



Cruiser Terrain Park Upgrades, Thredbo

Development Application Assessment
DA 24/6965

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Glossary

Abbreviation	Definition
BC Act	<i>Biodiversity Conservation Act 2016</i>
BC Regulation	<i>Biodiversity Conservation Regulation 2017</i>
BDAR	Biodiversity Development Assessment Report
BVM	Biodiversity Values Map
Consent	Development Consent
CPP	Community Participation Plan
Department	Department of Planning Housing and Infrastructure
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
KNP	Kosciuszko National Park
Minister	Minister for Planning
NPWS	National Parks and Wildlife Service
Planning Secretary	Secretary of the Department of Planning, Housing and Infrastructure
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy

Contents

1	Introduction	1
1.1	Introduction	1
1.2	Proposed Development	1
2	Matters for Consideration	6
2.1	Strategic Context	6
2.2	Permissibility	7
2.3	Mandatory Matters for Consideration	7
3	Submissions	17
3.1	Department's engagement	17
3.2	Summary of submissions	17
4	Assessment	18
4.1	Impacts on biodiversity	18
4.2	Construction impacts and access	19
5	Recommendation	22
	Appendices	23
	Appendix A – Recommended Instrument of Consent	23

1 Introduction

1.1 Introduction

This report contains the Department's assessment of the Development Application (DA 24/6965) lodged by Kosciuszko Thredbo Pty Ltd (the Applicant) seeking approval to undertake earthworks and upgrade snowmaking infrastructure within the Cruiser ski area of Thredbo Alpine Resort, Kosciuszko National Park (KNP).

The site is within the Thredbo Head Lease Area of Lot 876 DP1243112 to the north of Thredbo Alpine Village in the eastern area of the allotment (refer to **Figure 1**), identified as 2 Friday Drive, Thredbo. The works are in an area known as the Cruiser Terrain Park to the north of the Cruiser Chairlift Bottom Station along a ski run known as the Playground, as well as to the north-east of the Bottom Station in the Easy Rider Park area. In summer, the Lower All Mountain, Grasshopper and Easy Rider mountain bike (MTB) trails traverse the site. In winter, the Cruiser Terrain Park is serviced by the Easy Rider T-bar and Cruiser chairlift.

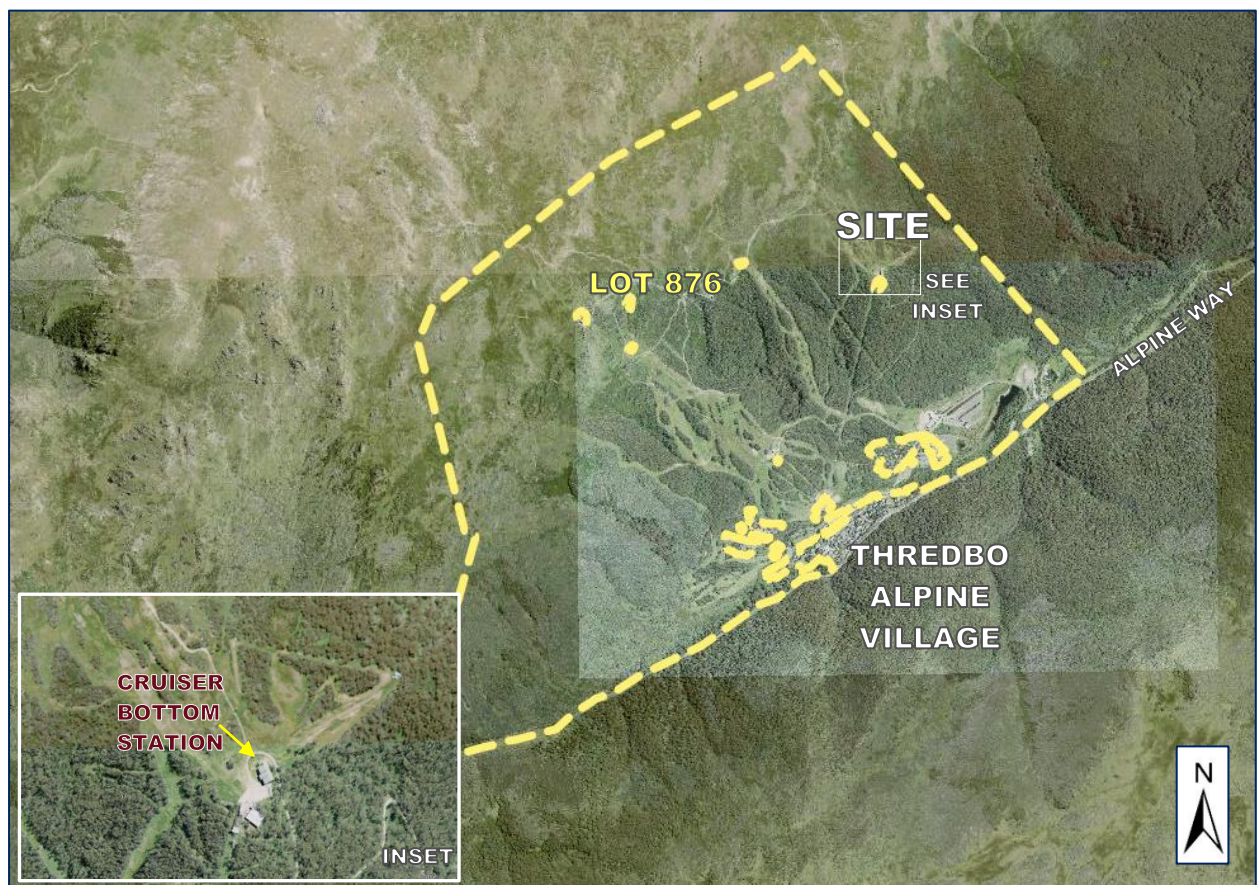


Figure 1 | Location of the site in the context of Lot 876 and Thredbo Alpine Village (Source: NSW Planning Portal Spatial Viewer, with annotations)

