

Eastern Creek Retail Outlet Centre | SSD10457 – Operational Compliance Report

30 September 2024 to 30 September 2025

Version 01.

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26 September 2025



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Introduction

1.1 Purpose

The purpose of this report is to demonstrate the compliance status of a project. It communicates the status of our project's performance (in relation to compliance with the conditions of consent). This compliance report has been prepared in accordance with Condition A20 of SSD-10457 and the requirements of the NSW Department of Planning, Industry and Environment 2020 Compliance Reporting Post Approval Requirements document.

1.2 Physical Site Address

The site is located at 141 Rooty Hill Road South, Eastern Creek. The site is situated to the north of the Great Western Highway between Rooty Hill Road South and the M7 Motorway. Church Street marks the site's northern boundary. The site forms part of the Western Sydney Parklands and is approximately 1.5 kilometres southeast of Rooty Hill Station.

Figure 1 below shows an aerial view of the operational Eastern Creek Retail Outlet Centre site.

Figure 1



1.3 Project Activities

Approval for the Concept and Stage 1 works (the Project) was granted in State Significant Development (SSD) 10457 by the NSW Independent Planning Commission on 24 April 2023. The approved development allows for:

A Concept Proposal with 39,500 m² of gross floor area in two stages with:

- A retail outlet centre and ancillary uses.
- Site layout and building height plane.
- Site specific design guidelines.
- Concept landscape design.
- Concept road upgrades.

Stage 1 early works, consisting of:

- Site subdivision.
- Tree and vegetation clearing.
- Temporary early bulk earthworks.
- Extension of Goldsbro Glade to Lot 3.

The Stage 1 early works were completed on the 30 September 2024 and there have been no SSD10457 approved project activities reported from the 30 September 2024 to the date the report was prepared.

Subsequent works on the subject site have been superseded by **SSD31515622 – Eastern Creek Lot 3 Outlet Centre Detailed Design**, which was approved for the construction and operation of Phase A of the retail outlet centre, in accordance with the Concept Plan (SSD10457).

1.4 Key Personnel

Details of the key personnel responsible for environmental management of the development during the operational audit period are as follows:

NAME	ORGANISATION	POSTION
David Drew	Buildcorp (Principal Contractor)	Project Manager
Luke Tracey	Buildcorp (Principal Contractor)	Site Supervisor
Peter Stocker	Frasers Property Australia	Project Manager
Dylan Tompkins	Buildcorp (Principal Contractor)	Senior HSE Coordinator

Previous Actions

2.1 Compliance Status Descriptors

The following descriptors were used to record the status of each compliance requirement

Status	Description
Compliant	The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the Audit.
Non-Compliant	The Auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the Audit.
Not Triggered	A requirement has an activation or timing trigger that has not been met at the time when the Audit is undertaken, therefore an assessment of compliance is not relevant.

2.2 Previous Non-Compliance Actions

The Initial Construction Audit Report (Audit No.1) prepared on the 15 August 2024 reported 10 non-compliances.

The Operation Audit Report (Audit No.2) prepared on the 4 March 2025 reported nil non-compliances.

Refer to the **Appendix A** for non-compliances identified during Audit No.1, including:

- The source of the action
- Reference (condition number)
- Action proposed
- Proposed completion date (i.e if decommissioning)
- The status (date completed, if relevant); and
- The action completed.

2.3 Incidents

There were no incidents, as defined by the consent, which occurred during the reporting period

2.4 Complaints

There have been no complaints associated with SSD10457 during the reporting period

2.5 Compliance Table

Refer to **Appendix B**

Appendix A

Previous Actions

Ref.	Type	Action Proposed	Proposed Completion Date	Status	Action Completed
B2	Non-compliance	The CTMP was not submitted to the Planning Secretary prior to the commencement of works.	31 October 2024	Completed 16 July 2024	Submitted to DPIE 16 th July 2024 Non-compliance Notification submitted to DPIE on 25 th July 2024
B5	Non-compliance	The CWMP was not submitted to the Planning Secretary prior to the commencement of works.	31 October 2024	Completed 16 July 2024	Submitted to DPIE 16 th July 2024 Non-compliance Notification submitted to DPIE on 25 th July 2024
C1	Non-compliance	The Applicant did Not Notify the Planning Secretary prior to the commencement of physical stage 1 works and operation at least 48 hours before those dates.	31 October 2024	Completed 25 th July 2024	The Applicant advised DPIE of Commencement Date via a Non-Compliance Notification submitted on 25 th July 2024
C3	Non-compliance	The audit of the project website identified the project environmental performance and monitoring was not included.	31 October 2024	Completed 25 July 2024	The Applicant uploaded the Site Audit Statement to the project website (https://www.easterncreekquarter.shopping/ecq-outlet-information) Non-compliance Notification submitted to DPIE on 25 th July 2024
C11	Non-compliance	The affected property owner of 151 Rooty Hill Road was not forwarded a copy of the dilapidation report.	31 October 2024	Completed 27 September 2024	A copy of the relevant pre-construction dilapidation report was sent to the affected property owner (151 Rooty Hill Road) via email (Moits, 27 September 2024).
D2	Non-compliance	The Site Notice is to be updated to include the: name, address and telephone number of the Certifying Authority for the work approved hours of work	31 October 2024	Completed 16 October 2024	The site notice was updated to include the relevant information (Certifying Authority information and approved hours of work) included and affixed to the site boundary fence.

D3	Non-compliance	The Proponent will need to review the approved hours and provide a suitable rectification to ensure ongoing compliance with trucks entering site within the approved hours.	31 October 2024	Completed 17 October 2024	The head contractor (Moits) confirmed the approved hours for the site with their main suppliers of hired equipment and material delivery via email on the 17/10/2025. Effectiveness of the emails was evident on review of the truck register (from dates post-audit), which confirmed that all trucks entered site within the approved hours (Truck Register 02.08.24 to 03.03.25 (Moits, March 2025).
D9	Non-compliance	The Proponent will need to review the approved hours and provide a suitable rectification to ensure ongoing compliance with trucks entering site within the approved hours.	31 October 2024	Completed 17 October 2024	The head contractor (Moits) confirmed the approved hours for the site with their main suppliers of hired equipment and material delivery via email on the 17/10/2025. Effectiveness of the emails was evident on review of the truck register (from dates post-audit), which confirmed that all trucks entered site within the approved hours (Truck Register 02.08.24 to 03.03.25 (Moits, March 2025).
D22	Non-compliance	- Items requiring attention: The empty refuelling cell located adjacent to the site accommodation is to be located onto a bund or removed from site. - The Proponent should consider a reminder to the subcontractor and workers regarding appropriate storage of chemicals. - Sediment controls adjacent to the Woolworths require rectification. - Proponent to inspect all sediment controls and rectify where required. - The southeast corner of the site is the lowest point with the potential for sediment run-off.	31 October 2024	Closed 17 October 2024	The applicant provided the Auditor the following to close out the items sited. A photo showing the refuelling cell had been removed from the site. Chemical Storage Toolbox sighted (Moits, 01/10/2024). Sediment controls reinstated to adequately protect the environment A drone photoshowing that sediment fencing has been installed around the perimeter of the southeast of the site. Structural stormwater elements (such as outlet with rock armour) have been installed adjacent to the works (as part of another consent, i.e., outside the scope of this approval and audit). The Proponents timing for updating the AQMP to close out this observation meant that it was not required as the construction under SSD-10457 had been completed.

