

DRAFT CONDITIONS

Application number	LDA2024/0231 PAN-482694
Applicant	Macquarie University 2 Link Road Macquarie University NSW 2109
Description of development	Construction of a new purpose-built facility for Macquarie University Central Animal Facility (inclusive of a new Zebrafish Facility) and associated landscaping.
Property	Lot 2000, DP 1305792 192 Balaclava Road, Macquarie Park NSW 2113

GENERAL CONDITIONS

	Condition				
(1)	Approved plans and supporting documentation				
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				
	Approved plans				
	Plan Number	Revision Number	Plan Title	Drawn by	Date of Plan
	13ARPD-NA-A—DA-DA-011 (C)	C	Plan – Site Context – Existing Demolition	Billard Leece Partnership Pty Ltd	25/10/2024
	13ARPD-NA-A—DA-DA-021 (C)	C	Plan – Site Context - Proposed	Billard Leece Partnership Pty Ltd	25/10/2024
	13ARPD-GD-A—DA-DA-101 (C)	D	Plan – General Arrangement - Ground	Billard Leece Partnership Pty Ltd	22/01/2025
	13ARPD-01-A—DA-DA-102 (C)	C	Plan – General Arrangement – Level 01	Billard Leece Partnership Pty Ltd	25/10/2024
	13ARPD-02-A—DA-DA-103 (C)	C	Plan – General Arrangement – Level 02	Billard Leece Partnership Pty Ltd	25/10/2024
	13ARPD-RF-A—DA-DA-104 (C)	C	Plan – General Arrangement – Roof	Billard Leece Partnership Pty Ltd	25/10/2024
	DA800 (A)	A	Plan – Waste Storage & Hazardous Waste	Billard Leece Partnership Pty Ltd	22/01/2025
	13ARPD-NA-A—DA-DA-200 (C)	D	Elevation – North & South	Billard Leece Partnership Pty Ltd	22/01/2025
	13ARPD-NA-A—DA-DA-201 (C)	D	Elevation – East & West	Billard Leece Partnership Pty Ltd	22/01/2025

Condition					
	13ARPD-NA-A—DA-DA-210 (C)	C	Proposed Sections – Sheet 01	Billard Leece Partnership Pty Ltd	25/10/2024
	13ARPD-NA-A—DA-DA-211 (C)	C	Proposed Sections – Sheet 02	Billard Leece Partnership Pty Ltd	25/10/2024
	13ARPD-NA-A—DA-DA-212 (B)	B	Proposed Sections – Sheet 03	Billard Leece Partnership Pty Ltd	25/10/2024
	13ARPD-NA-A—DA-DA-601 (B)	B	Façade Materiality	Billard Leece Partnership Pty Ltd	25/10/2024
	13ARPD-NA-A—DD-611 (B)	B	Façade Type – FT – 01 – Shopfront Glazed Facade	Billard Leece Partnership Pty Ltd	25/10/2024
	13ARPD-NA-A—DD-613 (B)	B	Façade Type – FT – 03A Metal Sheet Façade - Concave	Billard Leece Partnership Pty Ltd	25/10/2024
	A241757 L-2001	D	General Arrangement Plan	Group GSA Pty Ltd	23/10/2024
	A241757 L-3001	B	Tree Offset Plan	Group GSA Pty Ltd	23/10/2024
	A241757 L-6000	B	Landscape Details	Group GSA Pty Ltd	24/09/2024
	13ARPD-FT-C-DD-1001	1	Cover Sheet & Drawing Schedule	Tonkin	14/10/2024
	13ARPD-FT-C-DD-1011	1	General Notes	Tonkin	14/10/2024
	13ARPD-FT-C-DD-1012	1	Legend	Tonkin	14/10/2024
	13ARPD-FT-C-DD-1101	1	Soil & Water Management Plan	Tonkin	14/10/2024
	13ARPD-FT-C-DD-1151	1	Soil & Water Management Notes & Details	Tonkin	14/10/2024
	13ARPD-FT-C-DD-1201	1	Earthworks Plan	Tonkin	14/10/2024
	13ARPD-FT-C-DD-1251	1	Earthworks Sections	Tonkin	14/10/2024
	13ARPD-FT-C-DD-1301	1	Engineering Plan	Tonkin	14/10/2024
	13ARPD-FT-C-DD-1501	1	Pavement Plan	Tonkin	14/10/2024
	13ARPD-FT-C-DD-1541	1	Retailing Wall Plan & Longitudinal Section	Tonkin	14/10/2024
	13ARPD-FT-C-DD-1801	1	Typical Details	Tonkin	14/10/2024
	Approved documents				
	Document Title		Reference / Revision No.	Prepared by	Date of document
	Operational Management Plan		1	Macquarie University	-

