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Housing and Infrastructure

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Approved Application No 24/15287

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Signed M D'souza

Sheet No 1 of 13

External Alterations to the Existing
Gunuma Lodge Building – window
replacement

8 Plum Pine Road, Smiggin Holes

OCTOBER 2024

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Contents

1. Introduction.....	5
1.1. Previous planning approvals	5
1.2. Supporting Plans and Documentation.....	5
2. Site Analysis	6
2.1. Site Location and Context	6
2.2. Site Description	6
2.3. Surrounding Development.....	8
3. Description of Proposal	10
3.1. Overview.....	10
3.2. External alterations – window replacement.....	11
4. Planning Assessment	12
4.1. Applicable Environmental Planning Policies, Instruments and Controls	12
4.2. Environmental Planning and Assessment Act 1979	12
4.3. State Environmental Planning Policy (Precincts – Regional) 2021	14
4.1. State Environmental Planning Policy (Resilience & Hazards) 2021	19
4.2. State Environmental Planning Policy (Transport & Infrastructure) 2021	20
4.3. State Environmental Planning Policy Exempt and Complying Development Codes) 2008	22
4.4. Snowy River Local Environmental Plan 2013	22
4.5. Development Control Plans.....	22
5. Assessment of Environmental Impacts	23
5.1. Context and Setting	23
5.2. Access, Traffic & Parking	23
5.3. Heritage and Aboriginal Heritage	24
5.4. Soils & Erosion	24
5.5. Biodiversity	24
5.6. Bushfire	24
5.7. Construction	24
5.8. Waste	25
5.9. Social & Economic Impacts	25
5.10. The Public Interest	25
6. Conclusion	26

List of Figures

Figure 1 Context Map, site outlined (Source: SixMaps)	6
Figure 2 View of Lodge from the east	7
Figure 3 View of Lodge from the west.....	7
Figure 4 View of Lodge from the north	8
Figure 5 Perisher range resorts map (Source: Perisher Range Master Plan).....	9

Figure 7 Lower floor plan indicating location of proposed works.....	10
Figure 8 Upper floor plan indicating location of proposed works.....	11

List of Tables

Table 1 Consideration of master plans and other documents.....	17
Table 2 Consideration of environmental, geotechnical and other matters	18
Table 3 matters for consideration.....	20

1. Introduction

This Statement of Environmental Effects (SEE) has been prepared by Habitat Planning on behalf of Gunuma Lodge and is submitted to the NSW Department of Planning in support of a Development Application (DA) for External Alterations to the Existing Gunuma Lodge Building – window replacement at Lot 24 in DP756697 addressed as 8 Plum Pine Road, Smiggin Holes.

The DA and this report have been prepared in accordance with the Environmental Planning and Assessment Act 1979 (“EP&A Act”) and the Environmental Planning and Assessment Regulation 2021 (“EP&A Regs”).

This report addresses the relevant heads of consideration listed under Section 4.15(1) of the EP&A Act and provides an assessment of the proposed development against the relevant Environmental Planning Instruments (EPIs) and other planning controls applicable to the site and to the proposal. It also describes the site, its environs, the proposed development, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment.

1.1. Previous planning approvals

It is noted that in August 2013, a development application, DA5796 Recladding of existing lodge, was approved. This approved the installation of metal cladding over the existing timber cladding, and re-painting existing window frames, frames, external doors, fascia, deck support structure and balustrades.

1.2. Supporting Plans and Documentation

This application is accompanied by:

- Title information
- Gunuma Lease
- Letter of Consent from Leasee
- Architectural Plans, prepared by GG Mitchell Consulting Pty Ltd.
- Bushfire Assessment Report, prepared by Ember Bushfire Consulting
- AHIMS search result

2. Site Analysis

2.1. Site Location and Context

The subject land to which this application relates is described as Lot 24 in DP756697 addressed as 8 Plum Pine Road, Smiggin Holes.

The subject site has frontage to Link Road to the northwest of the site and Plum Pine Road to the southeast. The land is located on the northeastern fringe of Smiggin Holes and adjacent to Willow Lodge, The Lodge and Windarra Lodge.

The location of the site is shown at Figure 1.

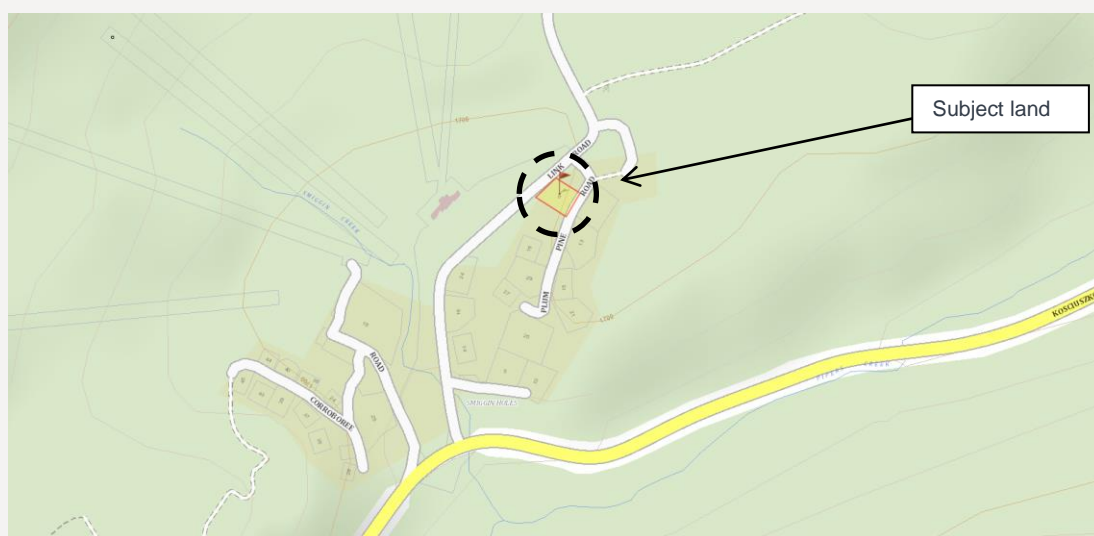


Figure 1 | Context Map, site outlined (Source: SixMaps)

