



ECQ OUTLET

Independent Environmental Audit Report

Eastern Creek Retail Outlet Centre – SSD 10457

Frasers Property Retail Holdings

Project Phase: Operation

Audit No. 2

4/03/2025

WD ENVIRONMENTAL
CONSULTING

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Statement of Limitations

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Document Quality Control

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Application Number:	SSD 10457		
Site Name:	Eastern Creek retail outlet centre		
Site Address:	Lot 3 of the Eastern Creek Business Hub 141 Rooty Hill Road South, Eastern Creek, Blacktown Lot 12 DP 1245264, Lot 1 DP 1260111 and Lot 101 DP 581882		
Client Name:	Frasers Property Retail Holdings Pty Ltd		
Job Number:	WDEC014		
Revision Number	Revision Date	Author	Qualification/s
0	11/03/2025	Wayne Duffy	Exemplar Global Certified Lead Auditor (Certificate No. C-472516)
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2	20/09/2025	Wayne Duffy	Exemplar Global Certified Lead Auditor (Certificate No. C-472516)

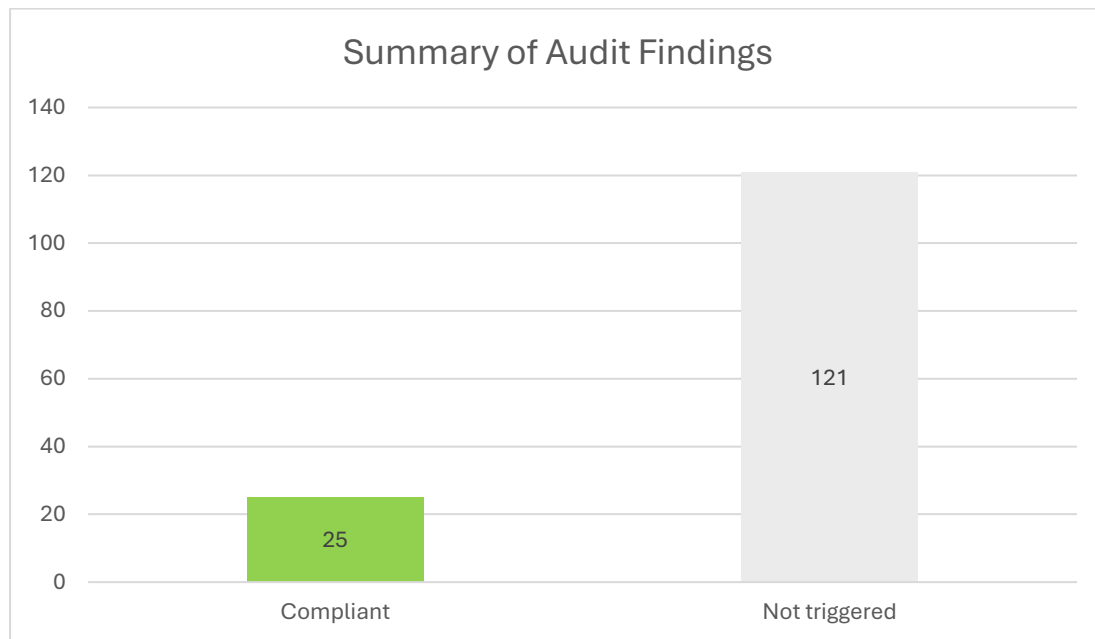
Executive summary

WD Environmental Consulting Pty Ltd (WDEC) was engaged by Frasers Property Retail Holdings Pty Ltd (the Proponent) to conduct this Independent Environmental Audit for the site located at 141 Rooty Hill Road South (RHRS), Eastern Creek NSW 2766 (the Site).

The approved project (SSD 10457) includes Stage 1 early works and consists of a site subdivision, tree and vegetation clearing, temporary early bulk earthworks, and extension of Goldsbro Glade to Lot 3.

This Audit has been prepared to provide an independent and objective assessment of the environmental performance and compliance status of the operational phase of the approved project.

This Independent Environmental Audit was conducted in accordance with Condition A25 of SSD-10457 and the requirements of the Department of Planning and Environment (the Department) 2020 document titled 'Independent Audit Guideline Post Approval Requirements'. The Audit assessed the environmental performance and compliance status of the operational phase of the project.



A summary of the Audit findings is provided as follows:

- There were 146 conditions assessed.
- No non-compliances were identified against the conditions.
- No observations or recommendations were identified in relation to the conditions.
- 121 of the conditions assessed were not triggered during the operation phase.
- The Proponent was compliant with the remaining 25 conditions triggered during the operational phase.
- The Proponent has satisfactorily closed out all non-compliances and recommendations from the previous Independent Audit (Audit Report No. 1).
- There were no incidents or complaints associated with the operation of the project.
- The nature of the works and associated environmental impacts undertaken during the audit period appears to be consistent with those predicted in the EIS (including the physical extent).

1. Introduction

1.1 Project background

The approved project (SSD 10457) allows for a new retail outlet centre on Lot 3 of the Eastern Creek Business Hub (ECBH) at 141 Rooty Hill Road South (RHRS), Eastern Creek in the Blacktown City Council (BCC) local government area (LGA). The retail outlet centre on Lot 3 would complete the ECBH and operate alongside the existing retail development on Lots 1 and 2 found within Eastern Creek Quarter (ECQ).

The 34ha ECQ 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 located approximately 1.5km southeast of Rooty Hill Station.

As described in the Environmental Impact Statement Rooty Hill Road South, Eastern Creek Eastern Creek Quarter Stage 3 Concept Plan - Outlet Centre (Urban Ethos 2020) (the EIS), the site includes three development lots, comprising:

- Stage 1 (Lot 2) which is occupied by a supermarket and specialty retail businesses.
- Stage 2 (Lot 1) which is completed and operational.
- Stage 3 (Lot 3) which is the subject of the approval SSD 10457 and this Audit.

The site's locational context is shown at **Figure 1**.

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 (the Project), the subject of this Audit, consisting of:

