

# 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, and/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.



Erin Murphy  
**Team Leader**  
**Alpine Resorts Team**  
**Department of Planning Housing and Infrastructure**

Jindabyne

10 July 2024

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### SCHEDULE 1

<b>Development Application No.:</b>	DA No. 24/3319
<b>Applicant:</b>	Geebung Ski Club Ltd
<b>Consent Authority:</b>	Minister for Planning
<b>Site:</b>	Geebung Ski Lodge (Lot 796 DP 1119757), 34 Diggings Terrace, Thredbo Village, Thredbo Alpine Resort, Kosciuszko National Park
<b>Type of Development:</b>	Integrated Development
<b>Integrated Bodies:</b>	NSW Rural Fire Service
<b>Approved Development:</b>	Replace external windows, repaint external walls and roof and renovate existing bathroom on level 1, as outlined in Condition A.2

## DEFINITIONS

Act	means the <i>Environmental Planning and Assessment Act, 1979</i> (as amended).
Applicant	means Geebung Ski Club Ltd or any person carrying out the Development to which this consent applies.
Approval Body	has the same meaning as within Division 4.8 of Part 4 of the Act.
BCA	means the edition of the Building Code of Australia in force at the time of lodgement of an application for a construction certificate.
Certifier	has the same meaning as in Part 6 of the Act.
DA No 24/3319	means the development application lodged on 12 April 2024 and as amended 13 June 2024.
Department	means the Department of Planning Housing and Infrastructure, 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 within the Department.
EP&A Regulation	means the <i>Environmental Planning and Assessment Regulation, 2021</i> (as amended).
EP&A Regulation (DCFS)	means the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation, 2021</i> (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), that includes Chapter 4 – Kosciuszko National Park and alpine resorts.
Principal Certifier	means the principal certifier and has the same meaning as Part 6 of the Act.
Rehabilitation Guide	means the NPWS document entitled: <i>Rehabilitation Guidelines for the Resorts Areas of Kosciuszko National Park (2007)</i> a copy of which is available at: <a href="#">Rehabilitation guidelines for the resort areas of Kosciuszko National Park   NSW Environment and Heritage</a>
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 the development application in accordance with Condition A.2.
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 the:

- (a) Development Application No. DA 24/3319 and supporting documentation lodged on 12 April 2024;
- (b) additional information received during the assessment of the application;
- (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	Document Reference
1	Statement of Environmental Effects (SEE)	Alterations to Existing Geebung Ski Lodge	Gemma Wawn	December 2023	-
2	Plan	Site Plan	TZ Design	1 August 2022	337-01-C
3	Plan	Level 1 Floor Plan - Existing / Proposed	TZ Design	28 May 2024	337-02-D
4	Plan	Level 2 Floor Plan - Existing / Proposed	TZ Design	1 August 2023	337-03-C
5	Plan	Level 3 Floor Plan - Existing / Proposed	TZ Design	1 August 2023	337-04-C
6	Plan	Elevations - Existing / Proposed	TZ Design	1 August 2023 8	337-06-C
7	Plan	ElavationsElevations - Existing / Proposed	TZ Design	1 August 2023	337-07-C
8	Plan	Untitled (L1 Bathroom - Conceptual Design)	Ella Lochhead-Sperling	15 May 2021	001 Rev 00
9	Plan	Detail Survey	TZ Design	13 April 2023	JAS541
10	Report	Section two – Bush Fire Assessment Report	Gemma Wawn	13 June 2024	-
11	Report	BCA Compliance Assessment – Geebyng Lodge Thredbo	J Squared Engineering Pty Ltd	29 September 2023	Project Ref 3025 Rev A

12	Bushfire Safety Authority	BUSH FIRE SAFETY AUTHORITY SFPP – Other Tourist Accommodation 34 DIGGINGS TCE THREDBO NSW 2625, 796//DP1119757	NSW Rural Fire Service	17 April 2024	DA2024033 0001280- Original-1
13	General Terms of Approval	Integrated Development Application s100B – SFPP – Other Tourist Accommodation 34 DIGGINGS TCE THREDBO NSW 2625, 796//DP1119757	NSW Rural Fire Service	17 April 2024	DA2024033 0001280- Original-1

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

### **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**

All works shall comply with the prescribed conditions of development consent as set out in Part 4, Division 2 of the EP&A Regulation. In particular, your attention is drawn to:

- (a) section 69, Compliance with Building Code of Australia; and
- (b) section 70, Erection of signs during building and demolition works.

