



STATEMENT OF ENVIRONMENTAL EFFECTS

Installation of Mobile Food Van, Use of Deck for Outdoor Dining
and Business Identification Signage

Lot 510 DP1177964

Powder Inn, Mt Perisher, Kosciuszko Road Perisher Valley

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Prepared for Perisher Ski Resort

April 2025

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1 INTRODUCTION

This statement of environmental effects has been prepared by Perisher Blue Pty Ltd to accompany a development application for **Installation of Mobile Food Van, Use of Deck for Outdoor Dining and Building Identification Signage (Powder Inn)**, lot 510 DP1171964, Powder Inn, Mt Perisher via Kosciuszko Road Perisher Valley NSW 2624. The application is being lodged by Perisher Blue, pursuant to Clause 4.12 of the Environmental Planning and Assessment Act 1979.

The proposal has been designed to achieve the relevant provisions of State Environmental Planning Policy (Precincts Regional) 2021, and Clause 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

This statement has been prepared having regard to the following documentation:

- Plans
- Signage Plans
- Engineering response to use of deck for outdoor dining

1.1 Objectives of the proposal

To enhance the guest experience at the base of Mt Perisher, outdoor seating will be provided, a food van will be installed, and new signage will be added at the Powder Inn food and beverage outlet. These improvements will complement the newly constructed Mt Perisher 6 Chairlift, offering an enriched experience for guests in this area.

2 SITE DESCRIPTION AND DETAILS OF THE PROPOSAL

2.1 Subject Site and Surrounding Development

The proposed development is situated on lot 510 DP1171964, which is 1.68 hectares in size. The site is southwest of Perisher Village, at the base of Mt Perisher, adjacent to the Powder Inn restaurant building. The development footprint is approximately 255sqm and includes the existing bottom station deck of the former Mt Perisher Double Chair and an area adjacent to the Powder Inn building where the food van is to be located.

The deck is proposed to be used for outdoor seating and dining and the area designated for the food van installation directly adjacent to the existing Powder Inn building was previously used as part of the queue area for the former chairlift. The primary use of this area remains for on-snow recreation activities, ski lifting, and associated infrastructure, including buildings used as workshops and guest amenities, which will not change as part of this application.

There is no tourist accommodation in the vicinity of the site. The site is not heritage listed.

Perisher Creek flows from the northeast of the site through a culvert, piped under the existing deck, and exits at the southwestern corner. The food van will be located approximately 14 meters from where the creek flows under the deck.

The development is proposed as a winter activity when the site is part of the overall ski area. In summer, the site is disturbed land adjacent to the building and an existing deck structure. The deck on which the outdoor tables will be placed will be cleared of snow to allow for use during the ski area's operation.

The food van will be installed on concrete paver blocks, requiring no ground disturbance for footings or foundations. The location of the food van has been chosen to ensure minimal impact, with all connections being above ground to avoid trenching or ground disturbance. The van will be located adjacent to the toilets within the Powder Inn building, allowing for a connection through the wall to existing services (water and sewer). The electricity connection will be from the van to a point under the deck, again requiring no trenching or ground disturbance. The connection of the van to services will be via above-ground cabling for electricity and through the wall of the Powder Inn for water and sewer.

No excavation or ground disturbance is required to facilitate the development.

Figures 1 – 3 provide context of the location of the proposal and site photographs of the existing building and surrounding area can be found in Appendix A.



Figure 1 – Resort Context Plan

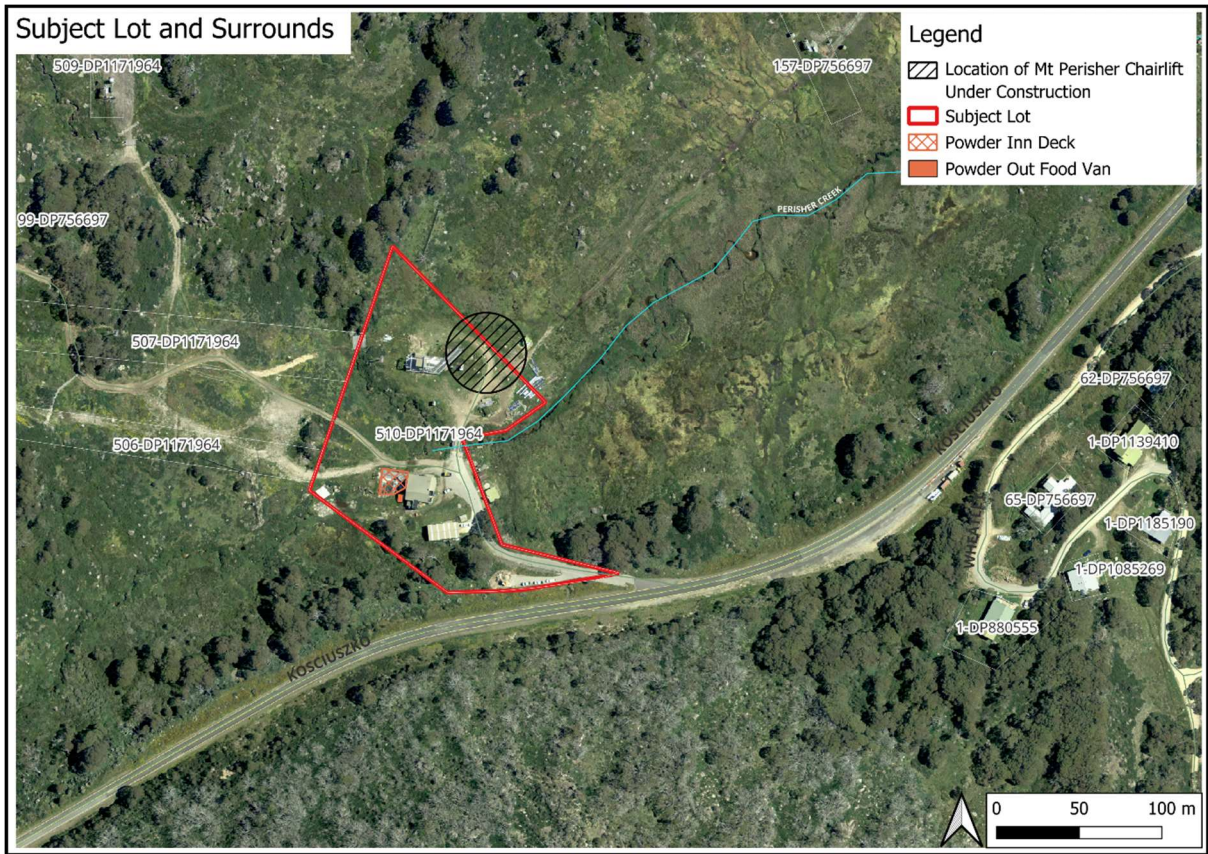


Figure 2 - Subject lot and Surrounds



Figure 3 - Site location Plan.

2.2 Project Overview

The proposal has three components which will be outlined below:

1. Use of Mt Perisher Double Chair Deck for Outdoor Seating and Dining;
2. Installation of a food van with connections to the existing building (Powder Inn); and
3. Replacement Business Identification Signage.

2.2.1 Use of Mt Perisher Double Chair Deck for Outdoor Seating and Dining.

Repurpose the existing Mt Perisher Double Chair bottom station deck for outdoor seating and dining for use during the winter ski season when the Mt Perisher ski area is in operation. No works required to facilitate this part of the development as the deck is in place and suitable for the use proposed. A structural engineer has inspected the deck and has provided a letter attesting that *the deck in its current condition is structurally sound and fit for purpose as a dining area. All members are in adequate condition and are of sufficient strength to cater for the required loadings. The deck is adequately supported and braced.* A copy of the letter has been included in Appendix D. No building works are required to prepare the deck for the use proposed.

The site during winter is at a level with the surrounding slope as shown in figure 6 below as such bollards will remain in place on the eastern corner of the deck and used for temporary rope fencing during the season to ensure that guests do not ski onto the deck from the ski run above.

It is proposed to locate 10 aluminium picnic tables seating six persons per table on the deck to allow for a seating for 60 guests. Figure 6 shows an indicative layout plan illustrating that the deck has ample room for the arrangement of these tables. These tables will be moveable and arranged as determined by the operator of the area each day.

The tables are not restricted to guests purchasing food from the food van rather they will be available for use by all guests visiting the adjacent ski slope.

The deck will be manually cleared of snow daily (or as required) in the same manner as in other outdoor seating areas of the resort.

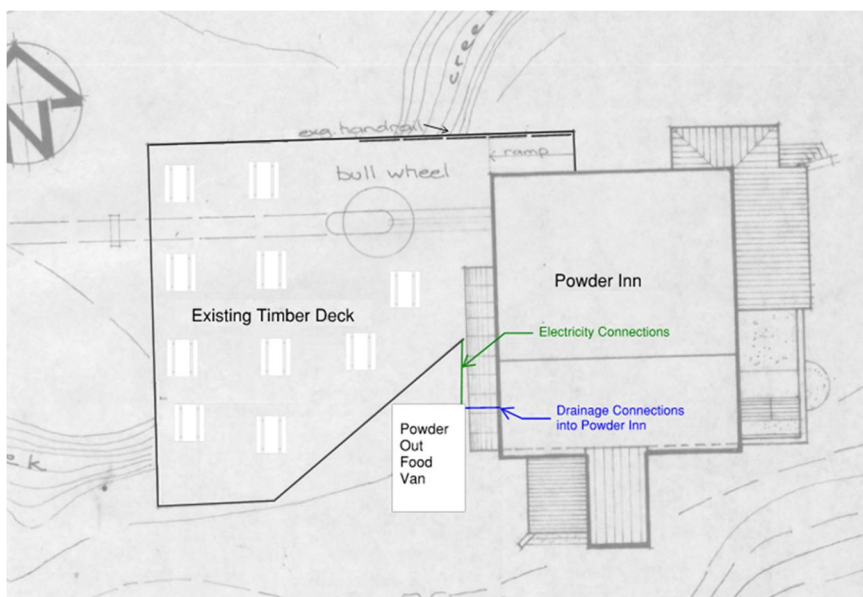


Figure 4 - Site Plan showing location of 10 aluminium tables on exiting deck, powder out food van and connections



Figure 5 - Example of the picnic tables proposed for use on the deck



Figure 6 - Deck shown in the photograph is proposed to be reused for outdoor seating and dining, rope line will be erected at the northern and western end of the deck to stop guests from skiing directly onto the deck. (source Google Streetview)

2.2.2 Installation of Mobile Food Van

It is proposed to install an existing mobile food van onsite by connecting to the existing services in the Powder Inn building and under the former double chair deck. The food van meets the definition of a mobile food van and operated in winter 2024 at the base of the former Mt Perisher Triple Chairlift without a development application as “exempt development”. The food van is included in this development application due to the connections to the existing services at the Powder Inn.

The food van is proposed to only operate in the winter ski season and has been connected in the manner proposed previously when it was approved to be situated on the deck of the Blue Cow station building.

The van is to be situated on the western elevation of the Powder Inn (figure 7) to enable ease of connection to services in the building. In addition, this location allows for snow clearing in and around the van and building will not be impacted.

The location of the van will not impact on access to the Powder Inn which is on the southern side of the building (figure 8).

The food van has skids and wheels, and it is proposed to be situated on a precast reinforced concrete beam 600mm (high) x 400mm (deep) x 5m (long) to ensure a level and stable platform.

Due to being installed in this manner there is no requirement for excavation to locate the van on site.

It is proposed to connect the van through the western wall of the Powder Inn to existing water and sewer services. All works in relation to these connections will be undertaken in accordance with the Plumbing and Drainage Act by a licenced plumber. The van will be placed 1.8m from the external wall of the existing building adjacent to the toilet facilities. No ground disturbance or trenching is required as the connections will be above ground and protected by channel/cable guards between the rear of the van and the wall of the building. It is proposed to manage out of ground connections in a similar manner to when the van was approved for use on the Blue Cow deck.

Electricity will be connected to the van via connections under the double chair deck. The electricity connection is located approximately 3.5 m from the van. These lines will also be above ground and will not require trenching or ground disturbance and will be protected in the same manner as the drainage connections.

The van was inspected by the NPWS Environmental Health Officer in 2024 and meets the requirements to operate as a food van. Due to its location, the van can be stocked and staffed in the same manner as the adjoining Powder Inn restaurant. Waste management will be handled in association with the existing Powder Inn restaurant, and suitable waste receptacles will be available for guests. Additionally, the draw bar and the cage shown on the plans are not part of the van when it is being used in this location.