		Proponent to inspect the sediment controls in the southeast of the site and rectify where required. The Proponent is to update the AQMP to reflect the monitoring strategy being implemented on site.			
D37	Non-compliance	The Proponent will need to review the approved hours and provide a suitable rectification to ensure ongoing compliance with trucks entering site within the approved hours.	31 October 2024	Completed 17 th October 2024	The head contractor (Moits) confirmed the approved hours for the site with their main suppliers of hired equipment and material delivery via email on the 17/10/2025. Effectiveness of the emails was evident on review of the truck register (from dates post-audit), which confirmed that all trucks entered site within the approved hours (Truck Register 02.08.24 to 03.03.25 (Moits, March 2025).
A19	Recommendation	The Auditor considers the CEMP requires a review against the current project.	31 October 2024	Completed	This CEMP has been prepared under another project approval for the site that is not within the scope of this audit.

Appendix B

Compliance Table

Condition	Requirement	Evidence collected	Independent Audit Findings	Compliance Status	Phase of Development																																																
	SCHEDULE 4 - CONDITIONS OF CONSENT FOR STAGE 1 WORKS PART A ADMINISTRATIVE CONDITIONS																																																				
	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT																																																				
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development.	N/A	This independent environmental audit for SSD-10457 is related entirely to Stage 1 works. There are no specific approval conditions or requirements associated with operation under this approval. Ongoing environmental performance measures and criteria to prevent material harm to the environment are managed by the Proponent in accordance with their relevant project approvals (i.e., outside the scope of this operational audit).	Not triggered	At all times																																																
	DEVELOPMENT DESCRIPTION																																																				
A2	Consent is granted to the Stage 1 works detailed in Schedule 1 and in accordance with the conditions contained within this consent.	Noted.	Noted.	Compliant	Note																																																
	TERMS OF CONSENT																																																				
A3	Stage 1 of the development may only be carried out: (a) in compliance with the conditions of this consent (b) in accordance with all written directions of the Planning Secretary (c) in accordance with the EIS and as amended by the RtS and additional information (d) in accordance with the drawings listed in the table below, as amended by the conditions of this consent: <table><tr><th colspan="4">Draft Subdivision Plans prepared by Landpartners</th></tr><tr><th>Plan Number</th><th>Plan Title</th><th>Revision</th><th>Date</th></tr><tr><td>SY073106.006.3.2</td><td>PLAN OF PROPOSED SUBDIVISION OF LOT 101 IN DP581882</td><td>2</td><td>27/06/2022</td></tr><tr><td>SY073106.006.7A.3</td><td>PLAN OF PROPOSED SUBDIVISION OF LOT 12 IN STAGE 2 BEING A SUBDIVISION OF DP 1267436 AND LOT 1 DP 1260111</td><td>3</td><td>30/06/2022</td></tr><tr><th colspan="4">Stage 1 Early Works Civil Plans prepared by henry & hymas</th></tr><tr><th>Plan Number</th><th>Plan Title</th><th>Revision</th><th>Date</th></tr><tr><td>20224_DA_BE50</td><td>Bulk earthworks – early works cut and fill plan</td><td>01</td><td>21/12/2020</td></tr><tr><td>20224_DA_BE51</td><td>Bulk earthworks – early works site sections, sheet 1 of 2</td><td>01</td><td>21/12/2020</td></tr><tr><td>2022_DA_BE52</td><td>Bulk earthworks – early works site sections, sheet 2 of 2</td><td>01</td><td>21/12/2020</td></tr><tr><td>20224_DA_C105</td><td>Detail civil plan, sheet 5 of 6</td><td>02</td><td>22/12/2020</td></tr><tr><td>20224_DA_C106</td><td>Detail civil plan, sheet 6 of 6</td><td>02</td><td>22/12/2020</td></tr><tr><td>20224_DA_C109</td><td>Detail civil plan – basement, sheet 3 of 3</td><td>02</td><td>22/12/2020</td></tr></table>	Draft Subdivision Plans prepared by Landpartners				Plan Number	Plan Title	Revision	Date	SY073106.006.3.2	PLAN OF PROPOSED SUBDIVISION OF LOT 101 IN DP581882	2	27/06/2022	SY073106.006.7A.3	PLAN OF PROPOSED SUBDIVISION OF LOT 12 IN STAGE 2 BEING A SUBDIVISION OF DP 1267436 AND LOT 1 DP 1260111	3	30/06/2022	Stage 1 Early Works Civil Plans prepared by henry & hymas				Plan Number	Plan Title	Revision	Date	20224_DA_BE50	Bulk earthworks – early works cut and fill plan	01	21/12/2020	20224_DA_BE51	Bulk earthworks – early works site sections, sheet 1 of 2	01	21/12/2020	2022_DA_BE52	Bulk earthworks – early works site sections, sheet 2 of 2	01	21/12/2020	20224_DA_C105	Detail civil plan, sheet 5 of 6	02	22/12/2020	20224_DA_C106	Detail civil plan, sheet 6 of 6	02	22/12/2020	20224_DA_C109	Detail civil plan – basement, sheet 3 of 3	02	22/12/2020	IEA - Operation Audit Map (Fraser's, 04/03/2025). Drone photos (DJI_0637 & DJI_0643, 26/02/2025). NearMap aerial photo of the site (accessed 04/03/2025).	A marked-up figure was provided to the auditor to demonstrate the works completed as defined in ECQ-C-BE50 Bulk earthworks – early works cut and fill plan (Rev 01, 13/09/2023). The drone photos and the NearMap aerial photo indicate that the works do not preclude the Proponent from meeting the listed draft subdivision plans prepared by Landpartners. The Auditor prepared a site map to clearly identify: each stage of the development, any sensitive areas surrounding the site, areas where works have not yet commenced, areas under construction, and completed/operational work areas, with commentary to support details provided in the map.	Compliant	At all times
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A4	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in Condition A3(a) of this Schedule.	N/A	No directions have been issued by the Planning Secretary.	Compliant	At all times																																																