	Condition			
	Design Report	C	Billard Leece Partnership Pty Ltd	25/10/2024
	Landscape Design Statement	-	Group GSA Pty Ltd	23/10/2024
	Operational Waste Management Plan (OWMP)	1	EcCell	10/10/2024
	Access Review	Final	MGAC	27/09/2024
	Arboricultural Impact Assessment CAF	Final	Truth About Trees Pty Ltd	15/10/2024
	Construction Noise & Vibration Management Plan	R02V3	PKA Acoustic Consulting	30/01/2025
	Letter on Preliminary Site (Contamination) Investigation	R.002.Rev0	Douglas Partners	30/01/2025
	Report On Preliminary Site (Contamination) Investigation	2	Douglas Partners	23/10/2024
	ESD Statement for Sustainable Buildings SEPP 2022	03	Steensen Varming	02/10/2024
	Preliminary Construction Management	2	RP Infrastructure	25/10/2024
	State Environmental Planning Policy (Resilience & Hazards)	1	Riskcon	25/10/2024
	BCA Assessment Report	3	Bmplusg	10/10/2024
	Letter – Air Quality	RWDI Project #2407957	RWDI Australia Pty Ltd	31/01/2025
	Utilities & Building Services Report (Electrical & Mechanical)	03	Steensen Varming	24/10/2024
	Hydraulic & Fire Services DA Report	02	WSce Pty Ltd	11/10/2024
	Traffic Impact Assessment	03	PDC Consultants	09/10/2024
	Biodiversity Assessment	-	Lesryk Environmental Pty Ltd	25/09/2024
	Aboriginal Cultural Heritage Assessment	2	Extent	January 2020
	<p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p>Note: This is to be read in conjunction with Condition ‘Design Amendments.’</p> <p>Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development</p>			
(2)	<p>Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989</p> <p>A) It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.</p> <p>B) It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.</p>			

	Condition
	<p>C) It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.</p> <p>D) In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.</p> <p>E) In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.</p> <p>F) This section does not apply—</p> <p>(I) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or</p> <p>(II) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.</p> <p>Condition Reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
(3)	<p>Erection of signs</p> <p>A) This section applies to a development consent for development involving building work, subdivision work or demolition work.</p> <p>B) It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—</p> <p>(I) showing the name, address and telephone number of the principal certifier for the work, and</p> <p>(II) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and</p> <p>(III) stating that unauthorised entry to the work site is prohibited.</p> <p>C) The sign must be—</p> <p>(I) maintained while the building work, subdivision work or demolition work is being carried out, and</p> <p>(II) removed when the work has been completed.</p> <p>D) This section does not apply in relation to—</p> <p>(I) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or</p> <p>(II) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</p> <p>Condition Reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
(4)	<p>Site maintenance</p> <p>The site is to be regularly maintained in a tidy manner such that it does not become overgrown with weeds or subject to the leaving or dumping of waste.</p> <p>Condition Reason: To protect the amenity of the locality.</p>
(5)	<p>Asbestos</p> <p>Where asbestos is present during works, the work must be carried out in accordance with the guidelines for asbestos work published by SafeWork NSW.</p> <p>Condition Reason: To ensure that all works are carried out in a safe manner.</p>

	Condition
(6)	Asbestos (disposal) All asbestos wastes must be disposed of at a landfill facility licensed by NSW Environment Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request. Condition Reason: To ensure the protection of the environment.
(7)	Hoardings A) A hoarding or fence must be erected between the work site and any adjoining public place. B) Any hoarding, fence or awning erected pursuant to this consent is to be removed when the work has been completed. Condition Reason: To ensure public safety.
(8)	Illumination of public places Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place Condition Reason: To ensure public safety.
(9)	Protection of public domain The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council. Condition Reason: To ensure public safety.
(10)	Road activity permits Prior to carrying out any work in, on or over a road reserve, consent from Council is required as per the Roads Act 1993. The applicant is required to review the "Road Activity Permits Checklist" (available from Council's website: https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2023-07-road-activity-permits-checklist.pdf) and apply for the relevant permits for approval by Council. Types of road activity permits potentially required include Road Use Permit, Work Zone Permit, Road / Footpath / Driveway / Nature Strip / Kerb & Gutter Opening Permit, Temporary Placement of Elevated Tower, Crane or Concrete Pump, Operation of a Crane Over Air Space Permit, Construction Hoarding Permit and Skip Bin on Nature Strip Permit. Penalties apply for failure to comply. Condition Reason: To ensure the amenity and state of the public domain is maintained.
(11)	Design and construction standards (engineering) All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's DCP Part 8.5 (Public Civil Works) and Part 8.2 (Stormwater and Floodplain Management), except otherwise as amended by conditions of this consent. Condition Reason: To ensure that all works are undertaken in accordance with any relevant standard and DCP requirements.
(12)	Restoration Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works

