



Cooma Ski Club, Perisher Valley

Development Application Assessment
DA 10686

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Glossary

Abbreviation	Definition
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BC Regulation	<i>Biodiversity Conservation Regulation 2017</i>
BVM	Biodiversity Values Map
Consent	Development Consent
CPP	Community Participation Plan
Department	Department of Planning, Industry and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
KNP	Kosciuszko National Park
Minister	Minister for Planning and Public Spaces
NPWS	National Parks and Wildlife Service
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
RFS	NSW Rural Fire Service
SEPP	State Environmental Planning Policy

Executive Summary

This report provides an assessment of a Development Application (DA 10686) seeking approval to undertake external alterations at Cooma Ski Club, Perisher Range Alpine Resort, within Kosciuszko National Park (KNP). The Applicant is Claire Middleton, on behalf of Cooma Ski Club Ltd.

The application seeks approval to install Colorbond metal cladding on top of the existing timber cladding, replace all existing windows and doors with aluminium framed double glazing, and alteration of the existing external handrails / balustrades to integrate with the new cladding.

The Minister for Planning and Public Spaces is the consent authority for development within a ski resort in KNP and the proposal is permissible with consent under the provisions of *State Environmental Planning Policy (Kosciuszko National Park-Alpine Resorts) 2007* (the Alpine SEPP).

The Department of Planning, Industry and Environment (the Department) exhibited the original application between 17 June 2021 until 30 June 2021 in accordance with the Department's Community Participation Plan as the works include external alterations to an existing tourist accommodation building within 50 metres of other tourist accommodation buildings. The Department received submissions from the NSW Rural Fire Service (RFS) and the National Parks and Wildlife Service (NPWS). No submissions from the public were received.

The Department has assessed the proposal in accordance with relevant matters under section 4.15(1) and the objects of the *Environmental Planning and Assessment Act, 1979* (EP&A Act), the principles of Ecologically Sustainable Development, and issues raised in all submissions.

The Department considers the proposal is acceptable as:

- there will not be a significant impact on any threatened species, populations or ecological communities
- the addition of new Colorbond cladding and windows will improve the external appearance and longevity of the building for the benefit of the occupants
- construction impacts on the surrounding environment would be minimised as the proposal will be contained within the existing building footprint and disturbed areas
- the works improve bushfire protection of the building

The Department's assessment concludes the application is in the public interest as it supports the ongoing operation of Cooma Ski Club which supports the regional plan for the locality and maintains consistency with the Alpine SEPP.

The Department therefore recommends the application be approved subject to conditions.

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1 Introduction

1.1 The Department's assessment

This report contains the Department's assessment of Development Application (DA 10686) Cooma Ski Club (Lot 617 DP 1158018), 69 Burramys Road, Perisher Valley within KNP.

Claire Middleton (the Applicant), on behalf of Cooma Ski Club, is seeking development consent to undertake external alterations to the existing tourist accommodation facility on the site (**Figure 1**) comprising the installation of Colorbond metal cladding on top of the existing timber cladding, replace all existing windows and doors with aluminium framed double glazing, and alteration of the existing external handrails / balustrades to integrate with the new cladding.

The Department's assessment considers all documentation submitted by the Applicant, including the Statement of Environmental Effects (SEE), and submissions from government authorities. The Department's assessment also considers the legislation and planning instruments relevant to the site and the development.

This report describes the development, surrounding environment, relevant strategic and statutory planning provisions and the issues raised in submissions. The report evaluates the key issues associated with the development and concludes that the development is in the public interest and should be proved, subject to conditions.



Figure 1 | Location of site (highlighted) in context of other lodges and the Perisher Ski Resort (Source: SIX Maps 2021)

1.2 Site location and context

The subject site is known as 'Cooma Ski Club', located at 69 Burramys Road, Perisher Valley, KNP (**Figure 2**). The site is approximately 890m² and is legally described as Lot 617 DP 1158018. The building is a three storey timber clad structure (upper levels), with a ground level constructed from block work and faced with local granite (**Figure 3**) constructed in 1986 with a licence for 28 beds.



Figure 2 | Site (highlighted) in context of adjoining lodges (Source: Applicant's documentation)

Nearby buildings to the site include other tourist accommodation buildings, such as the Edelweiss Ski Lodge and Cronulla Lodge to the south, Kosciusko Snow Revellers Club to the north, and the Dulmison Ski Club to the east across Flame Robin Place.