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
A5	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and documents listed in Condition A3 of this Schedule. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in Condition A3 of this schedule, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	N/A	No inconsistency, ambiguity or conflict has occurred.	Compliant	At all times
	LEGAL NOTICES				
A6	Any advice or notice to the consent authority shall be served on the Secretary.	N/A	No legal notice has occurred.	Compliant	At all times
	EVIDENCE OF CONSULTATION				
A7	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	N/A	This condition has not been triggered during the 'Operation' phase.	Compliant	At all times
	OPERATION OF PLANT and EQUIPMENT				
A8	All plant and equipment used on site, or to monitor the performance of the development during stage 1 works must be: a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	N/A	This condition has not been triggered during the 'Operation' phase.	Compliant	At all times
	APPLICABILITY OF GUIDELINES				
A9	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	N/A	This condition was not triggered during the 'Operation' phase.	Not triggered	Note
A10	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	N/A	This condition was not triggered during the 'Operation' phase.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	MONITORING and ENVIRONMENTAL AUDITS				
A11	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing. Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.	This Audit Report.	This Independent Environmental Audit of the SSI project is an environmental audit under Division 9.4 of Part 9 of the EP&A Act. It was prepared by an independent person approved by the minister and does not include false or misleading information.	Compliant	At all times
	INCIDENT NOTIFICATION, REPORTING and RESPONSE				
A12	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	N/A	There have not been any incidents.	Compliant	At all times
A13	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.	N/A	There have not been any incidents.	Compliant	At all times
	NON-COMPLIANCE NOTIFICATION				
A14	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	N/A	There have not been any non- compliances during the Operation Phase	Compliant	At all times
A15	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	N/A	There have not been any non- compliances during the Operation Phase	Compliant	At all times
A16	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	N/A	There have not been any non- compliances during the Operation Phase	Compliant	At all times
	REVISION OF STRATEGIES, PLANS and PROGRAMS				
A17	Within three months of: (a) the submission of a compliance report under Schedule 4, Conditions A20 and A23; (b) the submission of an incident report under Schedule 4, Condition A12; (c) the submission of an Independent Audit under Schedule 4, Condition A25; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under Schedule 2, Condition A3 which requires a review,	N/A	No revisions of strategies, plans or programs required during this operational audit period.	Compliant	At all times

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
A18	The strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.	N/A	No operational strategies, plans and programs required under this consent in relation to operation.	Not triggered	Operation
A19	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review. Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.	N/A	No operational strategies, plans and programs required under this consent in relation to operation.	Not triggered	Operation
	COMPLIANCE REPORTING				
A20	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (2020).	N/A	The applicant will complete the compliance report in accordance with the Compliance Reporting Post Approval Requirements (2020).	Not triggered	Operation
A21	Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.	N/A	The applicant will complete the compliance report in accordance with the Compliance Reporting Post Approval Requirements (2020).	Not triggered	Operation
A22	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.	N/A	The applicant will complete the compliance report in accordance with the Compliance Reporting Post Approval Requirements (2020).	Not triggered	Operation
A23	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	N/A	The applicant will complete the compliance report in accordance with the Compliance Reporting Post Approval Requirements (2020).	Not triggered	Operation
	INSPECTIONS				
A24	Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.	N/A	This condition has not been triggered during the 'Operation' phase.	Compliant	At all times
	INDEPENDENT ENVIRONMENTAL AUDIT				
A25	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).	Note. This audit.	The 'Construction' and 'Operational' Audit were both deemed compliant	Compliant	Operation
A26	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Post approval letter (NSW Planning ref: SSD-10457-PA-12, 12/07/2024). DPHI Email 07/02/2025).	Independent Auditor agreed in writing by the Planning Secretary prior to the commencement of the Independent Audit. Confirmed for the operational audit via email during the audit consultation process.	Compliant	Operation

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
A27	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.	N/A	No notice in relation to this condition has been issued by the Planning Secretary.	Compliant	Operation
A28	Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent Audit Site Inspection as outlined in the Independent Audit Post Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary	Eastern Creek retail outlet centre - Independent Audit - NSW Planning ref: SSD-10457-PA-16 (DPHI, 25/10/2024).	The Construction Audit was submitted to Major Projects Portal 27/09/2024 (SSD-10457-PA-16). DPHI acknowledge receipt of Construction IEA via the Major Projects Portal 25/10/2024 (SSD-10457-PA-16). The Operational Audit was submitted to Major Projects Portal 20/3/2025 (SSD-10457-PA-18) DPHI acknowledge receipt of Operation IEA via the Major Projects Portal 07/05/2025 (SSD-10457-PA-18).	Compliant	Operation
A29	Notwithstanding the requirements of the Independent Audit Post Approvals Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.	SSD-10457-PA-17 (07/11/2024). Email Correspondence (DPHI, 24/11/2024).	The applicant requested to cease the requirement for an operational audit (SSD-10457-PA-17, 07/11/2024). The Department advised via email (14/11/2024) that in order to assess an application to cease operational audits in accordance with Condition A29, the Proponent would be required to undertake a minimum of one operational audit to demonstrate operational compliance. The Department proposed that the Proponent could withdraw the application or the Department would formally refuse the application. Frasers withdrew the application 21/11/2024.	Compliant	Operation
	EUROPEAN ARCHAEOLOGICAL HERITAGE				
A30	The relevant recommendations of the: (a) Historical Archaeological Assessment, prepared by Extent Heritage Advisors, dated 28 July 2022, Final 02 (b) Eastern Creek Business Hub Archaeological Management Plan, prepared by Biosis, dated 10 February 2016, submitted as part of SSD-5175-Mod-1. must be implemented during all stages of the development.	N/A	Not applicable to Operations phase.	Not triggered	At all times

