



Thredbo Alpine Hotel, Thredbo Village Modification

Modification Application Assessment (MOD 24/12307 (DA 10263 MOD 1))

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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
Department	Department of Planning, Housing and Infrastructure
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 and Public Spaces
NPWS	National Parks and Wildlife Service
Planning Secretary	Secretary of the Department of Planning, Housing and Infrastructure
RFS	NSW Rural Fire Service
SEPP	State Environmental Planning Policy

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1 Introduction

This report provides the NSW Department of Planning, Housing and Infrastructure's (the Department) assessment of an application to modify the development consent for external alterations to Thredbo Alpine Hotel (TAH) (DA 10263 Mod 1).

The modification application seeks approval to amend the materials used for the replacement of the cladding (from hardwood to metal cladding) on the TAH and amend the approved window schedule and signage conditions.

The application has been lodged by Kosciuszko Thredbo Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).



Figure 1 | Thredbo Alpine Hotel location as shown in context of Thredbo Village and adjoining buildings (Source: SIX Maps 2024)

1.1 Background

The site is located on Lot 861 DP 1128686, Friday Drive in Thredbo Village. The site is occupied by a large mixed-use building known as the TAH (**Figure 1**) which is centrally located in Thredbo Village and contains a mix of hotel accommodation, bistro/pubs, food premises, retail premises, cafes, and a heritage museum.

Constructed in the early 1960's, the TAH is a heritage item representing one of the first commercial hotels in the Thredbo Village and a focal point of the Village. The TAH is bounded by the Village Square and Mowamba Place to the south, Valley Terminal, Thredbo River and ski slopes to the north and the Village Green to the west. The TAH has a licence for 152 beds under its lease.

The site is accessible via Friday Drive, Mowamba Place and the hotel's carpark. Pedestrian access is available via several entries, including the timber pedestrian bridge, staircase nearby the Thredbo Information Centre and the Village Square.

1.2 Approval History

On 26 April 2023, the Team Leader of the Alpine Resorts Team, as delegate of the Minister for Planning granted consent to Development Application (DA 10263) for external alterations to the TAH that included:

- Removal and replacement of existing native hardwood cladding with a like-for-like product
- Removal and replacement of windows affected by the cladding

In particular, the Applicant noted in the original DA submission that:

- The replacement of deteriorated and rotted native hardwood cladding will improve the longevity of the TAH building whilst retaining the original aesthetic design of the building. The removal of existing native hardwood cladding and replacement with a like-for-like timber product, painted in 'Basalt' to match the existing colours.
- As part of the works, some windows (i.e. broken or damaged) may require replacement if it is determined necessary upon removal of cladding and frames. Where this is required, new windows will comply with *Australian Standard 3959: Construction of buildings in bushfire-prone areas*.



Figure 2 | Thredbo Alpine Hotel viewed from existing car parking area (Source: Applicant's documentation)

1.3 Proposed modification

The Applicant seeks to amend the existing approval as follows:

Amend the approved materials for the replacement cladding and window frames

The original approval included the replacement of the existing hardwood cladding with a like-for-like timber / hardwood having the same profile, dimension and finish to the existing cladding (to be painted Basalt).

The Applicant now seeks to utilise a metal cladding with a 170mm profile (to be painted Basalt, except for the Spire cladding which is to be painted Monument). The metal cladding is proposed due to:

- improved fire safety for building occupants and maintenance outcomes due to the nature of the longevity of metal cladding in comparison with timber cladding
- improved thermal performance of building with replacement of bulk wall insulation and the installation of double glazed windows replacing existing single glazed windows
- increased protection of building structure with the addition of non-combustible sarking being installed over fibre cement bracing
- improved bushfire protection with the use of non-combustible cladding

The proposal also includes the replacement of the timber / hardwood windows (previously approved to be painted Weathered Grey) with new aluminum framed double glazed windows (to be painted Monument).

Window schedule condition amendment

Condition B.13 – Windows Schedule requires the following:

B.13. Window schedule

A window schedule is to be prepared and submitted to the Secretary or nominee for approval, prior to issue of the relevant construction certificate by the Certifier.

The window schedule must include:

(a) identify the existing windows located on the site on a plan and with supporting photographs;

(b) identify type of window and opening style;

(c) detail the dimensions of existing windows (jams / frames / glazing, etc);

(d) materials to be used, like for like, to ensure consistency with the existing window with a 5mm tolerance.

