

Our ref: 852582 - B2PB  
Your ref



Department of  
**Transport and Main Roads**

28 April 2022

[REDACTED]  
[REDACTED]  
Albem Operations Pty Ltd & Mcllwain Civil Engineering Pty Ltd  
& SGQ Pty Ltd (T/as SMA Infrastructure)  
PO Box 47  
Morningside QLD 4170

Dear Sir,

**Contract Number: CN 11784**  
**Pacific Motorway Upgrade – Varsity Lakes to Tugun – Construction Package B**  
**Burleigh to Palm Beach**  
**Compliance Management Plan**

I refer to your letter dated 28 April 2022, requesting approval of a Compliance Management Plan (CMP) (Revision 03 dated 27 April 2022) under section 477G of the *Transport Infrastructure Act 1994* for the M1 Pacific Motorway Upgrade Project (Varsity Lakes to Tugun) in respect to management of contaminated land provisions of the *Environmental Protection Act 1994* and Environmental Protection Regulation 2019 (the relevant law).

The Department of Transport and Main Roads (TMR) has consulted with the Department of Environment and Science (DES) as the administering agency of the relevant law. As delegate of the chief executive of TMR as administering agency of section 477G of the *Transport Infrastructure Act 1994*, I am pleased to advise that the submitted documents are approved as a CMP for the Project subject to the conditions in the approval notice attached. A copy of the approved CMP is attached with this letter.

I am satisfied the CMP satisfies the relevant law as indicated in the attached approval notice.

If Albem Operations Pty Ltd & Mcllwain Civil Engineering Pty Ltd & SGQ Pty Ltd (T/as SMA Infrastructure) complies with the approved CMP and the conditions of approval in the approval notice, it will be deemed to have met the requirements of the relevant law.

Transport and Main Roads  
Program Delivery and Operations  
36-38 Cotton Street  
GPO Box 442  
Nerang QLD 4211

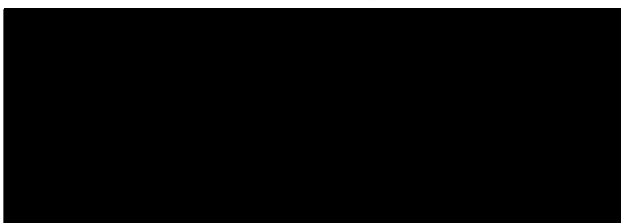
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Please acknowledge receipt of this letter in writing to this office. The Department of Environment and Science and the City of Gold Coast have also been advised of this approval.

I have authorised the publication of this approval letter on the department's website as required under the *Transport Infrastructure Act 1994*.

Yours sincerely



**Enc (1)**  
Approval Notice

**Copies to;**

[REDACTED]  
Manager Compliance  
Waste, Development and Southeast Compliance  
Department of Environment and Science  
PO Box 4244  
Robina Qld 4230

[REDACTED]  
Deputy Regional Director (South Coast Region)  
Department of Transport & Main Roads  
[REDACTED]

[REDACTED]  
Director Environment & Cultural Heritage  
Department of Transport & Main Roads  
GPO Box 1549  
Brisbane City Qld 4000

For your information

[REDACTED]

## Attachment 1. Approval Notice

Compliance Management Plan – Pacific Motorway Upgrade – Varsity Lakes to Tugun – Construction Package B Burleigh to Palm Beach Project

Project	<b>Pacific Motorway Upgrade – Varsity Lakes to Tugun – Construction Package B Burleigh to Palm Beach</b>
Date of commencement	The CMP is effective from the date of this letter.
Date of expiry	31 December 2024
Compliance matters	<ul style="list-style-type: none"> <li>• Reuse of treated water containing low levels of PFAS for construction activities on site</li> <li>• <i>Environmental Protection Act 1994</i></li> <li>• Environmental Protection Regulation 2019</li> </ul>
Relevant Law	<ul style="list-style-type: none"> <li>• Environment Protection Act 1994 <ul style="list-style-type: none"> <li>○ s319 General Environmental Duty GED</li> <li>○ s440ZG Depositing prescribed water contaminants in waters and related matters</li> <li>○ s424 and s425 Soil disposal permits (s739)</li> </ul> </li> <li>• Environmental Protection Regulation 2019 <ul style="list-style-type: none"> <li>○ s42 Meaning of regulated waste</li> </ul> </li> <li>• Environmental Protection (Water) Policy 2009, Currumbin and Tallebudgera creeks and Pacific Beaches, Environmental Values and Water Quality Objective, July 2010</li> <li>• Waste Reduction and Recycling Act 2011 <ul style="list-style-type: none"> <li>○ s28 Exempt waste</li> </ul> </li> <li>• Waste Reduction and Recycling (Waste Levy) Amendment Act 2019</li> </ul>
Guidance documents	<ul style="list-style-type: none"> <li>• Australian Water Quality Guidelines</li> <li>• PFAS National Environmental Management Plan (V2.0)</li> </ul>
Relevant agencies	Department of Environment & Science City of Gold Coast (Gold Coast Water)
Conditions to approval	<b>1. Adoption of documents to address compliance issues</b>
	For the purposes of section 477G of the <i>Transport Infrastructure Act 1994</i> the documents below and the measures contained as indicated are adopted in this CMP as far as they relate to the compliance matters. Reference to the key measures that address compliance matters without limiting or derogating from any of the provisions of the documents, the Contract or associated documents.

