



Units 20 to 25, The Stables – Perisher Valley

Development Application Assessment
DA 23/3582

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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
RFS	NSW Rural Fire Service
SEPP	State Environmental Planning Policy

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1 Introduction

The application seeks approval to undertake alterations and additions to Units 20 to 25 within The Stables tourist lodge accommodation, located at 20 Candle Heath Road (Lot 603 DP 1158020), Perisher Valley, which is within the Perisher Range Alpine Resort in Kosciuszko National Park (KNP) – **Figure 1**.

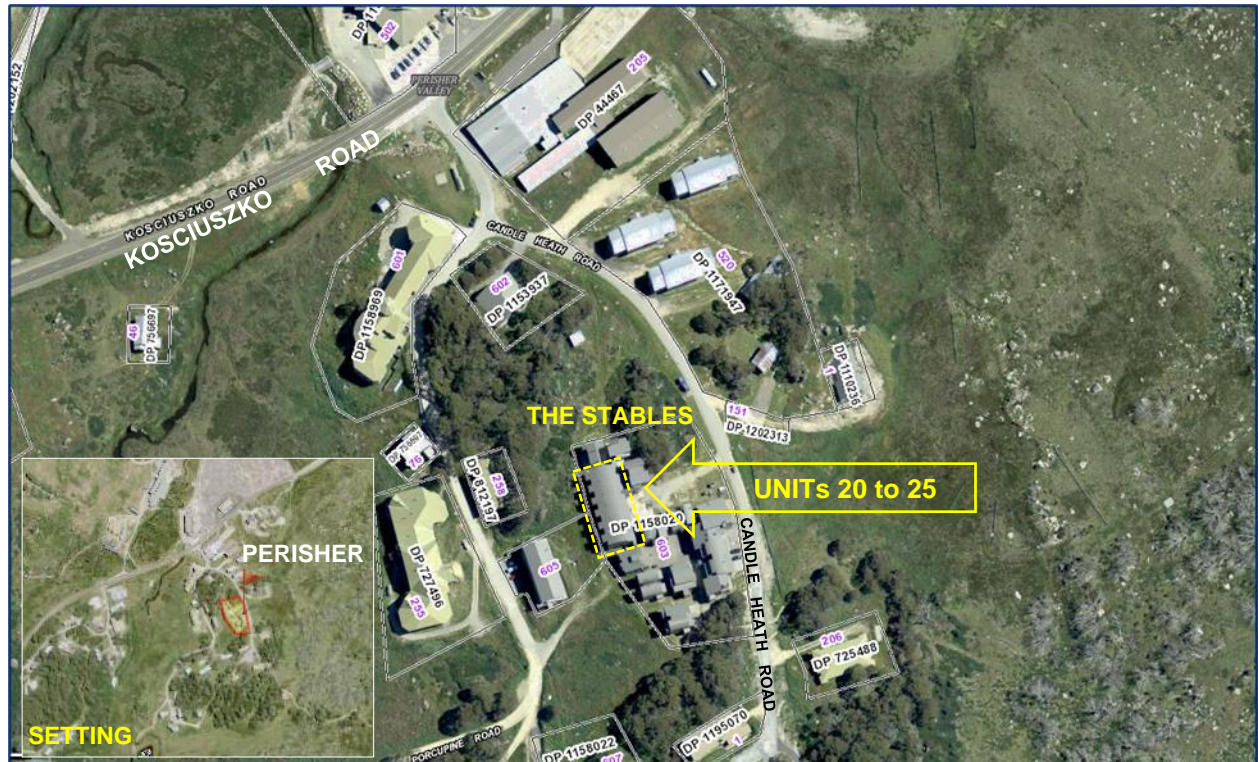


Figure 1 | Location of The Stables within Perisher (Source: Six Maps 2023)

Units 20 to 25 comprise six (6) double storey, terrace-style accommodation units located on the western side of The Stables tourist accommodation complex. A basement level extends under the three (3) southern-most units of the building, Units 20, 21 and 22, containing storage areas and staff accommodation – **Figure 2**.