### **A.6. Australian standards**

All works which are part of the Development must 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.

### **A.8. Non-Compliance notification**

The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) and [alpineresorts@planning.nsw.gov.au](mailto:alpineresorts@planning.nsw.gov.au) within seven days after the Applicant becomes aware of any Non-compliance. The Principal Certifier must also notify the Department in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) and [alpineresorts@planning.nsw.gov.au](mailto:alpineresorts@planning.nsw.gov.au) within seven days after they identify 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.

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## **PART B – PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

### **B.1. Construction certificate**

Building and demolition works must not commence until a relevant construction certificate has been issued. Prior to the issue of the construction certificate, the Certifier must be satisfied that the documentation for the construction certificate demonstrates compliance with the conditions in Part B of this consent.

If the Department is not appointed as the Certifier, the Applicant must provide a copy of the construction certificate to the Department within 2 days of it being issued by the Certifier.

### **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;
  - (ii) is shown to be at least equivalent to the deemed to satisfy provision; or
  - (iii) a combination of (i) and (ii).

### **B.3. Structural drawings and design statement**

Prior to the issue of the relevant construction certificate, the Applicant must submit structural drawings and a design statement, prepared and signed by an appropriately qualified practising structural engineer, to the Certifier.

### **B.4. Building works plan and specifications**

Appropriate building work plans and specifications are required to be submitted to the certifier to form part of the development, including the following:

Detailed building work plans, drawn to a suitable scale and consisting of a block plan and general plan that show the following:

- (a) a plan of each floor section;
- (b) a plan of each elevation of the building;
- (c) the levels of the lowest floor, an unbuilt yard or area that belongs to the lowest floor and the adjacent ground; and
- (d) the height, design, construction and provisions for fire safety and fire resistance, if any and

building work specifications that:

- (e) describe the construction and the materials to be used to construct the building ; and
- (f) describe the method of drainage, sewerage and water supply; and
- (g) state whether the materials to be used are new or second-hand and contain details of any second hand materials to be used; and

a description of an accredited building product or system sought to be relied on for the purposes of the Act, section 4.15(4); and:

- (h) a copy of a compliance certificate to be relied on; and
- (i) if the development involves building work to alter, expand or rebuild an existing building – a scaled plan of the existing building.

### **B.5. 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.24 and E.9. 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 certifier is to provide a copy of the information to the Department with the copy of the construction certificate.

### **B.6. Existing and proposed fire safety measures - Fire Safety Schedule**

Prior to the issue of the 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.7. Fire Safety Upgrades**

Prior to the issue of any construction certificate, the certifier shall be furnished with a building upgrade strategy report detailing upgrade of the building in accordance with the J<sup>2</sup> BCA Compliance Assessment Report dated 29<sup>th</sup> September 2023.

The building upgrade strategy report shall be prepared by an appropriately qualified person, shall include performance solutions as necessary and is required to consider the following building upgrades points i. to viii. (note: points i. to viii. may be varied by a performance solution). The upgrade strategy should be made in harmony with the guidance presented in the ABCB Handbook: *Upgrading existing buildings*.

