



Department of Planning
and Environment

Issued under the Environmental Planning and Assessment Act 1979

Approved Application No 22/14835

Granted on the 28 March 2023

Signed D James

Sheet No 1 of 13



STATEMENT OF ENVIRONMENTAL EFFECTS

*Installation of Water Pipe between Wastewater Treatment Plant
and Selwyn Water Storage Quarry*

213 Kings Cross Road, Kiandra NSW

1 November 2022
Selwyn Snow Resort Pty Ltd

1.0 Introduction

The project for which this Statement applies is for a new pipe to run between the approved Wastewater Treatment Plant facility for Selwyn Snow Resort and the Selwyn Water Storage Quarry (Quarry).

Selwyn Snow Resort is located at 213 Kings Cross Road, Kiandra within the Kosciuszko National Park, NSW. The site is legally described as Lot 36 DP46316.

The proposed development is deemed to be of positive influence on both the Selwyn Snow Resort and Kosciuszko National Park by supporting essential infrastructure to enhance the guest experience of visitors after the Black Summer bushfires. The proposed development supports a safe recreation environment to visitors enhancing their experience in Kosciuszko National Park.

This Statement of Environmental Effects will accompany a Development Application to be lodged with the Department of Planning & Environment (DPE) in accordance with Chapter 4 of the *State Environmental Planning Policy (Precincts-Regional) 2021*, under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

Photo of Wastewater Treatment Plant Location



Photo of Selwyn Water Storage Quarry Location



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2.1 Site Analysis

The *Snowy Mountains* is a popular tourist destination for both Australians and international travellers. The region offers an array of attractions including the *Kosciuszko National Park*, Snow Resorts, world class mountain biking and Australia's highest mountain, *Mt Kosciuszko*. The local economy is driven by the winter season with skiing and other winter sports being unique to this region of Australia. A growing summer tourism trade has been developing with activities such as hiking, fishing, kayaking, and mountain biking encouraging outdoor enthusiasts to visit the region.

The resort areas, including *Selwyn Snow Resort* are important to *New South Wales* due to their economic and social contribution as well as their location within a unique alpine environment.

The site is located at 213 Kings Cross Road in Kiandra within the *Kosciuszko National Park*. The site has an area of approximately 204 ha. The site accommodates a snow resort comprised of 10km of ski runs.

Facility buildings which serviced *Selwyn Snow Resort* experienced extensive damage during the 2019/2020 Black Summer bushfires. As a result, the site was then cleared of buildings with only lifts and snow making infrastructure remaining. Construction is currently underway on the rebuild of the resort, including the *Visitor Centre*, *Resort Operations Centre* and *Staff Accommodation*.

The *Wastewater Treatment Plant* is located to the north of the new *Selwyn Centre* and *Resort Operations Centre*. This location is generally clear of vegetation and sits within the substantial APZs of the previously mentioned buildings, which will be maintained in perpetuity within the allotment boundary (see bushfire hazard assessment report provided).

The *Selwyn Water Storage Quarry (Quarry)* is located to the East of the *Wastewater Treatment Plant*, with a proposed pipe path to the North of the *Resort Operations Centre*, then running along the northern side of the new *Toboggan Slope*, heading across the *Toboggan Park* above the new *Toboggan Ramp*, then following the general alignment of the former *Home Run Poma* and then finally across the *Township* ski slope (below *Tower 7* of the *Township Triple Chair*) to the *Quarry*.

The proposed location for the pipe allows for the least removal of damaged vegetation from the 2019/2020 bushfire season. There have been no known Aboriginal artefacts found during previous construction at the location, which has experienced disturbance due to its proximity to other trench and resort infrastructure. The proposed trench line supports a thoughtful re-development of the site and hence improves the long-term resilience of *Selwyn Snow Resort*, while maintaining the environmental values of the *Kosciuszko National Park*.

A qualified consultant was engaged to assess potential impacts to this general area for trenches and determined that "the trenching works can proceed in these areas, without further assessment as no Aboriginal objects or places have been identified as occurring within the project area. The potential of impacting unrecorded sites during the proposed works is assessed as low."

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[illegible]

Landfall is generally consistent across the site and surrounding immediate area with the proposed siteset on the top of a wide ridgeline with downslope to the North, South and West and upslope to the East.

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To supplement the application, a geotechnical report by ACT Geotechnical Engineering was undertaken to assess the site suitability (see geotechnical report provided). ACT Geotechnical Engineering determined that:

“Provided that the design and construction of the structures is undertaken in accordance with accepted procedures for hillside construction, and treatments and mitigation measures are carried out to reduce the potential hazards (as recommended in Section 5.6 and Section 6 of geotechnical report), the risk is assessed to be ‘Very Low’ to ‘Low’ (See Table 1b of geotechnical report).

Therefore, it is assessed that the site is suitable for the proposed snow resort redevelopment (provided all the recommendations in our report are followed).”

