



Statement of Environmental Effects in relation to

**Proposed Building Alterations
Replacement of Windows**

**House of Ullr
8 Mowamba Place, Thredbo**



**Department of Planning
and Environment**

Issued under the Environmental Planning and Assessment Act 1979

Approved Application No DA 22/16334

Granted on the 28 April 2023

Signed A Bautista

Sheet No 1 of 8

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1. Introduction

1.1 Overview of Proposal

The proposed development involves alterations to the existing ski lodge known as House of Ullr. The alterations involve the replacement of the existing timber framed single glazed windows with new double glazed aluminium framed windows.

1.2 Scope of Report

This report has been prepared to accompany the development application and provides information as required to assist in the assessment of the development application. The report addresses matters that are required to be considered by the consent authority under the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* as relevant to the concept proposal.

The Statement of Environmental Effects provides:

- A description of the site.
- A description of the proposed development.
- A review of the statutory and non-statutory planning instruments applying to the land.
- A review of the environmental impacts of the proposed development through the use of available site information and specialist reports.
- A discussion of the suitability of the site for the development.
- A discussion of how the proposal relates to the public interest.

1.3 Site History

The subject land has been developed as a ski lodge for many years providing central accommodation in the Thredbo Village for visitors enjoying alpine sports and activities in the nearby ski resort and National Park.

A consent was issued in 2015 that proposed to convert the existing lodge rooms into services apartments and also provided for the extension of the building, refurbishment of the kitchen/bar and provision of a 'Wintergarden' over an existing external courtyard. That consent was modified in 2016 to provide the bar/kitchen works and 'wintergarden' as a first stage of works. These works have been completed and there is no intention to commence the subsequent stages. With

the existing lodged rooms retained and refurbished as necessary to continue to provide accommodation.

2. Site and Surrounding Locality

2.1 Site Details

The following data is provided in relation to the site:

Title Description	Lot 815 DP 1119757
Property Address	8 Mowamba Place, Thredbo
Site Area	760.6m ²
Zoning – Snowy River LEP 2013	C1 – National Parks and Nature Reserve
Alpine Resort Area – SEPP (Precincts – Regional) 2021	Thredbo Alpine Resort

The subject site is located on the southern side of the Mowamba Place at the intersection with Bobuck Lane. The subject site is shown in its local context in Figures 1 and 2.

