

STATEMENT OF ENVIRONMENTAL EFFECTS

UPGRADE OF THE KOSCIUSZKO FLOW TRAIL THREDBO ALPINE RESORT KOSCIUSZKO NATIONAL PARK



APRIL 2017

Project: 03-17

Dabyne Planning Pty Ltd

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This report has been prepared by:

A handwritten signature in black ink, appearing to read 'I. Pasalich', is positioned above a horizontal line.

Ivan Pasalich
Principal
Dabyne Planning Pty Ltd

APRIL 2017

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1. INTRODUCTION

Dabyne Planning Pty Ltd has been engaged by Kosciuszko Thredbo Pty Ltd (KT) to prepare a Statement of Environmental Effects to accompany a Development Application (DA) to the NSW Department of Planning & Environment.

The DA relates to the proposed upgrade works to the Kosciuszko Flow Trail, a mountain bike trail located within the Thredbo Alpine Resort. The proposed upgrade works relate to upgrading eight (8) sections of the existing trail to improve resort operations in both winter and summer and provide a better mountain bike experience.

Development consent for these upgrade section is sought, as they require some extent of disturbance to native vegetation, although the vegetation has mostly been either planted or naturally recruited and is therefore technically 'regrowth' (regrown after 1990).

The proposed improvements include Section 1, near the start of the trail, which will result in three (3) existing corners which are considered too technical and pose safety issues being made redundant and rehabilitated in exchange for an improved alignment with wider corners and better fall line.

The proposed improvements in relation to Sections 2 & 4-8 are all intended to achieve the same outcome. That is to relocate the corners of the trails that are currently within the ski slope and which include large excavated berms into either a tree island between the ski runs, or the vegetation on the side of the ski runs.

This is due to the impact these corners have had on winter operations, and the extent of maintenance required to dismantle and fill the berms in at the start and end of each season. This will also improve safety for both snowmobiles, grooming machines and skiers and snowboarders.

To allow for the temporary overpass between the Flow Track and Downhill Track to be removed and become permanent, a new permanent overpass structure is proposed within the tree island adjacent to the temporary scaffold structure (Section 3). This will allow for the permanent structure to remain over winter without being dismantled and erected at the start and end of each season.

The proposed revised trail alignments have been identified by KT, assessed in part by Dirt Art and reviewed by Eco-Logical Australia to determine an appropriate alignment that fulfils both an improved mountain bike trail outcome and resort operational outcome, whilst minimising impacts on the environment and avoiding any constrained or high value biodiversity areas.

This has resulted in most of the corners being located within tree islands, which have been mostly either previously planted or have naturally recruited or located on the edge of the ski runs, within either Tall Heath with and without Eucalypts or Sub-Alpine Woodland vegetation, the most common vegetation communities found within the Thredbo Resort area.

Overall, the proposed works will require the removal of approximately fourteen (14) Snow Gum saplings, pruning of branches on four (4) Snow Gums and 533m² of associated heath. As the existing trail no longer required as part of the Section 1 works will be rehabilitated, the overall net loss of native vegetation will be approximately 414m².

To offset the removal of the vegetation within the tree islands or edge of the ski runs, where most of this vegetation has been planted or has naturally recruited after being originally removed, the proposal includes the implementation of a new management regime on the lower section of ski slope below the Cat Shed (referred to as 'the Rapids') to preclude the current routine maintenance activity of slashing the heath vegetation on a bi-annual basis to allow for native vegetation to grow and recruit within this area.

A detailed description of the proposal is provided in Section 3 of the report.

The purpose of this SEE is to:

- describe the land to which the DA relates.
- describe the form of the proposed works.
- define the statutory planning framework within which the DA is to be assessed and determined; and
- assess the proposed development against the matters for consideration listed under Section 79C(1) of the Environmental Planning and Assessment Act, 1979 (EP&A Act, 1979).

The report has been prepared in accordance with the requirements of Schedule 1 of the Environmental Planning and Assessment Regulations 2000.

2. THE SITE AND LOCALITY

2.1 Locality

The subject site is located within the Thredbo Alpine Resort, approximately 35kms from Jindabyne. Access to the resort is achieved via the Alpine Way.

The location of Thredbo is illustrated in context with the regional locality below:

