



# Australian Golf Club Ski Lodge, Perisher Valley

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Development Application Assessment  
DA 21/10830

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*Cover image: Main Range, Kosciuszko National Park (Source: Alpine Resorts Team)*

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# Glossary

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

# Executive Summary

This report provides an assessment of a Development Application (DA 21/10830) seeking approval to undertake additions and internal alterations to Australian Golf Club Ski Lodge, 25 Porcupine Road, Perisher Valley in Perisher Range Alpine Resort, within Kosciuszko National Park (KNP). The Applicant is Australian Golf Club Ski Lodge Co-op Ltd.

The Minister for Planning 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 and Environment (the Department) exhibited the original application between 4 August 2021 until 18 August 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 external additions to the site complement the existing building and its surrounding setting
- the internal alterations to the managers residence improve the functionality and amenity of the room
- construction impacts on the surrounding environment would be minimised as the proposal will be contained within the existing building footprint and disturbed areas
- the recommended conditions would require construction impacts to be minimised having regard to the existing native vegetation, and all disturbed areas to be rehabilitated following construction

The Department's assessment concludes the application is in the public interest as it supports the ongoing operation of the Australian Golf 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

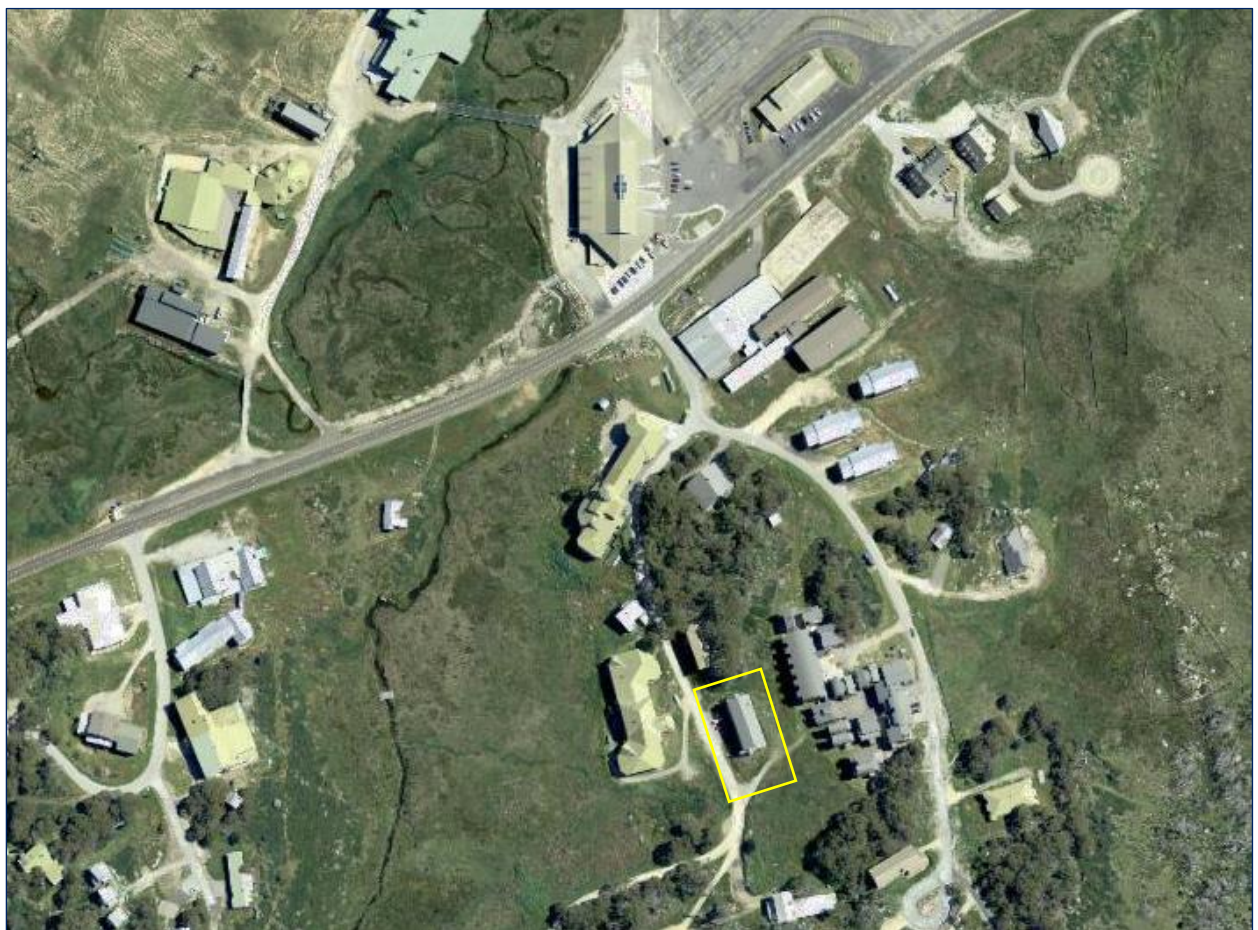
## 1.1 The Department's assessment

This report contains the Department's assessment of Development Application (DA 21/10830) at the Australian Golf Club Ski Lodge (Lot 605 DP 1158020), 25 Porcupine Road, Perisher Valley within KNP.

Australian Golf Club Ski Lodge Co-op Ltd (the Applicant), is seeking development consent to undertake additions to the existing tourist accommodation facility on the site (**Figure 1**) comprising the filling in of a portion of the entrance to the lodge under the existing roof line and internal alterations to the ground floor managers residence.

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 approved, 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 'Australian Golf Club Ski Lodge', located at 25 Porcupine Road, Perisher Valley, KNP (**Figure 2**). The site is approximately 1,441m<sup>2</sup> and is legally described as Lot 605 DP 1158020. The building is a two storey stone and timber clad structure (**Figure 3**) constructed in 1997 with a licence for 20 beds (incorporating 2 beds within the managers room).



**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 Gunyah Ski Club to the north, The Stables to the east, Salzburg Apartments to the west across Porcupine Road and Avalanche to the south. Vehicle access is available off Porcupine Road to the summer time paved parking area provided to the western side of the property.



