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## **Submission by Kosciuszko Cross Country Skiers (KCros) in response to the Review of Environmental Factors (REF) for the Perisher Services Precinct Development Stage 2.**

Kcros is a special interest group with a primary focus on the issues of service and facilities for cross country (XC) skiers in Kosciuszko National Park. Our organisation has always had a cordial relationship with NPWS. We have always tried to find mutually agreeable solutions to any issues that have arisen.

KCros has been involved in discussions about this proposal with the Municipal Services Unit (MSU) since the end of July this year. We have been unable to come to an agreement about the proposed site for the Waste Transfer Station (WTS) and the Parks Workshop. We acknowledge that a number of suggestions have been made to mitigate the effects of the development. However, we feel strongly that the negative effects of the proposal far out way these suggestions. We agree that something needs to be done about rubbish collection and removal in the Perisher area. We strongly disagree with the proposed site.

Our submission outlines our objections to the proposal, the consultation process and the approval process. It also details the errors, inconsistencies and omissions we have found in the REF (*in italics*). An alternative proposal is suggested.

### **Objections to the proposal**

The combination of oversnow vehicles, road traffic and buildings will change what is currently a quiet, generous, natural area into an urban industrial zone. Several sections of the REF understate the impact of the proposal.

*Section 6.16 (p51) of the proposal discusses Recreational Values of the area. Here the impact of the proposed development is described as minor. The discussion is confined to the effects of the placement of the buildings and minimizes their impact. It does not include any of the effects associated with its use, such as noise, traffic and pollution. In Section 7.3.2 of Community Impacts (p80), the likely impact on recreational values is described as high positive. Again this totally ignores effects associated with its use, on XC skiers, nearby guest and staff accommodation and other services in the precinct.*

**a) Oversnow vehicle access for the WTS and Workshop creates conflict between skiers and vehicles.**

The oversnow route for vehicles carrying rubbish and accessing the workshop will intersect with the main access route for XC skiers to the Nordic Shelter and trails. We have great concern about the potential for an accident, especially in bad visibility, and with the change in snow conditions as skiers move from the XC track to the oversnow route. The XC route is on a hill and skiers pick up considerable speed as they head to the car park. The REF states that stop or giveaway signs will be erected for traffic. These signs are often ignored on the road, and this can be expected to happen here. The danger is greater for children and people new to the area. Interschools race events are of particular concern with many young visitors unfamiliar with the Nordic trails, resulting in an increased risk of injury which could lead to legal action.

**b) Location of the WTS encroaches on the XC racing and learners loop.**

XC skiers will lose approximately 6 m of a beginners/sprint track. The oversnow route for skidoos and other vehicles bringing rubbish to the WTS will cut off approximately 6 metres of the hill at the bottom of the beginners/sprint loop, pushing the track into a boggy area. There is a plan to put some fibreglass mesh over this wet area to catch the snow but this is untried as yet. It has also been suggested that the track can be restored for race week. However for the rest of the season, the hill which is used by all levels of skier, from beginners to racers using the bank to negotiate the corner, will be an oversnow road.

**c) Location of the WTS and Workshop introduces vehicle and operational noise and air and snow pollution**

The oversnow route referred to in the above paragraph will be right next to the XC ski track, separated by a snow fence, bringing the noise and air pollution of the vehicles within a few feet of skiers. One of the attractions of XC skiing is the opportunity it provides to ski in a pristine environment which is quite removed from the noise and hustle and bustle of a ski resort. All the oversnow vehicles we see around the resort are noisy, emit engine fumes and many drop oil. The proposed WTS site brings all this pollution right onto the XC doorstep.

It also introduces the machinery noise of a WTS. The WTS will have automatic doors, a compactor, machinery to move bins and large trucks coming up an all weather loop road to remove rubbish. The noise will have a substantial impact and can be expected to worsen as the facility ages.

*We believe the proposal ignores the impact of noise associated with the development on XC skiers. In section 7.1.6 of Community Impacts (p65), the impact of noise is described as low negative. There is a brief discussion of the impact on staff and guests at the hotel. XC skiers are much closer to the facility and are not mentioned at all. The results of the*

noise assessment that was undertaken in August are still not available at the time of printing this submission.

**d) Location of the WTS introduces wind-blown rubbish and bad odours.**

*It seems it will be very difficult to ensure no rubbish escapes, and to prevent any bad odours. Again in section 7.1.6 of Community Impacts (p68), the impact of odour is described as low negative. We believe this is an understatement. We can expect less odour in winter than in summer. However in winter rubbish is planned to be removed from the facility from between every 2 days to twice a week (p68). We can expect that rubbish will be brought to the facility in varying states of decay, and that there will be vents in the WTS for the comfort of staff and users. This must result in odours in the vicinity of the building. In the same section (p67) it is stated that the prevailing winds will push odours (and presumably escaped rubbish) in the direction of the XC bowl!*

The facility is proposed to operate all year round. In summer the situation will be far worse for the area. In recent meetings the MSU has indicated that, in summer, doors to the facility will be kept open during the day to allow odours to escape and make the climate within the WTS bearable. This can be expected to have more than a low negative effect on residents in the precinct, such as the Fire Station which is staffed all year round. The proposed new village development will provide more all year round potential for the resort. However with a WTS right next door, this becomes less attractive.