Plans of the food van have been included in the application and are shown in Figure 10 below. The van is fully self-contained, allowing it to be located in areas without water, sewer, or electricity connections, or toilet facilities for staff. However, due to the connection of the van to existing services and the proximity to toilet facilities, those elements of the van will not be utilized when it is located at this site.

There are toilet facilities available in the Powder Inn building. The food van and the use of the deck for seating and dining are intended to provide an enhanced guest experience but do not increase the number of guests visiting this area. The toilets are not limited to patrons of the existing restaurant and are open to all guests using this part of the ski area.

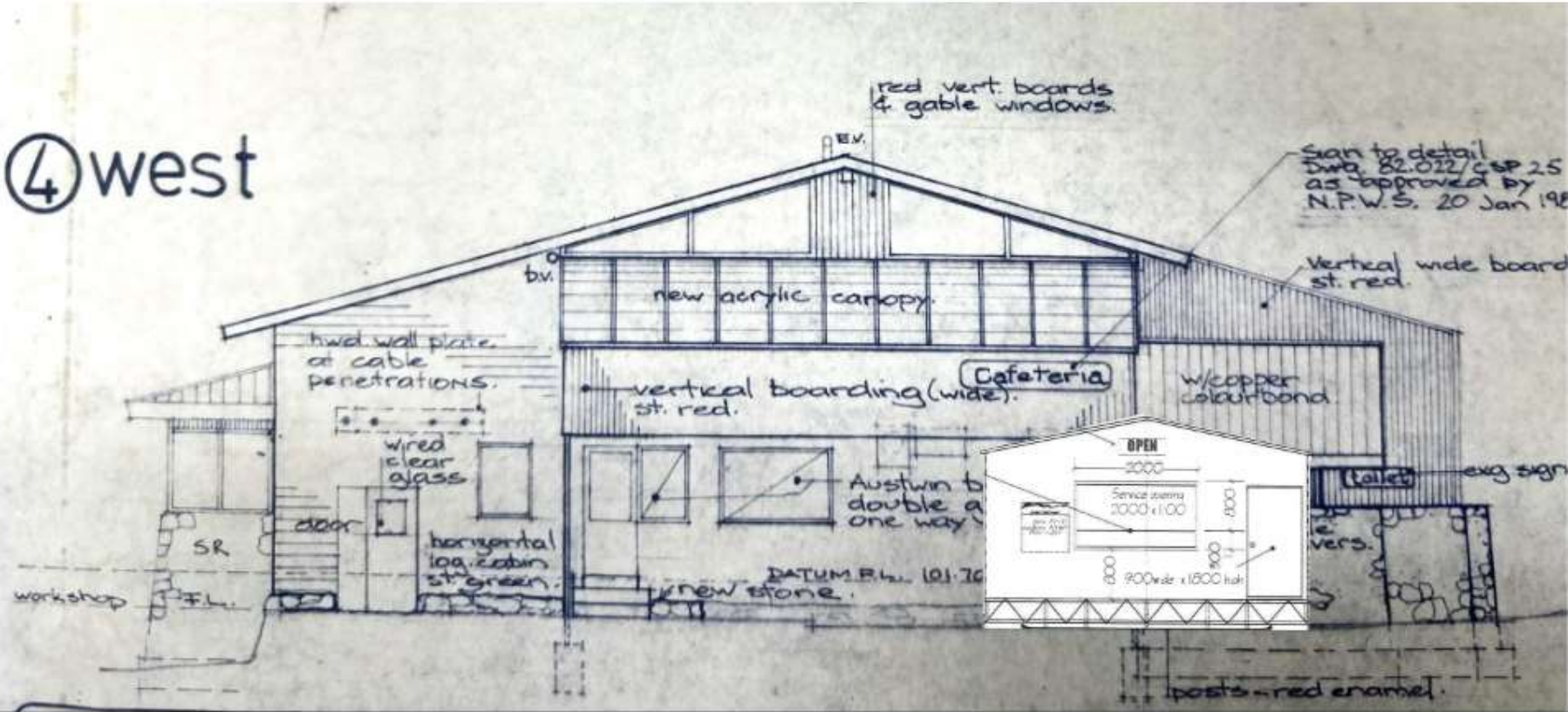


Figure 7 - Western elevation of the Powder Inn with the food van scaled to indicate size and location in relation to the existing building

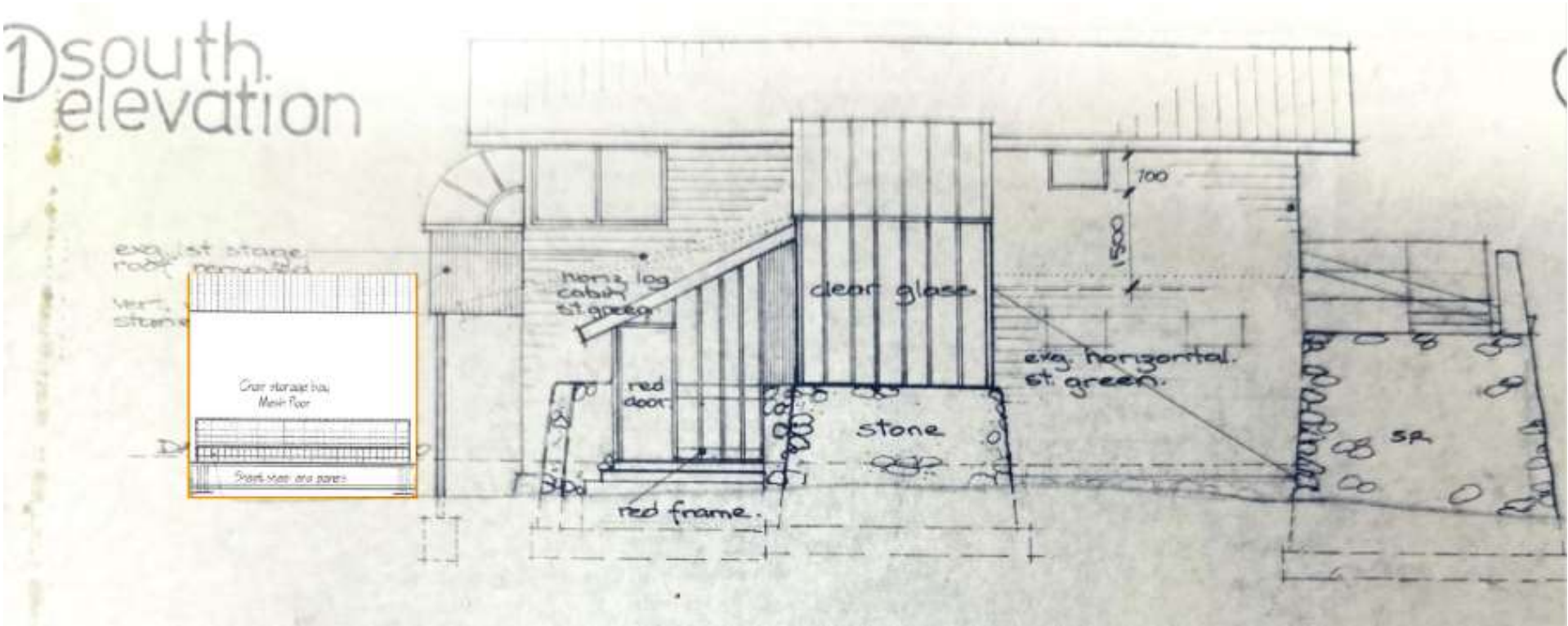


Figure 8 - Southern elevation of the Powder Inn with food van scaled to indicate size and location

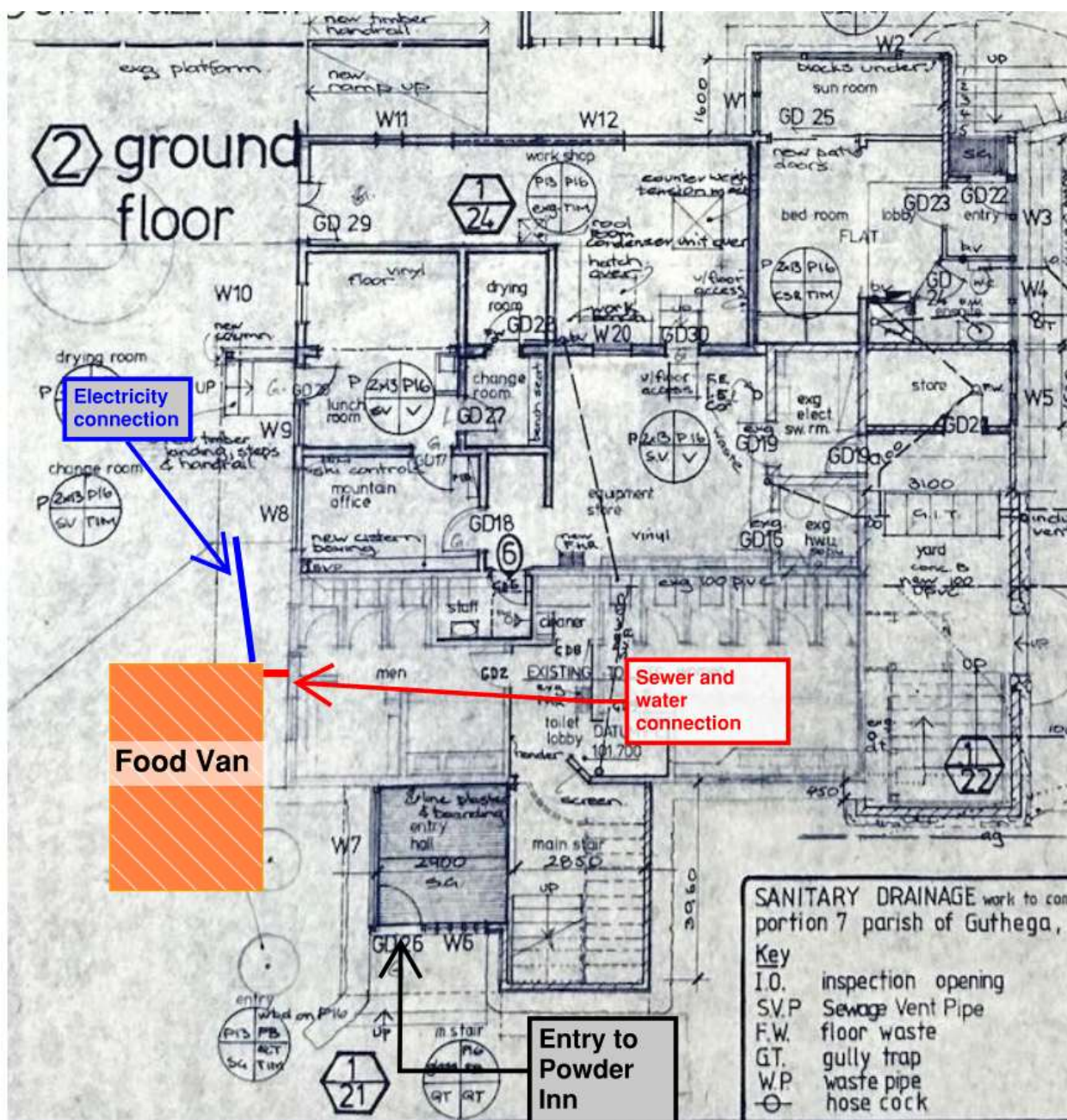


Figure 9 - Ground floor of Powder Inn with location of food van, connections and entry to Powder Inn

