



Upgrade Sewer and Water Services Road Reserve and Adjoining Lodges, Thredbo

Development Application Assessment
DA 24/14728

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Cover image: *Main Range, Kosciuszko National Park (Source: Alpine Resorts Team)*

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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 2021	<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	NSW 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

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1 Introduction

This report contains the Department's assessment of the Development Application (DA 24/14728) lodged by Kosciuszko Thredbo Pty Ltd (the Applicant) seeking approval to upgrade water and sewer infrastructure within Thredbo Alpine Resort, Kosciuszko National Park (KNP).

The development site is within Thredbo Village (refer to **Figure 1**), in relation to which the Applicant holds the Thredbo Head Lease and provides services to Thredbo Village including water supply and sewerage services and reticulation.

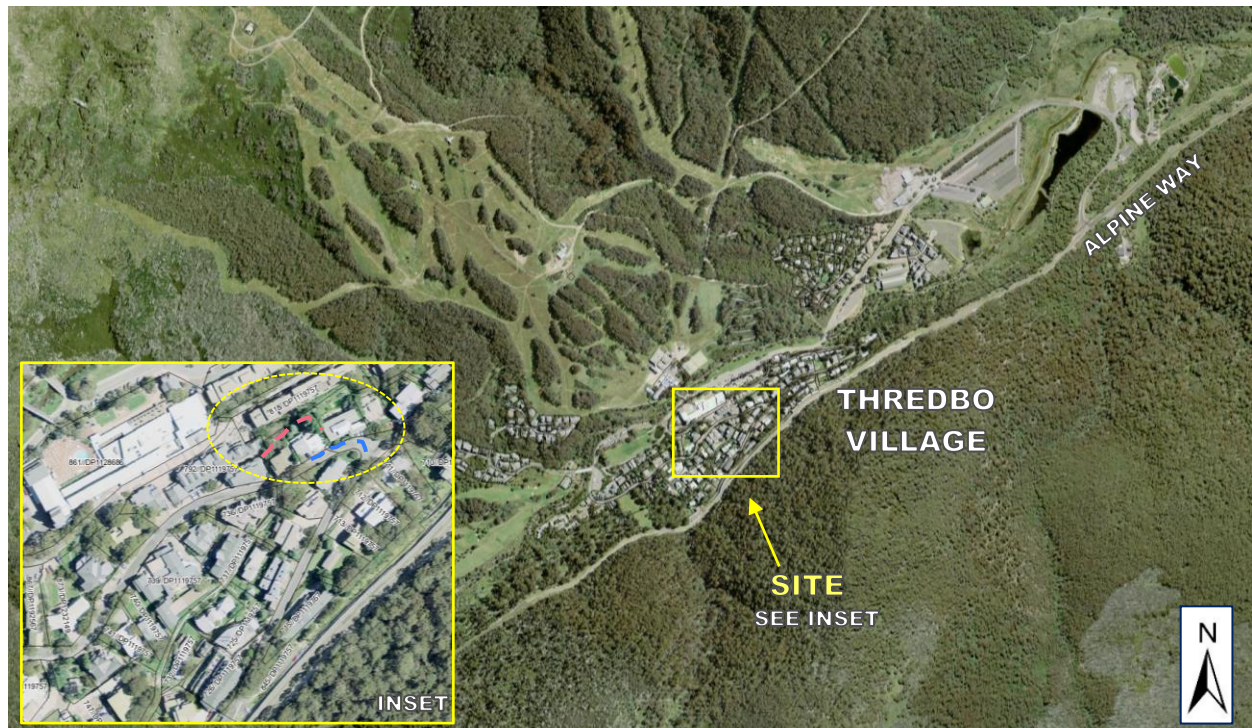


Figure 1 | Development site in the context of Thredbo Village (Source: NSW Planning Portal Spatial Viewer, with annotations)

The development project site is located within the carriageway at the eastern end of Diggings Terrace and on adjoining lots to the north. In this location there is a convergence of three roads where the carriageway continues from Diggings Terrace east to Bobuck Lane, or turns south before returning west along Banjo Drive, with multi-storey tourist accommodation buildings on both sides of the roads.

