



Kunapipi Ski Lodge, Perisher Valley

*Development Application
Assessment
(DA 9258)*

January 2019

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Cover photo

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

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Glossary

Abbreviation	Definition
BCA	Building Code of Australia
Consent	Development Consent
Department	Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
Minister	Minister for Planning
OEH	Office of Environment and Heritage
RFS	NSW Rural Fire Service
RtS	Response to Submissions
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy



Executive Summary

This report provides an assessment of a Development Application (DA 9258) seeking approval for internal alterations and external additions and use of a basement area at Kunapipi Ski Lodge, Wheatley Road, Perisher Valley, Perisher Range Alpine Resort within Kosciuszko National Park. The Applicant is Kunapipi Ski Lodge.

The Minister for Planning is the consent authority for development within a ski resort in Kosciuszko National Park and the proposal is permissible with consent under the provisions of *State Environmental Planning Policy (Kosciuszko National Park-Alpine Resorts) 2007* (the Alpine SEPP).

The proposal was publicly exhibited between 12 April 2018 to 26 April 2018 (14 days). The Department received a total of two submissions during the exhibition, including two submissions from government agencies (the RFS and the OEH) and no submissions from the public.

The Department has considered the merits of the proposal in accordance with relevant matters under section 4.15(1), the objects of the *Environmental Planning and Assessment Act, 1979* (EP&A Act), the principles of Ecologically Sustainable Development, and issues raised in all submissions as well as the Applicant's response to these issues.

The Department identified compliance with the Building Code of Australia (BCA) and the impacts of the building alterations (internal and external) as the key assessment issues.

The Department considers that the proposal can comply with the provisions of the BCA, which is to be demonstrated during the construction certificate process. This includes the use of the basement area, which is supported to provide additional storage within the building, subject to a review of BCA compliance of the existing portion of the building and implementation of adequate fire measures.

The proposed internal alterations are considered to be appropriate and improve the overall functionality of the lodge, while the external works (new deck and sliding door) provide additional outdoor space for the enjoyment of lodge members and guests.

The issues raised by the government agencies have been addressed through additional information being provided by the Applicant and recommended conditions of consent.

The Department concludes that the application is, on balance, in the public interest as it provides internal and external benefits for lodge members and enables the use of the lower ground floor area for storage purposes, which in turn supports the Alpine SEPP and regional plan for the locality.

The application is recommended to be approved, subject to conditions.



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1. Introduction

This report provides an assessment of a Development Application (DA 9258) to undertake internal alterations and external additions and use of a basement area at Kunapipi Ski Lodge, Wheatley Road, Perisher Valley, Perisher Range Alpine Resort within Kosciuszko National Park.

This application has been lodged by Kunapipi Ski Lodge (the Applicant) under Part 4 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

1.1 The Site and Surrounding Development

The subject site is Lot 1 DP 863582 on Wheatley Road in the Perisher Valley (**Figure 1**). The site is occupied by a two to three storey tourist accommodation building known as 'Kunapipi Ski Lodge' (**Figure 2**) that was built in the early 1960's. The lodge is licensed for 16 beds.



Figure 1: Kunapipi Ski Lodge in context of Perisher Valley (Source: SIX Maps 2018)

The site is located on the southern side of Wheatley Road and has an area of approximately 560m² that adjoins other tourist accommodation premises, including Cowra Ski Club to the south-west and Yalara Alpine Ski Lodge to the north-east.

Access to the site is available off Wheatley Road during summer and winter via oversnow transport.

The site is largely disturbed grassland due to the construction of the lodge and adjoining lodges that gained access through the site in the early 1960's and subsequent extension in early 2000's. Native vegetation borders the site to the south and across Wheatley Road to the north.



Figure 2: North-east elevation of Kunapipi Ski Lodge viewed from Wheatley Road illustrating location of new deck and sliding door off the kitchen / living area (Source: Department site visit)

1.2 Related Development Applications

On 27 October 2003, the Department determined an application for the demolition of existing single storey bedroom wing and the erection of a two-storey bedroom wing plus access ramp and other associated internal works (works appear to include a basement wood and directors store). A CC 36600 issued by Eric Bailey (10/02/04) approved construction of a lower ground floor slab and footings only and referenced structural details by G Janssen (plan dated 2/2/2004).

