



Guthega Car Park Chairlift, Guthega

Development Application Assessment
DA 23/1923

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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 2021</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 & Wildlife Service
Planning Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy

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1 Introduction

The application seeks approval to replace the subterranean safety circuit and communication line known as the Uphill Line for the Guthega Car Park Double Chairlift in Perisher Range Alpine Resort within Kosciuszko National Park (KNP) - **Figure 1**.

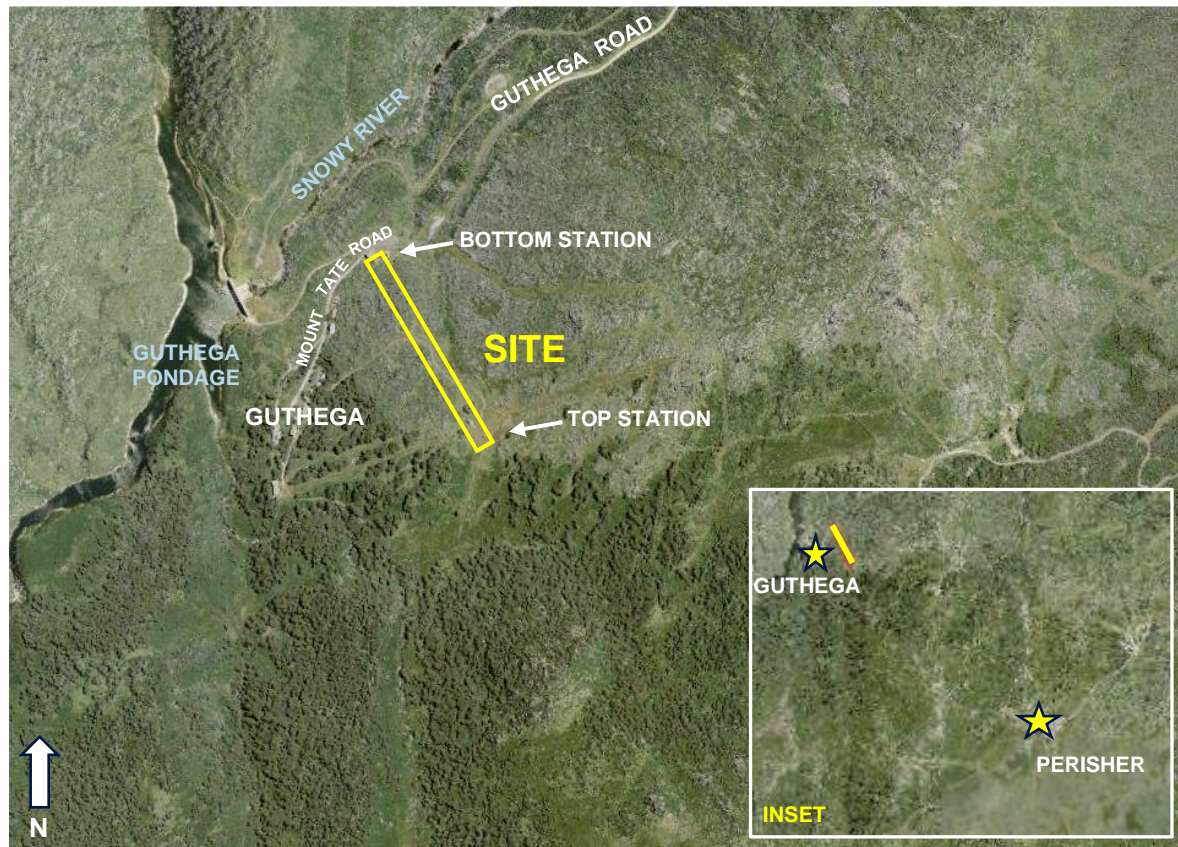


Figure 1 | Location of site (highlighted) near Guthega northwest of Perisher (Source: Six Maps 2023)

The works propose replacement of the Uphill Line as the Applicant has advised the existing line was buried directly in the ground without being enclosed in conduit and has deteriorated. The new Uphill Line will predominantly follow the same alignment as the chairlift in the existing Uphill Line location, with slight deviations to utilise previously disturbed areas and avoid impacts to native vegetation and archaeological areas - **Figure 2**.

Trenching is required from the top station of the Car Park Chairlift to the bottom Operator's Hut, to be undertaken by a small rubber-tracked 6-tonne excavator which will access the site from the top and work down the project site within a proposed four (4) metre construction corridor. Access to the site will be from Mount Tate Road below the site, and the gravel access trail known as Norwegian Road provides summer access from Guthega to the top station. Two (2) staging areas are proposed which extend outside the construction corridor, with one to be located midway along the work site between Norwegian Road and the Chairlift alignment, and a second staging area at the southern extent of the site east of the top station.

Trench dimensions will be 300mm wide x 300mm deep with two (2) x 50mm conduits installed in the trench. One conduit will contain the new Uphill Line cables, and the opportunity will also be taken to install an

additional conduit in the same trench for future provisions such as replacement of phone lines allowing easy repairs of any future faults without excavation. A cross-section of the trench is shown in **Figure 3**.

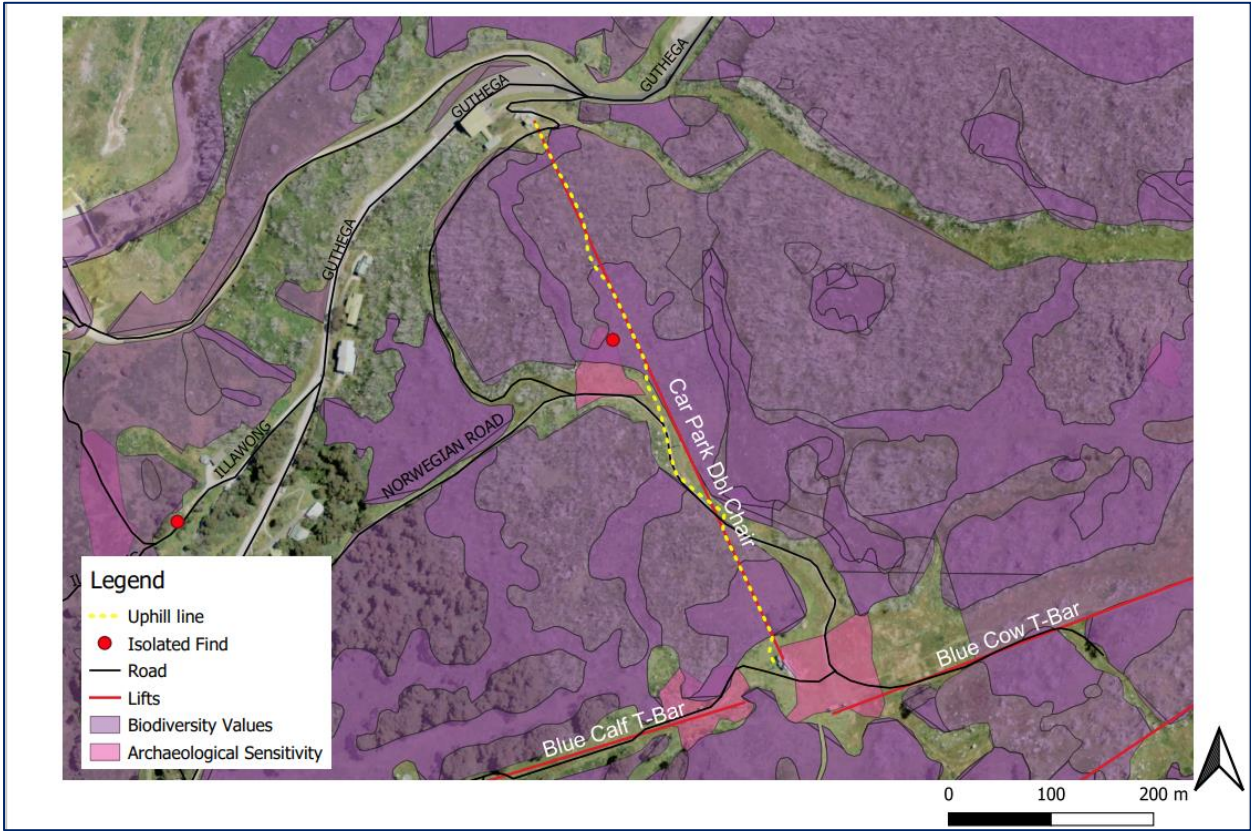


Figure 2 | Location of Uphill Line works (Source: Applicant’s documentation)

