

Sydney Metro – Western Sydney Airport

EPBC Act (2020/8687) Annual Compliance Report
21 July 2024 – 20 July 2025

Document Control

Document Number	Document Name	Revision
SM-25-00229829	SM-WSA EPBC Act (2020/8687) Annual Compliance Report 21 July 2024 – 20 July 2025	1

Revision History

Revision	Date	Description	Author	Reviewer
0.1	July 2025	First Draft	M. Igna	C. Lestrangle
0.2	September 2025	Second Draft	M. Igna	J. Blake
0	October 2025	Final Draft	J. Blake	H. Chapman

Plan Authorization

Position	Name	Signature	Date
Director Project Environment, Sustainability & Planning (SM-WSA)	H. Chapman		20 October 2025

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Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents.

The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed



Full name	Hugh Chapman
Position	Director Project Environment, Sustainability and Planning, Sydney Metro – Western Sydney Airport (SM-WSA)
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1. Introduction

1.1 Purpose

This compliance report covers the reporting period between 21 July 2024 and 20 July 2025 in respect of the *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act) Approval (2020/8687). The purpose of this report is to document compliance with the conditions for the EPBC (2020/8687) approval. Details of compliance are provided, and where appropriate, the timing of individual actions as identified.

According to the EPBC (2020/8687) conditions of approval “Commencement of the action” is defined as the first instance of any specified activity associated with the action including clearing and construction. Commencement of the action does not include minor physical disturbances or investigation works.

The key dates that relate to the approval are detailed in Table 1.

Table 1: Key approval dates

Action	Key Date
Commonwealth approval	3 June 2021
Commencement of the action	20 July 2022
Expiry of Commonwealth approval	31 December 2100

1.2 Project overview

The Sydney Metro – Western Sydney Airport (SM-WSA) Project involves the construction and operation of a new metro railway line around 23 kilometres in length that extends from the existing Sydney Trains suburban T1 Western Line (at St Marys) in the north to Bradfield in the south. The alignment includes a combination of tunnel, surface, bridges, and viaduct sections, and comprises six new metro stations between St Marys and Bradfield City (formerly known as the Aerotropolis Core precinct), as well as a stabling and maintenance facility and operational control centre to support the operation of the new metro railway line. The approved action only relates to part of the project and is summarised in section 1.3 below.

There are three principal statutory schemes that govern the planning and assessment process for the project:

- *NSW Environmental Planning and Assessment Act 1979* (EP&A Act) applies to works located outside the boundary of Western Sydney International (Nancy-Bird Walton) Airport (referred to as Western Sydney International) (off-airport)
- *Commonwealth Airports Act 1996* (Airports Act) applies to works located within the boundary of Western Sydney International (on-airport)
- *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act):
 - For works located north of Western Sydney International (off-airport), assessment and approval was required under Part 8 and 9 of the EPBC Act to address impacts on listed threatened species and communities and Commonwealth land
 - For the lands located south of Western Sydney International (off-airport), impacts on matters of national environmental significance (MNES) and Commonwealth land have already been assessed and approved under a strategic assessment in accordance with Part 10 of the EPBC Act.

Figure 1 shows the statutory approval regime applicable to different areas of the project areas.

The EPBC (2020/8687) approval relates to works located on State land to the north of Western Sydney International (Nancy-Bird Walton) Airport (Western Sydney International) to address impacts on listed threatened species and ecological communities, and Commonwealth land. Other parts of the SM-WSA Project have been approved under other mechanisms and are not included in the scope of this compliance report.

The Sydney Metro – Western Sydney Airport (SM-WSA) EPBC Act Final Environmental Impact Assessment of the off-airport proposed action (EPBC 2020/8687) was prepared in October 2020 to assess the impacts of construction and operation of a rail link from St Marys to Elizabeth Drive, Badgerys Creek, as a controlled action under the EPBC Act, (the approved action). This document was exhibited between 21 October 2020 and 18 November 2020 in accordance with section 95A of the EPBC Act.

The SM-WSA EPBC 2020/8687 referral was approved, subject to conditions, by the Commonwealth Minister for the Environment on 3 June 2021 under Part 9 of the EPBC Act.



Figure 1: Planning approval context from the Sydney Metro – Western Sydney Airport Project

1.3 Description of the approved action

The Sydney Metro – Western Sydney Airport (SM-WSA) EPBC Act Final Environmental Impact Assessment of the off-airport proposed action (EPBC 2020/8687) provides a detailed description of the approved action and should be referred to where further information is required.

Key operational components of the approved action include:

- Around 4.3 kilometres of twin rail tunnels (generally located side by side) between St Marys (the northern extent of the approved action) and Orchard Hills
- A cut-and-cover tunnel around 350 metres long (including tunnel portal), transitioning to an in-cutting rail alignment south of the M4 Western Motorway at Orchard Hills
- Around 10 kilometres of rail alignment between Orchard Hills and Western Sydney International (the southern extent of the approved action), consisting of a combination of viaduct and surface rail alignment
- Three new metro stations:
 - St Marys (providing interchange with the T1 Western Line)
 - Orchard Hills
 - Luddenham
- Grade separation of the track alignment at key locations including:
 - Where the alignment interfaces with existing infrastructure such as the Great Western Highway, M4 Western Motorway, Lansdowne Road, Patons Lane, the Warragamba to Prospect Water Supply Pipelines (the pipelines), Luddenham Road, the future M12 Motorway and Elizabeth Drive
 - Crossings of Blaxland Creek and Cosgroves Creek and other small waterways to provide flood immunity for the project
- Modifications to the existing Sydney Trains station and rail infrastructure at St Marys to support interchange and customer transfer between the new metro station and the T1 Western Line
- A stabling and maintenance facility and operational control centre located to the south of Blaxland Creek and east of the proposed metro track
- An integrated tunnel ventilation system including a potential service facility at Claremont Meadows, as required
- All operational systems and infrastructure such as crossovers, rail sidings, signalling, communications, overhead wiring, power supply, lighting, fencing, security and access tracks/paths
- Retaining walls at required locations along the alignment
- Environmental protection measures such as noise barriers (if required), on-site water detention, water quality treatment basins and other drainage works.

Construction activities that would be undertaken for the approved action include:

- Enabling works
- Main construction works including:
 - Tunnelling and associated works
 - Corridor and associated works
 - Stations and associated works
 - Ancillary facilities and associated works
- Rail systems fit out
- Finishing works, as well as testing and commissioning

1.4 Location of the approved action

Land to which the EPBC (2020/8687) approval applies is shown in Figure 2, Figure 3 and Figure 4. The construction boundaries and final surface levels shown are indicative only and are subject to construction planning and detailed design.

