



EQ OUTLET

Independent Environmental Audit Report

Eastern Creek Retail Outlet Centre – SSD 10457
Fraser's Property Retail Holdings

Audit No. 1
15 August 2024

WD ENVIRONMENTAL
CONSULTING

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Document Quality Control

Report Title:	Independent Environmental Audit Report – Audit No. 1		
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
1	10/09/2024	Wayne Duffy	Exemplar Global Certified Lead Auditor (Certificate No. C-472516)
2	15/09/2024	Wayne Duffy	Exemplar Global Certified Lead Auditor (Certificate No. C-472516)

Date Submitted to the Department

Date:	
NSW Planning Ref:	

Executive summary

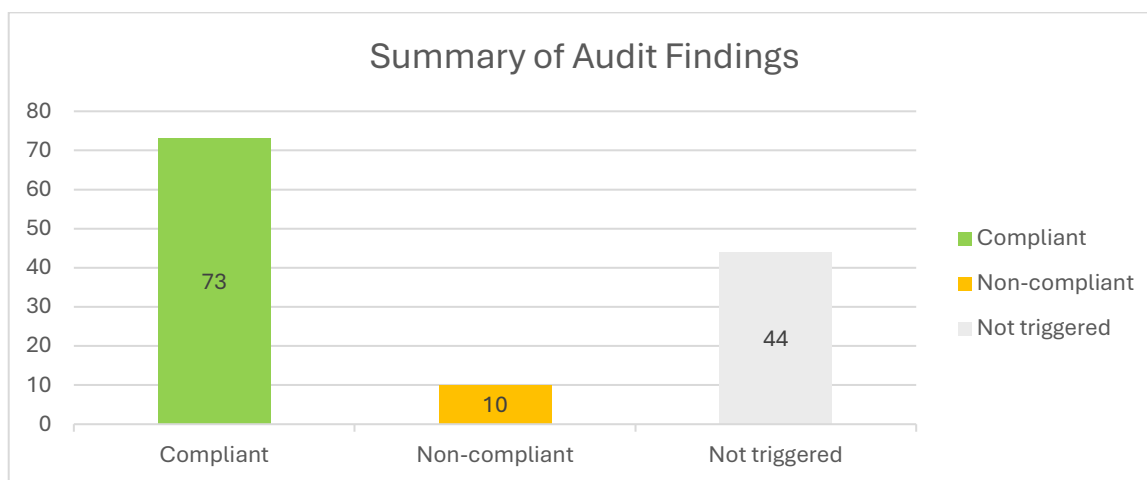
WD Environmental Consulting Pty Ltd (WDEC) was engaged by Frasers Property Retail Holdings Pty Ltd (the Proponent) to conduct this Independent Environmental Audit for the site located at 141 Rooty Hill Road South (RHRS), Eastern Creek NSW 2766 (the Site).

The approved project (SSD 10457) includes Stage 1 early works 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 construction and operational phase of the project.

This Independent Environmental Audit was conducted in accordance with 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 construction phase of the project, as well as the adequacy of the environmental plans.

A total of one hundred and twenty-seven (127) SSD conditions of consent items were assessed during the Audit. A summary of the Audit findings is provided as follows:



Of the ten (10) non-compliances identified during the Audit, four (4) were administrative and were self-reported prior to the Audit to the Planning Secretary by the Proponent. The other six (6) non-compliances related to the submission of a dilapidation report to an affected property owner, the information contained on the site notice and a small number of construction vehicles entering site prior to the approved construction hours (the latter accounted for three (3) of the ten (10) non-compliances).

Three (3) observations were identified during the Audit related to reviewing the CEMP, erosion and sediment controls, and chemical storage on site.

The Auditor found during the site inspection that the Proponent demonstrated a good environmental performance and was adequately managing the environmental risks on site.

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.

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 will soon be developed for a new specialised retail premises development.
- 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.

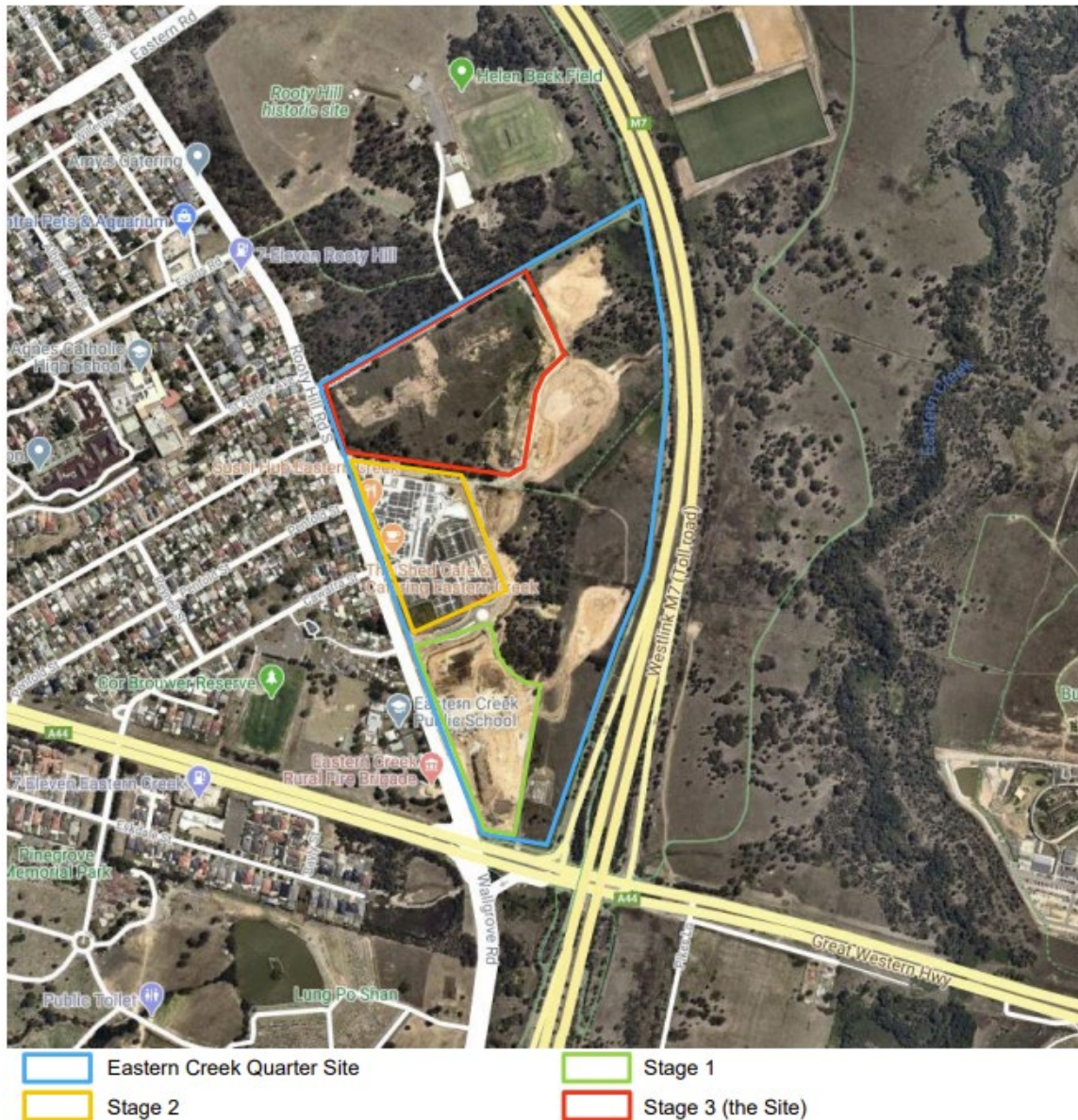


Figure 1: Site location

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 with Moits, a civil and construction contractor, undertaking the bulk earthworks on behalf of the Proponent. [Table 1](#) below summarises the works commenced 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 be commenced 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: <ul style="list-style-type: none"> • Approximately 33,910 m³ of cut. • Approximately 62,250 m³ of fill. 	Yes	The Proponent estimated this work to be approximately 60% completed at the time of the Audit.
Extend Goldsbro Glade to the southern boundary of Lot 3.	Yes	Bulk earthworks have commenced for this work.

1.2 Approvals Requirement

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

An extension of time was requested by the Proponent under condition A28 for the extension of time for the initial Independent Audit through the Major Projects Portal on 4 July 2024 (SSD-10457-PA-11). This request was approved by the Planning Secretary on 5 July 2024 with an agreed extension of time until the 30 September 2024 for the submission of the Independent Audit Report and Response to Audit Recommendations.

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. The approval is presented in [Appendix B](#).

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 Independent Audit.

This 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 first Independent Environmental Audit on the Project covering the period from the granting of consent on 24 April 2023 to 15 August 2024 (the 'audit period').

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.
 - 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 (nil in this case as this is the first Independent Audit).
- 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.

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 inspection 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).
- Construction Environmental Management Plan - Eastern Creek Quarter Stage 3 Revision 1.0 (Moits, 2024).

Additional documents sighted are identified in the Audit Compliance Table in [Appendix A](#).

