

Response to Public Submissions

DA 21/11288

Perisher Views Ski Lodge
Lot 1, DP1192372
Burramys Road, Perisher Valley



Department of Planning
and Environment

Issued under the Environmental Planning and Assessment Act 1979

Approved Application No DA 21/11288

Granted on the 23 June 2023

Signed M Brown

Sheet No 7 of 44

Geoanalysis Pty Ltd

June 2022

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1. Introduction

Perisher Views ski lodge development application (DA21/11288) was placed on exhibition until Friday the 19th August, 2021. During this time a total of 77 submissions were received, including 75 objections. Most objections were form letters associated with members of the nearby Merriment and Kuring-gai lodges (hereon referred to as Merriment and KAL respectively).

A total of 21 issues were raised, of which 18 issues are addressed in the table below. The following 3 issues were raised by several respondents and a more detailed assessment is provided in following chapters;

1. Effects on Burramys Road oversnow transport
2. Aesthetics and impact to KAL views
3. Overshadowing of the Alpine Church

| Issue | Response |
|--------------------------------|--|
| Assess impact on skitube | The skitube tunnel is located approximately 70m to the north on the northern side of KAL and is tunnelled through granite. It will not be affected by the proposed development. |
| Bushfire | One submission raised concerns regarding BAL 29 construction in relation to FFDI and climate change. The proposed construction standards and FFDI is consistent with NSW and Australian Standards. Moreover, details FFDI analysis of Perisher Valley undertaken by Risk Frontiers identified an FFDI of 43 to be appropriate, whereas the proposal is based on the higher FFDI of 50. |
| Chimney located in roof valley | Chimney has been replaced with a flue that is not located in the roof valley and is compliant with the requirements of <i>AS2918 Domestic solid-fuel burning appliances</i> . |
| Construction management | The KAL submissions raise concern regarding construction management, possibly stemming from the previous DA that had a construction shed and bins located on the KAL access road. As shown in the CEMP for the current DA, construction facilities will be located within the carpark and driveway of the Perisher Views lodge. This approach will limit all construction to within the lot and the associated access/utility locations. |
| Disabled access from carpark | A detailed assessment and redesign of the disabled carpark has been undertaken to ensure the carpark complies with disabled access standards. |

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| Environmental impacts | <p>One submission questioned the 'random meander' method of ecological survey. This is a scientifically accepted method for assessing the presence/absence of flora and fauna. Three submissions more broadly reference any development occurring at all in Perisher Valley on general environmental grounds, with one submission linking development at Perisher Valley to worldwide population approaching 8 billion people. Independent consultants have assessed the proposal as complying with the requirements of the Biodiversity Conservation Act and National Parks and Wildlife Act.</p> <p>Two submissions raised concerns regarding the wombat burrow. As identified in the NPWS submission, the applicant supports a consent condition that includes the requirement to <i>'to develop and implement a plan for relocation of the wombat in consultation with NPWS.'</i></p> |
| European Heritage | <p>The NPWS submission (2 September 2021) states in relation to the KAL heritage item that <i>'there would seem to be no direct impact from the development'</i>.</p> <p>Indirect impacts may include visual impacts. Whilst a small part of the proposed lodge will be visible from the kitchen window of KAL, the overall impact to views is minor. This is addressed in more detail in chapter 3 of this report.</p> |
| Half Pipe | <p>Concerns regarding proximity to the half-pipe was raised. The NPWS submission (2 September 2021) states that;</p> <p><i>'While in some snow seasons the corner of the road to the south of the leased Lot has been used for construction of a half pipe attraction (necessitating movement of the oversnow route towards the leased Lot) this has not occurred in recent years and we understand that Perisher Blue Pty Limited may have alternative future plans for the area to the south of the road.'</i></p> <p>Neither NPWS or Vail Resorts who operate the half pipe have identified this as an issue of concern.</p> |
| Height, scale, bulk, FSR | <p>These are all addressed in detail in the SEE and have demonstrated compliance with current statutory requirements and consistency with recent planning approvals in the alpine resorts area.</p> |
| Landscaping - how will the disturbed site be remediated | <p>Addressed in Section 3.4 of SEE.</p> |
| Move the building closer to the church | <p>One submission recommends moving the building 5 metres towards the church. This would locate the building close where it was originally proposed however during pre-DA consultation the church requested the building to be moved to the currently proposed location.</p> |

