

Development consent

Section 4.16 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Mark Brown
Acting Team Leader
Alpine Resorts Team
Department of Planning and Environment

Jindabyne

12 August 2022

SCHEDULE 1

Application No.:	DA No. 22/5708
Applicant:	Kosciuszko Thredbo Pty Ltd
Consent Authority:	Minister for Planning
Land:	Road reserve for Diggings Terrace within Lot 843 Deposited Plan 1119757, 5 Diggings Terrace Lot 768 Deposited Plan 1119757, 11 Diggings Terrace Lot 755 Deposited Plan 1119757 Thredbo Alpine Resort, Kosciuszko National Park
Type of Development:	Integrated Development
Integrated Bodies:	Department Planning and Environment - Water
Approved Development:	Infrastructure facilities. Works including: <ul style="list-style-type: none">• trenching• installation of water and gas main, electricity infrastructure and fire hydrants• rehabilitation works

DEFINITIONS

Act	means the <i>Environmental Planning and Assessment Act</i> , 1979 (as amended).
Applicant	means Kosciuszko Thredbo Pty Ltd, or any person carrying out any development to which this consent applies.
Approval Body	has the same meaning as within Division 4.8 of Part 4 of the Act.
DA No 22/5708	means the development application lodged by the Applicant on 9 May 2022.
Department	means the Department of Planning and Environment, or its successors.
Development	means the development approved pursuant to this consent, as defined in Condition A.2 and as modified by the conditions of this consent.
Director	means the Director of Regional Assessments or a delegate of the Director of within the Department.
Environmental Officer	means the person appointed by the Applicant in accordance with Condition B.5.
EP&A Regulation	means the <i>Environmental Planning and Assessment Regulation</i> , 2021 (as amended).
EP&A (DCFS) Regulation	means the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation</i> , 2021 (as amended).
Minister	means the Minister for Planning, or nominee.
NPWS	means the National Parks and Wildlife Service, or its successors.
Non-compliance	means an occurrence, set of circumstances or development that is a breach of this consent.
Park	means the Kosciuszko National Park reserved under the <i>National Parks and Wildlife Act 1974</i> .
Precincts-Regional SEPP	means the <i>State Environmental Planning Policy (Precincts - Regional) 2021</i> (as amended).
Rehabilitation Guide	means the NPWS document entitled: <i>Rehabilitation Guidelines for the Resorts Areas of Kosciuszko National Park</i> (2007) a copy of which is available at: https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-management/alpine-resort-management/animals-and-plants/native-vegetation-rehabilitation
Secretary	means the Secretary of the Department, or nominee/delegate.
Secretary's approval, agreement or satisfaction	means a written approval from the Secretary or nominee/delegate.
Site Environmental Management Plan or SEMP	means a site environmental management plan for the Subject site, prepared by the Applicant as part of Condition A.2. as modified by conditions of this consent.
Stockpile Guide	means the NPWS document entitled: ' <i>Soil Stockpile Guidelines for the Resort Areas of Kosciuszko National Park, October 2017</i> ', a copy of which can be obtained from the NPWS Resorts Environmental Services Team.
Subject site	has the same meaning as the land identified in Part A of this schedule.
Team Leader	means the Team Leader of the Alpine Resorts Team within the Regional Assessments division (or its successors) or a delegate of the Team Leader of the Alpine Resorts Team within the Department.

SCHEDULE 2

PART A – ADMINISTRATIVE CONDITIONS

A.1. Obligation to minimise harm to environment

In addition to meeting the specific performance measures and criteria established in this consent, all reasonable and feasible measures to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development.

A.2. Development in accordance with approved documentation and plans

The Development must be in accordance with:

- (a) the Development Application No. DA 22/5708 and supporting documentation lodged by the Applicant on 9 May 2022;
- (b) additional information submitted by the Applicant;
- (c) the conditions of this consent; and
- (d) the approved documents in the table below (except where modified by conditions of this consent):