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



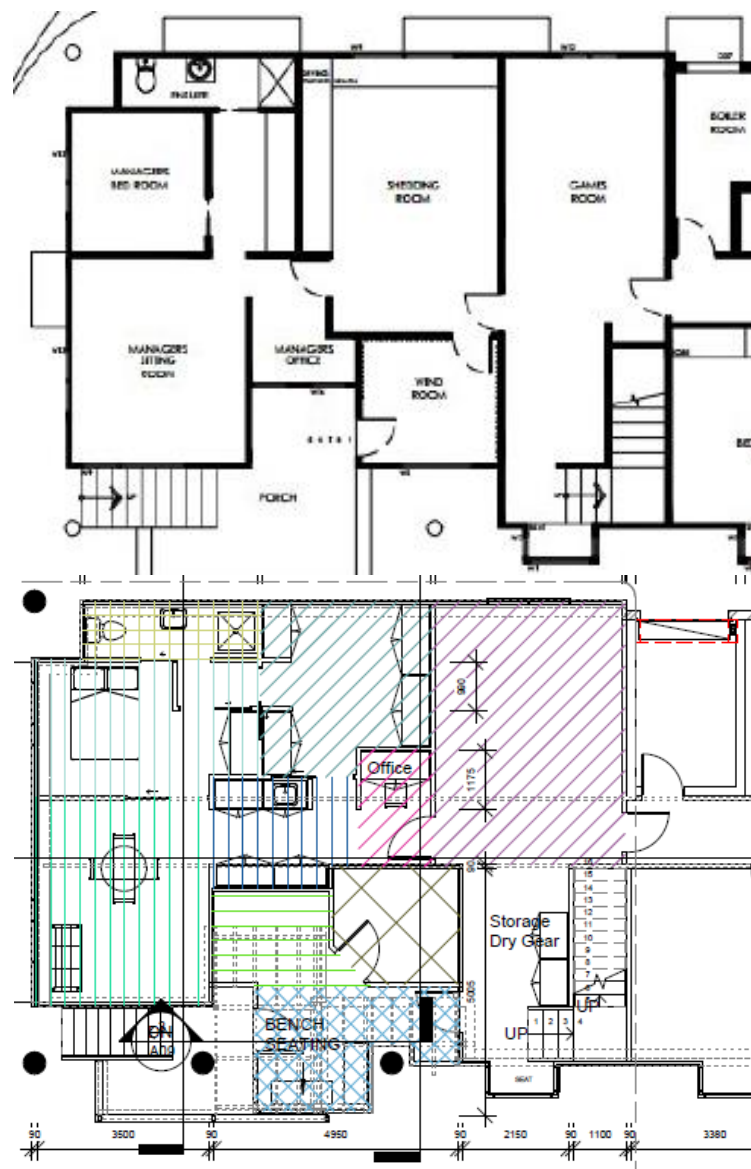
## 2 Project

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

- the entrance of the existing lodge above the front stairs by filling in a portion of the entrance (8m<sup>2</sup> of floor area) for seating, to provide an air lock and convert the previous air lock to a drying room
- the managers residence through removing walls and install beams to enlarge the residence

The Applicant states that the proposed development will allow for the lodge entrance and provision for seating, ski room and drying room to be enlarged and improved by way of a small infill addition that will not change the overall building footprint. The proposed development also includes internal alterations to improve functionality and amenity for both the guests and on-site managers.

The additions comprise of weatherboard cladding and Colorbond roof sheeting, with the colours to match existing. The proposal has a cost of works of approximately \$115,000.



**Figure 4 |** Existing and proposed floor plan layout (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 functionality of the main entry area of the building and the managers residence, 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. An Asset Protection Zone (APZ) plan has also been endorsed by the NPWS, which enables management of land outside of the allotment to reduce bushfire construction standards and ensures compliance with the RFS requirements.

## 4 Statutory Context

### 4.1 Consent Authority

Under clause 7 of the Alpine SEPP, the Minister for Planning 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 additions and internal 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 / visitors and the manager of the lodge, 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 being additions to the building under the existing roof line, 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.

The Applicant advises that:

- any clearing required to facilitate the works would be below the threshold for the site (being 2500m<sup>2</sup>, when noting the site is only 1440m<sup>2</sup>);
- the site is located outside of an area mapped on the BVM; and
- the works occur over a highly disturbed area and therefore the proposal is highly unlikely to have a significant impact to threatened species or ecological communities or their habitats.

Separately to the above, following the receipt of the RFS advice (see **Section 5**), the Applicant prepared an APZ plan for the site and adjoining areas to reduce the construction standard from BAL FZ to BAL 19.

The APZ plan was provided by the Applicant to the NPWS, who has endorsed the plan (prior to determination of the application by the Department), enabling ongoing vegetation management of the site independent of the application.

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 <b>Appendix B</b> . The Department is satisfied that the application is consistent with the requirements of the Alpine SEPP.
(a)(ii) any proposed instrument	Not applicable to proposal.
(a)(iii) any development control plan	Not applicable to proposal.
(a)(iiia) any planning agreement	Not applicable to proposal.
(a)(iv) the regulations	<p>The application satisfactorily meets the relevant requirements of the EP&amp;A Regulation, particularly the procedures relating to development applications (Part 6) and fees (Part 15, Division 1).</p> <p>The Department has undertaken its assessment in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.</p>
(a)(v) any coastal zone management plan	Not applicable to proposal.



(b) the likely impacts of that development	The Department has considered the likely impacts of the development, with no native vegetation impacts likely to occur as a result of the proposal except those required for the provision of the APZ (as discussed above in <b>Section 4.4</b> ). 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 <b>Section 5</b> 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 4 August 2021 until 18 August 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 issued a Bush Fire Safety Authority (BFSA) under clause 100B of the *Rural Fires Act 1997*, that includes, but not limited to:

