

# Development consent

## Section 4.16 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 11 October 2017, 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.



Daniel James  
**Team Leader**  
**Alpine Resorts Team**  
**Department of Planning, Industry and Environment**

Jindabyne

11/10/2019

### SCHEDULE 1

|                              |   |
|------------------------------|---|
| <b>Application No.:</b>      | DA No. 9841   |
| <b>Applicant:</b>            | Event Hospitality and Entertainment Ltd   |
| <b>Consent Authority:</b>    | Minister for Planning and Public Spaces   |
| <b>Land:</b>                 | Friday Drive, Thredbo Alpine Resort, Kosciuszko National Park   |
| <b>Type of Development:</b>  | Advertised Development  |
| <b>Approved Development:</b> | Works including: <ul style="list-style-type: none"><li>• construction of an on-grade car park (CP2); and</li><li>• associated heated ramps, detention basin and pedestrian path</li></ul> |

## DEFINITIONS

|   |              |  |
|---|--------------|--|
| Act   |              | means the <i>Environmental Planning and Assessment Act, 1979</i> (as amended).   |
| Applicant                                       |              | means Event Hospitality and Entertainment Ltd, 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.  |
| 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 9841                                      |              | means the development application and supporting documentation submitted by the Applicant on 11 January 2019.  |
| Department                                      |              | means the Department of Planning, Industry and Environment, or its successors.   |
| Director  |              | means the Director of Regional Assessments or a delegate of the Director within the Department.  |
| Minister  |              | means the Minister for Planning and Public Spaces, or nominee.   |
| NPWS  |              | means the National Parks and Wildlife Service.   |
| 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, or agreement satisfaction | approval, or | 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 Regional Assessments division (or its successors) or a delegate of the Team Leader of the Alpine Resorts Team within the Department. |

## SCHEDULE 2

### PART A – ADMINISTRATIVE CONDITIONS

#### A.1 Obligation to minimise harm to environment

In addition to meeting the specific performance measures and criteria established in this consent, all reasonable and feasible measures to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development.

#### A.2 Development in accordance with approved documentation and plans

The development shall be in accordance with the:

- (a) DA No. 9841 submitted by Event Hospitality and Entertainment Ltd on 11 January 2019
- (b) supporting documentation submitted with that application (DA 9841)
- (c) additional and amended information submitted by Dabyne Planning Pty Ltd on 7 March 2019, 7 June 2019, 6 August 2019 and 27 August 2019
- (d) additional information submitted by Taylor Thomson Whitting (NSW) Pty Ltd and Kosciuszko Thredbo Pty Ltd on 25 July 2019
- (e) conditions of this consent

including, but not limited to, the following:

| Ref No. | Document                                 | Title/Description   | Author/Prepared by                    | Date             | Document Reference |
|---------|--|---|---------------------------------------|------------------|--------------------|
| 1       | Statement of Environmental Effects (SEE) | Construction of a Car Park and Associated Works<br><br>Car Park CP2, Friday Flat, Thredbo Alpine Resort | Dabyne Planning Pty Ltd               | January 2019     | 50-18              |
| 2       | Report                                   | Stormwater Report   | Taylor Thomson Whitting (NSW) Pty Ltd | 3 June 2019      | 181487 CAAE        |
| 3       | Plan                                     | Site Environmental Management Plan  | Kosciuszko Thredbo Pty Ltd            | 4 January 2019   | -                  |
| 4       | Report                                   | Traffic Impact Assessment   | Taylor Thomson Whitting (NSW) Pty Ltd | 7 June 2019      | 181487 TAAE        |
| 5       | Report                                   | Flora and Fauna Assessment  | Eco Logical Australia Pty Ltd         | 20 December 2018 | 18HNG-10774        |
| 6       | Report                                   | Aboriginal Cultural Heritage Due Diligence Assessment   | Past Traces Pty Ltd                   | 20 December 2018 | Project No. 6643   |
| 7       | Plan                                     | Cover Page and Location Plan  | DJRD Architects                       | 4 January 2019   | A0.100 Rev. D      |
| 8       | Plan                                     | Site Analysis Plan Indicative Electrical  | DJRD Architects                       | 7 June 2019      | A0.150/S Rev. D    |