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	SCHEDULE 4 - CONDITIONS OF CONSENT FOR STAGE 1 WORKS PRIOR TO THE ISSUE OF ANY CONSTRUCTION CERTIFICATE				
	CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
B1	Prior to the issue of the first construction certificate, the Applicant must prepare and submit a Construction Environmental Management Plan (CEMP) to the satisfaction of the Certifying Authority. The CEMP must address, but not be limited to, the following matters where relevant: (a) Details of: (i) hours of work, in accordance with the conditions of this consent (ii) 24-hour contact details of the site manager (iii) community consultation and complaint handling procedure (iv) traffic management (v) noise and vibration management, prepared by a suitably qualified person (vi) management of dust and odour to protect the amenity of the neighbourhood (vii) stormwater control and discharge, including measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site (viii) contamination management, including any unexpected contamination finds protocol (ix) waste management (x) external lighting in compliance with applicable Australian Standards (xi) flora and fauna management. (b) Construction Pedestrian and Traffic Management Sub-Plan (c) Construction Noise and Vibration Management Sub-Plan (d) Air Quality Management Sub-Plan (e) Construction Waste Management Sub-Plan (f) Construction Soil and Water Management Sub-Plan (g) an unexpected finds protocol for contamination and associated communications procedure (h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure (i) waste classification (for materials to be removed) and validation (for materials to remain) to be undertaken to confirm the contamination status in these areas of the site.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	CONSTRUCTION PEDESTRIAN and TRAFFIC MANAGEMENT PLAN SUB-PLAN				
B2	Prior to the issue of the first construction certificate, the Applicant must prepare and submit a final Construction Pedestrian and Traffic Management Plan Sub-Plan (CPTMP) to the satisfaction of the Certifying Authority. The CPTMP must be prepared in consultation with the Sydney Coordination Office within TfNSW and specify matters including, but not limited to, the following: (a) a description of the development (b) location of any proposed work zone(s) (c) details of crane arrangements including location of any crane(s) and crane movement plan (d) haulage routes (e) construction hours in accordance with Schedule 4, Conditions D3 to D7 inclusive (f) predicted number of construction vehicle movements, detail of vehicle types and demonstrate that proposed construction vehicle movements can work within the context of road changes in the surrounding area, noting that construction vehicle movements are to be minimised during peak periods (g) construction vehicle access arrangements (h) construction program and construction methodology, including any construction staging (i) a detailed plan of any proposed hoarding and/or scaffolding (j) construction worker travel arrangements and measures to avoid construction worker vehicle movements within the precinct (k) consultation strategy for liaison with surrounding stakeholders (l) identify any potential impacts to general traffic, cyclists, pedestrians, bus services within the vicinity of the site from construction vehicles during the construction of the proposed works. Proposed mitigation measures must be clearly identified and included in the CPTMP (m) identify the cumulative construction activities of the development and other projects within or around the development site. Proposed measures to minimise the cumulative impacts on the surrounding road network must be clearly identified and included in the CPTMP. The CPTMP must include a table summarising the location of each of the items listed above within the plan. A copy of the final endorsed CPTMP, shall be submitted to the Certifying Authority, the Secretary, Council and TfNSW, prior to the commencement of works.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
	CONSTRUCTION NOISE and VIBRATION MANAGEMENT SUB-PLAN				
B3	Prior to the issue of the first construction certificate, the Applicant must submit to the satisfaction of the Certifying Authority a Construction Noise and Vibration Management Sub-Plan (CNVMP) for the development. A copy of the CNVMP must be submitted to the Planning Secretary for information. The Sub-Plan must include: (a) all recommendations detailed in the Noise Impact Assessment, prepared by Acoustic Logic, rev 3 dated 6 October 2021 to manage construction activities for the site with particular emphasis on activities	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	that are anticipated to exceed highly noise affected levels under the EPA's Interim Construction Noise Guide (b) identification of the specific activities that will be carried out and their associated noise sources at the site (c) identification of all potentially affected sensitive residential receiver locations (d) quantification of the rating background noise level (RBL) for sensitive receivers, as part of the Sub-Plan, or as undertaken in the EIS and RtS (e) the construction noise and vibration objectives derived from an application of the EPA Interim Construction Noise Guideline (ICNG), as reflected in this development consent (f) prediction and assessment of potential noise, ground-borne noise (as relevant) and vibration levels from the proposed construction methods expected at sensitive receiver premises against the objectives identified in the ICNG and this development consent (g) where objectives are predicted to be exceeded, an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise and vibration impacts (h) description of management methods and procedures, and specific noise mitigation treatments/measures that can be implemented to control noise and vibration during construction (i) where objectives cannot be met, additional measures including, but not necessarily limited to, the following must be considered and implemented where practicable; reduce hours of construction, the provision of respite from noise/vibration intensive activities, acoustic barriers/enclosures, alternative excavation methods or other negotiated outcomes with the affected community (j) measures to identify non-conformances with the requirements of the Sub-Plan, and procedures to implement corrective and preventative action (k) suitable contractual arrangements to ensure that all site personnel, including sub-contractors, are required to adhere to the noise management provisions in the Sub-Plan (l) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity (m) measures to monitor noise performance and respond to complaints (n) measures to reduce noise related impacts associated with offsite vehicle movements on nearby access and egress routes from the site (o) procedures to allow for regular professional acoustic input to construction activities and planning (p) effective site induction, and ongoing training and awareness measures for personnel (e.g. toolbox talks, meetings etc). The CNVMP must include a table summarising the location of each of the items listed above within the plan. A copy of the final endorsed CNVMP, shall be submitted to the Certifying Authority, the Secretary, Council and TfNSW, prior to the commencement of works.				
	AIR QUALITY MANAGEMENT SUB-PLAN				

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
B4	Prior to the issue of the first construction certificate, the Applicant must submit to the satisfaction of the Certifying Authority an Air Quality Management Sub-Plan (AQMP) for the development. A copy of the AQMP must be submitted to the Planning Secretary for information. The Sub-Plan must include, as a minimum, the following elements: (a) be prepared by a suitably qualified and experienced expert in accordance with the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (the Approved Methods) (b) relevant environmental criteria to be used in the day-to-day management of dust and volatile organic compounds (VOC/odour) (c) mission statement(d) dust and VOCs/odour management strategies consisting of: (i) objectives and targets (ii) risk assessment (iii) suppression improvement plan (iv) monitoring requirements including assigning responsibility (for all employees and contractors) (v) communication strategy (vi) system and performance review for continuous improvements.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	CONSTRUCTION WASTE MANAGEMENT SUB-PLAN				
B5	Prior to the issue of the first construction certificate, the Applicant must submit to the satisfaction of the Certifying Authority a Construction Waste Management Sub-Plan (CWMP) for the development. A copy of the CWMP must be submitted to the Planning Secretary and Certifying Authority. The Sub-Plan must include, as a minimum, the following elements: (a) require that all waste generated during the project is assessed, classified and managed in accordance with the EPA's "Waste Classification Guidelines Part 1: Classifying Waste" (b) classifies fill material being imported or removed from the site in accordance with the EPA's excavated natural material order 2014 (c) demonstrate that an appropriate area will be provided for the storage of bins and recycling containers and all waste and recyclable material generated by the works (d) procedures for minimising the movement of waste material around the site and double handling (e) waste (including litter, debris or other matter) is not caused or permitted to enter any waterways (f) any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises (g) the wheels of any vehicle, trailer or mobilised plant leaving the site and cleaned of debris prior to leaving the premises (h) details in relation to the transport of waste material around the site (on-site) and from the site, including (at a minimum): (i) a traffic plan showing transport routes within the site; (ii) a commitment to retain waste transport details for the life of the project to demonstrate compliance with the Protection of the Environment Operations Act 1997; and (iii) the name and address of each licensed facility that will receive waste from the site (if appropriate).	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
	CONSTRUCTION SOIL and WATER MANAGEMENT SUB-PLAN				
B6	Prior to the issue of the first construction certificate, the Applicant must submit to the satisfaction of the Certifying Authority, a Construction Soil and Water Management Sub-Plan (CSWMSP) which must be prepared by a suitably qualified expert, in consultation with Council and address, but not be limited to the following: (a) describe all erosion and sediment controls to be implemented during construction (b) provide a plan of how all construction works will be managed in a wet-weather event (i.e. storage of equipment, stabilisation of the Site) (c) detail all off-Site flows from the Site (d) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	BIODIVERSITY OFFSET STRATEGY				
B7	Prior to the issue of the first construction certificate, the Applicant must purchase and retire 20 ecosystem credits for Cumberland Shale Plains Woodland (Plant Community Type (PCT) Grey Box – Forest Red Gum, grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion) in accordance with NSW Biodiversity Offset Scheme and the Biodiversity Conservation Act 2016.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
B8	The Applicant must provide the Planning Secretary with evidence that: (a) the retirement of ecosystem credits required under Schedule 4, Condition B7 has been completed; or (b) a payment has been made to the Biodiversity Conservation Fund prior to undertaking any clearing of native vegetation, or activities that have the potential to impact upon this native vegetation.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
	TREE RETENTION and PROTECTION				
B9	Prior to the issue of the first construction certificate, the Applicant is to pay a tree preservation bond to Council for each tree nominated for retention in section 3.3 of the Arboricultural Impact Assessment by Eco Logical Australia Version 12, 1 September 2023 and Tree Protection Plan dated 1 September 2023 for Eastern Creek Business Hub Stage 3 as per Council's Goods and Services Pricing Schedule, to ensure the retention and protection of trees as per AS:4970- 2009 - Protection of Trees on Development Sites. The bond amount will be held by Council and returned 12 months following the issue of an occupation certificate for future Phase A works following the submission of the final report by the Applicant's project Arborist indicating the trees are in good health, and this is confirmed following an inspection by an authorised officer from Council's tree management section.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
B10	Two inspection fees as per Council's Goods and Services Pricing Schedule will be applicable for the authorised officer to inspect the tree protection measures implemented before construction commencing and following a request to return the tree preservation bond as noted above.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
B11	Prior to the issue of the first construction certificate, an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist needs to be engaged to supervise work within the Tree Protection Zone (TPZ), provide advice regarding tree protection and monitor compliance. They are to register with the Applicant before any works commence so that the builder can be inducted as to essential times when the Arborist will be required on-site. Hold points, inspections and certification are carried out by the Arborist in line with Section 5 of the Arboricultural Impact Assessment (AIA).	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
B12	The tree protection measures are to be installed before construction commences.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
	RETAINING WALL DESIGN				
B13	The retaining wall design must incorporate a dish drain or similar device to capture any overland flow flowing onto the footpath paving	N/A	This condition was not triggered.	Not triggered	At all times