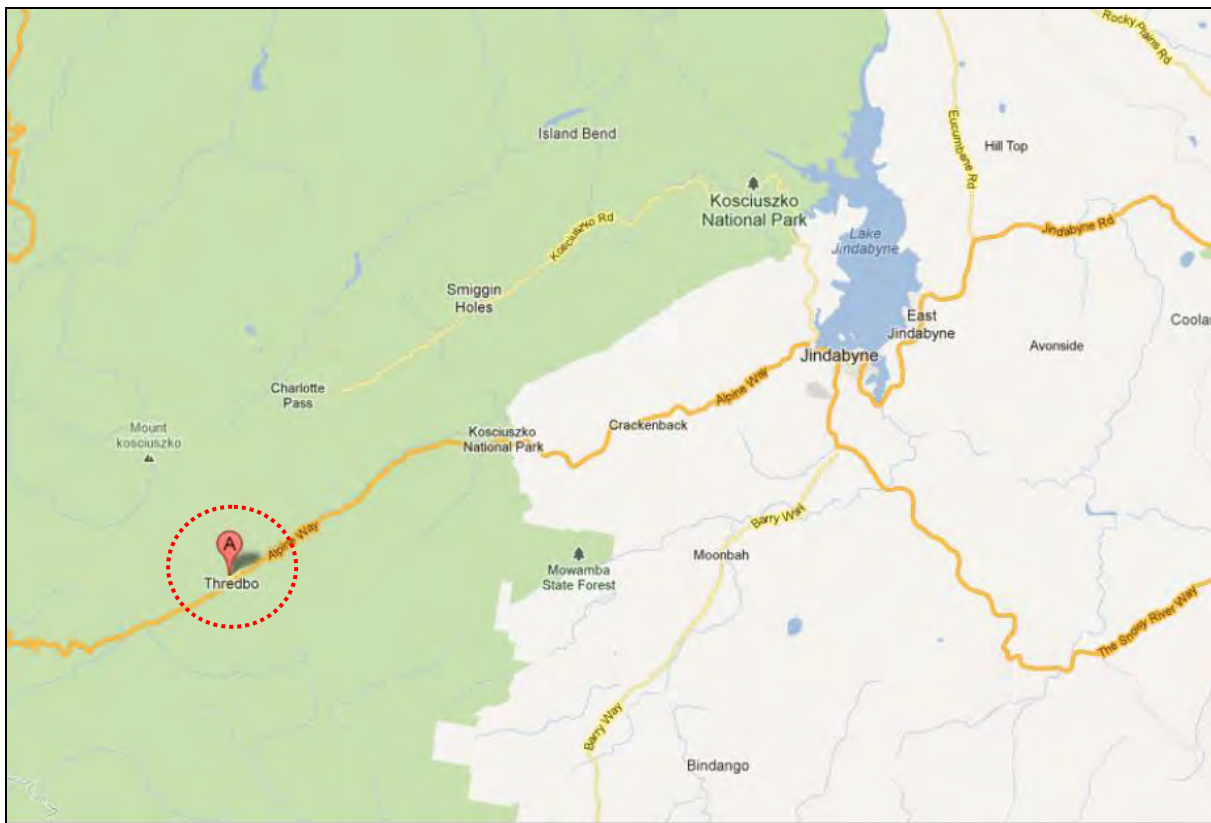


Figure 1: Context of Thredbo Alpine Resort within the regional locality [source: Google Maps]

2.2 The Site

The Kosciuszko Flow Trail is an intermediate mountain bike trail that is located between the top of the mountain, adjacent to the Black Sallee's Restaurant to the bottom of the mountain at Valley Terminal.

The trail is approximately 4.5km long and is a flow trail, providing an introduction into downhill riding or a warm up for the Cannonball Downhill Trail. The steady gradient gives riders a mellower ride, but still providing the adrenalin rush of downhill.

The location of the Kosciuszko Flow Trail, which has recently been extended by the link trail at the top of the mountain (constructed as part of the All Mountain Trail, as part of Stage 1B) is shown in light blue in the mountain bike park trail map provided in figure 2 below.



Figure 2: Thredbo Mountain Bike Park Trail Map

The proposed trail upgrade works are located in eight (8) sections, between an area just below Black Sallee's restaurant at approximately 1840m down to an area located at 1400m, above Crackenback Ridge.

In relation to the ski slopes, which most of the corners are located upon, the ski runs subject to the upgrade works include the Supertrail and World Cup ski runs, as illustrated in the ski trail map provided in figure 3 below.



Figure 3: Thredbo Ski Trail Map

The location of these works in context with the resort is illustrated in figure's 4 & 5 below, the photos provided in Appendix A and the Site Plan provided in Attachment 1 of Appendix B.



Figure 4: Aerial map illustrating the location of the Kosciuszko Flow Trail, subject to the proposed upgrade works

