

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.



Mark Brown
Team Leader – Assessments
Alpine Resorts Team
Department of Planning, Housing and Infrastructure

Jindabyne

11 August 2025

SCHEDULE 1

Application No.:	MOD 24/19158 (DA 065-10-2010 MOD 1)
Applicant:	Blair Mullins
Consent Authority:	Minister for Planning
Land:	R.A.N Ski Club, Lot 1 DP 1185190, Perisher Range Alpine Resort, Kosciuszko National Park
Type of Development:	Integrated Development
Approved Development:	Works including: • demolition of the existing three storey (19 bed accommodation); • construction of a new two storey building (26 bed accommodation) comprising of 11 two-bed cabins, 1 manager's flat and 1 disabled cabin; • car parking; • landscaping; • drainage; and • associated works.
Modification:	Amendment to the approved development including: • replacement of two windows on the western elevation within existing openings; and • replacement of existing doors on the western elevation within existing openings.

SCHEDULE 1

*Schedule 1 of Development Application No. 065-10-2010 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~struck out~~** words as follows:*

PART A—TABLE

Application made by:	Peter Churcher Architects
Application made to:	Minister for Planning
Development Application:	DA 065-10-2010
On land comprising:	Lot 263 DP 842499 <u>Lot 1 DP 1185190</u> Perisher Valley
For the carrying out of:	Demolition of an existing lodge and construction of a two storey 26 bed lodge
Estimated Cost of Works	\$1,800,000
Type of development:	Integrated
S.119 Public inquiry held:	No
Approval Body / Bodies:	Rural Fire Service
Determination made on:	24 MARCH 2011
Determination:	Development consent is granted subject to the conditions in the attached Schedule 2.
Date of commencement of consent:	This development consent commences on the date identified in the accompanying letter.
Date consent is liable to lapse	This consent will lapse 5 years from the date of commencement of consent, unless: a shorter period of time is specified by the Regulations or a condition in Schedule 2.

PART B—NOTES RELATING TO THE DETERMINATION OF DA No. 065-10-2010

Responsibility for Other Approvals / Agreements

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

Appeals

The applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid:

- (1) for a development application, within 12 months after the date on which the applicant received this notice, or
- (2) for a modification to the consent, within 3 months after the date on which the application received this notice.

Legal Notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

In this consent,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Applicant means Peter Churcher Architect

Approval Body has the same meaning as within Division 5 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.

Certifying Authority has the same meaning as Part 4A of the Act.

DA No 065-10-2010 means the development application and supporting documentation submitted by the applicant on 12 October 2010.

Department means the Department of Planning, Housing and Infrastructure, or its successors.

Director means the Director of the Metropolitan and Regional Projects South branch (or its successors) or a delegate of the Director of the Metropolitan and Regional Projects South branch within the Department.

Director-General means the Director-General of the Department.

Minister means the Minister for Planning.

MOD 24/19158 means the modification application and supporting documentation submitted by the applicant on 15 January 2025.

Non-compliance means an occurrence, set of circumstances or development that is a breach of this consent but is not an incident.

NPWS means the National Parks and Wildlife Service

PCA means the Principal Certifying Authority as prescribed in Part 4A of the Act.

Planning Secretary means the Planning Secretary under the EP&A Act, or nominee/delegate

Regulations means the *Environmental Planning and Assessment Regulations, 2000* (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

Team Leader means the Team Leader of the Metropolitan and Regional Projects South branch (or its successors) or a delegate of the Team Leader of the Metropolitan and Regional Projects South branch within the Department.

*Schedule 2 of Development Application No. 065-10-2010 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~struck-out~~** words as follows:*

SCHEDULE 2

CONDITIONS OF CONSENT

DEVELOPMENT APPLICATION NO. DA 065-10-2010

DEMOLITION OF AN EXISTING LODGE AND CONSTRUCTION OF A TWO STOREY 26 BED LODGE AT LOT 263, RAN SKI LODGE, PERISHER VALLEY.

