



Blue Cow Terminal Quad Chair: Tower 3 Crosshead Replacement

Development Application Assessment
DA 22/602

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

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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 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
NPWS	National Parks and Wildlife Service
Planning Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy

Executive Summary

This report provides an assessment of a Development Application (DA 22/602) seeking approval to undertake works to the Terminal Quad Chair at the Perisher Range Alpine Resort within Kosciuszko National Park (KNP). The Applicant is Perisher Blue Pty Ltd.

The application seeks approval to replace the crosshead at the top of Tower 3 on the Terminal Quad Chair which is a passenger ski lift located in the Blue Cow locality of Perisher.

On 1 March 2022, the *State Environmental Planning Policy (Kosciuszko National Park-Alpine Resorts) 2007* (the Alpine SEPP) was consolidated into the *State Environmental Planning Policy (Precincts - Regional) 2021* (known as Precincts - Regional SEPP in this report). The SEPP consolidation is administrative. No policy changes have been made.

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 the Precincts - Regional SEPP.

The Department of Planning and Environment (the Department) did not exhibit the application, in accordance with the Department's Community Participation Plan, as the works are located more than 50 metres away from a tourist accommodation building.

The Department consulted and received comments from the National Parks and Wildlife Service (NPWS) during the assessment of the application in accordance with Chapter 4 of the Precincts - Regional SEPP. No submissions from the public were received during the assessment of the application.

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:

- the intention of the proposal is to maintain the use of the Terminal Quad Chair in a safe, operable manner for the benefit of visitors to the Blue Cow ski slopes within the Perisher Range Alpine Resort
- there will not be a significant impact on any threatened species, populations or ecological communities, noting the existing cracked crosshead will be flown out and a replacement flown in via helicopter to minimise environmental impacts, and other equipment will be delivered to site via the chairlift in an aerial workcage and staff and contractors will access the Tower 3 worksite on foot
- suitable site management environmental protection measures are to be followed during the works
- the recommended conditions would require construction impacts to be minimised having regard to protecting the native vegetation adjoining the site and temporary construction storage areas at the base of the tower (limited to rocks or disturbed areas (i.e. non-native), avoiding ground disturbance, compaction and the disturbance of vegetation up to a maximum distance of 5 metres from the tower.

The Department's assessment concludes the application is in the public interest as it supports the ongoing use of the Terminal Quad Chair which supports park visitation and tourism with minimal impact on the environment, consistent with the regional plan for the locality and the Precincts - Regional 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 22/602) for works to Tower 3 of the Terminal Quad Chair at Blue Cow, Perisher Range Alpine Resort, within KNP.

Perisher Blue Pty Ltd seeks approval to replace the crosshead component on one of the existing lift towers on the Terminal Quad Chair (**Figure 1**) following a review of the tower and discovery of a minor crack in the crosshead during routine inspections.

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.

