

**STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)**



Planning,  
Industry &  
Environment

- 8 JAN 2020

RECEIVED - JINDABYNE

**Additions & Alterations to Kosciuszko Chalet Hotel  
Cellar Bar portico entrance  
Charlotte Pass Snow Resort**



## Project description

The proposal seeks consent to undertake additions and alterations to improve the amenity of the hotel by constructing new portico (Diagram A 3d perspective) to replace the existing portico (Diagram B photo) to the cellar bar. This application refers to the need to construct walls and roof to the areas as shown on DA drawings. There will be an exempt development component to the proposed DA works where by an existing concrete slab will be replaced to support the structure. An Engineers' design has been provided to support this. There will be minor earthworks to reconfigure with "no impact". The proposed alterations have been designed to match the existing entrance to the Hotel keeping in mind the heritage of the building and surrounding area. A Statement of Heritage Impact for the new Proposed Cellar Bar Entry Portico has been provided by Heritage Consultants Eric Martin and Associates [www.emaa.com.au](http://www.emaa.com.au).

The proposed alterations / additions will not add any additional floor area to the development.

Diagram A (3d perspective)



Diagram B (Photo)



The purpose of this SEE is to:

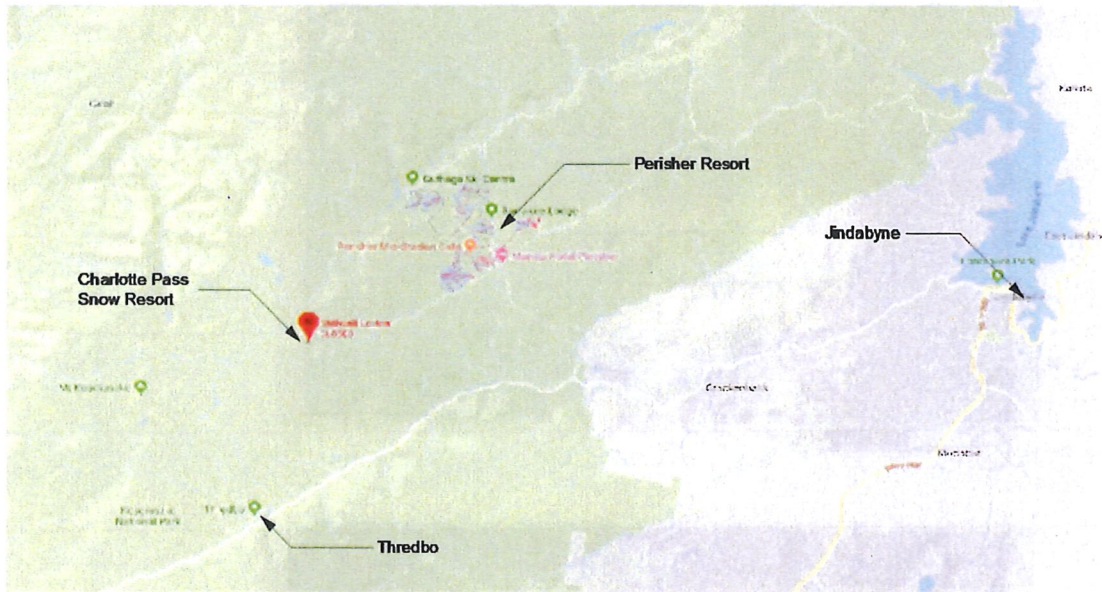
- describe the land to which the DA relates
- describe the form of the proposed works
- define the statutory planning framework within which the DA is to be assessed and determined; and
- assess the proposed development against the matters for consideration listed under the Environmental Planning and Assessment Act, 1979 (EP&A Act, 1979). The report has been prepared in accordance with the requirements of Schedule 1 of the Environmental Planning and Assessment Regulations 2000.



## The Locality & The Site

### The Locality

The subject site is located within the Charlotte Pass Snow Resort, approximately 8kms from Perisher Valley & 40kms from Jindabyne. Access to the resort is achieved via Kosciuszko Road. The location of Charlotte Pass is illustrated in context with the regional locality below:



**The Site**

The subject se is known as 'Stillwell Hotel' and is a dwelling (Lodge) on its own sub-leased allotment within Charlotte Pass village and is legally referred to as Lot 24 DP75G705 Charlotte Pass village. The existing property is licensed to contain a maximum of 60 guests for the purpose of tourist accommodation. The property is directly accessible from Charlotte Pass village driveway.