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

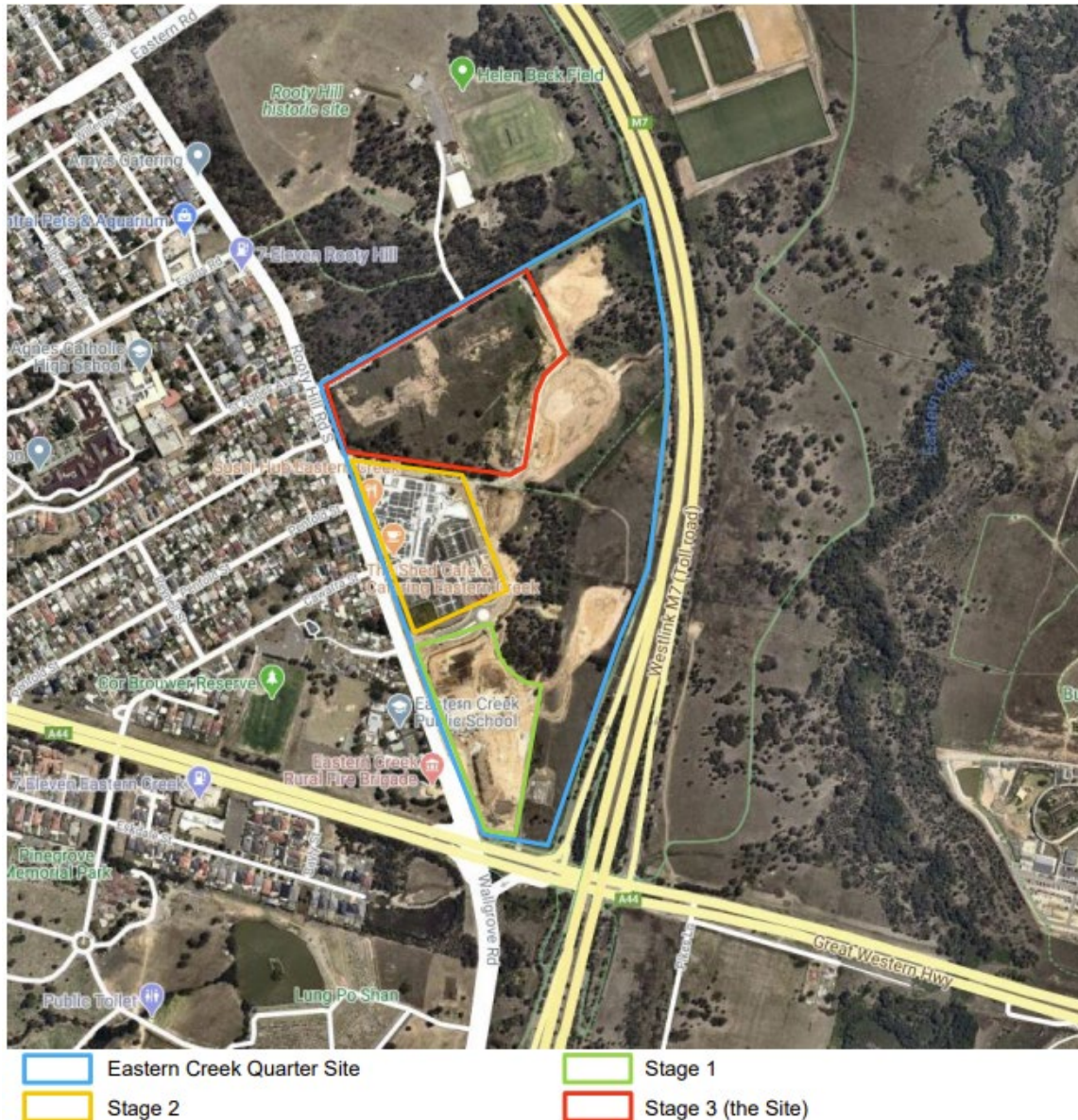


Figure 1: Site Location

Source: Environmental Impact Statement Rooty Hill Road South, Eastern Creek Eastern Creek Quarter Stage 3 Concept Plan - Outlet Centre (Urban Ethos 2020)

The project approval and project delivery are being managed by Frasers Property Retail Holdings Pty Ltd (the Proponent) as Trustee for FPR (Eastern Creek No. 3) Trust.

Stage 1 construction (of Stage 3 of the precinct works) commenced on 28 May 2024 and was completed 30 September 2024. **Table 1** below summarises the works completed during the current audit period.

Table 1: Summary of the works

Scope of work	Commenced	Commentary
Subdivision to create a lot 7.32 ha in area.	No	This is unlikely to commence until the end of the project.
Removal of 0.64 ha of CPW vegetation on Lot 3.	Yes	These works have been completed.
Temporary early bulk earthworks to allow cut and fill with the correct amount of material to facilitate the eventual Lot 3 layout: - Approximately 33,910 m³ of cut. - Approximately 62,250 m³ of fill.	Yes	These works have been completed.
Extend Goldsbro Glade to the southern boundary of Lot 3.	Yes	These works have been completed.

1.2 Approvals requirement

Condition A25 of Schedule 4 of SSD 10457 sets out the requirement for undertaking the Independent Environmental Audit (IEA). The condition gives effect to the Department of Planning and Environment (the Department) 2020 document titled ‘Independent Audit Guideline Post Approval Requirements (IAPAR)’.

1.3 Independent Auditor

In accordance with Schedule 4, condition A26 of SSD 10457, and Section 3.1 of the IAPAR, Independent Auditors must be suitably qualified, experienced, and independent of the Project, and appointed by the Planning Secretary.

The Audit Team comprises:

- Wayne Duffy (Auditor Lead): Bachelor of Applied Science, Exemplar Global Certified Lead Auditor/Environmental Management Systems Auditor (Certificate No C-472516).

Approval of the Audit Team was provided by the Department on 12 July 2024, with further confirmation *“that NSW Planning raises no concerns with the approved auditor completing the upcoming operational audit”* via email on 7 February 2025. The approval is presented in **Appendix B** and the email is found within **Appendix C**.

1.4 Audit objectives

The objective of this Independent Audit is to satisfy SSD 10457 Schedule 4, condition A25, which states:

- Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).

The IAPAR sets out the scope, methodology and reporting requirements for the Independent Audit.

This operational Independent Audit seeks to fulfil the requirements of condition A25, to verify compliance with the relevant conditions, and assess the effectiveness of environmental management on the Project using the scope, methodology and reporting requirements from the IAPAR.

1.5 Audit scope

This Audit Report relates to the second IEA on the Project and is the first operation phase IEA. This Audit covers the ‘audit period’ from the completion of construction (30 September 2024) to the date of this Audit (20 February 2025).

The scope of the Independent Audit comprises:

- An assessment of compliance with:
- All conditions of consent applicable to the phase of the development that is being audited (i.e., Operational).
 - All post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans.
 - All environmental licences and approvals applicable to the development excluding environment protection licences issued under the *Protection of the Environment Operations Act 1997*.
- A review of the environmental performance of the development, including but not necessarily limited to, an assessment of:
 - Actual impacts compared to predicted impacts documented in the environmental impact assessment.
 - The physical extent of the development in comparison with the approved boundary.
 - Incidents, non-compliances and complaints that occurred or were made during the audit period.
 - The performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit.
 - Feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee (if there is one for the Project), on the environmental performance of the project during the audit period.
- The status of implementation of previous Independent Audit findings, recommendations and actions, if any (in this case the results of the first Independent Audit – Audit Report No. 1).
- A high-level assessment of whether Environmental Management Plans and Sub-plans are adequate.

- Any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

1.6 Independent Audit Report

This Independent Audit Report has been prepared in accordance with the IAPAR. To assist the reader, below provides a roadmap of the audit report and findings in accordance with Section 4.2.3 of the IAPAR.

Table 2: IAPAR Audit Report & Findings Set Out

Requirement (Section 4.2.3)	Relevant Section
1. A list of the approvals and documents audited.	Sections 2.1, 3.1 & Appendix A
2. A summary of the assessment of compliance i.e. comparison between the total number of compliance requirements and any non-compliances identified during the reporting period. Graphics can be used to summarise project performance in relation to compliance requirements.	Executive summary Sections 3.9.1 & 4
3. A summary of any notices, orders, penalty notices or prosecutions issued in relation to the consent during the audit period.	Section 3.3
4. Exception reporting of all non-compliances identified during the audit period. Details must include the relevant consent condition, the condition reference number, a unique non-compliance identification number, details of the non-compliance and the auditor's recommended actions that are proposed to be taken or have been taken to address the non-compliance.	Section 3.9.3
5. A brief discussion or table of the status of actions arising from previous audits and the progress or outcomes of each action. Details must include the source of the action, reference (condition number), action proposed, proposed completion date, the status (date completed, if relevant) and the action complete.	Section 3.4
6. A brief discussion of whether the Environmental Management Plans, Sub-plans and compliance documents are adequate, implemented and whether there are any opportunities for improvement.	Section 3.2
7. A discussion of other matters considered relevant by the auditor or the Department taking into account relevant regulatory requirements and legislation and knowledge of the development's past performance.	Section 3.8
8. Documentation of any feedback received as a result of consultation undertaken with the Department, and other agencies or stakeholders including the community and Community Consultative Committee for the audit and the outcomes of this consultation.	Section 2.4
9. A summary of complaints, and the adequacy of the response to, and management of complaints.	Section 3.5
10. Details of any incidents (including any enforcement action by any agency) and the adequacy of the response to, and management of such incidents.	Section 3.6

Requirement (Section 4.2.3)	Relevant Section
11. An assessment of the compliance between actual and predicted impacts documented in environmental impact assessment, including an assessment of the physical extent of the development in comparison with the approved boundary and any potential off-site impacts of the development required under the <i>Environmental Planning and Assessment Act 1979</i> .	Section 3.9.5
12. Evidence collected through site inspections undertaken during the audit.	Sections 2.7, 2.8 and 3.7
13. Evidence to support compliance assessment provided by the personnel interviewed during the audit.	Sections 2.7, 2.8 and 3.7
14. A brief discussion of any continual environmental management improvement opportunities identified as part of the audit.	Section 3.9.4
15. Key strengths of the development's environmental management and performance identified by the auditor.	Section 3.9.1 and 3.9.2

2. Audit methodology

2.1 Independent Audit scope development

The Independent Audit was conducted in a manner consistent with AS/NZS ISO 19011.2019 – Guidelines for Auditing Management Systems and the methodology set out in the Department’s IAPAR.