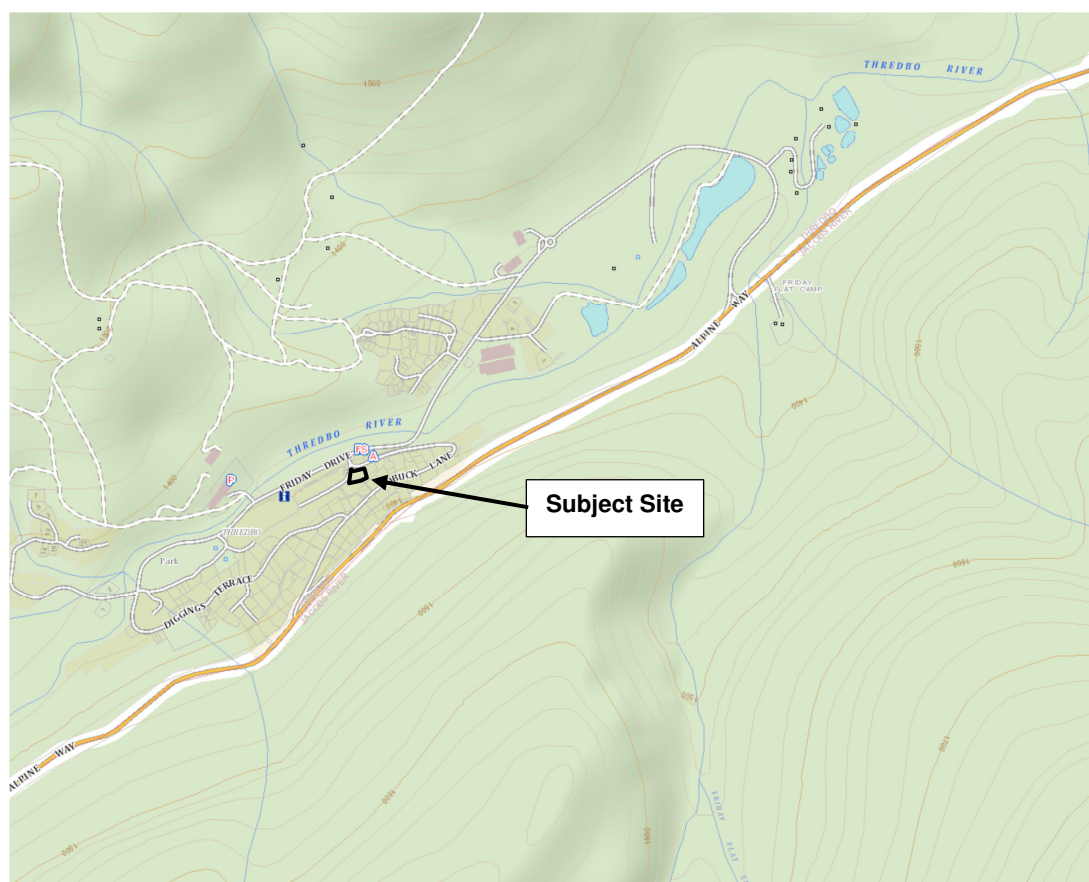


Figure 1 – Location of Site (Topographic)

[Source: SIX Maps]



Figure 3 - Site Locality Plan (Satellite)

[Source: NearMaps]

The following photographs of the site are provided.



House of Ullr – North Elevation



House of Ullr – West Elevation



House of Ullr – Southern and Eastern Elevations



Forest Vegetation to North (opposite side of Friday Drive)



Developed/Managed Land to East



Developed/Managed Land to South



Developed/Managed Land to West

2.2 Site Context and Surrounding Area

The land is located amongst similar lodges with existing residential, commercial and recreational land uses within the Thredbo Village.

2.3 Vegetation

There is minimal vegetation on the land, with the vegetation generally restricted to managed lawns and garden areas with low shrubs.

2.4 Hazards

The land is mapped as bushfire prone land as shown in Figure 4 below.



Figure 4 – Bushfire Prone Lands Map

[Source: NSW Planning Portal]

2.5 Heritage

2.5.1 European Heritage

The subject land does not contain any heritage listed buildings and there are no listed heritage items on lands adjoining the site.

2.5.2 Aboriginal Heritage

An AHIMS Search for the site has not identified any Aboriginal Places or Sites on the land or surrounding area. The proposal does not involve any land disturbance activities and under the Due Diligence Code prepared by OEH and works could proceed.

3. The Proposed Development

The proposed development involves the replacement of the existing timber windows in the building with new double glazed aluminium windows.

The existing timber windows in the ski lodge are primarily single glazed timber windows that were installed in the building when it was first constructed over 40 years ago.

The timber windows have been slowly decaying through natural processes and are approaching the end of their useful life. The replacement of the windows is necessary to allow the ongoing use of the building to provide tourist accommodation.

The single glazed windows do not provide optimal thermal properties for the building and provide a for significant heat loss that drives up energy use for heating. In addition, the decaying windows provide for poor sealing of the frames within the wall of the building allowing for greater heat escape from the rooms.

The proposal involves the replacement of all these existing windows in the building and replacement with new double glazed aluminium windows and thermal seals in the existing openings. The window fenestration will create matching pane sizes and frames to maintain the appearance of the original windows. The colour of the window frames will also be a dark grey colour (such as woodland grey) to match the existing colour scheme of the building.

3.1 NCC Volume 1 (BCA) Compliance

Whilst the proposal only involves replacement windows in the building, the proposed works have been examined to determine if any works are required to achieve BCA compliance relevant to the new windows. There are a few matters which are required to be addressed to comply with the BCA requirements for the building.

