



Harusch Walking Track, Thredbo Alpine Resort

Development Application Assessment
DA 23/9955

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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 2021	<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 and Wildlife Service
Planning Secretary	Secretary of the Department of Planning and Environment
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy

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1 Introduction

This report contains the Department's assessment of Development Application (DA 23/9955) lodged by Kosciuszko Thredbo Pty Ltd (the Applicant) seeking approval for the development of the Harusch Walking Track within Thredbo Alpine Resort, Kosciuszko National Park (KNP).

The Applicant seeks approval for a new walking track (**Figure 1**) to begin and end at the Merritt's Gondola Top Station, which will be installed through track widening along an informal trail on disturbed and undisturbed land, construction of a 15-metre stair to avoid a wet area, minor vegetation clearing, and demolition of an existing operator's hut.

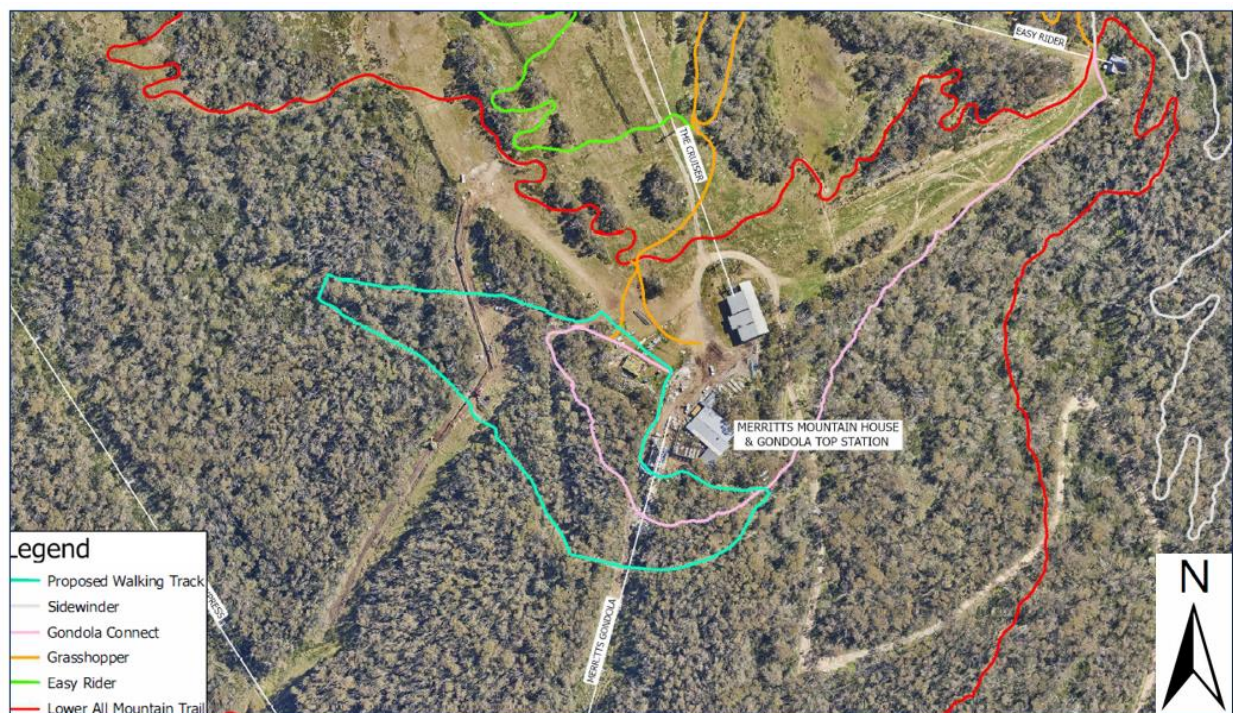


Figure 1 | Site in context of Merritt's Gondola and surrounding trails (Source: Applicant's Statement of Environmental Effects [SEE] 2023)

The development site was previously utilised as a beginner ski run, known as the 'Harusch' which included a now removed rope tow lifting system. The rope tow was decommissioned in 1994. Parts of the infrastructure still remain onsite, including the bull wheel and operator's hut. The site otherwise comprises a mix of disturbed and undisturbed native vegetation, and exotic species.