Specifically, the scope for the Independent Environmental Audit involved:

- The Auditor performing a document review, prepared an audit plan, and prepared work documents (audit checklists) and distributed to the Project team in preparation for the Independent Audit.
- A site-based audit and interviews with staff.
- Preparation of this audit report detailing the findings of the Audit.

The primary documents reviewed prior to and after the site visit are as follows:

- Environmental Impact Statement Rooty Hill Road South, Eastern Creek Eastern Creek Quarter Stage 3 Concept Plan - Outlet Centre (Ethos Urban, 2020).
- State Significant Development SSD 10457, Eastern Creek Retail Outlet Centre consolidated consent (Approved 24 April 2023), updated to include Mod 1-4 (final determination date 28 June 2024).

Additional documents sighted are identified in the Audit Compliance Table in **Appendix A**.

2.2 Compliance evaluation

The assessment of compliance with development consent conditions applicable to the operation phase of the project is presented in the Audit Compliance Table in **Appendix A** and discussed in **Section 3** of this report.

An assessment of compliance with the conditions of approval of SSD 10457 was undertaken through:

- Evidence-based evaluation including review of verifiable evidence such as site records, environmental management plans and sub-plans, monitoring records, and other project documents.
- Evaluation of the adequacy of post approval documents and compliance with these documents.
- Review of relevant environmental monitoring records, site records and documents sighted during the audit process.

2.3 Previous audit status evaluation

This Audit also included reviewing and evaluating the status of actions from the first audit (Audit Report No. 1). This evaluation included reviewing the actual close out evidence presented by the Proponent during the audit process. The findings of this evaluation are detailed in **Section 3.4**.

2.4 Consultation

WDEC consulted with the Department to obtain their input into the scope of the Independent Audit in accordance with Section 3.2 of the IAPAR. The consultation records are presented in **Appendix C**. A summary of the key issues and areas of focus raised by the stakeholders is presented in **Table 3**.

Table 3: Key issues and areas of focus raised during consultation

Stakeholder	Issue/Focus	Comment/s
Department of Planning, Housing and Infrastructure	Please review the consent, Environmental Management Plans, Sub-Plans and EIS; and assess the project's performance against measures undertaken at the site for the reporting period, in relation to the referenced documents. Further to this, please provide commentary on whether the auditor considers the environmental management plans, sub-plans and post approval documents adequate for the development. This detail is to be provided in addition to the IEA requirements outlined in the Conditions of Consent and IAPARs. The following items were identified in the previous IEA letter from NSW Planning, please ensure that they are appropriately addressed in the IEA: 1. In accordance with Section 3.3, subsection 2(a) of the IAPAR provide a detailed review of the environmental performance of the development, including an assessment of actual and predicted impacts documents in the EIS; 2. In accordance with Section 3.3, subsection 4 of the IAPAR provide a high-level assessment of whether each of the Environmental Management Plans and sub-plans required by the consent are adequate; 3. Ensure that the RAR addresses both the non-compliances and all auditor recommendations, as recommendations were not included in the submission Please ensure that the IEA includes a site map clearly identifying: 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. Suggest you contact Blacktown City Council to see if they have any issues.	The key environmental issues noted by the Department have been addressed as part of this Independent Audit.

Stakeholder	Issue/Focus	Comment/s
Blacktown City Council (the Council)	The Council did not respond to the consultation process.	The Council were sent an email (4 February 2025) requesting input into the scope of the operational audit. A reply was received (4 February 2025) by the initial contact indicating the email was sent to colleagues for their action, as they had moved positions within the Council. An additional follow-up email was sent (17 February 2025) to the new Council contacts, with no response received prior to the audit.

2.5 Site personnel involvement

Table 4 below summarises the name, roles and company of the personnel who participated in the Audit.

Table 4: Audit participation

Name	Position	Company	Opening Meeting	Closing Meeting	04/03/25	12/08/25
Tamara Carter	Assistant Development Manager	Frasers Property Australia	✓	✓	✓	✓
Peter Stocker	Senior Project Manager	Frasers Property Australia	✓	✓	✓	

2.6 Meetings

Opening and closing meetings were held with the Auditor and Project personnel.

During the opening meeting, held on site on 4 March 2025, the objectives and scope of the Independent Audit, the resources required and methodology to be applied were discussed.

At the closing meeting, held on 4 March 2025, preliminary audit findings were presented, preliminary recommendations (as appropriate) were made, timing for finalisation of the audit report and any post-audit actions were confirmed.

2.7 Site interviews

The Auditor conducted interviews during the site inspection with key personnel involved in Project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development. All other communication was conducted remotely, which included detailed requests for information and auditee responses to the request. Interviews were conducted at the site meeting held on 4 March 2025 and 12 August 2025.

2.8 Site inspection

The on-site audit activities took place on 12 August 2025 with the site perimeter observed by the Auditor 4 March 2025. Photos taken during the full inspection 12 August 2025 can be found in

Appendix F. Noting that there were no site-based activities associated with the operation of the Stage 1 development as part of SSD-10457 being undertaken at the time of the inspection. The works being undertaken were under SSD-31515622 (i.e., outside the scope of this audit).

2.9 Compliance status descriptors

The Auditor determined the compliance status of each compliance requirement in the Audit Table found in **Appendix A**, using the descriptors from Table 2 of the IAPAR, as listed in **Table 5**, below:

Table 5: Compliance descriptors from Table 2 of the IAPAR

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.

2.10 Finalising the Audit

The Independent Audit Report was distributed to the Proponent to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented.

3. Audit findings

3.1 Approval audited

The documents audited comprised all the conditions from Schedule 4 of SSD 10457 applicable to the works being undertaken. The evidence sighted against each requirement is detailed within **Appendix A**.

The Auditor notes that this is an operational phase audit and unlike typical State Significant Developments the approval does not contain any operational conditions. Although this means that the scope of the conditions assessed is greatly reduced, the relevant conditions have been fully audited.

3.2 EMP, sub-plans and compliance documents

The Auditor considers that, in relation the operational phase of Stage 1 development, there are no EMPs, and Sub-Plans required by the approval (SSD-10457).

3.3 Notices, orders, penalties and prosecutions

To the Auditor's knowledge no formal notices were issued by the Department associated with SSD 10457 during the audit period.

3.4 Actions from previous audits

The Auditor assessed the status of the actions from the previous audit (Audit Report No. 1). Findings of this assessment are found within **Table 6** below.

Table 6: Status of previous audit findings

NC No. / Rec. No.	Ref.	Type	Summary of Findings	Auditor Comments	Status
SSD10457_ IA1_01	B2	Non-compliance	The CTMP was not submitted to the Planning Secretary prior to the commencement of works.	Closed at the time of the previous audit. No further actions required. Non-compliance SSD10457_IA1_01 has been adequately closed out by the Proponent.	Closed
SSD10457_ IA1_02	B5	Non-compliance	The CWMP was not submitted to the Planning Secretary prior to the commencement of works.	Closed at the time of the previous audit. No further actions required. Non-compliance SSD10457_IA1_02 has been adequately closed out by the Proponent.	Closed
SSD10457_ IA1_03	C1	Non-compliance	The Proponent self-reported a non-compliance with this condition to the Planning Secretary as outlined in the Condition A14 non-compliance notification.	Closed at the time of the previous audit. No further actions required. Non-compliance SSD10457_IA1_03 has been adequately closed out by the Proponent.	Closed
SSD10457_ IA1_05	C3	Non-compliance	The audit of the project website identified that the reporting the project environmental performance and monitoring was not included.	The Proponent has uploaded the Site Audit Statement to the project website (https://www.easterncreekquarter.shopping/ecq-outlet-information) Non-compliance SSD10457_IA1_05 has been adequately closed out by the Proponent. ¹	Closed
SSD10457_ IA1_06	C11	Non-compliance	The affected property owner of 151 Rooty Hill Road was not forwarded a copy of the dilapidation report.	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). Non-compliance SSD10457_IA1_06 has been adequately closed out by the Proponent. ¹	Closed

