



Guthega Home Trail – ski slope works to improve access, Guthega

Development Application Assessment
DA 25/944

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

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Glossary

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

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1 Introduction

1.1 Introduction

This report contains the Department's assessment of the Development Application (DA 25/944) lodged by Perisher Blue Pty Ltd (the Applicant) seeking approval for the development of the Guthega Home Trail – ski slope works to improve access, within Perisher Range Alpine Resort, Kosciuszko National Park (KNP).

The site is located within the Perisher Ski Resort on land described as Lot 535 DP 1171976 and Lot 536 DP 1171976, which is situated in Guthega and identified as 37 Burramys Road, Perisher Range Alpine Resort (**Figure 1**).

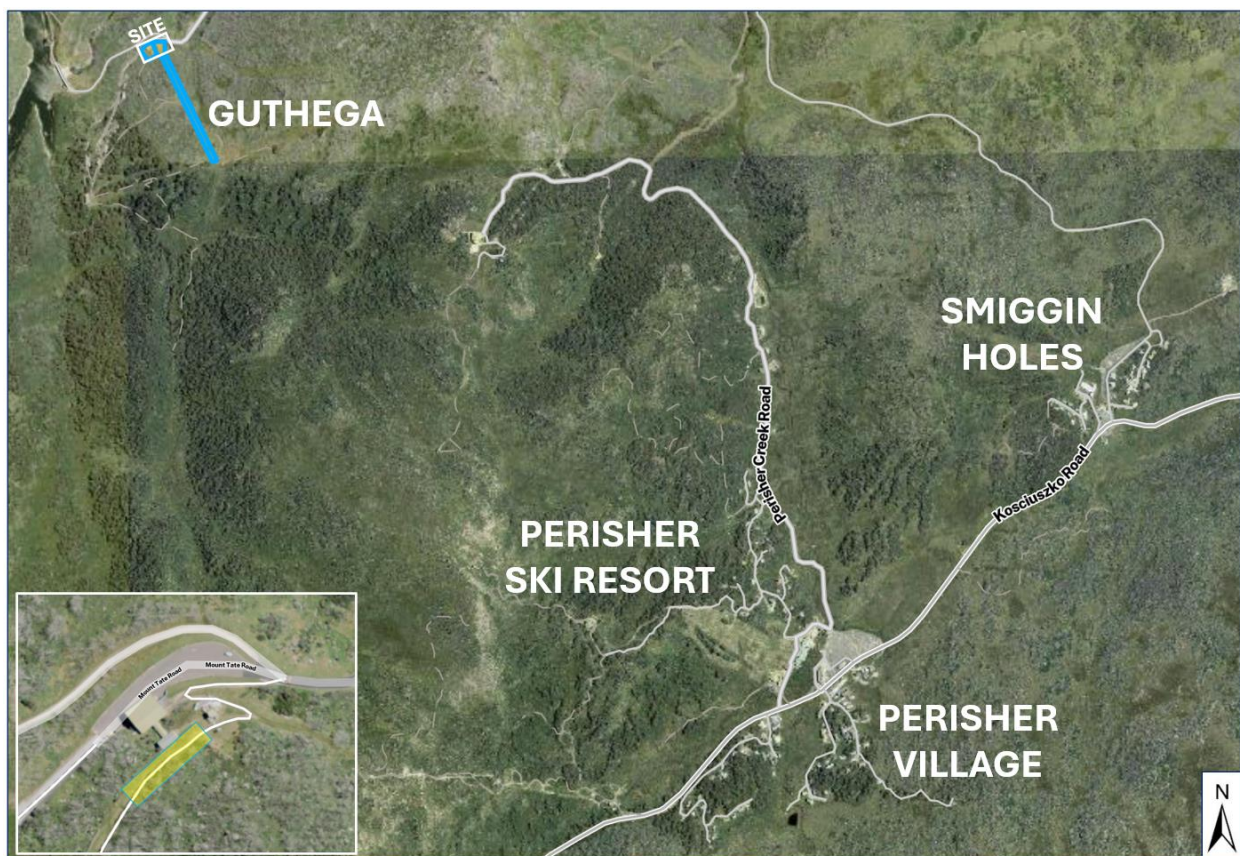


Figure 1 | Location of the site in the context of Lot 535, Lot 536 and Perisher Range Alpine Resort (Source: NSW Planning Portal Spatial Viewer, with annotations)

