



Replace Lift Operator Hut - Perisher Quad Express Chairlift Top Station - Perisher

Development Application Assessment
DA 24/16458

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Glossary

Abbreviation	Definition
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BC Regulation	<i>Biodiversity Conservation Regulation 2017</i>
BVM	Biodiversity Values Map
Consent	Development Consent
CPP	Community Participation Plan
Department	Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
KNP	Kosciuszko National Park
Minister	Minister for Planning
NPWS	National Parks & Wildlife Service
Planning Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy

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1 Introduction

This report contains the Department's assessment of the Development Application (DA) 24/16458 lodged by Perisher Blue Pty Ltd (the Applicant) seeking approval to replace the lift operators hut at the top station of the Quad Express Chairlift at Perisher Valley in Perisher Range Alpine Resort within Kosciuszko National Park (KNP). The subject site is on the north-western end of Lot 177 DP756697, which is a long narrow allotment in which the Quad Express Chairlift extends from Perisher village (south-east of the site) to the Top Station of the chairlift within the Perisher Ski Resort Area - **Figure 1**.



Figure 1 | Location of the site northwest of Perisher (Source: Six Maps)

The application proposes to demolish the existing hut, which is a timber-clad structure of approximately 3.5 metres by 2.5 metres with a flat-pitched corrugated iron roof. A larger hut of approximately 7.5 metres by 4.5 metres with metal custom-orb clad walls and low-pitch roof Colorbond roof, all in the colour 'Monument' (dark charcoal grey), will be constructed in the same location on the southern side of the Top Station - **Figure 2.**

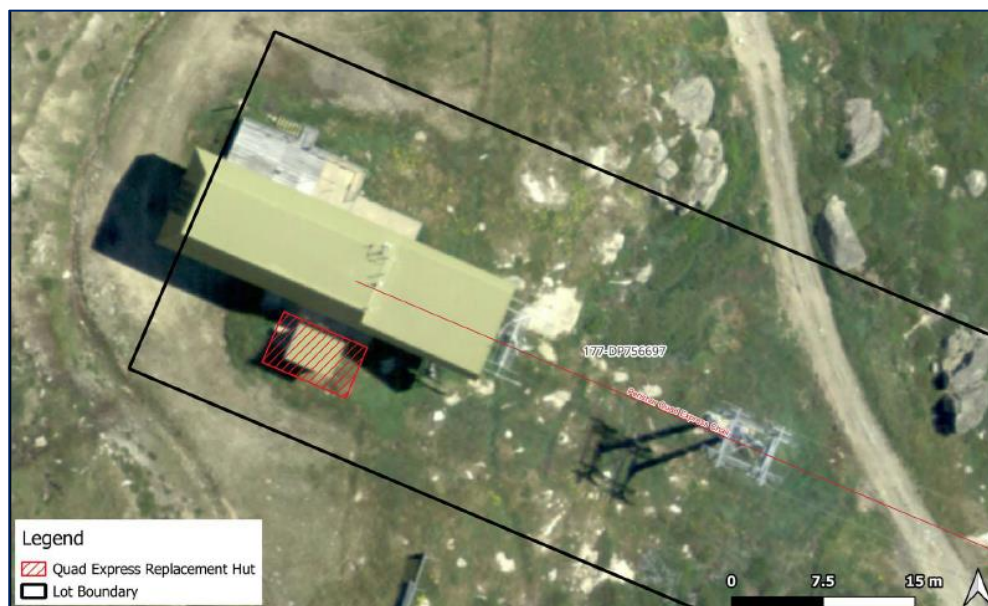


Figure 2 | Lift Operators Hut location adjoining the Top Station (Source: Applicant's documentation)

The current lift operator hut is located on a cement slab on a raised earthen mound adjoining the chairlift dismount area of the ski lift, enabling the staff to be at the correct level to observe the off-ramp area - **Figure 3**. Once the existing hut is removed from the site, the mound will be partially excavated to allow for the construction of piers and strip footings in preparation for the construction of the replacement hut. Material excavated from the mound is proposed to be removed to a stockpile site at the nearby Smiggin Holes resort area.



Figure 3 | Existing Lift Operators Hut on earthen mound adjoining the Top Station, with the location and size of the proposed hut shown by the red outline (Source: Applicant's documentation)

The new hut will be constructed on a blockwork base for ease of service connection under the floor to the existing power and communications - **Figure 4**.