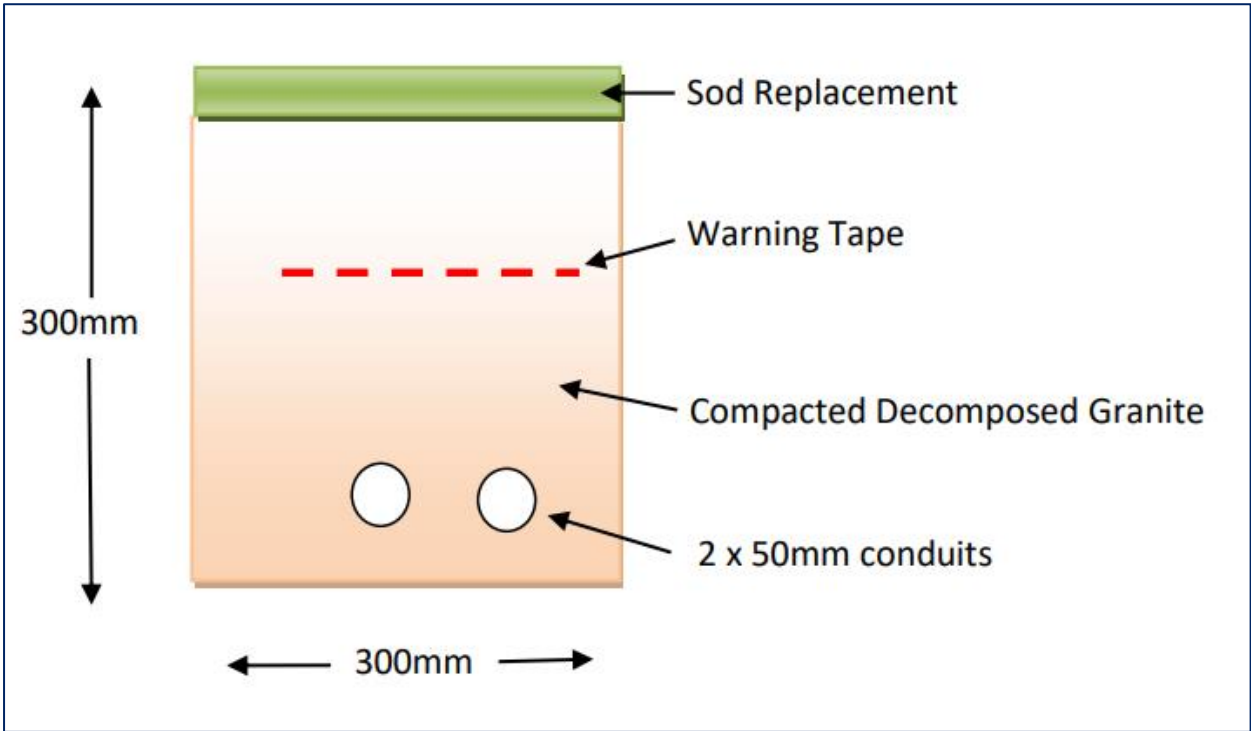


Figure 3 | Cross-section of trench (Source: Applicant’s documentation)

The works will be contained predominantly within Lot 535 DP 1171976, extending outside the western boundary of the lot for a short, curved section approximately 150 metres from the bottom Operator's Hut (into the surrounding KNP parent parcel) before returning to Lot 535. The parcel is located on the southern side of Mount Tate Road where there is a large hardstand parking area known as the Guthega Day Car Park, then it follows the steep incline in the topography under the chairlift in the southeast up to the top station – **Figure 4**. The direct distance between the bottom (north-western) and top (south-eastern) extent of works is approximately 580 metres, with the development footprint being approximately 0.23 hectares in size.



Figure 4 | Guthega Day Car Park and Bottom Station (left) and top station (right) (Source: Department Inspection March 2023)

Trenching works are expected to be carried out over a 10-day period during the summer season, followed by sod replacement for the full length of the project with the topsoil and vegetation replaced on top of the trench once conduit is installed. Where the trench crosses Norwegian Road, the road will be reinstated to the same trafficable access track at the completion of works.

The proposed cost of works is \$26,950.

Supporting documents to this assessment report can be found on the NSW Planning Portal website at:

<https://www.planningportal.nsw.gov.au/development-assessment/state-significant-applications/projects/state-development-applications>

2 Matters for Consideration

2.1 Strategic Context

South East and Tableland Regional Plan 2036

The proposal is consistent with the Regional Plan as it would maintain the ongoing safe operation of the existing Guthega Car Park Double Chairlift, central to ski operations and winter tourism, which maintains visitation to the NSW ski resorts.

Snowy Mountains Special Activation Precinct Master Plan

Section 9.1.2 of the Master Plan relates to Perisher Range. The proposal is consistent with the Master Plan as the works help improve and maintain the extensive ski lifting network as a key destination for visitors to the Alpine Precinct. The works support Guthega visitor facilities and safety without causing significant impacts on the environmental, cultural and landscape attributes of Perisher Range.

Precincts - Regional SEPP

The proposal is consistent with Chapter 4 of the Precincts - Regional SEPP, where the development contributes to the recreation facilities available in the Resort, supporting regional tourism. Works will be undertaken in a way that has due regard to the alpine environment and the conservation and restoration of ecological processes, natural systems and biodiversity. Disturbance to the site will be contained within locations that have already been disturbed, where possible, with measures in place to mitigate adverse impact on the environment. Under the provisions of section 4.27 of the 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 KNP. NPWS have recommended conditions to prevent adverse environmental, social or economic impacts on the natural or cultural environment.

2.2 Permissibility

The proposal relates to works ancillary to a ski lift. Pursuant to section 4.7 of the Precincts - Regional SEPP, works relating to 'lifting facilities' are permissible with consent within the Perisher Range Alpine Resort.

2.3 Mandatory Matters for Consideration

Objects of the EP&A Act

Table 1 | Objects of the EP&A Act

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	The proposal supports the ongoing use of the Guthega Car Park Double Chairlift through maintaining and improving the Uphill Line while provides cabling for the chairlift.

and conservation of the State's natural and other resources,	The construction impacts will be maintained in a narrow construction corridor in order to undertake the necessary trenching to install the conduit for the cables. Impacts on the environment will be minimised.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal would not have an unacceptable impact on the environment thus being ecologically sustainable development. Mitigation measures during construction have been included in the recommended conditions of consent, and where impacts on biodiversity may occur (as discussed in further in this report) this will be off-set through the appropriate BOS process.
(c) to promote the orderly and economic use and development of land,	The development seeks approval for works that upgrade and maintain the operation of the existing chairlift and contribute to the longevity of the infrastructure and visitation of the site for winter skiing and tourism, thereby promoting the ongoing economic use of the land.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable to this proposal.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	Impacts upon the environment have been limited to disturbed areas and avoiding sensitive areas where possible, with the works relating to temporary trenching to install conduit followed by sod replacement. Some of the vegetation disturbed by the works is mapped on the Biodiversity Values Map. Unavoidable impacts from the development have been calculated through the Biodiversity Assessment Method, and credits will be required.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposed development is in proximity to two (known) aboriginal sites where artifacts of cultural significance have been located. The nearest site is reported to be approximately twenty (20) metres from the proposed construction corridor. The site will be fenced off as a no-go area. The works are not anticipated to result in any impacts upon built or cultural heritage, including Aboriginal cultural heritage.
(g) to promote good design and amenity of the built environment,	The Department considers that the proposed works are subterranean and will not detract from any built form. Once sod replacement and site rehabilitation

has been completed there is unlikely to be any evidence of a change to the visual amenity of the area.

(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	No building works are proposed as part of the development. However, the Department has recommended conditions of consent to ensure the proposal is undertaken in accordance with legislation, guidelines, policies and procedures to ensure the health and safety of people and animals who may be present in the area of works (refer to Appendix A).
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department made the application publicly available on the Planning Portal and consultation with government agencies and consideration of their responses.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department made the application publicly available on the NSW Planning Portal website for 14 days from 23 February 2023 until 8 March 2023.

Considerations under section 4.15 of the EP&A Act

Table 2 | 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 principal EPI which applies to the site for this type of development. An assessment against the requirements of Chapter 4 of the Precincts - Regional SEPP is provided below. The Department is satisfied that the Application is consistent with the requirements of Chapter 4 of the Precincts - Regional SEPP.
(a)(ii) any proposed instrument	Not applicable to the proposal.
(a)(iii) any development control plan	Not applicable to the proposal.
(a)(iiia) any planning agreement	Not applicable to the proposal.
(a)(iv) the regulations	The application satisfactorily meets the relevant requirements of the EP&A Regulation, particularly the procedures relating to development applications (Part 3 and Part 4) and fees (Part 13 and Schedule 4).

