

SCHEDULE 2

CONDITIONS OF CONSENT

DEVELOPMENT APPLICATION NO. DA 016-05-2012

ALTERATIONS AND ADDITIONS TO EXISTING BUILDING
LOT 532, DP 1118419, NEEBARRAN, APARTMENTS 2 AND 3, CRACKENBACK RIDGE,
THREDBO ALPINE RESORT, KOSCIUSZKO NATIONAL PARK

This consent is granted subject to the following:

A THE APPROVED DEVELOPMENT

A.1 Development in accordance with approved documentation and plans

The development shall be in accordance with Development Application No. DA 016-05-2012 submitted by Kosciuszko Thredbo Pty Ltd on 11 May 2012 and in accordance with the supporting documentation submitted with that application including, but not limited to, the following:

Ref. No.	Document	Title / Description	Author / Prepared by	Date	Document Reference
1	Statement of Environmental Effects	'Replacement of balconies, Lot 532 'Neebarran' Crackenback Ridge, Thredbo'	Dabyne Planning Pty Ltd	March 2012	Project 08-12
2	Site Environmental Management Plan	'Lot 532 'Neebarran' Crackenback Ridge, Thredbo'	Dabyne Planning Pty Ltd	March 2012	Appendix A
3	Bushfire Assessment Report	'Replacement of balconies, Lot 532 'Neebarran' Crackenback Ridge, Thredbo'	Dabyne Planning Pty Ltd	March 2012	Project: 08-12
4	Geotechnical Assessment Report	'Proposed balcony extension'	Jeffrey and Katauskas Pty Ltd	23 March 2012	Ref: 25638 WHlet
5	Geotechnical Policy Form 4	'Minimal Impact Certification'	Jeffrey and Katauskas Pty Ltd	23 March 2012	
6	Plan	'Proposed Decks at Neebarran – Site Plan, Second Floor, First Floor and Ground Floor'	Daryl Jackson Robin Dyke Pty Ltd	12 February 2012	12-414-DA01A
7	Plan	'Proposed Decks at Neebarran – Elevations – North, South, East, West'	Daryl Jackson Robin Dyke Pty Ltd	12 February 2012	12-414-DA02A
8	Plan	'Proposed Decks at Neebarran – Elevation, Section'	Daryl Jackson Robin Dyke Pty Ltd	3 February 2012	12-414-DA03

A.2 Development site description

The development site is Lot 532 DP 1118419, Neebarran Apartments 2 and 3, Crackenback Ridge, Thredbo Alpine Resort.

A.3 Development description

The development to which consent is granted is described as alterations and additions to the existing building and associated works.

A.4 Inconsistency between documents

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

B GENERAL CONDITIONS

B.1 Prescribed conditions

All works shall comply with the prescribed conditions of development consent as set out in the Regulations:

- (a) Clause 98, Compliance with Building Code of Australia; and
- (b) Clause 98A, Erection of signs.

B.2 Australian Standards

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

B.3 Lapsing of consent

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

C PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

C.1 Construction certificate

Prior to the commencement of any work (including demolition, excavation, clearing, construction, subdivision or associated activities), a construction certificate for the development must be obtained.

C.2 Documentation for the construction certificate

Prior to the issue of the construction certificate, the following information shall be submitted to, and be to the satisfaction of the certifying authority.

- (a) Structural drawings and design statement - prepared and signed by an appropriately qualified practising Structural Engineer that comply with:
 - (i) section B of the BCA;
 - (ii) the development consent;
 - (iii) drawings and specifications comprising the construction certificate; and
 - (iv) the Departments Geotechnical Policy – Kosciuszko Alpine Resorts and the geotechnical assessment by Jeffrey and Katauskas Pty Ltd.
- (b) Compliance with the BCA – sufficient details to demonstrate that the proposal complies with the relevant provisions of the BCA.

C.3 Bush fire safety authority

Prior to the issue of any construction certificate, the certifying authority is to be satisfied that the documentation for the construction certificate demonstrates compliance with the relevant conditions of the bush fire safety authority.

C.4 Colours and materials

The development shall comply with the following:

- (a) the materials shall be in accordance with the approved plans, except as modified by condition C.5; and
- (b) the colours used shall be of natural tones that compliment the surrounding natural landscape.

C.5 Privacy screens are to be slatted, louvered or lattice or equivalent and no more than 60% solid

The 1.8 m high privacy screens to be fixed to the inner sides of both balconies are to be slatted, louvered or lattice type construction or equivalent and be no more than 60% solid, rather than a solid colour bond sheet panel. This condition is necessary to preserve the visual amenity of the existing building and surrounding locality. Details demonstrating compliance are to be provided at Construction Certificate stage.

C.6 Disability (Access to Premises – Buildings) Standards 2010

The applicant shall submit documentation to the satisfaction of the certifying authority in relation to the Disability (Access to Premises – Buildings) Standards 2010.

D PRIOR TO THE COMMENCEMENT OF WORKS

D.1 Notification to Department of the date of commencement of works

The Director-General or nominee shall be given written notice, at least 2 days prior to works commencing on site, of the date that works are proposed to commence.

D.2 Implementation of site environmental management measures

Prior to any works commencing, all site environmental management measures and actions identified on the approved SEMP (Ref. No.2 Condition A.1) shall be put in place, implemented and undertaken. All of these site environmental management measures shall be installed to the satisfaction of the PCA prior to works commencing.

D.3 Temporary fencing

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

D.4 Protection of adjacent vegetation areas

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

E DURING CONSTRUCTION

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

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

E.2 Construction hours

All work in connection with the proposed development shall be carried out between the hours of 7.00am and 6.00pm on Monday to Friday inclusive, and 7:00am to 1.00pm on Saturdays, with no work allowed on Sunday or Public Holidays, or as otherwise approved by the Director-General or nominee.

