

## UNDERTAKING

### Section 9.5 Environmental Planning and Assessment Act 1979

#### Undertaking

1. This is an undertaking given under section 9.5 of the *Environmental Planning and Assessment Act 1979* (NSW) (**EP&A Act**) by Snowy Hydro Limited (ACN 090 574 431) (**Snowy Hydro**).

#### Person giving the Undertaking

2. This undertaking is given to the Planning Secretary, NSW Department of Planning and Environment (**Planning Secretary**) by Snowy Hydro for the purposes of section 9.5 of the EP&A Act.

#### Background and Context

3. Snowy Hydro is the proponent of the pumped hydro project known as Snowy 2.0 (**Project**), which will expand the existing Snowy Mountains Hydro-electric Scheme with a new underground power station in the Kosciuszko National Park (**KNP**).
4. On 20 May 2020, the former Minister for Planning and Public Spaces granted Critical State Significant Infrastructure Approval No. CSSI 9687 (**CSSI-9687**) which authorises the construction and operation of the Snowy 2.0 Main Works. CSSI 9687 has been modified on two occasions.
5. In part, CSSI-9687 permits the construction of a 17 kilometre tunnel (the **Head Race Tunnel**), which will ultimately connect the Talbingo and Tantangara Reservoirs to the new power station. The Head Race Tunnel is accessed via an Adit and Portal situated at the eastern end of the Project at Tantangara.
6. Snowy Hydro has entered into an Engineering, Procurement and Construction Contract with Future Generation Joint Venture (**EPC Contractor**) in respect of the Project.
7. In March 2022, the EPC Contractor commenced tunnelling works for the Head Race Tunnel, using a tunnel boring machine known as TBM Florence.
8. On 15 December 2022, the TBM Florence was progressing along the approved tunnel route under CSSI-9687 when a surface depression formed above the position where TBM Florence had been tunnelling.
9. The surface depression formed approximately 10 metres outside of the boundary of the construction envelope under CSSI-9687 (although the location of the TBM Florence underground is within the approved tunnel route), and has a diameter of approximately 8 m and a depth of approximately 5 m.

10. The surface depression was the unintended outcome of the operation of the TBM Florence by Snowy Hydro's contractor.
11. In August 2023, Snowy Hydro lodged an application with the NSW Department of Planning and Environment (**Department**) seeking approval to modify CSSI-9687 to facilitate the rehabilitation of the surface depression and undertake the ground consolidation works from the surface, if required (**MOD 2**). The works the subject of MOD 2 would be undertaken outside the currently approved construction envelope under CSSI-9687 and therefore MOD 2 sought to modify the approved construction envelope accordingly. MOD 2 was approved by a delegate of the Minister for Planning and Public Spaces on 29 November 2023 and the estimated value of the works the subject of MOD 2 is \$100,000.
12. In light of the formation of the surface depression within the KNP, Snowy Hydro has agreed to give an undertaking to the Planning Secretary to make a financial contribution to the National Parks and Wildlife Service (**NPWS**) Alpine Hut Rebuilding Programme. An explanation of the NPWS Alpine Hut Rebuilding Programme and the Alpine huts which are proposed to be rebuilt using the monetary contribution from Snowy Hydro is set out in Schedule 1.

#### **Commencement of Undertaking**

13. This undertaking comes into effect when:
  - a. it is executed by Snowy Hydro, and
  - b. the executed undertaking is accepted by the Planning Secretary or delegate.

#### **Undertaking**

14. Snowy Hydro undertakes on acceptance of this Undertaking to contribute a total sum of \$300,000. to the NPWS to be applied towards completing the rebuild of the five huts specified in the NPWS Hut Rebuilding Programme – see Schedule 1 for further details.
15. The contribution referred to in paragraph 14 will be payable by Snowy Hydro to NPWS within 21 days of receipt of an invoice from NPWS indicating that the contribution is payable with respect to the NPWS Hut Rebuilding Programme.
16. Snowy Hydro will provide evidence of the above payment to the Department within 14 days of the payment being made.

#### **Acknowledgements**


17. Snowy Hydro acknowledges that:
  - a. the surface depression occurred within the KNP outside of the construction envelope approved under CSSI-9687, despite the TBM Florence following the approved route under CSSI-9687;
  - b. the Department may make this Undertaking publicly available including by publishing it on the Department's public register of 9.5 undertakings on its website;
  - c. the Department may from time to time, make public reference to this Undertaking.

## Execution

Executed as an undertaking which may be enforceable by the Planning Secretary under section 9.5 of the EP&A Act.

Executed by **Snowy Hydro** in accordance with section 127 (1) of the Corporations Act 2001.

### Signature of Director

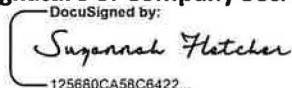
  
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Dennis Barnes

### Date:

22 December 2023 | 09:55 AEDT

### Signature of Company Secretary


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Suzannah Fletcher

### Date:

22 December 2023 | 09:27 AEDT

Accepted by the Secretary of the Department of Planning and Environment pursuant to section 9.5 of the Environmental Planning and Assessment Act 1979 (NSW).

  
Secretary or Delegate

Name *David Cashford*

Date: *16 January 2024*

## **Schedule 1 NPWS ALPINE HUT REBUILDING PROGRAMME.**

### **Background**

In the 2020 bushfires, many alpine huts were saved due to the efforts of firefighters, but unfortunately 10 huts in Kosciuszko National Park (KNP) were burnt to the ground (Delany's, Sawyers, Four Mile, Happy's, Brooks, Round Mountain, Bradley/O'Brien's, Vickery's, & two Linesman Huts) and Harvey's hut was damaged.

### **Significance of Project**

The huts of KNP, together with the other huts across the Australian Alps are of outstanding national heritage value/significance and as a group the huts of KNP are of state heritage significance for their historic, aesthetic and social values. The huts are an integral part of the cultural landscape of KNP -demonstrating past land uses, travel, communication practises, past times and land uses and continue to be used today by people (walkers, riders and skiers) visiting KNP.

After the loss of huts that occurred in the 2003 bushfires, changes to heritage conventions enabled the option of rebuilding huts as a way of retaining social significance. That is, even though the fabric is gone, huts can be rebuilt to retain people's connections with the place - from the families that built and lived in them to current caretakers and people who use them for recreation. Involving people in the rebuilding also enables heritage building techniques like splitting slabs with a maul & froe and log cabin construction to be taught to the next generation and keep these skills alive.

### **Scope of Project**

The rebuilding program for the huts lost in the 2020 bushfires initially began in 2020 with recording the impacts, followed by insurance discussions and planning. Building on ground commenced in March 2022 with NPWS builders being assisted by family descendants of those that built and used the huts as well as volunteers from the Kosciuszko Huts Association. Fire resistant strategies have been included in the design of the rebuilds including sprinklers and treating timbers with retardant.

Sawyers Rest House, Delany's, Matthews (Kiandra) and Vickery's Hut have now been rebuilt, and rebuilding of Bradley & O'Brien's Hut is currently underway.

### **Need for additional funding.**

Funding to date has largely come from fire insurance however increased costs, particularly for building materials has led to a shortfall in funds.

Funding to be provided by Snowy Hydro pursuant to this undertaking will be applied towards completing the rebuild program planned for Four Mile, Happy's, Round Mountain and the two Linesman's Huts on 15 Mile Ridge. Planning has commenced for these five huts, with works due to commence on Four Mile after Christmas 2023. Work on these five huts is expected to be completed by the end of 2025.