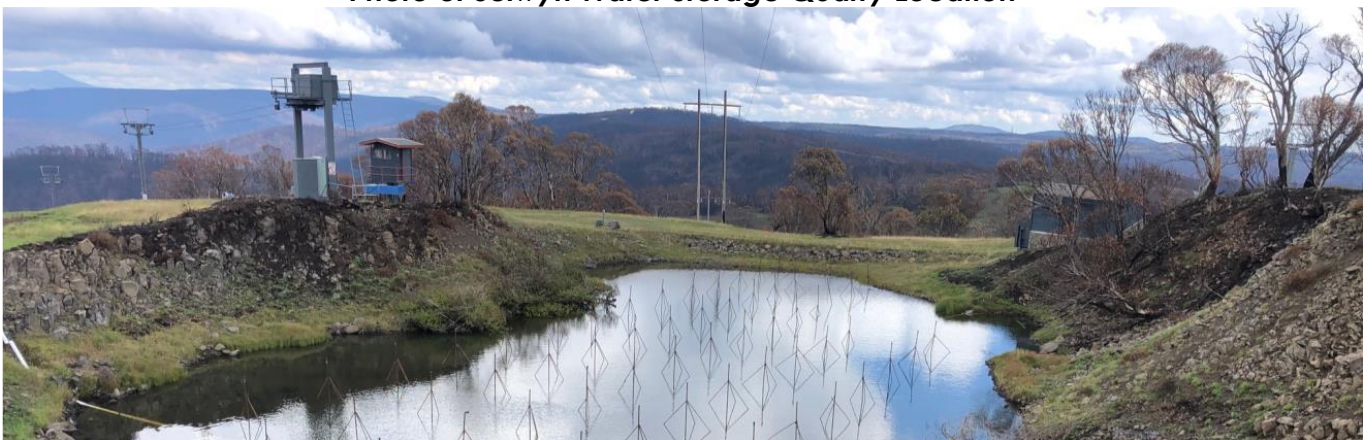
Access to the site is well maintained.

2.3 Site Photos

Photo of Wastewater Treatment Plant Location



Photo of Selwyn Water Storage Quarry Location



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3.0 Project

The proposal aims to gain approval for the installation of a new water pipe between the Wastewater Treatment Plant and Quarry at Selwyn Snow Resort. The proposed development is deemed to be of positive influence on both the Mt Selwyn Snow Resort and Kosciuszko National Park, supporting essential infrastructure to aid operations and provide visitors to the resort with amenities to enhance the safety and guest experience.

The proposed project for this application seeks approval for the below scope of works:

- Services trenching to run a water pipe between the Wastewater Treatment Plant and the Selwyn Water Storage Quarry.

Selwyn Snow Resort provides employment for up to 90 staff (shift workers) during the winter season and has up to 2,000 guests to the resort. Over the summer period the guest facilities will be closed with only maintenance and core operational staff onsite.

FIGURE 6 AERIAL TRENCHING PLAN



4.0 Table 1—General Information

Project description	
<p>The proposal aims to gain approval for the installation of a new water pipe between the Wastewater Treatment Plant and Quarry at Selwyn Snow Resort. The proposed development is deemed to be of positive influence on both the Mt Selwyn Snow Resort and Kosciuszko National Park, supporting essential infrastructure to aid operations and provide visitors to the resort with amenities to enhance the safety and guest experience.</p> <p>The proposed project for this application seeks approval for the below scope of works:</p> <ul style="list-style-type: none"> Services trenching to connect a water pipe between the Wastewater Treatment Plant and the Selwyn Water Storage Quarry. 	
Site suitability	
The site is suitable for the proposed development.	
<ul style="list-style-type: none"> site constraints such as flooding, slope, geotechnical hazards, bushfire and any other risks 	<p>The site is within "Zone G" of the Kosciuszko National Parks Alpine Resorts, and hence a geotechnical investigation and slope instability risk assessment is required. See geotechnical report provided by ACT Geotechnical Engineers.</p>
<ul style="list-style-type: none"> effects on the local environment, landscape, streetscape, appearance or scenic quality of the locality 	<p>The proposed pipe will be installed underground, providing no visual disturbance to the natural landscape surrounding Selwyn Snow Resort.</p>
<ul style="list-style-type: none"> biological and ecological impacts including the impacts on fauna and flora 	<p>Proposed location of the pipe is not identified as areas of high biodiversity values. See Biodiversity and Aboriginal Heritage Assessment provided by Complete Town Planning.</p> <p>All vegetation removal is to be undertaken under guidance and consultation with NPWS.</p> <p>A site rehabilitation plan will be established in consultation with NPWS,</p> <p>Low impact on fauna and flora from the proposed pipe will be incurred as minimal vegetation required to be removed. See ecology report and addendum provided by ecologist, David Woods.</p>

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<ul style="list-style-type: none"> impacts on existing and future amenity of the locality 	<p>The works are deemed to be of positive influence on both Selwyn Snow Resort and Kosciuszko National Park by supporting the new guest facilities required to allow operations of the alpine resort.</p>
<ul style="list-style-type: none"> the age and condition of any structures or buildings. 	<p>The proposed works are part of a larger re-development of the resort which encountered major damage in the 2019/2020 summer bushfire season.</p> <p>As a result all infrastructure has been required to be replaced and upgraded.</p>

Present and previous uses

Selwyn Snow Resort is one of New South Wales four ski resorts within the Kosciuszko National Park.

Facilities and infrastructure that previously serviced Selwyn Snow Resort experienced extensive damage during the 2019/2020 Black Summer Bushfires and have since been removed from site. Construction is currently underway on the new replacement facilities (already approved under previous Development Applications).

A trench is required to install a water pipe between the Wastewater Treatment Plant and Quarry, which will be minor in width and of a fairly minimal depth (300mm wide and 500mm deep).

Operational details

Selwyn Snow Resort is currently closed due to the resort being extensively damaged during the 2019/2020 Black Summer bushfire season.

Selwyn Snow Resort employs up to 90 staff members throughout the winter season and the Wastewater Treatment Plant is needed to be fully operating (including the ability to utilize the treated effluent for recycling in both the visitor toilets and snowmaking system) prior to re-opening the resort to ensure the resort can continue to provide employment.

Summer operations at Selwyn Snow Resort are for essential management and maintenance staff (maximum 5 staff members) who perform all necessary duties to ensure safe operation during the winter ski season.

Change of use of a building (where there is no building work)

Not Applicable.

Building classification and Building Code of Australia (BCA)

Not Applicable.

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Snow Deposition

As the proposed works only relate to the installation of an underground pipe, no measures are needed or proposed to deal with snowfall.