|    |        |   |                                       |                  |               |
|----|--------|---|---------------------------------------|------------------|---------------|
| 9  | Plan   | Rehabilitation and Landscape Concept Plan   | DJRD Architects                       | 4 January 2019   | A0.200 Rev. C |
| 10 | Plan   | General Arrangement Plan  | DJRD Architects                       | 4 January 2019   | A1.100 Rev. D |
| 11 | Plan   | Indicative Section and Car Space Detail   | DJRD Architects                       | 4 January 2019   | A2.500 Rev. B |
| 12 | Plan   | Notes and Legend Sheet  | Taylor Thomson Whitting (NSW) Pty Ltd | -                | C500 Rev. P3  |
| 13 | Plan   | Erosion and Sediment Control Plan – Car Park 2  | Taylor Thomson Whitting (NSW) Pty Ltd | 19 December 2018 | C501 Rev. P2  |
| 14 | Plan   | Siteworks Plan – Sheet 1  | Taylor Thomson Whitting (NSW) Pty Ltd | 7 January 2019   | C502 Rev. P5  |
| 15 | Plan   | Section Sheet 1   | Taylor Thomson Whitting (NSW) Pty Ltd | 10 January 2019  | C504 Rev. P2  |
| 16 | Plan   | Section Sheet 2   | Taylor Thomson Whitting (NSW) Pty Ltd | -                | C505 Rev. P3  |
| 17 | Plan   | Detail Sheet 1  | Taylor Thomson Whitting (NSW) Pty Ltd | 10 January 2019  | C506 Rev. P4  |
| 18 | Form 1 | Geotechnical Policy - Kosciuszko Alpine Resorts<br><br>Form 1 – Declaration and certification made by a geotechnical engineer or engineering geologist in a geotechnical report | JK Geotechnics                        | 5 March 2019     | -             |
| 19 | Report | Geotechnical Investigation - Proposed Friday Flat Car Park 2 at Friday Drive, Thredbo, NSW  | JK Geotechnics                        | 5 March 2019     | 31690RH4rpt   |

### 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;
- (b) clause 98A, Erection of signs; and
- (c) clause 98E, Condition relating to shoring and adequacy of adjoining property.

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

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

#### **A.7 Legal notices**

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

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

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

Work must not commence until a relevant construction certificate has been issued.

### **B.2 Building Code of Australia Compliance**

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

### **B.3 Civil Details**

Prior to the commencement of the relevant works, the Applicant shall submit to the satisfaction of the Certifying Authority civil drawings prepared and signed by a suitably qualified practising civil engineer that demonstrates compliance with:

- (a) the relevant clauses of the BCA; and
- (b) the development consent.

### **B.4 Payment of the Long Service Levy**

Prior to the issue of a 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 and Construction Industry Long Service Payments Act 1986*.

### **B.5 Hydraulics plan**

Prior to the issue of the relevant construction certificate, a hydraulics plan in accordance with the relevant and current Australian Standards, prepared and signed by an appropriately qualified and practising professional, shall be submitted to and be to the satisfaction of the certifying authority. If the Department is not the certifying authority, a copy of the plan shall be submitted to the Department with the construction certificate.

### **B.6 Stormwater plan**

Prior to the issue of the relevant construction certificate, a stormwater plan and a design statement prepared by an appropriately qualified and practising engineer, shall be submitted to the certifying authority.

The detailed plan shall need to consider both the construction and operational stages of the development. The plan shall include but not limited to the following:

- (a) the proposed treatment system for each stage of the development
- (b) the water quality performance targets to be achieved
- (c) the ongoing maintenance of the stormwater system
- (d) that snow push areas have been identified to ensure filtering through the stormwater system

### **B.7 Extension of existing services**

Prior to the issue of the relevant construction certificate requiring the extension of existing services including electricity, water, and communication, plans are to be prepared identifying the existing

and proposed services to be upgraded or extended in order to carry out the development. The plans are to be prepared by appropriately qualified and practising professionals.

