



EF 18 / 43185

Development Application

Kosciuszko Alpine Resorts NSW GOVERNMENT Planning & Infrastructure

DA Number: 9629

Stamp: 20 SEP 2018 DEVELOPMENT ASSESSMENT AND SYSTEMS PERFORMANCE

1. Before you lodge

You can use this form to apply for approval to carry out development within the Kosciuszko National Park - Alpine Resorts 2007, the approval from the Minister for Planning is needed for certain kinds of development.

Please contact the Alpine Resorts Team in Jindabyne to arrange a pre-lodgement consultation before completing this form. Phone 02 6456 1733.

The two guides: What to do before lodging your DA and What to include with your DA will help you complete your application.

To complete this form, please place a cross in the appropriate boxes and complete all sections.

Disclosure statement

Persons lodging applications are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years. For more details, including a disclosure form, go to www.planning.nsw.gov.au/donations

Lodgement

To minimise delay in receiving a decision about your application, please ensure you submit all relevant information.

You can lodge your application at the listed offices of the Department of Planning & Environment. Contact details are at the end of this form. When your application has been assessed, you will receive a Notice of Determination.

2. Details of the applicant

NAME

Mr [x] Ms [] Mrs [] Dr [] Other []

First name: FLORENT Family name: MALEZIEUX

Company/organisation: LATERAL EVENTS ABN: 86077821339

STREET ADDRESS: Unit/street no.: LEVEL 11 Street name: CHALLIS HOUSE - 4 MARTIN PLACE

Suburb or town: SYDNEY State: NSW Postcode: 2000

POSTAL ADDRESS (or mark 'as above'): As above

Suburb or town: State: Postcode:

CONTACT DETAILS

Daytime telephone: 0403 283 046 Fax: Mobile: 0403 283 046

Email: florent.malezieux@lateralevents.com

How would you prefer to be contacted? Email

3. Identify the lands you propose to develop

Unit / Street number or Lot number

Perisher Car Park

Street or property name

Kosciuszko Road

Town, locality or resort

NSW

Postcode

2624

4. Describe what you propose to do

Briefly describe your proposal, including all major components. Please indicate if you propose to vary an existing lease or will require a new lease. Note: this includes a sub-lease.

The Perisher Car Park will host the fourth food zone of L'Étape Australia.

The 3,000 riders registered on The Race will ride up to Perisher, loop around the National Parks building and, if they wish, will stop at the Food Zone set up at the Perisher Car Park.

The Food Zone is made of marquees (the details are visible on the CAD drawing attached) and portaloos. It is manned by one L'Étape Australia representative and volunteers.

The Food Zone will be installed on Friday 30th November and removed after the last rider passes through on Saturday 1st December.

In front of the National Parks building on Kosciuszko Road, there will be two totems installed (one on each side of the road, off the road). There won't be anything installed on the road.

These totems will be set up on Friday 30th November and removed on Saturday 1st December.

Saturday 1st December will be the race day. The area will be operated from 6am until 8pm. The first rider is expected at the Food Zone around 10:20am and the last rider is expected to leave the area at 4:00pm.

Lateral Events apply for a approval covering 2018, 2019, 2020 and 2021.

Will this involve:

- erecting, altering or adding to a building or structure
 > Is it a temporary building or structure? Yes No

- subdividing land
 Please specify the no. of lots

- subdividing a building into strata lots
 Please specify the no. of lots

- varying a lease or the issuing of a new lease (note: this includes a sub-lease)
- demolition
- changing the use of land or a building or the classification of a building under the Building Code of Australia (without building, subdividing or demolishing)
- other work (without building, subdividing or demolishing)?

5. Number of jobs to be created

Please indicate the number of jobs this will create. This should be expressed as a proportion of full time jobs over a full year. (Eg a person employed full-time for 6 months would equal 0.5 of a full-time equivalent job, a person working for 20 hours per week for 6 months would approximate to 0.25 of a FTE job, six contractors working on and off over 2 weeks equate to 2 people working full-time for 2 weeks, which equals approximately 0.08 of an FTE job.)

Construction jobs (full-time equivalent)

0.1

Operational jobs (full-time equivalent)

0.09

6. Staged development

You can apply for development consent for only part of your proposal now, and for the remaining part(s) at a later stage.

Are you applying for development consent in stages?

No

Yes > Please attach:

- information which describes the stages of your development
- a copy of any consents you already have for part of your development.