NC No. / Rec. No.	Ref.	Type	Summary of Findings	Auditor Comments	Status
SSD10457_ IA1_07	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	Photo of updated Site Notice provided as evidence showing the missing information (Certifying Authority information and approved hours of work) included and affixed to the site boundary fence. Non-compliance SSD10457_IA1_07 has been adequately closed out by the Proponent. ¹	Closed
SSD10457_ IA1_08	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.	The head contractor (Moits) confirmed the approved hours for the site with their main suppliers of hired equipment and material delivery (Moits emails (x3), 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). Non-compliance SSD10457_IA1_08 has been adequately closed out by the Proponent. ¹	Closed
SSD10457_ IA1_09	D9	Non-compliance	See SSD10457_IA1_08 (Condition D3) above.	See SSD10457_IA1_08 (Condition D3) above. Non-compliance SSD10457_IA1_09 has been adequately closed out by the Proponent.	Closed

NC No. / Rec. No.	Ref.	Type	Summary of Findings	Auditor Comments	Status
SSD10457_ IA1_10	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. - 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.	The auditor sighted: 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 (refer to Appendix F, Photo 3:). A drone photo (refer to Appendix F, Photo 16:) showing 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. Non-compliance SSD10457_IA1_10 has been adequately closed out by the Proponent. ¹	Closed
SSD10457_ IA1_11	D37	Non-compliance	See SSD10457_IA1_08 (Condition D3) above.	See SSD10457_IA1_08 (Condition D3) above. Non-compliance SSD10457_IA1_11 has been adequately closed out by the Proponent.	Closed

NC No. / Rec. No.	Ref.	Type	Summary of Findings	Auditor Comments	Status
Rec-01	A19	Recommendation	The Auditor considers the CEMP requires a review against the current project.	Sighted: Environmental Control Management Plan Eastern Creek Quarter Stage 3 (ECQ3), Rev 2 (Buildcorp, 14/2/25) ² This CEMP has been prepared under another project approval for the site that is not within the scope of this audit. Rec-01 has been adequately closed out by the Proponent.	Closed
Rec-02	D27	Recommendation	Proponent to inspect the sediment controls in the southeast of the site and rectify where required.	See SSD10457_IA1_10 (Condition D22) above. Rec-02 has been adequately closed out by the Proponent.	Closed
Rec-03	D22	Recommendation	There was an empty refuelling cell located adjacent to the site accommodation that was not located on a bund. This is to be located onto a bund or removed from site.	See SSD10457_IA1_10 (Condition D22) above. Rec-03 has been adequately closed out by the Proponent.	Closed
Footnotes: - The Proponent submitted the IEA and RAR via the Major Projects Portal 27/09/2024 (SSD-10457-PA-16). DPHI acknowledge receipt of IEA and RAR via the Major Projects Portal 25/10/2024 (SSD-10457-PA-16). The DPHI Compliance Officer requested a compliance update by 31/10/2024 via email (25/10/2025). The Proponent responded via email with an update on the non-compliance close out actions (30/10/2024). The email contains a link to a shared folder with evidence of the close-out items. Department responded via email that they received the requested information 31/10/2024. - Content of the CEMP not reviewed as it is outside the scope of this operational audit.					

3.5 Complaints

A complaints register is being maintained for the Project and monthly registers are uploaded to the project website (ECQ Outlet Information | Eastern Creek Quarter Shopping).

There have been no complaints associated with the operation of the project (SSD-10457).

3.6 Incidents

The Proponent has advised that they have not identified any incidents, as defined by the consent, which occurred during the audit period.

3.7 Site inspection and interviews

The Assistant Development Manager and Senior Project Manager were interviewed in the day of the audit (4 March 2025) and the Assistant Development Manager participated in the follow-up meeting and inspection 12 August 2025. During the interviews the Proponent was cooperative and appeared to be knowledgeable and appropriately experienced for their roles.

Observations of the site perimeter were undertaken by the Auditor 4 March 2025 and full site inspection was undertaken on 12 August 2025. Photos taken during this full site inspection can be found in Appendix F. Noting that there were no site-based activities associated with the operation of the Stage 1 development as part of SSD-10457 being undertaken at the time of the inspection. The works being undertaken were in under SSD-31515622 (i.e., outside the scope of this audit).

3.8 Other relevant matters

During consultation, the Department requested the issues detailed in **Section 2.4** for inclusion within the scope of the Audit. These requirements have been addressed, where relevant to the operational phase of the development, throughout this Audit Report (see **Table 3**). There were no other matters considered relevant by the Auditor.

3.9 Compliance performance

This section, including **Table 5**, presents the compliance and observations, including actions in response to each of the findings, from the Independent Audit.

Detailed findings against each requirement are presented in **Appendix A**.

3.9.1. Environmental performance

Overall, the Proponent had previously demonstrated that their environmental performance was effective at managing the environmental risks. As described in **Section 3.4** above, the Proponent was able to demonstrate the effective close-out of actions from the previous independent audit (Audit Report No. 1).

3.9.2. Key strengths

Overall, the Proponent had demonstrated that the limited operational environmental risks were being effectively implemented and maintained.

3.9.3. Exception reporting

The Audit identified that the Proponent was undertaking their operations in accordance with the project approval. The compliance outcomes are summarised below:

- There were 146 conditions assessed.
- No non-compliances were identified against the conditions.
- No observations or recommendations were identified in relation to the conditions (refer to [Section 3.9.4](#)).
- 121 of the conditions assessed were not triggered during the operation phase.
- The Proponent was compliant with the remaining 25 conditions triggered during the operational phase.

3.9.4. Improvement opportunities

There were no continual environmental management improvement opportunities identified as part of this operational Audit.

3.9.5. Actual versus predicted environmental impacts

Predicted outcomes associated with the construction of the Project are described in Chapter 6 of the Rooty Hill Road South, Eastern Creek Eastern Creek Quarter Stage 3 Concept Plan - Outlet Centre Environmental Impact Statement, Ethos Urban, 21 December 2020 (the EIS). The potential impacts associated with the Project were refined in the Response to Submissions, Eastern Creek Quarter Stage 3 Concept Plan (SSD-10457), Ethos Urban, 18 August 2021 (the RtS).

The potential impacts identified in the EIS and RtS included a range of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project. Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than the construction requirements specified in the conditions, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Independent Environmental Audit. Any such comparison made by the Auditor is qualitative only. [Table 7](#) below provides a summary of the qualitative assessment made by the Auditor of the predicted environmental impacts from the EIS versus actual impacts noted on the project.