We also object to the location of the workshop and the western leg of the loop road as they reduce access to the XC zone and funnel skiers into the boggy area. Although earth works are planned to raise the XC access route in this area, we are concerned that in the thaw and marginal snow conditions, the proposed access will not be skiable. In the extremely heavy rain event in the middle of this season, the area was a torrent.

**e) Justification for site choice**

The site selected for the WTS is one of many suggested in the URS 2004 study. On 17 September this year, NPWS MSU held a workshop for interested parties to examine all of these sites. A site selection matrix was presented (see Appendix A).

Although not part of the REF, the table was used to justify the choice of the site. It sets out the selection process that the MSU used to arrive at the decision. The proposed site scored highest of 11 sites studied. However in our opinion, the proposed site has been overscored, and other sites underscored.

The south side of the services precinct is the proposed site. Its score for construction costs, operational environmental impact and conflict with skiers/pedestrians are all overstated (a high score indicates suitability). It seems the extra cost of \$1.2m for the access loop road has not been considered here. Likewise impacts such as noise are shown to be minor, and the risk of accident between a skier and oversnow vehicle is not given the rating it deserves.

Even without examining the scoring of other sites, lowering the scores for these elements (i.e. increasing their importance), brings other sites into contention. When you reduce the importance of a snow/road interface, other sites become even more viable.

The location of the WTS at a snow/road interface was given a lot of weight because of the use of oversnow vehicles for collection and delivery of waste from South Perisher Lodges. The maximum volume of delivery oversnow is a small proportion of the total of Perisher, Charlottes Pass and Smiggins waste for approximately six weeks in winter. There is already a plan in place to collect this rubbish when the snow depth is not viable for oversnow vehicles. “Trailer mounted bins will be placed at nodal points within Perisher Valley to allow delivery of waste and recyclables by premises and then road transport from these points to the WTS by NPWS” (p23). If this can be done in periods of low snow, why not all the time? *Another factor that is not being given any weight is the increasing unreliability of snow falls, as our climate warms. It seems very unrealistic to ignore this and choose a site for the WTS because of a need for oversnow access.*

Another alternative to oversnow access, which we recommend, is kerbside collection with a multi mode vehicle. This then allows consideration of other sites which were rejected because of lack of snow access. Our preferred site is next to the existing vehicle storage shed at Smiggin Holes. The Purdon proposal gives some detail of how this site might work, and of an appropriate multi mode vehicle. The following advantages for this site are from the Purdon proposal p9:

- No impact on x-c or downhill skiing
- Availability of site adjacent to existing “industrial “ structure
- Sealed road access
- No problems from RTA with site access
- Minimal habitat damage
- The site is serviced with power, water and sewer
- Only about 5kms round trip from ski tube site
- No need for temporary waste storage bins in Smiggins
- Not visually prominent
- No significant impact on traffic flow through Smiggins
- Transfer from Guthega via link road during off-season

Other sites may also work well, have little negative impact and be cheaper than the proposed site, once the use of a multi mode vehicle is considered.

**f) Negative impact on guests at The Man from Snowy River Hotel, and Perisher staff staying in staff accommodation**

The oversnow traffic route to the WTS passes between guest rooms at The Man and Perisher staff accommodation. This area will have to be groomed to carry oversnow vehicles. The traffic noise and smell of these vehicles will be right outside guest and staff bedrooms.

Guests will look on to the WTS and workshop and their activities. The noise assessment mentioned above is an important step in examining the impact on this area and is still unavailable.

*In 7.3.3 of Community Impacts, the effect on property values is rated as low positive. The Man is not mentioned. With oversnow traffic right outside guests' bedrooms, this rating seems very optimistic.*

#### **g) Negative impact on other services in the precinct**

There will also be a negative impact on other services in the precinct. The current site was originally designated the emergency services precinct. The ambulance station, fire station and church are all built here. The name of the area has been changed to services precinct. We argue waste services are entirely different to the other services in the area and it is very inappropriate to put them together. There will be a negative impact on these other services, some of which have all year round accommodation for employees – impacts of noise and smell and the proximity of the loop road which will be used by rubbish removal trucks.

*Again, this impact is ignored in the REF. In 7.3.1 of Community Impacts (p80), the effect of the proposal on community services and infrastructure is rated medium/high positive. The discussion ignores the above negative impacts and says that the loop road will consolidate access to these services. They already have all-weather road access. They have no need of the loop road.*

#### **h) Environmental Issues**

There are also environmental issues which concern KCros. The nearby creek environment is only some 4.5 metres from the WTS and the high quality EEC plant community even closer. The biological impact on moss and fern community is stated in the REF as low negative even though it involves complete removal of 110 sq m! The REF suggests a raft of controls to protect this environment during construction. We would like to know who will administer these controls, and whether or not they are practical. We are concerned about how these controls will be policed without a DA process and independent Certifying Authority.