1.2 Approval history

The development area (immediate locality and adjoining buildings / structures) has been subject to three (3) previous DA's determined under delegation of the Minister for Planning, including:

- On 21 June 2021, the Director of the Regional Assessments branch, as delegate of the Minister for Planning granted consent to Development Application (DA 10174) for the operation of a café and internal alterations to the Guthega Ski Centre, including the seating of 90 patrons, upgrade of existing commercial kitchen, and installation of a dry storage room and cool room.

- On 19 May 2022, the Director of the Regional Assessments branch, as delegate of the Minister for Planning granted consent to Modification Application (DA 22/4922) for the increase in maximum patronage, hours of operation, allowance for year-round trading and use of balcony.
- On 5 April 2023, the Team Leader of the Alpine Resorts Team, as delegate of the Minister for Planning granted consent to Development Application (DA 23/1923) for the replacement of the existing Uphill Line of the Guthega Carpark Double Chair and the installation of additional conduit.

1.3 Proposed development

The Applicant seeks approval for cut and fill operations on the Guthega Home Trail to improve the final approach to the Carpark Double Chair for riders at the Resort. The works comprise the following (as identified in **Figure 2 to 5**):

- clearing of approximately 350m² of exotic grassland and 140m² of native vegetation classified as having high biodiversity value
- cut and fill of approximately 60 metres of ski slope known as the Home Trail, with a maximum cut of 1200 mm to facilitate the proposed gradient
- construction of a rock retaining wall located on the high side of the ski slope to contain the earth above while filling and levelling of areas between the trail and the adjoining Guthega Nordic Centre