2.2 Compliance evaluation

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 was also undertaken. Environmental monitoring records were reviewed as part of the evaluation.

Site records and documents were viewed during the site interview with an inspection of the site during construction undertaken on the same day. Project documents were also made available for viewing via a shared project drive.

The assessment of compliance with development consent conditions is presented in the Audit Compliance Table in [Appendix A](#) and discussed in **Section 3** of this report.

2.3 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 2](#).

Table 2: Key issues and areas of focus raised during consultation

Stakeholder	Issue/Focus	Comment/s
Department of Planning, Housing and Infrastructure	<p>The Department did not request any additional issues for inclusion within the scope of the Audit that were not already captured by Section 3.3 of the IAPAR.</p> <p>The Department noted the key environmental issues include:</p> <ul style="list-style-type: none"> • Construction traffic management. • Construction noise and vibration management. • Construction dust management. • Biodiversity offset management. • Bushfire protection and management. 	The key environmental issues noted by the Department have been addressed as part of this independent audit.
Blacktown City Council (BCC)	<p>The Council did not request any additional issues for inclusion within the scope of the Audit that were not already captured by Section 3.3 of the IAPAR.</p> <p>The Council noted that the report should generally detail the staging of works to set out how clearing will be minimised, vehicle access roads, stockpiling areas, tree protection barriers, operations machinery, cleaning protocols, a procedure for controlling the introduction and spreading of weeds and pathogens, including hygiene protocols and the arrangements for monitoring; erosion and sediment control and dust control. Including the environmental management plans.</p>	The key environmental issues noted by the Council have been addressed as part of this independent audit.

2.4 Site personnel involvement

[Table 3](#) below summarises the name, roles and company of the personnel who participated in the Audit.

Table 3: Audit participation.

Name	Position	Company	Opening Meeting	Closing Meeting	Site Inspection	Other
Tamara Carter	Assistant Development Manager	Frasers Property Australia	✓	✓	✓	
Brendan Sharp	Project Manager	Frasers Property Australia	✓	✓	✓	
Shawn Zaky	Senior Project Engineer	Moits and Sons	✓	✓	✓	
Gordon Butt	Project Manager	Moits and Sons	✓			
Damien O’Dea	Head HSEQ	Moits and Sons	✓			

2.5 Meetings

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

During the opening meeting, held on site on 15 August 2024, the objectives and scope of the Independent Audit, the resources required and methodology to be applied were discussed.

At the closing meeting, held on 15 August 2024, 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.

2.6 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 request for information and auditee responses to the request. Interviews were conducted at the site meeting held on 15 August 2024.

2.7 Site inspection

The on-site audit activities took place on 15 August 2024. The on-site audit activities included an inspection of active work sites and work activities being carried out for Stage 1. Photos are presented in [Appendix D](#).

2.8 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 4](#), below:

Table 4: 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.

2.9 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 and document list

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](#).

3.2 Compliance performance

This section, including [Table 5](#), presents the non-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](#).

In summary:

- There were 127 conditions assessed.
- Ten (10) non-compliances were identified against the conditions.
 - Of these, four (4) were self-reported prior to the Audit to the Planning Secretary by the Proponent. These related to the submission of management plans to the Secretary, notifying the Secretary of the commencement of construction and making relevant approved plans available on the project website.
 - The other six (6) non-compliances related to the submission of a dilapidation report to an affected property owner, the site notice and a small number of construction vehicles entering site prior to the approved construction hours (the latter accounted for three of the non-compliances).
- Three (3) observations were identified in relation to the conditions (refer to Section 3.12).

3.3 EMP, Sub-plans and compliance documents

The adequacy of post approval documents must be determined on the basis of whether:

- There are any non-compliances resulting from the implementation of the document.
- Whether there are any opportunities for improvement.

A review was conducted of the:

- Construction Environmental Management Plan Eastern Creek Quarter Stage 3 (Rev. 1.0, Moits, April [sic]).
- Air Quality Management Plan Eastern Creek Quarter - Stage 3, Ver. v1f (ADE Consulting Group, 15/05/2024).
- Construction Waste Management Plan (CWMP) Eastern Creek Quarter – Stage 3, Ver. v1f (ADE Consulting Group, 15/05/2024).

- Construction Traffic Management Plan Sub-Plan (CTMP) (Ver. A, Moits, 27/2/2024).
- Construction Soil and Water Management Sub-Plan, Rev. 3 (Atlas Geotechnical Services, 24/05/2024).

At the time of the audit inspection the site environmental risks were generally being appropriately managed by the Proponent. However, the Auditor considers the CEMP requires a review against the current project as it appears to contain a number of references unrelated to the project, such as utilising Transport for NSW processes and procedures.

The Auditor considers the Sub-Plans to be adequate for the works being undertaken, noting the non-conformances and observations identified Section 3.2.

3.4 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.

3.5 Actions from previous audits

As this was the first Independent Audit for the project there are no actions from a previous audit.

3.6 Environmental performance

The Auditor found during the site inspection that the Proponent demonstrated a good environmental performance and was adequately managing the environmental risks on site.

During the Audit Site Inspection the following observations were made in relation to implementation of the environmental management plans:

- Waste was being appropriately segregated on site (tyres and metal).
- Traffic control was in place and construction vehicles were located onsite.
- Erosion and sediment controls were mostly in place and appeared to be effective and maintained at the time of the Audit.
- There was no evidence of tracking of materials offsite.
- The heavy vehicle access point was set up with aggregate and cattle grids to minimise the tracking of material from site.
- The use of non-tonal reversing squawkers was observed.
- The site perimeter was fully fenced off to prevent unauthorised access.
- The vegetation exclusion zones and tree protection were in place and maintained.
- Fully stocked spill kits were available on site.

Items requiring attention:

- There was an empty refuelling cell located adjacent to the site accommodation that was not located on a bund.
- The sandbags being used as sediment controls were in good order, however a single drain adjacent to the Woolworths was not adequately protected.

3.7 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 project to date.

3.8 Incidents

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

3.9 Actual verses 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 EIS 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 is qualitative only.

Construction commenced on 28 May 2024. Works completed during the current audit period (i.e. from the granting of approval on 24 April 2023 to August 2024) included site establishment, vegetation removal and bulk earthworks to facilitate the next stages of the project which fall under a different approval.

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

3.10 Site inspection and interviews

Various areas of the project site were visited as part of the accompanied site inspection on 15 August 2024. The site interviews occurred at various work sites during the site inspection. [Table 5](#) provides a summary of the site inspection locations and interviewees. The attendees and interviewees were cooperative and appeared to be knowledgeable and appropriately experienced for their roles.

Table 5 Site Inspection Locations, Attendees and Interviewees

Site Location	Name	Role
Full perimeter and accessible areas	Tamara Carter Brendan Sharp	Assistant Development Manager Project Manager
Site access points	Shawn Zaky	Senior Project Engineer
Site accommodation and amenities		

3.11 Improvement opportunities

The following continual environmental management improvement opportunities were identified as part of this Audit, including:

- Consider reviewing and updating the CEMP against the current project (refer to Section 3.3).
- Inspect project erosion and sediment controls to ensure adequacy to protect the environment and meet current project requirements.
- Ensure chemical storage on site is managed appropriately and in accordance with the CEMP.

3.12 Key strengths

Overall, the Proponent had demonstrated that the environmental risks on site were being effectively implemented and maintained. The following key strengths were identified as part of this Audit, including:

- Vegetation protection was well established and maintained across the site.
- Perimeter fencing and traffic controls were in place and effective.
- Erosion and sediment controls were installed and maintained.
- Waste is being appropriately segregated on site.
- Review and update the CEMP against the current project (refer to Section 3.3).
- There have been no complaints associated with the project to date.

3.13 Other relevant matters

Other than the matters identified in Section 3.2, there were no other matters considered relevant by the Auditor. During consultation, the Department and BCC did not request any additional issues for inclusion within the scope of the Audit that were not already captured by Section 3.3 of the IAPAR.

The initial Audit report was issued to the Proponent for review. During the review process the Proponent identified that, contrary to previously reporting Condition C2 as a non-compliance to the Planning Secretary, staging of the works associated with SSD 10457 was not actually triggered during the audit period. The Proponent revised their non-compliance submission to the Planning Secretary via the Major Projects Portal. The Auditor is satisfied that the additional information and evidence provided is sufficient to determine that an error of fact or misunderstanding has taken place and this Audit report and associated findings have subsequently been amended to reflect this change.

4. Conclusions

This Audit Report presents the findings from the first Independent Audit for the construction period, from the period from granting of consent on 24 April 2023 to 15 August 2024.

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 inspection. The relevant personnel associated with the works 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 127 conditions assessed.
- Ten (10) non-compliances were identified against the conditions.

Of these, four (4) were self-reported prior to the Audit to the Planning Secretary by the Proponent. These related to the submission of management plans to the Secretary, notifying the Secretary of the commencement of construction and making relevant approved plans available on the project website.

The other six (6) non-compliances related to the submission of a dilapidation report to an affected property owner, the site notice and a small number of construction vehicles entering site prior to the approved construction hours (the latter accounted for three of the non-compliances).

