



Upgrade Sewer Trunk Main Lot 876 Adjoining the Pipeline Path, Thredbo

Development Application Assessment
DA 25/498

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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
DCCEEW	Department of Climate Change, Energy, the Environment and Water
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 reserved under the <i>National Parks and Wildlife Act 1974</i>
Minister	Minister for Planning
NPWS	NSW National Parks and Wildlife Service
Planning Secretary	Secretary of the Department of Planning, Housing and Infrastructure
Precincts - Regional SEPP	<i>State Environmental Planning Policy (Precincts – Regional) 2021</i> (as amended), that includes Chapter 4 – Kosciuszko National Park and Alpine Resorts
SEE	Statement of Environmental Effects
SEMP	Site Environmental Management Plan
SEPP	State Environmental Planning Policy

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1 Introduction

This report contains the Department's assessment of the Development Application (DA 25/498) lodged by Kosciuszko Thredbo Pty Ltd (the Applicant) seeking approval to upgrade the sewer trunk main pipeline within Lot 876 DP 1243112 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 sewer reticulation services.

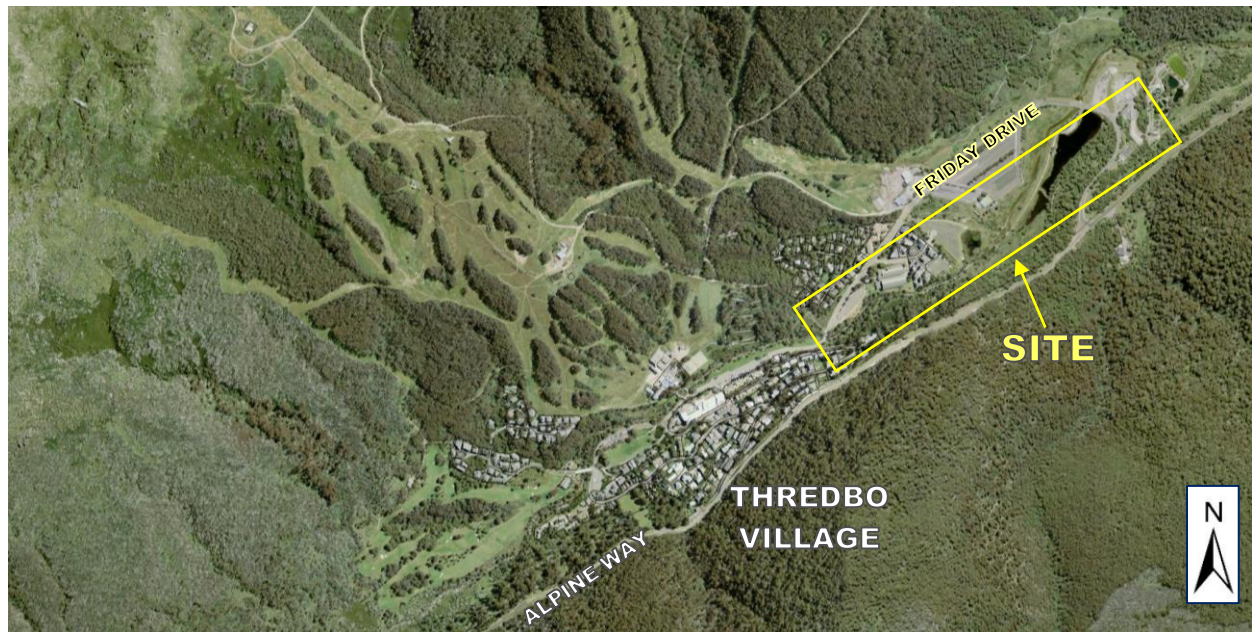


Figure 1 | Development site in the context of Thredbo Village (Source: NSW Planning Portal Spatial Viewer, with annotations)

The development project site follows the existing trunk sewer main pipe that services Thredbo Village. Proposed works commence at the bridge on Friday Drive over the Thredbo River at the south-western end of the site, then extend north-east adjoining the southern bank of the river for approximately 1.3 kilometres, adjacent to an existing walking track known as the Pipeline Path. Either side of the path is flanked by native vegetation, with concrete manhole covers visible at regular intervals adjoining the path. The extent of works end at the pre-treatment screening shed that is part of the Thredbo Sewerage Treatment Plant (STP) located on the northern side of Friday Drive.