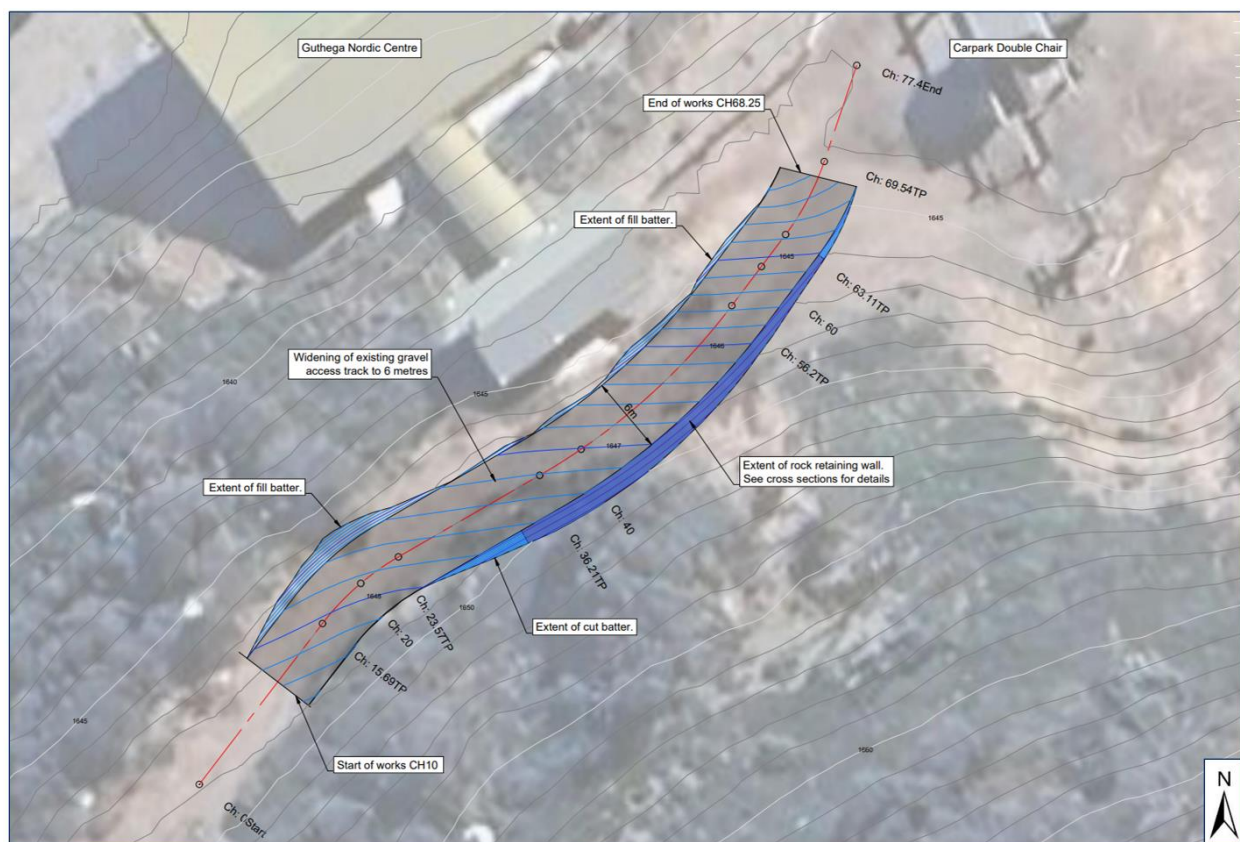


Figure 2 | Extent of works occurring on the Guthega Home Trail (Source: Applicant's Statement of Environmental Effects [SEE] 2024)

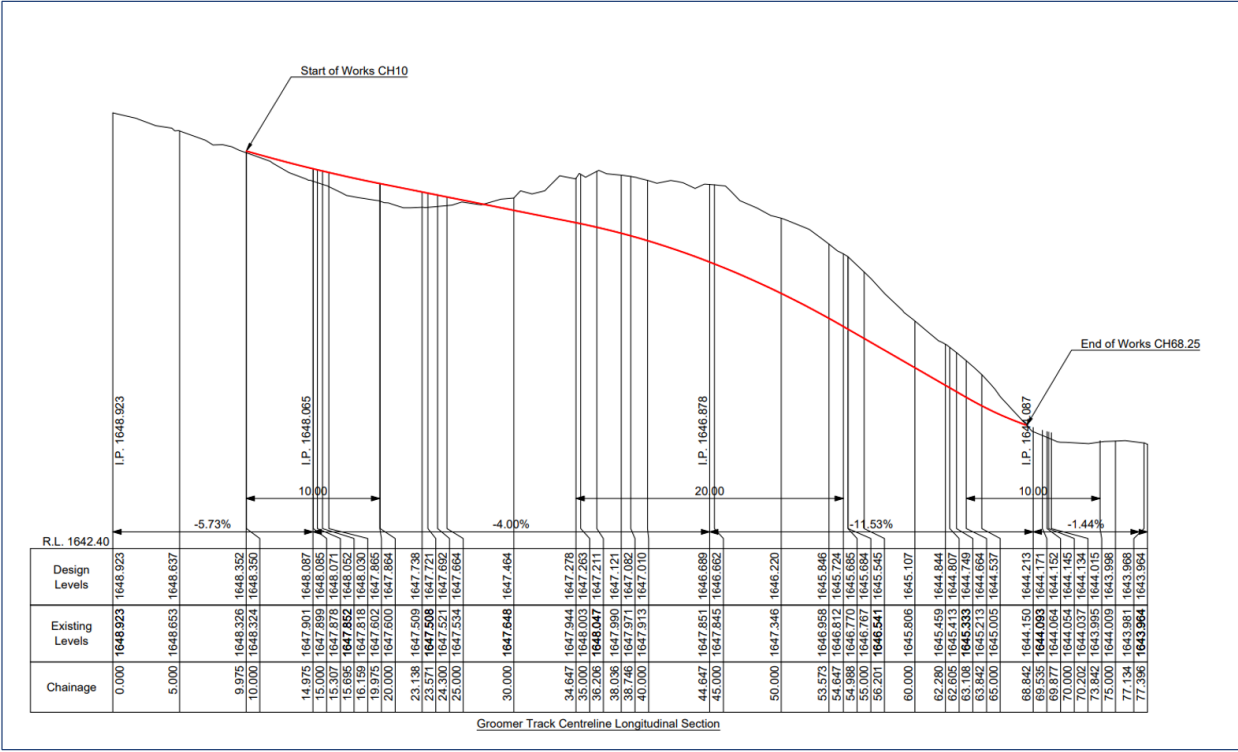


Figure 3 | Overview of cut and fill works proposed for the Guthega Home Trail (Source: Applicant's SEE 2024)