1.2 Proposed Development

The Applicant seeks approval for earthworks to modify existing earth mounds and for the installation of new snowmaking infrastructure. An overview of the proposal is in **Figure 2**, comprising the following:

- Slope modification: Earthworks to include cut, fill and reshaping along a length of approximately 100 metres in the area under the Cruiser ski lift to fill in depressions and create a more level ground surface, with cut and fill not in excess of 1.0 metre. Modifications will also be made to the two mounds within the Easy Rider Park area, where Mound 2 will be relocated approximately 7.5 metres uphill from the existing mound location. Cut and fill and additional mounding is proposed, including up to 1.6 metres of additional fill on the two earth mounds, and a further area of grading and slope works of approximately 30 metres in length to the east of the new location of Mound 2. The fill, where required, will be imported from Thredbo's approved stockpile sites within the Resort.
- Installation of snowmaking infrastructure. The snowmaking works include:
 - Removal of existing manual hydrants and installation of two (2) lance guns and pits on the western side of the new terrain park earthworks, adjoining an existing snow fence (refer to **Figure 3**). The lance guns will connect into existing water laterals. Trenching 0.6 metres wide and 0.8 metres deep will be required for the installation of power and dialogue cables, connecting the new lance guns to services from a snowmaking gun further downslope.
 - Installation of two (2) fan pits with a disturbance footprint of approximately three (3) meters by three (3) meters wide and 1.6 metres deep, on which TT10 fan guns will be installed. The new fan guns are located approximately fifty (50) metres apart to the west and to the north of the Cruiser Bottom Station. They will be connected to the existing snowmaking lines by installation of a buried lateral, requiring up to 10 metres trench length for each lateral installation with trench dimensions of up to 0.8 metres wide and 1.0 metres deep including water pipes and power and dialogue cables. An additional 75 metres (approx.) of trenching 0.6 wide and 0.8 metres deep is also required for the installation of power and dialogue cables to service the new fan guns.

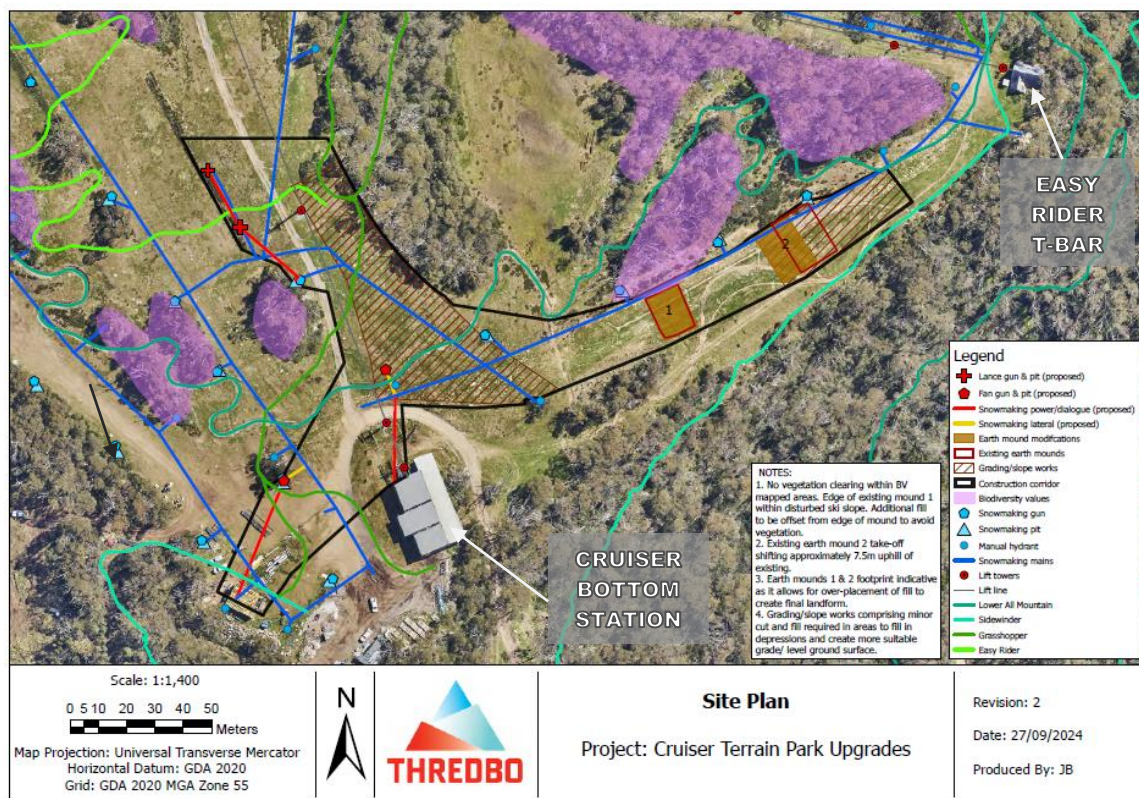


Figure 2 | Site plan identifying the proposed snowmaking works, grading/ slope work locations, mounds and construction corridor (Source: Applicant's documentation with annotations)



Figure 3 | Site photo of current location of manuals (blue outline) to be replaced with lance guns, depicted as a red cross on the Site Plan (Source: Applicant's documentation)

The construction area proposes to include the extent of the disturbed ski run adjoining the locations of site works. The Applicant sought the allowance of the extensive construction corridor within already disturbed areas to enable construction workers extra flexibility to respond to unforeseen circumstances during construction, such as unknown underground services, pipes and other infrastructure.

Mountain bike trails cross the work site including the Lower All Mountain, Sidewinder, Grasshopper and Easy Rider trails, the locations of which are shown on the Site Plan (**Figure 2**). The trails are intended to remain in the current locations, with the earth mounds to act as a 'table-top feature' for the riders on trails that intersect the expanded areas of mounding in the skiable terrain. The Applicant advises that the trails will be formed to tie in with the edge of the earth mounds, so the mounds are not expected to disrupt trail operations in the locality as they have been designed to benefit both winter and summer use of the site.