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	SCHEDULE 4 - CONDITIONS OF CONSENT FOR STAGE 1 WORKS PART C PRIOR TO COMMENCEMENT OF STAGE 1 WORKS				
	NOTIFICATION OF COMMENCEMENT				
C1	The Department must be notified in writing, via the NSW Planning Portal of the dates of commencement of physical Stage 1 works and operation at least 48 hours before those dates.	SSD-10457-PA-17 (07/11/2024). Email Correspondence (DPHI, 24/11/2024).	There is no operational phase identified for Stage 1 in the EIS or the subsequent approval (SSD-10457). Formal notification of commencing operation is not technically required under Condition C1. The Department were notified informally of the finalisation of construction via email and the withdrawn application to cease the requirement for the operational audit (see Condition A29).	Compliant	Prior to Construction and Operation
C2	If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	N/A	Not applicable to Operations phase.	Not triggered	Note
	ACCESS TO INFORMATION				
C3	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (i) the documents referred to in Schedule 2, Condition A3 of this consent (ii) all current statutory approvals for the development (iii) all approved strategies, plans and programs required under the conditions of this consent (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs (vi) a summary of the current stage and progress of the development (vii) contact details to enquire about the development or to make a complaint (viii) a complaints register, updated monthly (ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report (x) any other matter required by the Planning Secretary (b) keep such information up to date, to the satisfaction of the Planning Secretary.	Project website: https://www.easterncreekquarter.shopping/ECQ-Outlet-Information	The project website contains the required information as set out in Condition C3.	Compliant	Prior to Construction
	UTILITIES and SERVICES				
C4	Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers. Any costs in the relocation, adjustment or support of services are the responsibility of the Applicant.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
C5	Prior to the commencement of works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
	DIAL BEFORE YOU DIG SERVICE				
C6	Prior to the commencement of any excavation on or near the site, the Applicant must submit to the satisfaction of the Certifying Authority written confirmation from NSW Dial Before You Dig Service that the proposed excavation will not conflict with any underground utility services.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
	COMPLIANCE				
C7	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
	EROSION and SEDIMENT CONTROL				
C8	Prior to the commencement of Stage 1 works, evidence that soil erosion and sediment control measures have been designed in accordance with Managing Urban Stormwater – Soils & Construction Volume 1 (Landcom, 2004) must be submitted to the Certifying Authority.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
	PROTECTION OF PUBLIC INFRASTRUCTURE and STREET TREES				
C9	Prior to the commencement of works, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths) and submit a copy of the dilapidation report to the Certifier, Planning Secretary and Council (c) ensure all street trees directly outside the site not approved for removal are retained and protected in accordance with the applicable Australian Standards.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
	PRE-CONSTRUCTION DILAPIDATION REPORT				
C10	Prior to the commencement of any construction, the Applicant must submit to the satisfaction of the Certifier a Pre-Construction Dilapidation Report, prepared by a suitably qualified person	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
C11	The Pre-Construction Dilapidation Report detailing the current structural condition of all adjoining buildings, infrastructure and roads (including the public domain site frontages, the footpath, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restrictions and traffic signs, and all other existing infrastructure along the street) within the 'zone of influence'. Any entry into private land is subject to the consent of the owner of the land and any inspection of buildings on privately affected land must include details of the whole building where only part of the building may fall within the 'zone of influence'. The report must be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works. A copy of the report is to be forwarded to the Planning Secretary and each of the affected property owners.	N/A	Not applicable to Operations phase.	Not triggered	Note
C12	In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the satisfaction of the Certifier that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.	N/A	Not applicable to Operations phase.	Not triggered	Note
C13	Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant to the satisfaction of the public authority responsible for the public way.	N/A	Not applicable to Operations phase.	Not triggered	Note
C14	The damage must be fully rectified by the Applicant in accordance with Council's standards prior to a Certificate of Completion being issued for Public Domain Works or before the final Occupation Certificate is issued for the development, whichever is the sooner.	N/A	The Proponent advised that there has not been any damage.	Not triggered	Note
	CONSTRUCTION PARKING				
C15	Prior to the commencement of any earthwork or construction, the Applicant must submit to the satisfaction of the Certifier evidence that sufficient off-street parking has been provided for heavy vehicles and for site personnel (where required), to ensure that construction traffic associated with the development does not utilise on-street parking or public parking facilities.	N/A	Not applicable to Operations phase.	Not triggered	Prior to Construction
	BARRICADE PERMIT				
C16	Where construction/building works require the use of a public place including a road or footpath, approval under section 138 of the Roads Act 1993 for a Barricade Permit is to be obtained from the relevant authority prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of the relevant authority.	N/A	Not applicable to Operations phase.	Not triggered	Note
	HOARDING				
C17	An application under section 138 of the Roads Act 1993 is to be made to the relevant road authority to erect a hoarding and/or scaffolding in a public road (if required) and such application is to include: (a) architectural, construction and structural details of the design as well as any proposed artwork	N/A	Not applicable to Operations phase.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	(b) structural certification prepared and signed by an appropriately qualified practising structural engineer.				
	OUTDOOR LIGHTING				
C18	Prior to commencement of any lighting installation, evidence must be submitted to the satisfaction of the Certifier that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	N/A	Not applicable to Operations phase.	Not triggered	Note
	PUBLIC LIABILITY INSURANCE				
C19	Prior to the commencement of any earthwork or construction over, on or below Council land, the Applicant must submit to the satisfaction of the Certifier evidence of Public Liability Insurance, with a minimum liability of \$10 million. A copy of the Insurance cover is to be provided to Council.	N/A	Not applicable to Operations phase.	Not triggered	Note
	REMEDIATION – UNEXPECTED FINDS PROTOCOL				
C20	Prior to the commencement of any earthwork or remediation works, the Applicant must submit to the satisfaction of the Certifier an Unexpected Finds Protocol which has been reviewed and endorsed by an EPA accredited site auditor. The protocol must outline contingency measures and the procedures to be followed in the event unexpected finds of contaminated material are encountered during works.	N/A	Not applicable to Operations phase.	Not triggered	Note
	SCHEDULE 4 - CONDITIONS OF CONSENT FOR STAGE 1 WORKS PART D DURING CONSTRUCTION				
	APPROVED PLANS TO BE ON-SITE				
D1	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.	N/A	Not applicable to Operations phase.	Not triggered	Note
	SITE NOTICE				
D2	A site notice(s) must be erected in a prominent position on the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer. The notice(s) is to satisfy all, but not be limited to, the following requirements: (a) state the name, address and telephone number of the Certifying Authority for the work (b) state the name of the principal contractor (if any), its address and 24-hour contact phone number for any inquiries, including construction/noise complaints (c) state the approved hours of work (d) state that unauthorised entry to the work site is prohibited (e) the minimum dimensions of the notice are to measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size (f) the notice is to be durable and weatherproof and is to be displayed throughout the works period (g) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing.	N/A	Not applicable to Operations phase.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	HOURS OF CONSTRUCTION				
