SECTION 176 ‑ ENVIRONMENTAL MANAGEMENT (Minor)‑

This section specifies the minimum environmental management obligations relating to the work to be constructed under this Contract. Additional contract specific requirements may be included in Section  100.

PART A ‑ ENVIRONMENTAL MANAGEMENT

PART B ‑ WATER QUALITY

PART C ‑ AIR QUALITY

PART D ‑ EROSION AND SEDIMENT CONTROL

PART E ‑ CONTAMINATED SOILS AND MATERIALS

PART F ‑ WASTE AND RESOURCE USE

PART G ‑ FUELS AND CHEMICALS

PART H ‑ NOISE

PART I - FLORA AND FAUNA

PART J - CULTURAL HERITAGE

PART K - REPORTING

PART L - REFERENCES

**PART A ‑ ENVIRONMENTAL MANAGEMENT‑**

176.A1 INTRODUCTION

Works under the Contract shall be undertaken so that impacts on the environment are avoided or minimised. The Contractor shall ensure that the environmental objectives and measures outlined in the relevant State and Federal legislation are complied with. Where different objectives are nominated, the more stringent requirement shall be adopted.

The Contractor shall prepare a project specific Environmental Management Plan for the management of activities that impact on the environment in accordance with the requirements of this section.

##(strikethrough the following paragraph where project is not identified as containing high environmental risk – seek advice from Environmental Sustainability)
:Work under the Contract includes activities which VicRoads has assessed as having potentially high environmental risk. The Contractor shall ensure a strong focus on environmental management is maintained whilst executing the work under the Contract, including the provision of staff with environmental skills and experience to manage these risks.

176.A2 DEFINITIONS

**Ancillary Work Area** – an area outside the Limit of Works that is used by the Contractor to support the delivery of the project. This may include but is not limited to the establishment of site compounds, borrow areas and temporary sedimentation basins and temporary works.

**Contaminated Material –** the presence of any chemical substance or waste that exists above the natural background level of the land or water and represents, or potentially represents, an adverse health or environmental impact.

**Cultural Heritage** – Aboriginal heritage as defined in Section 4 of the *Aboriginal Heritage Act 2006 (Vic)* and cultural heritage and archaeological relic as defined in Section 3 of the *Heritage Act 2017 (Vic)*, including but not limited to, Aboriginal artefacts, scarred trees, burial sites, and historic bridges and buildings.

**Heritage Advisor** –a person who is appropriately qualified in a discipline directly related to the management of cultural heritage, such as anthropology or history; or has extensive experience or knowledge in relation to the management of cultural heritage.

**Cultural Heritage Management Plan (CHMP)** – an overview of the heritage values of the project area and an outline of management processes and initiatives to be implemented to avoid or minimise impacts on those values during the course of the project.

**©** Department of Transport and Planning July 2024

Section 176 (Page 1 of 15)

**Environmental Management Plan (EMP)** – Contractor’s document that provides:

• an overview of the environmental management processes to be utilised for work under the Contract, including procedures to protect the beneficial uses of the environment; and

• and details proposals/actions to be undertaken for the management of individual stages of work (defined by work activity and/or location) that impact on the environment.

**Environmental Improvement Plan (EIP)** – a plan, prepared for approval by the Environment Protection Authority (EPA) Victoria, to address the use of non-potable water and/or contaminated materials that identifies potential risks to human health or the environment, and details management options to mitigate the identified risks.

**Environmental Incident** – an event which results in or has the potential to result in the environmental requirements in this Contract being breached, and occurs at any location where works under the Contract are performed.

**Noise Sensitive Receptors** – dwellings that may be affected by construction noise during the day such as aged persons homes, hospitals, schools, kindergartens, libraries and other noise sensitive community buildings.

**Rain Event** – when rainfall results in an offsite discharge, and/or when onsite construction activities are ceased due to rain, and/or rainfall that is equal to or greater than the Rainfall Intensity Chart published in the VicRoads Integrated Water Management Guidelines (Section 5.4.2 - Construction Monitoring).

**Waterway** – includes waterways as defined in the *Water Act 1989* and any natural collection of water (other than water collected and contained in a private dam or a natural depression on private land) whether or not the flow is continuous, as well as tidal and coastal water and groundwater.

