VICTORIAN MURRAY FLOODPLAIN RESTORATION PROJECT

HEALTHY LANDSCAPES, STRONG COMMUNITIES

# Construction Environmental Management Plan

Vinifera Floodplain Restoration Project

Nyah Floodplain Restoration Project

Australian Government

VICTORIA State Government

LOWER MURRAY WATER

Goulburn-Murray WATER

mallee catchment management authority

North Central CMA

Parks VICTORIA

# Document Control

### Document status and revision control

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| A | 09/09/2025 | Draft for VMFRP review | | | |
| B | 10/11/2025 | Draft for VMFRP review | | | |
| C | 19/11/2025 | VMFRP | Gina Groenewald<br>Laura Solly | Gina Groenewald | Draft for stakeholder consultation / IEA review |
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# Abbreviations

| Abbreviation | Definition |
|---|---|
| **Basin Plan** | Murray-Darling Basin Plan |
| **CEO** | Chief Executive Officer |
| **CEMP** | Construction Environmental Management Plan (this document) |
| **CHMP** | Cultural Heritage Management Plan |
| **CFA** | Country Fire Authority |
| **CMA** | Catchment Management Authority |
| **DCCEEW** | Department of Climate Change, Energy, the Environment and Water. |
| **DEECA** | Department of Energy, Environment and Climate Action |
| **DEECA RECAFP** | Department of Energy, Environment and Climate Action - Regions, Environment, Climate Action and First Peoples |
| **DEECA WCG** | Department of Energy, Environment and Climate Action - Water and Catchments Group |
| **EDS** | Environmental Delivery Standard |
| **EMF** | Environmental Management Framework |
| **EMS** | Environmental Management System |
| **EPA** | Environment Protection Authority (Victoria) |
| **EPBC Act** | *Environment Protection and Biodiversity Conservation Act 1999* (Cth) |
| **EVC** | Ecological Vegetation Classes |
| **ER** | Environment Report |
| **FFG Act** | *Flora and Fauna Guarantee Act 1988* (Vic) |
| **FP-SR** | First People- State Relations |
| **GED** | General Environmental Duty |
| **GMW** | Goulburn Murray Water |
| **ha** | Hectares |
| **IEA** | Independent Environmental Auditor |
| **IMS** | Integrated Management System |
| **LMW** | Lower Murray Water |
| **Mallee CMA** | Mallee Catchment Management Authority |
| **MNES** | Matters of National Environmental Significance |
| **PSA** | Planning Scheme Amendment |
| **SCO3** | Specific Control Overlay |
| **SDL** | Sustainable Diversion Limit |
| **SDLAM** | Sustainable Diversion Limit Adjustment Mechanism (Murray-Darling Basin Plan) |
| **SDS** | Safety Data Sheet |
| **SECPs** | Site-Specific Environmental Control Plans |
| **VMFRP** | Victorian Murray Floodplain Restoration Project |

# 1. Plan overview

## 1.1 Purpose of this Plan

This Construction Environmental Management Plan (CEMP) has been prepared by S&R Engineering and Construction and the Victorian Murray Floodplain Restoration Project (VMFRP) to detail how potential environmental impacts will be minimised and managed by S&R Engineering and Construction during the construction phase of both the Vinifera Floodplain Restoration Project (Vinifera Project) and the Nyah Floodplain Restoration Project (Nyah Project). The CEMP has been developed to comply with the VMFRP requirements, all relevant environmental laws, approvals and approval conditions, the applicable Environmental Delivery Standards (EDS) of the Environmental Management Framework (EMF), and industry best practice. It has been prepared in accordance with S&R Engineering and Construction ISO -14001-certified *Environmental Management System* (EMS).

## 1.2 Project and approval context

The Nyah and Vinifera Projects were subject to environmental assessment via an Environment Report (ER). The ER process concluded with the release of the Minister's Assessment in October 2023. The key planning and environmental approvals which have been obtained for the Nyah and Vinifera Projects include:

- Planning approval under the *Planning and Environment Act 1987*, facilitated through Planning Scheme Amendment (PSA) C78swan for both the Nyah and Vinifera Projects
- Approval with conditions under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for the Nyah Project (EPBC: 2020/8648) and Vinifera Project (EPBC: 2020/8647)
- Approved Cultural Heritage Management Plan (CHMP) (No. 16900) for the Nyah Project, and approved CHMP (No. 16901) for the Vinifera Project, under *Aboriginal Heritage Act 2006.*

Environmental obligations for the Nyah and Vinifera Projects include compliance with planning, environment and heritage approvals, their associated approval conditions, including EDS outlined in the EMF, relevant environmental legislation (including the General Environmental Duty (GED) under the *Environment Protection Act 2017*), and applicable policy and guidelines.

Figure 1 provides an overview of the key environmental management documents, including the CEMP and key approvals, for the construction phase.

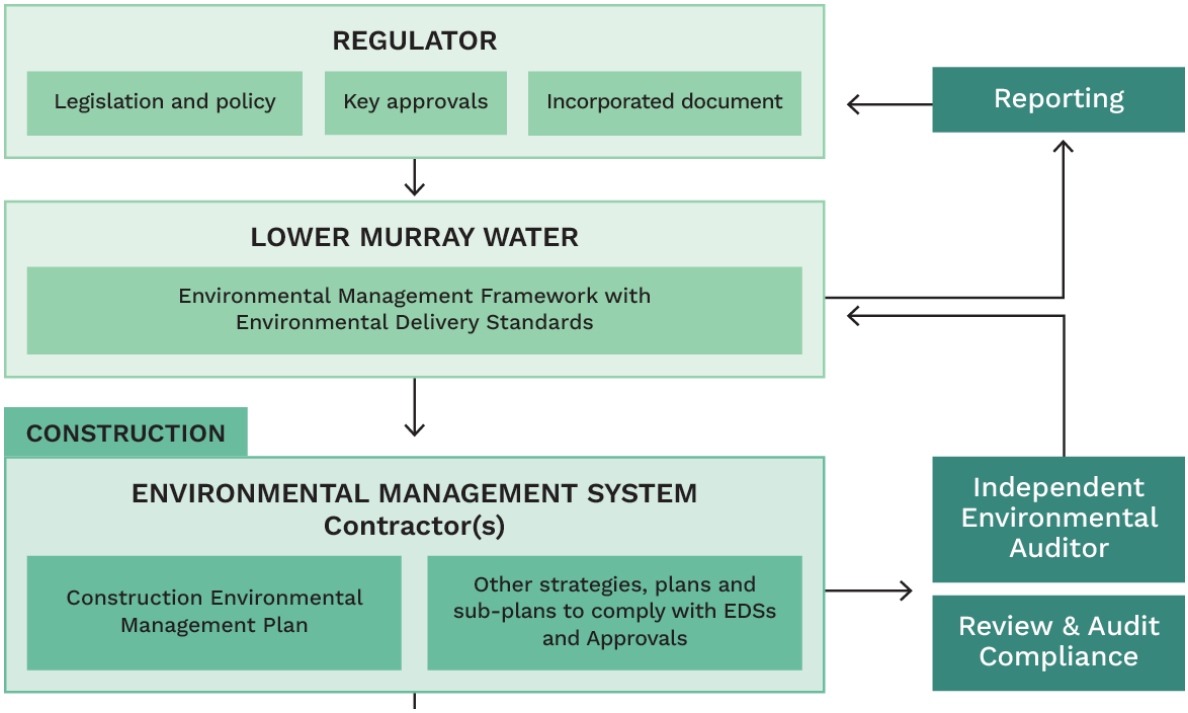


***Figure 1 Environmental management documents (construction)***

## 1.3 Scope of this CEMP

The scope of the CEMP applies to activities under S&R Engineering and Construction control for the Nyah and Vinifera Projects, including surface works, spoil management, relevant environmental monitoring requirements, and associated construction activities carried out by S&R Engineering and Construction personnel. The CEMP outlines the overarching environmental objectives of the Nyah and Vinifera Projects, in alignment with project approval requirements, including the EMF and EDS.

Specifically, this CEMP:

- Sets out roles and responsibilities for ongoing development and implementation of the CEMP, reviewing compliance before construction commences and monitoring its effectiveness during construction
- Details the commitments, mitigation measures, contingency measures and monitoring, which will be implemented during construction
- Details procedures and actions for meeting the requirements of the EMF, all relevant approvals, approval conditions, and the relevant EDSs for works.

## 1.4 Statutory Context

This CEMP has been prepared to comply with the requirements of Clause 4.5.7 for the Nyah and Vinifera Projects of the *Victorian Murray Floodplain Restoration Project Vinifera Floodplain Restoration Project and Nyah Floodplain Restoration Project Incorporated Document* (dated September 2024).

Clause 4.5.7 requires that before development starts (excluding preparatory works), a CEMP must be approved and endorsed by the Secretary to DEECA. This requirement aligns with Section 8.1 of the EMF, which affirms that it is the responsibility of the Secretary to DEECA (or delegate) to approve the CEMP and all major revisions to the approved CEMP.

Further to the CEMP, a range of stand-alone sub-plans are being prepared by S&R Engineering and Construction to meet specific EDSs. These sub-plans will be developed in consultation with the stakeholders identified in Section 1.7 below, and require approval by LMW in accordance with Section 8.2 of the EMF and EDS EMF2.

## 1.5 Objectives

### 1.5.1 Project Objectives

S&R Engineering and Construction in partnership with VMFRP, is committed to upholding the highest standards of environmental management and compliance. Table 1 outlines the VMFRP project objectives, with corresponding targets for S&R Engineering and Construction.

***Table 1 Project objectives and targets***

| VMFRP Objective | Targets |
|---|---|
| Protect and restore floodplain ecosystem biodiversity values, function and habitat components including for key species and communities by:<br>• Better aligning the frequency, duration and timing of managed inundation events with the ecological needs of the floodplain<br>• Improving resilience to threats such as climate change | • Construct infrastructure to support managed inundation events that meet ecological timing, frequency, and duration requirements<br>• Maintain construction timelines to avoid delays to planned environmental watering events. |
| Avoid, minimise or otherwise appropriately manage potential environmental, cultural, and socio-economic impacts during the construction phase of the Nyah and Vinifera Projects. | • Ensure environmental mitigation and management measures outlined in the CEMP and sub-plans are implemented<br>• Conduct weekly site inspections (at minimum) to monitor environmental performance<br>• Avoid or otherwise minimise environmental impacts so far as reasonably practicable through proactive risk management<br>• Report and resolve any environmental / incidents within required timeframes<br>• Identify and resolve non-conformances and corrective actions within agreed timeframes |

### 1.5.2 CEMP objectives

The key objectives and targets for this CEMP are outlined below in Table 2.

***Table 2 CEMP objectives and targets***

| CEMP Objective | Targets | Responsibility | Key indicator (s) | Timeframe (s) |
|---|---|---|---|---|
| Construction of the Nyah and Vinifera Projects in accordance with relevant legislation, approvals, and approval conditions | Demonstrate ongoing compliance with statutory approvals through scheduled internal and external audits, and timely resolution of identified issues | S&R Environment Manager | Number of non-conformances / non-compliances raised during internal and external audits. | • Pre-construction audit<br>• Audit(s) during construction<br>• Post-construction audit |
| | Prevent non-conformances during six-monthly environmental audits | S&R Environment Manager | Number of non-conformances | • Pre-construction audit<br>• Audit(s) during construction<br>• Post-construction audit |
| | Where non-conformances are identified, ensure corrective actions are implemented within agreed timeframes. | S&R Environment Manager | Number of non-conformances.<br>Percentage of corrective actions implemented within agreed timeframes. | • Pre-construction<br>• Construction<br>• Post-construction |
| Construction of the Nyah and Vinifera Projects in accordance with approved CEMP, sub-plans, and other management plans | Ensure environmental mitigation and management measures outlined in the CEMP and sub-plans are implemented and verified through weekly site inspections (at minimum) | S&R Environment Manager | Completion of weekly environmental inspections each week | • Construction |
| | Maintain adherence to documented environmental procedures, with regular trainings to ensure compliance | S&R Environment Manager | Training delivered as per Training Plan | • Pre-construction<br>• Construction |
| | Minimise environmental incidents through proactive risk management. Report, investigate, and address any incidents within required timeframes. | S&R Environment Manager | Number of incidents reported, investigated, and corrective actions implemented within required timeframes (refer to Section 8). | • Construction<br>• Post-construction |

| | | | | |
|---|---|---|---|---|
| | Ensure compliance with regulatory requirements, with any potential breaches promptly identified and addressed to prevent formal | S&R Environment Manager | Non-compliances raised relating to breaches of approval conditions, legislation, regulatory requirements, prosecutions, or fines. | • Pre-construction<br>• Construction<br>• Post-construction |
| Implementation of an Environmental Management System (EMS) that meets the requirements of AS/NZS ISO 14001 | Identify and resolve non-conformances and implement corrective actions within agreed timeframes. | S&R Environment Manager | Number of non-conformances<br><br>Percentage of corrective actions implemented within agreed timeframes. | • Pre-construction<br>• Construction<br>• Post-construction |
| Continuously improve environmental performance | Deliver regular environmental trainings including site inductions and toolbox talks to all relevant personnel | S&R Environment Manager | Training delivered as per Training Plan | • Pre-construction<br>• Construction |
| | Capture lessons learnt from environmental incidents as required to minimise likelihood of recurrence | S&R Environment Management | Lessons learnt being undertaken as required (refer to Table *24*) | • Construction<br>• Post-construction |
| | Recognise and promote innovative environmental practices across the workforce | S&R Environment Management<br><br>S&R Senior Project Manager<br><br>All Project personnel | Number of innovative environmental practises promoted | • Pre-construction<br>• Construction<br>• Post-construction |

## 1.6 Key environmental documentation

The CEMP provides details of environmental management during construction.

The following sub-plans and other management plans will be prepared and implemented by S&R Engineering and Construction:

- Native Flora and Fauna Management Sub-plan
- Water, Soils and Waste Management Sub-plan, including:
  - Erosion and Sediment Control Plan
  - Acid Sulfate Soil Management Plan
- Environmental Emissions Management Sub-plan
- Bushfire and Emergency Response Plan
- Traffic Management Plan
- Community and Stakeholder Management Plan.

The sub-plans (Native Flora and Fauna Management; Water, Soils and Waste Management; Environmental Emission Management) will include the following key sections:

- Scope
- Objectives
- Legislation and policy
- Obligations (refer to Table 14 for obligations to be addressed within each sub-plan)
- Key Risks
- Implementation
- Environmental assurance
- Environmental event management
- Management Plan review.

The sub-plans will include the required obligations as detailed in Table 14 below. Figure 2 illustrates how the CEMP integrates with the sub-plans and other management plans.

Table 3 lists the key environmental control documentation and management tools, and Table 4 outlines the environmental aspects covered in the supporting sub-plans and associated management plans.

