

Development consent

Section 80 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I grant development consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Daniel James
Team Leader
Alpine Resorts Team
Department of Planning and Environment

Jindabyne

18 March

2015

SCHEDULE 1

Application No.:	DA No. 6897
Applicant:	Mt Selwyn Snowfields Pty Ltd
Consent Authority:	Minister for Planning
Land:	Lot 36 Kings Cross Road, Mount Selwyn, Cabramurra, Kosciuszko National Park
Type of Development:	General Development
Integrated Bodies:	Nil
Approved Development:	Self-contained coffee cart in the BBQ shelter adjacent to the toboggan slope

DEFINITIONS

Act	means the <i>Environmental Planning and Assessment Act, 1979</i> (as amended).
Applicant	means Mt Selwyn Snowfields Pty Ltd.
Approval Body	has the same meaning as within Division 5 of Part 4 of the Act.
BCA	means the edition of the Building Code of Australia in force at the time of lodgement of an application for a Construction Certificate.
Certifying Authority	has the same meaning as Part 4A of the Act.
DA No 6897	means the development application and supporting documentation submitted by the applicant on 9 January 2015.
Department	means the Department of Planning and Environment, or its successors.
Director	means the Director of Industry and Key Sites or a delegate of the Industry and Key Sites within the Department.
Minister	means the Minister for Planning, or nominee.
OEH	means the NSW Office of Environment and Heritage, or its successors.
Regulation	means the <i>Environmental Planning and Assessment Regulations, 2000</i> (as amended).
Secretary	means the Secretary of the Department, or nominee/delegate.
Secretary's approval, agreement or satisfaction	means a written approval from the Secretary or nominee/delegate.
Subject site	has the same meaning as the land identified in Part A of this schedule.
Team Leader	means the Team Leader of the Alpine Resorts Team within the Industry and Key Sites division (or its successors) or a delegate of the Team Leader of the Alpine Resorts Team within the Department.

SCHEDULE 2

PART A – ADMINISTRATIVE CONDITIONS

A.1 Obligation to minimise harm to environment

In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the development.

A.2 Development in accordance with approved documentation and plans

The development shall be in accordance with the Development Application No. DA 6833 submitted by Mt Selwyn Snowfields Pty Ltd on 9 January 2015 and in accordance with the supporting documentation submitted with that application including, but not limited to, the following:

Ref No.	Document	Title/Description	Author/Prepared by	Date	Document Reference
1	Statement of Environmental Effects (SEE)	Mobile Coffee Cart	Mt Selwyn Snowfields Pty Ltd	-	-
2	Coffee Car Brochure and Specifications	Coffee Cart	Mobile Catering and Vehicle Fabrication	-	-
3	Floor Plan	BBQ Shelter Floor Plan	Mt Selwyn Snowfields	-	-
4	Email	DA 6897 Coffee Cart	Angela Banks General Manager Mt Selwyn Snowfields	-	-

A.3 Inconsistency between documents

If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency.

A.4 Lapsing of consent

This development consent will lapse five years from the date of consent, unless the building, engineering or construction work relating to the development is physically commenced on the land to which this consent applies before the date on which the consent would otherwise lapse.

A.5 Prescribed conditions

All works shall comply with the prescribed conditions of development consent as set out in Part 6, Division 8A of the Regulation. In particular, your attention is drawn to:

(a) clause 98, Compliance with Building Code of Australia.

A.6 Australian standards

All works shall be carried out in accordance with current Australian Standards.

A.7 Legal notices

Any advice or notice to the consent authority shall be served on the Secretary.

A.8 Environmental Health

The design and construction of the fit-out must comply with the *Food Act 2003* and the Australia New Zealand Food Standards Code. Additional guidance is also provided by Australian Standard 'AS4674-2004 *Design, construction and fit-out of food premises*'.

PART B – OPERATIONAL CONDITIONS

B.1 Waste removal

All waste removal (including waste bins, grey water and the like) shall be carried out in accordance with the approved plans and documents listed in Condition A.2 and any directions by the NPWS Senior Environmental Health Officer.

B.2 Cart operations

The sale of hot and cold beverages and packaged snack along with all general cart operations shall be carried out in accordance with the approved plans and documentation listed in Condition A.2 and any directions by the NPWS Senior Environmental Health Officer.

B.3 Hours of operation

The coffee cart shall open at 9:00am and close at 5:00pm seven days per week from June long weekend to October long weekend.

B.4 Signage

Any signage shall be installed in accordance with the Department's exempt development provisions. Any signage outside the scope of the exempt development provisions would require a separate development approval.

B.5 Food Act

The operation of the coffee cart must comply with the *Food Act 2003* and the Australia New Zealand Food Standards Code.