



# Valley Terminal and Guest Services Building, Thredbo Alpine Resort

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Development Application Assessment  
DA 23/3863

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# Glossary

Abbreviation	Definition
<b>AANP</b>	Australian Alps National Parks
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>BC Regulation</b>	<i>Biodiversity Conservation Regulation 2017</i>
<b>BHAR</b>	Bushfire Hazard Assessment Report
<b>BVM</b>	Biodiversity Values Map
<b>Consent</b>	Development Consent
<b>CPP</b>	Community Participation Plan
<b>Department</b>	Department of Planning, Housing and Infrastructure
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2021</i>
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
<b>EPI</b>	Environmental Planning Instrument
<b>ESD</b>	Ecologically Sustainable Development
<b>KNP</b>	Kosciuszko National Park
<b>Minister</b>	Minister for Planning and Public Spaces
<b>NCC</b>	National Construction Code
<b>NPWS</b>	National Parks & Wildlife Service
<b>Planning Secretary</b>	Secretary of the Department of Planning and Environment
<b>RFS</b>	NSW Rural Fire Service
<b>SEMP</b>	Site Environmental Management Plan
<b>SEPP</b>	State Environmental Planning Policy
<b>SOHI</b>	Statement of Heritage Impacts
<b>VT</b>	Valley Terminal

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# 1 Introduction

This report provides an assessment of the Development Application (DA 23/8326) for the external alterations to the existing Valley Terminal (VT) and Guest Services building within Thredbo Alpine Resort (**Figure 1**), including the replacement of existing windows, roof sheeting and external wall timber cladding.



**Figure 1 |** Location of site (highlighted) in context of other surrounding infrastructure (Source: Nearmap 2023)

The site is located at Lot 862 DP 1128686, Friday drive, Thredbo. The site is occupied by a large mixed-use building known as the VT, as well as the Guest Services building. The site is located adjacent to Thredbo Village, which contains a mix of hotel accommodation, bistro/pubs, food premises, retail premises, cafes and a heritage museum.

Constructed in the early 1960's, the VT is a heritage item representing one of the original buildings which helped shape Thredbo into the area it is today. The VT is bounded by Thredbo Alpine Hotel (TAH), Thredbo Village and Thredbo River to the south, and ski slopes to the north.

The site is accessible via Friday Drive and pedestrian bridge access from TAH and Thredbo Village.

The application has been submitted to the Department for the replacement of deteriorated and rotted native hardwood cladding with the replacement to match the existing heritage fabric.

Several windows are also to be replaced with a like-for-like product. The Applicant notes that windows across the entire building will need replacing over time and seeks approval for every window to be

replaced with like-for-like product, as required. The replacement windows must comply with *Australian Standard 3959: Construction of buildings in bushfire-prone areas*.

Additionally, the applications seeks approval for the replacement of roof sheeting with like-for-like product for the entire building as required. The Applicant notes that the replacement of roof sheeting would occur to prevent damage to internal roof cavities, and approval for the entire building would allow flexibility to replace the sheeting only when required.

Sections of the building proposed to be altered can be identified below in **Figure 2** and **Figure 3**.



**Figure 2 |** Areas of VT that require timber cladding replacement due to rotting and deterioration (Source: Applicant's Statement of Environmental Effects [SEE])





**Figure 3 |** Areas of the VT that require roof sheeting and window replacement (Source: Applicant's SEE)

Additionally, the Applicant has proposed minor amendments to the Guest Services building located on site. The proposal seeks for:

- Replacement of existing fixed glass windows within the existing timber frame with new double-hung windows for the five (5) ticket offices;
- Removal and replacement of the timber ceiling with a like-for-like lining product to the external awning; and
- Removal of existing 'My Thredbo Kiosk' signage above the existing ticket windows and installation of five (5) screens above the windows (**Figure 4**)



**Figure 4 |** Proposed amendments to the Guest Services building (Source: Applicant's SEE)

The works are to be carried out over the summer period of October to May, with no works to occur during the winter season of June to September. The exact start date for construction will be finalised once the application has been determined and consent has been issued.

The proposed cost of works for the development is \$812,098.65.

