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To whom it may concern,

National Trust submission relating to the Kosciuszko National Park:

- **Draft Amendment to the Plan of Management: Snowy Mountains Special Activation Precinct, and**
- **Snowy Mountains Special Activation Precinct Masterplan**

The National Trust of Australia (NSW) is the largest independent conservation organisation in Australia, with more than 22,000 members across NSW. Founded in 1945, we advocate for the protection of New South Wales' built, natural and cultural heritage to ensure its preservation for future generations.

The National Trust understands that the NSW Government aims to facilitate a wider range of activities and accommodate more visitors to Kosciuszko National Park (the park) to enable greater access to the park's natural and cultural values, meet visitor expectations and help maintain facilities.

In order to achieve these aims, the NSW government is seeking consultation on:

- The Kosciuszko National Park Draft Amendment to the Plan of Management: Snowy Mountains Special Activation Precinct;
- The Snowy Mountains Special Activation Precinct Masterplan (the Masterplan); accompanied by a Discussion Paper that proposes the addition of the Snowy Mountains SAP to the State Environmental Planning Policy (Activation Precincts) 2020 (Activation Precincts SEPP) and 30 accompanying technical studies;
- An alternative plan for the East Jindabyne Sub-Precinct; and
- The Kosciuszko National Park: Draft Currango Precinct Plan.

This is a dizzying array of complex, inter-related plans and documents currently on public exhibition. We note that an extension of time was given for the public consultation period, however, we support the request in the open letter that the current consultation period must be extended to at least the end of October to give the local community the time to have genuine input into the vast amount of documents on public exhibition.

Consequently, without an extension of time to examine the documents in more detail, this submission makes only general comments on the proposed changes and sets out the Trust's deep concerns.

We are concerned that there is insufficient information in the Indigenous and Historic Heritage Studies (technical studies for the Draft Masterplan)

We note that both the Aboriginal Heritage Study and the Historical Heritage Study included a desktop study for an area of 72,211 hectares, with a more detailed area study of some 330 hectares that includes further



research, survey and strategic mapping. We recognise that while the areas of proposed development are small pockets, their values do not appear to have been adequately identified or assessed.

The nature of desktop studies (analysing information contained in heritage registers and previous heritage studies) is problematic because it is based on an assumption that our heritage registers are complete, representative and up to date, which is of course not the case. As noted in the 2016 State of Environment - Heritage report:

The majority of cultural heritage places are only protected if they are formally identified and listed, whether at local, state or national level. However, many heritage lists have grown through inconsistent and sporadic processes, leading to significant gaps and implicit threats to unlisted places or unreserved significant lands.

Thus desktop studies are unable to provide basic information about the nature and extent of the heritage resource and make good decision making difficult, and proactive strategic planning such as Masterplanning, impossible.

The desktop study completed for this project was further hampered by its reliance only on statutory registers. It did not consider or consult the National Trust of Australia (NSW) register or the Trust's Cemeteries Index and Industrial Heritage Sites List Index; nor did it consult other resources such as the register of Engineers Heritage NSW. Further, it appears to have only reviewed the online State Heritage Inventory to identify places on Section 170 Registers – unfortunately this online database includes only approximately half of the State Agency section 170 registers, the rest are accessed via hard copy at Heritage NSW.

These omissions are unfortunate and result in an unclear and inaccurate picture of the likely heritage places within the study area (for reference, a table of places listed on the National Trust register is attached to this submission).

The presentation of information in the report also hampers a full understanding of the extent of heritage resources. For example, although there is a single table of the heritage items identified via field survey (Table 6-1: Listed and potential heritage items in the survey areas), there is no single table of items via desktop survey of heritage registers, nor an overall table showing all items identified (either via desktop or field survey), greatly hampering the useability of the report.

The Trust recommends that:

The Historic and Indigenous Heritage Studies be reviewed and updated to properly incorporate heritage places identified on all S.170 registers, on non-statutory heritage registers, and in relevant previous heritage surveys and studies undertaken within the study area (most easily accessible in the Heritage NSW library, the National Trust library and the NSW State Library etc). The document should include a full table that draws together all items identified during the both the desktop survey and the field survey.

We are concerned that recommended further work to inform the draft Masterplan has not been undertaken.

We are extremely concerned that the desktop studies themselves identify the need for further work before a Draft Masterplan is prepared – however the draft Masterplan is now on exhibition without this more detailed work occurring to inform it.

