

Department of Planning and Environment

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# Standard conditions – mixed use, change of use, food and drink premises, demolition and biodiversity credits

Standard conditions of development consent

June 2023



# Acknowledgement of Country

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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# Purpose of this document

The Department of Planning and Environment is introducing a suite of reforms to deliver a better planning system for NSW. As part of these reforms, we are introducing a standard form for development consents and optional best-practice conditions that consent authorities can adopt for certain types of development.

This document provides the set of standard conditions for mixed use, change of use, food and drink premises, demolition and biodiversity credits for use by consent authorities when issuing determinations.

These conditions are also available in the department's [Planning Portal](#). Consent authorities can use this document to 'preview' conditions or 'adopt' conditions they can apply to a determination before using the Planning Portal to make the determination.

# Mixed-use, change of use and food and drink premises conditions

## Part A - Before the issue of a Construction Certificate

Applies to	Condition	Condition reason
Mixed-use development	<b>Clear public access ways</b> Before issue of a construction certificate, construction plans must demonstrate that access doors to enclosures for building services and facilities, such as hydrant and sprinkler booster assemblies or the like, except fire stair doors, will not open over the footway or roadway.	To ensure doors used to house building services and facilities do not obstruct pedestrians and vehicles
Food and drink premises development	<b>Equal access to the premises</b> Before the issue of a construction certificate, plans which demonstrate that adequate access to the premises will be provided for persons with disabilities in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. These plans must be submitted to the certifier.	To ensure safe and easy access to the premises for people with a disability

Applies to	Condition	Condition reason
<p><b>Food and drink premises development</b></p>	<p><b>External lighting</b></p> <p>Before the issue of a construction certificate, plans detailing external lighting must be prepared by a suitably qualified person.</p> <p>The lighting plan must be consistent with the approved plans and documents, and the following requirements:</p> <p><b>&lt;Delete as required&gt;</b></p> <ul style="list-style-type: none"> <li>a) comply with AS 1158: Lighting for Roads and Public Spaces;</li> <li>b) comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting</li> <li>c) lighting must be placed at all entrances to, and exits from the premises</li> <li>d) lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas;</li> <li>e) lighting must not interfere with traffic safety;</li> <li>f) lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and</li> <li>g) external lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance.</li> <li>h) Relevant council development control plan</li> </ul> <p>The lighting plan must be submitted to the certifier:</p> <p>Note – All above documents refer to the version in effect at the time the consent is granted</p>	<p>To ensure external lighting is provided for safety reasons and to protect the amenity of the local area</p>

Applies to	Condition	Condition reason
<b>Food and drink premises development</b>	<p><b>Preparation of construction and fit out plans for food and drink premises</b></p> <p>Before the issue of a construction certificate, detailed plans of all food and beverage preparation, serving and storage areas (including for perishable stock, waste, chemicals and personal belongings) must be prepared by a suitably qualified person.</p> <p>The detailed plans must be prepared in accordance with the following editions in force on the date of determination and provided to &lt;Insert the certifier OR council (where a certifier is not required)&gt;:</p> <p>&lt;Delete as required&gt;</p> <ul style="list-style-type: none"> <li>a) Food Standards Code (Australia) and Food Safety Standard 3.2.3 – Food Premises and Equipment</li> <li>b) <i>Food Act 2003</i> and Food Regulation 2015</li> <li>c) Australian Standard 4674:2004 :Design, Construction and Fit-out of Food Premises</li> <li>d) Plumbing Code of Australia and Australian Standard/New Zealand Standard AS/NZS 3500 series on Plumbing and Drainage</li> <li>e) &lt;Insert relevant water authority&gt; commercial trade wastewater requirements for food premises, and</li> <li>f) any relevant Water Services Association of Australia codes of practice, guidelines, policies and requirements.</li> </ul>	<p>To ensure detailed construction and fit out plans are submitted which comply with the relevant standards</p>
<b>Food and drink premises development</b>	<p><b>Preparation of mechanical ventilation plans</b></p> <p>Before the issue of a construction certificate, detailed plans of the mechanical exhaust ventilation system must be prepared by a suitably qualified person.</p> <p>The detailed plans must be in accordance with the following and submitted to the certifier:</p> <ul style="list-style-type: none"> <li>a) Australian Standard 1668: - The use of ventilation and air-conditioning in buildings; and</li> <li>b) ensure all generate heated air, smoke, fumes, steam or grease vapours do not: <ul style="list-style-type: none"> <li>i) cause a nuisance to persons within or nearby to the premises, or</li> <li>ii) cause air pollution as defined under the <i>NSW Protection of the Environment Operations Act 1997</i></li> </ul> </li> </ul>	<p>To ensure that detailed professional plans of the approved mechanical ventilation system are submitted before the issue of a construction certificate</p>