D3	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:(a) between 7 am and 6 pm, Mondays to Fridays inclusive; and(b) between 8 am and 1 pm, Saturdays.	N/A	Not applicable to Operations phase.	Not triggered	Note
D4	No work may be carried out on Sundays or public holidays	N/A	Not applicable to Operations phase.	Not triggered	Note
D5	Works may be undertaken outside of these hours if required: (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm or (c) it is required in accordance with a Road Occupancy Licence or at the direction of the Transport Management Centre (TMC).	N/A	Not applicable to Operations phase.	Not triggered	Note
D6	Notification of such works must be given to affected residents before undertaking them or as soon as is practical afterwards.	N/A	Not applicable to Operations phase.	Not triggered	Note
D7	Rock breaking, rock hammering, sheet piling, pile driving, and similar activities may only be carried out between the following hours: (a) 9.00 am to 12.00 pm, Monday to Friday; (b) 2.00 pm to 5.00 pm Monday to Friday; and (c) 9.00 am to 12.00 pm, Saturday.	N/A	Not applicable to Operations phase.	Not triggered	Note
	CONSTRUCTION NOISE LIMITS				
D8	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved CNVMP.	N/A	Not applicable to Operations phase.	Not triggered	Note
D9	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the subject site or surrounding residential precincts outside of the construction hours of work outlined under this consent.	N/A	Not applicable to Operations phase.	Not triggered	Note
D10	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.	N/A	Not applicable to Operations phase.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
D11	The Applicant must ensure that any work generating high noise impact (i.e. work exceeding a NML of LAeq 75dBA) as measured at any sensitive receiver is only undertaken in continuous blocks of no more than 3 hours, with at least a one hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers. For the purposes of this condition 'continuous' includes any period during which there is less than one hour respite between ceasing and recommencing any of the work the subject of this condition. Any noise generated during construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act 1997 or exceed approved noise limits for the site.	N/A	Not applicable to Operations phase.	Not triggered	Note
	VIBRATION CRITERIA				
D12	Vibration caused by construction at any residence or structure outside the subject site must be limited to: (a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; (b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment;	N/A	Not applicable to Operations phase.	Not triggered	Note
D13	Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above; and	N/A	Not applicable to Operations phase.	Not triggered	Note
D14	The vibration limits in Schedule 4, Condition D12 and Schedule 4, Condition D13 apply unless otherwise outlined in an approved CNVMP.	N/A	Not applicable to Operations phase.	Not triggered	Note
	INCIDENT NOTIFICATION, REPORTING and RESPONSE				
D15	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	N/A	Not applicable to Operations phase.	Not triggered	Note
D16	Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1.	N/A	Not applicable to Operations phase.	Not triggered	Note
	NON-COMPLIANCE NOTIFICATION				
D17	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	N/A	Not applicable to Operations phase.	Not triggered	Note
D18	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	N/A	Not applicable to Operations phase.	Not triggered	Note
D19	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	N/A	Not applicable to Operations phase.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	SAFework REQUIREMENTS				
D20	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.	N/A	Not applicable to Operations phase.	Not triggered	Note
	SITE SECURITY				
D21	Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.	N/A	Not applicable to Operations phase.	Not triggered	Note
	IMPLEMENTATION OF MANAGEMENT PLANS				
D22	The Applicant must ensure the requirements of the Construction Environmental Management Plan, Construction Pedestrian Traffic Management Plan, Construction Noise and Vibration Management Sub-Plan, Air Quality Management Plan and Construction Waste Management Plan required by Part B of this consent are implemented during construction	N/A	Not applicable to Operations phase.	Not triggered	Note
	CONTACT TELEPHONE NUMBER				
D23	The 24-hour contact telephone number must be continually attended by a person(s) with authority over the works for the duration of the development.	N/A	Not applicable to Operations phase.	Not triggered	Note
	AIR QUALITY				
D24	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent. During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	N/A	Not applicable to Operations phase.	Not triggered	Note
	SHORING and ADEQUACY OF ADJOINING PROPERTY				
D25	If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense:(a) protect and support the building, structure or work from possible damage from the excavation, and(b) where necessary, underpin the building, structure or work to prevent any such damage.This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.	N/A	Not applicable to Operations phase.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	TREE PROTECTION				
D26	While site or building work is being carried out, the Applicant must maintain all required tree protection measures in good condition in accordance with the construction site management plan required under this consent, (as amended by the Arboricultural Impact Assessment prepared by Eco Logical Australia Version 5, 20 November 2023 and Tree Protection Plan dated 1 September 2023) the relevant requirements of the applicable Australian Standards and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.	N/A	Not applicable to Operations phase.	Not triggered	Note
	EROSION and SEDIMENT CONTROL				
D27	All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book'.	N/A	Not applicable to Operations phase.	Not triggered	Note
	INSURANCES				
D28	Current copies of relevant insurance Certificates of Currency are to be submitted to Council's Engineering Approvals Team. This shall be submitted prior to commencement of engineering works required by this consent that are carried out on Council controlled lands such as roads, drainage reserves and parks. This includes Public Liability Insurance with a minimum of \$20,000,000 Indemnity and Workers Compensation.	N/A	Not applicable to Operations phase.	Not triggered	Note
	SERVICE AUTHORITY APPROVALS				
D29	Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.	N/A	Not applicable to Operations phase.	Not triggered	Note
	CUT and FILL				
D30	While building work is being carried out, the Certifying Authority must be satisfied all soil removed from or imported to the Site is managed in accordance with the following requirements: (a) all excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility (b) the classification and the volume of material removed must be reported to the Certifying Authority.	N/A	Not applicable to Operations phase.	Not triggered	Note
D31	All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the EPA.	N/A	Not applicable to Operations phase.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
D32	The Applicant must keep accurate records of the volume and type of fill to be used and make these records available to the Certifier / EPA Auditor upon request.	N/A	Not applicable to Operations phase.	Not triggered	Note
	DISPOSAL OF SEEPAGE and STORMWATER				
D33	Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the EPA in accordance with the Protection of the Environment Operations Act 1997.	N/A	Not applicable to Operations phase.	Not triggered	Note
D34	Adequate provisions must be made to collect and discharge stormwater drainage during construction of the development. Prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.	N/A	Not applicable to Operations phase.	Not triggered	Note
D35	A separate written approval from Council is required to be obtained in relation to any proposed discharge of groundwater into Council's drainage system external to the site, in accordance with the requirements of section 138 of the Roads Act 1993.	N/A	Not applicable to Operations phase.	Not triggered	Note
