



DM Planning

Statement of Environmental Effects

Recladding and replacement of decking



**16 Pine Plum Rd, Smiggin Holes
Kosciusko National Park**

Report prepared for
Windarra Lodge

May 2020

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1 Introduction

This Statement of Environmental Effects (SEE) has been prepared on behalf of Windarra Lodge to accompany a Development Application (DA) for minor repair and maintenance work to an existing club lodge at 16 Pine Plum Rd, Smiggin Holes.

This SEE has been prepared and is submitted to DPE pursuant to the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This SEE describes the site, its surroundings, defines the statutory framework within which the DA is to be determined and assesses the matters for consideration listed under Section 4.15 (1) of the EP&A Act.

This SEE demonstrates that the proposal is generally consistent with the relevant provisions of the applicable planning instrument being State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007 ('the Alpine SEPP').

The proposed external alterations are located within the existing building footprint with no impact on native vegetation and therefore an assessment in respect to threatened species, populations, endangered ecological communities or critical habitat is not required to be undertaken. Likewise, as there is no ground disturbance proposed, an assessment of Aboriginal heritage is not warranted.

This SEE concludes that the proposal is satisfactory when assessed against all relevant requirements. It will make a positive contribution to the long-term viability of the lodge with no detrimental environmental or amenity impacts.

We recommend that the development application be approved subject to the content and findings outlined in this SEE.

2 The site, locality and background

The site is located at 16 Plum Pine Road, Smiggin Holes and is legally described as Lot 23, DP 756697.

The site is located within Perisher Valley, which forms part of the Kosciuszko National Park. Access to the site is via Kosciuszko Road approximately 34km from Jindabyne.

The site is currently occupied by Windarra Lodge, an existing club lodge used for tourist accommodation. Vehicular Access to the site is via Plum Pine Rd. Off-site parking for the lodge is available adjacent to Plum Pine Road, approximately 17m from the western boundary of the site.

The site is identified as bushfire prone land.

The location of the site is shown at Figures 1 and 2.



Figure 1. Location of the site identified by red flag (Source: SIX Maps)



Figure 2. Aerial view of the site (shaded yellow) and its surroundings (Source: SIX Maps)

3 The proposal

The development application seeks consent for repairs and maintenance comprising of:

- Replacement of the existing exterior cladding with bushfire resistant hardwood timber cladding; and
- Replacement of the existing timber decking and supporting posts with bushfire resistant hardwood timber decking and posts.

The replacement deck is the same size and location as the existing deck.

There will be no ground disturbance as the existing footings for the deck posts will be utilised. There is no work proposed below existing ground level.

All of the proposed works are external.

There are no impacts on surrounding vegetation.

Selected photos of the site are shown in Figures 3 – 8 below:



Figure 3. West elevation of existing lodge (source: Google Streetview)



Figure 4. Eastern view of the lodge with carpark to the left



Figure 5. Northern view of the lodge



Figure 6. Southern view of the lodge



Figure 7. Eastern view of the lodge (boundary at retaining wall)



Figure 8. Western elevation of lodge



Figure 9. View of rear of lodge, toward entrance path



4 Environmental planning assessment

4.1 Environmental Planning and Assessment Act 1979

The proposal is consistent with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is considered to promote the orderly and economic use and development of land without resulting in an adverse impact on the environment.

The following detailed assessment of the proposal is provided, and which is based on the heads of consideration contained in section 4.15 of the EP&A Act.

4.15(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

Relevant Provision	Comment
(a) <i>the provisions of:</i>	
(i) <i>any environmental planning instrument, and</i>	<ul style="list-style-type: none"> The relevant state environmental planning instrument is the Alpine SEPP. This is addressed at section 4.2
(ii) <i>any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i>	N/A
(iii) <i>any development control plan, and</i>	N/A
(iiia) <i>any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i>	N/A
(iv) <i>the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i>	The requirements of the EP&A Regulations are satisfied. Applicable regulation considerations including demolition, fire safety, compliance with the Building Code of Australia, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection may be addressed by appropriate consent conditions.
(v) <i>(Repealed)</i>	
(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	<p>Natural Environment</p> <p>The environmental impacts of the proposed development on the natural environment will be minimal as the alterations are confined to the existing building envelope.</p>



Relevant Provision	Comment
	<p>Built Environment The overall changes to the building are positive, comprising of repair and replacement of existing materials only.</p> <p>Social and Economic Impacts The proposed alterations have been designed to minimise any amenity impacts on the neighbouring properties and are not expected to generate any negative social or economic issues, while providing greater amenity to the guests of the building.</p>
(c) <i>the suitability of the site for the development,</i>	The proposed development is suitable for the site as demonstrated throughout this report.
(d) <i>any submissions made in accordance with this Act or the regulations,</i>	Any submissions made on this development application will be duly considered. In addition, the Department will consider any public submissions relating to the proposal during its assessment.
(e) <i>the public interest.</i>	The proposal is in the public interest as it allows for appropriate repair and maintenance work to an existing club lodge.