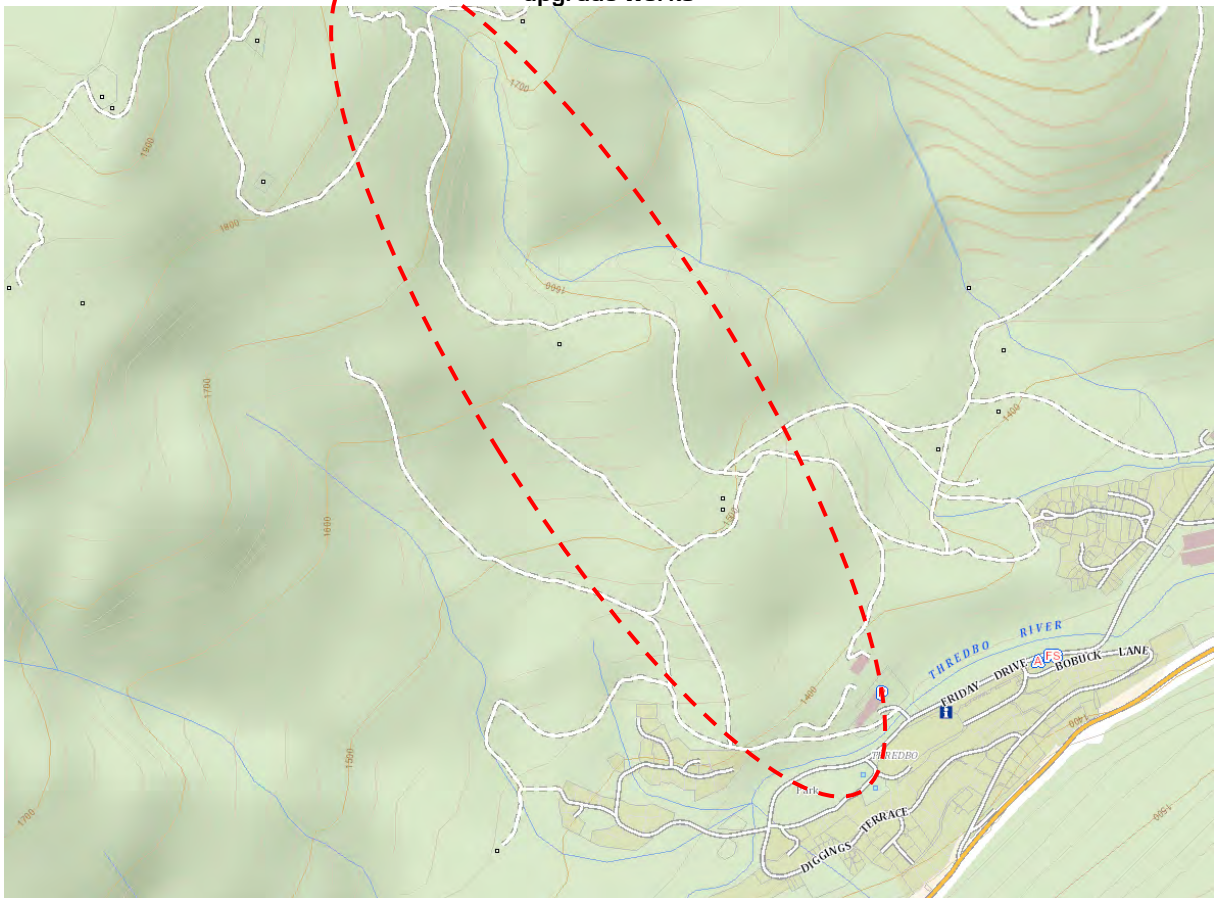


Figure 5: Topographic map illustrating the location of the Kosciuszko Flow Trail, subject to the proposed upgrade works

3. DESCRIPTION OF THE DEVELOPMENT

3.1 General Description

The proposed upgrade works relate to upgrading eight (8) sections of the existing trail to improve resort operations in both winter and summer and provide a better mountain bike experience.

Each section is discussed below:

Section 1:

As part of ongoing upgrades and improvements to the Kosciuszko Flow Track, KT has identified that three (3) existing corners near the top of the trail, located off the ski slope within the Tall Alpine Heath with and without Eucalypts vegetation community, need to be removed from the trail, resulting in the trail being re-aligned. These corners are considered too sharp and technical and pose safety issues for riders.

Rather than upgrading the corners themselves, the approach, radius of the corner and departure all need to be revised, hence a new section of trail is proposed instead of track maintenance.

The new section of trail is 90m in length, which would require the disturbance of native vegetation of approximately 153m² (using an average distance width of 1.7m) including the removal of two (2) small Snow Gum saplings and pruning of three (3) Snow Gums. The existing 70m of trail that will become redundant will be rehabilitated. Therefore the total net loss of vegetation as a result of the Section 1 works will be approximately 34m².

Section 2:

The existing three (3) corners located on the World Cup ski run, below Kareela Hut are proposed to be closed with the trail re-aligned into the tree island (skiers left) with eight (8) corners.

This will result in approximately 125m² of disturbance to native vegetation, including the removal of two (2) small Snow Gum saplings.

Section 3:

The existing temporary scaffold cross-over structure, which allows the Kosciuszko Flow Trail to pass over the Cannonball Downhill Trail is proposed to be replaced with a permanent structure. The location of the permanent structure is within the tree island adjacent, which allows for the structure to remain in place during winter.

The proposed permanent cross-over structure is 20m in length, requiring up to 80m² of vegetation removal.

A plan of the cross-over structure is provided in Attachment 3 of Appendix B.

Sections 4-8:

Sections 4,5,6,7 & 8 are all individual corners that are proposed to be relocated to the side of the ski run either within a tree island (Sections 4,5 & 7) or the native vegetation on the side (Sections 3 & 6).

This will result in approximately 175m² of disturbance to native vegetation, including the removal of seven (7) small saplings and pruning of four (4) trees.

This will allow for these corners and their associated berms to be preserved during winter, without impacting on winter resort operations. The corners will also be re-shaped and extended lower, allowing improved flow and reducing the sharpness the corners and their fall line.

3.2 General Construction

3.2.1 Trail Construction

The trail path is referred to as the tread. The width of the tread will vary depending on the intended user group, the type of trail being constructed and the intended degree of difficulty.

The Kosciuszko Flow Track is an ‘Intermediate’ and therefore have a trail tread of 600mm.

In accordance with the IMBA standards (trail difficulty guideline, provided in figure 6 below) the recommended trail width is +/- 300mm for tread or bridges.