Applies to	Condition	Condition reason
<p><b>Mixed-use development</b></p>	<p><b>Provision of detailed plans for construction certificate application</b></p> <p>Before the issue of a construction certificate, detailed plans must be prepared by a suitably qualified person and provided to the Certifier that are consistent with the plans and documentation approved under this consent.</p> <p>Detailed plans must also show the following:</p> <p><b>&lt;Delete as required, add to as necessary&gt;</b></p> <ul style="list-style-type: none"> <li>c) Car parking facilities</li> <li>d) Acoustic measures</li> <li>e) Disability access</li> <li>f) Pedestrian access</li> <li>g) Signage location and structures</li> <li>h) Mechanical ventilation</li> <li>i) <b>&lt;Insert other&gt;</b></li> </ul>	<p>To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation</p>



## Part B - Before the issue of an Occupation Certificate

Applies to	Condition	Condition reason
<b>Food and drink premises development</b>	<p><b>Certification of acoustic measures</b></p> <p>Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier that the acoustic measures have been installed in accordance with the acoustic report approved under this consent</p>	<p>To protect the amenity of the local area</p>
<b>Mixed-use development</b>	<p><b>Compliance of works as executed for mixed use</b></p> <p>Before the issue of an occupation certificate, certification from a suitably qualified person must be provided to the principal certifier that the following works as executed are consistent with the plans and specifications approved under this consent</p> <p><b>&lt;Delete as required&gt;</b></p> <ul style="list-style-type: none"> <li>a) Car parking facilities</li> <li>b) Acoustic report</li> <li>c) Disability access plan</li> <li>d) Pedestrian access</li> <li>e) Signage location and structures</li> <li>f) Mechanical ventilation</li> <li>g) <b>&lt;Insert other&gt;</b></li> </ul>	<p>To ensure work has been completed in accordance with the development consent</p>
<b>Food and drink premises development</b>	<p><b>Construction and installation of ventilation system</b></p> <p>Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier which demonstrates that the mechanical exhaust ventilation system has been constructed and installed in accordance with the approved plans.</p>	<p>To ensure the mechanical ventilation system has been constructed and installed as approved</p>

Applies to	Condition	Condition reason																											
<p><b>Mixed-use development</b></p> <p><b>Food and drink premises development</b></p>	<p><b>Extended operating hours for a prescribed trial period</b></p> <p>During ongoing use of the &lt;Insert use&gt;, notwithstanding the operating hours approved under this consent, the approved development may operate on a &lt;Insert period&gt; trial period for the following hours from the date of the occupation certificate:</p> <table border="1" data-bbox="400 533 1150 1128"> <thead> <tr> <th></th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>Monday</td> <td></td> <td></td> </tr> <tr> <td>Tuesday</td> <td></td> <td></td> </tr> <tr> <td>Wednesday</td> <td></td> <td></td> </tr> <tr> <td>Thursday</td> <td></td> <td></td> </tr> <tr> <td>Friday</td> <td></td> <td></td> </tr> <tr> <td>Saturday</td> <td></td> <td></td> </tr> <tr> <td>Sunday</td> <td></td> <td></td> </tr> <tr> <td>Public holidays</td> <td></td> <td></td> </tr> </tbody> </table> <p>Council must be informed &lt;Insert time period&gt; before the date of commencement of the trial period hours in writing.</p> <p>An application to continue the extended operating hours must be lodged no less than &lt;Insert time period&gt; before the end of the trial period.</p> <p>Once the prescribed period of extended operating hours lapses, the hours of operation will revert to the standard operating hours previously in force before this condition took effect.</p>		From	To	Monday			Tuesday			Wednesday			Thursday			Friday			Saturday			Sunday			Public holidays			<p>To enable a trial period of approved alternative operating hours</p>
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<p><b>Food and drink premises development</b></p>	<p><b>Maximum capacity and signage for business operator</b></p> <p>Before the issue of an occupation certificate, a sign must be permanently displayed at the main entry point of the premises in a prominent position which states the operator's name and &lt;Insert maximum number of persons&gt; as the maximum number of persons permitted in the premises as approved under this consent.</p>	<p>To provide patrons with details of the operator and maximum number of persons permitted on the premises</p>																											