Vehicle access is available from Burramys Rd along with off-site parking available on the northern entrance to the property. The site is identified as bushfire prone land, with native vegetation areas and existing Snowgums located within the site boundaries.



Figure 3 | Photograph of existing Northern elevation of building (Source: Applicant's documentation)

2 Project

The application seeks approval to (**Figures 4**):

- instal Colorbond metal cladding (Lysaght ‘Snap-Seam’ in Colorbond ‘Monument’ colour) over the existing exterior wooden wall cladding
- replacement of all existing timber single glazed windows (including reveals and skirtings) and exterior doors with new double glazed windows and door utilising black anodised aluminium frames, while the existing timber fascias are to be painted to match the proposed metal cladding
- alteration of the existing external handrails / balustrades to integrate with the new cladding, as required

The replacement of the windows and cladding with the new materials was chosen to improve the ongoing maintenance of the site and to remain consistent with the existing character of the lodge and the locality. The Applicant also states that the proposed colour palette and materials provide updated and contemporary facades for the existing building.

The addition of new windows and cladding will remain within the original footprint of the existing structure and will pose little impact on the surrounding character and habitat. There are no proposed works below existing ground level and all proposed works are external.

The proposal has a cost of works of approximately \$225,000.

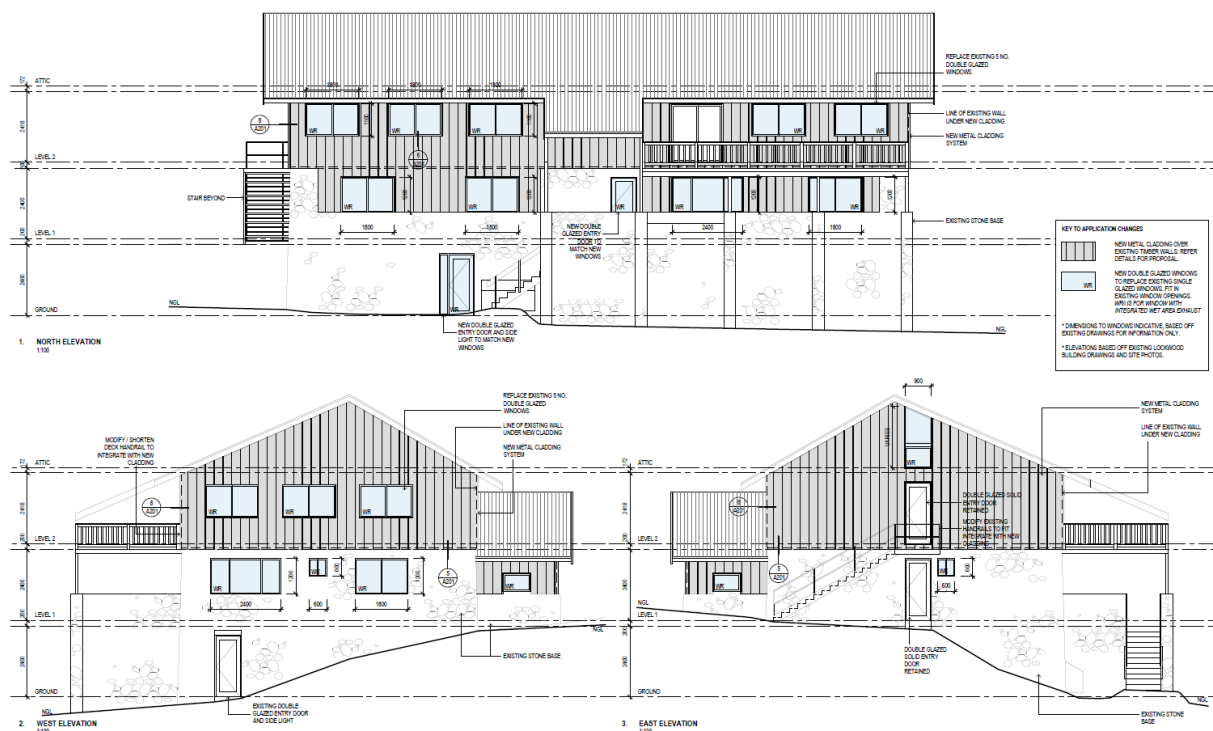


Figure 4 | Cladding to be replaced on North, West and East elevations (Source: Applicant’s documentation)