The Applicant advises that the purpose of the Development is to enhance the Cruiser Terrain Park features for both freestyle skiing and snowboarding in winter and mountain biking in summer, and the land grading will also improve snow grooming operations in the locality. The slope works and earth mound modifications are expected to improve operational efficiency as less snow and grooming operations will be required during winter to create park features. The additional snowmaking guns in the locality will improve snow cover and allow for the park to be open earlier in the season.

Details of the snowmaking trench cross sections are shown in **Figure 4** and **Figure 5**, and the TT10 Fan Gun dimensions are depicted in **Figure 6**.

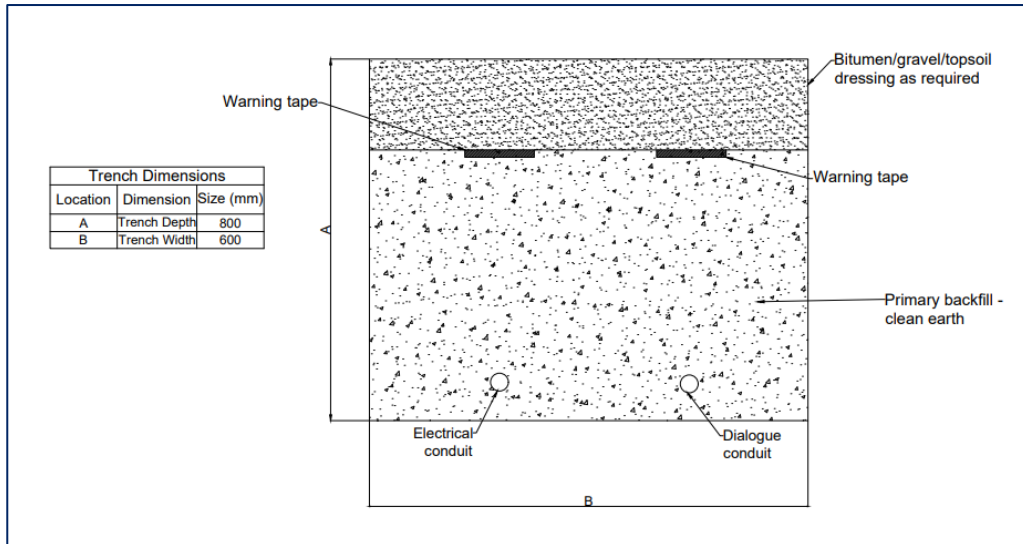


Figure 4 | Snowmaking trench cross section (Source: Applicant's documentation)

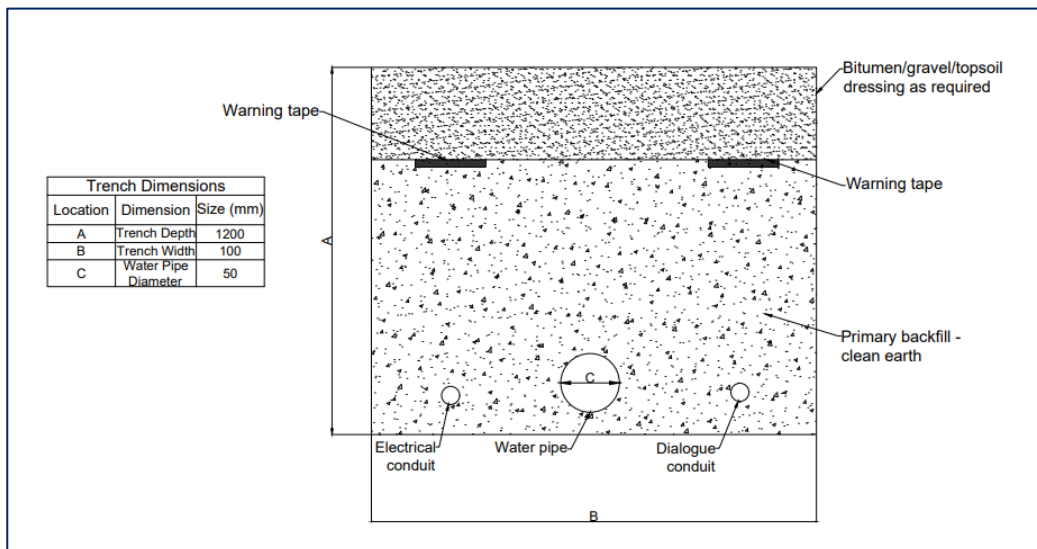


Figure 5 | Snowmaking lateral trench cross section to fan pit (Source: from the Applicant's documentation)

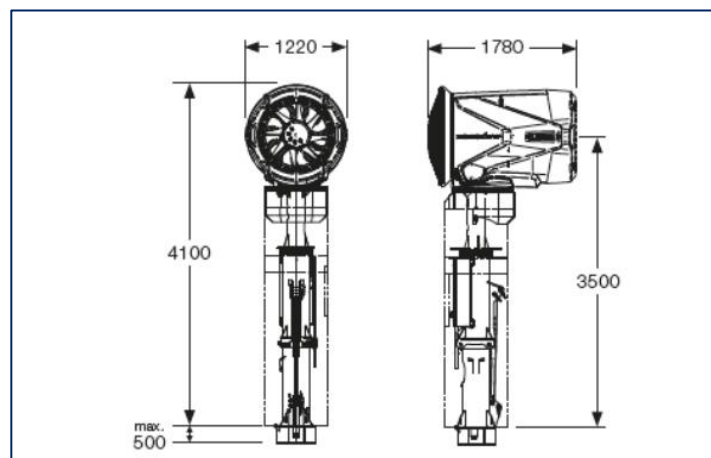


Figure 6 | TT10 Fan Gun dimensions (Source: from the Applicant's documentation)

Construction works to install the infrastructure are expected to be carried out over an estimated two-week period during the summer season, with site works intended to be completed by 30 April and rehabilitation and stabilisation works up until 30 May.

The estimated development cost for the proposal is \$272,910.

The supporting documents to this assessment report can be found on the NSW Planning Portal website at:

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

2 Matters for Consideration

2.1 Strategic Context

The relevant strategic planning framework identifying the strategic context of the alpine resorts are considered and addressed below.