	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 to the proposal.
(b) the likely impacts of that development	The Department has considered the likely impacts of the development, where the proposal is considered to have positive economic and social impacts while the environmental and cultural values of the site and locality will be maintained.
(c) the suitability of the site for the development,	The site is suitable for the development and supports the ongoing use of the ski lift and snow-based winter activities in the resort.
(d) any submissions made in accordance with this Act or the regulations,	Consideration has been given to agency discussions during the assessment of the application. See Section 3 of this report.
(e) the public interest.	<p>The works are consistent with the aim and objectives of Chapter 4 of the Precincts - Regional SEPP. The development seeks to ensure the main ski lift in the Guthega is available for continued use, for the enjoyment and safety of patrons, where tourist visitation underpins the viability of the alpine resorts. The works will be undertaken in a way to avoid adverse impacts on the environment.</p> <p>As such, the proposal is believed to be in the public interest.</p>

Environmental Planning Instruments

State Environmental Planning Policy (Precincts - Regional) 2021 (Precincts - Regional SEPP) is the principal EPI applicable to the development. Consideration of the relevant provisions to the proposal within Chapter 4 of the Precincts - Regional SEPP is outlined below -

Table 3 | Chapter 4 considerations

Chapter 4 - Precincts - Regional SEPP - Kosciusko Alpine Region	
Section 4.9 Demolition	
The demolition of a building or work on land in the Alpine Region	The proposal does not relate to the demolition of a building or the demolition of work/s on land. The existing Uphill Line that will be

decommissioned when the new conduit and lines are in place will be left in situ to minimise disturbance to the site.

Section 4.21 - Heritage conservation

European heritage	The proposal would not impact on any European heritage items.
Aboriginal heritage	Aboriginal objects are known to be located near the work site. The measures to protect Aboriginal cultural heritage have been considered further in Section 4 of this report.

Section 4.24 Flood planning

Development on land in the flood planning area	The site is not located in a flood planning area and is not subject to flooding.
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Section 4.25 Earthworks

Impact of earthworks	<p>The excavations for the subject trenching are narrow and shallow and will only be left exposed for a short duration during works until sod replacement and rehabilitation is undertaken. The Department considers that the earthworks proposed are unlikely to cause the disruption to, or adverse impact on, drainage patterns or soil stability in the locality of the development. Works will be undertaken to avoid impacts on the environment or the amenity of any impacted properties while supporting the current use of the land.</p> <p>Where impacts cannot be avoided, such as disturbance to sensitive flora and fauna, impacts will be minimised or otherwise managed and mitigated through application of the appropriate statutory biodiversity offset mechanism. A condition of consent will require management of the site in accordance with the NPWS Stockpile Guidelines and ensure appropriate sedimentation and erosion control measures are incorporated into the works.</p>
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Section 4.27 Consultation with National Parks and Wildlife Service

Consult with, and consider submissions from, the NPWS	The proposal was referred to the NPWS and comments were received. Refer to consideration of the NPWS referral comments in Section 3 of this report.
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Section 4.28(1) – Consideration of master plans and other documents

(a) the aim and objectives of this policy, as set out in section 4.1	The proposal is consistent with the aim and objectives of Chapter 4 of the Precincts – Regional SEPP in that the development will be managed with regard to the principles of ESD and supports the ongoing use of a ski lift (lifting facility) to support winter snow sports and tourism in the alpine resorts. The proposal is appropriate as it
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relates to works to maintain the safe operation of an existing facility, while having an acceptable impact on the environment.

(b) a draft development control plan that is intended to apply to the land and has been published on the NSW planning portal

Not applicable to the development.

(c) a conservation agreement under the *Environment Protection and Biodiversity Act 1999* of the Commonwealth that applies to the land,

Not applicable to the development.

(d) the *Geotechnical Policy - Kosciuszko Alpine Resorts* published by the Department in November 2003,

The site is within the 'G' zone identified on the Department's Geotechnical Policy Map. While the development comprises ground excavation works (trenching), the works do not involve excavations in excess of one metre in vertical height. The proposal is therefore exempt from requiring a geotechnical report to be lodged with the application in accordance with Section 3.1(d) of the Policy that makes provision for minor earthworks. No further assessment is necessary in accordance with the Policy.

(e) for development in the Perisher Range Alpine Resort—

- (i) the *Perisher Range Resorts Master Plan*, published by the National Parks and Wildlife Service in November 2001 and
- (ii) the *Perisher Blue Ski Resort Ski Slope Master Plan* adopted by the National Parks and Wildlife Service in May 2002.

The proposal has been reviewed against the relevant criteria within the PBSRSSMP and the Department considers that the proposal is not inconsistent with Chapter 15 of the Master Plan. The works relate to upgrading ski slope supporting infrastructure, facilities and services, strengthening the Guthega resort services and economic viability, while addressing the environmental impact of the works on the ski slope, consistent with the Master Plan.