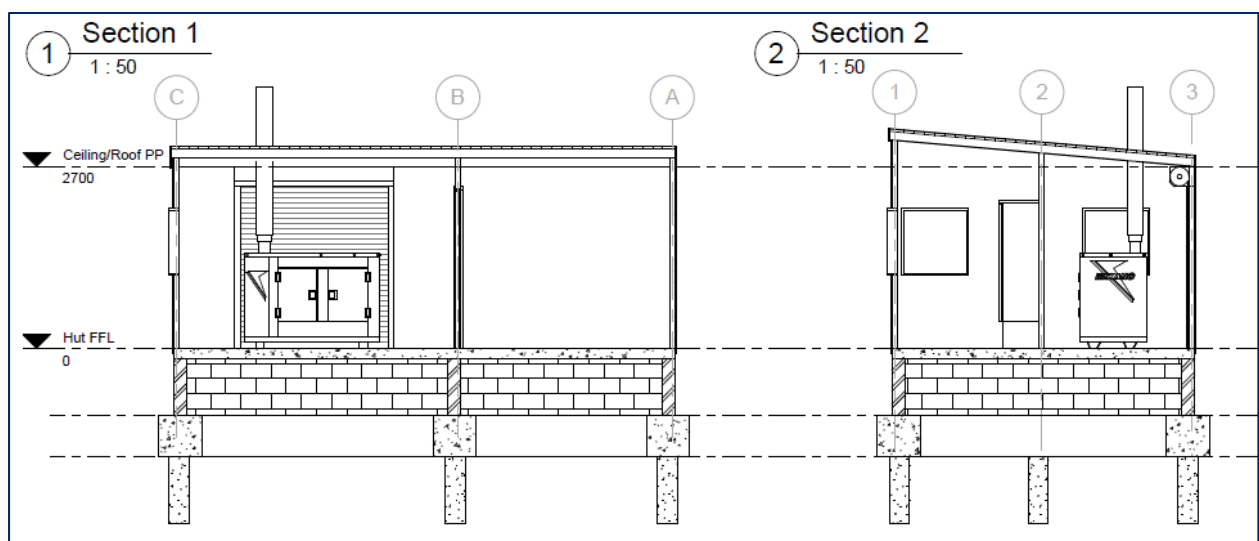


Figure 4 | Section plan of proposed hut (Source: Applicant's documentation)

The new hut will have three rooms comprising the lift operator room (9m²) which is generally for two staff members and wherein an electrical panel will also be placed; a storage/fitter room (10m²) providing

additional storage for staff; and, a plant room (9m²) housing a large generator (approx. 2.04 metres by 0.85 metre base and 1.13 high, weighing 900 kilograms) - **Figure 5**. The generator will provide back-up power to the lift if there is a power failure. The unit has an exhaust flue which will vent through the roof of the hut, and additional ventilation will be provided to the plant room by opening the large exterior roller door when the generator is in use.