If the Department is not the certifying authority, a copy of the documentation shall be submitted to the Department with the construction certificate.

**B.8 Geotechnical declaration and certification**

Prior to the issue of any construction certificate, a completed and signed Form 2 from the Department's Geotechnical Policy – Kosciuszko Alpine Resorts (2003) shall be submitted to and be to the satisfaction of the certifying authority. All sections of the Form 2 must be completed and signed by the appropriate person/s. If the Department is not the certifying authority, the appointed certifying authority is to provide a copy of the completed and signed Form 2 to the Department with the copy of the construction certificate.

Unless otherwise approved in writing by the Secretary or nominee following receipt of advice from a geotechnical engineer.

**B.9 Site environmental management measures**

Prior to the issue of the relevant construction certificate, the Site Environmental Management Plan (Condition A.2) is to be updated to include details of the excavations and trenching (including that for the new trench servicing the heated ramps).

The amended SEMP shall be submitted to the certifying authority.

Once the SEMP is prepared, the environmental officer (Condition C.4) is to ensure the staff / contractors responsible for undertaking the works have access to the SEMP.

The plan is to also outline the timing of and who will be responsible for undertaking water quality testing in accordance with the *ANZECC 2000 guidelines, referenced in the ANZ guidelines for Fresh and Marine Water Quality (2018)*.

Details demonstrating compliance with this condition from the environmental officer is to be forwarded to the Secretary or nominee prior to the commencement of works.

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

### **C.1 Notification of commencement**

The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.

If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### **C.2 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.

### **C.3 Implementation of site environmental management measures**

- (a) Prior to any works commencing:
  - (i) all site environmental management measures relevant to that section of work, in accordance with the approved documentation and plans (Condition A.2) and these conditions of consent, shall be in place and in good working order;
  - (ii) the site environmental management measures shall be inspected and approved by the environmental officer; and
  - (iii) the environmental officer shall provide written and signed certification to the PCA confirming that (i) and (ii) above have been satisfied.
- (b) Prior to commencing, erosion and sediment control measures shall be put in place.

### **C.4 Environmental Officer**

- (a) Prior to the commencement of any works, an appropriately qualified environmental officer shall be appointed and both the PCA and the Secretary or nominee shall be notified of this person. The environmental officer is to have experience with construction and rehabilitation in alpine and sub-alpine areas.
- (b) In the event that the environmental officer needs replacing, the replacement is to be appropriately qualified and the PCA and Secretary must be notified of the replacement.

### **C.5 Tree removal**

Any trees proposed to be removed, or partly removed, shall be clearly identified (i.e. may include flagging of large areas), inspected and approved by the environmental officer prior to their removal, or partial removal.

### **C.6 Machinery and storage**

Machinery used during construction must be cleaned prior to site mobilisation, be regularly maintained and manoeuvred to prevent the spread of exotic vegetation. Storage of machinery and material is to be restricted to existing disturbed areas and not on native vegetation.

### **C.7 Relocation of Thredbo Valley Trail**

Prior to commencement of works, the Applicant is to consult with and gain endorsement from the Area Manager or delegate, Snowy River Area, Southern Ranges Branch for the relocation of the trail head and alignment of the Thredbo Valley Trail. Details of endorsement is to be provided to the PCA and the Secretary or nominee.



### **C.8 Treatment of weeds**

Prior to the commencement of works, all weed species that could spread through seed dispersion or disturbance that occur within the disturbance area are to be treated to ensure these weeds are not spread further.

### **C.9 Detailed rehabilitation and monitoring plan**

- (a) Prior to the commencement of works, a rehabilitation and monitoring plan shall be:
  - (i) prepared in consultation with the NPWS (unless agreed otherwise in writing by the Secretary or nominee);
  - (ii) submitted to and approved by the Secretary or nominee.
- (b) The plan must comply with the following:
  - (i) initial establishment of rehabilitation, including all planting, mulching and stabilisation must commence as soon as possible and be conducted within the same construction season;
  - (ii) exotic grass species such as Chewings Fescue are not suitable for the rehabilitation of areas containing native vegetation;
  - (iii) monitoring, maintenance and replacement planting must occur at least every 12 months with results recorded including photo points (particularly batter stabilisation);
  - (iv) rehabilitation must be in accordance with the *Rehabilitation Guidelines for the Resorts Areas, Kosciuszko National Park (NPWS 2007)*;
  - (v) all straw bales used for rehabilitation must be certified as weed free; and
  - (vi) the plan should include information on species, planting ratios, schedule, weed management, rehabilitation methods, monitoring regimes, and maintenance schedules and methods.

