

Development consent

Section 80 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I grant development consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social 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.



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Department of Planning and Environment

Jindabyne

29/5/ 2017

SCHEDULE 1

Application No.:	DA No. 8467
Applicant:	Perisher Blue Pty Ltd
Consent Authority:	Minister for Planning
Land:	Blue Cow Terminal Building, Perisher Range Alpine Resort, Kosciuszko National Park
Type of Development:	General Development
Approved Development:	Works including: <ul style="list-style-type: none">• installation of three panel antennas on an existing lightning rod; and• associated structural and electrical works.

DEFINITIONS

Act	means the <i>Environmental Planning and Assessment Act, 1979</i> (as amended).
Applicant	means BMM Group Pty Ltd.
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 8467	means the development application and supporting documentation submitted by the applicant on 12 May 2017.
Department	means the Department of Planning and Environment, or its successors.
Minister	means the Minister for Planning, or nominee.
OEH	means the NSW Office of Environment and Heritage, or its successors.
PCA	means the principal certifying authority and has the same meaning as Part 4A of the Act.
Regulation	means the <i>Environmental Planning and Assessment Regulations, 2000</i> (as amended).
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.
Subject site	has the same meaning as the land identified in Part A of this schedule.
Team Leader	means the Team Leader of the Alpine Resorts Team within the Key Sites Assessments division (or its successors) or a delegate of the Team Leader of the Alpine Resorts Team within the Department.

SCHEDULE 2

PART A – ADMINISTRATIVE CONDITIONS

A.1 Obligation to minimise harm to environment

In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the development.

A.2 Development in accordance with approved documentation and plans

The development shall be in accordance with the Development Application No. DA 8467 submitted by BMM Group Pty Ltd on 12 May 2017 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 (SEE) including Appendices	Proposed upgrade of an existing Vodafone telecommunications facility	BMM Group Pty Ltd	April 2017	-
2	Plan	Detail	John Skurr Consulting Engineers Pty Ltd	17 May 2017	S02
3	Plan	Site setout plan	High Force	2 May 2017	2739-G2
4	Plan	East elevation	High Force	2 May 2017	2739-G3

A.3 Inconsistency between documents

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

A.4 Lapsing of consent

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

A.5 Prescribed conditions

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

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

A.6 Australian standards

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

A.7 Legal notices

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

PART B – PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

B.1 Construction certificate

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.

B.2 Structural detail and compliance with the BCA

Prior to the issue of any 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) the BCA;
 - (ii) development consent DA 8467;
 - (iii) drawings and specifications comprising the construction certificate;
 - (iv) current and relevant Australian Standards; and
- (b) Compliance with the BCA - sufficient details to demonstrate that the proposal complies with the relevant provisions of the BCA.

B.3 Fire protection (Type A construction)

Prior to the issue of any construction certificate, sufficient details to demonstrate that the proposal complies with the relevant provisions of the BCA including specification of cabling route and method of meeting BCA Volume One Performance Requirement CP8 shall be submitted to, and be to the satisfaction of the certifying authority.

B.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 areas of vegetation that are not part of the proposed development.

PART C – PRIOR TO COMMENCEMENT OF WORKS

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

Both the PCA and the Secretary 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.

PART D – DURING CONSTRUCTION

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

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

D.2 Construction hours

All work associated with the proposed development shall be carried out between the hours of 7.00am and 6.00pm on Monday to Friday inclusive, and 7.00am to 1.00pm on Saturdays, with no work allowed on Sunday or public holidays, or as otherwise approved by the Secretary.

D.3 Construction activities

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

D.4 Work Cover

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

D.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) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (b) the approved hours of work, the name of the principal contractor for the work (if any), and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice;
- (c) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted; and
- (d) the name, address and phone number of the PCA is to be identified on the site signage.

D.6 Storage of materials

The applicant shall ensure that at all times during the construction period that no storage or disposal of materials shall take place beneath the canopy of any trees or on native heath vegetation.

D.7 Prohibition of hazardous materials

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

D.8 Noise and vibration management

Excavation and construction shall be managed in accordance with AS 2436 *Guide to noise and vibration control on construction, demolition and maintenance sites* and to ensure that there is not an adverse impact for any neighbouring/affected tourist accommodation buildings during the construction period.

D.9 Litter and building waste

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

D.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 CEMP and conditions.

D.11 Electrical works

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

D.12 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*.

PART E – PRIOR TO COMMENCEMENT OF USE

E.1 Occupation certificate

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

E.2 Site Clean Up

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

E.3 Removal of site notice

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

E.4 Structural certification

A structural engineer's certificate shall be submitted to the PCA prior to issue of any occupation certificate. This certificate is to verify that structural works 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 with the Occupation Certificate documentation.

E.5 Electrical Certification

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

E.6 Certification of cabling and building fire rated elements

A cabling installation certificate shall be submitted to the PCA prior to the issue of any occupation certificate. The certificate is to verify that the cabling works have been completed in accordance with the 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 with the Occupation Certificate documentation.

E.7 Fire safety certificate

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

PART F – POST OCCUPATION

F.1 Annual fire safety statement

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