- Three (3) observations were identified in relation to the conditions (refer to Section 3.12).

The Auditor would like to thank the auditees from Frasers Property Group and Moits and Sons 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

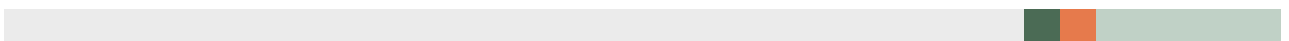
[Appendix D](#) – Independent Audit Declaration Form

[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.	Audit Site Inspection.	The audit site inspection confirmed that the Proponent was implementing all reasonable and feasible measures to prevent or minimise material harm to the environment.	Compliant																																																	
	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	<p>Stage 1 of the development may only be carried out:</p> <p>(a) in compliance with the conditions of this consent</p> <p>(b) in accordance with all written directions of the Planning Secretary</p> <p>(c) in accordance with the EIS and as amended by the RtS and additional information</p> <p>(d) in accordance with the drawings listed in the table below, as amended by the conditions of this consent:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <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> </thead> <tbody> <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> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <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> </thead> <tbody> <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>20224_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> </tbody> </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	20224_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	Various documents as noted throughout this Audit.	<p>The project was generally being carried out in accordance with the conditions of this approval.</p> <p>As noted during the Audit there were a number of administrative non-compliances self-reported by the Proponent.</p>	Compliant	
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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: <p>(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</p> <p>(b) the implementation of any actions or measures contained in any such document referred to in Condition A3(a) of this Schedule.</p>	Proponent advised that no directions have been issued by the Planning Secretary.	Proponent advised that no directions have been issued by the Planning Secretary.	Not triggered																																																	

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.	The Proponent advised that no ambiguity or conflict has occurred.	The Proponent advised that no ambiguity or conflict has occurred.	Not triggered	
LEGAL NOTICES					
A6	Any advice or notice to the consent authority shall be served on the Secretary.	The Proponent advised that no legal notice has occurred.	The Proponent advised that no legal notice has occurred.	Not triggered	
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.	Consultation was required in order to prepare a number of management plans. Construction Certificate No. 220369/01, McKenzie Group, 31 May 2024 (CC1).	The requirements for the preparation of the management plans were included in CC1.	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.	Moits Central and Fleet Tracker System. Plant Pre-start filled out daily onsite. HSEQ Inspection - 5001013 (Moits, 1 July 2024). Audit Site Inspection.	The subcontractor undertaking the works uses the Moits Central and Fleet Tracker systems to track plant and equipment on the site. The operators complete a daily pre-start log onsite and Moits undertake HSEQ Inspections which includes verifying mobile plant and tools meet their requirements. All plant and equipment appeared to be in good working order at the time of the Audit inspection, with no signs of leaks or smoke being discharged.	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.	Construction Environmental Management Plan Eastern Creek Quarter Stage 3 (Rev. 1.0, Moits, April [sic]) and Appended Sub-Plans.	The CEMP and appended sub-plans referenced the relevant Australian Standards and Guidelines.	Compliant	
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.	Proponent advised that no directions have been issued by the Planning Secretary.	Proponent advised that no directions have been issued by the Planning Secretary.	Not triggered	
MONITORING and ENVIRONMENTAL AUDITS					

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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.	Proponent and subcontractor have advised there have not been any incidents.	Proponent and subcontractor have advised there have not been any incidents.	Not triggered	
A13	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.	Proponent and subcontractor have advised there have not been any incidents.	Proponent and subcontractor have advised there have not been any incidents.	Not triggered	
	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.	Letter to the Planning Secretary - Subject: Non-Compliance Notification – SSD10457 and SSD31515622 (Frasers Property, 25 July 2024). Email to: compliance@planning.nsw.gov.au - Subject: Non-Compliance Notification: SSD 10457 and SSD 31515622 (Frasers Property, 25 July 2024).	The Proponent identified non-compliances with Conditions B2, B5, C1 and C3. The Proponent provided written notification to the Department via compliance@planning.nsw.gov.au within seven days of becoming aware of the 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.	Letter to the Planning Secretary - Subject: Non-Compliance Notification – SSD10457 and SSD31515622 (Frasers Property, 25 July 2024). Email to: compliance@planning.nsw.gov.au - Subject: Non-Compliance Notification: SSD 10457 and SSD 31515622 (Frasers Property, 25 July 2024).	The Proponent provided the relevant information as required by this condition.	Compliant	
A16	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	The Proponent advised that there have been no incidents to date on the project.	The Proponent advised that there have been no incidents to date on the project.	Compliant	
	REVISION OF STRATEGIES, PLANS and PROGRAMS				

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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,	No revisions of strategies, plans or programs required during this Audit period.	No revisions of strategies, plans or programs required during this audit period.	Not triggered	
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.	No revisions of strategies, plans or programs required during this Audit period.	No revisions of strategies, plans or programs required during this Audit period.	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.	No revisions of strategies, plans or programs required during this audit period.	No revisions of strategies, plans or programs required during this audit period.	Not triggered	
COMPLIANCE REPORTING					
A20	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (2020).	This is an operational requirement.	This is an operational requirement.	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.	This is an operational requirement.	This is an operational requirement.	Not triggered	
A22	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.	This is an operational requirement.	This is an operational requirement.	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.	This is an operational requirement.	This is an operational requirement.	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.	Receipt of payment BCC Receipt No. D005149116 (9 May 2024).	Tree Inspection paid to Council in respect to Condition B9.	Compliant	
INDEPENDENT ENVIRONMENTAL AUDIT					

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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 July 2024).	Independent Auditor agreed in writing by the Planning Secretary prior to the commencement of the Independent Audit.	Compliant	
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.	Proponent advised that no notice in relation to this condition has been issued by the Planning Secretary.	Proponent advised that no notice in relation to this condition has been issued by the Planning Secretary.	Not triggered	
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	Post approval letter (NSW Planning ref: SSD-10457-PA-11, 5 July 2024).	The Planning Secretary has agreed to an extension of time until the 30 September 2024 for the submission of the Independent Audit Report and Response to Audit Recommendations.	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.	The Proponent has advised that they have not issued a request to the Planning Secretary for ongoing audits to be ceased.	The Proponent has advised that they have not issued a request to the Planning Secretary for ongoing audits to be ceased.	Not triggered	
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.	Historical Archaeological Assessment, prepared by Extent Heritage Advisors, dated 28 July 2022, Final 02. Eastern Creek Business Hub Archaeological Management Plan, prepared by Biosis, dated 10 February 2016. Construction Environmental Management Plan Eastern Creek Quarter Stage 3 (Rev. 1.0, Moits, April [sic]).	The main finding of each report is that the Project is unlikely to impact on archaeological heritage. The recommendation was for the site to prepare and implement an unexpected finds protocol for heritage items. An Unexpected Finds Protocol Heritage - Aboriginal Heritage and European was prepared for the project and is found in Appendix 1.9 of the CEMP. The Proponent has advised that no unexpected finds of heritage value have been identified to date on the project.	Compliant	
SCHEDULE 4 - CONDITIONS OF CONSENT FOR STAGE 1 WORKS PRIOR TO THE ISSUE OF ANY CONSTRUCTION CERTIFICATE					
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN					

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
B1	<p>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:</p> <p>(a) Details of:</p> <ul style="list-style-type: none"> (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. <p>(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.</p>	<p>Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024). Construction Environmental Management Plan Eastern Creek Quarter Stage 3 (Rev. 1.0, Moits, April [sic]).</p>	<p>The Proponent prepared and submitted a CEMP to the satisfaction of the CA.</p>	Compliant	
CONSTRUCTION PEDESTRIAN and TRAFFIC MANAGEMENT PLAN SUB-PLAN					

