



Windarra Ski Lodge, Smiggin Holes

Development Application Assessment
DA 10352

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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 and Wildlife Service |
| Planning Secretary | Secretary of the Department of Planning, Industry and Environment |
| RFS | NSW Rural Fire Service |
| SEPP | State Environmental Planning Policy |

Executive Summary

This report provides an assessment of a Development Application (DA 10352) seeking approval to undertake external alterations (minor repair and maintenance) at Windarra Ski Lodge, Smiggin Holes, Perisher Range Alpine Resort, within Kosciuszko National Park (KNP). The Applicant is DM Planning, on behalf of Windarra Ski Lodge.

The application seeks approval to replace the existing exterior cladding with bushfire resistant hardwood timber cladding and to replace the existing timber decking and supporting posts with bushfire resistant hardwood timber decking and posts.

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).

The Department of Planning, Industry and Environment (the Department) exhibited the original application between 2 June 2020 until 16 June 2020 in accordance with the Department's Community Participation Plan as the works include external alterations to an existing tourist accommodation building within 50 metres of other tourist accommodation buildings. The Department received 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 replacement of the cladding and decking improves the external appearance and longevity of the building for the benefit of the occupants
- construction impacts on the surrounding environment would be minimised as the proposal will be contained within the existing building footprint and disturbed areas
- the works improve bushfire protection of the building

The Department's assessment concludes the application is in the public interest as it supports the ongoing operation of Windarra Ski Lodge which supports the regional plan for the locality and maintains consistency with the Alpine SEPP.

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

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1 Introduction

1.1 The Department's assessment

This report details the Department's assessment of Development Application (DA 10352) at Windarra Ski Lodge (Lot 23 DP 756697), Smiggin Holes, Perisher Range Alpine Resort within KNP.

DM Planning (the Applicant), on behalf of Windarra Ski Lodge, is seeking development consent to undertake external alterations to the existing tourist accommodation facility on the site (**Figure 1**) comprising the replacement of the existing decking and associated support structures and the replacement of the existing exterior cladding.

The Department's assessment considers all documentation submitted by the Applicant, including the Statement of Environmental Effects (SEE), amended plans, and submissions from government authorities. The Department's assessment also considers the legislation and planning instruments relevant to the site and the development.

This report describes the development, surrounding environment, relevant strategic and statutory planning provisions and the issues raised in submissions. The report evaluates the key issues associated with the development and concludes that the development is in the public interest and should be approved, subject to conditions.



Figure 1 | Location of site (flagged) in context of other lodges and ski fields within Smiggin Holes (Source: Applicant's documentation)

1.2 Site location and context

The subject site is known as 'Windarra Ski Lodge', 16 Plum Pine Road, Smiggin Holes, within Perisher Range Alpine Resort, KNP (**Figure 2**). The site is approximately 872m² and is legally described as Lot 23 DP 756697. The existing lodge is a part one / two storey stone and timber clad tourist accommodation building (**Figure 3**) constructed in the 1970s with a licence for 22 beds.



Figure 2 | Site (flagged and highlighted) in context of adjoining lodges (Source: Applicant's documentation)

Nearby buildings to the site include other tourist accommodation buildings, such as Wildspitze Ski Club to the south, Gunuma Lodge to the north, and IMBAC Alpine Club and Perisher staff accommodation buildings to the east across Plum Pine Road and.

Vehicle access is available from Plum Pine Road and off-site parking for the lodge is available adjacent to Plum Pine Road approximately 17 metres from the western boundary of the site. The site is identified as bushfire prone land, with native vegetation areas and existing Snowgums located within the site boundaries.



Figure 3 | Photograph of existing western elevation of building (Source: Applicant's documentation)

2 Project

The application seeks approval to:

- replace the existing timber decking and supporting posts with bushfire resistant hardwood timber decking and posts (**Figure 4**) painted Colorbond 'Basalt' while retaining the existing concrete footings
- replace the existing exterior cladding with bushfire resistant hardwood timber cladding painted Colorbond 'Shale Grey' and 'Cove' (**Figures 5 and 6**)

The replacement of the decking and cladding with the new materials was chosen to improve bushfire protection and to remain consistent with the existing character of the lodge and the locality.