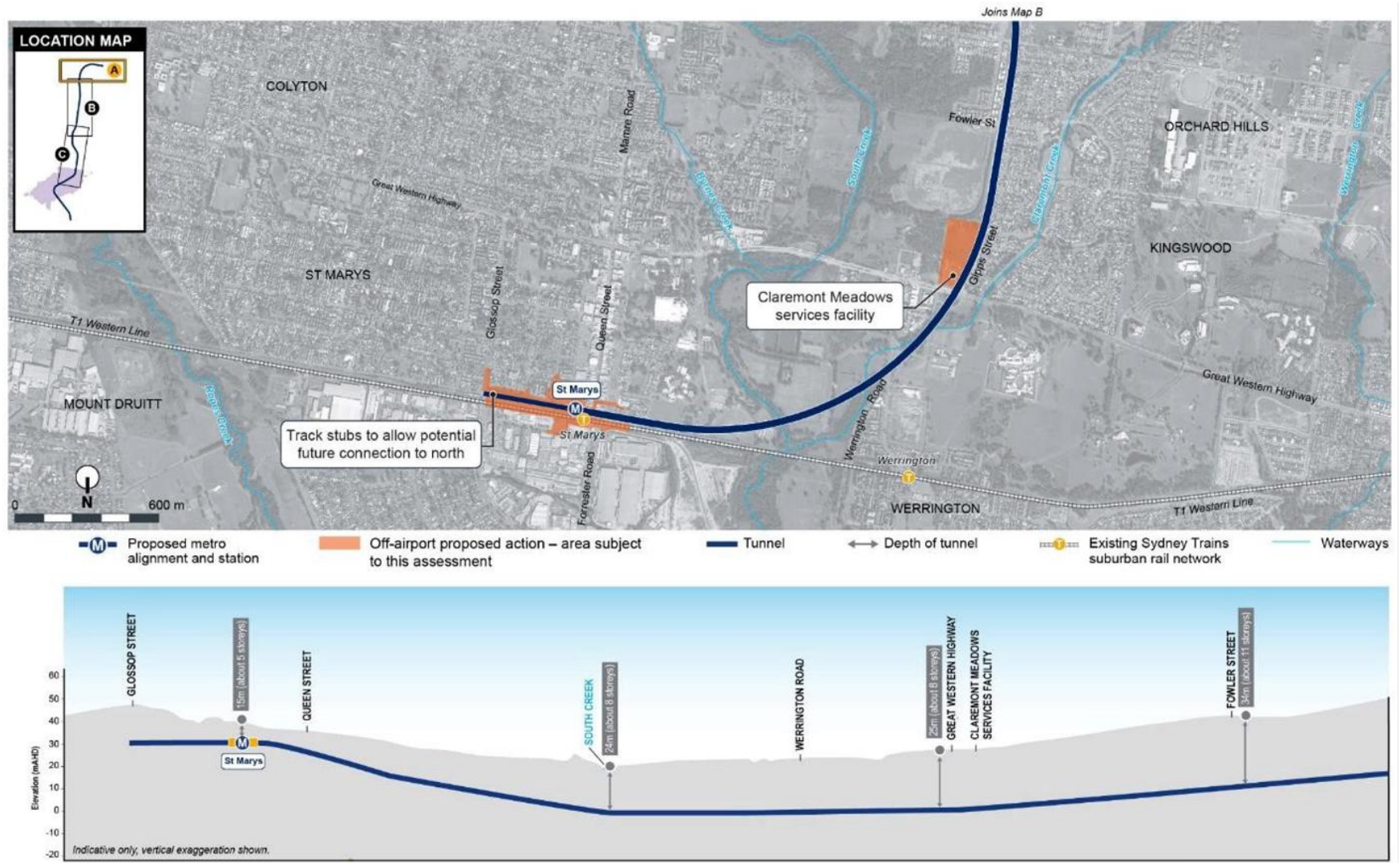


Figure 2: Location of the Project – St Marys to Claremont Meadows. Land to which this approval applies is shown in orange.

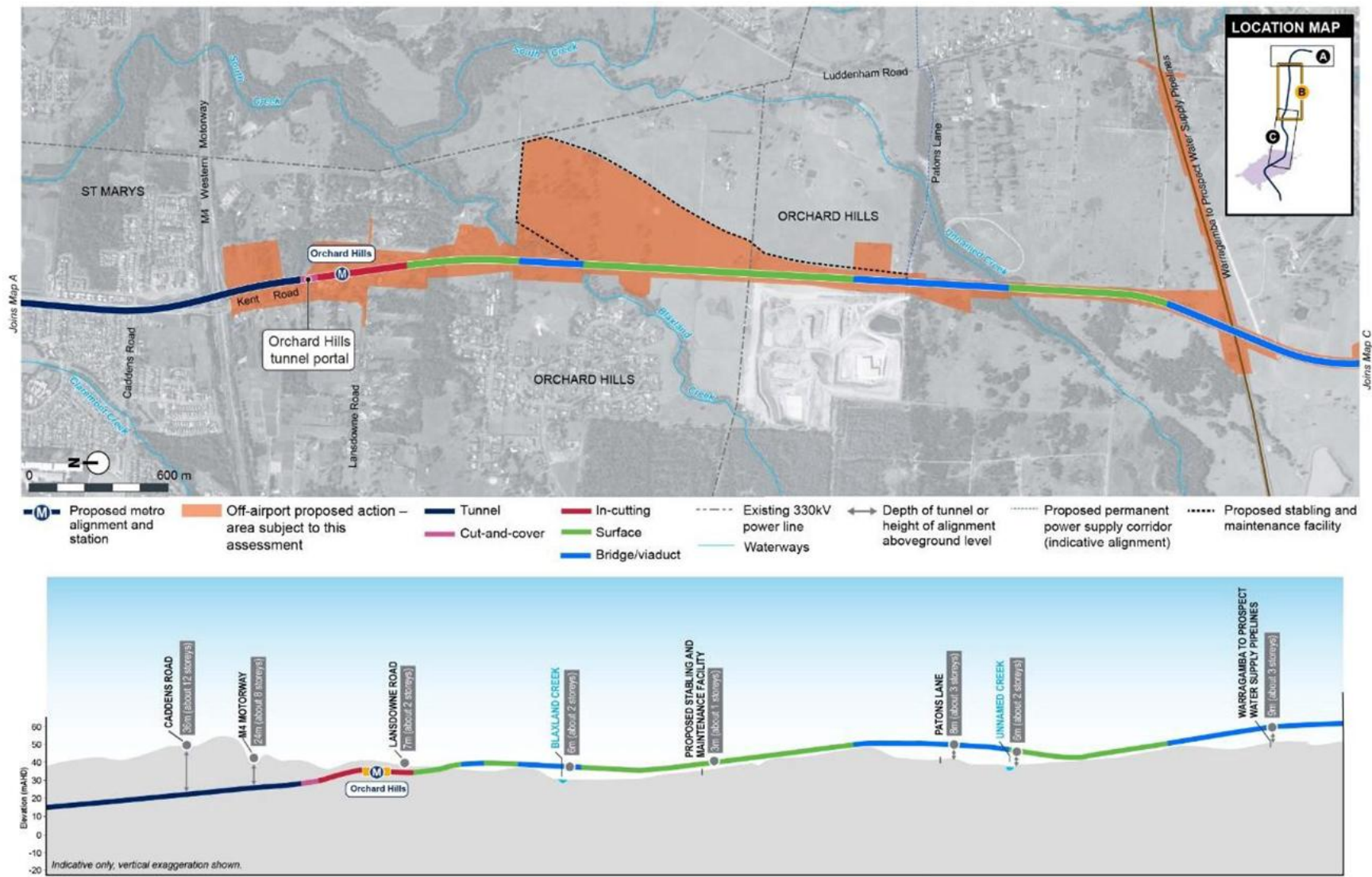


Figure 3: Location of the Project – Orchard Hills to Warragamba to Prospect Water Supply Pipeline. Land to which this approval applies is shown in orange.

