

Compliance Monitoring/Tracking and Reporting Program Report



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2.5	8 Jul 2019	Final	Changes to the quarterly compliance review process, auditing, business monitoring requirements, minor formatting changes and compliance with Sydenham to Bankstown planning approval Conditions A29 & A32.	City & Southwest Environment Manager	City & Southwest Director, Planning, Environment & Sustainability
3	22 August 2022	Final	Changes to review timeframes for Sydney Metro held and Contractor held obligations within the Compliance Tracking Register process, other minor formatting changes.	City & Southwest Senior Manager Environment	City & Southwest Director, Planning, Environment & Sustainability

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1. Definitions and Abbreviations

All terminology in this report is taken to mean the generally accepted or dictionary definition, except where defined in any applicable planning approvals. Relevant acronyms, abbreviations and terms used throughout this report are explained in Table 1.

Table 1: Acronym, Abbreviation and Term Explanations

	Definitions
AA	(Independent) Acoustic Advisor
C2S	Chatswood to Sydenham
CCR	Construction Compliance Report
CEMF	Construction Environmental Management Framework
CEMP	Construction Environmental Management Plan
CoA	Condition(s) of Approval
Construction	As per the definition provided in the relevant planning approval
CSSI	Critical State Significant Infrastructure
CMTRP	Compliance Monitoring/Tracking & Reporting Program
CTR	Compliance Tracking Register
EAP	Environmental Audit Program
EIS	Environmental Impact Statement
EM	Environment Manager
EPL	Environment Protection Licence
ER	(Independent) Environmental Representative
IEA	Independent Environmental Auditor
EAS	(Independent) Environmental Audit Schedule
NER	Nominated Environmental Representative (Sydney Metro representative)
PCCR	Pre-Construction Compliance Report
PIRMP	Pollution Incident Response Management Plan
REMM	Revised Environmental Mitigation Measure(s)
S2B	Sydenham to Bankstown
Secretary	The Secretary of the NSW Department of Planning and Environment

2. Introduction

2.1. Purpose of this Report

This document has been prepared and structured to address the compliance monitoring/tracking and reporting requirements, and the Environmental Audit Program (EAP) requirements, of the Sydney Metro City & Southwest project Critical State Significant Infrastructure (CSSI) planning approval conditions. The compliance tracking/monitoring and reporting requirements will be implemented throughout construction on all City & Southwest project stages and for at least one year following the commencement of operations in 2024 (City) / 2025 (Southwest). The EAP requirements will be implemented until the commencement of operations only. Updates to this document will be made on an as-needs basis.

This Compliance Monitoring/Tracking and Reporting Program (CMTRP) report applies to all works conducted under all stages of the Chatswood to Sydenham and Sydenham to Bankstown Staging Reports. The preparation of these staging reports is required under their respective CSSI planning approvals (refer to Section 2.3 for more information on City & Southwest planning approvals).

Table 2 cross-references sections in this report that address each City & Southwest CSSI planning approval requirement that relates to compliance monitoring/tracking and reporting, and the EAP.

2.1.1. Endorsement and Submission to the Secretary

In accordance with the Chatswood to Sydenham (C2S) Condition of Approval (CoA) A29, this CMTRP report must be endorsed by the Environmental Representative (ER) and then submitted to the Secretary of the NSW Department of Planning and Environment (the Secretary) for information prior to the commencement of works. This requirement was complied with in full as demonstrated in Table 2. The ER’s endorsement(s) of this document under the C2S planning approval is provided in Appendix 1.

In accordance with the Sydenham to Bankstown (S2B) CoA A29, this CMTRP report must be endorsed by the Environmental Representative (ER) and then submitted to the Secretary for information prior to the commencement of construction. This requirement has been complied with in full as demonstrated in Table 2. The ER’s endorsement(s) of this document under the S2B planning approval is provided in Appendix 1.

Table 2: CMTRP and EAP Planning Approval Condition Cross-References

Planning Approval Condition	Condition Requirement(s)	Report Section
C2S – CoA A28	A Compliance Tracking Program to monitor compliance with the terms of this approval must be prepared, taking into consideration any staging of the CSSI [Critical State Significant Infrastructure] that is proposed in a Staging Report submitted in accordance with Condition A12 and Condition A13 of this approval.	This report.