	Condition
	<p>associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP Part 8.5 (Public Civil Works), to the satisfaction of Council.</p> <p>Condition Reason: To ensure the amenity and state of the public domain is maintained.</p>
(13)	<p>Oversize Overmass Vehicles Permit</p> <p>If required, an Oversize Overmass approval from the National Heavy Vehicle Regulator (NHVR) must be submitted to the crown certifier. The person acting on this consent must submit an application for an Oversize Overmass Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal) prior to driving through local roads within the City of Ryde LGA.</p> <p>Condition Reason: To ensure maintenance of Council's assets.</p>
(14)	<p>Public utilities and service alterations</p> <p>All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. AusGrid, Sydney Water, Telstra, TfNSW, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.</p> <p>Condition Reason: Protection of infrastructure and compliance with relevant Authorities requirements.</p>

DURING REMEDIATION WORKS (IF REQUIRED)

	Condition
(15)	<p>Council Notification of New Information (contamination) (If required)</p> <p>Any new information during remediation works which has the potential to alter previous conclusions about site contamination must be immediately notified to Council's Environmental Health Officer.</p> <p>Condition Reason: To ensure City of Ryde is notified of the actual condition of the site.</p>
(16)	<p>Supervision of Remediation Works (If required)</p> <p>An appropriately qualified environmental consultant must be engaged to supervise all aspects of site remediation and validation.</p> <p>Condition Reason: To ensure remediation works are appropriately supervised.</p>

BUILDING WORK

BEFORE THE ISSUE OF A CONSTRUCTION (CROWN) CERTIFICATE

	Condition
(17)	<p>Design Amendments</p> <p>Before the issue of a Construction (Crown) Certificate, the Crown Certifier must ensure the Construction (Crown) Certificate plans and specifications detail the following required amendments to the approved plans and documents:</p> <ul style="list-style-type: none"> a) The Stormwater Management plans must be updated to detail the discharge control mechanism for the onsite detention system. The design must ensure that the maximum site discharge is no greater than 48.95L/s (as per the approved Stormwater Management Report); must have an access grate above the orifice control so as to ensure the system can be readily maintained; and must have a trash rack so as to prevent blockages. <p>Note: Also refer to Conditions titled 'Stormwater Management' in the consent.</p> <p>Condition Reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.</p>
(18)	<p>Stormwater Management</p> <p>To ensure the management of stormwater runoff from the development is undertaken without impact to the subject site, neighbouring properties or receiving drainage system, stormwater runoff from the development shall be collected and discharged to the approved point of discharge in accordance with the requirements of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management), associated annexures, and generally in accordance with the approved Stormwater Management. Accordingly, detailed engineering plans and certification demonstrating compliance with this condition are to be submitted with the application for a Construction (Crown) Certificate.</p> <p>Condition Reason: To ensure that the developments stormwater management system is aligned with the controls and objectives of the City of Ryde DCP 2014 Part 8.2.</p>
(19)	<p>Stormwater Management (Onsite Stormwater Detention)</p> <p>In accordance with Council's community stormwater management policy, an onsite stormwater detention (OSD) system must be implemented in the stormwater management system of the development.</p> <p>As a minimum, the OSD system must:</p> <ul style="list-style-type: none"> a) provide site storage requirement (SSR) and permissible site discharge (PSD) design parameters complying with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management); b) incorporate a sump and filter grate (trash rack) at the point of discharge from the OSD system to prevent gross pollutants blocking the system or entering the public drainage service; c) ensure the OSD storage has sufficient access for the purpose of ongoing maintenance of the system; and d) ensure the drainage system discharging to the OSD system is of sufficient capacity to accommodate the 100 year ARI 5 minute storm event.