Table 7: Predicted vs actual environmental impacts

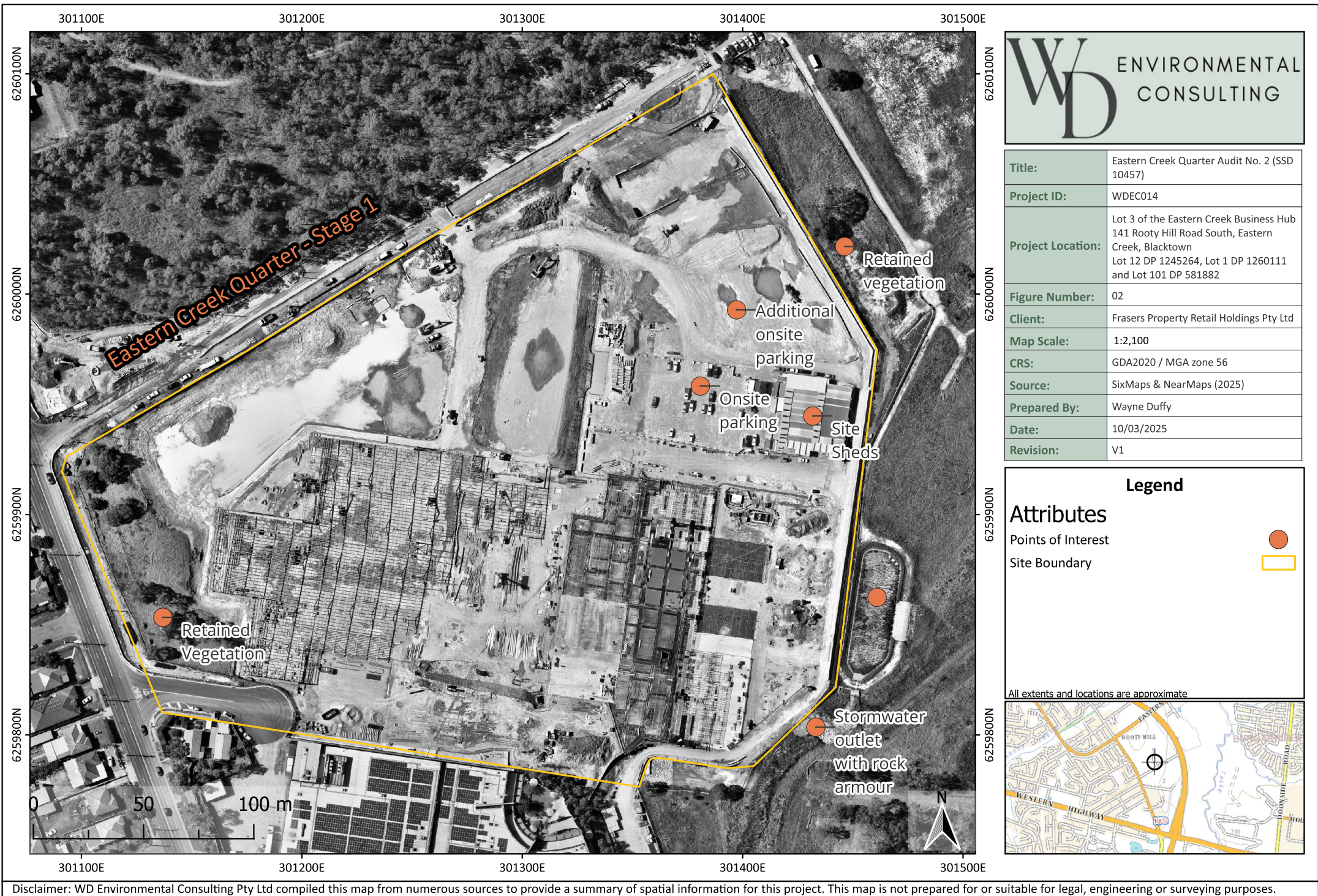
Environmental Aspect	Predicted Impact	Auditor Assessment
Physical extent of the development	The boundary of the Stage 1 work area was detailed in Figure 1 of the EIS (Ethos Urban, 21/12/2020).	All construction works related to the Stage 1 development have been completed by the Proponent. The area of works undertaken for Stage 1 appears to match the footprint as described in the EIS. The extent of the Stage 1 works undertaken can be seen in Figure 2 showing the works and the photos found in Appendix F .

Environmental Aspect	Predicted Impact	Auditor Assessment
		The extent of the development was observed by the Auditor during the inspection of the site perimeter 4 March 2025 and 12 August 2025.
Noise and Vibration	Potential noise impacts from construction activities.	The predicted noise and vibration impacts were associated with construction. There were no noise complaints in relation to the construction. There were no noise and vibration impacts predicted for operations under approval SSD-10457.
Traffic and Transport	Increased construction traffic.	The predicted traffic impacts were associated with construction. There was no traffic impacts predicted for operations under approval SSD-10457.
Biodiversity	Removal of up to 0.64 ha of Cumberland Plain Woodlands (Ethos Urban, 18 August 2021).	The actual removal of Cumberland Plains Woodland as shown in aerial photos appears to be consistent with the EIS predictions. A vegetation clearance report (Eco Logical Australia, 17/07/2024) was prepared in accordance with Biodiversity Management Plan. The report verifies the vegetation removed. The following credit retirement reports were sighted, and the number of credits matches the recommendations of the Biodiversity Development Assessment Report (BDAR) prepared by Ecological dated 16 December 2020 (Appendix K of the EIS). Credit Retirement Report (16/05/2024) - Transaction number: CT-3419. Retirement of 6 credits (Office of Environment and Heritage, DPE). Credit Retirement Report (06/05/2024) - Transaction number: 202405-RT-945. Retirement of 14 BOS-equivalent credits (PCT849), (Office of Environment and Heritage, DPE).
Water, Drainage, and Stormwater	Potential sediment and erosion during early works.	The predicted sediment and erosion impacts were associated with construction. There were no sediment and erosion impacts predicted for operations under approval SSD-10457.
Aboriginal Heritage	The assessment concluded that the archaeological and	The Proponent advised that no unexpected finds were identified during construction.

Environmental Aspect	Predicted Impact	Auditor Assessment
	scientific value of the site is low.	Any impacts to Aboriginal heritage would be associated with construction, rather than during operations under approval SSD-10457.
Historical Archaeology	The study area is unlikely to contain significant historical archaeological remains and the proposed works will not impact on any significant historical archaeological remains or relics.	The Proponent advised that no unexpected finds were identified during construction. Any impacts to historical archaeology would be associated with construction, rather than during operations under approval SSD-10457.
European Heritage	The Concept Plan would result in an acceptable heritage impact on surrounding heritage items.	The Proponent advised that no unexpected finds were identified during construction. Any impacts to European heritage would be associated with construction, rather than during operations under approval SSD-10457.
Bushfire	Asset Protection Zones (APZs) are required for the development.	The Proponent advised that APZs have been allowed for in the design of the site. The extent of the Stage 1 works undertaken can be seen in Figure 2 showing the works and the photos found in Appendix F which appear to be consistent with the required APZs. The APZs were observed by the Auditor during the inspection of the site perimeter 4 March 2025 and 12 August 2025 (see Photos 3, 6 and 16).
Geotechnical	No unusual constraints or risks identified.	The Proponent advised that no additional geotechnical constraints or risks were identified during the works, which would confirm the EIS predictions.
Utilities	Adequate capacity for water and sewer services.	The Proponents advised that the utilities are being designed and constructed to provide adequate capacity. This would confirm the EIS predictions that there is adequate capacity for water and sewer services. The external stormwater assets consistent with Stamped Plan 20224_DA_C100 were observed by the Auditor during the inspection of the site perimeter 4 March 2025 and 12 August 2025 (see Photos 7 and 8)
Waste	The proposal will not result in any undue impacts on waste.	The Proponent advised that, as described in the EIS, the works did not result in any undue impacts on waste.

Environmental Aspect	Predicted Impact	Auditor Assessment
		There were no waste impacts observed by the Auditor during the inspection of the site perimeter 4 March 2025 and 12 August 2025

The nature of the works and associated environmental impacts undertaken during the audit period appear to be consistent with those predicted in the EIS.



Disclaimer: WD Environmental Consulting Pty Ltd compiled this map from numerous sources to provide a summary of spatial information for this project. This map is not prepared for or suitable for legal, engineering or surveying purposes.

4. Conclusions

This Audit Report presents the findings from the first Independent Audit for the operation phase, from the completion of construction on 30 September 2024 to 4 March 2025.

The overall outcome of the Independent Audit was positive. The Proponent was able to provide compliance records and made them available to the Auditor at the time of the site interview. The relevant personnel associated with the project were made available on the day of the Audit and were cooperative and appeared to be knowledgeable and appropriately experienced for their roles.

Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

In summary:

- There were 146 conditions assessed.
- No non-compliances were identified against the conditions.
- No observations or recommendations were identified in relation to the conditions (refer to [Section 3.9.4](#)).
- 121 of the conditions assessed were not triggered during the operation phase.
- The Proponent was compliant with the remaining 25 conditions triggered during the operational phase.
- The Proponent has satisfactorily closed out all non-compliances and recommendations from the previous Independent Audit (Audit Report No. 1).
- There were no incidents or complaints associated with the operation of the project.
- The nature of the works and associated environmental impacts undertaken during the audit period appear to be consistent with those predicted in the EIS (including the physical extent).

The Auditor would like to thank the auditees from Frasers Property Group for their cooperation and openness during the Independent Audit.