Planning Approval Condition	Condition Requirement(s)	Report Section
C2S – CoA A29	The Compliance Tracking Program must be endorsed by the ER [Environmental Representative] then submitted to the Secretary [of the NSW Department of Planning and Environment] for information before the commencement of works or within another timeframe agreed with the Secretary.	This table and Appendix 1. The first version of this report was endorsed by the ER on 13 March 2017 and submitted to the Secretary on 28 March 2017. The first stage that commenced construction was the Sydney Yard Access Bridge on 17 June 2017.
C2S – CoA A30	The Compliance Tracking Program in the form required under Condition A28 of this approval must be implemented for the duration of construction and for a minimum of one (1) year following commencement of operation, or for a longer period as determined by the Secretary based on the outcomes of independent environmental audits, Environmental Representative Reports and regular compliance reviews submitted through Compliance Reports. If staged operation is proposed, or operation is commenced of [sic] part of the CSSI, the Compliance Tracking Program must be implemented for the relevant period for each stage or part of the CSSI.	Section 2.1. Staged operation is not proposed and operations are planned to commence in full in 2024.
C2S – CoA A37	An Environmental Audit Program for independent annual environmental auditing against the terms of this approval must be prepared in accordance with <i>AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems</i> and submitted to the Secretary for information no later than one month before the commencement of construction or within another timeframe agreed with the Secretary.	Section 4.4.3. Refer to C2S CoA A29 for information on the first version of this report.
C2S – CoA A38	The Environmental Audit Program, as submitted to the Secretary, must be implemented for the duration of construction.	Section 2.1.
C2S – CoA E64(f)	The Proponent must prepare and implement a Business Management Plan to minimise impact on businesses adjacent to major construction sites during construction of the CSSI . The Plan must be prepared before construction and must include but not necessarily be limited to... provision for reporting of monitoring results to the Secretary, as part of the Compliance Tracking Program required in Condition A28.	Section 4.7.1.
S2B – CoA A29	Before the commencement of Construction, a Compliance Monitoring and Reporting Program must be prepared, endorsed by the ER and submitted to the Planning Secretary for information.	This table and Appendix 1. This document was first endorsed by the ER under the S2B planning approval and submitted to the Secretary in July 2019. The first stage planned to commence construction is the Southwest Metro Early Works Stage in August 2019.

Planning Approval Condition	Condition Requirement(s)	Report Section
S2B – CoA A30	Compliance reports of the CSSI must be carried out for the duration of Construction and for a minimum of one (1) year following commencement of Operation . The Department must be notified of the commencement dates of Construction and Operation of the CSSI in the pre-Construction and pre-Operational compliance reports (respectively).	Construction Compliance Reports covering the C2S and S2B planning approvals are being prepared and submitted to the Secretary on a six-monthly basis. The Department will be notified of construction and operation commencement dates in Pre-Construction and Pre-Operation Compliance Reports to be submitted to the Department prior to the commencement of construction and operation (respectively).
S2B – CoA A31	The Construction Compliance Report must provide details of any review of, and minor amendments made to, the CEMP (which must be approved by the ER), resulting from Construction carried out during the reporting period.	Each and every Construction Compliance Report.
S2B – CoA A32	The Compliance Monitoring and Reporting Program in the form required under Condition A29 of this approval must be implemented for the duration of Construction and for a minimum of one (1) year following commencement of Operation, or for a longer period as determined by the Planning Secretary based on the outcomes of independent audits, Environmental Representative Reports and regular compliance reviews submitted through Compliance Reports . If staged Operation is proposed, or Operation is commenced of [sic] part of the CSSI, the Compliance Monitoring and Reporting Program must be implemented for the relevant period of each stage or part of the CSSI.	Section 2.1. Staged operation is not proposed and operations are planned to commence in full in 2024.
S2B – CoA A33	No later than one (1) month before the commencement of Construction an Independent Audit Program prepared in accordance with AS/NZS ISO 19011:2014 – <i>Guidelines for Auditing Management Systems</i> must be submitted to the Planning Secretary.	Section 4.4.3.2. Refer to S2B CoA A29 for information on when this document was submitted to the Secretary.
S2B – CoA A34	Independent audits of the CSSI must be carried out in accordance with: (a) the Independent Audit Program submitted to the Planning Secretary under Condition A33 of this approval and Independent Audit Reports prepared.	Section 4.4.3.2.
S2B – CoA A35	The Proponent must: (a) review and respond to each Independent Audit Report prepared under Condition A34 of this approval; and (b) submit the response to the Planning Secretary within six (6) weeks of completing the audit.	Section 4.4.3.2.

Planning Approval Condition	Condition Requirement(s)	Report Section
S2B – CoA E37(f)	<p>The Proponent must prepare and implement a Business Management Plan to minimise impact on businesses around stations during Construction . The Plan must be prepared before Construction and must include but not necessarily be limited to... provision for reporting of monitoring results to the Planning Secretary, in accordance with the Compliance Tracking Program required in Condition A29.</p>	Section 4.7.1.

2.2. Background

The NSW Government is implementing Sydney's Rail Future (Transport for NSW, 2012a) – a plan to transform and modernise Sydney's rail network so that it can grow with the city's population and meet the needs of customers in the future.

Sydney Metro is a new standalone rail network identified in Sydney's Rail Future. This 21st century network will deliver new metro stations and more than 88km of new metro rail for Australia's biggest city – revolutionising the way Sydney travels.

Sydney Metro currently comprises of four rail projects:

- **Northwest** (formerly North West Rail Link) – a 36 kilometre project that commenced operations in May 2019 with a metro train every four minutes in the peak.
- **City & Southwest** – a 30 kilometre metro line extending metro rail from the end of Sydney Metro Northwest at Chatswood, under Sydney Harbour, through new Central Business District (CBD) stations and southwest to Bankstown. The project is due to open in 2024 with ultimate capacity to run a metro train every two minutes in the peak.
- **West** – the next significant railway infrastructure investment proposed to be delivered by the second half of the 2020s. This project would link the CBDs of Parramatta and Sydney and communities along the way.
- **Greater West** – a new railway line to service Greater Western Sydney and the new Western Sydney Airport. The railway is to be operational in 2026 to coincide with commencement of operations of the Western Sydney Airport. The railway will include a station at St Marys to allow customers to interchange with the rest of Sydney's rail network.