Table 1: Section 4.15(1) assessment

4.2 Rural Fires Act 1997

The site is located wholly within a buffer area to the bushfire prone vegetation and therefore the development is subject to S.100B of the NSW Rural Fires Act (RF Act), 1997.

As the development is for the purpose of ‘tourist accommodation’, the development is classed as being for a ‘Special Fire Protection Purpose’.

The development application is therefore categorised as an Integrated Development under S.4.46 of the EP&A Act, 1979 and therefore requires a Bushfire Safety Authority from the NSW Rural Fire Service under S.100B of the RF Act, 1997.

Clause 46(1)(g) of the Rural Fires Regulation 2013 specifies matters that must be considered for a proposed development.

A Bushfire Assessment Report prepared by Dabyne Planning Pty Ltd has been submitted in support of the proposal. The report addresses the requirements of the Rural Fires Act and Planning for Bushfire Protection 2019 and concludes:

The proposed repairs and replacement of the timber deck and cladding with bushfire resistant timber will result in a better bush fire outcome, which therefore achieves the objectives as set out for the Alpine Resorts.



4.3 State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007

The only applicable planning instrument is State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007.

The relevant clauses contained within SEPP Alpine Resorts are addressed below.

Clause 14 - Matters to be considered by consent authority

Matter for consideration	Response
14(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 alterations have been designed to ensure that the impacts on the natural and built environment are minimal.
(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),	Complies. There will be no impacts on surrounding vegetation or any ground disturbance.
(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— i. the capacity of existing transport to cater for peak days and the suitability of access to the alpine resorts to accommodate the development, 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, iii. the capacity of existing waste disposal facilities or transfer facilities to cater for peak loads generated by the development, iv. (iv) the capacity of any existing water supply to cater for peak loads generated by the development,	The proposed alterations will not result in an increase in floor area and will not increase the capacity of existing transport, effluent management systems, waste disposal facilities or transfer facilities or the existing water supply.
(d) any statement of environmental effects required to accompany the development application for the development,	This Statement of Environmental Effects satisfies this subclause.
(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 proposed replacement cladding and decking will not alter the character of the lodge or the area. The changes have been



Matter for consideration	Response
the site and immediate surroundings to assist in understanding how the development will relate to the alpine resort,	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,	There is no ground disturbance proposed therefore a Geotechnical Report is not required.
(g) if earthworks or excavation works are proposed—any sedimentation and erosion control measures proposed to mitigate any adverse impacts associated with those works,	Sedimentation control will be undertaken in accordance with the Site Environmental Management Plan (Appendix A).
(h) if stormwater drainage works are proposed—any measures proposed to mitigate any adverse impacts associated with those works,	No additional roof area or drainage works are proposed.
(i) Any visual impact of the development, particularly when viewed from the Main Range	The proposed alterations have been designed to integrate with the existing building and surrounding built form with no negative visual impacts.
(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 alterations will not result in any increase in the use of the lodge 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— <ul style="list-style-type: none"> • the capacity of existing infrastructure facilities, and • (iany adverse impact of the development on access to, from or in the alpine resort, 	N/A
(l) if the development is proposed to be carried out in Perisher Range Alpine Resort— <ul style="list-style-type: none"> (i) the document entitled Perisher Range Resorts Master Plan, as current at the commencement of this Policy, that is deposited in the head office of the Department, and (ii) the document entitled Perisher Blue Ski Resort Ski Slope Master Plan, as current at the commencement of this Policy, that is deposited in the head office of the Department, 	N/A
(m) if the development is proposed to be carried out on land in a riparian corridor— <ul style="list-style-type: none"> (i) the long term management goals for riparian land, and 	N/A



Matter for consideration	Response
(ii) whether measures should be adopted in the carrying out of the development to assist in meeting those goals.	
14(2) The long term management goals 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,	N/A
(b) to ensure that the integrity of areas of conservation value and terrestrial and aquatic habitats of native flora and native fauna is maintained,	N/A
(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.	N/A
14(3) A reference in this clause to land in a riparian corridor is a reference to land identified as being in such a corridor on a map referred to in clause 5.	