South East and Tableland Regional Plan 2036

The South East and Tableland Regional Plan 2036 describes the vision, goals and actions that will deliver greater prosperity for those who live, work and visit the region. The Regional Plan provides an overarching framework to guide more detailed land use plans, development proposals and infrastructure funding decisions.

In relation to the alpine resorts, the Regional Plan seeks to promote more diverse tourism opportunities in the Snowy Mountains that will strengthen long-term resilience while acknowledging the environmental and cultural significance of the locality. The Department considers the proposal is consistent with the Regional Plan as it will improve the efficiency of slope management and maintain and enhance snowmaking in the Cruiser Terrain Park area of Thredbo Alpine Resort. Snowmaking extends seasonal length and viability of the snow season and is important infrastructure for the operation of the ski resort, particularly in mitigating impacts from adverse seasonal conditions and against potential Climate Change.

The proposal will allow the Thredbo Alpine Resort to continue to meet the demands of the snow sports community, which leads to continued visitation to the NSW ski fields during the winter period.

Snowy Mountains Special Activation Precinct Master Plan

The Snowy Mountains Special Activation Precinct Master Plan outlines the 40-year vision for the Snowy Mountains as a year-round tourist destination with new business opportunities, services and community infrastructure for the people that live, work and visit the region. Section 9.1 relates to the Thredbo Alpine Resort. The proposal is consistent with the Master Plan as the proposal relates to supporting new and upgraded infrastructure in an environmentally sensitive way to augment snowmaking and support recreational activities and winter visitation within Thredbo Alpine Resort and KNP.

Precincts - Regional SEPP

The proposal is consistent with Chapter 4 of the Precincts - Regional SEPP as the development will be undertaken in an ecologically sustainable way to prevent adverse environmental, social or economic impacts on the natural or cultural environment, ensuring that KNP values are being protected and upheld.

Under the provisions of section 4.27 of the Precincts - Regional SEPP, the National Parks and Wildlife Service (NPWS) have a commenting role as the land manager, which includes administering the Plan of Management framework for KNP that incorporates objectives, principles and policies to guide the long-term management of the KNP. NPWS have recommended conditions to prevent adverse environmental, social or economic impacts on the natural or cultural environment.

Draft South East and Tableland Regional Plan 2041

The draft plan identifies the alpine areas as providing important biodiversity to the region and acknowledges the contribution of visitation to the Snowy Mountains to the regional and state tourism economy.

The proposal is consistent with the draft Regional Plan as it will not result in adverse biodiversity impacts and will improve grooming efficiency and enhance the skiable terrain. The additional snowmaking capacity will augment snow coverage and snow season longevity in the Thredbo Alpine Resort. This supports visitor experience and the maintenance of visitation to KNP as a winter destination, along with sustaining the local, regional and state economy.

2.2 Permissibility

The proposal includes works for the installation of new *snowmaking infrastructure*, and earthworks relating to enhancing *ski slope* and *recreation infrastructure*. The land uses proposed are consistent with the definitions in Schedule 4A of Chapter 4 of *State Environmental Planning Policy (Precincts – Regional) 2021* (the Precincts - Regional SEPP).

Pursuant to section 4.7 of the Precincts - Regional SEPP, snowmaking infrastructure, ski slope and recreation infrastructure works are permissible with consent within the Thredbo Alpine Resort.

2.3 Mandatory Matters for Consideration

Objects of the EP&A Act

Table 1 | Objects of the EP&A Act

Objects 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,	<p>The proposal supports the ongoing use of the skiable terrain at Thredbo Alpine Resort and will provide more reliable snow cover for winter operations.</p> <p>The location of proposed works in the Cruiser Terrain Park area comprises ski terrain, existing snowmaking infrastructure, lifting facilities, mountain bike trails and a nearby vehicle access track. Vegetation within the proposed construction corridor comprises a mix of exotic and native species which has already been heavily modified and disturbed. The area of works and construction corridor is not identified as having high biodiversity value.</p> <p>The construction impacts will be maintained in a construction footprint that excludes vegetation that has been mapped as having biodiversity value. Upgrading and improving the ski terrain and snowmaking infrastructure at the subject location is considered to have a positive social and economic impact while conditions of consent will help minimise adverse impacts on the environment.</p>
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-	The proposal would not have an unacceptable impact on the environment, as discussed throughout this report, thus being compatible with ecologically sustainable development. Mitigation

making about environmental planning and assessment,	measures during construction have been included in the recommended conditions of consent.
(c) to promote the orderly and economic use and development of land,	The development seeks approval for works that upgrade the operational capacity and longevity of the Cruiser Terrain Park ski area while maintaining mountain bike trails in the locality. This contributes to greater visitor amenity and supports Alpine Resort visitation for winter snow sports and summer mountain bike activities, thereby promoting the ongoing orderly and economic use of the land.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable to this proposal.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	Impacts upon the environment will be limited to previously disturbed areas, avoiding sensitive areas identified on the Biodiversity Values Map and impacts on threatened species. An assessment of impacts is provided in Section 4 .
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The development site is located in a highly disturbed area of the Thredbo resort. The proposed development is not anticipated to result in any adverse impacts upon built and cultural heritage, including Aboriginal cultural heritage. The NPWS raised no concerns in relation to the Due Diligence assessment provided by the Applicant and impacts on Aboriginal cultural heritage. The proposal is considered to have low potential to impact on unrecorded objects or sites in the locality. The Department concludes that the proposal has demonstrated due diligence and is satisfactory in relation to avoiding impacts on built and Aboriginal cultural heritage. An expected finds procedure will be applied. No additional assessment is required.
(g) to promote good design and amenity of the built environment,	The Department considers that the proposed works will not detract from any built form. Apart from the temporary visual impact from the excavation works, the visual change to the setting is the minor addition in height where additional mounding will be placed and the addition of snowmaking infrastructure near the existing infrastructure. The changes are considered minor and remain compatible with the setting and surroundings.
(h) to promote the proper construction and maintenance of	The Department has recommended conditions of consent to ensure the works are undertaken in accordance with legislation,

buildings, including the protection of the health and safety of their occupants,	guidelines, policies and procedures to ensure the health and safety of people and animals who may be present in the area of works (refer to Appendix A).
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department consulted with the NPWS and considered their response (refer to Section 3 and Section 4).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The proposal was made publicly available in accordance with the Department's Community Participation Plan (refer to Section 3).

