

Attachment A

Recommended Conditions of Consent
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SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2025/4 dated 13 January 2025 and the following drawings:

Drawing Number	Drawing Name	Date
DA01	Demolition Plan - 1	17/12/2024
DA02	Demolition Plan - 2	17/12/2024
DA03	CEMP	17/12/2024

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the drawings will prevail.

Reason

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(2) STAGING OF DEMOLITION

The eastern toilet building must not be demolished until a new amenities building is constructed in the location of the existing western toilet building and available for use.

Reason

To ensure that the eastern amenities building is not demolished prior to a replacement amenities building being constructed and available for use.

(3) TREES THAT MUST BE RETAINED

- (a) The tree(s) detailed in Table 1 below must be retained and protected in accordance with the conditions throughout development works.
- (b) Approval is NOT granted for the removal of the tree(s) detailed in the table below, which Council has determined to be prominent landscape elements

Table 1 – Tree Retention:

Tree No	Species:	Location
1	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets
2	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets
3	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets
4	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets
5	Cupaniopsis anacardioides (Tuckeroo)	Jubilee East Toilet
6	Phoenix canariensis (Canary Island Date Palm)	Jubilee East Toilet
7	Phoenix canariensis (Canary Island Date Palm)	Jubilee East Toilet
8	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall
9	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall
10	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall
11	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall
12	Lophostemon confertus (Brush Box)	Rear of Umpire's Hall
13	Ficus rubiginosa (Port Jackson Fig)	Rear of Umpire's Hall

Reason

To identify the trees that cannot be removed, must be retained and protected.

(4) NO OBSTRUCTIONS

All public footways and paths of travel must be free from obstructions. If services are required to be relocated to clear paths of travel, then this must be undertaken at the developer's expense. All obstructions are to be removed prior to the commencement of demolition works.

Reason

To ensure there are no obstructions on public footways and paths of travel.

(5) WASTE AND RECYCLING MANAGEMENT - GENERAL

The proposal must comply with the relevant provisions of the Sydney Development Control Plan 2012 and Council's *Guidelines for Waste Management in New Developments 2018*, which requires facilities to promote the safe and efficient storage, separation, collection and handling of waste to maximise resource recovery.

Reason

To ensure that waste and recycling is appropriately managed throughout all phases of the development.

BUILDING WORK BEFORE BUILDING WORK COMMENCES

(6) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MINOR WORKS)

Prior to commencement of demolition works, an archival photographic recording of the East Amenities Block, the West Amenities Block and the Umpire's Building at Jubilee Park is to be prepared to Council's satisfaction. The recording is to be in digital form and prepared in accordance with the NSW Heritage Division guidelines titled "Photographic Recording of Heritage Items using Film or Digital Capture". One copy of the record is to be submitted to Council to be lodged with Council's Archives.

In the case when the NSW Heritage Division guidelines cannot be fully complied with, justifications from a Hazardous Materials Survey Report prepared in accordance with condition 10 HAZARDOUS MATERIALS SURVEY REQUIRED is to be submitted to Council.

The form of the recording is to be as follows:

- (a) The Development Application number must be noted on the submitted information.
- (b) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.

- (c) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.
- (d) The report is to be submitted on a USB or digital file transfer in PDF/A format, (created directly from the digital original), with the digital catalogue of images containing the following data for each location, image subject/description and date.
- (e) The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process and avoid duplicate images.

Reason

To ensure appropriate archival documentation of the building.

(7) SITE AUDIT STATEMENT

Prior to the completion of the demolition works, a Section A Site Audit Statement must be obtained from a NSW Environment Protection Authority accredited Site Auditor and submitted to the Council's Area Planning Manager at email address:-

hbapplications@cityofsydney.nsw.gov.au

The Site Audit Statement must confirm that the site has been remediated in accordance with the approved Remedial Action Plan and clearly state that site is suitable for the proposed use.