○ LOCATION PLAN



□

## **ENVIRONMENTAL PLANNING ASSESSMENT**

The only applicable Environmental Planning Instrument to the proposed development and site is State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007 (SEPP Alpine Resorts). The relevant clauses contained within SEPP Alpine Resorts are addressed below:

The land use table for Charlotte Pass Snow Resort specifies that 'Tourist accommodation' is permitted with consent. The proposed additions and alterations of the existing dwelling are for the purposes of tourist accommodation and is therefore permissible with consent.

**TABLE 2: STATE ENVIRONMENTAL PLANNING POLICY (KOSCIUSZKO NATIONAL PARK—ALPINE RESORTS) 2007**

<b>Clause 14 Matters to be considered by consent authority</b>	
(1) In determining a development application that relates to land to which this Policy applies, the consent authority must take into consideration any of the following matters that are of relevance to the proposed development:	
(a) the aim and objectives of this Policy, as set out in clause 2,	The proposed additions and alterations have been designed to ensure impacts on the natural and built environment are minimal. The upgrade of the building is considered to result in a development that is consistent with the aims and objectives.
(b) the extent to which the development will achieve an appropriate balance between the conservation of the natural environment and any measures to mitigate environmental hazards (including geotechnical hazards, bush fires and flooding),	As there are no hazards resulting from the development, no measures to mitigate environmental hazards that would impact on the conservation of the natural environment are proposed.
(c) having regard to the nature and scale of the development proposed, the impacts of the development (including the cumulative impacts of development) on the following:	The proposed development will result in a nil increase of floor area, this will ensure that the existing transport, reticulated effluent management, waste disposal and water supply infrastructure will not be required to be upgraded or expanded.
(i) the capacity of existing transport to cater for peak days and the suitability of access to the alpine resorts to accommodate the development,	NA
(ii) the capacity of the reticulated effluent management system of the land to which this Policy applies to cater for peak loads generated by the development,	NA
(iii) the capacity of existing waste disposal facilities or transfer facilities to cater for peak loads generated by the development,	NA
(iv) the capacity of any existing water supply to cater for peak loads generated by the	NA

development,	
(d) any statement of environmental effects required to accompany the development application for the development,	This Statement of Environmental Effects satisfies this sub-clause.
(e) if the consent authority is of the opinion that the development would significantly alter the character of the alpine resort—an analysis of the existing character of the site and immediate surroundings to assist in understanding how the development will relate to the alpine resort,	The proposed additions and alterations will not alter the character of the resort and have been designed to enhance the overall amenity of the building.
(f) the Geotechnical Policy—Kosciuszko Alpine Resorts (2003, Department of Infrastructure, Planning and Natural Resources) and any measures proposed to address any geotechnical issues arising in relation to the development,	No geotechnical issues.
(g) if earthworks or excavation works are proposed—any sedimentation and erosion control measures proposed to mitigate any adverse impacts associated with those works,	The proposed additions and alterations will only require minor earthworks.
(h) if storm water drainage works are proposed—any measures proposed to mitigate any adverse impacts associated with those works,	Nil impact
(i) any visual impact of the proposed development, particularly when viewed from the Main Range,	The proposed additions and alterations have been designed to be compatible with the existing building and surrounding built form with no additional visual impacts generated.
(j) the extent to which the development may be connected with a significant increase in activities, outside of the ski season, in the alpine resort in which the development is proposed to be carried out,	The proposed additions and alterations are not expected to increase any activities outside of the ski season.
(k) if the development involves the installation of ski lifting facilities and a development control plan does not apply to the alpine resort:	Not applicable.
(i) the capacity of existing infrastructure facilities, and	
(ii) any adverse impact of the development on access to, from or in the alpine resort,	
(2) The <b>long term management goals</b> for riparian land are as follows:	
(a) to maximise the protection of terrestrial and aquatic habitats of native flora and native fauna and ensure the provision of linkages, where possible, between such habitats on that land,	NA
(b) to ensure that the integrity of areas of conservation value and terrestrial and aquatic habitats of native flora and native fauna is maintained,	NA

