



Planning &
Environment

***DEVELOPMENT APPLICATION
ASSESSMENT REPORT:***

**Alterations and Additions to Schuss Ski Club,
Thredbo Village, Thredbo Alpine Resort,
Kosciuszko National Park**

DA 7216



Environmental Planning and Assessment Act 1979

February 2016

ABBREVIATIONS

Alpine SEPP	State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007
Applicant	Kosciuszko Thredbo Pty Ltd
Consent	This development consent
Department	Department of Planning and Environment
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
Minister	Minister for Planning
Secretary	Secretary of the Department of Planning and Environment
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy

Cover Image: Schuss Ski Club (Source: Department of Planning site inspection photo)

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1. BACKGROUND

1.1 Introduction

This report provides an assessment of a Development Application (DA 7216) lodged by Kosciuszko Thredbo Pty Ltd on 10 August 2015 under Part 4 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) that seeks consent for internal and external additions and alterations to Schuss Ski Club, Thredbo Village, Thredbo Alpine Resort within Kosciuszko National Park.

The proposal is described in detail in **Section 2** of this report.

1.2 The site and surrounding development

The subject site is known as Schuss Ski Club, Lot 707, 17 Alpine Way, Thredbo Village (**Figures 1** and **2**). The building is a part three and part five storey tourist accommodation club lodge built with a mixture of timber frame and masonry construction with a steel roof extending down the wall of the top floor. The club was built in the 1980s and is licensed for 25 beds.

The site, accessed directly from the Alpine Way, is bounded by the memorial site to the east, Tyrola Apartments to the west, and Aneeki Lodge to the North. The club is located on a steep north facing slope on a lot with irregular boundaries. It has an area of approximately 780m² being approximately 33 metres x 24 metres, which includes car parking spaces on the Alpine Way.

The site is previously disturbed and contains minimal vegetation, mainly grasses.



Figure 1: Subject Site in context with the Thredbo Village (Source: Six Maps 2015)

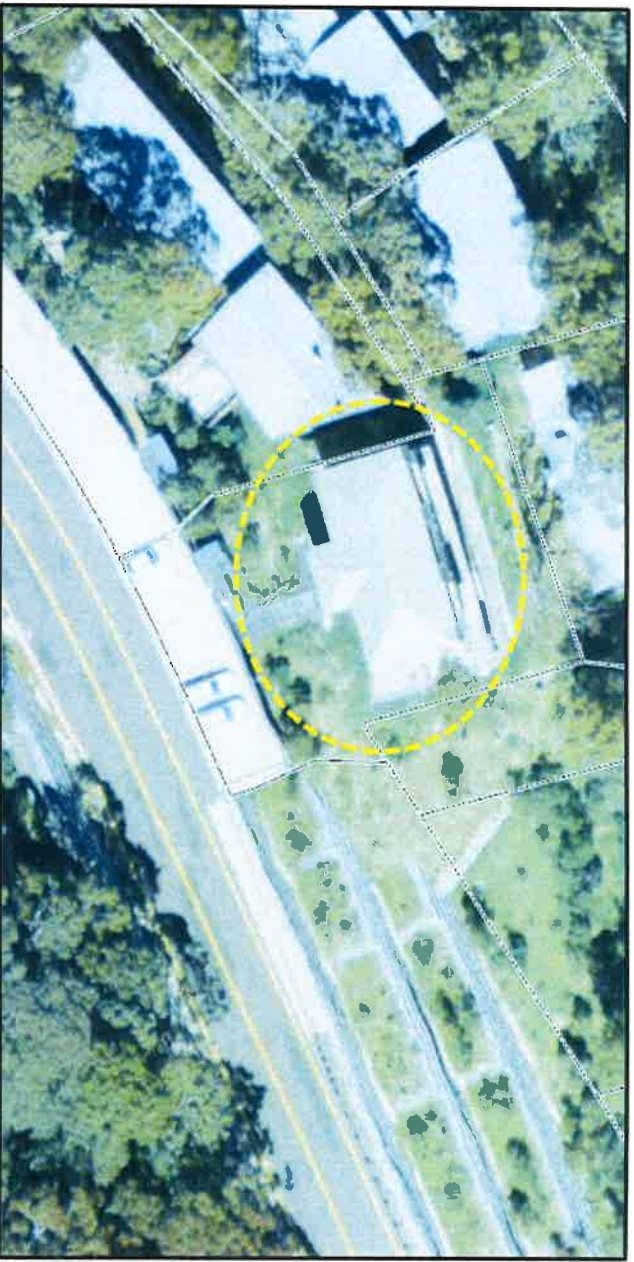


Figure 2: Subject site (Source: Six Maps 2015)