***Table 3 Key environmental management documentation***

| Required project documentation | Responsibility | Tool to be used by the project to manage documentation |
|---|---|---|
| *Nyah and Vinifera Projects - Risk Register* | S&R Environment Manager | Live register (described further in Section 3) maintained on a centralised digitised platform |
| *Nyah and Vinifera Projects Obligations Register (Construction Phase)* | S&R Environment Manager | Live register (described further in Section 4.3) maintained on a centralised digitised platform |
| *Nyah and Vinifera Projects - Corrective and Preventative Actions Register* | S&R Environment Manager | Live register (described further in Section 8.2) maintained on a centralised digitised platform |
| CEMP | VMFRP & S&R Environment Manager to develop the CEMP<br>S&R Environment Manager to implement the CEMP | Centralised digital platform to manage, store, and track environmental documentation, including the CEMP |

| Required project documentation | Responsibility | Tool to be used by the project to manage documentation |
|---|---|---|
| Sub-plans | S&R Environment Manager | Centralised digital platform to manage, store, and track environmental documentation, including the sub-plans |
| Site Environmental Control Plans | S&R Environment Manager | Centralised digital platform to manage, store, and track |
| Traffic Management Plan | S&R Senior Project Manager (or delegate) | Centralised digital platform to manage, store, and track environmental documentation, including the Traffic Management Plan |
| Community and Stakeholder Engagement Management Plan (CSEP) | VMFRP to develop the CSEP<br>VMFRP & S&R Environment Manager to implement the CSEP | Centralised digital platform to manage, store, and track environmental documentation, including the Community and Stakeholder Engagement Management Plan |
| Bushfire Emergency Response Plan | S&R Senior Project Manager (or delegate) | Centralised digital platform to manage, store, and track environmental documentation, including the Bushfire Emergency Response Plan |

***Table 4 Sub-plans and other management plans, associated environmental aspects***

| Sub-plans and other management plans | Aspects |
|---|---|
| Native Flora and Fauna Management sub-plan | • Terrestrial ecology<br>• Aquatic ecology<br>• Matters of National Environmental Significance |
| Water, Soils and Waste Management sub-plan | • Groundwater<br>• Surface water<br>• Geology, soils and contamination<br>• Waste |
| Environmental Emissions Management sub-plan | • Noise and vibration<br>• Air Quality |
| Community and Stakeholder Engagement Management Plan | • Social and Business<br>• Complaints management |
| Traffic Management Plan | • Traffic and transport |
| Bushfire and Emergency Response Management Plan | • Bushfire<br>• Emergency response/ site evacuation |

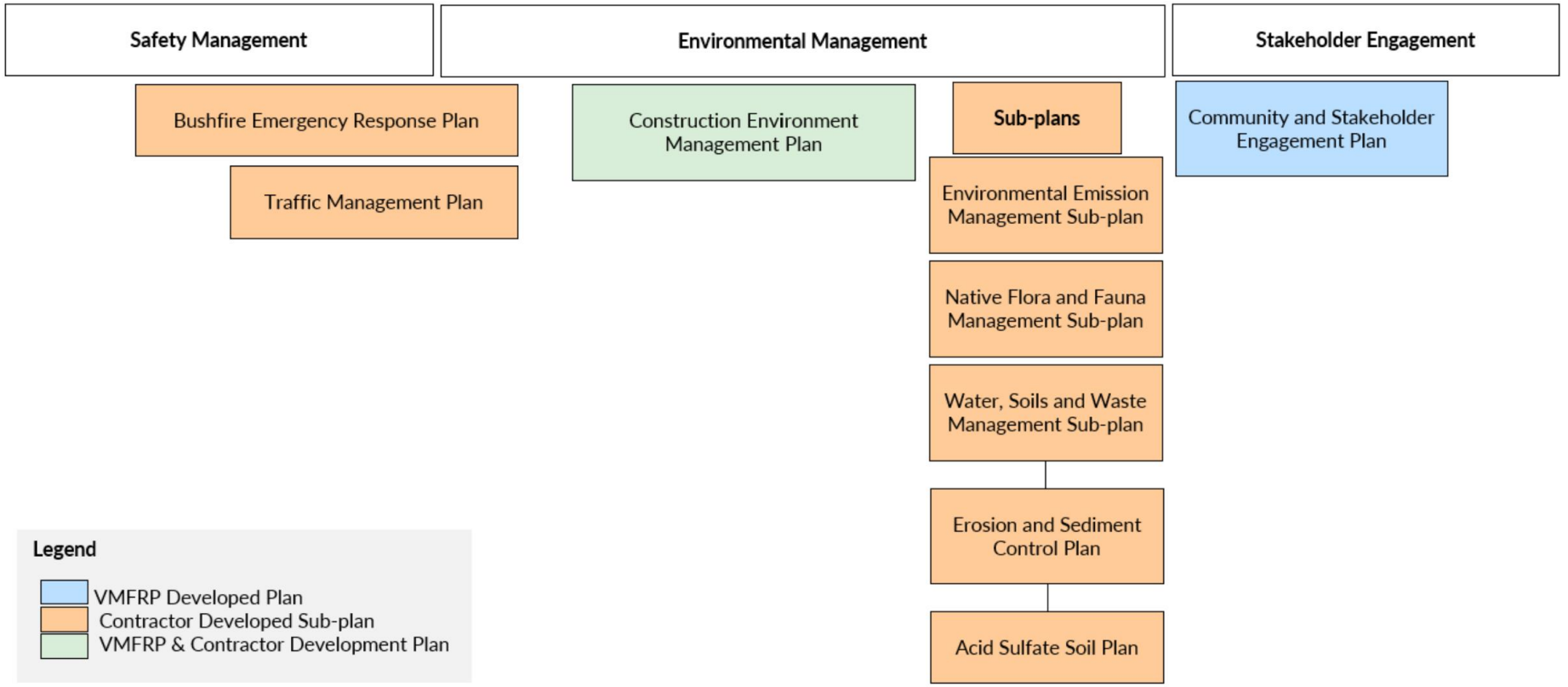


***Figure 2 Hierarchy of plans and sub-plans to manage environmental risks and compliance for the Nyah and Vinifera Projects***

## 1.7 Consultation

Consultation will be undertaken with the following agencies to inform both the preparation of the CEMP and any major amendments to it:

- Parks Victoria
- DEECA Regions, Environment, Climate Action and First Peoples (RECAFP)
- Environment Protection Authority (EPA) Victoria
- Swan Hill Rural City Council
- Lower Murray Water (LMW)
- Goulburn-Murray Water (GMW)
- Roads Corporation
- Country Fire Authority (CFA)
- Department of Transport.

Consultation on sub-plans and other plans, is required to occur as specified by the EDS according to Section 8.2 of the approved EMF. Table 5 summarises the consultation proposed for each plan, which is consistent with or exceeds these requirements.

***Table 5. Consultation on sub-plans and associated management plans***

| Plan | Consultation |
|---|---|
| Native Flora and Fauna Management Sub-plan | • DEECA<br>• Parks Victoria |
| Water, Soils and Waste Management Sub-plan<br>Acid Sulfate Soils Management Plan<br>Erosion and Sediment Control Plan | • DEECA<br>• EPA<br>• Parks Victoria |
| Environmental Emissions Management Sub-plan | • DEECA<br>• EPA<br>• Parks Victoria |
| Community and Stakeholder Engagement Plan | • Swan Hill Rural City Council<br>• Parks Victoria |
| Traffic Management Plan | • Swan Hill Rural City Council<br>• Parks Victoria<br>• DTP |
| Bushfire and Emergency Response Management Plan | • Relevant emergency management and fire authorities<br>• Parks Victoria<br>• DEECA |

Consultation will be in the form of providing draft documents to stakeholders for review. Stakeholders will have up to 10 business days to provide initial comments, and comments will be responded to in a register and used to inform the development of the plan where appropriate. Extensions to the review timing may be mutually agreed upon by VMFRP and relevant stakeholder, where required.

The CEMP will be approved by the Secretary of DEECA (or delegate) and Lower Murray Water (LMW) before construction commences (excluding preparatory works).

The CEMP, sub-plans and other management plans will be reviewed and verified by the Independent Environmental Auditor (IEA).

# 2. Project overview

The Nyah and Vinifera Projects are two of the sites which make up the VMFRP. VMFRP is an environmental watering project undertaken by the Victorian Government in partnership with the Australian Government under the Murray-Darling Basin Plan (Basin Plan).

The Basin Plan was adopted in 2012 by the Commonwealth, state and territory governments of the Murray Darling Basin. Implementation of the Basin Plan was originally scheduled over twelve years to 2024. The aim of the plan is to bring the basin back to a healthier and sustainable level, while continuing to support farming and other industries for the benefit of the Australian community.

The Basin Plan ensures that a proportion of water in the system is preserved for the environment. Sustainable diversion limits (SDLs) specify how much water, on average, can be consumed from the basin to leave enough to keep rivers and the environment healthy. The Basin Plan allows the SDL to be reduced (SDL Adjustment Mechanism) using measures that improve environmental outcomes using less water.

VMFRP is an SDLAM project to manage environmental water at eight floodplain ecosystems of high conservation significance in northern Victoria. The projects all aim to protect and restore floodplain ecosystem biodiversity values, function, and habitat components, including for key species and communities by:

- Better aligning the frequency, duration, and timing of managed watering events with the ecological needs of the floodplain
- Improving resilience to threats such as climate change.

## 2.1 Project locations

The Vinifera and Nyah Projects are both located on the western side of the Murray River, in north-west Victoria, in Nyah-Vinifera Park which is managed by Parks Victoria. An overview of the Nyan and Vinifera Projects are shown in Figure 3 and Figure 4 below.

The Vinifera Project will facilitate the inundation of approximately 335 hectares (ha) of significant floodplain at the northern and southern end of Vinifera Creek. The Vinifera Project is almost entirely within the Rural City of Swan Hill and the Mallee Catchment Management Authority (Mallee CMA) region, except for the drop structure. The drop structure will extend into the banks and bed of the river on the New South Wales border, and so is in the Murray River Council local government area.

The Nyah Project will facilitate inundation of approximately 475 ha of high ecological value Murray River floodplain. The Nyah Project is almost entirely in the Rural City of Swan Hill and the Mallee CMA region, except for the drop structure. The drop structure will extend into the banks and bed of the Murray River within New South Wales, in the Murray River Council local government area.

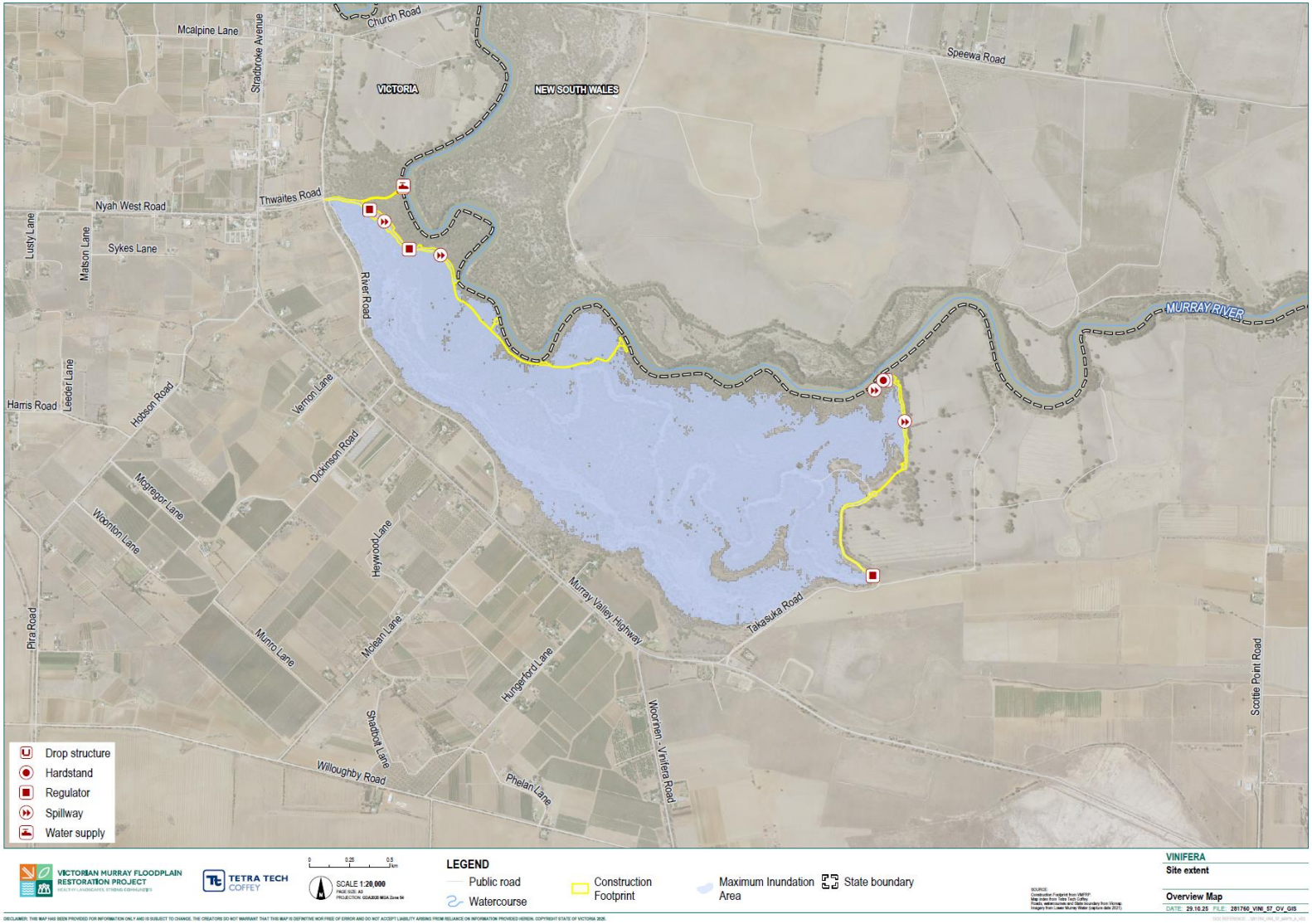


***Figure 3 Vinifera Project***

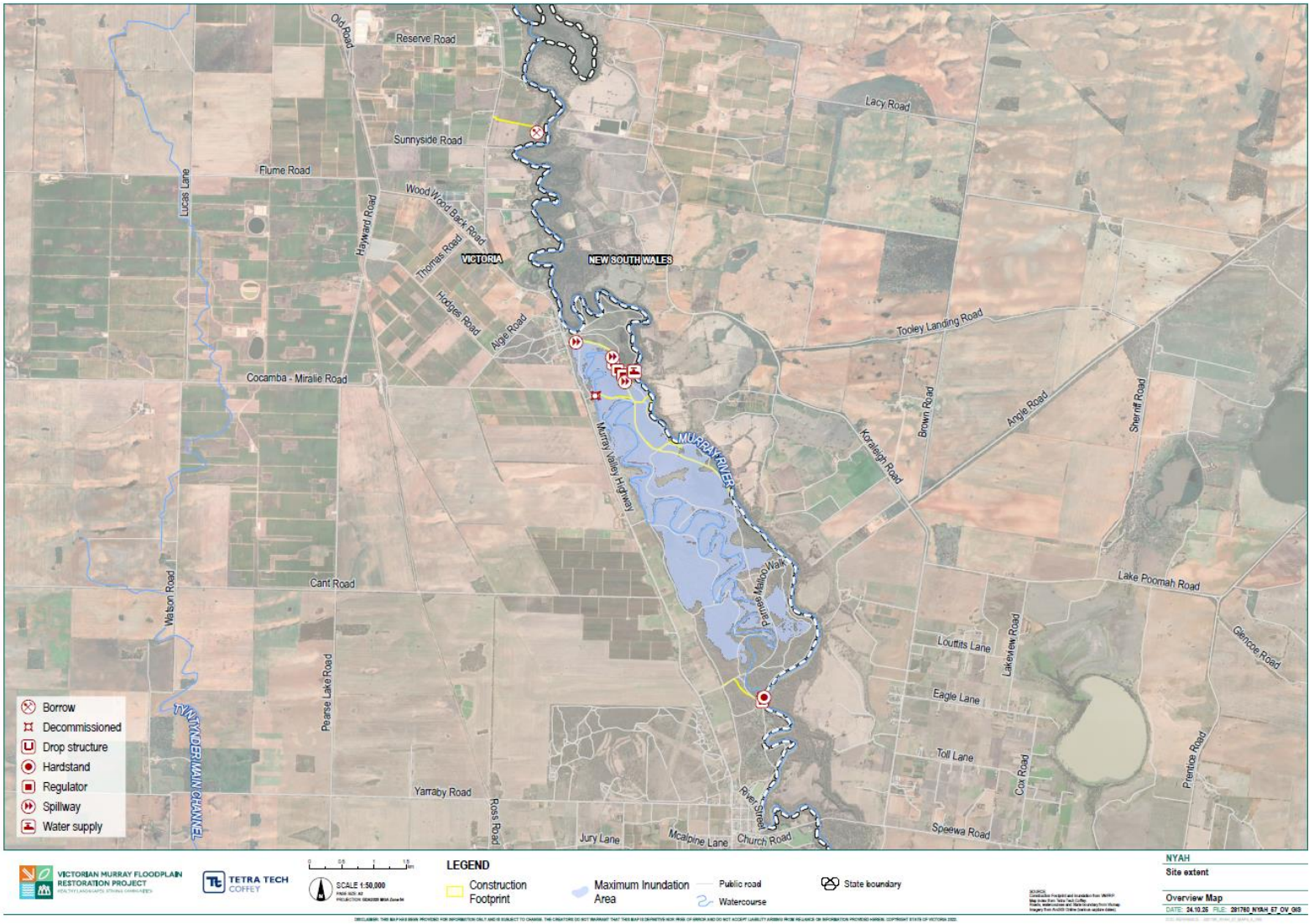


***Figure 4 Nyah Project***

## 2.2 Project boundaries

Table 6 describes the project boundaries relevant to the construction phase of the Nyah and Vinifera Projects. These boundaries will be illustrated on the Site Environmental Control Plans (SECPs), which are detailed further in Section 5.7.

***Table 6 Project boundaries relevant to the construction phase of the Nyah and Vinifera Projects***

| Area | Description |
|---|---|
| **Specific Control Overlay (SCO3)** | PSA C78swan allows for the use and development of the Nyah and Vinifera Projects, subject to specific controls set out in the *Victorian Murray Floodplain Restoration Project - Vinifera Floodplain Restoration Project and Nyah Floodplain Restoration Project Incorporated Document* (the Incorporated Document), which apply to all land within Schedule 3 to the Specific Controls Overlay (SCO3). SCO3 defines the spatial extent of the planning approval for the Nyah and Vinifera Projects, referred to as Project Land. The Project Land includes the Maximum Inundation Area and construction footprint. |
| **Construction footprint** | The construction footprint is the boundary approved for physical works and construction movements. The construction footprint includes all infrastructure and associated construction activities, including laydown areas, site compounds, workforce facilities, site access and borrow sites. |
| **CHMP Activity Area** | The activity (including ancillary activities) is required to be contained within the Activity Area of the approved CHMP (No. 16900) for the Nyah Project, and approved CHMP (No. 16901) for the Vinifera Project. |
| **Area of Investigation** | The Area of Investigation (AOI) defines the area within which physical site information (existing conditions) has been collected to:<br>• Determine the potential direct adverse effects of construction activity for applicable specialist assessments<br>• Ensure that sufficient data is collected to enable refinements to project footprints to be made to further avoid or reduce adverse effects. |

## 2.3 Project works

The structures to be constructed as part of the Vinifera and Nyah Projects are described respectively in Table 7 and Table 8.