Applies to	Condition	Condition reason																											
Food and drink premises development	<p><b>Notice of food business</b></p> <p>Before the issue of an occupation certificate, council and any other appropriate enforcement agency must be notified of the food business in accordance with the NSW <i>Food Act 2003</i> and the Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements.</p>	To enable council to ensure compliance with the consent when the business is operating																											
Food and drink premises development	<p><b>Food Premises Final Inspection</b></p> <p>Before the issue of an occupation certificate, the food premises shall be inspected by an Authorised Officer of &lt;Insert council&gt; under the Food Act 2003, to determine compliance with the Food Act 2003, Food Safety Standards and Australian Standard 4674:2004: Design, Construction and Fit-out of Food Premises.</p>	To enable council to ensure compliance with the Food Act 2003 before the business commences																											
<p>Mixed-use development</p> <p>Food and drink premises development</p>	<p><b>Operating hours</b></p> <p>This condition applies to mixed use and food and drink</p> <p>During ongoing use of the premises, the hours of operation of the &lt;Insert use&gt; are restricted to:</p> <table border="1" data-bbox="395 1102 1161 1684"> <thead> <tr> <th></th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>Monday</td> <td></td> <td></td> </tr> <tr> <td>Tuesday</td> <td></td> <td></td> </tr> <tr> <td>Wednesday</td> <td></td> <td></td> </tr> <tr> <td>Thursday</td> <td></td> <td></td> </tr> <tr> <td>Friday</td> <td></td> <td></td> </tr> <tr> <td>Saturday</td> <td></td> <td></td> </tr> <tr> <td>Sunday</td> <td></td> <td></td> </tr> <tr> <td>Public holidays</td> <td></td> <td></td> </tr> </tbody> </table>		From	To	Monday			Tuesday			Wednesday			Thursday			Friday			Saturday			Sunday			Public holidays			To protect the amenity of the local area
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<p>Mixed-use development</p> <p>Food and drink premises development</p>	<p><b>Pedestrian safety signage</b></p> <p>Before the issue of an occupation certificate, ensure an appropriate sign(s) is provided and maintained within the site to advise all vehicles to be aware of pedestrians within the shared driveway.</p>	To make drivers aware of pedestrians and to ensure the safety of pedestrians using the shared driveway																											

Applies to	Condition	Condition reason
Mixed-use development	<p><b>Water authority certification</b></p> <p>Before the issue of an occupation certificate, a certificate of compliance must be obtained in relation to the proposed use(s) from the &lt;Water supply authority&gt;.</p>	To ensure compliance with the water supply authority's requirements

## Part C - Occupation and Ongoing Use

Applicable to	Condition	Condition reason
Food and drink premises development	<p><b>Additional requirements during operating hours</b></p> <p>During ongoing use of the premises:</p> <p>&lt;Delete as required&gt;</p> <p>a) Live or amplified music is not permitted after &lt;Insert time&gt;.</p> <p>b) The preparation and service of food at the premises must cease 30 minutes before the required closing time.</p>	To protect the amenity of the local area
Change of use	<p><b>Building to be upgraded</b></p> <p>Before the issue of an occupation certificate, ensure the building is brought into conformity with the Building Code of Australia as follows:</p> <p>a) &lt;Insert the relevant part of the building and the relevant part of the BCA&gt;</p> <p>b) &lt;Insert&gt;</p>	To ensure the existing building complies with the Building Code of Australia as at the date of the determination of and as specified by the consent authority