2.2. Site Description

The subject land is irregular in shape and is oriented approximately on a north-westerly axis with longer axes to the north and south and shorter axes to the east and west. The site has a 37 metre frontage to Plum Pine Road to the east and a 38 metre frontage to Link Road to the west with a total site area of 1,680m².

The subject land is improved with a 20 bedroom double storey lodge with a large communal lounge and dining room, bathrooms, playroom, rumpus room and laundry areas. The lodge is externally clad with Lysaught wall cladding in the colour Deep Ocean, with window frames, external doors and trims in the colour Dune. The lodge has Colorbond roofing and has a balcony on the upper floor and a steel framed walkway and steps leading into a stone walled entrance and stairwell to the west.

The lodge is surrounded by trees to the north and south of the lodge and undisturbed understorey consisting of smaller shrubs and grass. The site slopes down from the east to the west at a rate of approximately 9 degrees.

The site has a 3 metre wide telecommunications easement and a 3 metre wide electricity easement adjacent to the western boundary of the site.



Figure 2 | View of Lodge from the east



Figure 3 | View of Lodge from the west



Figure 4 | View of Lodge from the north

2.3. Surrounding Development

The subject site is located within the locality of Smiggin Holes, which is part of the Perisher Range Resorts. Smiggin Holes is a ski resort within a small valley accessible from Kosciusko Road and the resort is within a C1 zoned area for National Parks and Nature Reserves. All other development within the resort is within 500 metres of the subject site.

North of the site is land vacant of development, despite a small stone hut utilised for services within the resort and alpine grasslands and vegetation further north.

East of the subject site are two further ski lodges on the eastern side of Plum Pine Road and a public utilities shed and telecommunications tower to the north east.

South of the subject site is the majority of the Smiggin Holes resort, consisting of a range of commercial lodges, ski lodges, a hotel and staff lodges on lots of a similar grain to the subject site.

Land to the west, includes the Link Road reserve and sealed car parking area and the Ski Resort with several ski lifts which run up the mountain to the west.

The surrounding development is also depicted in the following figures.

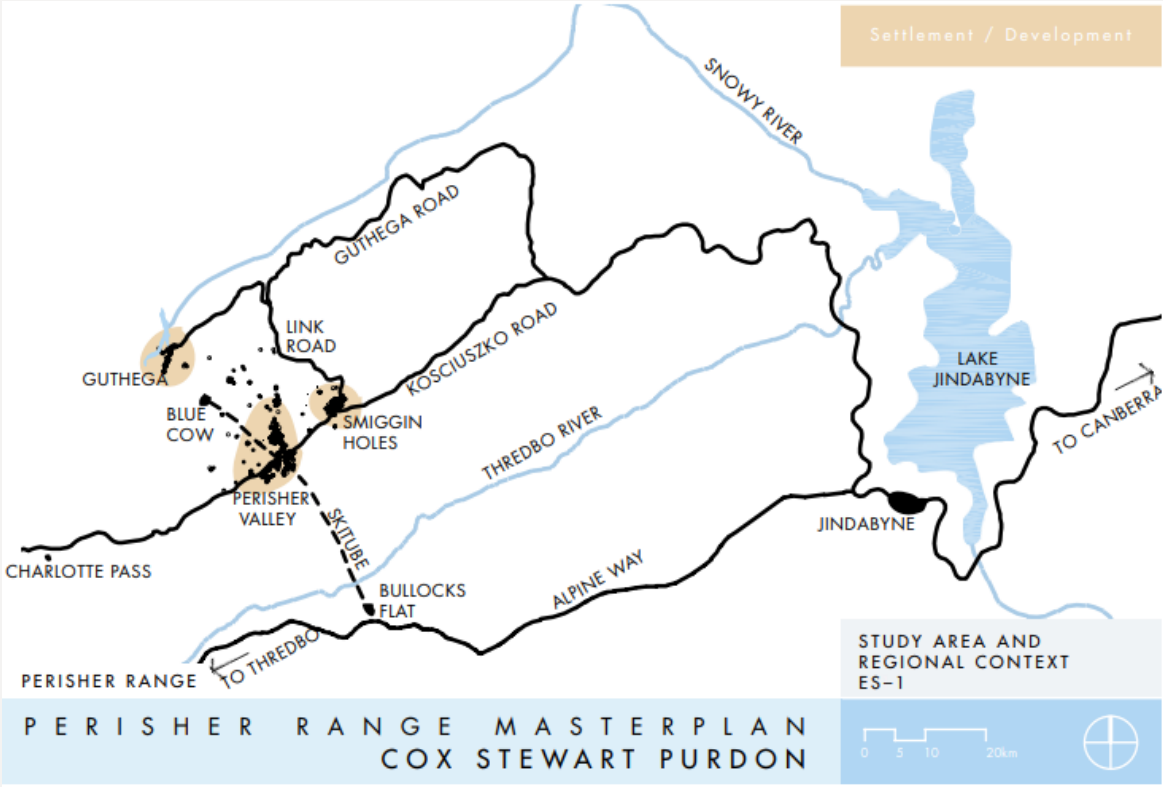


Figure 5 | Perisher range resorts map (Source: Perisher Range Master Plan)

3. Description of Proposal

3.1. Overview

The proposal seeks approval for external alterations, limited to window and door replacements that are outward facing in the lodge. The existing solid core doors that access the fire stairs are excluded from these replacement doors.

