

# Notice of decision

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

<b>Application type</b>	Development Application
<b>Application number and project name</b>	DA 22/6646 – External alterations to an existing tourist accommodation building – Chalet Sonnenhof, 29 Wheatley Road, Perisher Valley, Perisher Range Alpine Resort
<b>Applicant</b>	Lachlan Maclean (on behalf of The Trustee for Kelly Family Trust)
<b>Consent Authority</b>	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:

<https://pp.planningportal.nsw.gov.au/development-assessment/state-significant-applications/projects/state-development-applications>

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

<https://pp.planningportal.nsw.gov.au/development-assessment/state-significant-applications/projects/state-development-applications>

### Date of decision

16 December 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;
- the impacts on the community and the environment can be appropriately minimised, managed or offset 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, and post construction certification;
- no issues were raised by the community during 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 EP&A Act generally requires applications to be exhibited for a period of fourteen (14) days. However, applications under Chapter 4 of the Precincts - Regional SEPP are not required to be public exhibited if the proposal relates to works which are wholly internal to a building or where the site is located more than fifty (50) metres away from a tourist accommodation building.

As part of the works include external alterations to an existing tourist accommodation building within 50 metres of other tourist accommodation buildings, the Department exhibited the application between 7 September 2022 until 20 September 2022 on the NSW Planning Portal website and received comments from the National Parks and Wildlife Service and NSW Rural Fire Service. No other submissions were received.

The issues raised by the National Parks and Wildlife Service and NSW Rural Fire Service are addressed in detail in the Department's Assessment Report.

There were no community views required to be taken into consideration in making this decision. No issues were raised by the community and no public submissions were received during the exhibition period.