

Emirates, Wolgan Valley Resort and Spa



Modification of Concept Plan and Project Application

Prepared on behalf of: Emirates Hotels (Australia) Pty. Ltd.



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Australia Asia Middle East

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table of contents



Executive Summary	3
1 Introduction and Background	5
1.1 Introduction	5
1.2 Background	5
1.3 Statutory Planning Considerations	8
2 The Approved Concept Plan	11
2.1 General Terms of Approval	11
2.2 Approved Concept Plan	11
3 Proposed Modifications to Concept Plan Approval	13
3.1 Addition of electricity line and fibre optic cable to service the site	13
3.2 The Modified Resort Design and Layout	15
4 Environmental Assessment of Proposed Modifications	23
4.1 General Requirements	23
4.2 Environmental Assessment of Key Issues	24
4.3 1.1 Consultation in relation to Modifications	27
5 Project Application	28
5.1 Consideration of General Terms of Approval of Concept Plan	28
5.2 Project Application Requirements	30
5.3 Specific Environmental Conditions	38
5.4 Landscape Management Plan	44
5.5 Conservation Management Plan (European Heritage)	45
5.6 Operational Environmental Management	45
6 Consistency with Approved Concept Plan Statement of Commitments	47
6.1 Contamination Remediation Plan	47
6.2 Archaeological Investigation	47
6.3 Conservation Management Plan – Non Aboriginal Heritage	47
6.4 Ecological Management	47
6.5 Soil and Water Management Plan	47
6.6 Bush Fire Hazard Management	48
6.7 Emergency Response Plan (Flooding and Bushfire)	48



table of contents



6.8	Water Management Plan	48
6.9	Energy and Water Conservation Plan	48
6.10	Energy and Water Conservation Plan	48
6.11	Wolgan Road Upgrade Plan	48
6.12	Operational Management Plan	48
7	Conclusion	49

Appendix Volume 1
Appendix Volume 2

Emirates Luxury Resort



This Concept Plan Modification and Project Application have been prepared by UrbisJHD, with input from various sub consultants as noted. To the best of our knowledge, the information contained within this document is neither false nor misleading.

Signed

Date



Emirates Luxury Resort



Executive Summary

Report Purpose

This report supports a Project Application pursuant to Part 3A, Section 75E of the Environmental Planning and Assessment Act, 1979 (EP&A Act). The Project Application is detailed in Part 5 of this report, and seeks approval for the construction and operation of the Emirates Luxury Resort, Wolgan Valley.

This report also supports an application for modifications to the approved Concept Plan pursuant to Section 75W of the EP & A Act. On 12 May 2006 the Acting Minister for Planning approved the Concept Plan for the Emirates site, and following submission by the proponent of a preliminary environment assessment, on 10 November 2006 the Department of Planning issued Director General's Requirements for the proposed modifications. The proposed modifications are described in Pars 3 and addressed in Part 4 of this report.

The Site

The site has a total area of over 1,000 ha and is located in the Wolgan Valley, 35 kilometres north of Lithgow, in an isolated valley surrounded by steep cliffs within various National parks forming part of the Greater Blue Mountains World Heritage Area (GBMWH).A).

Part 3A Concept Plan Approval

The Concept Plan approval granted on 12 May 2006 was for:

A tourist facility that includes:

- 40 villas, with an average floor area of 115m²;
- Ancillary facilities, including:
 - a main reception building with administration, gift shop, lounges, library, restaurant, bar and conference rooms;
 - a spa building with a gym, change rooms, spa, sauna, pools and various treatment rooms;
- Staff accommodation for up to 128 people;
- Associated infrastructure, including:
 - road and internal access works;
 - utility works, including the on-site sewage treatment and disposal works; and
 - a helipad
- Landscaping the site in 5 distinct precincts;
- Conserving the existing slab homestead and wattle and daub hut; and
- Demolishing the 1957 homestead.



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Project Aim

The aim of the project is to create a natural sanctuary where guests can enjoy absolute luxury, tranquillity and connection with nature. The project has been designed to sit lightly within its environment in a manner that is sympathetic to the very special natural, cultural and scenic values of the valley. The key environmental assessment issues related to:

- Threatened plant and animal communities;
- Bushfire hazard;
- Vehicular access;
- Protection and management of the environment;
- Cultural heritage;
- Water quality (sewage treatment & disposal);
- Utility supply; and
- Scenic quality and character.

Matters addressed in this report

Parts 3 and 4 of this report seek to modify the approved Concept Plan to reflect a revised resort layout and design, and to include the provision of an electrical/telecommunications line along Wolgan Road.

Part 5 of this report includes the Project Application details of the project, and includes the following plans required pursuant to the Concept Plan Approval:

- Archaeological Impact Assessment;
- Water and Energy Conservation Plan;
- External Lighting Plan;
- