



## **ENVIRONMENTAL ASSESSMENT REPORT**

*(under Section 79C of the Environmental Planning and Assessment Act 1979)*

**Application No.:** DA 8313

**Applicant:** Gornergrat Pty Ltd

**Application Site:** Matterhorn Lodge, Perisher Valley, Perisher Range Alpine Resort, Kosciuszko National Park

**Proposal:** Installation of signage

**Date:** April 2017

### **1. BACKGROUND**

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#### **1.1 Introduction**

This report provides an assessment of a Development Application (DA 8313) lodged by Gornergrat Pty Ltd on 8 March 2017 under Part 4 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). The application seeks consent for the installation of external signage to the Matterhorn Lodge, Perisher Valley, Perisher Range Alpine Resort within Kosciuszko National Park (**Figure 1**). The proposal is described in detail in **Section 2** of this report.



**Figure 1:** Site location in context to Perisher Valley (Source: SIX Maps 2017)

## 1.2 The Site and Surrounding Development

Matterhorn Lodge is a tourist accommodation building located in the southern part of Perisher Valley. The building is of masonry, timber and steel construction catering for a maximum of 85 beds and is accessed off Wheatley Road.

The site is located adjacent to Eiger Chalet to the north east, Tambaroora Lodge to the south and Alpenhof Lodge to the west. A driveway is provided off Wheatley Road and existing trees located on the northern side of the building.

## 2. PROPOSED DEVELOPMENT

The application seeks approval for external signs in two locations being the entry portico and the northern elevation (**Figure 2**). The proposed signage would be made with a mix of acrylic perspex, recycled timber and steel and comprise the following:

- Sign 1 Northern elevation (**Figure 3**): this sign is 6 metres long by 1.4 metres high with decorative recycled timber running vertically to down the building. This sign is not illuminated.
- Sign 2 Entry portico (**Figure 4**): this sign has two sections as it wraps around the entry portico. The section on the northern side of the entry portico is approximately 1.2 metres long and 0.4 metres high. The section on the western side of the portico is 1.9 metres long and 0.4 metres high. This sign is proposed to be backlit with LED lighting.



**Figure 2:** Proposed signage (Source: Applicant's submitted documentation)



Figure 3: Sign 1 Northern elevation (source: Applicant's submitted documentation)