Geotechnical Engineering Summary

To supplement the application, a geotechnical report by ACT Geotechnical Engineering was undertaken to assess the site suitability for the proposed Wastewater Treatment Plant facility.

ACT Geotechnical Engineering determined that:

"The upper (low plasticity) soil is moderately reactive in terms of potential shrink-swell movements that may occur due to seasonal ground moisture changes. The characteristic ground surface movement "ys", as defined by AS2870 for the range of extreme dry to extreme wet ground moisture conditions is estimated to be less than 20mm. The site is therefore a Class "S" (slightly reactive)."

"In the present conditions, the overall risk to property and people is assessed to be "Very Low" to "Medium" (See Table 1a). Provided that the design and construction of the structures is undertaken in accordance with accepted procedures for hillside construction, and treatments and mitigation measures are carried out to reduce the potential hazards (as recommended in Section 5.6 and Section 6 of geotechnical report), the risk is assessed to be 'Very Low' to 'Low' (See Table 1b of geotechnical report). Therefore, it is assessed that the site is suitable for the proposed snow resort redevelopment (provided all the recommendations in our report are followed)."

For further information, please see Geotechnical reports and associated Form 1's.

Civil Engineering Summary

Water Supply

The installation of a water pipe will enable the transfer of water between Quarry from the Wastewater Treatment Plant. Fresh water to the Quarry is provided by the existing pump house at the bottom of Race Course.

Stormwater

No Stormwater works are proposed as part of this Application.

Access Road

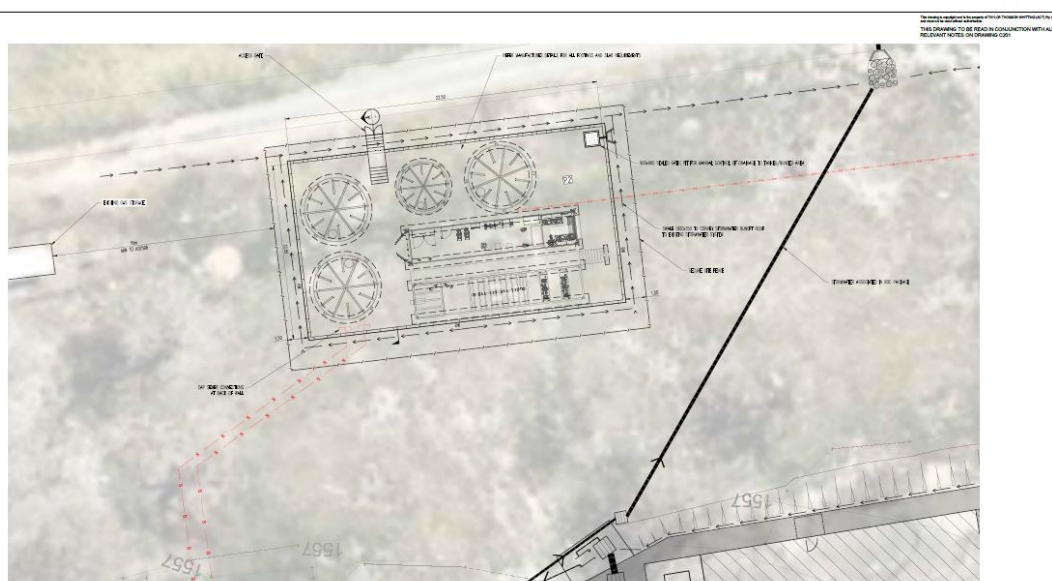
No Road Works are proposed as part of this Application.

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FIGURE 7 PIPE CONNECTION TO WASTEWATER TREATMENT PLANT



Social and economic impact

The proposed works are part of a larger re-development of Selwyn Resort after the devastating impacts of the 2019/2020 Black Summer bushfires. Providing much needed amenities for guests (contained in the DAs for the Guest Facility, Resort Operations Centre and Staff Accommodation already approved) will aid Selwyn Snow Resort to reopen after the devastating Black Summer bushfires. As a result, the proposed development will strengthen the long-term resilience of the region.

The proposed works are not expected to generate any negative social or economic issues. Instead, the proposed works support the new guest facilities which offer guests modern amenities during daily operations in the winter season and recreational facilities to provide improved experience for families and other visitors to the resort.

The overall investment related to the re-development will result in positive economic impacts with a number of short-term construction jobs being generated. Additionally, on a long-term basis Mt Selwyn Snow Resort hires up to 90 staff (shift workers) during the winter season.

The re-development of Selwyn Snow Resort will promote tourism in the area and re-strengthen the long-term resilience of the area by providing jobs and boosting the visitor economy.

Access and traffic

Once installed, no ongoing access will be required to the underground pipe. Any access and traffic management required during construction will be dealt with in the Site Environmental Management Plan.

Privacy, views and overshadowing

There will be no privacy, views or overshadowing issues created by the proposed works.

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Air and noise

No air and noise pollution will be created by the proposed works.

Soil, water and wastewater management

Water Supply

The installation of a water pipe will enable the transfer of water between the Quarry and the Wastewater Treatment Plant. Fresh water to the Quarry is provided by the existing pump house at the bottom of Race Course. The Quarry can also be fed fresh water from the Powerline Pump Shed.

Soil

Refer to Site Environment Management Plan provided within this report. There will be some ground disturbance to install the pipe, however this area is already classified as disturbed land and the potential of Aboriginal artefacts is low. Likewise, no breeding or feeding habitat will be impacted by this ground disturbance.

Heritage Summary

Gold was discovered in Kiandra in 1859, marking the start of a goldrush in the Australian Alps. At its peak, the Kiandra Goldfield supported approximately 10,000 people and demonstrates National cultural heritage significance values in relation to the conditions under which mining was undertaken up until its end in 1861. In general, mining efforts were concentrated within Kiandra and along waterways such as Four Mile Creek, Nine Mile Creek and the Eucumbene River.

