



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

Our reference: DOC21/303569
EF21/3968

Dear Mark,

**DA Referral – Alterations and additions to an existing tourist accommodation building,
Smiggins Hotel, Smiggin Holes, Kosciuszko National Park (KNP)
DA 10670**

We refer to the above development application (DA) forwarded to the National Parks and Wildlife Service (NPWS) for provision of comments in accordance with the *State Environmental Planning Policy (Kosciuszko National Park - Alpine Resorts) 2007* (SEPP).

As requested, our comments on the DA are set out below. In providing these comments, consideration has been had to the *National Parks and Wildlife Act 1974*, the *Kosciuszko National Park Plan of Management 2006* (KNP PoM) and the *Biodiversity Conservation Act 2016* (BC Act) and any other applicable legislation. Accordingly, we believe 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 advised that the proposed works are permissible under the lease.
- 1.2 The relevant provisions of the KNP PoM have been considered and NPWS believes the works are consistent with the management objectives for section 10.2 (Alpine Resorts Management Units), section 10.6 (Perisher Range Management Unit), section 11.6 (Environmental Quality) and chapter 8 (Recreation).

2. BC Act

- 2.1 It is noted that the BC Act has been addressed by the proponent in the DA and NPWS concurs that the development, as proposed, is not likely to affect threatened species and does not trigger the Biodiversity Offset Scheme.
- 2.2 However, if any clearing of native vegetation is required in order for this DA to fulfil any NSW Rural Fire Service (RFS) recommendation for the lease area to be managed as an inner protection area (IPA) asset protection zone (APZ) then this may require reconsideration for the purposes of the BC Act. Please see point 3.2 below regarding a requirement for an APZ plan and onsite inspection.

3. Protection of native vegetation, fauna and fauna habitats

- 3.1 In order to assist in minimising any impacts of the proposed development on the natural values of KNP, the following measures are recommended:
 - (i) To minimise weed vectors and other biosecurity issues, all machinery and equipment used during construction must be cleaned prior to entry into KNP to ensure the

machinery is free of mud and vegetative propagules. Machinery and equipment previously used in areas of KNP in which weeds are present must be similarly cleaned prior to transport to the site.

- (ii) All stockpile sites, including materials storage areas, parking and waste management (skip bins) must not impact on native vegetation.
- (iii) All waste management receptors must be covered daily to ensure waste cannot blow away or must be emptied or removed from site each day.
- (iv) Erosion and sediment control measures must be installed for components of the works involving ground disturbance. Once installed, they must be checked and maintained regularly, and in any case following each precipitation event.
- (v) If straw bales are used for sediment and erosion control, these must be certified as weed free.
- (vi) If excavations are left open overnight then provision for fauna egress must be included.
- (vii) Imported gravel and other material must be free from weeds and pathogens.
- (viii) Rehabilitation of any disturbed areas must be in accordance with the '*Rehabilitation Guidelines for the Resort Areas of Kosciuszko National Park*'.
- (ix) Any areas that require rehabilitation must be monitored and maintained until an erosion resistant state has been achieved.

3.2 The DA does not propose any vegetation removal for an APZ. If additional vegetation, including trees and heath, is required to be removed in order to fulfil any RFS requirement for an IPA APZ then NPWS recommends the following conditions in order to address protection of native vegetation, fauna and habitats on the site:

- (i) If vegetation management and/or clearing is required to meet RFS standards for APZs according to *Planning for Bushfire Protection 2019* then NPWS must be consulted, including through an onsite inspection, prior to any works occurring.
- (ii) An APZ plan for the implementation and ongoing management of the lease area as an IPA is required to be endorsed by NPWS prior to works commencing.

4. Aboriginal cultural heritage

4.1 The DA states that Aboriginal cultural heritage due diligence has occurred, although details of this have not been provided. We assume this due diligence was limited given the works are occurring largely within an existing heavily modified footprint and with limited ground disturbance and no tree removal.

4.2 Given the limited potential for impacts, NPWS does not require further details of due diligence conducted at this time. However, should any Aboriginal objects be uncovered during construction, any works impacting the objects must cease immediately and the NPWS must be contacted for assessment of the site.

5. Plumbing and drainage

5.1 It is not clear from the DA whether the works entail any plumbing or drainage work. However, 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) Any plumbing and drainage work carried out must comply with the Plumbing Code of Australia and Australian Standard AS/NZS 3500.
- (ii) Any plumbing and drainage work must be completed by a person holding a NSW licence, qualified supervisor certificate or tradesperson certificate.

- (iii) For any plumbing and drainage work, the following documents must be submitted by the qualified plumber 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.

5.2 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>

5.3 The new garbage and storage rooms should be bunded with the floor waste drains plumbed to sewer to capture and contain any spills.

6. Other matters

6.1 We note that NPWS has also considered the following matters in its assessment:

- (i) that there are no changes proposed to stormwater drainage;
- (ii) that the works have no public health or food safety relevant components; and
- (iii) that the property is not listed as a heritage item in Schedule 3 of the SEPP.

If you have any further enquires then please contact Kelsey Boreham, Team Leader, Resorts Environmental Services Team on 02 6450 5665 or at Kelsey.Boreham@environment.nsw.gov.au.

Yours sincerely



Mick Pettitt
Director
Southern Ranges Branch
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