	Condition
	Detailed engineering plans and certification demonstrating compliance with this condition & Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) are to be submitted with the application for a Construction (Crown) Certificate.
	Condition Reason: To ensure that the design of the OSD is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2.
(20)	Erosion and Sediment Control Plan Before the issue of a Construction (Crown) Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to Crown Certifier: <ul style="list-style-type: none"> a) Council's relevant development control plan, b) The guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time); and the 'Guidelines for Erosion and Sediment Control on Building Sites' (Department of Planning, Housing and Infrastructure) (dated 2024, as amended from time to time).
	Condition Reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
(21)	Long Service Levy Before the issue of the construction (Crown) Certificate, the long service levy of 0.25% of the cost of works must be paid to the Long Service Corporation of Council under the <i>Building and Construction industry Long Service Payments Act 1986</i> , section 34 and evidence of the payment is to be provided to Crown Certifier.
	Condition Reason: To ensure the long service levy is paid.
(22)	Payment of security deposits Before the issue of a Construction (Crown) Certificate, the applicant must: <ul style="list-style-type: none"> A) make payment for a security deposit to the consent authority under the category of: Other buildings with delivery of bricks or concrete or machine excavation. <p>The applicant must provide the crown certifier with written evidence of the payment and the amount paid.</p>
	Condition Reason: To ensure any damage to public infrastructure is rectified and public works can be completed.
(23)	Vehicle Access & Parking All internal driveways, vehicle access ramp, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Off-street Parking standards) for all types of vehicles accessing the parking area. <p>With respect to this, the following revision(s) / documentation must be provided with the plans submitted with the application for a Construction (Crown) Certificate.</p> <ul style="list-style-type: none"> a) To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan

	Condition
	<p>must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path. These amendment(s) must be clearly marked on the plans submitted to the Crown Certifier prior to the issue of a Construction (Crown) Certificate.</p> <p>Condition Reason: To ensure the vehicle access and parking area is in accordance with the require standards and safe for all users.</p>
(24)	<p>Construction traffic management plan</p> <p>Before the issue of a Construction (Crown) Certificate, a Construction Traffic Management Plan (CTMP) for all construction works, including demolition activities, must be prepared by a suitably qualified traffic engineer. The CTMP must include any Traffic Control Plans / Traffic Guidance Schemes and must be submitted to and approved by Council. Confirmation of Council's acceptance of the CTMP is to be provided to the Crown Certifier.</p> <p>Truck movements are to be restricted to outside of peak weekday commuter periods between 7:00am – 9:00am and 4:00pm – 6:00pm to minimise impact on Macquarie Park Precinct. Truck movements must be agreed with Council's Traffic Services Department prior to submission of the CTMP.</p> <p>All fees and charges associated with the review of this plan are to be paid (as per Council's Fees and Charges current at the time of payment), with payment made prior to receipt of approval from Council's Traffic Services Department for the CTMP.</p> <p>Condition Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.</p>
(25)	<p>Detailed Site Investigation Report</p> <p>The applicant must submit a detailed site investigation report for Council's consideration. The detailed site investigation report must comply with the Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2020) and demonstrate that the site is suitable for the proposed use, or that the site can be remediated to the extent necessary for the proposed use.</p> <p>If remediation is required, the report should also set out the remediation options available for the site.</p> <p>Condition Reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021.</p>
(26)	<p>Remediation Action Plan</p> <p>A Remediation Action Plan prepared by a suitably qualified person shall be provided to the Crown Certifier and Council. The Remedial Action Plan is to be prepared in accordance with the requirements of "Managing Land Contamination Planning Guidelines SEPP No. 55 Remediation of Land".</p> <p>Note. No Construction (Crown) Certificate is to be issued for any building work on the land until Council has confirmed in writing that it is satisfied that the land is suitable for the proposed use, without the need for further remediation.</p> <p>Condition Reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021.</p>