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| Narrative that the lot was not legally created | <p>The lot has the legal identifier of Lot 1, DP 1192372 and registered lease AK755506.</p> <p>The proposed development is not for the creation of a lot.</p> |
| Noise - bar and spa | <p>The bar is only available to guests. The lease prohibits operation of a public bar on the site. There will be no bands. The spa has been relocated to the basement.</p> |
| Site not identified in Kinhill 1997 report | <p>This 25 year old document is not a statutory planning document and is not relevant to the proposed development.</p> |
| Snow Deposition | <p>KAL submission states that there is no information on snow deposition. This is untrue, Section 5.13 of the SEE clearly demonstrates snow deposition locations and that these do not impact on neighbours or access/egress points from the building. Further design work has been undertaken to minimise snow deposition near external doorways.</p> |
| Spa - concerns regarding privacy screening, visual impact | <p>Spa has been relocated to the basement</p> |
| Stormwater | <p>KAL submission claims that a stormwater assessment has not been undertaken. However, a stormwater assessment has been undertaken using the DRAINS model and a concept plan was submitted with the development application.</p> <p>During consultation with NPWS a revised approach to stormwater has been identified and is submitted with the updated application package. The revised stormwater plan includes peak flow rates identified in the DRAINS model for the proposed development.</p> |

2. Burramys Road Oversnow Transport

Several submissions state that the oversnow route passes through the Perisher Views lot. Whilst vehicles may cut the corner of the lot during good snow years (saving a few seconds), the legal oversnow route exactly follows Burramys Road and is limited to a speed of 30km/h. Oversnow routes are identified in the document *Alpine Resorts Winter Access Kosciuszko National Park* (Office of Environment and Heritage, 2018), Appendix A (see below).

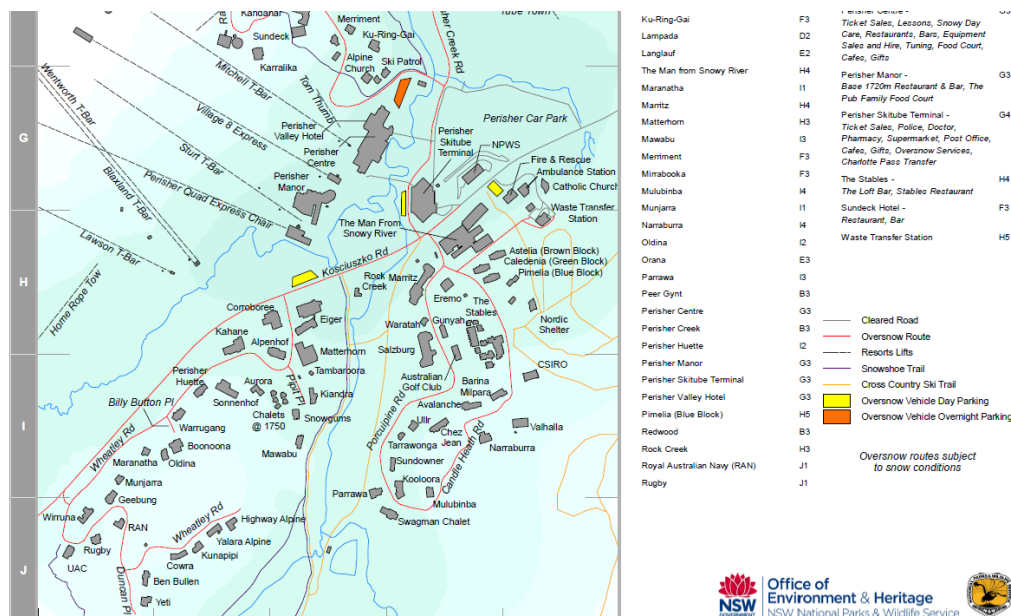
The NPWS Submission (2 September, 2021) states in relation to Burramys Road;

'The Burramys Road passes the leased Lot on its southern and western sides. In winter this serves as an oversnow route for access to nearby lodges, with the oversnow route intended to follow the road alignment. Accordingly, NPWS does not anticipate that the development will restrict traffic flow or endanger members of the public more than would ordinarily be the case.'

Notwithstanding the above, the proposed western deck has been removed and the building modified providing a minimum setback of 3 metres from the western boundary of the lot, which equates to a distance of approximately 5 metres from the road.