Considerations under section 4.15 of the EP&A Act

Table 2 | Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument (EPI)	<p>The Precincts - Regional SEPP is the principal EPI which applies to the site for this type of development. An assessment against the requirements of Chapter 4 of the Precincts - Regional SEPP is provided below.</p> <p>The Department is satisfied that the Application is consistent with the requirements of Chapter 4 of the Precincts - Regional SEPP.</p>
(a)(ii) any proposed instrument	Not applicable to the proposal.
(a)(iii) any development control plan	The Alpine DCP 2025 came into effect after the application was lodged, and is not applicable to the proposal.
(a)(iiia) any planning agreement	Not applicable to the proposal.
(a)(iv) the regulations	<p>The application satisfactorily meets the relevant requirements of the EP&A Regulation, particularly the procedures relating to development applications (Part 3 and Part 4) and fees (Part 13 and Schedule 4).</p> <p>The Department has undertaken its assessment in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.</p>

(a)(v) any coastal zone management plan	Not applicable to the proposal.
(b) the likely impacts of that development	The Department has considered the likely impacts of the development, where the proposal is considered to have positive economic and social impacts while the environmental and cultural values of the site and locality will be maintained. Environmental impacts will be contained where possible and site works can be appropriately managed and mitigated through conditions of consent.
(c) the suitability of the site for the development,	The site is suitable for the development and supports the ongoing operation of the Cruiser Terrain Park and surrounding snow-based winter activities in the Thredbo Alpine Resort.
(d) any submissions made in accordance with this Act or the regulations,	Consideration has been given to agency discussions with the NPWS. Refer to Section 3 and Section 4 of this report.
(e) the public interest.	<p>The works are consistent with the aim and objectives of Chapter 4 of the Precincts - Regional SEPP, including the objective to encourage the carrying out a suitable range of development in the Resort areas to support sustainable tourism in the Alpine Region. Improving the ski terrain and upgrading snowmaking infrastructure and supports Thredbo as a tourist destination, which underpins the viability of the Resort.</p> <p>Temporary impacts to the environment have been identified and will be appropriately managed, mitigated and contained. The development is considered to support the economic viability of the resort while maintaining the health and diversity of the environment, thereby supporting the principles of ESD.</p> <p>The approval of the proposal is considered to be consistent with the public interest.</p>

Environmental Planning Instruments

State Environmental Planning Policy (Precincts - Regional) 2021 (Precincts - Regional SEPP) is the principal EPI applicable to the development. Consideration of the relevant provisions to the proposal within Chapter 4 of the Precincts - Regional SEPP is provided in **Table 3**.

No contamination within the site and surrounding area has been identified. There are no further matters under *State Environmental Planning Policy (Resilience and Hazards) 2021* that need to be considered.

Table 3 | Precincts - Regional SEPP, Chapter 4 considerations

Chapter 4 - Precincts - Regional SEPP - Kosciuszko Alpine Region	
Section 4.9 Demolition	
The demolition of a building or work on land in the Alpine Region	Site reshaping will be carried out, however the proposal does not relate to the demolition of a building or the demolition of work/s on land.
Section 4.21 Heritage conservation	
European heritage	The proposal would not impact on any European heritage items.
Aboriginal heritage	NPWS raised no concerns with the proposal. A condition has been recommended that should any Aboriginal objects be uncovered during construction, any works impacting the objects must cease immediately and the NPWS contacted for assessment of the site.
Section 4.24 Flood planning	
Development on land in the flood planning area	The site is not located in a flood planning area and is not subject to flooding.
Section 4.25 Earthworks	
Impact of earthworks	<p>Earthworks relating to cut, fill, mounding, is required for the earth mound relocation and enhancement and excavation and trenching for the installation of the pits and lateral line infrastructure. The excavated soil will be temporarily stockpiled onsite and then reused to backfill excavations, and new soil will be imported, if necessary, from Thredbo's off-site stockpile. Measures to avoid and mitigate impacts from the works have been outlined in the documentation accompanying the development application, including the Site Environmental Management Plan, the Erosion and Sediment Control Plan and the Rehabilitation and Monitoring Plan.</p> <p>The Department considers that the earthworks proposed are unlikely to cause significant disruption to drainage patterns or soil stability in the locality of the development. Works will be undertaken to avoid impacts on the environment or the amenity of KNP visitors while supporting the current use of the land.</p>

A condition of consent will require appropriate sedimentation and erosion control measures to be in place in accordance with the NPWS Guidelines.

Section 4.27 Consultation with National Parks and Wildlife Service

Consult with, and consider submissions from, the NPWS

The proposal was referred to NPWS and comments were received. Refer to consideration of NPWS referral comments in **Section 3** of this report.

Section 4.28(1) – Consideration of master plans and other documents

(a) the aim and objectives of this policy, as set out in section 4.1

The proposal is consistent with the aim and objectives of Chapter 4 of the Precincts – Regional SEPP in that the development will be managed with regard to the principles of ESD. The provision of updated and additional snowmaking infrastructure is intended to support the ongoing use of the ski terrain and support winter snow sports and tourism in the locality. The proposal is considered appropriate as it relates to works to enhance the ski park while having an acceptable impact on the environment.

(b) *(Repealed)*

(c) a conservation agreement under the *Environment Protection and Biodiversity Act 1999* of the Commonwealth that applies to the land,

Not applicable to the development.

(c) the *Geotechnical Policy - Kosciuszko Alpine Resorts* published by the Department in November 2003,

The site is within the 'G' zone identified on the Department's Geotechnical Policy Map.