Supporting documents and supporting information to this assessment report can be found on the NSW Planning Portal at:

<https://www.planningportal.nsw.gov.au/development-assessment/state-significant-applications/projects/state-development-applications>

The Department notes that a concurrent application for internal alterations to the VT was submitted by the Applicant. The determination of internal alterations will be completed in a separate assessment which can be found on the NSW Planning Portal.



## 2 Matters for Consideration

### 2.1 Strategic Context

#### South East and Tableland Regional Plan 2036

The proposal is consistent with the Regional Plan as it would maintain the existing use of the site for commercial premises and staff accommodation, and improves the condition of the building for guests and visitors, which maintains visitation to the NSW ski resorts.

#### Snowy Mountains Special Activation Precinct Master Plan

The proposal is consistent with the Master Plan as it relates to maintaining commercial premises and staff accommodation, while improving the external appearance of the building without impacting the environment, cultural and landscape attributes of Thredbo Alpine Resort.

#### Precincts - Regional SEPP

The proposal is consistent with Chapter 4 of the Precincts - Regional SEPP as it appropriately minimises the potential impacts on the environment by restricting works to the existing building footprint.

### 2.2 Permissibility

The proposal includes external alterations to a building while maintaining the use of the site, consistent with the definition of 'commercial premises' and 'staff accommodation' as defined in Chapter 4 of the Precincts - Regional SEPP. Pursuant to section 4.7 of the Precincts - Regional SEPP 'commercial premises' and 'staff accommodation' are permissible with consent within the Thredbo Alpine Resort.

### 2.3 Mandatory Matters for Consideration

#### Objects of the EP&A Act

Table 1 | Objects of the EP&A Act

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,	<p>The proposal supports the ongoing use of the building through improving the existing structure.</p> <p>The construction impacts are maintained within the building's footprint, posing minimal impacts on biodiversity and the environment.</p>
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social	<p>The proposal would not have an unacceptable impact on the environment and is consistent with the principles of ESD.. Mitigation measures during</p>

considerations in decision-making about environmental planning and assessment,	construction have been considered and rehabilitation of impacted areas is supported.
(c) to promote the orderly and economic use and development of land,	The development seeks approval for works that upgrade the buildings longevity and use of the site, thereby promoting the ongoing economic use of the land.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable to this proposal.
(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 are limited, with works relating to the replacement of existing windows, roof sheeting and cladding on the external walls.
(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 or 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 not impact upon the natural environment.
(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 <b>Appendix A</b> ).
(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 ( <b>Section 3</b> ), 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 3**) and displayed the application on the NSW Planning Portal website.

### Considerations under section 4.15 of the EP&A Act

**Table 2 | Section 4.15(1) Matters for Consideration**

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument (EPI)	<p>The Precincts - Regional SEPP is the principal EPI which applies to the site for this type of development. An assessment against the requirements of Chapter 4 of the Precincts - Regional SEPP is provided below.</p> <p>The Department is satisfied that the Application is consistent with the requirements of Chapter 4 of the Precincts - Regional SEPP.</p>
(a)(ii) any proposed instrument	Not applicable to the proposal.
(a)(iii) any development control plan	Not applicable to the proposal.
(a)(iiia) any planning agreement	Not applicable to the proposal.
(a)(iv) the regulations	<p>The application satisfactorily meets the relevant requirements of the EP&amp;A Regulation, particularly the procedures relating to development applications (Part 3 and Part 4) and fees (Part 13 and Schedule 4).</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 to the proposal.
(b) the likely impacts of that development	The Department has considered the likely impacts of the development, with no native vegetation impacts likely to occur as a result of the proposal. The



proposal is considered to have positive economic and social impacts.