5. Appendices

[Appendix A](#) – Independent Audit Table

[Appendix B](#) – Planning Secretary Audit Team Agreement

[Appendix C](#) – Consultation

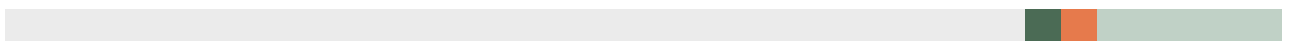
[Appendix D](#) – Independent Audit Declaration Form

[Appendix E](#) – Technical Specialists Reports

[Appendix F](#) – Site Inspection Photographs

Appendix A

Independent Audit Table



Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID																																																
	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																																																	
	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																																																	
	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 (Frasers, 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 by the Proponent 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 has 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	
Draft Subdivision Plans prepared by Landpartners																																																					
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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	The Proponent advised that no directions have been issued by the Planning Secretary.	Compliant																																																	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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	The Proponent advised that no ambiguity or conflict has occurred.	Compliant	
	LEGAL NOTICES				
A6	Any advice or notice to the consent authority shall be served on the Secretary.	N/A	The Proponent advised that no legal notice has occurred.	Compliant	
	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	The Proponent confirmed this condition has not been triggered during the 'Operation' phase.	Compliant	
	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	The Proponent confirmed this condition has not been triggered during the 'Operation' phase.	Compliant	
	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	
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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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 has been prepared by an independent person approved by the minister and does not include false or misleading information.	Compliant	
	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	The Proponent advised there have not been any incidents.	Compliant	
A13	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.	N/A	The Proponent advised there have not been any incidents.	Compliant	
	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	The Proponent advised there have not been any non-compliances.	Compliant	
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	The Proponent advised there have not been any non-compliances.	Compliant	
A16	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	N/A	The Proponent advised there have not been any non-compliances.	Compliant	
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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	
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	
	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 Proponent have advised they will complete the compliance report in accordance with the Compliance Reporting Post Approval Requirements (2020).	Not triggered	
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 Proponent have advised they will complete the compliance report in accordance with the Compliance Reporting Post Approval Requirements (2020).	Not triggered	
A22	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.	N/A	The Proponent have advised they will complete the compliance report in accordance with the Compliance Reporting Post Approval Requirements (2020).	Not triggered	
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 Proponent have advised they will complete the compliance report in accordance with the Compliance Reporting Post Approval Requirements (2020).	Not triggered	
	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	The Proponent confirmed this condition has not been triggered during the 'Operation' phase.	Compliant	
	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.	Note. This audit.	Compliant	
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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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	The Proponent advised that no notice in relation to this condition has been issued by the Planning Secretary.	Compliant	
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 Proponent submit the IEA and RAR via the Major Projects Portal 27/09/2024 (SSD-10457-PA-16). DPHI acknowledge receipt of IEA and RAR via the Major Projects Portal 25/10/2024 (SSD-10457-PA-16).	Compliant	
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 Proponent 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. Fraser's withdrew the application 21/11/2024.	Compliant	
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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	NC ID
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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	
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	
	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	
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	
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	
B12	The tree protection measures are to be installed before construction commences.	N/A	Not applicable to Operations phase.	Not triggered	
	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	Proponent advised that this condition was not triggered.	Not triggered	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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 Auditor notes that 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	
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	
	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	
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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	
	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	
	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	
	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	
	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	
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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	
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	
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	
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	
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	
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	
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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	(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	
	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	
	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	
	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	
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	
D4	No work may be carried out on Sundays or public holidays	N/A	Not applicable to Operations phase.	Not triggered	
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	
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	
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	
	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	
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	
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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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	
	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	
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	
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	
	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	
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	
	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	
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	
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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	
	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	
	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	
	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	
	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	
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	
	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	
	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	
	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	
	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	
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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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	
	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	
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	
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	
	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	
	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	
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	
D39	No construction zone is permitted on Rooty Hill Road South.	N/A	Not applicable to Operations phase.	Not triggered	
	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	
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	
	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	
	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	
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	
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	
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	
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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	
	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	
	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	
	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	
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	
	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	
	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	
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	
	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	
	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	

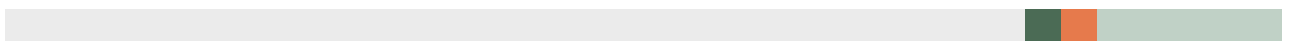
Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	being a subdivision of DP 1267436 and Lot 1 DP 1260111' prepared by LandPartners, plan no. SY073106.006.7A.3, rev. 3, dated 30 June 2022.				
E8	Any easement or restriction created as a result 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	
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	
	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	
	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	
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	
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	
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	
	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	
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	
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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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 Error! Hyperlink reference not valid. 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 Proponent with a 'Notice of requirements - Section 73 Subdivider/Compliance Certificate (Ref: 5/23724/Stage 3)' in response to their Section 73 application. The Proponent 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	
	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	
	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	
	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	
	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	
	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	
	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	
	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	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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	
	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	
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	
	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	
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	
	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	

Appendix B

Planning Secretary Audit Team Agreement



NSW Planning ref: SSD-10457-PA-12

Tamara Carter

Assistant Development Manager

FRASERS PROPERTY RETAIL HOLDINGS PTY LIMITED

Level 2, 1C Homebush Bay Drive

Rhodes NSW 2138

12/07/2024

Sent via the Major Projects Portal only

Subject: Eastern Creek Retail Outlet Centre – Independent Auditor Endorsement

Dear Miss Carter

Reference is made to your post approval matter, SSD-10457-PA-12, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Audit of the Eastern Creek Retail Outlet Centre (the **development**), submitted as required by Schedule 4, Condition A26 of SSD-10457 as modified (the **consent**) to NSW Department of Planning, Housing and Infrastructure (**NSW Planning**) on 11 July 2024.

NSW Planning has reviewed the independent auditor nomination and based on the information you have provided is satisfied that the proposed person is suitably qualified, experienced, and independent.

In accordance with Schedule 4, Condition A26 of the consent and the NSW Planning, *Independent Audit Post Approval Requirements* (2020), as nominee of the Planning Secretary, I endorse the following lead auditor from WD Environmental Consulting Pty Ltd:

- Mr Wayne Duffy

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of consent and the *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.

NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

Notwithstanding the endorsement of the above independent audit team for the project, each respective project approval or consent requires a request for endorsement of the independent auditor or audit team be submitted to NSW Planning, for consideration of the Planning Secretary. Each

request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

Should you wish to discuss the matter further, please contact Maria Divis, Senior Compliance Officer on 02 8275 1156 or email compliance@planning.nsw.gov.au.

Yours sincerely

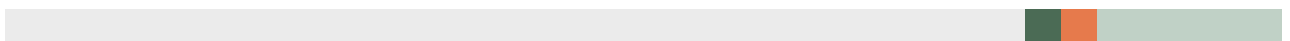
A handwritten signature in blue ink, appearing to read "J Pope".

Julia Pope
Team Leader Compliance - Metro
Compliance

As nominee of the Planning Secretary

Appendix C

Consultation





Outlook

RE: Eastern Creek retail outlet centre (SSD-10457) - Independent Audit No 2 - Operation

From Maria Divis <Maria.Divis@planning.nsw.gov.au>

Date Fri 2025-02-07 6:29 AM

To Wayne Duffy <wayne.duffy@wdenvironmental.com.au>

Cc 'Tamara Carter' <tamara.carter@frasersproperty.com.au>

Hi Wayne

Thank you for consulting with the NSW Department of Planning and Environment (**NSW Planning**) in order to obtain input into the scope of the Independent Environmental Audit (**IEA**) for SSD 10457 as modified (the **consent**), in accordance with the Independent Audit Post Approval Requirements 2020 (**IAPARs**).

Apologies for the delay in response as I was awaiting feedback on this matter. I confirm that NSW Planning raises no concerns with the approved auditor completing the upcoming operational audit.

Please review the consent, Environmental Management Plans, Sub-Plans and EIS; and assess the project's performance against measures undertaken at the site for the reporting period, in relation to the referenced documents. Further to this, please provide commentary on whether the auditor considers the environmental management plans, sub-plans and post approval documents adequate for the development. This detail is to be provided in addition to the IEA requirements outlined in the Conditions of Consent and IAPARs.

The following items were identified in the previous IEA letter from NSW Planning, please ensure that they are appropriately addressed in the IEA:

- 1. In accordance with Section 3.3, subsection 2(a) of the IAPAR provide a detailed review of the environmental performance of the development, including an assessment of actual and predicted impacts documents in the EIS;*
- 2. In accordance with Section 3.3, subsection 4 of the IAPAR provide a high-level assessment of whether each of the Environmental Management Plans and sub-plans required by the consent are adequate;*
- 3. Ensure that the RAR addresses both the non-compliances and all auditor recommendations, as recommendations were not included in the submission*

Please ensure that the IEA includes a site map clearly identifying: 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.

I suggest you contact Blacktown City Council to see if they have any issues.