Ref No.	Document	Title/Description	Author / Prepared by	Dated / Received	Document Reference
1	Report - Statement of Environmental Effects (SEE)	Statement of Environmental Effects: Riverside to Athol Services Connection, Thredbo Alpine Resort, Kosciuszko National Park	C. Chalk, Kosciuszko Thredbo Pty Ltd	12 April 2022	Revision O
2	Report - Addendum Report	Addendum Report to SEE DA 22/5708 – Riverside to Athol Services Connection	Kosciuszko Thredbo Pty Ltd	14 July 2022	-
3	Report - SEMP: Appendix C within SEE	Site Environmental Management Plan	C. Chalk, Kosciuszko Thredbo Pty Ltd	24 March 2022	Revision O
4	Report - Geotechnical Assessment: Appendix E within SEE	Riverside to Athol Services Connection, Diggins [SIC] Terrace, Thredbo Village, NSW - Geotechnical Assessment Form 4 – Minimal Impact Certification	Mark Bartel AssetGeoEnviro	2 April 2022	6684-G1-Revision 1
5	Plan	Services Connection Location. Project: DA 22-5708 Riverside to Athol Lodge Services Connection	KO, Thredbo	14 July 2022	Revision 6

6	Plan	Services Trench Cross Section	K. O'Sullivan, Thredbo	14 July 2022	Revision 1
7	General Terms of Approval	Construction of new pipeline and associated works. Road Reserve of Diggings Terrace, Thredbo 2625 Lot 843 DP1119757	Department of Planning and Environment - Water	6 July 2022	IDAS-2022-10295 - Controlled Activity Approval

Note: In accordance with section 24(3)(a) of the EP&A Regulation, a Development Application is lodged on the day on which the fees payable for the Development Application under the EP&A Regulation are paid, including the integrated development fees.

A.3. Inconsistency between documents

The conditions of this consent prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in Condition A.2. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in Condition A.2, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

A.4. Lapsing of consent

This consent lapses five years after the date of consent unless work for the purposes of the Development is physically commenced.

A.5. Prescribed conditions

In undertaking the Development, the Applicant must comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the EP&A Regulation.

A.6. Australian standards

All works which are part of the Development must be carried out in accordance with relevant current Australian Standards.

A.7. Legal notices

Any advice or notice to the consent authority must be served on the Secretary.

A.8. Non-Compliance notification

The Department must be notified in writing to compliance@planning.nsw.gov.au and alpineresorts@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.

The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

A.9. Exclusion of plans

The following plans are excluded from this consent:

- (a) within the SEE (reference 1 in Condition A.2.) Appendix B Design Drawings by Gordon Gibson Nominees Pty Ltd, comprising KOSC01 - 1501 - Revision 4, dated March 2022, and KOSC01 - 1502 - Revision 1, dated October 2000.
 - (b) within the SEE (reference 1 in Condition A.2) the Site Location plan, Figure 2.
 - (c) within the SEMP (reference 3 in Condition A.2) the Services Connection Location Plan – Revision 4 by KO of Thredbo, dated 23/03/2022 within Appendix A of the SEMP.
-

PART B – PRIOR TO THE COMMENCEMENT OF WORKS

B.1. Civil drawings and design statement

Prior to the commencement of work, the Applicant must:

- (a) submit civil drawings and a design statement, prepared and signed by an appropriately qualified practising Civil Engineer, to the Secretary or nominee; and
- (b) include confirmation of the incorporation of the recommendations in the Geotechnical Assessment Report prepared by AssetGeoEnviro (reference 4 in Condition A.2) into the design of the structural drawings and design statement referred to in paragraph (a) above.

B.2. Hydraulics plan

Prior to the commencement of works, a hydraulics design plan and specification in accordance with the relevant and current Australian Standards, prepared and signed by an appropriately qualified and practising professional engineer, shall be submitted to the Secretary or nominee.

B.3. Payment of the Long Service Levy

Prior to the commencement of works, evidence shall be provided to the Secretary or nominee, in the form of a receipt, confirming payment of the Long Service Levy to the Long Service Payments Corporation in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*.

B.4. Notification of commencement

- (a) The Applicant must notify the Department in writing, at least 48 hours prior, of the date of commencement of physical work for the Development.
- (b) If the construction of the Development is to be staged, the Applicant must notify the Department in writing at least 48 hours prior to each construction stage, of the commencement date and extent of works to be carried out for the Development in that stage.

B.5. Environmental Officer

- (a) Prior to the commencement of any works which are part of the Development, an appropriately qualified Environmental Officer must be appointed, and the Secretary or nominee must be notified of the identity and contact details of this person. The Environmental Officer is to have experience with management of construction within, and rehabilitation of, sensitive environments.
- (b) In the event that the Environmental Officer needs replacing, the replacement is to be similarly qualified and the Secretary must be notified of the replacement (including of the replacement person's identity and contact details).