	ASBESTOS				
D36	The Applicant must ensure that any asbestos encountered on site is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including: (a) Work Health and Safety Regulation 2017 (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016 (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016 (d) Protection of the Environment Operations (Waste) Regulation 2014.	N/A	Not applicable to Operations phase.	Not triggered	Note
	CONSTRUCTION TRAFFIC				
D37	Construction vehicles (including concrete agitator trucks) involved in construction and construction-related activities are not to arrive at the site or in surrounding residential precincts outside approved construction hours.	N/A	Not applicable to Operations phase.	Not triggered	Note
D38	All construction vehicles are to be contained wholly within the Site, except if located in an approved on-street work zone, and vehicles must enter the Site before stopping.	N/A	Not applicable to Operations phase.	Not triggered	Note
D39	No construction zone is permitted on Rooty Hill Road South.	N/A	Not applicable to Operations phase.	Not triggered	Note
	ROAD OCCUPANCY LICENCE				
D40	A Road Occupancy Licence must be obtained from the relevant transport authority for any works that impact on traffic flows during Stage 1 construction activities.	N/A	Not applicable to Operations phase.	Not triggered	Note
	NO OBSTRUCTION OF PUBLIC WAY				
D41	The public way must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. Non-compliance with this requirement may result in the issue of a notice by the Planning Secretary to stop all work on site.	N/A	Not applicable to Operations phase.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	COVERING OF LOADS				
D42	All vehicles involved in the excavation and / or demolition process and departing from the site with materials, spoil or loose matter must have their loads fully covered before entering the public roadway.	N/A	Not applicable to Operations phase.	Not triggered	Note
	VEHICLE CLEANSING				
D43	Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.	N/A	Not applicable to Operations phase.	Not triggered	Note
	TRAFFIC CONTROL				
D44	Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a person who holds a current Roads and Maritime Services (RMS) Work Zone Traffic Management Plan accreditation and photo card for all works that are carried out in or adjacent to a public road. This Plan must satisfy all the requirements of Australian Standard 1742.3 - 2009.	N/A	Not applicable to Operations phase.	Not triggered	Note
D45	Traffic control devices/facilities (i.e., barricades, signs, lights, etc.) required by the certified Traffic Control Plan must be setup, installed, monitored and maintained and by a person who holds a current Roads and Maritime Services (RMS) accreditation and photo card to implement Traffic Control Plans.	N/A	Not applicable to Operations phase.	Not triggered	Note
D46	Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold a current Roads and Maritime Services (RMS) Traffic Controller accreditation and photo card and carry it with them.	N/A	Not applicable to Operations phase.	Not triggered	Note
D47	The applicant is advised that prior to implementation of any traffic control system and during the entire course of construction, suitably qualified Roads and Maritime Services (RMS) accredited work site traffic controllers will ensure a smooth transition with other nearby traffic control setups. The coordination, communication and cohesion between adjacent traffic control systems shall be addressed by the applicant and must satisfy all the requirements of Australian Standard 1742.3 - 2009.	N/A	Not applicable to Operations phase.	Not triggered	Note
D48	Where the Traffic Control Plan may change during the course of construction to facilitate new works, a revised traffic control plan shall be prepared and certified by a person who holds a current Roads and Maritime Services (RMS) accreditation to prepare a Work Zone Traffic Management Plan. This Plan must satisfy all the requirements of AS 1742.3 – 2009 and the current version of the Roads and Maritime Service Traffic Control at Work Sites manual and shall be submitted to Council prior to implementation.	N/A	Not applicable to Operations phase.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	HOARDING REQUIREMENTS				
D49	The following hoarding requirements shall be complied with: (a) No third-party advertising is permitted to be displayed on any hoarding/fencing (b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of it being identified.	N/A	Not applicable to Operations phase.	Not triggered	Note
	UNEXPECTED FINDS PROTOCOL – ABORIGINAL OBJECTS				
D50	In the event that surface disturbance identifies an Aboriginal object or relic, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of Heritage NSW. In this condition: "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and (b) is of State or local heritage significance; and "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.	N/A	Not applicable to Operations phase.	Not triggered	Note
	UNEXPECTED FINDS PROTOCOL – HISTORIC HERITAGE				
D51	If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the Heritage NSW contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the Heritage NSW	N/A	Not applicable to Operations phase.	Not triggered	Note
	OUTDOOR LIGHTING				
D52	The Applicant must ensure that all external lighting is constructed and maintained in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	N/A	Not applicable to Operations phase.	Not triggered	Note
	SCHEDULE 4 - CONDITIONS OF CONSENT FOR STAGE 1 WORKS PART E PRIOR TO THE ISSUE OF ANY SUBDIVISION WORKS CERTIFICATE				
	SUBDIVISION WORKS CERTIFICATE				
E1	The Applicant must comply with the requirements of Part 6 of the EP&A Act in relation to the issue of a Subdivision Works Certificate.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	For the purposes of this approval, the issue of a Subdivision Works Certificate/s is restricted to the subdivision defined by the draft subdivision plan listed in Schedule 4, Condition A3.				
E2	Before granting any Subdivision Certificate, the Certifier must be satisfied that the Applicant has complied with all conditions of this consent that are required to be complied with before a Subdivision Certificate may be issued in relation to the plan of subdivision.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	PROTECTION OF PUBLIC INFRASTRUCTURE				
E3	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. Note. Infrastructure includes, but is not limited to, ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	POST-CONSTRUCTION DILAPIDATION REPORT				
E4	Upon completion of Stage 1 works and prior to issue of a subdivision certificate, a post-construction dilapidation survey must be prepared by a suitably qualified engineer and undertaken on all relevant buildings, infrastructure and roads within the 'zone of influence', detailing whether: (c) after comparing the pre-construction dilapidation report to the post-stage 1 early works dilapidation report required under this condition, there has been any structural damage to any adjoining buildings, infrastructure or roads (d) where there has been structural damage to any adjoining buildings, infrastructure or roads, if it is a result of the building work approved under this development consent; and (e) relevant authorities have confirmed that there is no adverse structural damage to their infrastructure and roads. If damage caused by works associated with this consent is determined, the Applicant must rectify the damage in consultation with adjoining landowners to the satisfaction of the Certifier.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
E5	Before the issue of any Occupation Certificate, the Certifier is to provide a copy of the post-construction dilapidation report to the consent authority and to the relevant adjoining property owner(s).	N/A	The Proponent has advised that they have not applied for an Occupation Certificate to date.	Not triggered	Note
	ROAD DAMAGE				
E6	The cost of repairing any damage caused to Council's assets in the vicinity of the subject site as a result of the Stage 1 development works must be met in full by the Applicant.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	COVERING OF LOADS				
E7	An easement under section 88B of the Conveyancing Act 1919 allowing the maintenance of an Asset Protection Zone (APZ) on the adjoining land is to be created over proposed Lot 4 in favour of Lot 3 as denoted (E1) and (M) on the plan referenced as 'Plan of proposed subdivision of Lot 12 in Stage 2	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	being a subdivision of DP 1267436 and Lot 1 DP 1260111' prepared by LandPartners, plan no. SY073106.006.7A.3, rev. 3, dated 30 June 2022.				
