

Development consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces, I grant 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.

Anthony Roberts
Minister for Planning

Sydney2024

SCHEDULE 1

Application No.:	SSD 7881
Applicant:	The Sydney Opera House Trust
Consent	Minister for Planning
Authority: Land:	2 Circular Quay East, Bennelong Point, Sydney. Lot 4 DP 787933 and Lot 5 DP 775888
Development:	The adaptation and enlargement of the existing function centre on the north-eastern side of the Sydney Opera House, the relocation of the existing ballet rehearsal room to the south-eastern side of the building, removal of the marquee on the northern broad walk and installation of removable bollards and umbrellas.

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-7881-Mod-1	02 April 2024	Team Leader	<ul style="list-style-type: none">Extend the function centre's external area trial period for a further 3 years. This would enable the external area to operate for an additional hour, between 11pm and 12 midnight.

DEFINITIONS

Advisory Note	Advisory information relating to the consent but do not form a part of this consent
Applicant	The Sydney Opera House Trust
Application	The development application and the accompanying drawings plans and documentation described in Condition A2
Construction	Any works, including earth and building works
Council	City of Sydney Council
Crown Building Works Certificate	Certification of Crown Building works under section 109R of the EP&A Act
Certifying Authority	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works under section 109R of the EP&A Act
Day Time	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	Department of Planning, Housing and Infrastructure or its successors
Evening	The period from 6 pm to 10 pm
Environmental Impact Statement (EIS)	<i>Sydney Opera House Building Renewal Program - Function Centre and Related Work (SSD 7881), Environmental Impact Statement SSD 7881</i> , prepared by Keylan Consulting Pty Ltd dated October 2016
EPA	Environment Protection Authority, or its successor
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation or Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
NSW Heritage Minister	Heritage Council of NSW Minister for Planning or nominee
NCC	National Construction Code 2016
Night time	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
OEH	Office of the Environment and Heritage, or its successor
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
Response to Submissions	Response to Submissions prepared by Keylan Consulting Pty Ltd titled <i>Sydney Opera House Building Renewal Program - Function Centre and Related Work (SSD 7881)</i> dated September 2017
RMS	Roads and Maritime Services Division, Department of Transport or its successor
Secretary	Secretary of the Department of Planning and Environment, or nominee/delegate
SOH	Sydney Opera House
Subject Site	Lot 4 DP 787933 and Lot 5 DP 775888

SCHEDULE 2

A ADMINISTRATIVE CONDITIONS

Development Description

- A1. Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Schedule 1.

Development in Accordance with Plans and Documents

- A2. The Applicant, in acting on this consent, must carry out the development:

- a) in compliance with the conditions of this consent;
- b) in accordance with all written directions of the Secretary;
- c) generally in accordance with the State Significant Development Application SSD 7881; Environmental Impact Statement entitled '*SSD 7881, Sydney Opera House Building Renewal Program-Function Centre and Related Work (SSD 7881)*', and accompanying appendices, prepared by Keylan Consulting Pty Ltd, dated October 2016;
- d) generally in accordance with the Response to Submissions entitled '*Sydney Opera House Building Renewal Program - Function Centre and Related Work (SSD 7881) Response to Submissions*' prepared by Keylan Consulting Pty Ltd, dated 27 February September 2017;
- e) generally in accordance with the Second Response to Submissions entitled '*Sydney Opera House Building Renewal Program - Function Centre and Related Work (SSD 7881)*' prepared by Keylan Consulting Pty Ltd, dated 2 May 2017;
- f) **in accordance with Section 4.55 (1A) Modification report prepared for SSD 7881 Mod 1 by the Sydney Opera House Trust dated September 2023;**
- g) following drawings:

Architectural (or Design) Drawings prepared by <i>Tonkin Zulaikha Greer Architects</i> :			
Sheet No.	Revision	Name of Plan	Date
A002	B	Site Location Plan	3 February 2017
A050	B	Ground Floor Demolition Plan	3 February 2017
A051	B	Mezzanine Level Demolition Plan	3 February 2017
A052	B	Ground Floor Demolition RCP	3 February 2017
A053	B	Mezzanine Level Demolition RCP	3 February 2017
A054	B	Demolition Sections	3 February 2017
A055	B	Demolition Elevations	3 February 2017
A100	B	Ground Floor Plan	3 February 2017
A101	B	Mezz Level Floor Plan	3 February 2017
A120	B	Ground Floor and Mezz Level RCP	3 February 2017
A200	B	General Arrangement Sections	3 February 2017
A201	B	Detail Section 1	3 February 2017
A202	B	Detail Section 2	3 February 2017
A203	B	Detail Section 3	3 February 2017
A300	B	North and West Elevation	3 February 2017
A301	B	Internal Wall Elevations 1	3 February 2017
A302	B	Internal Wall Elevations 2	3 February 2017

