



Chimneys Ridge, Thredbo Village

Development Application Assessment
DA 10181

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Cover image: Main Range, Kosciuszko National Park (Source: Alpine Resorts Team)

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Glossary

Abbreviation	Definition
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BC Regulation	<i>Biodiversity Conservation Regulation 2017</i>
BVM	Biodiversity Values Map
Consent	Development Consent
CPP	Community Participation Plan
Department	Department of Planning, Industry and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
KNP	Kosciuszko National Park
Minister	Minister for Planning and Public Spaces
NPWS	National Parks & Wildlife Service
RFS	NSW Rural Fire Service
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy

Executive Summary

This report provides an assessment of a Development Application (DA 10181) seeking approval to undertake external alterations at Chimneys Ridge, Thredbo Village, Thredbo Alpine Resort within Kosciuszko National Park (KNP). The Applicant is Bemergals Construction P/L.

The Minister for Planning and Public Spaces is the consent authority for development within a ski resort in KNP and the proposal is permissible with consent under the provisions of *State Environmental Planning Policy (Kosciuszko National Park-Alpine Resorts) 2007* (the Alpine SEPP).

Consistent with the Department's Community Participation Plan, the Department of Planning, Industry and Environment (the Department) exhibited the application between 27 March 2020 until 10 April 2020 as the works include external alterations to an existing tourist accommodation building within 50 metres of other tourist accommodation buildings. The Department received submissions from the NSW Rural Fire Service (RFS) and the National Parks and Wildlife Service (NPWS). No submissions from the public were received.

The Department has assessed the proposal in accordance with relevant matters under section 4.15(1) and the objects of the *Environmental Planning and Assessment Act, 1979* (EP&A Act), the principles of Ecologically Sustainable Development, and issues raised in all submissions.

The Department considers the proposal is acceptable as:

- there will not be a significant impact on any threatened species, populations or ecological communities
- the works improve the external appearance of the building without impacting on adjoining properties
- the replacement of the existing structures maintains existing setbacks to boundaries
- construction impacts on the surrounding environment would be minimised by using existing footings and hardstand areas for stockpiling of building materials and for parking

The Department's assessment concludes the application is in the public interest as it supports the ongoing use of the existing building for tourist accommodation which supports the regional plan for the locality and maintains its consistency with the Alpine SEPP.

The Department therefore recommends the application be approved subject to conditions.

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1 Introduction

This report provides an assessment of a Development Application (DA 10181) seeking approval to undertake external alterations at Chimneys Ridge, Thredbo Village, Thredbo Alpine Resort within KNP.

The proposal includes external alterations comprising the replacement of existing timber structures (landing / stringers / handrail / staircase off Diggings Terrace) with steel / mesh / timber components to match the existing upper stair sections.

The application has been lodged by Bemergals Construction P/L (the Applicant) under Part 4 of the EP&A Act.

1.1 Site location and context

The site is located in Thredbo Alpine Resort, which is in the southern part of KNP (**Figure 1**). The proposal is located at Chimneys Ridge, 7B Diggings Terrace, Thredbo Village. The site accommodates a three-storey building (plus loft) timber clad tourist accommodation with an external access staircase of timber and steel construction (**Figure 2**), with sparse native vegetation adjoining the building. Parking is available off Diggings Terrace adjacent to the buildings access stairs.

Adjoining buildings are of a similar nature and design including, 'Billies', 'Dookies', 'Gone Fishing', 'Snow Angel', 'Drift Hill' and 'Silvergums Chalet', with all located above Diggings Terrace.



Figure 1 | Site in context of Thredbo Village (Source: SIX Maps 2020)



Figure 2 | Chimneys Ridge viewed from Diggings Terrace, illustrating external access staircase to be partly replaced (Source: Department inspection)

2 Project

The application seeks approval for the following works to the external staircase at Chimneys Ridge:

- existing timber stair stringers and handrail (top staircase and landing - **Figure 3**) to be replaced with steel / mesh / timber components to match the existing upper stair sections (use of existing footings for new steel support posts)
- removal of existing paving (to be made good following works) and timber stair stringers and handrail (at bottom staircase – **Figure 4**) to be replaced with steel / mesh / timber components to match the existing upper stair sections (construction of 500x500x400 footings to support new steel posts)
- removal of existing timber sleepers (landing from staircase off Diggings Terrace – **Figure 5**) and replaced with steel sections / mesh to match the existing upper stair sections



Figure 3 | Existing landing, stringers and handrail to be replaced as per below works already undertaken (Source: Department inspection)

The Applicant indicates that the alterations are considered to improve the condition and use of the entry stairs. The Department also notes that the works also match other works carried out on site.