The building is clad in stone at basement level with timber board and batten wall cladding on the two upper stories and painted brickwork on the northern wall elevation. On the western elevation a recessed balcony is located on the ground floor of each unit and a deck on the first floor, with the curved Colorbond roof extending over the upper decks – **Figure 3**.

The units are accessed on the eastern side of the building via an enclosed entry hallway which also connects to other units to the north, east and south of the building. Stairway access is provided from the hallway down to the basement level, and direct external access to the basement is also available from the western elevation.

Access to the site is from Candle Heath Road via the existing driveway on the eastern side of the accommodation facility.

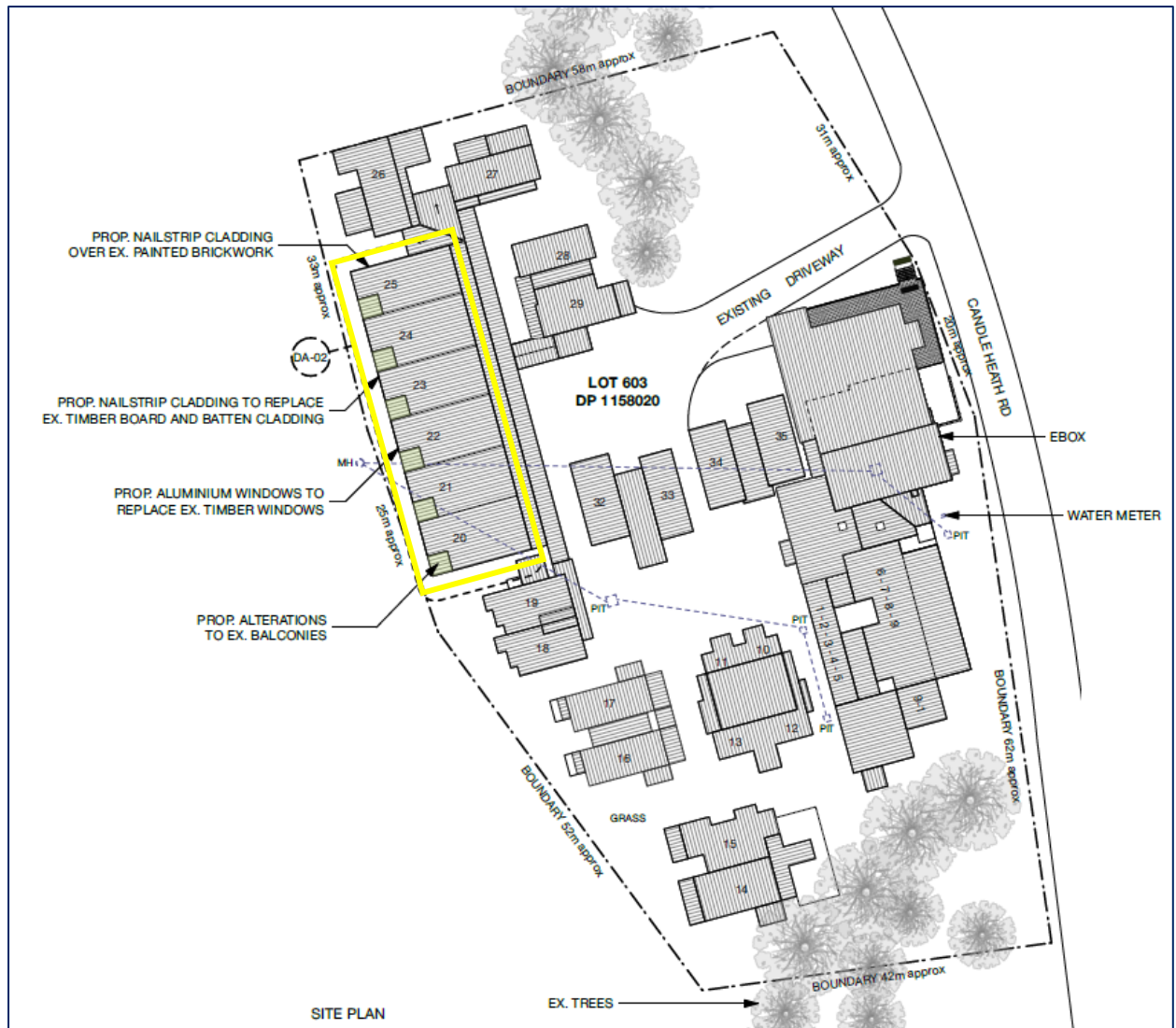


Figure 2 | Location of Units 20 to 25 within The Stables (Source: Applicant's documentation)