Spandrel Separation

Clause C2.6 of the BCA provides a requirement for the provision of a fire rated spandrel to provide separation of vertical openings in buildings of Type A construction. This matter is generally complied with by the existing structure, other

than for 4 windows in the top level on the north elevation and west elevation. The two windows in the west elevation have a suitable spandrel height available, but the material of the wall from the window to the slab is lightweight construction. It is proposed to replace the spandrel with fire rated masonry construction to achieve the required spandrel compliance. The two windows in the northern elevation do not have sufficient spandrel height from the floor and it is proposed to construct a 900mm fire rated masonry spandrel at the bottom of the window opening to achieve compliance.

Fire Separation

Clause C3.2 provides that any openings in fire rated walls that are located within three metres of a side or rear boundary (fire source feature) must be protected in accordance with clause C3.4. The measurement of this distance is radially from the boundary and there are windows in the eastern elevation and in the eastern most parts of the northern elevation which are closer than three metres to the eastern boundary. The windows are currently unprotected, and it is proposed to provide protection for these windows utilising a -/60/- automatic fire shutter.

Protection of Openable Windows

Clause D2.24 provides that openable portions of windows must be protected if they are more than two metres (bedrooms) or four metres above the outside ground levels. To address this requirement, it is proposed that all windows will be provided with a secured screen over all openable window sections consistent with the requirements of the clause.

3.2 BAL 12.5 Compliance

The bushfire report submitted with the application has shown that building would be subject to a Bushfire Attack Level of 12.5kW/m² (BAL-12.5).

The proposed windows will improve bushfire resilience, with the new windows meeting the requirements of BAL 12.5. The new screens over the openable portions of the windows will exceed the minimum requirements for BAL 12.5 construction.

A plan showing the window replacement works has been lodged with the application.

4. Planning Controls and Legislation

4.1 Environmental Planning and Assessment Act 1979

4.1.1 Integrated Development

Section 91 of the *Environmental Planning and Assessment Act 1979* provides for certain approvals to be obtained concurrently with development consents. The list of approvals includes approvals under Section 100B of the *Rural Fires Act 1997* where development involves a *special fire protection purpose*. The Act provides the following definition for *special fire protection purposes*:

special fire protection purpose means the purpose of the following:

- (a) a school,
- (b) a childcare centre,
- (c) a hospital (including a hospital for the mentally ill or mentally disordered),
- (d) a hotel, motel or other tourist accommodation,
- (e) a building wholly or principally used as a home or other establishment for mentally incapacitated persons,
- (f) seniors housing within the meaning of [State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#),
- (g) a group home within the meaning of [State Environmental Planning Policy No 9—Group Homes](#),
- (h) a retirement village,
- (i) any other purpose prescribed by the regulations.

The existing building provides tourist accommodation and is a special fire protection purpose.

As noted in the bushfire assessment, the proposal is considered minor alterations under the provisions of *Planning for Bushfire Protection 2019* and could be exempted from requiring a Bushfire Safety Authority. The proposal will result in improved bushfire resilience for the building.

4.2 Environmental Planning and Assessment Regulation 2021

4.3 State Environmental Planning Policy (Precincts-Regional) 2021

Chapter 4 of the State Environmental Planning Policy (SEPP) provides the planning controls for development in Kosciuszko National Park and Alpine Resort, including land within Thredbo Village. The relevant provisions in the SEPP are discussed below:

4.3.1 Aims and Objectives

Clause 4.1 of the SEPP provides an aim and 3 objectives for the policy. The aim and objectives are discussed in the table below.