The replacement deck is proposed to be the same size and in the same location as the existing deck. There is no proposed ground disturbance and the existing footings for the deck posts will be utilised. There are no proposed works below existing ground level and all proposed works are external.

The proposal has a cost of works of approximately \$292,000.

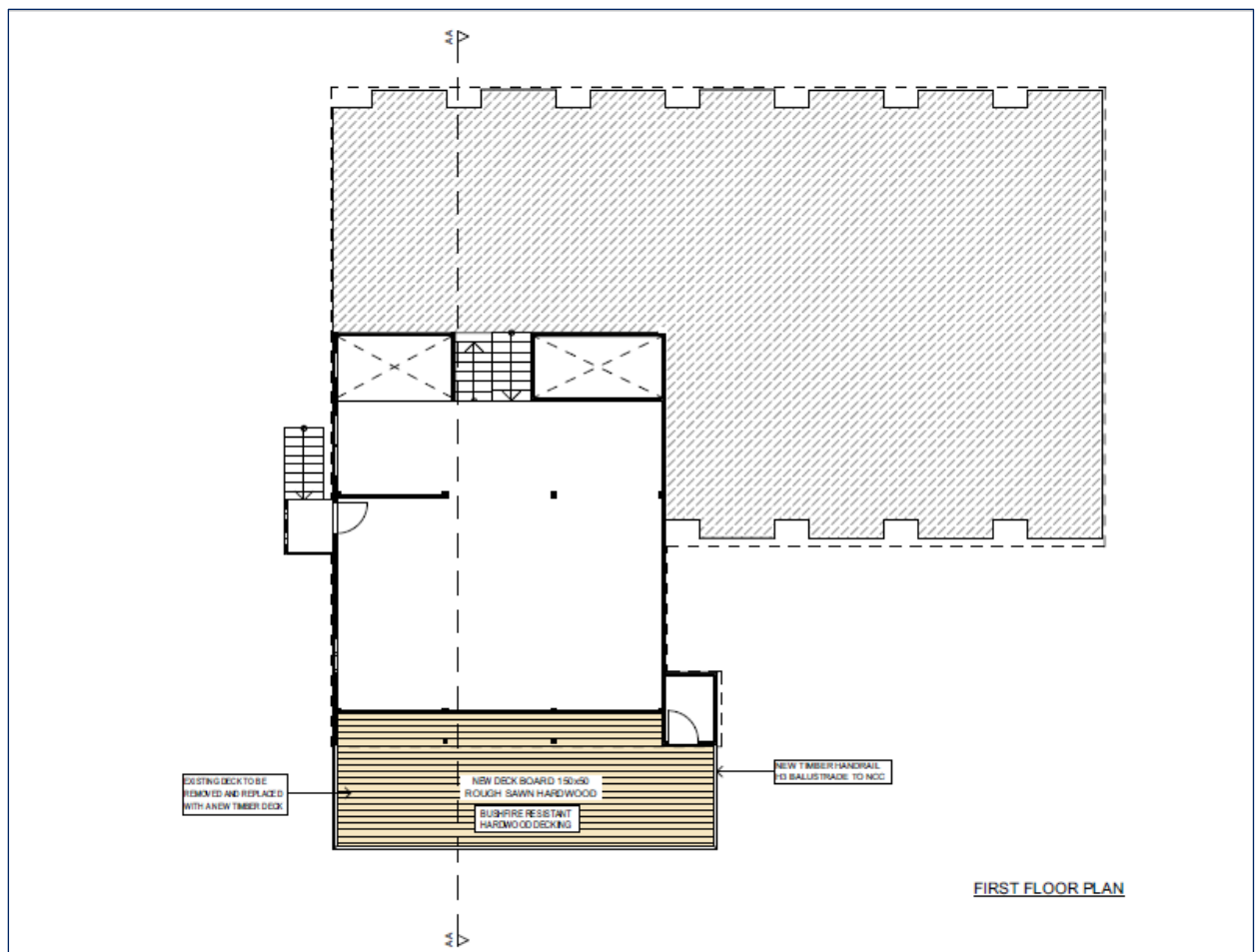
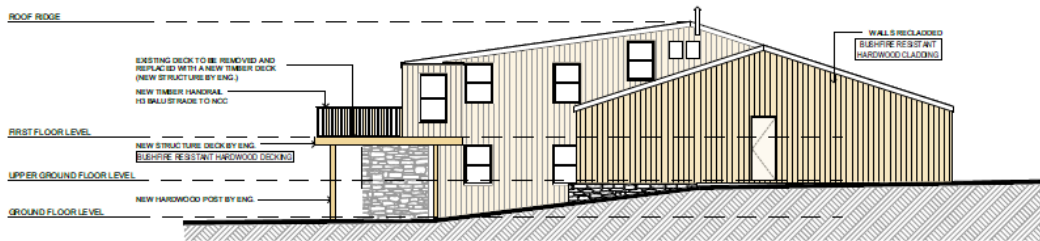