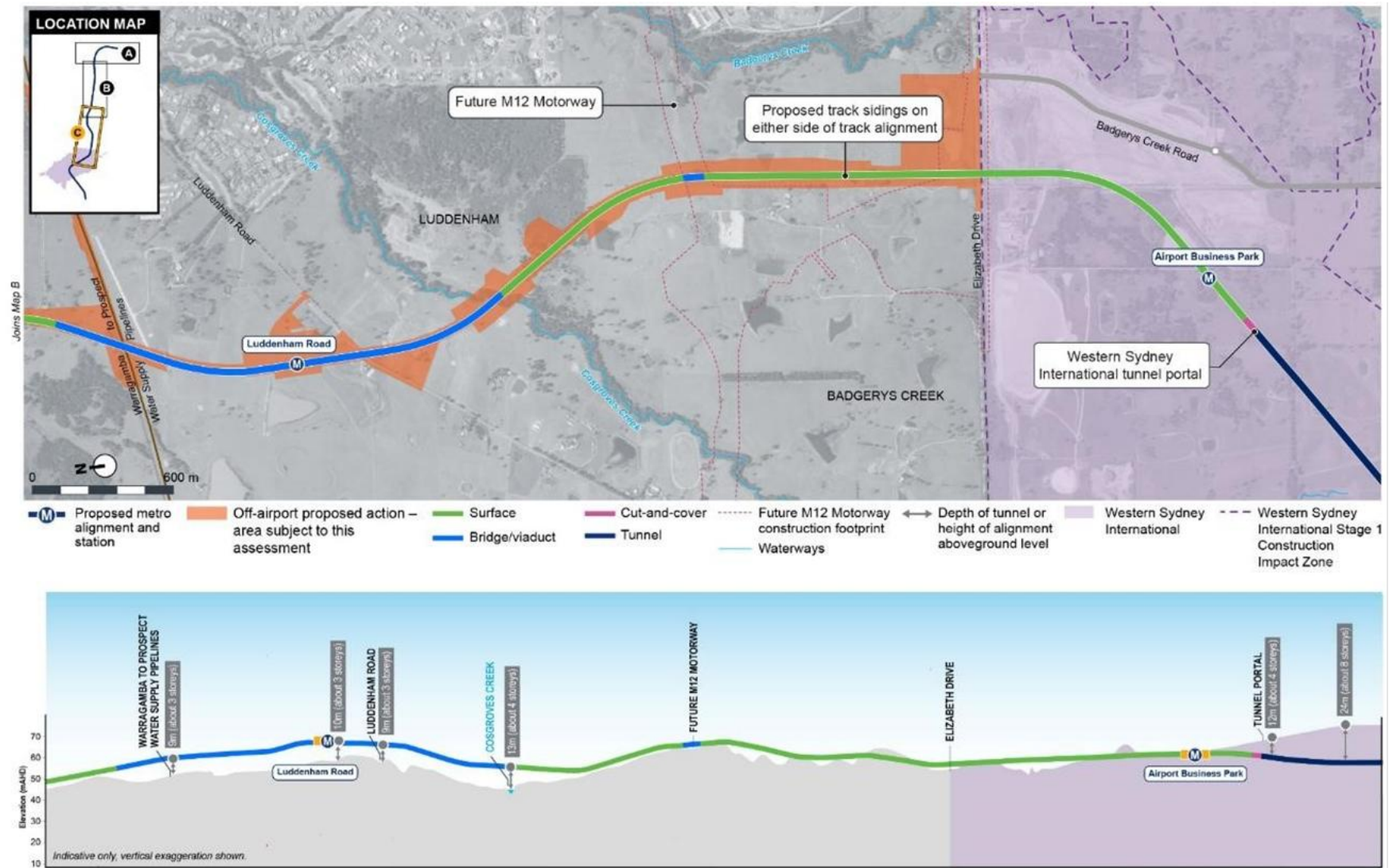


Figure 4: Location of the Project – Luddenham to Western Sydney International. Land to which this approval applies is shown in orange.

1.5 Activities undertaken during the reporting period

Construction works undertaken in the approval area during the 2024-2025 reporting period are summarised in Table 2. During the reporting period Sydney Metro has continued work on four contract packages:

1. **Advanced and Enabling Works (AEW):** The AEW package includes works that would establish key construction sites and facilitate construction activities. This may include items such as: preparatory works; site investigations; some demolition; provision of utilities to construction sites and adjustments/relocations; some ancillary facilities, and transport network adjustments including a pedestrian footbridge at St Marys Station (Footbridge St Marys or FSM). All remaining works under AEW (such as FSM) will be transferred to the Finalisation Auxiliary Works (FAW) package in the next reporting period.
2. **Station Box and Tunnelling (SBT):** The SBT package includes the construction of two sections of twin tunnels between St Marys and Orchard Hills stations. This package also includes all associated works including station box excavation, tunnel support activities, and clearing works at St Marys, Claremont Meadows and Orchard Hills. Works on this package have been finalised within this reporting period.
3. **Surface and Civil Alignment Works (SCAW):** The SCAW package includes the construction of surface infrastructure including approximately 3.7 kilometres of viaduct structures in three sections, surface railway track, civil works for the stabling and maintenance facility and major earthworks for cuttings and embankments. The SCAW package also includes clearing works between Orchard Hills and Badgerys Creek. Works on this package have been finalised within this reporting period.
4. **Stations, Systems, Trains, Operations and Maintenance (SSTOM):** The SSTOM package includes station fit out, precinct and transport integration works as well as finishing works, testing and commissioning. The SSTOM package is also responsible for the operation and maintenance of the Western Sydney Airport metro service. The majority of clearing would have been completed during earlier construction stages, but the SSTOM package may include some minor clearing works.

Table 2: Construction works undertaken by each package during the 2024-2025 reporting period.

Package	Activity	Description
St Marys		
AEW	Structures (footbridge)	• Construction of concrete footings & substructure has been completed both on the platforms and on the new Sydney Trains building
		• All bridge planks installed over the tracks
		• Reinstatement of Overhead Wire (OHW) to the underside of the new bridge planks
		• Installation of precast stairs
SBT	Site establishment	• Short-term site re-establishment for TBM retrieval
	Earthworks	• Completion of cross-passage excavation
	Structures	• Removal of TBM and tower crane • Demobilisation of all sites, including removal of tunnel supports structures • Waterproofing of tunnels and shafts at all sites

Package	Activity	Description
		- Concrete pours for tunnels and cross passages at all sites - All sites completed and handed over to SSTOM
SSTOM	Site establishment	- Site compound establishment - Tower crane pad construction - Batch plant and water treatment plant operations
	Structures	- Ventilation installation and commissioning - Station box FRP, water proofing and fitout - Precast beam installation
Claremont Meadows		
SBT	Earthworks	Completion of cross-passage excavation
	Structures	- Demobilisation of all sites, including removal of tunnel supports structures - Waterproofing of tunnels and shafts at all sites - Concrete pours for tunnels and cross passages at all sites - All sites completed and handed over to SSTOM
SSTOM	Site establishment	- Site compound establishment - Tower crane pad construction - Batch plant and water treatment plant operations
	Structures	- Ventilation installation and commissioning - Station box FRP, water proofing and fitout - Precast beam installation
Orchard Hills		
SBT	Earthworks	Completion of cross-passage excavation
	Structures	- Demobilisation of all sites, including removal of tunnel supports structures - Waterproofing of tunnels and shafts at all sites - Concrete pours for tunnels and cross passages at all sites - All sites completed and handed over to SSTOM
SSTOM	Site establishment	- Site compound establishment - Tower crane pad construction - Batch plant and water treatment plant operations
	Structures	- Ventilation installation and commissioning - Station box FRP, water proofing and fitout - Precast beam installation
Lansdowne Road to Patons Lane main alignment		
SSTOM	Site establishment	- Establishment of main haul roads - Establishment of site amenities
	Earthworks	In-ground utility installation
	Structures	- FRP works - Galvanised steel trough (GST) installation - Rail activities
Patons Lane to Luddenham Station (inc. Stabling Maintenance Facility)		
SCAW	Earthworks	Alignment earthworks, spray seal and completion works

Package	Activity	Description
		- Drainage installation and treatment - Landscaping, topsoiling and spray grass
	Structures	- Viaduct installation (Patons Lane to Luddenham) – pre-cast segment and parapet installation - Concreting and drainage infrastructure installation - Fauna crossing installation - Unnamed Creek crossing / Culvert installation
SSTOM (inc. SMF)	Site establishment	- Establishment of main haul roads - Establishment of site amenities
	Earthworks	- Bulk earthworks - Basin excavation - Power supply installation - In-ground utility installation - Detailed excavation, inground service trenches, FRP and tank installation for maintenance and administration and operation control centre building
	Structures	- FRP works - Galvanised steel trough (GST) installation - Rail activities
Luddenham Station		
SSTOM	Site establishment	Site establishment and ancillary facility operation
	Earthworks	- Bulk earthworks - In-ground utility installation - Temporary and permanent car park works (Bradfield)
	Structures	- Ventilation installation and commissioning - Station structure FPR - Station box waterproofing and FRP - Precinct works - Precast beam installation
Alignment between Luddenham Station and Elizabeth Drive		
SCAW	Earthworks	- Alignment earthworks, spray seal and completion works - Drainage installation and treatment - Landscaping, topsoiling and spray grass
	Structures	- Viaduct installation (Luddenham to Cosgroves Creek) – pre-cast segment and parapet installation - Concreting and drainage infrastructure installation - Fauna crossing installation / habitat connectivity installation – Cosgroves Creek - Cosgroves Creek crossing / causeway installation
SSTOM	Site establishment	- Establishment of main haul roads - Establishment of site amenities
	Earthworks	In-ground utility installation
	Structures	- FRP works - Galvanised steel trough (GST) installation - Rail activities
Bringelly		
SBT	Earthworks	Completion of cross-passage excavation
	Structures	Demobilisation of site, including removal of tunnel supports structures