The Applicant seeks approval to repair, reline and partially replace the pipeline. An overview of the location and scope of the proposed works within the development site is detailed in the Site Plan in **Figure 2**, including the following:

- Re-line the existing pipeline: high pressure cleaning and removal of roots from the interior of the pipeline, where the pipe will then be inspected internal CCTV inspection to confirm no roots or obstructions remain. This is followed by installation of a PVC sleeve product on the interior wall of the pipe called 'Ribloc Expanda Pipe'. The lining will be pulled through the pipe in sections, manhole to manhole, and secured with a sealant product and rendered to the host pipe. No excavation is required, and the installation of the Expanda product is undertaken swiftly, which eliminates the need to bypass or block flow during works.

- Repair and reinstate fifteen (15) of the existing manholes, including benching and joint repairs as required. All work will be contained entirely within the manholes.

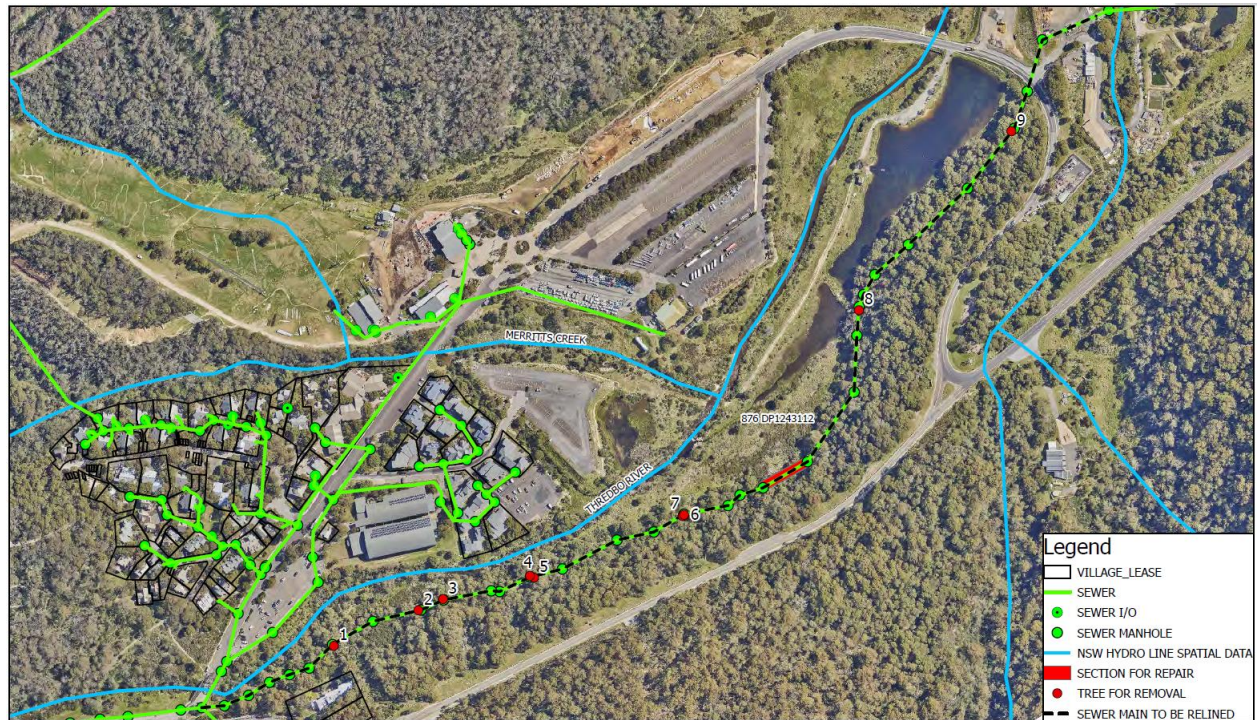


Figure 2 | Site plan (Source: Applicant's documentation)

- Decommission the remaining sixteen (16) existing manholes by lining through the manhole and filling the existing external manhole void with stabilised sand. The relining method does not require any ground disturbance. Sewer manholes (SMH) to be decommissioned are SMH 02, 06, 07, 09, 10, 13, 14, 16, 18, 20, 21, 23, 25, 27, 28 and 29, shown in **Figure 3**.