***Table 7 Vinifera Project infrastructure***

| Infrastructure type | Description |
|---|---|
| **Large regulator** | V1 Box culvert regulator |
| **Small regulator** | V2 Box culvert regulator |
| | V4 Regulator |
| **Pipe culvert** | V3 Pipe culvert regulator |
| **Containment banks and spillway** | |
| **Drop structure** | |

| Infrastructure type | Description |
|---|---|
| **Hardstand** | |
| **Access tracks** | |

***Table 8 Nyah Project infrastructure***

| Infrastructure type | Description |
|---|---|
| **Large regulator** | N2 Regulator |
| **Small regulator** | N1a Regulator and N1b Regulator |
| | N5 Regulator |
| | N7 Regulator |
| **Containment banks and spillways** | |
| **Drop structure** | |
| **Hardstand** | |
| **Access tracks** | |

## 2.4 Construction phases

Construction of the Vinifera and Nyah Projects will be delivered in the following general stages below, which may occur concurrently:

- Preparatory works
- Earthworks
- Civil and structure works
- Reinstatement and rehabilitation
- Dry commissioning.

### 2.4.1 Preparatory works

Preparatory works include:

- Works, including vegetation removal, where a planning permit would not be required under the provisions of the planning schemes.
- Investigation, testing and preparatory works to determine the suitability of land, and property condition surveys except where a planning permit for vegetation removal would ordinarily be required under the provisions of the planning schemes.
- Salvage and relocation of Aboriginal cultural heritage and other management actions required to be undertaken in compliance with the relevant cultural heritage management plan approved under the *Aboriginal Heritage Act 2006* or other compliance with that Act.

### 2.4.2 Earthworks

The following activities will be undertaken during earthworks:

- Establishment of construction compounds as a base for construction activities.
- Broader vegetation removal
- Excavation of borrow sites and the stockpiling or conditioning of material, which will be used to construct earthen structures.

### 2.4.3 Civil and structure works

Civil and structure works include construction of infrastructure including regulators, containment banks and spillways, hardstands and drop structures.

### 2.4.4 Reinstatement and rehabilitation

During reinstatement and rehabilitation, the following activities will be undertaken:

- Rehabilitation of all areas (excluding borrow sites) in accordance with the Native Flora and Fauna Management Plan.
- Rehabilitation of borrow sites in accordance with the Property Management Plan agreed with the relevant landowner.

### 2.4.5 Dry commissioning

Dry commissioning includes a program of activities to test and run-in the infrastructure to prepare for operation.

# 3. Environmental risk management

## 3.1 Environmental risk assessment

Environmental risk assessment is a key requirement for the construction phase of the Nyah and Vinifera Projects.

AS/NZS ISO 31000:2018 *Risk management – Guidelines* defines risk as the effect of uncertainty on objectives.

A preliminary screening analysis of environmental risk was undertaken during the ER to identify the potential for VMFRP to impact assets, values, uses and prioritise issues for further investigation. This screening analysis considered the findings of preliminary investigations, discussions with key stakeholders, early engagement with the community and relevant legislation, policy and guidelines.

The objective of this risk assessment was to identify the potential environmental risks associated with the project activities, to inform the assessment of effects and to develop measures to reduce these risks so far as reasonably practicable.

The environmental risk assessment undertaken for the Vinifera and Nyah ER identified key risks, that following the application of EDSs had a residual risk rating of medium or above during the construction phase. This included:

- Vinifera: four high and seven medium residual risks (no extreme residual risks)
- Nyah: four high and eight medium residual risks (no extreme residual risks).

Table 9 and Table 10 summarise the aspects with high residual risks from the ER for Vinifera and Nyah projects respectively.

***Table 9 Summary of impact pathways with residual high residual risks for the Vinifera project from the ER***

| Impact pathway | Initial risk rating | EDS | Residual Risk Rating |
|---|---|---|---|
| **Arboriculture** – Potential impact on Large Trees as a result of construction such as from vegetation removal | High | E1, E2a, E2b, E2e, E4a, EMF1, EMF2, CM1, CM2, GS2, GW1, SW1 | High |
| **Native species** - Potential impact on native species, or their habitat such as from vegetation removal and land clearing | High | E1, E2a, E2b, E2e, E4a, EMF1, EMF2, AQ1, CM1, CM2, GS2, GW1, NV1, RU1, SW1 | High |
| **Native vegetation** – Potential removal, destruction or lopping of native vegetation (including patches of native vegetation and scattered trees) | High | E1, E2a, E2b, E2e, E4a, EMF1, EMF2, CM2, GW1, SW1 | High |
| **Weeds, pest species and pathogens** -Potential introduction or spread of weeds, pest species or pathogens from construction activities | High | E2a, E2d, E2e, EMF1, EMF2, LV3, RU1 | High |

***Table 10 Summary of impact pathways with residual high residual risks for the Nyah project from the ER***

| Impact pathway | Initial risk rating | EDS | Residual Risk Rating |
|---|---|---|---|
| **Arboriculture** – Potential impact on Large Trees as a result of construction such as from vegetation removal | High | E1, E2a, E2b, E2e, E4b, EMF1, EMF2, CM1, CM2, GS2, GW1, SW1 | High |
| **Native species** - Potential impact on native species, or their habitat such as from vegetation removal and land clearing | High | E1, E2a, E2b, E2e, E4b, EMF1, EMF2, AQ1, CM1, CM2, GS2, GW1, NV1, RU1, SW1 | High |
| **Native vegetation** – Potential removal, destruction or lopping of native vegetation (including patches of native vegetation and scattered trees) | Extreme | E1, E2a, E2b, E2e, E4b, EMF1, EMF2, CM2, GW1, SW1 | High |
| **Weeds, pest species and pathogens** -Potential introduction or spread of weeds, pest species or pathogens from construction activities | High | E2a, E2d, E2e, EMF1, EMF2, LV3, RU1 | High |

## 3.2 Risk management during construction

A detailed assessment of risks and impacts associated with the design and specific construction work methods, building on the environmental risk and impact assessment undertaken as part of the ER, will be prepared by S&R Engineering and Construction.

Risk management during construction will be undertaken in accordance with the S&R Engineering and Construction *Procedure PR15 – Risk Management*, which outlines the systematic process for identifying, assessing, and controlling risks that may impact health, safety, environment, quality, or project delivery.

During construction, environmental risks are to be managed as part of a risk register for the construction phase (*Nyah and Vinifera Projects - Risk Register*). The risk register will be a live document managed by S&R's Environment Manager, maintained separately from the CEMP, so it can be updated as required through regular reviews and in response to changes in activities, work methods, legislation, policy, or the occurrence of incidents and complaints.

## 3.3 Key risks

The key environmental risks requiring management during the construction phase of the Nyah and Vinifera Projects include those presented in Table 11 .

***Table 11 Key environmental risks requiring management during construction***

| Discipline | Key risks requiring management during construction | Key EDS | Key documentation |
|---|---|---|---|
| **Aboriginal Cultural Heritage** | • Disturbance of known or previously unrecorded Aboriginal Ancestral remains<br>• Disturbance of known or previously unrecorded Aboriginal cultural heritage potentially impacting on heritage values | ACH1 | This CEMP<br><br>CHMP |

| Discipline | Key risks requiring management during construction | Key EDS | Key documentation |
|---|---|---|---|
| | • Loss of past, present and future cultural connection to Country<br>*Refer to the Approved CHMPs for the* Vinifera and Nyah Projects *for information of conditions and contingency measures.* | | |
| **Terrestrial Ecology** | • Potential impacts on Large trees as a result of construction such as from vegetation removal<br>• Potential impact on native species, or their habitat such as from vegetation removal and land clearing<br>• Potential removal, destruction or lopping of native vegetation (including patches of native vegetation and scattered trees)<br>• Potential impacts on Commonwealth and/or Victorian listed threatened ecological communities, or their habitat, as a result of construction activities including vegetation removal, earthworks and civil and structural works | E1, E2a – E2h | Native Flora and Fauna Management Sub-plan |
| **Aquatic Ecology** | • Potential impact on aquatic species, or their habitat | E2a, E2c, E2f, SW1, GS2, GW1 | Native Flora and Fauna Management Sub-plan<br><br>Water, Soils and Waste Management Sub-plan |
| **Groundwater** | • Potential changes to groundwater levels or flows from construction impacting on environmental values including groundwater-dependent ecosystems<br>• Potential impacts on groundwater quality from construction impacting on environmental values including groundwater-dependent ecosystems | GW1 | Water, Soils and Waste Management Sub-plan |
| **Surface water** | • Potential changes to fluvial processes leading to adverse impacts on environmental values including waterway health and listed Wetlands (where applicable)<br>• Potential changes to water quality leading to adverse impacts on environmental values including waterway health and listed Wetlands (where applicable) | SW1, SW5 | Water, Soils and Waste Management Sub-plan |
| **Bushfire** | • Fire initiated onsite spreads offsite resulting in impacts to human life, property, businesses, community assets, environmental and/or heritage values<br>• Fire initiated offsite spreads onsite, resulting in impacts to human life, assets environmental and/or heritage values | | Bushfire Emergency Response Plan |
| **Air Quality** | • Generation of air emissions from construction transport effecting sensitive receptors, including ecological values<br>• Generation of air emissions from on-site construction affecting sensitive receptors, including ecological values | AQ1, AQ2 | Environmental Emission Management Sub-plan |
| **Noise and Vibration** | • Noise and/or vibration from construction transport (e.g., deliveries) exceeding thresholds/limits, potentially affecting sensitive receivers, including ecological values.<br>• Noise and/or vibration from on-site construction exceeding thresholds/limits, potentially affecting sensitive receivers, including ecological values.<br>• Noise and/or vibration from construction outside standard hours exceeding thresholds/limits, potentially affecting sensitive receivers, including ecological values | NV1 | Environmental Emission Management Sub-plan |
| **Social and business** | • Potential impacts on businesses such as from displacement, acquisition, or to business operation or access<br>• Potential impacts on public open space or recreational facilities due to displacement or changes to access or amenity | SB1, SB2 | Community and Stakeholder Engagement Management Plan |

| Discipline | Key risks requiring management during construction | Key EDS | Key documentation |
|---|---|---|---|
| **Traffic and transport** | • Construction activities impede the safe and efficient movement of traffic on local roads, active transport, restrict access to private land, or create safety risks by their presence and operation | TT1, TT2 | Traffic Management Plan |
| **Geology, soils and contamination** | • Potential adverse effect of construction activities on landform stability or soils<br>• Excavation, stockpiling, transport, use and/or disposal of contaminated material, ASS or contaminating substances leading to potential adverse effects on human health and the environment | CM1a, CM1b, CM1c, CM2, GW1, GS1, GS2, SW1 | Water, Soils and Waste Management Sub-plan<br><br>Acid Sulphate Management Plan<br><br>Erosion and Sediment Control Plan |
| **Historic heritage** | • Disturbance of, destruction of, removal of or indirect impact (such as visual impact) on unidentified built and archaeological historical sites and values | HH1 | This CEMP |
| **Landscape and visual** | • Potential adverse effects from construction on landscape character<br>• Potential adverse effects from construction on views experienced from sensitive receptors including residential areas, recreational and open spaces, and community facilities | LV1, LV2, LV3 | This CEMP |

# 4. Legislative and policy obligations

## 4.1 Environmental policy

The construction of the Nyah and Vinifera Projects will be managed in accordance with the S&R Engineering and Construction *Environmental Policy*, which is provided in Appendix B: .

Commitment to the Environmental Policy will be demonstrated by:

- Communication of the policy intent to staff through inductions, notice board displays and project meetings
- Provision of adequate resources and assigning responsibilities to implement and maintain the CEMP
- Achievement of the project targets/objectives and regular reviews to manage their suitability and effectiveness
- Provision of the Environmental Policy on public request.

## 4.2 Legislation and approvals

S&R Engineering and Construction will meet, as a minimum, the requirements of all relevant environmental laws, approvals and approval conditions and the relevant EDS for which the Contractor is responsible during the construction phase of the Nyah and Vinifera Projects. The applicable federal and state legislative requirements grouped by environmental aspect are described below in Table 12. A detailed list of Obligations is outlined below in Section 4.4.

***Table 12 Vinifera and Nyah Project legislative requirements***

| Aspect | Legislation |
|---|---|
| Planning & Environment | *Environment Effects Act 1978 (Vic)* |
| | *Planning and Environment Act 1987 (Vic)* |
| | *Local Government Act 1989 (Vic)* |
| | *Environmental Planning and Assessment Act 1979 (NSW)* |
| | *Environment Protection Act 2017 (Vic)* |
| National Parks, Reserves, Forests and Crown Land Management | *National Parks Act 1975 (Vic)* |
| | *National Parks and Wildlife Act 1967 (NSW)* |
| | *Conservation, Forests and Lands Act 1987 (Vic)* |
| | *Forest Act 1958* |
| | *Crown Land (Reserves) Act 1978 (Vic)* |
| | *Crown Land Management Act 2016 (NSW)* |
| Matters of National Environmental Significance (MNES) | *Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act)* |
| Ecology (terrestrial and aquatic) | *Flora and Fauna Guarantee Act 1988 (Vic) (FFG Act)* |
| | *Wildlife Act 1975 (Vic)* |

| Aspect | Legislation |
|---|---|
| | *Fisheries Act 1995 (Vic)* |
| | *Fisheries Management Act 1994 (NSW)* |
| | *Biodiversity Conservation Act 2016 (NSW)* |
| | *Fisheries Management Act 1994 (NSW)* |
| Marine Safety | *Marine Safety Act 1998 (NSW)* |
| | *Marine Safety Act 2010 (Vic)* |
| | *Marine Safety Regulations 2012 Vic)* |
| | *Marine Safety (Fees) Regulations 2021 (Vic)* |
| Aboriginal Cultural Heritage | *Native Title Act 1993 (Cth)* |
| | *Aboriginal Heritage Act 2006 (Vic)* |
| | *Traditional Owner Settlement Act 2010 (Vic)* |
| Water (surface and groundwater) | *Water Act 2007 (Cth)* |
| | *Water Act 1989 (Vic)* |
| | *Water Management Act 2000 (NSW)* |
| Traffic | *Road Management Act 2004 (Vic)* |
| | *Local Government Act 1989 (Vic)* |
| Material extraction (borrow sites) | *Mineral Resources (Sustainable Development) Act 1990 (Vic)* |
| Historic heritage | *Heritage Act 2017 (Vic)* |

## 4.3 General Environmental Duty

S&R Engineering and Construction are committed to fulfilling its General Environmental Duty (GED) under the *Environment Protection Act 2017*. This requires that all entities and individuals involved in construction activities minimise the risk of harm to human health or the environment from pollution or waste so far as reasonably practicable. The CEMP has been developed to help ensure compliance with this GED, as it sets out the risk assessment process, compliance with project approvals, monitoring and training requirements. Duties relating to pollution incidents (ss. 31 and 32), contaminated land (ss. 39 and 40), and waste (ss. 133–143) complement the GED and are the responsibility of S&R Engineering and Construction during the construction phase, as outlined in Table 13.

***Table 13. Environment Protection Act 2017 duties and obligations during construction***

| EP Act Duties | Action |
|---|---|
| GED (s25) | Adopt a risk-based approach and apply the hierarchy of controls (eliminate and reduce). |

| EP Act Duties | Action |
|---|---|
| Duty to take action to respond to harm caused by pollution incident (s31) | Take reasonably practicable measures to restore the environment if a pollution incident occurs because of a spill, leak or other unintended deposit or escape of a substance. |
| Duty to notify Authority of notifiable incidents (s32) | Contact the EPA Victoria as soon as practicable if a pollution incident happens that causes or threatens material harm to human health or the environment. |
| Duty to manage contaminated land (s39) | Manage or control contaminated land (vacant or occupied), including groundwater. |
| Duty to notify of contaminated land (s40) | Contact the EPA Victoria as soon as practicable if the land is contaminated in any of the circumstances set out in the regulations. |
| Duties relating to industrial waste (s133-137) | Dispose of industrial waste at a 'lawful place'. |
| Duties and controls relating to priority waste (s138-141) | Take all reasonable steps to ensure priority waste is contained and is isolated to ensure resource recovery remains practicable. Develop appropriate measures to manage priority waste. |
| Duties and controls relating to reportable priority waste (s142-143) | Record and notify transaction details relating to reportable priority waste in accordance with the proposed regulations via the EPA Victoria Interaction Portal. |

## 4.4 Obligations

S&R Engineering and Construction will maintain a live *Nyah and Vinifera Projects - Obligations Register (Construction Phase)*, which will capture all relevant approvals and associated conditions to be complied with by the Contractor during the construction phase. This register will include, but is not limited to, the relevant requirements from the following:

- EPBC Approvals with conditions for the Nyah (EPBC: 2020/8648) and Vinifera (EPBC: 2020/8647) Projects
- EDS from the approved EMF
- PSA C78swan, Incorporated Document
- Approved CHMP (16900) for the Nyah Project
- Approved CHMP (16901) for the Vinifera Project
- Any conditions of contract relating to environmental management
- Any other commitments or conditions from regulatory permits or local council relating to environmental management.