Applicable to	Condition	Condition reason																											
<p><b>Mixed-use development</b></p> <p><b>Food and drink premises development</b></p>	<p><b>Deliveries and waste collection times for food and drink and mixed use developments</b></p> <p>During ongoing use of &lt;Insert use&gt;, all deliveries, waste and recycling collection carried out by heavy vehicle/vehicle for the &lt;Insert use&gt;:</p> <p>&lt;Delete as required&gt;</p> <p>a) are undertaken only during the following hours:</p> <table border="1" data-bbox="429 607 1137 1144"> <thead> <tr> <th></th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>Monday</td> <td></td> <td></td> </tr> <tr> <td>Tuesday</td> <td></td> <td></td> </tr> <tr> <td>Wednesday</td> <td></td> <td></td> </tr> <tr> <td>Thursday</td> <td></td> <td></td> </tr> <tr> <td>Friday</td> <td></td> <td></td> </tr> <tr> <td>Saturday</td> <td></td> <td></td> </tr> <tr> <td>Sunday</td> <td></td> <td></td> </tr> <tr> <td>Public holidays</td> <td></td> <td></td> </tr> </tbody> </table> <p>b) only occur in designated loading and unloading areas on the property;</p> <p>c) do not occur on the street;</p> <p>d) do not obstruct other operations;</p> <p>e) minimise disruption to public spaces;</p> <p>f) maintain a clear service vehicle dock, car parking spaces and access driveways at all times; and</p> <p>g) all vehicles must enter and leave in a forward direction.</p>		From	To	Monday			Tuesday			Wednesday			Thursday			Friday			Saturday			Sunday			Public holidays			<p>To ensure deliveries to the premises are carried out safely and protect the amenity of the local area</p>
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Public holidays																													
<p><b>Food and drink premises development</b></p>	<p><b>External lighting during ongoing use</b></p> <p>During ongoing use of the premises, all lighting must be operated and maintained in accordance with the approved plans and the requirements of this consent.</p>	<p>To ensure the safe operation of the premises and protect the amenity of the local area</p>																											
<p><b>Mixed-use development</b></p>	<p><b>Graffiti removal</b></p> <p>During ongoing use of the premises, ensure graffiti is removed from the exterior of the building or associated structures, including any fences, site services and retaining/planter bed walls.</p>	<p>To protect and preserve the visual amenity of the surrounding public domain</p>																											

Applicable to	Condition	Condition reason
Food and drink premises development	<p><b>Limitations on food preparation during ongoing use</b></p> <p>During ongoing use of the premises, food preparation that generates heated air, smoke, fumes, steam or grease vapours must not be undertaken unless mechanical ventilation has been approved and installed under this consent.</p>	To ensure the safe operation of the premises and to protect the amenity of adjoining premises and the surrounding area
Food and drink premises development	<p><b>Managing noise</b></p> <p>During ongoing use of the premises, the premises must be operated in accordance with the acoustic report approved under this consent.</p>	To protect the amenity of the local area
Mixed-use development	<p><b>Managing noise with ongoing acoustic treatment</b></p> <p>During ongoing use of the premises, the premises must be operated in accordance with any approved acoustic report.</p> <p>Where the approved acoustic report recommends ongoing acoustic treatments, an acoustic implementation report from a suitably qualified person must be submitted to council within &lt;Insert period&gt; of the date of the issue of the occupation certificate.</p> <p>The report must confirm the implementation of acoustic treatment and demonstrate the external and internal noise levels satisfy the criteria nominated in accordance with the approved acoustic report.</p>	To ensure operational noise levels comply with the approved acoustic report and do not unreasonably impact on the amenity of adjoining and nearby premises
Mixed-use development Food and drink premises development	<p><b>Signage during ongoing use</b></p> <p>During ongoing use of the premises:</p> <p>&lt;Delete as required&gt;</p> <ol style="list-style-type: none"> <li>a) signage of the building street number and building name (where applicable) must be clearly displayed</li> <li>b) advertising signs must not be placed or displayed on any public space (including the public footpath or street)</li> <li>c) any approved lighting of signs must comply with Australian Standard AS 4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting</li> <li>d) no upward facing light sources can be displayed on signs on the premises.</li> <li>e) signs must only be illuminated when the premises are in operation and only during the operating hours approved under this consent</li> </ol>	To protect the amenity of the local area