Figure 3 | View of Units 20 to 25 The Stables from the southwest (Source: Applicant's documentation)

This application proposes the following works:

- Enclosing the existing balconies of Units 20 to 25 to eliminate snow build up and resolve water penetration issues. The exterior wall finish will be flush with the existing western façade of the building with Colorbond cladding with a Nailstrip profile in the colour Woodland Grey, adding an operable 1200mm high by 1800mm wide window for light and ventilation. A new flat awning roof will be fixed over the enclosed balcony in Colorbond Custom-Orb Woodland Grey to match the existing main roof that extends over the top.
- Incorporating the newly enclosed area of each unit into the floor area of the second ground-floor bedroom. This component of the proposal was amended during the assessment, where the Applicant previously proposed to retain the enclosed areas as a balcony space prior to amending the application to add the enclosed areas to form additional bedroom space. The door from the main bedroom to the former balcony area will be removed, and the existing wall and door that separates the second room from the balcony will be removed, finishing the enclosed space with walls, ceiling and floor to match the bedroom.
- Replacing the existing deteriorated timber doors and the windows elsewhere on the building with aluminium door and window frames of the same size in Woodland Grey.
- Replacing existing timber wall cladding on Units 20 to 25 with Colorbond Nailstrip cladding in Woodland Grey and applying the same cladding to the painted masonry sections of the building - **Figure 4 and Figure 5.**

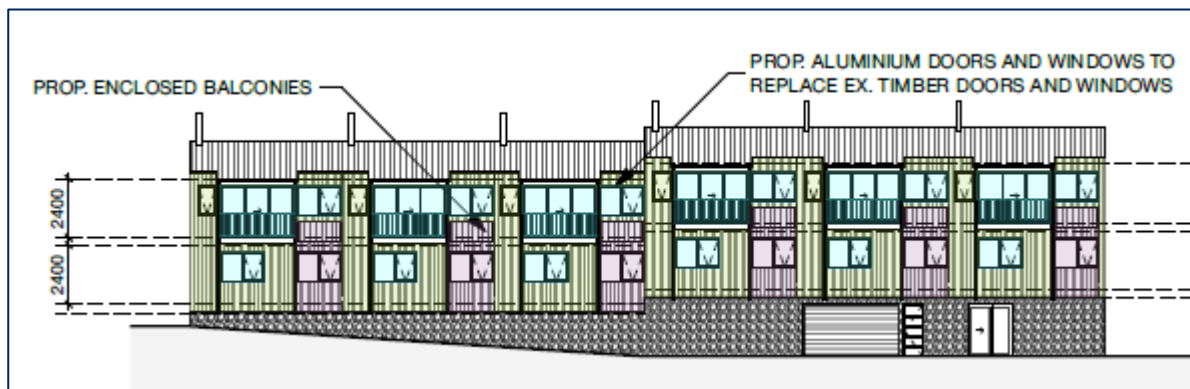


Figure 4 | Proposed western elevation (Source: Applicant's documentation)