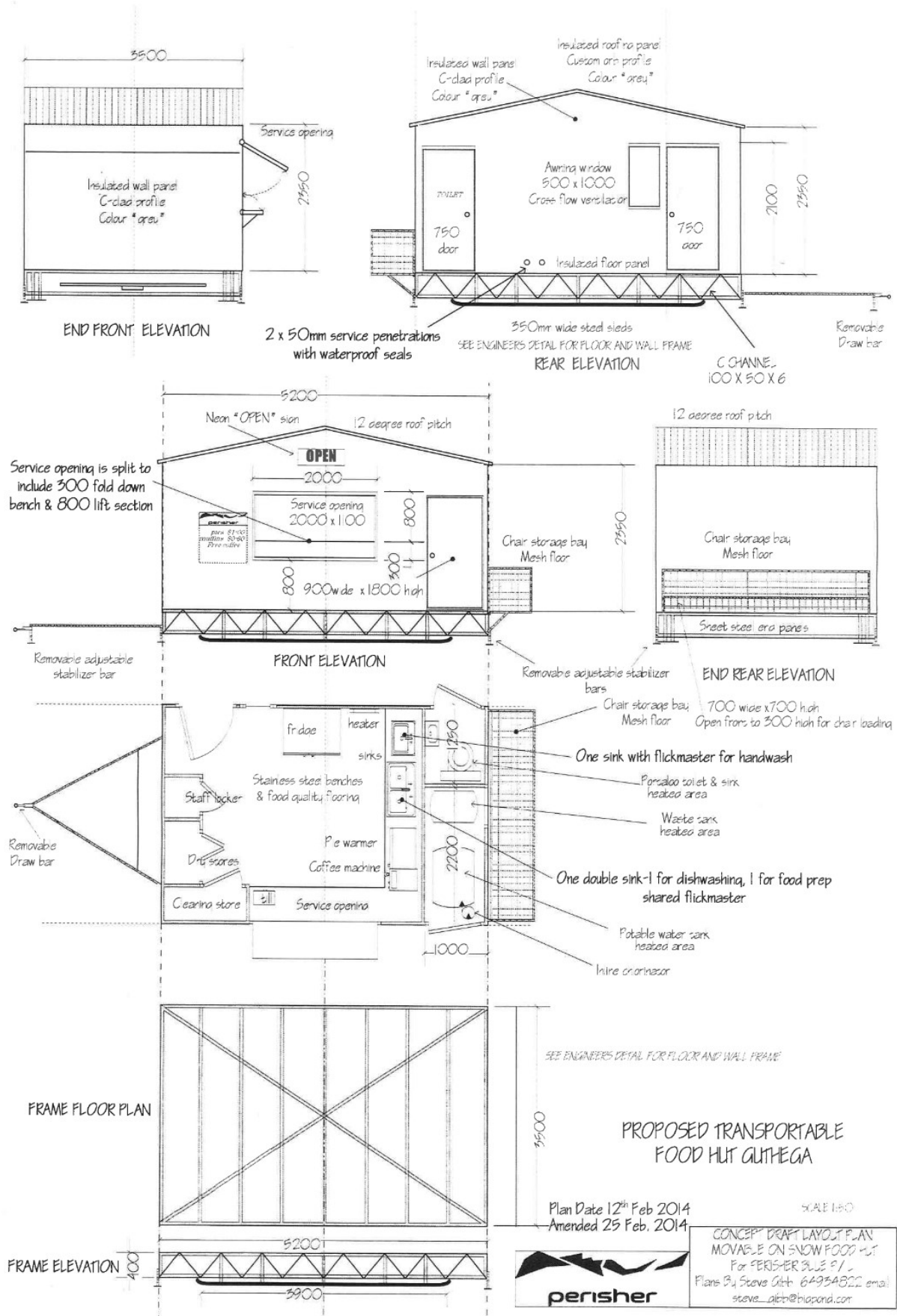


Figure 10 – Food Van Plans

The van will be repainted and skinned with signage incorporated into the design as shown in the montage in figure 11 below. The colour scheme and branding are consistent thematically with the new colours and signage of the larger Powder Inn building. By having a consistent theme, it will ensure a pleasing visual impact and a point of reference for guests navigating the resort.



Figure 11 - Concept of external treatment/design of the food van (Powder Out)

2.2.3 Business Identification Signage – Powder Inn

The existing Powder Inn building has been repainted in an updated colour scheme to create a coherent theme that ties the existing building and the proposed food van together. The painting of the existing building was completed in March 2025, after approval for the colour scheme was sought and granted by NPWS under the provisions of the lease.

The existing signage on the building was removed to allow for the painting to take place. Since it referenced the former Mt Perisher Double Chairlift, it will not be reinstalled. Instead, new business identification signage for the Powder Inn is proposed.

Two signage locations are proposed. One is in the same location on the western façade of the building where the existing signage was located (prior to removal). This new sign is intended to replace the Mt Perisher Double Chairlift sign. Although it is a replacement, it is larger than the existing sign and exceeds the size limit allowable under the Precincts Regional SEPP for exempt development. Therefore, it has been included as part of this development application to present an overall cohesive design concept for the development.

The new signage is simple, reflecting the mountain in its design and including the establishment date of the building, which highlights the building's importance to the resort. A cohesive design of the signage and colour scheme on both the existing building and the food van will provide a visual marker for guests using this area of the resort.

Figure 12 shows the existing signage and the proposed lettering and design on the western elevation of the building. Figure 13 shows additional signage on the northern façade of the building; however, it is noted that this signage will be smaller than depicted in the montage.



Existing



Proposed

Figure 12 - Existing and proposed Business Identification Signage - Powder Inn (western elevation)

* note the chairs shown in the image are indicative of a design and do not form part of this application.



Figure 13 - Proposed Business Identification Signage - Powder Inn (northern Elevation)

2.3 Site Access

The site does not have public vehicle access. It is accessed via the Mt Perisher Access Road, which provides access to the Powder Inn, the Mt Perisher workshop, the Mt Perisher 6 Chairlift, and the Mt Perisher electrical substation. The access road has a boom gate at its intersection with the Kosciuszko Road and signage indicating it is not for public access. During winter, the site is accessible only by oversnow transport due to the closure of the Kosciuszko Road at Perisher Village.

Oversnow transport will be used to restock and staff the van and manage the outdoor seating area. The development does not increase vehicular traffic, and once on site, the food van will remain in place over the summer months when not operational.

2.4 Construction Material Storage and Construction Timeframes

Due to the nature of the development the only “works” required is the connection from the food van through the external wall of the Powder inn for water and sewer services.

These works and the installation of signage will be undertaken prior to the commencement of the winter skis season in June 2025.

The food van will be taken to site for these connections to be undertaken once development consent is received. It will be towed to the location prior to the season commencing via public roads to the access road. From the hard stand area adjacent to the Powder Inn, the van will be craned into position. This will ensure minimal impact on the natural environment.

The construction timeframe will be minimal due to the minor nature of the works.

Due to the nature of the development there is no requirement for material storage.

2.5 Excavation

No excavation is proposed to facilitate the development all connections will be above ground with no trenching required. The food van will be installed on concrete beams which are placed on the ground and do not require footings or foundations.

2.6 Waste Management

Waste from the food van and seating/dining area will be combined with that of the existing food and beverage facility. Additional waste receptacles will be provided on the deck and in proximity of the food van to manage any waste generated in this area. Removal will be as per the current arrangements for the Powder Inn restaurant

2.7 Power and Communications

Power and communications will be obtained from the existing services at the Powder Inn and under the Mt Perisher Double deck. No excavation or trenching is required for these connections as they will be above ground and protected from snow clearing machinery by cable protectors.

2.8 Operations of the Food Van and Seating/Dining Area

The development will operate in the winter season when the Mt Perisher ski area is in operation. No nighttime operation or out of season operation is proposed as part of this development application.

The development will be staffed by Perisher hospitality staff.

The deck will be cleared of snow manually as required.

Cleaning and waste removal will occur daily as required.

Restocking and servicing of the van will occur in conjunction with and in the same manner as the adjoining Powder Inn restaurant. Due to the size of the van, it is anticipated that food and good storage associated with the operation of the food van will occur within Powder Inn restaurant where there are suitable facilities.

No hazardous chemicals or materials will be stored on site and all food handling (including storage) will occur as per the requirements of relevant legislation.

The food van has been inspected by NPWS EHO and cleared for operation in the 2024 ski season. No changes to the operation of the van are proposed for 2025 other than connection to reticulated water and sewer services. The van will form part of the annual inspections carried out by NPWS on food businesses in the resort.

It is proposed to provide ten (10) tables on the deck allowing for 60 guests. Due to the location of the food van and seating area the development will not increase the number of guests to the resort. The facility is accessible only via snow and therefore will service the guests utilising this area of the resort.

3 DESIGNATED AND INTEGRATED DEVELOPMENT

3.1 Designated Development

The development proposed is not development described in Schedule 3, Part 2 of the Environmental Planning and Assessment Regulation 2021, nor is it declared as “designated development” under an environmental planning instrument applicable to the land.

3.2 Integrated Development

Section 4.46 of the EP&A Act requires a review of whether the proposed development on the land would trigger an approval under other environmental or related legislation. Such development is categorised as “integrated development”.

The following provides a brief overview of on whether any aspect of the development triggers a need for the consent authority to obtain general terms of approval from other relevant approval authorities.

Table 1 – Integrated Development Requirements relevant to works in Perisher Resort

Relevant Subject Legislation	Approval Required Y/N
Fisheries Management Act 1994	No
Heritage Act 1977	No
National Parks and Wildlife Act 1974	No
Protection of the Environment Operations Act 1977	No
Roads Act 1993	No
Rural Fires Act 1997	No
Water Management Act 2000	No - Whilst the development is within 40m of the Perisher Creek, no works that would constitute a controlled activity are required to facilitate the installation and connection of the food van, the installation of business identification signage or the use of the deck for seating and outdoor dining. No excavation or ground disturbance is required to facilitate the connections which will be above ground and not impact on the waterway. As such a referral under the Water Management Act 2000 to obtain a controlled activity approval is not required.

As per the table above the development is not considered to be “integrated development” within the meaning of the Act and Regulation.

4 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – S4.15

Section 4.15 (1) of the Environmental Planning and Assessment Act lists the matters which must be taken into consideration by the consent authority when determining a development application. Table 2 lists these matters and provides a summary assessment of each of these matters. A full assessment of each follows in section 4 of this statement of environmental effects.

Table 2 -S4.15 Environmental Planning and Assessment Act Compliance Checklist

Matter	Impacts / Comments
(1)(a) the provisions of: (i) any environmental planning instrument (ii) any proposed instrument (iii) any development control plan (iiia) any planning agreement (iv) the regulations	(i) The development complies with the provisions of State Environmental Planning Policy (Precincts Regional) 2021 – Chapter 4 (ii) there are no proposed instruments applicable to the subject land. (iii) there are no adopted development control plans applicable to the subject land. (iiia) there are no know planning agreements relating to the subject land. (iv) The development application has been made in accordance with the requirements contained in the Environmental Planning and Assessment Regulation 2021.
(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The likely impacts of the development have been outlined above.
(c) the suitability of the site for the development	The site is suitable for the development as proposed and matters concerning site suitability have been addressed above
(d) any submissions made in accordance with this Act or the regulations	As per the Community Participation Plan the development application will not be required to be placed on exhibition.
(e) the public interest	The assessment addresses the relevant requirements of Chapter 4 of SEPP (Precincts- Regional) 2021 and therefore considered to meet the public interest test.

4.1 The provision of any environmental planning instrument

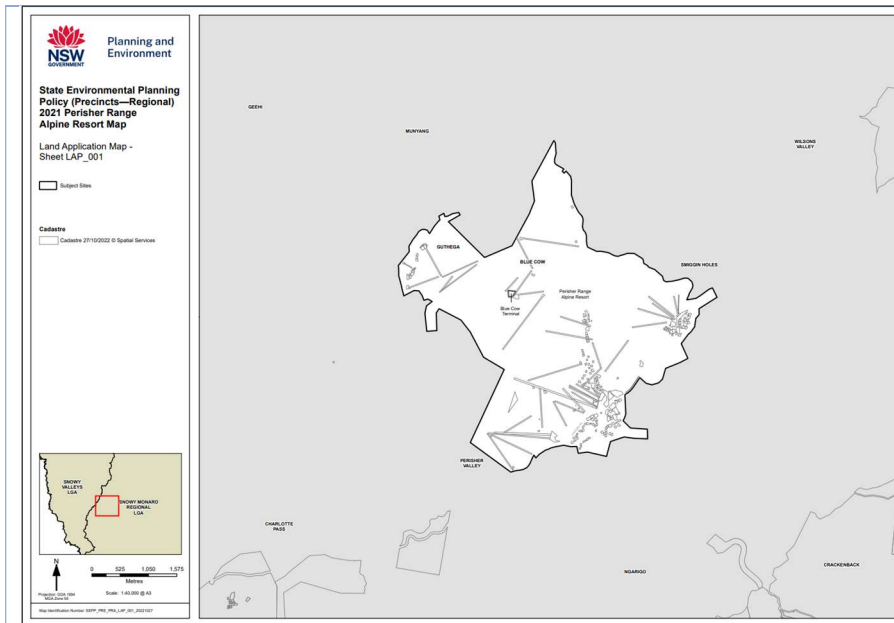
4.1.1 State Environmental Planning Policy (Precincts Regional) 2021

The development is subject to the provisions of Chapter 4 – Kosciuszko Alpine Region, of the Precincts Regional SEPP. Table 3 below demonstrates compliance with the relevant provisions of chapter 4.