The window schedule can be prepared for the whole building or components depending on the extent of the construction certificate.

The Applicant seeks to amend Condition B.13 by removing the 5mm tolerance requirement when undertaking the works. The new window size and appearance is to match the existing timber windows external frame size as close as possible. It is noted that some of the current window styles are not original and some of the operable windows installed may not meet deemed to satisfy provisions of the current BCA for the classification of the building.

Signage condition amendment

Condition B.14 – Signage requires the following:

B.14. Signage

A signage audit is to be prepared and submitted to the Secretary or nominee for approval, prior to issue of the relevant construction certificate by the Certifier.

The signage audit is to:

(a) identify the existing signage located on the site (i.e. location, if painted or fixed) on a plan and with supporting photographs;

(b) dimensions;

(c) materials to be used, like for like, to ensure consistency with the existing profile and details of any replacement under this consent.

No new signage or changes to the size of the existing signage is approved with this consent.

The Applicant seeks an amendment to Condition B.14 to ensure the condition only relates to signage affected by the works. All signage that is located on the cladding/windows is to be removed to allow the works and re-instated afterwards. If existing signage becomes damaged and unsuitable for re-use as a result of the works, it will be replaced with new materials to match the existing sign and hotel signage livery as close as possible.

2 Matters for Consideration

2.1 Strategic Context

South East and Tableland Regional Plan 2036

The South East and Tableland Regional Plan 2036 describes the vision, goals and actions that will deliver greater prosperity for those who live, work and visit the region. The Plan provides an overarching framework to guide more detailed land use plans, development proposals and infrastructure funding decisions. In relation to the alpine resorts, the Regional Plan seeks to promote more diverse tourism opportunities in the Snowy Mountains that will strengthen long-term resilience while acknowledging the environmental and cultural significance of the locality.

The Department considers the proposal continues to be consistent with the Regional Plan as the proposal continues to support the improvement of the existing building, such that the proposed development continues to support visitation to the NSW ski resorts.

Draft South East and Tableland Regional Plan 2041

The draft plan was publicly exhibited originally between 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 providing important biodiversity to the region and acknowledges the alpine area's contribution to the region's tourism economy.

The proposal continues to be 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.

Snowy Mountains Special Activation Precinct Master Plan

The Snowy Mountains Special Activation Precinct Master Plan outlines the 40-year vision for the Snowy Mountains as a year-round tourist destination with new business opportunities, services and community infrastructure for the people that live, work and visit the region.

Section 9.1.1 of the Master Plan relates to Thredbo. 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 modification works raise no additional matters that would be inconsistent with the Master Plan.

Precincts – Regional SEPP

The Precincts – Regional SEPP governs development on land within the ski resort areas of KNP. Chapter 4 of the SEPP aims to protect and enhance the natural environment, to protect cultural heritage within the resorts and to ensure that development in the resorts is managed in a way that is compatible with the principles of ecologically sustainable development. Under the provisions of section 4.27 of the Precincts – Regional SEPP, the NPWS has 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.

The Department considers the proposal continues to be consistent with Chapter 4 of the Precincts – Regional SEPP as the proposal continues to contribute to tourist accommodation availability within KNP, which supports sustainable tourism in the Alpine Region. The potential impacts on the environment continue to be considered acceptable when noting the modification works and their minimal impact on the environment.

2.2 Mandatory matters for consideration

The Department conducted a comprehensive assessment of the project against the mandatory matters for consideration as part of the original assessment of DA 10263. The Department considers this modification application does not result in significant changes that would alter the mandatory matters for consideration under section 4.15 of the EP&A Act and conclusions made as part of the original assessment.

Objects of the EP&A Act

The Minister or delegate must consider the objects of the EP&A Act when making decisions under the Act. The Department is satisfied the proposed modification is consistent with the objects of the EP&A Act.

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 Department notes that no additional vegetation management is required to facilitate the modification, with the site already required to be managed as an Inner Protection Area from the original proposal. No additional site disturbance as a result of the modification is expected to occur.

The Department also notes that there is currently no declared area of outstanding biodiversity value within Kosciuszko National Park.