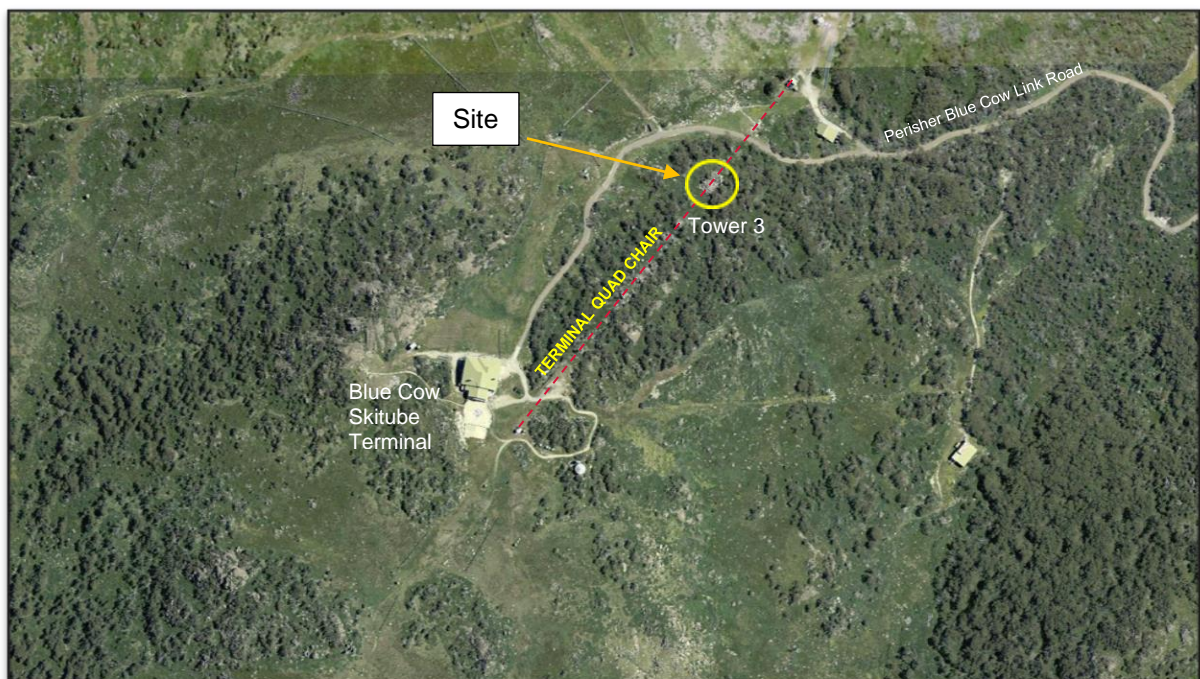


Figure 1 | Location of site (highlighted with yellow circle) in context of adjoining Blue Cow Terminal Quad Chair ski area (Source: SIX Maps 2022)

1.2 Site location and context

The site is within the Blue Cow ski area of the Perisher Range Alpine Resort, located approximately 2.7 kilometres northwest of Perisher Village within KNP. The Terminal Quad Chair spans a distance of 545 metres from an area adjoining the Blue Cow Ski Tube Terminal down to the northeast to the Terminal Quad Chair Bottom Station. The location where the crosshead will be replaced (Tower 3) is approximately 150

metres from the lower (north-eastern) extent of the chair lift at the Bottom Station. The base of Tower 3 is fixed to a concrete footing plinth that adjoins an extensive rocky outcrop (**Figure 2**).



Figure 2 | Base of Tower 3 adjoining rock-covered area (Source: Applicant's documentation)

A helicopter staging area will be located in the carpark adjoining the NPWS Visitor Centre in the Perisher Village during the works, from where the crosshead infrastructure component to be removed will be flown to the carpark and a new crosshead flown from the staging area back to the tower work site (**Figure 3**).



Figure 3 | Helicopter staging area (red square) located within the Perisher Village Carpark (Source: Applicant's documentation)

2 Project

The application seeks approval to replace the crosshead at the top of Tower 3 (**Figure 4**), following inspection of the component and discovery of a minor crack necessitating its replacement.

The proposed works include:

- site preparation
- temporary storage of the new replacement crosshead at the Perisher carpark
- worker access to Tower 3 by foot from the Perisher Blue Cow Link Road
- equipment including lifting gear to be transferred to site by an aerial workcage on the Chairlift, from which items will be removed from the workcage and stored on a platform on the tower until used to lower the sheave assembly frames (wheels that roll along the cables) to the storage area below
- removal of lift components (including the sheave assemblies) and temporary storage of these components at the base of Tower 3 on existing rocks or exotic plants, where possible
- removal of the existing crosshead on Tower 3 by helicopter, to be removed to the Perisher carpark and then driven to a metal recycling facility
- installation of the new crosshead, to be flown via helicopter from the Perisher carpark to Tower 3 to be installed by contractors.

No modifications are proposed to the existing Tower 3 footing, and no trenching or earthworks are required as a part of this proposal.

The proposal has a cost of works of approximately \$37,000.