	Very easy  White Circle	Easy  Green Circle	Intermediate  Blue Square	Difficult  Single Black Diamond	Extreme  Double Black Diamond
Description	Likely to be a fire road or wide single track with a gentle gradient, smooth surface and free of obstacles. Frequent encounters are likely with other cyclists, walkers, runners and horse riders.	Likely to be a combination of fire road or wide single track with a gentle gradient, smooth surface and relatively free of obstacles. Short sections may exceed these criteria. Frequent encounters are likely with other cyclists, walkers, runners and horse riders.	Likely to be a single trail with moderate gradients, variable surface and obstacles. Dual use or preferred use Optional lines desirable	Likely to be a challenging single trail with steep gradients, variable surface and many obstacles. Single use and direction Optional lines XC, DH or trials	Extremely difficult trails will incorporate very steep gradients, highly variable surface and unavoidable, severe obstacles. Single use and direction Optional lines XC, DH or trials
Trail Width	2100mm plus or minus 900mm	900mm plus or minus 300mm for tread or bridges.	600mm plus or minus 300mm for tread or bridges.	300mm plus or minus 150mm for tread and bridges. Structures can vary.	150mm plus or minus 100mm for tread or bridges. Structures can vary.
Trail Surface	Hardened or smooth.	Mostly firm and stable.	Possible sections of rocky or loose tread.	Variable and challenging.	Widely variable and unpredictable.
Average Trail Grade	Climbs and descents are mostly shallow. Less than 5% average.	Climbs and descents are mostly shallow, but may include some moderately steep sections. 7% or less average.	Mostly moderate gradients but may include steep sections. 10% or less average.	Contains steeper descents or climbs. 20% or less average.	Expect prolonged steep, loose and rocky descents or climbs. 20% or greater average
Maximum Trail Grade	Max 10%	Max 15%	Max 20% or greater	Max 20% or greater	Max 40% or greater
Level of Trail Exposure	Firm and level fall zone to either side of trail corridor	Exposure to either side of trail corridor includes downward slopes of up to 10%	Exposure to either side of trail corridor includes downward slopes of up to 20%	Exposure to either side of trail corridor includes steep downward slopes or freefall	Exposure to either side of trail corridor includes steep downward slopes or freefall

Figure 6: IMBA Trail Difficulty Rating System (Source: IMBA)

The trail corridor

The trail corridor is usually at least twice as wide as the tread width, depending on the slope. The greater the slope, the wider the corridor due to the extent of the upper and lower batters, as illustrated in figure below.

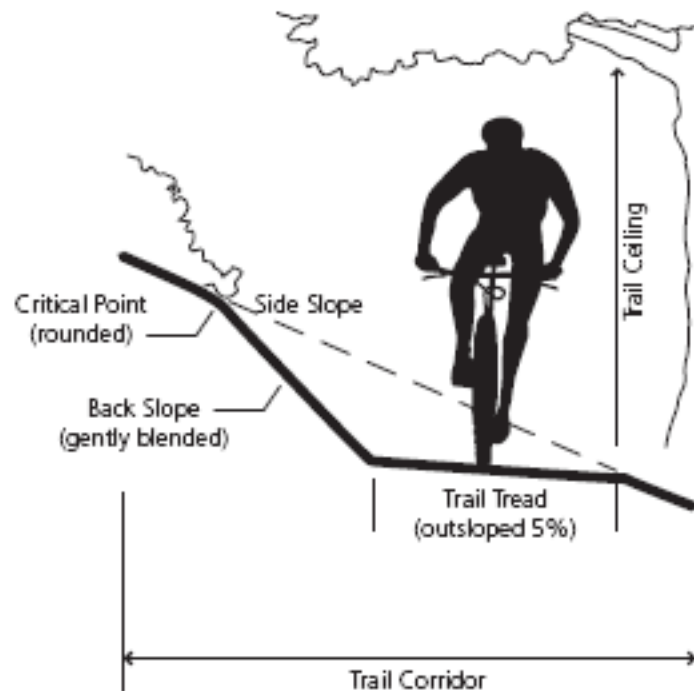


Figure 7: Trail corridor diagram (Source: IMBA)

For the purposes of determining the average trail corridor and therefore average extent of disturbance, the trail corridor for the Flow Track will be between 1m to 2.5m in width with an average width of 1.7m to be used for assessment purposes.

The trail surface

The surface of the trails can be either natural soil or an imported, surfacing material such as fine crushed rock.

The trail surface for the upgraded sections is intended to be natural soil, with compacted berms.

Surface water control

As part of achieving sustainable trails, diverting surface water is a high priority as running water will erode the trail and support structures and cause loss of sedimentation while standing water can result in wet boggy conditions.

This will be achieved by following the IMBA trail design and construction principles, which include the rolling contours concept, frequent grade reversals and grade or drain dips.

Examples of how these principles have been incorporated into the recently constructed link trail as part of the Stage 1B mountain bike trails are provided below:



Figure 8: Example of grade reversals and grade and drain dips



Figure 9: Example of drainage incorporated into the corners



Figure 10: Example of drainage incorporated into the corners

3.2.2 Construction Timing

The in-fill of the existing berms (corners) no longer required as part of the proposed works and where located on ski slopes will commence at the end of the mountain bike season and prior to winter (i.e. May 2017) with the new works programmed to commence immediately after winter and prior to the mountain bike season for 2017/18 commencing.

4. KEY MATTERS FOR CONSIDERATION

4.1 Fauna and Flora

A fauna and flora investigation and assessment of the subject site was undertaken to assess the biological environment and the potential effects on threatened and migratory species, endangered populations and ecological communities of the proposal.

This assessment was undertaken by Ryan Smithers, Senior Ecologist with Eco Logical Australia and included fieldwork undertaken February 2017.

The objectives of the investigation undertaken were:

- *identify the flora species and vegetation communities present in the study area, describe their condition and assess their conservation significance*
- *to identify the fauna habitats present in the study area and describe their condition*
- *to identify the fauna species which are present or likely to occur in the study area, and assess their conservation significance*
- *to assess the impacts of the proposal on vegetation, fauna, habitats, and other environmental features as necessary*
- *to make recommendations regarding any environmental management and impact mitigation/amelioration measures to limit the effects of the proposal on vegetation, fauna, habitats, and other environmental values as necessary.*

The flora and fauna assessment report, provided in full in Appendix C, provides the findings of a review of the relevant literature, database searches, as well as field survey and consultation with relevant agencies. It also addresses relevant statutory considerations associated with the proposal.