This consent is granted subject to the following:

PART A ADMINISTRATIVE CONDITIONS

A1 Development Description

Development consent is granted only to carrying out the development described in detail below:

- demolition of the existing three storey (19 bed accommodation);
- construction of a new two storey building (26 bed accommodation) comprising of 11 two bed cabins, 1 managers flat and 1 disabled cabin;
- car parking;
- landscaping,
- drainage, and
- associated works.

Note: This consent does not allow for any construction or excavation works to commence on site other than those listed above and/or as required by the conditions of this consent. Prior to any additional works being carried out, the appropriate consent must be obtained.

A2 Development in Accordance with Plans

The development shall be in accordance with Development Application No. DA 065-10-2010 submitted by Peter Churcher Architect on 12 October 2010 **and Modification Application MOD 24/19158 submitted by Blair Mullins on 15 January 2025,** and in accordance with the supporting documentation submitted with that application including, but not limited to, the following:

- Architectural Drawings and Plans by Peter Churcher Architect titled Proposed R.A.N. Ski Lodge labelled as follows:

REF	DRAWING No.	PLAN TITLE	ISSUE	DATE
Ref 1	A001	Site Plan	E	12-01-2011
Ref 2	A002	Ground Floor Plan	J	28-02-2011
Ref 3	A003	Upper Floor Plan	I	28-02-2011
Ref 4	A004	East Elevation	F	17-04-2010
Ref 5	A005	West Elevation	G	12-01-2011
Ref 6	A006	South Elevation	F	09-12-2010
Ref 7	A007	North Elevation	D	17-04-2010
Ref 8	A008	Section and Detail	E	12-05-2010
Ref 9	A009	Section and Detail	A	undated
Ref 10	A101	Demolition Plan	A	03-05-2010
Ref 11	A102	Site Analysis Plan	A	26-06-2010
Ref 12	A104	Snow Deposition – New	A	20-06-2010
Ref 13	A105	Site Establishment Plan & Erosion & Sed Control	A	17-04-2010
Ref 14	A106	Existing Services Plan	A	03-05-2010
Ref 15	A107	Bush Fire Assessment Plan	A	20-06-2010

- Landscape Drawings and Plans by Scenic Landscape Architects titled RAN Ski Lodge Perisher Valley, NSW labelled as follows:

REF	DRAWING No.	PLAN TITLE	ISSUE	DATE
Ref 16	VA1A	Vegetation Assessment Plan	A	30-06-2010
Ref 17	LMP1A	Landscape Management Plan	A	30-06-2010
Ref 18	F1A	Grading Plan	A	07-07-2010
Ref 19	F2B	Surfaces Plan (NB: retaining wall location approved only)		07-09-2010

- (Ref 20) Survey Plan titled Contour and Detail Plan of Lot 263 DP 812199 RAN Ski Club Perisher Valley prepared by Peter Williams Registered Surveyor dated 6 April 2010
- (Ref 21) Statement of Environmental Effects titled RAN Ski Club New Building Perisher, NSW by Peter Churcher dated August 2010
- (Ref 22) Vegetation Assessment titled Residential Development, RAN Ski Lodge South Perisher Valley, NSW prepared by Scenic landscape Architects dated 30 June 2010
- (Ref 23) Environmental Management Plan titled RAN Ski Club New Building Perisher NSW prepared by Peter Churcher Architect dated August 2010
- (Ref 24) Bush Fire Assessment Report titled proposed New Ski Lodge for the RAN Ski Club Lot 263 DP 812199 South Perisher prepared by Peter Churcher Architect dated 24 September 2010
- (Ref 25) Report on Geotechnical Investigation titled Proposed Lodge Extensions RAN Ski Lodge Perisher Valley by Douglas Partners Pty Ltd, referenced 50449 dated February 2010
- (Ref 26) Form 1 Declaration by Michael Thom CPEng of Douglas Partners Pty Ltd dated 10 February 2010
- (Ref 27) External finishes board illustrating colours and materials and sheet describing material type titled RAN Ski Club Perisher NSW Development Application prepared by Peter Churcher Architect dated February 2011
- (Ref 28) Site Plan titled Proposed RAN Ski Lodge, Lot 263 South Perisher Valley NSW prepared by Peter Carrington & Associates dated August 2010
- (Ref 29-32) Photomontages of North, South, East and West elevations illustrating colour scheme and titled RAN Ski Lodge dated 28 February 2011
- **Architectural drawings and plans by Art House Design titled as S4.55 Window & Door Replacement labelled as follows:**