	Condition
(27)	<p>Validation Report</p> <p>A validation report prepared by a suitability qualified person shall be provided to the Crown Certifier and Council within 30 days following completion of the remediation works, which:</p> <ul style="list-style-type: none"> a. Demonstrates compliance with the Remediation Action Plan (RAP); b. Demonstrates that the remediation acceptance criteria (in the RAP) have been fully complied with; c. Demonstrates that all remediation works undertaken comply with the contaminated lands planning guidelines, Contaminated Lands Management Act 1997, State Environmental Planning Policy (Resilience and Hazards) 2021 and Council's Management of Contaminated Lands Policy; d. Includes Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor; e. Includes a "notice of completion of remediation work" as required under Clause 4.15 of State Environmental Planning Policy (Resilience and Hazards) 2021; and f. Includes a statement confirming that the site following remediation of contamination is suitable for the intended use. <p>Condition Reason: To ensure that the development complies with the Remediation Action Plan and that the works are in accordance with the Contaminated Land Management Act 1997.</p>
(28)	<p>Waste Storage Area</p> <p>A designated waste and recyclable storage room must be provided on the premises in accordance with the following requirements:</p> <ul style="list-style-type: none"> (a) The area must be fully enclosed, suitably sized to contain all waste and recyclable material generated by the premises, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls; (b) The floor must be graded and drain to sewer in accordance with Sydney Water requirements; and (c) A hot and cold hose cock shall be provided within the room. <p>A detailed plan showing the design and location of the waste storage room must be submitted to the Crown Certifier prior to the issue of the Construction (Crown) Certificate.</p> <p>Condition Reason: To ensure waste is adequately contained and protect the amenity of the local area.</p>
(29)	<p>Utilities and services</p> <p>Before the issue of a Construction (Crown) Certificate, written evidence of the following service provider requirements must be provided to the Crown Certifier:</p> <ul style="list-style-type: none"> A) a letter from Ausgrid demonstrating that satisfactory arrangements can be made for the installation and supply of electricity. B) a response from Sydney Water as to whether the plans accompanying the application for a Construction (Crown) Certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met.

	Condition
	other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them.
	Condition Reason: To ensure relevant utility and service providers' requirements are provided to the certifier.
(30)	Structural Certification
	The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of a Construction (Crown) Certificate.
	Condition Reason: Statutory requirement

BEFORE BUILDING WORK COMMENCES

	Condition
(31)	Payment of fees
	Before any site work commences, the following must be paid to council: A) Infrastructure Restoration Inspection and Administration Fee.
	Condition Reason: To ensure fees are paid for inspections carried out by council in connection with the completion of public work such as footway construction or stormwater drainage required in connection with the consent or the making good of any damage to council property.
(32)	Safety fencing
	Before any site works commences, the site must be fenced and maintained throughout demolition and construction and must comply with SafeWork NSW requirements and be a minimum of 1.8m in height
	Condition Reason: Statutory requirement.
(33)	Recommendations from expert report
	The recommendations provided in the approved Arboricultural Impact Assessment (AIA) listed in Condition 1, are to be implemented.
	Condition Reason: To ensure the recommendations of the expert report are implemented.
(34)	Tree Retention and Removal
	Before any site work commences, the trees identified in the approved Arboricultural Impact Assessment (AIA) listed in Condition 1 shall be retained and protected in accordance with AS 4970-2009 Protection of trees on development sites. Trees identified in the approved AIA for removal may be removed.
	Condition Reason: To ensure the health of existing trees to be retained. Only trees identified for removal are in fact removed.
(35)	Project Arborist
	Before any site work commences, a Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained in accordance with AS4970-2009 Protection of trees on development sites. All trees are to be monitored to ensure adequate health throughout the construction period. All work within the Tree

	Condition
	<p>Protection Zones is to be supervised by the Project Arborist throughout construction.</p> <p>Condition Reason: To ensure tree protection measures and the nature of works are appropriate and not detrimental to the health of the trees on site.</p>
(36)	<p>Erosion and sediment controls in place</p> <p>Before any site work commences, the Crown Certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).</p> <p>Condition Reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
(37)	<p>Sydney Water Tap in Approvals</p> <p>The approved plans must be submitted through the Sydney Water 'Tap in' portal to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Sydney Water 'Tap in' customers will receive an approval receipt. For further details please refer to Sydney Water's web site at www.sydneywater.com.au/tapin or call 1300 082 746.</p> <p>The Crown Certifier must ensure that the plans have been approved through the Sydney Water 'Tap in' process and an approval receipt is issued prior to the commencement of works.</p> <p>Condition Reason: Statutory requirement.</p>
(38)	<p>Pre-Construction Dilapidation Report</p> <p>To ensure Council's infrastructure is adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the Talavera Road access to the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.</p> <ul style="list-style-type: none"> (a) Road pavement, (b) Kerb and gutter, (c) Footpath, (d) Drainage pits, (e) Traffic signs, and (f) Any other relevant infrastructure. <p>The report is to be dated and submitted to, and approved by Council's City Infrastructure Directorate, prior to any work commencing.</p> <p>All fees and charges associated with the review of this report shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time of the Dilapidation Report is submitted. An acknowledgement notification will be issued by Council once the relevant fees are received and the report is considered satisfactory.</p> <p>Condition Reason: To ensure protection of Council's infrastructure.</p>