2. PROPOSED DEVELOPMENT

The development application seeks approval for internal and external additions and alterations to the building. The SEE states that the proposed works would be staged over a period of time through the use of staged Part 4A certificates. The proposed works include (in order of priority as per the SEE):

Stage 1 (priority 1):

- replacement of existing Juliet balconies and construction of a new larger balcony and deck to Level 4 of approximately 31m²;
- installation of new double glazed sliding aluminium doors and windows to Level 4;
- addition of a new sloping roof and ceiling profile over the existing lounge on Level 4;
- installation of a new canopy at the main entry of approximately 3m²;
- construction of a new bike store underneath the existing southern car park deck of approximately 40m²;
- installation of reverse cycle air conditioning to the lounge area; and
- stump grinding of remaining pine tree stumps along the northern boundary of the site and remedial landscaping.

Stage 1 (priority 2):

- new thermally insulated Colorbond cladding to external masonry walls.

Stage 1 (priority 3):

- replacement of all windows in residential parts of the building with double glazed anodised aluminium sliding windows.

Stage 2 (priority 4):

- southern extension to the lounge area to provide for a TV / quiet nook (approximately 27m²) and a ski / bag / delivery storage room. This achieves a continued opportunity to provide the new roof profile to the Alpine Way that upgrades the external appearance of the building; and

- replace existing mansard roof on Level four with Colorbond steel “Astro” colour roof to match new lounge roof.

Stage 3 (priority 5):

- kitchen and associated pantry/cleaners room upgrades – stainless steel bench tops with clear finished Australian Oak marine ply door fronts; and
- new selected resilient and cushioned floor finishes to the kitchen and dining areas.

The proposed colours and materials to be used include:

- Colorbond metallic vertical profiled steel roof cladding including flashings to lounge walls, new lounge and entry canopy roofs, and steel posts and rafters in “Astro”. This colour falls within the range of colours as recommended by the Kosciuszko Thredbo development guidelines.
- Aluminium sliding door and window frames in satin “charcoal grey”.
- Framing of the entry canopy, deck and balcony in galvanised steel with natural grey/green fibre-glass grid mesh flooring.
- Bike store is to be constructed of galvanised metal grid mesh in natural grey with concrete block paving in natural grey.
- Vertical profile external wall cladding in Kingspan “Shale Grey” (profile below).
- Cantilevered deck on the northern side of the building.

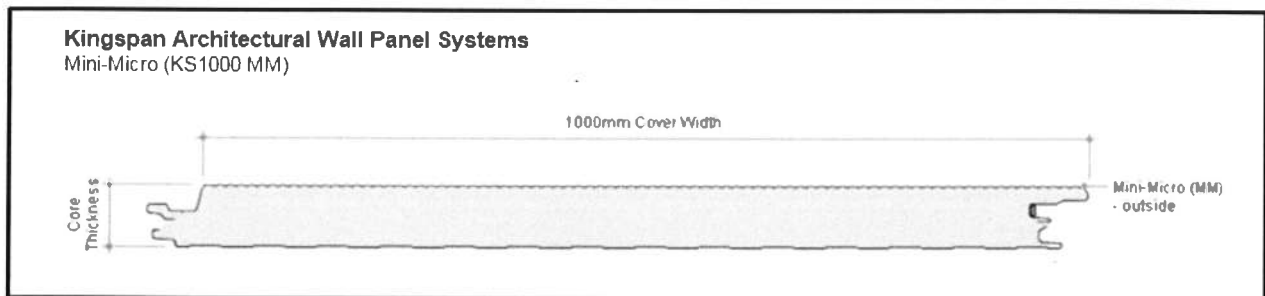


Figure 2: Cladding profile (Source: <http://www.kingspanpanels.com.au/>)

3. STATUTORY CONTEXT

3.1. Consent Authority

The Minister for Planning is the consent authority for the application under clause 7 of *State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007* (the Alpine SEPP) as the development takes place within a ski resort area as referred to in Clause 32C (2)(a) of Schedule 6 to the *Environmental Planning and Assessment Act 1979* (EP&A Act).