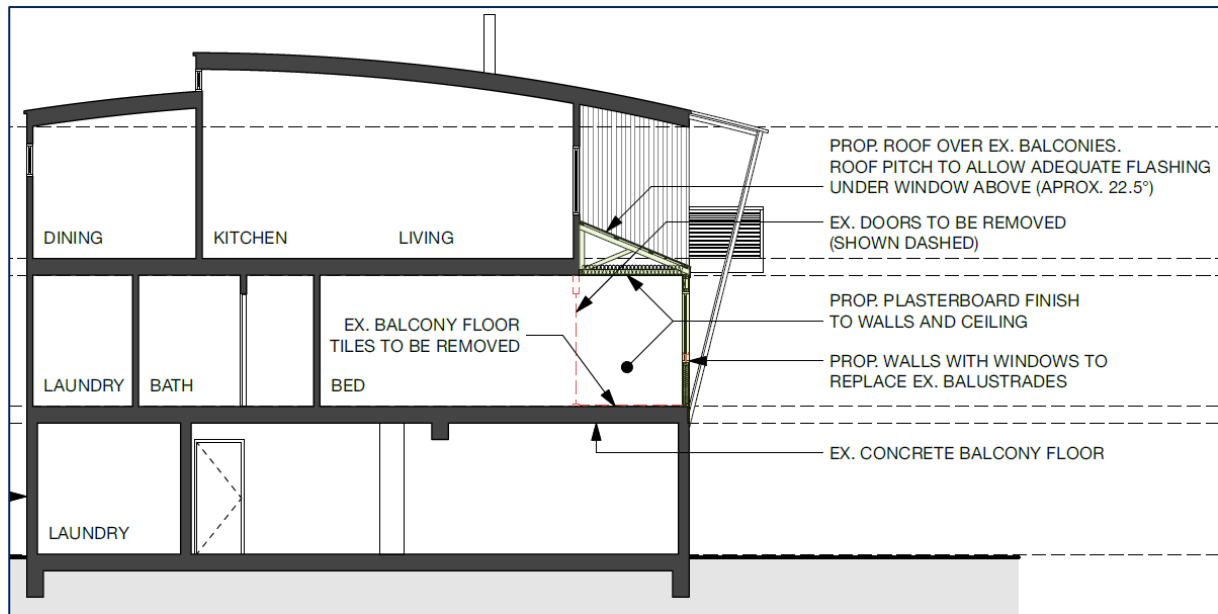


Figure 5 | Cross section of typical works (Source: Applicant's documentation)

Other than the extended bedroom spaces, the footprint of the building will remain unchanged. Groundworks are not proposed as part of the development and no vegetation is proposed to be removed as part of the proposal.

A materials storage area and recycling bins and waste receptacles are proposed to be placed on the site adjoining the driveway from Candle Heath Road during the works.

The Applicant indicates that the works to enclose the balconies are necessary to create better snow protection and prevent further water damage, as will replacing failing and leaking timber elements. The revised layout will rectify a design error and enhance the tourist accommodation for guests.

The proposed cost of works is \$408,557.

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 Tablelands Regional Plan 2036

The proposal is consistent with the Regional Plan as the works relate to improving accommodation facilities to enhance the amenity of the guests and help maintain the ongoing viability of the units as tourist accommodation. This maintains visitation to Perisher Range Alpine Resort and supports the local economy.

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 tourist accommodation facilities that sustain the Alpine Precinct as key destination for visitors. The works support visitation activities 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 would not have an adverse impact on the environment or detract from the character of the building, and it will improve the accommodation for the benefit of users, 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 be minimised, with measures in place to mitigate adverse impacts 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 impacts on the natural or cultural environment.

Draft South East and Tablelands Regional Plan 2041

The draft plan was publicly exhibited from 8 August 2022 until 23 September 2022. The draft plan underwent extensive consultation with the community and stakeholders with feedback incorporated into an updated version of the draft plan that was re-exhibited from 9 December 2022 to 31 January 2023. The draft plan identifies the alpine areas as provides important biodiversity to the region and acknowledges the alpine area's contribution to the region's tourism economy.

The proposal is consistent with the draft Regional Plan as it relates to investment in the Alpine resorts, helping maintain and enhance the region as a compelling alpine tourism destination. The development will not result in adverse biodiversity impacts and will support visitation to the Perisher Alpine Resort, along with the local and regional economy.

