

# Notice of decision

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

<b>Application type</b>	Development Application
<b>Application number and project name</b>	DA 10649 – Bushfire recovery rebuilding of the resort operations centre (ROC) and associated infrastructure, installation of a ski conveyor / ski carpet lift at the snow play area, and installation of an operators hut at the top of Boomerang Platter lift, Lot 36 DP 46316, 213A Kings Cross Road, (Selwyn Snow Resort) Kiandra NSW, Kosciuszko National Park
<b>Applicant</b>	Selwyn Snow Resort Pty Ltd
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

The Director, Regional Assessments under delegation from the Minister for Planning and Public Spaces has, under s.4.16 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available:

[http://majorprojects.planning.nsw.gov.au/page/part-4-projects/alpine-projects/?action=view\\_job&job\\_id=10647](http://majorprojects.planning.nsw.gov.au/page/part-4-projects/alpine-projects/?action=view_job&job_id=10647)

A copy of the Department of Planning, Industry and Environment's Assessment Report is available:

[http://majorprojects.planning.nsw.gov.au/page/part-4-projects/alpine-projects/?action=view\\_job&job\\_id=10647](http://majorprojects.planning.nsw.gov.au/page/part-4-projects/alpine-projects/?action=view_job&job_id=10647)

### Date of decision

7 May 2021

### Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted with the development application and during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the project is permissible with development consent under the State Environmental Planning Policy (Kosciuszko Nation Park – Alpine Resorts) 2007 and is consistent with NSW Government policies including the *South East and Tableland Regional Plan 2036* aim to increase visitation to the NSW ski resorts;
- the impacts on the community and the environment can be appropriately mitigated or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. The consent authority has imposed conditions relating to environmental considerations, and post certification and rehabilitation;
- no issues were raised by the community during exhibition of the proposal; and
- weighing all relevant considerations, the project is in the public interest.

- **Attachment 1 – Consideration of Community Views**

The Department's Community Participation Plan, November 2019, prepared in accordance with schedule 1 of the Act requires applications of development consent to be exhibited for a period of 14 days. However, applications under the Alpine SEPP are not required to be public exhibited if the proposal relates to works which are wholly internal to a building or where the site is located more than 50 metres away from a tourist accommodation building.

Due to the works being located more than 50 metres from a tourist accommodation building, the Department did not exhibit the application. The application was made available on the Department's website.

The NSW Rural Fire Service provided comments pursuant to section 4.46 (integrated development) of the Act as a Bushfire Safety Authority under the Rural Fires Act 1997 is required for the development to be carried out. The works are associated with a ski resort that includes staff accommodation and the RFS have deemed the whole facility to be "other" special fire protection purpose development.

Comments were also received from the National Parks and Wildlife Service pursuant to clause 17 of the Alpine SEPP.

The issues raised by the NSW Rural Fire Service and the National Parks and Wildlife Service are addressed in detail in the Department's Assessment Report.

There were no community views that needed to be taken into consideration in making this decision. No issues were raised by the community and no public submissions were received.