The proposal has a cost of works of approximately \$14,000.

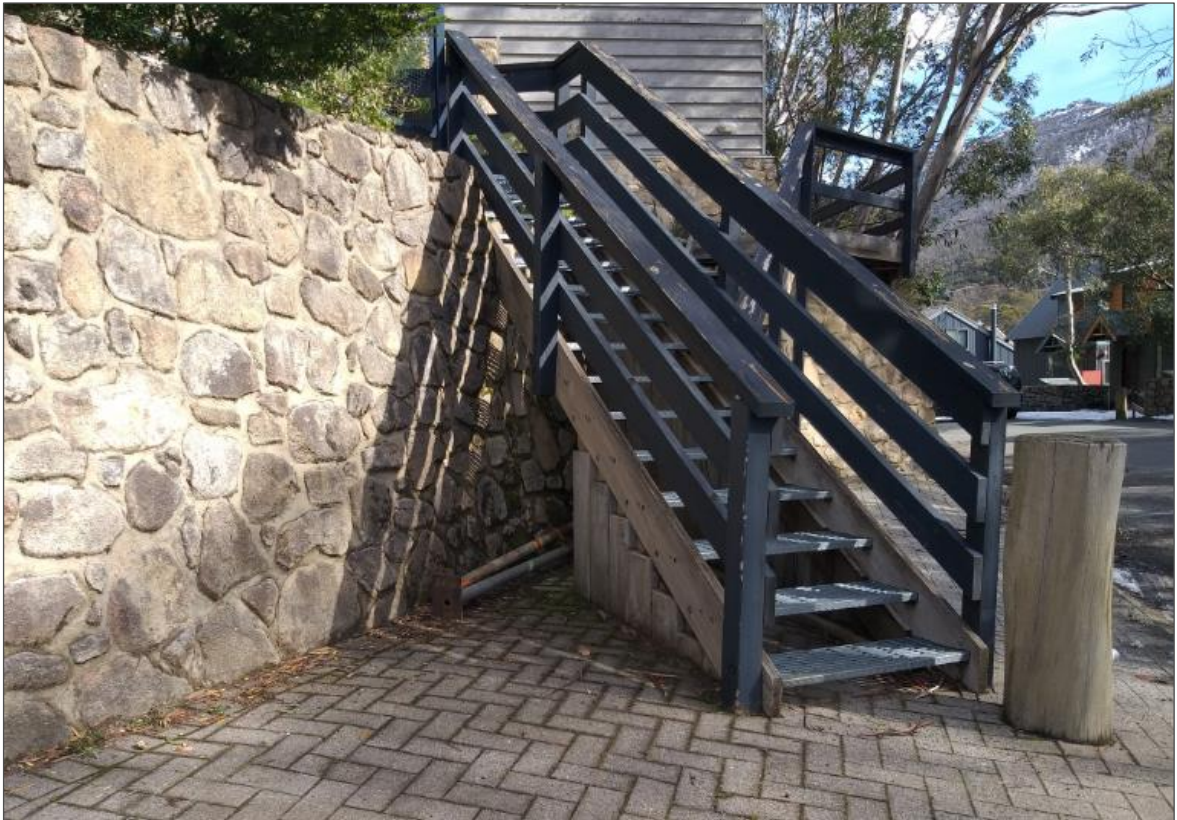


Figure 4 | Existing stringers and handrail to be replaced as per below works already undertaken (Source: Applicant's documentation)



Figure 5 | Existing sleepers and stringers / handrail to be replaced (Source: Applicant's documentation)

3 Strategic context

The Snowy Mountains region offers a diverse and unique mix of visitor destinations including the KNP, the alpine resorts, the iconic Snowy River and the highest mountains on the Australian continent. A strong tourism economy is driven mainly by skiing and related winter sport experiences during the peak winter season. The region, including the alpine resorts, also provides opportunities for a range of other recreational activities during the warmer months such as hiking, fishing, kayaking and mountain-biking. The resorts are important to NSW due to their economic and social contribution as well as their location within a unique alpine environment. The two main documents that support the strategic context of the alpine resorts are the *South East and Tableland Regional Plan 2036* and the Alpine SEPP.