- (a) In circumstances where the Site Audit Statement is subject to conditions that require ongoing review by the Auditor or Council, these must be reviewed and must be approved by the Council's Health and Building Unit in writing through the Area Planning Manager before the Site Audit Statement is issued.
- (b) In circumstances where the Site Audit Statement conditions (if applicable) are not consistent with the consent, the development must not proceed until the inconsistency has been resolved to the satisfaction of Council (such as via a S4.55 modification of the consent pursuant to the provisions of the *Environmental Planning & Assessment Act 1979*).
- (c) A Site Audit Statement is to be submitted to and approved by Council in accordance with this condition prior to the completion of demolition works.

Reason

To ensure that the site is appropriately remediated.

(8) SPECIAL CONDITION – CONSTRUCTION ACCESS

A Tree Protection Plan and Methodology Statement as per recommendations outlined within Section 4.1.3 of the AIA report by TreeiQ dated 25 October 2023 must be submitted and approved by the City of Sydney Tree Team prior to the commencement of demolition works.

- The Tree Protection Plan and Methodology Statement must contain at a minimum: Statement outlining the aims of the Plan;
- A plan based on the survey plan (to scale, with the scale shown) showing all the trees on the site to be retained and trees on adjoining private and public land if the proposed development will encroach into the TPZ of those trees;
- Details of any pruning required for the proposed development or construction works;
- Site specific recommendations in accordance with AS 4970 2009 Protection of trees on development site for tree protection for all trees to be retained. The proposed protection measures must protect the trees throughout the entire development and construction process (including the demolition and excavation stages
- A plan (to scale with the scale shown) showing the TPZ, and location and type of tree protection measures to be installed. The plan must include all trees on the site (and trees on adjoining private and public land if the proposed development will encroach into the TPZ of those trees).

(9) EROSION AND SEDIMENT CONTROL - BETWEEN 250 AND 2,500SQM

The Erosion and Sediment Control Plan accompanying this Development Application has not been approved by this consent.

Prior to the commencement of demolition/excavation work, an Erosion and Sediment Control Plan (ESCP) must be submitted to and be approved by the Principal Certifier. The ESCP must:

- (a) Conform to the specifications and standards contained in Managing Urban Stormwater: Soils and Construction (Landcom, 2004); the Guidelines for Erosion and Sediment Control on Building Sites (City of Sydney, 2004); and the *NSW Protection of the Environment Operations Act 1997*.
- (b) Include a drawing(s) that clearly shows:
 - (i) location of site boundaries and adjoining roads
 - (ii) approximate grades and indications of direction(s) of fall
 - (iii) approximate location of trees and other vegetation, showing items for removal or retention
 - (iv) location of site access, proposed roads and other impervious areas

- (v) existing and proposed drainage patterns with stormwater discharge points
- (vi) north point and scale
- (c) Specify how soil conservation measures will be conducted on site including:
 - (i) timing of works
 - (ii) locations of lands where a protective ground cover will, as far as is practicable, be maintained
 - (iii) access protection measures
 - (iv) nature and extent of earthworks, including the amount of any cut and fill
 - (v) where applicable, the diversion of runoff from upslope lands around the disturbed areas
 - (vi) location of all soil and other material stockpiles including topsoil storage, protection and reuse methodology
 - (vii) procedures by which stormwater is to be collected and treated prior to discharge including details of any proposed pollution control device(s)
 - (viii) frequency and nature of any maintenance program
 - (ix) other site-specific soil or water conservation structures.

Reason

To ensure that appropriate erosion and sediment control measures are put in place to protect the environment.

(10) HAZARDOUS MATERIALS SURVEY REQUIRED

A Hazardous Materials Survey Report must be prepared by a certified Occupational Hygienist (*Australia Institute of Occupational Hygienists*) and submitted to the satisfaction of Council's Area Coordinator Planning Assessments / Area Planning Manager prior to any demolition / refurbishment work commencing at the site. The report must identify and record the type, location and extent of any hazardous materials on the site and make recommendations as to their safe management and/or removal to ensure the site is made safe for demolition, construction and future use/occupation.

Reason

To ensure that hazardous materials on the site are identified and appropriately managed.

