

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I hereby modify the development consent referred to in Schedule 1, in the manner outlined in Schedule 2.



Daniel James
Team Leader
Alpine Resorts Team
Department of Planning and Environment

Jindabyne

5 December 2022

SCHEDULE 1

Application No.:	MOD 22/13511 (DA No. 9791 MOD 1)
Applicant:	Oldina Ski Club Co-operative Limited
Consent Authority:	Minister for Planning
Land:	Oldina Ski Club, 5 Billy Button Place, Perisher Valley, Perisher Range Alpine Resort, Kosciuszko National Park
Type of Development:	Integrated development
Integrated Bodies:	NSW Rural Fire Service
Approved Development:	Alterations and additions to an existing tourist accommodation building
Modification:	Amendment to the approved materials and finishes

Schedule 2 of Development Application No. 9791 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words as follows

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 shall be in accordance with the:

- (a) DA No. DA 9791 submitted by Oldina Ski Club Co-operative Limited on 4 December 2018
- (b) supporting documentation submitted with that application (DA 9791)
- (c) amended information received from Oldina Ski Club Co-operative Limited on 9 August 2019 and 21 August 2019
- (d) **Section 4.55(1A) Modification Application (MOD 22/13511) submitted by Oldina Ski Club Co-operative Limited on 19 October 2022**
- (e) conditions of this consent

including, but not limited to, the following:

Ref No.	Document	Title/Description	Author/Prepared by	Dated / Received	Document Reference
1	Statement of Environmental Effects (SEE)	Additions and Alterations and Upgrades Oldina Ski Club, 5 Billy Button Place, South Perisher, Kosciuszko National Park	Oldina Ski Club Co-Operative Limited	30 October 2018	DA-Rev. 3
2	Report	Bushfire Assessment Report and BAL Statement	Oldina Ski Club Co-Operative Limited	30 October 2018	DA-Rev. 3
3	Plan	Floor Plans and Elevations (Northern and Western)	Reggie's Residential Design and Drafting	-	Sheet No. 1 Rev. C
4	Plan	Site Plan and Elevations (South and East)	Reggie's Residential Design and Drafting	-	Sheet No. 2 Rev. C
5	Plan	Colour and Materials Samples	Oldina Ski Club Co-Operative Limited	-	-

6	Form 4	Geotech Policy – Kosciuszko Alpine Resorts Form 4 – Minimal Impact Certification	Asset Geotechnical Pty Ltd	21 August 2019	-
7	Letter	DA 9791 Additional Information	Oldina Ski Club Co-Operative Limited	23 July 2019	-
8	Bushfire Safety Authority	Integrated Development Application S100B – SFBB – Other tourist accommodation 5 Billy Button Pl, Perisher Valley NSW 2627 AUS, 60//DP756697	NSW Rural Fire Service	4 February 2020	DA-2018-05435
<u>9</u>	<u>Report</u>	<u>S 4.55(1) Modification to Development Consent No. 9791 – Oldina Ski Lodge, Perisher Valley</u>	<u>Mackenzie Pronk Architects</u>	<u>5 October 2022</u>	<u>:</u>
<u>10</u>	<u>Plan</u>	<u>Revised Materials Schedule</u>	<u>Mackenzie Pronk Architects</u>	<u>7 October 2022</u>	<u>:</u>
<u>11</u>	<u>Bushfire Safety Authority</u>	<u>Integrated Development Application</u> <u>S100B – SFBB – Other tourist accommodation</u> <u>Oldina Ski Lodge, 5 Billy Button Pl, Perisher Valley NSW 2627 AUS, 60//DP756697</u>	<u>NSW Rural Fire Service</u>	<u>9 November 2022</u>	<u>DA-2018-04798-S4.55-1</u>

A.3 Inconsistency between documents

If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency.

A.4 Lapsing of consent

This development consent will lapse five years from the date of consent, unless the building, engineering or construction work relating to the development is physically commenced on the land to which this consent applies before the date on which the consent would otherwise lapse.