3.2. Determination under Delegation

In accordance with the Minister's delegation of 16 February 2015, the Team Leader of Alpine Resorts Team may determine the application as:

- the application is in relation to land which the Alpine SEPP applies; and
- there are less than 25 public submissions in the nature of objections.

3.3. Permissibility

The proposal includes internal and external alterations and additions to a building consistent with the definition of 'tourist accommodation' as defined in the Alpine SEPP. Pursuant to clause 11 of the Alpine SEPP, 'tourist accommodation' is permissible with consent with the Thredbo Alpine Resort.

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3.4. Environmental Planning Instruments

The Alpine SEPP is the only environmental planning instrument (EPI) which applies to the site for this type of development. An assessment against the requirements of the Alpine SEPP is provided in **Appendix B**. In summary, the Department is satisfied that the application is consistent with the requirements of the Alpine SEPP.

3.5. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in Section 5 of the Act. The proposal complies with the objects as it seeks approval for internal and external additions and alterations that are aimed at improving the amenity, functionality and safety of an existing tourist accommodation building. The proposal will not result in any detrimental impacts to the amenity of the surrounding locality or users of the subject, or adjacent buildings.

The proposal also promotes the orderly and economic use of the site and will not have an impact on the environment thus being ecologically sustainable development (**Section 3.6**).

3.6. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes. The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity principles have been applied in the decision-making process via an assessment of the impacts of the proposal.

3.7. Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 7) and Fees (Part 15, Division 1) have been complied with.

4. CONSULTATION AND SUBMISSIONS

After accepting the application, the Department

- Publicly exhibited the application from Friday 14 August 2015 until Monday 31 August 2015 on its website and at its Jindabyne Office (Shop 5A, 19 Snowy River Avenue, Jindabyne);
- notified relevant stakeholders (adjoining five lodges) and State government authorities in writing.

The proposal was referred to the Office of Environment and Heritage (OEH) pursuant to clause 17 of Alpine SEPP and to the NSW Rural Fire Service (RFS) pursuant to section 91 (integrated development) of the EP&A Act as a Bushfire Safety Authority under the *Rural Fires Act 1997* is required in order for the development to be carried out.

No public submissions were received during the assessment of the application.

The OEH raised no objections to the proposal while recognising that the works are within a highly disturbed area and that the works are unlikely to impact any flora or fauna.

The RFS are not opposed to the proposal and have provided a Bushfire Safety Authority (BFSA) with general terms of approval which will be incorporated into the recommended conditions of consent. The terms of approval apply Bushfire Attack Level (BAL) 19 construction standards.

The RFS also provided a separate advisory letter explaining the risks presented by ember attack during a bushfire event, and how best to upgrade a building to protect against it.

5. ASSESSMENT

5.1. Section 79C Evaluation

Table 1 identifies the matters for consideration under section 79C of the EP&A Act that apply to the development. The table also represents a summary for which additional information and consideration is provided for in **Section 5.2** (Key and other issues), the appendix or other sections of this report, referenced in the table.

Table 1: Section 79C(1) Matters for Consideration

Section 79C(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies - see Section 3.4 and Appendix B of this report.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Not applicable.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations	The application satisfactorily meets the relevant requirements of the EP&A Regulation.
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development	Impacts of the development have been considered in Section 5 and additional detail is provided in Appendix B of this report.
(c) the suitability of the site for the development	The suitability of the site has been considered in Section 5.6 of this report.
(d) any submissions	Consideration has been given to submissions received from public agencies during the exhibition of the application in Section 4 .
(e) the public interest	The public interest of the development has been considered in Section 5.7 of this report.
Biodiversity values impact assessment not required if: (a) On biodiversity certified land (b) Biobanking Statement exists	Not applicable.

5.2. Key and Other Issues

The Department has considered the objectives of section 79C of the EP&A Act, the SEE and issues raised in submissions in its assessment of the proposal. The Department considers that the key issues associated with the proposal to be:

- compliance with the Building Code of Australia (BCA);
- context, visual impact and setting; and
- privacy and maintaining amenity of the locality.

