

## 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 22/12013 - Replacement of Guthries poma ski lift with a double chairlift and associated works at Charlotte Pass Alpine Resort
<b>Applicant</b>	Charlotte Pass Snow Resort Pty Ltd
<b>Consent Authority</b>	Minister for Planning

## Decision

The Director Regional Assessment 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 are available:

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

A copy of the Department of Planning, Housing and Infrastructure's Assessment Report is available:

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

## Date of decision

29 February 2024

## 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, including from referral 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 (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;
- the issues raised by the community during consultation and in submissions 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 EP&A Act requires applications for nominated integrated development to be exhibited for a period of twenty-eight (28) days. The Department exhibited the application between 13 October 2022 and 10 November 2022 on the NSW Planning Portal and notified lodges within Charlotte Pass Village of the proposal.

Pursuant to s. 4.46 of the EP&A Act (integrated development) the application was referred to the following agencies:

- Department of Environment - Water (DPE - Water) as consideration is required for development on waterfront land (within 40 metres of a water course) and approval in accordance with the *Water Management Act 2000*.
- Transport for NSW (TfNSW) as consideration is required by the roads authority for development over and within a controlled access road, and approval under the *Roads Act 1993*.

Pursuant to (former) section 4.15 of the Precincts - Regional SEPP the application was referred to the National Parks and Wildlife Service (NPWS) for land in an alpine resort within KNP.

Comments were received from DPE – Water, TfNSW and the NPWS which have been considered and addressed in detail in the Department's Assessment Report.

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