Kind regards,

Maria Divis**Senior Compliance Officer**

Planning & Assessment | Department of Planning, Housing and Infrastructure

T 02 8275 1156 | E Maria.Divis@planning.nsw.gov.au

Locked Bag 5022 | PARRAMATTA NSW 2124

www.dpie.nsw.gov.au*The Department of Planning and Environment acknowledges that it stands on Aboriginal land.**We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

From: Maria Divis**Sent:** Tuesday, February 4, 2025 8:00 AM**To:** Wayne Duffy <wayne.duffy@wdenvironmental.com.au>**Cc:** Tamara Carter <tamara.carter@frasersproperty.com.au>**Subject:** RE: Eastern Creek retail outlet centre (SSD-10457) - Independent Audit No 2 - Operation

Hi Wayne

Thank you for consulting with NSW Planning Compliance for input into the upcoming audit.

Please note that typically we require a new audit team for the next phase of works. However, given the minor nature of this work I am seeking advice from my team leader (Julia Pope) on this matter and will come back to you once I have more details.

Julia is not in the office today. I will follow this up with her tomorrow and will provide an update thereafter.

Kind regards,

Maria Divis**Senior Compliance Officer**

Planning & Assessment | Department of Planning, Housing and Infrastructure

T 02 8275 1156 | E Maria.Divis@planning.nsw.gov.au

Locked Bag 5022 | PARRAMATTA NSW 2124

www.dpie.nsw.gov.au*The Department of Planning and Environment acknowledges that it stands on Aboriginal land.**We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

From: Wayne Duffy <wayne.duffy@wdenvironmental.com.au>
Sent: Tuesday, February 4, 2025 7:30 AM
To: Maria Divis <Maria.Divis@planning.nsw.gov.au>
Cc: Tamara Carter <tamara.carter@frasersproperty.com.au>
Subject: Eastern Creek retail outlet centre (SSD-10457) - Independent Audit No 2 - Operation

Hi Maria

As the Department of Planning, Housing and Infrastructure (the Department) approved Independent Auditor on the Eastern Creek retail outlet centre ([SSD-10457](#)) (the Project) I had previously consulted with the Department for input into the first independent environmental audit of Stage 1 of the Project. The Proponent has advised that they have completed construction of the Stage 1 component of the Project as described in the Planning Approval, and as such I am now preparing to undertake the second independent audit of the Project, which will be an Operation Independent Audit.

The audit will be conducted in accordance with Condition A25 of Schedule 4 (Part A) of the Planning Approval (SSD-10457) and the [Department's 2020 Independent Audit Post Approval Requirements](#) (IAPAR).

The audit pertains to the post-approval requirements and compliance during the initial operation phase of the Project.

The required scope of the audit (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition for operation along with all post approval documents prepared to satisfy the conditions of Approval, including assessment of the implementation of relevant Environmental Management Plans and Sub-plans, complaints and so forth. These will be included in the audit scope for this Project.

In providing input into the audit scope, I seek confirmation from the Department if it:

- has any key issues it would like examined relating to post-approval requirements and compliance that are not already called upon by the scope in Section 3.3 of the IAPAR.
- recommends that other parties or agencies be consulted (other than Blacktown City Council, as I am already consulting with them consistent with the Department's previous advice on the previous audit).
- Any feedback from the last Independent Audit to be incorporated into this Audit.

At this stage, the site inspection component of the audit is scheduled to commence 20 February 2025. To assist with the audit preparation, it would be appreciated if the Department could provide any input it may have to the scope of the audit by Thursday 13th February 2025.

If you are not the right person to provide this feedback, please forward this email onto the appropriate person within the Department.

If you have any questions or concerns, please let me know.

Regards



Wayne Duffy

M +61 421 941 563

E wayne.duffy@wdenvironmental.com.au

W www.wdenvironmental.com.au



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Outlook

Re: Eastern Creek retail outlet centre (SSD-10457) - Independent Audit No. 2 - Operation

From Wayne Duffy <wayne.duffy@wdenvironmental.com.au>

Date Mon 2025-02-17 8:35 PM

To Shakeeb Mushtaq <Shakeeb.Mushtaq@blacktown.nsw.gov.au>; Judith Portelli
<Judith.Portelli@blacktown.nsw.gov.au>

Cc Tamara Carter <tamara.carter@frasersproperty.com.au>

Hi

I wanted to follow up on the email below from Brock regarding the operational independent environmental audit for the Eastern Creek retail outlet.

I have received the following response from the DPHI Compliance Unit in response to my consultation with them on this matter. If you have any further feedback please let me know by COB tomorrow as the audit is scheduled for Thursday morning.

Excerpt from DPHI response:

"Please review the consent, Environmental Management Plans, Sub-Plans and EIS; and assess the project's performance against measures undertaken at the site for the reporting period, in relation to the referenced documents. Further to this, please provide commentary on whether the auditor considers the environmental management plans, sub-plans and post approval documents adequate for the development. This detail is to be provided in addition to the IEA requirements outlined in the Conditions of Consent and IAPARs.

The following items were identified in the previous IEA letter from NSW Planning, please ensure that they are appropriately addressed in the IEA:

- 1. In accordance with Section 3.3, subsection 2(a) of the IAPAR provide a detailed review of the environmental performance of the development, including an assessment of actual and predicted impacts documents in the EIS;*
- 2. In accordance with Section 3.3, subsection 4 of the IAPAR provide a high-level assessment of whether each of the Environmental Management Plans and sub-plans required by the consent are adequate;*
- 3. Ensure that the RAR addresses both the non-compliances and all auditor recommendations, as recommendations were not included in the submission*

Please ensure that the IEA includes a site map clearly identifying: 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."

Regards

**Wayne Duffy****M** +61 421 941 563**E** wayne.duffy@wdenvironmental.com.au**W** www.wdenvironmental.com.au

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From: Brock Cauchi <Brock.Cauchi@blacktown.nsw.gov.au>

Sent: 04 February 2025 3:03 PM

To: Wayne Duffy <wayne.duffy@wdenvironmental.com.au>

Cc: Tamara Carter <tamara.carter@frasersproperty.com.au>; Shakeeb Mushtaq <Shakeeb.Mushtaq@blacktown.nsw.gov.au>; Judith Portelli <Judith.Portelli@blacktown.nsw.gov.au>

Subject: RE: Eastern Creek retail outlet centre (SSD-10457) - Independent Audit No. 2 - Operation

Hi Wayne

Thanks for the email. I am now working in another section of Blacktown Council.

I have copied in my previous coordinator and manager who will provide you a response/any advice by 13 February 2024.

Thank you



Brock Cauchi
Senior Strategic Planner Economic Development

9839 6037

PO Box 63 Blacktown NSW 2148

blacktown.nsw.gov.au

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First People of the Blacktown City region**

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From: Wayne Duffy <wayne.duffy@wdenvironmental.com.au>
Sent: Tuesday, 4 February 2025 7:30 AM
To: Brock Cauchi <Brock.Cauchi@blacktown.nsw.gov.au>
Cc: Tamara Carter <tamara.carter@frasersproperty.com.au>
Subject: Eastern Creek retail outlet centre (SSD-10457) - Independent Audit No. 2 - Operation

Hi Brock

As the Department of Planning, Housing and Infrastructure (the Department) approved Independent Auditor on the Eastern Creek retail outlet centre ([SSD-10457](#)) (the Project) I had previously consulted with you to provide Blacktown City Council's (the Council's) input in the first independent environmental audit of Stage 1 of the Project. The Proponent has advised that they have completed construction of the Stage 1 component of the Project as described in the Planning Approval and as such I am now preparing to undertake the second independent audit of the Project, which will be an Operation Independent Audit.

The audit will be conducted in accordance with Condition A25 of Schedule 4 (Part A) of the Planning Approval (SSD-10457) and the [Department's 2020 Independent Audit Post Approval Requirements](#) (IAPAR).

The audit pertains to the post-approval requirements and compliance during the initial operation phase of the Project.

The required scope of the audit (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition for operation along with all post approval documents prepared to satisfy the conditions of Approval, including assessment of the implementation of relevant Environmental Management Plans and Sub-plans, complaints and so forth. These will be included in the audit scope for this Project.