176.A3 ENVIRONMENTAL MANAGEMENT PLANS

The Contractor shall be responsible for the preparation, implementation and other arrangements associated with the Environmental Management Plan (EMP). The EMP shall include, as a minimum:

(a) a statement of scope, purpose and environmental objectives

(b) a schedule of environmental elements that are expected to be affected by the works under the Contract including an outline of proposed mitigation treatments and proposed timeframes

(c) the identification of work activities and an assessment of their potential impacts and associated risks to onsite and offsite environmental receptors (e.g. community, land uses, waterways, flora and fauna, cultural heritage, etc.) including times when the Contractor is not on site, including but not limited to matters covered in this specification

(d) processes and responsibilities for -

 • the implementation, onsite review and maintenance of EMP and associated controls

 • reporting and investigation of environmental incidents or complaints relating to any environmental issue under the Contract

 • an adaptive approach for the review and update of the EMP as works progress and/or following non-conformances, complaints, or previously unidentified issues

 • after hours response including arrangements for containing environmental damage and attendance on site in the event of an emergency

(e) legal and other requirements - details of approvals, licences and permits necessary to meet statutory requirements and associated conditions

(f) competence, training and awareness - an induction and training plan to ensure that all site personnel (including subcontractors) understand the EMP and are aware how the EMP is to be implemented in relation to the works, including any possible emergency response procedures

**©** Department of Transport and Planning July 2024

Section 176 (Page 2 of 15)

(g) operational control – the EMP shall document environmental procedures to manage all identified impacts and environmental protection requirements, including the requirements, where relevant, in Section  176 Parts B – H and any specific environmental requirements in Section  100. These procedures shall include inspection and monitoring

(h) scaled drawings that clearly show the location and extent of environmental controls, modifications to existing control devices and monitoring locations

(i) emergency preparedness and response - an emergency response procedure shall include processes for managing any environmental emergency on‑site, such as contacting relevant stakeholders and clean-up of the site

(j) nonconformity, environmental incidents and corrective and preventative action procedures

(k) audit - a documented process for audit of the EMP against the contract requirements, including the effectiveness of on‑site environmental protection measures.

The EMP shall consider any other Contract specific requirements identified elsewhere in the Specification.

**HP The Contractor shall submit to the Superintendent for review an EMP not less than two weeks prior to the commencement of work. Work shall not commence until:**

**- the Superintendent is satisfied that the EMP meets the requirements of the specification for that stage of work**

**- the controls detailed in the EMP relevant to that stage of work are implemented.**

Control measures identified in the EMP shall be installed prior to works commencing, or at the programmed timing for their implementation. Control measures shall be maintained in working order for the duration of the associated works.

The Superintendent will undertake surveillance of the Contract and may arrange for audits of the EMP and may issue a non compliance report. If the Contractor does not take action within seven days of receipt of a non compliance report, remedial action may be arranged by the Superintendent and the cost of such remedial work shall be deducted from money due to the Contractor.

176.A4 TRAINING

Prior to commencement of works onsite, the Contractor shall ensure that all personnel are informed of the environmental issues and specific risks associated with the project and the required management and mitigation measures to address these risks.

Prior to commencement of works onsite, the Contractor shall ensure that personnel directly involved in the implementation of the EMP and the installation and maintenance of control measures for this contract:

• have demonstrated competence and suitable experience in environmental management in a construction environment; or

• have successfully completed a nationally accredited training course which addresses management practices for erosion and sediment control (Green Card or equivalent).

176.A5 PERMITS

The Contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities, other than those already obtained by VicRoads. Copies of all relevant documentation relating to permits and approvals obtained by the Contractor shall be provided to the Superintendent within one week of their receipt and prior to any works relating to the permit commencing. Copies of all permits and approvals will be kept on site.

The Contractor shall be responsible for implementing any conditions identified in any permits whether obtained by VicRoads or the Contractor. All permits and associated conditions shall be identified in the EMP.

**©** Department of Transport and Planning July 2024

Section 176 (Page 3 of 15)

**PART B ‑ WATER QUALITY‑**

176.B1 WATER QUALITY

(a) General

The quality of water in waterways shall not be detrimentally impacted by runoff from the site.

Water quality and rainfall shall be monitored for the parameters identified in Table 176.B1.01 during all stages of construction to ensure that the water quality in the receiving waterways:

• does not vary between the upstream and downstream limits of the works site during the period (where upstream results become the background limits), although a variation between results of no more than twice the measurement uncertainty of the instrument will be allowable; or

• is as agreed between the Contractor, the Superintendent and EPA.