3 Strategic context

The Snowy Mountains region offers a diverse and unique mix of visitor destinations including the KNP, the alpine resorts, the iconic Snowy River and the highest mountains on the Australian continent. A strong tourism economy is driven mainly by skiing and related winter sport experiences during the peak winter season. The region, including the alpine resorts, also provides opportunities for a range of other recreational activities during the warmer months such as hiking, fishing, kayaking and mountain-biking. The resorts are important to NSW due to their economic and social contribution as well as their location within a unique alpine environment. The two main documents that support the strategic context of the alpine resorts are the *South East and Tableland Regional Plan 2036* and the Alpine SEPP.

South East and Tableland Regional Plan 2036

The South East and Tableland Regional Plan 2036 describes the vision, goals and actions that will deliver greater prosperity for those who live, work and visit the region. The plan provides an overarching framework to guide more detailed land use plans, development proposals and infrastructure funding decisions.

In relation to the alpine resorts, the Regional Plan seeks to promote more diverse tourism opportunities in the Snowy Mountains that will strengthen long-term resilience while acknowledging the environmental and cultural significance of the locality.

The Department considers the proposal is consistent with the Regional Plan as it improves the external appearance and reduces ongoing maintenance of the tourist accommodation, which maintains and supports visitation to the NSW ski resorts.

Alpine SEPP

The Alpine SEPP governs development on land within the ski resort areas of KNP. The SEPP aims to protect the natural and cultural heritage of land within the resorts and to encourage environmentally sustainable development. Under the provisions of the Alpine SEPP, the National Parks and Wildlife Service (NPWS) have a commenting role as the land manager which includes administering the Plan of Management framework for KNP that incorporates objectives, principles and policies to guide the long-term management of the broad range of values found in the park.

The Department considers the proposal is consistent with the Alpine SEPP as the proposal appropriately minimises the potential impacts on the environment by restricting works to the existing building footprint area. A separate Asset Protection Zone (APZ) plan has also been endorsed by the NPWS for the site, which is contained within the site to meet the RFS Inner Protection Area (IPA) requirements.

4 Statutory Context

4.1 Consent Authority

Under clause 7 of the Alpine SEPP, the Minister for Planning and Public Spaces is the consent authority for the application as the development takes place within a ski resort area as referred to in clause 32C (2)(a) of Schedule 1 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*.

In accordance with the Minister's delegation of 26 April 2021, 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
- the application is in relation to land which the Alpine SEPP applies

4.2 Permissibility

The proposal includes external alterations to a building while maintaining the use of the site consistent with the definition of 'tourist accommodation' as defined in the Alpine SEPP. Pursuant to clause 11 of the Alpine SEPP, 'tourist accommodation' is permissible with consent within the Perisher Range Alpine Resort.

4.3 Other approvals

Rural Fires Act 1997

As the works include external alterations to a tourist 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 Bushfire Safety Authority. Refer to **Section 5** for further discussion on this component.

4.4 Mandatory Matters for Consideration

Objects of the EP&A Act

The Department has considered the proposal against the relevant objects of the EP&A Act in **Appendix B**. The Department is satisfied the proposal is consistent with the objects as:

- there would not be an unacceptable impact on the environment, thus being ecologically sustainable development, with impacts upon native vegetation limited to implementation of the APZ plan
- works are aimed at improving the existing building for the benefit of the lodge members and visitors, thereby supporting the orderly and economic use of the site without impacting on neighbouring properties
- the application is capable of achieving compliance with relevant construction standards

- the Department provided opportunities for community participation in the assessment process, which included exhibiting the application, notifying adjoining landowners, and displaying the proposal on the Department's website during the exhibition period. The Department has considered the issues raised in submissions in **Section 6**

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 the ESD principles and the Department is satisfied the proposed works have been developed having regard to the 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 designed the development accordingly with works limited to the existing building facade, with minimal vegetation management required to meet the NSW RFS requirements
- 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 effect threatened species or ecological communities, or their habitats; or
- the works are carried out in a declared area of outstanding biodiversity value.

