

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 22/7811 – External alterations to the Altitude Lodge, 13 Plum Pine Road, Smiggin Holes
Applicant	Ms Lisa Schweitzer
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

16 January 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 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;
- 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 requires applications to be exhibited for a period of fourteen (14) days. Applications under the Precincts - Regional SEPP are required to be publicly exhibited if the proposal relates to works which are located within fifty (50) metres from a tourist accommodation building. The Department notified nearby lodges and made the application publicly available on the NSW Planning Portal where it was exhibited between 22 June 2022 and 9 July 2022 for the benefit of any interested parties.

The Rural Fire Service provided comments pursuant to section 4.46 of the Act as integrated development requiring approval under section 100B of the *Rural Fires Act 1997* for works to tourist accommodation on bush fire prone land. The Rural Fire Service issued a Bush Fire Safety Authority on the 15 December 2022 approving the works subject to conditions.

Comments were also received from the National Parks and Wildlife Service.

The matters raised by the Rural Fire Service 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 as no public submissions received during the exhibition period.