**Table 176.B1.01 Construction Monitoring**

|  |  |
| --- | --- |
| **Parameter** | **Method** |
| Turbidity - NTU | Measure with on-site meter |
| Electrical Conductivity (EC) – µS/cm | Measure with on-site meter |
| pH | Measure with on-site meter |
| Dissolved oxygen (DO) – mg/L | Measure with on-site meter |
| Temperature - °C | Measure with on-site meter |
| Litter (definition, including solid inert waste) | Visual (prevent litter from entering waterways and drainage systems) |
| Oils and Greases | Visual (No visible free oil or greases) |

(b) Monitoring

Monitoring shall be carried out in waterways and/or drainage infrastructure upstream and downstream of the limits of the site for each rain event as follows:

• within one hour of commencement of rain event during working hours

• every four hours for periods of continuous rain during working hours

• within 12 hours of a rain event, outside working hours.

(c) Dewatering

Water quality monitoring shall be undertaken when dewatering ponded water to receiving waterways.

The quality of ponded water to be dewatered to receiving waterways shall not exceed 30 NTU or shall not exceed the turbidity of water in the receiving waterways.

\*\*\* The pH of ponded water to be dewatered shall be within the range of ##:6.4 ‑ 7.7 / 6.5 ‑ 8.3. ##(strikethrough the pH range that is not applicable, as defined in EPA Publication 960 – Section 4.4 Dewatering (Figure 37)):

176.B2 NON-POTABLE WATER

Non-potable water sources shall be used as the primary source of water for all activities unless the Contractor can demonstrate to the Superintendent’s satisfaction that the use of non-potable water is not practicable and feasible.

Where non-potable water is used an Environmental Improvement Plan (EIP) shall be developed in accordance with VicRoads Integrated Water Management Guidelines and shall include the management of all activities related to the sourcing, transport, storage and use of the non-potable water.

**©** Department of Transport and Planning July 2024

Section 176 (Page 4 of 15)

**PART C ‑ AIR QUALITY‑**

176.C1 DUST

All work under the Contract shall comply with the following requirements:

• dust generated from road construction activities shall not create a hazard or nuisance to the public, disperse from the site or across roadways, nor interfere with crops and stock or commercial or residential properties or other dust-sensitive receptors

• emissions of visible smoke from construction plant and equipment shall be for periods no greater than ten consecutive seconds

• emissions of odorous substances or particulates shall not create or be likely to create objectionable conditions for the public

• materials of any type shall not be disposed of through burning

• materials that may create a hazard or nuisance dust shall be covered during transport.

**PART D ‑ EROSION AND SEDIMENT CONTROL‑**

176.D1 EROSION AND SEDIMENT CONTROL

The Contractor shall minimise the risk of soil erosion and sediment pollution of the site, adjacent land, and waterways, by defining and implementing erosion and sediment controls measures as part of its EMP.

The control measures shall be developed with reference (but not limited) to the Environment Protection Authority’s publications including EPA Publication No. 960 *‘Doing it Right on Subdivisions’,* EPA Publication No. 275 *‘Construction Techniques for Sediment Pollution Control’*, EPA Publication No. 480 *‘Environmental Guidelines for Major Construction Sites’* and the International Erosion Control Association *‘Best Practice Erosion and Sediment Control’ (IECA, 2008)*.

The Contractor shall inspect all erosion and sedimentation control works at least once per week with additional inspections during a rain event as follows:

• within one hour of commencement during working hours

• every four hours for periods of continuous rain during working hours

• within 12 hours of a rain event outside working hours

• when runoff is leaving the site.

Any defects and/or deficiencies in control measures identified by monitoring undertaken shall be rectified immediately and these control measures shall be cleaned, repaired and augmented as required to ensure effective control measures thereafter.

176.D2 STOCKPILES

Where soil is stockpiled on site it shall be located no less than 10 metres from waterways. Where it is not possible to provide a clearance of 10 metres, the stockpile shall be above the normal high water level of the waterways and protection shall be provided to prevent stockpiled material entering the waterways.

176.D3 MUD ON PUBLIC ROADS

The Contractor shall take all steps necessary to prevent vehicles from trafficking and depositing mud and other debris on the surface of adjacent roads when entering and leaving the site. The cleaning of plant and equipment shall not impact on any other element of the environment.

Any mud deposited on the road shall be removed immediately.

**©** Department of Transport and Planning July 2024

Section 176 (Page 4 of 15)

**PART E ‑ CONTAMINATED SOILS AND MATERIALS ‑**

176.E1 CONTAMINATED SOILS AND MATERIALS

All work under the Contract shall comply with the following requirements:

• soils or materials shall not be contaminated as a consequence of work under the Contract

• materials imported to the site shall be free from contaminants

• contaminated materials shall only be reused on site through agreement and approval from the Superintendent and EPA

• contaminated materials to be reused onsite shall be temporarily stored and managed to minimise any impact on the site or surrounding environment

• the transport and disposal of contaminated soils or materials offsite shall be undertaken in accordance with relevant legislation and State Environment Protection Policies, or by a method agreed with the EPA.

