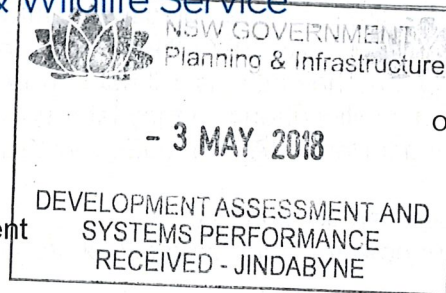




Mr Mark Brown
Senior Planning Officer
Alpine Resorts Team
Department of Planning and Environment
Jindabyne NSW 2627



Our reference: DOC18/256538
EF18/5930

Dear Mark,

**DA Referral – Alterations and additions, Kunapipi Ski Club, Perisher.
DA 9258**

I refer to the above development application (DA) forwarded to the Office of Environment and Heritage (OEH) for provision of comments in accordance with *State Environmental Planning Policy (Kosciuszko National Park - Alpine Resorts) 2007* (SEPP). OEH have reviewed the information supplied and provide the following comments.

Flora and Fauna

The proposed works include the installation of a new deck however the site is a previously disturbed area surrounded by exotic vegetation.

To assist in minimising impacts to flora and fauna OEH recommend the following:

- If straw bales are to be used for mulching or sediment and erosion control, then they must be certified as 'weed free'.
- Sediment and erosion controls must be regularly checked and maintained.
- If excavations are left open overnight then fauna egress provisions must be included.
- Stockpile sites, including materials storage areas, parking and waste management (skip bins) must not impact on native vegetation.
- All rehabilitation works must be conducted as per the, "Rehabilitation Guidelines for the Resort Areas of Kosciuszko National Park" (DECC 2007).

No vegetation clearing is proposed, however OEH should be consulted if native vegetation clearing is required by the NSW Rural Fire Services to fulfil the Standards for Asset Protection Zones (APZ). Prior to the removal of any native vegetation, the Proponent must contact the NPWS Assessment Coordinator on 02 6450 5543, to arrange for an onsite inspection.

Aboriginal Cultural Heritage

In terms of Aboriginal cultural heritage, OEH have reviewed the information provided and note that the proponent has not addressed the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010).

Whilst they have stated that "there are no specific areas of known or potential Aboriginal heritage and archaeology in or around the site", it is not clear how they reached this conclusion and if the Due Diligence Code was followed.

To assist Proponents in fulfilling their legislative obligations through use of the due diligence, OEH have developed a guidance sheet, please see attached. In addition, it should be noted that "the *National Parks and Wildlife Act 1974* (NPW Act) provides that a person who exercises due diligence in determining that their actions will not harm Aboriginal objects has a defence against prosecution for the strict liability offence if they later unknowingly harm an object with an Aboriginal Heritage Impact Permit (AHIP)" (DECCW 2010).

The Due Diligence Code can be found at:

<http://www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf>

Whatever determination is reached, through using the Due Diligence Code, should be documented with specific reference to the Code and submitted to the Department of Planning.

OEH are happy to assist the Proponent in answering any questions they may have on how to conduct their due diligence. Please contact the Assessment Coordinator on 6450 5543.

Municipal Services

OEH recommends the following conditions are added to any approval that may be granted to address the plumbing and drainage works that will be associated with the laundry, bathroom, and ensuite works:

1. All plumbing and drainage work carried out must comply with the Plumbing Code of Australia and Australian Standard AS/NZS 3500.
2. All plumbing and drainage work must be completed by a person holding a NSW licence, qualified supervisor certificate or tradesperson certificate.
3. The following documents must be submitted by the plumber and drainer to the NPWS Perisher Team at the required stages of work:
 - Notice of Work before work commences.
 - Certificate of Compliance (CoC) and Sewer Service Diagram (SSD) on completion of works.

Leasing

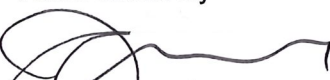
The works are permissible under the existing lease. OEH notes that, 'The proposal does not propose any increase in maximum accommodation levels approved for the lodge', however any proposed changes to the storage of 'Beds' (change to bed numbers/configurations) on the premises requires an inspection and OEH's consent under Clause 6.1.1 of the Lease.

Heritage Conservation

Kunapipi is not identified as having heritage conservation significance.

If you have any further enquires please contact the Assessment Coordinator, Bec Owen on 02 6450 5543.

Yours sincerely



Tania Ashworth
Team Leader
Resorts Environmental Services Team
03 May 2018