The Applicant seeks approval for earthworks relating predominantly to trenching for the installation of new water mains and sewer mains and associated infrastructure, which is necessary for service provision to a redeveloped tourist accommodation lodge within the development site (Black Bear Inn on Lot 794). An overview of the location and scope of the proposed works within the development site is detailed in the Site Plan (refer to **Figure 2**), which comprises works within the following parcels:

Road reserve parcels

- Lot 843 DP 1119757 Diggings Terrace road reserve: new water main and installation of one (1) flushing hydrant and two (2) proposed water valves on the eastern end of the lot.
- Lot 846 DP 1119757 Bobuck Lane road reserve: new water main and anchor block and one (1) proposed water valve on the western end of the lot.

Tourist accommodation parcels

- Lot 792 DP 1119757 Squatters Run Apartments, 24 Diggings Terrace: Extend the sewer main from the adjoining land (Lot 793) to tie into the main near the eastern boundary of Lot 792. The new underground connection to the existing sewer main will be via the void under the suspended Squatters Run carpark. An inspection opening will be fitted at the connection point with gas tight cover, to be accessed from within the void area. The carparking area on Lot 792 will also be utilised to bring materials onto the adjoining site (Lot 793), including providing crane access to lift a 1.6 tonne excavator onto Lot 793 to undertake the sewer excavation trenching on the adjacent parcels.
- Lot 793 DP 1119757 Sashas Apartments and right of footway easement through Lot 793 (DP 1174919 P), 28 Diggings Terrace: new sewer main along the north boundary of the site, including two (2) sewer inspection openings with gas tight covers, finished to ground level. The existing sewer is to be made redundant, capping off the exiting sewer side line upstream of the Sashas Apartments connection and retaining the decommissioned sewer line in situ.
- Lot 794 DP 1119757 Black Bear Inn, 30 Diggings Terrace: new sewer main across the northern boundary and along the north eastern boundary of the site with five (5) new sewer inspection openings with gas tight covers along the main, and new Black Bear sewer connection north of the building. Installation of a new water main connection to Diggings Terrace on the south-eastern site boundary.
- Lot 795 DP 1119757 Candlelight Lodge, 32 Diggings Terrace: new connection to the sewer main on the western boundary and a sewer inspection opening.
- Lot 818 DP 1119757 Mowamba Apartments, 2 Mowamba Place: locate and cap off existing sewer provisions and remove upstream deleted service. Access for site workers on foot will be provided to the development site via the footpath on Lot 818.