Table 14 summarises the key compliance documentation for each of the approvals and associated conditions or requirements.

***Table 14 Nyah and Vinifera Projects – Relevant Obligations for this CEMP***

| Reference No. | Description | Key compliance documentation |
|---|---|---|
| **Environmental Delivery Standard** | | |
| ACH1 | Cultural Heritage Management Plan | This CEMP (including Section 7.1, 7.2, 7.3)<br>CHMP<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| ACH2 | Connection to Country | *Responsibility of Mallee CMA and Parks Victoria*<br>CHMP<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| ACH4 | Aboriginal Cultural Heritage Inundation Assessment | *Responsibility of LMW*<br>Aboriginal Cultural Heritage Inundation Assessment<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| AQ1 | Construction air quality management: dust | Environmental Emissions Management Sub-plan |
| AQ2 | Dust nuisance and complaints | Environmental Emissions Management Sub-plan<br>Community and Stakeholder Management Plan |
| CM1a | Contaminated land duties | Water, Soils and Waste Management Sub-plan (includes Unexpected Finds Protocol) |
| CM1b | Water, Soils and Waste Management Sub-plan | Water, Soils and Waste Management Sub-plan |
| CM1c | Soil characterisation | Water, Soils and Waste Management Sub-plan |
| CM2 | Acid sulfate soils | Water, Soils and Waste Management Sub-plan |
| E1 | Native vegetation and habitat design minimisation | Native Flora and Fauna Management Sub-plan |
| E2a | Construction biodiversity administrative processes | Native Flora and Fauna Management Sub-plan |
| E2b | Construction vegetation management | Native Flora and Fauna Management Sub-plan |
| E2c | Construction Fauna Management | Native Flora and Fauna Management Sub-plan |
| E2d | Construction weed and pest management | Native Flora and Fauna Management Sub-plan |
| E2e | Construction rehabilitation management | Native Flora and Fauna Management Sub-plan |
| E2f | Aquatic fauna management | Water, Soils and Waste Management Sub-plan<br>Native Flora and Fauna Management Sub-plan |
| E2g | Hollow replacement | *Responsibility of LMW*<br>Hollow replacement plan |
| E2h | Site specific additional measures – Regent Parrot | Native Flora and Fauna Management Sub-plan |
| EMF1 | Environmental Management System | This CEMP (Section 5.2) |
| EMF2 | Construction Environmental Management Plan | This CEMP |
| GS1 | Minimising erosion and sedimentation through design | Water, Soils and Waste Management Sub-plan |
| GS2 | Erosion and Sediment Control Plan | Water, Soils and Waste Management Sub-plan<br>Traffic Management Plan |
| GW1 | Construction groundwater management | Water, Soils and Waste Management Sub-plan |

| Reference No. | Description | Key compliance documentation |
|---|---|---|
| HH1 | Management of Historical Heritage during construction | CEMP (including Appendix C: ) |
| LV1 | Avoid and minimise visual impacts through design | Community and Stakeholder Management Plan |
| LV2 | Avoid and minimise visual impacts through construction | Native Flora and Fauna Management Sub-plan |
| LV3 | Minimise construction and operation lighting impacts | Environmental Emissions Management Sub-plan |
| NV1 | Construction noise and vibration management | Environmental Emissions Management Sub-plan |
| RU1 | Waste management | *Responsibility of LMW and Mallee CMA*<br>Water, Soils and Waste Management Sub-plan |
| SB1 | Community and Stakeholder Engagement Management Plan | Community and Stakeholder Engagement Management Plan |
| SB2 | Minimise social and business impacts- Construction | Community and Stakeholder Engagement Management Plan |
| SW1 | Surface water management | Water, Soils and Waste Management Sub-plan |
| SW5 | Surface water design – regulators, containment banks and spillways | Water, Soils and Waste Management Sub-plan |
| TT1 | Safety in road design | Traffic Management Plan |
| TT2 | Traffic Management Plan | Traffic Management Plan |
| **EPBC Approvals with conditions, for the Nyah (EPBC: 2020/8648) and Vinifera (EPBC: 2020/8647) Projects** | | |
| 4) To avoid and mitigate injury or death of protected fishes during construction, the approval holder must: | | |
| 4a | undertake the construction of any coffer dam during no-flow conditions or outside a breeding and spawning period for protected fishes. | Native Flora and Fauna Management Plan |
| 4b | not commence the construction of any coffer dam unless a suitably qualified fish ecologist has, within the previous two weeks, undertaken fish surveys, in accordance with the Survey Guidelines or another survey methodology approved in advance by the department in writing, to identify the presence of any protected fishes in the vicinity of that coffer dam's footprint. | |
| 4c | ensure the construction of each coffer dam is undertaken in stages to allow all protected fish to passively relocate away from the coffer dam. | |
| 4d | if necessary, have a suitably qualified fish ecologist with the authority to pause dewatering, relocate protected fishes more than 20 metres from the coffer dam's footprint. | |

| Reference No. | Description | Key compliance documentation |
|---|---|---|
| 4c | publish the results of each fish survey and details of the relocation of protected fishes (date, time of day, numbers for each species, locations from and to) on the website within 3 months of completion of construction of that coffer dam. | |
| 4d | notify the department within five business days of having published fish survey information on the website and keep the results published on the website until the expiry of this approval. | |
| To minimise the risk of injury or death of protected matters from clearing or construction, the approval holder must: | | |
| 5a | not undertake any construction until a suitably qualified field ecologist has undertaken surveys during the nesting and breeding season, in accordance with the Survey Guidelines or another survey methodology endorsed by the department in writing, of hollows in trees within 350 metres of the disturbance footprint to identify the presence and location of any nest that may be used by Regent Parrot and identify the location of any Regent Parrot active flyways. | Native Flora and Fauna Management Plan<br>SECPs (if relevant) |
| 5b | have a suitably qualified field ecologist undertake surveys during the nesting and breeding season, in accordance with the Survey Guidelines or another survey methodology endorsed by the department in writing, of tree hollows in trees to be cleared within the disturbance footprint where clearing is due to start within 48 hours to identify the presence and location of any Regent Parrot or Corben's Bat prior to the commencement of clearing.<br>**Corben's Bat means the EPBC Act listed threatened species Nyctophilus corbeni (South-eastern long-eared bat/Corben's Long-eared Bat).* | |
| 5c | in those areas of the disturbance footprint where Regent Parrot is or has been previously identified as being present within 350 metres, not undertake clearing or construction during nesting or breeding season | |
| 5d | if Corbens Bat is identified in the disturbance footprint, engage a suitably qualified field ecologist | |

| Reference No. | Description | Key compliance documentation |
|---|---|---|
| | with the authority to pause clearing to enable all present Corbens Bats to be relocated to appropriate nearby habitat and the hollow they occupied blocked to prevent use. | |
| 5e | publish the results of each survey undertaken by the suitably qualified field ecologist on the website within 3 months of its completion, notify the department within five business days of its publication and retain it on the website until the expiry of this approval. | |
| To avoid and mitigate harm to Winged Peppercress, the approval holder must: | | |
| 6a | ensure that a suitably qualified botanist undertakes pre-clearance surveys of the disturbance footprint at least two weeks prior to construction activities to ensure the location of all Winged Peppercress has been mapped | Native Flora and Fauna Management Plan<br>SECPs (if relevant) |
| 6b | mark and, where necessary, delineate no-go zones, to prevent any access of vehicles or construction materials where Winged Peppercress occurs | |
| 6c | ensure that clearing or construction activities and the associated movements of personnel and vehicles do not impact Winged Peppercress. | |
| To avoid and mitigate harm for protected matters during construction, the approval holder must: | | |
| 7a | a) not commence the Action, until the approval holder has:<br>i. submitted to the department for review a copy of the CEMP and associated sub-plans approved by the Secretary to the Victorian DEECA, and<br>ii. submitted to the department a cross-reference table informing the department how conditions 4 to 6 have been addressed in the CEMP, and<br>iii. received written approval by the Minister that conditions 4 to 6 have been addressed. | This CEMP<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| 7b | comply with all conditions of any approval related to this Action issued by the Minister for Planning as constituted under the *Planning and Environment Act* to the extent that they relate to protected matters. | |
| 7c | comply with all requirements of the Victorian approved Construction Environmental Management | |

| Reference No. | Description | Key compliance documentation |
|---|---|---|
| | Plan where they relate to monitoring, managing, mitigating, avoiding, offsetting, recording or reporting impacts to protected matters. | |
| 7d | publish the Construction Environmental Management Plan approved on the website within 10 business days of it being approved by the Secretary to the Victorian Department of Energy, Environment and Climate Action and retain it on the website until the expiry of this approval. | |
| 35-39 | Revisions of Plans | This CEMP (Section 6)<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| 47-50 | Annual Compliance Reporting | This CEMP (Section 8.1)<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| 51-53 | Reporting a non-compliance | This CEMP (Section 8.1)<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| 54-57 | Independent Audit | This CEMP (Section 7.3)<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| **PSA C78swan, Incorporated Document** | | |
| 4.5.7 | Construction Environmental Management Plan | This CEMP<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| **Approved CHMP (16900) for the Nyah Project** | | |
| 1 | Condition 1- Adherence to the Cultural Heritage Management Plan (CHMP) before, during and after the activity | This CEMP (Section 7.1, 7.2, 7.3)<br>SECPs (Section 5.7)<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| 2 | Condition 2 - Cultural heritage induction | |
| 3 | Condition 3 - Importation and exportation of material during construction | |
| 4 | Condition 4 - Protocol for handling sensitive information | |
| 5 - 18 | Specific Conditions (Conditions 5 to 18) | |
| 1 | Contingency 1 – The discovery of human remains | |
| 2 | Contingency 2 – Aboriginal cultural heritage (excluding Aboriginal Ancestral Remains) | |
| 3 | Contingency 3 – Custody and Management | |
| 4 | Contingency 4 – Dispute Resolution | |
| 5 | Contingency 5 – Compliance | |
| **Approved CHMP (16901) for the Vinifera Project** | | |

| Reference No. | Description | Key compliance documentation |
|---|---|---|
| 1 | Condition 1- Adherence to the Cultural Heritage Management Plan (CHMP) before, during and after the activity | This CEMP (Section 7.1, 7.2, 7.3)<br>SECPs (Section 5.7)<br>*Nyah and Vinifera Projects Obligations Register (Construction Phase)* |
| 2 | Condition 2 - Cultural heritage awareness training | |
| 3 | Condition 3 - Importation and exportation of material during construction | |
| 4 | Condition 4 - Protocol for handling sensitive information | |
| 5 - 8 | Specific Conditions (Condition 5 to 8) | |
| 1 | Contingency 1 – The discovery of human remains | |
| 2 | Contingency 2 – Aboriginal cultural heritage (excluding Aboriginal Ancestral Remains) | |
| 3 | Contingency 3 – Custody and Management | |
| 4 | Contingency 4 – Dispute Resolution | |
| 5 | Contingency 5 – Compliance | |

# 5. Implementation

## 5.1 Integrated management system

S&R Engineering and Construction has an Integrated Management System (IMS) to manage and address business practices, requirements and policies. The IMS is third party certified to the following standards:

- AS/NZS ISO 45001 – *Occupational Health and Safety Management Systems*
- AS/NZS ISO 9001 – *Quality Management Systems*
- AS/NZS ISO 14001 – *Environmental management systems*
- AS/NZS ISO 31000 – *Risk management - Principles and guidelines.*

## 5.2 Environmental Management System

The construction of the Nyah and Vinifera Projects will be conducted in accordance with S&R Engineering and Construction *Environmental Management System* (EMS) that is consistent with AS/NZS ISO 14001:2015 *Environmental management systems - Requirements with guidance for use*.

The EMS provides a structured framework for managing environmental responsibilities to ensure compliance with legal and contractual obligations, approvals and approval conditions (including the EDS), continual improvement of environmental performance, and prevention of pollution. The system is integrated into all aspects of project planning and delivery, ensuring that environmental risks and opportunities are identified, assessed, and effectively managed throughout the lifecycle of the works.

The ISO 14001-certified EMS underpins the procedures and controls outlined within this CEMP. It defines processes for environmental risk assessment, incident management, training and awareness, monitoring, auditing, and review. Compliance with the EMS ensures that all construction activities are carried out in a manner that minimises environmental impact, protects natural and built environments, and aligns with the principles of sustainable development. Regular audits verify that the system remains effective, relevant, and aligned with both regulatory requirements and corporate environmental objectives.

The incorporation of requirements including from approvals, and approvals conditions, such as the EDS from the EMF into the CEMP, sub-plans, and other management plans will ensure continued compliance with ISO 14001:2015 certification.

## 5.3 Non-conformances

Non-conformances represent a variance from S&R Engineering and Construction  EMS which requires a system improvement action. These do not constitute a non-compliance with approvals conditions or legislation.

Non-conformances may be identified through inspections, monitoring or audits. Non-conformance reports will be raised, tracked and closed out in accordance with S&R Engineering and Construction 's *Quality Management System* specifically the S&R Engineering and Construction's  *Procedure PR02 – Corrective Action and Control of Non-Conformance Rev3.* The Environment Manager (or delegate) will determine if corrective and preventative actions are required to address non-conformance and assigning them as appropriate. Non-conformances will also be summarised in S&R Engineering and Construction monthly reports provided to the Independent Environmental Auditor (IEA) and LMW.

## 5.4 Roles and responsibilities

The VMFRP is being delivered by LMW in collaboration with organisations that have statutory responsibilities for environmental protection, public land management and waterway management. These organisations are:

- Parks Victoria
- North Central CMA
- Mallee CMA
- GMW
- Department of Energy, Environment and Climate Action – Water and Catchments (DEECA WCG)

LMW is responsible for the construction of the projects and the physical operation of the infrastructure (once constructed) to enable the delivery of environmental water.

S&R Engineering and Construction have been engaged by LMW under a Construction contract for the delivery of the construction phase of the Vinifera and Nyah Projects. Key roles and responsibilities of S&R Engineering and Construction and VMFRP partners during the construction phase are summarised in Table 15 below.

***Table 15 Contractor and Partner Organisations – Summary of Key Roles and Responsibilities (construction)***

| Internal stakeholder | Roles and Responsibilities |
|---|---|
| **Primary Contractor**<br>S&R Engineering and Construction | • Comply with the EMF, contract specification and all legislative requirements, approvals, approval conditions and EDSs.<br>• Comply with all statutory approvals and approval conditions regarding approvals obtained by LMW and obtain any other necessary approvals and consents for the Vinifera and Nyah projects.<br>• Ensure that all sub-contractors similarly comply with such requirements and take corrective action as necessary.<br>• Prepare and implement the CEMP and sub-plans.<br>• Address all comments made by LMW on proposed changes to the CEMP prior to approval of the amended CEMP by LMW for minor changes and prior to submission of the amended CEMP to Secretary to DEECA for major changes<br>• Conduct internal compliance audits, receive audit reports from the IEA and take any necessary corrective action to address issues raised in audit reports. |
| **Lower Murray Water** | • Responsible for construction of the projects and the physical operation of the infrastructure (once constructed) to enable the delivery of environmental water.<br>• Obtaining key statutory approvals for the Vinifera and Nyah Projects.<br>• Review and approve sub-plans.<br>• Mandating Contractor compliance with the EMF including the EDSs.<br>• Ensuring that the requirements of the EMF and the EDSs have been addressed and are complied with in environmental management documentation prepared by the Contractor.<br>• Monitoring compliance with the CEMP and all plans required by the EDSs and corrective action to be taken as necessary.<br>• Liaise with regulators and other agencies as required.<br>• Conduct stakeholder engagement and community consultation activities. Address the concerns of stakeholders and community as required.<br>• Prepare Construction Environmental Performance Reports every three months, which include a summary of the findings of the IEA for the relevant reporting period.<br>• Prepare and provide to the Minister for Planning every three months the Construction Environmental Performance Report for the relevant reporting period. |
| **Parks Victoria** | • Land manager for the Crown land under the *National Parks Act 1975 (Vic)* and *Crown Land (Reserves) Act 1978 (Vic)*, in this case, the Nyah-Vinifera Park, where infrastructure will be constructed and operated and the |

| Internal stakeholder | Roles and Responsibilities |
|---|---|
| | wetlands, waterways and floodplain where the environmental water will be delivered.<br>• Issue consent for project works under Section 27 of the *National Parks Act 1975* (Vic).<br>• Submit the Native Title Future Act notification/s under the *Native Title Act 1993 (Cth)* to First Nations Legal & Research Services, for activities on Crown land that may affect native title rights and interests, as there is no native title holder for the project areas.<br>• Consultation on the CEMP, sub-plans and other management plans as required by the EMF.<br>• Consultation on the Development Plan. |
| **Project Control Group**<br>LMW<br>GMW<br>Mallee CMA<br>North Centra CMA<br>Parks Victoria | On behalf of the LMW Board and DEECA WCG, responsible for the overall efficient and effective delivery of the projects through to construction completion and handover. The Project Control Group consists of the following members and representatives:<br>• Independent Project Control Group Chair<br>• LMW – Managing Director<br>• GMW – General Manager, Infrastructure Delivery Services<br>• Mallee CMA – Chief Executive Officer (CEO)<br>• North Central CMA – CEO<br>• Parks Victoria – Regional Director, Northern Victoria<br>• Independent Advisor – Traditional Owner engagement and project management. |
| **Mallee CMA** | Consider, approve and endorse plans and hydraulic assessment regarding works on land subject to a Land Subject to Inundation Overlay, in accordance with Clause 4.10 of the C78swan Incorporated Document. |
| **DEECA WCG** | VMFRP sponsor and, on behalf of the Minister for Water, sets the strategic direction of the VMFRP and oversees the delivery of the VMFRP as part of Victoria's obligations under the Basin Plan. |

Project governance between S&R Engineering and Construction, LMW and other partner organisations will be managed by LMW. S&R Engineering and Construction will report to LMW, and LMW will liaise with other project partners as required. In addition, LMW will generally be responsible (unless otherwise specified) for liaising with government agencies in both a project partner (internal stakeholder management) and regulator (external stakeholder management) capacity.