DURING BUILDING WORKS

	Condition
(39)	<p>Hours of work</p> <p>Site work (including if any demolition work) must only be carried out between the following times:</p> <ul style="list-style-type: none"> Monday to Friday - 7.00am and 6.00pm (other than public holidays) Saturday - 8.00am and 1.00pm <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p>Condition Reason: To protect the amenity of the surrounding area.</p>
(40)	<p>Implementation of the site management plans</p> <p>While site work is being carried out the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and a copy of these plans must be kept on site at all times and made available to council officers upon request.</p> <p>Condition Reason: To ensure site management measures are implemented during the carrying out of site work.</p>
(41)	<p>Noise and vibration – an approved document of this consent</p> <p>While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan.</p> <p>Condition Reason: To protect the amenity of the neighbourhood during construction.</p>
(42)	<p>Noise and Vibration requirements</p> <p>While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of 5db(A) above background noise, when measured at a lot boundary of the site.</p> <p>Condition Reason: To protect the amenity of the neighbourhood during construction.</p>
(43)	<p>Procedure for critical stage inspections</p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the Crown certifier is satisfied the work may proceed in accordance with this consent and the relevant construction plan.</p> <p>Condition Reason: To require approval to proceed with building work following each critical stage inspection.</p>
(44)	<p>Waste management</p> <p>While site work is being carried out:</p> <ul style="list-style-type: none"> A) all waste management must be undertaken in accordance with the waste management plan, and B) upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier, detailing the following: C) The contact details of the person(s) who removed the waste D) The waste carrier vehicle registration E) The date and time of waste collection F) A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill G) The address of the disposal location(s) where the waste was taken

	Condition
	<p>H) The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.</p> <p>If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council.</p> <p>Condition Reason: To require records to be provided, during site work, documenting the lawful disposal of waste.</p>
(45)	<p>Sediment and dust control</p> <p>During site works, no sediment, dust, soil or similar material must leave the site.</p> <p>Condition Reason: To protect the amenity of the area.</p>
(46)	<p>Construction materials</p> <p>While site work is being carried out, all materials associated with construction must be retained within the site.</p> <p>Condition Reason: To ensure the public domain is not affected during construction.</p>
(47)	<p>Excavation</p> <p>While site work is carried out, all excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.</p> <p>Condition Reason: To ensure work is completed in an appropriate manner.</p>
(48)	<p>Consent documents available on site</p> <p>At all times during the construction, a copy of the development consent and approved stamped plans are to be kept on site. These documents are to be made available to any Council Officer as requested.</p> <p>Condition Reason: To ensure Council Officers are able to access the consent during any site inspection.</p>
(49)	<p>Stormwater management (construction)</p> <p>The stormwater drainage system on the site must be constructed in accordance with the Construction (Crown) Certificate version of the Stormwater Management Plan and any requirements of Council in relation to the connection to the public drainage system.</p> <p>Condition Reason: To ensure the stormwater system is constructed as approved.</p>
(50)	<p>Traffic Management</p> <p>Traffic management procedures and systems must be implemented during the construction period to ensure a safe environment and minimise impacts to pedestrian and other vehicle traffic. Any traffic management procedures and systems must be in accordance with AS 1742.3 2019 and the DCP 2014 Part 8.1 (Construction Activities).</p> <p>Condition Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.</p>
(51)	<p>Construction traffic management plan (implementation)</p> <p>While site work is being carried out, all works, and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel</p>