REF	DRAWING No.	PLAN TITLE	ISSUE	DATE
Ref 33	A001	Site Plan	H-24	25-07-2025
Ref 34	A002	Ground Floor Plan	L-24	25-07-2025
Ref 35	A003	First Floor Plan	K-24	25-07-2025
Ref 36	A005	West Elevation	J-24	25-07-2025
Ref 37	A009	Section	B-24	25-07-2025

- **(Ref 38) Modification report titled Statement of Modification – S4.55(1A) R.A.N Ski Club, Lot 263 DP 812199, South Perisher Valley prepared by Art House Building Design dated 19 December 2024**
- **(Ref 39) General Terms of Approval prepared by the NSW Rural Fire Service dated 28 January 2025**

A3 Inconsistency between documents

In the event of any inconsistency between conditions of this approval and the plans and documents referred to above, the conditions of this approval prevail.

A4 Prescribed Conditions

The Applicant shall comply with the prescribed conditions of approval under clause 98 of the Regulation.

A5 Lapsing of Consent

The development consent shall lapse 5 years after the determination date in Part A of Schedule 1 of this consent.

A6 Geotechnical Works

All works for the development are to comply with the Departments Geotechnical Policy and the Geotechnical Investigation prepared by Douglas Partners identified in *Condition A2*.

A7 Compliance with the Building Code of Australia (BCA)

All works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

A8 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.

This 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 ISSUE OF CONSTRUCTION CERTIFICATE

B1 Commencement of Works

- (a) Demolition, excavation, clearing, construction, subdivision or associated activities must not commence until a Construction Certificate has been issued for the proposed development pursuant to the *Environmental Planning and Assessment Act, 1979*; **and**
- (b) **Where additional works are proposed under a modification application, the proposed works must not commence until a new or modified Construction Certificate has been issued. Prior to the issue of a new or modified construction certificate, the Certifier must be satisfied that the documentation for the new or modified Construction Certificate demonstrates compliance with the relevant conditions in Part B of this consent.**

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

B2 Structural Engineer & Geotechnical Report Declaration and/or Verification

A Form 2 of the Departments Geotechnical Policy – Kosciuszko Alpine Resorts shall be completed and submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate. If the Department is not the Certifying Authority, the appointed Certifying Authority is to provide a copy of the signed Form 2 to the Department with the copy of the Construction Certificate.

A Form 2 must be submitted with each construction certificate unless otherwise approved in writing by the Secretary or nominee following receipt of advice from a geotechnical engineer.

B3 Structural Details

If structural works are required, the applicant shall submit to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate, Structural Drawings and a Design Statement prepared and signed by an appropriately qualified practising Structural Engineer that comply with:

- (i) Section B of the BCA;
- (ii) the relevant development consent (**DA 065-10-2010, as amended by MOD 24/19158**);
- (iii) drawings and specifications comprising the Construction Certificate; and
- (iv) the Departments Geotechnical Policy and the Geotechnical Investigation prepared by Douglas Partners.

B4 Compliance with the Building Code of Australia (BCA)

- (a) Details shall be provided to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate, which demonstrate that the proposal complies with the relevant provisions of the BCA.

B5 Energy Efficiency

All new 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 satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

B6 Disabled Access

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA. Details indicating compliance with these requirements and a Design Statement are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the **relevant** Construction Certificate.