The existing site has generally been subject to previous earthworks (cut and fill) associated with the construction of the former Harusch and Dream Run ski runs and other access tracks and trails. The site and surrounds contain a mix of disturbed and undisturbed native vegetation, and exotic species. The majority of the alignment is grass-covered, with parts comprising a compacted gravel surface (i.e. access track associated with the Merritts Mountain House services infrastructure). The terrain surrounding the proposed track is heavily vegetated, The existing access track ranges between 2.5 – 4 metres in width.

The Applicant notes that the purpose of the development is to provide an easily accessible walk for visitors with minimal walking experience in KNP. The proposed track will be a short 730 metre loop which begins and ends at the Merritt's Gondola Top Station, and predominantly follows disturbed areas and access

trails. Public access is located to the west of Merritt's Gondola when departing the lift and is accessible during the summer months of October to June.

With the modified nature of the site being predominantly ski slope and existing walking / biking trails, the proposed track is mainly located on disturbed land with minimal vegetation clearing required. The proposed clearing would include the removal of understory and ground cover, with additional trimming of overhanging tree limbs and brush cutting on the edges of the track to occur when required. A Biodiversity Development Assessment Report (BDAR) has been provided as part of the DA, with offsets proposed under the Biodiversity Offset Scheme (BOS) for the 0.5ha of disturbed vegetation requiring clearing and 0.01ha impact to native fauna. An assessment of biodiversity impacts is provided in **Section 4**.

Additional components and features of the proposal are provided in **Table 1**:

Aspect	Description
Removal of existing infrastructure	<ul style="list-style-type: none"> Removal of an existing unused operator's hut. The structure does not have heritage significance to the Thredbo Alpine Resort or KNP. Removal will be in line with the requirements of the Site Environmental Management Plan (SEMP)
Retention of existing bull wheel	<ul style="list-style-type: none"> The existing bull wheel (adjacent the operator's hut) is to be retained. Interpretive signage to be installed to promote the history of the site.
Walking track	<ul style="list-style-type: none"> The walking track will generally follow a width of 900mm, but will be variable in certain areas as required. The walking track will be hardened and compacted using decompressed granite and road base. Walking track infrastructure will be consistent with Australian Standard (AS) 2156.1 – 2001 Walking tracks – Classification and signage.
Stair installation	<ul style="list-style-type: none"> To avoid environmental impacts to an existing wet area on the western boundary of the track, steps will be installed down the existing embankment rather than allowing users to traverse the wet area. The steps shall comply with relevant standards.
Signage	<ul style="list-style-type: none"> Wayfinding signage will be installed to ensure the safety of the public. Interpretive signage will also be installed along the track. Signage will be installed in pre-disturbed locations in accordance with existing wayfinding signage designs throughout the resort. No signage will be illuminated.
Estimated cost of works	<ul style="list-style-type: none"> \$42,982.50

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 improve guest facilities through providing a walking track in a key location within KNP, which leads to additional visitation to the NSW ski resorts during the summer season.

Snowy Mountains Special Activation Precinct Master Plan

The proposal is consistent with the Master Plan as the new Harusch Walking Track limits its impacts upon sensitive vegetation and supports the increasing visitor base for hiking within Thredbo Alpine Resort and KNP.

Precincts - Regional SEPP

The proposal is consistent with Chapter 4 of the Precincts - Regional SEPP as the development will be undertaken in an ecologically sustainable way to prevent adverse environmental, social or economic impacts on the natural or cultural environment, ensuring that KNP values are being protected and upheld.

Under the provisions of section 4.27 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 KNP. NPWS have recommended conditions to prevent adverse environmental, social or economic impacts on the natural or cultural environment.

2.2 Permissibility

The proposal includes the construction of a walking track consistent with the definition of 'recreation infrastructure' as defined in the Precincts – Regional SEPP. Pursuant to section 4.7 of the Precincts – Regional SEPP, 'recreation infrastructure' is permissible with consent within Thredbo Alpine Resort.