Field assessment and survey

The field assessment and survey identified thirty-eight (38) plant species, comprising of thirty (30) native species and eight (8) introduced species. No threatened flora species were detected within the study area.

Targeted fauna surveys during the survey period resulted in six (6) native and one (1) exotic fauna species being detected within or immediately surrounding the study area including three (3) mammals and four (4) birds.

The study area contains a limited range of fauna habitats given its small size and isolation of most of the tree islands from larger patches of contiguous vegetation. As such the study area provides only a small amount of habitat mainly for common and highly mobile native fauna species.

The proposal will not result in modifications to the hydrological environment nor will it create barriers which prevent the movement and dispersal of fauna species. Similar developments have been undertaken over the years within and in areas immediately adjacent to the study area, and elsewhere within the NSW Alps, with negligible impacts on the hydrological environment and associated ecosystems. Under these circumstances, the impacts of the proposal on fauna habitats are relatively minor and acceptable.

With regard to vegetation communities, three (3) vegetation communities were identified within the study area and immediate surrounds including Tall Alpine Heath with and without Eucalypts within Section 1 and Sub-Alpine Woodland within Sections 2-8 as well as Exotic Grassland.

The Section 1 trail upgrades works will occur within the Tall Alpine Heath with and without Eucalypts vegetation community which is very extensive in the alpine areas of NSW and not listed as an Endangered Ecological Community, whilst the Section 2 trail upgrades occur within Sub-Alpine Woodland which is also very extensive and not listed as an Endangered Ecological Community.

To mitigate the impacts on native vegetation, the proposal includes environmental offsets as set out below in Section 4.2 of this SEE.

Conclusion

An assessment of significance under Section 5A of the NSW Environmental Planning and Assessment Act, 1979 as required by the NSW Threatened Species Conservation Act, 1995 and Fisheries Management Act, 1994, in accordance with relevant assessment guidelines, was undertaken on those species and threatened communities known within the study area and immediate surrounds or with potential to occur there. The outcome of this assessment was that it is unlikely that the development would significantly impact on those threatened species assessed. A Species Impact Statement is therefore not required for the proposal.

Furthermore, an assessment of significance under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 was undertaken on those species and threatened communities known within the study area and immediate surrounds or with potential to occur there. The outcome of this assessment was that it is unlikely that the development would significantly impact on those threatened species or ecological communities assessed, and a referral to the Commonwealth Environment Minister is not necessary.

4.2 Environmental Offsets

To offset the removal of the vegetation within the tree islands or edge of the ski runs, where most of this vegetation has been planted or has naturally recruited after being originally removed, the proposal includes the implementation of a new management regime on the lower section of ski slope below the Cat Shed (referred to as 'the Rapids') as shown in figure 11 below, to preclude the current routine maintenance activity of slashing the heath vegetation on a bi-annual basis to allow for native vegetation to grow and recruit within this area.



Figure 11: 'The Rapids' ski run located below the Cat Shed to be set aside for a new management regime

The area to be offset has been mapped and covers 828m² as shown in the map provided in Attachment 2 of Appendix B. This allows for a 2:1 offset for 414m² of disturbance (net) of heath vegetation, notwithstanding that areas of the disturbance associated with the creation of the new sections of trail including its batters will be allowed to regenerate.

The aim of the new management regime is to allow for native vegetation to grow and recruit within this area to an approximate height of 500mm. The height of the vegetation in the area will be managed by cutting the vegetation using a combination of hand-held scrub cutters as and when required to maintain the 500mm height. This height has been determined to be the best compromise between operational requirements and the requirement to allow cover for any fauna traversing the site.

There are no plans to include any proposed planting in this area and to simply let the area naturally recruit. However, this does not preclude the potential to supplement the native vegetation in the future if it is shown during subsequent site inspections that there has been a significant decline in native vegetation cover.

To obtain baseline data to determine the number and type of species naturally regenerating; the percentage cover of native heath/grass vegetation and extent of weeds, field observations will be undertaken following winter (snow melt) and prior to commencement of works.

This will include undertaking a transect of vegetation to allow for ongoing monitoring.

4.3 Aboriginal Cultural Heritage

Previous archaeological studies for the ski slope area of Thredbo, which have included assessments undertaken by both Navin Officer Heritage Consultants Pty Ltd and NSW Archaeology Pty Ltd have found that there are no previously recorded Aboriginal sites located on or within the vicinity of the ski slope area.

These studies were included in the following reports:

- 'SEE for the Separation of the Crackenback Supertrail and World Cup Runs, Thredbo, URS Australia Pty Ltd, 2004'
- 'SEE for the Proposed Vegetation Removal, Ski Slopes, Thredbo URS Australia Pty Ltd, 2004'
- 'SEE for Proposed Works on the Tower 10 Ski Run, Thredbo, URS Australia Pty Ltd, 2005'

These studies have identified that due to the slope, orientation and exposure of the ski slope area, being generally steep with an exposed aspect and lack of sheltering tors, they are unlikely to have been favourable campsite locations. The majority of Aboriginal occupation sites are predicted to be on the valley floor in the Thredbo area.

None of the above field surveys identified the presence of Aboriginal objects or assessed the ski slope or adjacent areas as having archaeological potential for aboriginal objects.

To further ensure impacts on Aboriginal Heritage are limited, a condition of consent should be imposed requiring the developer to stop works and notify the Office of Environment and Heritage if in the unlikely event of undertaking the activity, an Aboriginal object is found.

