

16/11/2020

Mr Marko Osti

TSA

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Canberra ACT 2601



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 4 of 13

Dear Marko,

**Re: Supplemental Aboriginal Due Diligence Heritage Advice – Mt Selwyn Snow Resort**

This letter report provides Aboriginal heritage advice for the proposed redevelopment of the Mt Selwyn Snow Resort site located at Lot 36 DP46316, 213A Kings Cross Road Kiandra within the Kosciuszko National Park. The resort was destroyed by bushfires in 2020 and the proposed redevelopment includes a new resort operations centre providing staff facilities, ski patrol office, groomer and ski-doo storage and vehicle repair station.

This report has been prepared under the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010).

**Project Background**

As a result of the 2020 bushfire damage, the Mt Selwyn Snow Resort requires redevelopment. A due diligence report was commissioned from Complete Town Planning which in accordance with the Due Diligence Code of Practice completed a review of heritage registers and an assessment of heritage impacts from the proposed works.

The Due Diligence assessment identified that an identified Aboriginal heritage site (not listed on the NSW Heritage Aboriginal Heritage Information Management System (AHIMS) database) was present in the vicinity of the proposed infrastructure trench to be placed adjacent to the current Kings Cross Road verge. This Aboriginal Heritage site was recorded in 2010 by Feary and consists of three surface artefacts within an area of erosional exposure.

Meetings were held by TSA with NSW Heritage who requested a field survey by a qualified archaeologist to assess impacts if the development was within 40m of the site location.

As a result, this report has been commissioned to provide certainty in regards to Aboriginal heritage constraints and impacts resulting from the project. This letter advice on the results of the field survey is supplemental to the Due Diligence Report completed by Complete Town Planning and the documents should be read in conjunction.

The area of trenching works and the relationship to the identified site are shown on figure 1.





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A1 0 1 2 3 4 5 6 7 8 9 10

GENERAL ARRANGEMENT PLAN

SCALE: 1:1000



LEGEND

- W PROPOSED WATER RETICULATION
- S PROPOSED WASTEWATER RETICULATION
- FS PROPOSED FIRE SERVICES
- STORMWATER OVERLAND FLOW PATH

C	FOR DEVELOPMENT APPLICATION	CP	EM	22.10.20					
B	FOR DEVELOPMENT APPLICATION	CP	EM	20.10.20					
A	FOR DA REVIEW	CP	EM	02.10.20					
Rev	Description	Eng	Draft	Date	Rev	Description	Eng	Draft	Date



Civil Engineer

**TTW** Taylor Thomson Whitting

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Project  
SELWYN SNOW RESORT - ROC

Sheet Subject  
GENERAL ARRANGEMENT PLAN

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## Project Objectives

The following is a summary of the major objectives of the supplemental assessment:

- ❖ Review of previous heritage reports undertaken in the Mt Selwyn immediate area and known heritage site details.
- ❖ Assessment of Landscape for landforms that may contain potential for unrecorded sites and to determine level of disturbance of landscape features.
- ❖ Undertake site visit to visually inspect the recorded site location, areas identified as holding potential and to verify levels of disturbance.
- ❖ Complete heritage advice letter containing assessment of impacts and if applicable, recommendations to minimise potential impacts to heritage values within the project area.

## Aboriginal Consultation

Consultation with the Aboriginal community is not a requirement of the Due Diligence Code. As a result for this preliminary assessment no consultation has been undertaken. If heritage values are found to be present within the project area as a result of this assessment, or further investigation is required, then consultation in accordance with the NSW Heritage guidelines will be required.

## Assessment Results

### AHIMS Search

A search of the OEH AHIMS database was undertaken on the 4<sup>th</sup> September 2020 by Complete Town Planning which revealed no registered sites within the project area or in the close vicinity.

### Previous Heritage Assessments.

The project area has been subject to heritage survey in 2009 (ENFAC 2009) and 2010 (Feary) during which one site was identified by Feary in 2010. The site consisted of three artefacts within an erosion scar, located to the east of any of the proposed 2010 works. No other heritage sites were identified and the area across the remainder of the resort classified as holding low potential for unrecorded sites.

To determine the degree of impact of the proposed works on the identified site is the primary aim of the field survey.

### Site Visit

A field inspection of the previously recorded artefact scatter site location and the adjacent proposed trenching works area was carried out on the 13<sup>th</sup> of November 2020.

The alignment for the proposed trenching follows the eastern side of Kings Cross Road, a zone known to have been substantially altered by successive phases of landscape management. Field assessment confirms this observation, with the following specific forms of impact being apparent:

- ❖ Construction of the main sealed road feature;
- ❖ A gravel and earth bund approximately 10 metres wide directly adjacent to the eastern margin of the sealed road;

- ❖ A graded and levelled ancillary vehicle track or service corridor approximately 20 metres wide paralleling the eastern side of the road; and
- ❖ A mechanical push of mixed local soil and imported gravels several metres wide running along the eastern edge of the ancillary track.

The disturbed road corridor context is shown in Plates 1 and 2.