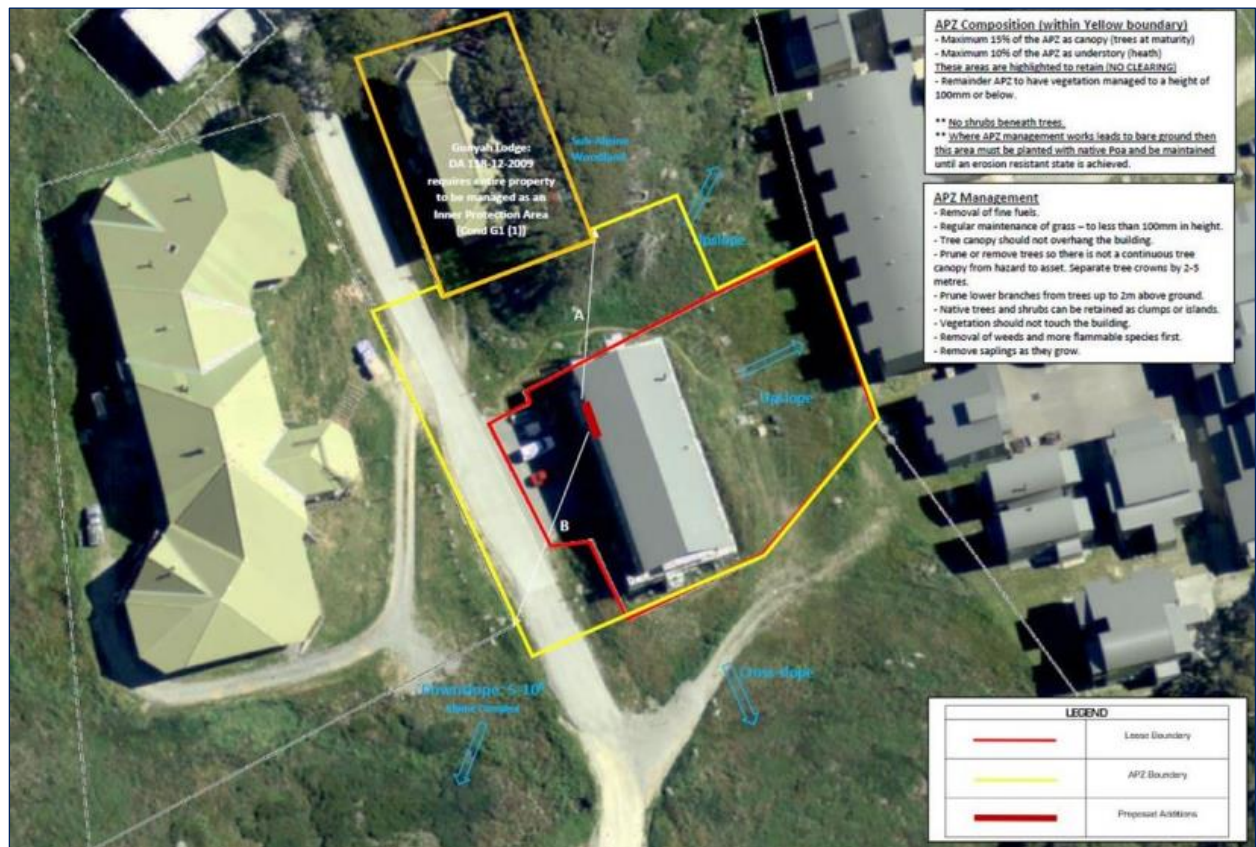
- that all land within the subject leasehold site be managed as an Inner Protection Area (IPA)
- new construction must comply with Section 3 (excluding section 3.5) and Section 9 (BAL FZ) of Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant BAL-FZ requirements of the NASH Standard - *Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*
- the existing building is to be upgraded to improve ember protection (if not already constructed to the BAL under AS 3959)

The Department notes that the RFS applied the BAL FZ construction standard as no APZ or ongoing management of vegetation was provided at the time of the original assessment.

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 further involvement should APZ discussions be required and also requested clarification if any ground disturbance is proposed (if ground disturbance proposed then Aboriginal cultural heritage assessment to be provided).

The Applicant confirmed that no ground disturbance is proposed to facilitate the development.