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
B2	<p>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:</p> <ul style="list-style-type: none"> (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. <p>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.</p>	<p>Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024). Construction Traffic Management Plan Sub-Plan (CTMP) (Ver. A, Moits, 27/2/2024). Letter - Subject: Non-Compliance Notification – SSD10457 and SSD31515622 (Frasers Property, 25 July 2024). Email - Non-Compliance Notification: SSD 10457 and SSD 31515622 (Frasers Property, 25 July 2024).</p>	<p>The Proponent prepared and submitted a CTMP to the satisfaction of the CA.</p> <p>The Plan was not submitted to the Planning Secretary prior to the commencement of works. The proponent self-reported a non-compliance with this condition to the Planning Secretary as outlined in the Condition A14 non-compliance notification.</p>	Non-compliant	SSD10457_IA1_01
CONSTRUCTION NOISE and VIBRATION MANAGEMENT SUB-PLAN					
B3	<p>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:</p> <ul style="list-style-type: none"> (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 that are anticipated to exceed highly noise affected levels under the EPA's Interim Construction Noise Guide 	<p>(McKenzie Group, 30 May 2024). Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024). Post Approval (SSD-10457-PA-5, not dated). Post Approval lodgement email (22 May 2024). Eastern Creek Quarter - Stage 3 - Construction Noise & Vibration</p>	<p>The Proponent prepared and submitted a CNVMP to the satisfaction of the CA.</p> <p>The Plan was submitted to the Planning Secretary prior to construction commencing.</p>	Compliant	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	<p>(b) identification of the specific activities that will be carried out and their associated noise sources at the site</p> <p>(c) identification of all potentially affected sensitive residential receiver locations</p> <p>(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</p> <p>(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</p> <p>(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</p> <p>(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</p> <p>(h) description of management methods and procedures, and specific noise mitigation treatments/measures that can be implemented to control noise and vibration during construction</p> <p>(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</p> <p>(j) measures to identify non-conformances with the requirements of the Sub-Plan, and procedures to implement corrective and preventative action</p> <p>(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</p> <p>(l) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity</p> <p>(m) measures to monitor noise performance and respond to complaints</p> <p>(n) measures to reduce noise related impacts associated with offsite vehicle movements on nearby access and egress routes from the site</p> <p>(o) procedures to allow for regular professional acoustic input to construction activities and planning</p> <p>(p) effective site induction, and ongoing training and awareness measures for personnel (e.g. toolbox talks, meetings etc).</p> <p>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.</p>	<p>Management Sub-Plan (Rev 1, Acoustic Logic, 15 May 2024).</p>			
	<p>AIR QUALITY MANAGEMENT SUB-PLAN</p>				

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.	Air Quality Management Plan Eastern Creek Quarter - Stage 3, Ver. v1f (ADE Consulting Group, 15 May 2024). Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024). Post Approval (SSD-10457-PA-6, not dated). Post Approval email (22 May 2024).	The Proponent prepared and submitted an AQMP to the satisfaction of the CA. The Plan was submitted to the Planning Secretary prior to construction commencing.	Compliant	
CONSTRUCTION WASTE MANAGEMENT SUB-PLAN					

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
B5	<p>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:</p> <p>(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”</p> <p>(b) classifies fill material being imported or removed from the site in accordance with the EPA’s excavated natural material order 2014</p> <p>(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</p> <p>(d) procedures for minimising the movement of waste material around the site and double handling</p> <p>(e) waste (including litter, debris or other matter) is not caused or permitted to enter any waterways</p> <p>(f) any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises</p> <p>(g) the wheels of any vehicle, trailer or mobilised plant leaving the site and cleaned of debris prior to leaving the premises</p> <p>(h) details in relation to the transport of waste material around the site (on-site) and from the site, including (at a minimum):</p> <p>(i) a traffic plan showing transport routes within the site;</p> <p>(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</p> <p>(iii) the name and address of each licensed facility that will receive waste from the site (if appropriate).</p>	<p>Construction Waste Management Plan (CWMP) Eastern Creek Quarter – Stage 3, Ver. v1f (ADE Consulting Group, 15 May 2024).</p> <p>Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024).</p> <p>Post Approval (SSD-10457-PA-14, not dated).</p> <p>Letter - Subject: Non-Compliance Notification – SSD10457 and SSD31515622 (Frasers Property, 25 July 2024).</p> <p>Email - Non-Compliance Notification: SSD 10457 and SSD 31515622 (Frasers Property, 25 July 2024).</p>	<p>The Proponent prepared and submitted a CWMP to the satisfaction of the CA.</p> <p>The Plan was not submitted to the Planning Secretary prior to the commencement of works. The proponent self-reported a non-compliance with this condition to the Planning Secretary as outlined in the Condition A14 non-compliance notification.</p>	Non-compliant	SSD10457_IA1_02
CONSTRUCTION SOIL and WATER MANAGEMENT SUB-PLAN					
B6	<p>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:</p> <p>(a) describe all erosion and sediment controls to be implemented during construction</p> <p>(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)</p> <p>(c) detail all off-Site flows from the Site</p> <p>(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.</p>	<p>Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024).</p> <p>Construction Soil and Water Management Sub-Plan, Rev. 3 (Atlas Geotechnical Services, 24 May 2024).</p>	<p>The Proponent prepared and submitted a CSWMSP to the satisfaction of the CA.</p>	Compliant	

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.	Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024).	The Proponent submitted evidence of credit requirements of this condition to the CA, which was included in CC1.	Compliant	
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.	Post Approval Form (SSD-10457-PA-4, not dated). Post Approval lodgement email (22 May 2024). Department acknowledgement of receipt email (24 May 2024).	The Proponent provided evidence to the Planning Secretary in accordance with this condition.	Compliant	
	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.	Email from BCC (9 May 2024).	The BCC Greenspace Infrastructure Officer confirmed in an email that the Deeds and bond had been received by Council.	Compliant	
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.	Email (BCC, 9 May 2024). Receipt (BCC, 9 May 2024).	The BCC Greenspace Infrastructure Officer confirmed in an email that the inspection fee had been paid. The receipt also confirms payment of the inspection fee.	Compliant	
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).	Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024).	The Proponent submitted evidence of the engagement of a qualified arborist as required by this condition to the CA, which was included in CC1.	Compliant	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
B12	The tree protection measures are to be installed before construction commences.	Letter Ref: 23SYD5722 - Subject: Compliance inspection at Eastern Creek Business Hub (Ecological, 5 June 2024). Letter - Subject: Installation of tree protection measures: Eastern Creek Business Hub Stage 3 (Plateau Trees, 30 May 2025 [sic]). Plateau Trees Quarterly Inspection Report (30 May 2024). Audit Site Inspection.	The Proponent and subcontractor both had independent third-party inspections who confirmed adequate installation of tree protection measures prior to the commencement of construction.	Compliant	
	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	Proponent advised that this condition was not triggered.	Proponent advised that this condition was not triggered.	Not triggered	
	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.	Letter - Subject: Non-Compliance Notification – SSD10457 and SSD31515622 (Frasers Property, 25 July 2024). Email - Non-Compliance Notification: SSD 10457 and SSD 31515622 (Frasers Property, 25 July 2024).	The Proponent self-reported a non-compliance with this condition to the Planning Secretary as outlined in the Condition A14 non-compliance notification.	Non-compliant	SSD10457_IA1_03
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.	Letter - Subject: Non-Compliance Notification – SSD10457 and SSD31515622 (Frasers Property, 25 July 2024). Email - Non-Compliance Notification: SSD 10457 and SSD 31515622 (Frasers Property, 25 July 2024). Letter - Subject: Non-Compliance Notification – SSD10457 and SSD31515622 (Frasers Property, 25 July 2024) [as amended]. Post Approval Form (SSD-10457-PA-15) Email - Eastern Creek retail outlet centre - Post Approval Document Received - (SSD-10457-PA-15).	The Proponent had self-reported a non-compliance with this condition to the Planning Secretary as outlined in the Condition A14 non-compliance notification. During review of this Audit Report, Frasers identified that they had not triggered this Condition and updated their previous non-compliance submission to the Planning Secretary. This amended submission was sent to the Planning Secretary via the Planning Portal. This Report has been amended to reflect this change.	Not triggered	SSD10457_IA1_04
	ACCESS TO INFORMATION				

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
C3	<p>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:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> (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 <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>Letter - Subject: Non-Compliance Notification – SSD10457 and SSD31515622 (Frasers Property, 25 July 2024).</p> <p>Email - Non-Compliance Notification: SSD 10457 and SSD 31515622 (Frasers Property, 25 July 2024).</p> <p>Project website: https://www.easterncreekquarter.shopping/News/2024/03/28/Welcome-to-ECQ-Outlet. https://www.easterncreekquarter.shopping/ECQ-Outlet-Information.</p>	<p>The Proponent self-reported a non-compliance with this condition to the Planning Secretary as outlined in the Condition A14 non-compliance notification.</p> <p>The audit review of the project website identified that most of the required information was available except for reporting the project environmental performance and monitoring.</p> <p>The Project website contains:</p> <ul style="list-style-type: none"> ✓ The documents referred to in Schedule 2, Condition A3 of this consent. ✓ All current statutory approvals for the development. ✓ All approved strategies, plans and programs required under the conditions of this consent. ✗ 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. ✗ 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. ✓ A summary of the current stage and progress of the development. ✓ Contact details to enquire about the development or to make a complaint. ✓ A complaints register, updated monthly. <p>Not Triggered - 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.</p> <p>Not triggered - any other matter required by the Planning Secretary.</p>	Non-compliant	SSD10457_IA1_05
	UTILITIES and SERVICES				
C4	<p>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.</p>	<p>Proponent advised that there has been no relocation of services required.</p>	<p>Proponent advised that there has been no relocation of services required.</p>	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.	Email correspondence: 'Jemena' Design (1 February 2024). Your nbn™ New Development application confirmation: STG-W000311046 (18 April 2024). UCL11986 - 2, 151 Rooty Hill Road Eastern Creek - Design Certification (4 January 2024). Letter: Notice of requirements SECTION 73 Subdivider/Compliance Certificate (Sydney Water, 13 March 2024).	Written advice from relevant service provided and sighted.	Compliant	
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.	Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024).	The CA noted relevant BYDA documents in CC1.	Compliant	
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.	Design and Construction Contract Eastern Creek Quarter – Stage 3 Early Works (Fraser's & Moits, 19 April 2024). Excerpt from Moits contract (Clause 17.2).	Contractual requirement from Fraser to Moits includes the full conditions of approval requirements. Contractual requirement from Moits to Subcontractor is captured in Appendix XX of their subcontractor agreement.	Compliant	
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.	Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024). Construction Soil and Water Management Sub-Plan, Rev. 3 (Atlas Geotechnical Services, 24 May 2024).	The CA noted SWMP in CC1, which contains the erosion and sediment control measures.	Compliant	
PROTECTION OF PUBLIC INFRASTRUCTURE and STREET TREES					