Aim/Objective	Comment
<i>The aim of this Chapter is to protect and enhance the natural environment of the alpine resorts, in the context of Kosciuszko National Park, by ensuring that development in those resorts is managed in a way that has regard to the principles of ecologically sustainable development (including the conservation and restoration of ecological processes, natural systems and biodiversity).</i>	The proposal involves minor alterations to existing tourist accommodation and will not result in detrimental impacts to the natural environment. The proposed works support the continued operation and use of established accommodation resources and is consistent with the principles of ESD.
<i>Objective (a) to encourage the carrying out of a range of development in the alpine resorts (including the provision of services, facilities and infrastructure, and economic and recreational activities) that do not result in adverse environmental, social or economic impacts on the natural or cultural environment of land to which this Chapter applies,</i>	The proposal supports the ongoing use of established development and does not result in adverse environmental, social or economic impacts.
<i>Objective (b) to put in place planning controls that contribute to and facilitate the carrying out of ski resort development in Kosciuszko National Park that is ecologically sustainable in recognition of the fact that this development is of State and regional significance,</i>	The proposal seeks to maintain and improve ski resort accommodation established on the land.
<i>Objective (c) to minimise the risk to the community of exposure to environmental hazards, particularly geotechnical hazards, bush fire and flooding, by generally requiring development consent on land to which this Chapter applies.</i>	The proposal makes minimal change to exposure of the site to risks. The proposed work will improve the resilience of the building to bushfire attack.

The proposal will be consistent with the aims and objectives of the policy.

4.2.2 Land Use Table

The land use table provided for Thredbo Alpine Resort provides a list of development which is permitted with consent. This list includes tourist accommodation, and the existing ski lodge and proposed alterations are development that is permissible with consent.

4.2.3 Matters to be Considered by Consent Authority

Clause 4.12 of the SEPP provides matters which are required to be considered by the consent authority in determining a development application. The following table details these matters and a comment in relation to compliance of the proposal.

Matter for Consideration	Compliance/Comment
<i>(a) the aim and objectives of this Chapter, as set out in section 4.1,</i>	As discussed, the proposed works are consistent with the aims and objectives in clause 4.1.
<i>(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),</i>	The proposal only involves changes to an existing building and will not impact on the natural environment. No site works are proposed which would require geotechnical mitigation and the proposal will provide for improved outcomes to bushfire resilience of the building.
<i>(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 Chapter 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) the capacity of any existing water supply to cater for peak loads generated by the development,</i>	The proposal does not increase yield or potential population at the site and will not impact on transport, sewer, or water capacity.
<i>(d) any statement of environmental effects required to accompany the</i>	This document provides the required statement of environmental effects.

<i>development application for the development,</i>	
<i>(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 site and immediate surroundings to assist in understanding how the development will relate to the alpine resort,</i>	The proposal replaces windows in an existing building with similar windows and will not alter the existing character of the area.
<i>(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,</i>	The provisions in clause 3.1 of the policy note that a geotechnical assessment would not be required for a development application involving the non-structural alterations involving the replacement of doors and windows.
<i>(g) if earthworks or excavation works are proposed—any sedimentation and erosion control measures proposed to mitigate any adverse impacts associated with those works,</i>	Not Applicable
<i>(h) if stormwater drainage works are proposed—any measures proposed to mitigate any adverse impacts associated with those works,</i>	Not Applicable
<i>(i) any visual impact of the proposed development, particularly when viewed from the Main Range,</i>	The visual impact of the proposal is negligible.
<i>(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,</i>	The proposal does not increase yield or potential population at the site.
<i>(k) if the development involves the installation of ski lifting facilities and a development control plan does not apply to the alpine resort— (i) the capacity of existing infrastructure facilities, and (ii) any adverse impact of the development on access to, from or in the alpine resort,</i>	Not Applicable
<i>(l) if the development is proposed to be carried out in Perisher Range Alpine Resort— (i) the document entitled Perisher Range Resorts Master Plan, as current at the commencement of this Chapter, that is deposited in the head office of the Department, and</i>	Not Applicable

<i>(ii) the document entitled Perisher Blue Ski Resort Ski Slope Master Plan, as current at the commencement of this Chapter, that is deposited in the head office of the Department,</i>	
<i>(m) if the development is proposed to be carried out on land in a riparian corridor—</i> <i>(i) the long-term management goals for riparian land, and</i> <i>(ii) whether measures should be adopted in the carrying out of the development to assist in meeting those goals.</i>	The proposal is not located in a riparian corridor.