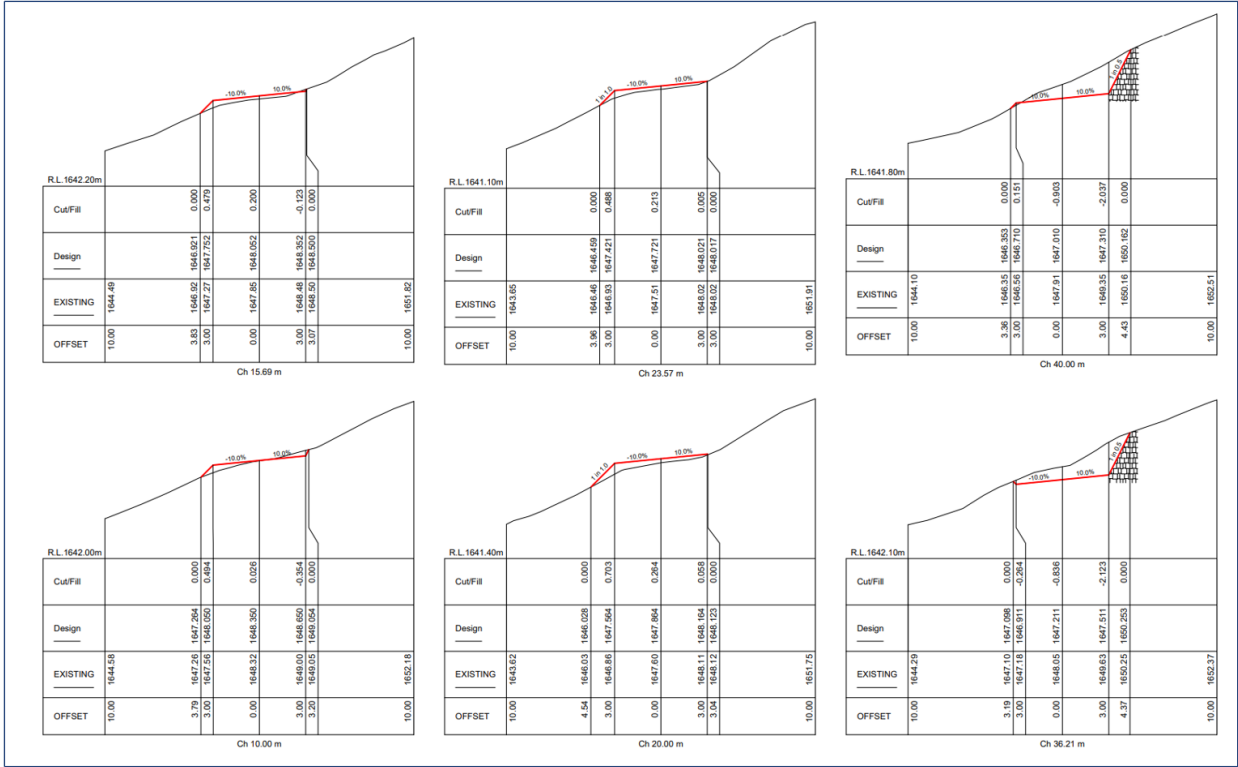


Figure 4 | Section plans identifying cut and fill requirements along the Guthega Home Trail (Source: Applicant's SEE 2024)



Figure 5 | Additional section plans identifying cut and fill requirements along the Guthega Home Trail
(Source: Applicant's SEE 2024)

During construction, the site will be accessed by construction vehicles from the Home Trail via the Norwegian Road and Guthega Road. The Applicant notes that the direct route of the access driveway onto the Home Trail does not support vehicles with a size greater than a standard vehicle, and therefore access via the alternative path is required.