5. ENVIRONMENTAL AND PLANNING LEGISLATION

5.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

5.1.1 SECTION 79C(1)(a)(i) – ENVIRONMENTAL PLANNING INSTRUMENTS

The only applicable Environmental Planning Instrument to the proposed development and site is State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007 (SEPP Alpine Resorts). The relevant clauses contained within SEPP Alpine Resorts are addressed below:

Clause 11 - Land Use Table:

The land use table for the Thredbo Alpine Resort specifies that ‘recreation infrastructure’ is permitted with consent. The proposed development is for the purpose of upgrading an existing ‘mountain bike trail’, which falls under the definition of ‘recreation infrastructure’ as provided below:

‘recreation infrastructure means infrastructure provided for the purposes of active or passive recreation for tourists, including walking trails, mountain bike trails, directional signage, cross country ski trails and oversnow routes’.

The proposed development is therefore permissible with consent.

Clause 14 - Matters for consideration:

Matter for Consideration	Response
Cl.14 (1) In determining a development application that relates to land to which this Policy applies, the consent authority must take into consideration any of the following matters that are of relevance to the proposed development:	
(a) the aim and objectives of this Policy, as set out in clause 2,	<i>The proposed development is considered to be consistent with the aims and objectives of the Policy as the development will provide upgraded and re-aligned trail sections whilst ensuring minimal environmental impacts.</i>
(b) the extent to which the development will achieve an appropriate balance between the conservation of the natural environment and any measures to mitigate environmental hazards (including geotechnical hazards, bush fires and flooding),	<i>The proposed development does not require any measures to mitigate environmental hazards that would impact on the conservation of the natural environment.</i>

<p>c) having regard to the nature and scale of the development proposed, the impacts of the development (including the cumulative impacts of development) on the following:</p> <p>(i) the capacity of existing transport to cater for peak days and the suitability of access to the alpine resorts to accommodate the development,</p> <p>(ii) the capacity of the reticulated effluent management system of the land to which this Policy applies to cater for peak loads generated by the development,</p> <p>(iii) the capacity of existing waste disposal facilities or transfer facilities to cater for peak loads generated by the development,</p> <p>(iv) the capacity of any existing water supply to cater for peak loads generated by the development,</p>	<p><i>The proposed trail upgrades will not generate or cause impact on the capacity of the existing transport, reticulated effluent management system, existing waste disposal facility or existing water supply.</i></p>
<p>(d) any statement of environmental effects required to accompany the development application for the development,</p>	<p><i>This Statement of Environmental Effects satisfies this sub-clause.</i></p>
<p>(e) if the consent authority is of the opinion that the development would significantly alter the character of the alpine resort—an analysis of the existing character of the site and immediate surroundings to assist in understanding how the development will relate to the alpine resort,</p>	<p><i>The proposed trail upgrades have been designed to improve the existing Flow Track and will not alter the character of the site or resort.</i></p>
<p>(f) the Geotechnical Policy—Kosciuszko Alpine Resorts (2003, Department of Infrastructure, Planning and Natural Resources) and any measures proposed to address any geotechnical issues arising in relation to the development</p>	<p><i>A Form 4 Certificate has been prepared by Asset Geotechnical and this will be submitted with the DA separately.</i></p>
<p>(g) if earthworks or excavation works are proposed—any sedimentation and erosion control measures proposed to mitigate any adverse impacts associated with those works,</p>	<p><i>Earthworks are required for the trail alignments, with the existing trails being rehabilitated. Excavation works for the footings for the overpass structure is also required.</i></p> <p><i>Sedimentation and erosion control measures as outlined in the SEMP provided in Appendix D will mitigate any adverse impacts associated with such works.</i></p>
<p>(h) if stormwater drainage works are proposed—any measures proposed to mitigate any adverse impacts associated with those works,</p>	<p><i>The proposed development does not incorporate any stormwater drainage works as the upgraded trails themselves will incorporate effective water diversion measures.</i></p>

<p>(i) any visual impact of the proposed development, particularly when viewed from the Main Range,</p>	<p><i>The revised trail sections will not generate any detrimental visual impacts, with the existing trail sections being rehabilitated.</i></p> <p><i>With the cross-over structure being re-located within the tree island and being made permanent, the existing temporary scaffold structure can be removed which will result in improved visual impacts.</i></p>
<p>(j) the extent to which the development may be connected with a significant increase in activities, outside of the ski season, in the alpine resort in which the development is proposed to be carried out,</p>	<p><i>The proposed trail upgrades are designed to improve the trail riding experience and therefore to achieve increased summer tourism.</i></p>
<p>(k) if the development involves the installation of ski lifting facilities and a development control plan does not apply to the alpine resort:</p> <p>(i) the capacity of existing infrastructure facilities, and</p> <p>(ii) any adverse impact of the development on access to, from or in the alpine resort,</p>	<p><i>The development does not involve the installation of a ski lift.</i></p>
<p>(l) if the development is proposed to be carried out in Perisher Range Alpine Resort:</p> <p>(i) the document entitled Perisher Range Resorts Master Plan, as current at the commencement of this Policy, that is deposited in the head office of the Department, and</p> <p>(ii) the document entitled Perisher Blue Ski Resort Ski Slope Master Plan, as current at the commencement of this Policy, that is deposited in the head office of the Department,</p>	<p><i>Not applicable.</i></p>
<p>(m) if the development is proposed to be carried out on land in a riparian corridor:</p> <p>(i) the long term management goals for riparian land, and</p> <p>(ii) whether measures should be adopted in the carrying out of the development to assist in meeting those goals.</p>	<p><i>All of the proposed works are located well away from any of the mapped riparian corridors, with Section 6, being located the closest to an unnamed creek at over 100m distance. See maps below.</i></p>
<p>(2) The long term management goals for riparian land are as follows:</p>	
<p>(a) to maximise the protection of terrestrial and aquatic habitats of native flora and native fauna and ensure the provision of linkages, where possible, between such habitats on that land.</p>	<p><i>Not applicable.</i></p>