A.5 Prescribed conditions

All works shall comply with the prescribed conditions of development consent as set out in Part 6, Division 8A of the Regulation. In particular, your attention is drawn to:

- (a) clause 98, Compliance with Building Code of Australia;
- (b) clause 98A, Erection of signs during building and demolition works; and

A.6 Australian standards

All works shall be carried out in accordance with current Australian Standards.

A.7 Legal notices

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

PART B – PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

B.1 Construction certificate

Work must not commence until a relevant construction certificate has been issued.

B.2 Documentation for the construction certificate

The proposed works must comply with the applicable performance requirements of the BCA to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:

- (a) complying with the deemed to satisfy provisions; or
- (b) formulating a performance solution which:
 - (i) complies with the performance requirements; or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision; or
 - (iii) a combination of (a) and (b).

B.3 Structural drawings and design statement

Prior to the issue of the relevant construction certificate, the Applicant shall submit structural drawings and a design statement, prepared and signed by an appropriately qualified practising Structural Engineer, to the certifier.

B.4 Specifications

Prior to the issue of the relevant construction certificate, the Applicant shall provide to the certifier specifications for the development:

- (a) that describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply, and
- (b) that state whether the materials to be used are new or second-hand and (in the case of second-hand materials) give particulars of the materials to be used.

B.5 Existing and proposed fire safety measures

Prior to the issue of the relevant construction certificate, the Applicant shall provide to the certifier:

- (a) a list of any existing fire safety measures provided in relation to the land or any existing building on the land, and
- (b) a list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.

B.6 Payment of the Long Service Levy

Prior to the issue of any construction certificate, evidence shall be provided to the certifier, 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.7 Site environmental management

Prior to the issue of any construction certificate, a SEMP must be provided to, and be to the certifier. The plan should include details for site management, such as the following where relevant:

- (a) erosion and sedimentation control management detail;
- (b) management of native vegetation;
- (c) waste management;
- (d) noise and vibration pollution;
- (e) air pollution;

- (f) fuels and chemicals;
- (g) vehicle parking, machinery access and material storage; and
- (h) emergency procedures.

B.8 Public Health

The commercial kitchen design and construction shall comply with the *Food Act 2003* and the Australia New Zealand Food Standards Code. Additional guidance is also provided by Australian Standard 'AS4674-2004 *Design, construction and fit-out of food premises*'.

The Applicant shall submit detailed plans and specifications of the commercial kitchen to and obtain written endorsement from the NPWS Senior Environmental Health Officer.

A copy of the written endorsement shall be submitted to the certifier prior to the issue of the relevant construction certificate. If the Department is not the certifier, a copy of the written endorsement shall be submitted to the Department with the construction certificate.

B.9 Appointment of engineer - structural adequacy of existing structure

An appropriately qualified practising Structural Engineer shall be engaged to carry out the inspection required by Condition D.26. The name and contact details of the engineer shall be provided to the certifier prior to the issue of the construction certificate.

If the Department is not the certifier, the appointed certifier is to provide a copy of the information to the Department with the copy of the construction certificate.

B.10 External walls and cladding

The external walls of all buildings, including additions to existing buildings, must comply with the relevant requirements of the BCA.

Before the issue of the relevant construction certificate, the Applicant must provide the certifier with documented evidence that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA.

The Applicant must provide a copy of the documentation given to the certifier to the Secretary or nominee within seven days after the certifier accepts it.

B.11 Gas bottle structure

Prior to the issue of the relevant construction certificate, a design of the gas bottle structure is to be provided to the certifier and is to address the requirements of section 4.1.3 - 'Services – Water, electricity and gas' in *Planning for Bushfire Protection 2006*.

B.12 Bush fire safety authority

Prior to the issue of the relevant construction certificate, the certifier must be satisfied that the documentation for the construction certificate demonstrates compliance with the relevant conditions of the bush fire safety authority (reference 8 **and 11** in Condition A.2).

PART C – PRIOR TO THE COMMENCEMENT OF WORKS

C.1 Notification of commencement

The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.