7. Environmental effects of your development

To assess your proposal, we need to understand the impacts it will have. Depending upon the nature and scale of your proposal, you need to provide one or more of the statements listed below to explain the environmental effects of your proposal. See the DA Guide — *What to include with your DA* or contact the Alpine Resorts Team on 02 6456 1733 for more information.

1. Is your proposal **designated development**?

Yes > Please attach an environmental impact statement.

No > Go to Question 2.

2. Is the proposal **advertised development**? (See clause 27 of KNP – Alpine Resorts 2007 SEPP)

Yes > Please attach a statement of environmental effects in accordance with the Secretary's requirements. Contact us for details.

No > Please attach a statement of environmental effects.

3. Is your proposal likely to have a significant effect on **threatened species**, populations, ecological communities or their habitats?

Yes > Please attach a species impact statement.

No

8. Concurrences from state agencies

Do you need the concurrence of a state agency to carry out the development? See the DA Guide — *What to include with your DA* for more information.

No

Yes > Please list any agencies whose concurrence you need.

RMS
NPWS

Please attach sufficient information for the agency(ies) to assess your application.

9. Approval from state agencies (integrated development)

If you need development consent and one or more of the approvals listed in **Attachment A** of the DA Application, your development is known as integrated development. The relevant state agency will be involved in the assessment of your proposal.

Is your application for integrated development?

No

Yes > Please complete Attachment A of the DA Application. Please attach:

- sufficient information for the approval body(ies) to assess your application
- additional copies of your application for each agency. Contact us to find out the number of copies required.

10. Supporting information

You can support your application with additional material, such as photographs, including aerial photographs, slides and models to illustrate your proposal. Please list what you have attached:

- Environmental impact and effects statement
- L'Étape Australia Food Zone #4 CAD drawing.

11. Application fee

Part 15 Division 1 of the Environmental Planning and Assessment Regulation 2000 sets out how to calculate the fees for development applications.

For development that involves a building or other works, the fee for your application is based on the estimated cost of the development. If your application is for integrated development or requires concurrence from another State agency, you will need to include additional processing fees. If your development needs to be advertised to the public you may also need to include an advertising fee.

Note: Please contact the Department if you need help to calculate the fee for your application.

Estimated cost of the development

\$5,479.5

Total fees lodged

\$173

12. Political donation disclosure statement

Persons lodging a development application are required to declare reportable political donations (including donations of or more than \$1000) made in the previous two years. Disclosure statements are to be submitted with your application.

Have you or any person with a financial interest in the application or any persons associated with the application made a political donation?

No

Yes

Have you attached a disclosure statement to this application?

No

Yes

Note: for more details about political donation disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

13. Signature(s)

The lessee(s) of the land to be developed must sign the application.

As the lessee(s) of the above property, I/we consent to this application:

Signature

Name

Date

Capacity in which you are signing

Signature

Name

Date

Capacity in which you are signing

14. Applicant's Signature

The applicant must sign the application.

Signature

Name

Date

15. Lodgement checklist

Your development application checklist

Before submitting your application, please ensure you have attached all the information the consent authority needs to assess your proposal. You can use the following checklist. Please place a cross in the box next to any items you have attached:

Please note: where possible, a copy of all maps and supporting documents to be supplied on CD

Land details

- A map that sets out the lot, DP/MPS and volume/folio no.s
- A schedule that sets out the lot, DP/MPS and volume/folio no.s
- A registered plan of lease boundaries

Staged development

- Information which describes the stages of the development
- A copy of any consents already granted for part of the development

Plans

- A site plan of the land — **required for all applications**
- Plans or drawings of the proposal — **required for all applications**
- An A4 size plan of the proposed building and other structures on the site
- A plan, drawn to scale, of the existing building

Environmental effects

- An environmental impact statement for a designated development proposal and an electronic version of the executive summary
- A statement of environmental effects for an advertised development — as required under clause 13 of the Environmental Planning and Assessment Amendment (Ski Resorts) Regulation 2002. The statement of environmental effects is to be prepared in accordance with the Secretary's requirements
- A statement of environmental effects for a proposal that is not classed 'advertised development' under clause 27 of KNP – Alpine Resorts 2007 SEPP
- A species impact statement

State agency concurrences and approvals

- Additional information required by the agencies from which you need concurrence
- Attachment A of the DA Application
- Additional information required by the agencies you have identified in Attachment A of the DA Application
- Additional copies of your application for each of those agencies

Other approvals

- Any approvals obtained from the Office of Environment & Heritage for a lease variation or a granting of a new lease.

Supporting information

- Other material to support your application, such as photos, slides and models

Application fee

- Your application fee — **required for all applications.**

Additional submissions

Are you lodging an application for a **construction certificate** with this development application?