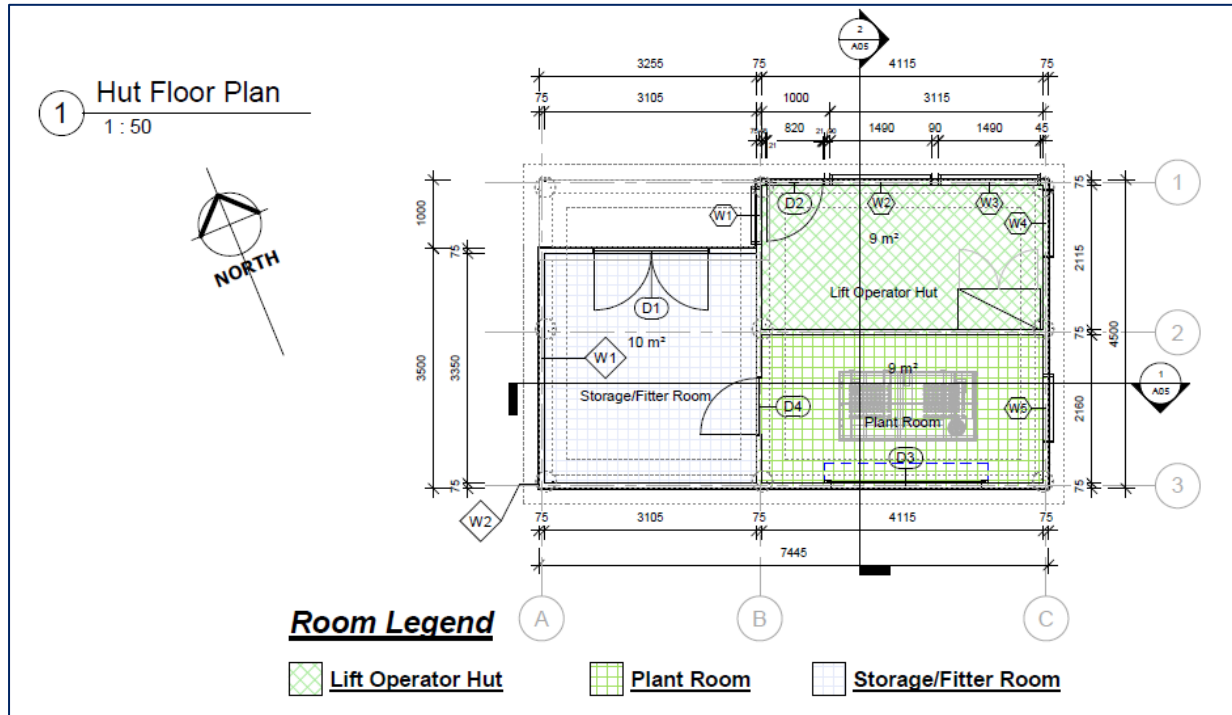


Figure 5 | Floor plan of proposed hut (Source: Applicant's documentation)

Access to the site will be from the Perisher Carpark via the gravel access trail known as Centre Valley Access Road to the Quad Express Chairlift Top Station. Materials transported to the site and demolition material to be removed from the site will be stored in the disturbed track area which will serve as the construction corridor for the works – **Figure 6**.

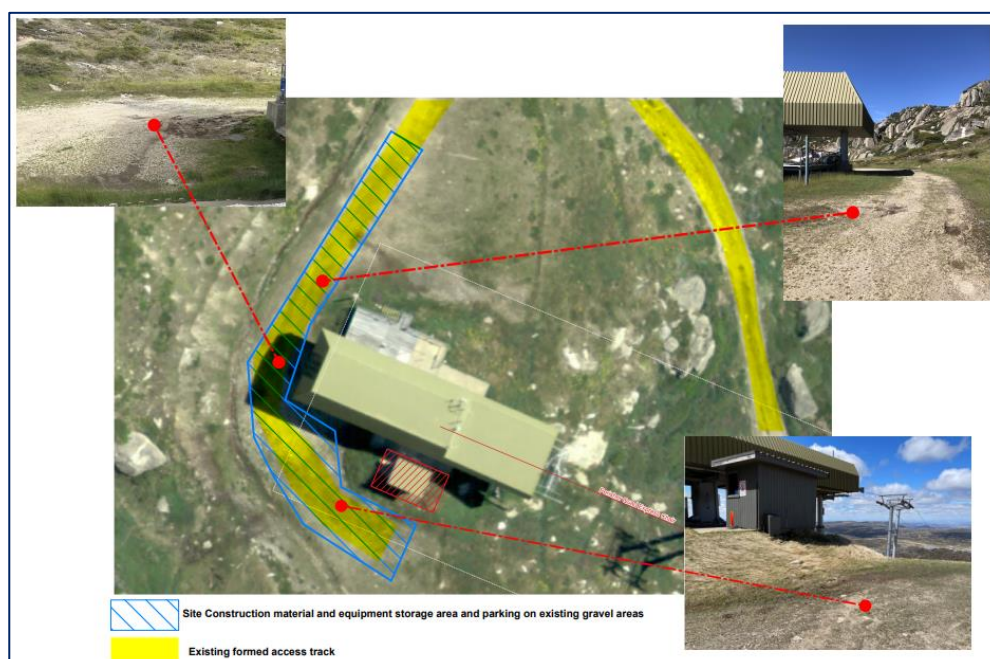


Figure 6 | Construction corridor (Source: Applicant's documentation)

Demolition and construction works to install the new hut will be carried out during the summer season, including prefabricated components of the new building compiled off site to reduce the onsite construction timeframes.

The Applicant indicates that the development is necessary to replace an existing hut that is necessary for the operation of the ski lift, and it will provide an improved staff experience and allow for additional storage space and the generator to be accommodated within the building.

