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Date: 30 June 2020
Our ref: 9801

Dabyne Planning Pty Ltd PO Box 179 Jindabyne NSW 2627

Attention: Ivan Pasalich

NSW NOVERNMENT Planning, Industry & Environment					
Issued under the Environmental Planning and Assessment Act 1979					
Approved Application No DA 10115					
Granted on the 9 September 2021					
Signed MB					
Sheet No	9	of	63		

Dear Ivan,

Response to Agency comments - Mount Perisher Chairlift Biodiversity Development Assessment Report (BDAR) – in relation to DA 10115

As requested, I have reviewed the agency comments that relate to the abovementioned BDAR and provide responses below. The preparation of this response has been informed by:

- Consultation with Rebecca Owen, Assessment Coordinator Resorts Environmental Services Team, NSW National Parks & Wildlife Service, on 9 April and 11 June 2020
- Consultation with yourself, and Micheal Fernside and Andrew Kennedy from Perisher Blue
- Additional fieldwork, specifically a vegetation plot within those parts of the development site that were mapped as Cleared Land.

1. General comments

1.1 This is a statement. Agreed.

1.2 The proposal has been designed to avoid, minimise and offset biodiversity impacts. The proposal will include ongoing monitoring of the Guthega Skink colony on Mount Perisher and it is expected that the consent would be conditioned to require monitoring, consistent with the monitoring that has been undertaken for the Leichhardt Chairlift project. Similarly, it is expected that the consent would be conditioned to require a rehabilitation plan to be developed and implemented.

1.3 This is a statement. Agreed. It is noted that there is already a lot of activity around the top station, including historic impacts associated with lift development, the installation of snowmaking and the development and operation of the communications building. The proposed top station location and surrounds is regularly accessed by grooming machines during winter given the snow that accumulates in this lee area and which is regularly farmed for ski slope management/enhancement. This access is evidenced by the scratch marks on many of the rocks in the vicinity, as shown in Photo 20 within the BDAR. Snow is also removed from this area to protect the Eyre T-bar bullwheel. In summary, the proposed top station location already gets a lot of activity during winter, particularly from grooming machines.

3. BC Act and BDAR

3.1 This is a statement.

3.2 As stated above consultation with the assessment coordinator has occurred.

Guthega Skink

3.3 See response to 3.4.

3.4 Consistent with the BAM, the development site has been limited to those areas where clearing of native vegetation or prescribed impacts are proposed or may occur. The development site is not only restricted to the area of proposed rock removal. However, the impacts associated with the proposed rock removal for the top station offload have been limited to the extent of the individual or rock groups that are proposed to be removed or reduced. This approach was taken as the proposal envisages the use of the over-snow rock removal or similar method that would avoid clearing of native vegetation. Perisher, as requested by NPWS, is prepared to liaise with NPWS during construction with respect to the preferred methods for the proposed rock removal, and to using an adaptive approach to achieve the lowest impact outcome. This could form a consent condition. It is noted that, as stated in the BDAR, Guthega Skink burrows have not been detected under any of the rocks to be removed.

If the species polygons for the Guthega Skink and the Alpine She-oak Skink were increased to encompass all the vegetation surrounding the rocks to be removed or reduced it is estimated that an additional two species credits for both species would be required. This would increase the total species credit requirement for both species from seven to nine credits. Given that the objective is to undertake the rock reduction and removal process without clearing this vegetation, it is our view that any potential indirect or prescribed impacts are more appropriately offset through the provision of the proposed fauna crossings.

3.5 **Shading** - Subsequent to the submission of the BDAR a suite of shadow diagrams for the proposed top station was completed by DJRD Architects (see Figure 1). The results of the assessment demonstrate that the proposed top station will not shade, outside of the winter months, any of the locations where Guthega Skinks were observed. As such, the impacts of the proposed top station on basking sites and thermoregulation are likely to be minor as the extensive surveys undertaken for this assessment suggest that the areas to be affected are not important basking sites for any Guthega Skink individuals. The predicted shading comes closest to the Guthega Skink site where the exclusion zone is proposed. However, post construction, any potential impacts on basking habitat surrounding this site is likely to be more than offset by the proposed supplementary rock habitat, which extends into the exotic grassland to the east, and will thus create an extensive area of potential basking habitat in an area which is currently hostile to Guthega Skinks.

Large increase of new skier traffic and new and additional use of grooming machines – As stated in the response to 1.3, the proposed top station location already gets a lot of activity during winter, particularly from grooming machines. Whilst there will be increased skier traffic around the top station, other locations where the species continues to be common within the Perisher Resort Area (Centre Valley) and elsewhere (Charlotte Pass) receive heavy winter skier and grooming machine traffic. The species continues to be very common locally at the terminus of the Kosciuszko Road at Charlotte Pass, which is one of the busiest and most heavily disturbed areas in Kosciuszko National Park, with almost constant activity in summer and heavy winter grooming and skier traffic. There is a large population of Guthega Skinks in this area with multiple individuals being observed by the author basking on the edge of the

road (see Photo 1) and walking trails, and utilising man made structures. Three individuals were observed on one occasion at separate locations within the tree island at the road terminus. This would appear to be strong evidence, albeit anecdotal, of the species capacity to cope with heavy disturbance and summer and winter traffic. The habitat disturbance, and summer traffic associated with the proposed top station are not expected to be anywhere near the levels of historic and ongoing impacts associated with the Kosciuszko Road terminus, and associated ski runs, walking trails, lookouts and associated visitor facilities.