2.3 Mandatory Matters for Consideration

Objects of the EP&A Act

Table 2 | 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 Thredbo Alpine Resort for tourism through providing a beginner walking track which allows for individuals of all skill levels to experience hiking within KNP

	The works to the site would have positive social and economic impacts and improve beginner hiking access.
(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 impacts on biodiversity limited.
(c) to promote the orderly and economic use and development of land,	<p>The Applicant comments that the development's impacts are expected to be positive as the development will result in the construction of a beginner walking track for all skill levels, providing an improved guest experience.</p> <p>The Department raises no concerns with the proposal as the works improve facilities within Thredbo Alpine Resort.</p>
(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 avoid sensitive areas where possible. Minor impacts to vegetation listed on the Biodiversity Values Map (BVM) have been identified, with mitigation measures being implemented to reduce impacts and offsets under the BOS proposed. An assessment of impacts is provided in Section 4 .
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<p>The proposed development is not anticipated to result in any impacts upon built and cultural heritage, including Aboriginal cultural heritage.</p> <p>NPWS commented that the potential for impacts on Aboriginal cultural heritage has been addressed in the SEE. No additional assessment is required.</p>
(g) to promote good design and amenity of the built environment,	The Department considers that the proposal responds to its existing setting and minimises impacts upon natural environment. See discussion in Section 4 .
(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 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 NSW Planning Portal and held consultation with government agencies and considered 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 09 August 2023 until 22 August 2023.

Considerations under section 4.15 of the EP&A Act

Table 3 | 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 has considered the likely impacts of the development. Environmental impacts have been contained where possible and site works can be

	appropriately managed and mitigated through conditions of consent.
(c) the suitability of the site for the development,	The proposed walking track utilises previously disturbed land, with minimal impact to areas of biodiversity value. Further assessment can be observed in Section 4 .
(d) any submissions made in accordance with this Act or the regulations,	Consideration has been given to submissions received from the NPWS. Refer to Section 3 and Section 4 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, including the objective to encourage the carrying out a suitable range of development in the resort areas to support sustainable tourism in the Alpine Region. The development will be compatible with the ongoing operation of the winter snow resort.</p> <p>Temporary impacts to the environment have been identified and will be appropriately managed, mitigated and contained. The development is considered to support the economic viability of the Resort while maintaining the health and diversity of the environment, thereby supporting the principles of ESD.</p> <p>The approval of the proposal is considered to be consistent with 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 4** below:

Table 4 | Chapter 4 considerations

Chapter 4 - Precincts - Regional SEPP - Kosciusko Alpine Region	
Section 4.1 Aims and objectives of Chapter	
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, supports the ongoing use of the site for summer based

activities and tourism to the locality, and minimises the impacts upon the environment.

Section 4.9 Demolition

The demolition of a building or work on land in the Alpine Region

The proposal requires the demolition of the existing Operator's Hut. The Department raises no concerns with the proposal and has recommended conditions of consent.

Section 4.21 Heritage conservation

European heritage

The proposal would not impact on any European heritage items.

Aboriginal heritage

NPWS raised no concerns with the proposal, with the Aboriginal cultural heritage assessment following a suitable process. NPWS 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.

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

The proposal includes the removal of topsoil and cut and fill operations. The Department considers that the earthworks proposed are unlikely to cause the disruption to, or adversely 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 park users while supporting the current use of the land.

A condition of consent will require appropriate sedimentation and erosion control measures to be in place in accordance with the NPWS Guidelines.

Section 4.27 Consultation with National Parks and Wildlife Service

Consult with, and consider submissions from, the NPWS

The proposal was referred to NPWS and comments were received. Refer to consideration of 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	Refer to above comments.
(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 predominantly within the 'G' zone identified on the Department's Geotechnical Policy Map.</p> <p>In accordance with the Policy a Geotechnical Assessment Report has been provided with the application, together with a Form 4 to certify that the development relates to minor construction works which present minimal or no geotechnical impact on the site.</p>
<p>(e) for development in the Perisher Range Alpine Resort—</p> <p>(i) the Perisher Range Resorts Master Plan, published by the National Parks and Wildlife Service in November 2001 and</p> <p>(ii) the Perisher Blue Ski Resort Ski Slope Master Plan adopted by the National Parks and Wildlife Service in May 2002.</p>	Not applicable to the development.