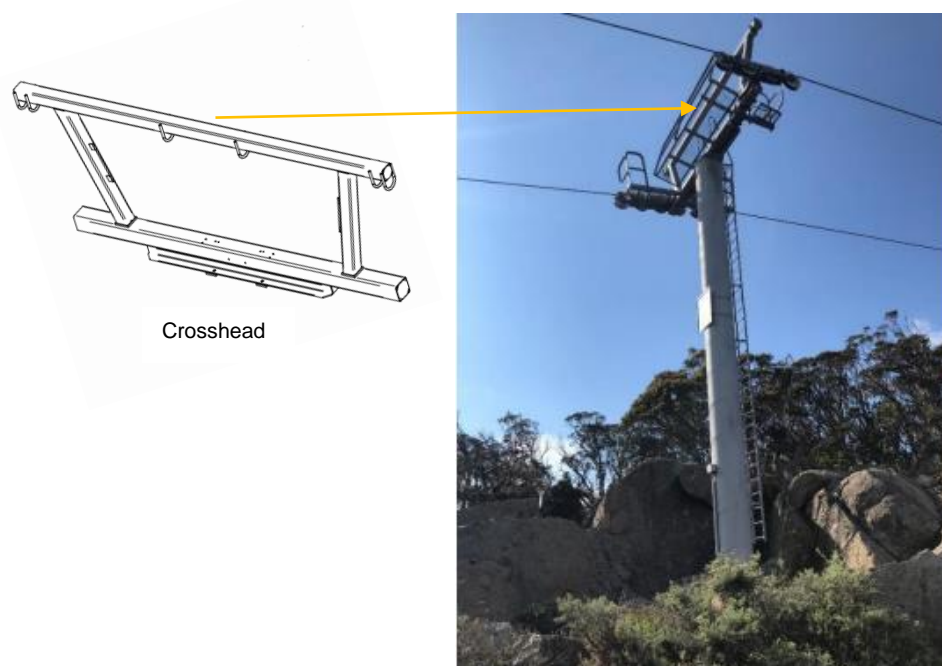


Figure 4 | Tower 3 and crosshead component (Source: compiled from Applicant's documentation)

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 snow-based 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, at the time of lodgment of the development application, the *Precincts - Regional SEPP*.

South East and Tableland Regional Plan 2036

The South East and Tableland Regional Plan 2036 describes the vision, goals and actions developed to 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 ensures the ongoing operation of the Terminal Quad Chair for the benefit of visitors to Blue Cow, within Perisher Range Alpine Resort, which maintains and supports visitation to the NSW ski resorts. The impact of the proposal on the unique environment has been minimised through the carriage of equipment to the Tower 3 site via an aerial workage and the crosshead components via helicopter. No surface machinery will need to access Tower 3, where worker access to site will be via the formed Perisher Blue Cow Link Road and then by foot to the Tower 3.

Precincts – Regional SEPP

The Precincts - Regional 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 Chapter 4 of the Precincts - Regional 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 park.

The Department considers the proposal is consistent with the Precincts - Regional SEPP as the proposal minimises native vegetation impacts through site operations and utilising existing rock area / disturbed areas for the temporary storage of tools and componentry.

4 Statutory Context

4.1 Consent Authority

Under clause 4.6 of the Precincts - Regional 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 9 March 2022, 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 that comprise objections in relation to the development, and
- the application is in relation to land which Chapter 4 of the Precincts - Regional SEPP applies.

4.2 Permissibility

The proposal includes replacement of a ski chair tower crosshead, consistent with the definition of 'lifting facilities' as defined in the Precincts - Regional SEPP. Pursuant to clause 4.9 of the Precincts - Regional SEPP, development for the purpose of providing 'lifting facilities' is permissible with consent within the Perisher Range Alpine Resort.

4.3 Other approvals

Environment Protection and Biodiversity Conservation Act 1999

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the Commonwealth Government is required to assess and approve a development if it is likely to impact on a matter of national environmental significance.

The Applicant comments that none of the factors under the EPBC Act are considered to result in impacts which would be considered significant under the guidelines applying to the EPBC Act.

The Department has reviewed the nature, location and scope of the works and is satisfied that a referral to the Commonwealth Environment Minister is not necessary.