Following discussions between the Applicant and the Department, the Applicant sought consideration of an APZ for the management of land outside of the leasehold site to reduce the BAL construction standard. The APZ plan (**Figure 5**) was provided to the NPWS, who endorsed the plan, which included vegetation management of land outside of the leasehold site.



**Figure 5 |** Existing and proposed floor plan layout (Source: Applicant's documentation)

## 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:

- built form and impacts of the works
- design details and standards
- managing construction impacts

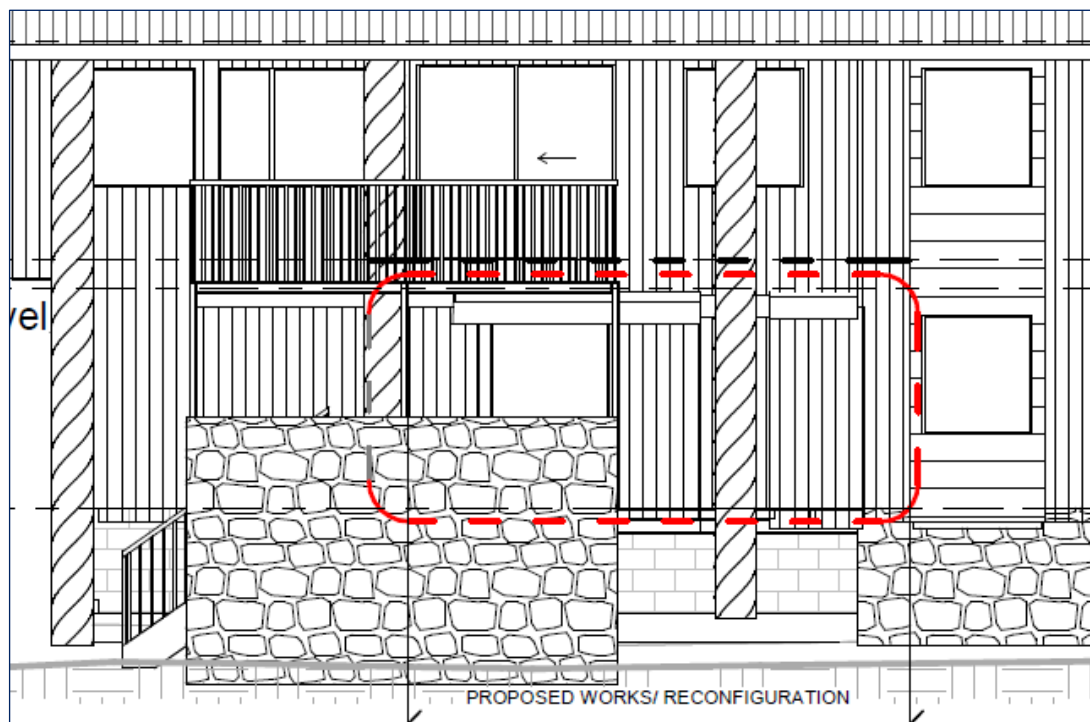
Each of these issues is discussed in the following sections of this report.

### 6.1 Built form and amenity of the works

The proposal involves works to the exterior of the building (within the existing curtilage of the building) and enlargement of the existing managers residence to support the ongoing operation of the existing tourist accommodation building.

#### External changes

The proposed external alterations and additions to the building improve the front entrance area of the existing building, particularly with the formalisation of a defined entry door, ski room, drying room and bench seating rather than walking through the 'wind room' to access the lodge. The works are designed to use the existing disturbed area within the building envelope (with the works being cantilevered off the existing building) while also being complimentary to the existing built form (**Figure 6**). Once completed, the works would not negatively impact the existing buildings profile, when viewed from Porcupine Road.



**Figure 6 |** Section of proposed western elevation illustrating works (Source: Applicant's documentation)



The works do not impact existing vegetation on the site, except for the management of land outside of the leasehold site in accordance with the approved APZ plan. The proposed construction works do not require ground disturbance with the additional floor area cantilevered off the existing building.

The works have minimal impact upon the amenity of adjoining properties, except during construction, however these will only be short term and are acceptable. Adjoining properties were notified and raised no concerns regarding the proposed works.