South East and Tableland Regional Plan 2036

The South East and Tableland Regional Plan 2036 describes the vision, goals and actions that will deliver greater prosperity for those who live, work and visit the region. The plan provides an overarching framework to guide more detailed land use plans, development proposals and infrastructure funding decisions.

In relation to the alpine resorts, the Regional Plan seeks to promote more diverse tourism opportunities in the Snowy Mountains that will strengthen long-term resilience while acknowledging the environmental and cultural significance of the locality.

The Department considers the proposal is consistent with the Regional Plan as it would improve the external appearance of the building for its occupants, which maintains visitation to the NSW ski resorts.

Alpine SEPP

The Alpine SEPP governs development on land within the ski resort areas of KNP. The SEPP and aims to protect the natural and cultural heritage of land within the resorts and to encourage environmentally sustainable development. Under the provisions of the Alpine SEPP, the NPWS have a commenting role as the land manager which includes administering the Plan of Management framework for KNP that incorporates objectives, principles and policies to guide the long-term management of the broad range of values found in the park.

The Department considers the proposal is consistent with the Alpine SEPP as the proposal appropriately minimises the potential impacts on the environment by containing works to the replacement of existing structures and rehabilitates areas of disturbance at the completion of the works.

4 Statutory Context

4.1 Consent Authority

Under clause 7 of the Alpine SEPP, the Minister for Planning and Public Spaces is the consent authority for the application as the development takes place within a ski resort area as referred to in clause 32C (2)(a) of Schedule 1 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*.

In accordance with the Minister's delegation of 9 March 2020, the Team Leader, Alpine Resorts Team may determine the application as:

- no reportable political donation has been disclosed
- there are less than 25 public submissions in the nature of objections
- the application is in relation to land which the Alpine SEPP applies

4.2 Permissibility

The proposal includes external alterations to a building while maintaining the use of the site 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 within the Thredbo Alpine Resort.

4.3 Other approvals

Rural Fires Act 1997

As the works include external alterations to a tourist accommodation building located on bushfire prone land, an approval is required from the NSW Rural Fire Service (RFS) under Section 100B of the *Rural Fires Act 1997* in the form of a Bushfire Safety Authority. Refer to **Section 5** for further discussion on this component.

4.4 Mandatory Matters for Consideration

Objects of the EP&A Act

The Department has considered the proposal against the relevant objects of the EP&A Act in **Appendix B**. The Department is satisfied the proposal is consistent with the objects as:

- works are aimed at improving the condition and use of the entry stairs to the existing building, thereby supporting the orderly and economic use of the site
- there would not be an impact on the environment thus being ecologically sustainable development

Ecologically Sustainable Development (ESD)

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. ESD initiatives and sustainability have been adequately considered by the Applicant and mitigation measures are proposed to be incorporated into the design.

The proposal is consistent with the ESD principles and the Department is satisfied the proposed works have been developed having regard to the ESD principles, in accordance with the objects of the EP&A Act as follows:

- the works upgrade the external access stair arrangements to the existing building, thereby supporting the orderly and economic use of the site
- there would not be an impact on the environment thus being ecologically sustainable development
- the proposal does not impact upon cultural heritage, including Aboriginal cultural heritage

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 environment. 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.

No native vegetation impacts are expected given the nature of the works (being within the existing building / staircase footprint and replacing existing materials) and the site is located outside of an area mapped on the BVM. The Department is satisfied that the proposal (including material storage) is not considered to have a significant effect on threatened species or ecological communities, or their habitats.

The Department also notes that there is currently no declared area of outstanding biodiversity value within Kosciuszko National Park.

Considerations under section 4.15 of the EP&A Act

Under section 4.15 of the EP&A Act, in determining a development application, a consent authority is required to take a number of matters into consideration in relation to the proposed development. The Department has given due consideration to the matters prescribed by section 4.15 as outlined in **Table 1** below.

The table represents a summary for which consideration is provided for in **Section 6** (Assessment) and relevant appendices or other sections of this report, referenced in the table.