5.3. Compliance with the BCA and other relevant legislation

The proposal is required to comply with the BCA and relevant Australian Standards. The Department has considered matters such as accessibility and bushfire protection and based on the plans and documents that were submitted, is satisfied that the certifier, building designer and lodge owner are aware of their legislative obligations.

The key aspects of the proposal from a BCA perspective are the snow and wind loads and bushfire protection which the new works may be exposed to. These are required comply with the BCA including the alpine specific clauses.

The site is located on land which is identified as bushfire prone, and as such has been referred to the RFS. They have identified the Bushfire Attack Level (BAL) which applies to the site in accordance with Australian Standard 3959, Construction of Building in Bushfire Prone Areas. As outlined in the Bushfire Safety Authority the site was identified as BAL 19 and must comply with the corresponding construction standard for that BAL.

The *Disability Discrimination Act 1992* (DDA) is Commonwealth legislation which applies to the site. The DDA includes Disability Standards known as the *Access to Premises – Buildings Standards 2010* which relate to access for people with a disability to specific types of buildings, including tourist accommodation. The proposed works are required to comply with these standards or obtain one of the exemptions available within the standards. The trigger for the application of the Premises Standard is the making of an application for building approval, which in NSW is the construction certificate stage.

Full details of compliance with the above mentioned are required to be demonstrated by the applicant at the construction certificate stage. Conditions of consent are recommended to ensure that BCA (and other relevant legislation) compliance is addressed at the Construction Certificate stage.

5.4. Context, visual impact and setting

The alterations and additions are minor in nature and are designed to integrate with the existing building. Complementary materials and finishes are proposed to be used that will integrate well with the existing building and the locality.

The visual impact of the modification will be minor. The main impact will come from the roof extension and the replacement of the Juliet balconies. The existing balconies are deteriorated and it is considered that the replacement with a larger balcony will be and a visual and safety improvement. The new roof extension and addition will be “Astro” colour metallic steel which is low reflectivity and provides a more modern appearance to the 1980’s style club lodge.

Commentary on visual impact was provided by the Applicant and the Department considers that the proposed design, colours, and materials will provide a positive visual impact and be complementary to the character of the locality.

5.5. Privacy and maintaining the amenity of the locality

The proposed deck on the northern façade replacing the Juliet balconies will overlook the rear of the tourist accommodation buildings to the north of the site being Aneeki and Bogong Apartments. The size of the balconies is being increased, however their height remains the same. No views will be obstructed by the proposed works and the shadow cast by the building and the levels of natural light the adjoining buildings currently benefit from will remain unchanged. In addition to this the adjoining properties were notified and given an opportunity to make submissions if they had concerns, no such submissions were received.

With an increasing number of guests interested in mountain biking, the addition of a bike storage area will have a positive impact on the amenity of the lodge as it allows mountain bikes to be stored out of sight and in a secure location.

The Department's assessment indicates that there will be no adverse impacts in relation to visual or acoustic privacy and the amenity of the locality will be maintained.

5.6. Suitability of the site

The proposed building alterations and additions are suitable for the site. The works would improve the amenity of the building without having any adverse impacts. The works will not impact any adjoining properties or vegetation. Construction works can be appropriately managed to avoid or mitigate any adverse impacts.

5.7. Public Interest

The proposed development is considered to be consistent with the aim and objectives of the Alpine SEPP and the public interest would not be compromised by the proposal. There would also not be an adverse impact on the environment and the proposal is consistent with the principles of ESD.

6. CONCLUSION AND RECOMMENDATION

6.1. Conclusion

The Department has assessed the merits of the proposal taking into consideration the issues raised in all submissions and is satisfied that the impacts have been satisfactorily addressed within the proposal and the recommended conditions.

In relation to the proposal, the Department considers that:

- the proposed works will not have an impact on threatened species, populations and ecological communities;
- construction works will be undertaken in accordance with the BCA and relevant Australian Standards; and
- the proposal is appropriate and does not impact upon any adjoining properties.

Overall, the Department is satisfied that the application has been appropriately designed, has taken into account site restraints and recommends that the application be approved subject to the imposition of conditions.