Table 3 - Chapter 4 Precincts Regional SEPP Compliance

Provision	Compliance/Comments
Part 4.1 Preliminary	
4.1 Aim and Objectives of Chapter	
(1) The aim of this Chapter is to protect and enhance the Alpine Region by	The development will enhance the guest experience by providing seating and additional food and beverage options for guests

<p>ensuring development is managed with regard to the principles of ecologically sustainable development, including the conservation and restoration of ecological processes, natural systems and biodiversity.</p>	<p>utilizing the ski area and the newly constructed Mt Perisher six-seat chairlift. The rebranding with updated signage will create a visually coherent scheme that can serve as a landmark for guests skiing and boarding on Mt Perisher.</p> <p>All works are proposed above ground and in an area significantly disturbed by previous uses and construction, minimizing the impact on the environment. The active reuse of the Mt Perisher Double Chair bottom station loading deck ensures that this area is not left unused now that the chairlift has been demolished.</p>
<p>(a) to encourage the carrying out of a range of development to support sustainable tourism in the Alpine Region all year round, if the development does not result in adverse environmental, social or economic impacts on the natural or cultural environment of the Alpine Region, including cumulative impacts on the environment from development and resource use,</p>	<p>The development seeks to support the newly constructed Mt Perisher six-seat chairlift and revitalize an area previously connected to the Mt Perisher Double Chairlift, which was demolished as part of the new chairlift project. Sustainable reuse of existing facilities, such as the deck and the mobile food van, in a location previously used as the load area for the former chairlift, enhances the resort experience for guests. The development has a minimal environmental impact as it does not require excavation, vegetation removal, or additional construction to operate. It has been strategically located to ensure that impacts are minimised and to cluster similar uses with the existing food and beverage outlet and guest facilities.</p>
<p>(b) to establish planning controls</p>	<p>Not applicable</p>
<p>(c) to minimise the risk to the community of exposure to environmental hazards, particularly geotechnical hazards, bush fires and flooding, by— (i) generally requiring development consent on land in the Alpine Region, and (ii) establishing planning controls for buildings to ensure the safety of persons using the buildings if there is a fire.</p>	<p>(c)(i) The application meets the intent of the objective as it is operational only in the winter season when hazards such as bushfire and flooding are at their lowest. No geotechnical impacts are relevant as the development does not require ground disturbance to provide connections to the food van and the balance of the development utilises existing built elements.</p> <p>(c)(ii) Not applicable as the objective relates to the preparation of planning controls.</p>
<p>4.2 Land to Which Chapter Applies</p>	
<p>The proposed development is within the Perisher Range Alpine Resort Subregion</p>	



4.3 Definitions

The proposed development being a food van (kiosk), building identification signage and outdoor seating/dining relates to the definition of “commercial premises” being a kiosk (food van) that operates primarily to serve the daily needs of tourists and visitors, and the business identification signs, and outdoor dining are ancillary to and support the use of the existing building and kiosk as commercial premises.

Schedule 4A – Dictionary to Chapter 4 defines commercial premises as:

commercial premises means commercial premises within the meaning of the Standard Instrument but does not include retail premises, other than food and drink premises, kiosks and shops that operate primarily to serve the daily needs of tourists and visitors and staff employed to work in the Alpine Region.

Part 4.2 Permitted or Prohibited Development

4.7 Land Use Table

The development proposed is a permissible use in the Land Use table and therefore is permitted development in the subregion.

Perisher Range Alpine Resort

1 Permitted without consent

Nil

2 Permitted with consent

Advertising structures; Building identification signs; Business identification signs; Car parks; **Commercial premises**; Community facilities; Depots; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Fences; Function centres; Helipads; Information and education facilities; Infrastructure facilities; Lifting facilities; Management trails; Medical centres; Monitoring stations; Places of public worship; Public utility undertakings; Recreation facilities (indoor); Recreation facilities (outdoor); Recreation infrastructure; Ski slope huts; Ski slopes; Snow-making infrastructure; Staff accommodation; Telecommunications facilities; The Skitube; Tourist and visitor accommodation; Transport depots; Vehicle repair stations

3 Prohibited

Bed and breakfast accommodation; Farm stay accommodation; Any other development not specified in item 1 or 2

4.8 Subdivision

Not applicable

4.9 Demolition

Not applicable - No demolition is proposed to facilitate the development.

4.10 Temporary Use of Land	Not applicable – the development is not a temporary use of land
Part 4.3 Exempt and Complying Development	
Not applicable - The development is neither exempt nor complying as such a development application has been lodged for approval.	
Part 4.4 Other Development Controls	
4.14 Development by Crown, public authorities, or Snowy Hydro	Not applicable the development is not being carried out on behalf of the Crown, public authorities or Snowy Hydro.
4.15 Development on land on Kosciuszko Road and Alpine Way	Not applicable – the development is not proposed on land identified in Schedule 16 of the National Parks and Wildlife Act 1974
4.16 Development near Kangaroo Ridgeline	Not applicable - this clause only applies to land identified as Kangaroo Ridgeline” on the State Environmental Planning Policy (Precincts—Regional) 2021 Charlotte Pass Alpine Resort Map. The proposed development is not on land identified in the subject map.
4.17 Classified roads	The development does not front a classified road and therefore this section is not applicable to the development.
4.18 Bush fire hazard reduction	Not applicable
4.19 Public utility infrastructure	There is adequate electricity, water and sewerage infrastructure available on site to facilitate the development. No augmentation of public utility infrastructure is required for the development to be installed or operate.
4.20 Conversion of fire alarms	Not applicable
4.21 Heritage conservation	Not applicable - There are no historic heritage items, aboriginal heritage items or places being impacted by this development. No ground disturbance is proposed as part of the development.
4.22 – 4.24 Conservation incentives, Eco-tourist facilities and Flood planning	Not applicable
4.25 Earthworks (1) The objective of this section is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	The development does not involve earthworks.
(2) Development consent is required for earthworks in the Alpine Region unless— (a) the earthworks are exempt development under this Chapter or another environmental planning instrument, or (b) the earthworks are ancillary to—	Not applicable – the development does not involve earthworks

(i) development permitted without consent under this Chapter, or (ii) development for which development consent has been given.	
(3) In deciding whether to grant development consent for earthworks, or for development involving ancillary earthworks, the consent authority must consider the following matters— (a) the likely disruption of, or adverse impact on, drainage patterns and soil stability in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to, and potential for adverse impacts on, a waterway, drinking water catchment or environmentally sensitive area, (h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	Not applicable – the development does not involve earthworks
Part 4.5 Development Assessment and Consent	
4.26 Master plans	Not applicable – this clause relates to the preparation and content of Master Plans.
4.27 Consultation with National Parks and Wildlife Service	Consultation will be carried out by the assessing officer in relation to this development application in accordance with these provisions.
4.28 Consideration of master plans and other documents (1) In deciding whether to grant development consent to development in the Alpine Region, the consent authority must consider the following— (a) the aim and objectives of this Chapter set out in section 4.1	See consideration of the proposed development against the aim and objectives of Chapter 4 above.
(c) a conservation agreement under the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth that applies to the land,	Not applicable there is no known conservation agreement applying to the subject land.
(d) the Geotechnical Policy — Kosciuszko Alpine Resorts published by the Department in November 2003,	The development does not trigger the requirement for either a:

	<ol style="list-style-type: none"> 1. Geotechnical report or form 4 – as the development is outside of the area marked “G” on the policy maps; or 2. Site classification report as required by section 6.0 of the policy for the “erection of a building” outside of the area marked “G”. The subject development does not involve the erecting of a building but the installation of a food van on precast concrete beams to allow the van to be established. <p>The works are limited to the connection of the mobile food van to an existing building and do not involve ground disturbance. The installation of the van (which is not a “building” under the definition of the EP&A Act or Regs) does not require excavation for footings as such AS2870 does not apply.</p>
(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	The development is consistent with the Perisher Range Resorts Master Plan as supports the operation of the ski area by providing guest services in proximity of the slopes.
(e)(ii) the Perisher Blue Ski Resort Ski Slope Master Plan adopted by the National Parks and Wildlife Service in May 2002.	The development is consistent with the Perisher Blue Ski Slope Master Plan as supports the operation of the ski area by providing guest services in proximity of the slopes and does not impact the future development of the area for additional on snow infrastructure.
(2) In deciding whether to grant development consent to development in the Alpine Region, the consent authority must consider— (a) a master plan approved by the Minister under section 4.26 that applies to the land,	<p>Snowy Mountains Special Activation Precinct Master Plan 2022 applies to the land.</p> <p>The proposal is consistent with Master Plan, a full assessment against the relevant provisions of the Master Plan is included in Appendix A.</p>
4.29 Consideration of environmental, geotechnical, and other matters (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,	(a) no geotechnical matters are relevant to the subject development.
(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>(b) The development will have minimal impact on the natural environment, no ground disturbance, removal of native vegetation or habitats is proposed. The development reuses existing infrastructure and is sited to avoid impacts on the surrounding areas.</p> <ul style="list-style-type: none"> - No ground disturbance is required to facilitate the development - No clearing is required to mitigate bushfire hazards - The site is not subject to flooding

(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>(c) The development is considered to have adequacy addressed visual impacts by use of materials and colours which blend with the natural environment and are consistent with the reimagining of the Powder Inn building, the colours of which have been approved by NPWS.</p> <p>The food van and Powder Inn signage address the ski slopes and will not be seen from the Kosciuszko Road.</p> <p>The site is not visible from land identified as the Main Range Management Unit under the KPOM.</p>
(d) the cumulative impacts of development and resource use on the environment of the Alpine Subregion in which the development is carried out,	(d) Due to the nature and scale of the development it will have minimal cumulative impacts on the Alpine subregion and associated minimal resource use.
(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,	(e) Due to the nature of the development, it will not generate additional usage of existing infrastructure including transport services.
(f) the capacity of existing waste or resource management facilities to deal with additional waste generated by the development, including in peak periods.	(f) The additional waste generated by the development can be managed in conjunction with that generated by the Powder Inn restaurant. Additional waste receptacles will be made available to guests using the outdoor dining and seating area.
(2) For development involving earthworks or stormwater drainage works, the consent authority must also consider measures to mitigate adverse impacts associated with the works.	(2) the development does not involve earthworks or stormwater drainage works.
(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 (b) how the development will relate to the Alpine Subregion.	(3) the development is minor in nature and supports the use of an existing guest facility. It has been designed and sited to match the existing building thematically and will not significantly alter the character of the Alpine Subregion.
4.30 Kosciuszko National Park Plan of Management	The proposed development is consistent with the relevant provisions of the Kosciuszko National Park Plan of Management.

4.1.2 State Environmental Planning Policy (Resilience and Hazards) 2021

The development does not trigger further assessment against the provisions of the resilience and SEPP Resilience and Hazards as it is not considered, to be hazardous or potentially hazardous development or offensive or potentially offensive development. The site is suitable for the development as proposed with

respect to site contamination and there is no requirement for remediation either prior to the development taking place.

4.2 Any proposed instrument

There are no proposed instruments relating to the subject site.

4.3 Any development control plan

The development complies with the relevant provisions of the NSW Alpine Region Development Control Plan 2025. See assessment table in Appendix C.

4.4 Any planning agreement

There are no planning agreements applicable to the subject site.

4.5 The Regulations

The proposed modification complies with the relevant requirements of the Environmental Planning and Assessment Regulation 2021.

4.6 The likely Impacts of the development

4.6.1 Biodiversity and Impacts on Aquatic Ecosystems

4.6.1.1 Biodiversity Conservation Act

The purpose of the Biodiversity Conservation Act 2016 (BC Act) is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ESD.

The Biodiversity Conservation Regulation 2017 (BC Regulation) sets out threshold levels for when the Biodiversity Offset Scheme (BOS) will be triggered, see below.