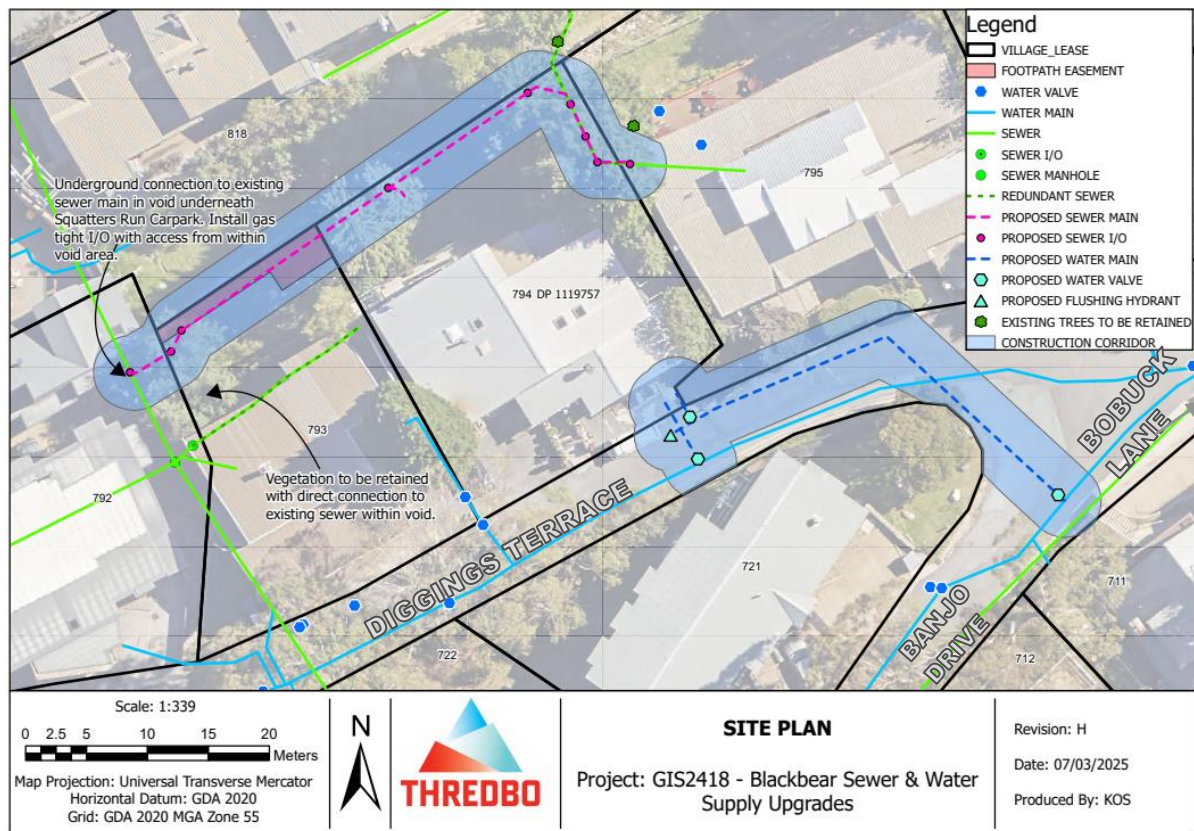


Figure 2 | Site plan (Source: Applicant's documentation with road annotations)

A construction corridor is proposed adjoining the works, where the construction time has been estimated by the Applicant as occurring over a two-week period and creating a disturbance footprint of approximately 300 square metres.

The depth of trenching required for the works will vary, however the 55 (approx.) metres of trench works for installation of the 150mm diameter pipe sewer main is indicated as generally at a depth between 0.8 metres to 1.3 metres with a trench width of 0.5 metres to 1.0 metre wide. Approximately 37 metres of trench works are proposed for the installation of the 160mm diameter pipe water main with excavation down to 1.0 metre at a width of 450mm at the surface tapering to 300mm wide at the base. Typical trench cross sections for the water and sewer mains and the sewer anchor block detail is shown in **Figure 3**.

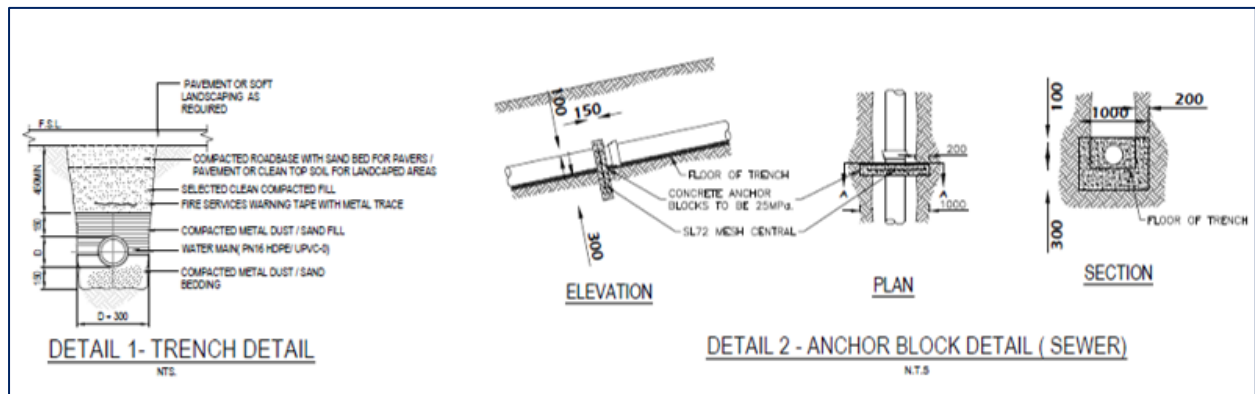


Figure 3 | Trench section detail for water main (1) and sewer (2) (Source: from Applicant's documentation)

During the water service works in the road corridor the site will be accessed by construction vehicles by Diggings Terrace and Bobuck Lane. The road in proximity to the construction works will remain closed for the duration of the works, and any trenching that must remain open overnight will be covered with steel road plates with fauna egress provided. Full or partial road closures may also be required when the excavator is craned onto Lot 793 via Lot 792. Redundant sewer mains at the rear of Lot 793 and Lot 818 will remain in situ.