Section 4.29 Consideration of environmental, geotechnical and other matters

Under section 4.29(1) - In deciding whether to grant development consent to development in the Alpine Region, the consent authority must consider the following -

(a) measures proposed to address geotechnical issues relating to the development,

No geotechnical issues have been identified relating to the development.

(b) the extent to which the development will achieve an appropriate balance between—

The proposed works have been designed to avoid, minimise or mitigate impacts on the natural environment. The land is not subject to flooding. No measures to mitigate against bushfire are required.

<p>(i) the conservation of the natural environment, and</p> <p>(ii) taking measures to mitigate environmental hazards, including geotechnical hazards, bush fires and flooding,</p>	<p>The land is identified as being in an area of geotechnical sensitivity, however no geotechnical issues have been identified relating to the development, as addressed in subsection (a) above.</p> <p>Natural hazards have been adequately addressed.</p>
<p>(c) the visual impact of the proposed development, particularly when viewed from the land identified as the Main Range Management Unit in the Kosciuszko National Park Plan of Management,</p>	<p>The installation of the conduit will not result in an unacceptable visual impact as it will not be visible. The visual impact of the development is considered to be minor and temporary while construction works are underway. At the completion of sod replacement and site rehabilitation, there is not expected to be any easily discernible difference to the visual presentation of the site.</p>
<p>(d) the cumulative impacts of development and resource use on the environment of the Alpine Subregion in which the development is carried out,</p>	<p>The works intend to replace and improve the existing Uphill Line, in relation to which no adverse cumulative impacts are anticipated as the proposal will not result in any changes to resource use, or impact the service and waste systems and facilities in place to support development and visitor patronage of facilities in the Alpine resorts.</p>
<p>(e) the capacity of existing infrastructure and services for transport to and within the Alpine Region to deal with additional usage generated by the development, including peak periods,</p>	<p>No additional usage of the infrastructure and service network is predicted as a result of the project, whereas the works will facilitate the continued operation of the Guthega Car Park Double Char Lift to help maintain current visitation and usage of the relevant services and infrastructure.</p>
<p>(f) the capacity of existing waste or resource management facilities to deal with additional waste generated by the development, including in peak periods.</p>	<p>Subterranean conduit installation, as proposed, will involve the minimal generation of construction waste, and not generate ongoing operational waste by the development. The capacity of existing waste facilities to deal with any waste from the project is considered adequate.</p>
<p>Under section 4.29(2) - For development involving earthworks or stormwater draining works, the consent authority must also consider -</p>	
<p>Measures to mitigate adverse impacts associated with the works</p>	<p>Onsite stormwater drainage works are not proposed as part of the application. No negative impacts to stormwater are anticipated due to the nature and location of the proposed works.</p> <p>Measures to mitigate the adverse impacts of the earthworks have been considered previously, and are detailed further in Section 4 of this report. The impacts are considered to be acceptable.</p>

Under section 4.29(3) - For development the consent authority considers will significantly alter the character of an Alpine Subregion, the consent authority must also consider -

(a) the existing character of the site and immediate surroundings, and The development will not significantly alter the character of an Alpine Subregion.

(b) how the development will relate to the Alpine Subregion. As above.

Section 4.30 Kosciuszko National Park Plan of Management

Consistency between the development and the *Kosciuszko National Park Plan of Management* The NPWS provided comment in relation to the development which confirmed that the KNP PoM had been considered and that the proposed works are consistent with the management objectives of the relevant provisions. The Department is therefore satisfied that approval of the proposal would not be inconsistent with the KNP PoM.

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 ESD principles and the Department is satisfied the proposal works have been developed having regard to 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,
- works are limited to trenching within the previously disturbed area where possible,
- 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.

Vegetation is expected to be impacted during the proposed works, where the proposed earthworks are within an area mapped on the BVM. This triggers the BOS under the BC Act.

A Biodiversity Development Assessment Report (BDAR) has been submitted with the application. The BDAR outlines the measures taken to avoid, minimise and mitigate impacts to the vegetation and habitats present within the development footprint during the design, construction and operation of the development. The residual unavoidable impacts of the proposed development were outlined in the BDAR and calculated in accordance with the BAM by utilising the Biodiversity Assessment Method Credit Calculator. A total of two (2) ecosystem credits and three (3) species credits are required to offset the unavoidable impacts to the vegetation and habitats present within the development footprint. The Department notes that there is currently no declared area of outstanding biodiversity value within KNP.

3 Submissions

3.1 Department's engagement

The Department's Community Participation Plan, November 2019, prepared in accordance with Schedule 1 of the EP&A Act generally requires applications to be exhibited for a period of fourteen (14) days. However, applications under Chapter 4 of the Precincts - Regional 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 fifty (50) metres away from a tourist accommodation building.