On 9 August 2018, the Department determined an application for the construction of a new access stair connecting Kunapipi Ski Lodge to Wheatley Road which replaces the existing landscaped steps (DA 9260). The new stairs are to be constructed of galvanised steel with a concrete headwall and supports, with a garbage storage area provided on the platform adjacent to the Wheatley Road footings.



2. Project

The application seeks approval for alterations and additions to an existing tourist accommodation building, including the following works:

- internal alterations to the existing drying room, common bathrooms, laundry and spare room to reconfigure these spaces into a stand-alone laundry, reconfigure a spare room area to include an ensuite, replace existing aged drying room equipment and make good previous laundry areas
- construction of a new steel deck adjacent to the north-east façade of the lodge (**Figure 3**)

The application was subsequently amended during the assessment with the inclusion of the use of the basement area (former wood store and work bench / tool store) for storage purposes and an amendment to the design of the deck area and replacement of a window with a sliding door off the deck.

The objective of the proposal is to improve the internal layout of the lodge and provide an outdoor recreation area.

The works do not increase the overall floor area of the building or increase the bed capacity of the building. The proposal has a cost of works of approximately \$65,000.

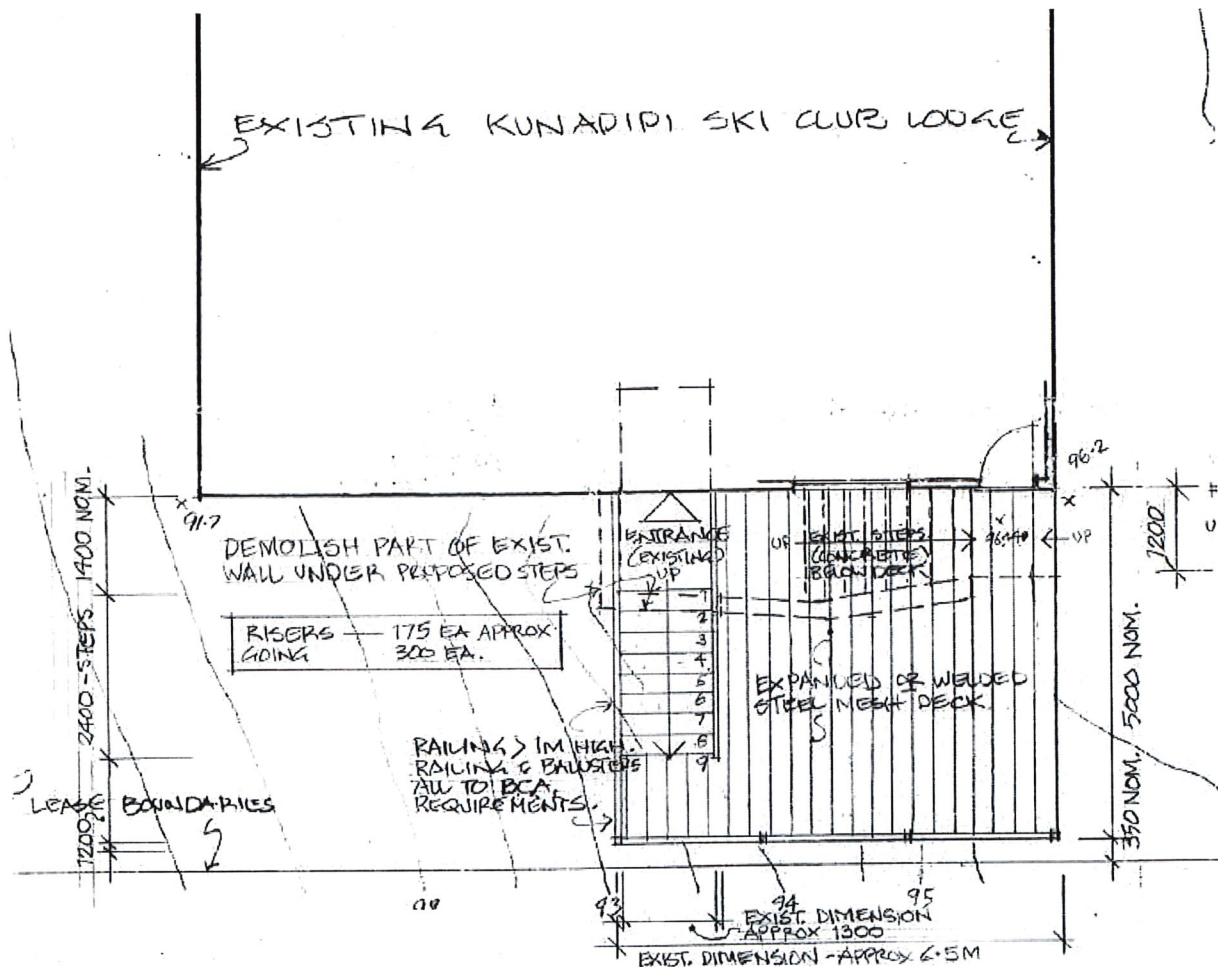


Figure 3: Proposed external deck works off north-east elevation (Source: Applicants documentation)



3. Strategic Context

The Snowy Mountains region offers a diverse and unique mix of visitor destinations including the Kosciuszko National Park (KNP), the alpine resorts, the iconic Snowy River and the highest mountains on the Australian continent. A strong tourism economy is driven mainly by skiing and related winter sport experiences during the peak winter season. The region, including the alpine resorts, also provides opportunities for a range of other recreational activities during the warmer months such as hiking, fishing, kayaking and mountain-biking. The resorts are important to NSW due to their economic and social contribution as well as their location within a unique alpine environment.

The two main documents that support the strategic context of the alpine resorts are the Alpine SEPP and the *South East and Tableland Regional Plan 2036*.

