



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

Our reference: DOC20/1037021
EF20/31935

Dear Mark,

**DA Referral – Resorts Operations Centre & Associated Infrastructure,
Selwyn Snow Resort
DA 10647**

I refer to the above development application (DA) forwarded to the National Parks and Wildlife Service (NPWS) 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* (KNP PoM) and the *Biodiversity Conservation Act 2016* (BC Act) and any other applicable legislation. Accordingly, I suggest that the following should be considered by the Department of Planning, Industry and Environment (DPIE) in its assessment.

1. Leasing and KNP PoM

1.1 NPWS Property and Commercial Team have provided the following comments:

- (i) Development of this facility is considered permissible under the existing lease.
- (ii) Lessors consent is considered to be required under clause 9.2 of the Selwyn Lease. Given that NPWS has been fully engaged with the rebuild plans this would satisfy any consent provision requirement.
- (iii) Access for NPWS and contractors along Kings Cross road must be maintained during construction.
- (iv) Please contact Karen Field for any leasing enquires on 02 6450 5540 or karen.field@environment.nsw.gov.au

1.2 We note that Selwyn is in process of implementing a new Environmental Management System (EMS) in consultation with NPWS and as per section 10.5.1 of the KNP PoM.

1.3 The works otherwise appear consistent with other relevant provisions of the KNP PoM including section 10.2 (Alpine Resorts Management Units), section 10.5 (Selwyn Management Unit), section 11.6 (Environmental Quality) and chapter 8 (Recreation).

2. BC Act

2.1 Consideration by the proponent of the BC Act has been demonstrated. NPWS concurs that the development does not trigger the Biodiversity Offset Scheme (BOS).

3. Protection of native vegetation, fauna and fauna habitats

3.1 We note that the majority of the proposed works are in previously disturbed areas and that mitigation actions have been proposed to reduce impacts. NPWS recommends the following measures in order to assist in minimising any impacts of the proposed development:

3.1.1 Native vegetation and rock removal

- (i) All vegetation and rocks required for removal must be clearly marked.
- (ii) The disturbance corridor must be clearly marked prior to works commencing and regularly checked and maintained.
- (iii) All vegetation and rocks should not be felled/removed in a manner which damages other surrounding vegetation.
- (iv) All vegetation removed must either be cut into smaller pieces to be used for rehabilitation, placed into adjoining native vegetation without damage or it must be removed from site completely.
- (v) All trees and rocks must be checked for fauna habitats and fauna by the nominated project Environmental Officer immediately prior to felling/removal. Trees with active nests should not be removed until the young have left the nest. If fauna is present, then the proponent must contact NPWS to assist with mitigation actions.

3.1.2 Trenching

- (i) If trenches are left open overnight, then fauna egress provisions must be included.
- (ii) The revegetation of all trench lines must be monitored and maintained until they are stabilised.
- (iii) Sod replacement must be used where possible.
- (iv) If sod replacement does not achieve rapid stabilisation and revegetation in some areas, or is not suitable for an area, then follow up rehabilitation of the site with native species is required to achieve an erosion resistant state.

3.1.3 SEMP information including Machinery, Materials and Soil and Waste Management

- (i) The SEMP should be updated to include all applicable mitigations measures including hygiene protocols, stockpile locations, spill kit location etc.
- (ii) To minimise weed vectors and other quarantine issues, all machinery used during construction must be cleaned prior to entry into the park and prior to site mobilisation to ensure the machinery is free of mud and vegetative propagules.
- (iii) All materials and equipment, including staging areas, must be stored in the carpark.
- (iv) All machinery should be stored in the existing carpark when not in use.
- (v) All stockpiling is to be in accordance with the 'Soil Stockpile Guidelines for the Resort Areas of Kosciuszko National Park, 2017.
- (vi) Operations must be limited in wet weather and should not occur if access or works will cause additional environmental impacts.
- (vii) Erosion and sediment control measures must be regularly checked and maintained.
- (viii) All straw bales used for sediment and erosion control must be certified as weed free.
- (ix) All waste management receptors must be able to be covered daily to ensure waste cannot blow away or must be emptied or removed from site each day.

3.1.4 Access Road

- (i) The proposed gravel access road will require adequate stabilisation, such as heavy compaction, in order to prevent additional environmental impacts from runoff.

3.1.5 Imported Materials and stabilising agents.

- (ii) Imported gravel/materials must be free from weeds and pathogens and the use of soil stabilising agents is not permitted without NPWS endorsement.