Applicable to	Condition	Condition reason
<p><b>Food and drink premises development</b></p>	<p><b>Storage and disposal of waste materials during ongoing use</b></p> <p>During ongoing use of the premises:</p> <p>&lt; Delete as required &gt;</p> <p>a) &lt; Insert number and size of bins &gt; must be put on the premises for the storage of any waste that is generated (including for recycling),</p> <p>b) all garbage and recyclable materials generated from the premises must be stored wholly within any approved storage area and must not be stored outside the premises (including any public place) at any time</p> <p>c) arrangements must be implemented for the separation of recyclable materials from garbage</p> <p>d) any approved waste storage area must be appropriately maintained to prevent litter and the entry of pests</p> <p>e) where council does not provide commercial garbage and recyclable materials collection services:</p> <p>i) a contract must be entered into with a licensed contractor to provide these services for the premises; and</p> <p>ii) a copy of the contract must be kept on premises and provided to relevant authorities including council officers on request.</p> <p>f) where the collection of garbage and recyclable materials from the premises is undertaken by a licensed contractor, it must only occur between &lt;Insert&gt;am/pm and &lt;Insert&gt;am/pm on &lt;Insert day/s&gt;</p> <p>g) all liquid trade waste discharged to sewerage system must comply with the trade waste approval issued by the relevant water authority</p> <p>h) all liquid trade waste pre-treatment devices must be regularly maintained to remain effective in accordance with the conditions of the liquid trade waste approval issued by the relevant water authority.</p>	<p>To ensure proper handling of waste, garbage and recyclable materials generated during operation of the premises</p>
<p><b>Mixed use development</b></p> <p><b>Food and drink premises development</b></p>	<p><b>Storage of goods during ongoing use</b></p> <p>During ongoing use of the premises, all goods must be stored wholly within the premises and must not be stored or displayed outside the premises, including any public place, without council's approval.</p>	<p>To ensure goods are stored wholly within the premises and protect the amenity of the local area</p>

# Demolition conditions

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## Part A - Before Building Work commences

Condition	Condition reason
<p><b>Asbestos removal signage</b></p> <p>Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.</p>	<p>To alert the public to any danger arising from the removal of asbestos</p>



Condition	Condition reason
<p><b>Demolition management plan</b></p> <p>Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person.</p> <p>The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, &lt;Insert council’s development control plan&gt; and must include the following matters:</p> <p>&lt;DELETE AS REQUIRED&gt;</p> <ul style="list-style-type: none"> <li>a) The proposed demolition methods</li> <li>b) The materials for and location of protective fencing and any hoardings to the perimeter of the site</li> <li>c) Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones</li> <li>d) Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles</li> <li>e) Protective measures for on-site tree preservation and trees in adjoining public domain (if applicable) (including in accordance with AS 4970-2009 Protection of trees on development sites and &lt;Insert council’s relevant development control plan&gt;)</li> <li>f) Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways</li> <li>g) Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent</li> <li>h) Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines</li> <li>i) Details of any bulk earthworks to be carried out</li> <li>j) Details of re-use and disposal of demolition waste material in accordance with &lt;Insert council’s relevant development control plan&gt;</li> <li>k) Location of any reusable demolition waste materials to be stored on-site (pending future use)</li> <li>l) Location and type of temporary toilets onsite</li> <li>m) A garbage container with a tight-fitting lid.</li> </ul>	<p>To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site</p>
<p><b>Disconnection of services before demolition work</b></p> <p>Before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority’s requirements.</p>	<p>To protect life, infrastructure and services</p>

