

# Geebung Ski Lodge – Thredbo Village

Development Application Assessment DA 24/3319

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

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## 1 Introduction

#### 1.1 Background

This report provides an assessment of the Development Application (DA 24/3319) seeking approval to undertake works the existing Geebung Ski Lodge, located at 34 Diggins Terrace Thredbo (Lot 796 DP 11197527), within the Thredbo Alpine Resort in Kosciuszko National Park (**Figure 1**). The proposed works are intended to provide repairs to the external walls, windows and roof, along with the renovation of the internal bathroom on level 1.



Figure 1 | Subject site - Geebung Ski Lodge (Source: Six Maps 2024)

Geebung Ski Lodge (the site) is located within Thredbo Village West. The site is accessed via a pedestrian walkway from the beginning of Bobuck Lane (**Figure 2**). The site is located adjacent to other tourist accommodation buildings, including Candlelight Lodge to the West, Roslyn Lodge to the east and Pindari Ski Club across from Bobuck Lane.

The Geebung Ski Lodge is a three-story building clad in timber board, including timber exterior pathway, stairs and sundeck (**Figure 3**). The structure is supported by stone footings with steel sheeting used as roof materials. The interior includes six bedrooms, a central dining area, kitchen, dry room, ski room, laundry, locker room and first floor bathroom.

This applicant, Geebung Ski Lodge Ltd proposes the following works:

- replace all existing external windows with new double-glazed windows and finishes
- repaint all external rendered masonry walls in woodland grey colour
- repaint all roof surfaces, gutters and trims in pale eucalypt colour
- renovation of the existing level 1 bathroom.



Figure 2 | view of the property (Source: Applicant's documentation)

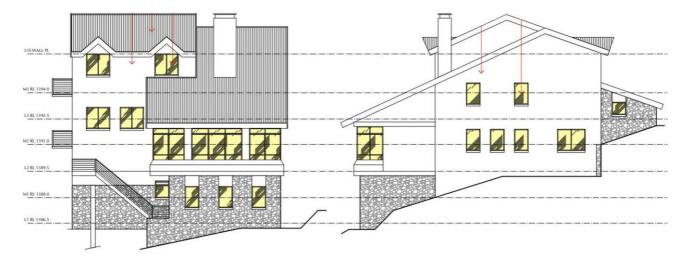


Figure 3 | proposed site layout (Source: Applicant's documentation)

The Applicant indicates that the works are necessary to provide ongoing maintenance to the building and improve the general aesthetics and amenity of Thredbo Village West.

The proposed cost of works is \$105,775.00.

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 Department considers the proposal to be consistent with the Regional Plan as the proposal supports the ongoing use and maintenance of a tourist accommodation buildings for visitors within Thredbo Village, which supports the ongoing visitation to the NSW ski resorts.

#### **Draft South East and Tableland 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 will not result in adverse biodiversity impacts and supports the maintenance of visitation to the resort, along with the local and regional economy.

The proposal is consistent with the draft Regional Plan as it will not result in adverse biodiversity impacts and supports the maintenance of and visitation to the resort, along with the local and regional economy.

#### **Snowy Mountains Special Activation Precinct Master Plan**

The Department considers that the proposal continues to support the vision of the Master Plan, while also ensuring impacts upon the environment have been considered against those previously approved. The proposed minor external works raise no additional matters that would be inconsistent with the Master Plan.

#### **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 amenities for tourists visiting the KNP region. 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.

#### 2.2 Permissibility

The proposal includes external alterations to a building while maintaining the use of the site consistent with the definition of 'tourist accommodation' as defined in Chapter 4 of the Precincts - Regional SEPP.

Pursuant to section 4.7 of the Precincts - Regional SEPP 'tourist accommodation' is permissible with consent within the Thredbo Alpine Resort.

#### **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 building, with improved exterior aesthetics and bathroom amenities.  The construction impacts are maintained within previously disturbed areas, posing minimal impacts on biodiversity and the environment.
(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 proposal seeks approval for works that support the use of the site for 'tourist accommodation', 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 works 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 heritage (including Aboriginal cultural heritage),	The site is not in close proximity to an area or item of built heritage. The development involves limited ground disturbance and is considered to be unlikely to result in any 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 repainting and replacement of windows will incorporate materials that are in keeping with the existing structure and will not result in adverse impacts on the environment.