Figure 4 | Decking area to be replaced (Source: Applicant's documentation)



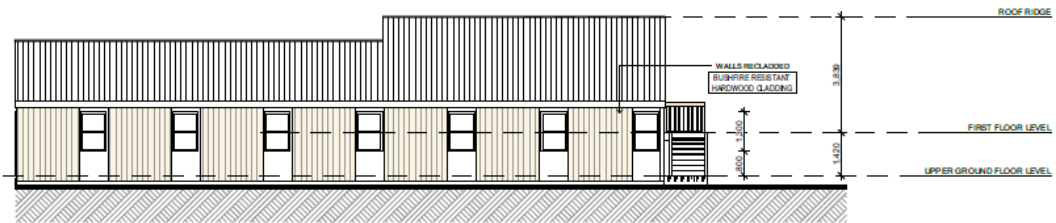
WEST ELEVATION



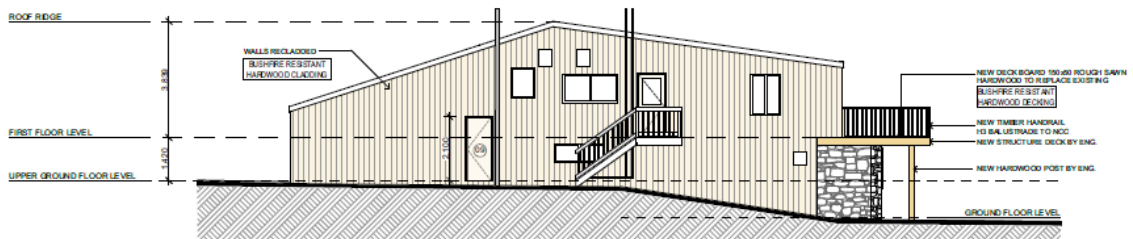
SOUTH ELEVATION

NOTES:
* COLOURED WALLS TO BE RECLADDED.

Figure 5 | Cladding to be replaced on western and southern elevations (Source: Applicant's documentation)



EAST ELEVATION



NORTH ELEVATION

NOTES:
* COLOURED WALLS TO BE RECLADDED.

Figure 6 | Cladding to be replaced on eastern and northern elevations (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 improves the external appearance and longevity of the building for tourist accommodation, which supports visitation to the NSW ski resorts.

Alpine SEPP

The Alpine SEPP governs development on land within the ski resort areas of KNP. The SEPP 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 restricting works to the existing footprint area.

An Asset Protection Zone (APZ) plan has also been endorsed by the NPWS for the site, which protects a small amount of native vegetation, some of which is mapped on the biodiversity values map. Some pruning of existing vegetation is required to meet RFS Inner Protection Area (IPA) requirements, however the majority of the site is already considered to be managed.