The Alpine SEPP governs development on land within the ski resort areas of KNP and aims to protect the natural and cultural heritage of land within the resorts and to encourage environmentally sustainable development. Under the provisions of the Alpine SEPP, the OEH have a commenting role as the land manager which includes administering the Plan of Management framework for KNP that incorporates objectives, principles and policies to guide the long-term management of the broad range of values found in the park.

The South East and Tableland Regional Plan 2036 which was released by the Department in July 2017 describes the vision, goals and actions that will deliver greater prosperity for those who live, work and visit the region. The plan is an overarching framework to guide more detailed land use plans, development proposals and infrastructure funding decisions.

In relation to the alpine resorts, the plan recognizes that the sustainability of natural snow conditions within a changing climate will be a challenge if the area is to capitalise on higher number of visitors. It also seeks to promote more diverse tourism opportunities in the Snowy Mountains that will strengthen long-term resilience. This can be partly addressed by promoting an extended tourism season that will make the Snowy Mountains a year-round destination for mountain biking, bushwalking, horse riding, kayaking, cultural and educational tourism, and recreational fishing.

The proposed development is consistent with the Alpine SEPP and South East and Tableland Regional Plan 2036 as:

- the proposal incorporates works to an existing lodge to improve its internal arrangement and provide a new deck for socialising by members and guests while satisfying the principles of ecologically sustainable development
- the proposal maintains the existing use of the site for tourist accommodation while providing new bathroom / laundry / drying facilities, which supports visitation to the NSW ski resorts



4. Statutory Context

4.1 Consent Authority

Under clause 7 of 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 1 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*.

In accordance with the Minister's delegation of 11 October 2017, the Team Leader, Alpine Resorts Team may determine the application as:

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

4.2 Permissibility

The proposal includes internal alterations, external additions and the use of part of a building is consistent with the definition of 'tourist accommodation' as defined in the Alpine SEPP. Pursuant to clause 11 of the Alpine SEPP, 'tourist accommodation' is permissible with consent within the Perisher Range Alpine Resort.

4.3 Other Approvals

Not applicable to proposal.

