

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 22/5788 – Installation of water and sewer infrastructure (as part of an upgrade to existing services) for the approved Merritts Mountain House restaurant redevelopment, Thredbo Alpine Resort
Applicant	Event Hospitality and Entertainment Ltd
Consent Authority	Minister for Planning

Decision

The Director of Regional Assessments 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:

<https://www.planningportal.nsw.gov.au/daexhibitions>

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

<https://www.planningportal.nsw.gov.au/daexhibitions>

Date of decision

15 August 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 2021*;
- 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 (Precincts - Regional) 2021* and is consistent with NSW Government policies including the *South East and Tableland Region Plan 2036* aim to increase visitation to NSW ski resorts with the proposal being a precursor for the redevelopment of Merritts Mountain House restaurant;
- 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;
- the issues raised by agencies have been considered and adequately addressed by the Applicant and in the Department's Assessment Report; 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 for nominated integrated development to be exhibited for a period of 28 days. The Department exhibited the application between 29 April 2022 and 27 May 2022 and notified all lodges within Thredbo Village of the works.

The Department of Planning and Environment - Water provided comments pursuant to section 4.46 (integrated development) of the Act as a Controlled Activity Approval under the *Water Management Act 2000* is required for the development to be carried out (works are proposed over and within 40 metres of a tributary of Merritts Creek). General Terms of Approval for the development were issued.

Pursuant to s. 4.15 of the Precincts - Regional SEPP the application was referred to the National Parks and Wildlife Service for land within an alpine resort within KNP. Comments were received from the National Parks and Wildlife Service.

The issues raised by the Department of Planning and Environment - Water 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.