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
C9	<p>Prior to the commencement of works, the Applicant must:</p> <p>(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</p> <p>(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</p> <p>(c) ensure all street trees directly outside the site not approved for removal are retained and protected in accordance with the applicable Australian Standards.</p>	<p>Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024). Post Approval Form (SSD-10457-PA-7, not dated). Post Approval lodgement email (SSD-10457-PA-7, 24 May 2024). Email to Council (Moits, 30 May 2024). Dilapidation Reports: Property 151 Rooty Hill Road, Eastern Creek (Craigmar Consulting Services Pty Ltd, 15 May 2024). Property Bio Basin, 141 Rooty Hill Road South, Eastern Creek (Craigmar Consulting Services Pty Ltd, 8 May 2024). Property Woolworths Exterior, Rooty Hill Road South, Eastern Creek (Craigmar Consulting Services Pty Ltd, 14 May 2024). Property Roads, 141 Rooty Hill Road South, Eastern Creek (Craigmar Consulting Services Pty Ltd, 8 May 2024).</p>	The CA issued CC1.	Compliant	
PRE-CONSTRUCTION DILAPIDATION REPORT					
C10	<p>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</p>	<p>Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024). Post Approval Form (SSD-10457-PA-7, not dated). Post Approval lodgement email (SSD-10457-PA-7, 24 May 2024). Email to Council (Moits, 30 May 2024). Dilapidation Reports: Property 151 Rooty Hill Road, Eastern Creek (Craigmar Consulting Services Pty Ltd, 15 May 2024). Property Bio Basin, 141 Rooty Hill Road South, Eastern Creek (Craigmar Consulting Services Pty Ltd, 8 May 2024). Property Woolworths Exterior, Rooty Hill Road South, Eastern Creek (Craigmar Consulting Services Pty Ltd, 14 May 2024). Property Roads, 141 Rooty Hill Road South, Eastern Creek (Craigmar Consulting Services Pty Ltd, 8 May 2024).</p>	The CA issued CC1.	Compliant	

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.	Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024). Post Approval Form (SSD-10457-PA-7, not dated). Post Approval lodgement email (SSD-10457-PA-7, 24 May 2024). Email to Council (Moits, 30 May 2024). Dilapidation Reports: Property 151 Rooty Hill Road, Eastern Creek (Craigmar Consulting Services Pty Ltd, 15 May 2024). Property Bio Basin, 141 Rooty Hill Road South, Eastern Creek (Craigmar Consulting Services Pty Ltd, 8 May 2024). Property Woolworths Exterior, Rooty Hill Road South, Eastern Creek (Craigmar Consulting Services Pty Ltd, 14 May 2024). Property Roads, 141 Rooty Hill Road South, Eastern Creek (Craigmar Consulting Services Pty Ltd, 8 May 2024).	The affected property owner of 151 Rooty Hill Road was not forwarded a copy of the dilapidation report.	Non-compliant	SSD10457_IA1_06
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.	Proponent advised that were not denied access to undertake any dilapidation reports.	Proponent advised that they were not denied access to undertake any dilapidation reports.	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.	The Proponent advised that there has not been any damage.	The Proponent advised that there has not been any damage.	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.	The Proponent advised that there has not been any damage.	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.	Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024).	The CA issued CC1.	Compliant	
	BARRICADE PERMIT				

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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.	Proponent has advised that this has not been triggered.	Proponent has advised that this has not been triggered.	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 (b) structural certification prepared and signed by an appropriately qualified practising structural engineer.	Proponent has advised that this has not been triggered. Audit Site Inspection.	No hoarding or scaffolding was observed in a public road on the day of the Audit Site Inspection.	Not triggered	
	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.	Proponent has advised that this has not been triggered. Retaining Walls at Lot 3 of the Eastern Creek Business Hub 141 Rooty Hill Road South, Eastern Creek, Blacktown Construction Certificate Checklist Rev. H (McKenzie Group, 30 May 2024).	Proponent has advised that this has not been triggered. Noted by CA in the CC1 checklist that this condition was not applicable to Stage 1 works and was moved to the SSD-31515622 CC checklist.	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.	Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024).	The CA issued CC1.	Compliant	
	REMEDICATION – 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.	Construction Certificate No. 220369/01 (McKenzie Group, 31 May 2024).	The CA noted Unexpected Finds Protocol in CC1.	Compliant	
	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.	Project Website: https://www.easterncreekquarter.shopping/ECQ-Outlet-InformationSubcontractor shared file structure (Z drive) including all relevant documents."Moits Central" system.	Documents are available on the project website and were also available on the subcontractor shared file systems.	Compliant	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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.	Site Notice.	The Site Notice was sighted on Audit Site Inspection. The site notice was erected at eye level on the perimeter fencing in a prominent position. The Site Notice is to be updated to include all of the required information. Review: ✘ State the name, address and telephone number of the Certifying Authority for the work. ✓ State the name of the principal contractor (if any), its address and 24-hour contact phone number for any inquiries, including construction/noise complaints. ✘ State the approved hours of work. ✓ State that unauthorised entry to the work site is prohibited. ✓ 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. ✓ The notice is to be durable and weatherproof and is to be displayed throughout the works period. ✓ The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing.	Non-compliant	SSD10457_IA1_07
	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.	Tracking register. Watercart allocation register (Moits, 2024). Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	After reviewing the project tracking register, it was noted that a total of 2014 truck movements over the duration of construction. Of these 2014 trucks, the register noted that 8 trucks attended the site prior to the approved construction hours (arriving between 06:30 and 07:00). Given the number of truck movements prior to the approved hours represents 0.4% of the project truck movements it does not appear to be a systemic issue. However, the Proponent will need to review the requirement and provide a suitable rectification to ensure ongoing compliance with this condition.No complaints about hours of work noted.	Non-compliant	SSD10457_IA1_08
D4	No work may be carried out on Sundays or public holidays	Proponent advised that no works have been undertaken on Sundays or public holidays. Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	Proponent advised that no works have been undertaken on Sundays or public holidays. No complaints about hours of work noted.	Compliant	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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).	Proponent advised that no works have been required to be undertaken outside the approved hours.	Proponent advised that no works have been required to be undertaken outside the approved hours.	Compliant	
D6	Notification of such works must be given to affected residents before undertaking them or as soon as is practical afterwards.	Proponent advised that no works have been required to be undertaken outside the approved hours.	Proponent advised that no works have been required to be undertaken outside the approved hours.	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.	Proponent advised that no works have been required to be undertaken during these modified hours.	Proponent advised that no works have been required to be undertaken during these modified hours.	Compliant	
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.	Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	No noise complaints raised to date on the project.	Compliant	
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.	Import Tracking Register (Internal) (Moits, 2024). Watercart allocation register (Moits, 2024). Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	No complaints about hours of work noted. After reviewing the project tracking register, it was noted that there were a total of 2014 truck movements over the duration of construction. Of the 2014 trucks, the register noted that 8 trucks attended the site prior to the approved construction hours (arriving between 06:00 and 07:00). Given the small number of truck movements prior to the approved hours represents 0.4% of the project truck movements it does not appear to be a systemic issue. However, the Proponent will need to review the requirement and provide a suitable rectification to ensure ongoing compliance with this condition.	Non-compliant	SSD10457_IA1_09
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.	Audit Site Inspection.	The use of audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers was noted to be in use in at least two different heavy vehicles operating on site at the time of the Audit Site Inspection.	Compliant	