4.4 Mandatory Matters for Consideration

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 works that:

- facilitates ecologically sustainable development through minimising impacts on the environment while modernising the existing lodge for the benefit of the Kunapipi members and guests
- supports the orderly and economic use of the site by updating the lodge
- has regard to protecting the environment through limiting impacts upon native vegetation
- are aimed at improving the amenity and functionality of an existing tourist accommodation building through promoting good design and reducing ongoing maintenance of the building

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 and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity

- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms

ESD initiatives and sustainability measures are proposed to be incorporated into the design, including:

- the precautionary principle – The proposal does not pose a threat of serious or irreversible environmental damage. The proposed works are predominantly internal or are on the existing tourist accommodation building (window alteration) apart from the new deck, which is to be provided on previously disturbed ground.
- inter-generational equity – The proposal is not expected to adversely impact upon the health, diversity or productivity of the environment for future generations. The proposal is for works to an existing tourist accommodation building while acknowledging the importance of the existing environment.
- conservation of biological diversity and ecological integrity – The proposal would not result in a loss of biodiversity or have an ecological impact. The APZ recommended by the NSW RFS can be achieved with minimal environmental impact.
- improved valuation, pricing and incentive mechanisms – The applicant has recognised the value of the environment and designed the development accordingly.

Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed works have been development having regard to the ESD principles, in accordance with the objects of the EP&A Act.

Biodiversity Conservation Act 2016

Section 1.7 of the EP&A Act requires the application of the *Biodiversity Conservation Act 2016* (BC Act) in connection with the terrestrial and aquatic environment.

The BC Act commenced on 25 August 2017, with transitional arrangements in place until 25 February 2018. The BC Act, together with the *Biodiversity Conservation Regulation 2017* (BC Regulation), introduced framework for the assessment and approval of biodiversity impacts associated with developments that require consent under the EP&A Act.

The application was submitted prior to the operation of the BC Act. Therefore, the BC Act is not applicable to the subject proposal.

Considerations under section 4.15 of the EP&A Act

Under section 4.15 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 4.15 as outlined in **Table 1** below.

The table represents a summary for which consideration is provided for in **Section 6** (Assessment) and relevant appendices or other sections of this report, referenced in the table.

Table 1 | Section 4.15(1) Matters for Consideration

(a)(i) any environmental planning instrument (EPI)	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 B . The Department is satisfied that the application is consistent with the requirements of the Alpine SEPP.
(a)(ii) any proposed instrument	Not applicable.

(a)(iii) any development control plan	Not applicable.
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations	<p>The application satisfactorily meets the relevant requirements of the EP&A Regulation, particularly the procedures relating to development applications (Part 6) and fees (Part 15, Division 1).</p> <p>The Department has undertaken its assessment in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.</p>
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development	The Department has considered the likely impacts of the development. All environmental impacts can be appropriately managed and mitigated through recommended conditions of consent. The proposal is also considered to have no economic and social impacts.
(c) the suitability of the site for the development,	The site is suitable for the development and supports its approved for tourist accommodation use.
(d) any submissions made in accordance with this Act or the regulations,	Consideration has been given to the agency submissions received during the exhibition period. See Section 5 of this report.
(e) the public interest.	<p>The proposed development is 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.</p> <p>As such, the proposal is considered to be in the public interest, subject to the imposition of appropriate conditions.</p>



5. Engagement

5.1 Department's Engagement

The Department exhibited the application from 12 April 2018 until 26 April 2018:

- on the Department's website
- at its Jindabyne Office (Shop 5A, 19 Snowy River Avenue, Jindabyne)

The application was also referred to nearby lodges (Cowra Ski Club and Yalara Alpine Ski Lodge) and State government authorities in writing, including:

- the Office of Environment and Heritage (OEH) pursuant to clause 17 of the Alpine SEPP
- the NSW Rural Fire Service pursuant to Section 4.46 of the EP&A Act (integrated development) as a Bushfire Safety Authority under the *Rural Fires Act 1997* is required for the development to be carried out

5.2 Summary of submissions

The Department received two government agency submissions on the proposal (OEH and RFS). No public submissions were received.