Environmental Planning Instruments

The Precincts – Regional SEPP is the principal EPI that applies to this application. An assessment of compliance with the Precincts – Regional SEPP (Chapter 4) was undertaken in the determination of the original application (DA 10263).

The Department has considered the current modification application against the provisions of the Precincts – Regional SEPP and is satisfied the modification proposal continues to be consistent with this EPI.

2.3 Scope of modifications

Section 4.55(1A) of the EP&A Act provides that a consent authority may, on an application being made by the applicant or any other person entitled to act on a consent granted by the consent authority, and subject to and in accordance with the *Environmental Planning and Assessment Regulations 2021* (EP&A Regulations), modify a consent if the following requirements in Table 1 are met:

Table 1: Consideration under Section 4.55(1A) of the EP&A Act

Section 4.55(1A) - Evaluation	Comment
(a) <i>That the proposed modification is of minimal environmental impact</i>	<p>Section 4 of this report provides an assessment of the impacts associated with the proposal.</p> <p>The Department is satisfied that the proposed modifications will have minimal environmental impact with no additional vegetation removal required to facilitate the development (with the site already being managed as an Inner Protection Area) and minimal impact on adjoining land users.</p>
(b) <i>The development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)</i>	<p>The proposal seeks to alter the type of cladding and window frame material to be utilised on the site and a change to an approved signage condition.</p> <p>The Department is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted (noting, the existing tourist accommodation use is to be maintained).</p>
(c) <i>The application has been notified in accordance with the regulations or a development control plan</i>	<p>In accordance with the Department's Community Participation Plan (CPP), April 2024, the Department publicly exhibit the modification application for a minimum of 14 days, and it was made available on the NSW Planning Portal website (refer to Section 3 of this report).</p>
(d) <i>Consideration of any submissions made concerning the proposed modification within the period prescribed by the regulations</i>	<p>The Department has considered the submissions received during the exhibition period (refer to Section 3 of this report).</p>

Section 4.55(3) of the EP&A Act provides that in determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the granting of the consent that is sought to be modified.

The relevant consideration under section 4.15(1) of the EP&A Act in relation to the proposed modifications is whether the impacts of the amendments upon the existing building are appropriate. The Departments

assessment in **Section 4** concludes that there will be a small increment in the footprint of the works, however the impacts will be minimal in extent and appropriately managed, and the impacts are considered acceptable. No variation is required to the Department's previous assessment.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

2.4 Other approvals

Rural Fires Act 1997

The original works required a Bush Fire Safety Authority (BFSA) from the RFS under section 100B of the *Rural Fires Act 1997*, making it integrated development pursuant to section 4.46 of the EP&A Act.

The RFS did not object to the proposal and advised that no additional comments were required to those already provided in relation to the original application and the Bushfire Safety Authority (BFSA) issued previously on 7 November 2022.

3 Engagement

3.1 Department's engagement

The Department's Community Participation Plan (CPP), April 2024, prepared in accordance with Schedule 1 of the EP&A Act requires an application for modification of development consent not required to be exhibited by the EP&A Regulations to be exhibited for a timeframe dependent on the urgency, scale and nature of the proposal.

In this regard, the Department also notes that the CPP advises that applications for development consent 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 from a tourist accommodation building. As the modification involves external works to the building and is within fifty metres of other tourist accommodation buildings, the Department notified nearby lodges and made the application publicly available on the NSW Planning Portal website between 11 September 2024 and 24 September 2024.

The application was referred to the NSW Rural Fire Service (RFS) pursuant to section 4.46 of the EP&A Act (integrated development) as a Bushfire Safety Authority (BFSA) under the *Rural Fires Act 1997* is required for the development to be carried out. The application was also referred to the National Parks and Wildlife Service (NPWS) pursuant to section 4.27 of the Precincts – Regional SEPP.

Following the exhibition of the application, the Department placed copies of all submissions received on its website and forwarded these to the Applicant.

3.2 Summary of submissions

During the exhibition period, the Department received submissions from the RFS, the NPWS and no public submissions to the proposed modifications.

RFS

The RFS did not object to the proposal and advised that no additional comments were required to those already provided in relation to the original application and the Bushfire Safety Authority (BFSA) issued.

