meeting has taken place (on 24/11/2004) between Byron Shire Council and the RTA.	WIP



## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status	
AC59	<p>As part of the EMP(s) (Construction Stage), the Proponent shall prepare a Spoil Management Plan. This Plan shall identify how excavated material would be handled, stockpiled, reused and disposed. The Plan shall be prepared in consultation with the EPA and Council before the commencement of construction at relevant sites.</p>	<p>A Spoil and Fill Management Plan has been prepared.            Consultation with:            DEC (EPA) sent 27 April 05 (RD55), Comments received 12 May 05 (RD56),            DIPNR (DLWC) sent 27 April 05 (RD57), Comments received 3 May 05 (RD58),            Byron Shire Council sent 27 April 05 (RD59), Comments received 30 May 2005.</p> <p>Certification from EMR received 10 June 2005.</p>	EMR Certification SFP	Satisfied
AC60	<p>All clean and/or treated excavated material shall be reused or recycled where possible and cost effective to do so. The Proponent shall ensure that the use of excavated material generated from construction activities is maximised in preference to any import of fill.</p>	<p>Addressed in the Spoil and Fill Management Plan in Section 6.            No clean material from the site has gone to landfill. Select material has been imported for specialist work on the project, and all clean material has been reused.            A mass haul matrix is contained in Annexure C of the Spoil and Fill Management Plan.</p>		WIP
AC61	<p>As part of the EMP(s) (Construction Stage) and (Operation Stage) as relevant, a detailed Waste Management and Reuse Sub-plan shall be prepared to the satisfaction of the EPA. The Sub-plan shall address the management of wastes during the construction and operation stages respectively. It shall be prepared prior to construction, and shall identify requirements for:</p> <ul style="list-style-type: none"> <li>(i) waste avoidance;</li> <li>(ii) reduction;</li> <li>(iii) reuse; and</li> <li>(iv) recycling,</li> </ul> <p>and details of requirements for:</p> <ul style="list-style-type: none"> <li>(i) handling;</li> <li>(ii) stockpiling;</li> <li>(iii) disposal of wastes: specifically contaminated soil or water, concrete, demolition material, cleared vegetation, oils, grease, lubricants, sanitary wastes, timber, glass, metal, etc.; and</li> <li>(iv) identifying any site for final disposal of any material and any remedial works required at the disposal site before accepting the material.</li> </ul> <p>Any waste material that is unable to be reused, reprocessed or recycled shall be disposed at a landfill licensed by the EPA to receive that type of waste.</p>	<p>These items are all addressed in the Waste and Reuse Management Plan prepared for the project. Refer to sections 1.1, 1.2, 1.3, 6.4, 6.6, 6.7, 6.8, Table 4.4 and Annexure B</p> <p>Consultation has been with DEC (EPA) sent 8 April (RD61), Comments received 13 May (RD62). Certification from the EMR has been received June 2005.</p> <p>Spoil, topsoil and mulch are the big items that have been reused on the project during the construction phase.</p> <p>The operation/maintenance stage EMP includes a Waste and Reuse Management Plan. This has been distributed for comment to the various state agencies, on 5 Dec 2006.</p>	EMR Certification WRP	WIP

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status
AC62	As part of the Sub-plan, an Action Plan shall be prepared to promote the use of recycled materials, including construction and landscape materials. The Plan shall detail how the proposal gives consideration and support to the Government's Waste Reduction and Purchasing Policy. The Plan shall also include details on measures to implement energy conservation best practice.	Addressed in the Waste and Reuse Management Plan in section 1.3, 1.5 and 6.4.	Satisfied
AC63	The Proponent shall ensure that any access way affected by the proposal is reinstated to an equivalent standard or that adequate compensation is negotiated with the relevant landowner.	This is a commitment made in the Project Deed, and undergone detailed design. Examples of particular accesses include Holmes, Mudge, Graham and Jagwen.	Satisfied
AC64	If so requested by any affected landowner, the Proponent shall consider the consolidation of severed parcels of land as part of any compensation package if practical and cost effective.	The RTA has not been requested to implement this by any affected landowner.	Satisfied
AC65	Prior to any closure of existing access to oyster moorings on the Brunswick River as a result of project construction, the proponent shall agree to the satisfaction of affected lease holders and any other relevant stakeholders including NSW Fisheries, DLWC and the Brunswick Heads Fishing Cooperative (if applicable) regarding alternative arrangements for mooring or storage of vessels. Should agreement on this issue not be reached, the matter shall be referred to the Director-General for resolution.	RTA reached an agreement with oyster growers for the purchase of the oyster leases and signed a Deed of release, 12/3/2001. There will be no closure of existing moorings. (RD 12)	Satisfied
AC66	Prior to the commencement of substantial construction in the vicinity of the Brunswick River, the Proponent shall relocate all affected oyster lease(s) to an appropriate location(s) to be determined in consultation with relevant stakeholders including DLWC, NSW Fisheries and affected lease holders. Relocation of oyster lease(s) shall be undertaken between the months of August and January unless otherwise agreed by the affected lease holder(s).	Letter of 21/5/01 from NSW Fisheries provided the RTA formal agreement to the terms of settlement with the oyster growers. Letter from DLWC 23/5/01 concurred with the terms of settlement as set out in the Deed (RD13) Email from NSW Fisheries 26/10/01 confirms the purchases of the oyster leases (RD14) RTA letter dated 30/11/01 with final Deed. Letter from RTA 7/11/01 to oyster growers representative (Noel Baggaley) completes the terms of agreement. Enclosed cheque for \$25,000 (RD15) Correspondence from the RTA to the oyster leasees. Refer to RTA letters 21 and 22 March 2005 (RD 16)	Satisfied