B.6. Controlled activity approval under the Water Management Act 2000

Prior to the commencement of works for any part of the Development requiring a controlled activity approval (CAA) under the *Water Management Act 2000*, a copy of the CAA shall be submitted to the Secretary or nominee.

B.7. Protection of adjacent vegetation areas

The Applicant must manage the Subject site appropriately and ensure that measures are in place to ensure that vehicles and machinery do not enter into areas of native vegetation that are not necessary for the purposes of the Development.

B.8. “No Go” areas

Prior to any works which are part of the Development commencing:

- (a) “No Go” areas as may be identified as part of this application or any forthcoming CAA referred to in Condition B.6. of this consent must be appropriately marked so as to clearly delineate environmentally sensitive areas to be avoided by vehicles, machinery and personnel;
- (b) The Environmental Officer must provide written and signed certification to the Secretary or nominee outlining the location of the “No Go” areas referred to in paragraph (a), confirming that the Environmental Officer has appropriately marked the areas accurately as described in (a) above.

B.9. Implementation of site environmental management measures

- (a) Prior to any works which are part of the Development commencing:
 - (i) all site environmental management measures, including traffic management measures, relevant to that section of work, in accordance with the approved documentation and plans (Condition A.2.), and these conditions of consent and the various approved plans required by them, including where amended (Condition A.9.), must be in place and in good working order, or management actions carried out, as applicable;
 - (ii) all site environmental management measures must be contained within the construction corridor (see Condition B.11.);
 - (iii) the site environmental management measures must be inspected and approved by the Environmental Officer; and
 - (iv) the Environmental Officer must provide written and signed certification to the Secretary or nominee confirming that sub-paragraphs (i), (ii) and (iii) above have been satisfied.
- (b) Prior to commencing each stage of work (if required), all proposed erosion and sediment control measures must be put in place.

Details demonstrating compliance with this condition from the Environmental Officer is to be forwarded to the Secretary or nominee prior to commencement of works.

B.10. Machinery and storage

- (a) All equipment, machinery and vehicles used during construction of the Development must be cleaned prior to entry into the Park and prior to Subject site mobilisation to ensure they are free of mud and vegetative matter.
- (b) Equipment, machinery, and vehicles must be regularly maintained and manoeuvred to prevent the spread of exotic vegetation. Storage of equipment, machinery, vehicles and material is to be restricted to existing disturbed areas (i.e. at the stockpile site, formed roads and within the construction corridors) and avoid undisturbed areas.

B.11. Construction corridor

Prior to any works commencing which are part of the Development:

- (a) the construction corridor shall be temporarily fenced/roped so as to clearly delineate the construction areas and the “No Go” areas;
- (b) the fenced construction corridor shall be inspected and approved by the Environmental Officer (as referenced in Condition B.5.); and
- (c) the Environmental Officer must provide written and signed certification to the Secretary or nominee confirming that the fenced construction corridor is in place in accordance with the approved documentation (as referenced in Condition A.2.) and these conditions of consent and is satisfactory.

B.12. Plumbing and drainage works

Prior to the commencement of works which are part of the Development, a notice of work must be pre-notified to the plumbing regulator (NPWS Perisher Team) in accordance with Plumbing and Drainage Act 2011. For more information please refer to the NPWS website:

<https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-management/alpine-resort-management/our-services/plumbing-and-drainage>

A copy of the notice of works must also be provided to the Department.

B.13. Pre-commencement compliance report

Prior to the commencement of works, the Applicant shall submit to the Secretary or nominee a report addressing compliance with all conditions contained in Sections B of this consent pertaining to those works.

B.14. Compliance

The Applicant must ensure that all employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the Development.

PART C – DURING CONSTRUCTION

C.1. Approved plans and documentation to be on-site

A copy of the approved plans and documentation must be kept by the Applicant on the Subject site at all times and be readily available for perusal by any person associated with the construction works, or an officer of the Department or NPWS. Without limitation, this condition applies to the following approved documentation:

- (a) this consent and its schedule of conditions;
- (b) the approved documentation and plans, as amended (Condition A.2. and A.9.);
- (c) the controlled activity approval; and
- (d) the SEMP, as amended (Condition A.2. and A.9.).