E.3 Construction period

- (a) All construction activities are limited to the "summer" period. For this development this period means commencing after the October long weekend and ceases no later than 31 May or as otherwise approved by the Director-General or nominee.
- (b) By 31 May the applicant shall ensure that that the site is made safe and secure by undertaking the following:
 - (i) removal of all waste materials;
 - (ii) removal and/or securing of all stockpiles of soil and gravel;
 - (iii) completion of all stabilisation and rehabilitation works in accordance with these conditions of consent and the approved SEMP; and

- (iv) any other specific matters related to making the sites safe and secure raised by the Director-General or nominee during the course of construction.

E.4 Construction activities

- (a) All construction activities shall be confined to within the lease area and within the fenced construction area.
- (b) All machinery to be used during the construction phase shall be confined to the existing disturbed areas (wherever possible) and the existing access tracks. Wet areas and areas of native vegetation are to be avoided.
- (c) All machinery to be used during the construction phase must be cleaned prior to coming on each site to ensure no weeds are transported to the site.
- (d) Access to the sites for construction shall be from the existing formed roads, over previously disturbed areas and in accordance with the approved SEMP only.

E.5 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.

E.6 Erosion and Sediment Control Measures

All erosion prevention and sediment control measures in place shall be checked regularly and maintained in good working order at all times. All exposed earth must be kept stabilised and revegetation must commence as soon as practicable.

E.7 Excavations and Backfilling

- (a) All excavation and backfilling shall be executed in a safe manner and in accordance with appropriate professional standards.
- (b) All excavations shall be properly guarded and protected to prevent them from being dangerous.
- (c) 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.

E.8 Dirt and Dust Control Measures

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

E.9 Asbestos

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

E.10 Loading and unloading of construction vehicles

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

E.11 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 other than those areas approved in the SEMP.

E.12 Work Cover

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

E.13 Maintenance of services

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

E.14 Site rehabilitation

Any disturbed area shall be rehabilitated in accordance with the *Rehabilitation Guidelines for the Resorts Areas, Kosciuszko National Park* (NPWS, 2007) and to the satisfaction of the PCA.

E.15 Prohibition of hazardous materials

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

E.16 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.

E.17 Litter and building waste

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

E.18 Protection of native vegetation

Site management shall ensure that appropriate measures are in place to ensure that vehicles, machinery or persons do not damage or remove any native vegetation that is not part of this consent. The damage or removal of any native vegetation that is not part of this consent may warrant further action to be undertaken in accordance with the *National Parks and Wildlife Act 1974* or the *Environmental Planning and Assessment Act 1979*.

E.19 Aboriginal heritage

Should any material suspected of being an Aboriginal relic or artefact become unearthed in the course of works, all works impacting the objects or artefacts shall cease immediately as per Section 90 of the *National Parks and Wildlife Act 1974*. The applicant must immediately contact the OEH to arrange for representatives to inspect the site. All workers on the site are to be made aware of this condition.

E.20 Compliance with AS 2601-1991

The demolition work shall comply with the provisions of AS 2601-1991 *Demolition of structures*.

E.21 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.

E.22 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.

E.23 Fill material

- (a) Under no circumstances shall fill material be imported from outside of Kosciuszko National Park (KNP). If fill material is required, OEH should be contacted in relation to available sources from within KNP.
- (b) The applicant shall arrange for any fill to be placed in accordance with the standards specified in AS 3798 *Guidelines on earthworks for commercial and residential developments*.

F PRIOR TO COMMENCEMENT OF USE

F.1 Occupation certificate

An occupation certificate must be obtained from the PCA and a copy furnished to the Director-General or nominee prior to the occupation of the building or commencement of the use.

F.2 Rehabilitation

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

F.3 Removal of site notice

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

F.4 Site clean up

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

G BUSH FIRE SAFETY AUTHORITY

G.1 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'.
2. To allow for emergency service personnel and residents to undertake property protection activities, a defensible space that permits unobstructed pedestrian access is to be provided around the building

G.2 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:

1. The existing building(s) shall be upgraded to improve protection against bush fires by undertaking the following:
 - Existing window(s) on the southern elevation are to be screened with bronze or corrosion resistant steel mesh with a maximum aperture size of 2mm.

- Screens shall be placed over the entire window to reduce the impact of radiant heat upon the glass.
 - Vents, weepholes and the like are to be screened with bronze or corrosion resistant steel with a maximum aperture of 2mm, to prevent the entry of embers.
 - External doors are to be sealed with draft excluders to prevent the entry of embers.
2. New construction shall comply with Sections 3 and 9 (BAL FZ) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas'. However, any material, element of construction or system when tested to the method described in Australian Standard AS1530.8.2 Methods for fire tests on building materials, components and structures Part 8.2: Tests on elements of construction for buildings exposed to simulated bushfire attack-Large flaming sources shall comply with Clause 13.8 of that Standard except that flaming of the specimen is not permitted and there shall be no exposed timber

G.3 General Advice – consent authority to note

The Service recognises that the site is constrained and that the proposed development falls within the Flame Zone. Flame Zone development is high risk development; consequently, in situations such as this, the Service seeks to improve the overall fire safety of the existing development. This requires greater emphasis on construction standards, landscaping, siting, and vegetation management practices to ensure improved levels of protection are afforded to the development, its occupants and fire fighters. The Service has undertaken a merit based assessment of the proposal and provides the above advice in accordance with 'Planning for Bush Fire Protection 2

RECOMMENDATION