

Department of Planning & Environment
Alpine Resorts Team
Shop 5A, Snowy River Ave
Jindabyne NSW 2627

TO WHOM IT MAY CONCERN,

**Re: S.4.55 Mod to DA 10670
Smiggins Hotel & Chalet Apartments**



Department of Planning
Housing and Infrastructure

Issued under the Environmental Planning and Assessment Act 1979

Approved Section 4.55 (1A) Modification Application

No 24/6689 (MOD 1) granted on the 16 August 2024

In respect to DA 10640

Signed V Di Bono

Sheet No 19 of 20

The Applicant has engaged the services of Dabyne Planning Pty Ltd to review the original Bushfire Assessment Report dated February 2021 regarding the proposed modified design prepared in relation to the modified access ramp.

The original bushfire assessment concluded that:

'The proposed development is for an in-fill development to an existing SFPP within the Alpine Resorts.

The proposed infill additions are located either within the existing building curtilage and roof line or in line with the existing building and therefore are not located closer than the existing building to the unmanaged vegetation and associated bushfire risk.

As identified above, the proposed development can achieve compliance with the relevant performance criteria standards set out in PBP for a special fire protection purpose that is a form of 'infill' development located within the Alpine Resorts.

With the proposed development located over 100m from the closest unmanaged vegetation, the required construction level is BAL-LOW, therefore not requiring any construction level in accordance with AS 3959.

However, the minimum construction standard under Table 6.8a is BAL-12.5m which could be applied to the proposed external components of the proposed development.'

Notwithstanding that the development is more than 100m from the closest unmanaged vegetation, the RFS issued a BFSA on the 29.4.2021 (Ref: DA20210312000944-Original-1) with conditions.

This included:

2. All proposed new works must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 'Construction of buildings in bush fire prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and Section 7.5 of 'Planning for Bush Fire Protection 2019'

A review of the revised design has determined that the revised development in relation to the original design is not located closer to any bushfire risk, does not increase in size or footprint of the building and does not include any additional capacity for accommodation of guests. Accordingly, with no additional bushfire risk, the original assessment and its conclusions still stand.

In accordance with the EP&A Regulations, 2021 the revised DA is not required to be referred to the NSW Rural Fire Service under the Integrated Development provisions.

Regards

A handwritten signature in black ink, appearing to read 'I. Pasalich', with a small mark above the end of the signature.

Ivan Pasalich
Principal

10 November 2023