- (a) Protection is required to proposed replacement eastern and western elevation windows that are situated within 3m of the boundary. Protection is required to be afforded by the installation of sprinklers, fire windows or fire shutters. Ref: BCA C4D3 & C4D5.
- (b) Existing doors from rooms other than from a Sole Occupancy Unit that open to the internal stairs are required to be replaced with fire doors Ref: BCA C4D12.
- (c) The internal staircase is not fire isolated and connects three building levels. Doors from storerooms, living areas, kitchen and SOUs open directly to the internal stair. The stair discharges within the building and not directly to open space. Strategies and where applicable performance solutions shall be provided with the upgrade strategy report. Ref: BCA D4D2.
- (d) Existing stairs shall have compliant balustrades and handrails in accordance with BCA provisions. Gaps greater than 125mm shall be eliminated. Ref: BCA D3D19.
- (e) Door exit handles within a path of travel shall be replaced with lever style handles. Ref BCA D3D26.
- (f) Alarm Signalling Equipment shall be installed for the smoke detection and alarm system in accordance with AS 1670.1. Ref: BCA S20C8.
- (g) Open inward signs shall be installed for all exit doors in a path of travel. Ref: G4D3.
- (h) External emergency exit lighting shall be installed above exit doorways. Ref: BCA G4D3.

### **B.8. Energy efficiency**

All works shall comply with Section J of the BCA. Details indicating compliance with these requirements and a Design Statement are to be submitted to the Certifier prior to the issue of a construction certificate.

### **B.9. Materials and Finishes**

The approved materials and finishes shall be in accordance with the following, or as otherwise approved in writing by the Secretary or nominee.

<b>Location</b>	<b>Material</b>	<b>Colour</b>
Windows	Double glazed aluminium windows with the same profile, dimension and finish of the existing window being replaced	Dark grey/green colour to match colour scheme
External Walls (except stone walls)	Paint	Colorbond Woodland Grey or similar
Roof surfaces / gutter / fascia / trim	Paint	Colorbond Pale Eucalypt or similar.

### **B.10. 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 General Terms of Approval (reference Item 13 in Condition A.2) and the Bush Fire Safety Authority (reference Item 12 in Condition A.2).

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## **PART C – PRIOR TO THE COMMENCEMENT OF WORKS**

### **C.1. 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.

### **C.2. Temporary fencing**

Prior to any relevant works which are part of the Development commencing, the construction works area shall be fenced with temporary site security fencing. This fencing is to clearly delineate the construction works area and shall keep the disturbance area to a minimum. This is to restrict access and also prevent unauthorised persons entering the construction work area.

### **C.3. Site environmental management plan (SEMP)**

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

- (a) erosion and sedimentation control management detail
- (b) management of native vegetation
  - a. All stockpile sites, including materials storage areas, parking and waste management receptors (e.g. skip bins) must be placed so as not to impact on native vegetation.
- (c) waste management
  - a. All waste management receptors must be covered daily, or be emptied or removed from site each day, to ensure that waste cannot blow away or be disturbed by scavenging fauna
  - b. The subject site is to be left clean and tidy and free of loose building debris and materials at the conclusion of daily works.
- (d) noise and vibration pollution
- (e) air pollution
- (f) fuels and chemicals
- (g) vehicle parking
  - a. All construction vehicles must be parked in existing driveways or carparks
- (h) emergency procedures
- (i) Rehabilitation and landscaping of the subject site must occur and be carried out in accordance with the document entitled 'Rehabilitation Guidelines for the Resort Areas of Kosciuszko National Park'

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

### **C.4. Implementation of site environmental management measures**

Prior to any relevant works which are part of the Development commencing, all site environmental management measures in accordance with the approved documentation (Condition A.2), the SEMP (Condition C.3) and these conditions of consent, shall be in place and in good working order.

### **C.5. 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.

### **C.6. Demolition**

Demolition work for the Development 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.

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

No demolition is to occur without the issue of a construction certificate.

### **C.7. 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 propagules.
- (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 and not be stored on native vegetation.

### **C.8. 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.9. Erection of Construction Sign**

- (a) A sign must be erected at eye level in a prominent position on any site on which any approved work is being carried out:
  - (i) Showing the name, Address and telephone number of the principle certifying authority for the work;
  - (ii) Showing the name of the principal contractor (if any) for any demolition or building work and telephone number on which that person may be contacted outside working hours; and
  - (iii) Stating that unauthorised entry to the work site is prohibited.
- (b) The sign is to be maintained while the approved work is being carried out and must be removed when the work has been completed.
- (c) The sign shall be durable and weatherproof with minimum dimensions 841mm x 594mm with text minimum 30 point.