### 5.4.1 S&R Engineering and Construction roles and environmental responsibilities

The roles and environmental responsibilities of key personnel within S&R Engineering and Construction for delivery of the Nyah and Vinifera Projects are summarised in Table 16. Further detail on the roles, responsibilities, and accountabilities of personnel and organisations in delivering the Nyah and Vinifera Projects is provided in the Environmental RASCI (Responsible, Accountable, Support, Consult, Inform) Chart RASCI Chart in Appendix A.

***Table 16 Roles and responsibilities***

| Position | Environmental Responsibilities | Person reporting to |
|---|---|---|
| S&R **Project Director** | • Ensure environmental management and performance is central to construction of the Nyah and Vinifera Projects<br>• Challenge performance and drive positive environmental outcomes<br>• Provide necessary resources for effective environmental management<br>• Accountable for project construction and implementation of the CEMP, sub-plans and other management plans | S&R Managing Director |
| S&R **Project Manager** | • Responsible for environmental management performance for construction of the Nyah and Vinifera Projects<br>• Provide resources to enable effective environmental management<br>• Implement and maintain the CEMP<br>• Identify and deliver environmental training to project personnel<br>• Report near misses, non-conforming incidents, and practices<br>• Ensure corrective actions for environmental non-conformances, incidents, and inspections are actioned and closed out promptly<br>• Prepare monthly project reports<br>• Manage and track compliance with statutory requirements (including the GED), environmental approvals, licences, and permits<br>• Support and participate in the audit program<br>• Communicate CEMP requirements to all personnel under their control<br>• Understand approval and contractual conditions relevant to the Nyah and Vinifera Projects<br>• Comply with all project approval and environmental management conditions | S&R Project Director |
| S&R **Superintendent** | • Ensure environmental management and performance is central to construction of the Nyah and Vinifera Projects<br>• Challenge performance and drive positive environmental outcomes<br>• Provide necessary resources for effective environmental management<br>• Accountable for project construction and implementation of the CEMP, sub-plans and other management plans<br>• Liaise with project staff for ongoing monitoring and maintenance of environmental controls<br>• Report near misses, non-conforming incidents, and practices<br>• Verify that corrective action is taken when required for non-conforming work<br>• Be aware of approval and contractual conditions relevant to their area of work<br>• Comply with all project approval and environmental management conditions | S&R Project Director |

| Position | Environmental Responsibilities | Person reporting to |
|---|---|---|
| S&R **Environment Manager** | • Provide overall project leadership for environmental matters across the project team<br>• Assign environmental responsibilities to project personnel<br>• Identify and provide appropriate environmental training to project personnel<br>• Implement and maintain EMS, CEMP, sub-plans, other management plans, and SECPs, and assist with updates as required<br>• Monitor onsite environmental performance and liaise with project staff to maintain environmental controls<br>• Conduct and document regular inspections and surveillance of environmental controls to ensure they are established and maintained<br>• Report near misses, non-conforming incidents and practices<br>• Ensure corrective actions for environmental non-conformances, incidents, and inspections are actioned and closed out promptly<br>• Prepare monthly project reports<br>• Liaise with VMFRP/LMW environmental representatives<br>• Manage and track compliance with statutory requirements, environmental approvals, licences, and permits<br>• Support and participate in the audit program<br>• Manage environmental complaints in consultation with the Community and Stakeholder Manager<br>• Communicate CEMP requirements to all personnel under their control<br>• Understand and comply with approval and contractual conditions relevant to the Nyah and Vinifera Projects<br>• Ensure rectification of environmental controls is carried out as required<br>• Ensure no reuse of materials into a receiving environment without prior approval<br>• Exercise delegated authority from the Project Director to stop tasks or construction activities where environmental controls are absent, ineffective, or inadequate. | S&R Project Manager |
| S&R **Supervisor / Foreman** | • Implement EMS, CEMP, sub-plans, other management plans, and SECPs<br>• Liaise with project staff for ongoing monitoring and maintenance of environmental controls<br>• Report near misses, non-conforming incidents, and practices<br>• Verify that corrective action is taken when required for non-conforming work<br>• Be aware of approval and contractual conditions relevant to their area of work<br>• Perform surveillance and monitoring of environmental controls to ensure they are established and maintained<br>• Ensure rectification of environmental controls is carried out as required<br>• Comply with all project approval and environmental management conditions<br>• Ensure no reuse of any materials into a receiving environment without prior approval. | S&R Superintendent |

| Position | Environmental Responsibilities | Person reporting to |
|---|---|---|
| S&R **Project Engineer** | • Implement EMS, CEMP, sub-plans, other management plans, and SECPs<br>• Liaise with project staff for ongoing monitoring and maintenance of environmental controls<br>• Provide appropriate environmental training to project personnel<br>• Report near misses, non-conforming incidents, and practices<br>• Verify that corrective action is taken when required for non-conforming work<br>• Be aware of approval and contractual conditions relevant to their area of work<br>• Perform surveillance and monitoring of environmental controls to ensure they are established and maintained<br>• Help prepare monthly project reports<br>• Track compliance with statutory requirements (including the GED), environmental approvals, licences, and permits<br>• Communicate CEMP requirements to all personnel under their control<br>• Understand approval and contractual conditions relevant to the Nyah and Vinifera Projects<br>• Ensure rectification of environmental controls is carried out as required<br>• Comply with all project approval and environmental management conditions<br>• Ensure no reuse of any materials into a receiving environment without prior approval. | S&R Project Manager |
| S&R **Site Engineer** | • Implement EMS, CEMP, sub-plans, other management plans, and SECPs<br>• Liaise with project staff for ongoing monitoring and maintenance of environmental controls<br>• Provide appropriate environmental training to project personnel<br>• Report near misses, non-conforming incidents, and practices<br>• Verify that corrective action is taken when required for non-conforming work<br>• Be aware of approval and contractual conditions relevant to their area of work<br>• Perform surveillance and monitoring of environmental controls to ensure they are established and maintained<br>• Help prepare monthly project reports<br>• Track compliance with statutory requirements (including the GED), environmental approvals, licences, and permits<br>• Communicate CEMP requirements to all personnel under their control<br>• Understand approval and contractual conditions relevant to the Nyah and Vinifera Projects<br>• Ensure rectification of environmental controls is carried out as required<br>• Comply with all project approval and environmental management conditions<br>• Ensure no reuse of any materials into a receiving environment without prior approval. | S&R Project Engineer |

### 5.4.2 Subcontractor environmental responsibilities

Subcontractors are accountable for delivering their services in alignment with the CEMP and the associated Management Plans. This includes:

- Ensuring sufficient resources are available to meet applicable environmental requirements
- Reporting environmental incidents and environmental monthly reporting as per Project requirements
- Effectively implementing corrective actions
- Managing environmental risks while working onsite
- Participating in all pre-start meetings, training sessions, and toolbox talks related to their work
- Engaging in site inspections and audits as needed.

## 5.5 External stakeholders

### 5.5.1 Government agencies

Table 17 summarises some of the key government agencies (excluding project partners) and relevance to the Nyah and Vinifera Projects construction phase. Engagement with these external government agencies will be undertaken by LMW, its nominated agents or S&R Engineering and Construction via delegation. Extensive consultation occurred during the environmental assessment phase, and will continue to occur as required throughout construction, and post-construction.

***Table 17 Key project stakeholders (government agencies)***

| Organisation | Relevant legislation | Responsibilities |
|---|---|---|
| *Commonwealth* | | |
| Commonwealth Minister for Environment<br><br>Department of Climate Change, Energy, the Environment and Water (DCCEEW) | *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* | • Oversite during the construction phase of compliance with relevant EPBC approval conditions applicable to the construction of the Nyah and Vinifera projects, including approvals of plans required by the conditions. |
| Murray-Darling Basin Authority (Cth) | *Water Act 2007 (Cth)* | • Assess proposals that may affect the flow, use, control or quality of any water in the upper Murray River under Clause 49 of Schedule 1 of the Water Act 2007 (Cth)<br>• Approve plans for proposed works submitted to the MDBA under clause 63 of Schedule 1 of the Water Act 2007 (Cth). |
| *Victoria* | | |
| Secretary to DEECA<br><br>DEECA | *Planning and Environment Act 1987*<br><br>*Flora and Fauna Guarantee Act 1988*<br><br>*Wildlife Act 1975*<br><br>*Catchment and Land Protection Act 1994*<br><br>*Environment Effects Act 1978* | • Approve the CEMP in accordance with Clause 4.5.7 of the Incorporated Document.<br>• Consider any assessment of overall improvement for biodiversity application in lieu of native vegetation offsets in accordance with Clause 4.6 of the C78swan Incorporated Document.<br>• Consider, approve and endorse a fire access road plan in accordance with Clause 4.11.3 and 4.11.4 of the C78swan Incorporated Document<br>• Issue a licence or permit to take protected flora under Section 48 of the *Flora and Fauna Guarantee Act 1988* (Vic).<br>• Issue a licence or permit to handle fish under Section 53 of the *Flora and Fauna Guarantee Act 1988 (Vic).* |

| Organisation | Relevant legislation | Responsibilities |
|---|---|---|
| | *Crown Land (Reserves) Act 1978* | • Give written authorisation to take, handle and disturb wildlife that may be at risk of harm during construction works under Section 28A of the *Wildlife Act 1975 (Vic)* |
| EPA | *Environment Protection Act 2017* | • Victoria's environmental regulator with the primary role of protecting human health and the environment from pollution and waste.<br>• Receive and assess notifications of notifiable incidents, including pollution incidents that have caused or threaten to cause material harm to human health or the environment.<br>• Issue permissions (licences, permits and registrations), authorisations, exemptions and designations, where required for prescribed activities.<br>• Consultation on the CEMP and sub-plans as required by the EMF. |
| Victorian Fisheries Authority | Fisheries Act 1995 (Vic) | • Provide authorisation to create obstructions to fish passage (Section 119) and/or a permit to take fish (Section 49), if required. |
| First Peoples State Relations | *Aboriginal Heritage Act 2006* | • Ensure compliance with the approved CHMP for Vinifera (CHMP No. 16901) and Nyah (CHMP No. 16900). |
| Heritage Victoria | *Heritage Act 1995* | • Provide consent under Sections 123 and 124 of the *Heritage Act 2017 (Vic)* to deface, damage or otherwise interfere with an archaeological site for the Vinifera and Nyah projects, if required. |
| Minister for Planning (Vic) | *Planning and Environment Act 1987* | • Consider, approve and endorse a Development Plan in accordance with Clause 4.4.1 and 4.4.2 of the C78swan Incorporated Document.<br>• Receive three-monthly Construction Environmental Performance Reports<br>• The Minister for Planning is the responsible authority for the projects on land subject to the SCO3 in the Swan Hill Planning Scheme, as such the Minister is responsible for administering and enforcing the controls introduced by planning scheme amendment C78swan through both the construction and operation phases. |
| Department of Transport | *Road Management Act 2004*<br>*Planning and Environment Act 1987* | • Provide consent to construct works on state roads<br>• Consultation on the CEMP. |
| Swan Hill Rural City Council | *Road Management Act 2004*<br>*Planning and Environment Act 1987* | • Provide consent to construct works on a local road<br>• Consultation on the CEMP<br>• Receive a copy of the archival photographic survey for the Takasuka Levee Bank (HO186/NT B6238). |
| Minister for resources (Vic) | *Mineral Resources (Sustainable* | • Issue exemption from licence for borrow sites if required under the *Mineral Resources (Sustainable Development) Act 1990*. |

| Organisation | Relevant legislation | Responsibilities |
|---|---|---|
| | *Development) Act 1990* | |
| Minister for Water (Vic) | *Water Act 1989 (Vic)* | • Issue a licence to construct, alter, operate, remove or decommission any works on a waterway under Section 67 of the *Water Act 1989* (Vic) for the Vinifera and Nyah Projects. |
| NSW | | |
| Minister for Planning and Public Spaces | *Environmental Planning and Assessment Act 1979 (NSW)* | • Approval under the Murray River environmental planning instruments, pursuant to Part 4.<br>• Approval of development consent under the Murray LEP 2011 and/or Wakool LEP 2013. |
| Minister for Agriculture and Western New South Wales | *Fisheries Management Act 1994 (NSW)* | • Approval of a permit for dredging or reclamation under Part 7, Division 3. |
| Minister for Energy and Environment | *National Parks and Wildlife Act 1974 (NSW)* | • Approval of an Aboriginal Heritage Impact Permit under Part 6, Division 2. |
| Minister of Lands and Water | *Crown Land Management Act 2016* | • Granting of licence to occupy Crown land. |

### 5.5.2 Community engagement

Community engagement during the construction phase of the Nyah and Vinifera Projects will occur in accordance with the Community and Stakeholder Engagement Management Plan. This will include processes for providing advance notification to the relevant Council and land managers of upcoming construction activities and establishing communication protocols to ensure adequate notifications are issued. Responsibility for community engagement will be shared between LMW and S&R Engineering and Construction, as outlined in the Community and Stakeholder Engagement Plan.

The Community and Stakeholder Engagement Management Plan will also include details for managing community complaints, including a project-specific hotline for queries or complaints, as well as the processes for complaint investigation, close-out, reporting, and escalation. The *Nyah and Vinifera Projects Complaints Register*, maintained on SharePoint, will record all complaints received by S&R Engineering and Construction during the construction phase.

## 5.6 Subcontractor management

The Nyah and Vinifera Project construction sites will be managed by S&R Engineering and Construction during the construction phase, including the implementation and monitoring of environmental controls.

All subcontractor personnel will share responsibility with S&R Engineering and Construction Project Team for environmental management and performance, and must comply with this CEMP, sub-plans, other management plans, and all approvals and approval conditions, including the EDS. S&R Engineering and Construction will ensure that relevant plans, procedures, and other documentation associated with the EMS are made available to subcontractors as required to fulfil their responsibilities, and to communicate any specific requirements or obligations. Subcontractors will be monitored on site by the Site Supervisor and managed and audited as part of S&R Engineering and Construction's Integrated Management System.

## 5.7 Site Environmental Control Plans

The Site Environmental Control Plans (SECP), prepared by S&R Engineering and Construction, are the key documents guiding environmental management at each work area, they will be:

- Informed by the key environmental aspects and mitigation/ management measures outlined in the risk register and obligations register
- Show the environmental values present within and surrounding the construction footprint
- Developed for each discrete work area prior to commencement of construction activities
- Identify relevant components and specific environmental aspects within the vicinity of the construction site at each work area
- Outline environmental controls and management measures to be installed, maintained, and monitored at the discrete work area
- Displayed at crib huts, site offices, and other accessible locations
- Communicated to all personnel during site inductions and relevant toolbox talks
- Maintained as a live document, updated periodically and as construction activities, site conditions, work methods, and environmental risks change
- Developed by S&R's Environmental Manager (or delegate) and then reviewed and approved by S&R's Senior Project Manager prior to implementation.

The review and approval of initial drafts of the SECPs by VMFRP will serve as a hold point prior to construction commencement at the specific work area. These documents will remain dynamic and be subject to revision to reflect changing site conditions or environmental controls.