Prior to lodgement of the application, the NPWS and RFS visited the site to discuss bushfire requirements of the proposal (in particular if an Asset Protection Zone (APZ) is required outside of the site) while noting that adjoining the site is substantial areas of BVM land. From this discussion, it was indicated that subject to the proposal including works that are of a minor nature and constitute 'repair and replacement', that NPWS would only support an APZ for the site only.

Comments received during the assessment of the application included that:

- the NPWS state that the works, as proposed, are not likely to effect threatened species and does not trigger the BOS, based on the assumption that no vegetation clearance is proposed. If this is incorrect, additional considerations would need to occur.

- the RFS requires the site only to be managed as an Inner Protection Area (IPA). In order to achieve this, vegetation management of the site is required.

Following the receipt of the RFS advice, the Applicant provided an amended bushfire report and an APZ plan for the site for consideration with the application. The APZ plan was provided by the Applicant to the NPWS concurrently, who has recently endorsed the plan (prior to determination of the application by the Department), enabling ongoing vegetation management of the site.

The NPWS has indicated that the APZ plan proposes vegetation management outside of the BVM land. The Department is therefore satisfied that the proposed does not meet the criteria outlined in the BC Act, therefore the BOS does not apply.

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

Considerations under section 4.15 of the EP&A Act

Under section 4.15 of the EP&A Act, in determining a development application, a consent authority is required to take a number of matters into consideration in relation to the proposed development. The Department has given due consideration to the matters prescribed by section 4.15 as outlined in **Table 1** below.

The table represents a summary for which consideration is provided for in **Section 6** (Assessment) and relevant appendices or other sections of this report, referenced in the table.

Table 1 | Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument (EPI)	The Alpine SEPP is the only EPI which applies to the site for this type of development. An assessment against the requirements of the Alpine SEPP is provided in Appendix B. The Department is satisfied that the application is consistent with the requirements of the Alpine SEPP.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Not applicable.
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations	The application satisfactorily meets the relevant requirements of the EP&A Regulation, particularly the procedures relating to development applications (Part 6) and fees (Part 15, Division 1).

	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.
(a)(v) any coastal zone management plan	Not applicable.
(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 (as discussed above in Section 4.4). 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 submissions received during the exhibition period. See Section 5 of this report.
(e) the public interest.	<p>The works are consistent with the aim and objectives of the Alpine SEPP, would be compatible to the uses of the locality and there would not be an adverse impact on the environment. The proposal is consistent with the principles of ESD.</p> <p>As such, the proposal is in the public interest.</p>

5 Engagement

5.1 Department's engagement to original application

The Department's Community Participation Plan, November 2019, prepared in accordance with schedule 1 of the EP&A Act requires applications of development consent to be exhibited for a period of 14 days. However, applications under the Alpine 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 50 metres away from a tourist accommodation building.

As the works include external alterations to an existing tourist accommodation building within 50 metres of other tourist accommodation buildings, the Department exhibited the application from 17 June 2021 until 30 June 2021 on the Department's website.

The application was exhibited to nearby lodges and forwarded to the NSW Rural Fire Service (RFS) pursuant to Section 4.46 of the EP&A Act (integrated development) as a Bushfire Safety Authority under the *Rural Fires Act 1997* is required for the development to be carried out.

The application was also referred to the NPWS pursuant to clause 17 of the Alpine SEPP.

5.2 Summary of submissions

During the exhibition period, the Department received comments from the RFS and NPWS. No public submissions were received.

The RFS did not object to the proposal and has issued a Bush Fire Safety Authority (BFSA) under clause 100B of the *Rural Fires Act 1997*, that includes, but not limited to:

- that all land within the subject leasehold site be managed as an IPA
- that all proposed minor external alterations identified as repair and replace works don't hinder the fire exits and flame-resistant materials that exist on site. Any new additions to the building not identified as repair and replacement works shall comply with Bushfire Attached Level Flame Zone (BAL FZ) construction requirements
- all proposed repair and replacement works shall use equivalent or improved fire-resistant materials
- the existing building is to be upgraded to improve ember protection (if not already constructed to the BAL under AS 3959)

The NPWS did not object to the proposal and provided comments and recommended conditions on leasing and the KNP Plan of Management, BC Act, protection of native vegetation fauna and fauna habitats, Aboriginal cultural heritage. The NPSW sought clarification on the APZ and bushfire requirements.