NPWS

The NPWS did not object to the modification and commented that the previous comments to the proposal remain relevant. NPWS concurs with the submitted letter from GBA Heritage (2024) that the Colorbond cladding is an acceptable alternative and will not impact or undermine the heritage values of the building or its surrounds.

4 Assessment

In assessing the merits of the proposed modification, the Department has considered the:

- previous Environmental Assessment Report for the proposal,
- the modification application and existing conditions of consent,
- submissions from government agencies, and
- matters for consideration under section 4.15(1) of the EP&A Act.

The Department considers the key assessment issues associated with the modification application are:

4.1 Heritage impact of material change

Original Application consideration

During the assessment of the original application, the Department noted that the TAH was constructed over the summer of 1961-62 and represents the earliest major commercial tourist accommodation in the village. The TAH has undergone significant alterations and expansions since that time mainly in the mid-1980s when a fire safety upgrade, bistro renovation, and a new conference centre were completed, and again in the mid-1990s when the resort information centre was added.

The Applicant's consultant, GBA Heritage, submission during the original assessment commented that the proposed alterations (replacement of existing timber cladding with a like-for-like cladding) to TAH will have no adverse impact on the heritage significance of the adjacent properties Crackenback, Moonbah, Sastrugi, De Dacha, or the KNP and Australian Alps National Parks and Reserves. The removal of some original fabric is considered acceptable given that the proposal sympathetically replaces the existing fabric with new to match the existing in terms of profile, material, colour and finishes. The existing cladding has deteriorated and rotted and its replacement will allow for the longevity of the building whilst retaining the original aesthetic design of the building.

NPWS raised no concerns with the original proposals impact on the heritage values of the TAH.

Modification Application consideration

In support of the proposed modification, GBA Heritage, comments that the proposal to change the cladding to a metal profile involved research and discussion with engineers. As a result, the following is noted in the supporting submission:

- Colorbond V25© is proposed, which has been able to meet the BCA and Bushfire requirements. The selected cladding has a profile similar to the existing hardwood cladding, with long board lengths, able to be vertically clad, and with recesses reminiscent of the ship-lap cladding. The board width is slightly wider than the existing timber boards; this minor width change is considered acceptable as the overall aesthetic of the vertical cladding is retained.
- The V25 cladding is proposed to maintain the primary existing Colorbond Basalt© colour, with a matt finish proposed to more closely replicate the existing painted timber finish. The proposal introduces Colorbond Monument© to the window frames, tower element, bay window cladding, verandah posts

and later guest services building. Historically, the windows were white, which stood in strong contrast to the dark cherry-toned timber. Though not traditional, the Monument colour allows the windows to return to being a prominent element on the façade.

- Visually, the V25 cladding profile and colour selection will allow the Hotel to retain its landmark characteristics and visual relationship with the mountain village. In addition, the use of a suitable metal cladding would have considerable longevity and maintain heritage significance. Therefore, GBA Heritage considers this cladding and contemporary colour selection as an appropriate alternative to the hardwood cladding in the context of the required BCA and Bushfire upgrades.

NPWS raised no concerns with the change in materials.

The Department agrees with the assessment by the Applicant's consultant in that the change to a metal cladding in a similar profile to the existing hardwood vertical cladding is acceptable and would not negatively impact on the heritage values of the TAH.

4.2 Design details and standards

The proposed works, when constructed, are to comply with the Building Code of Australia (BCA) and relevant Australian Standards. The Department notes that compliance with relevant requirements is to be determined at the construction certificate stage by the Certifier and in accordance with conditions of consent.

The following is noted:

- All new work (or work as part of the DA) must comply with the BCA. The Department considers that compliance with the BCA is achievable, with documentation confirming compliance required to be provided at the Construction Certificate stage.

It is noted that a Construction Certificate has not been issued for the works.

- Ensuring the proposal meets snow and wind loading requirements is a key consideration of the Department's assessment in the NSW Alpine environment. With adverse weather conditions in KNP, the external alterations to the building need to be constructed appropriately. The Department has within the original approval recommended that structural certification be provided prior to the issue of an Occupation Certificate for the works.

The application for modification was also referred to the Department's Principal Building Surveyor for consideration. Subsequent to a review of both the proposal and of the original application and conditions applied to the original consent, no additional Building Code of Australia (BCA) conditions are recommended. Details demonstrating compliance with construction standards can be achieved and provided to the Certifier.