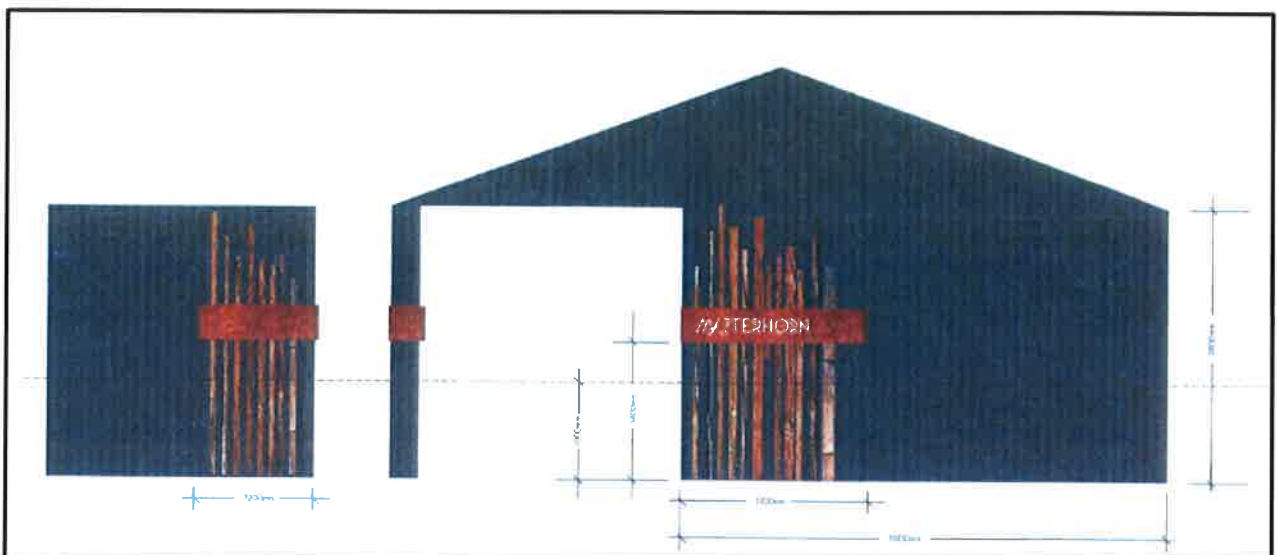


Figure 4: Sign 2 Entry portico (source: Applicant's submitted documentation)



### 3. STATUTORY CONTEXT

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#### 3.1. Consent Authority

Under clause 7 of *State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007* (the Alpine SEPP), the Minister for Planning is the consent authority for the application as the development takes place within a ski resort area as referred to in Clause 32C (2)(a) of Schedule 6 to the EP&A Act.

#### 3.2. Determination under Delegation

In accordance with the Minister's delegation of 16 February 2015, the Team Leader, Alpine Resorts Team may determine the application as:

- the application is in relation to land which the Alpine SEPP applies; and
- there are less than 25 public submissions in the nature of objections.

#### 3.3. Permissibility

The proposal includes the installation of signage and associated works to an existing building consistent with the definition of 'building identification signs' as defined the Alpine SEPP. Pursuant to clause 11 of the Alpine SEPP, 'building identification signs' are permissible with consent with the Perisher Range Alpine Resort.

#### 3.4. Notification

After accepting the application the Department placed the application on its website available to the public. Nearby buildings were notified of the proposal including Eiger Chalet, Corroborree Lodge, Kosciuszko Alpine Club, Tambaroora Ski Club Co-operative, Aurora Ski Club and The Chalets at 1750. One question was received during the exhibition period relating to illumination of the signs. No objections were received.

The application was referred to the NSW Rural Fire Service pursuant to Section 91 of the EP&A Act (integrated development) as a Bushfire Safety Authority (BFSA) under the *Rural Fires Act 1997* is required in order for the development to be carried out.

The Office of Environment and Heritage (OEH) advised that they do not require formal referral of the application to them for comment. However requested that if the RFS require vegetation clearing, a condition is recommended that OEH are consulted prior to the vegetation being removed.

#### 3.5. Considerations under section 79C of the EP&A Act

Under section 79C of the EP&A Act, in determining a development application, a consent authority is required to take a number of matters into consideration in relation to the proposed development. The Department has given due consideration to the matters prescribed by section 79C.

The Department's consideration of the development against the provisions of section 79C of the EP&A Act is contained in **Section 5** and within **Appendix B** of this report.

#### 3.6. Environmental Planning Instruments

Under section 79C of the EP&A Act, the consent authority, when determining a development application, must take into consideration the provisions of any environmental planning instrument (EPI) and draft EPI (that has been subject to public consultation and notified under the EP&A Act) and development control plan/s (DCP) that apply to the proposal.

The Alpine SEPP is the only EPI which applies to the site for this type of development. An assessment against the requirements of the Alpine SEPP is provided in **Appendix C**. The  
*NSW Government*  
*Department of Planning and Environment*

Department is satisfied that the application is consistent with the requirements of the Alpine SEPP.

### 3.7. Objects of the EP&A Act

In determining an application, the consent authority should consider whether the proposal is consistent with the relevant objects of the EP&A Act.

The proposal complies with the objects as it seeks approval for the installation of signage. The proposal will not result in any detrimental impacts to the amenity of the surrounding locality.

The proposal also promotes the orderly and economic use of the site and will not have an impact on the environment thus being ecologically sustainable development (**Section 3.8**).

### 3.8. Ecologically Sustainable Development (ESD)

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes. The Department has considered the project in relation to the ESD principles. The precautionary and Inter-generational Equity principles have been applied in the decision-making process via an assessment of the impacts of the proposal.

