

Notice of decision

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

Application type	Development Application
Application number and project name	DA 21/13831 – Construction of a mountain bike trail (Cruiser Green), Thredbo Alpine Resort
Applicant	Kosciuszko Thredbo Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Team Leader of the Alpine Resorts Team 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 and any additional conditions.

A copy of the development consent and conditions is available:

<https://www.planningportal.nsw.gov.au/daex/determined>

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

<https://www.planningportal.nsw.gov.au/daex/determined>

Date of decision

27 January 2022

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 to the Department during the assessment of the development application and any additional 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 National Park – Alpine Resorts) 2007* and is consistent with NSW Government policies including the *South East and Tableland Region Plan 2036* aim to increase visitation to NSW ski resorts;
- the impacts on the community and the environment can be appropriately minimised or managed to an acceptable level, in accordance with applicable NSW Government policies and standards. The consent authority has imposed conditions relating to construction standards, environmental considerations, post construction certification and rehabilitation;
- no issues were raised by the community during exhibition of the proposal, with one public submission in support being received; 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 publicly 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.

However, due to the public interest and extent of native vegetation impact, the Department exhibited the application for 14 days between 29 September 2021 to 13 October 2021.

Comments were received from the National Parks and Wildlife Service and are addressed in detail in the Department's Assessment Report.

One public submissions of support for the proposal was also received, supporting the proposal subject to consideration of environmental impacts. No additional concerns were raised which needs to be taken into consideration in making this decision.