The estimated cost of works is \$100,160.

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 replaces existing infrastructure necessary for staff to supervise the ongoing safe operation of the skiable terrain surrounding the Perisher Quad Express Chairlift. The continued operation of the Quad Express is important to the maintenance of visitation to the resort and local economy as it is one of the longest ski lift facilities in the Perisher Range Alpine Resort.

Snowy Mountains Special Activation Precinct Master Plan

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

Precincts - Regional SEPP

The proposal is consistent with Chapter 4 of the Precincts - Regional SEPP, where the development relates to supporting infrastructure to operate recreation facilities available in the Resort that attract regional tourism. Works will be undertaken in a way that has due regard to the alpine environment and the conservation and restoration of ecological processes, natural systems and biodiversity. Disturbance to the site will mostly be contained within the existing mound, being fill material placed on the site. Measures will be in place to mitigate adverse impacts on the environment during the works.

Under the provisions of section 4.27 of the SEPP, the National Parks and Wildlife Service (NPWS) have a commenting role as the land manager, which includes administering the Plan of Management framework for KNP that incorporates objectives, principles and policies to guide the long-term management of the KNP. NPWS have recommended conditions to prevent adverse impacts on the natural or cultural environment.

Draft South East and Tableland Regional Plan 2041

The draft plan identifies the alpine areas as providing important biodiversity to the region and acknowledges the contribution of visitation to the Snowy Mountains to the regional and state tourism economy.

The proposal is consistent with the draft Regional Plan as it will not result in adverse biodiversity impacts and will improve grooming efficiency and enhance the skiable terrain. The upgrading of the operators hut at the Perisher Quad Express Chairlift top station maintains and enhances the infrastructure that supports use of the skiable terrain in Perisher Range Alpine Resort. This supports visitor experience and the maintenance of visitation to KNP as a winter destination, along with sustaining the local, regional and state economy.

2.2 Permissibility

The proposal relates to the replacement of an existing lift operator hut with an expanded hut that will also accommodate the lift generator. Pursuant to section 4.7 of the Precincts - Regional SEPP, works relating to 'ski slope huts' are permissible with consent within the Perisher Range Alpine Resort.

2.3 Mandatory Matters for Consideration

Objects of the EP&A Act

Table 1 | Objects of the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	<p>The proposal supports the ongoing use of the skiable terrain surrounding the Quad Express Chairlift through improving the lift operator facility and including the generator for additional lift safety.</p> <p>The construction impacts will be maintained in a small construction footprint. Impacts on the environment will be minimised.</p>
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	<p>The proposal would 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.</p>
(c) to promote the orderly and economic use and development of land,	<p>The development seeks approval for works that upgrade the lift operator facility which is necessary for the safety of the patrons using the lift to access the skiable terrain surrounding the Quad Express Chairlift. This contributes to greater visitor amenity, supporting Alpine Resort visitation for winter snow sports and tourism, thereby promoting the ongoing economic use of the land.</p>
(d) to promote the delivery and maintenance of affordable housing,	<p>Not applicable to this proposal.</p>
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	<p>Impacts upon the environment are limited to a small, previously disturbed area, avoiding sensitive areas identified on the Biodiversity Values Map and any threatened species.</p>
(f) to promote the sustainable management of built and cultural	<p>The site is not in proximity to an area or item of built heritage. Given that the proposed works are surrounded by an area of archaeological sensitivity, construction equipment will be</p>

heritage (including Aboriginal cultural heritage),	required to remain on the existing access track. Excavation for the footings for the new hut is into a created mound. The development 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 hut, is small in scale and is finished in a dark charcoal colour, being compatible with the setting and surroundings.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	Building works are proposed as part of the development. 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).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department was not required to publicly exhibit the proposal (refer to Section 3).

Considerations under section 4.15 of the EP&A Act

Table 2 | Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument (EPI)	<p>The Precincts - Regional SEPP is the principal EPI which applies to the site for this type of development. An assessment against the requirements of Chapter 4 of the Precincts - Regional SEPP is provided below.</p> <p>The Department is satisfied that the Application is consistent with the requirements of Chapter 4 of the Precincts - Regional SEPP.</p>
(a)(ii) any proposed instrument	Not applicable to the proposal.