### 3.9. Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 7) and Fees (Part 15, Division 1) have been complied with.

## 4. ASSESSMENT

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The Department has considered the relevant matters for consideration under section 79C of the EP&A Act, the SEE and supporting information in its assessment of the proposal. The key issues in the Department's assessment of this proposal is in relation to the proposal's compliance with the Building Code of Australia and BFSA, ensuring the works integrate with the existing building and managing environmental impacts during construction.

### 4.1 Compliance with the Building Code of Australia (BCA) and BFSA

The proposal is required to comply with the BCA and relevant Australian Standards. Based on the plans and documents that were submitted, the Department is satisfied that BCA compliance can be achieved. Wind and snow loading requirements can be appropriately addressed by compliance with the BCA. Full details of compliance will be demonstrated by the Applicant at the Construction Certificate stage.

The building is located on land identified as bushfire prone and, to comply with the BCA, the proposal is required to comply with the RFS Bushfire Safety Authority (BFSA). The BFSA requires that:

- the signage is constructed using non-combustible material or a bushfire resisting timber species; and
- the leasehold area is maintained as an Asset Protection Zone (APZ) Inner Protection Area (IPA).

The implementation of the APZ requires vegetation removal on the northern side of the building. Informal consultation with the OEH indicates that the vegetation removal would be acceptable

and a condition is provided to ensure the OEH are consulted prior to the vegetation removal taking place in order to conduct an inspection and provide advice.

Conditions of consent are recommended to ensure that BCA compliance is addressed at the Construction Certificate stage.

#### **4.2 Ensuring the works integrate with the existing building**

The proposed signs are designed to increase the visibility and identification of the lodge to guests and potential clientele. The new signage would provide an upgrade to the current building façade which is deteriorated. The character of the lodge would improve as a result of the new signage. The proposal is also consistent with the Perisher Range Resorts Master Plan (PRRMP) – a document that was developed to guide development in the alpine resorts.

A nearby building representative enquired as to whether the signs would be illuminated. The Applicant advised that the large sign on the northern façade would not be illuminated and the smaller entry portico sign would be illuminated. The sign being illuminated would assist guests in locating the building at night or in poor weather conditions and would not adversely impact nearby buildings.

The proposed signage is being made out of steel, acrylic perspex and timber. Corten steel has a finish similar to rusted metal which does not require painting and very little maintenance. These materials are commonly used throughout the area and are characteristic of the ski resorts.

The Department is satisfied that the works would integrate with the existing building and would not create any adverse amenity impacts to nearby buildings.

#### **4.3 Managing environmental impacts during construction**

It is unlikely that the proposal will cause any impact upon the natural environment as the works are minor in nature and limited to the building facade.

The site is accessible from Wheatley Road, with sufficient space for storage of materials and parking of work vehicles.

### **5. CONCLUSION**

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The Department has assessed the merits of the proposal taking into consideration the issues raised in all submissions and is satisfied that the impacts have been satisfactorily addressed within the proposal and the recommended conditions.

In relation to the proposal, the Department considers that:

- there will not be a significant impact on any threatened species, populations or ecological communities;
- the proposal will not be visually intrusive in the context of the locality; and
- construction works can be undertaken in accordance with the BCA and relevant Australian Standards.

Overall, the Department is satisfied that the Development Application has been appropriately designed and recommends that the application be approved subject to the imposition of conditions.


## 6. RECOMMENDATION

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It is recommended that the Team Leader, Alpine Resorts Team, as delegate of the Minister for Planning:

- a) **consider** all relevant matters prescribed in section 79C of the EP&A Act, including the findings and recommendations of this report; and
- b) **approve** the Development Application (DA 8313), under section 80(1)(a) of the EP&A Act, having considered matters in accordance with (a) above; and
- c) **sign** the Notice of Determination at **Appendix D**.