Clause 15 – Additional Matters to be considered for buildings

Matter for consideration	Response
(1) Building height 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	The proposed alterations will not change the existing building height or building envelope and therefore will not generate any additional impacts on views or overshadowing.
(b) limits solar access to places in the public domain where members of the public gather or to adjoining or nearby land, and	
(c) has an impact on views from other land, and	
(d) if the building is proposed to be erected in Thredbo Alpine Resort—has a visual impact when viewed from the Alpine Way, and	N/A
(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	N/A
(f) if the building is proposed to be erected in an alpine resort other than	N/A



Thredbo Alpine Resort or Perisher Range Alpine Resort—is similar to existing buildings in the resort where it is proposed to be erected, and	
(g) if the building is proposed to be erected in Bullocks Flat Terminal—relates to the topography of its site.	
(2) Building setback 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	The impacts on amenity, view sharing and view corridors has been carefully considered in the design process.
(b) assists in achieving high quality landscaping between the building and other buildings, and	The building complies with Fire Safety requirements.
(c) has an impact on amenity, particularly on view corridors at places in the public domain where members of the public gather, and	The proposed alterations will not affect existing site access, services and represents building maintenance.
(d) is adequate for the purposes of fire safety, and	The management of accumulated snow has been considered in the proposed design.
(e) will enable site access for pedestrians, services (including stormwater drainage and sewerage services) and the carrying out of building maintenance, and	There will be change to the existing situation.
(f) will facilitate the management of accumulated snow.	
(3) Landscaped area 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	There is no change proposed to the existing vegetation surrounding the building. There are no groundworks proposed.
(b) to assist in the provision of adequate open space to complement any commercial use in the alpine resort concerned, and	
(c) to limit the apparent mass and bulk of the building, and	
(d) as an amenity protection buffer between the proposed building and other buildings, and	
(e) as a means of reducing run-off, and	
(f) to protect significant existing site features and limit the area of any site disturbed during and after the carrying out of development.	

Table 2. SEPP Alpine Resorts Assessment



5 Conclusion

This SEE supports a development application for repair and maintenance work at Windarra Lodge, 16 Pine Plum Rd, Smiggin Holes.

The merits of this application have been identified in this assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979 and the Alpine Resorts SEPP.

The proposed external alterations are within the existing building footprint with no ground disturbance or impacts on vegetation. Therefore, an assessment in respect to threatened species, populations, endangered ecological communities or critical habitat is not required to be undertaken. Likewise, as there is no ground disturbance proposed, an assessment of Aboriginal heritage is not warranted.

The proposed replacement cladding and decking materials improve bushfire protection and are consistent the existing character of the lodge and the locality. The proposal will not generate any unacceptable impacts on the environment or surrounding properties.

The proposal achieves the objectives of the relevant controls and strategic aims and consequently is suitable for approval on town planning grounds.



APPENDIX A SITE ENVIRONMENTAL MANAGEMENT PLAN



APPENDIX A

SITE ENVIRONMENTAL MANAGEMENT PLAN

Windarra Lodge, 16 Plum Pine Rd, Smiggin Holes

1. Introduction

This Site Environmental Management Plan (SEMP) provides appropriate controls and procedures to be implemented during construction.

As detailed in the Statement of Environmental Effects, the proposed alterations will generate minimal impacts as follows.

- No site clearing
- No ground disturbance
- No change to overland flow paths
- Construction vehicles will park in the existing parking area in Plum Pine Rd and will not enter the site
- All construction materials will be stored in part of the existing car parking area, adjacent to Plum Pine Rd.

2. Erosion and Sediment Control Management

Appropriate environmental management controls will be implemented to manage soil and surface water during building works. Temporary controls will include the installation of either a straw bale filter or a sediment fence along the low side of the site before work begins.

3. Waste Management

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

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

4. Construction hours

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



5. Material Storage

Material storage for the development will be within part of the existing car park adjacent to Plum Pine Road.

6. Access and Vehicle Parking

Access to the site will be from Plum Pine Rd with the existing car spaces available to accommodate construction vehicles.

7. Noise Control

For protection of employees and visitors to the site, Personal Protection Equipment (including ear protection) will be issued.

Strict enforcement of hours of construction will be implemented to limit noise pollution impacts on the surrounding area.

As far as practical, any instances of noise complaint will be rectified.

8. Fuels and chemicals

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

9. Emergency Procedures

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

Organisation	Emergency Phone	Non-Emergency Phone
NSW Police	000	Jindabyne: 6456 2244
NSW Fire Brigade	000	Thredbo: 6456 2476 Jindabyne: 6456 2476
NSW Ambulance	000	Thredbo: 13 12 33
Medical Centres	Thredbo: 6457 6254 Jindabyne: 6457 1221	
National Parks and Wildlife Services (NPWS)	1800 629 104	Snowy Region: 6450 5600 Jindabyne: 6450 5555
Roads and Maritime Services	Traffic incidents and road conditions: 131 700 Road closures and special events: 132 701	
Environment Protection Authority Line	131 555	
NRMA Road Service	Jindabyne: 6456 1159	