

1 INTRODUCTION

Bill Gardyne of Oxbow Consulting was engaged by Abigroup Contractors Pty Ltd (Abigroup) and the Roads and Traffic Authority (RTA) to undertake an Environmental Impact Audit in accordance with the requirements of Condition of Approval No. 16 for the Brunswick Heads to Yelgun Pacific Highway Upgrade.

The dual carriageways of the Upgrade were opened to traffic on 11 July 2007, however construction was ongoing until at least 28 September 2007 when the Yelgun Rest Area was completed. Minor works associated with the service roads continued until December 2007, and the final earthworks and planting of Wetland B was not completed until November 2008. Minor defects are being addressed through the maintenance phase of the Upgrade.

As part of its 'Design, Construct, and 10-Year Maintenance' contract, Abigroup will undertake a range of maintenance and monitoring responsibilities for a period of 10 years from 28 September 2007. Abigroup have novated the maintenance and monitoring responsibilities to Bilfinger Berger Services (BBS).

The requirement for an Environmental Impact Audit was established within the conditions of approval set down for the project by the (then) Minister for Urban Affairs and Planning (MUAP). Condition 16 of that approval requires: -

An Environmental Impact Audit Report shall be submitted to the Director-General, and the EPA and upon request by the Director-General, to any other relevant government authority 12 months after commissioning of the project, or unless otherwise agreed by the Director General, and at any additional periods thereafter as the Director-General may require. The technical studies required as part of the report shall be prepared by appropriately qualified, independent specialists. The Report shall assess the key impact predictions made in the EIS and any supplementary studies and detail the extent to which actual impacts reflect the predictions. In particular, the Report shall provide details on actual versus predicted noise and vibration impacts on local residences and nearby buildings, flora and fauna mitigation measures, geotechnical issues (including land slip) and all other key impact issues identified in the EIS. The suitability of implemented mitigation measures and safeguards shall also be assessed. The Report shall also assess compliance with the EMP (Operation Stage).

The Report shall discuss results of consultation with the local community in terms of feedback/complaints on the construction and operation phases of the project and any issues of concern raised. The Proponent shall comply with all reasonable requirements of the Director-General with respect to any reasonable measure arising from, or recommendations in, the report.

The Report shall be made publicly available.

1.1 Audit Objectives

Based on the requirements of Condition of Approval 16, the objectives of this Environmental Impact Audit Report are to: -

- detail the actual versus predicted impacts for noise and vibration on local residences and nearby buildings, flora and fauna mitigation measures, geotechnical issues (including land slip) and all other key impact issues identified in the Environmental Impact Statement (EIS) and any supplementary studies.
- investigate the suitability and effectiveness of implemented mitigation measures and safeguards.
- review the results of consultation with the local community in terms of feedback/complaints on the construction and operation phases of the project and any issues of concern raised.
- assess compliance with the Operational Environmental Management Plan (OEMP).

1.2 Audit Scope

As indicated above, the audit has assessed actual environmental impacts compared against those predicted in the impact assessment documentation.

In assessing these issues, the author has relied on material provided by Abigroup Pty Ltd and the RTA. The author was engaged as the Environmental Management Representative (EMR) at the start of the contract i.e., Feb 2005 and was involved in both the design, pre-construction, and construction phases of the project. In this role I was involved with many meetings, inspections, and compliance audits throughout the project. This audit therefore relies, in part, on previous audit results, and records and observations collected during the construction phase. The author undertook no 'first-hand' monitoring or measurement.

The 'base' documents used in the audit were:

- Sinclair Knight Merz (1998a). *Proposed Duplication of the Brunswick Heads Bypass and Upgrade of the Pacific Highway Brunswick River to Yelgun. Environmental Impact Statement.* Report prepared for the NSW Roads and Traffic Authority.
- Sinclair Knight Merz (1998b). *Proposed Duplication of the Brunswick Heads Bypass and Upgrade of the Pacific Highway Brunswick River to Yelgun Species Impact Statement.* Report prepared for NSW Roads and Traffic Authority
- Connell Wagner (2002) *Brunswick Heads to Yelgun Upgrade Modifications to Approved Project Environmental Impact Assessment. Review of Environmental Factors and Environmental Impact Statement.*
- Department of Infrastructure, Planning and Natural Resources (2003) *Proposed Modification to the Brunswick Heads to Yelgun Pacific Highway Upgrade. Director-General's Report, Section 115C of the Environmental Planning and Assessment Act 1979.*
- NSW Roads and Traffic Authority (2003) *Submissions Report, Brunswick Heads to Yelgun Upgrade, Modification to Approved Project.*

- Acacia Environmental Planning Pty Ltd (2004) Combined Heavy Vehicle/Light Vehicle Rest Area at Yelgun - Review of Environmental Factors.
- Abigroup Pty Ltd (2006) Environmental Assessment - Temporary Concrete Batch Plant Located Within The Formation For The Yelgun Rest Area for the Brunswick Heads To Yelgun Pacific Highway Upgrade Project.
- Abigroup, May 2007. *Operational Environmental Management Plan*. (including all associated Environmental Control Plans).

In addition, the audit has assessed compliance with the Operation Environmental Management Plan (10 Year Maintenance Contract Period), assessed the suitability of environmental mitigation measures employed during the project, and reviewed the community feedback / complaints system adopted by Abigroup.

In addition to the audit material referred to above, Oxbow Consulting has relied on a range of documentation provided by Abigroup and the RTA.