(a)(iii) any development control plan	Not applicable to the proposal.
(a)(iia) 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, where the proposal is considered to have positive economic and social impacts while the environmental and cultural values of the site and locality will be maintained.
(c) the suitability of the site for the development,	The site is suitable for the development and supports the ongoing safe operation of the ski lift and surrounding snow-based winter activities in the resort.
(d) any submissions made in accordance with this Act or the regulations,	Consideration has been given to agency discussions during the assessment of the application. See Section 3 of this report.
(e) the public interest.	<p>The works are consistent with the aim and objectives of Chapter 4 of the Precincts - Regional SEPP. The development seeks to ensure the ski lift operator staff who will be located in the hut can assist with any lift or patron issues near the Perisher Quad Express Chairlift Top Station, for the assistance and safety of patrons. Tourist services support visitation, which underpin the viability of the Alpine Resorts. The works will be undertaken in a way to avoid adverse impacts on the environment.</p> <p>As such, the proposal is believed to be in the public interest.</p>

Environmental Planning Instruments

State Environmental Planning Policy (Precincts - Regional) 2021 (Precincts - Regional SEPP) is the principal EPI applicable to the development. Consideration of the relevant provisions to the proposal within Chapter 4 of the Precincts - Regional SEPP is provided in **Table 3**.

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 includes the demolition of the existing hut and removal of the materials to either be recycled or disposed of at Jindabyne Landfill.
Section 4.21 Heritage conservation	
European heritage	The proposal would not impact on any European heritage items.
Aboriginal heritage	Areas of archaeological sensitivity are known to be located near the work site. The measures to protect Aboriginal cultural heritage have been considered further in Section 4 of this report.
Section 4.24 Flood planning	
Development on land in the flood planning area	The site is not located in a flood planning area and is not subject to flooding.
Section 4.25 Earthworks	
Impact of earthworks	<p>The excavations for the piers and strip footings at the base of the patrol hut will only be left exposed for a short duration until blockwork is laid for the mostly pre-fabricated hut to be constructed on top. The Department considers that the earthworks proposed are unlikely to cause the disruption to, or adverse impact on, drainage patterns or soil stability in the locality of the development. Works will be undertaken to avoid impacts on the environment or the amenity of any park users while supporting the current use of the land.</p> <p>Stockpiling of materials may occur on site within the delineated construction corridor over the disturbed access track. A condition of consent will require appropriate sedimentation and erosion control measures to be in place in accordance with the NPWS Guidelines.</p>
Section 4.27 Consultation with National Parks and Wildlife Service	

Consult with, and consider submissions from, the NPWS

The proposal was referred to the NPWS and comments were received. Refer to consideration of the NPWS referral comments in Section 3 of this report.

Section 4.28(1) – Consideration of master plans and other documents

(a) the aim and objectives of this policy, as set out in section 4.1	The proposal is consistent with the aim and objectives of Chapter 4 of the Precincts – Regional SEPP in that the development will be managed with regard to the principles of ESD. The provision of the replacement operators hut at the Quad Chairlift Top Station is intended to support the ongoing use of the ski lift and support winter snow sports and tourism in the locality. The proposal is appropriate as it relates to works to maintain tourism and patron safety on the ski slopes, while having an acceptable impact on the environment.
(b) a draft development control plan that is intended to apply to the land and has been published on the NSW planning portal	The Alpine DCP 2025 came into effect after the application was lodged, and is not applicable to the proposal.
(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,	The site is within the 'G' zone identified on the Department's Geotechnical Policy Map. 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.
(e) for development in the Perisher Range Alpine Resort— (i) the Perisher Range Resorts Master Plan, published by the National Parks and Wildlife Service in November 2001 and (ii) the Perisher Blue Ski Resort Ski Slope Master Plan adopted by the National Parks and Wildlife Service in May 2002.	The proposal has been considered against the relevant criteria of the PBSRSSMP. The Department considers the proposal is not inconsistent with the Master Plan as the works relate to upgrading ski slope supporting infrastructure. Lift operators are required to be located at the top station during operation, and the updated facility is anticipated to help improve staff amenity. The provision of the generator within the hut is also an additional safety feature to provide back-up power to the lift in the event of power failure, supporting patron safety. This will improve visitor experience and related visitor patronage,

strengthening the resort services and economic viability, while limiting the environmental impact of the works.