Post-construction site cleanup will include the rehabilitation of disturbed areas and the reinstatement of the surface materials including the carpark surface of Lot 792 and asphalt on the Diggings Terrace and Bobuck Lane road surface. Valve indicator posts will be located in the road reserve and in open areas along the line of works adjacent to the water main. The posts will be constructed either of precast concrete (100mm by 100mm), redgum timber, plastic or steel, and be 900mm high with a 20mm red rebate near the top of the post and letters 'SV' 400mm high, as shown in **Figure 4**.

The Applicant advises that the purpose of the development is for the supply of critical infrastructure (sewer and water) to Lot 794 (Black Bear Inn, currently being reconstructed).

The estimated development cost for the proposal is \$184,470.

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>

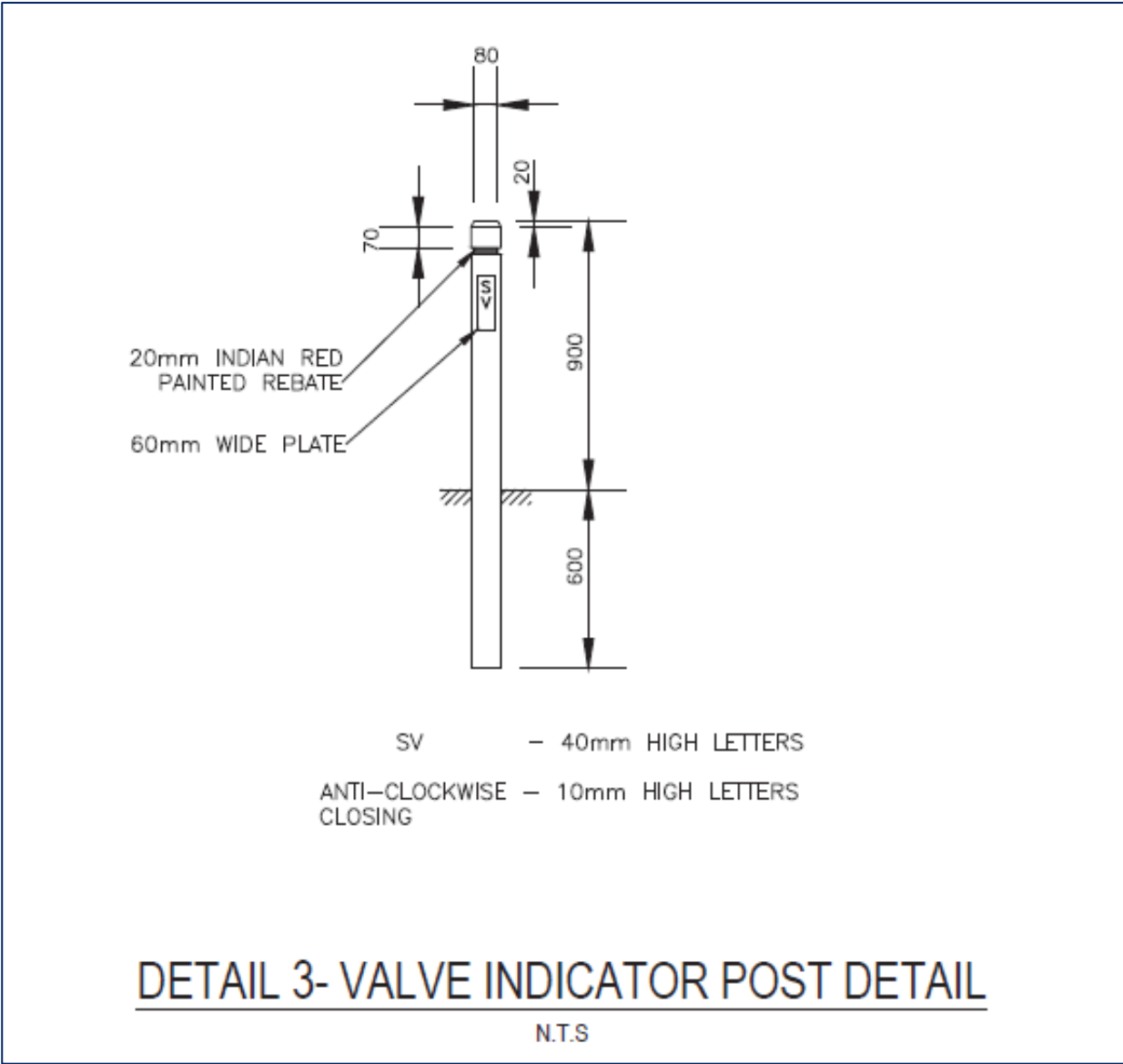


Figure 4 | Valve indicator post detail (Source: from Applicant’s documentation)

2 Matters for Consideration

2.1 Strategic Context

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 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 proposal is consistent with the Regional Plan as it relates to the provision of the sewer and water infrastructure to service the operation and use of the Black Bear Inn tourist accommodation. The proposal will allow the Thredbo Alpine Resort to continue to meet the year-round demands of the community for accommodation within KNP, supporting continued visitation to the NSW Alpine Region.