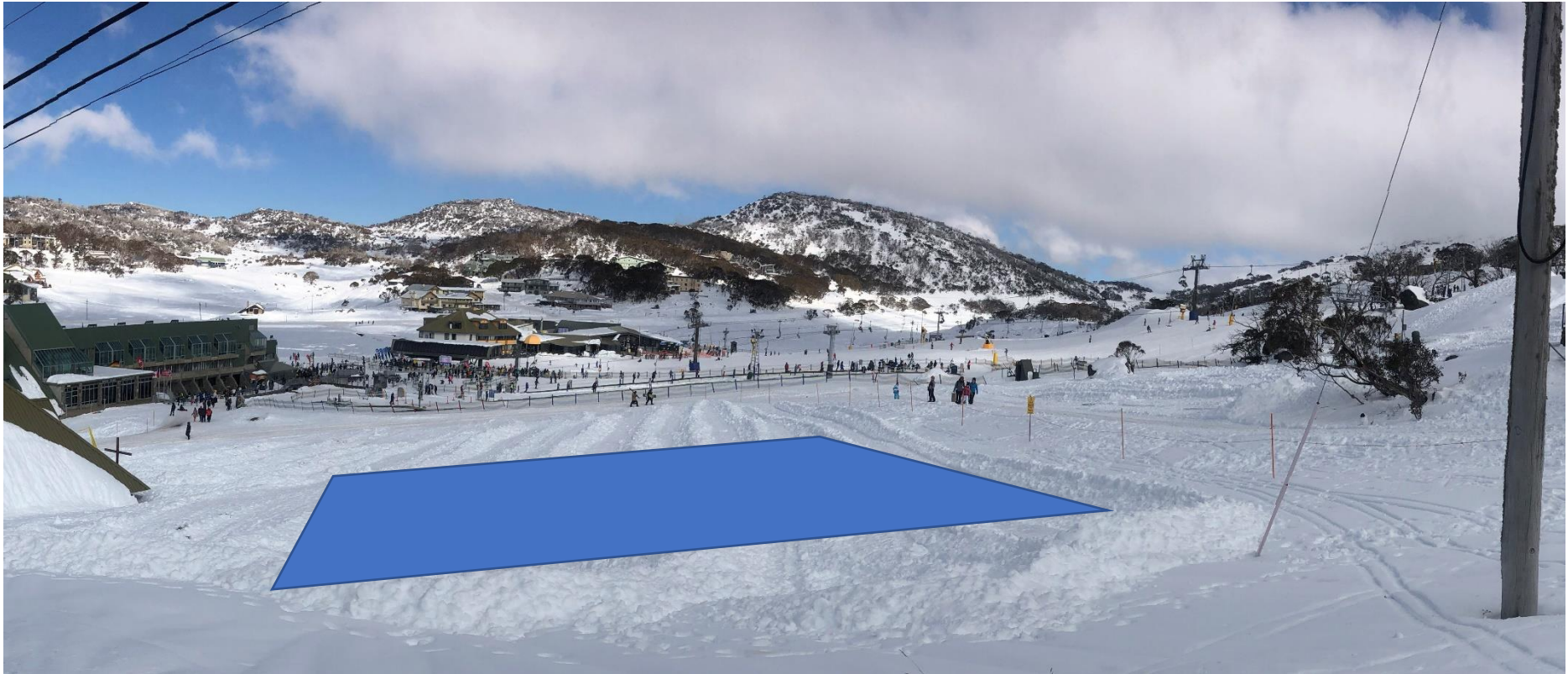
Suggestions that building on the Perisher Views lot will force access to lodges uphill of Perisher Views along Perisher Creek Road past Yaraandoo lodge, to the north thereby pushing up travel times, oversnow fares and slowing emergency response times are misleading and simply untrue. In the 2020 winter season, the Perisher Views lot was roped off and the oversnow route was correctly located on Burramys Road. The photos on the following pages show this occurring, as well as groups of people walking or riding along the oversnow, sharing this with vehicles.

When the oversnow route follows Burramys Road it is a very gentle slope and a straight run past Perisher Views with good sight lines. It is common throughout Perisher for oversnow vehicles to share oversnow routes with skiers, indeed this occurs for the length of Burramys Road uphill of Perisher Views.