This condition shall be adhered to unless otherwise varied in writing by the Secretary or nominee.

### **C.10 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.

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## **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 the PCA, any person associated with construction works, or an officer of the Department.

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

All work in connection with the proposed development shall be carried out between the hours of 7.00am and 6.00pm, 7 days a week, or as otherwise approved by the Secretary.

### **D.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 Secretary or nominee.
- (b) By 31 May, the Applicant shall ensure that the site is made safe and secure (having regard to the use of the area) 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) protecting and fencing off any areas that are unsafe, for instance due to incomplete works;
  - (iv) stabilisation and rehabilitation works in accordance with these conditions of consent and the approved documentation (can occur until 31 May if required);
  - (v) appropriate signage shall be erected outlining that unauthorised access to the site is prohibited and that the site is a construction zone;
  - (vi) any external scaffolding shall be dismantled and removed from the site;
  - (vii) all external plumbing and drainage works are to be completed;
  - (viii) all disturbed ground is stabilised and made erosion resistant;
  - (ix) any excavations are made safe and secure; and
  - (x) any other specific matters related to making the site safe and secure raised by the PCA or the Secretary or nominee.
- (c) Within 14 days of the construction period ending, the appointed environmental officer is to submit to the Department a written statement outlining how the site has been made safe and secure in accordance with these conditions of consent.

### **D.4 Role of the environmental officer**

The appointed environmental officer shall oversee all works to ensure:

- (a) compliance with all environmental protection measures in the approved documentation and plans (Condition A.2), these conditions of consent and the SEMP;
- (b) all site environmental management measures are in place and adequately functioning throughout the entire construction phase; and
- (c) that site stabilisation and rehabilitation occurs as soon as practicable.

### **D.5 Construction activities and management**

- (a) At all times, construction activities shall be undertaken in accordance with the approved SEMP.
- (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.6 Tree removal**

All vegetation removal shall comply with the following:

- (a) all vegetation required for removal must be clearly marked;

- (b) all vegetation removed must either be cut into small pieces to be used for rehabilitation, placed into adjoining native vegetation without damage or it must be removed from the site completely;
- (c) all vegetation to be removed must be checked for fauna habitats and fauna by the environmental officer prior to felling. If native or exotic fauna are present, then the Applicant must contact NPWS to assist with mitigation actions.

#### **D.7 Rehabilitation and site establishment / stabilisation**

- (a) Site stabilisation and rehabilitation works shall commence immediately following the completion of each section of work to minimise exposed areas. Disturbed areas shall be adequately mulched and maintained with weed free straw until an erosion resistant ground condition is achieved. All erosion prevention and sediment control measures shall remain in place until all exposed areas of soil are stabilised and/or revegetated.
- (b) All plant species selected for rehabilitation should be locally occurring (endemic) native species.
- (c) Revegetation of all trench lines are to be monitored and maintained until they are stabilised.
- (d) Rehabilitation shall be undertaken in accordance with:
  - (i) the *Rehabilitation Guidelines for the Resorts Areas, Kosciuszko National Park (NPWS 2007)*; and
  - (ii) these conditions of consent.

#### **D.8 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. The Applicant must immediately contact the NPWS to arrange for representatives to inspect the site. All workers on the site are to be made aware of this condition.

Recommendations provided in the Aboriginal Cultural Heritage Due Diligence Assessment (reference 6 in Condition A.2) are to be implemented during the construction of the development.