Table 4 Biodiversity Offset Scheme Triggers Assessment Table

Biodiversity Offset Scheme Trigger	Comment
Whether the amount of vegetation clearing exceeds the applicable area threshold	No – There is no native vegetation proposed to be removed to facilitate the development. The development is proposed on an existing structure (the previous Mt Perisher Double Chair Deck) and on disturbed land adjoining the Powder Inn building.
Whether the impacts occur on an area mapped on the Biodiversity Values Map (BVM) published by the Minister for Environment	No – the development does not occur in an area mapped on the Biodiversity Values Map. See figure 1 below. A small portion of the existing deck is within the buffer area however it is an existing structure with no works proposed other than its use for outdoor searing and dining
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	A test of significance has been carried out under section 7.3 of the BC Act, details provided below The subject ToS has demonstrated that the development is unlikely to significantly effect threatened species or ecological communities, or their habitats, either directly or indirectly.
The works are carried out on a declared area of outstanding biodiversity value	No – not applicable the development is not within a declared area of outstanding biodiversity value.

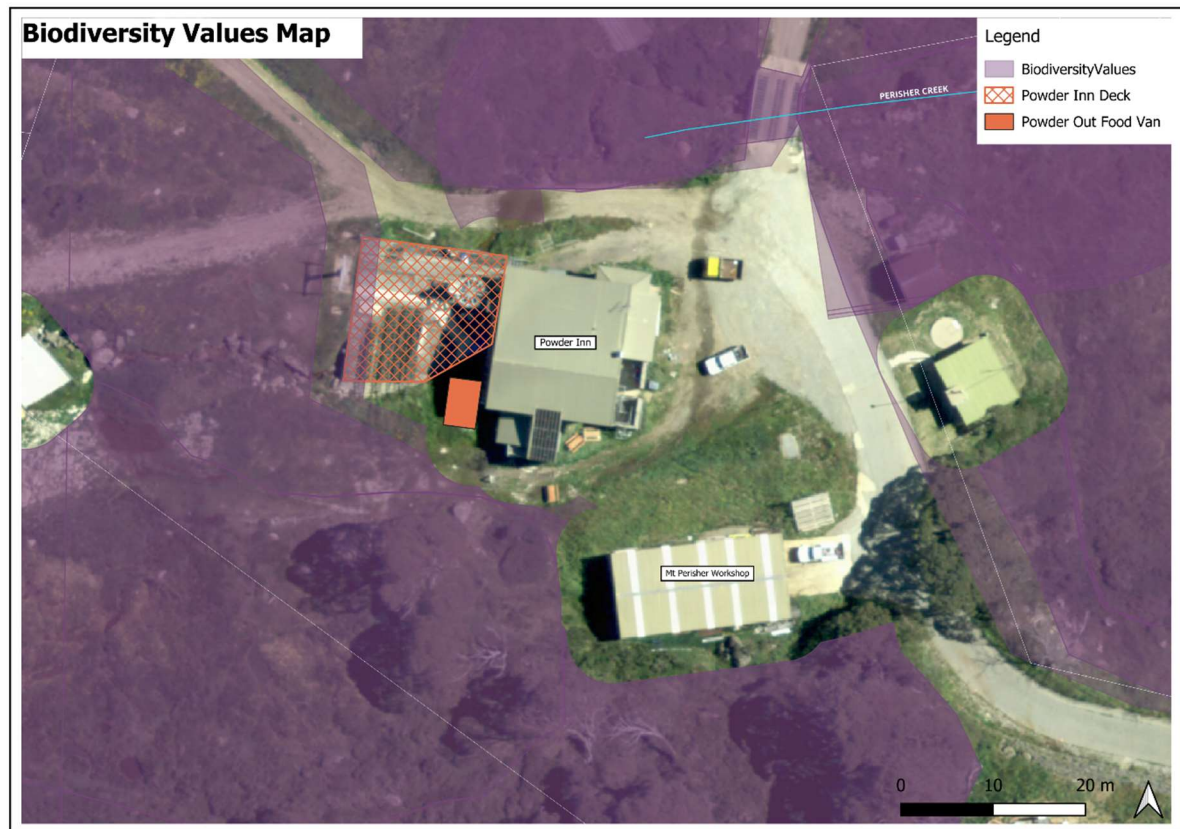


Figure 1 Location of the development in relation to the Biodiversity Value mapped area

Assessment of Impacts

A desktop review of the NSW BioNet, Commonwealth Protected Matters Search Tool and mapping previously carried out in the Perisher Resort area identified various State and Commonwealth conservation significant flora species, Endangered Ecological Communities and fauna species records occurring within a 10 km search area around the proposed development site. The food van is to be located in a highly disturbed and modified area adjacent to the Powder Inn. There is no native vegetation being impacted by the development and no evidence was found within the development site of native fauna species.

The area has been mapped as part of the Perisher Ski Slope Master Plan (figure 2) and the development site has no defined vegetation types (the area is shown as white on the subject map) As such it is concluded that the area does not have any notable vegetation due to its proximity to the exiting building and lift. This is consistent to what is observed on site.

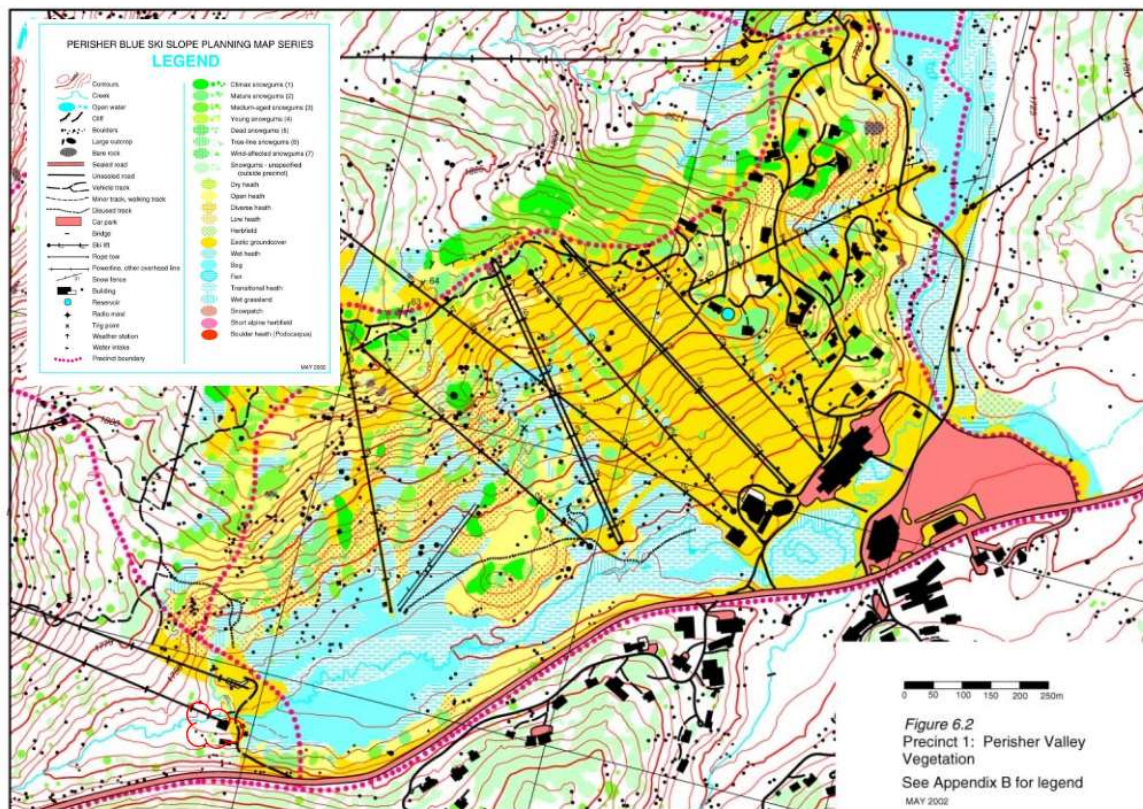


Figure 2 - Excerpt from Perisher Ski Slope Master Plan – Vegetation

4.6.1.1.1 Test of Significance (either reference to Appendix if carried out by consultant or fill in below for in house ToS)

The test of significance outlined in Section 7.3 of the BC Act is used to determine whether proposed development or an activity is likely to significantly affect threatened species or ecological communities, or their habitats. An assessment of the Development against the 'test of significance' is provided below

Table 5 – Test of Significance

Test of Significance	Comment
(1) The following is to be taken into account for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats	
(a) in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,	<p>The development is wholly located on disturbed and modified land. The immediate site does not provide suitable habitat for native fauna species and no evidence was found within the development of native fauna species.</p> <p>The area surrounding the development site may be suitable habitat for fauna species such as broad toothed rat (<i>Mastacomys fuscus</i>), Guthega Skink (<i>Liopholis guthega</i>) and Alpine She-oak Skink (<i>Cyclodomorphus praealtus</i>). However, no development is proposed to occur in these areas and potential development impacts (direct and indirect) will be mitigated through measures implemented in accordance</p>

	<p>with the SEMP.</p> <p>Significant impacts to Commonwealth and State listed threatened flora and fauna, ecological communities or their habitats is considered unlikely.</p> <p>As such it unlikely that the proposed development will adversely affect the life cycle of listed threatened species, such that a viable local population of the species is likely to be placed at risk of extinction.</p>
<p>(b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity—</p> <p>(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or</p> <p>(ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,</p>	<p>There are no endangered ecological communities or critically endangered ecologically communities within the site or immediate surrounds that would be directly or indirectly impacted by the development.</p>
<p>(c) in relation to the habitat of a threatened species or ecological community—</p> <p>(i) the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and</p> <p>(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and</p> <p>(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,</p>	<p>Refer comment against (a).</p> <p>The proposed development is unlikely to cause an area of habitat to become fragmented or isolated from other areas of habitat in the locality.</p> <p>There is no removal of native vegetation proposed as such there is no likely impact on the long-term survival of conservation significant species.</p>
<p>(d) whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),</p>	<p>Not applicable. The site and immediate surrounds do not comprise any land declared an area of outstanding biodiversity value.</p>
<p>(e) whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.</p>	<p>The proposed development is not part of a key threatening process outlined in Schedule 4 of the BC Act, nor is it likely to increase the impact of a key threatening process.</p>

The assessment concludes the proposed development is unlikely to result in a significant impact on any Commonwealth or State listed communities, threatened flora and fauna, or migratory species identified in the desktop and site assessment.

4.6.1.2 Environment Protection and Biodiversity Conservation Act (EPBC Act)

The factors which need to be considered under the Commonwealth *Environment Protection and Biodiversity Conservation Act (EPBC Act)* are listed in *Table 4* together with an assessment of each of these factors. None of these factors are considered to result in impacts which would be considered significant under the guidelines applying to the *EPBC Act*.

Table 6 - Environment Protection and Biodiversity Conservation Act checklist

Factor	Impacts / Comments
Matters of National Environmental Significance	
Any environmental impact on a World Heritage Property?	No impact
Any environmental impact on a National Heritage Place?	No impact on the Australian Alps National Heritage Place.
Any environmental impact on wetlands of international importance?	No impact
Any environmental impact on Commonwealth listed species or ecological communities?	No impact
Any environmental impact on Commonwealth listed migratory species?	No impact
Does any part of the proposal involve a nuclear action?	No nuclear action
Any environmental impact on a Commonwealth Marine Area?	No impact
Impact on Great Barrier Reef Marine Park?	No impact
Impact on Commonwealth land?	No impact
Impact on the environment, from action taken by the Commonwealth?	No impact
Commonwealth heritage places outside of Australian jurisdiction?	No impact

4.6.1.3 Riparian and Aquatic Ecosystem Impacts

Whilst the development is in the proximity of the Perisher Creek there are no ground works proposed which could create soil disturbance and pollution of the creek. The operation of the outdoor tables and the food van will take place in winter when the creek is mostly covered in snow and any waste material from the area will be collected daily by staff to ensure no litter or waste impacts will occur.

4.6.2 Aboriginal Cultural Heritage

The development will have no impact on Aboriginal Cultural Heritage. No ground disturbance is required as the tables are proposed on an existing deck and the mobile food van is to be installed on the ground surface in proximity of an existing building with no requirement for excavation.

4.6.3 Historic Heritage

There is no historic heritage in the vicinity of the proposed development that would be adversely impacted by the proposed development.

4.6.4 Construction Impacts

Due to the nature of the development, there will be limited construction impacts. No excavation of ground disturbance is proposed as the works include:

1. The use of an existing structure (Mt Perisher Double Chair deck) for use for outdoor dining.
2. Installation on ground (with no excavation) of a mobile food van and connection of the van to existing services, over ground with no excavation or trenching required.

As such it is considered that the proposed development is for installation and not construction. All installation works will occur at times where the noise impacts can be managed appropriately to limit impacts on adjoining uses.