Figure 3 | Manhole location and numbering (Source: from Applicant's documentation)

- Replacement of approximately fifty (50) metres of the 1.3 kilometre pipeline by excavation and removal of the existing concrete pipeline between SMH 11 and 12 and replacement with new PVC pipe, followed by backfilling with the same excavated material and site rehabilitation. The trenching required for installation of the replacement $\varnothing 300\text{mm}$ PVC pipe sewer trunk main (internal diameter) is indicated as generally at a depth of 1.6 metres with a trench width of 0.75 metres. A temporary sewer bypass network between the two manholes will be set up during the works. The pipe will be seated within a layer of compacted bedding at the base of the trench and covered by fill material, before being finished with 100mm of topsoil and the trench surface rehabilitated with straw and grass seed mix. A typical trench cross section and the trench shoring detail is shown in **Figure 4**.

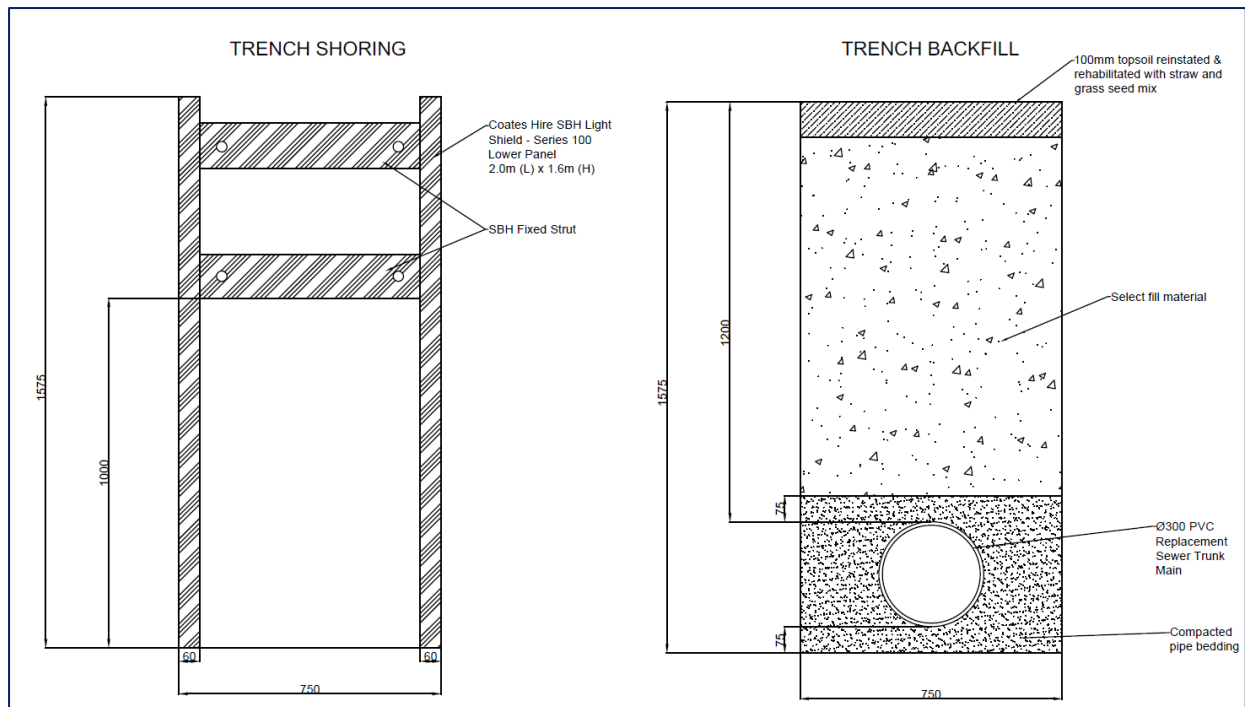


Figure 4 | Trench section detail for trench shoring and backfill (Source: from Applicant's documentation)

- Vegetation removal including the removal of nine (9) mature trees that are currently either growing directly on top of the pipeline or immediately adjacent to a sewer manhole, together with selective vegetation trimming to maintain an easement generally 3 m wide (1.5m either side of the pipeline).

A construction corridor within the existing pre-disturbed pipeline service easement is proposed adjoining the works. Temporary stockpiles are proposed within the construction corridor to manage excavated materials, spoil, soil and vegetation during the works. Soil will be separated so that it can be reused during rehabilitation works. Excess excavated material and materials for use during the works is proposed to be stored off-site.