Each SECP will contain a map that will identify, at a minimum, the following **aspects** within and in the vicinity of the discrete work area:

- The construction footprint and approved CHMP Activity Area
- Location of any existing infrastructure
- Location of all known Aboriginal Places and historic heritage sites
- Location of no-go zones around Aboriginal Places as required by the approved CHMPs, and locations where harm is permitted to occur within the extent of Aboriginal Places as per the approved CHMPs.
- Location of no-go zone fencing to be installed around significant ecological values to be retained (including populations of EPBC Act-listed flora within the Area of Investigation, FFG Act listed flora and Large or Very Large Trees on the edge of the construction footprint)
- Location of any chemical storage
- Location of any dewatering activities
- Location of any water extraction points for construction water (or any other sources proposed for use e.g., mains water)
- Location of areas of high potential for acid sulfate soil
- Location of facilities such as toilets, cribs rooms and parking in relation to the discrete work area
- Location of any waste facilities
- Location of exit (or shelter in place) in instance of emergency (such as a bushfire).

The SECP will contain a map that would identify, at a minimum, the following **management measures** at the discrete construction site:

- Location of any no-go zones to be installed around any of the values outlined above, including any TPZs to be installed
- Any areas of the construction footprint that will be demarcated physically in the field
- Location of all erosion and sediment controls and type of control (e.g., sediment fence), consistent with the Erosion and Sediment Control Plan
- Location of any spill kits or other measures to manage accidental spills (e.g., bunding)
- Details of how water from dewatering will be managed, including any testing, storage or discharge measures.
- Contact details for the relevant site personnel in case of emergency (safety and environmental).

## 5.8 Training and awareness

As outlined in the GED, all individuals involved in the Project, including S&R Engineering and Construction staff, subcontractors, and other personnel, are responsible for understanding and managing environmental aspects and impacts through appropriate training and awareness programs.

The S&R Engineering and Construction Training and Skilling Plan applies to all personnel performing works on the Nyah and Vinifera Project sites. This will be implemented alongside the environmental training and awareness requirements are outlined in Table 18.

Environmental training needs for the Nyah and Vinifera Projects will be identified through a training needs analysis based on identified competency requirements for relevant project personnel. The analysis will consider environmental risks, obligations, and will assess existing skills, qualifications, and experience to identify competency gaps. The outcomes will inform the level and type of environmental training required and will be documented in a project-specific training plan. The training plan will be reviewed and updated as required, including when project activities or personnel roles change, new environmental risks are identified, or incidents occur.

***Table 18 Training and awareness***

| Training | Outcomes |
|---|---|
| **Site Inductions** | Project personnel (including subcontractors) will undergo a Site Induction prior to commencing works onsite. Site Inductions will include an overview of the following:<br>• CEMP and sub-plans<br>• EDS and the GED<br>• Approved CHMPs<br>• Emergency response procedures and reporting processes for environmental incidents<br>• S&R Engineering and Construction Environmental Policy<br>• Responsibilities and key environmental contacts.<br>S&R will maintain records of attendees at all site inductions in accordance with the EMS. |
| **Pre-start meetings** | Pre-start meetings will be undertaken at the beginning of each day before work commences with S&R Engineering and Construction project personnel and any subcontractors. Environmental aspect (s) relevant to the day's work will be raised and discussed as required. |
| **Toolbox talks** | Toolbox talks will be conducted regularly throughout the Nyah and Vinifera Projects, and evidence will be recorded through attendance sheets and project training records. Topics may include:<br>• Responsibilities under the GED<br>• No-Go Zones within and in the vicinity of the construction footprint<br>• Environmental aspects such as noise, dust and vibration<br>• Historic heritage places and obligations. |
| **Specialised environmental training** | Specialised environmental training requirements will be identified based on the training needs analysis and associated competency requirements. Personnel involved in activities with high environmental risks will complete task-specific environmental training or hold relevant competency certificates. Training will include spill response, flora/fauna management, and hazardous materials handling as required. |
| **Internal training** | All staff will undertake internal trainings such as the site induction covering for example environmental controls, regulatory obligations, incident reporting requirements, and emergency response procedures. Refresher training will be provided where competency gaps are identified, procedures change, or environmental risks are updated. |

## 5.9 Contingency measures

Contingency measures may be implemented during the construction phase of the Nyah and Vinifera because of:

- A significant risk to environmental or heritage values, not previously identified in the ER for the Nyah and Vinifera Projects, is discovered during construction; or
- The risk profile of an environmental value previously identified during the assessment phase of the Nyah and Vinifera Projects, is significantly increased due to a change in process, a project modification, or an unexpected discovery.

Where the need for the implementation of contingency measures has been identified, the following processes will be followed to minimise potential impacts:

- Works will cease in the immediate area, and the area will be temporarily fenced off where required
- S&R Engineering and Construction will notify LMW of the discovery as soon as practicable (e.g. within 2 hours)
- A suitably qualified specialist (e.g., ecologist, archaeologist, or contaminated land consultant) will confirm the discovery and advise on appropriate management measures including buffer of discovery to ensure work can safely continue in other areas of the construction footprint
- For unexpected historical heritage finds, the protocol outlined in Appendix C:
- In the event of an unexpected discovery of Aboriginal cultural heritage, the contingencies set out within the approved CHMP will be followed and implemented
- LMW and S&R Engineering and Construction will review approval and consent requirements and confirm whether any further planning, environment, or heritage approvals apply to the find identified
- The appropriate regulatory authority will be consulted as necessary to confirm further approvals and proposed actions to manage the environmental or heritage value
- Regulatory authority (if required) will give written approval for works to recommence within works the area affected. If Regulatory authority not required, LMW will provide written approval to S&R Engineering and Construction to recommence works within the area affected.

# 6. Change Management Process

S&R Engineering and Construction is responsible for reviewing and updating the CEMP at least every six months and more frequently as necessary, to take account of events or circumstances which may affect the way the Nyah and Vinifera Project construction activities are to be carried out, including in response to audit findings or additional approvals.

The change management process for amendments to the CEMP is detailed in Section 6.1, and amendments that require a change to the construction footprint in Section 6.2. All amendments requiring a change to the Construction Footprint will need to be approved by the Minister for Planning in accordance with the Incorporated Document. Any change to the Incorporated Document will require an amendment to the relevant planning scheme. Any amendment to the EMF or EDSs will need to be prepared to the satisfaction of the Secretary to DEECA.

## 6.1 Management Plan review

The S&R Environment Manager (or delegate) will be responsible for updating the CEMP, and these documents will then be presented to the S&R Senior Project Manager. Three types of revisions may be made to documents, which are detailed Table 19 below.

***Table 19 Document change management processes in construction phase***

| Revision Type | Definition / Criteria | Notification / Consultation / Approval / Reporting required |
|---|---|---|
| Administrative | • General changes such as updates to formatting, references and readability. | • No notification, consultation, approvals or reporting required, however version control must be applied. |
| Minor | • Changes to clarify or improve environmental management practices, to add new obligations and associated controls or minor change of work practices. No increase in, or introduction of, new environmental risks. | • Approval from LMW required for minor changes on the CEMP<br>• Notification to Secretary to DEECA prior to change being implemented.<br>• Reporting as part of Construction Environmental Performance Report |
| Major | • Significant change to environmental management practices on site, work methods or scope that result in increased or new environmental risks or practices<br>• Changes during construction but still within the approved construction footprint that require an update to the approved avoid and minimise statement, in accordance with the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) | • Consultation and approval required by relevant agency as outlined in Section 1.7.<br>• Reporting as part of Construction Environmental Performance Report<br>• Any changes to the avoid and minimise statement must be prepared to the satisfaction of the Secretary of DEECA |

In order to determine the classification of a proposed change and assess the impact of the change during the construction phase, the following process will be undertaken:

- S&R or LMW will raise a change request via the Construction Change Request and Assessment Form (refer to Appendix E: )

- An Assessment of the revision type (Administrative, Minor or Major) will be completed and agreed by the Contractor, IEA and LMW and where considered Minor or Major recorded in a Construction Change Request and Assessment Form.
- Assessment of the impact of the change and the subsequent outcome will be recorded in the Construction Change Request and Assessment Form.

In summary, no notification, consultation, approval or reporting is required for the CEMP for administrative changes. Minor changes are required to be approved by LMW, and there will be a Notification to Secretary to DEECA prior to change being implemented. Major amendments to the CEMP are to be approved by the Secretary of DEECA, and LMW, and consultation will occur with the stakeholders listed in Section 1.6.

This change management process is in accordance with Condition 35 of the EPBC Act Approvals, which state that LMW may apply at any time to the Minister for a variation to any plan required under the EPBC Approval, including this CEMP, by submitting an application consistent with section 143A of the EPBC Act. If the Minister approves a revised plan, then from the specified date the revised plan must be implemented in place of the previous version.

## 6.2 Construction footprint

All amendments that require a change to the construction footprint will need to be approved by the Minister for Planning in accordance with the Incorporated Document.

S&R Engineering and Construction will engage with LMW early regarding the rationale for any required works outside of the construction footprint. LMW will be responsible for amending, if required, primary environment, planning and heritage approvals. Responsibility for obtaining secondary approvals will be determined based on the scope of works.

During construction, if the construction footprint is proposed to be amended, the following will be required for the submission and approval from the Minister for planning:

- Amended plans and a schedule explaining the proposed amendment/s.
- A written statement explaining and supporting the proposed amendment, including:
  - A description of the form and extent of any consultation undertaken with relevant councils, government agencies and other stakeholders concerning the proposed amendment
  - Any written comments from relevant councils, government agencies and other stakeholders
  - A written response to comments from relevant councils, government agencies and other stakeholders.

# 7. Environmental assurance

S&R Engineering and Construction will undertake environmental assurance activities including environmental monitoring, inspections, auditing and reporting which will track the environmental performance of the project. Details of the environmental assurance activities to be undertaken during the construction phase of the project are outlined below.

## 7.1 Environmental inspections

Environmental inspections will be a key part of monitoring environmental performance during the construction phase. S&R Engineering and Construction will complete at least one weekly inspection of construction works, with additional inspections undertaken as required based on the environmental risk profile of the relevant works and activities. A checklist will be used during the weekly inspections to conduct the inspections and capture relevant information.

The weekly inspections will include, but not be limited to, a review of the below:

- CHMP compliance (Refer to Contingency 5 of the Approved CHMPs)
- Sediment
- Drainage
- Watercourse
- Flora and fauna
- Dust
- Waste (excavated material, groundwater and other materials)
- Noise and vibration controls
- Weeds
- Historic Heritage (including the Takasuka Levee Bank (HO186/NT B6238)).

The date and time of inspections will be recorded, and comments on any non-compliance with the CEMP and any corrective or remedial actions taken. Copies of inspection records will be provided to LMW, who will share any issues with relevant project partners. Table 20 below summarises responsibilities and frequencies of the environmental inspections.

***Table 20 Summary of environmental inspection details***

| Inspection / audit activity | Outcomes | Frequency | Responsibility |
|---|---|---|---|
| Site Environmental Inspections | Review of site conditions against approvals, CEMP and sub-plans | Weekly (minimum) | S&R Environmental Manager or Delegate |

## 7.2 Environmental monitoring program

Environmental monitoring activities play a key role in providing environmental assurance during the construction phase of the Nyah and Vinifera Projects. These activities will help protect the sensitive environments in which the projects are located, ensure compliance with relevant obligations and support the maintenance of a social licence within the local communities. The monitoring program for the construction phase which has been developed following the outcomes of the ER Assessment process, to address relevant approval conditions, is detailed in Table 21, excluding those which will be detailed in sub-plans, which are cross referenced in Table 22.

***Table 21 Environmental monitoring requirements (construction phase) (AI – Auditing / Inspection, M – Monitoring, I - Investigation)***

| # | Performance objective | Indicator | Monitoring requirement details | Location | Frequency |
|---|---|---|---|---|---|
| ***Aboriginal Cultural Heritage*** | | | | | |
| AI ACH 1 | Verify compliance with the CHMP | Compliance check with EDS requirements | Monitoring and compliance in accordance with approved CHMP No. 16900 and No. 16901 under the *Aboriginal Heritage Act 2006*, including by reviewing weekly (at minimum) the Compliance Check list in Contingency 5 of both approved CHMPs. | As required in accordance with approved CHMP No. 16900 and No. 16901 | CHMP Compliance to be reviewed weekly (at minimum) with site inspections using the checklist.<br><br>Compliance audits to be undertaken as per Section 7.3. |
| AI ACH 2 | Verify compliance with EDS GS2 and SW1 | Compliance check with EDS requirements | Compliance with GS2 and SW1 | Construction Footprint | CHMP Compliance to be reviewed weekly (at minimum) with site inspections using the checklist.<br><br>Compliance audits to be undertaken as per Section 7.3. |
| ***Historic heritage*** | | | | | |
| AI HH1 | Minimise risk of harm of historical heritage values at Takasuka Levee | Establishment of physical barrier protection and/or exclusion zones | Checks to confirm that appropriate barrier protection or exclusion zones have been established around areas requiring to be retained of Takasuka Levee Bank (HO186/NT B6238) prior to construction commencing and throughout the construction period. | Takasuka Levee Bank (HO186/NT B6238) | Prior to construction commencing and during weekly environmental inspections inspections using the checklist, while work is being undertaken in proximity to these sites. |
| AI HH2 | Verify compliance with EDS HH1. | Compliance with *Heritage Act 2017* for discovery of archaeological sites | Check compliance with EDS HH2 and specifically requirements for implementation of an unexpected archaeological finds protocol during construction (Appendix C: | Construction Footprint | Weekly with site inspections (at minimum)minimum) using the checklist.<br>Compliance audits to be undertaken as per Section 7.3. |
| AI HH3 | Minimise risk of harm to historical heritage values a Takasuka Levee | Compliance with the Incorporated Document for the Project introduced through the PSA. | As required in EDS HH1 and HH2, comply with the Incorporated document introduced through the PSA where a Heritage Overlay place is to be disturbed. This requires that before works in land subject to a Heritage Overlay start, site and | Takasuka Levee Bank (HO186/NT B6238) | Archival photographic survey and site elevation plans approved prior to works starting in land subject to the Heritage Overlay.<br><br>Weekly during site inspections using the checklist, where there are relevant works in the |

| # | Performance objective | Indicator | Monitoring requirement details | Location | Frequency |
|---|---|---|---|---|---|
| | | | elevation plans showing the extent of buildings and works, and a full archival photographic survey of the heritage place, must be approved and endorsed by the Minister for Planning. | | vicinity of the land subject to Heritage Overlay.<br><br>Compliance audits to be undertaken as per Section 7.3. |

***Table 22 Monitoring programs to be detailed in sub-plans (AI – Auditing / Inspection, M – Monitoring, I - Investigation)***

| # | Performance objective | Indicator | Monitoring requirement details | Location | Frequency |
|---|---|---|---|---|---|
| ***Air quality*** | | | | | |
| AI AQ1 | Minimise dust during construction | Refer to Environmental Emissions Management Sub-plan | | | |
| M AQ1 | Minimise dust within 20 m of stationary human sensitive receiver | | | | |
| EDS AQ1 | Construction air quality management: dust | | | | |
| ***Agriculture*** | | | | | |
| AI AG1 | Confirm implementation and effectiveness of measures implemented in EDS AG1 and assess the need for additional measures to minimise the impact of Biosecurity issues on agricultural land and farming operations during construction | Refer to Native Flora and Fauna Management Sub-plan | | | |
| ***Terrestrial ecology*** | | | | | |
| AI TE1 | To confirm that construction has been undertaken in accordance with EDS E1 and no unapproved vegetation is removed | Refer to Native Flora and Fauna Management Sub-plan | | | |
| AI TE2 | To avoid and minimise increased weed cover during construction | | | | |
| AI TE3 | To avoid and minimise increased presence of pests during construction | | | | |
| EDS E2a | Construction biodiversity administrative processes | | | | |
| EDS E2b | Construction vegetation management | | | | |
| EDS E2c | Construction fauna management | | | | |
| EDS E2d | Construction weed and pest management | | | | |
| EDS E2f | Aquatic fauna management | | | | |
| EDS E2h | Site specific additional measures – Regent Parrot | | | | |
| ***Geology soils and contamination*** | | | | | |
| EDS CM1a | Contaminated land duties | Refer to the Water, Soils and Waste Management Sub-plan | | | |
| EDS CM1b | Water, Soils and Waste Management Sub-plan | | | | |
| EDS CM1c | Soil characterisation | | | | |
| EDS CM2 | Acid sulfate soils | | | | |
| AI GSC1 | Confirm implementation and effectiveness of management of use of chemicals, fuels and materials during construction and assess need for additional measures | | | | |
| AI GSC2 | Confirm implementation and effectiveness of management of dispersive/sodic/unstable soils during construction as outlined in the CEMP and | | | | |

| # | Performance objective | Indicator | Monitoring requirement details | Location | Frequency |
|---|---|---|---|---|---|
| | ESCP and assess the need for additional measures. | | | | |
| AI GSC3 | Confirm implementation and effectiveness of management of soil related wastes during construction and assess need for additional measures | | | | |
| I GSC1 | Confirm suitability of soil for use | | | | |
| I GSC2 | Confirm presence/absence of acid sulfate soils | | | | |
| **Waste** | | | | | |
| EDS RU1 | Waste management | Refer to the Water, Soils and Waste Management Sub-plan | | | |
| ***Noise and vibration*** | | | | | |
| AI NV1 | Assess timeliness and actions taken in response to noise and vibration complaints. | Refer to Environmental Emissions Management Sub-plan | | | |
| ***Social and business*** | | | | | |
| AI SB1 | Minimise the impact of the project on businesses and the community | Refer to Community and Stakeholder Engagement Management Plan | | | |
| EDS SB1 | Community and Stakeholder Engagement Management Plan | | | | |
| ***Surface water*** | | | | | |
| SW1 | Assess the effect of the project's construction on surface water quality. | Refer to the Water, Soils and Waste Management Sub-plan | | | |
| EDS SW1 | Surface water management - Construction | | | | |
| ***Traffic and transport*** | | | | | |
| TT1 | Verify compliance with EDS TT2 to avoid and minimise impacts on the road network | Refer to the Traffic Management Plan | | | |
| TT2 | Assess impact on pavement condition of public roads | | | | |
| EDS TT1 | Safety in road design | | | | |
| EDS TT2 | Traffic Management Plan | | | | |

## 7.3 Environmental audit program

LMW has appointed the Independent Environmental Auditor (IEA), who is primarily responsible for auditing compliance prior to and during construction. This IEA will be a person, or body of persons that:

- Has sufficient qualifications or experience to discharge its responsibilities under the EMF
- Meet the criteria specified in AS/NZS ISO 19011:2014 *Guidelines for auditing management systems*
- Is independent of the project and Contractor, has no conflicts of interest and no involvement in the development of the Contractor's EMS and EMP(s) for the works of the specific projects.