The van will be towed to site and sited with the use of a crane from the hardstand area adjoining the Powder Inn, this will reduce the impact of wheeled vehicles into the area directly adjacent to the building. The van will be moved to the site prior to winter with the installation connections occurring once the development application has been approved.

All works will be undertaken by suitably qualified and experienced personnel and in accordance with any required regulations and standards.

4.6.5 Geotechnical Considerations

No ground disturbance is required as such there are no geotechnical considerations, and the Geotechnical Policy is not triggered in this instance. The development does not trigger the requirement for either a:

1. Geotechnical report or form 4 – as the development is outside of the area marked “G” on the policy maps; or
2. Site classification report as required by section 6.0 of the policy for the “erection of a building” outside of the area marked “G”. The subject development does not involve the erecting of a building but the installation of a food van on precast concrete beams to allow the van to be established.

The works are limited to the connection of the mobile food van to an existing building and do not involve ground disturbance. The installation of the van (which is not a “building” under the definition of the EP&A Act or Regs) does not require excavation for footings as such AS2870 does not apply.

4.6.6 Visual Impacts

The development has a positive visual impact it is visually pleasing and cohesive in design with the updated Powder Inn colour palette. The building prior to this update was looking tired with flaking paint in utilitarian colour. The new scheme is modern and vibrant and will provide an improved experience for guests in conjunction with the new Mt Perisher six seat chairlift which will operate from the 2025 ski season.

The development does not propose any works to the existing deck which will be left in its original form to reflect its previous use. The design of the food van in colour and branding reflects that of the existing building with the building identification signage proposed in a consistent theme. The chairs proposed to be used on the deck are consistent with other areas of the resort and are used due to their ease of movement and ability to withstand the conditions.

The branding and signage have been designed to reflect the location and the history of the building. The food van and Powder Inn signage address the ski slopes and will not be seen from the Kosciuszko Road but will be a point of interest wayfinding marker for those visiting this area of the resort.

The site is not visible from land identified as the Main Range Management Unit under the KPOM.

4.6.7 Effects on Ski Resort Operation

The development will enhance the operation of the ski resort by providing seating for guests in proximity to the newly constructed Mt Perisher six seat chairlift and adjoining the Powder Inn restaurant and food van. The deck area on which the chairs will be located will be cleared as required to ensure a suitable surface for guests.

4.6.8 Bushfire



Figure 14 - Bushfire prone land mapping.

The site is mapped as bushfire prone land however the food van and tables will be used during the ski season when fire danger is at its lowest and will not increase the risk to the existing structures by bushfire. The vegetation around the building is predominately by grasses with any significant vegetation upslope from the subject buildings. Due to the nature of the development a bushfire report was not considered required.

4.6.9 Social and Economic Impacts

The development will have positive social and economic impacts providing additional seating and food and beverage outlet options to guests utilising this area of the ski resort. The development will see a continued use of the former loading deck of the Mt Perisher Double chairlift and allow for guests to continue to experience the history of this site. The design and siting of the food van are consistent in theme and branding as the Powder Inn building and will serve as a point of interest to guests.

The sustainable reuse of structures and infrastructure has a positive social and economic benefit.

4.6.10 Notification

As the site is more than 50m from a tourist accommodation building it is not required to be exhibited under the provisions of Table 2 of the Department of Planning, Housing and Infrastructure Community Participation Plan April 2024.

4.7 Suitability of the site for the development

The site is suitable for the proposed development, which will enhance the ski area's use. The development will operate during the winter season, providing amenities to guests visiting the Mt Perisher lift area for snow sports. This use complements the area's function for snow sports. Therefore, the provision of complementary guest amenities within the ski area is considered suitable development for the site.

The development is an associated use to the primary function of the existing Powder Inn building as a food and guest services premises. The deck's use for outdoor dining and seating is a sustainable reuse of an area no longer needed for the previous chairlift operation. The outdoor dining/seating area and the food van support the ski area's operation and will enhance the guest experience for those riding the new Mt Perisher six-seat chairlift.

The revised and new building identification signage has been designed to ensure a cohesive look for the area.

4.8 Public Interest

The development is compliant with the requirements of relevant legislation, environmental planning instruments and associated policies applying and therefore considered to meet the public interest test.

5 CONCLUSION

The proposal for **Installation of Mobile Food Van, Use of Deck for Outdoor Dining and Building Identification Signage (Powder Inn)** is considered to comply with all provisions of relevant legislation and will have minimal impact on surrounding properties and uses and as such the development should be approved as proposed.

6 APPENDICES

APPENDIX A	Site Photographs
APPENDIX B	SAP Master Plan Assessment Table
APPENDIX C	NSW Alpine Region Development Control Plan Assessment Table
APPENDIX D	Camstruct Consulting – Structural Assessment of Timber Deck

APPENDIX A – SITE PHOTOGRAPHS



Photo 1 - View of Western Elevation of Powder Inn with the Mt Perisher 6 Chairlift under construction to the northeast of the site. The tables shown in the photograph are of the type proposed to be used for outdoor dining on the existing deck. The photograph shows the RFID gate gantry which has been removed for reuse. The proposed food van will be located on the western side of the Powder Inn.



Photo 2 - View from the existing deck south to the Kosciuszko Road which is above the subject site



Photo 3 - View from the deck looking uphill to the ski run "Towers" to the west



Photo 4 - View from the deck looking east towards the western elevation of the Powder Inn building. The building identification signage is proposed on western elevation of the existing building

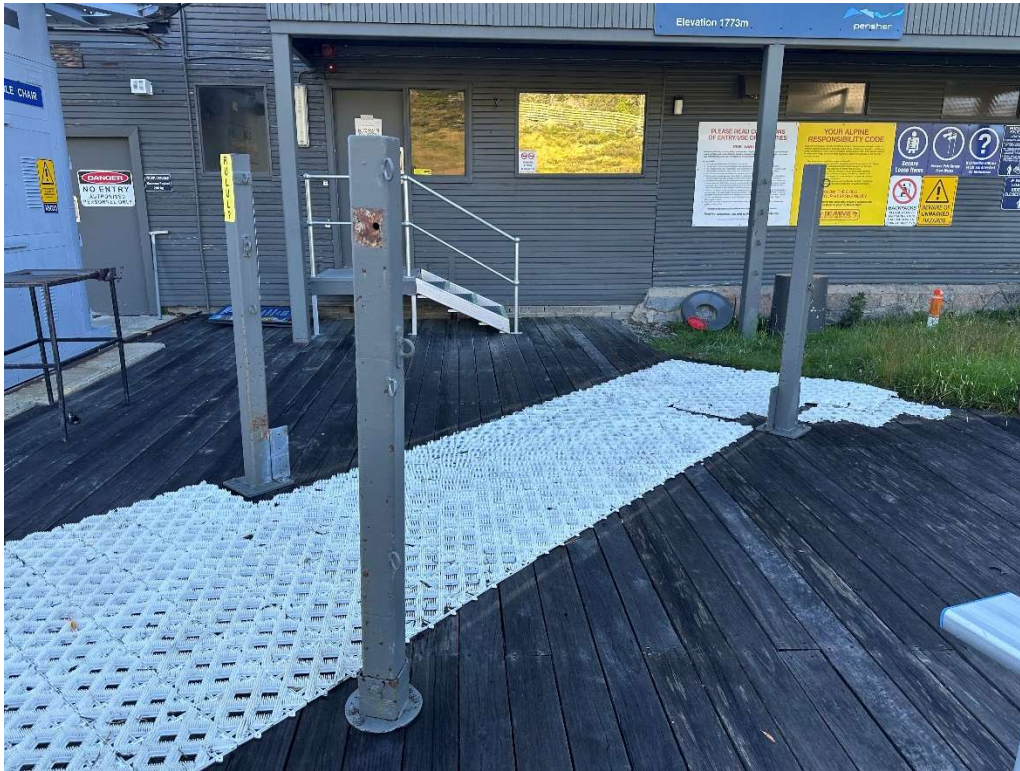


Photo 5 - Bollards to be removed prior to use of the deck for outdoor dining. The bollards were used for queue management when the deck was part of the bottom station of the Double Chair



Photo 6 - RFID gate gantry to be removed - proposed food van will be in this approximate location



Photo 7 - Perisher Creek exiting from beneath the existing deck - this area is snow covered in winter

APPENDIX B – SAP MASTER PLAN ASSESSMENT TABLE

Snowy Mountains Special Activation Precinct Master Plan 2022

PROVISION	RESPONSE
10 ALPINE PRECINCT PROVISIONS	
10.1 LAND USE	
<p>A. Development is to be permissible and consistent with the:</p> <ul style="list-style-type: none"> • Master Plan • Precincts—Regional SEPP • Alpine Development Control Plan • Kosciuszko National Park Plan of Management • National Parks and Wildlife Act 	<p><i>Complies</i></p> <p><i>The development is permissible under the Precincts Regional SEPP and complies with the relevant provisions of</i></p> <ul style="list-style-type: none"> • <i>Alpine Development Control Plan</i> • <i>Kosciuszko National Park Plan of Management</i> • <i>National Parks and Wildlife Act</i>
<p>B. In considering the suitability of the development, the consent authority must be satisfied that the development meets the performance criteria and development controls in this Master Plan and in the Alpine Development Control Plan.</p>	<p><i>Complies</i></p> <ul style="list-style-type: none"> • <i>The development complies based on an assessment against the performance criteria of the Master Plan is carried out below.</i> • <i>Assessment against the Alpine Development Control Plan - Appendix C.</i>
<p>C. Development consent can only be issued for development in the Alpine Precinct where:</p> <p>i. the uses will support the diversification of the Alpine Precinct's tourism offering and year-round economic viability.</p> <p>ii. the uses will not compromise the environmental, heritage and cultural values of the Alpine Precinct.</p> <p>iii. the uses will not exceed the established carrying capacity of the Alpine Precinct.</p>	<p><i>Complies</i></p> <p>i. <i>The use will compliment the operation of the surrounding land as a ski area. It the provision of seating which is not currently available in the location and the provision of additional food and beverage outlet options to augment what is currently available at the Powder Inn.</i></p> <p>ii. <i>An assessment of the impact of the development on the environment, heritage and cultural values which has demonstrated that the development will not compromise any of these factors.</i></p> <p>iii. <i>The development has no impact on carrying capacity as it does not relate to the provision of additional tourist accommodation.</i></p>
<p>D. The location of future development should align with the relevant structure plan and be focused on land marked 'Development area'. Where development is proposed on land outside these areas, additional technical investigation may be required.</p>	<p><i>The development is consistent with the structure plan as it is providing an ancillary use to the use of the subject Commercial premises "Powder Inn".</i></p>
<p>E. Development for new or upgraded accommodation will meet the indicative sub-precinct yields and visitor</p>	<p><i>Not applicable- The development does not involve new or upgraded accommodation.</i></p>

thresholds set out in the Kosciuszko National Park Plan of Management and leasing arrangements.	
10.2 Alpine Resorts	
A. Development should contribute to visitor attraction and village experience through: i. the prioritisation of infill development. ii. improvements to pedestrian and active transport connections. iii. creation and implementation of active street frontages.	<i>The development contributes to the visitor offering in the location. It will improve the guest experience by providing seating in an area where there currently is none and provide additional food and beverage options supporting the current commercial use on site being the Powder Inn.</i>
B. Development should integrate public transport opportunities and should create gateways and nodes to create a sense of place and community in Alpine Resort sub-precincts.	<i>Not applicable</i>
C. Development should provide a range of tourist accommodation offerings and seasonal worker accommodation.	<i>Not applicable</i>
D. Development should be designed to reduce on-site power consumption and improve environmental performance	<i>The food van component of the development is the only part which requires power to operate. Due to the scale and operation of the van it will require minimal power consumption.</i>
E. Development should be designed to contribute to the alpine character of the Alpine Resorts and reflect the alpine landscape and natural environment.	<i>The development will provide an improved visitor experience on the ski slope area, thereby improving the alpine ski resort character of the location.</i>
10.3 Alpine Accommodation	
A – E	<i>Not applicable – the proposed development does not include accommodation.</i>
10.4 Alpine Experience	
A. Public transport or mass transit connections should be integrated into the design of new developments, particularly in Alpine Resort and Alpine Accommodation sub-precincts.	<i>Not applicable – due to the nature of the development.</i>
B. Transport development must provide safe, reliable and accessible connections into and around the Kosciuszko National Park.	<i>Not applicable - due to the nature of the development.</i>
C. Development should be designed and staged to support and enable the ultimate growth of accommodation and attractions in the Alpine Region.	<i>Not applicable- due to the nature of the development.</i>