There is no documentation of any historic gold mining sites within Selwyn Snow Resort and no evidence has been found by locals or staff of the alpine resort since commencement of operations in 1966 with the installation of a tow-rope in the quarry. This is consistent with a visual inspection of the site not uncovering any old mine sites, water races or sluicing scars.

During the goldrush, northern European miners introduced skiing into the surrounding mountains. Australia's first T-bar and Ski Club, *Kiandra Pioneer Ski Club* was established in Kiandra. Skiing facilities were closed in Kiandra in 1978 and the existing lifts were moved to Mt Selwyn Snow Resort where they continued to operate for 31 years prior to upgrades being installed. Hence, the ski resort is steeped in history and has strong cultural significance within the alpine resorts of the Kosciuszko National Park. The proposed development will promote the use of the resort and continue the history of use as a ski field.

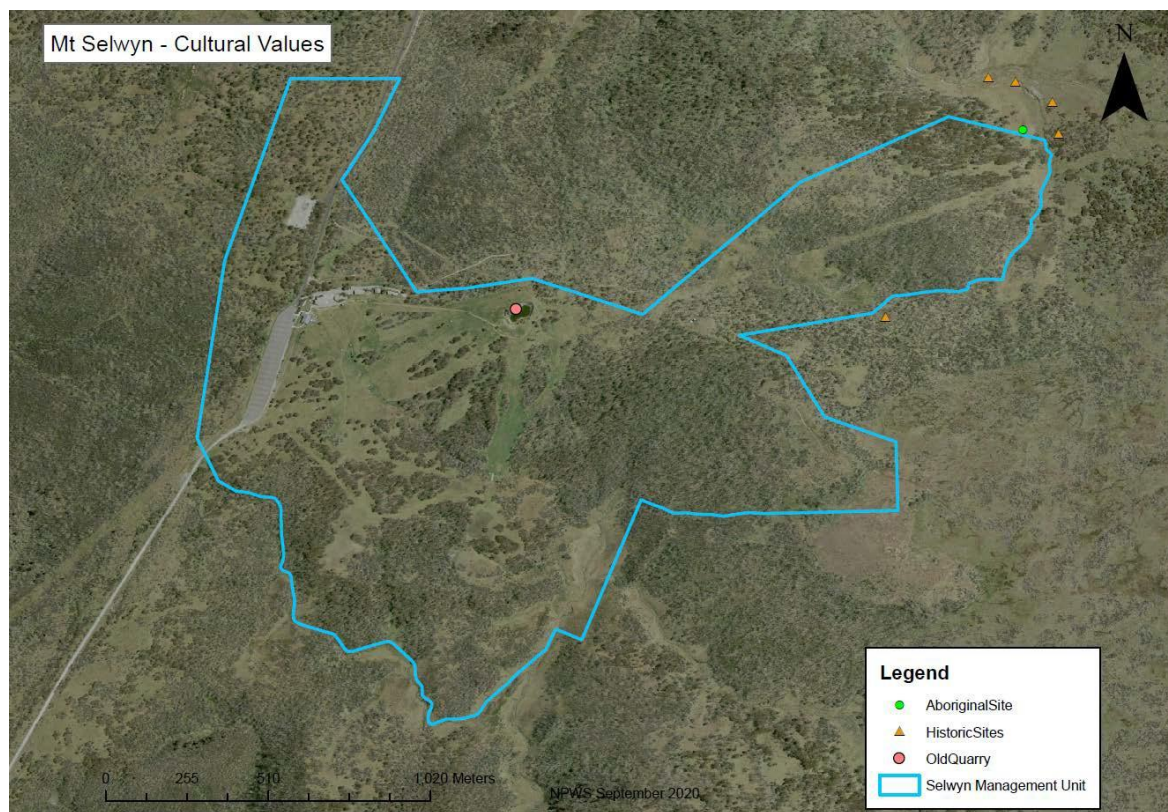
The below map provided by National Parks and Wildlife Service shows the known Aboriginal and historic sites as well as the old quarry located with the resort, now known as the quarry dam. The old quarry was mined for granite road base and was used as the first ski run when there was no snow left in Kiandra. The proposed works are approximately 600m south west of the old quarry and hence will have no impact on any cultural heritage from this site.

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FIGURE 8 NPWS CULTURAL VALUES MAP



Aboriginal Cultural Heritage Summary

There are no confirmed site records or any other associated landscape feature information from an AHIMS search. There is no oral, historical or archaeological evidence to suggest that burials or places of spiritual, ceremonial or social significance occurred at or near the resort.

Likewise, previous consultation with the members of the Wagonga LALC, including the conduction of a heritage survey of the lease area, resulted in the LALC considering Selwyn Snow Resort to present a low potential for containing sites due to the lack of potable water and the LALC interpret the area as a place where Aboriginal people would pass through and not reside (Feary, 2010).

However, archaeologist Alistair Grinbergs (ENFAC, 2009) performed an extensive survey of Selwyn Snow Resort including survey transects of the proposed development location. A single flake made from tuff was found from outside of the proposed development area. This is consistent with the history of the Australian Alps with the most likely artefacts to be found being small stone artefacts. This is as a result of stone artefacts are known to survive extensive ground disturbance, including the level of ground disturbance which has occurred within Mt Selwyn Snow Resort. It is important to note that stone artefacts are rarely found *in situ*, limiting their scientific significance (Feary, 2010).