The Applicant provided an amended bushfire report and an APZ plan to address the comments from the RFS and NPWS. The APZ plan was also provided concurrently to the NPWS, who has recently endorsed the plan, which included vegetation management of the site while retaining the BVM land. In order to address the RFS requirements, implementation of the APZ plan is to occur prior to commencement of works to the building. A condition is recommended to address this component.

6 Assessment

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

- consistency with adjoining character
- design details and standards
- managing construction impacts

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

6.1 Consistency with adjoining character

The proposed works involve works to the exterior of the building to support the ongoing operation of the existing tourist accommodation building. The Applicant also comments that the:

- proposal aims to improve and update the external appearance of the building and also reduce the need for extensive maintenance of the existing timber cladding. The proposed metal cladding is expected to provide an enhanced level of bushfire protection for the building when compared to the existing timber cladding.
- replacement of all glazing with double glazed modern windows, will also reduce the need for heating in winter and contribute to the sustainability of the existing building.

The Lysaght 'Snap Seam' vertical cladding (in Colorbond 'Monument') is proposed to be placed over the existing horizontal timber cladding rather than removing the existing timber. While the orientation of the cladding is different, the proposed works are considered to improve the external appearance of the building, with reduced maintenance (i.e. reduced need for repainting).

The replacement of the existing windows and doors with new aluminium double glazed windows and doors compliment the proposed cladding and ensures that the building reduces heating expenditure.

The Department notes that the existing character of the immediate locality is extensive native vegetation and managed areas within allotment boundaries, and similar scale tourist accommodation buildings to the site. Overall, the Department is satisfied that the proposed external materials and finishes do not negatively impact the character of the existing site, adjoining buildings or the surrounding landscape.

6.2 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 Clause 94 of the EP&A Regs. 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.

- All new work (or work as part of the DA) must comply with the BCA. The Department considers that compliance with the BCA is achievable, with documentation confirming compliance required to be provided at the Construction Certificate stage.

Additional considerations and / or performance requirements may need to be provided for the attachment of the cladding onto the existing timber cladding and review the replacement of the existing doors, as this may trigger compliance with accessibility provisions.

- Compliance with the *Disability Discrimination Act 1992 (DDA)*, and therefore the Access to Premises Standards prepared under the DDA, is triggered at Construction Certificate stage.

The plans submitted with the application do not demonstrate compliance with the provisions of the Access to Premises Standards, including the affected part or relevant provisions of the BCA for 'new work'. Ensuring compliance with the DDA is the responsibility of the building owner, manager and certifier. The Department has recommended an Advisory Note to ensure the building owner, manager and certifier are aware of the obligations.

- Clause 94 of the EP&A Regulation 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. Following a review of the existing fire safety measures within the building, additional building upgrades are not considered necessary.
- In relation to bushfire, the BCA requires construction to comply with the BFSa issued by the 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 minor external alterations to the existing building identified as repair and replacement works (all other works are to comply with BAL FZ requirements) must:

- 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; and
- Use equivalent or improved fire-resistant materials that do not affect any existing fire resisting components of the building.

The BFSa also requires the existing building to be upgraded 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 with the application for the Construction Certificate.

- Ensuring the proposal meets snow and wind loading requirements is a key consideration of the Department's assessment in the NSW Alpine environment. With adverse weather conditions at times, the fixing of the new structures to the existing building needs to be constructed appropriately. The Department has recommended that structural certification be provided prior to the issue of an occupation certificate for the works.

The Department concludes that subject to compliance with the conditions of consent, including references to the BCA which is to be addressed by the certifier at the Construction Certificate stage, the proposal is satisfactory and would improve the amenity of the building for its occupants.

6.3 Managing construction impacts

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

Parking is available at the site during construction. Construction impacts such as noise and vibration will be short term and managed in accordance with standard environmental conditions. The Applicant will be required to provide a Site Environmental Management Plan outlining waste management, dust and noise minimisation strategies as well as material storage, prior to the issuing of a construction certificate. It is also noted that the construction is aimed to occur outside the ski season.

The Department has recommended standard construction conditions applied in the Alpine area, along with recommended conditions from NPWS and RFS. Subject to compliance with these conditions, the Department is of the view that the proposed works would not impact upon nearby buildings or the environment.