The Applicant states that the works to alter the level of the trail are in response to difficulties for riders to retain enough momentum to reach the Carpark Double Chair. Presently, the slope grades from flat to steep upslope with an uneven cross-slope grade. The proposed works would result in a level cross-slope grade and create a continuous downslope to the Carpark Double Chair.

Construction works are expected to be carried out over an estimated three-month period.

The estimated development cost for the proposal is \$52,500.

Documents relating 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 South East and Tablelands 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 proposal is consistent with the Regional Plan as it supports the ongoing operation of the Guthega Home Trail and Perisher Range Alpine Resort. The proposal will allow the resort to continue to meet the demands of the snow sport community within the Perisher Range Alpine Resort, which leads to continued visitation to the NSW ski resorts during the winter period.

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 providing 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 would enhance snow sport activity in the Perisher Range Alpine Resort. This 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 outlined 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 9.1.2 relates to the Perisher Range and Perisher Valley. The proposal is consistent with the Master Plan as the proposal will enhance the on-mountain experience for riders within an existing trail, contributing to protection of the environment and visitor amenity within Perisher Range Alpine Resort.

Precincts - Regional SEPP

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

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

2.2 Permissibility

The proposal includes earthworks and construction of rock retaining wall on an existing ski trail, consistent with the definition of 'ski slopes' as defined in Chapter 4 of *State Environmental Planning Policy (Precincts – Regional) 2021* (the Precincts - Regional SEPP).

Pursuant to clause 4.7 of the Precincts - Regional SEPP, 'ski slopes' are permissible with consent within the Resort.

2.3 Mandatory Matters for Consideration

Objects of the EP&A Act

Table 1 | Objects of the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The proposal supports the ongoing use of Perisher Range Alpine Resort through altering and improving an existing ski trail, while minimising impacts on the environment by incorporating appropriate earth retention structures. The works to the site would have positive social and economic impacts and improve ski slope access.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal would not have an unacceptable impact on the environment thus being ecologically sustainable development. Mitigation measures during construction have been included in the recommended conditions of consent and impacts on biodiversity limited.
(c) to promote the orderly and economic use and development of land,	The development seeks approval for works that improve an existing ski trail, which contributes to greater visitor amenity and supports Alpine Resort visitation for winter tourism, thereby promoting the ongoing orderly and 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,	Impacts upon the environment have been limited to avoid sensitive areas where possible. Minor impacts to vegetation listed on the Biodiversity Values Map (BVM) have been identified, with mitigation measures being implemented to reduce impacts and offsets

under the Biodiversity Offset Scheme (BOS) proposed. An assessment of impacts is provided in **Section 4**.

(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposed development is not anticipated to result in any impacts upon built and cultural heritage, including Aboriginal cultural heritage. NPWS commented that the potential for impacts on Aboriginal cultural heritage have been adequately addressed in the SEE. No additional assessment is required.
(g) to promote good design and amenity of the built environment,	The Department considers that the proposal responds to its existing setting and minimises impacts upon the natural environment. See discussion in Section 4 .
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The Department has recommended conditions of consent to ensure the proposal is undertaken in accordance with legislation, guidelines, policies and procedures to ensure the health and safety of people and animals who may be present in the area of works (refer to Appendix A).
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department consulted with NPWS 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	The proposal relates to cut and fill of an existing ski slope trail and the construction of a new rock retaining wall. Section 2.4 of the Alpine DCP relates to on-mountain development and infrastructure. The Department considers that the proposal is consistent with Section 2.4 of the Alpine DCP as it improves the ease and efficiency of circulation and public safety.
(a)(iia) 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 has considered the likely impacts of the development. Environmental impacts have been contained where possible and site works can be appropriately managed and mitigated through conditions of consent.
(c) the suitability of the site for the development,	The works to the Guthega Home Trail maintains the use of the site consistent with its current suitability, which supports snow-based winter activities in the resort. The site is suitable for the development, as discussed in Section 4.
(d) any submissions made in accordance with this Act or the regulations,	Consideration has been given to submissions received from the NPWS. Refer to Section 3 and Section 4 of this report.

(e) the public interest.

The works are consistent with the aim and objectives of Chapter 4 of the Precincts - Regional SEPP, including the objective to encourage the carrying out a suitable range of development in the Resort areas to support sustainable tourism in the Alpine Region. The development will be compatible with the ongoing operation of the resort.