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In 2010, Feary conducted a visual inspection of the ridgeline and found two stone artefacts in an erosion scar below a natural spring. This discovery is consistent with previous studies that potential sites may be found near natural springs (ENFAC 2009). This area is over ninety metres South of the Wastewater Treatment Plant facility. The proposed development has been confined to extensively disturbed areas of the resort and does not contain a natural spring and hence it is very unlikely to present with any Aboriginal objects.

A visual inspection of the site has confirmed it does not contain any visible Aboriginal objects and the potential for subsurface cultural material is low – very-low. The proposed trench is positioned within disturbed land and is located over 250m from the site identified by Dr. Sue Feary (2010).

As a result, the General Due Diligence Assessment showed that AHIP application is not necessary, and the proposed works should be able proceed with caution and if any objects are to be found works will be stopped and appropriate authorities will be notified.

See Biodiversity & Aboriginal Heritage Assessment provided by Complete Town Planning for further information.

Vegetation Removal

Minimal clearing is needed in the proposed trench location. The INA and OPA areas are already established as part of the approvals for the Visitor Centre and Resort Operations Centre. These areas are to be maintained in perpetuity as per the bushfire hazard assessment report provided. Any future clearing to maintain the APZ area is to be done so in consultation with NPWS. Where possible, tree removal will leave stumps as close to ground level as possible to avoid any further ground disturbance.

See flora and fauna assessment by ecologist David Woods for further information of the ecology of the proposed site and APZ areas.

Energy

Not applicable

Waste

Not applicable

Demolition

No demolition works are required as part of this application.

Termite Protection

Not applicable

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5.0 Permissibility, Legislation and Regional Plan

5.1 South East and Tableland Regional Plan 2036

The proposed installation of an underground water pipe between the *Wastewater Treatment Plant* and the *Quarry* at *Selwyn Snow Resort* is part of a larger re-development of the resort after the devastating impacts of the 2019/2020 Black Summer bushfires. The proposed development is consistent with the purpose of the Regional Plan which provides a framework to provide infrastructure and development to strengthen the long-term resilience of the South East and Tableland region.

The re-development of *Selwyn Snow Resort* will promote tourism in the area and re-strengthen the long-term resilience of the area.

For the alpine resorts, including *Selwyn Snow Resort*, the Regional Plan not only seeks to promote tourism and long-term resilience but acknowledges the unique environmental and cultural significance of the *Kosciuszko National Park* which this application has taken into consideration.

During the goldrush in the 1850s, northern European miners introduced skiing into the surrounding mountains. Australia's first T-bar and Ski Club, *Kiandra Pioneer Ski Club* was established in Kiandra. Skiing facilities were closed in Kiandra in 1978 and the existing lifts were moved to *Selwyn Snow Resort* where they continued to operate for 31 years prior to upgrades being installed. And hence, the ski resort is steeped in history and has strong cultural significance within the alpine resorts of the *Kosciuszko National Park*. The proposed development will promote the use of the resort and continue the history of use as a ski field.

The proposed works are consistent with the Regional Plan as it acknowledges the environmental and cultural significance of the area and has considered the development to have the least impact possible, while promoting the area for tourism and improving the long-term resilience of the resort.

5.2 Chapter 4 of the State Environmental Planning Policy (Precincts-Regional) 2021,

The proposal is a permissible use under Chapter 4 of the Regional Precincts SEPP. As seen below, 'infrastructure facilities' is a permissible use with consent within Mount Selwyn Snow Resort as per the SEPP.

Mount Selwyn Snow Resort – Land Use Table

Permitted without consent

Nil

Permitted with consent

Advertisements; Building identification signs; Business identification signs; Car parking; Commercial premises (other than brothels, conference facilities, entertainment facilities, health profession consulting rooms, recreation facilities, tourist accommodation and

workshops); Community facilities; Educational establishments; Emergency services facilities; Fences; Food outlets; Helipads; **Infrastructure facilities**; Lifting facilities; Management trails; Medical centres; Public utility undertakings; Recreation infrastructure; Shops; Ski slope huts; Ski slopes; Snow-making infrastructure; Staff accommodation; Stream flow monitoring stations; Telecommunications facilities; Transport facilities; Vehicle repair stations; Weather stations

Prohibited

Any development not otherwise specified in item 1 or 2

The proposed location of the trench is within areas of previously disturbed ground and vegetation. Hence the proposed development will have minimal impact to the natural environment. Likewise, the 2019/2020 bushfires resulted in extensive damage to the former mature trees within the area, with most trees not surviving the blaze. Due to this, there is no evidence of the dead vegetation areas providing or being used as habitat for fauna with no fauna, wombat burrows, hollows or nest sited on inspection of the site.

Minimal vegetation is proposed to be cleared. Post construction of the Visitor Centre and Resort Operations Centre, Selwyn Snow Resort will work with NPWS to maintain the APZ's in perpetuity.

There are no recorded or known site or artefacts found within proximity of the proposed trench. Moderate ground disturbance and vegetation removal results in the potential of Aboriginal artefacts being found to be very low for these aspects of the project.

The proposed site selection has made every effort to ensure protection of the unique environmental and cultural elements of the *Kosciuszko National Park* through an environmentally sustainable and thoughtful development. This is consistent with protecting the diverse cultural and environmental values of Kosciuszko National Park.