During the works the site will be accessed by construction vehicles from Friday Drive. Temporary traffic control is proposed to close the southern lane of Friday Drive near the eastern end of the works at times when equipment may need space to safely enter the access track into the Pipeline Path when lining of near the eastern end of the works from Manholes 2 to 18 (refer to **Figure 3**). The Pipeline Path will be closed to the public during the construction period, with traffic controls installed at either end of the trail to exclude public access. Construction has been estimated by the Applicant to occur over a two-week period during a low visitation period for Thredbo Resort.

The Applicant advises that the purpose of the development is to repair the existing sewer main, which is critical infrastructure for Thredbo Village.

The estimated development cost for the proposal is \$673,193.05.

Documents relating 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

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 infrastructure to service the operation of the Thredbo Alpine Resort. The proposal will allow the resort to continue to meet the year-round demands of the community for accommodation and services 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 and the repair and installation of the sewerage reticulation system for the ongoing provision of *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 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 repair and rehabilitate part of the sewer trunk main for Thredbo Alpine Village.</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 pipeline construction corridor has been heavily modified and disturbed, and is not identified as having high biodiversity value.</p> <p>The construction impacts will be primarily maintained within a narrow lineal footprint. The main area of ground disturbance relates to trenching to install the replacement sewer trunk main section and associated ground works to repair manhole infrastructure. Upgrading the infrastructure is critical for the operation of the resort and protection of the environment. The works are considered to have a positive social and economic impact on the locality by ensuring that the sewer service for the village is maintained in a serviceable condition. 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	<p>The proposal would not have an unacceptable impact on the environment, as discussed throughout this report. By ensuring development is undertaken in an</p>

considerations in decision-making about environmental planning and assessment,	environmentally responsible manner that conserves the remaining biological diversity and ecological integrity of the site, the development is considered to be 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 maintains the function and longevity of critical sewer infrastructure to allow the operation of the Thredbo Alpine Resort. This supports visitation year-round, including for winter snow sports and summer bushwalking and 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 have been limited to previously disturbed areas where possible, avoiding impacts on native vegetation and wildlife. An assessment of impacts is provided in Section 4 .
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<p>The development site is predominately located within 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.</p> <p>The NPWS raised no concerns in relation to the Due Diligence assessment provided by the Applicant and likely impacts on Aboriginal cultural heritage. The proposal is considered to have low potential to impact on unrecorded objects or sites in the locality. Any expected finds will require immediate investigation in accordance with the required NPWS protocols. The Department concludes that the proposal has demonstrated due diligence and is satisfactory in relation to avoiding impacts on built and Aboriginal cultural heritage. A condition will be applied relating to the necessary actions to be undertaken by contractors in the event of the location of any potential</p>

items of cultural relevance during works. 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 in the environment is considered to be 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 DCCEE Water Division, 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 exhibited on the NSW Planning Portal where it was made publicly available for 28 days 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)(iiiia) 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 impacts of the development, where the proposal is considered likely 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 park-based activities in KNP.
(d) any submissions made in accordance with this Act or the regulations,	Consideration has been given to advice from the NPWS and DCCEEW. 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 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</p>

maintaining the health and diversity of the environment, thereby supporting the principles of ESD.

The approval of the proposal is considered to be consistent with the public interest.

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. The removal of a section of the existing concrete sewer trunk main approximately fifty (50) metres in length is proposed, which will be disposed of offsite. The demolition of the subject infrastructure forms part of this application.
Section 4.21 Heritage conservation	
European heritage	The proposed works will not impact 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 adjoins Thredbo River and an unnamed watercourse, and several sections of the works are within the riverine corridor. Land within the development site may be subject to flooding. Development for the purpose proposed will not adversely impact flood

behaviour given that it relates to refurbishing existing infrastructure, most of which is subterranean. The continued use of the land for the current purpose is considered compatible with the flood function and behaviour on the land. Conditions are imposed to prevent adverse impacts on the environment to avoid erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

The application was also referred to DCCEEW – Water Division as the consent authority for integrated development on waterfront land, and for the issue of a controlled activity approval (if necessary) in accordance with the Water Management Act. DCCEEW raised no objection to the proposal, as discussed further in **Section 3** of this report.

Section 4.25 Earthworks

Impact of earthworks

Earthworks relating to excavation for trenching is required for the installation of the sewer trench main and for repairs to several sewer man holes. The excavated soil will be temporarily stockpiled onsite and reused to backfill excavations. Excess spoil will be removed and stored off-site. 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, and for the appointment of an Environmental Officer to manage the development.