4.4 Mandatory Matters for Consideration

Objects of the EP&A Act

In determining the application, the consent authority is to consider whether the proposal is consistent with the relevant 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:

- the works are aimed at promoting the orderly and economic use of the site through providing the replacement of a tower component to ensure the safe operation of the existing quad chair lift facility for the benefit of visitors
- the impacts upon native vegetation are expected to be negligible where workers will access the site via foot and measures will be in place to protect the natural environment from unacceptable impacts, consistent with the principles of ecologically sustainable development
- the proposal does not impact upon cultural heritage, including known Aboriginal cultural heritage
- the application is capable of achieving compliance with relevant construction standards

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 does not pose a threat of serious or irreversible environmental damage and potential impacts have been identified, with mitigation measures and environmental safeguards recommended
- the proposal is not expected to adversely impact upon the health, diversity or productivity of the environment for future generations
- the Department's assessment has noted that the development will employ site management measures to ensure disturbance to the ecological integrity of the area will be minimised so as to be negligible
- 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 recognises in their SEE that Tower 3 is located within an area identified as having high biodiversity value on the BVM (**Figure 5**).

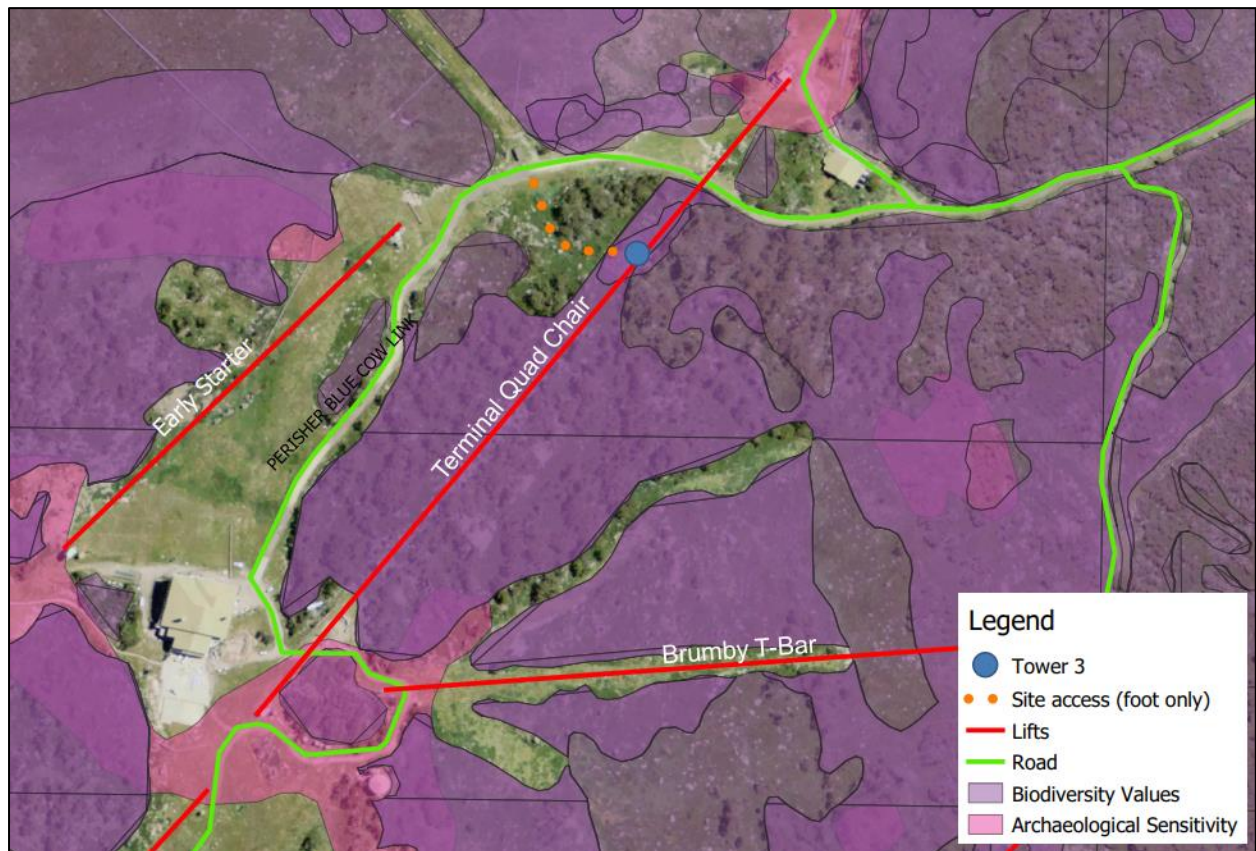


Figure 5 | Tower 3 location within area of high biodiversity value (Source: Applicant's documentation)