(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 discussions during the assessment of the application. See <b>Section 3</b> of this report.
(e) the public interest.	<p>The works are consistent with the aim and objectives of Chapter 4 of the Precincts - Regional SEPP. The development is compatible with adjoining land uses of the locality and would not have an adverse impact on the environment. The proposal is consistent with the principles of ESD.</p> <p>As such, the proposal is believed to be in the public interest.</p>

## Environmental Planning Instruments

*State Environmental Planning Policy (Precincts - Regional) 2021* (Precincts - Regional SEPP) is the principal EPI applicable to the development. Consideration of Chapter 4 of the Precincts - Regional SEPP (in effect at the time of lodgement, as since amended) is provided below:

**Table 3 | Chapter 4 considerations**

### Section 4.12(1) - Matters to be considered by consent authority

(a) the aim and objectives of this policy, as set out in section 4.1	The proposal is consistent with the aim and objectives of Chapter 4 of the Precincts - Regional SEPP in that it is consistent with the principles of ESD and supports the ongoing use of the site for recreation and tourism.
(b) the conservation of the natural environment and any measures to mitigate environmental hazards (including geotechnical hazards, bush fires and flooding),	<p>The proposal is appropriate as it allows alterations to an existing building, while having an acceptable impact on the environment.</p> <p>The land is not subject to flooding. The site is identified as bushfire prone land and relates to a Special Fire Protection Purpose, and a BFSA has been issued by the RFS. The land is identified as</p>

	<p>being in an area of geotechnical sensitivity, with geotechnical considerations discussed below.</p> <p>Natural hazards have been adequately addressed.</p>
(c) the cumulative impacts of development on existing transport, effluent management systems, waste disposal facilities or transfer facilities, and existing water supply,	No adverse cumulative impacts are anticipated as the proposal will not result in any changes to existing transport, effluent management systems, waste disposal facilities, transfer facilities or water supply.
(d) any statement of environmental effects,	The SEE and supporting 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 site is within the G zone identified on the Department's Geotechnical Policy – Kosciuszko Alpine Resorts Thredbo Village Map.</p> <p>The Applicant comments that the Application does not require any geotechnical investigation as no ground disturbance is proposed.</p> <p>The Department has reviewed the proposed works and considers that the replacement of the existing cladding, roofing and windows with like for like materials would not impact upon the existing load bearing capacity of the building.</p>
(g) any sedimentation and erosion control measures,	No adverse impacts are expected due to the works being on the façade of the building.
(h) any stormwater drainage works proposed,	No negative impacts to stormwater or drainage are anticipated due to the nature of the proposed works.
(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 works would replace the existing deteriorated materials with like for like materials and colours.
(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,	Not applicable to proposal, with the site being located in Thredbo Alpine Resort.
(m) if the development is proposed to be carried out on land in a riparian corridor.	A small corner on the south-west of the VT is within a riparian corridor. The impacts of construction have been assessed in <b>Section 4</b> .

#### Section 4.13 – 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 alter existing setbacks.
Landscaped Area	The proposal does not negatively impact existing native vegetation or landscape areas.

#### Section 4.15 – applications referred to the National Parks and Wildlife Service

The proposal was referred to the NPWS pursuant to section 4.15 of the Precincts - Regional SEPP. Refer to comments received at **Section 5** and as required, discussions on the proposal at **Section 3**.

#### Section 4.24 – Heritage conservation

European heritage	The proposal is not considered to adversely impact the heritage significance of the building, see discussion in <b>Section 4</b> of this report.
Aboriginal heritage	NPWS raised no concerns, noting that impact to Aboriginal heritage is unlikely.

### 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 ESD principles and the Department is satisfied the proposed minor works have been developed having regard to 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 restricted works to the existing building facade, with only previously disturbed grassland to be impacted by materials storage.
- 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 (BOS) 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 affect threatened species or ecological communities, or their habitats; or
- the works are carried out in a declared area of outstanding biodiversity value.

The site is predominantly managed land, with the existing VT being the primary infrastructure on the site. The remaining area contains managed lawns with disturbed grass, and a scattering of trees surrounding the building. There are no proposed impacts to vegetation and therefore the Biodiversity Offset Scheme would not be triggered.

The Department has reviewed the mapping and considers the site to be located outside of the BVM.

The Department has formed the view that given the proposed works are only to the existing building footprint and that only impacts to previously disturbed grassland is proposed, the proposal will not have a significant effect on threatened species or ecological communities, or their habitats.

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

## **2.4 Other approvals**

### **Rural Fires Act 1997**

As the works include external alterations to a commercial premises and staff 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 Bush Fire Safety Authority. Refer to **Section 3** for further discussion on this component.