In providing input into the audit scope, I seek confirmation from the Council if it:

- has any key issues, it would like examined relating to post-approval requirements and compliance that are not already called upon by the scope in Section 3.3 of the IAPAR.

At this stage, the site inspection component of the audit is scheduled to commence 20 February 2025. To assist with the audit preparation, it would be appreciated if the Council can provide any input it may have to the scope of the audit by Thursday 13th February 2025.

If you are not the right person to provide this feedback, please forward this email onto the appropriate person within the Council.

If you have any questions or concerns, please let me know.

Regards



Wayne Duffy
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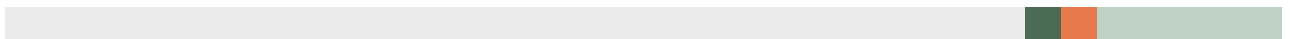
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Appendix D

Independent Audit Declaration Form



Independent Audit Report Declaration	
Project Name	ECQ Outlet Stage 3
Consent Number	SSD-10457
Description of Project	Concept Plan proposal for a retail outlet centre on Lot 3 at the Eastern Creek Business Hub, including food and drink premises, an indoor recreation facility and Stage 1 early works.
Project Address	Lot 3 of the Eastern Creek Business Hub 141 Rooty Hill Road South, Eastern Creek, Blacktown Lot 12 DP 1245264, Lot 1 DP 1260111 and Lot 101 DP 581882
Proponent	Frasers Property Retail Holdings Pty Ltd
Title of Audit	Independent Environmental Audit Report Eastern Creek retail outlet centre – SSD 10457 Audit No. 1
Date	10/09/2024

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019);
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- a) 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) 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

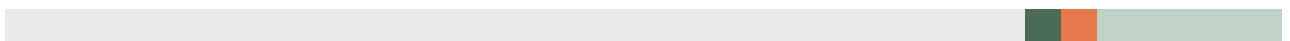
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both) Sincerely,

Auditor Details	
Name of Auditor	Wayne Duffy
Signature	
Qualification	Bachelor of Applied Science Certified Environmental Practitioner - General (No. 1859) Exemplar Global Certified Lead Auditor/Environmental Management Systems Auditor (Certificate No C-472516)  
Company	WD Environmental Consulting Pty Ltd ABN: 91 675 295 646
Company Address	PO Box 4013, Guildford West NSW 2161

Appendix E

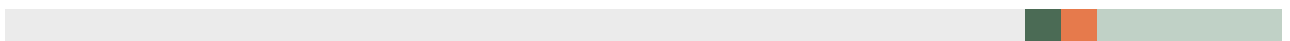
Technical Specialists Reports

NOT REQUIRED

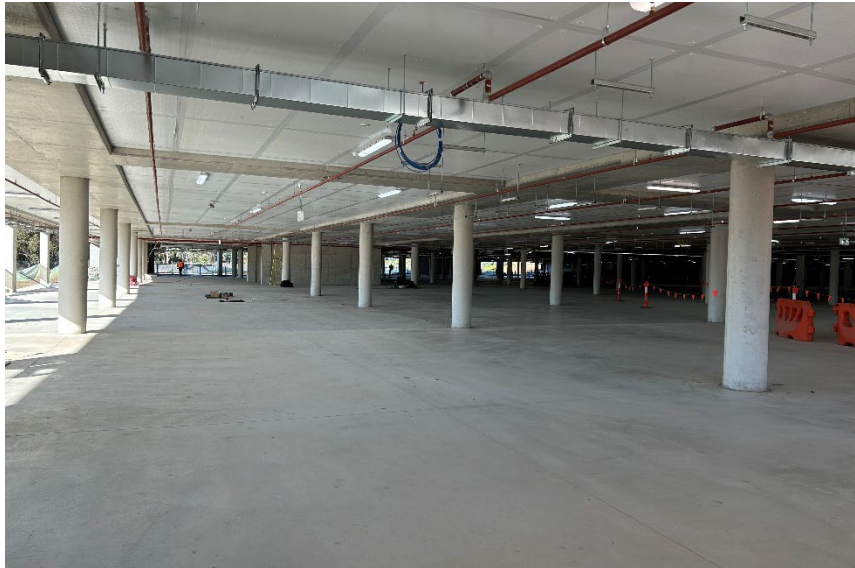


Appendix F

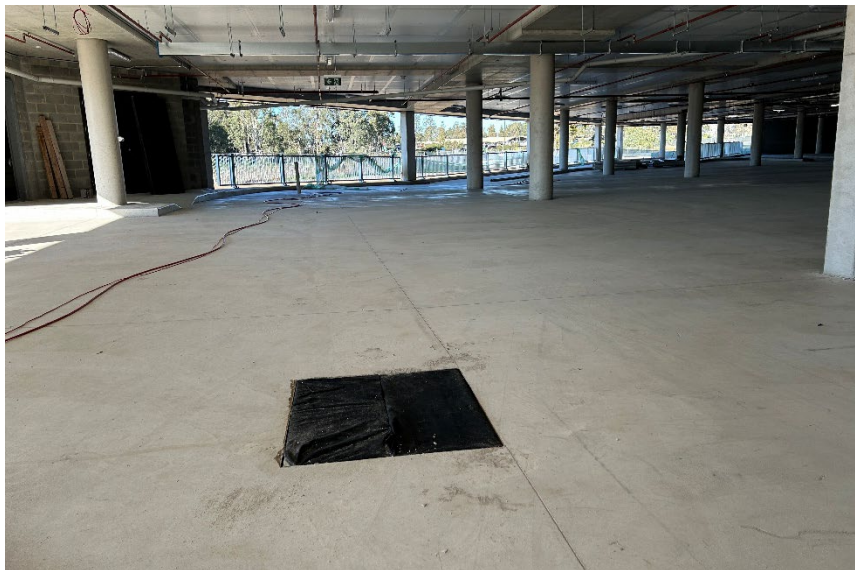
Photographs



Site Photos (12 August 2025)

Photograph	Comment
Photo 1: 	Laydown area adjacent to the works and the site office required under SSD-31515622 (outside the scope of this audit).
Photo 2: 	Fitout work being carried out under SSD-31515622 (outside the scope of this audit).

Photograph	Comment
Photo 3: 	Small excavator levelling the ground under SSD-31515622 (outside the scope of this audit).
Photo 4: 	Sediment controls installed adjacent to the work area under SSD-31515622 (outside the scope of this audit).

Photograph	Comment
Photo 5: 	Stormwater inlet wrapped in geofabric to prevent sediment entering the drainage system under SSD-31515622 (outside the scope of this audit).
Photo 6: 	Sediment controls installed adjacent to the work area under SSD-31515622 (outside the scope of this audit).

Photograph	Comment
Photo 7: 	Rock armored stormwater retention area noted adjacent to the works completed under another approval (outside the scope of this audit).
Photo 8: 	Rock armored stormwater outlet noted in the southeast corner of the site completed under another approval (outside the scope of this audit).

Photograph	Comment
Photo 9: 	Fitout and external work being carried out under SSD-31515622 (outside the scope of this audit).
Photo 10: 	Fitout and external work being carried out under SSD-31515622 (outside the scope of this audit).

Photograph	Comment
Photo 11: 	External work being carried out under SSD-31515622 (outside the scope of this audit).
Photo 12: 	Tree protection in place with remnant vegetation being retained in the southwest corner of the site in accordance with the stamped plans (SK40.21 and SK40.9).

Photograph	Comment
Photo 13: 	Remnant vegetation protected in the northeast of the site.
Photo 14: 	Remnant vegetation protected in the northeast of the site.

Site Photos (supplied with Rev 1 of the report)

Photograph	Comment
Photo 15: 	Drone photo (4/3/25) This photo shows: • The western extent of the works (looking south to north, adjacent to Rooty Hill Road South). • The retained vegetation between the building and Rooty Hill Road South.
Photo 16: 	Drone photo (4/3/25) This photo shows: • The extent of the works (looking from east to west over the site). • The retained vegetation to the east of the site. • Orange sediment fencing running along the perimeter of the eastern and southern boundary of the works. • The stormwater outlet protected with rock armour (bottom, left of the photo).

Photograph	Comment
Photo 17: 	This photo, supplied by the Proponent, shows the reinstatement of sediment controls (sandbags) adjacent to the Woolworths.