The figures below indicate the areas of proposed works within the lower floor and upper floor.

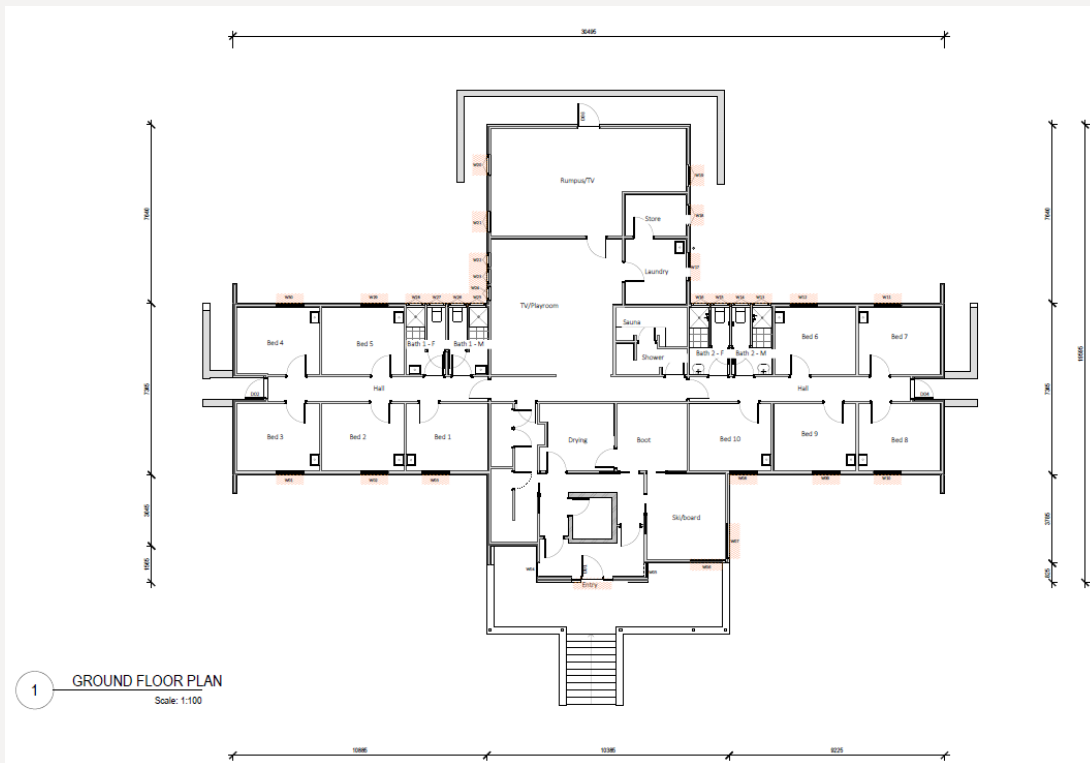


Figure 6 | Lower floor plan indicating location of proposed works.

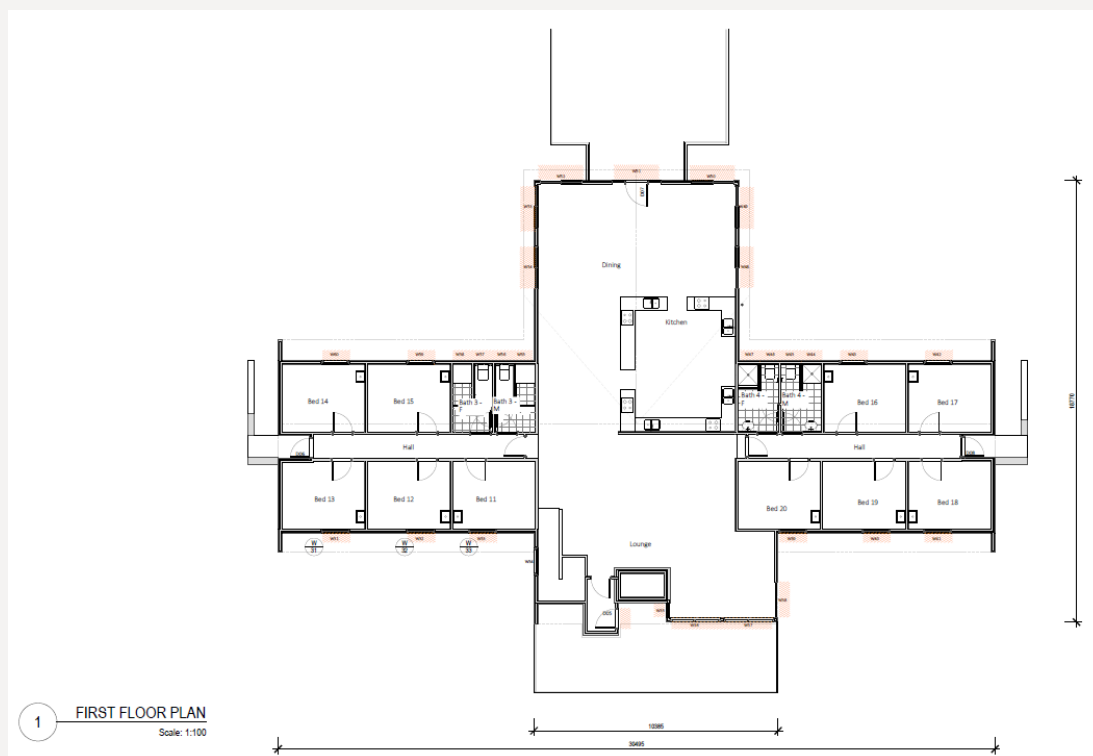


Figure 7 | Upper floor plan indicating location of proposed works.