5.3 Key Issues - Government Agencies

None of the government agency submissions objected to the proposed works, and the key issues raised have been addressed through the provision of submitted information, or through the recommended conditions of consent.

Table 2 | Summary of Government Agency Submissions

NSW Rural Fire Service (RFS)	<p>Tourist accommodation is a special fire protection purpose under clause 100B of the Rural Fires Act 1997. The RFS did not object to the proposal and has issued a Bush Fire Safety Authority (BFSA) under clause 100B of the Rural Fires Act 1997.</p> <p>The Applicant modified the proposal (an amended deck design and replacement of an existing window with a sliding door). No concerns were raised by the RFS to the amendments, subject to compliance with the previously issued BFSA.</p>
Office of Environment and Heritage (OEH)	<p>The OEH did not object to the proposal and recommended conditions in relation to vegetation management for RFS compliance and plumbing and drainage requirements.</p> <p>The OEH however did raise concern with the due diligence carried out in relation to Aboriginal cultural heritage. Following further information by the Applicant, the OHE raises no further concerns.</p>

The Department has considered the comments received from the RFS and the OEH in **Section 5** or through recommended conditions in the instrument of consent at **Appendix D**.



6. Assessment

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

- building alterations and additions
- compliance with the Building Code of Australia
- use of the basement area

Each of these issues is discussed in the following sections of this report. Other issues were taken into consideration during the assessment of the application and are discussed at **Section 6.3**.

6.1. Building alterations and additions

External changes

The external changes to the building consist of a new deck area off the existing living / dining area that is to be constructed of steel and replacing an existing window with a sliding door (to access the new deck). The deck is proposed to allow for better external usability of the lodge exterior than is currently available (as shown in **Figure 2** in **Section 1**).

The new deck area would occur fully within the existing lease area of the site and create a new built form along the north-east elevation when viewed from Yalara Lodge. A small Eucalypt tree provides part screening of the works, however it is noted that the elevation of Yalara lodge in proximity of the new deck contains bathroom windows, with the main living area on the north-east elevation similar to that of Kunapipi Ski Lodge.

The replacement of the window with a sliding door provides an alternate access to the new deck and does not impact upon the lodges visual impacts. The new sliding door would improve the overall functionality of egress from the lodge.

Adjoining properties were notified of the original proposal and raised no concerns regarding the proposed external works (no additional notification occurred for the amended deck or new sliding door due to the nature of the changes).

The Department's assessment concludes the proposed external works are acceptable as they provide an additional area for the members of Kunapipi Ski Lodge to socialise without negatively impacting on existing vegetation or the amenity of the adjoining lodge.

Internal changes

The new drying room and altered location of the laundry all provide additional usability and increase amenity space for occupants of the building.

In addition, the conversion of the playroom to a bedroom with an ensuite (**Figure 5**) increases the opportunities for the lodge to maximise the existing building footprint across all the floor levels, without impacting upon the overall approved bed numbers (i.e. it provides an alternative bedroom style to cater for the mix of people at the lodge at anyone time).