	<b>Document</b>		
	CMP – PFAS Contaminated Soil and Water Management		
	<b>2. Monitoring and audit during construction</b>		
	<b>Activity</b>	<b>Frequency</b>	<b>Position responsible</b>
	Daily site inspection	Daily	Daily site inspections will also be undertaken by the SMA Infrastructure's site supervisor and relevant requirements will be included in the foreman's Daily Diary.
	Weekly site inspection	Weekly	Weekly environmental inspections will be undertaken by SMA Infrastructure to assess CMP compliance.
	Inspections	As required	SMA Infrastructure will advise the Administrator within 24 hours of meeting, inspections or visits by administering authority.
	Environmental monitoring and reporting procedures.	Monthly	Monthly audit will be undertaken by SMA Infrastructure's SQP (Suitably Qualified Person). SMA Infrastructure will submit records to the Administrator on a monthly basis, including (but not limited to): a) daily inspections of all environmental elements b) monitoring results, analysis and corrective actions c) environmental nuisance and non-conformances.

			<p>d) Monthly reporting on compliance with CMP to show how the compliance matters were addressed including any complaints.</p> <p>The monthly environmental compliance report will be compiled for the TMR Project Director . Non-conformances will be managed through contract administration. Incidents will be managed in accordance with TMR's Environmental Management System, Incident Procedures</p>
	Compliance review audit meetings	Monthly	<p>SMA Infrastructure and TMR (&amp; Administrator) will meet monthly to review the CMP and any issues relating to the compliance matters, including:</p> <ul style="list-style-type: none"> <li>• Activities and location of activities undertaken in the previous month</li> <li>• Compliance with this CMP</li> <li>• Results of monitoring and inspections above</li> <li>• Number and nature of complaints and how they were addressed</li> <li>• Review of the effectiveness of the management measures and any improvements</li> </ul>

			<ul style="list-style-type: none"> <li>Look ahead works programming and likely impacts</li> </ul>
	Post-construction audit	Once during defects liability period	TMR Environmental Officer will conduct a post-construction audit. The outcome of the post-construction audit will occur in compliance with TMR's Environmental Management System. The outcomes of the audit will be compiled to inform TMR's Project Manager of rectification work required for environmental compliance and good management.
	Monitoring of complaints	As required by the SMA Infrastructure Project EMP(C)	SMA Infrastructure to monitor complaints
	Addressing complaints	As required by the SMA Infrastructure EMP(C)	SMA Infrastructure to address complaints and report in monthly compliance report.
<b>3. Dealing with evidence of non-compliance</b>			
	<b>Trigger</b>	<b>Action</b>	
	TMR or SMA Infrastructure becoming aware of non-compliance with this CMP	<ul style="list-style-type: none"> <li>SMA Infrastructure will notify TMR of the non-compliance within 24 hours</li> <li>TMR will consider if the non-compliance was an isolated or unavoidable incident, and if measures that were in place were effective in the circumstances</li> <li>Following TMRs consideration TMR will determine if it is necessary to notify SMA Infrastructure to commence corrective action</li> <li>TMR will raise Work Improvement Notice (WIN) on the internal system for improvements and close out</li> </ul>	

	<p>If, within 10 business days of issuing a correction action request, the corrective action has not rectified the breach of the CMP</p>	<p>TMR will notify the relevant agency with the following details:-</p> <ol style="list-style-type: none"> <li>1. Nature of the non-compliance</li> <li>2. Location of the non-compliance</li> <li>3. Impact of the non-compliance</li> <li>4. Actions taken to remediate</li> </ol> <p>At this point, the relevant agency may determine that the relevant compliance matter is not addressed and take action accordingly under existing legislative requirements</p>
<p><b>4. Breach of the CMP</b></p>		
	<p>Should the department, acting reasonably, determine SMA Infrastructure has failed to provide true and correct evidence that the compliance issues are being adequately addressed; or there is non-compliance with the provisions of the CMP, TMR will give notice to SMA Infrastructure of suspension of the CMP and:</p> <ol style="list-style-type: none"> <li>a. The CMP will be suspended from the time that TMR reasonably determines the breach occurred</li> <li>b. The relevant provisions of the relevant law will apply, and the Agency responsible for the relevant law will enforce the breach of the CMP.</li> <li>c. The CMP will be reinstated from the date TMR notifies SMA Infrastructure in writing.</li> </ol>	