3.2. External alterations – window replacement

The proposal seeks approval to install 60 new windows replacing all existing windows and doors (excluding the solid core doors that access the fire stairs at each end of the lodge bedroom corridors) that are outward facing in the lodge. The internal and external colour of any window frames will be matched as closely as possible to Colorbond Dune to the existing. All window glazing will be double glazed with high solar transmission and BAL rated to 40. A window schedule is supplied within the architectural plans in **Appendix A:**.

4. Planning Assessment

Under Section 4.15(1) of the EP&A Act when considering an application for development, the consent authority must take into consideration the relevant environmental planning instruments. This section details and responds to the relevant planning framework applicable to the proposal.

4.1. Applicable Environmental Planning Policies, Instruments and Controls

- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy (Precincts-Regional) 2021
- Chapter 4 Kosciuszko Alpine Region

Compliance with the applicable legislation and policies is discussed below.

4.2. Environmental Planning and Assessment Act 1979

Section 4.15 of the EP&A Act 1979 sets out the statutory matters for consideration against which the proposed development is to be evaluated. The matters for consideration under Section 4.15 are as follows:

(1) *Matters for consideration—general*

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.”*

The matters for consideration identified in Section 4.15(1) of the EP&A Act 1979 are addressed in the following section. Subsections (b) to (e) of Section 4.15(1) of the EP&A Act 1979 are addressed in Section 5 of this Statement of Environmental Effects.

The proposal is not identified as Designated Development, pursuant to section 4.10 of the EP&A Act. The application is however considered as Integrated Development pursuant to section 4.46 of the EP&A Act, see below.

4.2.1. Division 4.8 – Integrated Development

The application has been identified as Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979 as the subject development requires concurrence under the following Acts:

- **Rural Fires Act 1997 (s100B)** – *authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes.*

As the development application proposes a special fire protection purpose on bushfire prone land, concurrence is required from the NSW Rural Fire Service.

4.3. Biodiversity Conservation Act 2016

The NSW *Biodiversity Conservation Act 2016* ("the BC Act") is the NSW state legislation that seeks to maintain a healthy, productive, and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. This legislation includes the requirements considerations regarding biodiversity conservation.

In respect of Part 4 developments, the BC Act establishes a framework to avoid, minimise and offset the impacts of the proposed development and land-use change on biodiversity. It provides a scientific method for assessing the likely impacts of the proposed development on biodiversity values, for calculating measures to offset those impacts and for assessing improvements in biodiversity values. The BC Act aims to maintain the diversity and quality of ecosystems and to support conservation and threat abatement action to slow the rate of biodiversity loss and conserve threatened species and ecological communities in nature.

The primary requirement of the BC Act is to determine if a proposed development is considered *likely to significantly affect threatened species*. According to clause 7.7(2), this is if:

- The development is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, (5-part Test) or*
- The development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- The development is carried out in a declared area of outstanding biodiversity value.*

The subject site is identified as being on the Terrestrial Biodiversity Map and a small section in the south west of the site is identified on the Biodiversity Values Map (see Figure 8 below)



Figure 8 | Extract of Biodiversity Values Map and Terrestrial Biodiversity Map, subject site outlined.

The proposed development and the associated Asset Protection Zone management in perpetuity does not propose any clearing of vegetation in this area and consultation will occur with NSW Parks and Wildlife Service regarding vegetation management in this area. Accordingly, as the development does not propose any clearing of vegetation and seeks to protect this vegetation, the application complies with the BC Act and will not significantly affect threatened species or ecological communities, or their habitats.

4.4. State Environmental Planning Policy (Precincts – Regional) 2021

4.4.1. Chapter 4 Kosciusko Alpine Region

Chapter 4 of the *State Environmental Planning Policy (Precincts-Regional) 2021* sets out to protect and enhance the Alpine Region by ensuring development is managed with regard to the principles of ecologically sustainable development, including the conservation and restoration of ecological processes, natural systems and biodiversity.

The objectives of this Chapter are as follows:

- (a) *to encourage the carrying out of a range of development to support sustainable tourism in the Alpine Region all year round, if the development does not result in adverse environmental, social or economic impacts on the natural or cultural environment of the Alpine Region, including cumulative impacts on the environment from development and resource use,*
- (b) *to establish planning controls that—*
 - (i) *contribute to and facilitate the carrying out of ecologically sustainable development in the Alpine Region, and*

- (ii) *recognise the Alpine Region's significant contribution to recreation and the tourism economy in the State,*
- (c) *to minimise the risk to the community of exposure to environmental hazards, particularly geotechnical hazards, bush fires and flooding, by—*
 - (i) *generally requiring development consent on land in the Alpine Region, and*
 - (ii) *establishing planning controls for buildings to ensure the safety of persons using the buildings if there is a fire.*

The land to which this application applies is within the *Perisher Range Alpine Resort*. It is noted under Clause 4.6 of *Chapter 4 Kosciuszko Alpine Region*, that as this chapter applies to the subject land, the Snowy River Local Environment Plan 2013 does not apply to the land.