(11) TREE PROTECTION ZONE (FOR PRIVATE/PROPERTY TREES)

- (a) Tree protection zones (s) (TPZs) as detailed in table 2 below must be established in accordance with the Australian Standard 4970 'Protection of Trees on Development Sites' before the commencement of, and until completion of, the development works.

Table 2 - TPZ Schedule

Tree No.	Species Name	Location	Radius (m) From Trunk
1	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets	6
2	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets	5.4
3	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets	4.8
4	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets	4.8
5	Cupaniopsis anacardioides (Tuckeroo)	Jubilee East Toilet	2
6	Phoenix canariensis (Canary Island Date Palm)	Jubilee East Toilet	4
7	Phoenix canariensis (Canary Island Date Palm)	Jubilee East Toilet	4
8	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall	4
9	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall	4

Tree No.	Species Name	Location	Radius (m) From Trunk
10	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall	4
11	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall	3
12	Lophostemon confertus (Brush Box)	Rear of Umpire's Hall	7.8
13	Ficus rubiginosa (Port Jackson Fig)	Rear of Umpire's Hall	15.4

- (b) The following works must be excluded from within any TPZs:
- (i) Soil cultivation, disturbance or compaction.
 - (ii) Stockpiling, storage or mixing of materials, washing and repairing of tools.
 - (iii) The parking (except existing on street parking) of vehicles, equipment and machinery.
 - (iv) The disposal of liquids and refuelling.
 - (v) The disposal of building materials.
 - (vi) Any action leading to an impact on tree health or structure.
- (c) Tree protection fencing (1.8m steel mesh fencing, secured and fastened to prevent movement) must be installed at the perimeter of the TPZs or as per the approved Tree Protection Plan prior to the commencement of the development works. Roots must not be damaged during the establishment or maintenance of the fencing.
- (d) Where tree protection fencing (or sections of) cannot be installed due to site constraints, written approval must be obtained from a qualified Arborist (minimum AQF Level 5) and trunk and ground protection installed as per AS4970. Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by the Arborist.

- (e) Tree protection fencing must not be moved or relocated unless written approval is obtained from a qualified Arborist (minimum AQF Level 5) and alternate protection measures are installed to ensure the trees the viability of the tree(s) is not impacted. Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by the Arborist.
- (f) Where site sheds cannot be installed outside of the TPZs due to site constraints, written approval must be obtained from a qualified Arborist (minimum AQF Level 5) and appropriate tree protection measures installed as per AS4970. Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by the Arborist.
- (g) Signage identifying the TPZs must be attached to the tree protection fencing. Signage must be placed in a visible position in remain in place throughout the development works.
- (h) Ground protection in accordance with AS4970 must be installed if access is required within the TPZs. Existing pavements and hard stand areas can be used as ground protection.
- (i) All approved work undertaken within the TPZs must be supervised by a qualified Arborist (minimum AQF Level 5).

Note: The work within the TPZ and installation of tree protection measures is only applicable within the subject development site and the public domain

Reason

To ensure the protection and ongoing health of trees for the duration of the works.

(12) TREE TRUCK PROTECTION (FOR PRIVATE/PROPERTY TREES)

- (a) The tree(s) detailed in the table below must have trunk and major branch protection installed prior to the commencement of demolition works.

Table 3 – Trunk Protection

Tree Number	Species	Location
1	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets
2	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets
3	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets
4	Ficus macrophylla	Jubilee West Toilets

	(Moreton Bay Fig)	
5	Cupaniopsis anacardioides (Tuckeroo)	Jubilee East Toilet
6	Phoenix canariensis (Canary Island Date Palm)	Jubilee East Toilet
7	Phoenix canariensis (Canary Island Date Palm)	Jubilee East Toilet
8	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall
9	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall
10	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall
11	Phoenix canariensis (Canary Island Date Palm)	Adjacent Umpire's Hall
12	Lophostemon confertus (Brush Box)	Rear of Umpire's Hall
13	Ficus rubiginosa (Port Jackson Fig)	Rear of Umpire's Hall

- (b) Tree trunk(s) and/or major branches to a height of 2 metres must be protected by wrapped thick underlay carpet or similar padding material to limit damage;
- (c) Timber planks (50mm x 100mm) must be placed around tree trunk(s), spaced at 100mm intervals, and be fixed against the trunk with tie wire, or strapping. The thick carpet underlay or padding material and timber planks must not be fixed to the tree in any instance, or in any fashion;
- (d) Tree trunk and major branch protection must remain in place for the duration of the development works and be removed at the completion of the development works;
- (e) Certification of this condition must be submitted to the Principal Certifying Authority for approval.