The discovery of contaminated material on the site during works shall be managed in accordance with VicRoads and EPA Guidelines. The contractor shall immediately notify the Superintendent and where applicable EPA when contaminated material is encountered.

The nature and extent of the waste material should be identified. Where required by the Superintendent and/or EPA a management plan shall be developed to manage the waste.

The use of contaminated material in the Works shall be subject to the approval of the Superintendent and EPA. Prior to the use of any material on the site, the material shall be analysed to verify that the proposed use is in accordance with legislative requirements. Where directed an EIP or other documentation shall be prepared in liaison with EPA and the Superintendent. Where any contaminated material is used in the Works, records shall be kept of the source, type of contamination, volume of contaminated material incorporated, the locations placed and all investigations undertaken. The location of contaminated material incorporated into the site shall be identified in the ‘As Constructed’ drawings. Copies of all documentation including the EIP are to be forwarded to the Superintendent for inclusion in the VicRoads Contaminated Site Register.

**PART F - WASTE AND RESOURCE REUSE**

**©** Department of Transport and Planning July 2024

Section 176 (Page 6 of 15)

176.F1 WASTE AND RESOURCE REUSE

(a) General

The generation of waste materials shall be managed in accordance with the hierarchy, of avoid, reuse, recycle or dispose of waste material. The Contractor shall be responsible for the management of any waste produced in performing the work under the Contract.

Solid inert wastes may be reused when approved by the Superintendent.

The Contractor shall also control the generation of wind blown litter, or litter spread by birds and animals, from disturbed material. This may include limiting the disturbed area or recovering material.

All vehicles transporting waste shall be covered and appropriately licensed.

Copies of all waste disposal records shall be provided to the Superintendent within five working days of their issue date.

Unless otherwise agreed by the Superintendent and where recycling facilities are available, the materials shall be managed in accordance with Table 176.F1.01.

**Table 176.F1.01 Resource Management Requirements**

|  |  |
| --- | --- |
| **Material** | **Waste Management Option** |
| Asbestos | EPA licensed landfill  |
| Asphalt | Recycle or reuse - not to landfill |
| Concrete and concrete washings | Recycle or reuse - not to landfill |
| Contaminated soil | Recycle or reuse on site if opportunity existsIf removed from site, transported by an EPA licensed contractor and disposed in accordance with EPA regulations |
| Felled woody vegetation (except fragments of noxious or environmental weeds capable of regeneration) | Mulched for re-use, or used for habitat logs |
| Woody weed fragments capable of regeneration | Burial on site (deeper than 500mm and not in fill, pavement or other critical areas), composting, or disposal to landfill |
| Formwork | Reuse or dispose to landfill |
| Plastics (Recycle Nos. 1,2,3,4,5,6,7) | Recycling facility - not to landfill |
| Metal | Recycle or reuse - not to landfill |
| Oils and containers and lead acid batteries | Recycling facility - not to landfill |
| Packaging materials | Recycle where possible or dispose to landfill |
| Empty paint tins | Recycling facility - not to landfill |
| Petroleum products from spills (absorbed in spill kit material or contaminated soil) | Recycle or reuse with rehabilitation of contaminated soils if opportunity existsTransported by an EPA licensed contractor and disposed in accordance with EPA regulations |
| Timber (untreated) | Recycle - not to landfill |
| Litter | Recycle or dispose to landfill |
| Office waste | Recycle where possible or dispose to landfill |
| Other waste excluding the above wastes | Recycle or reuse if opportunity exists |

(b) Monitoring

The Contractor shall monitor the whole site for instances of inappropriate waste management or disposal at intervals of not more every 7 days.

**©** Department of Transport and Planning July 2024

Section 176 (Page 7 of 15)

Section 176 (Page 7 of 13)

**PART G ‑ FUELS AND CHEMICALS‑**

176.G1 FUELS AND CHEMICALS

(a) General

Any leakage or spillage of any fuels or chemicals shall not have detrimental environmental impact.

The Contractor shall include specific procedures to mitigate the effect on the environment from fuels and chemicals, including herbicides and pesticides. Such procedures shall include but not be limited to:

• nominated fuel and chemical storage areas that comply with Dangerous Goods (Storage and Handling) Regulations 2012 and EPA Bunding Guidelines (EPA Publication No. 347) including the placarding of compounds and bulk storage containers

• nominated points for fuel and chemical storage, the refueling and fluid top up of vehicles and plant which shall be undertaken in a designated area at least 20 metres from any drainage point or waterways

• provision of readily accessible and maintained spill kits for the purpose of cleaning up chemical, oil and fuel spillages on the Site at all times

• ensuring that personnel trained in the efficient deployment of the spill kits are readily available in the event of spillages

• a contingency plan that shall address the containment, treatment and disposal of any spill.