Permitted or prohibited development.

Pursuant to Part 4.2 Permitted or prohibited development, the Land Use for this development is considered 'Tourist and Visitor Accommodation', which is development that may be carried out with development consent.

Exempt and complying development.

Considering Part 4.3, the proposed development is not considered exempt and complying development as the works are not applicable due to the building being used for special fire protection purpose (tourist accommodation).

Other development controls

The subject site to which this application applies fronts a classified road. Pursuant to Clause 4.17 Classified Roads it is noted that development consent must not be granted to development on land in the Alpine Region with a frontage to a classified road unless the consent authority is satisfied of the following:

- (a) *if practicable, vehicular access to the land is provided by a road other than the classified road,*
- (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) *the design of the vehicular access to the land, or*
 - (ii) *the emission of smoke or dust from the development, or*
 - (iii) *the nature, volume or frequency of vehicles using the classified road to access to the land,*
- (c) *the development is of a type that—*
 - (i) *is not sensitive to traffic noise or vehicle emissions, or*
 - (ii) *is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions on the site.*

It is considered that the proposed development satisfies the matters above. Whilst the subject land fronts Link Road, a classified road, it also fronts Plum Pine Road which is not a classified road.

It is submitted that the safety, efficiency, and ongoing operation of the classified road will not be affected by the proposed development, which will be limited to delivery of new windows, disposal of old windows and tradespeople on site. Access to the site can be achieved via Plum Pine Road with parking available for construction vehicles directly opposite the lodge within a designated parking area. There is also a nearby public car park that could be used during the construction period, which is unlikely to be at full capacity, given works will be completed in the off season.

The proposed development, being the replacement of windows is not a type that is sensitive to traffic noise, or vehicle emissions and it is considered that the installation of new double glazed windows will not only enhance energy efficiency but reduce traffic noise at the lodge.

The development is considered an Eco-tourist facility and thus Clause 4.23 Eco-tourist facilities applies to the development which states that development consent must not be granted to development for the purposes of eco-tourist facilities unless the consent authority is satisfied of the following:

- (a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the area,*
- (b) the development will be located, constructed, managed and maintained to minimise impact on, and to conserve, the natural environment,*
- (c) the development will enhance the appreciation of the environmental and cultural values of the area,*
- (d) the development will promote positive environmental outcomes,*
- (e) the impacts of the development on watercourses, soil quality, heritage and native flora and fauna will be minimal,*
- (f) the site will be maintained or regenerated to ensure the continued protection of natural resources and enhancement of the natural environment,*
- (g) waste generation during construction and operation will be avoided and waste will be appropriately removed,*
- (h) the development will be located to avoid visibility above ridgelines, against escarpments and from watercourses, and visual intrusions will be minimised through the choice of design, colours, materials and landscaping with local native flora,*
- (i) infrastructure services to the site will be provided without significant modification to the environment,*
- (j) power and water to the site will, where possible, be provided using passive heating and cooling, renewable energy sources and water-efficient design,*
- (k) the development will not adversely affect the agricultural productivity of adjoining land,*
- (l) the following matters are addressed or provided for in a management strategy for minimising impacts on the natural environment—*
 - (i) measures to remove threats of serious or irreversible environmental damage,*
 - (ii) the maintenance or regeneration of habitats,*
 - (iii) efficient and minimal energy and water use and waste output,*
 - (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,*
 - (v) maintaining improvements on an ongoing basis in accordance with ISO 14000 standards relating to management and quality control.*

It is considered that the proposed development will satisfy these conditions. The new energy efficient windows will reduce the ecological impact of the ski lodge, have no distinguishable impact on the visual amenity of the area and therefore demonstrate a connection between the development and ecological, environmental and cultural values of the area.

The development can be constructed and managed to ensure all waste is stored carefully and disposed of appropriately. It is considered that the proposed development will have no further impact than the present development in terms of impacts on watercourses, soil, heritage, flora and fauna. The

development will not alter any other external features, so will not intrude beyond the current building footprint and will not affect power and water to the site, which will remain unchanged.

The development can be effectively managed to ensure there are no impacts on the natural environment during the removal of existing and installation new windows. It is anticipated that grassland areas can be protected using methods to catch any building materials that may fall on the ground during removal or installation of the windows. Waste will be collected on site and disposed of at the nearest landfill site and all employees will be informed of the need to maintain a clean worksite. The only likely disturbance at the site will be to patches of grassland from foot traffic, which will be limited to around the perimeter of the building and installation of temporary scaffolding or ladders to assist in the removal and installation process and vehicle traffic on existing tracks and already disturbed land.

The development can ensure that there are no threats of serious or irreversible damage, and that habitats are maintained or regenerated. The development will utilise energy efficient methods and create minimal waste, limited to the existing windows which will be disposed of legally.

Development assessment and consent

Pursuant to Clause 4.27 it is noted that development consent must not be granted to development in the Alpine Region unless the consent authority has consulted with the National Parks and Wildlife Service and considered submissions received from this service within the relevant period.

Clause 4.28 requires the consent authority to consider the following master plans and other documents in deciding whether to grant development consent.

Table 1 | Consideration of master plans and other documents.