If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

C.2 Temporary fencing

Prior to works commencing, the construction works area shall be fenced with temporary fencing. 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.

C.3 Implementation of site environmental management measures

Prior to any construction works commencing, all site environmental management measures in accordance with the approved documentation (Condition A.2) and these conditions of consent, shall be in place and in good working order.

C.4 Plumbing and drainage works

Prior to the commencement of works, 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:

<http://www.environment.nsw.gov.au/alpineresorts/plumbing-and-drainage.htm>

C.5 Environmental performance

- (a) Water Efficiency - All water associated fixtures, fittings and appliances installed in the building shall have a minimum three (3) star Water Efficiency Labelling and Standards (WELS) rating.
- (b) Energy Efficiency - Energy efficiency shall be maximised within the development including, but not limited to the following:
 - (i) energy efficient options for lighting are to be installed in all cases where possible;
 - (ii) all classes of appliances that are available with an energy label or a Minimum Energy Performance Standard to be installed within the premises are to have an energy star rating of 4 stars or more (excluding clothes dryers which are to have a rating of 2.5 stars or more and gas water heaters which are to have a rating of 5 stars or more);
 - (iii) all baths, hot water pipes and ceiling spaces are to be insulated;
 - (iv) if air conditioners are installed, they are to have a variable speed compressor or inverter drive and their outdoor components are to be positioned out of direct sunlight while still allowing access to outside air;
 - (v) doors and windows are to be fitted with draught seals and weather stripping; and
 - (vi) energy efficient water heaters are to be installed e.g. solar, heat pump or gas.

Details are to be submitted to the satisfaction of the Principal Certifier prior to the commencement of the relevant works.

C.6 Demolition work

Demolition work must comply with *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained

in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Principal Certifier before the commencement of works.

C.7 Machinery and storage

Machinery used during construction must be cleaned prior to site mobilisation, be regularly maintained and manoeuvred to prevent the spread of exotic vegetation. Storage of machinery and material is to be restricted to the designated disturbed areas (i.e. existing lift disturbance areas or existing disturbed ski slopes).

C.8 Asset Protection Plan

The Asset Protection Plan is to be amended to be in accordance with the BFSAs provided by the NSW RFS (Condition B.12), including the increase to the inner protection area on the west / southwest side (toward Maranatha Lodge) from 7 metres to 9 metres. The amended plan is to be provided to and be endorsement by the NPWS prior to the commencement of works.

Details demonstrating compliance with the above are to be provided to the Principal Certifier.

C.9 Vegetation management

Where existing vegetation is to be trimmed or removed in order to comply with this consent, discussions involving an onsite inspection are to occur between the Applicant and the NPWS (NPWS Assessment Coordinator on 02 6450 5543) prior to vegetation works being carried out. Details demonstrating compliance with the above are to be provided to the Principal Certifier.

C.10 Termite protection

Any new building work shall be protected from attack from subterranean termites in accordance with AS 3660 *Termite management*. Details are to be submitted to the Principal Certifier prior to the commencement of works.

C.11 Location of existing services and infrastructure

Prior to the commencement of external work that extends the footprint of the building, the location of existing services (i.e. electricity, sewer, water and gas) and infrastructure within the works area is to be identified in consultation with the NPWS Perisher Team, in addition to any Dial before you dig provisions.

The Applicant and/or the lessee are responsible for costs associated with relocating any services.

C.12 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.

C.13 Materials and finishes

In accordance with the approved 'Revised Materials Schedule' plan, reference 10 in Condition A.2, except as approved in writing by the Secretary or nominee.

PART D – DURING CONSTRUCTION

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

A copy of the approved plans and documentation shall be kept on site at all times and shall be readily available for perusal by any person associated with construction works, or an officer of the Department.

D.2 Construction hours

All work in connection with the proposed development shall 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 Public Holidays, or as otherwise approved by the Secretary or nominee.