B7 Final Car Parking and Hardstand Surfaces Plan

A final car parking and hardstand surfaces plan shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the **relevant** Construction Certificate. The plan shall address the following:

- three (3) car spaces including the one (1) disabled car space shall be provided in the location identified on the plan reference A001;
- the driveway and car parking areas shall be constructed of concrete to the edge of the lease area instead of gravel;

- if the DECCW road is not completed at the commencement of this development, the driveway connections across the footpath to the public road can be gravel;
- the driveway connections across the footpath to the public road shall be concreted once the DECCW road is completed;
- the driveway and car parking areas shall be designed in consultation with DECCW Municipal Services Unit and evidence of consultation shall be provided with the application for construction certificate;
- car parking shall comply with AS 2890.1:2004 - Parking Facilities, Part 1: Off-street car parking;
- the disabled car space shall comply with Section 2.4.5 of AS 2890.1:1993;
- the concrete for the driveway and car parking areas shall be a minimum of 40 MPa;
- the colour of the concrete for the driveway and car parking areas shall be darker than the DECCW road; and
- details of the finished material of the perimeter path around the lodge shall be provided.

Details of each of the above shall be submitted with the application for **the relevant** Construction Certificate. If the Department is not the Certifying Authority, copies of the above information shall be submitted to the Department with the Construction Certificate.

B9 Final Materials and Colours

Final materials and colours shall be in accordance with the approved plans and documentation other than where changes are required to satisfy the conditions of consent.

Note: The visible light reflectivity from building materials used on the facades of the building shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place.

B10 Final Stormwater Plan

A final stormwater plan shall be provided to the satisfaction of the Certifying Authority prior to the issue of the **relevant** Construction Certificate. The Final Stormwater Plan shall address the following:

- the plan and a design statement shall be prepared by and signed by an appropriately qualified practising Engineer;
- drainage shall be installed under all drip lines to ensure that runoff from the roof of the lodge is collected and directed away from the footings of the building via the pit and pipe system or rubble system;
- stormwater from the driveway and car parking areas shall be collected and directed to the pit and pipe system or rubble system;
- the stormwater system shall be designed in consultation with DECCW Municipal Services Unit and evidence of consultation shall be provided with the application for construction certificate;
- if required by DECCW, the soakage pits shall be connected to the road drainage system;
- volume calculations of the stormwater system shall be provided; and
- the plan shall be designed in accordance with the Department's Geotechnical policy and the Geotechnical Investigation prepared by Douglas Partners.

Details of each of the above shall be submitted with the application for **the relevant** Construction Certificate. If the Department is not the Certifying Authority, copies of the above information shall be submitted to the Department with the Construction Certificate.

B11 Hydraulics Plan

Hydraulic Drawings and a Design Statement prepared and signed by an appropriately qualified practising Hydraulic Engineer are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the **relevant** Construction Certificate. The plans and Design Statement shall indicate all plumbing & drainage, incorporating hot & cold water supply, sanitary drainage & plumbing in accordance with AS 3500, AS/NZS 1221.

B12 Electrical Services

Electrical Services details and a Design Statement prepared and signed by an appropriately qualified practising Electrical Engineer are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the

relevant Construction Certificate. The plans and Design Statement shall indicate that the design is in accordance with

AS/NZS-3000 (Electrical installations), AS/NZS-1680 (interior lighting) and, where relevant, the plans and Design Statement shall indicate compliance with automatic smoke detection and alarm system (Specification E2.2a of the BCA), emergency lighting and exit signage (AS/2293.1).

B13 *Mechanical Ventilation*

Mechanical Ventilation details and a Design Statement prepared and signed by an appropriately qualified practising Mechanical Engineer are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the **relevant** Construction Certificate. The plans and Design Statement shall indicate that the design is in accordance with Section F of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection.

B14 *Long Service Levy*

Prior to the issue of the Construction Certificate, receipt of payment to the Long Service Payments Corporation in accordance with Section 34 of the Building Construction Industry Payments Act 1986 must be presented to the Certifying Authority.

PART C PRIOR TO COMMENCEMENT OF WORKS

C1 Notification to Department of the Date of Commencement of Works

The Department shall be given written notice, at least 2 days prior to works commencing on site, of the date work is proposed to commence. If the Department is appointed as the PCA, a Site Environmental Management Inspection will be undertaken.