#### **D.9 Excavations and backfilling**

- (a) All excavating and backfilling shall comply with the following:
  - (i) shall be executed in a safe manner and in accordance with appropriate professional standards;
  - (ii) where trenches or excavations are to be left open overnight, provision shall be made so that any fauna entering these excavations can escape;
  - (iii) adequate provision shall be made for drainage; and
  - (iv) all excavations shall be properly guarded and protected to prevent them from being dangerous;
- (b) Any clean excavated material (i.e. containing no contaminants or weeds) may be:
  - (i) temporarily stockpiled at the site in accordance with the *Rehabilitation Guidelines for the Resort Areas of Kosciuszko National Park* prior to reuse on site; or
  - (ii) stockpiled and managed at an approved Kosciuszko Thredbo Pty Ltd (KT) facility for future use in accordance with the *Rehabilitation Guidelines for the Resort Areas of Kosciuszko National Park*; or
  - (iii) disposed of at an authorised land fill site.
- (c) Any contaminated material (i.e. containing contaminants or weeds) shall not be stockpiled at the site or in Thredbo and is to be disposed of at an authorised waste facility.
- (d) Imported fill material shall only be obtained from an Office of Environment and Heritage recommended source.
- (e) Excess imported fill material shall be stockpiled in Thredbo for reuse.

#### **D.10 Imported gravel or material**

Imported gravel or material that is to be used is to be free from weeds or pathogens and in accordance with the '*Soil Stockpile Guidelines for the Resort Areas of Kosciuszko National Park, October 2017*'.

#### **D.11 Stabilising agents**

The use of soil stabilising agents is not permitted without prior consent of the Secretary or nominee in consultation with the NPWS.

#### **D.12 SafeWork NSW**

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

#### **D.13 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.14 Protection of Native Vegetation**

The environmental officer shall ensure that during works 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 (refer to Condition C.2). 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*.

Where the condition is not complied with, works are to cease and the matter rectified. No works shall recommence until written authorisation is obtained from the Secretary or nominee.

#### **D.15 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.

#### **D.16 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. Materials (including excavated materials) must not be stockpiled for extended periods.

All stockpiling is to be in accordance with the '*Soil Stockpile Guidelines for the Resort Areas of Kosciuszko National Park, October 2017*'.

#### **D.17 Prohibition of hazardous materials**

No hazardous or toxic materials or dangerous goods shall be stored or processed on the site at any time.

#### **D.18 Dirt and Dust Control Measures**

Adequate measures shall be taken to prevent construction dirt and dust from adversely affecting the surrounding vegetation and the amenity of the neighbourhood during construction.

#### **D.19 Safety fencing**

During the course of works the site shall be clearly delineated to prevent access by unauthorised persons.

#### **D.20 Erosion and sediment control measures**

- (a) All erosion and sediment control measures must 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. All straw bales used for sediment and erosion control must be certified as weed free.
- (b) The erosion and sediment controls shall also ensure that:
  - (i) grading, excavation and construction does not take place during or immediately after significant rainfall or snowfall events;
  - (ii) sediment traps are designed, installed and maintained to maximise the volume of sediment trapped from the site during construction; and
  - (iii) disturbed areas that are not required for further construction access are to be stabilised and revegetated during construction.

#### **D.21 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 there is no adverse impact on any neighbouring/affected tourist accommodation buildings during the construction period.

#### **D.22 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 and conditions.

#### **D.23 Re-fuelling**

Appropriate controls shall be put in place to ensure no spillage occurs when re-fuelling all vehicles/machinery associated with the works. Re-fuelling of vehicles/machinery shall be performed on hard-stand areas or with appropriate spill kit and temporary bunding in place.

#### **D.24 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.25 Geotechnical requirements**

At all times, works associated with the development shall comply with:

- (a) the Department's Geotechnical Policy; and
- (b) the Geotechnical Assessment undertaken by JK Geotechnics dated 5 March 2019.

Works at variance to recommendations contained in the geotechnical assessment report shall not be undertaken without prior approval from the geotechnical engineer. Any written advice of the variation shall be provided to the PCA and the Department within 48 hours.

**D.26 Maintenance of services**

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

**D.27 Distribution board**

The Applicant shall ensure that the new distribution board is located in a disturbed area and be of a colour that blends in with the environment.