D.3 Construction period

- (a) All construction activities are limited to the “summer” period. For this development this period means commencing after the October long weekend and ceases no later than 31 May or as otherwise approved by the Secretary or nominee.
- (b) By 31 May the applicant shall ensure that the site is made safe and secure by undertaking the following:
 - (i) removal of all waste materials;
 - (ii) removal and/or securing of all stockpiles of soil and gravel;
 - (iii) demolition and construction materials are removed from around the building and are stored within the building or contained within designated areas;
 - (iv) 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;
 - (v) appropriate signage shall be erected outlining that unauthorised access to the site is prohibited and that the site is a construction zone;
 - (vi) any external scaffolding shall be dismantled and removed from the site;
 - (vii) all external plumbing and drainage works are to be completed;
 - (viii) all disturbed ground is stabilised and made erosion resistant;
 - (ix) any excavations are made safe and secure; and
 - (x) any other specific matters related to making the site safe and secure raised by the Principal Certifier or the Secretary or nominee.

D.4 Construction activities

- (a) At all times, construction activities shall be undertaken in accordance with the approved documentation.
- (b) All construction activities shall be confined to within the construction zone.
- (c) No disturbance is permitted outside the construction zone unless otherwise agreed by the Secretary or nominee.

D.5 SafeWork NSW

All works shall be carried out in accordance with current SafeWork NSW guidelines.

D.6 Site notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details. The notice(s) is 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 works period.

- (b) The approved hours of work, the name of the principal contractor for the work (if any), and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice.
- (c) The notice(s) is 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 Principal Certifier is to be identified on the site signage.

D.7 Storage of materials

The Applicant shall ensure that the site environmental management measures are complied with and that during the construction period that no storage or disposal of materials shall take place beneath the canopy of any trees or on native heath vegetation.

All stockpiling is to be in accordance with the *'Soil Stockpile Guidelines for the Resort Areas of Kosciuszko National Park, October 2017'*.

D.8 Prohibition of hazardous materials

No hazardous or toxic materials or dangerous goods shall be stored or processed on the site at any time.

D.9 Noise and vibration management

Excavation and construction shall 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 period.

D.10 Litter and building waste

Building waste shall be minimised and shall be contained in receptacles so as not to escape by wind or water. These receptacles must only be located in previously disturbed areas and not beneath the canopy or over roots of any trees. The receptacle must be cleaned regularly.

D.11 Demolitions work

Demolition work must comply with the provisions of Australian Standard AS 2601-2001 *Demolition of Structures*.

D.12 Recycled Material

Wherever possible, building material should be salvaged for reuse during the redevelopment of the building or sent to a recycling facility to reduce landfill.

D.13 Loading and unloading of construction vehicles

All loading and unloading associated with demolition and construction shall be restricted to those areas approved in the SEMP and conditions.

D.14 Electrical works

All electrical works shall be carried out by a qualified and licensed electrical contractor and installed in accordance with the relevant Australian Standards.

D.15 External lighting

External lighting shall comply with Australian Standard AS 4282-1997: *'Control of Obtrusive Effects of Outdoor Lighting'*.

D.16 Plumbing and drainage works

All plumbing and drainage works shall comply with the Plumbing Code of Australia and Australian Standard AS/NZS 3500 *Plumbing and drainage* and shall be carried out by an appropriately licensed plumber.

D.17 Aboriginal heritage

Should any material suspected of being an Aboriginal relic or artefact become unearthed in the course of works, all works impacting the objects or artefacts shall cease immediately. The applicant must immediately contact the NPWS to arrange for representatives to inspect the site. All workers on the site are to be made aware of this condition.

D.18 Erosion and sediment control measures

All erosion and sediment control measures must be checked regularly and maintained in good working order at all times. All exposed earth must be kept stabilised and re-vegetation must commence as soon as practicable. All straw bales used for sediment and erosion control or for mulching must be 'weed free'.