While the tower site is within an area of identified biodiversity value, no clearing or major disturbance to native vegetation or any prescribed impact (as set out in clause 6.1 of the *Biodiversity Conservation Regulation 2017*) is proposed as part of the development. Based on the predicted impacts of the project, the BOS does not apply to this proposal.

The Applicant also comments that the project will avoid impacts on areas of native vegetation and that the proposal will not result in any impacts on threatened flora or fauna species. The Department has reviewed the Applicants submission and notes that the NPWS raised no concerns in relation to the proposal and impacts on native vegetation, as discussed further in **Section 5** below. Similarly, the Department raises no concerns with this component of the application and supports the measures proposed by the Applicant to access the site to minimise the impact of activities upon native vegetation and the alpine environment.

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 Precincts - Regional SEPP is the applicable EPI for this development application at the time of lodgement. An assessment against the requirements of the Precincts - Regional SEPP is provided in Appendix B . The Department is satisfied that the application is consistent with the requirements of the Precincts - Regional SEPP.
(a)(ii) any proposed instrument	None applicable to the proposal.
(a)(iii) any development control plan	None applicable to the proposal.
(a)(iiia) any planning agreement	Nonapplicable to the proposal.
(a)(iv) the regulations	<p>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).</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.
(b) the likely impacts of that development	The Department has considered the likely impacts of the development, with impacts to existing vegetation limited to limiting disturbed areas (as discussed above in Section 4.4). The proposal is considered to have positive economic and social impacts on the locality.
(c) the suitability of the site for the development,	The site is suitable for the development where works will enable the ongoing use of the Terminal Quad Chair infrastructure to support visitation to the Perisher Range Alpine Resort for snow-based activities.

(d) any submissions made in accordance with this Act or the regulations,

Consideration has been given to the agency submission from NPWS received during the assessment of the application. See **Section 5** of this report.

(e) the public interest.

The works are consistent with the aim and objectives of the Precincts-Regional SEPP, and approval of the application is considered to be compatible with the public interest given there are no significant adverse impacts on the environment, the development supports tourism and the ongoing economic viability of the Blue Cow ski area, and the proposal is consistent with the principles of ESD.

5 Engagement

The Department's Community Participation Plan, November 2019, prepared in accordance with schedule 1 of the EP&A Act requires applications to be exhibited for a period of 14 days. However, applications under the Precincts-Regional SEPP are not required to be publicly exhibited if the proposal relates to works that are wholly internal to a building or where the site is located more than 50 metres away from a tourist accommodation building.

Due to works being more than 50 metres away from a tourist accommodation building, the Department did not exhibit the application.

The application was referred to the NPWS pursuant to clause 4.15 of the Precincts-Regional SEPP. The NPWS did not object to the proposal and asked that conditions be placed on any approval that required the following:

- staff and contractors are to use dry paths where possible to access the subject site and avoid bog and fen plant communities, and
- placement of sheaves (and any other components or tools) on rocks or disturbed / exotic vegetation in accordance with the SEE.

The Department has considered the comments received from the NPWS in **Section 6** and through recommended conditions in the instrument of consent at **Appendix C**.

6 Assessment

The Department has considered the relevant matters for consideration under section 4.15 of the EP&A Act when reviewing the SEE and supporting information in its assessment of the proposal. The key issues in the Department's assessment relates to impacts on the environment, ensuring appropriate measures are in place to mitigate potentially adverse impacts to the natural environment, and to ensure compliance with appropriate design standards. These issues are discussed in the following sections of this report.