4.2.4 Additional Matters to be Considered for Buildings

Clause 4.13 of the SEPP provides additional matters which are required to be considered by the consent authority in determining a development application for buildings. The following table details these matters and a comment in relation to compliance of the proposal.

Matter to Be Considered	Comment
<p>(1) Building height. <i>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—</i></p> <ul style="list-style-type: none"> <i>(a) has an impact on the privacy of occupiers and users of other land, and</i> <i>(b) limits solar access to places in the public domain where members of the public gather or to adjoining or nearby land, and</i> <i>(c) has an impact on views from other land, and</i> <i>(d) if the building is proposed to be erected in Thredbo Alpine Resort—has a visual impact when viewed from the Alpine Way, and</i> <i>(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</i> 	The proposed works do not alter the existing building height.

<p><i>Kosciuszko Road and any other public roads, and</i></p> <p><i>(f) if the building is proposed to be erected in an alpine resort other than Thredbo Alpine Resort or Perisher Range Alpine Resort—is similar to existing buildings in the resort where it is proposed to be erected, and</i></p> <p><i>(g) if the building is proposed to be erected in Bullocks Flat Terminal—relates to the topography of its site.</i></p>	
<p>(2) Building setback. <i>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—</i></p> <p><i>(a) assists in providing adequate open space to complement any commercial use in the alpine resort concerned, and</i></p> <p><i>(b) assists in achieving high quality landscaping between the building and other buildings, and</i></p> <p><i>(c) has an impact on amenity, particularly on view corridors at places in the public domain where members of the public gather, and</i></p> <p><i>(d) is adequate for the purposes of fire safety, and</i></p> <p><i>(e) will enable site access for pedestrians, services (including stormwater drainage and sewerage services) and the carrying out of building maintenance, and</i></p> <p><i>(f) will facilitate the management of accumulated snow.</i></p>	<p>The proposed works do not alter the existing building setbacks.</p>
<p>(3) Landscaped area. <i>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—</i></p> <p><i>(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</i></p>	<p>The proposed works do not alter the existing landscape areas provided on the site.</p>

<i>benefit of visitors and natural ecosystems, and</i> <i>(b) to assist in the provision of adequate open space to complement any commercial use in the alpine resort concerned, and</i> <i>(c) to limit the apparent mass and bulk of the building, and</i> <i>(d) as an amenity protection buffer between the proposed building and other buildings, and</i> <i>(e) as a means of reducing run-off, and</i> <i>(f) to protect significant existing site features and limit the area of any site disturbed during and after the carrying out of development.</i>	
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4.4 Snowy River Local Environmental Plan 2013

As per clause 4.8 of *State Environmental Planning Policy (Precincts-Regional) 2021*, the provisions of this LEP do not apply to the land.

5. *Likely Environmental Impacts*

The proposed development will maintain the approved development footprint, site coverage and landscape areas. The changes on site will make minimal change to the natural physical environment.

The proposal will involve change to the window materials and operation. The changes will maintain windows sizes (other than two windows where spandrels are provided) and copy's the existing fenestration mosaic of the windows. The proposal will make minimal change to the external appearance to the building and will have negligible effect on the built environment.

6. *Suitability of the Site*

The subject site contains an existing ski lodge. Replacement of the existing windows within that lodge is a suitable development for the site.

7. *The Public Interest*

The proposal provides for improved thermal performance and fire safety for the existing building and is in the public interest.

8. Conclusion

The proposal involves the replacement of existing windows within the existing ski lodge with new windows providing improved thermal performance and fire safety outcomes.

The proposal involves works to an existing tourist accommodation in Thredbo Village which is a permissible use under the applicable SEPP.

Relevant matters have been considered under the SEPP and the proposal is not contrary to relevant considerations within the SEPP. The proposed outcomes are consistent with the aims and objectives for the controls in Thredbo Village.

The proposal does not result in any significant environmental impacts, with the existing building envelope maintained.

The subject site is highly suitable for this form of development, and the improvements to the existing building are in the public interest.