Temporary impacts to the environment have been identified and will be appropriately managed, mitigated and contained. The development is considered to support the economic viability of the Resort while maintaining the health and diversity of the environment, thereby supporting the principles of ESD.

The approval of the proposal is considered to be consistent with the public interest.

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**.

No contamination within the site and surrounding area has been identified. There are no further matters under *State Environmental Planning Policy (Resilience and Hazards) 2021* that need to be considered.

Table 3 | Precincts - Regional SEPP, 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	No demolition of buildings is proposed under this DA.
Section 4.21 Heritage conservation	
European heritage	The proposal would not impact on any European heritage items.
Aboriginal heritage	NPWS raised no concerns with the proposal. A condition has been recommended that should any Aboriginal objects be uncovered during construction, any works impacting the objects must cease immediately and NPWS must be contacted for assessment of the site.

Section 4.24 Flood planning

Development on land in the flood planning area

The site is not located in a flood planning area and is not subject to flooding.

Section 4.25 Earthworks

Impact of earthworks

Earthworks relating to cut / fill is required for the proposed works. The excavated soil will be temporarily stockpiled within the construction corridor and used during rehabilitation once the works are complete. Measures to avoid and mitigate impacts from the works have been outlined in the documentation accompanying the development application, including the Site Environmental Management Plan. The Department considers that the earthworks proposed are unlikely to cause the disruption to, or adversely impact on, drainage patterns or soil stability in the locality of the development.

Works will be undertaken to avoid impacts on the environment or the amenity of any park users while supporting the current use of the land.

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

Section 4.27 Consultation with National Parks and Wildlife Service

Consult with, and consider submissions from, the NPWS

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

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

(a) the aim and objectives of this policy, as set out in section 4.1

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 alteration and improvement of an existing ski trail is intended to support the ongoing use of the ski resort and support winter sports and tourism in the locality. The proposal is considered appropriate as it relates to works to enhance the existing ski slope while having an acceptable impact on the environment.

(b) (repealed)

(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 Map.

The Geotechnical Assessment provided commentary stating that the proposed works will have minimal geotechnical impact on the site based on the extent of the proposed earthworks.

Due to the nature of the existing slope above the track, the Geotechnical Assessment recommends the construction of a retaining wall which can support the uphill slope once earthworks have been undertaken.

A completed Form 4 – Minimal Impact Certification report was provided.

Geotechnical considerations have been adequately assessed by the Applicant and recommendations are provided prior to construction and during works.

(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 development proposes earthworks to a 60 metre section of an existing ski slope. The development remains consistent with the requirements of the Perisher Range Resorts Master Plan and the Perisher Blue Ski Resort Ski Slope Master Plan.

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,

Refer to comments in Section 4.28(1)(d) above.

(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,	The proposed works have been designed to avoid significant areas of high biodiversity values where possible, and mitigate impacts on the natural environment. The land is not subject to flooding and no measures to protect against bushfire are required. 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,	There is potential for the site to be visible from the Main Range Management Unit. Given the nature of the works to an existing ski trail and the screening opportunity of surrounding vegetation, the visual impact of the development is considered to be negligible in the setting, where it is not expected to have an adverse visual impact on KNP.
(d) the cumulative impacts of development and resource use on the environment of the Alpine Subregion in which the development is carried out,	The works will impact biodiversity values (BV) mapped land. Measures to minimise impacts and offset appropriate credits have been recommended in the conditions of consent. The development will not result in any changes to resource use or impact the facilities in the Alpine Resorts.
(e) the capacity of existing infrastructure and services for transport to and within the Alpine Region to deal with additional usage generated by the development, including in peak periods,	The usage of the existing infrastructure and service network is predicted to be sufficient to support the additional infrastructure proposed 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 not generate ongoing operational waste by the development. The capacity of existing waste facilities to deal with any waste from the project is considered adequate.
Under section 4.29(2) - For development involving earthworks or stormwater draining works, the consent authority must also consider -	
Measures to mitigate adverse impacts associated with the works	No negative impacts to stormwater are anticipated.

