

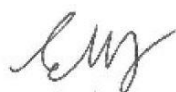
Development consent

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.



Erin Murphy
Team Leader, Alpine Resorts Team
Regional Assessments
Department of Planning, Housing and Infrastructure

Jindabyne

28 April 2025

SCHEDULE 1

Application No.:	DA No. 24/16938
Applicant:	Bokor Pty Ltd
Consent Authority:	Minister for Planning
Land:	Alpenhof Lodge (Lot 53 DP756697) Perisher Valley, Perisher Range Alpine Resort, Kosciuszko National Park
Type of Development:	Integrated Development
Integrated Bodies:	NSW Rural Fire Service
Approved Development:	Alterations to existing balconies within an existing tourist accommodation building, outlined in Condition A.2

DEFINITIONS

Act	means the <i>Environmental Planning and Assessment Act, 1979</i> (as amended).
Applicant	means Ms Marianne Bokor 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 24/15287	means the development application lodged by the Applicant on 14 November 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 of within the Department.
EEC	endangered ecological communities, as listed for the purposes of the <i>Biodiversity Conservation Act 2016</i> .
EP&A (DCFS) Regulation	means the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation, 2021</i> (as amended).
Geotechnical Policy	means the Department's Geotechnical Policy – Kosciuszko Alpine Resorts a copy of which is available at: https://www.planning.nsw.gov.au/-/media/Files/DPE/Plans-and-policies/geotechnical-policy-kosciuszko-alpine-resorts-2003-11.pdf
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).
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</i> (2007) a copy of which is available at: https://www.environment.nsw.gov.au/research-andpublications/publications-search/rehabilitation-guidelines-for-theresort-areas-of-kosciuszko-national-park
RFS	means the NSW Rural Fire Service, or its successors.
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.
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	means that area of the Perisher Valley, Perisher Range Alpine Resort within the Park described in the documentation listed in Condition A.2.
Team Leader	means a Team Leader of the Alpine Resorts Team within the Regional Assessments division (or its successors) or a delegate of a 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 shall be in accordance with the:

- (a) Development Application No. DA 24/16938 and supporting documentation first lodged on 14 November 2024;
- (b) additional information received during the assessment of the application;
- (c) conditions of this consent; and
- (d) approved documents in the table below (except where modified by conditions of this consent):

Ref No.	Document	Title/Description	Author / Prepared by	Date	Document Reference
1	Report	Statement of Environmental Effects Development Application Alterations to Alpenhof Lodge Kosciuszko Alpine Club Mt Perisher	Janet Thomson Bokor Architecture	November 2024	-
2	Letter	Structural Alterations of Balconies 6 Wheatley Road, Perisher Valley NSW (Alpenhof Lodge)	William Kendall Sellick Consultants Pty Ltd	9 February 2024	23J0039 - WK/bk
3	Plan	Balcony Slab Alteration Detail	Sellick Consultants Pty Ltd	9 February 2024	SKE-001 Rev B
4	Report	Waste Management Plan	Alex Cook, Mammoth Projects Pty Ltd	8 April 2024	-
5	Report	Bushfire Protection Assessment	Eco Logical	4 September 2024	23HUS6311 Version 2
6	Plan	CoverSheet	Bokor Architecture	21.03.2024	A-000 Rev C
7	Plan	Existing Site & Roof Plan	Bokor Architecture	21.03.2024	A-010

					Issue C
8	Plan	Existing Ground Floor Plan	Bokor Architecture	21.03.2024	A-100 Issue C
9	Plan	Existing First Floor Plan	Bokor Architecture	21.03.2024	A-101 Issue C
10	Plan	Existing Second Floor Plan	Bokor Architecture	21.03.2024	A-102 Issue C
11	Plan	Proposed Ground Floor Plan	Bokor Architecture	21.03.2024	A-110 Issue C
12	Plan	Proposed First Floor Plan	Bokor Architecture	21.03.2024	A-111 Issue C
13	Plan	Proposed Second Floor Plan	Bokor Architecture	21.03.2024	A-112 Issue C
14	Plan	Existing Elevations	Bokor Architecture	21.03.2024	A-200 Issue C
15	Plan	Proposed Elevations	Bokor Architecture	21.03.2024	A-210 Issue C
16	Plan	Balcony Details	Bokor Architecture	16.01.2024	A-400 Issue A
17	Plan	Site Environmental Management Plan	Bokor Architecture	21.03.2024	A-500 Issue A
18	General Terms of Approval	Integrated Development Application s100B – SFPP – Hotel/Motel 6 WHEATLEY RD PERISHER VALLEY NSW 2624, 53//DP756697	NSW Rural Fire Service	6 January 2025	DA2024111 7004772-Original-1
19	Bushfire Safety Authority	BUSH FIRE SAFETY AUTHORITY SFPP – Hotel/Motel 6 WHEATLEY RD PERISHER VALLEY NSW 2624, 53//DP756697	NSW Rural Fire Service	6 January 2025	DA2024111 7004772-Original-1

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 this EP&A 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 and 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 and 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.

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. Building Code of Australia

Detailed plans, specifications and supporting information is required to be submitted to the certifying authority detailing how the proposed building work achieves compliance with the *National Construction Code - Building Code of Australia*. All building work must be carried out in accordance with the requirements of the *National Construction Code - Building Code of Australia*.

B.3. Building works plans and 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
- (a) 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.4. Payment of Long Service Levy

Prior to the issue of any construction certificate, evidence shall be provided to the certifying authority, 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 Construction Industry Payments Act 1986*.