Section 4.29 Consideration of environmental, geotechnical and other matters

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

(a) measures proposed to address geotechnical issues relating to the development,	<p>The geotechnical assessment report anticipated that variably weathered granite would be located under the fill embankment (mound) at the hut site at relatively shallow depth below the original ground surface. The report recommended that where strip footings are founded on extremely weathered or better granite anticipated at shallow depth beneath the original ground surface, a revised classification of Class A would apply and a conservative allowable bearing pressure of 150kPa could be adopted. Recommendation was made that further advice must be sought if poorer quality subgrade is encountered. No drainage works have been proposed as part of this application.</p>
(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. No measures to protect against bushfire are required. The land is identified as being in an area of geotechnical sensitivity, and the works have been assessed as minor.</p> <p>Natural hazards have been adequately addressed.</p>
(c) the visual impact of the proposed development, particularly when viewed from the land identified as the Main Range Management Unit in the Kosciuszko National Park Plan of Management,	<p>The installation of the hut will not result in an unacceptable visual impact on the locality, where the structure is to be finished in a dark charcoal colour and clustered closely with the Top Station, in relation to which it is diminutive in height, bulk and form. The visual impact of the development is considered to be negligible.</p>
(d) the cumulative impacts of development and resource use on the environment of the Alpine Subregion in which the development is carried out,	<p>The hut will replace an existing structure at the Perisher Quad Express Chair Top Station, in relation to which no adverse cumulative impacts are anticipated. The development will not result in any changes to resource use, or impact the service and waste systems and facilities in place to support development and visitor patronage of facilities in the Alpine resorts.</p>

(e) the capacity of existing infrastructure and services for transport to and within the Alpine Region to deal with additional usage generated by the development, including in peak periods,	No additional usage of the infrastructure and service network is predicted as a result of the project, whereas the works will facilitate staff amenity and also support the continued safe operation of the Perisher Quad Express Chairlift to help maintain visitation of the Resort's services and infrastructure.
(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 minimal construction waste, and 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

Onsite stormwater drainage works are not proposed as part of the application. No negative impacts to stormwater are anticipated due to the nature and location of the proposed works.

Measures to mitigate the adverse impacts of the earthworks have been considered previously, and are detailed further in **Section 4** of this report. The impacts are considered to be acceptable.

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 are limited to excavating within the previously disturbed area,
- 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.

Native vegetation is not expected to be impacted during the proposed works. The proposed earthworks are not located within an area mapped on the BVM. This provision of the BOS under the BC Act are not triggered by the proposal.

The Department notes that there is currently no declared area of outstanding biodiversity value within KNP.

3 Submissions

3.1 Department's engagement

The Department's Community Participation Plan, November 2019, prepared in accordance with Schedule 1 of the EP&A Act generally requires applications to be exhibited for a period of fourteen (14) days. However, applications under Chapter 4 of the Precincts - Regional SEPP are not required to be public exhibited if the proposal relates to works which are wholly internal to a building or where the site is located more than fifty (50) metres away from a tourist accommodation building.

The works are not within fifty (50) metres of a tourist accommodation building, and the Department did not undertake formal exhibition or notification of the development.

The Department placed the application on the NSW Planning Portal website to make applications publicly available, consistent with the intent of the CPP.

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

3.2 Summary of submissions

No public submissions were received.

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

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

4 Assessment

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

- managing construction impacts,
- protecting Aboriginal cultural heritage,
- hut design, and
- contamination management

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

4.1 Managing construction impacts

The construction activities are surrounded by BVM areas (**Figure 7**),



Figure 7 | Hut site in relation to BVM areas (purple) (Source: Applicant's documentation)

The NPWS also considered the proposal and requested that the Applicant undertake a Test of Significant (ToS), including a BioNet search, and provide further photos and/or analysis of the environment to the east and southwest of the proposed development. NPWS advised that the area surrounding the site is BVM as it contains habitat or potential habitat for the Alpine She-oak Skink, Guthega Skink and Broadtoothed Rat. Given the conservation significance of these species, it is important to consider the potential direct and indirect impacts from the development on these species.

The NPWS was satisfied with the ToS provided by the Applicant, and raised no further concern about the anticipated impact to the BVM if proposed site protocols are followed and recommended conditions of consent are applied to protect the environment.

The Applicant updated their Site Environmental Management Plan with measures recommended by the NPWS and will be required to follow the SEMP and the applied conditions of consent to protect the environment and native vegetation during works.