## 3 Engagement

### 3.1 Department's engagement

The Department's Community Participation Plan, November 2019, prepared in accordance with Schedule 1 of the EP&A Act generally requires applications to be exhibited for a period of fourteen (14) days. However, applications under Chapter 4 of the Precincts - Regional 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 fifty (50) metres away from a tourist accommodation building.

As the works include external alterations to an existing building, the Department exhibited the application between 05 April 2023 and 18 April 2023. The exhibition was made available on the NSW Planning Portal.

The application was sent to NPWS for comments, pursuant to section 4.27 of Chapter 4 of the Precincts – Regional SEPP. Subject to Section 4.46 of the EP&A Act (integrated development), the application was also referred to the NSW Rural Fire Service (RFS) as a Bush Fire Safety Authority (BFSA) is required for the development to be carried out.

### 3.2 Summary of submissions

The application was referred to NPWS and RFS for comments on the SEE and supporting documents. In their submission, RFS provided authorisation for a BFSA based on conditions to be imposed upon determination (**Section 4**).

NPWS provided the following comments on the application on 12 July 2023:

- NPWS agrees that the application does not trigger the BOS under the BC Act;
- No additional lessor consent under the head lease is required;
- Measures set out in the *Site Environmental Management Plan – Project: Valley Terminal External Building Alterations, Version 1*, can be practically complied with for appropriate mitigation of impacts;
- Potential for impacts to Aboriginal cultural heritage are unlikely; and
- Impact to heritage values of the building or its surroundings are unlikely.

Note: Comments from NPWS were received following the Applicant's response to the Department's Request for Additional Information as detailed below.

### 3.3 Request for Additional Information

On 26 April 2023, the Department issued a Request for Additional Information to the Applicant based on the following comments:

- Heritage significance of the building and impact of proposed works has not been adequately addressed;

- An adequate detailed Site Environmental Management Plan (SEMP) has not been provided;
- Compliance with the Department's *Geotechnical Policy Kosciuszko Alpine Resort 2003* has not been identified, and justification for an exemption from the policy has not been provided;
- Owner's consent has not been provided; and
- A detailed cost of works has not been provided.

The Department required the Applicant provide a response to the above concerns with the submission of an updated SEMP, HIS, geotechnical report, and owner's consent, submitted to the satisfaction of the Department via the NSW Planning Portal.

Additionally, on 26 June 2023 the Department requested the Applicant provide details around meeting condensation management requirements for newly clad areas of the building, in accordance with Part F8 of the NCC-BCA. Any impact on heritage significance resulting from the above was required to be addressed in the previously requested HIS.

### 3.4 Request for Further Additional Information

The Department raised concerns in their review of the application relating to BCA-NCC compliance of the VT. Pursuant to section 64 of the EP&A Regulations 2021, the consent authority may require the upgrade of buildings works if measures contained in the building are deemed inadequate to:

- Protect persons using the building, if there is a fire; or
- Facilitate the safe egress of persons using the building from the building, if there is a fire; or
- Restrict the spread of fire from the building to other buildings nearby.

The Department's Principal Building Surveyor raised concerns surrounding fire safety measures and recommended upgrades be implemented and included in an amended BCA report. Upgrades under Section 64 are discussed further in **Section 4**.

### 3.5 Amended Application

On 31 July 2023, the Applicant advised the Department of their intent to amend the application to include the Guest Services building within the scope of works. The Applicant identified the need for existing cladding and windows to be replaced due to deterioration and rotting from the harsh alpine climate, noting that like-for-like products would be used.

On 21 November 2023, the Applicant formally lodged an amended application to include the Guest Services building within the scope of works for:

- replacement of existing fixed glass windows within the existing timber frame with new double-hung windows for the five ticket offices;
- removal and replacement of the timber ceiling with a like-for-like lining product to the external awning; and
- removal of existing 'My Thredbo Kiosk' signage above the existing ticket windows and installation of five (5) screens above the windows.



### 3.6 Submissions and government agency advice to Amended Application

The Amended Application and accompanying appended documentation were referred to NPWS and the NSW RFS for comments.

