

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 21/18285 –External alterations to Kosciusko Alpine Club Lodge, 2 Guthrie Place (Lot 112 DP 1242013), Charlotte Pass Alpine Resort, Kosciuszko National Park
Applicant	Kosciusko Alpine Club Ltd
Consent Authority	Minister for Planning

Decision

The Team Leader of the Alpine Resorts Team under delegation from the Minister for Planning 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:

[State DA | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)

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

[State DA | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)

Date of decision

19 December 2023

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* (in force at the time of lodgement of this application);
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application, as amended, 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 agencies 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* (in force at the time of lodgement of this application) 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 the 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 required the application to be exhibited for a period of fourteen (14) days. The Department exhibited the application on the NSW Planning Portal between from 10 January 2022 to 28 January 2022.

The Department received an application to amend the development application in September 2023, which was accepted. Pursuant to the discretionary considerations in the CPP that relate to amended applications, re-exhibition of the amended application was not considered necessary based on the scale and nature of the amendment to the works.

The Department also notified lodges within fifty (50) metres of the development site of the proposal.

Pursuant to s. 4.46 of the EP&A Act (integrated development) the application was referred to the NSW Rural Fire Service (RFS) as the site is identified as bushfire prone and a Bushfire Safety Authority (BFSA) is required under the *Rural Fires Act 1997*. The amendment to the application occurred prior to referral to the RFS, and so no further referral relating to the amendment was required.

Pursuant to s. 17 of the Alpine SEPP the application was referred to the National Parks and Wildlife Service (NPWS) for land within an alpine resort within KNP, as well as a further referral when the application was amended.

Final comments were received from the NPWS on 12 December 2023. The RFS issued a Bush Fire Safety Authority on 13 December 2023 approving the works subject to General Terms of Approval (GTAs).

The matters raised by the RFS and the NPWS 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 as no issues were raised by the community and no public submissions were received during the exhibition period.