Prior to commencement of works, the IEA will review S&R Engineering and Construction's environmental management documentation, CEMP, sub-plans and other documents required by the EDSs to verify they comply with the EMF, relevant EDS, statutory approvals and approval conditions.

The IEA will conduct audits prior to commencement of works, six monthly during construction and at the completion of the construction phase to assess compliance with the EMF (including the construction specific EDSs, the CEMP, relevant sub-plans, relevant legislation, statutory approvals and approval conditions). These audits will consider:

- Compliance with the EMF
- Compliance with EDS, mitigation measures, environmental management plans and documents
- Responses to non-conformances, incidents and complaints received

- The environmental effects caused by any non-conformances
- Application of the change management process where relevant
- Effective implementation of monitoring programs
- Previous audit outcomes
- Changes to regulations and environmental standards
- Compliance with approval conditions.

The IEA will conduct a close-out audit at the completion of the construction works to ensure all relevant obligations have been met prior to completion of the construction phase.

LMW will also undertake internal audits of S&R to assess compliance with the EMF (including the construction specific EDSs, the CEMP, relevant sub-plans, relevant legislation, statutory approvals and approval conditions). These would be completed every six months – offset by three months with the external audits.

LMW must also ensure that an independent audit of compliance with the conditions of the EPBC Act approvals for the Nyah (EPBC: 2020/8648) and Vinifera (EPBC: 2020/8647) Projects is conducted for every five-year period following the commencement of the Action, until the approval expires. This is a requirement of Conditions 54–57 of the EPBC Act approvals. Each audit report must cover the five-year period preceding that audit report and must be completed to the satisfaction of the Minister and be consistent with the EPBC Act *Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

The audit program is summarised below in Table 23. Results from the audits will be included in the Construction Environmental Performance Reports outlined below.

***Table 23 Summary of environmental auditing program***

| Audit | Outcomes | Frequency |
|---|---|---|
| Internal compliance audits undertaken by S&R Engineering and Construction | Internal audit against compliance with EMF | Periodically |
| External audits conducted by IEA | External audit against compliance with EMF | Prior to commencement of works, six monthly during construction and at the completion of the construction phase |
| Independent audit of compliance with conditions of the EPBC Act approval | Independent audit of compliance with the conditions of the EPBC Act approval | Every five-year period following the commencement of the Action |

## 7.4 Environmental reporting

### 7.4.1 Record and data management

S&R Environmental Manager (or delegate) will be responsible for preparing, reviewing, maintaining and distributing as appropriate all environmental management documents, including this CEMP and relevant sub-plans as appropriate.

S&R Environment Manager will ensure environmental records are available to LMW and, if requested, provide this information on a regular basis or within a specified timeframe (i.e. within 48 hours).

S&R will implement a document control procedure as part of their *Quality Management System* to manage the flow of documents, including with LMW and stakeholders.

The procedure will also ensure that documentation is:

- Developed, reviewed, consulted on and approved as required prior to issue
- Issued for use
- Controlled and stored for the legally required timeframe
- Archived or removed from use when superseded or obsolete.

A register and distribution list will identify the current revision of particular documents or data.

### 7.4.2 Internal reporting

The following information will be managed through S&R Engineering and Construction *Integrated Management System*:

- All monitoring, inspection and compliance reports/records
- Induction and training records
- Reports on environmental incidents, other environmental incidents non-conformances, complaints and follow-up action
- Environmental events /incidents, and Investigation reports
- Waste quantity reports and regulated waste documentation where required.

### 7.4.3 Contractor reporting

Environmental management for the Nyah and Vinifera Projects will be communicated to LMW, predominantly through the monthly project reports and meetings.

S&R's Environment Manager will be responsible for preparing the environmental information for monthly project reports including:

- Summary of all environmental activities that have occurred onsite since the last monthly project report. This would include information such as, but not limited to:
  - Any environmental controls installed onsite
  - Any dewatering activities undertaken
  - Proposed out-of-hours work
  - All environmental inspections, monitoring, auditing and reporting
  - All pre-clearance assessments and vegetation clearing (areas of Ecological Vegetation Classes (EVC) cleared)
  - Any environmental test results that been received since the last monthly project report
  - Any environmental events (non-conformances, administrative non-compliances and/or environment incidents)
  - Any unexpected finds identified onsite and how these were managed
  - Summary of complaints received from stakeholders and how these were managed
  - Table showing the total and monthly waste disposal material as well as receipts and material tracking information
  - Any other environmental site issues.

S&R's Senior Project Manager (or delegate) will be responsible for attending weekly progress meetings in which any relevant environmental issues including monitoring results, impacting or likely to impact the projects, will be discussed.

### 7.4.4 External reporting

LMW will prepare a Construction Environmental Performance Report every three months once construction commences. The Construction Environmental Performance Report will include:

- Outcomes of the contractor monthly project reports including environmental reporting
- Updates on the following:
  - Status of current and planned works, key environmental issues and management measures
  - Advice on any proposed changes to the EDS or the CEMP
  - Records of compliance with relevant EDS and approval conditions and environmental legislation, policies and standards
  - Copies of applications for consents, licences and approvals and the responses from authorities
  - Details of complaints or incidents and corrective and preventative actions taken
  - Summary of any consultation with regulatory authorities or other stakeholders and communities, including a summary of key issues raised and how they have been responded to, ensuring they are captured in the approved consultation database
  - A copy of any environmental studies, monitoring results and analysis

    - A summary of contingency measures implemented to address adverse effects not permitted, predicted or anticipated
- A summary of any Minor or Major revisions undertaken to construction documents
- A copy of audit reports and any review of the CEMP.

LMW will distribute copies of the Construction Environmental Performance Report to relevant stakeholders including VMFRP project partners and the Minister for Planning. There is no external reporting requirements during construction required to be prepared by S&R Engineering and Construction.

Reporting of non-compliances, and annual non-compliances reporting, are described below in Section 8.1.

# 8. Environmental event management

Environmental events / incidents are defined as events that deviate from standard operating conditions and that may or do have an impact on human health or the environment.

Incident classifications, as defined in S&R Engineering and Construction Procedure *'PR08 – Incident Management Rev3'*, along with the corresponding notification timelines and additional actions, are shown in Table 24.

All incidents will be reported as soon as possible by site personnel to S&R's Environment Manager, who will be responsible for recording and managing them in accordance with S&R Engineering and Construction *Quality Management System.* S&R Project Director (or delegate) will establish a team to investigate incidents to determine their causes and identify corrective actions and responsibilities. All incidents will be summarised in S&R Engineering and Construction monthly reports provided to LMW.

Refer to Appendix D: for further guidance on S&R Engineering and Construction's *Environmental Event Response Procedure*.

**Table 24 Incident classifications**

| Classification | Consequence (Environment) | Incident description (Environment) | Responsibility (Contractor) | Notification timeline to LMW | Additional actions |
|---|---|---|---|---|---|
| **Notifiable incident (environmental)** | Major / material harm (actual or likely; may be off-site or affect sensitive areas). | Environmental event requiring regulator notification (jurisdiction-specific) (e.g., major spill/fire, contamination reaching waterways/off-site). | S&R Project Director<br>S&R Environment Manager | Immediately (within 2 hours) | Lessons learnt<br>Investigation team |
| **Environmental incident (actual impact)** | Moderate (localised impact; contained on-site; clean-up manageable). | Event causing actual environmental harm (e.g., spill/release, sediment runoff, unauthorised disturbance with impact). | | Immediately (within 2 hours) | Lessons learnt<br>Investigation team |
| **Environmental near miss / hazard (potential impact)** | Potential moderate–major (had the potential to cause environmental harm but did not). | Unplanned event with potential environmental impact but no harm (e.g., leak stopped in time, bund failure without release, controls near overtopping). | | Immediately (within 2 hours) | Lessons learnt<br>Investigation team |
| **Environmental non-conformance / complaint (minor)** | Minor (short-term; readily rectified; negligible residual impact). | Minor CEMP/procedure deviation or complaint with no material harm (e.g., sediment tracking, dust complaint, | S&R Environment Manager | 24 hours | As required<br>Investigation team |

| Classification | Consequence (Environment) | Incident description (Environment) | Responsibility (Contractor) | Notification timeline to LMW | Additional actions |
|---|---|---|---|---|---|
| | | minor erosion, housekeeping/admin). | | | |
| Environmental observation / improvement | Negligible (no impact; improvement opportunity). | Observation from inspections/audits identifying control improvement (e.g., bunding, storage, signage, housekeeping). | S&R Environment Manager | 7 days | As required |

A Bushfire and Emergency Response Plan will be prepared separately for the Nyah and Vinifera Projects and is required to be approved and endorsed by the Minister for Planning. This plan will outline all necessary procedures for managing bushfire risk during construction, including (but not limited to) the locations of site offices and combustible liquids, training and equipment requirements for on-ground personnel, and emergency response measures such as evacuation routes and shelter-in-place locations.

## 8.1 Compliance reporting (EPBC Act Approval Conditions)

The EPBC Act Approvals for the Nyah (EPBC: 2020/8648) and Vinifera (EPBC: 2020/8647) Projects have conditions around reporting of non-compliances (Condition 51-53) and annual compliance reporting (Condition 47-50).

LMW is required to notify DCCEEW electronically, within 2 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in the CEMP. S&R Engineering and Construction will be required to provide the following information to LMW within 2 business day of becoming aware of the incident, for submission to DCCEEW:

- Any condition or commitment made in the CEMP which has been or may have been breached.
- A short description of the incident and/or potential non-compliance and/or actual non-compliance.
- The location (including co-ordinates), date and time of the incident and/or potential non compliance and/or actual non-compliance.

LMW is then required to provide to DCCEEW in writing, within 12 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance, the details of that incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in the CEMP. S&R Engineering and Construction will be required to provide the following information to LMW within 12 business day of becoming aware of the incident, for submission to DCCEEW:

- Any corrective action or investigation which the approval holder has already taken.
- The potential impacts of the incident and/or non-compliance.
- The method and timing of any corrective action that will be undertaken by the approval holder.

LMW must also prepare a compliance report for each 12-month period following the date of the EPBC Act approval decision (or as otherwise agreed to in writing by the Minister). The compliance report must be consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2014. Each compliance report will include:

- Accurate and complete details of compliance and any non-compliance with the conditions and the plans, and any incidents
- One or more shapefile showing all clearing of protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared
- A schedule of all plans in existence in relation to the EPBC Act approval conditions and accurate and complete details of how each plan is being implemented (including this CEMP).

LMW must:

- Publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required
- Notify DCCEEW electronically, within 5 business days of the date of publication that a compliance report has been published on the website
- Provide the weblink for the compliance report in the notification to DCCEEW
- Keep all published compliance reports required by these conditions on the website until the expiry date of this approval
- Exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public
- If sensitive ecological data is excluded or redacted from the published version, submit the full compliance report to DCCEEW within 5 business days of its publication on the website and notify DCCEEW in writing what exclusions and redactions have been made in the version published on the website.

## 8.2 Corrective and preventative action

Corrective and preventative actions may be identified from inspections, monitoring, audits, non-conformances, incidents, management reviews or complaints.

Environmental events / incidents, non-conformances, non-compliances and any corresponding corrective and preventative actions will be managed in accordance with S&R Engineering and Construction Procedure *'PR02 Corrective Action and Control of Non-conformance Rev 3'* within agreed timeframes. Corrective and preventative actions will be logged, assigned, tracked and closed out via S&R Engineering and Construction *Quality Management System* by the Environment Manager (or delegate).

Completion of corrective actions identified through the environmental event / incident investigation will be verified as completed via follow up checks by S&R and recorded as completed in the investigation report. On completion of all corrective actions, S&R Project Director will sign off the incident report in S&R Engineering and Construction *Quality Management System* as completed and closed.

Corrective and preventative actions will also be summarised in the *Nyah and Vinifera Projects - Corrective and Preventative Actions Register*. This will be used to track implementation of corrective and preventative actions where there is non-compliance with an EDS or other obligations.

## 8.3 Continuous improvement

Continuous improvement of this CEMP will be achieved by the ongoing evaluation of environmental management performance against environmental policies, objectives and targets, with the aim of identifying opportunities for improvement.

The continuous improvement process will be designed to:

- Identify areas of opportunity for improving environmental management and performance
- Determine the cause or causes of non-conformances, non-compliances and/or deficiencies
- Develop and implement a plan of corrective and preventative actions to address any non-conformances, non-compliances and/or deficiencies
- Verify the effectiveness of the corrective and preventative actions
- Document any changes in procedures resulting from process improvement
- Assess performance with objectives and targets.

Incident reports will include lessons learnt, where required for the relevant incident category as per Table 24, and will outline any proposed measures to prevent similar incidents in the future.

# Appendix A: Environmental Responsible, Accountable, Support, Consult, Inform (RASCI) Chart

**Table A1: RASCI abbreviations**

| Abbreviation | Abbreviation definition |
|---|---|
| R | **Responsible** – responsible for completion of the task |
| A | **Accountable** - Ultimately answerable for the outcome of the task |
| S | **Support** - Provides resources and assists |
| C | **Consult** - views must be considered |
| I | **Inform** - Those who must be kept up to date |

**Table A2: Organisational abbreviations used in RASCI**

| Abbreviation | Title/ Organisation |
|---|---|
| PD/ PM / SP | S&R Project Director / Senior Project Manager / Construction Manager |
| EM | S&R Environment Manager |
| SFE | S&R Supervisor / Project Engineer / Site Engineer |
| PT | Wider project team |
| VMFRP | Victorian Murray Floodplain Restoration Project |
| NCCMA | Mallee CMA |
| LMW | Lower Murray Water |
| PV | Parks Victoria |
| W&C | DEECA Water & Catchments |

**Table A3: RASCI Environmental RASCI Chart**

| Responsibilities and accountabilities | PD/SP M/ CM | EM | SFE | PT | VMFRP | NCCMA | LMW | PV | W&C |
|---|---|---|---|---|---|---|---|---|---|
| Ultimately responsible for environmental management performance of the Project. | A | | | | R | | | | S |
| Review and ensure implementation of the CEMP | A | | | | R | | | | |
| Authorise CEMP | R | | | | A | I | C | I | I |

| Responsibilities and accountabilities | PD/SPM/ CM | EM | SFE | PT | VMFRP | NCCMA | LMW | PV | W&C |
|---|---|---|---|---|---|---|---|---|---|
| Assign environmental responsibilities to project personnel | | R | | | A | | | | |
| Ensure appropriate environmental training is identified and training is provided to project personnel where required | A | R | | | I | | I | | |
| Monitor onsite environmental performance to ensure compatibility and continued effectiveness with the policy and objectives | A | R | | | S | | | | |
| Audit of environmental performance against legal obligations (CEMP etc) | | | | | A | | I | | S |
| Participate in the review of the Contractors EMS | A | R | | S | | | | | |
| Ensure correct and ongoing implementation of CEMP | A | R | | S | I | | | | |
| Liaise with project staff for ongoing monitoring and maintenance of environmental controls | | A | R | S | | | | | |
| Ensure reporting of near misses, non-conforming incidents and practices | A | R | R | R | | | | | |
| Conduct and report regular inspections and monitoring requirements | | A/R | | S | S | | | | |
| Ensure actions relating to environmental non-conformances, incidents and / or inspections are actioned and closed out in a timely manner | A | R | | S | S | | | | |
| Actively participate in and facilitate SQE Risk Management workshops | A | R | | C | C | | | | |
| Assist with updating of CEMP as required | | A | | | S | | | | |
| Prepare Project monthly project reports | A | R | | S | C | | | | |
| Liaise with client environmental representative | | A | | S | R | | | | |
| Manage and track compliance with all statutory requirements, environmental approvals, licences, and permits relating to the project. | A | R | | | | | | | |
| Implement the audit program | S | S | | | A/ R | | | | |

| Responsibilities and accountabilities | PD/SPM/ CM | EM | SFE | PT | VMFRP | NCCMA | LMW | PV | W&C |
|---|---|---|---|---|---|---|---|---|---|
| Complaints management in consultation with Community and Stakeholder Manager, where it related to complaints of an environmental nature. | | A | | | S | I | I | I | |
| Ensure EM participates in the preparation of SQE Risk Management documentation | A | R | | | | | | | |
| Identify and report environmental non-conformance | | A | | R | | S/ C | | | |
| Ensure and verify that corrective action is taken when required for non-conforming work. | A | R | S | | | | I | | |
| Participate in the audit program | A | R | S | R | | | | | |
| Ensure that CEMP requirements are communicated to all personnel under their control | A | R | | | | | | | |
| Be aware of all approval/contractual conditions relating to their area of work | A | R | R | R | I | | I | | |
| Perform surveillance and monitoring of environmental controls to ensure that they are established and maintained | | A | R | S | | | | | |
| Ensure rectifications of environmental controls are carried out as required. | | A | R | S | | | | | |
| Comply with project approval and environmental management conditions | A | R | R | R | | | | | |
| Ensure no reuse of any materials into a receiving environment without prior approval. | | A | R | | | | | | |

# Appendix B: Environmental Policy

S&R Engineering and Construction Pty Ltd
POL02 Environmental Policy

S&R ENGINEERING AND CONSTRUCTION

S&R Engineering and Construction believes the protection and management of our physical and social environment is an integral part of our organisation's daily operations.