6.2. Recommendation

It is recommended that the Team Leader, Alpine Resorts Team, as delegate of the Minister for Planning:

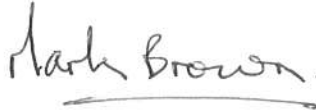
- a) **consider** all relevant matters prescribed in section 79C of the EP&A Act, including the findings and recommendations of this report; and
- b) **approve** the Development Application (DA 7216), under section 80(1)(a) of the EP&A Act, having considered matters in accordance with (a) above, and **sign** the Notice of Determination at **Appendix C**.

Prepared by:



Robin Ward
Planning Officer
Alpine Resorts Team

Reviewed by:



Mark Brown
Senior Planner
Alpine Resorts Team

Approved by:



Daniel James
Team Leader
Alpine Resorts Team

19/2/2016

APPENDIX A. RELEVANT SUPPORTING INFORMATION / SUBMISSIONS

The following supporting documents and information to this assessment report can be found on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7216

APPENDIX B. CONSIDERATION OF RELEVANT LEGISLATION

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

To satisfy the requirements of section 79C(a)(i) of the EP&A Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project.

Section 79C (1) of the EP&A Act

In determining a DA, a consent authority must take into consideration the matters referred to in section 79C(1) of the EP&A Act as are relevant to the development. **Section 5.1** of this report details consideration of the matters in section 79C(1), however a detailed consideration of the likely impacts of the development is provided below:

S 79C(1)(b) the likely impacts of that development

Context and setting – The proposed works are consistent with the context and setting of the Thredbo Village being an alpine tourist resort characterised by natural stonework and European style architecture. The proposed design and materials have been selected to modernise the appearance of the building while providing required upgrades and improvements to ensure the building is safe and maintained into the future. Refer to **Section 5.4** of this report for further discussion.

Access, transport and traffic – The proposal would not increase traffic to the site or impact upon access, transport or traffic management within the resort. The site has sufficient car spaces on the Alpine Way which can also be used for vehicles during construction.

Public domain – The proposed works would not impact upon the public domain.

Utilities and energy – The proposal includes measures to improve the energy efficiency of the building including new insulation and double glazed windows. Conditions of consent are applied to ensure new utilities within the building meet energy performance standards. The Department considers that the proposal will result in improvements to utilities and energy.

Heritage – The proposal would not impact upon any European or Aboriginal heritage items.

Other land resources – The proposed works do not impact on other land resources.

Water – There would be no impact on natural water resources. The site is more than 40 metres away from any watercourse. Stormwater runoff will be increased by the additional roof space, this will be directed to the existing concrete dish drains and gravity fed to stormwater pits, no adverse impact is expected. New appliances that use water will have to comply with conditions of consent relating to energy performance. The Department considers that the impacts on water will be minimal.

Soils – Soils are unlikely to be impacted by the proposal. The Applicant has chosen to use a cantilevered design to support the new deck and therefore the only excavations will be for the footings at the southern side of the building to support the extension. A geotechnical engineer has reviewed the proposal and provided a Form 4 minimal impact certification, along with recommendations to be adhered to during construction. Conditions of consent will be recommended to ensure erosion is kept to a minimum.

Noise and vibration – There will be an increase in noise and vibration during construction which will be short term and managed in accordance with conditions of consent.

Air and microclimate – Impacts in this regard will be small-scale and short-term during construction and involve primarily dust and vehicle emissions. These will be managed in accordance with conditions of consent. No long term impacts are expected.

Flora and fauna – The proposed works will not impact upon flora or fauna.

Waste – The proposal does not increase the need for waste disposal on site. Waste generated during demolition and construction will be managed in accordance with the site environmental management plan. The site has good access for construction vehicles transporting spoil from the site via the car parking spaces located on the Alpine Way.

Natural hazards – The site is located on bushfire prone land. The RFS has provided a Bushfire Safety Authority. A form 4 minimal impact certification has also been provided by a geotechnical engineer. The site is not considered flood prone land and there are no other known hazards impacting the site.

Technological hazards – The proposal is required to comply with the BCA and relevant Australian Standards. No concerns are raised in relation to the proposal.

Safety, security and crime prevention – The proposed works will have no impact on safety, security and crime prevention.

Social impact – The proposal will have minimal social impact other than providing an improved guest experience at the club.

Economic impact – The proposal will have a minor positive economic impact in the form of short term construction employment.