- Yes
- No

Are you submitting a **political donation disclosure statement** with this development application?

- Yes
- No

16. Privacy policy

The information you provide in this application will enable us, and any relevant state agency, to assess your application under the *Environmental Planning and Assessment Act 1979* and other applicable State legislation. If the information is not provided, your application may not be accepted. If your application is for designated development or advertised development, it will be available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes.

17. Where to lodge your application

You can lodge your completed form, together with attachments and fees at any of the Department of Planning & Environment offices listed below. If you intend lodging your application at an office other than Sydney or Jindabyne, please phone our assessment team at Jindabyne who can arrange for its receipt.

Alpine Resorts Team

Shop 5A, 19 Snowy River Avenue
PO Box 36, JINDABYNE NSW 2627
Telephone: 02 6456 1733
Email: alpineresorts@planning.nsw.gov.au

Head Office

320 Pitt Street, SYDNEY 2000
GPO Box 39, SYDNEY NSW 2001
Telephone: 1300 305 695
Email: information@planning.nsw.gov.au

Note: for contact details of other Sydney Metropolitan and Regional Offices, go to www.planning.nsw.gov.au

Attachment A Integrated development — approvals from State agencies

Some proposals need other kinds of approvals (eg licences, permits). Your proposal is known as integrated development if you need development consent and one or more of the approvals that have been set out below. Answer the following series of questions to decide whether you need any of these approvals. If you have identified that you need one or more approvals, please include this attachment with your application.

Fisheries Management Act 1994

Do you want to carry out aquaculture?

- No
Yes > You need a permit under section 144 of the *Fisheries Management Act 1994* from the Department of Primary Industries.

Do you want to carry out dredging or reclamation work in a waterway (a stream, river, lake, lagoon, estuary or marine waters)?

- No
Yes > You need a permit under section 201 of the *Fisheries Management Act 1994* from the Department of Primary Industries.

Will your development cut, remove, damage or destroy marine vegetation (e.g. mangroves, seagrasses) on public water land or an aquaculture lease, or on the foreshore of any such land or lease?

- No
Yes > You need a permit under section 205 of the *Fisheries Management Act 1994* from the Department of Primary Industries.

Are you planning to:

- (a) set a net, netting or other material, or
(b) construct or alter a dam, floodgate, causeway or weir, or
(c) otherwise create an obstruction,
across or within a bay, inlet, river or creek, or across or around a flat?

- No
Yes > You need a permit under section 219 of the *Fisheries Management Act 1994* from the Department of Primary Industries.

Heritage Act 1997

Does your development involve a place, building, work, relic, movable object, precinct or land that has an interim heritage order or listing on the State Heritage Register protecting it?

- No
Yes > You need an approval under section 57 of the *Heritage Act 1977* from the Office of Environment and Heritage.

Mine Subsidence Compensation Act 1961

Do you want to build, subdivide, make roads, paths or driveways, or put in any pipelines, water, sewage, telephones, gas or other service mains in a mine subsidence district, or alter any of these types of development in a mine subsidence district?

- No
Yes > You need an approval under section 15 of the *Mine Subsidence Compensation Act 1961* from the Mine Subsidence Board.

Mining Act 1992

Do you wish to carry out development for the purposes of obtaining minerals?

- No
Yes > You need a mining lease approval under section 63 & 64 of the *Mining Act 1992* from the Department of Primary Industries.

National Parks and Wildlife Act 1974

Will your development destroy, deface or damage, or permit the destruction or defacement of or damage to a relic or Aboriginal place that is known to you?

- No
Yes > You need a permit under section 90 of the *National Parks and Wildlife Act 1974* from the Office of Environment and Heritage.

Petroleum (Onshore) Act 1991

Do you wish to carry out development for the purposes of mining petroleum?

- No
Yes > You need a grant of production lease under section 9 of the *Petroleum (Onshore) Act 1991* from the Department of Primary Industries.

Protection of the Environment Operations Act 1997

Are you intending to carry out scheduled development work as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* at any premises?

No

Yes > You need an environment protection license under sections 43(a), 47 & 55 of the *Protection of the Environment Operations Act 1997* from the Office of Environment and Heritage.

Are you intending to carry out a scheduled activity as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* at any premises?

No

Yes > You need an environment protection license under sections 43(b), 48 & 55 of the *Protection of the Environment Operations Act 1997* from the Office of Environment and Heritage.

Are you intending to carry out non-scheduled activities for the purposes of regulating water pollution resulting from the activity?