3.1.6 Rehabilitation and Monitoring

- (i) As proposed, a detailed rehabilitation and monitoring plan should be developed and endorsed by NPWS within 3 months of the DA determination. The plan should include site specific details for the implementation, maintenance, monitoring and reporting on the rehabilitation of the area.
- (ii) The following rehabilitation plan inclusions are recommended to increase the chance of successful rehabilitation:
 - Initial establishment of rehabilitation, including all planting, mulching and stabilisation must commence as soon as possible.
 - Monitoring, maintenance and replacement planting must occur at least every 12 months with results recorded including photos points.
 - Regular weed control for weeds that occur during and as a result of the proposed works.
 - Rehabilitation must be in accordance with the '*Rehabilitation Guidelines for the Resort Areas of Kosciuszko National Park*'.
 - All straw bales used for rehabilitation must be certified as weed free.

3.2 Asset Protection Zone

- 3.2.1 NPWS is supportive of the proposed APZ as proposed on pages 4, 6 and 19 of the Bushfire Hazard Assessment Report. Due to the site being severely impacted by bushfire NPWS concur that no immediate live vegetation removal is required to implement the APZ however some burnt trees may require removal which should be done in consultation with NPWS. NPWS note that grass slashing within the resort is already permitted under the existing lease conditions.
- 3.2.2 However, ongoing management of the APZ is likely to require some vegetation management. Accordingly, it is suggested that a condition of consent be that an APZ plan is developed in consultation with NPWS and should be finalised prior to the start of the 2021 NSW bushfire season.

4. Public Health

- 4.1 The *Public Health Act 2010* and *Public Health Regulation 2012* require a supplier of drinking water to establish and adhere to a Quality Assurance Program (QAP). The QAP must address the Framework for Management of Drinking Water Quality as set out in the *Australian Drinking Water Guidelines* (ADWG 2011) and demonstrate compliance to the *NSW Private Water Supply Guidelines*. It is suggested that a condition of consent be that this be done prior to any final occupation certificate.

5. Sewerage Treatment System

- 5.1 The applicant is proposing an onsite Aerated Wastewater Treatment System (AWTS), with a treatment tank and drip feed discharge system, to collect and treat wastewater for the Resorts Operations Centre. This system is proposed for outside of the peak season with a bypass to a larger system being installed as part of future resort rebuild works.
- 5.2 NPWS note the following for consideration by the Department in regard to its assessment of the proposed Resorts Operations Centre AWTS:
 - (i) The AWTS for the Resorts Operations Centre could be classed as a 'domestic' system and may be able to be assessed in line with *AS1547:2012 On-site domestic wastewater management*. Please note that there may be other relevant standards which will need to be considered by the Department and applicant.
 - (ii) That a site and soil evaluation report should be submitted by the applicant and undertaken by an appropriately qualified person. We note this is a requirement of

Snowy Monaro Regional Council for any development that involves a site that will not be serviced by Council's wastewater system. The report should:

- Provide detailed site-specific information identifying the site-and-soil characteristics to be taken into account when selecting and designing an on-site system;
 - Identify, analyse, and evaluate any risks posed by site-and-soil characteristics which might compromise the long-term effectiveness of the on-site system(s);
 - Identify, analyse, and evaluate any risks of contamination of groundwater or surface water and of associated health risks; and
 - Specify measures required to reduce and monitor such risks.
 - This would include information on the site soil properties, the hydraulic load, the proposed land application system, water/nutrient balance etc.
- (iii) The report may provide specific recommendations that could be incorporated into consent conditions and subsequent certificates issued i.e. the sizing of the irrigation field and site inspections etc.
- (iv) Please note that depending on the size of the new system to be installed as part of the Visitor Centre building, which the Resorts Operations Centre AWTS will also feed into, may require licencing from the EPA. This is to be determined by the Department and the applicant.
- (v) NPWS note that the NSW Public Health Approval of the AWTS, in appendix B of the Civil Traffic and Hydraulics DA report, does not define the potential uses for the wastewater.

5.3 NPWS considers that any recommendations from the site and soil evaluation report and the confirmation of the onsite wastewater system and its specifications in accordance with the relevant standards, can be detailed in the Construction Certificate and Occupation Certificate process/conditions of consent. We recommend the following consent conditions if determined to proceed:

- (i) Prior to the issue of the Occupation Certificate the applicant must arrange for an inspection by the Department and the NPWS Environmental Health Officer of the onsite wastewater system.