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	<p>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 maintenance and upgrading of the critical sewer infrastructure is necessary to support the ongoing use of the Thredbo Tourist Resort and KNP visitation. The proposal is considered appropriate as it relates to sustaining the ongoing provision of infrastructure services to Thredbo through a process that extends the lifetime of the existing infrastructure, where possible. For the section of the sewer that needs to be replaced, the construction-related impacts on the environment will be managed and minimised, and is considered acceptable.</p>
(b) (Repealed)	
(c) a conservation agreement under the <i>Environment Protection and Biodiversity Act 1999</i> of the Commonwealth that applies to the land,	<p>Not applicable to the development.</p>
(c) the <i>Geotechnical Policy -Kosciuszko Alpine Resorts</i> published by the Department in November 2003,	<p>The application was supported by Geotechnical assessment indicating that the site is within the identified 'G' area on the Department's <i>Geotechnical Policy – Kosciuszko Alpine Reports</i>, Thredbo Map.</p> <p>The assessment provided commentary stating that the proposed works will have 'minimal or no geotechnical impact'. However, recommendations were included in the report for operational matters relating to excavation, compaction and composition, and protecting the integrity of excavated trenches. Preparation of a geotechnical report was not considered necessary. A completed Form 4 – Minimal Impact Certification report was provided.</p>

(d) for development in the Perisher Range Alpine Resort -	Not applicable, as site is located within Thredbo Alpine Resort.
(i) the Perisher Range Resorts Master Plan, NPWS November 2001, and	
(ii) the Perisher Blue Ski Resort Ski Slope Master Plan, NPWS May 2002.	

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,	<p>Recommendations were included in the geotechnical assessment, including measures that relate to the use of engineering-designed shoring boxes for the temporary support of the excavated trenching, requirements regarding the preparation of sub-grade and the placement and compaction of fill, and for additional excavation and fill measures for areas that show visible heave under compaction equipment.</p> <p>The Department will require the works to be undertaken in accordance with the geotechnical recommendations.</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 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 may be subject to flooding. A condition will require the infrastructure to be constructed from fire-resistant materials to protect the asset from the impacts of bushfire.</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,	<p>Earthworks will cause site disturbance during construction, followed by site rehabilitation. Nine (9) trees will be removed along the 1.3 kilometres of works, together with trimming of native shrubbery. While loss of vegetation is considered necessary, and it will have a localised visual impact, most of the works to infrastructure is below ground. Once the construction corridor has been rehabilitated, the visual impact of the development is not considered to significantly detract from the setting.</p>

(d) the cumulative impacts of development and resource use on the environment of the Alpine Subregion in which the development is carried out,

The development will extend the lifespan of existing sewer infrastructure, as well as replacing a short (50m) section of the trunk main. The cumulative impacts from the development in relation to site disturbance and tree removal are considered minor and appropriate in the context. No adverse cumulative impacts are anticipated from the proposed refurbishment of the sewer infrastructure. The development will not generate additional visitation to Thredbo or result in any significant changes to resource use. There may be temporary disruptions to the use of roads near the construction corridor during works and also exclusion of visitors from the Pipeline Path recreational track. However the short period of disruption is considered reasonable.

(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 proposed works are indicated to be scheduled during a period of low resort visitation to best manage the intended section-by-section piped sewer bypass that will be employed while the refurbishment is carried out. The timing and incremental segmentation of the works has been considered and planned as part of the proposal to ensure continued operation of the Thredbo Alpine Resort during works.

(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 generate a small amount of construction waste during works, including the disposal of the concrete pipe that is being removed. Ongoing operational waste will not be generated by the development, noting the sewer line is naturally designed to convey waste to the treatment 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. Significant negative impacts to stormwater are not anticipated. While the work site is within waterfront land, the DCCEW-Water Group were satisfied that the proposal did not require their further review and approval, as discussed further in **Section 3** and **Section 4** of this report.

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 proposal was reviewed by the NPWS, who are satisfied the proposed works are consistent with the relevant management objectives in the KNP PoM, as discussed further in Section 3 of this report.
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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 appear to 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. The removal of the nine (9) mature trees detailed in the proposed works (**Section 1**) was considered necessary to sustain the ongoing use of the pipeline and prevent future pipeline damage or displacement.

The ToS assessment also indicated that the development was 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. Nor was the development considered to comprise part of a key threatening process outlined in Schedule 4 of the BC Act, and was 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.