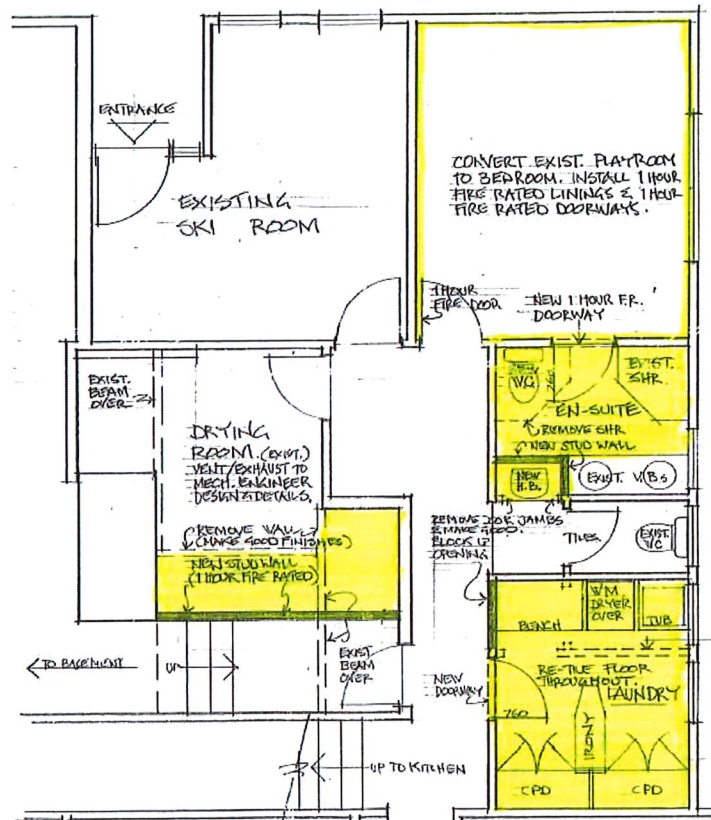


Figure 5: Internal alterations to Kunapipi Ski Lodge (Source: Applicants documentation)

Adjoining properties were notified and raised no concerns regarding the proposed internal works.

The Department's assessment concludes the proposed internal works are acceptable as they would improve functionality within the building without adversely impacting adjacent properties.

6.2. Compliance with the Building Code of Australia

The proposal requires works to comply with the BCA and relevant Australian Standards. Consideration of access and egress provisions, fire safety and construction standards for the new works all form part of the Department's assessment of the proposal.

- Compliance with the *Disability Discrimination Act 1992* (DDA) and the *Access to Premises Standards* prepared under the DDA is triggered at Construction Certificate stage. Ensuring compliance with the DDA is the responsibility of the building owner, manager and certifier. The Department has recommended an Advisory Note to ensure the building owner, manager and certifier are aware of these obligations.
- Clause 94 of the EP&A Regulation requires a consent authority to review a building and consider whether upgrades are warranted to bring the existing building into total or partial compliance with the BCA.

The Department inspected the building and reviewed the existing measures. Discussions were held with the Applicant in regard to the existing wood storage area, existing fire safety measures and also in relation to the use of part of the basement area (an area that was previously blocked off from use known as the former wood store and workbench / tool store).

In relation to the area of the lodge blocked off, the Department notes that arrangement was facilitated through a Holmes Fire Services Report (Rev D 7/7/2005) which was developed to facilitate occupation of the Lodge after works were conducted not in accordance with BCA & development consent (DA 359-8-2003-i). The fire report

identified 6 items to be implemented to allow the building to be considered as type C construction. This included “(iii) - The basement subfloor area is to be utilised for the purpose of stairway fire safety egress only.”

The Department requested additional information prior to further consideration of the overall proposal and the use of the basement area (noting that the previous recommendations within the Holmes Fire Services Report).

The Applicant subsequently prepared a Fire Safety Upgrade Master Plan by J² Consulting Engineers proposing fire safety upgrade works within the lodge (independent to the current DA), including such items as lining of the underside of the basement ceiling, fitting of fire sated collars to all service penetrations, installation of smoke seals to doors, installation of emergency lighting, etc. The Department is currently considering the report (outside of the DA assessment), noting that identified works are recommended to be completed prior to the 2019 winter season.

Further consideration of the use of the previously sealed off basement area is discussed below in **Section 6.3**.

- In relation to construction standards, the Applicant is to demonstrate compliance with the BCA during the consideration of the construction certificate.

The Department concludes that subject to compliance with the conditions of consent, including references to the BCA which is to be addressed at the Construction Certificate stage, the proposal is satisfactory and would improve the ongoing use for tourist accommodation.

6.3. Use of the basement area

The Applicant seeks the use of part of the basement area (an area that was previously blocked off from use known as the former wood store and workbench / tool store) as illustrated in **Figure 6**. The Applicant intends to utilise the area for storage and ancillary uses.