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 26 April 2021, the Team Leader, Alpine Resorts Team may determine the application as:

- no reportable political donation has been disclosed
- there are less than 15 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 Perisher Range 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:

- there would not be an impact on the environment thus being ecologically sustainable development
- works are aimed at improving the existing building for the benefit of the lodge members and visitors, thereby supporting the orderly and economic use of the site without impacting on neighbouring properties
- the application is capable of achieving compliance with relevant construction standards

- the Department provided opportunities for community participation in the assessment process, which included exhibiting the application, notifying adjoining landowners, and displaying the proposal on the Department's website during the exhibition period. The Department has considered the issues raised in submissions in **Section 6**

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 proposal is not expected to adversely impact upon the health, diversity or productivity of the environment for future generations
- the Applicant has recognised the value of the environment and designed the development accordingly with works limited to the existing building and deck footprint, with minimal vegetation management required to meet IPA requirements of the RFS and the endorsed APZ plan from NPWS
- 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.

NPWS commented on the application and considered that the proposal would have minimal environmental impact subject to recommended conditions including felling and tree removal requirements and compliance with the RFS Standards for APZs. In discussions between the NPWS and the Applicant, an APZ plan was endorsed, which protects a small amount of native vegetation that occurs on the site that in a BVM area.

The NPWS comments also that the works, while occurring within a mapped area (**Figure 7**), there would be no impacts to native vegetation or prescribed impacts, therefore does not significantly affect threatened species, and that the BOS is not triggered. The Department is satisfied that the proposal does not meet the criteria outlined in the BC Act, therefore the BOS does not apply.

The Department notes that there is currently no declared area of outstanding biodiversity value within KNP.



Figure 7 | Biodiversity values map of the site (Source: Biodiversity Values Map and Threshold Tool website)

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) | The Alpine SEPP is the only 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 . The Department is satisfied that the application is consistent with the requirements of the Alpine SEPP. |
| (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 | <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 native vegetation impacts likely to occur as a result of the proposal (as discussed above in Section 4.4).</p> <p>The proposal is considered to have positive economic and social impacts.</p> |
| (c) the suitability of the site for the development, | The site is suitable for the development and supports the ongoing use of the building. |
| (d) any submissions made in accordance with this Act or the regulations, | Consideration has been given to agency submissions received during the exhibition period. See Section 5 of this report. |
| (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 to original application

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.

As the works include external alterations to an existing tourist accommodation building within 50 metres of other tourist accommodation buildings, the Department exhibited the application from 2 June 2020 until 16 June 2020 on the Department's website.

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

Following the exhibition of the application, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

5.2 Summary of submissions

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

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*, that includes, but not limited to:

- that the site be maintained as an IPA for the purpose of an APZ
- new additions to the building not identified as repair and replacement works shall comply with Bushfire Attached Level Flame Zone (BAL FZ) construction requirements
- all proposed repair and replacement works shall use equivalent or improved fire-resistant materials
- the existing building is to be upgraded to improve ember protection (if not already constructed to the BAL under AS 3959)

The NPWS did not object to the proposal and provided comments on leasing and KNP Plan of Management, and protection of native vegetation (including recommended conditions to address materials and stockpiling and waste management). NPWS also commented that if the works do not involve ground disturbance or tree removal, then Aboriginal Cultural Heritage Due Diligence is not considered required.

The NPWS recommended that the Department consider the BC Act in its assessment, however noted that there are no proposed impacts to native vegetation, but the area is in close proximity to a biodiversity values

mapped area within the lease area. If clearing is required because of RFS requirements, this may require further assessment.

The Department forwarded the RFS and NPWS comments to the Applicant for review. The Applicant subsequently submitted an APZ plan for the management of the site, which was endorsed by the NPWS following a review of the existing vegetation located on the site. The APZ plan protects the small amount of native vegetation identified on the biodiversity values map and ensures the Applicant is aware of management requirements for the site.

NPWS have provided recommended conditions which include felling and tree removal requirements and compliance with the RFS Standards for APZs.