Plate 1. Looking north along road corridor



Plate 2. Looking south showing landform disturbance, reshaping

The location of the artefact scatter site recorded by Feary in 2010 was revisited at GPS refs 630749. 6025330, at the eastern edge of the disturbed road corridor. The location of the recorded site at the time of the field survey is shown in Plate 3.



Plate 3. Site location looking south along road alignment.

As noted by Feary in 2010, the location comprises an eroded surface in the upslope vicinity of a natural spring or soak. Landscape position is a low gradient upper slope or ridge side/crest interface. Following the recent bushfire events the surface exposure may be expected to have expanded in extent and during the current inspection was measured at 20m x 5m in area with very high levels of surface visibility. The deposit within the exposure area is a medium to dark brown alpine loam soil of indeterminate depth with a surface lag of locally sourced gravels. Bedrock (likely of metamorphic rock) is apparent in occasional adjacent low outcrops.

The stone artefacts noted by Feary in 2010 were not relocated and no additional archaeological items or features were found during the inspection of the exposure or surrounding landscape surfaces. Given the intervening period between the original artefact recording and the current assessment, it is not surprising that the three stone artefacts apparent at the location in 2010 are no longer visible, particularly considering surficial processes associated with ongoing solifluction, bushfire and bioturbation.

The areas of exposure at the time of field survey are shown in Plates 4 and 5.



Plate 4. Looking East



Plate 5. Looking west

The impression gained through field visitation is that the artefact-bearing exposure is a relatively concise feature that indicates the presence of a very low to low density artefact scatter associated with lightly impacted to considerably disturbed deposits directly abutting the substantially altered landscape of the road corridor.

The location of the artefacts and any comparatively undisturbed associated deposits lies approximately 40 metres from the edge of the sealed road surface or 30 metres from the edge of the road bund and is separated from this zone by approximately 20 metres of levelled surface and mixed, redeposited sediments and rock. This intervening area of disturbed soils is shown in Plate 6.



Plate 6. Looking east – Ranging pole marks site exposure –  
intervening surface heavily disturbed



## SUMMARY

As posited by Feary, the original landscape and ecological setting apparent at the site location may be expected to have been a focus for at least transitory prehistoric Aboriginal activity. Although no stone artefacts were apparent at the time of the inspection, it is expected that local deposits will contain a very low to low density of dispersed artefacts in and around the recorded site exposure. The surface exposure in which the originally recorded artefacts were noted is most likely the terminal upslope expression of the extent of any remnant local archaeological deposits, now truncated by the broad road corridor following the local ridge top. This archaeological occurrence is separated from the setting for the proposed trenching activity by 30 to 40 metres of highly disturbed landscape.

As a result of the localised nature of the artefact scatter, and the wide intervening area of disturbed landform between the proposed works and the identified site location, no heritage impacts are anticipated from the proposed works.

The placement of the trench adjacent to or within the disturbed areas associated with the road and bund and the containment of construction plant within the levelled ancillary track corridor will ensure that all works are remote to any identified archaeologically sensitive areas.

## Recommendations

Based on this due diligence assessment the following actions are recommended for the project.

### **Recommendation 1: Works to proceed without further heritage assessment.**

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.

### **Recommendation 2. Alteration of development footprint.**

If any alteration of works is undertaken, which will reduce the intervening distance from the identified heritage site, then protective barrier fencing may be required. In any alteration of footprint, re-assessment of impacts will be required.

### **Recommendation 3. Discovery of Unanticipated Aboriginal cultural material.**

All Aboriginal places and objects are protected under the NPW Act. This protection extends to Aboriginal material that has not been previously identified, but might be unearthed during construction activities. In the event that Aboriginal material is discovered during construction the following steps should be undertaken:

- ❖ Cease Work: Works must cease in the vicinity of the find and a fenced buffer zone of 10m around the find be erected.
- ❖ Notification: NSW Heritage must be notified of the find.
- ❖ Management: A qualified heritage consultant should be engaged to assess and record the find in accordance with the legislative requirements. If the find is Aboriginal in nature, consult with NSW Heritage in regards to appropriate steps and management. This would usually involve consultation with the Aboriginal community and may require application for an Aboriginal Heritage Impact Permit.

Adherence to these recommendations will result in the low potential for the proposal to negatively impact on Aboriginal heritage values.

If you have any further questions in regards to the due diligence report, please contact me to resolve them. My contact details are provided below.

Regards



Lyn O'Brien

Director

Ph: 0403 021296

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### References

Complete Town Planning 2020. Resort Operations Centre 213A Kings Cross Road Kiandra NSW Lot 36 DP46316. Biodiversity and Aboriginal Heritage Assessment. Report for Selwyn Snow Resort Pty Ltd.

ENFAC 2009. Natural and Cultural Assessment at Selwyn Snowfields Lease Area. Report prepared for DECC.

Feary. S. 2010. Proposed Day Use Facility, Mt Selwyn Ski Resort, Kosciusko National Park. Aboriginal Archaeological Assessment. Report for Selwyn Snowfields.