Subject to compliance with the conditions, the Department considers that the proposed construction impacts are acceptable. The Department has applied construction conditions relevant to the Alpine area along with recommended conditions from NPWS having regard to activities such as site storage during construction, erosion and sedimentation measures and containing activities to the construction corridor on the disturbed access track.

4.2 Protecting Aboriginal cultural heritage

Areas adjoining the site are identified as being of archaeological sensitivity, however they are not within fifty (50) metres of the hut redevelopment site - **Figure 8**.

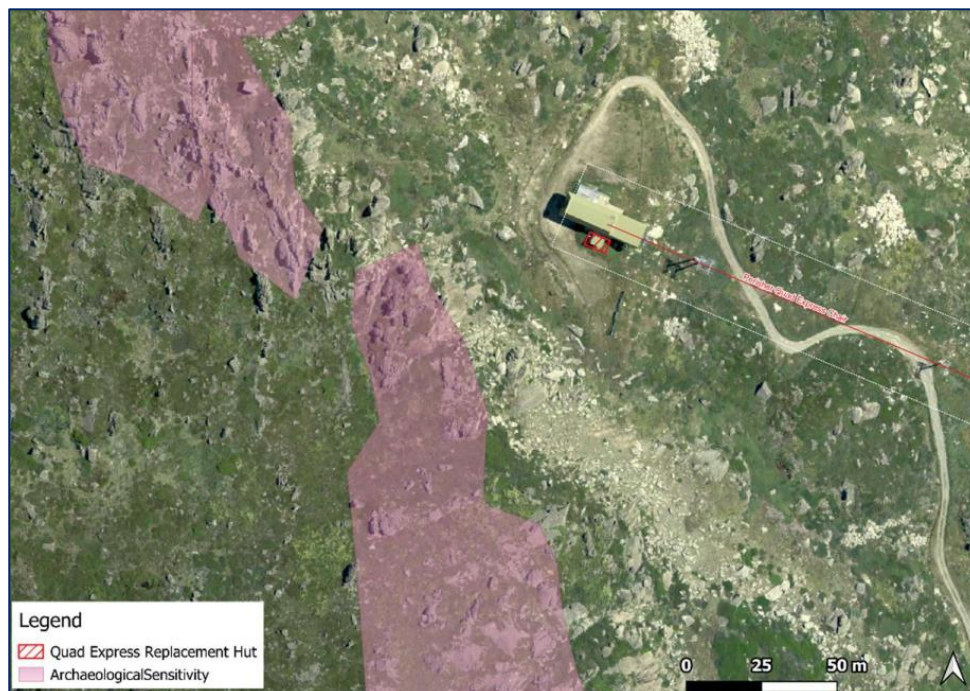


Figure 8 | Hut site in relation to the mapped (pink) areas of sensitivity (Source: Applicant's documentation)

The NPWS reviewed the documentation provided with the application, and recommended additional archaeological reports of relevance to the site should be consulted and referenced for all due diligence assessments conducted in the Perisher Range Resorts area as part of step 2.a of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. Revised information was provided by the Applicant and no objection was raised by the NPWS. A condition be applied that, should any Aboriginal objects be uncovered during construction, any works impacting the objects must cease immediately and the NPWS contacted for assessment of the site.

The Department concludes that subject to compliance with the conditions of consent, the proposal has demonstrated due diligence and is satisfactory in relation to minimising impacts on Aboriginal cultural heritage. voiding impacts to any Aboriginal items if they are detected during construction

4.3 Patrol hut design

The replacement hut has a simple rectangular form with a low pitched roof. While it is larger than the existing operators hut, as depicted in **Figure 3**, it is still regarded to be relatively small structure at 7.5 metres by 4.5 metres with a finished height of up to approximately 4.5 metres including the block-work base above the ground level (on the mound). The new hut is not considered to be visually intrusive in the setting and the neutral Colourbond Monument dark charcoal colour of the cladding and corrugated metal roof is compatible with the adjacent Quad Chairlift Top Station. The structure is clustered close to the existing building, where the design specifications will be subject to compliance with BCA requirements and engineering design standards.

The Department considers that the design and scale of the replacement hut is appropriate in the location and compatible with the setting and surroundings.