(c) to minimise soil erosion and enhance the stability of the banks of watercourses where the banks have been degraded, the watercourses have been channelised, pipes have been laid and the like has occurred.	NA
<b>15 Additional matters to be considered for buildings</b>	
<b>(1) Building height</b> In determining a development application for the erection of a building on land, the consent authority must take into consideration the proposed height of the building (where relevant) and the extent to which that height:	
(a) has an impact on the privacy of occupiers and users of other land, and	Not applicable.
(b) limits solar access to places in the public domain where members of the public gather or to adjoining or nearby land, and	Not applicable.
(c) has an impact on views from other land, and	Not applicable.
(d) if the building is proposed to be erected in Thredbo Alpine Resort—has a visual impact when viewed from the Alpine Way, and	Not applicable.
(e) if the building is proposed to be erected in Perisher Range Alpine Resort—needs to be limited so as to assist in maintaining the skyline when viewed from Kosciuszko Road and any other public roads, and	Not applicable.
(f) if the building is proposed to be erected in an alpine resort other than Thredbo Alpine Resort or Perisher Range Alpine Resort—is similar to existing buildings in the resort where it is proposed to be erected, and	Not applicable.
(g) if the building is proposed to be erected in Bullocks Flat Terminal—relates to the topography of its site.	Not applicable.
<b>(2) Building setback</b> In determining a development application for the erection of a building on land, the consent authority must take into consideration the proposed setback of the building (where relevant) and the extent to which that setback:	
(a) assists in providing adequate open space to complement any commercial use in the alpine resort concerned, and	Not applicable.
(b) assists in achieving high quality landscaping between the building and other buildings, and	Not applicable.
(c) has an impact on amenity, particularly on view corridors at places in the public domain where members of the public gather, and	Not applicable.
(d) is adequate for the purposes of fire safety, and	Not applicable.
(e) will enable site access for pedestrians, services (including stormwater drainage and sewerage services) and the carrying out of	Not applicable.

building maintenance, and	
(f) will facilitate the management of accumulated snow.	Not applicable.
<b>(3) Landscaped area</b> In determining a development application for the erection of a building on land, the consent authority must take into consideration (where relevant) the extent to which landscaping should be used:	
(a) as a means of assisting in the protection of the unique alpine environment of the alpine resort concerned, and to maximise its natural visual amenity, for the benefit of visitors and natural ecosystems, and	Not applicable.
(b) to assist in the provision of adequate open space to complement any commercial use in the alpine resort concerned, and	Not applicable.
(c) to limit the apparent mass and bulk of the building, and	Not applicable.
(d) as an amenity protection buffer between the proposed building and other buildings, and	Not applicable.
(e) as a means of reducing run-off, and	Not applicable.
(f) to protect significant existing site features and limit the area of any site disturbed during and after the carrying out of development.	Not applicable.

## **DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS**

### **Biodiversity Conservation Act 2016**

Section 1.7 of the EP&A Act requires the application of the Biodiversity Conservation Act 2016 (BC Act) in connection with the terrestrial and aquatic environment.

The BC Act commenced on 25 August 2017, with transitional arrangements in place until 25 February 2018.

The BC Act, together with the Biodiversity Conservation Regulation 2017 (BC Regulation), introduced framework for the assessment and approval of biodiversity impacts associated with developments that require consent under the EP&A Act.

The BC Act introduced a Biodiversity Offsets Scheme that applies when:

- the amount of native vegetation being cleared exceeds a certain threshold area; or
- the impacts occur within an area mapped on the Biodiversity Values Map (BVM) published by the Minister for Environment; or
- the 'test of significance', in section 7.3 of the BC Act, identifies that the development or activity is likely to significantly effect threatened species or ecological communities, or their habitats; or the works are carried out in a declared area of outstanding biodiversity value.



## **Biodiversity Conservation Act 2016 (cont.)**

As part of the BC Act, native vegetation clearing thresholds have been set, above which the Biodiversity Offset Scheme applies.

In order to meet the NSW RFS requirements, it is considered that there is no native vegetation may needing to be managed as the proposed development is already in a disturbed area and the structure is replacing an existing structure in the same location.

As part of the implementation of the BC Act the Minister released a BVM of all public and private land areas in the State whose biodiversity is protected by the BC Act.