Condition	Condition reason
<p><b>Hazardous material survey before demolition</b></p> <p>Before demolition work commences, a hazardous materials survey of the site must be prepared by a suitably qualified person and a report of the survey results must be provided to council at least one week before demolition commences.</p> <p>Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint.</p> <p>The report must include at least the following information:</p> <ol style="list-style-type: none"> <li>the location of all hazardous material throughout the site</li> <li>a description of the hazardous material</li> <li>the form in which the hazardous material is found, e.g. AC sheeting, transformers, contaminated soil, roof dust</li> <li>an estimation of the quantity of each hazardous material by volume, number, surface area or weight</li> <li>a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials</li> <li>identification of the disposal sites to which the hazardous materials will be taken</li> </ol>	<p>To require a plan for safely managing hazardous materials</p>
<p><b>Notice of commencement for demolition</b></p> <p>At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:</p> <ol style="list-style-type: none"> <li>name</li> <li>address,</li> <li>contact telephone number,</li> <li>licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, and</li> <li>the contact telephone number of council and</li> <li>the contact telephone number of SafeWork NSW (4921 2900).</li> </ol>	<p>To advise neighbours about the commencement of demolition work and provide contact details for enquiries</p>
<p><b>Site preparation</b></p> <p>Before demolition work commences the following requirements, as specified in the approved demolition management plan, must be in place until the demolition work and demolition waste removal are complete:</p> <p>&lt;Delete as required&gt;</p> <ol style="list-style-type: none"> <li>Protective fencing and any hoardings to the perimeter on the site</li> <li>Access to and from the site</li> <li>Construction traffic management measures</li> <li>Protective measures for on-site tree preservation and trees in adjoining public domain</li> <li>Onsite temporary toilets</li> <li>A garbage container with a tight-fitting lid</li> </ol>	<p>To protect workers, the public and the environment</p>

## Part B - During Demolition Works

Condition	Condition reason
<p><b>Handling of asbestos during demolition</b></p> <p>While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements:</p> <ul style="list-style-type: none"> <li>a) Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material;</li> <li>b) Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and</li> <li>c) Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m<sup>2</sup> or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.</li> </ul>	<p>To ensure that the removal of asbestos is undertaken safely and professionally</p>
<p><b>Site maintenance</b></p> <p>While demolition work is being carried out, the following requirements, as specified in the approved demolition management plan, must be maintained until the demolition work and demolition waste removal are complete:</p> <p>&lt;Delete as required&gt;</p> <ul style="list-style-type: none"> <li>a) Protective fencing and any hoardings to the perimeter on the site</li> <li>b) Access to and from the site</li> <li>c) Construction traffic management measures</li> <li>d) Protective measures for on-site tree preservation and trees in adjoining public domain</li> <li>e) Onsite temporary toilets</li> <li>f) A garbage container with a tight-fitting lid</li> </ul>	<p>To protect workers, the public and the environment</p>

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## Part C - On-Completion of Demolition Work

Condition	Condition reason
<p><b>Waste disposal verification statement</b></p> <p>On completion of demolition work:</p> <p>a) a signed statement must be submitted to <b>&lt;Insert the certifier OR council (where a certifier is not required)&gt;</b> verifying that demolition work, and any recycling of materials, was undertaken in accordance with the waste management plan approved under this consent,</p> <p><b>&lt;Delete as required&gt;</b> and</p> <p>b) if the demolition work involved the removal of asbestos, an asbestos clearance certificate issued by a suitably qualified person, must be submitted to <b>&lt;Insert the certifier OR council (where a certifier is not required)&gt;</b> within 14 days of completion of the demolition work.</p>	<p>To provide for the submission of a statement verifying that demolition waste management and recycling has been undertaken in accordance with the approved waste management plan</p>

# Biodiversity Credits conditions

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Part A - Before Issue of a Construction Certificate, Before the issue of a Subdivision Works Certificate, Before Site Work Commences

Condition	Condition reason
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**Ecosystem credit retirement - like for like**

<Insert relevant timing (e.g. Before the issue of a construction certificate or before the issue of a subdivision works certificate or before site work commences)>:

- a) The class and number of ecosystem credits in the table of ecosystem credits required be retired – like for like – non-threatened ecological community must be retired to offset the residual biodiversity impacts of the development; and/or
- b) the class and number of ecosystem credits in the table of ecosystem credits required to be retired – like for like – threatened ecological community must be retired to offset the residual biodiversity impacts of the development.
- c) Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

To ensure that biodiversity impacts are appropriately offset through the retirement of ecosystem credits (or payment to the Biodiversity Conservation Fund) before biodiversity impacts occur