B.5. 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.6. Building Code of Australia and Fire Safety Provisions

Unless alternatively demonstrated in a performance solution, spandrel separation of openings in external walls adjacent to the proposed balcony modifications shall achieve the requirements of section C3D7 of the NCC-BCA. Design documentation shall be provided with any application for a construction certificate.

B.7. Building Code of Australia and Waterproofing

Unless alternatively demonstrated in a performance solution, waterproofing of the external walls in the locations of the proposed balcony modifications shall achieve the requirements of section F1D5 of the NCC-BCA and AS4654.1 and AS4654.2. Design documentation shall be provided with any application for a construction certificate.

B.8. Energy Efficiency

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

B.9. 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.10. 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.11. Appointment of engineer – structural adequacy of existing structure

An appropriately qualified practising Structural Engineer shall be engaged to carry out any inspection required by this consent. 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.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 Bush Fire Safety Authority.

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. 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 principal certifying authority for the work;
 - (ii) Showing the name of the principal contractor (if any) for any demolition or building work and a 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.

C.3. 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.

C.4. Asbestos Hygienist Report

Prior to the commencement of any works, the Applicant shall provide to the certifier an Asbestos Hygienist Report for the façade materials of the existing balcony including the render, paint and concrete.

C.5. 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) and these conditions of consent, shall be in place and in good working order.

C.6. Machinery and storage

- (a) All machinery and equipment must be stored on existing disturbed areas and must not be stored on native vegetation.
- (b) Vehicles and machinery must only be fuelled at designated hard stand fuelling stations or with spill kits and temporary bunding in place.
- (c) 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.
- (d) 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.7. Pre-commencement compliance report

Prior to the commencement of works which are part of the Development, the Applicant must submit to the Principal Certifier a report addressing compliance with all conditions contained in sections B and C of this consent pertaining to those works. A copy of this compliance report must be submitted to the Department within 7 days of it being submitted to the Principal Certifier.

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.

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; and
- (b) the approved documentation and plans (Condition A.2).

D.2. Construction work 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

- (a) 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.
- (b) Excavation and construction works must cease by 30 April, with rehabilitation and stabilisation works able to continue until 31 May. These timeframes are able to be extended on an adhoc basis where weather and site conditions allow, e.g. where:
 - (i) Initial rehabilitation and stabilisation works can occur prior to snow accumulation; and
 - (ii) Development related machinery and equipment traffic will not disturb wet ground.
- (c) 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:
 - (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 Principal Certifier or the Secretary.

D.4. Construction activities

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) and (b) inclusive of Condition D.1.
- (b) all construction activities in connection with the Development are confined to the Subject site;

- (c) no disturbance or other adverse environmental impacts occur outside the Subject site; and
- (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. 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.6. Site notice

The Applicant must ensure that site notices are prominently displayed at the boundaries of the Subject site in accordance with Condition C.1 for the duration of works.

D.7. 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.8. 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.9. Recycled Material

In undertaking works which are part of the Development, the Applicant must wherever possible, salvage building material for reuse during the construction phase of the Development (subject to Condition B.4(b)) or ensure that it is sent to a recycling facility in order to reduce landfill.

D.10. Litter and building waste

Building waste must be minimised and must be contained in receptacles and covered daily, or removed from the Subject site each day and disposed of at an authorised waste disposal facility 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.11. Stockpiling of materials

All stockpiling is to be in accordance with the *Soil Stockpile Guidelines for the Resort Areas of Kosciuszko National Park* (OEH, 2017), a copy of which can be provided by the NPWS Assessment Coordinator.

Proposed stockpil sites, including materials storage areas, parking and waste management receptors (e.g skip bins) and storage of soils and sods must not impact on native vegetation. Materials removed during construction must be stockpiled within the designated stockpile areas of cleared vegetation only.

D.12. Loading and unloading of construction vehicles

All loading and unloading associated with demolition 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.

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. 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.15. Structural Certification – Engineering Inspection

Once the existing balconies have been cut to the proposed width dimension and upon exposure of the retained balcony sections, a practicing structural engineer shall carry out an inspection to determine the structural adequacy of the balconies, their existing reinforcing and degree of any corrosion to determine that they are safe and fit for purpose. Details of the engineer's inspection result shall be forwarded to the certifier for review.

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. 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.6. A copy of the documentation is to be submitted to the Secretary or nominee with the occupation certificate documentation.

E.5. Structural adequacy certificate

Prior to the issue of any occupancy certificate, a certificate of structural adequacy (following inspection as required by Condition D.15) 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.6. 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.7. Rehabilitation

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

E.8. 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 Bush Fire Safety Authority. A copy of the documentation is to be submitted to the Secretary or nominee with the occupation certificate documentation.

E.9. 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.

E.10. Bushfire Emergency Management

A Bush Fire Emergency Management and Evacuation Plan must be prepared in accordance with Table 6.8d of *Planning for Bush Fire Protection 2019* and be consistent with the following:

- (a) The NSW RFS document: *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan* and include planning for the early relocation of occupants and;
 - (b) detailed plans of all emergency assembly areas, including on-site and off-site arrangements as stated in AS 3745 'Planning for emergencies in facilities', are clearly displayed.
-

PART F – POST OCCUPATION AND OPERATIONAL REQUIREMENTS

F.1. Annual fire safety statement

An annual fire safety statement conforming to the Regulations must 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 for the Development.

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, 2021* (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 Notification of significant fire safety issues

Where an appointed certifier becomes aware of a significant fire safety issue during assessment of the construction certificate, the certifier will provide written notice to the Department describing the fire safety issue and the parts of the building affected by the issue within two days of being made aware.

AN.4 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*.