Package	Activity	Description
		- Waterproofing of tunnels and shafts at site - Concrete pours for tunnels and cross passages at site - Site completed and handed over to SSTOM
SSTOM	Site establishment	Site establishment and ancillary facility operation
	Earthworks	In ground utility installation
	Structures	- Ventilation installation and commissioning - Tunnel support works
Bradfield		
SBT	Site establishment	Short-term site re-establishment for TBM retrieval
	Earthworks	Completion of cross-passage excavation
	Structures	- Demobilisation of site, including removal of tunnel supports structures - Waterproofing of tunnels and shafts at site - Concrete pours for tunnels and cross passages at site - Site completed and handed over to SSTOM
SSTOM	Site establishment	Site establishment and ancillary facility operation
	Earthworks	- In ground utility installation - Temporary and permanent car park works
	Structures	- Station structures FPR - Station box waterproofing and FRP - Precinct works - Precast beam installation

2.Compliance with Conditions of Approval

The EPBC (2020/8687) Approval contains 40 conditions of approval. Table 3 replicates the conditions, comments on compliance with the condition requirements during the reporting period and provides supporting documents to confirm findings. A summary of compliance is provided in section 2.

Table 3: EPBC (2020/8687) Conditions of Approval compliance table

No.	Condition	Status	Comments	Supporting evidence
1	The approval holder must not clear protected matters outside the study area.	Compliant	Clearing undertaken by SCAW and SSTOM during the previous 2023-24 reporting period show that Sydney Metro has not cleared any protected matters outside the study area. No additional clearing of protected matters outside the study area has been undertaken by the SBT, SCAW or SSTOM contractors during the 2024-25 reporting period.	Clearing boundaries by contract: - Western Sydney Airport Metro SBT Project – Post-clearing Summary – Revised Final, dated Oct 2024 - Sydney Metro Western Sydney Airport SCAW Project – Post Clearing Summary – Revised Final, dated October 2024
2	To minimise the impacts of the action on protected matters, the approval holder must not clear more than the following specified amounts within the study area:	Overall condition 2 is compliant. The sections of this condition have been separated out below.		The following is for the total cleared amounts since the project commenced.
	a. 5.87 hectares of Cumberland Plain Woodlands and Shale-Gravel Transition Forest threatened ecological community (TEC).	Compliant	Sydney Metro has not cleared more than the amounts specified in Condition 2(a) within the study area. As of October 2024 the contractors have cleared 4.53 hectares of the allowed 5.87 hectares of EPBC listed Cumberland Plain Woodlands and Shale-Gravel Transition Forest TEC. There was no additional SBT, SCAW and SSTOM clearing of Cumberland Plain Woodlands and Shale-Gravel Transition Forest TEC during the 2024-25 reporting period.	- Western Sydney Airport Metro SBT Project – Post-clearing Summary – Revised Final (Oct 2024) - Sydney Metro Western Sydney Airport SCAW Project – Post Clearing Summary – Revised Final, dated October 2024 - Memo CoA 2
	b. 4.94 hectares of Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland TEC.	Compliant	Sydney Metro has not cleared more than the amounts specified in Condition 2(b) within the study area. As of October 2024 the contractors have cleared 2.40 hectares of the allowed 4.94 hectares of EPBC listed	Western Sydney Airport Metro SBT Project – Post-clearing Summary – Revised Final (Oct 2024)

No.	Condition	Status	Comments	Supporting evidence
			Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South-East Queensland TEC. There was no additional SCAW clearing during the 2024-25 reporting period (last clearing was reported to be in June 2024). There was no additional SBT, SCAW and SSTOM clearing of Coastal Swamp Oak Forest of New South Wales and South East Queensland TEC during the 2024-25 reporting period.	- Sydney Metro Western Sydney Airport SCAW Project – Post Clearing Summary – Revised Final, dated October 2024 - Memo CoA 2
	c. 24.79 hectares of Grey-headed Flying-fox foraging habitat.	Compliant	Sydney Metro has not cleared more than the amounts specified in Condition 2(c) within the study area. There was no additional SBT and SCAW clearing of Grey-headed Flying-fox foraging habitat during the 2024-25 reporting period. The SSTOM contractor have confirmed that 0.002 hectares of PCT 835 Thinned and 0.006 hectares of PCT 1800 Thinned have been cleared during the 2024-25 reporting period. As of August 2025, the contractors have cleared 14.928 hectares of the allowed 24.79 hectares of Grey-headed Flying-fox foraging habitat. Note: There are some discrepancies between the 2022-2023 values which are due to the following reasons: Initially the offset credit calculations were based on what the SBT and SCAW thought they would require (as part of their clearing and grubbing footprint and offset calculations) but the contractors have been able to refine this down further during the 2023-24 reporting period.	- Sydney Metro Western Sydney Airport SCAW Project – Post Clearing Summary – Revised Final, dated October 2024) - SSTOM Clearing Completed – PCT 835, dated 29 August 2025 - SSTOM Clearing Completed – PCT 835, dated 29 August 2025 - Memo CoA 2
	d. 7.3 hectares of native vegetation on the Defence Establishment Orchard Hills site (which may include	Compliant	Sydney Metro has not cleared more than the amount specified in Condition 2(d) within the study area on the Defence Establishment Orchard Hills (DEOH).	Sydney Metro Western Sydney Airport SCAW Project – Post

No.	Condition	Status	Comments	Supporting evidence
	threatened ecological communities in conditions 2a and 2b).		The total native vegetation cleared within DEOH is 3.967 hectares which is less than the 7.3 hectares permitted. There was no additional SBT, SCAW and SSTOM clearing of native vegetation on the Defence Establishment Orchard Hills site during the 2024-25 reporting period.	Clearing Summary – Revised Final dated October 2024 • Memo CoA 2
	e. 335 identified individuals of <i>Grevillea juniperina subsp. juniperina</i> on the Defence Establishment Orchard Hills site (Lot 1 DP 629326 and Lot 2 DP 242968).	Compliant	Sydney Metro has not cleared more than the amount specified in Condition 2(e) within the study area Lot 1 DP 629326 and Lot 2 DP 242968 on the Defence Establishment Orchard Hills (DEOH). The total <i>Grevillea juniperina</i> cleared in the grubbing footprint within Lot 1 DP 629326 and Lot 2 DP 242968 on the DEOH is calculated to be 273 individuals which is less than the 335 individuals permitted. There was no additional SBT, SCAW and SSTOM clearing of identified individuals of <i>Grevillea juniperina</i> on the Defence Orchard Hills site during the 2024-25 reporting period.	• Sydney Metro Western Sydney Airport SCAW Project – Post Clearing Summary – Revised Final dated October 2024 • Memo CoA 2
	f. The number of individuals identified by pre-clearance surveys, undertaken in accordance with conditions 3-5.	Compliant	As part of the SBT pre-clearance inspections, 38 individuals of <i>Pultenaea parviflora</i> were located within the final cleared footprint aligning with the species polygons presented in the Revised BDAR and pre-clearing surveys completed under the EPBC conditions 3-5. 20 of these individuals were rooted in native vegetation and were managed in accordance with the Unexpected Finds Protocol in accordance with the EPBC Biodiversity Management Plan and the contractors Flora and Fauna Management Plan (FFMP). Offsets were retired in accordance with the EPBC Biodiversity Offset Strategy and reported to Department under EPBC Condition 17.	• SM-WSA EPBC CoA Preclearance survey memo Nov 2021 • Western Sydney Airport Metro SBT Project – Post-clearing Summary – Revised Final, dated Oct 2024 • Memo CoA 2

No.	Condition	Status	Comments	Supporting evidence
			Impacts to the 18 plants that were rooted in exotic grassland were defined as Prescribed Impacts in the Project Revised BDAR and did not generate a species polygon and therefore did not generate a species credit liability. These individuals that were not required to be offset were not reported as an unexpected find. There was no SBT, SCAW and SSTOM clearing of individuals identified by pre-clearance surveys during the 2024-25 reporting period.	
3	To inform the preparation of the Biodiversity Management Plan required under conditions 8 and the Biodiversity Offset Strategy required under conditions 18, the approval holder must undertake pre-clearance surveys in areas not yet surveyed for the following species: a. Bynoe's Wattle. b. Downy Wattle. c. <i>Allocasuarina glareicola</i> . d. White-flowered Wax Plant. e. Small-flower Grevillea. f. <i>Micromyrtus minutiflora</i> . g. <i>Pimelea curviflora</i> var. <i>curviflora</i> . h. Spiked Rice-flower. i. <i>Pultenaea parviflora</i> .	Not applicable	This condition was addressed in the 2022-2023 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.	Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.
4	Pre-clearance surveys in areas not yet surveyed must be undertaken in accordance with the NSW Biodiversity Assessment Method, or another methodology agreed to by the Department in writing.	Not applicable	This condition was addressed in the 2022-2023 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.	Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.