A450	B	Lift 08 - Function Centre	3 February 2017
A-9000	B	Finishes and Product Information	3 February 2017
A910	B	Perspective	3 February 2017
A-0001	A	Location Plan	12 August 2016
A-0101	A	Ground Floor Demolition Plan	12 August 2016
A-0102	A	Section A Demolition	12 August 2016
A-1001	A	Ground Floor Plan	12 August 2016
A-1201	A	Ground Floor RCP	12 August 2016
A-2101	A	Sections 1:20 A	12 August 2016
A-2102	A	Sections 1:20 B	12 August 2016
A-2103	A	Sections 1:20 C	12 August 2016
A-2104	A	Sections 1:20 D	12 August 2016
A-2105	A	Sections 1:20 E	12 August 2016
A-9001	A	Finishes	9 August 2016

Inconsistency between documents

- A3. If there is any inconsistency between the documents in Condition A2, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency.

Development Expenses

- A4. It is the responsibility of the Applicant to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this consent.

Lapsing of Approval

- A5. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Developer Contributions

- A6. In accordance with Section 61 of the *City of Sydney Act 1988*, the Applicant must pay developer contributions in accordance with Central Sydney Development Contributions Plan 2013. The contributions are to be paid by the Applicant prior to the certification of Crown Building Works in Part B of this consent (unless the Applicant is granted an exemption from the Section 61 contributions levy by Council).

Prescribed Conditions

- A7. The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division BA of the Regulation.

Legal Notices

- A8. Any advice or notice to the consent authority shall be served on the Secretary.

END OF SECTION A

B PRIOR TO COMMENCEMENT OF WORKS

Certification of Crown Building Works

- B1. Plans certified in accordance with section 109R of the EP&A Act are to be submitted to the Certifying Authority and the Department prior to commencement of each stage of construction works and shall include details as required by any of the following conditions.

Building Code of Australia

- B2. Details shall be provided to the satisfaction of the Certifying Authority, with each application for a Crown Building Works Certificate, which demonstrate that the proposal complies with the prescribed conditions of approval under clause 98 of the EP&A Regulation in relation to the requirements of the BCA.
- B3. Any non-deemed to satisfy compliance issues are to be included as alternative solutions in the final design to the satisfaction of the Certifying Authority prior to the issue of a relevant Crown Building Works Certificate. A copy shall be provided to the Secretary.

Structural Details

- B4. Prior to the issue of a relevant Crown Building Works Certificate, the Applicant shall submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practicing Structural Engineer that demonstrates compliance with:
- a. the relevant clauses of the BCA; and
 - b. the development consent.

Demolition Works

- B5. All demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works.

Nominated Heritage Consultant

- B6. Prior to the certification of Crown Building Works, a suitably qualified and experienced heritage consultant must be engaged to:
- c. inspect the demolition and removal of material to ensure there is no unapproved removal of significant fabric or elements; and
 - d. provide ongoing advice to tradespeople undertaking the works throughout the construction period.
- B7. Evidence and details of the engagement of a heritage consultant in accordance with Condition C3 shall be submitted to the Department and Council, prior to the certification of Crown Building Works.
- B8. The nominated heritage consultant is to provide ongoing advice to trades people undertaking the works, as required, throughout the construction period.

Notice of Commencement of Works

- B9. The Certifying Authority, the Department and Council shall be given written notice, at least 48 hours prior to the commencement of building work on the Subject Site.

Contamination

- B10. Prior to the commencement of any works (including demolition), a hazardous material survey shall be undertaken.
- B11. Prior to the commencement of any works (including demolition), the Applicant shall prepare and implement appropriate project specific procedures for identifying and dealing with unexpected finds of site contamination (including asbestos and lead-based paint materials). This shall include any notification requirements to SafeWork NSW concerning the handling and removal of any asbestos.
- B12. Prior to the commencement of any work, the Applicant is required to satisfy the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 'asbestos wastes'.

Archival Recording

- B13. Prior to the issue of a Crown Building Works Certificate, a photographic archival record of the areas proposed to be modified must be prepared in accordance with the document How to Prepare Archival Records by the Heritage Council of NSW and submitted to the Heritage Council and the Department.

Ecologically Sustainable Development

- B14. The project shall incorporate all design, operation and construction measures as identified in the ESD Statement prepared by Cundall Australia dated 23 September 2016. Details are to be submitted to the Certifying Authority prior to the issue of a relevant Crown Building Works Certificate.