2.2 Permissibility

The proposal relates to the alterations and additions to ski lodges. Pursuant to section 4.7 of the Precincts - Regional SEPP, works relating to 'tourist accommodation' 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 and conservation of the State's natural and other resources,	The proposal supports the ongoing use of the tourist accommodation through the provision of improved visitor amenities within the accommodation units. Removal of the external balconies will prevent the pooling of snow and water in the balcony alcove which has caused previous water damage to the units. Impacts on the environment will be minimised. The proposal is considered to have positive economic and social impacts.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal will not have an unacceptable impact on the environment, thus being compatible with ecologically sustainable development. Adverse impacts on the natural environment are not expected to occur, whereas the socioeconomic outcomes of the works are generally expected to be positive. Mitigation measures during construction have been included in the recommended conditions of consent.
(c) to promote the orderly and economic use and development of land,	The development seeks approval for works that will contribute to greater visitor amenity for occupants of the accommodation units. This enhances the Alpine Resort experience and supports visitation for winter snow sports 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,	Adverse impacts upon the environment are limited due to the contained nature of the amended works within the existing building footprint and management of related construction activities within a previously disturbed area. Sensitive areas identified on the Biodiversity Values Map and impacts on any threatened species are avoided.
(f) to promote the sustainable management of built and cultural	The site is not in close proximity to an area or item of built heritage. The development is unlikely to involve ground disturbance and is considered to be unlikely to result in any

heritage (including Aboriginal cultural heritage),	adverse impacts upon an area of Aboriginal cultural heritage.
(g) to promote good design and amenity of the built environment,	The Department considers that the proposed works will not detract from any built form. The enclosure of the balconies will be flush with the building and the building will be finished in materials and colours compatible with the surrounding buildings.
(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 proposal is undertaken in accordance with legislation, guidelines, policies and procedures to provide for the health and safety of occupants of the structure (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 consulted with relevant government agencies and considered their responses (refer to Section 3 and Section 4).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The proposal was made publicly available in accordance with the Department's Community Participation Plan (refer to Section 3).

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)	<p>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.</p> <p>The Department is satisfied that the Application is consistent with the requirements of Chapter 4 of the Precincts - Regional SEPP.</p>
(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	<p>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).</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 the proposal.
(b) the likely impacts of that development	The Department considers the likely economic and social impacts of the development to be positive and that 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 relates to the existing use of the land for tourist accommodation, supporting tourism activities in alpine resorts.
(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 improve tourist accommodation. Tourist amenities support visitation, which 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 provided in **Table 3**.

The works occur within the existing building footprint and will not involve earthworks or works of a nature relating to potential land contamination that are considered likely to pose an unacceptable risk to human health or the environment. Given the age of the building, conditions relating to the removal of any asbestos or other hazardous material found on the site will be applied. There are no records of contamination within the site relevant to the proposal, and the intended change of use from balcony space is considered suitable for use as extended bedroom space. There are no further matters under *State Environmental Planning Policy (Resilience and Hazards) 2021* that need to be considered.

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 whole-scale demolition of a building or the demolition of work/s on land.
Section 4.21 Heritage conservation	
European heritage	The proposal will not impact on any European heritage items.
Aboriginal heritage	No areas of archaeological sensitivity are known to be located near the work site. Given the low potential for ground disturbance associated with the scope of works and lack of vegetation clearing proposed, the possibility of the works having an adverse impact on cultural heritage is considered unlikely.
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.
Section 4.25 Earthworks	
Impact of earthworks	<p>The works include works to the building façade and no additional footings or earthworks. The Department considers that the use of scaffolding or other measures to undertake construction will cause 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 loss the amenity to Park users while supporting the current use of the land.</p> <p>No stockpiling of excavated materials will occur on site. A condition of consent will require appropriate site management measures to be in place in accordance with the NPWS Guidelines.</p>
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.

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 have a minimal impact on the environment while providing improved visitor accommodation.
(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 <i>Environment Protection and Biodiversity Act 1999</i> of the Commonwealth that applies to the land,	Not applicable to the development.
(d) the <i>Geotechnical Policy - Kosciuszko Alpine Resorts</i> published by the Department in November 2003,	<p>The site is within the G zone identified on the Department's Geotechnical Policy – Kosciuszko Alpine Resorts Perisher Map.</p> <p>The Applicant provided further information and the proposal is supported by a Form 4 prepared by Douglas Partners 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.</p> <p>The Department is satisfied that no further geotechnical assessment is required prior to determination.</p>
(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 considered against the relevant criteria of the PRRMP. The Department considers the proposal is not inconsistent with the Master Plan as the works relate to improving visitor accommodation facilities. This will improve visitor experience and related visitor patronage, strengthening the resort services and economic viability, while limiting the environmental impact of the works.