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5.2.1 Matters to be Considered by Consent Authority (Clause 14, Chapter 4 of SEPP)

(1) In determining a development application that relates to land to which this Policy applies, the consent authority must take into consideration any of the following matters that are of relevance to the proposed development—	
(a) the aim and objectives of this Policy, as set out in clause 2,	No negative impacts on the built and natural environment under this proposal.
(b) the extent to which the development will achieve an appropriate balance between the conservation of the natural environment and any measures to mitigate environmental hazards (including geotechnical hazards, bush fires and flooding),	Geotechnical hazards have been addressed via the geotechnical report provided (Appendix II) Bushfire Hazard Assessment provided. Flooding is not applicable.
(c) having regard to the nature and scale of the development proposed, the impacts of the development (including the cumulative impacts of development) on the following:	The development proposal is part of the re-development of Selwyn Snow Resort and proposed trench footprint is deemed to be satisfactory.
(i) the capacity of existing transport to cater for peak days and the suitability of access to the alpine resorts to accommodate the development,	The proposed development will have no impact on public transport movements to or from the resort.
(ii) the capacity of the reticulated effluent management system of the land to which this Policy applies to cater for peak loads generated by the development,	N/A
(iii) the capacity of existing waste disposal facilities or transfer facilities to cater for peak loads generated by the development,	N/A
(iv) the capacity of any existing water supply to cater for peak loads generated by the development,	N/A
(d) any statement of environmental effects required to accompany the development application for the development,	SEE provided
(e) if the consent authority is of the opinion that the development would significantly alter the character of the alpine resort—an analysis of the existing character of the site and immediate surroundings to assist in understanding how the development will relate to the alpine resort,	The intent of the proposal is to seek approval for installation of an underground water pipe.
(f) the <i>Geotechnical Policy—Kosciuszko Alpine Resorts</i> (2003, Department of Infrastructure, Planning and Natural Resources) and any measures proposed to	See geotechnical report provided

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<p>address any geotechnical issues arising in relation to the development</p> <p>(g) if earthworks or excavation works are proposed—any sedimentation and erosion control measures proposed to mitigate any adverse impacts associated with those works,</p> <p>(h) if stormwater drainage works are proposed—any measures proposed to mitigate any adverse impacts associated with those works,</p> <p>(i) any visual impact of the proposed development, particularly when viewed from the Main Range</p> <p>(j) the extent to which the development may be connected with a significant increase in activities, outside of the ski season, in the alpine resort in which the development is proposed to be carried out</p> <p>(k) if the development involves the installation of ski lifting facilities and a development control plan does not apply to the alpine resort:</p> <p> (i) the capacity of existing infrastructure facilities, and</p> <p> (ii) any adverse impact of the development on access to, from or in the alpine resort,</p> <p>(l) if the development is proposed to be carried out in Perisher Range Alpine Resort—</p>	<p>Some earthworks and excavation will be required for the trench to lay the underground pipe in and should be deemed satisfactory in this instance. See geotechnical report provided and SEMP.</p> <p>N/A</p> <p>As the pipe will be located underground, there will be no visual impact of the proposed development.</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable.</p>
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<ul style="list-style-type: none"> i. the document entitled <i>Perisher Range Resorts Master Plan</i>, as current at the commencement of this Policy, that is deposited in the head office of the Department, and ii. the document entitled <i>Perisher Blue Ski Resort Ski Slope Master Plan</i>, as current at the commencement of this Policy, that is deposited in the head office of the Department, <p>(m) if the development is proposed to be carried out on land in a riparian corridor—</p> <ul style="list-style-type: none"> i. the long term management goals for riparian land, and ii. whether measures should be adopted in the carrying out of the development to assist in meeting those goals. 	Not applicable.
(2) The long term management goals for riparian land are as follows—	
<ul style="list-style-type: none"> (a) to maximise the protection of terrestrial and aquatic habitats of native flora and native fauna and ensure the provision of linkages, where possible, between such habitats on that land, (b) to ensure that the integrity of areas of conservation value and terrestrial and aquatic habitats of native flora and native fauna is maintained, (c) to minimise soil erosion and enhance the stability of the banks of watercourses where the banks have been degraded, the watercourses have been channelised, pipes have been laid and the like has occurred. 	Not applicable.

5.2.2 Additional matters to be considered for buildings (Clause 15)

(1) Building height In determining a development application for the erection of a building on land, the consent authority must take into consideration the proposed height of the building (where relevant) and the extent to which that height—	
(a) has an impact on the privacy of occupiers and users of other land, and	Not applicable.
(b) limits solar access to places in the public domain where members of the public gather or to adjoining or nearby land, and	Not applicable.
(c) has an impact on views from other land, and	Not applicable.

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(d) if the building is proposed to be erected in Thredbo Alpine Resort—has a visual impact when viewed from the Alpine Way, and	Not applicable.
(e) if the building is proposed to be erected in Perisher Range Alpine Resort—needs to be limited so as to assist in maintaining the skyline when viewed from Kosciuszko Road and any other public roads, and	Not applicable.
(f) if the building is proposed to be erected in an alpine resort other than Thredbo Alpine Resort or Perisher Range Alpine Resort—is similar to existing buildings in the resort where it is proposed to be erected, and	Not applicable.
(g) if the building is proposed to be erected in Bullocks Flat Terminal—relates to the topography of its site.	Not applicable.
(2) - Building Setback In determining a development application for the erection of a building on land, the consent authority must take into consideration the proposed setback of the building (where relevant) and the extent to which that setback—	
(a) assists in providing adequate open space to complement any commercial use in the alpine resort concerned, and	Not applicable.
(b) assists in achieving high quality landscaping between the building and other buildings, and	Not applicable.
(c) has an impact on amenity, particularly on view corridors at places in the public domain where members of the public gather, and	Not applicable.
(d) is adequate for the purposes of fire safety, and	Not applicable.
(e) will enable site access for pedestrians, services (including stormwater drainage and Wastewater services) and the carrying out of building maintenance, and	Not applicable.
(f) (f) will facilitate the management of accumulated snow.	Not applicable.