In particular, the Indigenous Heritage Study noted that:

“Not all areas within the now-defined Sub-Precincts or the Alpine Precinct are included in the survey areas. ***Prior to finalisation of the Snowy Mountains Special Activation Precinct Master Plan, further site investigations and surveys will be undertaken*** to include additional areas in the Special Activation Precinct.”

Further, the Historic Heritage Study noted that:



“Since the time of the survey, additional areas, referred to as Sub-Precincts in the Jindabyne area, as well as areas within the Alpine Precinct, have been identified through the iterative design process in the structure and master plans. Not all areas within the now-defined Sub-Precincts or the Alpine Precinct are included in the survey areas. ***Prior to finalisation of the Snowy Mountains Special Activation Precinct Master Plan, further site investigations and surveys will be undertaken*** to include additional areas in the Special Activation Precinct.”

The Trust recommends that:

The draft Masterplan should not proceed until the further investigations and surveys referred to in the Indigenous Heritage Study and Historic Heritage Study have been adequately carried out and their findings and recommendations are incorporated into the draft Masterplan.

We are concerned that the Precinct Planning Recommendations Report and the draft Masterplan sideline heritage

We are deeply concerned that the Snowy Mountains Special Activation Precinct Planning Recommendations Report, which describes the legislative planning framework for the Snowy Mountains Special Activation Precinct and informs the draft Masterplan does not include a section on historic heritage with no provision of planning recommendations to manage these items.

Additionally, historic heritage is only mentioned in the report’s appendix (Key Legislative Considerations for Snowy Mountains Special Activation Precinct) and the recommendations given here are woefully inadequate with no clear requirement for the identification, protection and conservation of historic places. Indeed, by titling the heading “built heritage” it omits the consideration of landscape value, archaeological values and conservation areas.

The Draft Masterplan on exhibition is also deeply concerning in its lack of consideration of indigenous and historic heritage. We note that the NSW government’s requirements for Activation Precinct Masterplans state that Masterplans need to “identify the vision, objectives and performance criteria, ***heritage provisions*** and limitations on development within each Special Activation Precinct.”

This is not achieved in the draft Master Plan - there are no objectives or performance criteria related to historic heritage, and whilst there is an objective related to indigenous heritage, it focuses on “celebrating” indigenous heritage with no mention of conserving or protecting it.

Aboriginal intangible heritage is said to be delivered potentially through on-country projects such as a Snowy Valley Walk from Waste Point (Creel Bay) to Guthega, celebration of the Snowy River headwaters, Bogong moth harvest sites and other important routes and places suitable for cultural tourism if feasible. (p 19) This is the only mention of Aboriginal heritage in the Amendment to the Park Plan of Management, which is clearly insufficient.

The draft Master Plan also fundamentally fails to adequately incorporate provisions, objectives or performance measures for heritage, despite the study area containing items of local, state and national heritage significance.

The Trust recommends that:

The draft Master Plan should not and cannot be approved until the historic and indigenous heritage studies are adequately updated to inform it and until the Master Plan is amended to properly incorporate provisions, objectives or performance measures for heritage.



We are appalled that the commercial and financial needs are driving the draft Master Plan and proposed Amendment to the Plan of Management, rather than using the conservation and heritage values of this National Park as their basis.

The driving force for the project is the establishment of the Snowy Mountains Special Activation Precinct. Special activation precincts are place-based planning mechanisms used to ‘activate’ strategic locations in regional NSW through infrastructure investment and fast-tracked, streamlined planning, with the aim of facilitating job creation and economic development.

As outlined on the DPIE website: “Special Activation Precincts are a new way of planning and delivering industrial and commercial infrastructure projects in dedicated areas in regional NSW”. We are appalled that fast tracked and streamlined development, job creation and economic development is the driving force for one of Australia’s most precious National Parks. National Parks are places for conservation and low impact recreation, not for streamlined planning and economic development. This is particularly the case with Kosciuszko National Park. Its statement of significance recognises that:

- The entire park is listed as a biosphere reserve under the United Nation’s Educational, Scientific and Cultural Organisation (UNESCO) Man and the Biosphere Program and the Blue Lake and environs area on the Main Range is listed as a wetland of international importance under the Ramsar Convention.
- The park contains a number of features of international significance. These include soils of outstanding scientific value, fossil soils and features, alpine vegetation, the outstanding development of subalpine treeless flats and valleys; high diversity of reptile species; thirteen vertebrate taxa that are listed as threatened or near-threatened by the World Conservation Union, including the endangered mountain pygmy-possum.
- The Park is significant as an area which is protected from significant human intervention. “Very few large natural areas such as Kosciuszko National Park remain in temperate Australia, where the natural dynamics of ecological processes can still occur without significant human intervention, and where there are active policies to protect those processes. Such areas are decreasing in number and extent over time, and so are becoming more precious.”
- The Park also provides “a place where people can still find solitude and experience a sense of remoteness.”