(b) Monitoring

Fuel and chemical storages and equipment fill areas shall be monitored for compliance at intervals of not more than 7 days.

**PART H ‑ NOISE**‑

176.H1 NOISE

All work under the Contract shall comply with the following requirements:

• hours of work shall be between 7am and 6pm Monday to Saturday

• construction vehicles and equipment shall have appropriate measures fitted and be effectively maintained to minimise engine noise

• noisy equipment shall be enclosed where possible

• advise local residents in advance when unavoidable out-of-hours work will occur.

The contractor shall obtain the Superintendent’s approval prior to undertaking works outside of the above hours.

**©** Department of Transport and Planning July 2024

Section 176 (Page 8 of 15)

**PART I ‑ FLORA AND FAUNA ‑**

176.I1 FLORA AND FAUNA

(a) General

All work under the Contract shall comply with the following requirements:

• avoid, minimise and offset (where appropriate) the removal of native vegetation during construction

• avoid injury to fauna or damage to protected vegetation or habitat

• protect significant flora and fauna sites, species or habitat not previously identified.

(b) Permits and Approvals

Permits from relevant authorities shall be obtained prior to disturbance of flora/fauna sites or relocation of native fauna affected by works under the Contract. Works under the Contract shall comply with all permits and approvals and associated conditions.

(c) Protection of Flora and Fauna

Areas of existing vegetation and native fauna habitat identified to be retained, shall be identified as ‘No‑Go Zones’ and protected by temporary fencing and signage.

**HP Prior to removing any vegetation or habitat, the Contractor shall arrange an on‑site inspection with the Superintendent and other relevant authorities to confirm and clearly identify and mark trees, vegetation or habitat to be removed. Any removal shall be consistent with the Contract drawings and any relevant permits and shall fence and sign all sites nominated as No-Go Zones.**

Plant, equipment, material or debris shall not be placed or stored within the limit of the root zone of the tree or vegetation to be retained.

(d) Soil Compaction

The Contractor shall avoid trafficking and compacting, or storing materials on soil in all areas that are currently vegetated and those areas to be re-vegetated.

(e) Monitoring

The Contractor shall undertake monitoring of the condition of flora and fauna habitat sites and protective measures at the site every 7 days.

176.I2 WEED PEST AND DISEASE MANAGEMENT

(a) General

Declared weeds, pests and diseases (also referred to as pathogens) shall not be introduced to the Site, spread through the Site, or removed from the Site as a consequence of work under the Contract.

The Contractor shall prevent the spread of declared weeds, pests and diseases within the Site and off-site through the implementation of controls that as a minimum shall include:

• treatment of declared weeds prior to the commencement of any ground disturbing activities

• response to their identification through monitoring of the site

• management of weed and soil pathogen potential within imported materials

• provisions for cleaning plant and equipment at the following times -

- prior to arrival on Site

- prior to departure from Site

- prior to movement within the Site from infested to non-infested areas.

(b) Monitoring

The Site shall be monitored for the presence of weeds and pests. At intervals of not more than ##(7 days / 14 days / other):

**©** Department of Transport and Planning July 2024

Section 176 (Page 9 of 13)

**PART J ‑ CULTURAL HERITAGE‑**

176.J1 REQUIREMENTS

1. General

Registered and unregistered Aboriginal places and historical sites must not be damaged, disturbed or otherwise adversely impacted unless the relevant prior authorisation has been obtained.

Where a Cultural Heritage Management Plan (CHMP) has been prepared for the project, the Contractor shall comply with all the approved conditions and contingency arrangements within the CHMP.

The Contractor must ensure that any necessary prior legal authorisation has been identified, sought and granted prior to any works commencing and comply with all conditions (see cl177.K1 (b)(i-ii) and (c)(i-ii).

176.J2 PRACTICAL GUIDANCE

Where prior legal authorisation is not deemed necessary or required prior to the works under this Contract, those works must then comply with the standard DTP Heritage Working Conditions and Contingencies set out in clauses ‎176.J2(b-e). These conditions and contingency arrangements relate to:

* Limit of works.
* The discovery of Aboriginal cultural heritage.
* The discovery of suspected human remains.
* The discovery of historical cultural heritage.
1. Monitoring

The Contractor must undertake a visual assessment of the work site prior to, during and following ground disturbing activities to ensure the conditions of DTP Heritage Working Conditions and Contingencies (see 176.J2(c-e)*)* are being correctly and fully implemented.