D.19 Rehabilitation and site establishment

- (a) Site stabilisation and rehabilitation works shall commence, as soon as possible, following the completion of each section of work to minimise exposed areas. Disturbed areas shall be adequately mulched and maintained with weed free straw until an erosion resistant ground condition is achieved. All erosion prevention and sediment control measures shall remain in place until all exposed areas of soil are stabilised and/or revegetated.
- (b) Rehabilitation shall be undertaken in accordance with:
 - (i) the *Rehabilitation Guidelines for the Resorts Areas, Kosciuszko National Park (NPWS 2007)*; and
 - (ii) these conditions of consent.

D.20 Scaffolding

All scaffolding is to be located within the lot boundaries and shall comply with AS/NZS 1576 *Scaffolding* and AS/NZS 4576 *Guidelines for Scaffolding*.

D.21 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.

D.22 Maintenance of services

The Applicant and/or the lessee are responsible for costs associated with relocating any services. Any damage to any service including road infrastructure shall be immediately rectified by the applicant and/or the lessee.

D.23 Asbestos

- (a) The removal of any asbestos or other hazardous material found on the site shall be carried out in accordance with current Work Cover guidelines by an appropriately qualified contractor.
- (b) Any asbestos or other hazardous materials shall be disposed of at an authorised waste facility. Receipts shall be provided to the Principal Certifier as evidence of appropriate disposal.

D.24 Excavations and backfilling

- (a) All excavating and backfilling shall comply with the following:
 - (i) shall be executed in a safe manner and in accordance with appropriate professional standards;
 - (ii) where excavations are to be left open overnight, provision shall be made so that any fauna entering these excavations can escape;
 - (iii) all excavated material is to be moved off-site for storage or disposal;
 - (iv) adequate provision shall be made for drainage; and
 - (v) all excavations shall be properly guarded and protected to prevent them from being dangerous;
- (b) Any clean excavated material may be temporarily stockpiled at the site compound prior to its removal off-site.
- (c) Any clean excess fill shall be reused on site or disposed of at an authorised land fill site, and any contaminated spoil shall be disposed of at an authorised waste facility.
- (d) Imported fill material from shall only be obtained from an NPWS approved source.

D.25 Termite protection

Upon completion of the installation of the barrier, the Principal Certifier shall be furnished with a certificate from the person responsible, stating that the barrier complies with AS 3660 Termite management and durable notice in accordance with this standard shall be erected.

D.26 Inspection by engineer - structural adequacy of existing structure

- (a) Upon removal of the existing wall and roof cladding and prior to the installation of the new cladding, an appropriately qualified practising structural engineer shall carry out an inspection to determine the structural adequacy of the existing structure and its compliance with BCA Volume One performance requirement BP1.1.
- (b) If any deficiencies are identified during the inspection, the engineer shall provide upgrade recommendations.
- (c) Any works associated with the upgrade recommendations shall be undertaken prior to the installation of the new cladding.

D.27 Stabilising agents

The use of soil stabilising agents is not permitted without prior consent of the Secretary or nominee in consultation with the NPWS.

PART E – PRIOR TO COMMENCEMENT OF USE

E.1 Occupation certificate

Prior to the occupation of the building or the commencement of use, an occupation certificate must be obtained from the Principal Certifier. A copy of the occupation certificate must be furnished to the Secretary or nominee prior to the occupation of the building or commencement of the use.

E.2 Site Clean Up

Prior to commencement of use, the subject site shall be cleaned up to the satisfaction of the Principal Certifier.

E.3 Removal of site notice

Any site notices or other site information signs shall be removed upon completion of the site works and prior to the commencement of use.

E.4 Structural Adequacy Certificate

Prior to the issue of any occupancy certificate, a certificate of structural adequacy prepared by a suitably qualified professional engineer confirming the suitability of the building to meet BCA Volume One performance requirement BP 1.1 Structural stability and resistance to action shall be submitted to and be to the Principal Certifier.

A copy of the structural certificate shall be submitted to the Department with the copy of the occupation certificate.

E.5 Plumbing and drainage works

Prior to the issue of the relevant occupation certificate, a Certificate of Compliance and Sewer Service Diagram (SSD) shall be provided to the plumbing regulator (NPWS Perisher Team) in accordance with *Plumbing and Drainage Act 2011*.

