

DETERMINATION & ACTIVITY APPROVAL (D2025/26569)

Part 5 of the *Environmental Planning and Assessment Act, 1979*

I, Aison Kniha, as an authorised person on behalf of WaterNSW, who did not prepare the REF, discharge the duty as a determining authority under section 5.1 of the EP&A Act. Having considered the proposed activity and, in accordance with Section 5.5 of the *Environmental Planning and Assessment Act 1979*, having taken into account to the fullest extent possible all matters likely to affect the environment as a result of the proposed activity, **hereby determine and approve** the Activity described in the attached Schedule 1, subject to the conditions specified in the attached Schedule 2.



ALISON KNIHA
Environmental Planning Assessments & Approvals Manager

Date: 27 March 2025

SCHEDULE 1

Determining Authority:	WaterNSW
Project or Activity Name:	Upper Canal Koala Crossings – Ousedale Creek
Proponent:	WaterNSW
Land:	Upper Canal Controlled Area, Appin
Duration of Approval:	5 years (from date of approval)

**SCHEDULE 2
CONDITIONS OF APPROVAL**

Project Manager Responsibilities:

The WaterNSW Project Manager is accountable for ensuring the proposal is carried out as described in this REF and that all safeguards listed within this approval are complied with. The Project Manager must also ensure that all licences, permits and approvals are obtained and maintained as required and that all statutory and regulatory requirements are complied with throughout the project or works.

Any aspect of the Proposal which does not comply with the specified mitigation measures, conditions of approval and any other relevant statutory requirement is in breach of this determination.

REF	CONDITIONS OF APPROVAL
1.	GENERAL
1.1.	A construction environmental management plan (CEMP) shall be prepared addressing all REF mitigation measures, these Schedule 1 Conditions, and other environmental requirements as applicable. This CEMP must be endorsed by Environmental Services prior to works commencing.
1.2.	If works have not commenced within two (2) years of this approval, re-submission to ensure the controls remain in line with current legislation and internal procedures including re-approval by the Environmental Planning Assessment and Approvals (EPA&A) team prior to the commencement of works.
1.3.	In carrying out the activity, the project manager must ensure compliance with this approval and the description of the activity given in the Review of Environmental Factors (REF), <u>any environmental safeguards/ mitigation measures and any other commitments given in the REF</u> and supporting documents. This includes all plans required to be submitted under condition 1 of this Approval.
1.4.	In carrying out the activity, the project manager must ensure all necessary licences, permits and approvals required by legislation are obtained prior to the works commencing. Copies of these licences permits, and approvals shall be kept on site and complied with during works, this includes the <u>s60 Heritage Act 1977</u> General Terms of Approval.
2.	ENVIRONMENTAL CONDITIONS
2.1.	The activity shall be carried out in a competent and responsible manner. This includes the processing, handling, movement and storage of materials and substances used to carry out the project or activity, and the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the project or activity. All plant and equipment installed at the site or used in connection with the project or activity shall be maintained in a proper and efficient condition and operated in a proper and efficient manner. A record shall be kept of all site inspections and documentation shall be retained for auditing purposes.
2.2.	Site induction must include awareness of incident and emergency procedures and the heritage significance of the Upper Canal. This must also include incident and spill response procedures and accountabilities and WaterNSW's Incident Notification Number 1800 061 069 (24 hour service). Should a spill occur during the work, the incident and spill management procedures must be immediately implemented. All incidents must be immediately reported on the WaterNSW's Incident Notification Number.
2.3.	Prior to bringing equipment onto the site, the proponent shall ensure the work area is clearly identified and any threatened species and items with heritage potential are adequately protected. No clearing, including trimming of threatened species, populations or communities, is permitted.