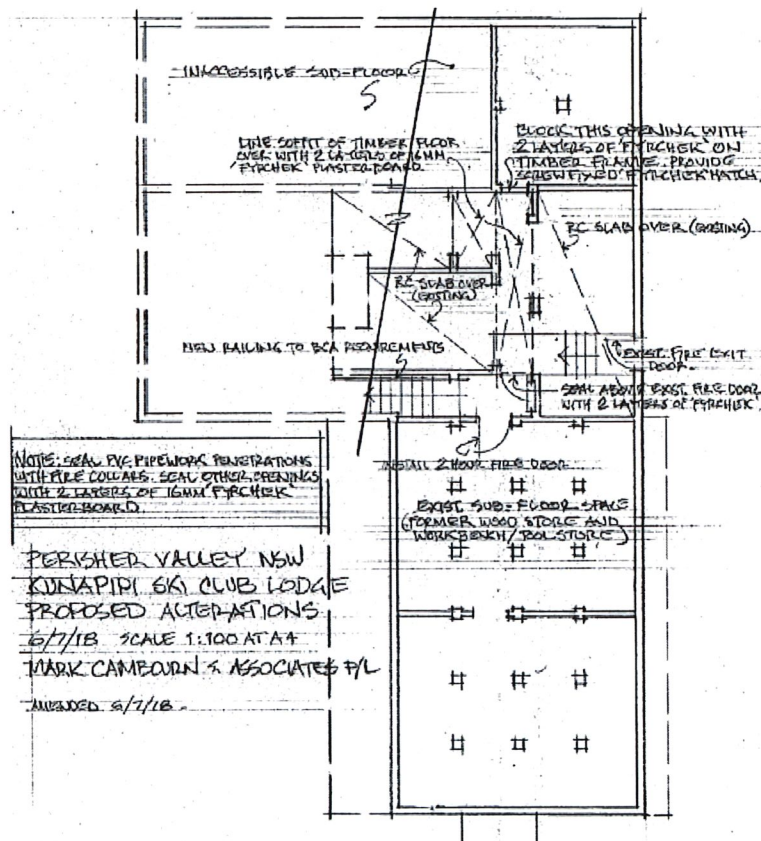


Figure 6: Basement area of existing lodge (Source: Applicants documentation)

The subject area was previously blocked off from use following the construction of the two accommodation floor levels in the early 2000's. Due to issues with the level of construction, an agreement was reached with the Applicant at the time to block off the area from the rest of the lodge, with only an access panel in the former door way providing access (i.e. the area was essentially sealed off from use).

Within the blocked off area, a former wood store (with external chute) and workbench / tool store is provided, however the existing ceiling does not provide any fire collars, etc to stop fire from spreading up into the accommodation areas above. The reuse of this space for any purpose would need to be supported through the preparation of a BCA compliance report which would recommend matters that need to be installed / implemented to protect the bedrooms located above.

Following discussions with the Applicant, the Department has recommended that the former basement area is capable of being utilised again subject to:

- the use of the basement area is for non-habitable purposes
- a construction certificate being issued to bring the basement into compliance with the performance provisions of the BCA including any upgrades necessary to the remainder of the building
- once the works have been completed, that an occupation certificate has been issued

The Department concludes that the proposed use of the basement area for storage and ancillary uses is supported.

6.4. Other Issues

The Department's consideration of other issues is provided at **Table 3**.

Table 3 Summary of other issues raised

Issue	Findings	Recommended Condition
Geotechnical	<p>The site is located within the G zone on the geotechnical maps.</p> <p>The application is supported by a Geotech Report and Form 4 prepared by Douglas Partners Pty Ltd.</p> <p>The report includes recommendations for the construction including that all footings are to be founded within weathered rock and viewed by a Geotech Engineer to confirm the suitability of the founding stratum.</p>	<p>The Department concludes that potential geotechnical impacts have been addressed appropriately and subject to compliance with the recommendations of the Geotech Assessment, no concerns are raised in relation to geotech matters.</p>
Managing Construction Impacts	<p>Given the scope of the works, it is unlikely that the construction of the proposal will cause any adverse impact upon the natural environment. The proposal is in keeping with the use of the building for tourist accommodation and the works are not expected to generate significant ground disturbance.</p>	<p>The Department has recommended standard construction conditions applied in the Alpine area and that the works be carried out in accordance with the submitted SEMP.</p> <p>Subject to compliance with these conditions, the Department is of the view that the</p>