E.6 Electrical certification

Prior to the issue of the relevant occupation certificate, certification prepared and signed by an appropriately qualified electrician shall be submitted to the Principal Certifier. The certificate shall indicate that all electrical works have been installed by a qualified and licensed electrician and installed in accordance with the relevant Australian Standards.

E.7 Fire safety certificate

Prior to the issue of any occupation certificate, a fire safety certificate conforming to the Regulations shall be submitted to the Principal Certifier. A copy of the fire safety certificate shall be submitted to the Department with the copy of the occupation certificate.

E.8 Rehabilitation

Prior to the issue of any occupation certificate, any disturbed ground shall be rendered erosion resistant and rehabilitated in accordance with the approved documentation and these conditions of consent (including Condition D.19).

E.9 External walls and cladding

Before the issue of the relevant occupation certificate, the Applicant must provide the Principal Certifier with documented evidence that the products and systems used in the construction of

external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA.

The Applicant must provide a copy of the documentation given to the Principal Certifier to the Secretary or nominee within seven days after the Principal Certifier accepts it.

E.10 Environmental performance

Prior to the issue of a final occupation certificate, details are to be provided to the Principal Certifier to demonstrate compliance with all requirements of Condition C.5.

E.11 Public Health

Prior to the issue of the relevant occupation certificate for the commercial kitchen area (Condition B.6) approved under this consent:

- (a) The Applicant shall arrange for an inspection of the completed works by the NPWS Environmental Health Officer.
- (b) Following the inspection, the Applicant shall obtain written confirmation that the works have been completed to the satisfaction of the NPWS Environmental Health Officer.
- (c) A copy of the written confirmation, as required in (b), must be submitted to the Principal Certifier prior to the issue of the relevant Occupation Certificate. If the Department is not the Principal Certifier, a copy of the written confirmation shall be submitted to the Department along with the Occupation Certificate.

E.12 Stormwater

Prior to the issue of the relevant occupation certificate for the works that involve stormwater drainage:

- (a) The Applicant shall arrange for an inspection of the completed works by the NPWS Perisher Team.
- (b) Following the inspection, the Applicant shall obtain written confirmation that the works have been completed to the satisfaction of the NPWS Perisher Team.
- (c) A copy of the written confirmation, as required in (b), must be submitted to the Principal Certifier prior to the issue of the relevant Occupation Certificate. If the Department is not the Principal Certifier, a copy of the written confirmation shall be submitted to the Department along with the Occupation.

E.13 Bush fire safety authority

Prior to the issue of the relevant occupation certificate, the Applicant shall submit documentation to be Principal Certifier to demonstrate that the works have been undertaken in accordance with the relevant conditions of the bush fire safety authority (reference 8 **and 11** in Condition A.2).

PART F – POST OCCUPATION

F.1 Annual fire safety statement

An annual fire safety statement conforming to the Regulations shall be provided to the Department and the NSW Fire Brigade every 12 months commencing within 12 months after the date on which the Department received the initial Fire Safety Certificate.

F.2 Rehabilitation

Up until the date 5 years after the issue of a final occupation certificate, all disturbed areas shall be monitored and maintained to ensure that:

- (a) the ground remains erosion resistant and groundcover is being established; and
 - (b) all areas planted with native species, are surviving.
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ADVISORY NOTES

AN.1 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.2 Premises Standard

The persons responsible for ensuring compliance with the Premises Standard (Access to Premises – Buildings) are the building certifier, building developer, and building manager. The Standard's applicability should be reasonably investigated by these persons.

AN.3 Utility services

- (a) The Applicant shall liaise with the relevant utility authorities for electricity, gas (if relevant), water, sewage, telecommunications on the subject site:
 - (i) to locate all service infrastructure on the subject site; and
 - (ii) 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 Dial before you dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

AN.5 External lighting

External lighting shall comply with *Australian Standard AS 4282-1997 'Control of Obtrusive Effects of Outdoor Lighting'*.