	Condition																		
	<p>having appropriate RMS accreditation. A copy of the approved CTMP is to be kept onsite at all times and be made available to the Crown Certifier or Council on request.</p> <p>Condition Reason: To ensure that construction vehicle movements and activities are undertaken in accordance with the approved CTMP throughout the period of construction.</p>																		
(52)	<p>Excavation for services within tree protection zone (TPZ)</p> <p>Any excavation for services or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.</p> <p>Condition Reason: To ensure any excavation works are not detrimental to the health of the tree.</p>																		
(53)	<p>Project Arborist Inspections</p> <p>While site work is being carried out, the Project Arborist is to issue Certificates of Compliance to the Crown Certifier verifying that inspections have been undertaken at each relevant project phase as required by Section 5 Monitoring and Certification of AS4970-2009 as follows.</p> <table><tr><th>PROJECT PHASE</th><th>ACTIVITIES</th><th>PROJECT ARBORIST to</th></tr><tr><td>Initial Site Preparation</td><td>Establish/delineate TPZ Install protective measures and undertake soil rehabilitation for all trees to be retained.</td><td>Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage. Issue a Certification of Compliance of tree protection measures being in place and soil rehabilitation undertaken</td></tr><tr><td>Construction work</td><td>Liaison with site manager, compliance, and any deviation from approved plan</td><td>Maintain or amend protective measures. Supervision and monitoring formal notification of any deviation from approved tree protection plan</td></tr><tr><td>Stormwater connection installation through TPZ, Implement hard and soft landscape works</td><td>Supervise Installation of pipes within tree TPZ</td><td>Excavate trench through TPZ under Arborist supervision, install pipework, remove selected protective measures as necessary and perform remedial tree works. Issue a Certificate of Compliance</td></tr><tr><td>Practical Completion</td><td>Tree vigour and structure Assessment and undertake soil rehabilitation for all retained trees</td><td>Remove all remaining tree Protection measures. Certification of tree protection and soil rehabilitation for Protected Trees</td></tr><tr><td>Defects liability / maintenance period</td><td>Tree vigour and structure</td><td>Undertake any required remedial tree works. Certification of tree protection if necessary</td></tr></table>	PROJECT PHASE	ACTIVITIES	PROJECT ARBORIST to	Initial Site Preparation	Establish/delineate TPZ Install protective measures and undertake soil rehabilitation for all trees to be retained.	Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage. Issue a Certification of Compliance of tree protection measures being in place and soil rehabilitation undertaken	Construction work	Liaison with site manager, compliance, and any deviation from approved plan	Maintain or amend protective measures. Supervision and monitoring formal notification of any deviation from approved tree protection plan	Stormwater connection installation through TPZ, Implement hard and soft landscape works	Supervise Installation of pipes within tree TPZ	Excavate trench through TPZ under Arborist supervision, install pipework, remove selected protective measures as necessary and perform remedial tree works. Issue a Certificate of Compliance	Practical Completion	Tree vigour and structure Assessment and undertake soil rehabilitation for all retained trees	Remove all remaining tree Protection measures. Certification of tree protection and soil rehabilitation for Protected Trees	Defects liability / maintenance period	Tree vigour and structure	Undertake any required remedial tree works. Certification of tree protection if necessary
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	Condition
	Condition Reason: To ensure the timing and frequency of inspections by the Project Arborist is appropriate to maintain the health of existing trees to be retained.
(54)	Tree works (Australian Standards)
	While site work is being carried out, all tree work must be carried out by a qualified and experienced Arborist with a minimum of AQF level 3 in Arboriculture with NSW Work Cover Code of Practice for Amenity Tree Industry (1998) and AS4373 Pruning of amenity trees (2007)
	Condition Reason: To ensure that any tree work is carried out by a qualified Arborist
(55)	Compliance with the Noise Management Plan
	All demolition (if any), excavation and construction work carried out on the premises which form part of this consent must be carried out in accordance with the Construction Noise and Vibration Management Plan submitted to and approved by Council as part of this consent.
	Condition Reason: To ensure noise generated as a result of the development does not impact on the surrounding receivers.
(56)	Noise control for work sites
	Any noise generated during demolition (if any) must not exceed the limits specified in the Protection of the Environment Operations Act 1997 and in accordance with the NSW EPA Draft Construction Noise Guidelines.
	Condition reason: To protect the amenity of surrounding properties and the general public.

BEFORE ISSUE OF AN OCCUPATION (CROWN) CERTIFICATE

	Condition
(57)	Completion of works
	Before the use of the approved development, all works shown on the approved plans are to be completed.
	Condition Reason: To ensure all approved works are completed.
(58)	Stormwater Management (Work-as-Executed Plan)
	A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation (Crown) Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.
	Condition Reason: To clarify the configuration of the completed stormwater management system.
(59)	Stormwater Management (Covenants)
	Positive covenant(s) must be registered on the title of the subject property pursuant to the relevant section 88 of the Conveyancing Act (1919) in relation to