Oversnow route following Burramys Road during 2020 season



Perisher Views lot roped off and oversnow following Burramys Road in Season 2020



Perisher Views lot roped off and oversnow route following Burramys Road

3.Aesthetics and Impacts on KAL views

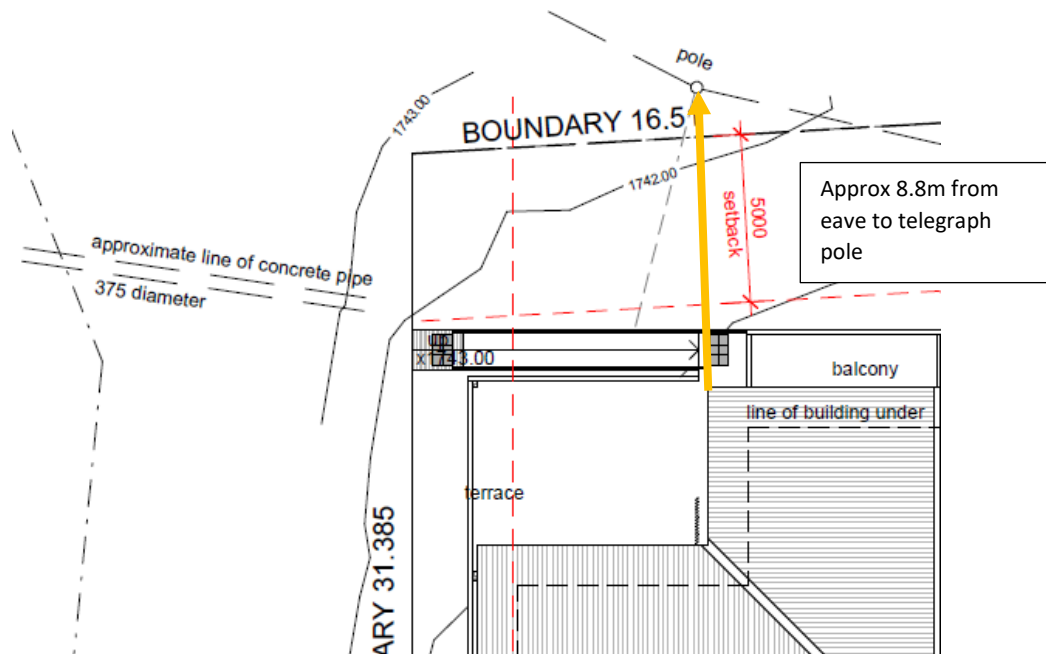
The property has been designed to be largely setback behind the trees between KAL and Perisher Views. The north-western corner has been further recessed from the boundary to specifically reduce the visual impact to KAL, such that the property will be barely visible from the KAL kitchen window.

The design has been further modified since the initial DA was lodged to provide a 3 metre setback from the western boundary, further reducing its visibility from KAL.

The KAL submission (following page) shows the building extending to the telegraph pole, however as can be seen below the building is approximately 8 metres from the telegraph pole. The KAL submission also shows the first floor of the building extending well above Burrarmys Road, whereas the RL of 1743.50 is 10mm below Burrarmys Road where the stormwater drain is located. The KAL submission grossly overstates the impact on views.

The project architects (Borst and Co) have prepared a 3D montage. The 3D montage and KAL submission are provided on the following page for comparison.

Significant effort has been put into minimising impacts on the views to KAL including recessing the north-western corner of the building, whilst also maximising the setbacks from the Alpine Church. As shown on the following page the proposed lodge will not impact on the views across front valley to Mount Perisher from KAL's kitchen window. The proposed building will be barely visible.





Above: KAL Submission of visual impact

Below: Borst & Co 3D photomontage (photo courtesy KAL)



