

21/12/2022

Att

DPE PSVC Alpine Resorts

Department of Planning

Jindabyne

Dear Daniel,

DA 10630 – Request for Minor Modification due to misdescription

Applicant: Mark and Brigitte Beaton

Development: Tourist Accommodation

Location: 20 Mountain Drive, Thredbo Lot 612 DP 1118588

Modification sought: The Department's conditions of consent A.9 incorrectly states "This development consent is for a tourist accommodation building **that includes the use of the building as transient accommodation for a number of unrelated persons**"

We sought removal of **that includes the use of the building as transient accommodation for a number of unrelated persons** at the issue of Draft Conditions of Consent so as to be consistent with Schedule 1 of the Consent - Approved Development : "Alterations and additions to an existing **tourist accommodation** building to include a first floor studio apartment above a garage and altered front entry areas as outlined in Condition A.2" and on the basis that the premises have never been and will never be occupied by unrelated persons. The six bed (persons) original lodge has never been let to "un related persons" and the proposed two bed (persons) studio will not be let to unrelated persons – it will only have one sleeping space with a double bed it in which could not be made available to unrelated persons.

Intent of Modification: To correct the Department's misdescription.

Impacts of the Modification: Nil

Modifications impacts to approved development: The development will physically remain the same following the modification.

Biodiversity Impacts: Not applicable

Owners Consent: The application is the sub-lessee of lot 612 and has the consent of the head lessee Kosciuszko Thredbo to lodge the application. Land Owners consent is not required under cl 23 (7A) of the *Environmental Planning and Assessment Regulations 2021* for development in the NSW Ski Resorts.

Application to: The Department of Planning, Alpine Resorts team, Jindabyne (the Consent Authority)

BASIX: Not applicable.

The building will be used as two apartments (SOU's) that will be fire separated, each to be rented separately for holiday accommodation (when not occupied by ourselves for up to six months in a year, which we intent to do) and therefore we seek to have Condition A.9 either removed entirely or replaced with "This development consent is for a tourist accommodation building" consistent with the description of the Development in Schedule 1 - Approved Development : Alterations and additions to an existing **tourist accommodation**.

As we sought to have this condition amended prior to issue of the final Development Consent and as it is a misdescription by the Department we request all fees be paid (reimbursed) by the Department and that this application be expedited so that we can make a start on the construction. As you know the application was lodged in September 2019 with a view to gaining approval and constructing in the summer of 2019/2020. I have at some expense gained my Class 2 builder licence and would like to get the project completed.

Yours sincerely,
Mark & Brigitte Beaton
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