Prepared by:



Robin Ward  
**Planning Officer**  
**Alpine Resorts Team**

Approved by:



Daniel James  
**Team Leader**  
**Alpine Resorts Team**

12/4/2017

## **APPENDIX A. RELEVANT SUPPORTING INFORMATION / SUBMISSIONS**

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The following supporting documents and information to this assessment report can be found on the Department's website at:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8313](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8313)



## APPENDIX B. CONSIDERATIONS UNDER SECTION 79C

Section 79C of the EP&A Act requires that the consent authority, when determining a development application, must take into consideration the following matters:

(a)(i) any environmental planning instrument (EPI)	Consideration of the provisions of all EPIs that apply to the proposed development is provided in <b>Appendix C</b> of this report.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Not applicable.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations	The Department has undertaken its assessment in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The Department has considered the likely impacts of the development. All environmental impacts can be appropriately managed and mitigated through recommended conditions of consent.
(c) the suitability of the site for the development,	The site is suitable for the proposal and supports its approved use of the site.
(d) any submissions made in accordance with this Act or the regulations,	One question was received from Eiger Chalet regarding the illumination of the signs.
(e) the public interest.	The proposed development is considered to be consistent with the aim and objectives of the Alpine SEPP and would be compatible to the uses of the locality. There would also not be an adverse impact on the environment and the proposal is consistent with the principles of ESD.  As such, the proposal is considered to be in the public interest, subject to the imposition of appropriate conditions.

## APPENDIX C. CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

### State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007

CI 14(1) – Matters to be considered by consent authority	
(a) the aim and objectives of this policy, as set out in clause 2	The proposal is considered to be consistent with the aim and objectives of the Alpine SEPP in that it is consistent with the principles of ESD and supports the use of the site.
(b) the conservation of the natural environment and any measures to mitigate environmental hazards (including geotechnical hazards, bush fires and flooding),	The proposal is appropriate as it allows for works within an existing building without any adverse impact on the environment. The site is identified as bushfire prone land however development of this type is not required to adhere to any bushfire planning controls. There are no other known natural hazards.
(c) the cumulative impacts of development on existing transport, effluent management systems, waste disposal facilities or transfer facilities, and existing water supply,	The proposal does not modify the capacity or use of the existing lodge. The subject site contains the necessary infrastructure and services to support the development as proposed.
(d) any statement of environmental effects,	The SEE is considered adequate to enable a proper assessment of the proposal.
(e) the character of the alpine resort,	The proposal will not alter the character of the resort, the proposal is for relatively minor works aimed at improved the appearance of the building.
(f) the Geotechnical Policy – Kosciuszko Alpine Resorts,	The proposed signage is exempt under the Department's Geotechnical Policy as it comprises an advertising structure involving no earthworks.
(g) any sedimentation and erosion control measures,	No sedimentation or erosion issues are likely to arise from the proposal due to the works not involving any ground disturbance.
(h) any stormwater drainage works proposed,	The existing storm water drainage system is adequate for the proposed works.
(i) any visual impact of the proposed development, particularly when viewed from the Main Range,	The proposal will not result in an unacceptable visual impact. The signage would improve the appearance of the building. The signage will be backlit however this will not generate any adverse impacts.

(j) any significant increase in activities, outside of the ski season,	The proposal will not result in an increase in activities outside the ski season.
(k) if the development involves the installation of ski lifting facilities,	The proposal does not involve the installation of any new ski lifting facilities.
(l) if the development is proposed to be carried out in Perisher Range Alpine Resort: the document entitled Perisher Range Resorts Master Plan and the document entitled Perisher Blue Ski Slope Master Plan,	The proposal has been considered against the criteria within the PRRMP and the Department concludes that the proposal is not inconsistent with the provisions of the PRRMP.
(m) if the development is proposed to be carried out on land in a riparian corridor.	Not applicable to proposal.
CI 15 – Additional matters to be considered for buildings	
Building Height	The proposal does not include any changes to building heights.
Building Setback	The proposal will not change setback distances.
Landscaped Area	No landscaping is proposed.
CI 17 – applications referred to the Office of Environment and Heritage (OEH)	
The proposal was not referred to the OEH for comment due to the minor nature of works.	
CI 26 – Heritage conservation	
European heritage	The proposal is not considered to impact on any European heritage items.
Aboriginal heritage	The proposal is not considered to impact on any Aboriginal heritage items.

## **APPENDIX D. RECOMMENDED CONDITIONS OF CONSENT**

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