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.	Proponent advised that no respite periods were triggered. Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	Proponent advised that no respite periods were triggered during the audit period. There were no complaints associated with noise received.	Compliant	
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;	Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	No vibration complaints.	Compliant	
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	Proponent advised that no vibratory compaction has been undertaken in the west of the site (adjacent to Rooty Hill Road).	Proponent advised that no vibratory compaction has been undertaken in the west of the site (adjacent to Rooty Hill Road).	Not triggered	
D14	The vibration limits in Schedule 4, Condition D12 and Schedule 4, Condition D13 apply unless otherwise outlined in an approved CNVMP.	Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	No vibration complaints.	Compliant	
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.	Proponent have advised there have been no incidents to date.	Proponent have advised there have been no incidents to date.	Compliant	
D16	Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1.	Proponent have advised there have been no incidents to date.	Proponent have advised there have been no incidents to date.	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.	Letter to the Planning Secretary - Subject: Non-Compliance Notification – SSD10457 and SSD31515622 (Frasers Property, 25 July 2024). Email to: compliance@planning.nsw.gov.au - Subject: Non-Compliance Notification: SSD 10457 and SSD 31515622 (Frasers Property, 25 July 2024).	The proponent identified non-compliances with Conditions B2, B5, C1 and C3. The Proponent provided written notification to the Department via the compliance@planning.nsw.gov.au within seven days of becoming aware of the non-compliances.	Compliant	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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.	Letter to the Planning Secretary - Subject: Non-Compliance Notification – SSD10457 and SSD31515622 (Frasers Property, 25 July 2024). Email to: compliance@planning.nsw.gov.au - Subject: Non-Compliance Notification: SSD 10457 and SSD 31515622 (Frasers Property, 25 July 2024).	The Proponent provided the relevant information as required by this condition.	Compliant	
D19	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	The Proponent advised that there have been no incidents to date on the project.	The Proponent advised that there have been no incidents to date on the project.	Compliant	
	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.	Proponent noted that the site perimeter is secured with chain wire fencing and sections of temporary fencing. Audit Site Inspection.	During the Audit Site Inspection it was confirmed that the site perimeter is secured with chain wire fencing and sections of temporary fencing.	Compliant	
	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.	Proponent noted that the site perimeter is secured with chain wire fencing and sections of temporary fencing. Audit Site Inspection.	During the Audit Site Inspection it was confirmed that the site perimeter is secured with chain wire fencing and sections of temporary fencing.	Compliant	
	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	Audit Site Inspection. Construction Environmental Management Plan Eastern Creek Quarter Stage 3 (Rev. 1.0, Moits, April [sic]) and Appended Sub-Plans. Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	There is generally a high level of implementation of the environmental management plans on the project. During the Audit Site Inspection the following observations were made in relation to implementation of the environmental management plans: <ul style="list-style-type: none"> Waste was being appropriately segregated on site (tyres and metal). Traffic control was in place and construction vehicles were located onsite. Erosion and sediment controls were mostly in place and appeared to be effective and maintained at the time of the Audit. There was no evidence of tracking of materials offsite. The heavy vehicle access point was set up with aggregate and cattle grids to minimise the tracking of material from site. The use of non-tonal reversing squawkers was observed. The site perimeter was fully fenced off to prevent unauthorised access. The vegetation exclusion zones and tree protection were in place and maintained. Fully stocked spill kits were available on site. 	Non-compliant	SSD10457_IA1_10

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
			<p>Items requiring attention:</p> <ul style="list-style-type: none"> • 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. • The Proponent should consider a reminder to the subcontractor and workers regarding appropriate storage of chemicals. • The sandbags being used as sediment controls were in good order, however a single drain adjacent to the Woolworths was not adequately protected. • Proponent to inspect all sediment controls and rectify where required. • The south east corner of the site is the lowest point with the potential for sediment run-off. The area was recently reworked and with the sediment basin yet to be installed in this area presents a risk of sediment laden run-off to the adjacent waterway. • Proponent to inspect the sediment controls in this area and rectify where required. <p>A review of the plans identified that the real time air quality committed to in the AQMP was not being undertaken. It was noted that during the inspection there was no dust being generated. The Proponent also advised that a watercart was used daily to minimize the potential for dust generation and that visual inspections of dust were used to implement any additional controls required. The Proponent is to update the management plan to reflect the monitoring strategy being implemented on site.</p>		
	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.	Site notice. Project website: https://www.easterncreekquarter.shopping/News/2024/03/28/Welcome-to-ECQ-Outlet .	Contact number provided on the site notification which is posted around site. Site notice sighted installed on the perimeter fencing. Call centre number listed on the Project website.	Compliant	
	AIR QUALITY				

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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.	Water cart/street sweeper register (Moits, 24-002 Water. Sweeper excel spreadsheet). CCTV photos of covered loads. Audit Site Inspection. Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	Water cart/street sweeper in operation daily, sighted Water cart/street sweeper register (Moits, 24-002 Water. Sweeper excel spreadsheet). CCTV photo of covered loads confirmed trucks had their loads covered on site during the works. Shaker grid and aggregate installed at each access point. A hose for hand washing truck tyres is also provided (see photos). The adjacent road was free from significant tracking and kept clean. There have been no dust complaints registered.	Compliant	
	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.	The proponent has advised that the bulk excavation works have not triggered this condition.	The proponent has advised that the bulk excavation works have not triggered this condition.	Not triggered	
	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.	Letter Ref: 23SYD5722 - Subject: Compliance inspection at Eastern Creek Business Hub (Ecological, 5 June 2024). Letter - Subject: Installation of tree protection measures: Eastern Creek Business Hub Stage 3 (Plateau Trees, 30 May 2025 [sic]). Plateau Trees Quarterly Inspection Report (30 May 2024). Audit Site Inspection.	The Proponent and subcontractor both had independent third-party inspections who confirmed adequate installation of tree protection measures. The tree protection was observed to be in good condition during the Audit Site Inspection.	Compliant	
	EROSION and SEDIMENT CONTROL				

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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'.	Construction Environmental Management Plan Eastern Creek Quarter Stage 3 (Rev. 1.0, Moits, April [sic]). Construction Soil and Water Management Sub-Plan, Rev. 3 (Atlas Geotechnical Services, 24 May 2024). Audit Site Inspection.	Erosion and sediment controls were in place and appeared to be effective and maintained at the time of the Audit. There was no evidence of tracking of materials offsite. The heavy vehicle access point was set up with aggregate and cattle grids to minimise the tracking of material from site. The sandbags being used as sediment controls were in good order, however a single drain adjacent to the Woolworths was not adequately protected. The Proponent is to inspect all sediment controls and rectify where required. The south east corner of the site is the lowest point with the potential for sediment run-off. The area was recently reworked and with the sediment basin yet to be installed, this area presents a risk of sediment laden run-off to the adjacent waterway. The Proponent is to inspect the sediment controls in this area and rectify where required.	Compliant	
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.	Proponent advised that this has not been triggered.	Proponent advised that this has not been triggered.	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.	Proponent advised that this has not been triggered.	Proponent advised that this has not been triggered.	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.	Eastern Creek Quarter - Stage 3: Remedial Works Plan (JBS&G, 17 August 2023). Email correspondence between Moits and JBS&G subject - Waste Classification - Import Sandstone Materials (2 July 2024). Email correspondence between Moits and JBS&G subject - Contamination Assessment and VENM Certificate for Shale Import - BEW ECQ Stage 3 (2 July 2024). Import Tracking Register (Internal) (Moits, 2024).	The Proponent has advised that no waste material has been disposed of from site. In accordance with the RWP, the imported material has been verified by JBS&G prior to being placed on site.	Compliant	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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.	Eastern Creek Quarter - Stage 3: Remedial Works Plan (JBS&G, 17 August 2023). Email correspondence between Moits and JBS&G subject - Waste Classification - Import Sandstone Materials (2 July 2024). Email correspondence between Moits and JBS&G subject - Contamination Assessment and VENM Certificate for Shale Import - BEW ECQ Stage 3 (2 July 2024). Import Tracking Register (Internal) (Moits, 2024).	In accordance with the RWP, the imported material has been verified by JBS&G prior to being placed on site.	Compliant	
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.	Eastern Creek Quarter - Stage 3: Remedial Works Plan (JBS&G, 17 August 2023). Email correspondence between Moits and JBS&G subject - Waste Classification - Import Sandstone Materials (2 July 2024). Email correspondence between Moits and JBS&G subject - Contamination Assessment and VENM Certificate for Shale Import - BEW ECQ Stage 3 (2 July 2024). Import Tracking Register (Internal) (Moits, 2024).	Imported fill has been tracked and captured in the import tracking register.	Compliant	
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.	The Proponent has advised that no construction water or groundwater requires pumping to the street stormwater system.	The Proponent has advised that no construction water or groundwater requires pumping to the street stormwater system.	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.	The Proponent has advised that no construction water or groundwater requires pumping to the street stormwater system.	The Proponent has advised that no construction water or groundwater requires pumping to the street stormwater system.	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.	The Proponent has advised that no construction water or groundwater requires pumping to the street stormwater system.	The Proponent has advised that no construction water or groundwater requires pumping to the street stormwater system.	Not triggered	
ASBESTOS					