Table 1 | Section 4.15(1) Matters for Consideration

(a)(i) any environmental planning instrument (EPI)	<p>The Alpine SEPP is the only EPI's which applies to the site for this type of development. An assessment against the requirements of the Alpine SEPP is provided in Appendix B.</p> <p>The Department is satisfied that the application is consistent with the requirements of the Alpine SEPP.</p>
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Not applicable.
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations	<p>The application satisfactorily meets the relevant requirements of the EP&A Regulation, particularly the procedures relating to development applications (Part 6) and fees (Part 15, Division 1).</p> <p>The Department has undertaken its assessment in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.</p>
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development	<p>The Department has considered the likely impacts of the development, with no environmental impacts likely to occur as a result of the proposal. The proposal is considered to have positive economic and social impacts.</p>
(c) the suitability of the site for the development,	<p>The site is suitable for the development and supports the ongoing use of the building.</p>
(d) any submissions made in accordance with this Act or the regulations,	<p>Consideration has been given to agency submissions received during the exhibition period. See Section 5 of this report.</p>
(e) the public interest.	<p>The works are consistent with the aim and objectives of the Alpine SEPP, would be compatible to the uses of the locality and there would not be an adverse impact on the environment. The proposal is consistent with the principles of ESD.</p> <p>As such, the proposal is in the public interest.</p>

5 Engagement

5.1 Department's Engagement

The Department's Community Participation Plan, November 2019, prepared in accordance with schedule 1 of the EP&A Act requires applications of development consent to be exhibited for a period of 14 days. However, applications under the Alpine SEPP are not required to be public exhibited if the proposal relates to works which are wholly internal to a building or where the site is located more than 50 metres away from a tourist accommodation building.

Due to works including external alterations to an existing tourist accommodation building within 50 metres of other tourist accommodation buildings, the Department exhibited the application from 27 March 2020 until 10 April 2020:

- on the Department's website
- at its Jindabyne Office (Shop 5A, 19 Snowy River Avenue, Jindabyne)

The application was also exhibited to nearby lodges and forwarded to State government agencies in writing, including:

- the RFS pursuant to Section 4.46 of the EP&A Act (integrated development) as a Bushfire Safety Authority under the *Rural Fires Act 1997* is required for the development to be carried out
- the NPWS pursuant to clause 17 of the Alpine SEPP

5.2 Summary of submissions

The Department received comments from the RFS and NPWS. No public submissions were received.

5.3 Key Issues - Government Agencies

The RFS did not object to the proposal and has issued a Bush Fire Safety Authority (BFSA) under clause 100B of the *Rural Fires Act 1997*.

The NPWS did not object to the proposal and provided comments on leasing and KNP Plan of Management, BC Act and protection of native vegetation (including recommended conditions to address materials and stockpiling and waste management). NPWS recommended that the Applicant undertakes Aboriginal Cultural Heritage Due Diligence for all works that involve ground disturbance and / or tree removal even if the works are in a previously disturbed areas (unless defined as a low impact activity).

The Applicant provided additional information to address Aboriginal Cultural Heritage Due Diligence, which the NPWS has reviewed and considered to satisfactorily address Aboriginal Cultural Heritage for the application.

The Department has considered the comments received from the RFS and NPWS in **Section 6** or through recommended conditions in the instrument of consent at **Appendix C**.

6 Assessment

The Department has considered the relevant matters for consideration under section 4.15 of the EP&A Act, the SEE and supporting information in its assessment of the proposal. The key issues in the Department's assessment are:

- built form and impacts of the works
- design details and standards
- managing construction impacts

Each of these issues is discussed in the following sections of this report.

6.1 Built form and amenity impacts of the works

The works to the building improves the external appearance of the building through the replacement of existing timber structures with steel components to match other components on the site.

The works have minimal impact upon the amenity of adjoining properties, except during construction, however these will only be short term and are acceptable. Adjoining properties were notified and raised no concerns regarding the proposed works.

The NPWS also raised no concerns in terms of leasing.

The Department's assessment concludes that the proposed external works to the building are acceptable and ensures improvements to the existing building, while undertaking works that do not negatively impact the built form, and adjoining lodges.

6.2 Design details and standards

The proposed works, when constructed, are to comply with the Building Code of Australia (BCA) and relevant Australian Standards. The Department has also considered whether any upgrades to the building are required as part of its assessment in accordance with Clause 94 of the EP&A Regs. The Department notes that compliance with relevant requirements is to be determined at the construction certificate stage by the certifier and in accordance with conditions of consent.