	<p>Car parking is available at the end or along Wheatley Road, with material storage likely to be placed on the site adjoining the lodge (within the existing lease area). Construction impacts such as noise and vibration will be short term and managed in accordance with standard environmental conditions. It is also noted that construction is to occur outside the ski season.</p> <p>Site Environmental Management information is also provided within the SEE, outlining dust, litter, noise, erosion and sedimentation, site fencing, waste storage and access control measures and the like.</p>	<p>proposed works would not impact upon adjoining lodges.</p>
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7. Evaluation

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:

- the internal building alterations improve the internal amenity and functionality without adversely impacting on adjoining properties
- the construction of the deck off the north-eastern side of the building provides an additional sitting area for members of the ski club
- the use of the lower ground floor area for storage purposes is acceptable, subject to the implementation of additional fire safety measures
- the proposed works will not have an impact on threatened species, populations and ecological communities
- construction works will 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.



8. Recommendation

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

- **considers** the findings and recommendations of this report; and
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application;
- **agrees** with the key reasons for approval listed in the notice of decision;
- **grants consent/approval** for the application in respect of DA 9258; and
- **signs** the attached development consent and recommended conditions of consent (see attachment).

Recommended by:

Mark Brown.

Mark Brown
Senior Planner
Alpine Resorts Team

31/1/19



9. Determination

The recommendation is: **Adopted / Not adopted by:**

31/1/2019

Daniel James

Team Leader

Alpine Resorts Team

as delegate of the Minister for Planning.



Appendices

Appendix A – List of Documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows.

1. Statement of Environmental Effects
 - http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9258
2. Submissions
 - http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9258

Appendix B – Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department’s environmental assessment.

State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007 (Alpine SEPP) is the only EPI applicable to the development. Consideration of the matters to be considered is provided below:

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 consistent with the aim and objectives of the Alpine SEPP in that it is consistent with the principles of ESD and supports the existing 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 improved functionality within a tourist accommodation building while also improving the external usability without having an impact on the environment. Natural hazards have been adequately addressed.
(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 building. The subject site contains the necessary infrastructure and services to support the development as proposed.
(d) any statement of environmental effects,	The SEE supplied 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, noting that the proposal is in keeping with the existing use.
(f) the Geotechnical Policy – Kosciuszko Alpine Resorts,	Refer to Section 6.4 .
(g) any sedimentation and erosion control measures,	Sedimentation and erosion control are adequately addressed in the SEMP and SEE. Conditions are recommended to ensure implementation.
(h) any stormwater drainage works proposed,	No negative impacts to stormwater or drainage are anticipated.
(i) any visual impact of the proposed development, particularly when viewed from the Main Range,	The proposal is not visible from the Main Range.
(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,	<p>The proposal has been considered against the criteria within the PRRMP and the Department concludes that the works to the site supports its use under the PRRMP.</p> <p>Disabled access into the premises is to be considered by the Certifying Authority prior to issuing the Construction Certificate.</p>
(m) if the development is proposed to be carried out on land in a riparian corridor.	Not applicable to proposal.
CI 17 – applications referred to the Office of Environment and Heritage (OEH)	
The proposal was referred to the OEH pursuant to clause 17 of the Alpine SEPP. Refer to comments received at Section 5 and discussion, where required, on proposal at Section 6 .	
CI 26 – Heritage conservation	
European heritage	The proposal is not considered to impact on any European heritage items.
Aboriginal heritage	<p>Following the submission of additional information, the OEH advised the Department that Due Diligence has been conducted with no further Aboriginal Cultural Heritage Assessment required.</p> <p>However, should any Aboriginal objects be uncovered during construction, any works impacting the objects must cease immediately and the NPWS contacted for assessment of the site.</p>

Appendix C – Recommended Instrument of Consent