We are also concerned about how the nearby environment is to be protected once the facility is in use. *In 7.1.2 of Physical and Chemical Impacts there are inconsistencies. On p62 the risks to a water body, water course, wetland or natural drainage system are rated as low negative, but in the discussion of reasons, the risks to hydrology and water quality are considered moderate to high, but manageable. This has the effect of obscuring the risks. The water from the nearby creek flows into the Snowy River. Section 6.11 (p49) details the catchment values of alpine rivers which are nationally significant. As above we are concerned about about how these controls will be policed without a DA process and independent Certifying Authority.*

**i) Lack of community consultation**

XC community consultation prior to 2010 has been minimal, as has consultation with other stakeholders (see Appendix F of the REF – Stakeholder Consultation Summary). KCros has only been involved in consultation from late July this year.

Section 5.1, Stakeholder and Community Consultation (p35), states “The proponent has informed and consulted with the local community and stakeholders during the planning phase of the Perisher Services Precinct development to obtain feedback on and input into the proposed development”.

We argue that consultation has occurred far too late in the development of this proposal. While consultation has emphasised informing the community, we acknowledge that the MSU has listened to our views and made attempts to mitigate the effects of the proposal. However, there is widespread dismay in the XC community that we were not involved earlier in discussions when we may have had input into methods of rubbish collection and removal, and the actual choice of site.

**j) Architectural concept.**

The design of the WTS and the Workshop do not contain adequate contextual elements to relate to other buildings in the services precinct. The very small use of local stone compared to their neighbours is particularly obvious. The high proportion of custom orb colorbond steel has little harmony with the stone facades nearby and does little to reduce noise leakage from the building.

Because we did not have the noise assessment at the time of submitting this document, we estimate that the noise level generated within the WTS is likely to be in excess of 110 DBA. The proposed wall construction would reduce the level to 90 DBA outside the building. The acceptable noise level in this environment would 50 DBA. A reduction of 60 DBA even with walls with a greater use of masonry is doubtful.

**k) Process of determination**

The proposal is not being determined in the best public interest and with desirable transparency as it would be under the Alpine State Environmental Planning Policy (SEPP). As an application by the Crown the Waste Transfer Station would require consent and the publication of an Environmental Impact Statement (EIS) under this SEPP [Clause 25 (2) (c)]

The NPWS has chosen to bypass this process using the Infrastructure SEPP to determine the application under part 5 of the EP&A Act with the publication of this REF. Although the proposal will be assessed by the Environmental Protection and Regulatory Group of DECCW we believe it to be a self assessment process.

Any challenge to the approval which may bring the application to the Land and Environment court available through the EIS process does not exist with the path chosen. The matter could only go to the Land and Environment court on legal grounds, not on the basis of the planning decision.

We object to the process as it avoids proper scrutiny and independent assessment. The previous approval for sewerage works for the three buildings under a separate REF, and the completion of this work in May 2010, reinforces the impression that the approval process is in-house and the result a forgone conclusion.

### **1) Ecological sustainable development**

The REF states that an objective of the Department of Environment, Climate Change and Water is to ensure that service developments are completed in an ecologically sustainable manner (p 10). This is at odds with some statements within section 7 (Impacts) of the REF.

Principle (a) the Precautionary principle, says in regard to threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent degradation. Biological impacts (p72), states that the sites are potential Endangered Ecological Communities areas and (p 74) potential habitat for the Broad-toothed Rat. These statements of lack of knowledge surely contradict the objectives of the Precautionary Principle

### **Conclusion**

Our submission outlines our objections to the REF. The negative impacts are not just confined to XC skiers, but affect Perisher staff, guests staying at the Man from Snowy River hotel, staff at the Ambulance and Fire Stations, the church, the environment and the proposed new village development.

Because of these wide ranging negative effects, the lack of timely consultation and the in house nature of the approval process, we argue that:

- 1) The approval and construction process should be halted,
- 2) An independent review be conducted of all sites for the WTS and Workshop,
- 3) This review investigates methods of integrating kerbside collection, waste transfer and processing that removes waste from the central area of the resort,
- 4) The Purdon proposal be included in this independent review,
- 5) Kerbside rubbish collection for the small number of snow bound lodges, using a multi mode vehicle, is given serious consideration,

- 6) Community and stakeholders are involved in this process from the start,
- 7) When sites for both the WTS and Workshop are chosen, the plans are subject to an external review process that includes an Environmental Impact Statement.

There is a valuable opportunity here to find a solution that is acceptable to all parties, and which is likely to cost less.

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