**Table of ecosystem credits required to be retired – like for like- non-threatened ecological community**

Impacted plant community type	Number of ecosystem credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development
[Insert name and PCT ID for impacted plant community type]	[Insert number of credits for impacted plant community type]	[Yes/No]	[Insert IBRA subregions] Or From an IBRA subregion within 100km of the outer edge of the impact site	Credits from the [Insert trading group that can be used to offset the impacts from development] or higher

**Table of ecosystem credits required to be retired – like for like- threatened ecological community**

Impacted threatened ecological community	Number of ecosystem credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Threatened ecological community that can be used to offset the impacts from development
[Insert threatened ecological community name]	[Insert number of credits for impacted threatened ecological community]	[Yes/No]	[Insert IBRA subregions] Or From an IBRA subregion within 100km of the outer edge of the impact site	[Insert the impacted threatened ecological community name only]

Condition	Condition reason
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**Ecosystem credit retirement - variation rules**

<Insert relevant timing (e.g. Before the issue of a construction certificate or before the issue of a subdivision works certificate or before site work commences)>:

- a) the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – variation rules must be retired to offset the residual ecosystem impacts of development; and
- b) evidence of the retirement of credits identified in the table of ecosystem credits required to be retired – variation rules must be provided to the consent authority.

**Table of ecosystem credits required to be retired – variation rules**

Impacted plant community type	Number of ecosystem credits	Hollow bearing trees (HBTs)	IBRA region and IBRA subregion	Approved offset trading groups and vegetation formation that can be used to offset the impacts from development
[Insert name and PCT ID for impacted plant community type]	[Insert number of credits for impacted plant community type]	[Yes/No]	[Insert IBRA region] or From an IBRA subregion within 100km of the outer edge of the impact site	Credits from the [Insert trading group that can be used to offset the impacts from development] or higher, that also represent [insert impacted vegetation formation]

To ensure that biodiversity impacts are appropriately offset through the retirement of ecosystem credits (or payment to the Biodiversity Conservation Fund) before biodiversity impacts occur

**Funding a biodiversity conservation action**

<Insert relevant timing (e.g. Before the issue of a construction certificate or before the issue of a subdivision works certificate or before site work commences)>:

- a) funds must be transferred to the Department of Planning and Environment (DPE) for the purposes of undertaking the biodiversity conservation action(s) identified in the table of biodiversity conservation actions below; and
- b) evidence of the transfer of funds identified in the table of biodiversity conservation actions below must be provided to the consent authority.

**Table of biodiversity conservation actions**

Impacted species	Number of biodiversity credits	Biodiversity conservation action to be funded	Funding amount
[Insert name of impacted species]	[Insert number of credits for the impacted species]	[Insert title of biodiversity action]	[Insert amount of funding]

To ensure that fund for nominated biodiversity actions are made to DPIE before biodiversity impacts occur

Condition	Condition reason
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**Species credit retirement - like for like**

<Insert relevant timing (e.g. Before the issue of a construction certificate or before the issue of a subdivision works certificate or before site work commences)>:

- a) the class and number of species credits identified in the table of Species credits must be retired – like for like must be retired to offset the residual biodiversity impacts of the development; and
- b) evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

**Table of species credits required to be retired – like for like**

Impacted species credit species	Number of species credits	IBRA subregions from which credits can be used to offset the impacts from development	Species that can be used to offset the impacts from the development
[Insert name of impacted species]	[Insert number of credits for the impacted species]	Anywhere in NSW	[Insert the impacted species name only]

To ensure that biodiversity impacts are appropriately offset through the retirement of species credits (or payment to the Biodiversity Conservation Fund) before biodiversity impacts occur

**Species credit retirement - variation rules**

<Insert relevant timing (e.g. Before the issue of a construction certificate or before the issue of a subdivision works certificate or before site work commences)>:

- a) the class and number of species credits identified in the table of species credits required to be retired – variation rules must be retired to offset the impacts of development; and
- b) evidence of the retirement of credits identified in the table of Species credits required to be retired – variation rules must be provided to the consent authority.

