



Department of
Infrastructure, Planning and Natural Resources

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF MODIFICATION APPLICATION NO. MOD 44-3-2005-I

(FILE NO. J0000103 PT1)

I, Mike Brown, Acting Team Leader, Urban Assessments as delegate for the Minister for Infrastructure and Planning under Instrument of Delegation dated (6th July, 2004) determine the Section 96(1A) Application pursuant to the *Environmental Planning and Assessment Act 1979*, by granting the modification to the original consent referred in Schedule 1 subject to the conditions referred in Schedule 2.

Mike Brown
Acting Team Leader
Urban Assessments

11 *May* 2005

SCHEDULE 1

PART A—TABLE

Application made by:	Kosciusko Thredbo Pty Ltd
Application made to:	Minister for Infrastructure and Planning
Modification Application:	Mod No. 44-3-2005-i
Modifying Development Application:	DA 252-10-2004-i
Date DA Determined:	27 January 2005
On land comprising:	Lot 55, Thredbo Alpine Village
S.96 Determination made on:	
Date of commencement of consent:	27 January 2005 Development consent has commenced. Construction of the proposal as previously approved (and also as amended) has not yet commenced.

PART B—NOTES RELATING TO THE DETERMINATION OF MOD No. 44-3-2005-i

Responsibility for Other Approvals / Agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid:

- (1) for a development application, within 12 months after the date on which the applicant received this notice, or
- (2) for a modification to the consent, within 3 months after the date on which the application received this notice.

Legal Notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

In this consent,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Applicant means Kosciusko Thredbo Pty Ltd.

Approval Body has the same meaning as within Division 5 of Part 4 of the Act.

BCA means the Building Code of Australia.

Certifying Authority has the same meaning as Part 4A of the Act.

Department means the Department of Infrastructure, Planning and Natural Resources.

Director means the Director of the Urban Assessments Unit (or its successors) or a delegate of the Director of the Urban Assessments Unit within the Department.

Director-General means the Director-General of the Department.

Minister means the Minister for Infrastructure and Planning.

Mod No. 44-3-2005-i means the modification application and supporting documentation submitted by the applicant on 11 April 2005.

PCA means the Principal Certifying Authority as prescribed in Part 4A of the Act.

Regulations means the *Environmental Planning and Assessment Regulations, 2000* (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

Team Leader means the Team Leader of the Urban Assessments Unit (or its successors) or a delegate of the Team Leader of the Urban Assessments Unit within the Department.

SCHEDULE 2**CONDITIONS OF CONSENT****MODIFICATION APPLICATION NO. MOD 44-3-2004-i
LOT 55, THREDBO**

This consent is granted subject to the following:

- The development shall be carried out generally in accordance with:***
DA 252-10-2004-I, determined by the Consent Authority on 27 January 2005, under State Environmental Planning Policy No. 73 – Kosciuszko Ski Resorts.

Except where varied by the following amended plans:

The amended architectural drawings prepared by Daryl Jackson Robin Dyke as follows:

Drawing No:	Title:	Amendment Date:
A0.01/d	Site Plan	5 July 2004
A1.01/f	Level 1 plan	5 July 2004
A1.02/f	Level 2 plan	5 July 2004
A1.03/f	Level 3 plan	5 July 2004
A1.04/f	Level 4 plan	5 July 2004
A1.05/f	Level 5 plan	5 July 2004
A1.06/f	Level 6 plan	5 July 2004
A1.07/f	Level 7 plan	5 July 2004
A2.01/e	East Elevation	7 July 2004
A2.02/e	North Elevation	7 July 2004
A2.03/e	West Elevation	7 July 2004
A2.04/e	South Elevation	7 July 2004
A7.01/c	Colours + Materials Schedule	1 October 2004