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

Under section 4.29(3) - For development the consent authority considers will significantly alter the character of an Alpine Subregion, the consent authority must also consider -

(a) the existing character of the site and immediate surroundings, and	The development will not significantly alter the character of an Alpine Subregion, or the character of the site and immediate surroundings.
(b) how the development will relate to the Alpine Subregion.	As above.

Section 4.30 Kosciuszko National Park Plan of Management

Consistency between the development and the Kosciuszko National Park Plan of Management	NPWS have commented that the works are consistent with the management objectives for section 10.2 (Alpine Resorts Management Units), section 10.6 (Perisher Management Unit), and section 11.6 (Environmental Quality) and section 8 (Recreation).
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Ecologically Sustainable Development (ESD)

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. ESD initiatives and sustainability have been adequately considered by the Applicant and mitigation measures are proposed to be incorporated into the design.

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

- the works support the orderly and economic use of the site;
- the proposal is not expected to adversely impact upon the health, diversity, or productivity of the environment for future generations;
- measures taken to avoid, minimise and mitigate impacts to the vegetation and habitats present within the development footprint during the design, construction and operation of the proposal have been incorporated into the proposal; and
- the proposal does not impact upon cultural heritage, including Aboriginal cultural heritage.

Biodiversity Conservation Act 2016

Section 1.7 of the EP&A Act requires the application of the *Biodiversity Conservation Act 2016* (BC Act) in connection with the terrestrial environment. The BC Act introduced a Biodiversity Offsets Scheme (BOS) that applies when:

- the amount of native vegetation being cleared exceeds a certain threshold area; or
- the impacts occur within an area mapped on the Biodiversity Values Map (BVM) published by the Minister for Environment; or
- the 'test of significance', in section 7.3 of the BC Act, identifies that the development or activity is likely to significantly affect threatened species or ecological communities, or their habitats; or
- the works are carried out in a declared area of outstanding biodiversity value.

The application is supported by a Biodiversity Development Assessment Report (BDAR) advising the proposed works will result in the clearing of 0.014 ha of native vegetation identified as having high biodiversity values on the Biodiversity Values Map (BVM). No significant impact to threatened species or ecological communities, or their habitats, is expected.

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, dated April 2024, prepared in accordance with Schedule 1 of the EP&A Act requires applications to be exhibited for a period of fourteen (14) days. However, applications under Chapter 4 of the Precincts - Regional SEPP are not required to be public exhibited if the proposal relates to works which are wholly internal to a building or where the site is located more than fifty (50) metres away from a tourist accommodation building.

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 the Precincts - Regional SEPP.

3.2 Summary of submissions

NPWS

NPWS were broadly supportive of the proposal, though queried the inclusion of a comment in the BDAR which stated that NPWS requested that the ecologist assume presence of the Eastern Pygmy Possum at the site for this particular development.

Additionally, NPWS requested that the Site Environmental Management Plan (SEMP) be updated to include standard environmental protection measures required for development within KNP, as well as site-specific measures within Perisher Range Alpine Resort.

NPWS Visitor Engagement & Revenue Branch (VERB) advised that the proposed works are permissible under the Consolidated Mountain Lease between the Minister for the Environment and the proponent, and the Perisher Ski Area Deed of Licence between the Minister for the Environment and Heritage and the proponent.

A detailed assessment can be identified in **Section 4**.

Public Submissions

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

4 Assessment

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

- Impacts on biodiversity
- Construction impacts and access

4.1 Impacts on biodiversity

The Department has carefully considered the potential biodiversity impacts associated with the proposal, given the location of the site and the sensitive nature of the flora and fauna within the alpine area. The Department's assessment of the potential environmental impacts of the proposal along with appropriate mitigation and management measures are considered below:

Vegetation impacts

As discussed in **Section 2**, the proposed Site is classified as ski slope and contains a mixture of disturbed and undisturbed land, with areas of vegetation listed as having high biodiversity values on the BVM. The Applicant's BDAR identifies that the Site and surrounding area supports one Plant Community Type (PCT), being the Kosciuszko Alpine Sally Woodland (**Figure 6**). Exotic Grassland has also been identified within parts of the Site. The Site does not support any Endangered Ecological Communities.