1. Heritage Working Conditions – Limit of Works

The following general management conditions apply to all works:

* + - 1. Where necessary to establish parking or set down areas, these areas must be located on previously disturbed areas (e.g., stack sites, established driveways, existing road formation, adjacent roads, etc).
			2. Where necessary to established turning areas, these areas must be located on previously disturbed areas (e.g., stack sites, established driveways, existing road formation, adjacent roads, etc).
			3. Under no circumstances should vehicles, plant, equipment, or materials be driven, parked, transported or stored on any road reserve outside the previously disturbed areas identified in points i & ii above. These activities must be confined within these defined areas of disturbance and/or confined to previously disturbed areas (e.g., stack sites, established driveways, existing road formation, adjacent roads, etc).
			4. If necessary, to avoid impact, designated ‘no go’ zones should be established to delineate the extent of work areas identified in points i – iii above. Any unnecessary disturbance and exposure of earth, in previously undisturbed areas, will increase the risk of harm to heritage values.
		1. The discovery of Aboriginal Cultural Heritage

The following requirements apply to the discovery of Aboriginal cultural heritage where no prior heritage authorisation/s are deemed necessary, or triggered, and where formal heritage management conditions are otherwise not in place.

**©** Department of Transport and Planning July 2024

Section 176 (Page 10 of 15)

* + - 1. All activity in the vicinity must stop.
			2. A person who discovers Aboriginal cultural heritage during the activity (if not the supervisor /manager of the activity) will immediately notify the Superintendent of the activity.
			3. The Superintendent must report the discovery as soon as practicable to a DTP Heritage Advisor. Where confirmed as Aboriginal cultural heritage, the DTP will organise notification to First Peoples – State Relations and a Registered Aboriginal Party (RAP) representative (where registered) or any other relevant Aboriginal community/s
				* The Superintendent must also ensure that works at the location of the discovery are suspended and an 10 metre buffer established around the Aboriginal heritage site and/or object.
				* If necessary, to prevent any further disturbance, the location should be isolated by a fence, safety webbing, or other suitable barrier.
				* Works may recommence outside this area of exclusion.
				* A RAP representative (where registered) or other relevant Aboriginal community representative and a company representative will evaluate the Aboriginal cultural heritage to determine if it is part of a previously registered Aboriginal places or should be registered as a new place.\*\*

*\*\*Note: A Heritage Advisor must be engaged to provide advice regarding the existence of previously registered Aboriginal places and to update and/or complete site records and advise on possible management strategies.*

* + - * + If it is necessary to recommence work within the area of exclusion, those works can commence:

Where the relevant Aboriginal cultural heritage records have been updated and/or completed.

Where all parties agree there is no other prudent or feasible course of action, and.

Only when all necessary approvals and/ or authorisations have been granted (*e.g., a Cultural Heritage Management Plan or Cultural Heritage Permit).*

* + 1. Discovery of suspected Human Remains During Construction

The following procedure will apply in the event of the discovery of suspected human remains:

Discovery:

* + - * + If suspected human remains are discovered, all activity in the vicinity must stopto ensure minimal damage is caused to the remains; and,
				+ The remains must be left in place and protected from harm or damage.

Notification:

* + - * Once suspected human skeletal remains have been found the Superintendent and the DTP Heritage Advisor must be notified immediately. The Superintendent and the DTP Heritage Advisor must then immediately the notify the Coroner’s Office and the Victoria Police.
			* In addition, and if there are reasonable grounds to believe that the remains could be Aboriginal, the Coronial Admissions and Enquiries must be immediately notified on 1300 309 519, and all details of the location and nature of the human remains must be provided to the relevant authorities.
			* If it is confirmed by these authorities that the discovered remains are Aboriginal skeletal remains, the Superintendent must report the existence of the human remains to the Secretary, DPC in accordance with s.17 of the *Aboriginal Heritage Act 2006*.

**©** Department of Transport and Planning July 2024

Section 176 (Page 11 of 15)

* + - * The Secretary will take all reasonable steps to consult with any Aboriginal person or body with an interest in the Aboriginal human remains.

Impact Mitigation or Salvage:

* The Secretary, in consultation with any Aboriginal person or body with an interest in the Aboriginal human remains, will determine the appropriate course of action as required by s.18 (2)(b) of the Act.
* An appropriate impact mitigation or salvage strategy as determined by the Secretary must be implemented (This will depend on the circumstances in which the remains were found, the number of burials found and the type of burials and the outcome of consultation with any Aboriginal person or body).

Curation and further analysis:

* The treatment of salvaged Aboriginal human remains must be in accordance with the direction of the Secretary.