The NPWS raised no concerns in terms of leasing or impacts upon native vegetation.

The Department's assessment concludes that the proposed external works to the building are acceptable and ensures the ongoing operation of the building (with improved facilities for guests and visitors), while undertaking works that do not negatively impact the built form, and adjoining lodges.

#### Internal changes

The proposed internal alterations to the building improve the amenity of the managers residence through enlarging the existing residence by removing the existing shredding room and using part of this space to provide an enlarged games room.

As stated above, the works have minimal impact upon the amenity of adjoining properties, except during construction, however these will only be short term.

The NPWS raised no concerns in terms of the proposed internal works.

The Department's assessment concludes that the proposed internal works to the managers residence improve the amenity and functionality of the residence, while enlarging the existing games room for the benefit of guests and visitors.

## **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.
- 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 a prior to issue of the Construction Certificate condition and 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 (see **Section 5**). The BFSa is incorporated into the conditions of the consent and compliance must be verified at the construction and occupation certificate stages.
- 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 with a formal car parking provided directly off Porcupine Road, 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 off Porcupine Road. Construction impacts such as noise and vibration will be short term and managed in accordance with standard environmental conditions. The Applicant has provided a Site Environmental Management Plan outlining waste management, air and noise minimisation strategies as well as material storage, that is to be implemented prior to the commencement and during works. 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 external additions to the site complement the existing building and its surrounding setting
- the internal alterations to the managers residence improve the functionality and amenity of the room
- construction impacts on the surrounding environment would be minimised as the proposal will be contained within the existing building footprint and disturbed areas
- the recommended conditions would require construction impacts to be minimised having regard to the existing native vegetation, and all disturbed areas to be rehabilitated following construction

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:

- **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 21/10830, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix C**).

**Recommended by:**

A handwritten signature in black ink that reads "Mark Brown." The signature is written in a cursive style with a horizontal line underneath the name.

**Mark Brown**

Senior Planner

Alpine Resorts Team



## 9 Determination

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

A handwritten signature in black ink, appearing to read 'Dan', with a stylized, wavy line extending from the end.

**Daniel James**

Team Leader

Alpine Resorts Team

as delegate of the Minister for Planning

# 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 and Environment's website as follows.

1. Statement of Environmental Effects
2. Submissions

<https://www.planningportal.nsw.gov.au/daex/under-consideration/da-2110830-australian-golf-club-perisher-valley>

## 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 providing improvements to the entry area of the lodge and amenity of the managers residence.</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 adjoining or within the building envelope (except for the implementation of the APZ plan endorsed by NPWS).</p>

(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposed development is not anticipated to result in any impacts upon built and cultural heritage, including Aboriginal cultural heritage.
(g) to promote good design and amenity of the built environment,	The Department considers that the proposal responds to its existing setting, built form and would 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 <b>Appendix C</b> ).
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal ( <b>Section 5</b> ), which included consultation with government agencies and consideration of their responses.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal ( <b>Section 5</b> ), 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'.
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(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 additions to the 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 site is within the G zone identified on the Department's Geotechnical Policy – Kosciuszko Alpine Resorts Perisher Map.</p> <p>The application is supported by a Form 4 prepared by Pointe Engineering Pty Ltd, which included commentary that the current load bearing capacity of the existing building will not be exceeded or adversely impacts by the proposed development. The Form 4 did not provide any design recommendations to be incorporated in the structural design.</p> <p>The Department is satisfied that no further geotechnical assessment is required prior to determination.</p>
(g) any sedimentation and erosion control measures,	Sedimentation and erosion control conditions are recommended, including the adoption of the Site Environmental Management Plan (SEMP) measures prior to the commencement of works.
(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 does not negatively impact views from the Main Range and is considered to be acceptable

upon the existing views of the site from the surrounding landscape.

The proposal is also not expected to adversely impact views of adjoining buildings.

(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.

(m) if the development is proposed to be carried out on land in a riparian corridor.

Not applicable to proposal.

#### 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, with the proposal maintaining setbacks to Porcupine Road.

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.

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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.

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## Appendix C – Recommended Instrument of Consent