




BLACK BEAR

To: Minister for Planning
Department of Planning and Environment
Alpine Resorts Team
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21 August 2023

Dear Sir/Madam

	Department of Planning and Environment
<i>Issued under the Environmental Planning and Assessment Act 1979</i>	
Approved Section 4.56 Modification Application	
No	MOD 23/10039 (DA 10064 MOD 3)
granted on the	7 September 2023
In respect to	DA 10064
Signed	Z Derbyshire
Sheet No	89 of 90

Modification of Development Consent 22/8121 (MOD 3)

We, Hidali Pty. Ltd., refer to the recent application for modification of Development Consent No. 10064 (**MOD 3**), PAN-352286, and your email request for additional information, dated 18.08.2023, from Mark Brown of the Alpine Resort Team.

Your requests have been formatted the table below as provided by the assessing officer, Zac Derbyshire:

Item	Department's Comment	Response
1	The Department notes that earthworks for the site have been completed (please confirm), but the proposed modification amends the location of the ingress / egress, resulting in the deletion of the remainder of Level 0. Please identify the proposed infill of the existing Level 0 site, or provide evidence that Level 0 had not been excavated.	DPE correct - Earthworks in the North-West has been complete to the approved Mod1 layout including L0 Exit. However, the approvals (S4.56 and CC) did not account for additional excavation outside the building footprint – ie between the entry/exit and side and rear boundaries. Additional earthworks would be required to provide steps back up to natural ground level outside of the building line. This would form a depression or 'pond' outside the level 0 exit. Therefore, the decision was made to relocate the entry/exit to where it meets natural ground. The excavation completed will remain, partially infilled with spoil from elsewhere onsite.
2	The Department notes an amendment to Level 2 FFL on the architectural plans. Please provide justification for the FFL amendment in the SEE.	No change to FFL of Level 2 from Mod 2 – See snapshot of approved schedule of changes and Level 4 plan from Mod 2. As discussed, the FFL on Elevation is the incorrect elevation from Mod 2. As requested, see attached on letter head the outline of the errors we consider the DPE to have made in stamping



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		the approved drawings from Mod 2. These are the same as previously outlined in emails to the department.
3	DA 10064 Mod 1 and 2 included an amended Geotechnical Report for works proposed, including the deletion of Level 0. Noting the material change on the Level 3 façade, FFL amendment to Level 2, relocation of the ingress / egress and the subsequent deletion of the remaining Level 0 footprint, please provide an amended Geotechnical Report responding to the proposed modifications. Please review with your Geotechnical consultant to provide.	Material change from render on masonry (Concrete Block) to Concrete, so no impact to geotechnical report. As Item 1, no change/additional excavation beyond the already approved/completed. As Item 2, no FFL amendment. Therefore, we will ask Geotech to update their report but expect revisions to report to be inconsequential, and hope this request doesn't delay the assessment.
4	Noting the reconfiguration of apartments on Level 4 – Level 6 , please provide an updated bed count for all floors, and total for the building.	No changes to apartment layouts on Level 4. Level 6 is the ensuite only, therefore no change to bed numbers. Level 5 layout amends the number of bedrooms, but not the number of beds as middle bedroom sleeps 4 (Bunks). Total bed count is 46 as per Mod 2. See email correspondence with confirmation from Mod 2 Sept 2022. No changes to development agreement with KT.
5	Bin storage door changed to French door. The Department notes that the change to a French door may not accommodate the removal of larger commercial bins for collection. Please consider the clearance between the bin store opening and the planters with the doors open and assess viability of door change.	The bin room layout was approved by KT and their infrastructure dept, however, recent review (last week) by PCA for BCA compliance requires door to be a single swing door complying with disabled access (401B). Please find attached revised Level 4 Plan, revision P. As discussed, skip revision 'O' as looks like zero. Statement of changes updated to suit.

Should you have any questions, please contact me at any time on 0418 625 404.

Yours Sincerely,

John Fielding
Director
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