## **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 issue of any occupation certificate, 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 Geotechnical certification**

- (a) Prior to the issue of any occupation certificate:
  - (i) a completed and signed Form 3 from the Department's Geotechnical Policy – Kosciuszko Alpine Resorts (2003) must be submitted to, and be to the satisfaction of the PCA. All sections of the Form 3 must be completed and signed by the appropriate person/s; or
  - (ii) if alternative advice is provided by the geotech and approved by the Secretary or nominee in Condition B.8, confirmation that the works have been undertaken in accordance with the advice.
- (b) If the Department is not the PCA, the appointed PCA shall provide a copy of the completed and signed Form 3 to the Department with the copy of the occupation certificate.

### **E.6 Civil certification**

A civil 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 shall be submitted to the Department with the copy of the occupation certificate.

### **E.7 Stormwater drainage system certification**

An appropriately qualified and practising civil engineer shall provide certification to the PCA that the stormwater drainage system has been installed in accordance with the approved detailed stormwater drainage plan (Condition B.6), prior to issue of any occupation certificate.

### **E.8 Electrical certification**

Prior to the issue of the relevant 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.9 Rehabilitation**

- (a) Prior to the issue of a final occupation certificate, the appointed environmental officer shall provide the PCA, with a copy forwarded to the Department, with a statement confirming:
  - (i) the rehabilitated and landscaped areas have been planted and implemented in accordance with the approved documentation and these conditions of consent (including Condition D.7); and
  - (ii) the rehabilitated and landscaped areas are considered satisfactory.

- (b) The PCA shall not issue a final occupation certificate unless satisfied that all environmental offsets have been established and undertaken in accordance with the approved documentation and these conditions of consent.

#### **E.10 Water quality testing results**

The results from water quality testing during works and prior to commissioning (i.e. whether the system demonstrates compliance with the guidelines and / or failed testing results and rectification measures) are to be provided to the Secretary or nominee before discharging from the site.

#### **E.11 Environmental monitoring**

A detailed Environmental Monitoring Plan shall be prepared, in consultation with the NPWS, to ensure an effective baseline is established and ongoing monitoring is undertaken in relation to both water and soil quality. The Plan shall be:

- (a) endorsed in writing by the NPWS (unless agree otherwise in writing by the Secretary or nominee); and
- (b) submitted to and approved by the Secretary or nominee.

The site and adjoining areas shall be monitored for the following:

- pollutants;
- sedimentation/turbidity;
- weeds;
- recovery of disturbed areas; and
- any other emerging issues.

The Plan shall address:

- baseline conditions;
  - thresholds;
  - location of monitoring site below the site;
  - method and frequency of monitoring;
  - proposed mitigation actions; and
  - reporting.
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## PART F – POST OCCUPATION

### F.1 Rehabilitation

Up until the date 5 years after the issue of a final occupation certificate, all disturbed areas shall be monitored every 12 months and maintained to ensure that:

- (a) the ground remains erosion resistant and groundcover is being established; and
- (b) all areas planted with native species (including seeding), are surviving.

### F.2 Snow push areas

- (a) Snow push areas are not to impact the operation of the bioswales or detention basin, with the snow push areas to be filtered through the stormwater system.
  - (b) Snow push is not to be taken off-site (i.e. off existing car parking areas).
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## ADVISORY NOTES

### **AN.1 Responsibility for other consents / agreements**

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

### **AN.2 Premises Standard**

The persons responsible for ensuring compliance with the Premises Standard (Access to Premises – Buildings) are the building certifier, building developer, and building manager. The Standard's applicability should be reasonably investigated by these persons.

### **AN.3 Other approvals and permits**

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

### **AN.4 Utility services**

- (a) The Applicant shall liaise with the relevant utility authorities for electricity, gas (if relevant), water, sewage, telecommunications, and the fire hydrant on the subject site:
  - (i) to locate all service infrastructure on the subject site;
  - (ii) arrange connection to these services for the development where relevant; and
  - (iii) negotiate relocation and/or adjustment of any infrastructure related to these services that will be affected by the construction of the development.
- (b) The Applicant and/or the lessee are responsible for costs associated with relocating any services.