3.6 For the reasons stated above, specifically the additional information and clarification of the potential direct and indirect impacts, it is considered that sections 9.1 and 9.2 of the BAM have been addressed. It is noted that in order to offset some of the potential prescribed impacts on the Guthega Skink i.e. impacts on rock habitats and non-native vegetation that may potentially be used by the species, additional offset measures have been proposed, specifically the installation of three fauna crossings across disturbed areas along the proposed lift alignment (see attached Figures 2-4). Also, it has been clarified that Perisher intends to undertake post construction rehabilitation and Guthega Skink monitoring consistent with what has been undertaken for other recent lift projects such as the Freedom Chair and the Leichhardt chairlift.

Alpine She-oak Skink

3.7 It is acknowledged that the Alpine She-oak Skink could potentially utilise some of the areas within the development site that are dominated by exotic grasses and are mapped in the BDAR as cleared land. Consistent with the BAM a vegetation plot was undertaken in the cleared land within the development site. The vegetation integrity score for the cleared land zone was 1.1. This is significantly less than the threshold for which offsets are required for native vegetation or threatened species, which is a vegetation integrity score of >15. However, in order to offset some of the potential prescribed impacts on the Alpine She-oak Skink i.e. impacts on non-native vegetation that may potentially be used by the species, additional offset measures have been proposed, specifically the installation of three fauna crossings across disturbed areas along the proposed lift alignment (see attached Figure 2-4).

Other considerations

3.8 See responses above. Indirect impacts have been assessed and appropriate measures proposed including additional offsets for prescribed impacts (fauna crossings) and mitigations measures, specifically rehabilitation measures and Guthega Skink monitoring program.

3.9 As stated in the BDAR and confirmed in discussions with Perisher, the intention is to improve the condition of the road prior to the commencement of construction, however there is no intention to widen it and/or modify the alignment such that impacts beyond the existing footprint of the road will be required. As such, the BDAR is considered to accurately describe and consider the impacts associated with the construction access.

3.10 It is agreed that Table 33 in the BDAR should have acknowledged that the proposed works have the potential to displace resident fauna.

3.11 As stated in 3.4 Perisher is prepared to liaise with NPWS during the construction phase with respect to the preferred methods for the proposed rock removal, and to use an adaptive approach to achieve the lowest impact outcome. It is anticipated that any approval would be conditioned to facilitate this.

4 Additional Information request

PCT 637 Montane Peatland

4.1 The impacts on PCT 637 associated with the bottom station were necessitated by the large size of the chair shed and the requirement to locate it on the northern side of the bottom station to achieve the necessary fall and provide sufficient space for queuing for skiers and snowboarders. The shape that was chosen (10 m x 50 m) was preferred over the other option (25 m x 20 m) largely because it reduced the impacts on PCT 637. However, given its length, some encroachment into PCT 637 was necessary. Other measures that were included in the design to reduce impacts on PCT 637 include the use of a retaining wall along the northern edge of the chair shed instead of a batter. This is further documented in Section 3.4 of the SEE.

4.2 see 4.1.

Rock Removal

4.3 See 3.4 and 3.11.

4.4 Perisher will liaise with NPWS to determine the most appropriate method of rock reduction during the construction phase.

4.5 see 4.4.

Guthega Skink exclusion zone

4.6 The intent of the Guthega Skink exclusion zone at the top station is not to restrict the movement of any Guthega Skinks. Rather it is to provide fencing that would prevent incursions into this area during the construction period. Perisher is open to discussions about how construction staging may be managed to mitigate potential impacts on any individuals within the exclusion zone or on Guthega Skinks.

Access road upgrade

4.7 See 3.9. Perisher does not intend for the construction access to result in any impacts on native vegetation or habitats beyond the footprint of the existing road and associated drainage management structures. Any existing fauna crossings that are affected by the road maintenance works will be remedied. Three new fauna crossings are proposed. The road maintenance works will reduce the impacts associated with the existing road.

4.8. See 4.7.

5. Protection of native vegetation, fauna and fauna habitats

5.1 – Perisher can comply with all the proposed mitigation measures included in the BDAR and in 5.1.

6. Rehabilitation and Monitoring

6.1 Perisher will prepare a detailed rehabilitation and monitoring plan as per the proposed condition.

6.2 Perisher will comply with the recommendations listed in 6.2.

Should you require any further information please contact me on 4476 1151 or 0422 802 447.

Regards,

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Ryan Smithers Senior Ecologist



Photo 1: Guthega Skink basking on rock in tree island, Kosciuszko Road terminus.



Figure 1: Shading assessment of the top station on Guthega Skink.



Figure 2: Proposed fauna crossing linking supplementary rock habitat with heath and rock habitats to the north.



Figure 3: Proposed fauna crossing linking rock habitat below Tower 8 with rock habitats to the south.



Figure 4: Proposed fauna crossing linking habitats on either side of the existing access road.