This CMTRP report only applies to the City & Southwest project. Other Sydney Metro projects will produce separate compliance tracking and environmental audit programs as required.

Figure 1 provides a map of the four Sydney Metro project alignments.

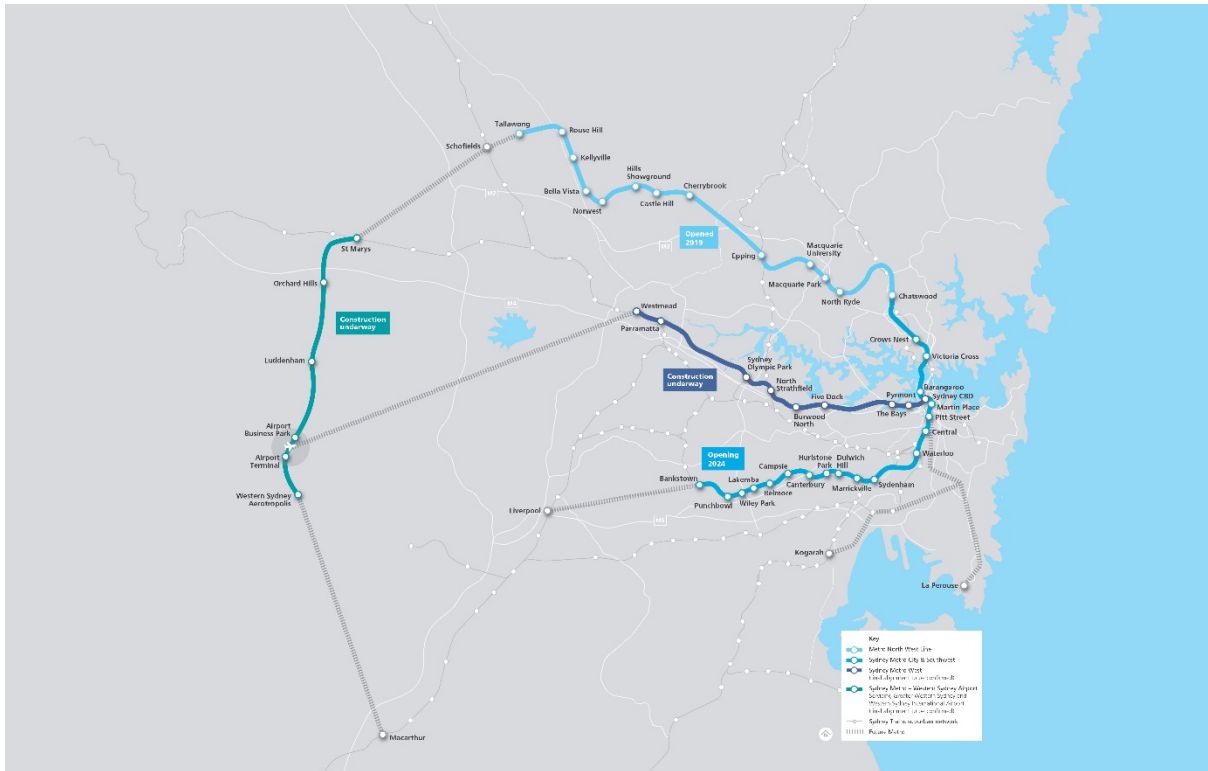


Figure 1: Sydney Metro Project Alignments

2.3. City & Southwest Project and Planning Approvals

The City & Southwest project has generally been declared as a Critical State Significant Infrastructure (CSSI) project by the NSW Minister for Planning and Public Spaces. Works within this declaration require planning approval as a CSSI project under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). Works outside the declaration require separate planning approval under the EP&A Act.

2.3.1. CSSI Planning Approvals

The City & Southwest project comprises two core components that are each subject to the CSSI planning approval pathway:

- **Chatswood to Sydenham** – which covers the construction and operation of the Sydney Metro railway between Chatswood and Marrickville. This includes the delivery of 7 new metro stations and 15.5 kilometres of twin railways tunnels from Chatswood, beneath Sydney Harbour and the Sydney CBD, to Marrickville. The Chatswood to Sydenham component was subject to the Chatswood to Sydenham Environmental Impact Statement (EIS) and was granted planning approval on 9 January 2017.
- **Sydenham to Bankstown** – which covers the construction and operation of the Sydney Metro railway between Marrickville and Bankstown Stations. This includes the upgrading of 13.5 kilometres of the Sydney Trains T3 Bankstown Line between the Marrickville and Bankstown Stations. This component is subject to the Sydenham to Bankstown Upgrade EIS and Sydenham to Bankstown Submissions and Preferred Infrastructure Report that were granted planning approval on 12 December 2018.

Over-station developments are subject to separate planning approval processes.

2.4. Project Delivery, Staging and Timing

Refer to the Chatswood to Sydenham and Sydenham to Bankstown Staging Reports for the latest information on project delivery, staging and timings.