No.	Condition	Status	Comments	Supporting evidence
5	The results of the pre-clearance surveys in areas not yet surveyed must be submitted to the Department in writing prior to, or with, the submission of: a. The Biodiversity Management Plan required under condition 8; and b. The Biodiversity Offset Strategy required under condition 18.	Not applicable	This condition was addressed in the 2022-2023 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.	Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.
6	To minimise the impacts of the action on heritage values of the Defence Establishment Orchard Hills, the approval holder must prepare an Aboriginal Cultural Heritage Management Plan in consultation with the Registered Aboriginal Parties and Heritage NSW, prior to the commencement of the action. To demonstrate compliance with this condition, the approval holder must keep appropriate records to demonstrate that consultation has taken place, and how comments received during consultation have been taken into account in the Aboriginal Cultural Heritage Management Plan.	Not applicable	This condition was addressed in the 2022-23 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details. During the 2024-2025 reporting period, an annual review of the EPBC Aboriginal Cultural Heritage Management Plan was completed in August 2024. A minor update was made for the document to include consultation with the revised action plans. No other major updates were required.	- Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details. - SM-WSA EPBC Off-airport Aboriginal Cultural Heritage Management Plan, Rev 6, dated 2 September 2024
7	The approval holder must not remove or disturb any Aboriginal archaeological heritage artefacts or sites on the Defence Establishment Orchard Hills, including unexpected finds, except in accordance with an Aboriginal Cultural Heritage Management Plan prepared under condition 6.	Compliant	Removal of two Aboriginal archaeological sites on the Defence Establishment Orchard Hills (SMWSA-AS3 and SMWSA-AS4) was completed in the 2022-23 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details. No Aboriginal archaeological heritage artefacts or sites on the Defence Establishment Orchard Hills have been removed or disturbed during the 2024-25 reporting period. The Aboriginal Cultural Heritage Excavation Report which documented the results of the archaeological program was finalised in March 2024 and submitted to Heritage New South Wales as part of	- SM-WSA EPBC Off-airport Aboriginal Cultural Heritage Management Plan, Rev 6, dated 2 September 2024 - Sydney Metro – Western Sydney Airport – Aboriginal Cultural Excavation Report, Rev C, dated 7 March 2024

No.	Condition	Status	Comments	Supporting evidence
			the Sydney Metro Western Sydney Airport CSSI 10051 conditions of approval. There were no unexpected finds reported in the 2024-25 reporting period.	
8	For the protection of protected matters, the approval holder must submit to the Minister for approval a Biodiversity Management Plan that sets out requirements for Flora and Fauna Management Plans prepared under the project's Construction Environmental Management Framework.	Compliant	The Biodiversity Management Plan (Rev 5) received formal approval on 29 March 2022. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details. On 12 September 2024, a variation to the EPBC Approval (2020/8687) was made under section 143(1)(a) of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Changes to CoA 35 now permit a revision of the Biodiversity Management Plan without submitting it for approval, if the taking of the action in accordance with the revised action management plans (RAMPs) would not be likely to have a new or increased impact. During the 2024-25 reporting period, on 21 October 2024, Sydney Metro submitted a revised Biodiversity Management Plan (Rev 8), which included minor updates only as part of the annual review commitments. Refer to condition 35 for evidence of Biodiversity Management Plan revisions and notifications to the Department.	• Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details. • Letter from Department, Approval of the SM-WSA Off-airport Biodiversity Management Plan, Rev 5, dated 29 March 2022 • EPBC 2020-8687 Variation of Conditions attached to approval, dated 12 September 2024 • SM-WSA EPBC Approval 2020/8687 – Off-airport Biodiversity Management Plan, Rev 8, dated 25 September 2024 • Refer to condition 35 for evidence of submission of the revised Biodiversity Management Plan.
9	The Biodiversity Management Plan must be consistent with the Department's <i>Environmental Management Plan Guidelines</i> (2014), and must include:	Compliant	The Biodiversity Management Plan was developed consistent with the Department's <i>Environmental Management Plan Guidelines</i> (2014) and the updated version also considered the 2024 guideline update.	• SM-WSA EPBC Approval 2020/8687 – Off-airport Biodiversity Management Plan, Rev 8, dated 25 September 2024

No.	Condition	Status	Comments	Supporting evidence
	a. Environmental objectives, relevant protected matters, and a reference to EPBC Act approval conditions to which the Biodiversity Management Plan refers; b. A table of commitments made in the Biodiversity Management Plan to achieve the objectives, and a reference to where the commitments are detailed in the Biodiversity Management Plan; c. Reporting and review mechanisms, and documentation standards, to demonstrate compliance with the Biodiversity Management Plan; d. An assessment of risks to achieving Biodiversity Management Plan environmental objectives and risk management strategies that will be applied; e. Impact avoidance, mitigation and repair measures, and their timing; f. A monitoring program, which must include: i. measurable performance indicators; ii. trigger values for corrective actions; iii. the timing and frequency of monitoring to detect trigger values and changes in the performance indicators; and iv. proposed corrective actions, if trigger values are reached. g. Provide any links to other plans or conditions of approval for the action.		Table 1-4 of the Biodiversity Management Plan outlines where within the plan the EPBC conditions have been addressed including condition 9. Subsequent revisions have retained these requirements.	
10	The approval holder must not commence the action unless the Minister has approved the Biodiversity Management Plan in writing.	Not applicable	This condition was addressed in the 2022-23 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.	Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.

No.	Condition	Status	Comments	Supporting evidence
			The Biodiversity Management Plan (Rev 5) was approved on 29 March 2022 before the action commenced on 21 July 2022.	
11	If the Minister approves the Biodiversity Management Plan then the Biodiversity Management Plan must be implemented	Compliant	A revised Biodiversity Management Plan (Rev 8) was submitted for information only to the Department on 21 October 2024. The latest version of the Biodiversity Management Plan (Rev 8) has been implemented. No non-compliances with the Biodiversity Management Plan have been identified during the 2024-25 reporting period.	- Email to Department, Sydney Metro – Western Sydney Airport EPBC Approval 2020/8687 – Revisions to Biodiversity Management Plan, Biodiversity Staging Plan and Biodiversity Offset Strategy, dated 21 October 2024 - Letter SM-24-00289344: Re: Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687) – Notification of minor revision to action management plans, dated 18 October 2024 - SSTOM nest box monitoring - SSTOM weed mapping - SSTOM weed management report
12	The approval holder must submit to the Minister, for approval, a Staging Plan in relation to the construction of the action, prior to commencement of the action.	Not applicable	This condition was addressed in the 2022-23 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details. The Biodiversity Staging Plan was submitted and approved prior to commencement of the action.	Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.