## **PART D – DURING CONSTRUCTION**

### **D.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 the Principal Certifier, 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 (Condition A.2); and
- (c) the SEMP (Condition C.3.).

### **D.2. Construction hours**

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.

### **D.3. Construction period**

- (d) All demolition, civil and construction works which are part of the Development may only occur in the 'summer period'. For the purposes of this condition, the 'summer period' means the period of time commencing after the October long weekend and ending no later than 31 May the following year in each year works are required to complete the Development, or as otherwise approved by the Secretary or nominee.
- (e) By 31 May in each year works are required to complete the Development, the Applicant must ensure that the Subject site is made safe and secure by undertaking the following:
  - (f) removal of all materials, vehicles, machinery, equipment, and the like;
  - (g) removal and/or securing of all stockpiles of soil and gravel;
  - (h) 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;
  - (i) appropriate signage must be erected outlining that unauthorised access to the Subject site is prohibited and that the site is a construction zone;
  - (j) all external plumbing and drainage works are to be completed;
  - (k) any excavations are to be made safe and secure;
  - (l) stabilisation and rehabilitation works must be implemented in accordance with these conditions of consent and the approved documentation; and
  - (m) any other specific matters related to making the Subject site safe and secure raised by the Principal Certifier or the Secretary.

### **D.4. Construction activities and management**

- (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.
- (d) all materials, stockpiles, vehicles, machinery and the like are be confined to the Subject site.

*Note to Applicant: 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.*

#### **D.5. 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).

#### **D.6. Waste**

All waste must be contained in receptacles and covered daily, 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.

#### **D.7. 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.

#### **D.8. 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 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 Principal Certifier is to be identified on the notice(s).

#### **D.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.

#### **D.10. Dirt and dust control measures**

The Applicant must ensure that adequate measures are taken to prevent dirt and dust from affecting the amenity or environment of the adjoining areas during the construction phase of the Development.

#### **D.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.

#### **D.12. 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) installed and maintained in accordance with “*Managing Urban Stormwater: Soils and Construction*” (4th Edition Landcom, 2004, aka the Blue Book); and
- (b) checked regularly, and in any case after each precipitation event, to ensure they remain in good working order at all times.

#### **D.13. 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.

#### **D.14. Loading and unloading of construction vehicles**

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

#### **D.15. Maintenance of services**

The Applicant shall be responsible for costs associated with relocating any services.

#### **D.16. Demolition work**

To protect the surrounding environment, all demolition work must be carried out in accordance with *Australian Standard AS2601-2001 – The Demolition of Structures* and the following requirements

- a) Demolition material must be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan; and
- b) Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by *SafeWork NSW* in accordance with the *Work Health and Safety Regulation 2017* and be appropriately transported and disposed of in accordance with the *Protection of the Environment Operations (Waste) Regulation 2014*; and
- c) On construction sites where any building contain asbestos material, a standard commercially manufactured sign containing the words ‘DANGER ASBESTOS REMOVAL IN PROGRESS’ and measuring not less than 400mm x 300mm must be displayed in a prominent position visible from the street.

#### **D.17. Electrical works**

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

#### **D.18. 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 a qualified plumber holding a NSW licence, qualified supervisor certificate or tradesperson certificate.

#### **D.19. 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.

#### **D.20. 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 Stockpile Guide.

#### **D.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) these conditions of consent.

#### **D.22. Asbestos**

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

#### **D.23. 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.24. Inspection by engineer – structural adequacy of wall openings**

Prior to the installation of the new windows, 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.

If any deficiencies are identified during the inspection, the engineer shall provide upgrade recommendations. Any works associated with the upgrade recommendations shall be undertaken prior to the installation of the new windows.

#### **D.25. Final Fire Safety Certificate**

Prior to the issue of any occupation certificate, a final fire safety certificate shall be obtained and submitted to the satisfaction of the principal certifier. A copy of the final fire safety certificate shall be submitted to the Department along with a copy of the occupation certificate and occupation certificate documentation in accordance with the regulations.