3 Submissions

3.1 Department's engagement

The Department's Community Participation Plan April 2024 prepared in accordance with Schedule 1 of the EP&A Act, generally requires applications within fifty (50) metres from a tourist accommodation building to be notified for a period of fourteen (14) days. Given that works are proposed to be carried out on waterfront land, the application was also required to be referred to the DCCEEW-Water and exhibited for twenty-eight (28) days as nominated integrated development.

The Department notified relevant lodges within fifty metres of the works and exhibited the application on the NSW Planning Portal website from 4 February 2025 to 3 March 2025, consistent with the CPP and section 56 of the EP&A Regulation 2021.

The application was referred to DCCEEW – Water for their general terms of any approval, pursuant to section 4.47 of the EP&A Act 1979.

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 and initially requested further information and an updated Test of Significance relating to the removal of the riverine vegetation. Upon receipt of the sought information, NPWS were satisfied that the works undertaken in the manner proposed would have minimal impact on the environmental and cultural values of KNP. The relevant provisions of the KNP Plan of Management 2006 were reviewed by NPWS, who considered the proposed works to be consistent with the management objectives for Section 10.2 (Alpine Resorts Management Units), Section 10.4 (Thredbo Management Unit) and Section 11.6 (Environmental Quality). No objection was raised to the works, seeking that standard environmental protection conditions of consent be applied to the development.

The NPWS also confirmed that the works proposed for the development in the DA are permissible under the Headlease for the Thredbo Alpine Resort, and given the scale and nature of the works, Lessor's consent under that lease was not required for the works.

DCCEEW - Water

Referral of the application to the Water Division of DCCEEW was carried out seeking their activity approval as the Integrated Consent Authority under Part 3 of Chapter 3 of the *Water Management Act 2000* (WM Act). DCCEEW-Water advised that they had reviewed the documents for the application and considered that, for the purposes of the WM Act, a controlled activity approval was not required for the proposed works and that no further assessment by that agency was necessary. They confirmed their understanding from the information provided that the proposed works do not involve carrying out a work, removing or depositing material on waterfront land, or carrying out an activity which affects the quantity or flow of water in a water source.

Public Submissions

No public submissions were received during the exhibition period or 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:

- managing impacts on native vegetation
- managing temporary construction impacts and access

4.1 Managing Impacts on Native Vegetation

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 and the removal of some native vegetation is proposed.

For proposals within the Alpine Resorts, Applicants are required to consider the impacts of activities upon native vegetation and the environment. The Applicant advises the proposed works are for the repairs and replacement of critical infrastructure within a highly modified site, where works include the need to remove vegetation that has grown on top of the pipeline, including nine (9) established native trees and shrubs.

The Applicant proposes careful management of the tree removal process, including employing the following environmental protection measures during works:

- trees to be removed will be clearly marked with flagging tape or spray paint,
- trees must be checked for fauna habitats and fauna by the Environmental Officer immediately prior to felling/ removal. Trees with active nests should not be removed until the young have left the nest. If fauna is present, the NPWS will be contacted to assist with mitigation actions.
- trees will be felled by hand using chainsaws only, in segments and in a manner that minimises any impacts on adjoining vegetation. Shrub trimming to be undertaking using brush cutters
- trees removed may be cut into pieces small or mulched to enable use in rehabilitation
- where felled trees are unable to be processed onsite and removed, they will be cut into pieces small enough to enable them to be placed into adjoining native vegetation without damaging it where practical.

NPWS raised no objection relating to the removal of the identified trees or to the proposed management of the vegetation within the work site. The Department considers that impacts to native flora and fauna 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 in relation to traffic and access, sedimentation control during works and other construction impacts.

Traffic and access

The proposal will require temporary road closures of Friday Drive on the eastern end of works, and also loss of use of the Pipeline Path recreational trail used by pedestrians and cyclists. The temporary closure of the road will be required to facilitate safe movement of machinery and plant undertaking works in the area, including truck movements between the stockpile and material storage site and the work site.

The Applicant proposes to establish a site boundary with temporary fencing, rope or flagging to clearly delineate the construction corridor and “no-go” areas, as well as the erection of site signage and pedestrian/traffic controls.

While the works are anticipated to cause temporary inconvenience for visitors to Thredbo during works, the Applicant will supervise this for the safety of resort users and workers over the expected two-week construction period. As such, the temporary path closure and potential traffic delays or diversions while works are in or near the road reserve are considered to be reasonable and manageable for the short duration of the likely disruption.