While the works are not within fifty (50) metres of tourist accommodation buildings, the Department elected to make the application publicly available from 23 February 2023 until 8 March 2023 on the NSW Planning Portal website to ensure any interested parties had the opportunity to review the development.

The application was also forwarded to the NPWS pursuant to section 4.27 of Chapter 4 of the Precincts – Regional SEPP.

3.2 Summary of submissions

No public submissions were received.

The Department received comments from the NPWS. The NPWS provided comments and recommended conditions relating to the BC Act, clarification as to the trenching corridor, site environmental management measures to be undertaken on site for protection of the natural environment as well as on Aboriginal cultural heritage and native vegetation fauna and fauna habitats.

The Department has considered the comments received from the NPWS in **Section 4** and recommended conditions in the instrument of consent at **Appendix A**.

4 Assessment

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

- managing construction impacts, and
- protecting Aboriginal cultural heritage.

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

4.1 Managing construction impacts

The construction activities will cause native vegetation disturbance, which will cause unavoidable impacts on areas of biodiversity significance as identified on the BVM.

The nature and extent of impacts was considered. An inconsistency between the documents provided with the application was identified in relation to the proposed width of the construction corridor, where the Statement of Environmental Effects (SEE) provided with the application specified the construction corridor would be 4.5 metres wide, whereas the Biodiversity Development Assessment Report (BDAR) has assessed a disturbance corridor of four (4) metres wide. The NPWS directly confirmed with the Proponent that the disturbance corridor will be only four (4) metres wide.

The NPWS also closely considered the sufficiency of the BDAR, including the species considered and appropriateness of rehabilitation measures proposed. Their referral advice noted that the document should be updated to include consideration of potential impacts to the Alpine She-oak Skink (*Cyclodomorphus praealtus*) and address the possible displacement of the Broad-toothed Rat (*Mastacomys fuscus*). The BDAR should also reflect that sod replacement is rarely successful for shrubs and so shrubs should be replanted from tube stock, and appropriately consider and discuss all reasonable measures to avoid and minimise impacts on the site, as well as reference the correct Alpine resort for this site (Perisher or Guthega, not Thredbo).

Subsequent documentation from the Applicant provided additional information in relation to the matters raised, and the NPWS are now generally satisfied that the BDAR and supplementary information provided in relation to the development are acceptable.

The Department has applied construction conditions relevant to the Alpine area along with recommended conditions from NPWS having regard to activities such as stockpile management, waste management and erosion and sedimentation measures.

Construction impacts such as noise and vibration will be short term and managed in accordance with standard environmental conditions. The Applicant will also be required to follow the Site Environmental Management Plan and the applied conditions of consent to protect the environment during works.

Subject to compliance with the conditions, the Department considers that the proposed construction impacts are acceptable.

4.2 Protecting Aboriginal cultural heritage

The Applicant carried out an assessment of potential archaeological impacts as part of their due diligence in relation to the application, which included a search of the Aboriginal Heritage Information Management System (AHIMS) Register. The AHIMS search indicated two Aboriginal sites have been recorded in or near the area surrounding the project. Three (3) artifacts were found at the site approximately 500m to the West of the work site, and an isolated artifact was found at the site located approximately twenty (20) metres to the west of the proposed trenching works and around fifty-five (55) metres to the north of Norwegian Road. Other areas of archaeological potential identified in the Perisher Range Resorts Environmental Study by Connell and Wagner (October 2002) are also located in proximity to the work site - **Figure 5**.