C2 DECCW Municipal Services Unit (MSU)

The applicant shall consult with DECCW MSU at least 2 days prior to works commencing on site to arrange an inspection to identify and peg the location of water, sewer and fire hydrant infrastructure at the site. DECCW MSU shall also be consulted in relation to the following prior to the commencement of works:

- the adequacy of the existing water service line to the lodge to cater for the increased occupancy rates with the new building (professional advice should be sought in this regard);
- details of the proposed grease trap including size and location; and
- a plumbing permit.

All costs associated with relocating or upgrading any services shall be borne by the applicant.

C3 License for Development

A licence under the National Parks and Wildlife Act 1974 shall be obtained from the Department of Environment, Climate Change and Water (DECCW) for all works located outside of the existing lease area. Evidence of the licence shall be submitted to the PCA and the Department prior to the commencement of works.

Note: this condition does not restrict works within the current lease area.

C4 Construction Management Plan

Prior to the commencement of works, a Construction Management Plan shall be submitted to the satisfaction of the PCA. The Plan shall address, but not be limited to the following and confirm to these conditions of consent where applicable:

- 1) The date of commencement of works,
- 2) hours of works,
- 3) contact details of site manager,
- 4) traffic and pedestrian management including details on
 - ingress and egress of vehicles to the site,
 - loading and unloading, including construction zones,
 - the location of storage areas
 - predicted traffic volumes, types and routes,
 - parking of construction and contractor vehicles,
 - turning areas of construction and contractor vehicles, and
 - pedestrian and traffic management methods.
- 5) noise and vibration management identifying specific activities that would be carried out and associated noise sources and how they will be managed. Vibration from construction site operations on surrounding land shall comply with AS2670.1 – 2001 and/or Chapter 174 of the NSW Department of Environment and Conservation's Noise Control Manual.
- 6) waste and recycling management including details on
 - the location for recycling of building materials,
 - the identification of any asbestos or other hazardous material,
 - the location for disposal of building waste, and
 - the location for disposal of excess spoil.
- 6) erosion and sediment control
- 7) flora and fauna management

- 8) suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters, and
- 9) any relevant recommendations of the demolition 'works plan'.

C5 *Erosion and Sedimentation Control*

Temporary erosion control, sediment containment and controls measures shall be put in place to manage the dispersion of any concentrated runoff and shall be installed in accordance with the Site Environmental Management Plan and these conditions of consent.

C6 *Protection of adjacent vegetation areas*

All appropriate measures are to be in place to ensure that vehicles and machinery do not enter into areas of vegetation that are not part of the proposed development.

C7 *Termite Protection*

The building shall be protected from attack from subterranean termites in accordance with Australian Standard AS 3660.1-2000: Protection of Building Form Subterranean Termites – New Buildings. Details are to be submitted to the PCA prior to the commencement of works.

C8 *Licensed Demolition Contractor*

All demolition works shall be undertaken by a Licensed Demolition Contractor. The name and contact number of the contractor shall be provided to the PCA at least 2 days prior to demolition work commencing on site.

C9 *Statement of Compliance with Australian Standard 2601-1991: 'Demolition of Structures'*

The demolition work shall comply with the provisions of Australian Standard AS 2601-1991 'Demolition of Structures'. The works plan required by AS 2601-1991 shall be accompanied by a written statement from the licensed demolition contractor, to the effect that the proposals contained in the works plan comply with the safety requirements of the Standard. The works plan is to include details of the method of identification, methods of handling and disposal of asbestos products and compliance with Work Cover Authority requirements. The works plan and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of works.

C10 *Security Fencing*

Security fencing shall be installed in accordance with section 1.5.1.4 of Australian Standard AS 2601-1991 'Demolition of Structures' prior to the commencement of demolition works.

C11 *Photographic Record (Part 1 of 3)*

A photographic record of the internal and external parts of the existing building shall be undertaken "before" removal, to the satisfaction of the PCA prior to commencement of demolition. If the Department is not the PCA, a copy of the photographic record shall also be submitted to the Department.

PART D DURING CONSTRUCTION

D1 *Approved Plans to be On-Site.*

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, or the PCA.