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,	The geotechnical assessment report made general comments in relation to design and assessment assumptions. No new footings are required to support the works, and no drainage works have been proposed as part of this application. Certification from a Geotechnical Engineer has been provided that the current load-bearing capacity of the existing building will not be exceeded or adversely impacted by the proposed development. No further geotechnical investigation is considered necessary.
(b) the extent to which the development will achieve an appropriate balance between - (i) the conservation of the natural environment, and (ii) taking measures to mitigate environmental hazards, including geotechnical hazards, bush fires and flooding,	<p>The proposed works have been designed to avoid and mitigate impacts on the natural environment. The land is not subject to flooding. Measures to protect against bushfire are required in accordance with the Bush Fire Safety Authority that relates to the site. The land is identified as being in an area of geotechnical sensitivity, and the works have been assessed as minor.</p> <p>Natural hazards have been adequately addressed.</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,	The enclosure of the balconies, new cladding and aluminium windows and doors are not considered to result in an unacceptable visual impact on the locality. They will not be visible from the Main Range of KNP. The visual impact of the development is considered to be negligible.
(d) the cumulative impacts of development and resource use on the environment of the Alpine Subregion in which the development is carried out,	No adverse cumulative impacts are anticipated in relation to the proposal. The additional floor space in the bedrooms enlarged by the balcony enclosures will not facilitate additional accommodation of visitors within each unit. The development 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.
(e) the capacity of existing infrastructure and services for transport to and within the Alpine Region to deal with additional usage generated by the development, including in peak periods,	No additional usage of the infrastructure and service network is predicted as a result of the project.

(f) the capacity of existing waste or resource management facilities to deal with additional waste generated by the development, including in peak periods.	The project will involve the generation of construction waste. The capacity of existing waste facilities to deal with any waste from the project is considered adequate.
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Under section 4.29(2) - For development involving earthworks or stormwater draining works, the consent authority must also consider -

Measures to mitigate adverse impacts associated with the works	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. Earthworks are not proposed as part of the development.
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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, or the character of the site and immediate surroundings.
(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 Department is satisfied that approval of the proposal would not be inconsistent with the KNP PoM.
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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 do not include excavation or vegetation removal and construction activities will be contained within the previously disturbed areas of the site,
- 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 affect threatened species or ecological communities, or their habitats; or
- the works are carried out in a declared area of outstanding biodiversity value.

Management of vegetation required in accordance with the BFSa for the site is in accordance with the approved APZ management plan issued by NPWS. No further native vegetation is not expected to be impacted during the proposed works and earthworks are not proposed.

The Department is therefore satisfied that there is no adverse impact on threatened species or ecological communities or their habitats. It is also noted that there are currently no declared areas of outstanding biodiversity value within KNP.

3 Submissions

3.1 Department's engagement

The Department's Community Participation Plan (CPP), November 2019, prepared in accordance with Schedule 1 of the EP&A Act, required the application to be exhibited for a period of fourteen (14) days as the development relates to works which are not wholly internal to a building and are within fifty (50) metres of other tourist accommodation buildings. The Department exhibited the application from 31 March 2023 to 14 April 2023, with the application made publicly available on the NSW Planning Portal website. The Department also notified tourist accommodation owners within fifty (50) metres of the development site.

The Department received an application to amend the proposal in October 2023. The location and nature of the amendment to the proposed works was not considered to require further exhibition or notification to neighbouring lodges as the amendment related only to internal changes to the proposal.

Pursuant to section 4.46 of the EP&A Act (integrated development) the application was referred to the NSW Rural Fire Service (RFS) as the site is identified as bushfire prone and a Bushfire Safety Authority (BFSa) is required under the *Rural Fires Act 1997*. The application was also referred to the NPWS pursuant to section 4.27 of Chapter of the Precincts - Regional SEPP as the land is within an alpine resort within KNP.

3.2 Summary of submissions

The Department received comments from the NPWS and from the RFS. No public submissions were received.