2.5. Key Roles & Responsibilities

Each stage of the City & Southwest project will adopt the following key environmental roles:

- **Sydney Metro Nominated Environmental Representatives (NER)** – This role facilitates environmental management processes for Sydney Metro and has assigned responsibilities in various environmental procedures. This person will also participate in environmental surveillance activities on behalf of Sydney Metro. There is at least one NER assigned to each major contract.
- **Contractor's Environment Manager (EM)** – This role represents the contractor for each specific major contract and is responsible for all aspects of environmental management on a contract.
- **Environmental Representative (ER)** – This role acts as an independent point of contact for all environmental and planning approval compliance matters. Both the C2S and S2B planning approval conditions require the appointment of an ER. Refer to C2S CoA A24 and S2B CoA A26 for a comprehensive list of the ER's responsibilities under the respective CSSI planning approvals.
- **Acoustic Advisor (AA)** – This role acts as an independent point of contact for all noise and vibration related matters under the C2S planning approval only. Refer to C2S CoA A25 and A27 for a comprehensive list of the AA's responsibilities under the C2S planning approval. The S2B CoAs do not require the appointment of an AA.

3. Compliance Management

3.1. Construction Environmental Management Framework

The C2S and S2B planning approval documents include the Sydney Metro *Construction Environmental Management Framework* (CEMF). The CEMF represents Sydney Metro's minimum requirements for environmental management and specifies a standard framework that each major contractor must establish and document in their Construction Environmental Management Plan (CEMP). Some of these requirements specifically relate to the CMTRP, including:

- Compliance management and reporting,
- Training, awareness and competence,
- Environmental monitoring, inspections and auditing,
- Emergency and incident response, and
- Environmental non-compliances.

Compliance with the CEMF is a contractual and planning approval (e.g. CoA C1 and C3) requirement for all City & Southwest major contractors.

4. Legislative Compliance

4.1. Statutory

The City & Southwest project is subject to legislative environmental compliance requirements relating to the:

- **Environmental Planning and Assessment Act 1979** (NSW) – where Sydney Metro has identified the need for two separate CSSI planning approvals under the act (refer to Section 2.3), and
- **Protection of the Environment Operations Act 1997** (NSW) – where Sydney Metro has identified the need for several Environment Protection Licences (EPLs) required during the construction and operation phases of the project. These EPLs will be held by the major contractors or by Sydney Trains as relevant and applicable to the scope of works.

While compliance with planning approval requirements is the responsibility of Sydney Metro, these requirements may be wholly or partially allocated by Sydney Metro to one or more major contractors. Compliance with EPLs is the responsibility of the EPL holder.

4.2. Planning Approval Requirements

The City & Southwest CSSI planning approval requirements comprise of:

- Conditions of Approval (CoAs) as issued by the NSW Minister for Planning and Public Spaces, and
- Revised Environmental Mitigation Measures (REMMs) as committed to by Sydney Metro in planning approval documentation.

Given the staged delivery of the project, the planning approval requirements will be triggered at different points in time throughout the project's stages. The allocation of planning approval requirements to each stage of the project is fully detailed in the City & Southwest Staging Reports.

4.3. Requirements Lifecycle

Sydney Metro has undertaken an analysis of the CoAs and REMMs and has contractually allocated the responsibility to comply with each of them as relevant to the scope of work being undertaken by the contractor for each stage. The onus to comply with CoAs/REMMs may be held by Sydney Metro, one or more major contractors, or shared between Sydney Metro and one or more major contractors:

- **Sydney Metro-held** – The CoA/REMM is the prime responsibility of Sydney Metro with limited obligations placed on the major contractor. Sydney Metro will maintain oversight of compliance with the CoA/REMM through this CMTRP.
- **Contractor-held** – The CoA/REMM is the prime responsibility of one or more major contractors. Sydney Metro will maintain oversight of compliance with the CoA/REMM through this CMTRP.
- **Shared** – The CoA/REMM is the shared responsibility of both Sydney Metro and one or more major contractors. Sydney Metro and its major contractors will coordinate compliance activities between each other whilst Sydney Metro maintains oversight of total compliance with the CoA/REMM through this CMTRP.

CoAs/REMMs are considered **Active** at the project level upon the granting of a planning approval. A CoA/REMM remains Active until no further evidence or activity is required to be undertaken by any party which has been allocated the CoA/REMM. At this point, the condition becomes **Inactive**.

When a CoA/REMM is allocated to a major contractor through a contract, an environmental requirement is generated. All requirements progress through two phases:

- **Ongoing** – meaning that further action is required to achieve or demonstrate compliance.
- **Complete** – meaning that no further evidence or activity is required to achieve or demonstrate compliance. This is verified in an adequacy review conducted by the ER and Sydney Metro prior to the requirement being approved as completed.

Ongoing requirements are regularly assessed through surveillance activities and determined to be either **Compliant** or **Non-Compliant**:

- **Compliant** – meaning that sufficient evidence is available to demonstrate that the requirement is currently being met.
- **Non-Compliant** – Meaning that sufficient evidence is available to demonstrate that the requirement is not being met.

Figure 2 provides a schematic of the planning approval requirement lifecycle.