<p>(b) to ensure that the integrity of areas of conservation value and terrestrial and aquatic habitats of native flora and native fauna is maintained,</p>	<p><i>Not applicable.</i></p>
<p>(c) to minimise soil erosion and enhance the stability of the banks of watercourses where the banks have been degraded, the watercourses have been channelised, pipes have been laid and the like has occurred.</p>	<p><i>Not applicable.</i></p>
<p>(3) A reference in this clause to land in a riparian corridor is a reference to land identified as being in such a corridor on a map referred to in clause 5.</p>	

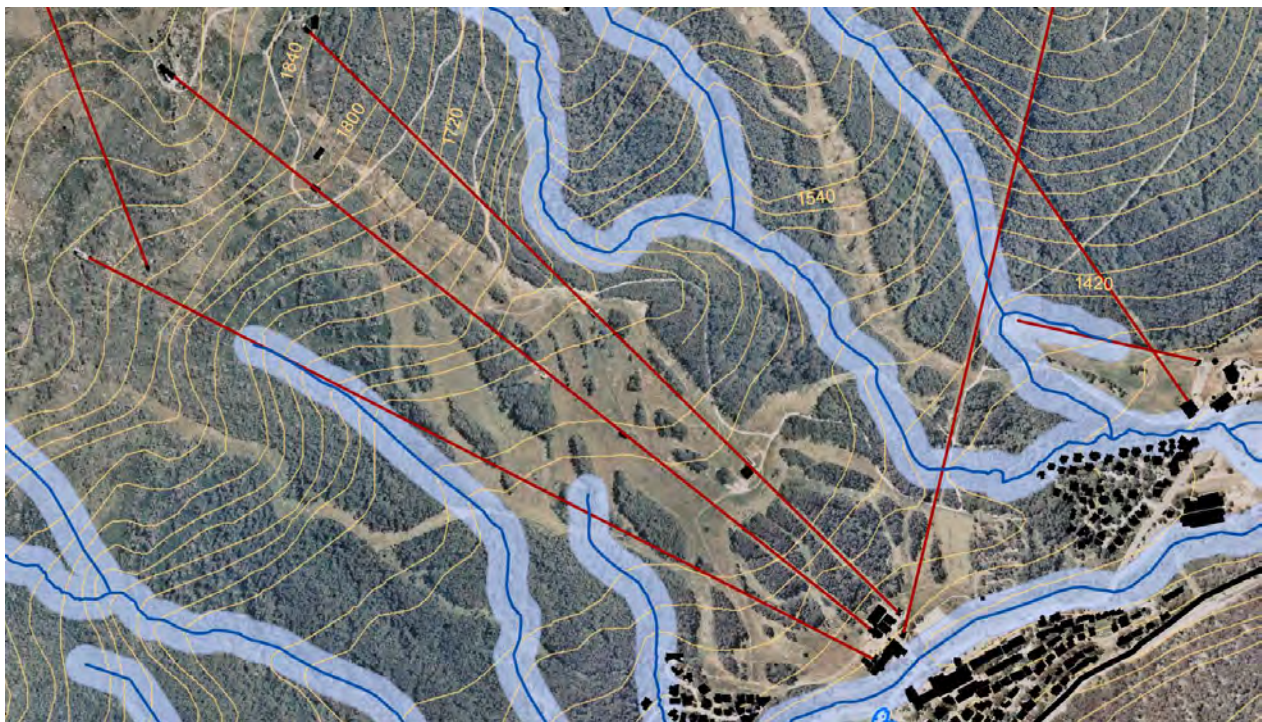


Figure 12: Riparian Corridor Map

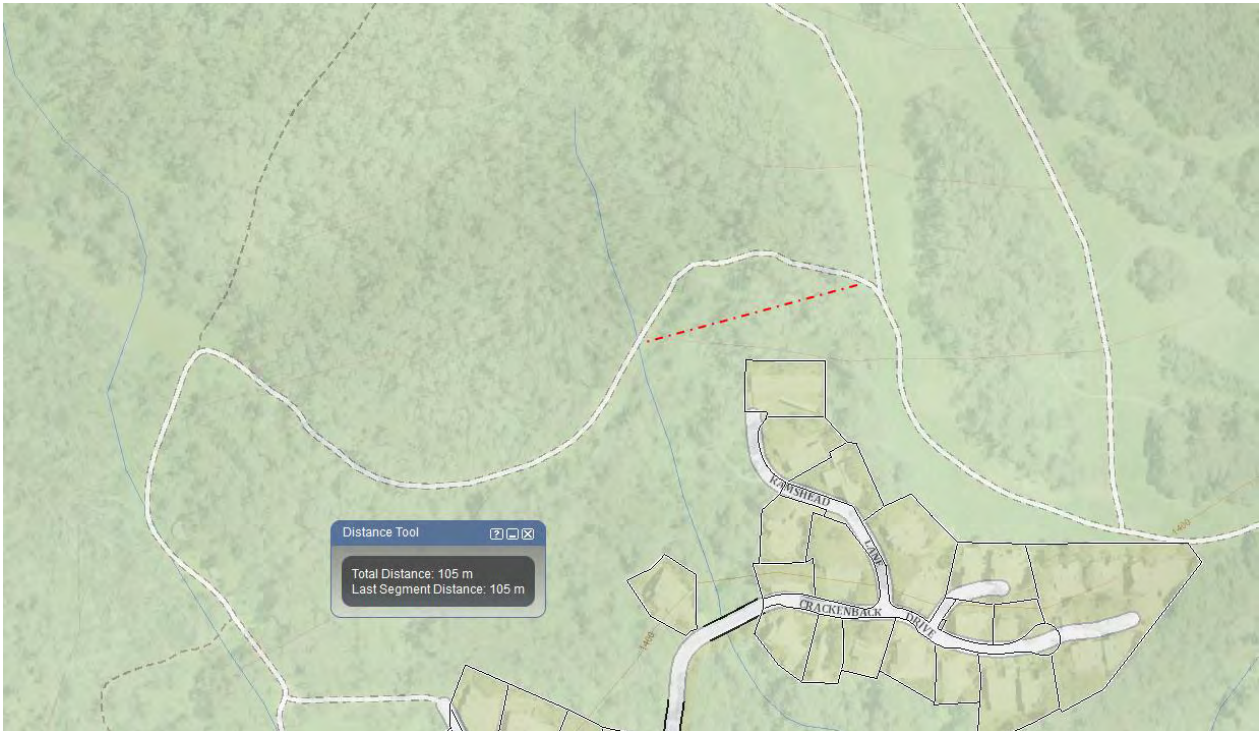


Figure 13: Distance of section of trail upgrade (Section 7) closest to a defined watercourse

5.1.2 SECTION 79C(1)(a)(ii) – DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft Environmental Planning Instruments that are applicable to the site or proposed development.

5.1.3 SECTION 79C(1)(a)(iii) – DEVELOPMENT CONTROL PLANS

There are no Development Control Plans applicable to the Kosciuszko Alpine Resorts under State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007.

5.1.4 SECTION 79C(1)(a)(iii)a) – PLANNING AGREEMENTS

There are no Planning Agreements applicable to the Kosciuszko Alpine Resorts under State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007.

5.1.5 SECTION 79C(1)(a)(iv) – REGULATIONS

The development application has been made in accordance with the requirements contained in Clause 50(1A) of the Environmental Planning and Assessment Regulation 2000.

5.1.6 SECTION 79C(1)(b) – LIKELY IMPACTS

Natural Environment:

The flora and fauna assessment provided in Appendix C, has concluded that the proposed development is unlikely to have a significant effect on threatened species, endangered populations, ecological communities, or their habitats and therefore a Species Impact Statement is not required.

Furthermore, the assessment concluded that the proposal is also unlikely to have a significant impact on matters of National Environmental Significance or Commonwealth land, following consideration of the administrative guidelines for determining significance under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

The likely impacts on the natural environment have therefore been comprehensively identified in the report and this SEE.

Built Environment:

The impacts on the built environment are expected to be minimal given the distance of the track upgrades works from the nearest tourist accommodation and the minimal disturbance of the activity which is relatively quiet and is already being undertaken on the track and within the resort.

Social and Economic impacts in the locality:

The social and economic impacts from the development are expected to be positive as the development will allow for the existing track to be upgraded, improving resort operations and guest experiences.

5.1.7 SECTION 79C(1)(c) – SUITABILITY OF THE SITE