E8	Any easement or restriction created as a result of this consent must be in accordance with the following: (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version) (b) The standard format for easements and restrictions as accepted by NSW Land Registry Services (LRS). Each of the proposed lots serviced by the existing inter-allotment drainage easements shall have this burden and benefit created pursuant to Section 88B of the Conveyancing Act 1919.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
E9	Prior to the issue of a subdivision certificate, the Applicant shall provide evidence to the satisfaction of the Certifying Authority that all matters required to be registered on title including existing easements and those required by this consent, other approvals, and other consents have been lodged for registration or registered at NSW Land Registry Services.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	ENCROACHING AND/OR SHARED SERVICES				
E10	Any pipes, service lines or the like servicing each lot must be contained within their respective lots or, if service lines encroach upon adjoining lots within the subdivision, or are shared by more than one lot, appropriate easements must be created, pursuant to section 88B of the Conveyancing Act 1919, over the service lines where any such encroachment occurs.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	FINAL PLAN OF SUBDIVISION				
E11	The Applicant shall submit a final plan of subdivision, together with 7 exact copies and the appropriate fee to Council. The Applicant shall also provide a copy of the final plan of subdivision to the Secretary.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
E12	The final plan of subdivision will not be released until all conditions of this consent have been complied with.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
E13	Where any permanent control marks are placed in accordance with the Survey Practice Regulation 1990 in the preparation of the plan, 2 copies of the locality sketch plans of the marks placed are to be forwarded to Council with the final plan of subdivision.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
E14	The Applicant shall submit a copy of the final registered plan of subdivision to the Planning Secretary.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	ENGINEERING SURVEYS/CERTIFICATES/WORKS AS EXECUTED PLANS				
E15	A Work-as-Executed (WAE) plan signed by a Registered Engineer (National Engineering Register) or a Registered Surveyor must be submitted to Council when the engineering works are completed, in a colour softcopy PDF format.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
E16	All engineering Work-as-Executed plans must be prepared on a copy of the original, stamped Construction Certificate plans for engineering works (including works under the Roads Act 1993 and the Local Government Act 1993 covered by this Development Application).	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
E17	A Certificate shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by this consent	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	SYDNEY WATER COMPLIANCE				
E18	A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation and submitted to the Certifying Authority prior to the issue of a subdivision certificate. Application must be made through an authorised Water Servicing Coordinator. Please refer to the “Your Business” section of the web site www.sydneywater.com.au then follow the “e-Developer” icon or telephone 13 20 92 for assistance.	S. 73 Application submitted to Sydney Water 07/09/2023. Notice of requirements - Section 73 Subdivider/Compliance Certificate (Ref: 5/23724/Stage 3), Sydney Water 13 March 2024 (Case No: 209023). Developer Works Deed - Case Number: 209023 (Received 10/04/2024).	Sydney Water provided the Applicant with a 'Notice of requirements - Section 73 Subdivider/Compliance Certificate (Ref: 5/23724/Stage 3)' in response to their Section 73 application. The Applicant entered into a Developer Works Deed, committing to undertake the Developer Works. The Proponent has advised that the Sewer/Water main works are being constructed under SSD31515622, however the s73 water certificate addresses SSD10457.	Compliant	Operation
	SURVEY MARKS				
E19	Before the issue of a subdivision certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that: (a) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or NSW Government 42 Eastern Creek Retail Centre Department of Planning and Environment (SSD-10457) (b) the Applicant has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	ADVISORY NOTES				
	APPEALS				
AN1	The Applicant has the right to appeal to the NSW Land and Environment Court in the manner set out in the EP&A Act and the EP&A Regulation.	N/A	The Proponent has advised that this condition has not been triggered for the works.	Not triggered	Note
	OTHER APPROVALS and PERMITS				
AN2	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	See E18	See E18	Compliant	Operation
	RESPONSIBILITY FOR OTHER CONSENTS / AGREEMENTS				
AN3	The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.	See E18	See E18	Compliant	Operation
	ROAD OCCUPANCY LICENCE				
AN4	A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	SAFework REQUIREMENTS				
AN5	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	HOARDING REQUIREMENTS				
AN6	The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Phase of Development
	HANDLING OF ASBESTOS				
AN7	The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – ‘Transportation and management of asbestos waste’ must also be complied with.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	DISABILITY DISCRIMINATION ACT				
AN8	This application has been assessed in accordance with the EP&A Act. No guarantee is given that the proposal complies with the <i>Disability Discrimination Act 1992</i> . The Applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
AN9	The <i>Disability Discrimination Act 1992</i> covers disabilities not catered for in the minimum standards called up in the NCC which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the <i>Disability Discrimination Act 1992</i> currently available in Australia.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	COMMONWEALTH ENVIRONMENT PROTECTION and BIODIVERSITY CONSERVATION ACT 1999				
AN10	The <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
AN11	This application has been assessed in accordance with the EP&A Act. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the Applicant's responsibility to consult the Department of Agriculture, Water and Environment to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the EPBC Act does not have application. The EPBC Act may have application and you should obtain advice about this matter. There are severe penalties for noncompliance with the Commonwealth legislation.	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note
	BUILDING PLAN APPROVAL				
AN12	You must have your building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works can affect Sydney Water’s assets (e.g. water, sewer and stormwater mains). For further assistance please telephone 13 20 92 or refer to the Building over or next to assets page on the Sydney Water website (see plumbing, building and developing then building over or next to assets).	N/A	The Proponent has advised that this condition has not been triggered at the time of the audit.	Not triggered	Note

Appendix C

Compliance Report Declaration Form

Appendix D – Compliance Report Declaration Form Template

Compliance Report Declaration Form

Project Name Eastern Creek Retail Outlet Centre

Project Application Number SSD10457

Description of Project Concept Approval and Stage 1 early works for Eastern Creek Retail Outlet Centre

Project Address 141 Rooty Hill Road South, Eastern Creek

Proponent Frasers Property Retail Holdings

Title of Compliance Report Operational Compliance Report

Date 16 September 2025

I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:

- i. the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- ii. the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements;
- iii. the findings of the Compliance Report are reported truthfully, accurately and completely;
- iv. due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- v. the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

- Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both).

Name of Authorised Reporting Officer Tamara Carter

Title Assistant Development Manager

Signature

DocuSigned by:


Qualification Assistant Development Manager

Company Frasers Property

Company Address Level 2, 1C Homebush Bay Drive, Rhodes NSW 2138