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 included recommendations for excavation methods and installation of a structure to traverse the land between the two sections of track. Overall, the assessment report considered that the site would not present a significant geotechnical constraint.
(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 and no measures to protect against bushfire are required. The land is identified as being in an area of geotechnical sensitivity (being within the 'G' zone), the works have been assessed as being acceptable.</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 construction of the walking track will not result in visual impact on the locality.
(d) the cumulative impacts of development and resource use on the environment of the Alpine Subregion in which the development is carried out,	The works proposed relate to the creation of a walking track on predominantly disturbed land. The development will not result in any changes to resource use or impact the 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	Minimal additional usage of the infrastructure and service network is predicted as a result of the project.

by the development,
including in peak periods,

- | | |
|---|---|
| (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 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. |
|---|---|

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 | No negative impacts to stormwater are anticipated.

Measures to mitigate 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. |
|--|--|

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 Kosciuszko National Park Plan of Management. |
|---|---|

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 proposal works have been developed having regard to ESD principles, in accordance with the objects of the EP&A Act as follows:

- the works support the orderly and economic use of the site;
- the proposal is not expected to adversely impact upon the health, diversity, or productivity of the environment for future generations; and
- 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 comments that the proposal is expected to impact upon 0.05ha of vegetation mapped on the BVM, though noting that the impacts to native vegetation and associated fauna habitats would be minimal. Consequently, the proposal triggers the BOS and a total of one (1) ecosystem credit and one (1) species credit have been proposed to be retired. Further assessment on BOS requirements can be found in **Section 4**.

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 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.

Due to the works being more than 50 metres away from a tourist accommodation building, the Department did not exhibit the application. The application was however made available on the NSW Planning Portal.

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

NPWS

NPWS did not object to the proposal or the supporting documentation but identified that no assessment of the Eastern Pygmy Possum was undertaken as part of the BDAR, noting that they are present within the subject area. NPWS does not require an updated BDAR as adverse impacts to the species are unlikely but requests future applications within the ski fields of Thredbo Alpine Resort address the presence of the Eastern Pygmy Possum and assess the impact of development on this species.

Additionally, NPWS noted that although the proposed development is supported and the associated economic and social benefits it may bring to KNP, the incremental expansion of mountain bike tracks and walking trails within Thredbo comes with cumulative impacts that need to be managed in consultation with NPWS.

Public Submissions

No public submissions were received during the assessment of the application.

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, and the submissions from the public in its assessment of the proposal. The key issues in the Department's assessment of the proposal are:

- Impacts on biodiversity
- Construction impacts and access

4.1 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:

Vegetation impacts

As discussed in **Section 1**, the proposed site is predominantly disturbed land requiring minimal vegetation clearing (**Figure 2**), which would be limited to the removal of understory and ground cover of the native Alpine Snow Gum. Additional trimming of overhanging tree limbs and brush cutting on the edges of the track would also occur as required.



Figure 2 | Section of proposed track identifying disturbed land (Source: Applicant's SEE 2023)

The development would result in an impact to 0.05ha to native vegetation, triggering the BOS and requiring credit offsets of one (1) ecosystem credit.

NPWS raised no concerns with the assessment of vegetation impacts identified in the SEE and BDAR.

Species impacts

The Applicant's ecologist notes that impacts to species are limited, resulting in the offset of only one (1) species credit under the BOS. The impacted species was identified as the Broad-toothed Rat, which is listed as 'vulnerable' under the *BC Act 2016* (BC Act) and the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). The development would have an impact on the habitat of the species but would not significantly impact the Broad-toothed Rat.

The development would result in an impact to 0.01ha of Broad-toothed Rat habitat, triggering the BOS and requiring the offset of one (1) species credit.