The NPWS provided comments and recommended conditions relating to site environmental management measures to be undertaken on site for protection of the natural environment and Aboriginal cultural heritage.

The RFS issued a BFSa for the works which is subject to general terms of approval that require the adoption of measures to protect the building from bushfire attack, including the establishment and maintenance of the leasehold site as an inner protection area, and for new construction to comply with prescribed BAL 40 construction codes.

Referral back to the NPWS and the RFS occurred when the Department received the amended development application. The NPWS confirmed they had no additional comments beyond their original referral comments, and the RFS raised no objections subject to compliance with the terms of approval dated 12 May 2023.

The Department has considered the comments received from the NPWS and RFS in **Section 4** and included 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:

- design details and standards, and
- managing construction impacts.

These issues are discussed below.

4.1 Design details and standards

The enclosure of the balconies is not considered to be visually intrusive. Nestled within the existing building footprint, the works will be finished to match the reclad building consistent with other buildings in the complex, and the new Colorbond roofing material will match the existing roof in colour and profile.

The existing external materials of Units 20 -25 comprise painted timber 'board and batten' style timber cladding and timber-framed windows and doors that the Applicant advises is perishing and rotten timber is in urgent need of remediation to prevent further water damage to the structure. The proposed Colorbond cladding in Nailstrip profiles in Woodland Grey will improve the appearance and performance of the building, both in terms of weather protection and replacing combustible cladding with non-combustible cladding. Materials used will be compatible with the adjoining buildings within The Stables and the Perisher Alpine Resort.

The proposed new works, when constructed, are to comply with the Building Code of Australia (BCA) and relevant engineering design standards and Australian Standards. Section 64 of the EP&A Regulation also 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. The proposed works are considered a voluntary partial upgrade. While no requirements for specific upgrades to the existing building were identified, the Certifier is still required to review the building works and its compliance with the BCA.

The Department's assessment concludes that the proposed works are acceptable and improves the amenity of the units, while undertaking works that do not negatively impact the built form or adjoining lodges.

4.2 Managing construction impacts

The construction activities are not anticipated to cause disturbance to native vegetation or a BVM area. There are no earthworks proposed, and construction activities are unlikely to cause significant ground disturbance associated with the development.

The NPWS also considered the proposal and did not raise any objections to the development.

The Department has applied construction conditions relevant to the Alpine area along with recommended conditions recommended by the NPWS having regard to avoiding harm to the natural environment during construction.

The Applicant will be required to follow the Site Environmental Management Plan and the applied conditions of consent to protect the environment during works.

The Department has considered the proposal and notes the following:

- Accessibility requirements and upgrades in accordance with the Access to Premises – Buildings standards are also to be considered by the Certifier determining the Construction Certificate.
- The general terms of approval issued by the RFS requires the building to be upgraded where practical to improve ember protection (if not already constructed to the relevant Bushfire Attack Level under Australian Standard AS3959), and details of proposed upgrades to improve ember protection to be submitted with the application for the Construction Certificate.

New construction must comply with the prescribed (BAL 40) standards.

The Department considers that the design and scale of the extension is appropriate in the location and compatible with the setting and surroundings. The Department concludes that subject to compliance with the conditions of consent, including references to the BCA which are to be addressed by the Certifier at the Construction Certificate stage, compliance with the relevant standards is achievable and the proposal is satisfactory.

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:

- there will not be a significant impact on any threatened species, populations or ecological community,
- the works improve tourist accommodation for the amenity for visitors to the accommodation without resulting in adverse environmental, social or economic impacts on the locality,
- construction impacts on the surrounding environment will be minimised given the nature of the proposal and recommended conditions of consent requiring effective site management during construction, and
- the works are acceptable to enhance visitor accommodation in Perisher, for the continued visitor enjoyment of snow-based Alpine activities, supporting the ongoing 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 Principal Planning Officer, 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 Principal Planning Officer, 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 23/3582, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix A**).

Recommended by:



Sandra Butler
Senior Planning Officer
Alpine Resorts Team

Adopted by:



Mark Brown
Principal Planning Officer
Alpine Resorts Team

as delegate of the Minister for Planning

Appendices

Appendix A – Recommended Instrument of Consent