C.2. Hours of work

All work in connection with the proposed Development may only be carried out between the hours of 7.00am and 6.00pm on Monday to Friday inclusive, and 7:00am to 1.00pm on Saturdays, with no work allowed on Sunday or gazetted public holidays in New South Wales, or as otherwise approved by the Secretary.

C.3. Construction period

- (a) All works are limited to the “summer period” and are not to commence when snow is located on the Subject site. For the purposes of this condition, the summer period means the period of time commencing after the October long weekend (subject to no snow being on the Subject site) and ending no later than 30 April the following year in each year works are required to complete the Development, with finishing of rehabilitation and stabilisation works up until 30 May, or as otherwise approved by the Secretary or nominee.
- (b) By 30 April in each year works are required to complete the Development, the Applicant must ensure that the Subject site is made safe and secure (having regard to the use of the area) by undertaking the following:
 - (i) removal of all materials, vehicles, machinery, equipment, and the like;
 - (ii) removal and/or securing of all stockpiles of soil and gravel;
 - (iii) ensuring the Subject site is fenced with para-webbing or other suitable visible protection fencing around the perimeter of the site to limit access to and from the site;
 - (iv) appropriate signage must be erected outlining that unauthorised access to the Subject site is prohibited and that the site is a construction zone;
 - (v) all external plumbing and drainage works are to be completed;
 - (vi) any excavations are to be made safe and secure;
 - (vii) stabilisation and rehabilitation works must be implemented in accordance with these conditions of consent and the approved documentation; and
 - (viii) any other specific matters related to making the Subject site safe and secure raised by the Secretary.

C.4. Role of the Environmental Officer

The appointed Environmental Officer must oversee all works which are part of the Development on behalf of the Applicant to ensure:

- (a) compliance with all environmental protection measures in the approved documentation, including (without limitation) the documents specified in paragraphs (a) to (d) inclusive of Condition C.1.;
- (b) all Subject site environmental management measures are in place and adequately monitored, maintained and functioning throughout the entire construction phase of the Development; and
- (c) that Subject site stabilisation and rehabilitation occurs in accordance with the SEMP, the Rehabilitation Guide and the Stockpile Guide (noting that no stockpiling will occur at the

main project site and the stockpile will be managed at the approved Thredbo carpark location).

C.5. Construction activities and management

At all times during the construction phase of the Development and unless agreed otherwise by the Secretary or nominee in writing, the Applicant must ensure that:

- (a) all construction activities in connection with the Development are undertaken in accordance with the approved documentation, including (without limitation) the documentation specified in paragraphs (a) to (d) inclusive of Condition C.1.;
- (b) all construction activities in connection with the Development are confined to the construction corridor as referenced in Condition B.11.;
- (c) no disturbance or other adverse environmental impacts occur outside the construction corridor as referenced in Condition B.9 and B.11.;
- (d) all equipment, materials, vehicles, machinery and the like are be confined to the construction corridor as referenced in Condition B.11; and
- (e) construction must not commence when snow is located on the development corridor, and machinery must not be used to remove snow from areas containing native vegetation.

Note: The damage or removal of any native vegetation that is not the subject of this consent requires further authorisation under the *National Parks and Wildlife Act 1974* or the *Environmental Planning and Assessment Act 1979*. Failure to obtain authorisation may result in compliance action under that legislation.

C.6. SafeWork NSW

The Applicant must ensure that all works which are part of the Development are carried out in accordance with current SafeWork NSW guidelines.

C.7. Site notice

The Applicant must ensure that site notice(s) are prominently displayed at the boundaries of the Subject site for the purposes of informing the public of Development details. The notice(s) is/are to satisfy all but not be limited to, the following requirements:

- (a) The notice is to be durable and weatherproof and is to be displayed throughout the construction phase of the Development.
- (b) The notice(s) must list the approved hours of work, the name of the Applicant or other principal contractor for the work (if any), and include a 24 hour contact phone number for any inquiries, including construction/noise complaints.
- (c) The notice(s) is/are to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.
- (d) The name, address and phone number of the Department, Jindabyne Office, is to be identified on the notice(s).