Construction Environmental Management Plan

- B15. Prior to the issue of a relevant Crown Building Works Certificate, a Construction Environmental Management Plan (CEMP) shall be submitted to the Secretary for approval. The CEMP shall address, but not be limited to, the following matters, where relevant:
- a) hours of work;
 - b) 24 hour contact details of site manager;
 - c) . construction traffic management;
 - d) the preparation of a **Construction Noise and Vibration Management Plan** (CNVMP), prepared by a suitably qualified person, which addresses the relevant provisions of Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites, and the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009);
 - e) the preparation of a **Construction Air Quality Management Plan** (CAQMP), prepared by a suitable qualified person, which includes the monitoring and management of air quality and dust to protect the amenity of the neighbourhood; and
 - f) the preparation of a **Construction Waste Management Plan** (CWMP).

Note: The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.

Construction Traffic and Pedestrian Management Plan

- B16. Prior to the certification of Crown Building Works, a **Construction Pedestrian and Traffic Management Plan (CPTMP)** prepared by a suitably qualified person shall be submitted to the Certifying Authority. The CPTMP shall address, but not be limited to, the following matters:

- g) location of the proposed work zone;
 - h) haulage routes;
 - i) construction vehicle access arrangements;
 - j) hours of work;
 - k) estimated number of construction vehicle movements;
 - l) construction program;
 - m) consultation strategy for liaison with surrounding stakeholders;
 - n) any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
 - o) cumulative construction impacts of projects including Sydney Light Rail Project. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the CBD road network; and
 - p) should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.
- B17. The CPTMP shall be prepared in consultation with the CBD Coordination Office, and a copy of the final CPTMP plan shall be submitted to Coordinator General, CBD Coordination Office, prior to the commencement of any works.

END OF SECTION B

C DURING CONSTRUCTION

Hours of Work

- C1. The hours of construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:
- a) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
 - b) between 8:00 am and 1:00 pm, Saturdays; and
 - c) no work on Sundays and public holidays; or
 - d) works may be undertaken outside these hours where:
 - i) the works are internal and undertaken within the wholly enclosed building; or
 - ii) the delivery and removal of vehicles, plant or materials is via the underground loading dock within the Subject Site (in which case it may be undertaken on a 24 hours a day, 7 days a week basis during the construction of the development); or
 - iii) the delivery and removal of vehicles, plant or materials (not via the underground loading dock under Condition C1(d)(ii)) is required outside these hours by the Police or other public authorities, or it is determined that it would be hazardous to the general public (i.e. tourists, patrons or events in the forecourt/boardwalks), provided it is undertaken outside scheduled performance times at the Sydney Opera House (including not within 30 minutes before or after scheduled performances); or
 - iv) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm.

Noise and Vibration Management

- C2. The development shall be constructed with the aim of achieving the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the CNVMP, approved as part of the CEMP.
- C3. Any noise generated during the construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the Subject Site.
- C4. Heavy vehicles and oversized vehicles must not queue or idle on Macquarie Street waiting access to the Subject Site.

Site Protection and Works

- C. Significant building fabric and building elements are to be protected during the works from potential damage. Protection systems must ensure historic fabric is not damaged or removed.
- C6. The installation of new services shall be carried out in such a manner as to minimise damage to, or removal of, significant fabric.

Salvage of Significant Building Fabric

- C7. Any significant internal building fabric and elements approved to be removed are to be carefully removed, catalogued, safely stored and able to be readily reinstated, including the white birch 'wobbly' panels and door hardware.

Asbestos and Hazardous Waste Removal

- CB. Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the NSW Work Cover Authority

Acoustic Design

- C9. The proposed alterations must not affect the existing acoustic integrity of the building in relation to the control of noise emissions from the premises.
- C10. No additional equipment may be installed or changes made to the acoustic design unless certified by a suitably qualified acoustic consultant that the equipment will not increase noise emissions from building.

Approved Plans to be On-Site

- C11. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of the Department, Council or the Certifying Authority.

Site Notice

- C12. A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:
- a) minimum dimensions of the notice are to measure 841 mm x 594 mm (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; and
 - 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 Subject Site is not permitted.

Work Cover Requirements

- C13. To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Hoarding/Fencing Requirements

- C14. The following hoarding requirements shall be complied with:
- a) no third party advertising is permitted to be displayed on the subject hoarding/fencing; and
 - b) the construction site manager shall be responsible for the removal of all graffiti from any construction hoarding/fencing or the like within the construction area within 48 hours of its application.

END OF SECTION C

D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Noise Management

- D1. Prior to the use of the Function Centre, the Applicant shall prepare a **Noise Management Plan**. The Plan must establish noise management levels, outline management and mitigation measures to minimise noise impacts on nearby receivers and include a suitable noise monitoring program. The Plan must be submitted to and approved by the Secretary prior to the use of the Function Centre.

Road Damage

- D2. The cost of repairing any damage caused to Council's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to the occupation of the building.