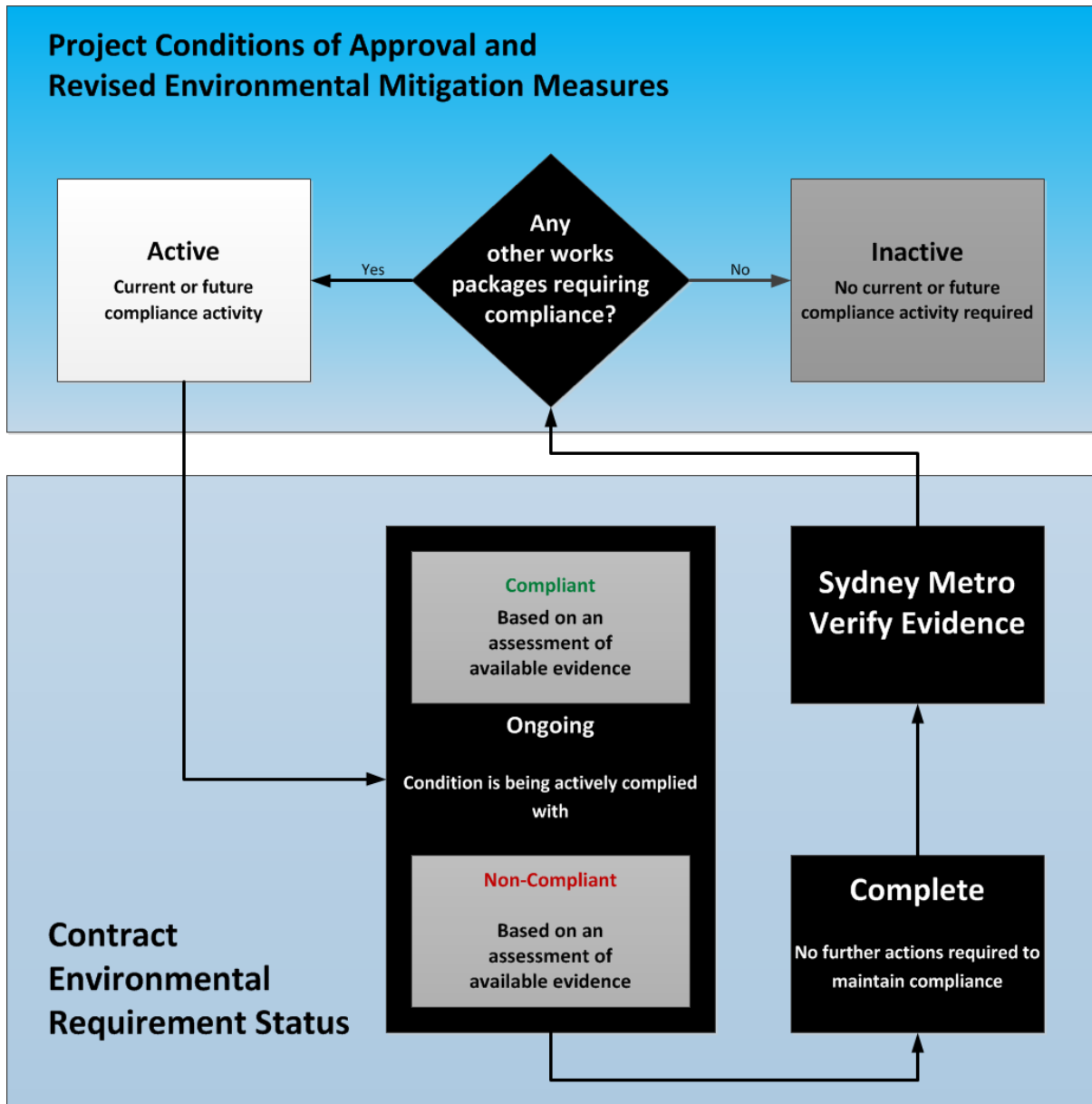


Figure 2: Planning Approval Requirement Lifecycle

4.4. Environmental Surveillance

A variety of monitoring and review activities will be undertaken to ensure compliance with planning approval requirements. Table 3 provides a summary of these activities and Sections 4.4.1 to 4.4.3 provide further information. The Environmental Audit Program is outlined in Section 4.4.3.

Table 3: Compliance Monitoring and Review Activities

Activity	Responsibility	General Frequency per Project Stage
Environmental Site Surveillance	Major contractors	Every work day onsite
ER Inspections	The ER in conjunction with Sydney Metro and major contractors	Between weekly and an as-needs basis dependent on level of onsite work activity and environmental risk profile.
Review of Environmental Actions and Controls	Major contractors and Sydney Metro	Between weekly and an as-needs basis dependent on level of onsite work activity and environmental risk profile.
Environmental Performance and Compliance Reporting	Major contractors and Sydney Metro	Monthly
Formal Compliance Review of Requirements	Major contractors and Sydney Metro, in conjunction with the ER	Quarterly
Independent Environmental Auditing	Major contractors, Sydney Metro, the ER and Independent Environmental Auditors. Refer to Section 4.4.3.	In accordance with the EAP.
CEMP and sub-plan reviews	Major contractors	Six-monthly
Environmental Risk Assessment Review	Major contractors	Six-monthly
Environmental Management Reviews	Major contractors	Annually

4.4.1. Environmental Inspections

Major contractors are expected to undertake daily site surveillance at all sites under their control. This includes walk-overs, maintenance of environmental controls and identification and rectification of emergent environmental risks.

Formal environmental inspections are also required to be organised and undertaken on a regular basis. These inspections will be undertaken jointly by the ER, the major contractor’s EM, the Sydney Metro NER, the AA (on an as-needs basis where applicable) and the Independent Certifier (where applicable). The Independent Certifier is responsible for independent certification of the project’s designs, including review and determination of whether designs comply with contract requirements. The collaborative approach to conducting environmental inspections reduces duplication and ensures consistency in discussing and resolving any issues arising from inspections.