C.8. Storage of materials

During the construction phase of the Development, the Applicant must ensure that:

- (a) the Subject site environmental management measures are complied with;
- (b) no storage or disposal of materials takes place beneath the canopy of any trees or on native heath vegetation; and
- (c) all stockpiling of material is undertaken in accordance with the SEMP and Stockpile Guide.

C.9. Prohibition of hazardous materials

No hazardous or toxic materials or dangerous goods may be stored or processed on the Subject site at any time unless otherwise agreed by the Secretary or nominee.

C.10. Dirt and dust control measures

- (a) Adequate measures shall be taken to prevent dirt and dust from affecting the amenity of the neighbourhood during construction.
- (b) In particular, the following measures must be adopted:
 - (i) all vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material;
 - (ii) covers are to be adequately secured;
 - (iii) cleaning of footpaths must be carried out regularly;
 - (iv) roadways must be kept clean;
 - (v) gates are closed between vehicle movements;
 - (vi) gates are fitted with shade cloth; and
 - (vii) the site is hosed down when necessary.

C.11. Safety demarcation

During the construction phase of the Development, the Applicant must ensure that the Subject site is clearly identified and signed to prevent access by unauthorised persons.

C.12. Noise and vibration management

Excavation and construction works must be managed in accordance with Australian Standard AS 2436-2010 *Guide to noise and vibration control on construction, demolition and maintenance sites* and to ensure there is no adverse impact on any neighbouring/affected tourist accommodation buildings during the construction phase of the Development.

C.13. Waste

All waste must be contained in receptacles and covered overnight, or removed from the Subject site each day, so as not to escape by wind, water or scavenging fauna. These receptacles must only be located in previously disturbed areas and not beneath the canopy or over roots of any trees. The receptacles must be cleaned regularly.

C.14. Loading and unloading of construction vehicles

All loading and unloading associated with excavation and construction work which is part of the Development must be restricted to those areas approved in the SEMP (Condition A.2) and these conditions.

C.15. Aboriginal heritage

- (a) Should any material suspected of being an Aboriginal relic or artefact become unearthed in the course of works which are part of the Development, the Applicant must immediately:
 - (i) cease all works impacting the suspected relic or artefact; and
 - (ii) contact the NPWS to arrange for representatives to inspect the Subject site.
- (b) The Applicant must ensure that all workers on the Subject site are made aware of the requirements of paragraph (a).

C.16. Excavations and backfilling

- (a) All excavation and backfilling work which is part of the Development must comply with the following:
 - (i) be executed in a safe manner and in accordance with appropriate professional standards;
 - (ii) where trenches or excavations are to be left open overnight, provision must be made for fauna egress so that any fauna entering these excavations can escape;

- (iii) adequate provision must be made for drainage; and
 - (iv) all excavations must be properly guarded and protected to prevent them from being dangerous;
- unless otherwise agreed in writing by the Secretary or nominee
- (b) Any clean excavated material (i.e. containing no contaminants or weeds) may be:
 - (i) stockpiled, at a location authorised by NPWS, and managed for future use in accordance with the Rehabilitation Guide and Stockpile Guide; or
 - (ii) disposed of at an authorised waste facility.
 - (c) Any contaminated material (i.e. containing chemical contaminants or weeds) must not be stockpiled at the Subject site or within the Park and is to be disposed of at an authorised waste facility.
 - (d) Imported fill material and gravel must only be obtained from an NPWS authorised source and in accordance with the Stockpile Guide.
 - (e) Excess imported fill material must be stockpiled for reuse within the Thredbo Alpine Resort at a location authorised by NPWS and in accordance with the Stockpile Guide.

C.17. Sod replacement techniques of native flora species where trenching is proposed

Sod replacement is to be utilised where possible where trenching occurs in areas where native flora predominates. If sod replacement does not achieve rapid stabilisation and revegetation in some areas, or is not suitable for an area, then follow up rehabilitation of the site is required to achieve an erosion resistant state.

C.18. Erosion and sediment control measures

During the construction phase of the Development, the Applicant must ensure that all erosion and sediment control measures (e.g. silt curtains, sediment fences, booms etc.) are:

- (a) All erosion prevention and sediment control measures must be checked and maintained in good working order at all times, particularly after precipitation events. All exposed earth must be kept stabilised and revegetation must commence as soon as practicable. All straw bales used for sediment and erosion control must be certified as weed free.
- (b) The erosion and sediment controls must also ensure that:
 - (i) grading, excavation, and construction does not take place during or immediately after significant rainfall or snowfall events;
 - (ii) sediment traps are designed, installed, and maintained to maximise the volume of sediment trapped from the Subject site during construction; and
 - (iii) disturbed areas that are not required for further construction access are to be stabilised and revegetated during construction.