 (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)	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 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', which supports 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 <b>Section 3</b> of this report.
(e)	the public interest.	The works are consistent with the aim and objectives of Chapter 4 of the Precincts - Regional SEPP and are compatible with the uses of the locality and would not cause an adverse impact on the environment. The proposal is consistent with the principles of ESD.

#### **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**.

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.

As such, the proposal is in the public interest.

#### 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

The exterior works relates to the replacement of windows and repainting of the building's façade and will not include alterations to the structure's stonework or earthworks. The Department considers that the use of scaffolding or other measures to undertake maintenance will not 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.

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.

#### 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 staff amenity.

(b) (repealed in November 2023)

(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 located within the G zone identified on the Department's Geotechnical Policy – Kosciuszko Alpine Resorts Perisher Map.

The Applicant comments that the Geotechnical Policy is not applicable to the proposed works. The Department has reviewed the proposed works and considers that the amendments to the existing building would not impact upon the existing load bearing capacity of the building.

The Department is satisfied that no further geotechnical assessment is required prior to determination.

- (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.

Not applicable, as site is located within Thredbo Alpine Resort.

#### 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 proposed works are minor in nature and will pose no impact in terms of geotechnical issues relating to the proposed works. No further geotechnical investigation is considered necessary.

(b) the extent to which the

The proposed works have been designed to avoid and

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,

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.

Natural hazards have been adequately addressed.

(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 works are complimentary to the existing building and do not negatively impact upon the landscape or adjoining buildings. They will not be visible from the Main Range.

(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 as the proposal will not result in any changes to existing transport, effluent management systems, waste disposal facilities, transfer facilities or water supply.

 (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 minor construction waste. 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

Onsite stormwater drainage works are not proposed as part of the application.

Earthworks are not proposed as part of the development.

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.

#### **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.

The information supporting the Application indicates that the proposal is not located within an area mapped on the BVM and would not have a significant effect on threatened species, populations, ecological communities, or their habitats. Comments received from the NPWS during the assessment of the application concur that the development, as proposed, will result in minimal environmental impact, subject to appropriate environmental protection measures and conditions of consent.

The Department is therefore satisfied that there is no adverse impact on threatened species or ecological communities or their habitats.

#### 2.3 Other approvals

#### **Rural Fires Act 1997**

As the works include external alterations to an existing tourist accommodation building located on bushfire prone land, an approval is required from the NSW Rural Fire Service (RFS) under Section 100B of the *Rural Fires Act 1997* in the form of a Bush Fire Safety Authority. Refer to **Section 3** for further discussion on this component.

## 3 Engagement

#### 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 publicly 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.

As the works include external alterations to an existing tourist accommodation building within fifty (50) metres of other tourist accommodation buildings, the Department exhibited the application from 18 April 2024 until 1 May 2024 on the NSW Planning Portal website and notified surrounding lodges.

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 the protection of the natural environment, plumbing and drainage works and impacts to 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 use equivalent or improved fire-resistant materials that do not affect any existing fire resisting components of the building.

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**.

#### 3.3 Request for Additional Information

On 24 May 2024, the Department issued a Request for Additional information to the Applicant based on the following concerns:

• The Bush Fire Report form that accompanied the application was out of date. An updated bushfire report must use the 2020 NSW Rural Fire Services 'Building in Bush Fire Prone Area – Single Dwelling Application Kit'. The Bush Fire report must identify the presence of unmanaged land/vegetation located in the vicinity of the proposal site and note the Forest Fire Danger Index (FFDI) of 50 applies to the development, due to the site's location within an Alpine area.

• The Architectural Plans must be amended to include the intended bathroom renovation works on Plan 001 - Level 1 Floor Plan - Existing / Proposed.