A Geotechnical Assessment provided commentary stating that the proposed works will have 'minimal or no geotechnical impact' on the site based on the relatively shallow depths of excavation required, the relatively small area and height of filling, the lack of obvious signs of hillside instability observed or expected, and anticipated subsurface conditions expected in the area. A completed Form 4 – Minimal Impact Certification was provided.

Geotechnical considerations have been adequately assessed by the Applicant and recommendations are provided prior to construction and during works.

- | | |
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| <p>(d) for development in the Perisher Range Alpine Resort -</p> <p>(i) the Perisher Range Resorts Master Plan, published by the NPWS in November 2001 and</p> <p>(ii) the Perisher Blue Ski Resort Ski Slope Master Plan adopted by the NPWS in May 2002.</p> | <p>Not applicable, as site is located within Thredbo Alpine Resort.</p> |
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Section 4.29 Consideration of environmental, geotechnical and other matters

Under section 4.29(1) - In deciding whether to grant development consent to development in the Alpine Region, the consent authority must consider the following -

- | | |
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| <p>(a) measures proposed to address geotechnical issues relating to the development,</p> | <p>Operational matters relating to stripping existing fill and topsoil, benching cuts deeper than 1.5 metres, details of fill composition and compaction, slope batter and revegetation to protect against erosion are recommended.</p> |
| <p>(b) the extent to which the development will achieve an appropriate balance between -</p> <p>(i) the conservation of the natural environment, and</p> <p>(ii) taking measures to mitigate environmental hazards, including geotechnical hazards, bush fires and flooding,</p> | <p>The proposed works are located within a previously disturbed area of the Thredbo Cruiser Terrain Park ski area. Measures have been proposed by the Applicant to undertake the works in a way that will help avoid and mitigate impacts on the natural environment. The land is not subject to flooding and no measures to protect against bushfire are required.</p> <p>Natural hazards have been adequately addressed.</p> |
| <p>(c) the visual impact of the proposed development, particularly when viewed from the land identified as the Main Range Management Unit in the Kosciuszko National Park Plan of Management,</p> | <p>The proposal relates to filling parts of the ski areas, additional mounding and adding to the existing snowmaking infrastructure in the locality. After construction site disturbance, followed by site rehabilitation, the visual variation from the existing setting is not considered to be particularly discernible in the setting.</p> |
| <p>(d) the cumulative impacts of development and resource</p> | <p>The snowmaking works propose the replacement of two manual hydrants with lance pits and guns on skier right of the run gun</p> |

use on the environment of the Alpine Subregion in which the development is carried out,

and install two fan pits and guns. While the additional snow making infrastructure will have additional energy and water needs to produce the supplementary snow, and additional noise may also be generated, the cumulative impacts from the development are considered minor and appropriate in the context. No significant adverse cumulative impacts are anticipated from the new guns. The development will not result in any significant changes to resource use or impact the facilities in place to support visitor patronage of facilities in the Alpine resorts beyond a short period of disruption to the use of trails within the construction corridor.

(e) the capacity of existing infrastructure and services for transport to and within the Alpine Region to deal with additional usage generated by the development, including in peak periods,

The usage of the infrastructure and service network is predicted to be sufficient to support the additional infrastructure proposed as a result of the project.

(f) the capacity of existing waste or resource management facilities to deal with additional waste generated by the development, including in peak periods.

The project will not generate ongoing operational waste by the development. The capacity of existing waste facilities to deal with any waste from the project is considered adequate.

Under section 4.29(2) - For development involving earthworks or stormwater draining works, the consent authority must also consider -

Measures to mitigate adverse impacts associated with the works

Sedimentation and erosion control measures are proposed during works and site rehabilitation following the installation. No negative impacts to stormwater are anticipated.

Under section 4.29(3) - For development the consent authority considers will significantly alter the character of an Alpine Subregion, the consent authority must also consider -

(a) the existing character of the site and immediate surroundings, and

The development will not significantly alter the character of an Alpine Subregion, or the character of the site and immediate surroundings.

(b) how the development will relate to the Alpine Subregion.

As above.

Section 4.30 Kosciuszko National Park Plan of Management

Consistency between the development and the Kosciuszko National Park Plan of Management	The Department is satisfied that approval of the proposal would not be inconsistent with the Kosciuszko National Park Plan of Management.
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Ecologically Sustainable Development (ESD)

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. ESD initiatives and sustainability have been adequately considered by the Applicant and mitigation measures are proposed to be incorporated into the design.

The proposal is consistent with the ESD principles and the Department is satisfied the proposed works have been developed having regard to ESD principles, in accordance with the objects of the EP&A Act as follows:

- the works support the orderly and economic use of the site;
- the proposal is not expected to adversely impact upon the health, diversity, or productivity of the environment for future generations;
- measures taken to avoid, minimise and mitigate impacts to the vegetation and habitats present within the development footprint during the design, construction and operation of the proposal have been incorporated into the proposal; and
- the proposal does not impact upon cultural heritage, including Aboriginal cultural heritage.

Biodiversity Conservation Act 2016

Section 1.7 of the EP&A Act requires the application of the *Biodiversity Conservation Act 2016* (BC Act) in connection with the terrestrial environment. The *BC Act* introduced a *Biodiversity Offsets Scheme (BOS)* that applies when:

- the amount of native vegetation being cleared exceeds a certain threshold area; or
- the impacts occur within an area mapped on the Biodiversity Values Map (BVM) published by the Minister for Environment; or
- the 'Test of Significance', in section 7.3 of the BC Act, identifies that the development or activity is likely to significantly affect threatened species or ecological communities, or their habitats; or
- the works are carried out in a declared area of outstanding biodiversity value.

The Department notes that the amount of native vegetation proposed to be cleared does not exceed the relevant threshold for the parcel to trigger the BOS, and the proposed earthworks are not located within an area mapped on the BVM. There is currently no declared area of outstanding biodiversity value within KNP.

