



Department of Planning  
and Environment

Issued under the Environmental Planning and Assessment Act 1979

Approved Section 4.56 Modification Application

No MOD 22/8121 (DA 10064 MOD 2)

Granted on the 23 December 2022

In respect to DA 10064

Signed M Brown

Sheet No 53 of 68



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Department of Planning and Environment  
c/o Mark Brown  
Regional Assessments | Planning & Assessment  
Shop 5A, 19 Snowy River Avenue (PO Box 36) Jindabyne NSW 2627

18 August 2022

Dear Mark,

**Black Bear Inn MOD 22/8121 (DA10064 MOD2) – (PAN-204576) - 30 Diggings Terrace, Thredbo**

Mod Urban Pty Ltd has been requested to provide a summary response to the matters outlined in the submission to, and outline where amendments have been made to the proposal in response to the submission received in July 2022 from the Hi Noon Ski Club Ltd.

The following list describes in summary the proposed response to each issue raised in the submission and where and how the applicant has modified the proposal to address each issue.

Issue	Comment
1 - Viewshed	The amendments outlined in the attached modified plans rectify mistakes in relation to the parapet walls (noting, no change to bin roof). We consider these amendments now address the matters raised in the submission.
2 – Design	Not addressed - building is very similar to approved, and the opinion provided by Hi Noon Ski Club is subjective opinion to which their entitled do, however the proponent does not consider a response or further justification is necessary on design grounds.
3 - Landscape	The redesign of the bin room and fire services cupboard has reinstated some landscape at ground level on the South-Eastern corner of the block.

Issue	Comment
	<p>It is also worth noting that with the additional planting on the canopy provided in the S4.56 application, the amount of landscaped area now being proposed on the southern side of the building is more than the original DA.</p> <p>By way of comparison the originally approved DA gave provision of 14.3m<sup>2</sup> landscaped area and the proposed S4.56 modification gives provision of 19.2m<sup>2</sup>.</p>
4a – Undercroft	<p>The expanded undercroft is to ensure greater protection of doorways and improved fire egress.</p> <p>The covered depth created by the undercroft at its deepest point is less than 4m, and not by comparison to the approved 6m of 'Bellevue' development.</p>
4b – Materials	<p>The additional planter on the South-East will now be stacked stone. A stacked stone blade wall to define the pedestrian entry has been added, and the landscaping between pedestrian and vehicular entry has been made as a stacked stone planter.</p> <p>By way of comparison the originally approved DA gave provision of 23 lm of stacked stone wall and the proposed S4.56 modification gives provision of 28.6 lm of stacked stone wall.</p>
5 – Tree	Not addressed – Fire protection measures are explained by the Horticulturist statement.

## Conclusion

We consider this statement along with the accompanying plans and documentation provided in response to the Hi Noon Ski Club Ltd submission, address all matters where necessary and should enable the Department of Planning and Environment to continue their assessment of the proposal.

Should you wish to discuss this matter further then please contact Matthew O'Donnell on 0417 024997 or [modonnell@modurban.com.au](mailto:modonnell@modurban.com.au).

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'M O'Donnell', with a stylized flourish at the end.

**Matthew O'Donnell**  
**Director**  
**Mod Urban Pty Ltd**