In considering the suitability of the design of the structure for the intended purpose, an assessment undertaken by an Engineer qualified in Hazardous Areas Classification verifies that the installation of the generator within the structure will be compliant with the relevant Australian Standards. This includes confirmation that:

- the walls separating the generator room from the operators room and the store room will be upgraded to have a 60/60/60 fire rating for compliance with AS 1940:2017 Table 2.1 *“At commercial buildings, factories, workshops, hospitals and warehouses – Outside the building”*,
- the selection of the door between the plant room and the storage room will be reviewed to ensure this also has a fire rating of at least 60/60/60,
- the storage room will only be used for storage, and will not be used as a workshop or be occupied by any personnel for any other purpose than placing or retrieving products,
- there is no storage of flammable or combustible liquids in the adjacent store room or anywhere else at the site. The only combustible liquid stored is inside the bunded 80 litre fuel tank on the genset (generator),
- there is no required separation distance for the electrical panel (to be placed inside the operators room) to the genset due to a hazardous area or other standards. The location of the panel in the adjacent room is considered to be safe and practical, and that
- the Generator Set installation at Perisher is compliant with relevant Australian Standards.

The Department concludes that subject to compliance with the conditions of consent, including references to the BCA which are to be addressed by the Certifier at the Construction Certificate stage, compliance with the relevant standards is achievable and the proposal is satisfactory.

4.4 Contamination management

The generator in the plant room of the new hut will house an eighty (80) litre diesel fuel tank that is self-bunded within the unit. The Applicant advises that the generator requires three (3) litres of diesel per hour to operate, enabling operation for approximately twenty-six (26) hours without requiring refuelling. Given the long operating capacity, the Applicant indicates that there is no need to store fuel on site and they propose to transport fuel to site as required in portable fuel containers such as twenty (20) litre jerry cans. The management of refuelling, spills and the removal of absorbent material will be undertaken in accordance with Perisher Resort operating processes, including the provision of spill kits and associated safe work procedures. There will be no fuel or other dangerous goods stored onsite other than the fuel

contained within the generator, which the Applicant advises will be operated in accordance with the manufacturer's instructions.

The Department recognises the advantages of co-locating the generator within the new hut. While supportive of the inclusion of the plant room within the building, the Department (in consultation with the NPWS) also sought to ensure the operation of the diesel unit does not lead to contamination of the sensitive alpine environment. Further to the undertakings by the Applicant that they will follow both their prescribed internal processes and the generator instructions in relation to the ongoing operation of the unit, the Department sought to ensure both installation and operation of the generator would be carried out in accordance with the relevant standards to ensure safety of building occupants and prevent contamination of the environment.

The Applicant was provided with a copy of the draft condition of consent to require the review of the installation by an appropriately qualified and practising dangerous goods consultant prior to issue of the relevant construction certificate. The Applicant elected to furnish the Department with the documentation prior to determination, demonstrating that the proposal complies with relevant Australian Standards for the operation of the unit.

The Department concludes that if the operation of the diesel generator is undertaken in accordance with the approved documentation and conditions of consent placed on the approval, then the required standards have been met and procedures are in place to ensure the potential for land contamination from the use of the diesel generator is considered low.

5 Recommendation

The Department has assessed the merits of the proposal in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes the proposal is acceptable as:

- the impacts of the development on the environment have been appropriately avoided, managed and mitigated, and construction impacts on the surrounding environment will be minimised through adoption of conditions of consent,
- the cultural values of Kosciuszko National Park will be appropriately protected through due diligence being exercised in developing and undertaking the proposed works to minimise impacts on Aboriginal cultural heritage, and
- the works are acceptable to upgrade resort infrastructure while enhancing the amenity of lift operators and supporting the safety of visitors using of ski lifting infrastructure in Perisher. Maintaining continued visitor enjoyment of snow-based Alpine activities underpins the ongoing economic viability of the resort.

Overall, the Department is satisfied that the proposal is suitable for the site and in the public interest.

The Department therefore recommends that the application be approved, subject to recommended conditions. In accordance with the Minister's delegation of 9 March 2022, the 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 Assessments, 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 24/16458, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix A**).

Recommended by:



Sandria Butler
Senior Planning Officer
Alpine Resorts Team

Adopted by:


27/2/2025

Mark Brown
Team Leader Assessment
Alpine Resorts Team

as delegate of the Minister for Planning

Appendices

Appendix A – Recommended Instrument of Consent