D2 *Asbestos or other hazardous material*

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. Any asbestos or other hazardous materials shall be disposed of at an authorised waste facility. Receipts shall be provided to the PCA as evidence of appropriate disposal.

D3 *Recycled Material*

Wherever possible, building material from the demolition should be salvaged and stored securely within the remaining building for reuse during the redevelopment of the building.

D4 *Ongoing Termite Protection*

On completion of the installation of the barrier, the PCA shall be furnished with a certificate from the person responsible, stating that the barrier complies with AS 3660.1-2000.

A durable notice shall be permanently fixed to the building in a prominent location, such as the meter box or the like indicating:

- i) the method of protection;
- ii) the date of installation of the system;
- iii) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
- iv) the need to maintain and inspect the system on a regular system.

D5 *Protection of Trees*

All trees within and adjacent the site, other than those trees identified elsewhere in this consent, shall be protected at all times during construction. The damage or removal of trees may warrant action to be undertaken in accordance with the *National Parks and Wildlife Act 1974* or the *Environmental Planning and Assessment Act 1979*.

D6 *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) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (b) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (c) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice;
- (d) 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.
- (e) If the PCA is not the Department then the name and contact details of the PCA are to be identified on the site signage.

D7 *Dirt and Dust Control Measures*

Adequate measures shall be taken to prevent dirt and dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (a) 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;

- (b) Covers are to be adequately secured;
- (c) Cleaning of footpaths must be carried out regularly;
- (d) Roadways must be kept clean;
- (e) Gates are closed between vehicle movements;
- (f) Gates are fitted with shade cloth; and,
- (g) The site is hosed down when necessary.

D8 Hours of Work & Construction Activities

The following requirements apply to the hours of demolition, excavation and construction work on the development:

- (b) All work, including building/demolition and excavation work in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Friday inclusive, and 8:00am to 5.00pm on Saturdays, with no work allowed on Sunday or Public Holidays, or as otherwise approved by the Director General or nominee;
- (c) 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 Director General or nominee. By 31 May the applicant must ensure that the site is made safe and secure by undertaking the following:
 - Removal of all waste materials;
 - Removal and/or securing of all stockpiles of soil and gravel;
 - Construction materials are removed from around the building and stored within the building or contained within designated areas;
 - The construction 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;
 - Ensure appropriate signage is erected outlining that unauthorised access to the site is prohibited and that the site is a construction zone;
 - External scaffolding to be dismantled and removed from the site;
 - All external plumbing and drainage works are to be completed; and
 - Any other specific matters raised by Departmental staff during the course of construction.
- (c) Prior to the commencement of the works the applicant shall forward to the Department a 24 hour telephone number and shall ensure that the number is continually attended by a person with authority over the works for the duration of the development.
- (d) This development consent does not extend to the use of appliances, which emit noise of a highly intrusive nature (such as pile drivers and hydraulic hammers). Prior to the use of any such appliances the applicant shall seek, in writing, authorisation from the PCA. The written information should include, but not be limited to, the following:
 - Details of the appliance.
 - Construction activity associated with the appliance.
 - Noise and vibration mitigation measures.
 - Length of time the appliance will be in use.

If authorisation is given, the PCA shall provide a copy to the Department.

D9 Loading and Unloading of Construction Vehicles

All loading and unloading associated with demolition and construction shall be restricted to those areas approved in the Construction Management Plan.

D10 Storage of Materials

The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any trees or in a way that may impact on native vegetation, other than those approved by the Construction Management Plan.

D11 Geotechnical Requirements

At all times during demolition, excavation and construction, the contractor shall adhere to the Departments Geotechnical policy and the Geotechnical Investigations prepared by Douglas Partners identified in *Condition A2*.

D12 ~~Work Cover~~ SafeWork NSW

~~All demolition and construction works shall be carried out in accordance with current Work Cover guidelines.~~

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

D13 Plumbing and Drainage Works

All plumbing and drainage works undertaken as part of this consent shall comply with AS 3500 and are to be carried out by an appropriately licensed plumber.

D14 Construction Site Fencing.