D. Development of new and upgraded shared trails and paths should provide appropriate facilities and amenities.	<i>Not applicable - The proposed development does not include the construction of new or upgraded shared trails or paths.</i>
E. Development should provide adequate car parking as part of a range of transport solutions (including the provision of accessible parking spaces).	<i>Not applicable - The development will not generate the need for new carparking</i>
F. Visitor attractions must be supported by appropriate amenities, facilities and car parking and must minimise its impact to the natural environment.	<i>Not applicable – the development is not a visitor attraction</i>
G. Visitor attractions should be designed and staged to support and enable the ultimate growth of attractions in the Alpine Region.	<i>Not applicable – the development is not a visitor attraction</i>
CHAPTER 11 ENVIRONMENT AND SUSTAINABILITY	
11.1 Biodiversity	
A. All development is to apply the avoid, minimise, and offset methodology.	<i>Complies – The development has taken regard of this methodology. Due to the site location, there will be no impact on biodiversity.</i>
B. Development is to avoid threatened ecological communities and threatened species habitat; such vegetation should not be removed. Development may occur in these areas if it is for essential infrastructure.	<i>Complies – The development has taken regard of this methodology. Due to the site location, there will be no impact on biodiversity.</i>
C. Development should be focused on colocation and infill to minimise biodiversity impacts	<i>Complies – the development is considered to be infill.</i>
D. Development should be concentrated in and around already disturbed areas. Where possible, development should provide a buffer between areas of high ecological value and buildings and structures.	<i>Complies – the development utilises existing structures being the Mt Perisher Double chairlift deck and the food van has been located in an area where it will have minimal impact on areas of ecological value and will support the operation of the existing building.</i>
E. Development should consider the biodiversity impacts of bushfire asset protection zones (APZ) and associated vegetation management.	<i>Not applicable – due to the nature of the development.</i>
F. Development must offset any impacts to biodiversity through direct management measures within Kosciuszko National Park and should be related to the biodiversity impacted.	<i>Not applicable – the development does not trigger the Biodiversity Offsets Scheme due to its location and extent.</i>

G. Riparian corridors must be preserved while ensuring consistency with the proposed Flooding and Drainage Strategy for the Precinct.	<i>Not applicable – the development has no impact on riparian corridors as there are no below ground works required.</i>
H. Any revegetation or planting within Kosciuszko National Park should follow the Rehabilitation Guidelines for the Resort Areas of Kosciuszko National Park	<i>Not applicable – no revegetation is required as no native vegetation is to be disturbed to facilitate the development.</i>
11.2 Geotechnical	
A. Development must address the requirements of the Geotechnical Policy – Kosciuszko National Park (DPNIR, 2003).	<i>Complies – The development has addressed the requirements of the policy.</i>
B. Development must include an assessment of geotechnical risks.	<i>Complies – due to the nature of the development there are no geotechnical risks.</i>
C. Buildings and structures must be designed to accommodate the specific geotechnical risks identified for the site.	<i>Complies – There are no “buildings or structures” proposed as part of the development, the existing deck will be repurposed as a seating/dining area and the mobile food van will be located onsite without the need for permanent footings or foundations.</i>
D. Excavations required for new developments must consider the potential to cause widespread slope instability and ensure appropriate mitigation measures are implemented to minimise and manage risk.	<i>N/A– no excavation is required</i>
11.3 Flood Risk Management	
A. The Flood Planning Level is the 1% AEP plus 500mm freeboard to ensure consistency across the Precinct. Development must generally occur outside the Flood Planning Level unless it can demonstrate that risks can be suitably managed. This allows for the maintenance of flood function and to avoid adverse effects on flood behaviour to the detriment of other properties or the environment of the floodplain.	<i>Not applicable – the development is not on flood prone land or within the Flood Planning Level.</i>
B. Development within the Flood Planning Level	<i>Not applicable – the development is not within the Flood Planning Level</i>
C. Development within the Probable Maximum Flood area	<i>Not applicable – the site is not within the PMF</i>
D. Development should mitigate the impacts of local overland flooding through the provision of adequate site drainage systems, where possible	<i>Complies – the development will have no impact on overland flooding.</i>

E. Development must consider and plan for emergency evacuation situations to ensure the safety of all areas within the Probable Maximum Flood extent.	<i>Not applicable – The development is not within the mapped PMF</i>
11.4 Water Quality	
A. Maintain or improve the ecological condition of waterbodies and their riparian zones in catchments over the long term.	<i>Not applicable – the development will have no impact on riparian environments.</i>
B. Development in the Alpine Precinct should implement on-site water management and water quality systems through: i. the capture and re-use of water on-site. ii. the treatment of water on-site with any water discharged back into catchments having a neutral or beneficial effect on water quality. iii. incorporating water sensitive urban design principles into the development's-built form and landscaping, where possible	<i>Not applicable - due to the size and nature of the development proposed.</i>
C. The quality of stormwater discharged into receiving catchments must be pre-development quality or better in relation to pH, total suspended solids, total phosphorus, total nitrogen and gross pollutants.	<i>Not applicable – due to the nature of the development there will be no stormwater generated.</i>
D. The quality of water discharged into receiving catchments should maintain electrical conductivity levels. Water quality should aim to maintain an electrical conductivity below the 30 µS/cm ANZG 2018 Guideline value for upland rivers of South-East Australia.	<i>Not applicable – due to the nature of the development.</i>
E. Monitor macroinvertebrates to ensure they are consistently within Band A of the NSW AUSRIVAS model	<i>Not applicable - due to the scale of the proposed development</i>
F. Erosion and sediment control should be managed during construction to ensure impacts to waterways are minimised in accordance with Managing Urban Stormwater Soils and Construction, also known as the Blue Book (current edition).	<i>Not applicable – the proposed development does not involve any ground disturbance.</i>
G. Discharge of wastewater and/or contaminated stormwater to watercourses or waterways is not	<i>Not applicable – due to the nature and scope of the development there will be no wastewater or contaminated stormwater generated.</i>

permitted unless otherwise specified in an environmental protection licence issued under the Protection of the Environment Operations Act 1997. Development must obtain the appropriate water licenses in accordance with the Water Act 1912 and the Water Management Act 2000 and consider the relevant Water Sharing Plan	
11.5 Bushfire	
A. Development is to: i. minimise perimeters exposed to the bushfire hazard. ii. minimise vegetated corridors that permit the passage of bushfire towards development. iii. provide for the siting of future development away from ridge-tops and steep slopes, within saddles and narrow ridge crests. iv. ensure capacity of existing infrastructure (such as roads and utilities) can accommodate the increase in demand during emergencies as a result of the development.	<i>Not applicable – due to the nature of the development</i>
B. Asset Protection Zones are to be provided and maintained between a bushfire hazard and future development and are designed to address the relevant bushfire attack mechanisms.	
C. Adequate access is to be provided from all properties to the wider road network for park users emergency services and to provide access to hazard vegetation to facilitate bushfire mitigation works and fire suppression.	
D. Development is to minimise levels of radiant heat, localised smoke and ember attack through development design and siting.	
E. The subdivision of land and location of developments should consider the future uses of land and the inclusion of roads into Asset Protection Zones.	
11.6 Sustainability and Climate Change	
A. Development must be inclusive and sustainable and promote year-round use.	<i>Not applicable – due to the particulars of the development proposed</i>

B. Development should preserve the Precincts landscape, cultural, heritage and biodiversity values by avoiding and minimising impact.	<i>Complies – the development will have minimal impact. Impact on biodiversity, landscape and cultural values have been addressed in the body of the SEE.</i>
C. Development should support sustainable and active transport opportunities and integrate open space.	<i>Not applicable – due to the scale and particulars of the development proposed</i>
D. Development should comply with applicable sustainability tools and programs for design, construction and operation.	<i>Complies – The development has been designed to use low energy light fixtures and complies with all relevant standards.</i>
E. Consideration must be given to climate responsiveness and resilience. Climate change risks, hazard and opportunities must be considered in the design, construction and operation of development within the Precinct	<i>Complies – Due to the nature of the development it will have little to no impact on climate responsiveness and resilience.</i>
F. Operators, lessees and licensees within the Precinct must prepare and maintain an Environmental Management System in accordance with ISO14001:2015 – Environmental management systems and the requirements of the Plan of Management for Kosciuszko National Park	<i>Not applicable – the EMS as described has yet to be finalised. The EMS is being prepared currently by NPWS to meet this standard as such the requirement is currently not applicable.</i>
12. PLACE AND LANDSCAPE	
12.1 Aboriginal Cultural Heritage	
A. Areas of Aboriginal cultural heritage (included as part of the environmentally sensitive areas map) should not be developed. Development may occur in these areas if it is for essential infrastructure and where further Aboriginal cultural heritage assessment will be undertaken to appropriately mitigate and manage any impacts to Aboriginal cultural heritage items, places or areas.	<i>Complies – The land is not identified as “archaeologically sensitive land” on the State Environmental Planning Policy (Precincts-Regional) 2021 Kosciuszko Alpine Region Aboriginal Archaeological Heritage Map. There is no excavation required to facilitate the development and the area on which the food van is to be positioned is within the curtilage of existing development.</i>
B. Aboriginal culturally significant places and sites should be integrated with areas of environmental significance and green space (where appropriate) across the Precinct. This may continue to evolve as greening opportunities across the Precinct are established	<i>Not applicable - there are no aboriginal cultural significant places and sites impacted by the development.</i>

<p>C. Development is to be assessed against the mapped zones of archaeological potential as required by the following:</p> <p>i. development within areas identified as ‘disturbed land’ do not require any further investigation beyond considering the potential for subsurface archaeological deposits. If current disturbances are considered to cover intact archaeological deposits, further investigation should take place that may include test excavation. Should development encounter any unexpected finds during construction, the procedures under the relevant unexpected finds protocol should be followed.</p> <p>ii. works within areas identified as “moderate ACH potential’ or ‘high ACH potential’ should be avoided. Where development will impact these areas, further Aboriginal cultural heritage assessment must be undertaken. This assessment should include a visual inspection, possibly test excavation if warranted, and participation from the Aboriginal community.</p>	<p><i>There will be no impact due to the nature and scale of the proposed development.</i></p>
<p>D. Development planned on land in which an Aboriginal object is located should be supported by a heritage impact assessment which should be prepared to assess the extent to which a proposed development would harm Aboriginal objects.</p>	<p><i>Not applicable – due to the nature and scale of the proposed development .</i></p>
<p>E. If impact to an Aboriginal object is unavoidable, an Aboriginal Heritage Impact Permit (AHIP) under Part 6 of the National Parks and Wildlife Act 1974 would be required.</p>	<p><i>Not applicable – no AHIP required.</i></p>
<p>12.2 Historic Heritage</p>	
<p>A. Development in areas defined as ‘disturbed land’ can occur without further historic heritage investigation however must consider neighbouring heritage items and broader heritage values.</p>	<p><i>Not applicable – the site is not included as a mapped area in the Master Plan.</i></p>
<p>B. Development on land where a heritage item is situated, that is a heritage item or is on land adjacent</p>	<p><i>Not applicable – no listed items of historic heritage are located on the site</i></p>

to a heritage item must prepare a statement of heritage impact.	
C. Development in areas defined as 'high risk' or 'moderate risk' requires further heritage assessment where the development is likely to materially have a major effect on a heritage item or its value.	<i>Not applicable</i>
D. Development in areas defined as 'high risk' or 'moderate risk' requires further heritage assessment where the development is likely to materially have a minor effect on a heritage item or value.	<i>Not applicable</i>
E. Where development is likely to materially have a major effect on a heritage item or value, further heritage assessment is required.	<i>Not applicable – provisions B, C & D do not apply to the development therefore consideration of this provision is not required.</i>
F. Where development will have minor effect on a heritage item or value, a heritage assessment may be required.	<i>Not applicable – provisions B, C & D do not apply to the development therefore consideration of this provision is not required.</i>
G. Development that is likely to have a materially major or minor effect on a heritage item or its value	<i>Not applicable – provisions B, C & D do not apply to the development therefore consideration of this provision is not required.</i>
H. Development adjacent to a heritage item should ensure impacts to the heritage item are minimised, including through the provision of appropriate curtilages. There may be opportunities to reduce the curtilage to some heritage items if it can be demonstrated the development will not have a significant impact on the heritage item or its value.	<i>Not applicable – there are no heritage items in proximity of the site that would be impacted by the development.</i>
I. Heritage items must be used for purposes that are appropriate to their heritage significance, including adaptive re-use where appropriate.	<i>Not applicable – the site does not include a heritage item</i>
J. Development is to ensure long-term heritage conservation outcomes are retained or interpreted to reflect the history of heritage items and places.	<i>Not applicable – the site does not include a heritage item</i>
K. Development should through redevelopment or upgrades remove inappropriate or unsympathetic alterations and additions to heritage items and reinstate significant missing details and building elements, where possible.	<i>Not applicable – the site does not include a heritage item</i>