The NPWS reviewed the amended application and made no further comment beyond what was provided in their original response.

The RFS issued an updated BFSA for the works which is subject to general terms of approval that require the adoption of measures to protect the building from bushfire attack, including improvements to ember protection and use of equivalent or improved fire resistant materials, preparation of a Bush Fire Emergency Management and evacuation plan, and consistency with submitted cladding replacement plans and BHAR Report (September 2023).

The Department has considered the comments received from the NPWS and RFS in **Section 4** and have included conditions in the instrument of consent at **Appendix A**.

## 4 Assessment

The Department has considered the relevant matters for consideration under section 4.15 of the EP&A Act, the SEE and supporting information in its assessment of the proposal. The key issues in the Department's assessment are:

- Heritage value of the building
- Design details and standards
- Managing construction impacts and hazards

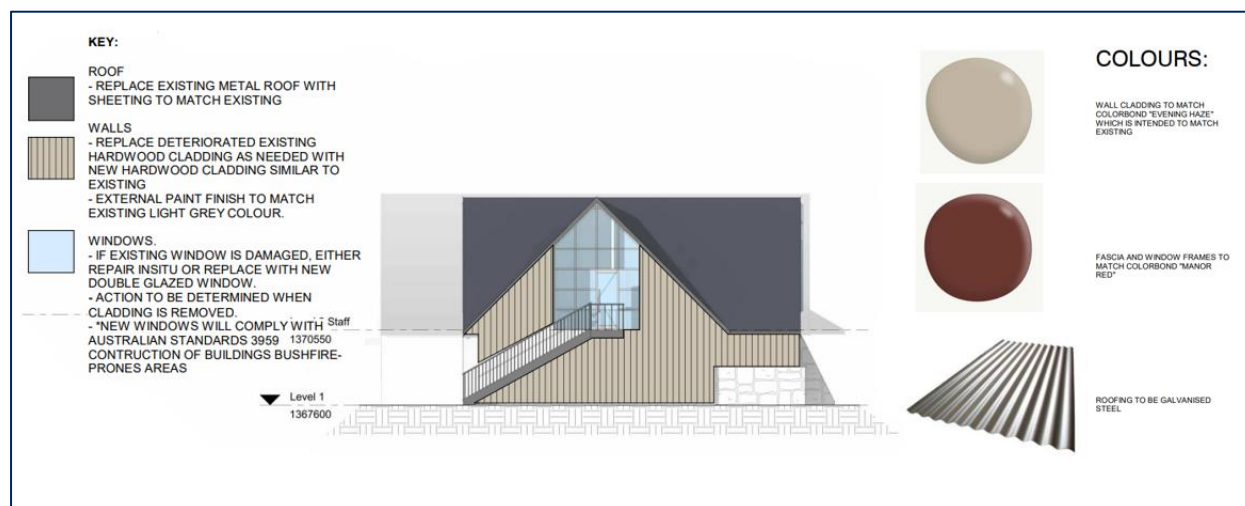
Each of these issues is discussed in the following sections of this report.

### 4.1 Heritage value of the building

The VT is a heritage item under the Precincts – Regional SEPP, and is listed to potentially possess cultural heritage attributes (as identified in the Thredbo Alpine Village Draft Conservation Plan).

The VT was constructed in 1960 and formed the basis of Thredbo alongside the TAH and Eagles Nest chairlift station. It replaced an existing small building on the site, located at the foot of the Crackenback chairlift. Minor upgrades to the VT were completed between 1963 and 1967, and a final colour scheme noted as 'weathered grey' was adopted around 1990.

The Applicant consulted GBA Heritage (2022) who identified in their Statement of Heritage Impacts (SOHI) and addendum SOHI that, although the alterations to the VT are external and would be visually apparent, the heritage fabric of the building would be retained with like-for-like product, noting the colour scheme of 'weathered grey' would be retained on the replacement timber cladding which would also be of the same material and finish. This is also identified for the replacement windows and roof sheeting (Figure 5).