## **PART E – PRIOR TO COMMENCEMENT OF USE**

### **E.1. Occupation certificate**

Prior to the occupation of the building or the commencement of use which are part of the Development, an occupation certificate must be obtained from the Principal Certifier. A copy of the occupation certificate must be furnished to the Secretary prior to the occupation of the relevant buildings or commencement of use which are part of the Development.

### **E.2. Site Clean Up**

Prior to commencement of use which are part of the Development, the Subject site must be cleaned and made good to the satisfaction of the Principal Certifier.

### **E.3. Removal of site notice**

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

### **E.4. Plumbing and drainage works**

Prior to the issue of the relevant occupation certificate, 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 Department with the copy of the occupation certificate.

### **E.5. Electrical certification**

Prior to the issue of the relevant occupation certificate, certification prepared and signed by an appropriately qualified electrician must be submitted to the Principal Certifier. The certificate must indicate that all electrical works which are part of the Development have been installed by a qualified and licensed electrician and installed in accordance with the relevant Australian Standards. A copy of the certificate is to be submitted to the Secretary or nominee with the occupation certificate documentation.

### **E.6. Environmental performance**

Prior to the issue of the relevant occupation certificate, details are to be provided to the Principal Certifier to demonstrate compliance with all requirements of Condition B.8. A copy of the documentation is to be submitted to the Secretary or nominee with the occupation certificate documentation.

### **E.7. Gas installations certification**

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

### **E.8. Structural adequacy certificate (wall openings)**

Prior to the issue of any occupancy certificate, a certificate of structural adequacy (following inspection as required by Condition D.24) prepared by a suitably qualified professional engineer confirming the suitability of the building to meet BCA Volume One performance requirement BP1.1 shall be submitted to the Principal Certifier. A copy of the structural certificate shall be submitted to the Department with the copy of the occupation certificate.

#### **E.9. Structural certification**

If structural works are undertaken, a structural engineer's certificate must be submitted to the Principal Certifier prior to issue of the relevant occupation certificate. This certificate is to verify that structural works which are part of the Development have been completed in accordance with approved plans and specifications and comply with the provisions of the BCA and relevant standards. A copy of the certificate is to be submitted to the Secretary or nominee with the occupation certificate documentation.

#### **E.10. Rehabilitation**

If ground disturbance occurs, prior to the issue of any occupation certificate, any disturbed ground shall be rendered erosion resistant and rehabilitated.

#### **E.11. Bush fire safety authority**

Prior to the issue of the relevant occupation certificate, the Applicant must submit documentation to be Principal Certifier to demonstrate that the works have been undertaken in accordance with the relevant conditions of the General Terms of Approval (reference Item 13 in Condition A.2) and the Bush Fire Safety Authority (reference Item 12 in Condition A.2). A copy of the documentation is to be submitted to the Secretary or nominee with the occupation certificate documentation.



## **PART F – POST OCCUPATION**

### **F.1. Annual fire safety statement**

On at least one occasion in every 12 month period following the date of the first 'Fire Safety Certificate' issued for the property, the owner must provide Council with an annual 'Fire Safety Certificate' to each essential service installed in the building.

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## 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 approvals, licenses, consents and agreements are obtained from other authorities, as relevant. No condition of this consent removes any obligation to obtain, renew or comply with such additional approvals, licenses, consents and agreements.

### AN.3 Other approvals and permits

The Applicant must apply to the relevant authority for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act, 1993* or Section 138 of the *Roads Act, 1993*.

### AN.4 Utility services

- (a) The Applicant must 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 is responsible for costs associated with relocating any services.

### AN.5 Dial before you dig

Underground assets may exist in the area that is the Subject site. In the interests of health and safety and in order to prevent damage to third party assets please contact the Dial Before You Dig service at [www.1100.com.au](http://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 this 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.6 Disability Discrimination Act

The Applicant has been assessed in accordance with the *Environmental Planning and Assessment Act, 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992* (Cth). The Applicant is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* (Cth) covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - *Design for Access and Mobility*. AS 1428 Parts 2, 3 and 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* (Cth) currently available in Australia.