Parts of the ski resorts are incorporated in this mapping as an area of protected biodiversity value (coloured on the BVM).

Given the extent of works and existing vegetation management on the site, the proposal is not considered to have any at all significant affect threatened species or ecological communities, or their habitats.

There are currently no declared area of outstanding biodiversity value within Kosciuszko National Park.

## **DEVELOPMENT CONTROL PLANS**

There are no Development Control Plans applicable to the Kosciuszko Alpine Resorts under State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007.

## **PLANNING AGREEMENTS**

There are no Planning Agreements applicable to the Kosciuszko Alpine Resorts under State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007.

## **REGULATIONS**

The development application has been made in accordance with the requirements contained in the Environmental Planning and Assessment Regulation 2000. In accordance with Clause 54(4) of the same regulations, the information that is required for a Construction Certificate, including information in relation to any BCA assessment or Access to Premises Standard is not required to be provided for a DA in relation to either building or subdivision work. This is to ensure that the consent authority does not oblige the applicant to provide construction details up-front where the applicant may prefer to test the waters first and delay applying for a construction certificate until, or if, development consent is granted.

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# SITE ENVIRONMENTAL MANAGEMENT PLAN (SEMP)

## **Additions & Alterations to Kosciuszko Chalet Hotel Cellar Bar portico entrance Charlotte Pass Snow Resort**

### Introduction

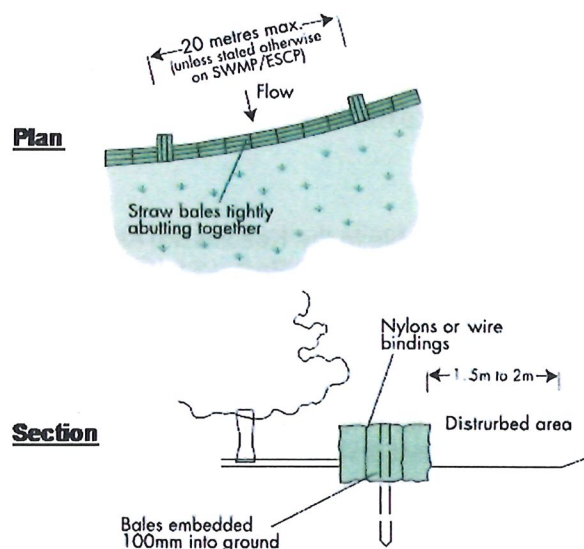
The following plan has been provided to identify the appropriate sediment controls, location for construction vehicles &, material storage.

Appropriate environmental management controls will be required to manage soil and surface water during the construction of the development.

Temporary controls will include either a straw bale filter, installed as illustrated Diagram A or a sediment fence in accordance with Diagram B below.

### Erosion and Sediment Control Management

Diagram A: Standard Straw Bale Filter Installation



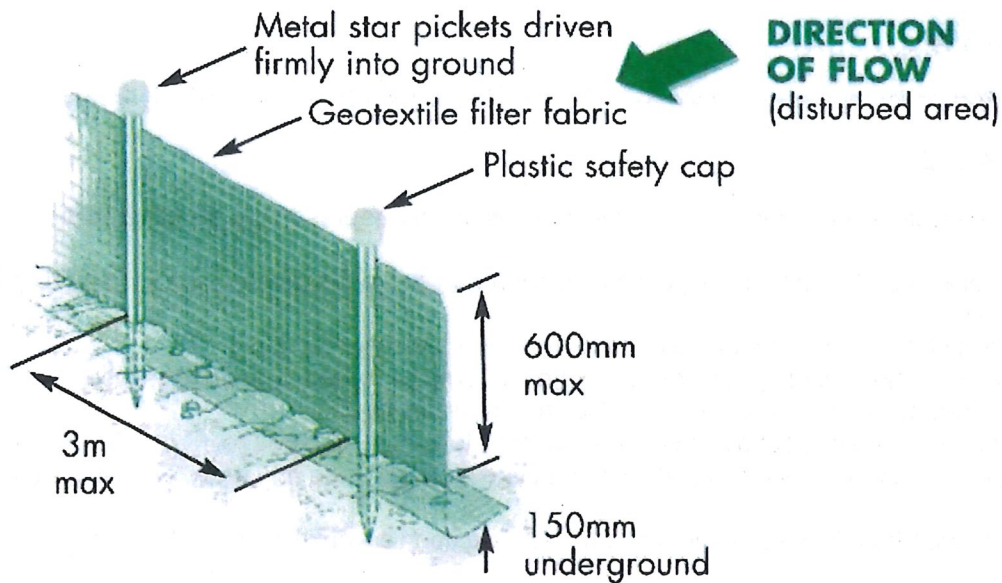
Straw bales are suitable for low flows of water. It is only recommended that these are used in limited applications such as reducing the flow velocity.