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(3) Landscaped Area

In determining a development application for the erection of a building on land, the consent authority must take into consideration (where relevant) the extent to which landscaping should be used—

(a) as a means of assisting in the protection of the unique alpine environment of the alpine resort concerned, and to maximise its natural visual amenity, for the benefit of visitors and natural ecosystems, and	Not applicable.
(b) to assist in the provision of adequate open space to complement any commercial use in the alpine resort concerned, and	Not applicable.
(c) to limit the apparent mass and bulk of the building, and	Not applicable.
(d) as an amenity protection buffer between the proposed building and other buildings,	Not applicable.
(e) as a means of reducing run-off, and	Not applicable.
(f) to protect significant existing site features and limit the area of any site disturbed during and after the carrying out of development.	Not applicable.

5.3 Other approvals Rural Fires Act 1997

As the proposed works is identified as being on bushfire prone land, an approval is required from the NSW Rural Fire Service (RFS) under Section 100B of the Rural Fires Act 1997 in the form of a Bushfire Safety Authority. See attached Bushfire Safety Authority for the redevelopment of the resort.

5.4 Environmental Planning and Assessment Act 1979 (203)

5.4.1 Objects of the EP&A Act

The proposed development is consistent with the definition of ecologically sustainable developments (ESD) as the facility has regard to the ESD principles in accordance with the objects of the EP&A Act.

See consideration of the objectives in Section 1.3 of the EP&A Act below:

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Object of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	Re-development of Selwyn Snow Resort after the 2019/2020 bushfires will have a positive social and economic welfare on the region.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	Thoughtful planning and site selection for the re-development of the alpine resort area will have positive economic and social impacts as well as minimal impact on the environment.
(c) to promote the orderly and economic use and development of land	The proposed development will support guest facilities including important amenities for guests of the resort which promotes an orderly and economic use of the site.
(d) to promote the delivery and maintenance of affordable housing	Not applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	No predicted impacts to the environment from the proposed development have been found.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The works will not impact upon cultural heritage, including Aboriginal cultural heritage or Mining cultural heritage. See assessment provided.
(g) to promote good design and amenity of the built environment	Proposed works complement the re-development of the alpine resort and rebuilding of the built environment.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	Not applicable.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	Development Application will be referred to NPWS.

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(j) to provide increased opportunity for community participation in environmental planning and assessment.	Development application to be place on Department's website.
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5.4.2 Biodiversity Conservation Act 2016

Section 1.7 of the EP&A Act requires the application of the Biodiversity Conservation Act 2016 (BCAct) in connection with the terrestrial environment.

It is vital that all development and clearing follows the Biodiversity Offsets Scheme which has been created to avoid, minimise and offset impacts on biodiversity.

Minimal vegetation clearing is proposed to establish a trench between the Wastewater Treatment Plant and Quarry. Proposed clearing is well below the clearing threshold and the site is not located within an area identified with high biodiversity values on the BVM. The proposal will not have a significant effect on threatened species or ecological communities or their habitats as per flora and fauna assessment by ecologist, David Woods, and is not declared as an area of outstanding biodiversity value within Kosciuszko National Park. As a result, biodiversity offsets do not apply as part of this application.

See Biodiversity and Aboriginal Heritage assessment provided for full assessment of the four triggers of the Biodiversity Offsets Scheme.

5.4.3 Considerations under section 4.15 of the EP&A Act

In determining a development application, a consent authority must take into consideration the matters referred to in Clause 4.15 (1) of the EP&A Act as are of relevance to the development:

4.15 – 1 (a) (i) the provisions of an environmental planning instrument

The applicable environmental planning instrument is *Chapter 4 of the State Environmental Planning Policy (Precincts-Regional) 2021*,

4.15 – 1 (a) (ii) the provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

None are applicable to the proposal.

4.15 – 1 (a) (iii) the provisions of any development control plan

None are applicable to the proposal.

4.15 – 1 (a) (iiia) the provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

None are applicable to the proposal.

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4.15 – 1 (a) (iv) the provisions of any Regulations (to the extent that they prescribe matters for the purposes of this paragraph)

Clause 92 —The subject site is not within the coastal zone. No demolition works proposed.

4.15 – 1 (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Natural Environment: Impacts on the natural environment will be minimal, with the proposed trench to be within an area of disturbed vegetation and ground. Ecologist, David Woods, undertook a site survey and established no threatened species are predicted to be impacted by the proposed development, see flora and fauna assessment report provided.

Built Environment: The overall changes of the resort re-development to the built environment are considered of positive influence to the locality.

Social and Economic impacts in the locality: The proposed infrastructure has been designed to minimise any amenity impacts within the Kosciuszko National Park and is not expected to generate any negative social or economic issues. The proposed works support the new guest facilities and recreation amenities, which provide an enhanced visitor experience in the winter season and provide a modern and safe service to recreational users of the alpine resort as well.

The investment in the resort will result in a positive economic impact with a number of short-term construction jobs being generated. Additionally, the guest facilities and re-development of the resort will allow the resort to re-open and provide employment for 90 staff (shift workers) during the winter season.

4.15 – 1 (c) the suitability of the site for the development

Selwyn Snow Resort is one of four alpine resorts within NSW. The alpine resorts are important due to their economic and social contribution, as well as their location within a unique alpine environment.

Facility buildings and the associated infrastructure which serviced Selwyn Snow Resort experienced extensive damage during the Black Summer bushfires and have since been removed from site. Reconstruction of the resort is currently underway, with the intention to reopen the resort for the 2023 snow season. The proposed infrastructure is deemed to be of a positive influence to both the Selwyn Snow Resort and Kosciuszko National Park by supporting the offering of enhanced and essential amenities for visitors to the resort, as well as encouraging use of the National Park as a recreational area.

There have been no known Aboriginal artefacts found during previous construction at the location which has experienced extensive ground disturbance from past development.

As a result, the proposed works acknowledge the environmental and cultural significance of the area and has proposed a thoughtful re-development of the site and hence improves the long-term resilience of Selwyn Snow Resort, whilst maintaining the environmental values of the Kosciuszko National Park.

