



# Planning

## ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

### DETERMINATION OF MODIFICATION APPLICATION NO DA 003-01-2010, MOD 1

I, Daniel James, Team Leader, Alpine Resorts Team, as delegate for the Minister for Planning under Instrument of Delegation dated 25 January 2010 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.

A handwritten signature in blue ink, appearing to read "Daniel James".

**Daniel James**  
Team Leader  
Alpine Resorts Team

11 March 2011

## SCHEDULE 1

### **PART A—TABLE**

Application made by:	Warrugang Ski Club Limited
Application made to:	Minister for Planning
Modification Application:	DA 003-01-2010, MOD 1
Modifying Development Application:	DA 003-01-2010
Date DA Determined:	19 March 2010
On land comprising:	Warrugang Ski Lodge, Perisher Valley
S.96 Determination made on:	11 March 2011
Date of commencement of consent:	19 March 2010

### **PART B—NOTES RELATING TO THE DETERMINATION OF DA 003-01-2010, MOD 1.**

#### **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 Warrugang Ski Club Limited.

**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 a construction certificate.

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

**Department** means the Department of Planning.

**Director** means the Director of the Metropolitan and Regional Projects South (or its successors) or a delegate of the Director of the Metropolitan and Regional Projects South within the Department.

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

**Minister** means the Minister for Planning.

**DA 003-01-2010 MOD 1** means the modification application and supporting documentation submitted by the applicant on 22 February 2011.

**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 Metropolitan and Regional Projects South (or its successors) or a delegate of the Team Leader of the Metropolitan and Regional Projects South within the Department.

**SCHEDULE 2**

**CONDITIONS OF CONSENT**

**MODIFICATION APPLICATION NO DA 003-01-2010, MOD 1**

**ALTERATIONS TO WARRUGANG SKI LODGE (RECLADDING), PERISHER VALLEY.**

**This consent is granted subject to the following:**

**(a) Edit Condition A1 as follows:**

**A1 Development Description**

Development consent is granted only to carrying out the development described in detail below:

- ~~1) Replacement of existing timber cladding on ski lodge with metal cladding coloured "Manor Red".~~
- 1) Replacement of existing timber cladding on ski lodge with metal cladding coloured "Deep Ocean" and trim coloured "Classic Cream".

**(b) Edit Condition A2 as follows:**

**A2 Development in Accordance with Plans**

The development shall be in accordance with Development Application No. DA-003-01-2010 submitted by Evan Brickell of EB Design on 19 January 2010, **Modification Application No. DA 003-01-2010 MOD 1 submitted by Peter Funnell on 22 February 2011** and in accordance with the supporting documentation submitted with that application including, but not limited to, the following:

- ~~• Plan of Elevations and Sections, Warrugang Ski Club.~~
- Plan of Elevations and Section, Warrugang Ski Club revised by Peter Funnell 25/2/2011
- Lysaght Easyclad Specification
- Statement of Environmental Effects, Issue A prepared by EB Design dated December 2009
- Site Environmental Management Plan, Issue A prepared by EB Design dated December 2009.
- Bushfire Assessment Report, Issue A prepared by EB Design dated December 2009