C.19. Electrical works

Any electrical works that occur (including the installation electrical conduits) must be installed in accordance with the relevant Australian Standards, and must also be carried out by a qualified and licensed electrical contractor (unless otherwise exempt).

Note: If all electrical works relating to this consent are exempt from requiring installation by a licenced electrician under the legislation relevant to electrical work in NSW, the exemption must be outlined in the electrical certification required in accordance with Condition D.6. of this consent.

C.20. Plumbing and drainage works

All plumbing and drainage work which are part of the Development must comply with the Plumbing Code of Australia and Australian Standard AS/NZS 3500 *Plumbing and drainage* and must be carried out by an appropriately licensed plumber.

C.21. Rehabilitation and site establishment

- (a) Site stabilisation and rehabilitation works must commence as soon as possible following the completion of each stage of work which is part of the Development to minimise exposed areas. Disturbed areas must be adequately mulched and maintained with weed free straw (i.e. straw which does not contain viable seed or other vegetative propagules) until an erosion resistant ground condition is achieved. All erosion prevention and sediment control measures must remain in place until all exposed areas of soil are stabilised and/or revegetated.
- (b) Rehabilitation must be undertaken by the Applicant in accordance with:
 - (i) the Rehabilitation Guide; and
 - (ii) the SEMP (Condition A.2); and
 - (iii) these conditions of consent.

C.22. Geotechnical requirements

At all times works associated with the Development must comply with:

- (a) the Department's Geotechnical Policy; and
- (b) the Geotechnical Investigation undertaken by AssetGeoEnviro dated 2 April 2022 (reference 4 in Condition A.2).

Works at variance to recommendations contained in the geotechnical investigation report must not be undertaken without prior written endorsement from the geotechnical engineer. Any written advice of the variation must be provided to the Department within 48 hours.

C.23. Re-fuelling

Appropriate controls must be put in place to ensure no spillage when re-fuelling all vehicles and machinery associated with works for the Development. Re-fuelling of vehicles and machinery must be performed on hard-stand areas or with appropriate spill kit and temporary bunding arrangements in place.

C.24. Stabilising agents

The use of soil stabilising agents for work or rehabilitation which is part of the Development is not permitted without prior consent of the Secretary or nominee in consultation with the NPWS.

C.25. Disruption of Services

Prior to the disruption of water and/or gas services, the Applicant shall advise all properties impacted by the work at least seven (7) days in advance of the planned disruption, indicating the date, time, expected duration and reason for the interruption.

C.26. Water in excavations

In the event that water needs to be pumped out of any excavations a temporary filter dam shall be installed within the construction zone and shall function in such a way that it captures sediment and pollutants and prevents them leaving the filter dam. Only appropriately treated water from the filter dam shall be disposed of via the existing storm water system. All pump out equipment shall be wholly contained within the construction zone.

C.27. Gas installations

All gas installation works shall be carried out by a qualified plumber who holds the appropriate gas fitters licence and installed in accordance with the relevant Australian Standards.

PART D – PRIOR TO COMMENCEMENT OF USE

D.1. Statement of Completion

- (a) Upon completion of the Development (or sections, if the construction is to be staged) and before commencement of use, a statement of completion must be obtained from the Department for the Development (or section, if works are staged).
- (b) The request for a statement of completion specified in paragraph (a) must be accompanied by:
 - (i) a statement from the appointed Environmental Officer confirming that the site stabilisation and rehabilitation of the previously excavated areas is satisfactory and have been undertaken in accordance with the conditions of consent; and
 - (ii) a statement outlining compliance with all relevant conditions of consent.

D.2. Site Clean Up

Prior to commencement of use of the Development, the Subject site shall be cleaned up to the satisfaction of the Secretary or nominee.

D.3. Removal of site notice

Any site notices or other site information signs must be removed upon completion of construction of the Development and prior to the commencement of use.