The return of straw bales every 20 metres is recommended to ensure some stability for this style of barrier. Please note that they need to be embedded in the ground and held firmly in place with star pickets.

The minimum number of bales to be used is four. If only two bales are used during a storm event, the water will simply hit the bales and flow around, increasing erosion. The bales must dam the runoff and allow the sediment to settle behind the bales.

Please note straw bales do not filter sediment-laden waters. They will only hold back water if installed correctly.

Diagram B: Standard Sediment Fence Installation



When using a sediment fence, keep in mind that it will be effective within the following parameters:

- It is generally not designed to filter concentrated flows and therefore needs to be placed following the contours whenever possible.
- It should last for up to six months but requires regular maintenance and weekly checks are needed. The performance of a sediment fence diminishes considerably when crushed by delivery of building materials. It must remain vertical and keyed into the soil.
- Where the sediment fence is not installed correctly water will inevitably flow through the point of least resistance. Damaged fences must be repaired promptly.
- Sediment fences need to be trenched in at least 150 mm and buried so the water flows through and not underneath.
- Soil on both sides of the fence must be compacted to avoid seepage under the barrier.

### **Construction notes**

1. Construct sediment fences as close as possible to follow the contours of the site.
2. Drive 1.5m long posts into ground, maximum 3 metres apart.
3. Staple to 40mm square hardwood posts or wire tied to steel posts.
4. dig a 150mm deep trench along the up-slope line of the fence for the bottom of the fabric to be entrenched.
5. Backfill trench over base of fabric and compact on both sides.

### **Access & Vehicle Parking**

Access to the site will be achieved via Kosciuszko Road with the existing parking available to accommodate the construction vehicles within the existing old tennis court .

### **Material Storage**

Material storage for the development can be placed within part of the existing old tennis court.

### **Waste Management**

To ensure that waste is managed, the following controls and measures are to be adhered to:

- All litter generated on site is to be disposed of in appropriate skip bin provided on site and disposed at Jindabyne tip.
- All employees shall be informed of the need to maintain a clean worksite.
- Site generated waste including garbage, concrete and excess materials shall be collected within the waste bin and removed from the site to landfill located in Jindabyne.
- All loads of rubbish removed shall be securely covered to ensure no spillage.
- To the furthest extent possible efforts shall be made to reduce, reuse and recycle materials used onsite.
- The worksite shall be left in a tidy and rubbish free state upon completion of the Project.

### **Construction hours**

The intended hours of operation is from 7am to 5pm Monday to Friday, 8am – 5pm on Saturday with no work on Sundays or Public Holidays from October through to May of each. No construction is to take place from June through to September.

### **Air pollution**

The construction of the proposed development is not expected to create any unnecessary air pollution.

### **Fuels and Chemicals**

The proposed development will not require the storage of fuels or chemicals on site.

### **Emergency Procedures**

In case of an emergency, the following key emergency response contacts are provided below:

#### **Key Emergency Response Contacts**

NSW Police 000 Jindabyne: 6456 2244 NSW  
Fire Brigade 000 Jindabyne: 6456 2476 NSW  
Ambulance 000  
Medical Centres Jindabyne: 6457 1221  
National Parks and Wildlife Service (NPWS) 1800 629 104 Jindabyne 6450 5555  
Roads and Traffic Authority Traffic incidents & road conditions: 131 700  
Road closures and special events: 132 701  
Environment Protection Authority Environment Line 131 555



## **Geotechnical consideration**

Geotechnical site investigation should not be required, as the works are very minor construction works which present minimal or no geotechnical impact on the site or related land I would like to apply for an exemption to the Department for consideration during your assessment.

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