NPWS notes that the presence of the Eastern Pygmy Possum in the area has not been addressed in the BDAR. NPWS concluded in their own assessment that no adverse impacts to the species would occur as a result of the development, and therefore did not require the Applicant to provide an amended BDAR.

NPWS raised no additional concerns with the assessment of species impacts identified in the SEE and BDAR.

Additional comments

Conditions are recommended to ensure areas impacted by construction be rehabilitated in accordance with the "*Rehabilitation Guidelines for the Resort Areas of Kosciuszko National Park (DECC 2007)*". Appointment of an Environmental Officer, engaged by the Applicant, will be required to review the works prior and during construction to ensure that the proposal meets the identified outcomes.

The Department considers that impacts to the environment have been sufficiently avoided and mitigated. Consequently, the impacts are considered to be acceptable.

4.2 Construction impacts and access

To facilitate the removal of the existing Operator's Hut and construction of the proposal, the site would be accessed predominantly via the Mountain summer access road and existing track and ski slope leading to the site.

Site establishment through the use of temporary signage, marking of no-go areas, marking vegetation to be removed, and temporary erosion and sediment control installation is to be completed prior to works commencing. Once the issue of a construction certificate has been completed, works involving vegetation clearing and trimming, backfilling, construction of the track and steps can be completed.

The Applicant has proposed to demolish the existing Operator's Hut, with the retention of the Bull Wheel and signage to promote its significance. The Department notes that the Operator's Hut is not of heritage significance and requires minimal impact to demolish, and provided that the recommendations of the SEMP are adhered to, the Department raises no concerns with its removal.

Construction management will be in accordance with the approved Site Environmental Management Plan (SEMP) and in consultation with NPWS.

The Department has recommended standard construction conditions applied in the Alpine area, along with recommended conditions from NPWS, including protection of wet areas to the west of the site by creating obstruction zones from planting of vegetation, and/or fencing.

Subject to compliance with these conditions, the Department is of the view that the construction of the proposed works would not impact upon buildings located within proximity of the site or the environment.

Conclusion

The Department is satisfied the Applicant has taken the appropriate steps to avoid, minimise and offset the proposal's biodiversity impacts consistent with the principles of the BC Act and BC Regulation. Consequently, the Department considers the proposal is acceptable.

4.3 Other Issues

The Department's consideration of other issues is provided at **Table 5**.

Table 5 | Summary of other issues

Issue	Findings	Recommendations
Geotechnical	<ul style="list-style-type: none"> The Department notes that the site is located within the G zone identified on the Department's Geotechnical Policy – Kosciuszko Alpine Resorts The Applicant has provided a desktop geotechnical assessment report in support of the proposal by Asset Geotechnical Engineering Pty Ltd and a Form 4 'Minimal Impact Certification'. Recommendations are provided for earthworks. The report states that the proposal is not considered to present a significant geotechnical constraint. 	<p>The Department raises no concerns with the proposal, subject to implementation of the recommendations as proposed by Asset Geotechnical Engineering Pty Ltd.</p> <p>Conditions are imposed to ensure the recommendations included within the geotechnical assessment report are implemented.</p>

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 proposal is permissible with consent under the Precincts - Regional SEPP
- there will not be a significant impact on any threatened species, populations or ecological communities, and the natural environment and cultural values associated with KNP are protected
- construction of the walking track on predominantly disturbed land minimises impacts to the environment while allowing for individuals of all skill levels to experience the natural environment within Thredbo Alpine Resort and KNP
- construction impacts are acceptable with impacts minimised, while acknowledging the works are consistent with the regional plan for the locality and supports visitation to the ski resorts
- The proposal is consistent with the requirements under the BC Act and EPBC Act.

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 23/9955, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix A**).

Recommended by:



Zac Derbyshire
Planning Officer
Alpine Resorts Team

Approved by:



Mark Brown
Principal Planning Officer
Alpine Resorts Team
as delegate of the Minister for Planning

Appendices

Appendix A – Recommended Instrument of Consent