We are committed to protecting and preserving the environment and addressing risks and impacts associated with climate change in all circumstances, to assist in the provision of a sustainable lifestyle for both present and future generations. We are committed to continual improvement with a goal of meeting or exceeding our client's expectations.

To achieve our commitment, we will:

- develop and implement a systematic approach to the management of environmental aspects and impacts, including those related to climate change.
- ensure this policy is documented, implemented, maintained and communicated to all employees, subcontractors, clients, and the public as required.
- continuously meet our statutory obligations regarding all relevant federal, state and local regulations and other requirements, including those related to climate change and energy efficiency.
- Continually monitor and assess the needs of stakeholders and other interested parties.
- establishing measurable objectives and targets to improve our environmental performance, including improving energy efficiency.
- communicate our environmental management strategies to all staff, contractors and relevant third parties including the public.
- procure products and services based on minimising pollution and waste and promoting recycling principles wherever possible.
- conduct regular training and awareness programs for all management, staff and contractors.
- monitor and audit our environmental processes and management plan with a view to continually improving our environmental management system to enhance environmental performance and climate change resilience.

We, through the nature of our operational activities, accept that we must share and promote the responsibility of Environmental Sustainability and Climate Change mitigation and will therefore act in a morally responsible manner at all times.

**Managing Director**
Russell Weekley
10/10/2025

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# Appendix C: Unexpected find protocol (Historic Heritage)

**Introduction**

This unexpected find protocol has been developed to provide a procedure for managing any unexpected historic heritage that may be encountered during the construction of the Nyah and Vinifera Projects.

If suspected human remains are discovered during any activity, all works in the area must cease immediately and the procedures outlined in Contingency 1 of the approved CHMP (Nyah Project (No. 16900) or Vinifera Project (No. 16901)) must be followed. If any suspected Aboriginal cultural heritage (excluding Aboriginal Ancestral Remains) is discovered, the procedures in Contingency 2 of the approved CHMP (Nyah Project (No. 16900) or Vinifera Project (No. 16901)) must be implemented.

The *Heritage Act 2017* provides blanket protection to all known and unknown historical archaeological sites in Victoria. Under Section 123 of the *Heritage Act 2017* it is an offence to knowingly or negligently deface, damage or otherwise interfere with or carry out an act likely to endanger an archaeological site whether it is or is not recoded on the Victoria Heritage Inventory, without the appropriate approvals from Heritage Victoria.

**What is a Historic Heritage Unexpected Find?**

Unexpected historic heritage finds may include historic heritage sites, values or objects. These would not have been identified in the Nyah and Vinifera Project's historic heritage assessment and will likely fall outside the scope of current approvals and permits.

**Historic Heritage Unexpected Finds Procedure**

S&R Engineering and Construction Project personnel will follow the below procedure in the event there is an unexpected historic heritage find on site:

**a) FIND:** Suspected historic heritage site, value, or object are discovered during works.

**b) STOP:** All work in the vicinity shall cease. Advise the Site Supervisor and the S&R Environment Manager.

**c) NOTIFY:** S&R's Environment Manager will submit details on the unexpected find including photos, location information, descriptions, and dimensions of any unexpected find to LMW and an archaeologist. The archaeologist will provide guidance on management measures, which may include physical barrier protection, exclusion zones, and any additional investigation or reporting as required.

**d) REPORT:** After the archaeologist has made a professional assessment, Heritage Victoria will be contacted if required as soon as possible.

**e) LODGE:** Consent application to be lodged (if required)

**f) RECOMMENCE WORKS:** Recommence works on site in accordance with the Consent (if required), and / or Archaeologist Advice.

# Appendix D: Environmental event response procedure

**Introduction**

S&R Engineering and Construction will implement this *Environmental Event Response Procedure* during construction to guide the response to environmental incidents / events. This outlines key definitions, emergency contact details, emergency incident preparedness, incident notification and reporting requirements, pollution incident response procedures.

**Definitions**

Environmental events / incidents are defined as an event that deviates from standard operating conditions and that may or do have an impact on human health or the environment. This can include (but is not limited to):

- Pollution incidents, which are events that cause a leak, spill or other unintended or unauthorised deposit or escape of a substance, resulting in pollution occurring of having occurred.
- Potential non-compliance, and / or non-compliances with legislation, approvals, or approval conditions (e.g. clearing of native vegetation outside the approved construction footprint).

**Emergency contact details**

Emergency contact details for key project personnel and emergency services are listed in the Table below.

***Table D1 Emergency contact details for the Project***

| Name / organisation | Contact |
|---|---|
| S&R Senior Project Manager – Daniel Riley | **0431 252 957** |
| S&R Site Supervisor – Peter Sitkei | **0448 552 002** |
| S&R Environmental Manager | **0431 252 957** |
| Emergency (Police, Fire, Ambulance) | 000 |
| VIC SES | 132 500 |
| EPA Victoria | 1300 372 842 |
| Swan Hill Hospital | 03 5032 111 |
| Wildlife Victoria | (03) 8400 7300 |
| RSPCA VIC | 03 9224 2222 |
| Swan Hill Veterinary Hospital | 03 5032 2483 |
| Swan Hill Rural City Council | 03 5036 2333 |

**Emergency and incident preparedness**

Preventative strategies including (but not limited to) the below will be implemented by S&R Engineering and Construction during the construction phase:

- **Induction and awareness:** All personnel (including subcontractors) will complete a site induction, which will include key environmental risks, incident reporting pathways, emergency contacts, and spill/pollution response requirements. Refresher toolbox talks will be delivered as required for higher-risk activities (e.g., refuelling, chemical handling, works near waterways).

- **Daily pre-start environmental focus:** Daily pre-start meetings will identify environmental hazards for the day (weather, high-risk activities, sensitive receptors), confirm controls are in place, and reinforce response expectations if an incident occurs.
- **Emergency contact visibility:** Emergency contact details will be maintained, current, and displayed in site offices/cribs, and made readily available to supervisors and plant operators (e.g., laminated copies in vehicles/plant where practical).
- **Spill prevention controls:** Refuelling and fluid handling will occur in designated areas using drip trays/absorbers as required, with plant routinely inspected for leaks and defects. Any leaks/spills will be contained immediately and rectified before works continue.
- **Spill response readiness:** Spill kits (appropriate to the task) will be available at high-risk locations (e.g., fuel storage/refuelling points, plant servicing areas, near waterway interfaces) and on relevant plant. Materials will include absorbents, pads/booms, disposal bags, and basic tools to contain and recover spilled material.
- **Storage, handling and bunding:** Fuels, oils, chemicals and hazardous substances will be stored and handled in accordance with SDS requirements, in secure and bunded arrangements where required, with incompatible substances segregated. Storage and handling of flammable and combustible liquids will occur in compliance with *AS1940: The storage and handling of flammable and combustible liquids*.
- **Site Environmental Control Plans (SECPs):** SECPs will show the location of spill kits and other controls, chemical storage, waste facilities, dewatering locations (if applicable), and emergency access/egress or shelter-in-place points, ensuring rapid response capability across discrete work areas.
- **No-go zones and delineation:** Work areas will be clearly delineated and no-go zones maintained to prevent accidental impacts to sensitive areas, supporting proactive avoidance and easier incident containment.
- **Incident drills and learning:** Environmental incident response readiness (e.g., spill response and notification process) will be tested through periodic drills and/or scenario reviews, with outcomes recorded and used to improve controls and procedures.
- **Integration with Bushfire and Emergency Response Plans:** Bushfire preparedness and site evacuation arrangements (including routes and shelter-in-place requirements) will be managed in accordance with the separately prepared Bushfire and Emergency Response Plan.

Environmental audits will occur prior to the commencement of works, six-monthly during construction and at completion, to assess compliance as detailed in Section 7.3.

Spill kits will be available at the main site office and where liquid substances are to be stored. Spill kits and other emergency supplies (e.g. silt fences, pumps) will also be located at site construction compounds, machinery park up areas and on refuelling vehicles. All relevant personnel which may be involved in emergency response activities will be provided with specific training.

Consulting with emergency services and Victorian Police will occur as required throughout construction to ensure that any potential impacts to emergency services are identified early and appropriately managed.

An up-to-date list of emergency response personnel and relevant organisations (emergency services, EPA Victoria, etc.) will be maintained at the main office and site compounds.

All relevant staff will be trained on how to respond to an emergency and incidents onsite through training sessions such as the site induction, safety trainings and toolboxes talks.

**Event notification**

All site personnel are responsible for prompt reporting of environmental events / incidents that they are involved in or witness to the S&R Environment Manager.

S&R Environment Manager will notify LMW of any environmental incidents / events in accordance with the timeframes outlined in Table 24. Environmental incident reports will be prepared and will include proposed corrective and preventative actions, as well as lessons learned, where required, depending on the incident classification.

S&R Environment Manager will ensure that any notifiable incident, which are pollution incidents that cause or threatened to cause 'material' harm to human health or the environment, will be notified to the EPA Victoria (1300 372 842) as soon as practicable after becoming aware of the incident. Incidents that trigger notification include where:

- There is an adverse effect on human health or the environment

- There is an adverse effect on an area of high conservation value or of special significance
- The cleanup or management of the pollution or cost of restoration would cost $10,000 or more.

EPA Victoria has outlined the following as examples of the types of incidents that need to be reported:

- The release is uncontrolled or unplanned and could cause material harm
- The substances are harmful to water or land in large quantities, such as milk or organic materials
- The substances are dangerous or toxic and threaten the environment or people – for example, the WorkSafe safety data sheet indicates risk to the environment tor to people.

Following the reporting of the incident to the EPA Victoria, and email will be sent S&R Engineering and Construction with a notification form. This form must be completed and returned to the EPA within five business days and the notification process will not be considered complete until this has been undertaken.

LMW will be responsible for notifying other stakeholder or regulatory authorities as required (unless this is an emergency). Where spills or pollution incidents have far reach or consequences incident notification may also be required to:

- Fire and Rescue Victoria – 1300 367 617
- WorkSafe Victoria – 1800 136 089
- Parks Victoria – 13 1963
- Swan Hill Hospital – 03 5033 111
- Swan Hill Rural City Council – 03 5036 2333.

For environmental incidents involving wildlife emergencies, such as injured or orphaned native animals, Wildlife Victoria will be notified on (03) 8400 7300.

The Approved CHMP (No. 16900) for the Nyah Project, and Approved CHMP (No, 16901) for the Vinifera Project include Contingency 5 – *Compliance* which has specific requirements in the event of a suspected non-compliance with the Approved CHMP. In such cases, all relevant works must stop, and the procedure detailed in the relevant Approved CHMP must be followed. Responsibility for ensuring compliance with this procedure will be with S&R Environment Manager.

**Spill Response Procedure**

Pollution incidents will be managed in accordance with the S&R Engineering and Construction procedure, and will include the below general key steps:

1. **Stop work and make safe**
- Stop the activity immediately and, where safe, shut down plant/equipment and isolate the source (e.g., close valve, upright container, stop refuelling).
- Remove ignition sources for fuel/solvent spills and establish an exclusion zone if required.

2. **Assess the situation**
- Identify the spilled substance (use container label and Safety Data Sheet (SDS) where available).
- Consider immediate risks to people, waterways/drains, sensitive receptors, and potential for escalation (rain, wind, traffic, slopes).

3. **Notify internally (immediate)**
- Notify the S&R Site Supervisor and S&R Environment Manager (or delegate) as soon as practicable.
- Environmental incidents are to be reported immediately to management in line with S&R Engineering and Construction Incident reporting requirements.

4. **Contain and prevent spread**
- Deploy spill kit materials (absorbent pads, socks/booms, granular absorbent) to contain the spill and protect stormwater drains and any watercourses.
- Use temporary bunding/sandbags or other controls to prevent migration off-site or into drainage lines.
- Spill kit locations (and any bunding/controls) are to be shown on the Site Environmental Control Plan (SECP) and maintained at site compounds and refuelling locations.

5. **Clean up and recover**

- Collect absorbed material and any contaminated soil/vegetation and place into suitable, sealed and labelled containers/bags.
- Prevent wash-down into drains or waterways; only undertake controlled clean-up methods appropriate to the substance.
- Arrange disposal as required via an appropriately licensed waste contractor and retain disposal documentation where applicable (e.g., regulated waste tracking where relevant).

**6. Escalate and notify external parties (as required)**

- The S&R Environment Manager will assess whether the incident is a notifiable incident, and if required will notify the EPA Victoria as soon as practicable
- LMW will notify other regulators/stakeholders as required (unless emergency).

**7. Record and report**

- Complete the required incident documentation (including photos, approximate quantity, location, cause, immediate actions taken, and waste disposal details).
- Record the incident and corrective actions in S&R Engineering and Construction's systems in line with Incident Management and Non-Conformance processes.

**8. Corrective actions, investigation, and review**

- Implement corrective/preventative actions to prevent recurrence and allocate responsibilities/timeframes for close-out.
- Review relevant risk controls (SWMS / environmental controls / SECP) and update where required following incident and any learnings.

**Incident investigation and reporting**

Within 12 business days of an environmental event occurring, or a timeframe agreed with LMW, an investigation report must be provided to LMW.

The investigation report must include (if relevant) the requirements of reporting a non-compliance by the EPBC Approval conditions (refer to Section 8.1), and details on the following:

- Sequence of events leading up to the event
- Findings e.g., contributing factors and root causes(s) of the event
- Key learnings that may be relevant to other LMW projects to provide a greater chance that the environmental incident will not happen again.

# Appendix E: Construction Change request and Assessment Form

**Construction Change Request and Assessment Form**

This form is part of the process to determine if any proposed changes during construction are consistent with the Nyah and Vinifera Projects as assessed in the ER and comply with approval conditions and requirements. Any proposed changes will be classified in accordance with the change management process outlined in Section 6 of the CEMP.

| | | | |
|---|---|---|---|
| **Project Name:** | | **Date created:** | |
| **Project Manager:** | | **Version No.** | |
| **Author:** | | **Date sent to LMW:** | |

| Requirement | Assessment |
|---|---|
| **Detail the proposed change to the Project?**<br>Include map of proposed changes | |
| **What is the justification for the change?** | |
| **Is the proposed change fully contained within the construction footprint?** | **Yes or No**<br>If yes, does it occur within area of investigation or CHMP Activity Area? (refer to Site Specific Environmental Control Plans) |
| **Is the change considered administrative, minor or major?**<br>Refer to Section 6 for definitions. | |
| **HOLDPOINT – An Assessment of the revision type (Administrative, Minor or Major) will be completed and agreed by the Contractor, IEA and LMW and where considered Minor or Major recorded in a Construction Change Request and Assessment Form. S&R Engineering and Construction will wait for written approval from LMW before implementing the change.** | |
| **Has further assessment of potential impacts of the change been undertaken?** | **Yes or No or NA**<br>If yes, provide assessments and summarise outcomes here.<br>If no, provide justification on why it's not required. |
| **Has any landholder engagement, or engagement with partner organisations or external government agencies been undertaken?** | **Yes or No or NA**<br>If yes, provide evidence<br>If no, provide justification as to why this is not required, or outline the plan for consultation to be undertaken with relevant authorities by the responsible party. |