Following each environmental inspection, the ER is required to prepare an ER Inspection Report detailing any issues, incidents and non-compliances identified during the inspection in its opinion. This report is intended to be issued to all attendees and any other relevant parties

within 24 hours. The major contractor is required to address any items identified and consider the risk ratings and recommendations provided in the report with respect to implementing corrective and preventative actions.

An example of an ER Inspection Report Template is provided as Appendix 2.

4.4.2. Quarterly Compliance Reviews

Sydney Metro and its major contractors are required to undertake reviews of the compliance requirements contractually allocated to each party by Sydney Metro. These reviews are a collaborative exercise undertaken between Sydney Metro, the major contractor and the ER. The review process for the contractor of each City & Southwest stage is as follows:

- Upon the award of each major contract, Sydney Metro will issue a Compliance Tracking Register (CTR) template to the major contractor for completion. This template is a spreadsheet containing a list of all the compliance requirements that have been allocated to the major contractor in accordance with the contract. The major contractor is required to complete the template and return to Sydney Metro no later than two weeks prior to the anticipated commencement of construction activities. The major contractor is to complete the template by demonstrating how compliance against each requirement has been addressed from the date of contract award to the date the CTR is due to be returned to Sydney Metro (including references to evidential documentation). This completed CTR will be used by Sydney Metro to prepare any documentation required to prepare/update the applicable Pre-Construction Compliance Report.
- Following the commencement of construction, Sydney Metro will issue a new CTR (containing the evidence from the previous version) to the major contractor to update for the existing (and potentially subsequent) calendar quarter. Depending on the date of construction commencement, Sydney Metro will determine whether the new CTR is due for completion following the current calendar quarter or the subsequent calendar quarter. Regardless, the major contractor is to complete the new CTR to cover all activities from the commencement of construction until the end of the existing or subsequent calendar quarter (as determined by Sydney Metro). The major contractor must issue the completed draft CTR to the Environmental Representative (ER) within ten working days following the end of the reporting period or from receipt of the CTR from Sydney Metro.
- Within ten working days of receiving the completed draft CTR from the major contractor, the ER is to issue comments to the Contractor and a draft Compliance Report (with the associated draft CTR) to Sydney Metro for comment. Within five working days of receiving the revised CTR from the Contractor, the ER is to issue a final CTR and Compliance Summary Report to Sydney Metro.
- Following receipt of the final Compliance Summary Report from the ER, Sydney Metro will issue the next quarterly period CTR template to the major contractor for completion. This process repeats every quarter until all compliance requirements have been 'completed' (refer to Section 4.3).

The review process will also be implemented for compliance requirements that are wholly or partially retained by Sydney Metro, however these will be done so on a 6-monthly basis. These compliance reviews will be undertaken by Sydney Metro and reviewed by the ER for endorsement.

In the event of a non-compliance against a requirement at any time during this process, a summary of the non-compliance needs to be entered into the relevant CTR template. This is

in addition to the requirements of the *Sydney Metro Environmental Incident and Non-Compliance Reporting Procedure* (refer to Appendix 3).

4.4.3. Audits and the Environmental Audit Program

Two levels of environmental auditing will be undertaken on the City & Southwest project:

- Internal auditing coordinated by the contractor for each project stage, and
- The independent Environmental Audit Program (EAP).

In addition to these, the project may be audited by the Secretary upon the Secretary's request. In this event, the ER will facilitate the audit on behalf of the Secretary in accordance with C2S CoA A24(g) and S2B CoA A26(f).

4.4.3.1. Internal Audits

Internal environmental auditing will be coordinated by the major contractors in accordance with the requirements of the CEMF (and the contractors' CEMPs if relevant). These audits may cover:

- Compliance against planning approval requirements (as allocated to each major contractor by Sydney Metro), any applicable EPLs and other permits,
- Compliance against the major contractor's CEMP, sub-plans and procedures,
- Community consultation and complaint management,
- Environmental training records, and
- Environmental monitoring and inspection results.

4.4.3.2. Independent Environmental Audit Program

Independent environmental auditing and reporting will be undertaken by an Independent Environmental Auditor (IEA) engaged by Sydney Metro. The IEA is responsible for developing, coordinating, implementing, reviewing and updating an Environmental Audit Schedule (EAS) in consultation with Sydney Metro and its major contractors.

The IEA has a responsibility to maintain awareness of program activities and any associated environmental risks. This is primarily undertaken through continual analysis of project-based documentation, attendance at specific forums and consultation with key stakeholders. These activities are further detailed in Figure 3.