D.4. Rehabilitation

Prior to the issue of a statement of completion, the appointed Environmental Officer must provide the Department with a statement confirming:

- (a) whether the initial rehabilitation has been undertaken in accordance with the approved documentation and these conditions of consent; and
- (b) whether the rehabilitation is considered satisfactory.

D.5. Geotechnical certification

The Applicant shall provide certification to the Secretary or nominee prior to the issue of the statement of completion (Condition D.1.) verifying the works have been completed in accordance with the Geotech Form 4 and recommendations of the associated geotechnical assessment report. A copy of the documentation must be submitted to the Secretary or nominee when requesting the statement of completion.

D.6. Electrical certification

Prior to the issue of the statement of completion (Condition D.1.), electrical works carried out in accordance with Condition C.19 of this consent shall be certified by an appropriately qualified person that:

- (a) all electrical works (including, but not limited to the electrical conduit) have been installed in accordance with the relevant Australian Standards, and
- (b) the works have been installed by a qualified and licensed electrician (unless otherwise exempt), and
- (c) any exemption in accordance with (b) above is outlined in the documentation.

A copy of the documentation must be submitted to the Secretary or nominee when requesting the statement of completion.

D.7. Plumbing and drainage works

Prior to the issue of the statement of completion (Condition D.1.), a Certificate of Compliance and Sewer Service Diagram must be provided to the plumbing regulator (NPWS Perisher Team) in accordance with *Plumbing and Drainage Act 2011*. A copy of the documentation must be submitted to the Secretary or nominee when requesting the statement of completion.

D.8. Fire safety certificate (for hydrants)

Prior to the issue of the statement of completion (Condition D.1.), a fire safety certificate conforming to the EP&A (DCFS) Regulations must be submitted to the Secretary or nominee when requesting a statement of completion.

D.9. Hydraulic certification

Prior to issue of the statement of completion (Condition D.1.), hydraulic certification is to be provided to the Secretary or nominee. This certificate is to verify that hydraulic works have been completed in accordance with approved plans and specifications and comply with the provisions of the National Construction Code and relevant standards. A copy of the documentation must be submitted to the Secretary or nominee when requesting the statement of completion.

D.10. Road and infrastructure damage

Prior to the issue of the statement of completion (Condition D.1.), the appointed Environmental Officer is to be satisfied that any roads or other infrastructure damaged as a result of the construction works associated with the development have been adequately repaired. A copy of the documentation must be submitted to the Secretary or nominee when requesting the statement of completion.

D.11. Gas main infrastructure certification

Prior to issue of the statement of completion (Condition D.1.), certification prepared and signed by an appropriately qualified plumber shall be submitted to the Secretary or nominee. The certificate shall indicate that the gas main installation works have been installed in accordance with the relevant Australian Standards.

D.12. As built survey plan

Prior to the statement of completion, an 'as built' survey plan of the constructed development is to be furnished to the Secretary or nominee when requesting the statement of completion.

PART E – POST COMMENCEMENT OF USE

E.1. Rehabilitation

Up until five (5) years from the date after the issue of the statement of completion (refer to Condition D.1.) for the whole of the Development, all areas disturbed by the works must be monitored and necessary action undertaken to ensure that:

- (a) the ground remains erosion resistant and the groundcover is being established; and
 - (b) all areas planted with native species (including sod replacement and seeding), are surviving, where replacement plantings will otherwise be carried out at least once within every twelve (12) month period within the five (5) year period until successful site establishment in accordance with the approved revegetation requirements.
-

ADVISORY NOTES

AN.1 Appeals

The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

AN.2 Responsibility for other consents / agreements

The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

AN.3 Utility services

- (a) The applicant shall liaise with the relevant utility authorities for (where relevant) electricity, gas, water, sewage, telecommunications, and the fire hydrant on the subject site:
 - (i) to locate all service infrastructure on the subject site;
 - (ii) arrange connection to these services for the development where relevant; and
 - (iii) negotiate relocation and/or adjustment of any infrastructure related to these services that will be affected by the construction of the development.
- (b) The applicant and/or the lessee are responsible for costs associated with relocating any services.

AN.4 Temporary fencing

Prior to works commencing, the construction works area shall be fenced with temporary fencing in accordance with current SafeWork NSW guidelines. This fencing is to clearly delineate the construction area and shall keep the disturbance area to a minimum. This is to restrict access and also prevent unauthorised persons entering the work area.