- Clause 94 of the EP&A Regulation requires a consent authority to review a building and consider whether upgrades are warranted to bring the existing building into total or partial compliance with the BCA. The Department recommends that to ensure fire protection of the building is not reduced, the following fire safety measures must be maintained to their standard of performance at the time of installation in accordance with NPWS approval 1993 or if they have since been upgraded, to their current standard of performance:
 - (a) automatic fire detection and alarm system
 - (b) internal / external emergency lighting
 - (c) exit signs
 - (d) fire extinguishers

- (e) fire blanket
- (f) fire hose reels
- (g) open inwards signage

A condition is recommended to address this component.

- Ensuring the proposal meets snow and wind loading requirements is a key consideration of the Department's assessment in the NSW Alpine environment. With adverse weather conditions at times, the fixing of the new structures to the existing building needs to be constructed appropriately. The Department has recommended that structural certification of the works be provided prior to occupation certificate.
- In relation to bushfire, the BCA requires construction to comply with the BFSAs issued by the RFS. The BFSAs are incorporated into the conditions of the consent and compliance must be verified at the construction and occupation certificate stages.

The Department concludes that subject to compliance with the conditions of consent, including references to the BCA which is to be addressed by the certifier at the Construction Certificate stage, the proposal is satisfactory and would improve the amenity of the building for its occupants.

6.3 Managing construction impacts

Given the scope and location of the works, it is unlikely that the construction of the proposal will cause any adverse impact upon the natural environment. The proposal is in keeping with the approved use of the building for tourist accommodation and the works will not generate any vegetation disturbance.

Parking is available at the site during construction. Construction impacts such as noise and vibration will be short term and managed in accordance with standard environmental conditions. It is also noted that construction is to occur outside the ski season.

The Department has recommended standard construction conditions applied in the Alpine area. Subject to compliance with these conditions, the Department is of the view that the proposed works would not impact upon nearby buildings or the environment.

7 Evaluation

The Department has assessed the merits of the proposal in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes the proposal is acceptable as:

- there will not be a significant impact on any threatened species, populations or ecological communities
- the works improve the external appearance of the building without impacting on adjoining properties
- the replacement of the existing structures maintains existing setbacks to boundaries
- construction impacts on the surrounding environment would be minimised by using existing footings and hardstand areas for stockpiling of building materials and for parking

Overall, the Department is satisfied that the proposal is suitable for the site and in the public interest. The Department therefore recommends that the application be approved subject to recommended conditions.

8 Recommendation

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

- **considers** the findings and recommendations of this report
- **accepts** and adopts all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants** consent for the application in respect of DA 10181, subject to the conditions in the attached development consent
- **signs** the attached development consent and recommended conditions of consent (see attachment).

Recommended by:



25 May 2020

Mark Brown

Senior Planner

Alpine Resorts Team

9 Determination

The recommendation is **Adopted / Not adopted** by:



25 May 2020

Daniel James
Team Leader
Alpine Resorts Team

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of referenced documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Industry and Environment's website as follows.

1. Statement of Environmental Effects
 - http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10181
2. Submissions
 - http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10181

Appendix B – Statutory Considerations

OBJECTS OF THE EP&A ACT

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/ approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects.

Therefore, in making an assessment, the objects set out in Section 1.3 of the EP&A Act should be considered to the extent they are relevant. A response to the objects is provided in the table below.

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The proposal supports the ongoing use of the building through providing upgrading existing timber structures, without negative impacts on the environment. The location of the works and construction impacts minimise impacts on the environment.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal would not have an unacceptable impact on the environment thus being ecologically sustainable development. Mitigation measures during construction and rehabilitation of impacted areas are supported.
(c) to promote the orderly and economic use and development of land,	The development seeks approval for works that are aimed at supporting the ongoing use of the site for 'tourist accommodation'.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The impacts upon the environment have been limited where possible, being located within the existing disturbed areas (utilising existing footings and structures) and providing material storage within hardstand parking areas.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposed development is not anticipated to result in any impacts upon built and cultural heritage, including Aboriginal cultural heritage.