During an inspection of the TAH, the Department's Principal Building Surveyor identified concerns that the existing external balustrades do not currently meet the BCA. To address this, the Department has recommended the inclusion of a condition requiring the Applicant to undertake a balustrade audit to:

- identify the existing external balustrades located on the site on a plan and with supporting photographs;

- determine whether the existing external balustrades meet BCA requirements or where the existing external balustrades do not meet BCA requirements, details of how they will be modified or replaced to achieve compliance.

Once the audit is undertaken, information is to be prepared and submitted to the Secretary or nominee for approval, prior to issue of the relevant construction certificate by the Certifier.

A condition reflecting this requirement is recommended in **Appendix C**.

4.3 Window profile change

During consideration of the original application, the Department included a condition requiring a window schedule to be prepared that would:

- identify the existing windows located on the site on a plan and with supporting photographs;
- identify type of window and opening style;
- detail the dimensions of existing windows (jams / frames / glazing, etc); and
- materials to be used, like for like, to ensure consistency with the existing window with a 5mm tolerance.

The inclusion of the 5 mm tolerance requirement for replacement materials was based on previous heritage discussions on another building that had undertaken similar recladding and window replacement works as proposed on the TAH. This would ensure the materials used (timber) is consistent with the profile and dimensions that currently exist on the building.

The Applicant seeks to remove this requirement based, in part, that the replacement of the windows are now to be constructed of aluminium rather than timber, noting that the window size is to be matched to the existing timber windows external frame size as close as possible.

The Department sought comments from NPWS, who has advised that their Historic Heritage, Historic and World Heritage Section, Aboriginal Partnerships, Planning & Heritage Branch team raises no concerns with the change to the condition requirement as the windows will be very similar when viewed from distance.

The Department therefore supports the request to remove the 5mm provision. An amended condition reflecting this requirement is recommended in **Appendix C**.

4.4 Signage parameters

The Applicant seeks an amendment to the existing signage audit condition to ensure it only relates to signage affected by the works. This is on the basis that all signage that is located on the cladding / windows would be removed to allow the works and re-instated afterwards. If existing signage becomes damaged and unsuitable for re-use as a result of the works, it would then be replaced with new materials to match the existing sign and hotel signage livery as close as possible.

The Department supports the submission and has recommended an amended condition in **Appendix C**.

5 Recommendation

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act and considered the submissions provided by the public and the NPWS and RFS.

The Department's assessment concludes that the proposed modification is appropriate as it is substantially the same development as originally approved; the proposed modifications to conditions are acceptable; the proposal continues to comply with the Precincts – Regional SEPP provisions; all submissions received during the assessment of the application have been considered; and the proposal does not result in any additional matters that required consideration under Section 4.15(1) of the EP&A Act.

Overall, the Department is satisfied that the proposed is suitable and in the public interest.

The Department therefore recommends that the application be approved, subject to changes to the existing conditions of consent (**Appendix C**). In accordance with the Minister's delegation dated 9 March 2022, the Director, Regional Assessments may determine the application as:

- no reportable political donation has been disclosed,
- there are less than 15 public submissions in the nature of objections, and
- the application is in relation to land to which Chapter 4 of the Precincts – Regional SEPP applies.

It is recommended that the Director, Regional Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **determines** that the modification application MOD 24/12307 (DA 10263 MOD 1) falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **modifies** the consent DA 10263
- **signs** the attached approval of the modification (**Appendix C**).

Recommended by:



Mark Brown

Team Leader, Assessments
Alpine Resorts Team

Adopted by:



Keiran Thomas

Director
Regional Assessments
as delegate of the Minister for Planning

2 December 2024

Appendices

Appendix A – Modification Report

The following supporting documents and supporting information to this assessment report can be found on the NSW Planning Portal website as follows:

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

Appendix B – Submissions

The Department made the application publicly available and notified adjoining lodges within Thredbo Alpine Resort of the application between 11 September 2024 and 24 September 2024.

The application was referred to the RFS (as the original and modification is integrated development) and NPWS pursuant to section 4.27 of Chapter 4 of the Precincts-Regional SEPP, with comments received. No submissions from the public were received.

Appendix C – Notice of Modification