Matter	Response
1 (a) the aim and objectives of this Chapter set out in section 4.1,	The proposal will support the objectives of this chapter, as the window replacement will contribute to the existing development becoming a more ecologically sustainable building, supporting sustainable tourism in the Alpine Region. Furthermore, it is also considered that the proposed windows will minimise the risk to the community of environmental hazards such as bushfires as these modern windows will be more resilient.
1(c) a conservation agreement under the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth that applies to the land,	Not applicable. A conservation agreement under the EBPC act is not applicable to this site.
1(d) the Geotechnical Policy —Kosciuszko Alpine Resorts published by the Department in November 2003,	Not applicable due to the nature of this proposal as there will be no earthworks.
1(e) for development in the Perisher Range Alpine Resort—	It is considered that the proposal aligns with the Master Plan as it follows the master plan planning principles and objectives. It seeks to retain the existing character of Smiggin Holes and is an example of upgrading of the existing

<p>(i) the Perisher Range Resorts Master Plan, published by the National Parks and Wildlife Service in November 2001, and</p> <p>(ii) the Perisher Blue Ski Resort Ski Slope Master Plan adopted by the National Parks and Wildlife Service in May 2002.</p>	accommodation to refurbish and extend the life of the lodge in line with more recent wall cladding works.
2(a) a master plan approved by the Minister under section 4.26 that applies to the land, or	It is noted that the only master plan that pertains to the site is the Perisher Range Resorts Master Plan, as discussed above.
2(b) if a master plan has not been approved—a draft master plan prepared under section 4.26 that is intended to apply to the land and has been published on the NSW planning portal.	Not applicable as there is no other master plan that is intended to apply to the land.

Clause 4.29 requires the consent authority to consider environmental, geotechnical and other matters in deciding whether to grant development consent:

Table 2 | Consideration of environmental, geotechnical and other matters

Matter	Response
1(a) measures proposed to address geotechnical issues relating to the development,	Not applicable due to the nature of this proposal as there will be no earthworks.
<p>1(b) the extent to which the development will achieve an appropriate balance between—</p> <p>(i) the conservation of the natural environment, and</p> <p>(ii) taking measures to mitigate environmental hazards, including geotechnical hazards, bush fires and flooding,</p>	The proposal is considered to achieve an appropriate balance in this regard as the replacement windows will be more energy efficient contributing to the conservation of the natural environment somewhat, and these windows will also be more resilient in a bushfire context, offering increased protection to occupants.
1(c) the visual impact of the proposed development, particularly when viewed from the land identified as the Main Range Management Unit in the Kosciuszko National Park Plan of Management,	For all intents and purposes, the visual impact of the proposed replacement windows will be no greater than the existing windows.
1(d) the cumulative impacts of development and resource use on the environment of the Alpine Subregion in which the development is carried out,	As the proposal is not for a new building or extension to a building the proposal has no cumulative impact on the environment of the Alpine Subregion.

1(e) the capacity of existing infrastructure and services for transport to and within the Alpine Region to deal with additional usage generated by the development, including in peak periods,	The proposal will have no impact on the capacity of services for transport. Due to the replacement windows being more energy efficient it is anticipated that the proposal will have a positive effect on energy infrastructure in the Alpine Region, reducing energy consumption for heating of the building.
1(f) the capacity of existing waste or resource management facilities to deal with additional waste generated by the development, including in peak periods.	The proposal is not anticipated to have any impact on existing waste generation by the development.
(2) For development involving earthworks or stormwater draining works, the consent authority must also consider measures to mitigate adverse impacts associated with the works.	Not applicable due to the nature of this proposal as there will be no earthworks.
(3) For development the consent authority considers will significantly alter the character of an Alpine Subregion, the consent authority must also consider— 3(a) the existing character of the site and immediate surroundings, and	As described elsewhere in this report, the development will not alter the appearance of the building substantially and for all intents and purposes will appear the same. Therefore, the existing character of the site and surroundings will not be impacted.
3(b) how the development will relate to the Alpine Subregion.	The proposal will have no effect on the broader Alpine Subregion, given the minimal impact it will have on the character of the site or surroundings.

4.1. State Environmental Planning Policy (Resilience & Hazards) 2021

4.1.1. Chapter 4 – Remediation of Land

Chapter 4 of *State Environmental Planning Policy (Resilience & Hazards) 2021* sets out considerations relating to land contamination across the state. The intention of the SEPP is to establish 'best practice' guidelines for managing land contamination through the planning and development control process.

In the context of this application, clause 4.6 of Chapter 4 generally requires that consideration be given to whether or not land proposed for development is contaminated and fit for use for its intended purpose. The SEPP requires the consent authority to consider whether the subject land is contaminated when determining a development application. If the land is contaminated, the consent authority must be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

The subject land has been previously developed for tourist and visitor accommodation purposes and is not known to be contaminated, nor is it expected to be at risk of contamination given its historical use and surrounding context.

4.2. State Environmental Planning Policy (Transport & Infrastructure) 2021

4.2.1. Chapter 2 – Infrastructure

Chapter 2 of *State Environmental Planning Policy (Transport & Infrastructure) 2021* provides a consistent and flexible planning system to facilitate the delivery of infrastructure and services. The policy identifies environmental assessment categories for types of infrastructure, matters to consider when assessing development adjacent to infrastructure and provides for consultation with relevant public authorities.

The Chapter 2 contains provisions relating to approval processes and assessment requirements for infrastructure proposals according to the type or sector of infrastructure. It outlines land-use zones where types of infrastructure are permissible with or without consent and identifies certain works as exempt and complying development.

There are several Clauses under the SEPP that trigger referral and concurrence matters. These are addressed in the table below for consideration.

Table 3 | matters for consideration.