Reason

To ensure the protection and ongoing health of trees.

DURING BUILDING WORK**(13) HOURS OF WORK AND NOISE – OUTSIDE CBD**

The hours of work must be as follows:

- (a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.
- (c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Team, prior to works proceeding.

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Reason

To protect the amenity of the surrounding area.

(14) COVERING OF LOADS

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

Reason

To ensure loads are managed appropriately and do not impact local amenity.

(15) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site, where possible.
- (b) If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate application under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993 must be submitted to and approved by Council.

Reason

To protect the amenity of the public domain.

(16) SALVAGE, REUSE AND RECYCLING OF TRADITIONAL BUILDING MATERIALS – MINOR DEVELOPMENT

Traditional building materials surplus to the project (including stone, bricks, timber joinery, doors, windows, stairs, chimney pieces etc) must not be scrapped and are to be carefully salvaged and transferred to an established dealer in second hand heritage building materials for recycling.

Reason

To ensure the salvaging and reuse of traditional building materials.

(17) ASBESTOS REMOVAL WORKS

- (a) All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal Licence which ever applies.

A copy of the relevant licence must be made available to any authorised Council officer on request within 24 hours.

- (b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.
- (c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2017* and the NSW Government and SafeWork NSW document entitled *How to manage and control asbestos in the work place: Code of Practice (Safework NSW)* December 2011 and the *City of Sydney Managing Asbestos Policy* dated 21 October 2013 and associated guidelines.
- (d) The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.
- (e) Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 -1994 *Safety Signs for the Occupational Environment* for size, illumination, location and maintenance.
- (f) Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.
- (g) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).
- (h) No asbestos laden skips or bins are to be left in any public place without the written approval of Council.
- (i) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

- (i) contact person for the site;
- (ii) telephone and facsimile numbers and email address; and
- (iii) site activities and time frames.

Reason

To ensure that the handling and removal of asbestos from the site is appropriately managed.

(18) LAND REMEDIATION (Where Site Auditor engaged)

The site is to be remediated and validated in accordance with the Remedial Action Plan prepared by Douglas Partners dated 5 August 2024, reference number 218512.01.R.003.Rev 2 and the Letter of Interim Advice or Section B Site Audit Statement prepared by NSW Environment Protection Authority accredited Site Auditor James Davis dated 16 October 2024 and reference 03012324_ 02. All remediation work carried out shall be conducted in accordance with the guidelines in force from time to time under the *Contaminated Land Management Act 1997*.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council's Area Planning Manager, the Site Auditor and the Principal Certifier.

Any variations to the approved Remediation Action Plan must be approved in writing by the Site Auditor and Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the commencement of such work.

Reason

To ensure that the site is appropriately remediated.

(19) NOTIFICATION – NEW CONTAMINATION EVIDENCE

Council's Area Planning Manager and the Principal Certifier must be notified of any new information which comes to light during remediation or demolition works which has the potential to alter previous conclusions about site contamination.

Reason

To ensure that the site is appropriately remediated.

(20) IMPORTED FILL MATERIALS

All fill imported onto the site must be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

The City may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

- (a) Imported fill must be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- (b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (2022) Sampling Design Guidelines.

Reason

To ensure that imported fill is not contaminated.

(21) CLASSIFICATION OF WASTE

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the *Environment Operations Act 1997* and the *NSW EPA Waste Classification Guidelines, Part1: Classifying Waste (November 2014)*. The classification of the material is essential to determine where the waste may be legally taken. The *Protection of the Environment Operations Act 1997* provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for a particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

Reason

To ensure that waste from site is classified and disposed of appropriately.

(22) DISCHARGE OF CONTAMINATED GROUNDWATER

Contaminated groundwater must not be discharged into the City's stormwater drainage system.