7 Evaluation

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 not be a significant impact on any threatened species, populations or ecological communities
- the addition of new exterior cladding and double glazed windows improves the external appearance and longevity of the building for the benefit of the occupants and improves bushfire protection
- construction impacts on the surrounding environment would be minimised as it would be undertaken within the existing disturbed footprint

Overall, the Department is satisfied that the proposal is suitable for the site and in the public interest. The Department therefore recommends that the application be approved subject to recommended conditions.

8 Recommendation

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 10686, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix C**).

Recommended by:



11 October 2021

Hugh Clark
Planning Officer
Regional Assessments



11 October 2021

Mark Brown
Senior Planner
Alpine Resorts Team

9 Determination

The recommendation is **Adopted** / ~~Not adopted~~ by:



11 October 2021

Daniel James

Team Leader

Alpine Resorts Team

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of referenced documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Industry and Environment's website as follows.

1. Statement of Environmental Effects
2. Submissions

<https://www.planningportal.nsw.gov.au/publications/exhibitions-and-publications/development-applications-exhibition>

Appendix B – Statutory Considerations

OBJECTS OF THE EP&A ACT

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/ approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects.

Therefore, in making an assessment, the objects set out in Section 1.3 of the EP&A Act should be considered to the extent they are relevant. A response to the objects is provided in the table below.

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 use of 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 considerations in decision-making about environmental planning and assessment,	<p>The proposal would not have an unacceptable impact on the environment thus being ecologically sustainable development. Mitigation measures during construction have been considered and rehabilitation of impacted areas are supported.</p>
(c) to promote the orderly and economic use and development of land,	<p>The development seeks approval for works that upgrade the maintenance and use of the site for 'tourist accommodation'.</p>
(d) to promote the delivery and maintenance of affordable housing,	<p>Not applicable</p>
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	<p>The impacts upon the environment have been limited where possible, with works limited to the replacement of existing windows and doors and the addition of Colorbond cladding.</p>
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<p>The proposed development is not anticipated to result in any impacts upon built and cultural heritage, including Aboriginal cultural heritage.</p>

(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 minimise impacts upon the natural environment during construction.
(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 Appendix C).
(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 (Section 5), 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 5), which included notifying the neighbouring lodges, and displaying the application on the Department's website.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007 (Alpine SEPP) is applicable to the development. Consideration of the matters to be considered is provided below:

CI 14(1) - Matters to be considered by consent authority

(a) the aim and objectives of this policy, as set out in clause 2	The proposal is consistent with the aim and objectives of the Alpine SEPP in that it is consistent with the principles of ESD and supports the ongoing use of the site for 'tourist accommodation'.
(b) the conservation of the natural environment and any measures to mitigate environmental hazards (including geotechnical hazards, bush fires and flooding),	The proposal is appropriate as it allows for improvements to external components of an existing building while having an acceptable impact on the environment. Natural hazards have been adequately addressed.

(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 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 proposal does not comprise earthworks or changes to drainage. The proposed cladding and window / door replacement are expected to be a non-structural alteration to the exterior of the building consistent with the exemptions available in the Department's geotechnical policy.</p> <p>The Department has formed the view that the works are not likely to increase existing loads at the site and no further assessment on geotechnical matters is considered necessary for the project.</p>
(g) any sedimentation and erosion control measures,	No adverse impacts are expected due to the works being on the facade 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 cladding and windows are in keeping with the existing materials of the existing lodge and blends into the landscape.
(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,	The proposal has been considered against the criteria within the PRRMP and the Department concludes that the works to the building supports its continued use as a tourist accommodation building.
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(m) if the development is proposed to be carried out on land in a riparian corridor.	Not applicable to proposal.
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CI 15 – 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 reduce existing setbacks.
Landscaped Area	The proposal does not negatively impact existing native vegetation and therefore is appropriate.

CI 17 – applications referred to the National Parks and Wildlife Service

The proposal was referred to the NPWS pursuant to clause 17 of the Alpine SEPP. Refer to comments received at **Section 5** and discussion on proposal at **Section 6**.

CI 26 – Heritage conservation

European heritage	The proposal would not impact on any European heritage items.
Aboriginal heritage	The NPWS raised no concerns, however recommended that should any Aboriginal objects be uncovered during construction, any works impacting the objects must cease immediately and the NPWS contacted for assessment of the site.

Appendix C – Recommended Instrument of Consent