No

Yes > You need an environment protection license under sections 43(d), 47 & 122 of the *Protection of the Environment Operations Act 1997* from the Office of Environment and Heritage.

Note: Schedule 1 of the *Protection of the Environment Operations Act 1997* lists the activities that are scheduled activities for the purposes of the Act.

Roads Act 1993

Will your development:

- a) erect a structure or carry out a work in, on or over a public road, or
- b) dig up or disturb the surface of a public road, or
- c) remove or interfere with a structure, work or tree on a public road, or
- d) pump water into a public road from any land adjoining the road, or
- e) connect a road (whether public or private) to a classified road.

No

Yes > You need consent under section 138 of the *Roads Act 1993* from the Roads and Maritime Services or the local council.

Rural Fires Act 1997

Do you want to subdivide bushfire prone land that could lawfully be used for residential or rural residential purposes, or develop bushfire prone land for special fire protection purposes?

No

Yes > You need a bushfire safety authority under section 100B of the *Rural Fires Act 1997* from the NSW Rural Fires Service.

Note: *special fire protection purpose* means the purpose of the following:

- a school,
- a child care centre,
- a hospital (including a hospital for the mentally ill or mentally disordered),
- a hotel, motel or other tourist accommodation,
- a building wholly or principally used as a home or other establishment for mentally incapacitated persons,
- seniors housing within the meaning of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*,
- a group home within the meaning of *State Environmental Planning Policy (Infrastructure)*,
- a retirement village,
- any other purpose prescribed by the *Rural Fires Regulation 2002*.

Water Management Act 2000

Are you intending to use water for a particular purpose at a particular location, or are you intending to use water from outside NSW?

- No
Yes > You need a water use approval under section 89 of the Water Management Act 2000 from the NSW Office of Water.

Are you intending to construct and use a specified water supply work, drainage work, or flood work at a specified location?

- No
Yes > You need a water management work approval under section 90 of the Water Management Act 2000 from the NSW Office of Water.

Are you intending to carry out a controlled activity in, on or under waterfront land?

- No
Yes > You need a controlled activity approval under section 91 of the Water Management Act 2000 from the NSW Office of Water. If the development will affect Sydney Harbour or its tributaries, Botany Bay (east of Captain Cook Bridge) or the Ports of Newcastle or Kembla, a permit from NSW Maritime.

Are you intending to carry out aquifer interference activities?

- No
Yes > You need an aquifer interference approval under section 91 of the Water Management Act 2000 from the NSW Office of Water.

Note:

Controlled activity means:

- the erection of a building or the carrying out of a work (within the meaning of the Environmental Planning and Assessment Act 1979), or
- the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, or
- the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, or
- the carrying out of any other activity that affects the quantity or flow of water in a water source.

Water supply work means:

- a work (such as a water pump or water bore) that is constructed or used for the purpose of taking water from a water source, or
- a work (such as a tank or dam) that is constructed or used for the purpose of:
 - capturing or storing rainwater run-off, or
 - storing water taken from a water source, or
- a work (such as a water pipe or irrigation channel) that is constructed or used for the purpose of conveying water to the point at which it is to be used, or
- any work (such as a bank or levee) that has, or could have, the effect of diverting water flowing to or from a water source, or
- any work (such as a weir) that has, or could have, the effect of impounding water in a water source, including a reticulated system of such works, and includes all associated pipes, sluices, valves and equipment, but does not include:
- any work (other than a water supply work under the control or management of the Sydney Water Corporation, the Hunter Water Corporation or a local water utility) that receives water from a water supply work under the control or management of the Sydney Water Corporation, the Hunter Water Corporation or a local water utility, or
- any work declared by the regulations not to be a water supply work.

Drainage work means a work (such as a pump, pipe or channel) that is constructed or used for the purpose of draining water from land, including a reticulated system of such works, and includes all associated pipes, sluices, sluiceways, valves and equipment, but does not include:

- any sewage work (within the meaning of Part 2 of Chapter 6), or
- any work declared by the regulations not to be a drainage work.

Flood work means a work (such as a barrage, causeway, cutting or embankment):

- that is situated:
 - in or in the vicinity of a river, estuary or lake, or
 - within a floodplain, and
- that is of such a size or configuration that, regardless of the purpose for which it is constructed or used, it is likely to have an effect on:
 - the flow of water to or from a river, estuary or lake, or
 - the distribution or flow of floodwater in times of flood, and includes all associated pipes, valves and equipment, but does not include any work declared by the regulations not to be a flood work.