**Table of Species credits required to be retired – variation rules**

Impacted species credit species	Number of species credits	IBRA Subregions from which credits can be used to offset the impacts from development	Approved variation species that can be used to offset the impacts from development
[Insert name of impacted species]	[Insert number of credits for the impacted species]	[Insert IBRA subregions] or From an IBRA subregion within 100km of the outer edge of the impact site	Any species with a listing of [insert threatened species listing category of impacted species] or higher under Part 4 of the Biodiversity Conservation Act 2017 that is also a [insert "plant" or "animal" to match the impacted species]

To ensure that biodiversity impacts are appropriately offset through the retirement of species credits (or payment to the Biodiversity Conservation Fund) before biodiversity impacts occur



**Staged credit requirement conditions for concept development**

**Ecosystem and species credit retirement conditions – Stage <Insert stage identifier>**

<Insert relevant timing (e.g. Before the issue of a construction certificate or before the issue of a subdivision works certificate or before site work commences)> within the area identified as <Insert stage identifier> on the <Insert approved plan or document>:

- a) the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – like-for-like – non-threatened ecological community – <Insert stage identifier> must be retired to offset the residual impacts of that stage of the development; and/or
- b) the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – like-for-like – threatened ecological community – <Insert stage identifier> must be retired to offset the residual impacts of that stage of the development; and/or
- c) the class and number of species credits identified in the table of species credits required to be retired – like-for-like – <Insert stage identifier> must be retired to offset the residual impacts of that stage of the development; and
- d) evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

**Table of Ecosystem credits required to be retired – like for like- non-threatened ecological community – Stage <Insert stage identifier>**

Impacted plant community type	Number of ecosystem credits	Hollow bearing trees (HBT)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development
[Insert name and PCT ID for impacted plant community type]	[Insert number of credits for impacted plant community type]	[Yes/no]	[Insert IBRA subregions] Or From an IBRA subregion within 100km of the outer edge of the impact site	Credits from the [Insert trading group that can be used to offset the impacts from development] or higher

**Table of ecosystem credits required to be retired – like for like- threatened ecological community – Stage <Insert stage identifier>**

To ensure that species credits are retired (or Biodiversity Conservation Fund payments made) at appropriate stages of the development

Condition					Condition reason
Impacted threatened ecological community	Number of ecosystem credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Threatened ecological community that can be used to offset the impacts from development	
<b>[Insert threatened ecological community name]</b>	<b>[Insert number of credits for impacted threatened ecological community]</b>	<b>[Yes/No]</b>	<b>[Insert IBRA subregions]</b> Or from an IBRA subregion within 100km of the outer edge of the impact site	<b>[Insert the impacted threatened ecological community name only]</b>	

Table of Species credits required to be retired – Stage <Insert stage identifier>

Impacted species credit species	Number of species credits	IBRA subregions from which credits can be used to offset the impacts from development	Species that can be used to offset the impacts from the development
<b>[Insert name of impacted species]</b>	<b>[Insert number of credits for the impacted species]</b>	Anywhere in NSW	<b>[Insert the impacted species name only]</b>

## Part B - During Site Work

Condition	Condition reason
<p><b>Implementation of the Biodiversity Management Plan</b></p> <p>While work is being carried out, the commitments and measures set out in the approved Biodiversity Management Plan must be implemented at all times. Works must not encroach into areas of retained native vegetation and habitat.</p> <p>A copy of the approved plan is kept on site at all times and made available to council officers upon request.</p>	<p>To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during site works, demolition and construction</p>

## Part C - Before the Issue of an Occupation Certificate; Before the issue of a Subdivision Certificate

Condition	Condition reason
<p><b>Verification of biodiversity management commitments</b></p> <p>Before the issue of an occupation or subdivision certificate, provide a report prepared by a suitably qualified person verifying that all commitments and harm minimisation measures required by the approved Biodiversity Management Plan (or biodiversity management measures in the Construction Site Management Plan) have been satisfied.</p>	<p>To ensure that the required biodiversity management measures to avoid and minimise biodiversity impacts were implemented prior to the issue of an occupation or subdivision certificate</p>

## Part D - Occupation and ongoing use

Condition	Condition reason
<p><b>Ongoing Biodiversity Management Plan</b></p> <p>During ongoing use, all commitments in the approved Biodiversity Management Plan must be met.</p>	<p>To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during and following the occupation of the site</p>