	Condition
	<p>the following stormwater components, wherever these are present in the constructed Stormwater Management system;</p> <ul style="list-style-type: none"> a) onsite detention system, b) pump/ sump, c) charged/ siphonic configuration (where the system discharges against the fall of the land), and, d) onsite disposal/ absorption system. <p>Engineering certification must be submitted with the “Application Form for Endorsement of Title Encumbrances” (available from Council’s website), with the drafted version of the terms so as to ensure the components are completed as per the approved plans. The terms of the covenant(s) are to be in accordance with the Council’s standard terms. Any variation to the terms is at the discretion of Council. The covenant will require the location of the onsite detention system to be marked on an accompanying plan, given the size of the development site.</p> <p>The positive covenant(s) must be registered on the title prior to the release of any Occupation (Crown) Certificate for areas of the development reliant upon these component(s).</p> <p>Condition Reason: This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s).</p>
(60)	<p>Engineering Compliance Certificates</p> <p>Before the issue of any Occupation (Crown) Certificate, a compliance certificate prepared by a suitably qualified engineer, to the satisfaction of the principal certifier, detailing:</p> <ul style="list-style-type: none"> a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council’s DCP 2014 Part 9.3 (Parking Controls). b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council’s DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site. c) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage and Council’s DCP 2014 Part 8.1 (Construction Activities). <p>Condition Reason: To ensure that all engineering components are completed to the satisfaction of an appropriately qualified person, prior to occupation or use of the development.</p>
(61)	<p>On-Site Stormwater Detention System (Marker Plate)</p> <p>To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site. The plate construction, wordings and installation shall be in accordance with Council’s DCP</p>

	Condition
	<p>2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures. The plate may be purchased from Council's Customer Service Centre at 1 Pope Street – Ryde (Top Ryde City Shopping Centre).</p> <p>Condition Reason: To ensure that owners of the site are aware of the location of the onsite detention system and the need to maintain the system over the life of the development.</p>
(62)	<p>Post-Construction Dilapidation Report</p> <p>To ensure Council's infrastructure is adequately protected a Post-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the Talavera Road access to the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.</p> <ul style="list-style-type: none"> (a) Road pavement, (b) Kerb and gutter, (c) Footpath, (d) Drainage pits, (e) Traffic signs, and (f) Any other relevant infrastructure. <p>The report is to be dated and submitted to, and approved by Council's City Infrastructure Directorate, prior to Occupation (Crown) Certificate issued.</p> <p>All fees and charges associated with the review of this report shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time of the Dilapidation Report is submitted. An acknowledgement notification will be issued by Council once the relevant fees are received and the report is considered satisfactory.</p> <p>Condition Reason: To ensure protection of Council's infrastructure.</p>
(63)	<p>Final Assessment of Trees</p> <p>At completion of all construction works the Project Arborist is to carry out an assessment of all trees that were required to be retained. This assessment is to be documented in writing, a copy of which is to be submitted to Council prior to the issue of any Occupation (Crown) Certificate for the development. The documentation is also to specify any required on-going remedial care that is required to be undertaken to ensure the continuous health and retention of the specified trees.</p> <p>Condition Reason: To ensure the existing trees have been maintained in a viable condition.</p>
(64)	<p>Completion of landscape and tree works</p> <p>Before the issue of an Occupation (Crown) Certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.</p> <p>Condition Reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).</p>
(65)	<p>Completion of public utility services</p> <p>Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and</p>

	Condition
	telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the Crown Certifier. Condition Reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.
(66)	Fire safety matters At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relevant standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and Fire and Rescue NSW. Condition reason: Statutory requirement.
(67)	Certification of acoustic measures Before the issue of an Occupation (crown) Certificate, a suitably qualified person must provide details demonstrating compliance to the Crown Certifier that all acoustic attenuation measures have been installed in accordance with the acoustic report and other relevant documentation approved under this consent. Condition Reason: To protect the amenity of the local area

OCCUPATION AND ONGOING USE

	Condition
(68)	Compliance with the Operational Management Plan All control measures and procedures nominated in the approved Operational Management Plan must be implemented. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management. Condition reason: To ensure the appropriate use of the site.
(69)	Graffiti The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed / repaired. Condition Reason: The finishes of all structures and buildings are to be always maintained.
(70)	Use is not to cause offensive noise or vibration The use of the premises not giving rise to: <ul style="list-style-type: none"> (a) Transmission of unacceptable vibration to any place of different occupancy, (b) A sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997. Condition Reason: To prevent loss of amenity to the area.

	Condition
(71)	Pollution From Activities Onsite
	During ongoing use of the site, any activity carried out in accordance with this approval is to be stored, handled and disposed of in such a manner to not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
	Condition Reason: To protect the local environment.
(72)	Sustainable Building
	The recommendations of the ESD Statement for Sustainable Buildings SEPP 2022 (Prepared by Steensen Varming, dated 02 October 2024) must be maintained at all the times.
	Condition Reason: Statutory requirement.