**Figure 5 |** Material and colour scheme of the replacement timber cladding, windows, and roof sheeting (Source: Applicant's SEE)

The SOHI concludes that the upgrades would conserve and increase the longevity of the VT, having an overall neutral impact on the building, KNP and AANP.

The Department is satisfied with the conclusions made in the SOHI and agrees that the replacement of timber cladding, windows, and roof sheeting with like-for-like product would adequately mitigate any impacts to the heritage of the building.

## 4.2 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 section 64 of the EP&A Regulation 2021, as in force at the time of this assessment. 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. Details of compliance are identified in the following sections:

### *BCA-NCC Guidelines*

All new work (or work as part of the DA) must comply with BCA-NCC guidelines. The Department considers that compliance with the BCA-NCC is achievable, with documentation confirming compliance required to be provided at the Construction Certificate stage. Given that timber cladding is proposed for the external form of the building, the following performance solutions prepared by a BCA consultant or Fire Engineer must be provided to the certifier addressing:

- NCC BCA C2D10 Use of timber where non-combustible materials are required;
- NCC BCA Specification 5 – FRL requirements of external walls for both non-structural and structural elements where applicable with respect to fire source features.
- NCC BCA F3P1 timber cladding elements and weatherproofing.

The Department has imposed further conditions relating to the development which can be identified in **Appendix A**.

### *Consent Authority May Require Upgrade of Buildings*

Section 64 of the EP&A Regulation 2021 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. The building was assessed by the Department's Principal Building Surveyor who noted several compliance issues that need to be resolved prior to the issuance of an occupation certificate. Given that this assessment is for external alterations, only external BCA compliance issues will be assessed, and any internal issues will be assessed in the concurrent internal alteration's application.

The Department notes that the balustrade leading from the second-floor staff accommodation common room is not BCA compliant and the applicant should consider upgrading as part of the works. or in the future. to meet compliance. (**Figure 6**).

Subject to the replacement of the external balustrade and submission of compliance by a professional certifier, the Department is satisfied that the external building is BCA compliant, and no further Section 64 external upgrades are recommended.





**Figure 6 |** Non-compliant external balustrade from second floor staff accommodation common room  
(Source: Department's Site Inspection 2023)

#### *BFSA Requirements*

In accordance with BCA requirements and Section 100B of the Rural Fires Act 1997, the Applicant was required to seek a BFSA for the works, to be issued by 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 that all external alterations to the existing building and replacement works shall:

- Be consistent with:
  - the submitted plans *230907\_Cladding Replacement and Building Alterations\_V1 prepared by djrd architects and dated 17 May 2023 and;*
  - The bush fire hazard assessment report (BHAR) *External Maintenance Work to Valley Terminal Building + Guest Service Building* prepared by Accent Town Planning and dated September 2023.
- not comprise the making of, or an alteration to the size of, any opening in a wall or roof, such as a doorway, window, or skylight;
- be adequately sealed or protected to prevent the entry of embers;
- include the preparation of a Bush Fire Emergency Management and Evacuation Plan;

- use equivalent or improved fire-resistant materials that do not affect any existing fire resisting components of the building; and
- The modification of any existing water, electricity, and gas services must comply with Table 6.8c of Planning for Bush Fire Protection 2019.

The existing buildings are required to be upgraded where practical 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 prior to the issue of the relevant Construction Certificate.

#### *BFSA Exemption – Australian Standards Compliance*

Any new construction that does not generally meet the criteria of Condition 3 of the BFSA must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

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

#### *Compliance with NCC 2022 Condition F8*

The Department requested the Applicant comply with Condition F8 of the NCC 2022 Guidelines which requires the building to meet the Deemed to Satisfy Provisions for condensation. The Applicant consulted their Building Surveyor who notified them that, as per Condition F8D2 of the NCC 2022, Deemed to Satisfy Provisions of this Part only apply to a sole-occupancy unit of a Class 2 building and a Class 4 part of a building. The Applicant notes that, as the VT is neither a Class 2 or Class 4 building, this provision does not apply to the application.

The Department agrees with the Applicant's assessment of the NCC 2022. Consequently, the Department rescinded their request for compliance with Section F8D1 of the NCC 2022.