Reburial:

* Any reburial site(s) must be fully documented by an experienced and qualified archaeologist clearly marked and all details provided to FP-SR.
* Appropriate management measures must be implemented to ensure that the remains are not disturbed in the future.
	+ 1. Historic Cultural Heritage Contingency Arrangements

The following requirements apply to the discovery of historical cultural heritage where no prior heritage authorisation/s are deemed necessary, or triggered, and where formal heritage management conditions are otherwise not in place.

* + - 1. All activity in the vicinity must stop.
			2. A person who discovers an historical archaeological site or relic during the activity (if not the supervisor/manager of the activity) will immediately notify the Superintendant.
			3. The Superintendent must report the discovery as soon as practicable to a DoT Heritage Advisor. Where confirmed as an archaeological place or relic, the Superintendent will notify Heritage Victoria and any other relevant organisation.
			4. The Superintendent must also ensure that works at the location of the discovery are suspended, and an appropriate buffer established around the heritage site and/or object (i.e. 50 metres).
			5. If necessary, to prevent any further disturbance, the location should be isolated by a fence, safety webbing, or other suitable barrier.
			6. Works may recommence outside this area of exclusion, unless other suspected sites or relics are identified.
			7. If it is necessary to recommence work within the area of exclusion, those works can commence:
				* Where any necessary heritage records have been updated, and.
				* Only when all necessary approvals and/ or authorisations have been granted.
		1. No-Go Zones
			1. Temporary fencing of ‘No‑Go Zones’ must be:
				- constructed of, as a minimum, star pickets, single strand of wire at the top and paraweb;\

**©** Department of Transport and Planning July 2024

Section 176 (Page 12 of 15)

* + - * + located at the maximum practical distance from the site with a minimum of 10m beyond the limit of the Cultural Heritage site: and
				+ retained in place for the duration of the construction period (until Practical Completion), or until removal of the Cultural Heritage from the site.
			1. Signage must be installed on the temporary fencing at intervals no less than 20 m apart stating ‘Protected Area – No Unauthorised Access’.

**PART K ‑ REPORTING‑**

176.K1 REPORTING

(a) General

All environmental monitoring results and all non-conformance reports relating to environmental performance and current status shall be submitted to the Superintendent.

The Contractor shall submit to the Superintendent copies of the data/information listed in Table 176.K1.01. This submission shall include both the data for the latest report and a summary of data collected to date under the Contract.

**Table 176.K1.01**

|  |  |
| --- | --- |
| **Data/Information** | **Frequency** |
| Pollution Infringement Notices or Pollution Abatement Notices and/or any notices of prosecution. | Within 24 hours of receipt by the Contractor. |
| Statutory documents obtained by the Contractor as part of the project (e.g. permits). | Within one week of receipt by the Contractor. |
| Results of any air quality and water quality monitoring undertaken as part of the project. | ##Monthly / At completion of Works / Other: |
| Itemised fuel (diesel unleaded and LPG) use on‑site by contractors and sub-contractors. | ##Quarterly / At completion of Works / Other: |
| Itemised volumes/quantities, including recycled materials, for the following:• concrete• steel (reinforced and other)• road surface material i.e. spray seal, asphalt• aggregate• cement treated crushed rock• fill material• lime stabilized aggregate• plastic products• copper wire. | ##Quarterly / At completion of Works / Other: |
| Itemised quantities and types of materials sent offsite including prescribed waste certificates. | ##Quarterly / At completion of Works / Other: |
| Itemised quantities and sources of all water used on site. | ##Quarterly / At completion of Works / Other: |
| Itemised quantities of energy use (electricity and gas) including the proportion of renewable sources. | ##Quarterly / At completion of Works / Other: |

(b) Notice of Authority Inspections

The Contractor shall notify the Superintendent within 24 hours of all environmental inspections, correspondence and/or discussions with the EPA or other authorities.

176.K2 ENVIRONMENTAL INCIDENTS

In the event that an environmental incident occurs in relation to the work under the Contract, the Contractor shall:

• take immediate action to avoid continuance of the incident (which may include cessation of work), and to minimise the effect of the incident on the environment

• immediately notify the Superintendent and EPA Pollution Watch (Tel. 1300 EPA VIC) or other responsible authorities of the incident (or by 9am the next working day if the incident occurs outside of working hours)

• submit to the Superintendent for review an incident report within 7 days of the incident. The incident report shall include photographs where available and cover details of the incident, and the proposed corrective action to avoid a re‑occurrence.