(g) to promote good design and amenity of the built environment,	The Department considers that the proposal responds to its existing setting, built form and minimises impacts upon natural environment.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The Department has recommended conditions of consent to ensure the construction of the proposal is undertaken in accordance with legislation, guidelines, policies and procedures (refer to Appendix C).
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal (Section 5), which included consultation with government agencies and consideration of their responses.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal (Section 5), which included notifying the neighbouring lodge, displaying the application on the Department's website and at the Department's Jindabyne office.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIS that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007 (Alpine SEPP) is applicable to the development. Consideration of the matters to be considered is provided below:

CI 14(1) - Matters to be considered by consent authority	
(a) the aim and objectives of this policy, as set out in clause 2	The proposal is consistent with the aim and objectives of the Alpine SEPP in that it is consistent with the principles of ESD and supports the ongoing use of the site for 'tourist accommodation'.
(b) the conservation of the natural environment and any measures to mitigate environmental hazards (including geotechnical hazards, bush fires and flooding),	The proposal is appropriate as it allows for improvements to external stairs of an existing building while having an acceptable impact on the environment. Natural hazards have been adequately addressed.
(c) the cumulative impacts of development on existing transport, effluent management systems, waste disposal facilities or transfer facilities, and existing water supply,	No adverse cumulative impacts are anticipated as the proposal will not result in any changes to existing transport, effluent management systems, waste disposal facilities, transfer facilities or water supply.

(d) any statement of environmental effects,	The SEE and information supplied are considered adequate to enable a proper assessment of the works.
(e) the character of the alpine resort,	The proposal would not adversely alter the character of the resort.
(f) the Geotechnical Policy – Kosciuszko Alpine Resorts,	<p>The site is within the G zone identified on the Department’s Geotechnical Policy – Kosciuszko Alpine Resorts Thredbo Map.</p> <p>The application is supported by a Geotechnical Assessment and Form 4 prepared by Asset Geotechnical Engineering Pty Ltd, which included commentary on the works and the geotechnical constraints of the site.</p> <p>The Geotechnical Assessment provides a summary of the geotechnical impact and recommendations, which are to be considered prior to and during construction.</p>
(g) any sedimentation and erosion control measures,	Sedimentation and erosion control conditions are recommended, including the preparation of a Site Environmental Management Plan (SEMP) prior to the commencement of works.
(h) any stormwater drainage works proposed,	The existing stormwater drainage system is adequate for the proposed works.
(i) any visual impact of the proposed development, particularly when viewed from the Main Range,	The proposal is not visible from the Main Range and is considered to be acceptable upon the existing views of the site from the surrounding landscape.
(j) any significant increase in activities, outside of the ski season,	The proposal does not result in an 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 (PRRMP) and the document entitled Perisher Blue Ski Slope Master Plan,	Not applicable to proposal.
(m) if the development is proposed to be carried out on land in a riparian corridor.	The site is located on one side of an existing car parking area that borders a defined watercourse. The works are exempt, as confirmed by the Natural Resources Access Regulator, from requiring a Controlled Activity

	<p>Approval under the <i>Water Management Act 2000</i>, as the proposal meets the requirements for an exemption under Schedule 4 - CI 31(b) of the <i>Water Management (General) Regulation 2018</i>.</p> <p>However, sedimentation and erosion control conditions are recommended to be implemented to ensure no impacts upon the watercourse.</p>
CI 15 – Additional matters to be considered for buildings	
Building Height	The proposed works do not increase the height of the existing building with only the replacement of materials and improvements to footings.
Building Setback	The works do not reduce the existing setbacks, as the external works do not protrude further than the existing alignment.
Landscaped Area	The proposal does not negatively impact existing native vegetation and therefore is appropriate.
CI 17 – applications referred to the National Parks and Wildlife Service	
The proposal was referred to the NPWS pursuant to clause 17 of the Alpine SEPP. Refer to comments received at Section 5 and discussion on proposal at Section 6 .	
CI 26 – Heritage conservation	
European heritage	The proposal would not impact on any European heritage items.
Aboriginal heritage	The NPWS advised that the Applicant has demonstrated Aboriginal Cultural Heritage Due Diligence. However, NPWS recommended that should any Aboriginal objects be uncovered during construction, any works impacting the objects must cease immediately and the NPWS contacted for assessment of the site.

Appendix C – Recommended Instrument of Consent