4. Overshadowing of Alpine Church

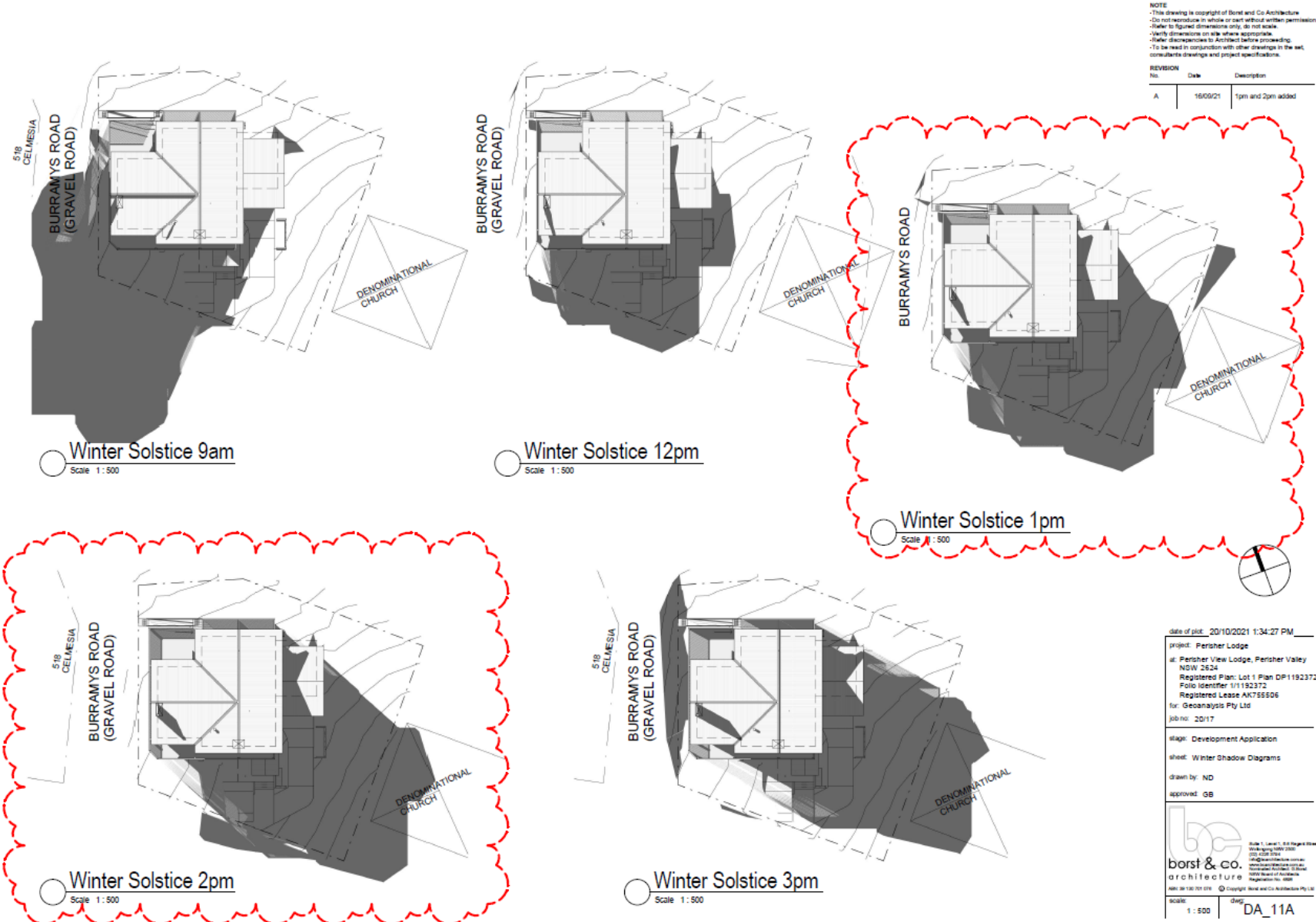
To minimise impacts on the church the proposed lodge has been relocated as close to the western boundary of the development as allowable, rotated on its axis to optimise the church prominence to front valley and the building form stepped down the slope to minimise impacts on the church.

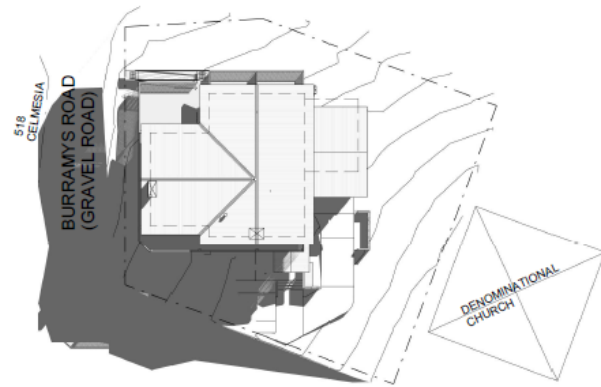
The winter solstice occurs early in the season (typically around the 22nd June) and overshadowing of the western wall of the church commences at approximately 1pm, occurring later in the day each day thereafter. Church services occur from 12.30 to 1pm every Sunday. By the time the northern window is affected at approximately 3pm, the sun has likely set behind the ridge due to the low height of the sun at this stage of the season. The spring equinox occurs later in the season (around 22nd September) and overshadowing of the western window at this later stage of the season starts after 3pm (shadow diagrams are provided on the following pages). Three (3) hours of sun on the solstice is a common planning standard in NSW, with the sun rising before 8am on the solstice the church would receive in excess of 5 hours of sun.