6.1 Impacts on biodiversity

The Department has carefully considered the potential biodiversity impacts associated with the proposal given the location of the site and the sensitive nature of the flora and fauna within the alpine area. The Department's assessment of the potential environmental impacts of the proposal along with appropriate mitigation and management measures are considered below:

Endangered Species and Communities

As discussed in **Section 4.4**, the Applicant noted that the location of Tower 3 is identified on the BVM (**Figure 5**) as having an area of high biodiversity value, which would typically trigger the BOS if native vegetation impact occurs to facilitate the works. However as the proposal does not involve the removal of native vegetation, the BOS does not apply.

The NPWS did not raise any concerns with the Applicant's assessment that the threshold for BOS would not be triggered. NPWS recommended environmental conditions be implemented during the works to mitigate the impacts of the proposal, which have been incorporated into the conditions of consent.

Construction impacts and access

Vehicular transport to the Blue Cow Skitube Terminal is available via the Perisher Blue Cow Link Road (depicted in **Figure 1**). Workers traversing from the road area to Tower 3 are intending to gain access to the work site via the footway indicated on **Figure 5**. It is noted that the footway chosen is the best option to reduce travelling through areas of high biodiversity value, however this may be revised slightly given the requirement from NPWS for staff and contractors are to use dry paths where possible to access the subject site to avoid bog and fen plant communities. The helicopter staging area within the Perisher carpark is on an existing hardstand area, and the sheave assemblies lowered to the ground during the during the crosshead installation process will be required to be stored on rocks or disturbed areas (i.e. non-native), avoiding ground disturbance, compaction and the disturbance of vegetation up to a maximum distance of 5 metres from the tower. The haul ropes (cables) will be lowered from the Tower 3 during the works, and it will remain suspended between Towers 2 and 4 overground.

Accordingly, environmental management measures to support the minimisation of impacts on the ground surface and vegetation include the restriction of vehicles to the formed roadways, the careful selection of the path to travel from the road on foot, storage of equipment on rock or disturbed areas (around the base of the Tower) or hardstand areas (car park staging area), and the use of aerial support to bring and remove equipment to and from the Tower 3 location (via chairlift workcage and helicopter). It is considered that the proposed measures enable the replacement of the crosshead component of the infrastructure while

minimising adverse impacts upon the natural environment. The Applicant expects the work to be completed during daylight hours within two consecutive days (weather permitting).

The Department is satisfied that the works can be undertaken without causing a significant, adverse impact on the environment during construction where works are carried out in accordance with the Site Environmental Management Plan (SEMP) and conditions included in the consent.

Conclusion

The Department is satisfied the Applicant has taken the appropriate steps to avoid and minimise potentially adverse impacts of the proposal on the environment.

The Department therefore considers the proposal is acceptable subject to conditions that ensure the SEMP is followed together with additional conditions to ensure site management actions are incorporated in the works such as confining the storage of equipment at the base of Tower 3 to rock or disturbed areas.

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 notes that at the construction certificate stage the compliance with relevant requirements is to be determined by the certifier in accordance with conditions of consent. This includes that 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.

The Department concludes that subject to compliance with the conditions of consent, the Tower 3 Crosshead replacement will satisfy the BCA.

6.3 Other Issues

The Department's consideration of other issues is provided at **Table 2**.

Table 2 | Summary of other issues

Issue	Assessment	Department considerations
Perisher Blue Ski Slope Masterplan (PBSSMP)	<p>The PBSSMP is the strategic document for the Perisher ski slopes and provides the intentions of the Applicant for future development and management of the ski slopes.</p> <p>The Applicant comments that the proposal is generally consistent with the goals of the PBSSMP.</p>	<p>The Department concludes that the proposal is considered to meet the strategic direction of the PBSSMP for the locality and in particular supports the ongoing use of the ski slopes through maintaining lifting infrastructure to the area.</p>

Materials / stockpile sites	The Applicant provided a SEMP that identifies measures to be implement during the works to ensure impacts upon the environment are minimised.	The Department has adopted the NPWS recommended conditions relating to seeking a dry foot access path to the work site and limiting storage of equipment at the base of Tower 3 to the rock or disturbed areas, as discussed in earlier sections of this report.
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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:

- the intention of the proposal is to maintain the use of the Terminal Quad Chair in a safe, operable manner for the benefit of visitors to the Blue Cow ski slopes within the Perisher Range Alpine Resort
- there will not be a significant impact on any threatened species, populations or ecological communities, noting the existing cracked crosshead will be flown out and a replacement flown in via helicopter to minimise environmental impacts, and other equipment will be delivered to site via the chairlift in an aerial workcage and staff and contractors will access the Tower 3 worksite on foot
- suitable site management environmental protection measures are to be followed during the works
- the recommended conditions would require construction impacts to be minimised having regard to protecting the native vegetation adjoining the site and temporary construction storage areas at the base of the tower (limited to rocks or disturbed areas (i.e. non-native), avoiding ground disturbance, compaction and the disturbance of vegetation up to a maximum distance of 5 metres from the tower.

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 22/602, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix C**).

Recommended by:

A square box containing a handwritten signature in dark ink, which appears to read 'Sandria Butler'.

24 March 2022

Sandria Butler

Planning Officer

Alpine Resorts Team

9 Determination

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



24 March 2022

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 were considered during the Department's assessment of the application:

1. Statement of Environmental Effects
2. Site Environmental Management Plan
3. Submissions

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 Perisher Range Alpine Resort for tourism through maintaining the use of existing ski lifting infrastructure.</p> <p>The construction impacts are proposed to be contained within existing disturbed areas, 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 are supported.</p>
(c) to promote the orderly and economic use and development of land,	<p>The development seeks approval for works that are aimed at the ongoing operation of the Terminal Quad Chair.</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 to facilitate the replacement of the existing crosshead on Tower 3 while causing minimal impact on the natural environment.</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 there will be a short-term and minor impact that may reduce the amenity of park users in relation to the Perisher carpark, however there will be no discernible change to the visual presentation of the tower after the replacement of the tower crosshead.
(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 did not exhibit the proposal, however received comments from the NPWS and has adopted the recommended conditions.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	Due to the location of the works, the Department did not exhibit the application (consistent with the Department's Community Participation Plan).

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.

On 1 March 2022, the *State Environmental Planning Policy (Kosciuszko National Park-Alpine Resorts) 2007* (the Alpine SEPP) was consolidated into Chapter 4 of the *State Environmental Planning Policy (Precincts - Regional) 2021 (Precincts - Regional SEPP)*. Chapter 4 of the Precincts – Regional SEPP is applicable to the development. Consideration of the matters to be considered is provided below:

CI 4.12(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 within Chapter 4 of the Precincts - Regional SEPP in
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that it is consistent with the principles of ESD and supports the ongoing use of ski infrastructure.

(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 works will be carried out without significant disturbance to the surrounding environment. Natural hazards have been considered and 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 the proper assessment of the works.
(e) the character of the alpine resort,	The proposal will not adversely alter the existing character of the resort.
(f) the Geotechnical Policy – Kosciuszko Alpine Resorts,	<p>The proposal does not comprise earthworks in any aspect when removing and replacing the existing crosshead for the tower.</p> <p>In order to address the Department's Geotechnical Policy exempt provisions, the Applicant has provided structural advice that the current load bearing capacity of the foundation is not exceeded as a result of the crosshead replacement.</p> <p>The Department has formed the view that based on the Applicant's submission, 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,	The installation of the new tower component should not cause soil disturbance if works are carried out in accordance with the SEMP and conditions of consent. Sedimentation and erosion control conditions are not proposed in the Applicant's SEMP, and are not considered necessary given anticipated disturbance to the ground is negligible.

(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 works involve the replacement of the existing tower crosshead component with a component in the same location and with the same dimensions and profile.
(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,	Refer to Section 6.3 .
(m) if the development is proposed to be carried out on land in a riparian corridor.	Not applicable to this proposal.

CI 4.15 – applications referred to the National Parks and Wildlife Service

The proposal was referred to the NPWS pursuant to Chapter 4 of the Precincts - Regional SEPP. Refer to comments received at **Section 5** and discussion on proposal at **Section 6**.

CI 4.24 – 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