Options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason

To ensure that the discharge of ground water is appropriately managed.

(23) STOCKPILES

- (a) No stockpiles of soil or other materials must be placed on footpaths or nature strips unless prior approval has been obtained from the City's Construction Regulation Team.
- (b) All stockpiles of soil or other materials must be placed away from drainage lines, gutters or stormwater pits or inlets.
- (c) All stockpiles of soil or other materials likely to generate dust or odours must be covered.
- (d) All stockpiles of contaminated soil must be stored in a secure area and be covered if remaining more than 24 hours.

Reason

To ensure that stockpiles of soil or other materials are appropriately managed.

(24) COMPLIANCE WITH ARBORIST'S REPORT

- (a) All recommendations Tree Protection Plans and Methodology Statements contained in the approved Arboricultural Impact Assessment Report prepared by TreeiQ, dated 25 October 2023 and 24 March 2025 must be implemented during the demolition works:

- Section 3.1.3 Recommendations
- Section 3.3.3 Recommendations
- Section 3.4.3 Recommendations
- Section 3.5.4 Recommendations
- Addendum to Arboricultural Impact Assessment Report prepared by TreeiQ dated 24 March 2025 in relation to Section 9.4 of the Remediation Action Plan by Douglas Partners dated 24 March 2025

Reason

To ensure that works affecting trees are carried out in an appropriate manner and in accordance with the approved arborist's report.

(25) TREE SENSITIVE EXCAVATION

- (a) Excavation within the Tree Protection Zone(s) (TPZs) as detailed in the table below must be undertaken using tree sensitive methods (i.e. hand/ air space/hydrovac) and supervised by a qualified Arborist (minimum AQF level 5). To prevent root damage, low pressures must be used for hydrovac excavation with the bark remaining intact.

Tree 4 – Tree (Root) Protection Zone Schedule:

Tree No	Species	Tree Location	TPZ Radius (m) from Trunk	SRZ (m) from Trunk
2	Ficus macrophylla (Moreton Bay Fig)	Jubilee West Toilets	5.4	2.4
6	Phoenix canariensis (Canary Island Date Palm)	Jubilee East Toilet	4	n/a
12	Lophostemon confertus (Brush Box)	Rear of Umpire's Hall	7.8	2.8
13	Ficus rubiginosa (Port Jackson Fig)	Rear of Umpire's Hall	15.4	3.6

- (b) Excavation must not occur within the SRZ. If excavation is proposed within this zone, the Council's Tree Management Officer must be contacted immediately, and the excavation must be carried out in accordance with Council's direction.
- (c) Roots greater than 40mm must not be severed or damaged within the TPZ without written approval from the City of Sydney Tree Team. As required, tree sensitive construction/installation methods (i.e. directional boring, redirection of services, pier and beam footings) must be used to ensure the retention and protection of roots greater than 40mm diameter.
- (d) Trenching must be backfilled as soon as possible, and exposed roots must be covered with mulch or a geotextile fabric and kept in a moist condition and prevented from drying out.
- (e) Any approved root pruning must be carried out by a qualified Arborist (minimum AQF Level 5) in accordance with Australian Standard 4373 'Pruning of Amenity Trees'.
- (f) Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by a qualified Arborist (minimum AQF Level 5).

Reason

To ensure that excavation works to trees are carried out in an appropriate manner.