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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.	Eastern Creek Quarter - Stage 3: Remedial Works Plan (JBS&G, 17 August 2023). SafeWork NSW Notice of intent to remove non-friable asbestos (Moits, 30 January 2025 [sic]). L03 AEC1 – Asbestos Clearance Letter ECQ S3 (Rev A) (JBS&G, 26 August 2024). Asbestos Fibre Monitoring Reports: AMR006 Airborne Asbestos Fibre Monitoring Report, ECQ S3 (Rev 0) (JBS&G, 08 August 2024). AMR007 Airborne Asbestos Fibre Monitoring Report, ECQ S3 (Rev 0) (JBS&G, 9 August 2024). Licence website: (https://verify.licence.nsw.gov.au/home/ADL).	The asbestos was managed in accordance with the RWP and requirements of SafeWork NSW. This included notification to SafeWork NSW, works by an appropriately licensed asbestos removalist, asbestos fibre monitoring during the works and the issue of a clearance report for the works.	Compliant	
	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.	Import Tracking Register (Internal) (Moits, 2024). Watercart allocation register (Moits, 2024). Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	No complaints about hours of work noted. After reviewing the project tracking register, it was noted that there were a total of 2014 truck movements over the duration of construction. Of these 2014 trucks, the register noted that 8 trucks attended the site prior to the approved construction hours (arriving between 06:30 and 07:00). Given the small number of truck movements prior to the approved hours represents 0.4% of the project truck movements it does not appear to be a systemic issue. However, the Proponent will need to review the requirement and provide a suitable rectification to ensure ongoing compliance with this condition. Note: This is a repeat of condition D9 above.	Non-compliant	SSD10457_IA1_11
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.	Audit Site Inspection.	All construction vehicles associated with the project were noted within the site during the Audit Site Inspection.	Compliant	
D39	No construction zone is permitted on Rooty Hill Road South.	Audit Site Inspection.	No construction zones were observed on Rooty Hill Road South during Audit Site Inspection.	Compliant	
	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.	The Proponent has advised that no ROL has been required for the works to date.	The Proponent has advised that no ROL has been required for the works to date.	Not triggered	
	NO OBSTRUCTION OF PUBLIC WAY				

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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.	Audit Site Inspection.	No obstructions to the public were observed during Audit Site Inspection.	Compliant	
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.	Water cart/street sweeper register (Moits, 24-002 Water. Sweeper excel spreadsheet). CCTV photos of covered loads. Audit Site Inspection. Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	Water cart/street sweeper in operation daily, sighted Water cart/street sweeper register (Moits, 24-002 Water. Sweeper excel spreadsheet). CCTV photo of covered loads confirmed trucks had their loads covered on site. Shaker grid and aggregate installed at each access point. A hose for hand washing truck tyres is also provided (see photos). The adjacent road was free from significant tracking and kept clean. There have been no dust complaints registered.	Compliant	
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.	Water cart/street sweeper register (Moits, 24-002 Water. Sweeper excel spreadsheet). CCTV photos of covered loads. Audit Site Inspection. Complaints Registers: (https://www.easterncreekquarter.shopping/ECQ-Outlet-Information).	Water cart/street sweeper in operation daily, sighted Water cart/street sweeper register (Moits, 24-002 Water. Sweeper excel spreadsheet). CCTV photo of covered loads confirmed trucks had their loads covered on site. Shaker grid and aggregate installed at each access point. A hose for hand washing truck tyres is also provided (see photos). The adjacent road was free from significant tracking and kept clean. There have been no dust complaints registered.	Compliant	
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.	Transport Guidance System (formerly TCP): 01-MOITS-ECQ-BE3 (28 February 2024).	TSG prepared by persons who hold a current Roads and Maritime Services (RMS) Work Zone Traffic Management Plan accreditation.	Compliant	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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.	Photo of truck warning sign on Rooty Hill Road South as per the TGS.	Truck warning sign required on Rooty Hill Road South was noted in place in photo provided.	Compliant	
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.	Site induction record and card of traffic controller (Card No. TCT1014566).	Site induction record and card of traffic controller sighted.	Compliant	
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.	Proponent advised that no other coordination required at this time.	Proponent advised that no other coordination required at this time.	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.	Proponent has advised that the TMP has not required any changes.	Proponent has advised that the TMP has not required any changes.	Not triggered	
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.	Audit Site Inspection.	No third-party advertising or graffiti was observed during the Audit Site Inspection.	Compliant	
UNEXPECTED FINDS PROTOCOL – ABORIGINAL OBJECTS					

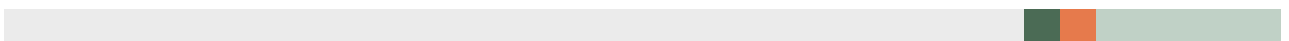
Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
D50	In the event that surface disturbance identifies an Aboriginal object or relic, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified 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.	The Proponent has advised that there have been no unexpected finds of an Aboriginal object or relic to date on the project.	The Proponent has advised that there have been no unexpected finds of an Aboriginal object or relic to date on the project.	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	The Proponent has advised that there have been no unexpected finds of any archaeological relics to date on the project.	The Proponent has advised that there have been no unexpected finds of any archaeological relics to date on the project.	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.	Proponent has advised that this has not been triggered. Retaining Walls at Lot 3 of the Eastern Creek Business Hub 141 Rooty Hill Road South, Eastern Creek, Blacktown Construction Certificate Checklist Rev. H (McKenzie Group, 30 May 2024).	Proponent has advised that this has not been triggered. Noted by CA in the checklist that this condition was not applicable to Stage 1 works and was moved to the SSD-31515622 CC checklist.	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.	The Proponent have advised that this condition has not been triggered for the works.	The Proponent have 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.	Letter: Notice of requirements SECTION 73 Subdivider/Compliance Certificate (Sydney Water, 13/03/2024)	Written advice from Sydney Water provided and sighted.	Compliant	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
	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.	Letter: Notice of requirements SECTION 73 Subdivider/Compliance Certificate (Sydney Water, 13/03/2024) Email: From Blacktown City Council (09/05/2024)	Written advice from Sydney Water provided and sighted. The BCC Greenspace Infrastructure Officer confirmed in an email that the Deeds and bond had been received by Council.	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.	The proponent has advised that no ROL has been required for the works to date.	The proponent has advised that no ROL has been required for the works to date.	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.	Proponent noted that the site perimeter is secured with chain wire fencing and sections of temporary fencing. Audit Site Inspection	During the Audit Site Inspection it was confirmed that the site perimeter is secured with chain wire fencing and sections of temporary fencing.	Compliant	
	HOARDING REQUIREMENTS				
AN6	The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.	Proponent advised that no hoarding has been installed to date.	Proponent advised that no hoarding has been installed to date.	Not triggered	
	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.	Eastern Creek Quarter - Stage 3: Remedial Works Plan (JBS&G, 17/08/2023). SafeWork NSW Notice of intent to remove non-friable asbestos (Moits, 30/01/2025) L03 AEC1 – Asbestos Clearance Letter ECQ S3 (Rev A) (JBS&G, 26/08/2024). Asbestos Fibre Monitoring Reports: AMR006 Airborne Asbestos Fibre Monitoring Report, ECQ S3 (Rev 0) (JBS&G, 08/08/2024) AMR007 Airborne Asbestos Fibre Monitoring Report, ECQ S3 (Rev 0) (JBS&G, 09/08/2024). Verify. Licence website (https://verify.licence.nsw.gov.au/home/ADL)	The asbestos was managed in accordance with the RWP and requirements of SafeWork NSW. This included notification to SafeWork NSW, works by an appropriately licensed asbestos removalist, asbestos fibre monitoring during the works and the issue of a clearance report for the works.	Compliant	
	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.	The Proponent have advised that this condition has not been triggered for the works.	The Proponent have advised that this condition has not been triggered for the works.	Not triggered	

Condition	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	NC ID
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.	The Proponent have advised that this condition has not been triggered for the works.	The Proponent have advised that this condition has not been triggered for the works.	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.	Notification of Approval - Eastern Creek Business Hub Stage 3, Eastern Creek, NSW (EPBC 2020/8715) (DECCW, 22 May 2024.	EPBC Act approval from the Department of Climate Change, Energy, the Environment and Water issued prior to commencing works.	Compliant	
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.	Notification of Approval - Eastern Creek Business Hub Stage 3, Eastern Creek, NSW (EPBC 2020/8715) (DECCW, 22 May 2024.	EPBC Act approval from the Department of Climate Change, Energy, the Environment and Water issued prior to commencing works.	Compliant	
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).	Stamped Plans (DP&E, 24 April 2023) (https://www.easterncreekquarter.shopping/-/media/Retail-microsites/ECQ/PDFs/0717/SSD-10457-Stamped-Plans-1.pdf)	Building plans were stamped prior to construction commencing.	Compliant	

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

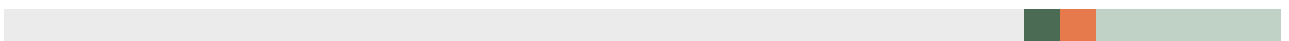
A handwritten signature in black ink, appearing to read "Julia Pope".

Julia Pope
Team Leader Compliance - Metro
Compliance

As nominee of the Planning Secretary

Appendix C

Consultation



RE: Eastern Creek retail outlet centre (SSD-10457) - Independent Audit No. 1

Julia Pope <Julia.Pope@planning.nsw.gov.au>

Tue 2024-07-16 8:19 AM

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

Cc: Tamara Carter <tamara.carter@frasersproperty.com.au>; Maria Divis <Maria.Divis@planning.nsw.gov.au>

Morning Wayne

Thank you for consulting NSW Planning prior to conducting the first independent environmental audit of Eastern Creek retail outlet centre SSD-10457.

The relevant Compliance Officer for this development is Maria Davis who, as you are aware, is on leave this week.

I've checked our records and can provide the following information.