The Department required the Applicant provide a response to the above concerns with the submission of an updated Bush Fire Report and Architectural plans. An updated bushfire report and Plan 001 were submitted to the satisfaction of the Department via the NSW Planning Portal.

Given the additional information did not comprise any amendments to the proposed works, but provided clarification and up to date documentation, the additional information was not re-referred to NPWS or RFS for comment.

### 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
- Managing construction impacts

These issues are discussed below.

#### 4.1 Design details and standards

The proposed works, when constructed, are to comply with the Building Code of Australia (BCA) and relevant Australian Standards. The Department considers that compliance with the BCA is achievable, with documentation confirming compliance required to be provided at the construction certificate stage.

All new work (or work as part of the DA) must comply with the BCA.

Clause 64 of the EP&A Regulation requires a consent authority to review a building and consider whether upgrades are warranted to bring the existing building into total or partial compliance with the BCA. The building was assessed by the Department's Principal Building Surveyor and identified some minor BCA and fire upgrades to be undertaken as part of the subject application. The upgrade works includes additional upgrade protection measures for the eastern and western elevation windows. Emergency evacuation measures also require upgrading and include the addition of new smoke alarm equipment, new open inward door signs and lighting to be installed above the existing exit doorway. These upgrades and performance measures are to be provided to the certifier, prior to the issuing of a construction certificate.

The Departments Principal Building Surveyor identified that the main stairs of the building are not fire isolated and so require an appropriate fire upgrade strategy. Fire isolated doorway provisions are necessary for class 3 buildings if the doorway serves as a required exit within a two-story building. The Department has recommended that the existing doors that open to the internal stairway be replaced with fire doors and the door exit handrails be replaced on doors that are located within a path of travel in the event of a fire. These upgrades and performance measures are to be provided to the certifier, prior to the issuing of a construction certificate.

Ensuring the proposal meets snow and wind loading requirements is a key consideration of the Departments assessment in the NSW Alpine environment. With adverse weather conditions at times, the fixing of the new structures to the existing building needs to be constructed appropriately. The Department has recommended that structural certification of the works be provided prior to the issuing of a construction certificate.

The Department concludes that subject to compliance with the conditions of consent, including references to the BCA which is to be addressed by the Certifier at the construction certificate stage, the proposal is satisfactory and would improve the amenity for visitors of the Geebung Ski Lodge accommodation building.

#### 4.2 Managing construction impacts

Given the scope of the works and that the site is predominantly previously disturbed, it is unlikely that the construction of the proposal will cause any adverse impacts upon the natural environment. The proposal is in keeping with the use of the building for tourist accommodation and the construction activities will not generate any vegetation disturbance.

Parking is available at the site during construction, and all construction activities will be required to be contained on the site, The NPWS commented that the development activities are to be solely contained within the lease area, and no stockpilling is to occur on native vegetation.

Construction impacts such as noise and vibration will be short term and managed in accordance with standard environmental conditions, the Applicant has provided a Site Environmental Management Plan (SEMP) to address all components of the application. Measures outlined in the SEMP includes details outlining waste management, vehicle parking, dust and noise minimisation strategies as well as material storage. It is also noted that construction is to occur outside the ski season. The Department has included these mitigation measures as part of the conditions of consent.

The Department has applied standard construction conditions relevant to the Alpine area, along with recommended conditions from NPWS and general terms of approval from RFS. Subject to compliance with these conditions, The Department is of the view that the proposed works would not adversely impact upon nearby buildings or the environment.

## 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 communities
- 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
- the repainting of the building's exterior, replacement of windows and internal additions to the first floor bathroom will improve the external appearance, longevity and amenity of the building, supporting the ongoing economic maintenance and visitation 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, Regional Assessments, 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 24/3319, subject to the recommended conditions
- signs the attached Development Consent (Appendix A).

Recommended by:

Loluk

Adopted by:

lewy

10/7/2024

**Hugh Clark** 

Planning Officer

Alpine Resorts Team, Regional Assessments

**Erin Murphy** 

Team Leader

Alpine Resorts Team, Regional Assessments

as delegate of the Minister for Planning

# **Appendices**

**Appendix A – Recommended Instrument of Consent**