6. Wastewater and oil separator

6.1 Wastewater generated via workshop mechanical activities must pass through an oil separator prior to being transferred and disposed of appropriately. NPWS note that the *Liquid Trade Waste Regulation Guidelines 2009* currently approve the following oil separators – coalescing plate interceptor/separator, hydrocyclone separation system and a vertical gravity separator.

7. Above ground hydrocarbon tanks (fuel tanks) and other hazardous materials

7.1 All environmentally hazardous materials, including all chemicals, fuels and oils, held on the land must be stored and handled in accordance with the following:

- (i) Any storage facility must be contained within a spill collection bund of a net capacity of whichever is greater of the following:
- at least 110% of the combined volume of any interconnected vessels within that bund; or
 - at least 110% of the volume of the largest storage vessel.
- (ii) All activities that involve a significant risk of spillages, including the loading and unloading of bulk materials, must take place in a bunded containment area.
- (iii) Bunded containment areas must be:
- be made of materials that are impervious to any environmentally hazardous material stored within that bund;

- be designed and managed such that any leakage or spillage is contained within the bunded area;
 - be designed such that chemicals which may react dangerously if they come into contact have measures in place to prevent mixing; and
 - be managed such that the capacity of the bund is maintained at all times (for example, by regular inspections and removal of obstructions).
- (iv) Each environmentally hazardous material, including chemicals, fuels and oils, must be held in accordance with the 'Code of practice for managing risks of hazardous chemicals in the workplace' and stored within bunded areas or spill trays which are designed to contain at least 110% of the volume of the largest container.
- (v) Spill kits appropriate for the types and volumes of materials handled must be kept in appropriate locations to assist with the containment of spilt environmentally hazardous materials.
- (vi) Standard Operating Procedures must be developed and employed for the storage, handling, recovery and disposal of environmentally hazardous materials containing chemicals, fuels and oils. Standard Operating Procedures must be provided to an authorised officer upon request.

8. UPSS monitoring

- 8.1 NPWS concur with the recommendations for ongoing monitoring on page 22 of the Ground Doctor UPSS Decommissioning Validation Report.
- 8.2 The requirement for ongoing monitoring past the 2-year mark should be dependent on the results of the six-monthly monitoring.

9. Aboriginal Cultural Heritage

- 9.1 The Aboriginal Cultural Heritage Assessment appears to have followed a suitable process and due diligence in determining that the proposed works are unlikely to harm Aboriginal objects has been demonstrated.
- 9.2 However, should any Aboriginal objects be uncovered during construction, any works impacting the objects must cease immediately and the NPWS contacted for assessment of the site.

10. Plumbing and Drainage

- 10.1 NPWS is the delegated plumbing regulator in Kosciuszko National Park in accordance with the *Plumbing and Drainage Act 2011* and note that the following should be included in any consent conditions:
- (i) All plumbing and drainage work carried out must comply with the Plumbing Code of Australia and Australian Standard AS/NZS 3500.
 - (ii) All plumbing and drainage work must be completed by a person holding a NSW licence, qualified supervisor certificate or tradesperson certificate.
 - (iii) The following documents must be submitted by the plumber and drainer to the NPWS Perisher Team, for any plumbing works, 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.

- 10.2 More information can be found at the following website:

<https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-management/alpine-resort-management/our-services/plumbing-and-drainage>

10.3 Please note that the Plumbing and Drainage Act only regulates the plumbing and drainage work that connects to the system, such as the toilets and pipes, up to the point of connection (i.e. the inlet to the system). Any on-site treatment and disposal is not regulated by NPWS (downstream of the point of connection) under the Plumbing and Drainage Act.

11. Other matters

11.1 NPWS also notes the following matters for consideration in the assessment process:

- (i) Visual impacts are considered to be acceptable as the colours and materials proposed are sympathetic with the existing environment and the location is a previously disturbed site.
- (ii) That any treated timber is not treated with Copper Chrome Arsenic (CCA).
- (iii) That the Stormwater management as proposed, in terms of environmental quality, is considered appropriate however this may be dependent on the location of the effluent disposal. Stormwater management should not cause additional environmental impacts.
- (iv) That the site requires adequate active work site signage and exclusion provisions to protect the safety of an inadvertent visitor to site.
- (v) That there are no impacts to a heritage item listed on the SEPP.

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

Yours sincerely



MICK PETTITT
Director Southern Ranges Branch
National Parks and Wildlife Service

17 December 2020