The Applicant submitted a Flora and Fauna Assessment advising that the proposed works will result in only very minor impacts on native vegetation relating to the removal of approximately sixteen (16) square metres of native regrowth shrubs, which does not exceed. The works were assessed as not causing substantial

modification to the hydrological environment, and overall the development was not considered to affect any threatened ecological communities or any threatened flora species. Potential impacts on fauna habitats associated with the proposed works was assessed as being limited to potential impacts on connectivity, which was considered to be a negligible and acceptable impact as no potentially important fauna habitats were assessed as being directly impacted.

The development was also considered unlikely to have a significant impact on any Commonwealth or State listed communities, threatened flora and fauna, or migratory species identified in the assessment.

The NPWS reviewed the Flora and Fauna Assessment and requested that the Rehabilitation and Monitoring Plan, Appendix 1 – Development Area Map be updated to remove the area of native vegetation on the south-eastern border of the construction corridor to be consistent with the findings of the FFA. The Applicant provided an amended site plan and a revised Rehabilitation and Monitoring Plan removing the subject area of vegetation.

3 Submissions

3.1 Department's engagement

The Department's Community Participation Plan, dated April 2024, 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 publicly exhibited if the proposal relates to works that are wholly internal to a building or where the site is located more than fifty (50) metres from a tourist accommodation building.

The works are not within fifty (50) metres of a tourist accommodation building, and the Department did not undertake formal exhibition or notification of the development.

The Department placed the application on the NSW Planning Portal website to make applications publicly available, consistent with the intent of the CPP.

The application was forwarded to the NPWS pursuant to section 4.27 of the Precincts - Regional SEPP.

3.2 Summary of submissions

NPWS

NPWS reviewed the application and requested the Applicant amend their Rehabilitation and Monitoring Plan to ensure consistency with the Flora and Fauna Assessment, as previously referred to in this report. The Applicant provided a revised proposal, which included an updated Rehabilitation and Monitoring Plan. The NPWS also requested changes in relation to the Thredbo Mountain Bike Trail Management Plan, as address further below in **Section 4** of this report. Standard environmental protection conditions of consent were also requested to be applied to the development.

Public Submissions

No public submissions were received during the assessment of the application.

4 Assessment

The Department has considered the relevant matters for consideration under section 4.15 of the EP&A Act, the SEE and supporting information, and the submission from NPWS in its assessment of the proposal. The key issues in the Department's assessment of the proposal are:

- impacts on biodiversity, and
- construction impacts and access.

These issues are discussed below.

4.1 Impacts on biodiversity

The Department has considered the potential biodiversity impacts associated with the proposal in consultation with the NPWS given the sensitive nature of the flora and fauna within the KNP. The Department's assessment of the potential environmental impacts of the proposal along with appropriate mitigation and management measures are considered below.

Vegetation impacts

As discussed in **Section 2**, the construction corridor is within previously disturbed land and is not mapped as having high biodiversity value on the BVM. The proposed disturbance includes approximately 16m² of native vegetation that has regrown in a previously disturbed area. The majority of site disturbance will predominantly impact the ski slope vegetation which is dominated by exotic grasses and some weeds. Following excavation and trenching the areas will be backfilled with material excavated from the site, and the additional fill for mounding will be sourced from the Thredbo resort stockpile reserve.

The Test of Significance (ToS) provided within the application concluded that the level of disturbance to vegetation is unlikely to have significant effect on threatened species, populations or ecological communities or their habitats.

The NPWS initially raised concerns in relation to vegetation management relating to the proposal and requested that the development area map be updated to remove the area of native vegetation on the south-eastern border of the construction corridor. As previously outlined in Section 2 of this report, NPWS considered that the revised Rehabilitation and Monitoring Plan was satisfactory, including the post-construction rehabilitation of the disturbed areas if undertaken in accordance with the revised Rehabilitation Management Plan.

The Department is satisfied that the works are mainly confined to a highly modified environment and there has been appropriate consideration of the BC Act. The development as proposed does not trigger the Biodiversity Offset Scheme.

The Department will apply conditions to ensure that activities are contained within the approved construction corridor and require rehabilitation of the site in accordance with the approved plan and NPWS guidelines.

Species impacts

The Applicant's ToS assessment noted several native flora species identified during the onsite assessment of 26 March 2024 and that the works will be undertaken on ski slopes between patches of remnant native vegetation, which may have some indirect impacts, such as potential impacts on connectivity.

The ToS comments that searches of the tree island did not detect any evidence of use by *Mastacomys fuscus* (Broad-toothed Rat). A wombat burrow was observed beneath the lift operators hut however the proposed works would not adversely impact any wombats that may use the burrow, given their capacity to traverse much more substantial connectivity barriers. Whilst highly mobile threatened species such as the *Callocephalon fimbriatum* (Gang-gang Cockatoo), and *Petroica phoenicea* (Flame Robin) may occasionally forage in the tree island they would not be affected by the proposed works.

Given the minor amount of native vegetation to be impacted, the Department in consultation with the NPWS is satisfied that the development is unlikely to have a significant impact on any threatened flora or fauna species. The NPWS raised no concerns with the assessment of species impacts identified in the revised ToS.

Conclusion

The Department is satisfied the Applicant has taken the appropriate steps to avoid, minimise and mitigate the potential biodiversity impacts associated with the development, consistent with the principles of the BC Act and Regulation.

Conditions are recommended to ensure areas impacted by construction are rehabilitated in accordance with the *Rehabilitation Guidelines for the Resort Areas of Kosciuszko National Park (DECC 2007)*. Appointment of an Environmental Officer, engaged by the Applicant, will be required to review the works prior and during construction to ensure that the proposal meets the identified outcomes.

The Department considers that impacts to the environment have been sufficiently avoided and mitigated. Consequently, the impacts are considered to be acceptable.

4.2 Construction impacts and access

Construction corridor

Access to the development site will be via the existing track that is accessed by vehicle from Friday Drive in Thredbo. The active construction area will be delineated with controls such as fencing and signage to exclude public access.

The construction area proposes to include the extent of the disturbed ski run adjoining the locations of site works. The Applicant sought the allowance of the extensive construction corridor within already disturbed areas to enable construction workers extra flexibility to respond to unforeseen circumstances during construction, such as unknown underground services, pipes and other infrastructure.