The construction site shall be clearly delineated with suitable safety fencing to limit access to authorised personnel only.

D15 DECCW Municipal Services Unit (MSU)

Prior to any backfilling of water, sewer and fire hydrant infrastructure at the site, the site shall be inspected by DECCW MSU to ensure that all services are intact.

Any damage to any service including road infrastructure shall be immediately rectified by the applicant at their expense.

D16 Site Landscaping and Rehabilitation

Landscaping and rehabilitation works must be commenced as soon as practicable following the completion of works to minimise exposed areas and shall be undertaken in accordance with the approved Landscape Plan and should follow the NPWS "Rehabilitation Guidelines for the Resort Areas of Kosciuszko National Park (2007)".

All disturbed areas are to be rehabilitated to the satisfaction of the PCA.

D17 Flora and Fauna

Any excavations left open at night shall be left with ramps or openings such that any fauna entering these excavations have a means of escape during the night.

D18 Aboriginal Heritage

Should any material suspected of being an Aboriginal object become unearthed in the course of works associated with the proposed works, all work at that location shall cease immediately as per Section 90 of the *National Parks and Wildlife Act, 1974*. The proponent is required to immediately contact the Department and the Department of Environment, Climate Change and Water (DECCW) to arrange for representatives to inspect the site. All workers on the site are to be made aware of this condition.

D19 Re-Fuelling

Appropriate controls shall be put in place for ensuring no spillage when re-fuelling all vehicles and machinery associated with the works.

D20 Disposal of Excess Spoil

All clean excess spoil shall be disposed of at an authorised land fill site. Any contaminated spoil shall be disposed of at an authorised waste facility.

D21 Fill Material

Under no circumstances shall fill material be imported from outside of Kosciuszko National Park (KNP). If fill material is required, DECCW should be contacted in relation to available sources from within KNP.

The applicant shall arrange for any fill to be placed in accordance with the standards specified in Table 5.1 of AS 3798 – 1990 “Guidelines on Earthworks for Commercial and Residential Developments”.

D22 Water Conservation

Water saving showerheads shall be fitted to all showers within the development to reduce water consumption and promote energy efficiency.

D23 Energy Efficiency

Energy efficiency is to be maximised within the development including but not limited to the following:

- (a) energy efficient options for lighting are to be installed in all cases where possible,
- (b) 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 natural gas water heaters which are to have a rating of 5 stars or more),
- (c) all baths, hot water pipes and ceiling spaces are to be insulated,
- (d) air conditioners to be installed 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,
- (e) doors and windows are to be fitted with draught seals and weather stripping,
- (f) energy efficient water heaters are to be installed e.g. solar, heat pump or gas, and
- (g) where washing machines are to be installed they are to be water efficient washing machines such as front loading machines.

D24 Water Ratings

All water fixtures installed within the premises are to have a AAA water rating or more. The Applicant shall submit to the PCA a statement demonstrating compliance with the requirements of this condition.

D25 Photographic Record (Part 2 of 3)

A photographic record during demolition and new construction works shall be undertaken to the satisfaction of the PCA. If the Department is not the PCA, a copy of the photographic record shall also be submitted to the Department.

D26 Finished Materials and Colours

The finished materials and colour scheme for the new Lodge shall comply with the approved plans and documentation and these conditions of consent.

PART E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

E1 Occupation Certificate

An Occupation Certificate must be obtained from the PCA and a copy furnished to the Department prior to the occupation of the building or commencement of the use.

E2 Fire Safety Certificate

A Fire Safety Certificate shall be submitted to the PCA for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of an Occupation Certificate. A copy of the Fire Safety certificate must be submitted to the Department by the PCA.

E3 Structural Certification

Where the Department has been appointed as PCA for the development, a Structural Engineer's certificate shall be submitted to the PCA prior to issue of an Occupancy Certificate. This certificate is to verify that structural works have been completed in accordance with approved plans and specifications. In all cases the structural certification is to comply with the provisions of the BCA and relevant standards.