No.	Condition	Status	Comments	Supporting evidence
13	The approval holder must implement the Staging Plan approved by the Minister.	Compliant	The Biodiversity Staging Plan (Rev 6) received formal approval on 30 June 2022. During the 2024-25 reporting period, on 18 October 2024, Sydney Metro submitted a revised Off-Airport Biodiversity Staging Plan (Rev 7) for information only, which included minor updates as part of the annual review commitments. Refer to condition 35 for evidence of Biodiversity Staging Plan revisions and notifications to the Department. No non-compliances have been raised against the implementation of the Biodiversity Staging Plan.	- SM-WSA Off-Airport Biodiversity Staging Plan, Rev 7, September 2024 - Western Sydney Airport Metro SBT Project – Post-clearing Summary – Revised Final, dated Oct 2024 - Sydney Metro Western Sydney Airport SCAW Project – Post Clearing Summary – Revised Final dated October 2024) - Refer to condition 35 for evidence of submission of the revised Staging Plan.
14	The Staging Plan must set out: a. how the construction of the action will be staged, including details of clearing and other activities to be carried out in each stage; b. mapping and delineation of the spatial location of each stage; and c. the planned timing of when construction of each stage will commence and finish.	Compliant	Section 1.3, Table 1 of the SM-WSA off-airport Biodiversity Staging Plan outlines where within the plan the EPBC conditions have been addressed. The Biodiversity Staging Plan was revised (Rev 7) on 27 September 2024 under Condition 35 and implemented from 11 November 2024 onwards.	SM-WSA Off-Airport Biodiversity Staging Plan, Rev 7, dated September 2024
15	Prior to the commencement of clearing of protected matters identified in condition 2 in each stage, as defined in the Staging Plan required under condition 12, the approval holder must: a. determine the offset requirement for protected matters identified in condition 2 to be cleared in that stage in accordance with the NSW Biodiversity Assessment Method and the process set out in the	Compliant	The Sydney Metro – Western Sydney Airport EPBC Biodiversity Offset Strategy for off-airport lands provides a summary of offset requirements for protected matters per construction stage, Table 5-1 gives ecosystem credits and Table 5-2 gives species credits. Offset requirement were calculated in accordance with the NSW Biodiversity Assessment Method (BAM).	- SM-WSA EPBC Biodiversity Offset Strategy for Off-Airport Lands, Rev 8, dated October 2024 - Letter SM-24-00296240, SM-WSA (EPBC 2020/8687) Conditions of Approval 17: Evidence of the retirement of credits or payment to secure

No.	Condition	Status	Comments	Supporting evidence
	Biodiversity Offset Strategy required under condition 18. b. secure the required offsets for that stage.		The offsets have been secured and allocated to construction stages on a progressive basis. Letters have been provided to Department under condition 17 which append evidence of payments and retirements. The latest letter within the 2024-25 reporting period detailing all the credits purchased and retired for the Project was sent to Department on 28 February 2025, as an update to the previous letters dated 28 October 2024 and 3 December 2024, and relates to credits allocated to the project during the 2024-25 reporting period.	offsets to the Department, dated 28 October 2024. - Letter SM-24-00316264, SM-WSA (EPBC 2020/8687) Conditions of Approval 17: Evidence of the retirement of credits or payment to secure offsets to the Department, dated 3 December 2024. - Letter SM-25-00022485, SM-WSA (EPBC 2020/8687) Conditions of Approval 17: Evidence of the retirement of credits or payment to secure offsets to the Department, dated 28 February 2025.
16	The offsets must be secured in accordance with the NSW Biodiversity Offset Scheme	Compliant	Under the Biodiversity Offset Scheme, applications for development or clearing approvals must set out how impacts on biodiversity will be avoided and minimised. The remaining residual impacts can be offset by the purchase and/or retirement of biodiversity credits or payment to the Biodiversity Conservation Fund. Evidence of purchase and/or retirement of credits or payment into the Biodiversity Conservation Fund has been provided to Department on a progressive basis. The latest letter within the reporting period detailing all of the credits purchased and retired for the Project was sent on 28 February 2025 as an update to the previous letters dated 28 October 2024 and 3 December 2024, and relates to credits purchased during the 2024-25 reporting period.	- Letter SM-24-00296240, SM-WSA (EPBC 2020/8687) Conditions of Approval 17: Evidence of the retirement of credits or payment to secure offsets to the Department, dated 28 October 2024. - Letter SM-24-00316264, SM-WSA (EPBC 2020/8687) Conditions of Approval 17: Evidence of the retirement of credits or payment to secure offsets to the Department, dated 3 December 2024. - Letter SM-25-00022485, SM-WSA (EPBC 2020/8687) Conditions of Approval 17:

No.	Condition	Status	Comments	Supporting evidence
				Evidence of the retirement of credits or payment to secure offsets to the Department, dated 28 February 2025.
17	Within 3 months of retiring credits or making a payment to secure offsets, the approval holder must submit evidence of the retirement or payment the Department.	Compliant	Evidence of purchase and/or retirement of credits has been provided to Department on a progressive basis. The latest letter within the reporting period detailing all of the credits purchased and retired for the Project was sent on 28 February 2025, as an update to the previous letters dated 28 October 2024 and 3 December 2024, and relates to credits allocated during the 2024-25 reporting period. All letters have been sent within three months of making a new retirement or payment.	- Letter SM-24-00296240, SM-WSA (EPBC 2020/8687) Conditions of Approval 17: Evidence of the retirement of credits or payment to secure offsets to the Department, dated 28 October 2024. - Letter SM-24-00316264, SM-WSA (EPBC 2020/8687) Conditions of Approval 17: Evidence of the retirement of credits or payment to secure offsets to the Department, dated 3 December 2024. - Letter SM-25-00022485, SM-WSA (EPBC 2020/8687) Conditions of Approval 17: Evidence of the retirement of credits or payment to secure offsets to the Department, dated 28 February 2025.
18	The approval holder must submit a Biodiversity Offset Strategy for the Minister's approval, prior to clearing of protected matters identified in condition 2.	Not applicable	This condition was addressed in the 2022-23 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-23 Annual Compliance Report for further details. The SM-WSA off-airport Biodiversity Offset Strategy was approved by the Minister prior to the commencement of clearing activities.	Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.

No.	Condition	Status	Comments	Supporting evidence
19	The Biodiversity Offset Strategy must: a. Be prepared by a suitably qualified ecologist; b. Be prepared in accordance with the NSW Biodiversity Assessment Method; c. Be based on and consistent with the Biodiversity Development Assessment Report at Appendix A of the EIA; d. Be consistent with the principles of the Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy (October 2012); and e. Provide for the number of individuals identified in accordance with condition 3; and f. Set out: i. The process used for quantifying the impacts to protected matters based on the final design of the action, with quantification of the final number and class of biodiversity credits required to offset the residual impacts of action on protected matters; ii. Details of how the credit requirement to offset the impacts from each stage of construction (defined in the Staging Plan) will be determined and reported; and iii. How offset requirements will be satisfied, including the timeframes by which offsets must be secured in relation to each stage of construction as defined within the Staging Plan.	Not applicable	Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details. The Biodiversity Offset Strategy (Rev 6) received formal approval on 29 March 2022. Updates to the SM-WSA off-airport Biodiversity Offset Strategy (Rev 8) have occurred during the 2024-25 reporting period (refer to condition 34).	- Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details. - SM-WSA EPBC Biodiversity Offset Strategy for Off-Airport Lands, Rev 8, dated October 2024 - Refer to condition 34 for evidence of submission of the revised Biodiversity Offset Strategy
20	The approval holder must not commence the action unless the Minister has approved the Biodiversity Offset Strategy in writing.	Not applicable	This condition was addressed in the 2022-23 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.	Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023

No.	Condition	Status	Comments	Supporting evidence
			The Biodiversity Offset Strategy was submitted and approved prior to the commencement of the action.	Annual Compliance Report for further details.
21	If the Minister approves the Biodiversity Offset Strategy then the Biodiversity Offset Strategy must be implemented.	Compliant	Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details. Evidence of retirements or payment is provided in condition 16. Offsets have been purchased or retired on a progressive basis in accordance with the construction stages presented in the document. Reporting of purchase or retirement has been undertaken in accordance with condition 17, which satisfies the reporting requirements of the Biodiversity Offset Strategy. No non-compliances have been raised against the implementation of the Biodiversity Offset Strategy in the 2024-25 reporting period. Refer to condition 34 for evidence of Biodiversity Offset Strategy revisions and notifications to the Department.	• Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report. • Refer to condition 16 and 17. • Refer to condition 34 for evidence of submission of the revised Biodiversity Offset Strategy.
22	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	Not applicable	This condition was addressed in the 2022-23 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.	• Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details.
23	The approval holder must notify the Department in writing of the date of commencement of each stage of the action, as specified in the Staging Plan required under condition 12, within 10 business days	Not Applicable	During the 2024-25 reporting period four stages of the action continued with no new stages commencing. Areas of the AEW, SBT and SCAW contracts were progressively being handed over to SSTOM.	• Not applicable