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

Condition	Verification	Attachments	Status	
AC67	<p>The Proponent shall facilitate discussions with Byron Shire Council, DLWC, the Brunswick Estuary Management Committee and community representatives regarding the redevelopment and future management of the southern foreshore area of the Brunswick River in the vicinity of the existing Pacific Highway Bridge. The discussions shall aim to define the level of initial and ongoing responsibility (both financial and otherwise) by the Proponent and other stakeholders for the area. Other issues for consideration shall include noise impacts on the Ferry Reserve Caravan Park (including any further noise investigations required) and the potential for development of an interpretative facility relating to the non-indigenous heritage significance of the area.</p>	<p>This is an RTA retained responsibility.</p> <p>This issue will be addressed as the project continues and will form a future agenda item for the Community Liaison Group meetings.</p> <p>The RTA is currently liaising with Byron Shire Council on this issue.</p>	WIP	
AC68	<p>The Proponent shall identify the services potentially affected by construction activities to determine requirements for diversion, protection and/or support. This shall be undertaken in consultation with the relevant service provider(s). Any alterations to utilities and services shall be carried out to the satisfaction of the relevant service provider(s), and unless otherwise agreed to, at no cost to the service/utility provider(s) except for services located on the Brunswick River Bridge.</p>	<p>This has been addressed in the Concept Design Utility Coordination Schedule dated April 2005.</p> <p>Follow up co-ordination meetings have been held with each of the service authorities. The service authorities are involved and consulted on site with a dedicated services co-ordination engineer, and relocations are taking place.</p>	<p>Example of Coordination with Telstra</p> <p>Summary of Co-ordination Meetings</p>	WIP
AC69	<p>The Proponent shall ensure that disruption to services resulting from the proposal is minimised and shall be responsible for advising local residents and businesses affected prior to any disruption of service.</p>	<p>The project uses the services of a dedicated services co-ordination engineer in order to minimise the possible disruption to services.</p> <p>A "Permit to Excavate" form is used on the project site to ensure that there are no accidental damage to underground services.</p> <p>The community relations team are responsible for liaison with the community in connection with services.</p>	WIP	

## Compliance Table for DIPNR Minister's Approval Conditions (Original & Modified)

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<p>AC70</p> <p>The Proponent shall only construct concrete batching plants and construction compounds under this approval in those locations identified in Appendix 13, Section 2.2 of the Representations Report or in other locations that satisfy the following, unless otherwise agreed to by the Director-General:</p> <p>§ sites to be located within the road reserve;</p> <p>§ sites to be located with ready access to the local road network;</p> <p>§ sites to be separated from nearest residences by at least 200m unless it can be demonstrated to the satisfaction of the Director-General that there will be minimal adverse effects in terms of noise, visual and air quality impacts;</p> <p>§ sites are not to be permitted within 100m of, or drain directly to, SEPP 14 wetlands or the Brunswick Heads or Billinudgel Nature Reserves;</p> <p>§ sites are not to be located within 100m of waterways unless adequate erosion and sediment controls are implemented to protect water quality;</p> <p>§ sites are to have low conservation significance for flora and fauna and indigenous and non-indigenous heritage and are not to require clearing of any native vegetation beyond that which must be cleared for the proposal in any case; and</p> <p>§ sites are to be selected so that operation of the plants does not impact on the land use of adjacent properties.</p> <p>The location of all concrete batching plants shall be detailed in the EMP (Construction Stage) which shall include demonstration that the above criteria have been met.</p>	<p>Report on the Site office Construction Compound prepared on 14 March 2005 and submitted to DIPNR by RTA(RD63). DIPNR response 30 March 2005 for Construction Compound submission. (RD64) The Workshop was approved on July 2005. Similarly the Northern, Southern and Orana Road Compound sites have also been assessed and approved.</p> <p>The location of the project temporary Concrete Batch Plant was the subject of an Environmental Assessment during April/May 2006 which addressed the Condition 70 criteria, and consultation with the relevant state agencies. An RTA Decision Report approved the site located within the proposed Yelgun Rest Area in June 2006.</p>	<p>DIPNR Approval for Site office March 05</p> <p>DIPNR Approval for Workshop July 05</p>	<p>WIP</p>
<p>AC71</p> <p>As part of the EMP (Construction Stage), the Proponent shall identify parameters to be monitored during construction and operation of the proposal, which have the potential for cumulative effects to occur. The Proponent shall also define the time period for which the identified parameters will be monitored. The results of such monitoring shall then be used as an input to the RTA's Cumulative Impact Assessment Study.</p>	<p>Water Quality Monitoring/ Dust monitoring/ Complaints monitoring/ Traffic monitoring is continuing. The results of this monitoring is included in the six monthly reports.</p> <p>Refer to the Appendix of the six monthly report.</p>		<p>WIP</p>