E4 Electrical Installation Certification

Where the Department has been appointed as PCA for the development, certification that all electrical works have been installed by a qualified and licensed Electrician and installed in accordance with the relevant Australian Standards shall be submitted to the satisfaction of the PCA prior to the issue of an Occupation Certificate.

E5 Removal of Temporary Structures – Builder's Signs

Any temporary builder's signs or other site information signs are to be removed upon completion of the site works and prior to the occupation of the building(s) or commencement of the use.

E6 Site Clean Up

Prior to the issue of the Occupation Certificate, the subject site is to be cleaned up and appropriately rehabilitated to its original condition, subject to any changes as part of the approval to the satisfaction of the Director General or nominee. The site clean up includes but is not limited to the removal of any waste generated from the works and the like.

E7 Geotechnical Certification

A Form 3 of the Departments Geotechnical Policy – Kosciuszko Alpine Resorts is required to be completed and submitted to the satisfaction of the PCA prior to occupation. If the Department is not the PCA, the appointed PCA is to provide a copy of the signed Form 3 of the Departments Geotechnical Policy to the Department with the copy of the Occupation Certificate.

A Form 3 must be submitted with each occupation certificate unless otherwise approved in writing by the Secretary or nominee following receipt of advice from a geotechnical engineer.

E8 Landscaping and Rehabilitation Works

Prior to the issue of **an the relevant** Occupation Certificate, the landscape works identified in the approved Landscape Plan to the satisfaction of the PCA.

E9 Stormwater Drainage System

An appropriately qualified Engineer shall provide the certification to the PCA that the stormwater drainage system has been installed in accordance with the approved stormwater plan prior to the issue of the **relevant** occupation certificate.

E10 Photographic Record (Part 3 of 3)

A photographic record at the completion of new construction works shall be undertaken to the satisfaction of the PCA prior to the issue of an Occupation Certificate. If the Department is not the PCA, a copy of the photographic record shall also be submitted to the Department.

PART F POST OCCUPATION

F1 Prohibition of Hazardous Materials

Hazardous or toxic materials or dangerous goods shall not be stored or processed on the site at any time.

F2 Annual Fire Safety Statement

An Annual Fire Safety Statement 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 has received the initial Fire Safety Certificate.

F3 Requirements of Public Authorities for Connection to Services

The applicant shall comply with the requirements of any public authorities (e.g. Country Energy, Telstra NPWS, ELGAS, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the applicant.

F4 Landscaping

All landscaping shall be permanently maintained in good condition in accordance with the approved Landscape Plan.

PART G GENERAL TERMS OF APPROVAL

G1 NSW Rural Fire Service

The NSW Rural Fire Service is prepared to grant a Bush Fire Safety Authority subject to the following conditions:

The Department received a bushfire safety authority and general terms of approval (GTAs) from the RFS. The conditions are as follows:

Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants. To achieve this, the following conditions shall apply:

1. At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

3. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

4. New construction on the western elevation(s) shall comply with section 6 (BAL19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.
5. Roofing shall be gutterless or guttering and valleys are to be screened to prevent the build up of flammable material. Any materials used shall be non-combustible.
6. New construction to the northern, eastern and southern elevations shall comply with section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7

PART H ADVISORY NOTES

H1 *Disability Discrimination Act (DDA)*

(d) The applicant's attention is drawn to legislation regarding responsibility to provide an improved environment for disabled persons. The Disability Discrimination Act (DDA) is federal legislation and aims to increase the economic and social independence of people with a disability. The DDA applies to discrimination against any person on the grounds of disability in the areas of: accommodation; education; access to premises; provision of goods; services and facilities; the activities of clubs or sports; and the request for information. The applicant must satisfy themselves that they are familiar with the DDA and have considered it in the Development Application process. The Australian Standard 1428 Designs and Mobility Part 1 to 4 sets the present minimum standard.

H2 *Lease Area*

(e) DECCW shall be consulted in related to any leasing requirements for works outside of the existing lease area.

H3 *History*

(f) A copy of the document "*30 Years Going Downhill With The Ran Ski Club*" shall be provided to the Department of Planning, an appropriate Historical Society and a local Library.