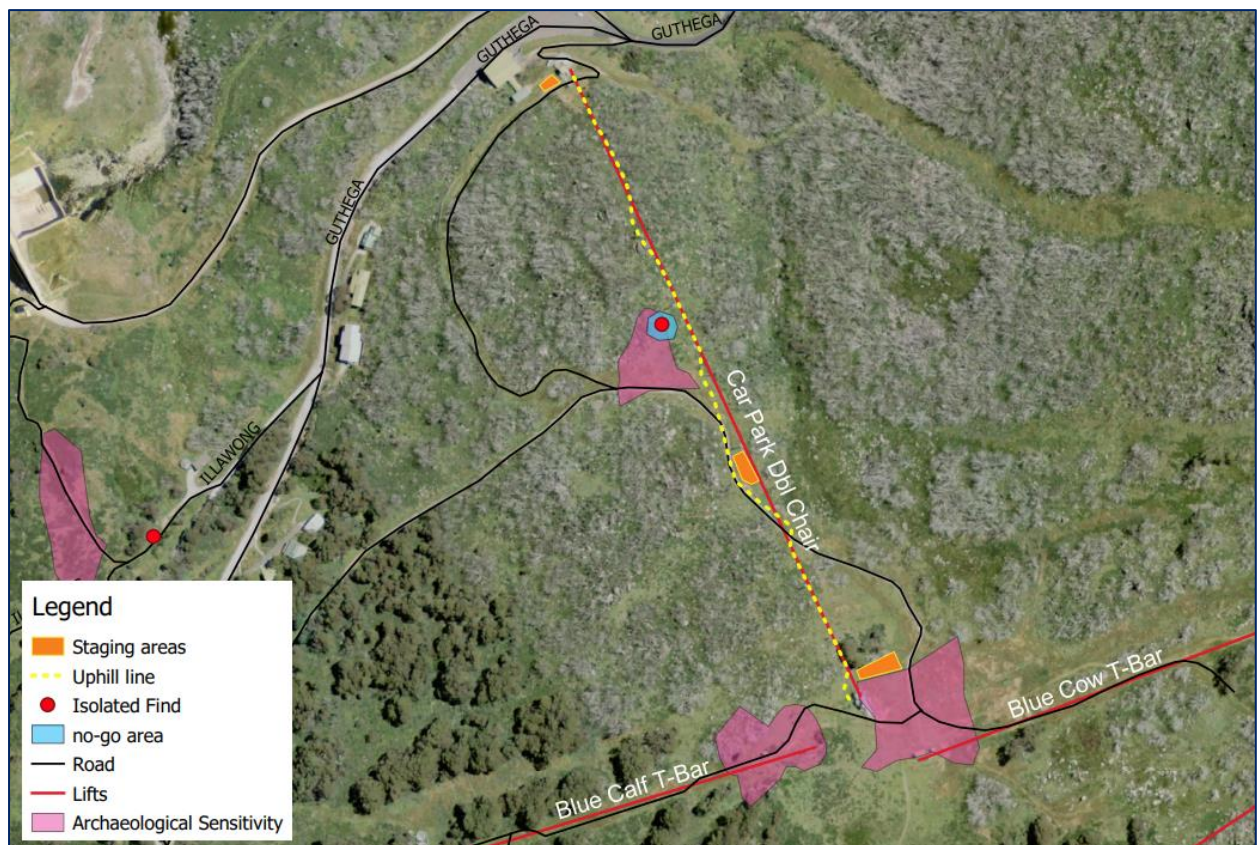


Figure 5 | Uphill Line work site in relation to Aboriginal sites and areas of archaeological sensitivity (Source: Applicant's documentation)

The Applicant intends to avoid any area where Aboriginal objects have been located, and the vicinity of the nearest artifact site will be marked as a 'no-go' zone to specifically exclude construction activities near the Site. The staging areas are also located outside the areas of archaeological sensitivity.

The NPWS reviewed the documentation provided with the application, and following further discussions with the Applicant, are satisfied that the works and staging areas are outside areas of any archaeological potential. Provided that the actions outlined in the SEMP are followed, the NPWS have determined that the risks to Aboriginal cultural heritage have been appropriately minimised. A condition will also be applied 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. The Department concludes that subject to compliance with the conditions of consent, the proposal has demonstrated due diligence and is satisfactory in relation to minimising impacts on Aboriginal cultural heritage.

5 Recommendation

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 impacts of the development on the environment have been appropriately avoided, managed and mitigated, and construction impacts on the surrounding environment will be minimised through adoption of conditions of consent,
- the cultural values of Kosciuszko National Park will be appropriately protected through due diligence being exercised in developing and undertaking the proposed works to minimise impacts on Aboriginal cultural heritage, and
- the works are necessary for the continued use of ski lifting infrastructure in Guthega to ensure the ongoing use of a key lifting facility, necessary for the continued visitor access to snow-based activities in Guthega and important for the economic viability of the resort.

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. 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 fifteen (15) public submissions in which objection to the proposal has been raised,
- the application is in relation to land to which Chapter 4 of the Precincts - Regional SEPP applies.

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 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 23/1923, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix A**).

Recommended by:



Sandria Butler
Planning Officer
Alpine Resorts Team

Adopted by:



5 April 2023

Daniel James
Team Leader
Alpine Resorts Team
as delegate of the Minister for Planning

Appendices

Appendix A – Recommended Instrument of Consent