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 support 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 capacity to accommodate visitors within KNP. This supports visitor experience and the maintenance of visitation to KNP as a year-round destination, along with sustaining the local, regional and state economy.

2.2 Permissibility

The proposal includes earthworks for the extension of the *infrastructure facilities*. 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, infrastructure facilities relate to a facility including a water supply system and a sewerage system, and infrastructure facility works and 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 orderly and economic use of the site through enabling infrastructure to extend the existing water and sewer network to reinstate connection to Black Bear Inn.</p> <p>Vegetation within the proposed construction corridor comprises a mix of exotic and native species. The location of proposed works minimises impacts on existing vegetation. The area of works and construction corridor has been heavily modified and disturbed, and is not identified as having high biodiversity value.</p> <p>The construction impacts will be maintained within a narrow construction corridor adjoining the areas where trenching is required to install the water and sewer mains and associated infrastructure. Provision of service infrastructure is critical for the operation of the tourist accommodation. The works are considered to have a positive social and economic impact on the locality by providing services to Black Bear Inn, 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-making about environmental planning and assessment,	<p>The proposal would not have an unacceptable impact on the environment, as discussed throughout this report. By ensuring development is undertaken in an environmentally responsible manner that conserves any remaining biological diversity and ecological integrity, the development is considered to be</p>

compatible with the principles of ecologically sustainable development. Mitigation measures to protect the environment 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 enable the operation of Black Bear Inn, providing critical infrastructure to allow the redeveloped lodge to accept visitors. This 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 landscaped areas where possible. 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 of indicator posts adjoining the mains as shown in Figure 4 , and additional riser covers. The changes

are considered minor and remain compatible with the setting and surroundings.

(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The Department has recommended conditions of consent to ensure the works are undertaken in accordance with legislation, 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 notified to adjoining lodges and 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	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).

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.

(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 Thredbo Alpine Resort and surrounding spark-based activities in KNP.
(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 infrastructure that supports Thredbo as a tourist destination 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 - Kosciusko Alpine Region	
Section 4.9 Demolition	
The demolition of a building or work on land in the Alpine Region	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	Earthworks relating to excavation for trenching is required for the installation of the sewer and water main 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 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.

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 critical infrastructure is necessary to support the ongoing use of tourist accommodation in the locality. The proposal is considered appropriate as it connects services to Blear Bear Inn 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 application was supported by Geotechnical assessment indicating that the site is within the identified 'G' area on the Department's *Geotechnical Policy – Kosciuszko Alpine Reports*, Thredbo Map.

The assessment provided commentary stating that the proposed works will have 'minimal or no geotechnical impact', however recommendations were included in the

report relating to the management of excavated areas, the placement and compaction of fill and that excavation adjacent to the concrete block retaining wall along the western side of Sashas Apartment must be carried out with care to ensure that the retaining wall is not adversely impacted. Preparation of a geotechnical report was not considered necessary. A completed Form 4 – Minimal Impact Certification report was provided.

- (d) for development in the Perisher Range Alpine Resort -
- (i) the Perisher Range Resorts Master Plan, published by the NPWS in November 2001 and
- (ii) the Perisher Blue Ski Resort Ski Slope Master Plan adopted by the NPWS in May 2002.

Not applicable, as site is located within Thredbo Alpine Resort.

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 -

- (a) measures proposed to address geotechnical issues relating to the development,

Operational matters relating to excavation, compaction and composition, slope batter and protecting the integrity of retaining walls and excavated areas against erosion are recommended.

The Department will require the works to be situated outside the zone of influence of any building footings or structural components.

Works that are proposed to affect building footings or structural components will need to have oversight from a civil engineer and geotechnical engineer with details provided to the certifier of any engineering inspection results and recommendations.