No.	Condition	Status	Comments	Supporting evidence
	after the date of commencement of the relevant stage of the action.		The SBT and SCAW stages concluded during the 2024-25 reporting period. The AEW stage continues through during the 2024-25 reporting period. All remaining AEW works will be transferred to the FAW contract in the 2025-26 reporting period.	
24	The approval holder must maintain accurate and complete compliance records.	Compliant	Annual Compliance Reports in respect of the EPBC Act (2020/8687) were compiled for the following reporting periods: 21 July 2024 to 20 July 2025 (this report) 21 July 2023 to 20 July 2024 (report published in October 2024) 20 July 2022 to 20 July 2023 (report published in October 2023) Sydney Metro document management system and record keeping. Internal compliance review that was completed in the lead-up to the preparation of the annual report.	- SM-WSA EPBC 2020/8687 Annual Compliance Report, October 2025 (this report). - SM-WSA EPBC 2020/8687 Annual Compliance Report, October 2024. - SM-WSA EPBC 2020/8687 Annual Compliance Report, October 2023. - Sydney Metro's internal document control systems.
25	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	Not applicable	The Department has not made a request under Condition 25 in the 2024-25 reporting period.	Not applicable.
26	The approval holder must: a. submit plans electronically to the Department b. publish each plan on the website within 3 months of the date: i. the plan is approved by the Minister, or ii. the plan is submitted to the Department if the plan is not required to be approved by the minister, or	Compliant	On 12 September 2024, a variation to the EPBC Approval (2020/8687) was made under section 143(1)(a) of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Changes to CoA 26 clarified what plans must be published on the Sydney Metro website. Refer to section 3 for more details on the variation of conditions.	- EPBC 2020-8687 Variation of Conditions attached to approval dated 12 September 2024 - Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2023-2024 Annual Compliance Report for further details.

No.	Condition	Status	Comments	Supporting evidence
	iii. this variation instrument was signed, if the plan was not required to have been published previously, or iv. a revised action management plan is submitted to the Minister or Department, unless otherwise agreed in writing by the Minister c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public d. keep plans published on the website until 24 months after the completion of the action, or as otherwise agreed by the Department in writing.		The majority of plans were completed and submitted in the 2022-23 reporting period. Please refer to the Sydney Metro – Western Sydney Airport EPBC 2020/8687 2022-2023 Annual Compliance Report for further details. The Biodiversity Management Plan, Biodiversity Staging Plan (off-airport), and Biodiversity Offset Strategy (off-airport) have been updated during the 2024-25 reporting period. Please refer to conditions 11, 34 and 35 for evidence that the plan was submitted to Department. a. Plans have been provided to Department in electronic format (PDF). b. The latest versions of the Biodiversity Management Plan (version 8) and Biodiversity Staging Plan (version 7) have been published on the Sydney Metro website. c. Sensitive information has been redacted from the plans as required, for example redactions included details of registered Aboriginal parties and locations of Aboriginal heritage sites in the EPBC ACHMP. d. Part d of the condition is not applicable as the action has not been completed. However, the Biodiversity Management Plan, Aboriginal Cultural Heritage Management Plan, Biodiversity Offset Strategy, and Biodiversity Staging Plan remain published on the Sydney Metro Document Library.	• Screenshots of plans available on the Sydney Metro website. • Refer to conditions 11, 34 and 35.
27	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the Biodiversity Management Plan, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the	Compliant	The Biodiversity Management Plan requires the following monitoring data where related to management of Commonwealth biodiversity protected matters or Commonwealth land: • Vegetation clearing and retention • Nest box monitoring • Pre-dewatering assessment	• SM-WSA EPBC 2020/8687 Annual Compliance Report, October 2025 (this report). • Email to Department, Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687), dated 20 October 2024/25.

No.	Condition	Status	Comments	Supporting evidence
	Department in accordance with the requirements of the plan.		- Fauna relocation and euthanasia of pest species - Water quality and dissolved oxygen during draining of the dams - Weed mapping of certain species, weed treatment, monitoring of effectiveness of weed treatment and monitoring of weed and pathogen management during rehabilitation, if rehabilitation is required. Works within the 2024-25 reporting period have only triggered monitoring requirements for vegetation clearing, nest boxes and weed and pathogen monitoring. Dam dewatering, fauna relocation and pest species euthanasia did not occur on Commonwealth land or impact Commonwealth listed species during this reporting period by the SSTOM and FSM Contractors, noting that these activities were undertaken by Foundation Infrastructure Works (FIW) contractors (SBT and SCAW). This data will be submitted to the Department in accordance with the above. The Biodiversity Management Plan required monitoring data undertaken within the reporting period (including associated surveys, maps, and other spatial data and metadata) and applicable to EPBC-listed species and non-listed species on Commonwealth land within the Project footprint, will be provided to the Department in the required format via email to speciesmetadata@environment.gov.au in accordance with the <i>Department's Guidelines for biological survey and mapped data</i> (2018).	- SCAW weed mapping - SCAW nest box monitoring - SSTOM nest box monitoring - SSTOM weed mapping - SSTOM weed management report
28	The approval holder must prepare a compliance report addressing each condition of this approval for each 12-month period following the date of commencement of the action, or otherwise in	Compliant	Sydney Metro – Western Sydney Airport EPBC 2020/8687 Annual Compliance Reports, have been previously prepared in October 2023 and October 2024.	Sydney Metro – Western Sydney Airport EPBC 2020/8687 Annual Compliance Report, October 2023.

No.	Condition	Status	Comments	Supporting evidence
	accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must: a. publish each compliance report on the website within 3 months following the relevant 12-month period; b. notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication; c. keep all compliance reports publicly available on the website until 24 months after the completion of the action, or as otherwise agreed by the department in writing; d. exclude or redact sensitive ecological data from compliance reports published on the website; and e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.		This report is the third compliance report completed by Sydney Metro for the Sydney Metro – Western Sydney Airport project and it covers the 2024-25 reporting period. Compliance with the notification, publishing, and redaction requirements will be confirmed during the 2025-26 reporting period. Sydney Metro had prepared two previous Sydney Metro – Western Sydney Airport EPB 2020/8687 Annual Compliance Reports: - October 2023, for the reporting period 21 July 2022 – 20 July 2023. A redacted version was published to the Sydney Metro website on 17 October 2023. - The report was submitted to the Department via email on 19 October 2023, along with a letter dated 17 October 2023 for submission in accordance with Condition 28 and notification of publication to the website with link. - October 2024, for the reporting period 21 July 2023-20 July 2024. A redacted version was published on the Sydney Metro website on 22 October 2024. - The report was submitted to Department via email on 22 October 2024, along with a letter dated 21 October 2024 for submission in accordance with Condition 28 and notification of publication to the website with link.	- Screenshot of Sydney Metro website showing publication of the Sydney Metro – Western Sydney Airport EPBC 2020/8687 Annual Compliance Report, dated 17 October 2023. - Email to Department, Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687) – Condition of Approval 28: Annual Compliance Reporting, dated 19 October 2023 - Email from Department dated 23 October 2023 acknowledging receipt of the 2023 Annual Compliance Report. - Submission Letter, Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687) – Condition of Approval 28: Annual Compliance Reporting, dated 17 October 2023 - Notification Letter, Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687) – Condition of Approval 28: Annual Compliance Reporting – notification of website publication, dated 17 October 2023 - Sydney Metro – Western Sydney Airport EPBC 2020/8687

No.	Condition	Status	Comments	Supporting evidence
				Annual Compliance Report, dated October 2024 • Screenshot of Sydney Metro website showing publication of the Sydney Metro – Western Sydney Airport EPBC 2020/8687 Annual Compliance Report, dated 22 October 2024. • Email to Department, Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687) – Condition of Approval 28: Annual Compliance Reporting, dated 22 October 2024 • Email from Department dated 28 October 2024 acknowledging receipt of the 2024 Annual Compliance Report. • Submission Letter, Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687) – Condition of Approval 28: Annual Compliance Reporting, dated 21 October 2024 • Notification Letter, Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687) – Condition of Approval 28: Annual Compliance Reporting – notification of website publication, dated 21 October 2024

No.	Condition	Status	Comments	Supporting evidence
29	The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than 2 business days after becoming aware of the incident or non-compliance. The notification must specify: a. any condition which is or may be in breach b. a short description of the incident and/or non-compliance c. the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.	Compliant	There were no non-conformances identified for SCAW, SBT and SSTOM during the 2024-25 reporting period.	Not applicable.
30	The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying: a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future b. the potential impacts of the incident or non-compliance c. the method and timing of any remedial action that will be undertaken by the approval holder.	Compliant	There were no non-conformances identified for SCAW, SBT and SSTOM during the 2024-25 reporting period.	Not applicable.
31	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	Not applicable	An independent audit has not been undertaken during the 2024-25 reporting period. No requests for an independent audit have been received from the Minister during the reporting period.	Not applicable.