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 the Thredbo stockpile site. 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.

Adverse weather event consideration has been proposed by the Applicant, given that adverse weather has the potential to negatively impact upon construction activities and adversely impact the riverine environment if not appropriately managed. To ensure appropriate consideration of such events, the Project and Construction Manager for the site will monitor weather conditions throughout the construction period. The Applicant advises that the Bureau of Meteorology (BoM) Thredbo AWS station provides daily weather observation data for the Resort. The NSW Rural Fire Service website ‘Fires Near Me’ includes information on current bush fires and other incidents, as well as warnings for fires which may affect the location. If adverse weather events are anticipated and/or occur during construction, contingencies will be implemented and arrangements will be made to postpone construction activities. The Construction Manager / Site Project Manager will be responsible for notifying construction staff of any impending adverse weather, and to implement appropriate controls onsite.

Subject to compliance with the measures detailed in the application and the conditions required to control sedimentation and erosion during works, the Department is of the view that the construction of the proposed works would not impact upon the sensitive riverine environment and adjacent waterway. It is also noted that DCCEEW - Water reviewed the application and, as the responsible agency for works on waterfront land, were satisfied with the proposal and did not require the Applicant obtain a Controlled Activity Approval.

Other temporary construction impacts

Access to the development site for construction staff will be via the road network and by suitably sized plant along the Pipeline Path, including use of a mini excavator modified as a lining support vehicle. The inclusion of a plan on which the construction corridor has clearly been depicted is required in the Site Environmental Management Plan (SEMP) via a condition of consent. The plan is to include measures to identify the necessary stop points for vehicles along the development site (other than the mini excavator). The construction corridor will also be required to be clearly delineated on site with controls such as fencing and signage to aid the appointed Environment Officer and contractors to ensure works are contained within the approved construction area, and to exclude public access from the work area.

Disruption to sewer services for the Thredbo Village is not anticipated during the development due to the incremental and swift nature of the sewer trunk main relining process proposed. During the replacement of the 50-metre section of pipeline, temporary sewer bypass measures will keep sewage contained and moving during this component of the works, pumped through an adjacent diversion pipe between the manholes at each end of the pipeline installation.

Some noise to nearby lodges and also potential for intermittent odour may be experienced during the works. However, these impacts are of short duration and considered reasonable in relation to the nature of sewer infrastructure works necessary. Construction management will be in accordance with the approved (SEMP), which includes measures to minimise noise control as much as practicable in close proximity to sensitive receptors, such as limiting construction works to standard work hours, and requiring works to be carried out in accordance with the Australian Standard AS 2436-2010 *Guide to noise and vibration control on construction, demolition and maintenance sites*.

The Department has recommended standard construction conditions applied for the works in the Alpine area. Appropriate management and mitigation measures will therefore be implemented before, during and after construction in accordance with the SEMP, and supported by conditions of consent. Subject to compliance with the conditions, the Department considers that the proposed construction impacts for the anticipated period of works is acceptable and will not unduly impact upon the safety and amenity of visitors and workers in the locality or cause long term adverse impacts to the natural environment.

The Department is therefore satisfied that the temporary construction impacts and access activities and control measures proposed are adequate and appropriate 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.

Conclusion

The Department recognises the need to maintain the critical sewer infrastructure for the continued functionality of Thredbo Alpine Resort. In undertaking the proposed works, the Applicant is regarded to have proposed appropriate measures to avoid, minimise and mitigate the potential for adverse impacts on the environment. Conditions have been recommended to ensure areas that may be impacted by construction are clearly identified and managed in accordance with the SEMP. Appointment of an Environmental Officer, engaged by the Applicant, will be required to establish the boundary of the construction corridor prior to works commencing, and then to monitor works during construction followed by the rehabilitation of any disturbed areas to ensure that the development complies with the sought environmental outcomes. Consequently, the impacts of the development are considered to be acceptable.

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 located along the previously modified Pipeline Path with minimal vegetation impacts,
- the proposal will ensure proper ongoing functionality of the sewer network, thereby providing infrastructure to sustain service delivery for the benefit of visitors, and
- 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 is 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 25/498, subject to the recommended conditions
- **signs** the attached Development Consent (**Appendix A**)

Recommended by:



Sandria Butler
Senior Planning Officer
Alpine Resorts Team

Adopted by:



23/5/2025

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

Appendices

Appendix A – Recommended Instrument of Consent