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 23/2785 Ski Patrol Hut, Quad Express Chairlift, Perisher Valley - to install a ski patrol hut at the top of the Quad Express Chairlift in Perisher Range Alpine Resort within Kosciuszko National Park (KNP)
Applicant	Perisher Blue Pty 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.

A copy of the development consent and conditions is available:
https://www.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://www.planningportal.nsw.gov.au/development-assessment/state-significant-applications/projects/state-development-applications

Date of decision
26 April 2023

Reasons for decision

The following matters were taken into consideration in making this decision:
- the relevant matters listed in section 4.55(1A) and 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 with the development application and during the assessment and 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 Regional Plan 2036* aim to increase visitation to the 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, vegetation management 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 Act requires applications for development consent to be exhibited for a period of 14 days. However, applications under the Precincts - Regional SEPP are not required to be publicly exhibited if the proposal relates to works which are wholly internal to a building or where the site is located more than 50 metres away from a tourist accommodation building.

Due to the works being located more than 50 metres from a tourist accommodation building, the Department did not exhibit the application. The application was made available on the NSW Planning Portal website.

Comments were received from the National Parks and Wildlife Service pursuant to Section 4.27 of the Precincts - Regional SEPP.

The matters raised by 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. No issues were raised by the community and no public submissions were received.