The western window of the church is recessed behind the roof structure and it isn't uncommon for it be buried in snow, blocking much of the light from this aspect (see photos below). Overshadowing is likely to be minor and will occur outside of church service times. The photomontage on the following pages provide us a good idea of how well the proposed building fits in with the existing form.

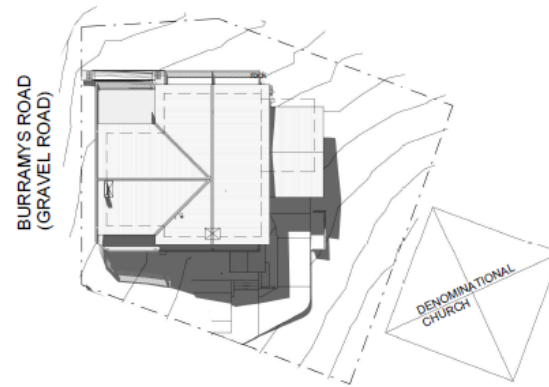




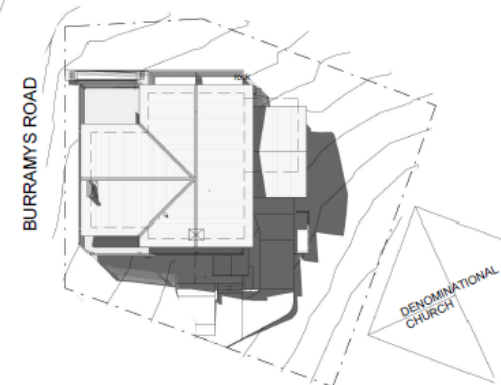




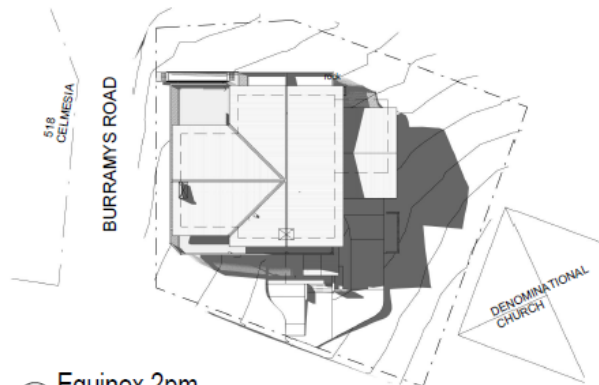
Equinox 9am
Scale 1:500



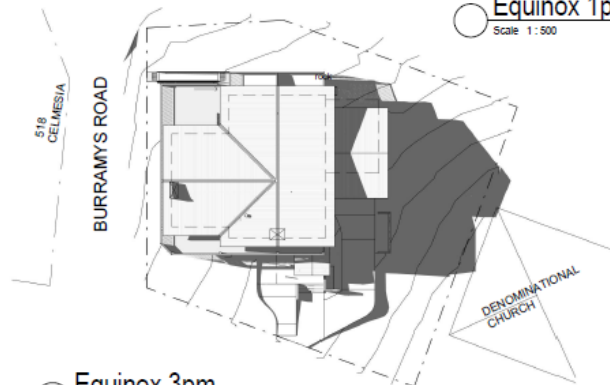
Equinox 12pm
Scale 1:500



Equinox 1pm
Scale 1:500



Equinox 2pm
Scale 1:500



Equinox 3pm
Scale 1:500

NOTE
- This drawing is copyright of Bost and Co Architecture
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- Refer to figured dimensions only, do not scale
- Verify dimensions on site where appropriate
- Refer discrepancies to Architect before proceeding
- To be used in conjunction with other drawings in the set, consultants drawings and project specifications.

| REVISION | No. | Date | Description |
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project: Perisher Lodge
at: Perisher View Lodge, Perisher Valley
NDM: 2634
Registered Plan: Lot 1 Plan DP1192372
Folio Identifier: 1/1192372
Registered Lease: AK755506
for: Oceanalysis Pty Ltd
job no: 20/17

stage: Development Application
sheet: Equinox Shadow Diagrams
drawn by: YY
approved: Checker

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