(26) SITE SUPERVISION AND REPORTING

- (a) A qualified Arborist (minimum AQF Level 5) must oversee various stages of work within the Tree Protection Zone(s) (TPZs) of any tree listed for retention.
- (b) The Arborist must undertake inspections through the development works when required.
- (c) The Arborist must certify compliance with each key milestone detailed below:
 - (i) Installation of tree protection measures (i.e. tree protection fencing, trunk and branch protection, ground protection, tree protection signage) prior to the commencement of the development works;
 - (ii) Demolition of amenities buildings, ground surface materials (pavers, concrete, grass etc.) or inground structures within the TPZs of any tree to be retained;
 - (iii) Excavation and trenching within the TPZs;
 - (iv) Landscape works within the TPZs;
 - (v) Other times as specified in the Arboricultural Impact Assessment Report, Tree Protection Plan or these conditions.
- (d) A Tree Protection Compliance Report, which includes photographic evidence and provides details on the health and structure of tree(s), must be submitted within one week following each scheduled inspection and key milestone listed above. The report is to be submitted to, and acknowledged, by the City of Sydney Area Planning Coordinator or Area Planning Manager. The Tree Protection Compliance Report must include:
 - (i) Confirmation that the tree protection measures have been installed in accordance with these conditions;
 - (ii) Details of any additional tree protection recommendations and subsequent implementation to ensure the tree(s) remain in a healthy condition;
 - (iii) Details of works undertaken on any tree to be retained or any works within the TPZs.
- (e) A final Tree Protection Compliance Certificate demonstrating that all Tree Protection Compliance Reports have been submitted at each scheduled inspection and key milestone listed above must be submitted and approved by the City of Sydney Area Planning Manager prior to the completion of demolition works.

Reason

To ensure the protection and ongoing health of trees on the site.

(27) TREE PRUNING APPROVED

- (a) The trees detailed in the table below are approved for pruning.

Table 4 – Tree Pruning

Tree No.	Species	Pruning Specification & Limitations
1 and 2	Ficus macrophylla (Moreton Bay Fig)	See pruning specifications under Section 3.1.3 within the AIA report by TreeIQ dated 25/10/2023

- (b) All pruning must be carried out by an arborist (minimum AQF Level 3) in accordance with Australian Standard AS4373 'Pruning of Amenity Trees' and the SafeWork's Code of Practice – Amenity Tree Industry.
- (c) Any pruning works carried out under this condition must not adversely impact tree health, structure or form.

Reason

To ensure that pruning works to trees are carried out in an appropriate manner.

(28) TREE PRUNING – FURTHER APPROVAL REQUIRED

- (a) Consent from Council's Tree Management Officer must be obtained prior to undertaking the pruning of any tree to be retained, including tree roots greater than 40mm diameter.
- (b) Access and the location of the works zone must be planned to avoid adversely impacting any tree to be retained. Alternative work zone locations must be provided and suitable size cranes/machinery/equipment utilised to minimise tree pruning requirements. Only minor pruning works will be approved.
- (c) Any approved pruning must be carried out by a qualified Arborist (minimum AQF Level 3) in accordance with Australian Standard 4373 'Pruning of Amenity Trees' and the SafeWork's Code of Practice - Amenity Tree Industry.

Reason

To ensure that pruning works to trees are carried out in an appropriate manner.

(29) PROTECTION OF NATIVE WILDLIFE

- (a) In the event that wildlife is found during the course of tree removal works, work must stop until a trained wildlife handler attends the site or the animal relocates itself. In regards to tree pruning, works may only proceed if the animals will not come into direct harm.

- (b) In the event that the tree(s) have nesting birds or native animals, works must be delayed until after the nesting period has been completed, unless in the event of an emergency.

Reason

To ensure that wildlife is adequately protected during tree removal/pruning works.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Intentionally left blank.

OCCUPATION AND ONGOING USE

(30) SITE AUDIT STATEMENT – ENVIRONMENTAL MANAGEMENT PLAN

Where the ongoing land use suitability and release of the Final (Section A) Site Audit Statement is dependent upon the implementation of an Environmental Management Plan (EMP) in relation to any residual contamination remaining onsite, the EMP must be approved by the Site Auditor and Council's Area Planning Manager prior to the issue of the final Site Audit Statement.

The owner of the land is required to comply with the ongoing obligations of any EMP which form part of the final Site Audit Statement for the site. Details of the EMP shall be recorded on the 'Before You Dig Australia' website prior to the completion of works approved under this consent.

Reason

To ensure that contamination is appropriately managed.

SCHEDULE 2

PRESCRIBED CONDITIONS

The applicant must comply with all relevant conditions contained in Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021* which apply to the development:

Refer to the NSW State legislation for full text of the clauses under Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: <http://www.legislation.nsw.gov.au>