The subject site is considered suitable for the proposed works, being located adjacent to existing mountain bike trails and ski slopes.

5.1.8 SECTION 79C(1)(d) – SUBMISSIONS

Not applicable.

5.1.9 SECTION 79C(1)(e) – THE PUBLIC INTEREST

The above assessment has demonstrated that the proposal satisfies the objectives and relevant clauses prescribed under State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007.

Consequently, the proposed development is considered to be within the public interest.

6. CONCLUSION

The proposed development has been considered in regard Section 79C of the EP&A Act, 1979 and State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007.

The proposal has been found to be consistent with the above legislation and Environmental Planning Instrument, as detailed in the above report.

Upgrades to the Kosciuszko Flow Trail are proposed to improve resort operations in both winter and summer and provide a better mountain bike experience.

To limit the impact the identified corners (berms) have had on winter operations, and the extent of maintenance required to dismantle and fill the berms in at the start and end of each season, the proposal is seeking to re-locate these corners into the adjacent tree islands or vegetation on the side of the ski runs.

This will also improve safety for both snowmobiles, grooming machines and skiers and snowboarders.

To remove the need to erect and dismantle the temporary scaffold structure that provides an overpass for the Kosciuszko Flow Trail and Cannonball Downhill Trail, a permanent structure is proposed within the adjacent tree island, which can be left in place during winter without interrupting or obstructing winter operations.

To offset the impacts associated with these works, the proposal includes undertaking environmental offsets in the form of implementing a new management regime on the lower section of ski slope below the Cat Shed (referred to as 'the Rapids') to preclude the current routine maintenance activity of slashing the heath vegetation on a bi-annual basis to allow for native vegetation to grow and recruit within this area.

Any associated impacts with the proposed works will be further minimised through the application of the measures identified in the Site Environmental Management Plan.

To ensure that all the environmental and associated legislation is complied with and fulfilled, the proposed development has been considered in regard to Section 79C of the Environmental Planning and Assessment Act, 1979 and State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007.

The proposal has been found to be consistent with the above legislation and relevant Environmental Planning Instrument, as detailed in this SEE.

On balance, the proposed development will generate positive social and economic impacts by improving resort operations in both summer and winter, improving the mountain bike experience and improving safety, whilst minimising impacts on the natural environment including flora and fauna.