Matter for consideration	Response
Clause 2.48 – Determination of development applications – other development	<p>This clause applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—</p> <ul style="list-style-type: none"> (a) <i>the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,</i> (b) <i>development carried out—</i> <ul style="list-style-type: none"> (i) <i>within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or</i> (ii) <i>immediately adjacent to an electricity substation, or</i> (iii) <i>within 5m of an exposed overhead electricity power line,</i> (c) <i>installation of a swimming pool any part of which is—</i> <ul style="list-style-type: none"> (i) <i>within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or</i> (ii) <i>within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,</i> (d) <i>development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.</i> <p>Comment:</p> <p>Referral under Clause 2.48 will not be required to the relevant electricity supply authority as the proposal does not include any works as above.</p>

Matter for consideration	Response
<p>Clause 2.119 – Development with frontage to a classified road</p>	<p>This clause applies to a development application which has a frontage to a classified road and requires that a consent authority not grant consent to development on land that has a frontage to a classified road unless it is satisfied of the following:</p> <p><i>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</i></p> <p><i>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</i></p> <p><i>(i) the design of the vehicular access to the land, or</i></p> <p><i>(ii) the emission of smoke or dust from the development, or</i></p> <p><i>(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</i></p> <p><i>(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</i></p> <p>Comment:</p> <p>The development does front a Classified road pursuant to the <i>Road Act 1993</i> (Road Number 4016) which is classified as a Tourist Road, as such referral to TfNSW is required.</p> <p>It is noted that the intensity of works, being minor internal and external alterations, will not create adverse conditions for road users. The impact on the road will generally be limited to delivery of building materials and tradespeople who can park vehicles at the adjacent car park as required. Furthermore, works will be completed in the off-season during the summer in periods of lower activity.</p>

Matter for consideration	Response
Clause 2.122 – Traffic generating development	<p>This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves—</p> <p>(a) <i>new premises of the relevant size or capacity, or</i></p> <p>(b) <i>an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.</i></p> <p>The following thresholds apply to the proposed development:</p> <ul style="list-style-type: none"> • <i>‘Commercial premises’ (other than premises specified elsewhere in this table) specifies 10,000m² in gross floor area</i> • <i>‘any other development’ with access to a road (generally) specifies 200 or more motor vehicles an hour.</i> <p>Comment:</p> <p>As the proposed development does not meet these thresholds, the development is not classified as ‘traffic-generating development’ and referral to TfNSW is not required for this purpose.</p>

4.3. State Environmental Planning Policy Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (“the codes SEPP) specifies development and sets out standards for proposed development that is exempt or complying.

As the proposed development is within a site controlled under *State Environmental Planning Policy (Precincts – Regional) 2021 and Chapter 4 Kosciuszko Alpine Region* the Codes SEPP does not apply.

4.4. Snowy River Local Environmental Plan 2013

It is noted under Clause 4.6 of *Chapter 4 Kosciuszko Alpine Region*, that as this chapter applies to the subject land, the *Snowy River Local Environment Plan 2013* does not apply to the land.

4.5. Development Control Plans

It is noted that there are no Development Control Plans applicable to *Chapter 4 Kosciuszko Alpine Region*

5. Assessment of Environmental Impacts

This section of the SEE identifies potential impacts which may occur as a result of the proposed development and are relevant matters for the consideration of the DA under Section 4.15(1)(b) to (e) of the EP&A Act 1979.

These impacts and mitigating measures have been identified following comprehensive analysis of the site and the proposed plans.

The analysis and impact identification under this section is informed by:

- Site analysis and visual inspection of the subject land and surrounding properties.
- Analysis of the proposed plans for development (provided attached for reference)
- Desktop review of applicable Environmental Planning Instruments
- Consideration of the Councils Development Plans and Policies including the DCP
- Assessment of relevant strategic planning documents.
- Consultation with Council and other authorities

5.1. Context and Setting

The proposal seeks consent for external alterations for window replacement at Gunuma Lodge which is part of the Perisher Range Resorts within a C1 zoned area for National Parks and Nature Reserves. The site is located to the northeastern fringe of Smiggin Holes, with the majority of all other development in the village to the south and southwest.

The Gunuma Ski Lodge is an existing building on the site, specifically a 20 bedroom double storey lodge with a large communal lounge and dining room, bathrooms, playroom, rumpus room and laundry areas. The lodge was recently externally clad with Lysaught wall cladding in the colour Deep Ocean, and existing timber window frames, external doors and trims painted in the colour Dune. These works were completed to extend the lifespan of the building, as is the present application, which will refurbish the external of the building further, improve the energy efficiency of the development and improve the amenity of the building.

The lodge is surrounded by trees to the north and south and has undisturbed understorey consisting of smaller shrubs and grass. The site slopes down from the east to the west at a rate of approximately 9 degrees. It is anticipated that the proposed development will have negligible impact on the site, given construction controls that will be in place to protect the site and surrounding environment.

5.2. Access, Traffic & Parking

The proposed development, during the construction period, is expected to have only a minor impact on the road network, specifically at the time of delivery of windows to the site, the removal of waste and construction workers vehicles.

The safety, efficiency, and ongoing operation of the classified road, Link Road, will not be affected by the proposed development. Access to the site can be achieved via Plum Pine Road with parking available for construction vehicles directly opposite the lodge within a designated parking area. There is also a nearby public car park that could be used during the construction period, which is unlikely to be at full capacity, given works will be completed in the off season.

If vehicle access is required on the site, there is an existing access track on the western side of the lodge, which is a disturbed area and will avoid impact with vegetation and any further impact on grasslands on the site.