- (b) the extent to which the development will achieve an appropriate balance between -
- (i) the conservation of the natural environment, and
- (ii) taking measures to mitigate environmental hazards, including

The proposed works are located within a previously disturbed area of the Thredbo Village. 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. Measures to protect exposed elements of the water supply infrastructure against bushfire are required in

geotechnical hazards, bush fires and flooding,	<p>accordance with AS 3959 <i>Construction of Buildings in Bushfire Prone Areas</i>.</p> <p>Natural hazards have been adequately addressed.</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,	The works will cause construction site disturbance, followed by site rehabilitation, so that most of the infrastructure is below ground. The minor addition of 'SV' signage (refer to Figure 4) and additional access riser covers is not considered to be particularly discernible or significantly detract from the setting.
(d) the cumulative impacts of development and resource use on the environment of the Alpine Subregion in which the development is carried out,	The sewer and water mains proposed replace previous services and sewer mains where the redundant pipe lines will be left in situ. The infrastructure will not generate additional visitation to Thredbo, but support the approved use of Black Bear Inn. The cumulative impacts from the development in relation to additional infrastructure markers and access points are considered minor and appropriate in the context. No adverse cumulative impacts are anticipated from the provision of the infrastructure. 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 roads 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 sewer and water service network was considered as part of approval for the redevelopment of Black Bear Inn, and these works are to connect the lodge back to services now that the construction of Black Bear Inn will soon be completed.
(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, but the sewer line is naturally designed to convey waste to the management facility.
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; 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' (ToS), 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 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 undertook a ToS assessment advising that the proposed works will not affect any threatened ecological communities or any threatened flora species. Potential impacts on species were considered to be limited due to the disturbance footprint being located within a highly modified environment. It was considered unlikely for native flora and fauna to be directly impacted within the construction corridor. 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 Development considered to not comprise part of a key threatening process outlined in Schedule 4 of the BC Act, and to be unlikely to increase the impact of a key threatening process.

The NPWS reviewed the ToS and were satisfied that the Applicant had sufficiently assessed the environmental impacts and provided appropriate minimisation and mitigation measures. However, for future DAs, NPWS recommend that that EPBC Act Protected Matters Reports be generated within three months of lodgement.

3 Submissions

3.1 Department's engagement

The Department's Community Participation Plan prepared in accordance with Schedule 1 of the EP&A Act, generally requires applications within fifty (50) metres of metres from a tourist accommodation building to be notified for a period of fourteen (14) days.

The Department placed the application on the NSW Planning Portal website to make applications publicly available, consistent with the intent of the CPP, and notified relevant lodges within fifty metres of the works.

Where the Applicant adjusted the works after the formal notification of the application, they also liaised with the Owner's Association of the potentially impacted allotments. The Applicant then provided the Department with written verification from the subject lodges confirming they had no objection to the proposed amendments to the project. Given the minor scale and nature of the amendments, and that the impacted properties were informed directly by the Applicant and provided their written endorsement of the changes, the Department did not renotify the neighbouring lodges of the changes to the application.

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

3.2 Summary of submissions

NPWS

NPWS reviewed the application, as amended, and raised no objection to the works, seeking that standard environmental protection conditions of consent be applied to the development.

Public Submissions

Two (2) public submissions were received during the notification period. The objections both related to the removal of two (2) silver birch trees and three (3) cotoneaster bushes located near the western boundary of Sashas Apartments (Lot 793).

The Applicant amended the design of the works to avoid the need to remove the subject vegetation.

A further two submissions were later received during the assessment of the application (outside of the exhibition period) in relation to this amended design due to locating the proposed inspection opening point positioned within an allocated car space at Squatters Run (Lot 792). The Applicant redesigned the connection at this point to be below the car parking level within the void (rather than needing to drill through the carparking space), which addressed the objections that were received.

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:

- managing environmental impacts of the proposal
- managing temporary construction impacts
- construction impacts and access

4.1 Managing Environmental Impacts of the Proposal

For proposals within the Alpine Resorts, Applicants are required to consider the impacts of activities upon the environment. The Applicant notes the works are for the replacement of critical infrastructure within a highly modified site.

The proposed excavation and trenching activities are predominantly located within highly disturbed areas where works will not interfere with native vegetation. However, trenching will take place adjoining established vegetation.

The Applicant has responded to the two (2) objections that related to the removal of the cottonasters and silver birch on the western boundary of Lot 793 (Sashas Apartments) by changing the location of the works and retaining the subject vegetation. However, they advise some minor trimming of the vegetation will be required to facilitate the movement of equipment from Lot 792 (Squatters Run) to Lot 793 (Sashas Apartments) and Lot 794 (the Black Bear Inn).