12.3 Landscape, Character and Open Space	
A. Development should be designed to sensitively integrate into the landscape and should respond appropriately to the topography and climate of the Alpine Precinct.	<i>The development will have no impact on landscape character due to its nature and scale.</i>
B. Development should protect, conserve and enhance the Alpine Precinct's natural environment and create a green infrastructure network, where possible.	<i>Not applicable - due to the scale, size, and nature of the proposed development</i>
C. Landscaping and public open spaces should include plantings of native species found in surrounding plant communities, which aim to achieve the re-establishment of biodiversity in addition to aesthetic appeal and enhancement of the functionality of an area.	<i>Not applicable - no landscaping is proposed due to the nature of the development</i>
D. Revegetation and new plantings should follow the Rehabilitation guidelines for the Resort Areas of Kosciuszko National Park	<i>Not applicable – no revegetation is required as no vegetation will be impacted by the development.</i>
E. Development should integrate stormwater management infrastructure with open spaces, where possible.	<i>Not applicable - due to the scale, size, and nature of the proposed development</i>
12.4 Built Form	
General criteria for all development in the Alpine Region	
A. Buildings should be efficient, well designed, and successfully integrated with the surrounding landscape.	<i>Not applicable – the development does not involve a the construction or alterations or additions to a building</i>
B. Site earthworks must respond to local topography and geotechnical characteristics and be appropriate for the intended land use	<i>Not applicable – there are no earthworks proposed</i>
For village centres and public domain	
A. Development should create an integrated streetscape where active frontages promote movement between the private and public realms.	<i>Not applicable</i>
B. Building entries should connect to an accessible (providing equitable access to all pedestrians)	<i>Not applicable - due to the nature and scale of the development</i>

pedestrian network through design features, wayfinding, and landscape treatments	
C. Development should integrate and provide public seating, shelter and lighting to contribute to increased activity and safety in the public realm.	<i>Not applicable</i>
D. Development should provide human-scale buildings ensuring building envelopes allow adequate solar access and views, including ensuring significant views to natural features are protected.	<i>Not applicable</i>
E. Development should provide for year-round weather protection that reduces the impacts of wind and snow accumulation in winter and provides adequate shade in summer.	<i>Not applicable</i>
F. Development should provide clearly defined and separate pedestrian and vehicle entries to minimise conflicts.	<i>Not applicable</i>
G. Development should allow for snow clearing and adequate interface with oversnow vehicles, where appropriate.	<i>Complies – the development will not impact on the ability to clear snow.</i>
13. TRANSPORT AND INFRASTRUCTURE	
13.1 Transport network	
A. Transport infrastructure should integrate the public transport network with the existing road network.	<i>Not applicable</i>
B. Development must provide operational access and egress for emergency services and occupants	
C. Development should integrate active transport connections that promote movements between the Alpine resorts, where possible.	
D. New development must provide and integrate new technologies, such as electric vehicle charging and electronic checkpoints, where possible.	
13.2 Utilities, services and infrastructure	
A. Development within the site must have access to water, wastewater, digital connectivity and telecommunications, energy and drainage infrastructure.	<i>Complies – The development will be connected to existing electricity, water, sewer and communications infrastructure.</i>

B. Utilities and services must be integrated with existing infrastructure and services, where possible	<i>Complies – the development will connect to existing services at the Powder Inn</i>
C. Utilities and services should be integrated into road reserves, active transport corridors or the public domain, where possible.	<i>Not applicable – no additional utility or service connections are required to facilitate the development.</i>
D. Infrastructure and services must be designed to provide for the ultimate growth and development in Alpine Resorts.	<i>Not applicable - due to the nature and scale of the development.</i>
E. Development should provide and integrate water cycle management and renewable energy solutions into the design of buildings and structures, where possible	

APPENDIX C – NSW ALPINE REGION DEVELOPMENT CONTROL PLAN

The following is an assessment of the development against the provisions of the NSW Alpine Region Development Control Plan 2025, the tables below reference the sections of the DCP that are not relevant and relevant to the subject development.

Based on the assessment below the development complies with all relevant development controls contained with the DCP and no variations are requested under the provisions of clause 1.9.

The following provisions of the Alpine DCP have been assessed as not relevant to the subject proposed development for the reasons provided in the comment section.	
SECTION	COMMENT
CHAPTER 2 - GENERAL CONTROLS	
2.2 Built form and Design	With the exception of development at Blue Cow which requires consideration of Section 2.7, C5 , the objectives and controls in this part do not apply to recreation infrastructure, lifting facilities, monitoring stations, ski-slope huts, snow-making infrastructure, on-mountain guest amenity buildings (including food and beverage outlets and toilets) and any ancillary structure associated with these land uses.
2.3 Amenity	
	The proposed development is for -on-mountain guest amenity buildings (including food and beverage outlets and toilets) and any ancillary structure associated with these land uses. and therefore sections 2.2 – 2.3 are not applicable to the subject development.
2.4 On-mountain development and infrastructure	Section 2.4 relates to lifting facilities, ski-slope huts, snow-making infrastructure, infrastructure facilities and recreation infrastructure and therefore the objectives and controls in this part do not apply to the subject development as on mountain guest amenity buildings are not uses referenced in the objectives or controls.
2.5 minor alterations and additions	The development is not minor alterations or additions.
2.7 Transport car parking and access	The development does not generate the need for additional carparking or vehicular access. It is snow bound and only used during the winter ski season. As such the objectives and controls of this section do not apply to the subject development.
2.9 Historic Heritage	The development is not in or near an identified heritage item therefore the requirements of this section do not apply.
2.10 Landscaping	The development does not involve ground disturbance or the requirement for landscaping

2.11 Stormwater Management	The development has no stormwater impacts, the deck is existing, and the temporary food van is to be located on a site with existing stormwater drainage measures in place. The van is of a small size and roof area so as to have minimal run off impacts. And its location does not impede existing drainage in and around the existing building.
2.12 Flooding	The development is not in an area identified as flood prone land in Appendix F of the DCP.
2.13 Biodiversity, natural water systems and water sensitive urban design	Due to the nature and scale of the development the objectives and controls of this section do not apply.
CHAPTER 3 - ALPINE RESORT SUB-REGIONS	
The subject development is within the Perisher Subregion however it is outside of the areas shown on the plans found within chapter 3 with specific controls.	
CHAPTER 5 ALPINE CARRYING CAPACITY FRAMEWORK	
The development is of a minor nature which does not trigger the provisions of chapter 5.	
The following provisions of the Alpine DCP have been assessed as relevant to the subject proposed development and compliance with the controls is provided below.	
SECTION	COMMENT
CHAPTER 2 - GENERAL CONTROLS	
2.6 Signage and Wayfinding	
Objectives	<p>The proposed signage meets the objectives of the section as it:</p> <ol style="list-style-type: none"> 1. Is in keeping with the scale and character of the building. 2. The colour and design allow for a consistent theme between the proposed food van and the existing building. 3. Allows for clear identification of the building and the food van. 4. Faces the ski area, is not illuminated or highly reflective, and is in a colour palette approved by NPWS and consistent with the painting of the existing building. 5. Is not visible from Kosciuszko Road, so it will have no impact on road users or create conflicts for pedestrians due to its location.
General Controls	<p>The proposed signage complies with the general controls:</p> <p>C.1 – The signage will provide for business identification signage on both the Powder Inn and the mobile food van.</p> <p>C.2 – The signage complements the existing character of the building in colour and style and will provide for a cohesive style language for the building.</p> <p>C.3 – The size and shape of the signage are proportional to the building and have been located to easily identify the building when viewed from the ski slope.</p>

	<p>C.4 – The signage does not take up more than 20% of the Powder Inn building façade on either the western or the northern elevations of the building. The food van is not a “building” and therefore the requirements of this control do not apply to that part of the development.</p> <p>C.5 – The signage complements the features of the building as it is applied to the front of the enclosed balcony, reinforcing this architectural feature. On the northern side of the building, the signage is applied directly to the flat expanse of wall, providing visual interest.</p> <p>C.6 – The signage cannot be seen from a public road as it is facing the ski area and significantly lower in elevation to the road above.</p> <p>C.7 – Not applicable, the building is not heritage listed.</p> <p>C.8 – The signage is applied directly to an existing building and therefore does not impact on key view corridors or vistas.</p> <p>C.9 – The signage is to be applied directly to an existing building without the need for removal or pruning of any vegetation.</p>
Illuminated signs	The signage is not illuminated as such controls C10 – C13 do not apply
Signage and road safety	The signage is not visible from a public road as such it will have no impact on road safety
Inappropriate signage	The proposed signage is to be affixed to the wall of an existing building and therefore does not fit the categorises of “inappropriate signage” as listed in control C.15
Wayfinding signage	The proposed signage is “building identification signage” and not wayfinding signage as such controls C16 -C17 do not apply.
2.8 Aboriginal cultural heritage	
Objectives	The development meets the objectives of the section as it does not require any excavation or ground disturbance, and it is not in an area mapped as having cultural heritage significance.
Controls	The subject development is within an area mapped as “un-surveyed landform” and there is no ground disturbance required to facilitate the development. As such, the development complies with the subject controls.
2.14 Bushfire prone land	
Objectives	The development complies, as there are no bushfire management measures required and therefore no impact on areas of environmental or cultural significance.
Controls	The development is identified on the bushfire prone land map; however, due to the nature of the development being a temporary food van and not a building, it does not require protection measures as outlined in Planning for Bushfire Protection 2019.
2.15 Climate and ecologically sustainable development	
Objectives	<p>The development is minor in nature and will not adversely impact on the goal of carbon neutrality in the Alpine Region. It is the sustainable reuse of existing structures being the existing deck and an existing mobile food van.</p> <p>The development will support the ongoing operation of an existing food and beverage outlet.</p>
Controls	The development is not “new commercial development or tourist and visitor accommodation” as such the controls do not apply to the connection of the mobile food van and the use of the deck for outdoor dining/seating.

APPENDIX D - STRUCTURAL ASSESSMENT OF TIMBER DECK



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24 January 2025

Ref: 24085 LTR

Perisher Ski Resort
Kosciuszko Rd
Perisher Valley NSW 2624

Attn: Sophie Ballinger

Structural Assessment of Timber Decking

At: Powder Inn, Kosciuszko Rd, Perisher Valley

Dear Sophie,

I confirm my inspection as carried out 24th January 2024, of the existing timber decking structure at Powder Inn, Perisher Valley. The purpose of the inspection being to provide a structural assessment of the existing decking.

The decking comprises:

- Hardwood decking boards (140x38, >F17, spanning 0.9m).
- Hardwood timber joists (155x100 @ 900cts, >F17, spanning 3.0m).
- Hardwood timber bearers (approx. ø300 @ 3.0m cts, >F17, spanning 3.0m in a stacked grid pattern); directly support on ground or secured within a rock boulder foundation where about the creek.

The area was previously utilised as a lift loading area however is proposed to be re-purposed as a dining area with tables being placed to accommodate patrons. No vehicular access is permitted and all snow clearing is carried out manually. A minimum load rating of 2.0 kPa (200 kg/sqm) is applicable by reference to the AS1170.1 (Areas with tables, communal dining, cafes).

It is my assessment that the deck in its current condition is structurally sound and fit for purpose as a dining area. All members are in adequate condition and are of sufficient strength to cater for the required loadings. The deck is adequately supported and braced.

As it is a timber structure at ground level, and as the deck is founded over the small creek line; then regular inspection and maintenance should be employed to ensure its conditional upkeep and longevity (this is suggested to be a visual inspection by Perisher maintenance staff at the commencement and completion of each ski season).

Please do not hesitate to contact me if you have any questions.

Regards,

Cameron Lee
Director
B.E. Struct.(Hons) MIE(Aust) NER