To support the development, vegetation clearing of 140m² (0.014ha) of Kosciuszko Alpine Sally Woodland and 350m² (0.035ha) of Exotic Grassland is required. The clearing of Kosciuszko Alpine Sally Woodland, as a species listed as having high biodiversity values, triggers the BOS and requires the offset of one ecosystem credit.

NPWS raised no concerns with the proposal and noted that the BDAR has appropriately considered the relevant matters contained in the BC Act.

Species impacts

The Applicant's BDAR identified that the development site has the potential to support the habitats of the *Mastacomys fuscus* (Broad-toothed Rat) which is listed as endangered under the BC Act and *Environmental Protection and Biodiversity Conservation Act 1999* {*cwth*}, and *Cercartetus nanus* (Eastern Pygmy-possum) which is listed as vulnerable under the BC Act. *Liopholis guthega* (Guthega Skink) was also subject to targeted surveys due to its well-known presence in the Centre Valley area and to ensure that development would avoid or minimise impacts as far as possible.

The BDAR identified the presence of the Broad-toothed Rat within the targeted surveys, with an estimated habitat impact of 0.01ha requiring the offset of one species credit. Additionally, the Eastern Pygmy-possum was assumed to be present with a habitat impact of 0.01ha requiring the offset of one species credit.

Given the minor amount of native vegetation to be impacted, the Department in consultation with NPWS is satisfied that the development is unlikely to have a significant impact on any threatened fauna species. NPWS raised no concerns with the conclusions made within the BDAR, and recommended standard

environmental protection measures required for development within KNP, as well as site-specific measures within Perisher Range Alpine Resort.



Figure 6 | Location of Kosciuszko Alpine Sally Woodland within the subject site and surrounds (Source: Applicant's SEE 2024)

Conclusion

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

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

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

4.2 Construction, impacts and access

Access

During construction, the site will be accessed by construction vehicles from the Home Trail via the Norwegian Road and Guthega Road. The Applicant notes that the direct route of the access driveway onto the Home Trail does not support vehicles with a size greater than a standard vehicle, and therefore access via the alternative path is required.

Site Management

The approved development area is to be flagged on site to ensure no encroachment into areas not subject to the proposed works are impacted. An Environmental Officer is recommended to be appointed to oversee the works, ensure compliance with conditions and also with the recommendations of the BDAR prepared by Eco Logical Australia Pty Ltd.

The Department has recommended conditions of consent requiring the Site Environmental Management Plan (SEMP) to be updated prior to the issue of a construction certificate, in response to comments received from NPWS. All construction activities to occur on the ski slope must be in accordance with the updated SEMP. The Department has also recommended standard construction conditions applied for on-slope works in the Alpine area.

BCA-NCC Guidelines

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

The Department has imposed further conditions relating to the development which can be identified in **Appendix A**, including the submission of a construction certificate for the rock retaining wall.

Conclusion

The Department has recommended standard construction conditions applied in the Alpine area, along with recommended conditions from NPWS. Subject to compliance with these conditions, the Department is of the view that the construction of the proposed works would not impact upon buildings located within proximity of the site or the environment.

5 Recommendation

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

- the proposal is permissible with consent under the Precincts - Regional SEPP
- there will not be a significant impact on any threatened species, populations or ecological communities, and the natural environment and cultural values associated with KNP are protected
- the alteration to an existing ski slope will minimise impacts to the environment while allowing for individuals of all abilities to experience the natural environment within Perisher Range Alpine Resort and KNP
- construction impacts are acceptable with impacts minimised, while acknowledging the works are consistent with the regional plan for the locality and supports visitation to the ski resorts
- the proposal is consistent with the requirements under the BC Act and EPBC Act.

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

The Department, therefore, recommends that the application be approved, subject to recommended conditions. In accordance with the Minister's delegation of 9 March 2022, a 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 25/944, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix A**).

Recommended by:



Zac Derbyshire
Planning Officer
Alpine Resorts Team

Adopted by:



28/8/2025

Mark Brown
Team Leader - Assessments
Alpine Resorts Team
as delegate of the Minister for Planning

Appendices

Appendix A – Recommended Instrument of Consent