The Applicant also responded to the Department's query as to the proximity of proposed excavation near a large conifer on Lot 795 (Candlelight Lodge) by relocating the sewer main from along the western boundary of Lot 795 to contain most works along the eastern boundary of Lot 794 (Black Bear Inn), thereby providing a greater buffer between the tree and the excavation works.

NPWS raised no objection relating to the proposed management of the vegetation within the work site, and the Department considers that impacts to the environment have been sufficiently avoided and mitigated where possible. Consequently, the impacts are considered to be acceptable.

4.2 Managing Temporary Construction Impacts

The Department has considered the relevant environmental impacts associated with the proposal given the location of the site in the Thredbo Alpine Village and within KNP. The Department's assessment of the potential environmental impacts of the proposal along with appropriate mitigation and management measures are considered below:

Traffic and access

The proposal will require temporary road closures of the eastern end of Diggings Terrace and the intersection of Bobuck Lane and Banjo Drive, and temporary disruption to carparking access for the adjoining lodges. The temporary closure of the road will be required during installation of the water main works in the roadway and possibly also during crane operations to lift the excavator onto the north of the work site to undertake trench excavations for the sewer mains. The crane operations and construction supply activities from the Squatters Run carpark may also cause temporary inconvenience for apartment

guests in this location, whereas alternative parking is understood to be available if necessary. The Applicant is to manage this arrangement with Squatter Run and affected sub-lessees.

The Applicant notes that construction is expected to take approximately two weeks, and adjoining lodges will be made aware of scheduled works. As such, the temporary closures and diversions when works are in or near the road reserve and short duration of disruption to parking areas are considered to be reasonable and manageable.

Sediment control during works

The excavated material will be temporarily stockpiled alongside the construction corridor adjacent to the trench before used for backfilling. Any excess excavated material will be transported off-site to Thredbo's approved stockpile sites. Appropriate management and mitigation measures will be required to be implemented before, during and after construction in accordance with the SEMP, including erosion and sediment control measures which will need to be installed prior to works commencing and checked regularly.

Appointment of an Environmental Officer, engaged by the Applicant, will be required to review the works prior to and during construction to ensure that the proposal meets the identified outcomes. The Department has recommended standard construction conditions applied in the Alpine area, including requirements relating to the stabilisation and rehabilitation of the site commencing as soon as possible following the completion of each stage of work.

Subject to compliance with these conditions, the Department is of the view that the construction of the proposed works would not impact upon the sensitive environment located within proximity of the site.

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

4.3 Construction impacts and access

Access to the development site for construction staff will be via the road network and adjoining pedestrian paths. The active construction area will be delineated with controls such as fencing and signage to exclude public access.

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 road users and pedestrians, but these can be adequately managed for the safety of resort users and workers.

Localised and temporary disruption to water services may also occur to enable the connection of the main. The Applicant will make lodge operators aware of any expected disruption to water supply to enable the lodges to plan around any disruptions. Construction management will be in accordance with the approved Site Environmental Management Plan (SEMP).

The Department has recommended standard construction conditions applied for the 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.

Appropriate management and mitigation measures will be implemented before, during and after construction in accordance with the SEMP, and supported by conditions of consent. The Department is therefore satisfied that the measures proposed are adequate to ensure appropriate mitigation and management measures are in place to ensure the alpine environment will not be significantly impacted or diminished by the development and works can be undertaken and managed to avoid significant loss of amenity to Park users. The Department is satisfied the Applicant has taken the appropriate steps to avoid, minimise and mitigate the proposal's impact on the 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 as the works are predominantly located along previously modified road carriageway and disturbed lodge grounds with minimal vegetation impacts
- the proposal will extend the potable water supply and sewer connections within the network, thereby providing infrastructure to improve service delivery for the benefit of visitors
- suitable environmental protection measures are to be installed prior to works, managed during works and site rehabilitation undertaken after works to reduce the likelihood of impacts on the environment, with an environmental officer to be appointed to monitor construction works

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, the Team Leader - Assessment 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 - Assessment, 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 24/14728, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix A**)

Recommended by:



Sandria Butler
Senior Planning Officer
Alpine Resorts Team

Adopted by:



1/3/2025

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

Appendices

Appendix A – Recommended Instrument of Consent