Fire Safety Certification

- D3. Prior to the use of the Function Centre, a Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and be prominently displayed in the building.

Structural Inspection Certificate

- D4. A Structural Inspection Certificate must be submitted to the satisfaction of the Certifying Authority prior to the use of the Function Centre. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority after:
- a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and
 - b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Surrender of Consent

- D5. Prior to the use of the Function Centre, the Applicant must surrender Development Consent No. 444-10-2003 (as modified).

END OF SECTION D

E POST OCCUPATION

Ecologically Sustainable Development

- E1. The operation of the building shall implement the ESD principles and design measures outlined within the EIS.

Annual Fire Safety Certificate

- E2. An annual **Fire Safety Statement** must be given to Council and the Fire & Rescue NSW commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued. This must ensure that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard.

Capacity of Functions

- E3. The maximum capacity for functions shall be 500 patrons.

Hours of Operation

- E4. The hours of operation for the function centre must be restricted to between 6 am to 1.30 am, 7-days-a-week for internal areas and 6 am to 11 pm, 7-days-a-week for external areas (northern broad walk).
- E5. Notwithstanding E4 above, the external areas of the function centre may operate up to 12 midnight, 7-days-a-week on the northern broad walk for a trial period of **three years from the date of approval of SSD-7881-MOD-1**. The Secretary is to be informed in writing of the date of commencement of the use of the function centre. See Advisory Note AN8.

Noise Level Limits for Sound Amplification

- E6. The Applicant must ensure that sound amplification meets the noise limits specified in the table below when measured at the northern boundary of the northern broad walk.

Time Period	Noise Limit at the SOH northern broad walk
Between the hours of: <ul style="list-style-type: none">10 pm to 12 midnight (refer to Conditions E4 and ES)	62 dBA(Leq 5min); and 77 dBC(Leq 5min)
All other times	Not to exceed background noise level at Kirribilli

Noise Monitoring

- E7. Where the consent requires noise measurements, the monitoring must be undertaken at the northern boundary of the northern broad walk as outlined in the Noise Management Plan required by Condition D1.
- E8. Where the consent require noise measurements, the noise measurements must be taken using a Type 1 Sound Level Meter set to 'fast' time response, 'A' and/or 'C' weighting network as specified.

Noise Control - Plant and Machinery

- E9. Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:

- a) transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy;

For Information

- b) a sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute; and
- c) notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not exceed 5dB(A) above the background noise level between the hours of 12.00 midnight and 7.00 am.

Furniture on the Northern Broad Walk

- E10. The Applicant must ensure the removable umbrellas and bollards on the northern broad walk are completely removed and stored within the Sydney Opera House when the function centre is not in use. At no time are the umbrellas to be joined together by fabric or any other materials to form a larger canopy.

Note: Refer to Advisory Note AN2 and AN3. Please note further approval under the Heritage Act 1997 may be required separately.

Operational Management Plans

- E11. **The operations of the trial period (Condition E5) must be in accordance with the Noise Management Plan titled Sydney Opera House Building Renewal Project FC Operational Noise Management Plan, Revision G, dated 17 November 2023 and prepared by ARUP.**

END OF SECTION E

ADVISORY NOTES

Appeals

AN1. The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the EP&A Act and the EP&A Regulation (as amended).

Requirements for Section 60 Approval under Heritage Act 1977

AN2. Prior to the commencement of any works, an application under section 60 of the *Heritage Act 1977* must be submitted to and approved by the Heritage Council of NSW or its delegate.

AN3. As part of the section 60 application under the *Heritage Act 1977*, the Applicant is to further resolve the design of the following:

- a) the openings to the two main internal radial walls including the finishing of the cut walls;
- b) details of the new doors to the curved glass wall of the function room, the enlarged entry and new hood on the western facade to ensure they match existing materials and details, and are to be reversible; and
- c) details of the temporary umbrellas and bollards, to ensure they are to be removable elements and will not damage the existing paving.

The design refinements shall be prepared in consultation with the Opera House's heritage architect, Eminent Architects Panel and Conservation Council. A copy of the Heritage Council's approval and additional information required above must be submitted to the Secretary and Council for information.

Responsibility for other consents / agreements

AN4. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Disability Discrimination Act

AN5. This application has been assessed in accordance with the EP&A Act. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*. The Applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the NCC which references AS 1428.1 - *Design for Access and Mobility*. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* currently available in Australia.

Asbestos Removal

AN6. All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos"

Site contamination issues during construction

AN7. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the Applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the Department.

Trial Periods

AN8. A modification or development application may be lodged to continue the trial period specified in these conditions. The consideration of a proposed continuation and/or extension of a trial will be based on, among other things, the performance of the operator in relation to the compliance with the development consent conditions and any substantiated complaints received.

END OF ADVISORY NOTES