As noted by the National Parks Association of Australia (a statement that is supported by the National Trust):

“Kosciuszko National Park (KNP) is also under extreme environmental stress from the existing level of development and use.

KNP is amongst the most heavily visited national parks in NSW and contains far more accommodation than any other national park in Australia, with 10,000 overnight beds.

KNP has suffered, and continues to suffer, more environmental damage than any national park in Australia. The sources of that damage include:

- *Historic clearing, grazing and mining;*
- *The escalating impacts of climate change, which recently caused the most intense wildfires in recorded history;*
- *Destruction of alpine habitats as a direct result of the deputy premier’s legislation protecting feral horses;*
- *Un-rehabilitated scars of snowy hydro’s former construction sites;*
- *Historic and continuing environmental impacts from the resorts;*
- *Massive scale clearance and construction works by the snowy 2 project; and*
- *Unnecessary proposals for new overhead transmission lines across the park.*



National Parks are gazetted for the protection of natural landscapes, ecosystems and their natural and cultural values. Recreational and commercial activities may be appropriate in national parks, but only where they are consistent with the core conservation objectives of reservation.”

The Trust recommends that:

The PoM and draft Masterplan should not be approved as they are not consistent with the core conservation objects of National Parks generally, and will not protect Kosciuszko National Park’s natural landscapes, ecosystems or natural and cultural values. The Trust broadly supports the concerns outlined by the National Parks Association of Australia¹ and urges that their concerns and recommendations are addressed.

Proposed Plan of Management (PoM) Amendment

We understand that PoMs are statutory plans prepared under the National Parks and Wildlife Act that describe the physical attributes and conservation values of a park, identify threats to those values and provide a scheme of management priorities. Most importantly, the policies in PoMs determine what activities, including development and commercial activities, are permissible and under what conditions. As such, the proposed amendments to the PoM will essentially make the developments proposed in the Masterplan legally permissible.

Our initial review of the proposed Amendment to the PoM are deeply disturbing. There are too many ill-considered amendments to outline in detail, however as an example, one proposed amendment relates to the Policies and Actions for Visitor Facilities and Services. This amendment proposed to **remove the requirement** for consideration (when any development control plan or development application relating to an alpine resort management unit is submitted or referred to the Director-General for comment or adoption) that the potential impact of the plan or application on the natural and cultural values of the park is considered and simply proposes that this would be considered only if the Department of Planning, Industry and Environment Planning as part of the Environment Impact Assessment (EIA) requires it.

Another example is the weakening of requirements upon lessees and licensees within the park. They will no longer be required to report on a number of environmental matters annually and the minimum environmental performance standards are no longer required to be based upon scientific and independent advice. The Amendment does not address:

- Bushfire risk, despite the area being devastated by the 2019 bushfires. This includes risk to the environment but also risk to persons camping in remote areas.
- Feral horses despite the damage caused to native vegetation
- Climate change impact on the internationally significant vegetation and wildlife and the added stress from additional development which would compound this.

These are only some examples of proposed amendments that will greatly affect the heritage values of the park and effectively allow developments and uses to sidestep heritage and environmental impact assessment. There are at least another 15 similarly deeply disturbing proposed amendments that the Trust can provide comment on, should an extension to the consultation period be extended.

The proposed amendments are detailed and will have far reaching implications for the conservation and management of the Park’s natural, indigenous and historic heritage values. The amount of documents on display (more than 35 separate reports) and the depth of amendments proposed is staggering and more time is needed for genuine community consultation to occur that will result in meaningful input.

¹ (<https://npansw.org.au/2021/07/26/submission-guide-for-the-snowy-mountains-special-activation-precinct-and-the-amendment-to-the-kosciuszko-national-park-plan-of-management/>)



The Trust recommends that:

An extension of the consultation period be provided to allow proper consideration of the impact of the proposed Amendment to the Plan of Management.

Overall, the National Trust of Australia (NSW) has serious concerns about the proposed amendments, the motivation of development over conservation guiding the proposals, and the disregard of adequate heritage recognition and protection in the proposals. We recommend that the proposed changes to the PoM and the Draft Master Plan be rejected.

Yours sincerely,

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