**©** Department of Transport and Planning July 2024

Section 176 (Page 11 of 15)

**PART L ‑ REFERENCES ‑**

Unless otherwise specified, environment protection shall be implemented in accordance with, but not limited to, the references listed in Table 176.L1.01. The reference shall be the edition or version current at the time of closing of tenders, unless otherwise specified.

**Table 176.L1.01 References**

|  |
| --- |
| **STATUTORY GUIDELINES / PUBLICATIONS** |
| [Environment Protection Authority Publication 275 – Construction Techniques for Sediment Pollution Control](https://www.epa.vic.gov.au/our-work/publications/publication/1991/may/275) |
| [Environment Protection Authority Publication 347 – Bunding Guidelines](https://www.epa.vic.gov.au/our-work/publications/publication/2015/october/347-1) |
| [Environment Protection Authority Publication 448 – Classifications of Wastes](http://www.esdat.com.au/Environmental%20Standards/Australia/448.3%20Waste%20Classification.pdf) |
| [Environment Protection Authority Publication 480 – Environmental Guidelines for Major Construction Sites](https://www.epa.vic.gov.au/our-work/publications/publication/1996/february/480) |
| Environment Protection Authority Publication 464.2 – Guidelines for Environmental Management - Use of Reclaimed Water |
| [Environment Protection Authority Publication 960 – Doing It Right On Subdivisions](https://www.epa.vic.gov.au/our-work/publications/publication/2004/october/960) |
| Environment Protection Authority Publication 1178 – Off-site Management and Acceptance to Landfill |
| Industrial Waste Resource Guidelines (IWRG701): Sampling and analysis of waters, wastewaters, soils and waste |
| State Environment Protection Policy (Groundwaters of Victoria) |
| State Environment Protection Policy (Prevention and Management of Contaminated Land) |
| State Environment Protection Policy (Waters of Victoria) and schedules |
| **VICROADS DOCUMENTS** |
| VicRoads Sustainability and Climate Change Policy |
| VicRoads Guide to Managing Environmental Risks during Road Construction and Maintenance Guidelines |
| VicRoads Integrated Water Management Guidelines |
| VicRoads Contaminated Land (Planning, Construction & Maintenance) Guidelines |
| VicRoads Cultural Heritage Guidelines |
| VicRoads Biodiversity Guidelines |
| VicRoads Noise Guidelines - Construction and Maintenance Works |
| **AUSTRALIAN STANDARDS** |
| AS 2724.5 (1987) Ambient Air Particulate Matter Part 5 – Determination of impinged matter expressed as direction dirtiness, background dirtiness and/or area dirtiness (directional dust gauge method) |
| AS 3580.10.1 (2003) – Method for sampling and analysis of ambient air. Method 10.1 Determination of particulate matter – deposited matter – Gravimetric method |
| AS 3580.9.6 Methods for sampling and analysis of ambient air Method 9.6: Determination of suspended particulate matter - PM10 high volume sampler with size selective inlet - Gravimetric method |
| AS 3580.9.7 Methods for sampling and analysis of ambient air Method 9.7: Determination of suspended particulate matter - PM10 dichotomous sampler - Gravimetric method |
| AS 3580.9.8 Methods for sampling and analysis of ambient air Method 9.8: Determination of suspended particulate matter — PM10 continuous direct mass method using a tapered element oscillating microbalance analyser |
| AS 3580.9.9 Methods for sampling and analysis of ambient air Method 9.9: Determination of suspended particulate matter - PM10 low volume sampler - Gravimetric method |
| AS 3580.9.11 Methods for sampling and analysis of ambient air Method 9.11: Determination of suspended particulate matter - PM10 beta attenuation monitors |

Continued next page

**©** Department of Transport and Planning July 2024

Section 176 (Page 14 of 15)

**Table 176.L1.01 References**  … continued

|  |
| --- |
| **ADDITIONAL REPORTS AND TOOLS** |
| Austroads Guide to Road Design - Part 6B: Roadside Environment and VicRoads Supplement to AGRD Part 6B |
| Engineers Australia - Australian Runoff Quality – A guide to Water Sensitive Urban Design |
| International Erosion Control Association – Best Practice Erosion and Sediment Control |
| Melbourne Water (2005) WSUD Engineering Procedures: Stormwater |
| VicRoads Carbon Gauge Calculator 2012 |
| VicRoads Temporary Sedimentation Basin Design Tool |
| VicRoads Project Environment Protection Strategy ##(insert name, date and version): |
| ##(insert report names relating to Flora and Fauna studies): |
| ##(insert report names relating to Cultural Heritage studies): |
| ##(insert report names of other relevant pre-construction investigations): |
| ##(insert any other relevant references): |

**©** Department of Transport and Planning July 2024

Section 176 (Page 15 of 15)