5.3. Heritage and Aboriginal Heritage

The site is not a heritage item as classified on the State Heritage Register and a search on the Aboriginal Heritage Information Management System has shown that there are no Aboriginal sites or places in or within 50 metres of the site.

As the proposed development does not include any earthworks it is highly unlikely that any relics will be discovered. In the unlikely event that the development does uncover a relic the unanticipated discovery protocol will be followed for this project.

5.4. Soils & Erosion

As noted, the proposal does not include any earthworks and the proposed works are anticipated to disturb the grasslands minorly on the site through foot traffic and some vehicle traffic using existing access tracks and disturbed terrain.

5.5. Biodiversity

The proposal will not impact on the biodiversity of the site as it will not impact on any trees and the only likely disturbance at the site will be to patches of grassland from foot traffic. This will be limited to around the perimeter of the building and installation of temporary scaffolding or ladders to assist in the removal and installation process and vehicle traffic on existing tracks and already disturbed land. It is also confirmed that the Asset Protection Zone proposed in the Bushfire Assessment Report will not impact land to the south west identified as Biodiversity Values. Consultation with NSW National Parks and Wildlife Service will occur to determine appropriate vegetation management. It is considered that the proposed development will have no further impact than the present development in terms of impacts on watercourses, soil, heritage, flora and fauna.

5.6. Bushfire

The proposed development is on a site that is categorised as bushfire prone land being within vegetation category one and the resultant APZ for the development is BAL-FZ. The existing lodge, is designated as a special fire protection purpose development under Section 100B of the *Rural Fires Act 1997* and it is considered that this proposal for new double glazed windows with a BAL-40 rating will further minimise the risk from bushfires as they are specifically designed to have an increased fire resistance, offering increased protection to occupants.

The proposed development is therefore considered to deliver a 'Better Bush Fire Outcome' than if the development didn't go ahead or if strict compliance with the National Construction Code was applied, as attested by Embers Bushfire Consultant, **Appendix E**. The proposal will retain a high construction standard, BAL-40 and include additional protection from embers for all openable windows and doors and formalisation of an APZ as an extra measure.

The site is highly accessible for fire fighting and the water supplied, electricity and gas services are capable of meeting or exceeding the requirements of the Planning for Bush Fire Protection 2019 requirements.

5.7. Construction

The removal and installation of the windows is intended to be within the hours of 7am to 5pm Monday to Friday and 8am -5pm on Saturdays within the warmer months of the year, approximately October to May. It is therefore considered that the construction works will not pose any adverse noise or vibration pollution for neighbouring dwellings. Furthermore, the proposal will not result in any air pollution and the proposed development and construction will not require the use or storage of any fuels or chemicals. Access to the site can be achieved via Plum Pine Road with parking available for construction vehicles directly opposite the lodge within a designated parking area. There is also a nearby public car park that

could be used during the construction period, which is unlikely to be at full capacity, given works will be completed in the off season.

5.8. Waste

The development can be effectively managed to ensure there are no impacts on the natural environment during the removal of existing and installation new windows. It is anticipated that grassland areas can be protected using methods to catch any building materials that may fall on the ground during removal or installation of the windows.

The development will create minimal waste, limited to the existing windows and waste will be collected on site and disposed of at the nearest landfill site and all employees will be informed of the need to maintain a clean worksite.

5.9. Social & Economic Impacts

The proposed development is expected to have a positive social impact, resulting in an external finish on the ski lodge that will require less maintenance, will offer enhanced fire protection and amenity to occupants.

The project will also result in a positive economic impact with short term construction jobs during the removal and installation of the windows and the windows will offer improved energy efficiency for the building and thus lower ongoing heating costs.

5.10. The Public Interest

The public interest is a broad consideration relating to many issues and is not limited to any one particular issue. Taking into account the full range of matters for consideration under Section 4.15C of the Environmental Planning and Assessment 1979 (as discussed within this report), it is considered that approval of the application is consistent with the public interest.

The proposed development is considered to be within the public interest as they will prolong the building's life, reduce maintenance, offer enhanced amenity for occupants and will have negligible environmental impacts.

6. Conclusion

The Development Application seeks consent for External Alterations to the Existing Gunuma Lodge Building – window replacement on land described as Lot 24 in DP756697 addressed as 8 Plum Pine Road, Smiggin Holes.

The application seeks development consent under Part 4 of the EP&A Act and has been assessed against the provisions of Section 4.15(1) of the EP&A Act.

As demonstrated by the detailed assessment above, the proposal satisfies the intent of the provisions of the applicable EPIs and will result in a positive development outcome in terms of social, environmental, and economic impacts.

Having regard for the content of this report, the proposal deserves the support of Council because:

- it is consistent with the relevant environmental planning instruments as discussed in the report;
- the new windows will be more energy efficient, resilient in a bushfire context and improve amenity for occupants.
- it will not have a visual impact on the building or the surrounding development, beyond the existing development, and will be compatible with the recent wall cladding work.
- it will not adversely impact the environment during the construction phase or post construction.
- it will not impact on the functioning of the classified road or broader road network in Smiggin Holes.

In light of the above considerations, it is our opinion that the proposal is appropriate from a planning point of view and is in the public interest. The proposed development warrants support by Council.

Appendix A: Title Information

Appendix B: Gunuma Lease

Appendix C: Letter of consent from Leasee

Appendix D: Architectural Plans

Appendix E: Bushfire Assessment Report

Appendix F: AHIMS search