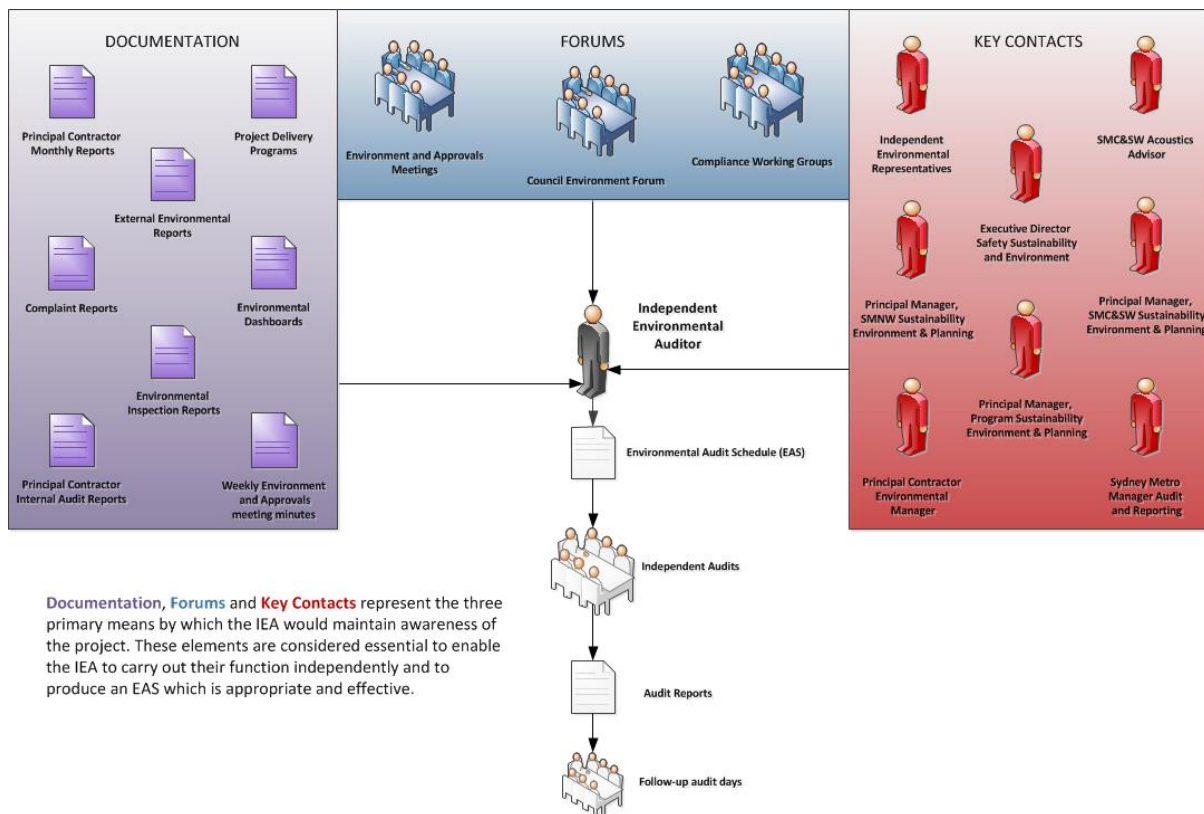


Figure 3: Independent Environmental Audit Program Inputs and Outputs

Maintenance of the EAS by the IEA includes determination/identification of:

- Version control,
- Lead auditor and auditee,
- Auditing timeframes and tracking/monitoring of timeframe execution,
- Audit scope summaries (including aspects to be audited),
- Audit findings and tracking/monitoring of audit finding close-outs, and
- Generally at least four audits to be undertaken on the City & Southwest project each calendar year (total number may increase/decrease dependent on the changing risk profile of the project over time).

The EAS will be endorsed by Sydney Metro at the beginning of each calendar year. This endorsement will acknowledge Sydney Metro’s concurrence that an appropriate risk-based approach has been adopted in the development of the EAS. In the event that Sydney Metro comments on the program, the IEA must address these comments in a revised EAS and submit to Sydney Metro for endorsement. The IEA is permitted to make minor changes to the EAS following endorsement by Sydney Metro without the need to resubmit to Sydney Metro for endorsement. The IEA is to notify Sydney Metro and the ER following any updates to the EAS.

Audits will be undertaken in accordance with the endorsed EAS and in consultation with key stakeholders. This consultation will include involvement in the Sydney Metro Compliance Working Group to ensure that the EAS is incorporated into the overall audit program for each Sydney Metro major contractor. The IEA will also use this forum to request any relevant documentation from the major contractor that is required as part of undertaking an audit.

In planning each audit, the IEA should consult key stakeholders to make more informed decisions with respect to audit scoping. This consultation should particularly seek input from the ER, Sydney Metro and an appropriate representative from the auditee.

Audits should generally be undertaken within one full work day, inclusive of opening and closing meetings at which the auditee's senior management team will be invited to attend. During each closing meeting, the IEA must itemise each and every finding that is proposed to be raised in order for the auditee to provide a response and/or additional information to demonstrate compliance or close-out a finding.

The IEA must produce a draft audit report within one calendar week of the closing meeting of the audit. Any comments that the IEA receives on the draft audit report must be addressed in the final audit report. Within one calendar month of the day of the audit, the IEA must organise a follow-up audit in order to confirm that appropriate progress has been made on any audit findings. The results of this follow-up audit must be included in a final audit report, which must be issued to Sydney Metro and the auditee within one calendar month of the day of the audit. Final audit reports must include as a minimum:

- Details of the relevant audit,
- Any findings and their status,
- Actions taken, or planned to be taken, to resolve audit findings, and
- Any relevant performance related commentary.

Sydney Metro is responsible for submitting the final audit report to the Secretary within six weeks of the day of the audit.