Geotechnical issues have been considered in the geotechnical report submitted with the application. The Geotechnical engineer found the site to be class “S” (*slightly reactive*)” and “*In the present conditions, the overall risk to property and people is assessed to be “Very Low” to “Medium”.*

The proposed development will not create biological or ecological impacts or impacts on the fauna and flora. Ecologist, David Woods found:

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"No threatened flora was detected and habitat potential for most threatened species was absent or greatly diminished. The proposed redevelopment and associated activities pose no risk to threatened species or threatened ecological communities given the information provided and, in the context prescribed, discussed in this report. Therefore, no 'Test of Significance' under the BC Act or the Commonwealth's 'Significant Impact Criteria' under the EPBC Act was applied."

As per the biodiversity and Aboriginal heritage assessment provided and supplementary letter provided by Past Traces Heritage Consultants, the proposed development will not trigger the Biodiversity Offsets Scheme nor have an impact on cultural heritage, both Aboriginal and Mining heritage have been considered.

Further re-development of Selwyn Snow Resort have been applied for under separate development applications, to facilitate the safe management and efficient operation of the resort.

4.15 – 1 (d) any submissions made in accordance with this Act or the regulations

The Consent Authority may require that the application be notified to adjoining properties and lessees. Submissions will be able to be made on the NSW Planning and Environment website

4.15 – 1 (e) the public interest

The development proposal satisfies the objectives of the *Chapter 4 of the State Environmental Planning Policy (Precincts-Regional) 2021*, and is considered positive in terms of the public interest.

6.0 Conclusion

Suitability of the site for development

The proposal complies with the relevant environmental planning instruments and policies. The Statement of Environmental Effects confirms that the site is suitable and capable of sustaining the proposed facility, with no adverse impacts.

Submissions Made in Accordance with the Act or regulations:

Given the proposals minimal environmental impact, it is unlikely to raise significant objection.

The Public Interest

The proposal is in the public interest as:

- It provides a sustainable land use.
- The proposal is suitable within the locality.
- The proposal is positive in terms of the amenity of the area.

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7.0 Document List

Consultant	Document	Rev	Date
Past Traces Heritage Consultants	Supplementary Aboriginal Due Diligence Heritage Advice		16 November 2020
Complete Town Planning	Biodiversity and Aboriginal Heritage Assessment	03	November 2020
David Woods	Flora and Fauna Assessment Report		October 2020
ACT Geotechnical Engineering	Geotechnical Investigation and Slope Stability Risk Assessment Report (including Form 1)		July 2020
ACT Geotechnical Engineering	Geotechnical Investigation and Slope Stability Risk Assessment Supplementary Report (including Form 1)		September 2020
Selwyn Snow Resort	Pipe Location – Civil Plan	1	November 2022
Selwyn Snow Resort	Pipe Location – Aerial Plan	1	November 2022

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8.0 Site Environmental Management Plan (SEMP)

As detailed in the Statement of Environmental Effects, the proposed facility and associated infrastructure will generate minimal impacts. A more comprehensive Management Plan is outlined in the Principal Contractor's Integrated Management Plan for the overall site (Manteena Commercial Pty Ltd). The proposed works:

- Minimal site clearing activity will occur through this project.
- No flow paths will be altered as a result of this development.
- Construction vehicles will enter the site via the existing site entry.
- Construction vehicles will park in the sites existing designated car parks.
- All construction materials will be stored within the existing site overflow car parking zone.

Dust Control

Works involving dust dispersion will use water spray to help keep material damp and dust down. Covers will be placed over waste storage areas and piles of excavated materials to prevent dust dispersion. When transporting materials that cause dust they will be dampened and covered before moving.

Litter Control

Litter control around the site is the responsibility of all on site. A daily site clean up to reduce litter around the site and prevent any possible hazards it causes will be performed. It is the subcontractor's responsibility to leave the work area neat, clean and free of litter. Litter collected can be placed in bins or specified areas and disposed of at the local council tip.

Emergency Procedures

In case of an emergency, the following key emergency response contacts are:

Organisation	Emergency Phone	Non Emergency Phone
NSW Police	000	Adaminaby: 02 6456 2244
NSW Fire and Rescue	000	Cooma: 02 6452 2037
NSW Ambulance	000	Cooma: 02 9320 7777
Cooma Hospital	02 6455 3222	
National Parks and Wildlife Service (NPWS)	1800 629 104	Snowy Region: 6450 5600 Jindabyne: 6450 5555
Transport for NSW	Traffic incidents & road conditions: 131 700	
EPA Environment Line	131 555	
NRMA Road Service	13 21 32	

Noise control

Noise on a construction site can become a form of pollution to the local environment through the use of plant, machinery and tools. For protection of employees and visitors to the site they are issued with PPE including ear protection.

To reduce noise pollution from site the following procedures will be followed:

- All plant, machinery and tools will be maintained in good working order at all times;
- Work involving noisy tools or machinery to be used inside the building structure when possible;
- Strict hours of operation for each site will be implemented to reduce noise pollution to the surrounding areas
- In the instance of receiving a complaint in regards to noise levels immediate rectification will occur as far as practical.

Fuels & Chemicals

No fuel or chemicals will be stored onsite during construction.

9.0 References

ENFAC 2009 *Natural and Cultural Inventory of Selwyn Snowfields Lease Area* Report to DECC.

Feary, Dr S. 2010 *Aboriginal Archaeological Assessment* Report to DECC.

Wesson S 2000 *An historical atlas of the Aborigines of eastern Victoria and far south-eastern New South Wales*. Monash Publications in Geography and Environmental Science, Number 53. MonashUniversity: Melbourne