The key issues are:

- Construction traffic management
- Construction noise and vibration management
- Construction dust management.
- Biodiversity offset management
- Bushfire protection and management

Our records show we have received the following management plans:

- Noise & Vibration Management Sub-Plan for Stage 3 – Condition B3
- Air Quality Management Plan for Stage 3 – Condition B4

I couldn't find any record of receiving the following:

- Construction Pedestrian and Traffic Management Sub-Plan – Condition B2
- Construction Waste Management Sub-Plan – Condition B5
- Construction Soil & Water Management Plan – Sub-Plan - Condition B6
- Construction Environmental Management Plan – Condition B1
- Notice of Commencement of construction – Conditions C1 & C2

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

Julia Pope

Team Leader Compliance – Metro

NSW Planning | Department of Planning, Housing and Infrastructure

T 02 8217 2068 M (02) 0448 229 658 | E julia.pope@planning.nsw.gov.au

www.dphi.nsw.gov.au

Locked Bag 5022

4PSQ

12 Darcy Street

Parramatta NSW



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

All post approval and compliance documents are to be submitted online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

Please consider the environment before printing this email.

From: Wayne Duffy <wayne.duffy@wdenvironmental.com.au>
Sent: Monday, 15 July 2024 5:43 PM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Julia Pope <Julia.Pope@planning.nsw.gov.au>; Tamara Carter <tamara.carter@frasersproperty.com.au>
Subject: Fw: Eastern Creek retail outlet centre (SSD-10457) - Independent Audit No. 1

Hi

As Maria is on leave until the 23rd July, would someone else within the compliance team be able to address my email below?

Let me know if you have any questions on this matter.

Regards

Wayne Duffy



M +61 421 941 563

E wayne.duffy@wdenvironmental.com.au

W www.wdenvironmental.com.au



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From: Wayne Duffy <wayne.duffy@wdenvironmental.com.au>
Sent: 15 July 2024 5:39 PM
To: maria.divis@planning.nsw.gov.au <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. 1

Hi Maria

As the Department of Planning, Housing and Infrastructure (the Department) approved Independent Auditor on the Eastern Creek retail outlet centre (SSD-10457), as per the Department's correspondence dated 12th July 2024. I am currently preparing to undertake the first independent audit of the Project. The audit is required to 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 construction phase of the Project.

In accordance with Section 3.2 of the IAPAR, I am consulting with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted.

The required scope of the audit (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including assessment of the implementation of 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 pot-approval requirements and compliance that are not already called upon by the scope in Section 3.3 of the IAPAR; or
- recommends that other parties or agencies be consulted. If the Department can identify any additional parties or agencies to be consulted at its earliest convenience that would be greatly appreciated.

At this stage, the site inspection component of the audit is scheduled to commence late July 2024. To assist with the audit preparation, it would be appreciated if the Department can provide any input it may have to the scope of the audit by Friday 26th July 2024.

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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Your reference: SSD-10457
File number: MC-20-00003

29 July 2024

By email

Attention: Wayne Duffy

Dear Mr Duffy,

SSD-10457 – Request for advice – Site audit requirements

Thank you for your email correspondence dated 16 July 2024 requesting our advice on behalf of the Department of Planning, Housing and Infrastructure (DPHI), in relation to post approval documentation to be prepared in relation to the above State Significant Development (SSD) application.

The correspondence seeks our advice in relation to our specific requirements for the Independent Audits of the development required to be prepared, according to condition 25 (A25) of Schedule 4 (Part A) of SSD-10457.

Our response is the requirements detailed in the [Department's 2020 Independent Audit Post Approval Requirements](#) sufficiently cover our requirements.

Conditions B9, B11, C9 and D26 of SSD-10457 include reportable items regarding trees.

The report should generally detail the staging of works to set out how clearing will be minimised, vehicle access roads, stockpiling areas, tree protection barriers, operations machinery, cleaning protocols, a procedure for controlling the introduction and spreading of weeds and pathogens, including hygiene protocols and the arrangements for monitoring; erosion and sediment control and dust control. This would include:

- (a) Construction Traffic Management Plan
- (b) Erosion and Sediment Control Plan
- (c) Construction Noise Management Plan
- (d) Unexpected Finds Protocol
- (e) Landscape Management Plan
- (f) Biodiversity Management Plan or reference to this as a Sub-plan
- (f) Community Consultation and Complaints Handling.

If you would like to discuss this matter further, please contact Brock Cauchi, our Town Planner, on 9839 6222.

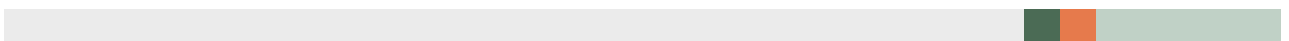
Yours faithfully

A handwritten signature in black ink, appearing to read 'Shakeeb Mushtaq', written over a horizontal line.

Shakeeb Mushtaq
Coordinator Development Assessment

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

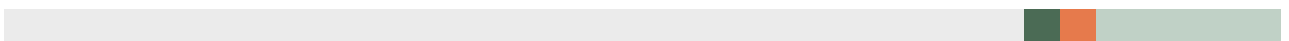
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both) Sincerely,

Auditor Details	
Name of Auditor	Wayne Duffy
Signature	
Qualification	<p>Bachelor of Applied Science Certified Environmental Practitioner - General (No. 1859) Exemplar Global Certified Lead Auditor/Environmental Management Systems Auditor (Certificate No C-472516)</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div>
Company	<p>WD Environmental Consulting Pty Ltd ABN: 91 675 295 646</p>
Company Address	PO Box 4013, Guildford West NSW 2161

Appendix E

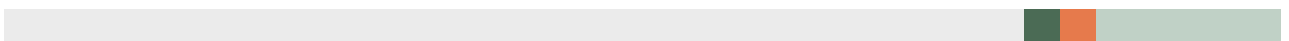
Technical Specialists Reports

NOT REQUIRED




Appendix F




Site Inspection Photographs









Site Photos




No.	Photograph	Comment
Photo 1:		<p>The boundary of the site between the Woolworths and adjacent works were secured by temporary fencing with sandbag sediment controls along the base of the fence.</p>
Photo 2:		<p>View of the earthworks looking north.</p>
Photo 3:		<p>View of the earthworks looking northeast.</p>




No.	Photograph	Comment
Photo 4:		Sediment control (sandbag) in place upstream kerb inlet.
Photo 5:		Chain wire perimeter fencing in place, tree protection and temporary fencing in place to protect vegetation on the western boundary of the site.
Photo 6:		Stockpile of mulch from trees from the site was being stored for use onsite.


No.	Photograph	Comment
<p>Photo 7:</p>		<p>Tree protection in place on the western boundary of the site.</p>
<p>Photo 8:</p>		<p>Temporary fencing extends around the perimeter of the vegetation on the western boundary.</p>
<p>Photo 9:</p>		<p>Site signage in place in two prominent locations on the site boundary. Noted that the notice does not fully meet the requirements of Condition D2.</p>

No.	Photograph	Comment
Photo 10:		<p>Vegetation protected by temporary fencing in the northwest corner of the site.</p>
Photo 11:		<p>Sediment controls in place at the heavy vehicle access includes; stabilised site access consistent with the Blue Book requirements (raised aggregate). Coir logs were in place either side of the access to capture sediment.</p>
Photo 12:		<p>Cattle grid installed at the heavy vehicle access.</p>

No.	Photograph	Comment
<p>Photo 13:</p>		<p>An empty refuelling cell was noted adjacent to the site accommodation without appropriate bunding in place.</p>
<p>Photo 14:</p>		<p>Site accommodation access with sediment controls in place. Including, raised aggregate and coir logs.</p>
<p>Photo 15:</p>		<p>Perimeter sediment fencing was installed in accordance with the erosion and sediment control plan.</p>

No.	Photograph	Comment
Photo 16:		<p>Material segregation noted onsite. Darker imported material, metals bin and tyres located behind the metal bin.</p>
Photo 17:		<p>Church Street looking west. There was no tracking of materials noted on the road.</p> <p>There was a truck and dog noted parked up opposite the site. The driver was not present and the project team confirmed that it was not associated with the project.</p>
Photo 18:		<p>Tree protection and vegetation protection (temporary fencing) in place on the eastern boundary of the site (looking west).</p>

No.	Photograph	Comment
<p>Photo 19:</p>		<p>Sediment control (sandbag) in place on the kerb inlet on Beggs Road. Noted that this control could be improved with an additional sandbag placed on the other side of the inlet.</p>
<p>Photo 20:</p>		<p>Tyres segregated on site for appropriate disposal.</p>
<p>Photo 21:</p>		<p>Earth works including compaction of asbestos capping layer being undertaken in accordance with the Remedial Works Plan.</p>

No.	Photograph	Comment
Photo 22:	 A photograph showing several yellow spill kits stacked on a wooden shelf inside a storage container. The kits are wrapped in yellow plastic and have the website 'www.spillmax.com.au' printed on them. The container has a corrugated metal ceiling and some tools are visible on the shelf below.	Spill kits located within the site accommodation storage containers. A spill kit was also available in the site office.