



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

Our reference: DOC19/11501
EF18/48042

Dear Mark,

**DA Referral – Bistro terrace roof and internal alterations, Thredbo Alpine Hotel,
Thredbo
DA 9785**

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). In providing these comments consideration has been had to the *National Parks and Wildlife Act 1974*, the *Kosciuszko Plan of Management (2006)* and the *Biodiversity Conservation Act 2016* (BC Act) and any other applicable legislation.

1. Flora and Fauna

- 1.1 The development area is a previously disturbed site and the works are to an existing building.
- 1.2 The DA proposes no native vegetation impacts and no excavations.
- 1.3 The DA does not directly address the BC Act and why this DA may not require consideration of the act including demonstration that the Biodiversity Offsets Scheme (BOS) is not triggered.
- 1.4 OEH considers that the BOS is not triggered for this DA. As best practice, and to assist in timely assessment of DAs, proponents should demonstrate in their DA that the BC Act has been considered including all potential BOS triggers.
- 1.5 If the works are conducted as proposed in the DA and in conjunction with the following recommendations, then there should be minimal impacts on native fauna and flora:
 - (i) As proposed in the Site Environmental Management Plan all stockpile sites, materials storage areas, parking and waste management (skip bins) must not impact on native vegetation.
 - (ii) All waste management receptors must be able to be covered to ensure waste cannot blow away or must be emptied or removed from site each day.
 - (iii) Imported gravel/materials must be free from weeds and pathogens and the use of soil stabilising agents is not permitted without OEH endorsement.

2. Leasing

- 2.1 The works proposed are permissible under the Head Lease held by Kosciuszko Thredbo Pty Ltd.
- 2.2 Lessor's Consent under the lease will be considered separately.

3. Aboriginal Cultural Heritage

3.1 As long as the works do not involve ground disturbance or tree removal then Aboriginal Cultural Heritage Due Diligence is not considered to be required.

4. Heritage Conservation

4.1 The DA has been reviewed by the NPWS Historic and World Heritage Team as the Thredbo Alpine Hotel is listed as a heritage item on Schedule 3 of the SEPP. The proposed works are considered to respect the existing features of the hotel.

5. Public Health

5.1 Just as a courtesy, OEH would like to advise the applicant (not a consent condition recommendation), that the premise must operate in compliance with the *Smoke-free Environment Act 2000*. Relevant sections of the act that may be applicable include:

- (i) smoking is not permitted within 4 metres of an entry to or exit or a licensed premises or restaurant; and
- (ii) adequate 'no-smoking' signage must be displayed in the outdoor dining area.

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

Yours sincerely



Mick Pettitt
Director
Southern Ranges Branch
16 January 2019