During consideration of the proposed works, the Department considers in terms of the construction corridor that:

- The proposal includes 'No go' areas to protect vegetation not to be impacted by the construction. The Department has recommended the inclusion of an additional buffer of 500mm to biodiversity mapped land close to worksites, as well as any areas of vegetation that comprise EEC, Alpine Bog, Subalpine Riparian Scrub, Subalpine Heath and Montane Wet Tussock Grassland vegetation communities.

The Department's intent is for the 500mm buffer to keep excavation and stockpiles 500mm away from vegetation. Based on site plans provided, the proposed ski slope works and lateral pipes has the potential to be against the native vegetation on the edge on the ski slope. A buffer is consistent with the intent of ensuring no impacts upon native vegetation not assessed to be impacted.

- It is considered appropriate to also limit the construction corridor in native vegetation areas and those areas that adjoin BV mapped areas to ensure the works do not crossover into impact BV mapped areas. As a result, the Department has recommended provision of a condition of consent limiting the construction corridor width to:
 - a 6-metre-wide corridor encompassing the trenches for lateral pipe works main trenches, where the 6-metre-wide corridor remains wholly within the ski run;
 - a 6-metre-wide corridor encompassing the trench works for the electrical and dialogue cables, where the 6-metre-wide corridor remains wholly within the ski run; and
 - no more than three-metres by three-metres (3m by 3m) for pit construction and associated snowmaking gun mounting where applicable.

The location of the earth mound modifications and grading / slope works are required to be constructed as identified on the submitted site plan.

The Department requires the construction corridor to be clearly fenced to reduce potential for harm to native vegetation and is thereby satisfied that the conditions applied will better ensure that the direct and indirect construction impacts during the development will be more contained and managed to minimise the disturbance footprint of the works.

- While noting the above point, the Department acknowledges the need to provide flexibility for the trench alignment within the defined construction corridor. The works and infrastructure which are part of the Development must be contained within the approved construction corridor, but the location of those works and infrastructure is permitted to move within the construction corridor to respond to any unforeseen circumstances that may occur on site particularly in relation to environmental constraints where it may be more appropriate to go around an object rather than remove it.

The Department has recommended changes to the construction corridor condition to enable the corridor / trench to move if required.

The Department concludes that the proposed works and construction corridor are suitable for the intended purpose. Vehicles and equipment can readily access the development site. Works may cause temporary disruption to mountain bike activities, but these can be adequately managed for the safety of resort users and workers.

Construction management will be in accordance with the approved Site Environmental Management Plan (SEMP) and in consultation with NPWS.

Mountain bike trails

Construction was planned to be completed prior to the mountain bike (MTB) season opening so that temporary trail closures and diversions would not be required. However, In the event that construction works extend into the mountain bike season, trail sections that traverse the active works area will be temporarily closed, and riders will be diverted onto existing trails uphill of the site. Erection of site signage and pedestrian/traffic controls are proposed to include temporary MTB diversions where required. Any diversions are expected to be short-term (such as for a few hours on one day only) and have negligible impact on mountain bike operations. The proposed slope works will tie into existing trails that overlap with the terrain park.

The NPWS initially requested that the existing Thredbo Mountain Bike *Trail Management Plan* (TMP) and *Trail Inspection and Monitoring Plan* (TIMP) referred to in the TMP be updated to encompass the realigned trails and incorporate them in the monitoring and reporting regime under both plans. NPWS sought for both plans are to be submitted to NPWS for endorsement before approval by the Department, and for the inspection, monitoring, maintenance and reporting requirements set out in the updated TMP and TIMP to be implemented while parts of the development are being used as part of the Thredbo Mountain Bike Trail Network. The *Thredbo Mountain Bike Gravity Trail, Environmental Condition Assessment* currently conducted as a joint monitoring program by NPWS and KT should also be modified to include the changes to the trails proposed in this DA.

The Applicant provided clarification that no trails will be realigned. The Flora and Fauna Assessment states “if any mountain bike trails are affected by the works, they will be re-instated”, and confirmation was provided that impacted trails would be re-instated in their current alignment. A condition of consent will require that any impacted trails be closed during works and reinstated in the same location.

Conclusion

The Department has recommended standard construction conditions applied for on-slope works in the Alpine area. Subject to compliance with the conditions, the Department considers that the proposed access to the site and construction impacts for the anticipated period of works is acceptable and will not unduly impact upon the safety of visitors and workers in the locality or cause long term adverse impacts to the natural environment.

5 Recommendation

The Department has assessed the merits of the proposal in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes the proposal is acceptable as:

- the proposal is permissible with consent under the Precincts - Regional SEPP
- there will not be a significant impact on any threatened species, populations or ecological communities, and the natural environment and cultural values associated with KNP are protected
- the construction works aim to enhance terrain park features and grooming operations, and the upgrading of snowmaking infrastructure assists snowmaking capacity and coverage in the Cruiser Terrain Park area. This supports the ongoing resort operational viability and visitation to Thredbo Alpine Resort while having a minimal and manageable impact on the environment

Overall, the Department is satisfied that the proposal is suitable for the site and in the public interest.

The Department therefore recommends that the application be approved, subject to recommended conditions. In accordance with the Minister's delegation of 9 March 2022, a Team Leader within the Alpine Resorts Team may determine the application as:

- no reportable political donation has been disclosed,
- there are less than fifteen (15) public submissions in which objection to the proposal has been raised,
- the application is in relation to land to which Chapter 4 of the Precincts - Regional SEPP applies.

It is recommended that the Team Leader - Assessments, Alpine Resorts Team, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **accepts** and adopts the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants** consent for the application in respect of DA 24/6965, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix A**).

Recommended by



Sandria Butler
Senior Planning Officer
Alpine Resorts Team

Adopted by



14/2/2025

Mark Brown
Team Leader - Assessments
Alpine Resorts Team
as delegate of the Minister for Planning

Appendices

Appendix A – Recommended Instrument of Consent