No.	Condition	Status	Comments	Supporting evidence
32	For each independent audit, the approval holder must: a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department b. only commence the independent audit once the independent auditor and audit criteria have been approved in writing by the Department c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.	Not applicable	An independent audit has not been undertaken during the 2024-25 reporting period. No requests for an independent audit have been received from the Minister during the reporting period.	Not applicable.
33	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until 24 months after the completion of the action, or as otherwise agreed by the department in writing.	Not applicable	An independent audit has not been undertaken during the 2024-25 reporting period. No requests for an independent audit have been received from the Minister during the reporting period.	Not applicable.
34	The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister under conditions of this approval, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.	Compliant	On 12 September 2024, a variation to the EPBC Approval (2020/8687) was made under section 143(1)(a) of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Changes to CoA 34 clarified that all plans can be revised if approved by the Minister. Refer to section 3 for more details on the variation of conditions. Sydney Metro has submitted a revised Biodiversity Offset Strategy (Revision 8) during the 2024-25 reporting period for approval by the Minister. The Biodiversity Offset Strategy was formally approved by the Minister on 17 March 2025.	- EPBC 2020-8687 Variation of Conditions attached to approval dated 12 September 2024 - SM-WSA EPBC Biodiversity Offset Strategy for Off-Airport Lands, Rev 8, October 2024 - Email to Department, Sydney Metro – Western Sydney Airport EPBC Approval 2020/8687 – Revisions to Biodiversity Management Plan, Biodiversity Staging Plan and Biodiversity Offset Strategy, dated 21 October 2024

No.	Condition	Status	Comments	Supporting evidence
				- Letter SM-24-00289344: Re: Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687) – Notification of minor revision to action management plans, dated 18 October 2024 - Email from Department dated 17 March 2025 acknowledging approval of the revised Biodiversity Offset Strategy.
35	The approval holder may choose to revise an action management plan approved by the Minister under conditions 8 or 12, or as subsequently revised in accordance with the conditions of this approval, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact.	Compliant	On 12 September 2024, a variation to the EPBC Approval (2020/8687) was made under section 143(1)(a) of the EPBC Act. Changes to CoA 35 now permit a revision of the Biodiversity Management Plan (CoA 8) and Biodiversity Staging Plan (CoA 12) without submitting it for approval, if the taking of the action in accordance with the revised action management plans (RAMPs) would not be likely to have a new or increased impact. Refer to section 3 for more details on the variation of conditions. On 21 October 2024, Sydney Metro submitted a revised Biodiversity Management Plan (revision 8) and Biodiversity Staging Plan (revision 7) to the Department in accordance with Condition 35. The updates were minor in nature and did not have new or increased impacts.	- EPBC 2020-8687 Variation of Conditions attached to approval dated 12 September 2024 - Email to Department, Sydney Metro – Western Sydney Airport EPBC Approval 2020/8687 – Revisions to Biodiversity Management Plan, Biodiversity Staging Plan and Biodiversity Offset Strategy, dated 21 October 2024 - Letter SM-24-00289344: Re: Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687) – Notification of minor revision to action management plans, 18 October 2024 - Refer to conditions 8 and 12 for updated RAMPs

No.	Condition	Status	Comments	Supporting evidence
36	If the approval holder makes the choice under condition 35 to revise an action management plan without submitting it for approval, the approval holder must: a. notify the Department in writing that the approved action management plan has been revised and provide the Department with: i. an electronic copy of the RAMP ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP iii. an explanation of the differences between the approved action management plan and the RAMP iv. the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact v. written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department. b. subject to condition 38, implement the RAMP from the RAMP implementation date.	Compliant	On 21 October 2024 Sydney Metro submitted a revised Biodiversity Management Plan (revision 8) and Biodiversity Staging Plan (revision 7), to the Department. The updates were minor in nature and provided for information only. The documents were submitted as electronic copies, in two versions (track changes to show the updates and a clean version). The covering letter provided a brief explanation of why Sydney Metro considers that the RAMPs are considered not likely to have a new or increased impact. Sydney Metro proposed to implement the revised plans from 11 November 2024 onwards. Implementation of the Biodiversity Management Plan is covered by condition 11. Implementation of the Biodiversity Staging Plan is covered by condition 13.	• Refer to Condition 11 • Email to Department, Sydney Metro – Western Sydney Airport EPBC Approval 2020/8687 – Revisions to Biodiversity Management Plan, Biodiversity Staging Plan and Biodiversity Offset Strategy, dated 21 October 2024 • Letter SM-24-00289344: Re: Sydney Metro – Western Sydney Airport (SM-WSA) (EPBC 2020/8687) – Notification of minor revision to action management plans, 18 October 2024 • SM-WSA EPBC Approval 2020/8687 – Off-airport Biodiversity Management Plan, Rev 8, 25 September 2024
37	The approval holder may revoke their choice to implement a RAMP under condition 35 at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 35, the approval holder must implement the action	Not applicable	Sydney Metro did not revoke their choice to implement any of the RAMPs requested.	Not applicable

No.	Condition	Status	Comments	Supporting evidence
	management plan in force immediately prior to the revision undertaken under condition 35.			
38	If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact, then: a. condition 35 does not apply, or ceases to apply, in relation to the RAMP b. the approval holder must implement the action management plan specified by the Minister in the notice.	Not applicable	The Minister has not given this notice during the reporting period.	Not applicable
39	At the time of giving the notice under condition 38, the Minister may also notify that for a specified period, condition 35 does not apply for one or more specified action management plans.	Not applicable	This direction was not received by the Minister during the reporting period.	Not applicable.
40	Within 20 business days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	Not applicable	The approved action is not yet complete.	Not applicable

2. Summary of Compliance

This section summarises the findings of the annual compliance report for this reporting period.

3.1 Summary of compliance report findings

There are 40 conditions of approval; during the reporting period 21 conditions were considered to be compliant, 19 conditions were considered not applicable, and no non-compliances were identified. The majority of the “not applicable” conditions were due to requirements either not being triggered or because the requirements of the condition fell outside the scope of the current reporting period or have been addressed in previous reports.

3.2 Variation to the EPBC Approval (2020/8687)

On 12 September 2024, a variation to the EPBC Approval (2020/8687) was made under section 143(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The variation was to delete conditions 26, 34 and 35 and substitute with new conditions to do the following:

- Change to condition 26 clarified what plans must be published on the projects website.
- Change to condition 34 clarified that all plans can be revised if approved by the Minister.
- Change to condition 35 permitted revision of the Biodiversity Management Plan and the Biodiversity Staging Plan without submitting it for approval, if the taking of the action in accordance with the revised action management plans would not be likely to have a new or increased impact.

Sydney Metro has implemented to the variation to the conditions since the approval was varied on the 12 September 2024. During the reporting period, the original wording of conditions 26, 34 and 35 was implemented from 21 July 2024 to 11 September 2024.

3. New environmental risks

No new environmental risks have been identified during the reporting period.

As the project advances, Sydney Metro and its contractors will continue to monitor and manage environmental risks through the Sydney Metro and our contractor’s ISO 14001-compliant environmental management systems.

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