Site design and internal design – The proposed alterations and additions are appropriate and will provide the lodge with improved amenity, safety and appearance.

Construction – The construction of the proposal will have minimal impacts if managed in accordance with the conditions of consent and the site environmental management plan. Construction vehicles can access the site from the Alpine Way and have sufficient space for the storage of materials.

Cumulative impacts – No cumulative impacts are envisaged as a result of this proposal.

STATE ENVIRONMENTAL PLANNING POLICY (KOSCIUSZKO NATIONAL PARK – ALPINE RESORTS) 2007

CI 2 – Aim and objectives:

The proposal is considered to be consistent with the aim and objectives of the Alpine SEPP in that it is consistent with the principles of ESD and consists of internal and external alterations and additions to an existing tourist accommodation building.

CI 11 – Land Use Table

The proposal is for internal and external alterations and additions to an existing lodge. Pursuant to clause 11 of the Alpine SEPP and the Thredbo Alpine Resort land use table, 'tourist accommodation' is permissible.

CI 14(1) – Matters to be considered by consent authority	
(a) the aim and objectives of this policy, as set out in clause 2	See discussion above.
(b) the conservation of the natural environment and any measures to mitigate environmental hazards (including geotechnical hazards, bush fires and flooding),	Due to the works being minor in nature and on a highly disturbed site, no impact is expected on the natural environment. The new works have been reviewed by the RFS, a geotechnical engineer and the OEH and will be undertaken in a way which most appropriately mitigates risks.
(c) the cumulative impacts of development on existing transport, effluent management systems, waste disposal facilities or transfer facilities, and existing water supply	The proposal does not increase the capacity of the building. The subject site contains the necessary infrastructure and services to support the development as proposed.
(d) any statement of environmental effects,	The SEE and supporting information are considered adequate to enable a proper assessment.
(e) the character of the alpine resort,	The proposal will not alter the character of the resort.
(f) the Geotechnical Policy – Kosciuszko Alpine Resorts,	A Form 4 minimal impact certificate has been provided by a geotechnical engineer in accordance with the Department's Geotechnical Policy.
(g) any sedimentation and erosion control measures,	No adverse impacts are expected as the excavations and ground disturbance involved is minor involving new footings to support the addition to the south.
(h) any stormwater drainage works proposed,	The existing storm water drainage system consists of concrete dish drains surrounding the building and is adequate to accommodate the proposed works.
(i) any visual impact of the proposed development, particularly when viewed from the Main Range,	The proposal will not result in an unacceptable visual impact. The proposal is designed to enhance the external appearance of the building.
(j) any significant increase in activities, outside of the ski season,	The proposal will not result in a significant increase in activities outside the ski season.
(k) if the development involves the installation of ski lifting facilities	The proposal does not involve the installation of any new ski lifting facilities.
(l) if the development is proposed to be carried out in Perisher Range Alpine Resort: the document entitled Perisher Range Resorts Master Plan and the document entitled Perisher Blue Ski Slope Master Plan	Not applicable.
(m) if the development is proposed to be carried out on land in a riparian	The proposal is not within a riparian corridor.

corridor:	
CI 15 – Additional matters to be considered for buildings	
Building Height	The works result in a minor increase to the lodge however no additional storeys are being added. The minor increase in height will not impact upon adjoining buildings through privacy or overshadowing, refer to Section 5.5 for further discussion.
Building Setback	The works will not decrease the existing setback to north, east or west, the extension to the south will result in a decreased setback however this side is bounded by the Alpine Way and will not have an adverse impact.
Landscaped Area	Some minor landscaping is taking place in the form of stump grinding and remedial landscaping on the northern side of the lodge. The landscaping works will have a minor positive impact. It is noted that the OEH have raised no concerns with this component of the application.
CI 17 – applications referred to the Office of Environment and Heritage (OEH)	
The proposal was referred to the OEH pursuant to clause 17 of the Alpine SEPP. No objections to the proposal were raised from OEH, see Section 4 for discussion.	
CI 26 – Heritage conservation	
European heritage	The proposal is unlikely to impact on any European heritage items.
Aboriginal heritage	The works are unlikely to impact Aboriginal cultural heritage.

APPENDIX C. RECOMMENDED CONDITIONS OF CONSENT