6 Assessment

The Department has considered the relevant matters for consideration under section 4.15 of the EP&A Act, the Statement of Environmental Effects (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 impacts of the works

The existing cladding located on the lodge and deck off the living area, is deteriorating from age and weather impacts (being a highly exposed site that experiences snow build up during winter). The replacement of these components (utilising a similar hardwood cladding to that of the existing) ensures the longevity of the lodge for the benefit of the members and visitors to the site.

The works have minimal impact upon the amenity of adjoining properties, except during construction, however these will only be short term, are acceptable and would be managed in accordance with standard environmental conditions. Parking is available adjacent to the site during construction. Adjoining properties were notified and raised no concerns regarding the proposed works. It is also noted that construction is to occur outside the ski season.

The NPWS raised no concerns in terms of leasing.

The Department's assessment concludes that the proposed external works are acceptable and improve the external appearance of the building and ensures longevity of the existing lodge.

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.

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. Following a review of the existing fire safety measures within the building, additional building upgrades are not considered necessary. All works will need to comply with relevant fire safety provisions of the BCA.

- In relation to bushfire, the BCA requires construction to comply with the BFSA issued by the RFS. The BFSA is incorporated into the conditions of the consent and compliance must be verified at the construction and occupation certificate stages.

The BFSA requires the existing building to be upgraded to improve ember protection (if not already constructed to the relevant Bushfire Attack level under Australian Standard AS3959). Improved ember protection can be achieved by undertaking some, or all of the following; enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any subfloor areas, openable windows, vents, weep holes and eaves. External doors are to be fitted with draft excluders.

Details of proposed upgrades to improve ember protection shall be submitted with the application for the Construction Certificate.

- 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 be provided prior to the issue of an occupation certificate for the works.

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 that the site is predominantly previously disturbed, it is unlikely that the construction of the proposal will cause any adverse impact upon the natural environment.

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, including the adoption of the Site Environmental Management Plan measures prior to the commencement of works. 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 replacement of the cladding and decking improves the external appearance and longevity of the building for the benefit of the occupants and improves bushfire protection
- construction impacts on the surrounding environment would be minimised as it would be undertaken within the existing disturbed footprint

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 10352, subject to the conditions in the attached development consent
- **signs** the attached development consent and recommended conditions of consent (see attachment).

Recommended by:



16 June 2021


Tahlia Sexton

Planning Officer

Regional Assessments

9 Determination

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



16 June 2021

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://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10352

2. Submissions

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10352

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 improving the use of existing 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, with works limited to the cladding and decking of the ski lodge. |
| (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 would minimise impacts upon the natural environment during construction. |
| (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 lodges, and displaying the application on the Department's website. |

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 components 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 | No adverse cumulative impacts are anticipated as the proposal will not result in any changes to existing |

| | |
|---|--|
| systems, waste disposal facilities or transfer facilities, and existing water supply, | 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 Department notes that the site is located outside of the G zone on the geotechnical maps.</p> <p>The Applicant's consultant structural engineer comments that the proposed alterations and additions, do not require any new foundations structures (thereby utilising existing footings) or result in the load bearing capacity of the current building being exceeded.</p> <p>The Department accepts the view from the engineer.</p> <p>No further assessment on geotechnical or structural matters is considered necessary at the DA stage. Further matters to construct the proposal are to be considered at the Construction Certificate stage and during works.</p> |
| (g) any sedimentation and erosion control measures, | The Applicant has provided a detailed Site Environmental Management Plan (SEMP) that will be implemented prior to commencement of works. |
| (h) any stormwater drainage works proposed, | No negative impacts to stormwater or drainage are anticipated. |
| (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 as the new cladding and decking compliments the existing materials of the existing lodge and blends into the 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, | The proposal has been considered against the criteria within the PRRMP and the Department concludes that the works to the building supports its use under the PRRMP. |

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| (m) if the development is proposed to be carried out on land in a riparian corridor. | Not applicable to proposal. |
| CI 15 – Additional matters to be considered for buildings | |
| Building Height | The proposed works do not increase the height of the existing building. |
| Building Setback | The proposed works do not reduce existing setbacks. |
| 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 raised no concerns, however 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