#### **Department's Consideration**

The Department considers that, subject to compliance with the conditions of consent (including references to the BCA, which are to be addressed by the Certifier at the Construction Certificate stage), the proposal is satisfactory and would improve the amenity of the building for visitors and guests.

### 4.3 Managing construction impacts and hazards

Given the scope of the works and that the site is predominantly previously disturbed, it is unlikely that the proposed construction will cause any adverse impacts upon the natural environment. The proposal is in keeping with the use of the building and the construction activities will not generate any vegetation disturbance.

#### *Site Environmental Management Plan*

Comments received from NPWS note that the mitigation measures identified in the Applicant's SEMP were satisfactory. The Department concurs with NPWS assessment of the final SEMP and recommends measures in line with the supplied document. The Applicant will be required to implement measures in the submitted SEMP, including:

- Building material storage on disturbed grassland outside of the main public thoroughfare (**Figure 7**)
- Construction exclusion area formation and notification to staff, occupants, and owners of surrounding premises.
- Compliance with *Australian Standard AS 2601-2001 Demolition of Structures*.
- Noise and vibration reduction procedures, including:
  - All plant, tools and machinery must be maintained in good working order at all times;
  - Use of noisy tools or machinery to be limited to inside the building where possible;
  - Strict hours of operation;
  - Rectification of noise and vibration issues upon complaint; and
  - Management of construction works in accordance with *Australian Standard AS 2436-2010 Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites* to be undertaken.
- Cessation of works in the event of an Aboriginal object being unearthed, in accordance with Section 90 of the *National Parks and Wildlife Act 1974*.
- Caution in handling waste materials to prevent runoff of debris into the nearby Thredbo River.
- Implementation of traffic management procedures;
- Rehabilitation of disturbed land post-construction;
- Emergency procedure implementation in the event of an emergency; and
- Environmental incident reporting.





**Figure 7 |** Location of temporary material storage and waste storage (Source: Applicant's SEMP)

#### *Riparian Corridor Impacts*

It is noted that a small corner on the south-west of the VT is located within the Thredbo River riparian corridor. The Applicant notes that the extent of the works is minor, and no ground disturbance is proposed, resulting in no impact to the riparian zone. The Department agrees with the Applicant's assessment and no further conditions are required for mitigation.

#### *Asset Protection Zone*

The Applicant submitted a Bushfire Hazard Assessment Report (BHAR) as an appendix to the SEE, identifying that the existing space surrounding the VT provided a substantial level of separation from the nearest bushfire threat. This would allow adequate space for emergency service personnel and staff to undertake property protection activities in the area to limit the potential spread and impact of bushfire. The BHAR concludes that for this reason, an APZ is not required.

The Department agrees with the assessment and conclusions presented in the BHAR and is satisfied that the creation of an APZ is not required for the VT.

#### **Department's Consideration**

The Department has recommended standard construction conditions applicable in the Alpine area, along with recommended conditions from RFS. Subject to compliance with these conditions, the Department is satisfied that the proposed works would not impact upon nearby infrastructure or the environment.

## 5 Recommendation

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 be no impact on any threatened species, populations or ecological communities;
- the replacement of cladding, windows and roof sheeting will improve the external appearance and longevity of the building, which has declined in parts with deteriorated cladding visible;
- the proposal is appropriate and does not impact upon any other nearby properties; and
- construction impacts on the surrounding environment would be minimised as the proposal will be contained within the existing building footprint and disturbed areas.

Overall, the Department is satisfied that the proposal is suitable for the site and is in the public interest.


The Department therefore recommends that the application be approved, subject to recommended conditions. In accordance with the Minister's delegation of 09 March 2022, 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; and
- the application is in relation to land to which Chapter 4 of the Precincts - Regional SEPP applies.

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 23/3863, subject to the recommended conditions; and
- **signs** the attached Development Consent (**Appendix A**).

**Recommended by:**



**Zac Derbyshire**  
Planning Officer  
Alpine Resorts Team

**Adopted by:**



**Erin Murphy**  
Team Leader  
Alpine Resorts Team

as delegate of the Minister for Planning and Public Spaces

# Appendices

## Appendix A – Recommended Instrument of Consent