4.5. Incident Reporting

Emergency and incident response procedures will be developed by each major contractor. These procedures will incorporate:

- The incident reporting requirements of the applicable planning approval(s),
- Categories for environmental emergencies and incidents,
- Forms for detailed recording, reporting and responding to environmental incidents,
- Notification protocols for each category of environmental emergency or incident that include, as a minimum:
 - Consideration of the applicable planning approval, Environment Protection Licence, Pollution Incident Response Management Plan and/or Crisis Management Plan requirements.
 - Notifying Sydney Metro, the ER and relevant stakeholders and/or affected receivers.
 - Notifying the relevant regulatory authority if/when the incident results in material harm to the environment.
- Process for notifying the Secretary within 48 hours of becoming aware of an off-site incident that significantly affects the people or the biophysical environment (followed by a full written report within seven days of the date on which the incident occurred),
- Identification of personnel who have the authority to take immediate action to shut down any activity or affect any environmental control measure (including from the Environment Protection Authority),

- Onsite rectification actions.

Major contractors' incident response procedures must be consistent with the Sydney Metro *Environmental Incident and Non-Compliance Reporting Procedure* (refer to Appendix 3).

Major contractors working under an EPL are required to develop and implement a *Pollution Incident Response Management Plan* (PIRMP) in accordance with the requirements of the *Protection of the Environment Operations Act 1997* (NSW). The PIRMP may substitute for the normal incident management documentation requirements but must maintain consistency with Sydney Metro requirements in addition to those of the act.

4.6. Non-Compliances

Non-compliances against CoAs/REMMs will be documented in a Non-Compliance Report prepared by the identifying party. Non-compliances should be raised immediately following the identification of a non-compliance, which may sometimes occur following the compliance monitoring and review activities listed in Table 3. Refer to Appendix 4 for the Sydney Metro *Environmental Incident and Non-Compliance Report Template*.

Major contractors are required to develop and implement corrective actions to rectify any non-compliances and preventative actions to prevent the reoccurrence of the non-compliance. Actions that are raised must be assigned to individuals and due dates must be established in consultation with the responsible individual with the objective of closing out the non-compliance without delay. Where non-compliances become repetitive or systemic (as determined by Sydney Metro in consultation with the ER), the suitability of actions in relation to the repeated issue will be examined by Sydney Metro and the ER in consultation with the major contractor's Environment Manager to determine more appropriate actions in response to the documented non-compliance.

Sydney Metro will maintain a register of all non-compliances raised against the City & Southwest project.

4.7. Compliance Reporting

Project compliance reporting to the Secretary will be undertaken in several forms in accordance with the CSSI planning approval conditions. These include submission of:

- The Sydney Metro Pre-Construction Compliance Reports (PCCR) for the C2S and S2B planning approvals (both of which will be continually updated immediately following the Secretary's approval of each stage's CEMP and prior to each stage's construction commencement date). These reports will include the commencement of construction dates for each stage outlined in the applicable Staging Report,
- *Construction Compliance Reports* (CCR) every six months for the duration of construction in accordance with C2S CoA A34 and S2B CoA A30. These CCRs will cover all works undertaken during each consecutive six (6) month period from April to September, October to March, etc. The reports will include details, analyses and/or summaries of:
 - Environmental monitoring programs (including business monitoring programs – refer to Section 4.7.1),
 - Complaint management,
 - CEMP review and amendments,
 - Consistency assessments,

- Environmental audit outcomes,
 - Environmental incidents,
 - Non-compliances, and
 - Any other compliance matters as requested by the Secretary.
- A *Pre-Operation Compliance Report* for information at least one month prior to the commencement of project operations in accordance with C2S CoAs A35 & A36 and S2B CoA A30. This report will include the commencement date for operations and details on how the planning approval conditions that require action prior to the commencement of operation have been complied with,
 - ER and AA Reports each month for information in accordance with C2S CoAs A24 & A27 and S2B CoA A26, and
 - Environmental Audit Reports within six weeks of the completion of each independent environmental audit in accordance with C2S CoAs A39 & A40 and S2B CoA A35 (refer to Section 4.4.3.2 for further information).

4.7.1. Business Monitoring Program Reporting

A summary of business monitoring program results will be included as part of each six-monthly CCR submitted to the Secretary for information in accordance with C2S CoA E64(f) and S2B CoA E37(f).

The contractor for each stage, in accordance with the applicable Staging Report, is required to provide a summary of the business monitoring program results to Sydney Metro for all construction activities undertaken during the applicable CCR's reporting period. This summary is to address, as a minimum, each of the following business management key performance areas for the reporting period:

- Awareness of construction activity and likely impacts,
- Implementation of measures to maintain business vehicle and pedestrian access, parking, visibility and amenity during construction activity, and
- Implementation of measures to minimise noise and vibration impacts on noise and vibration sensitive businesses.

These summaries are required to be submitted by each major contractor to Sydney Metro within one month following the end of the applicable CCR's reporting period.

Refer to the *Sydney Metro Overarching Community Communication Strategy* for further information on business monitoring programs and reporting (including performance criteria).

Appendix 1 – Environmental Representative Endorsement(s)

Appendix 2 – Environmental Representative Inspection Report Template

Appendix 3 – Sydney Metro Environmental Incident and Non-Compliance Reporting Procedure

Appendix 4 – Sydney Metro Environmental Incident and Non-Compliance Report Template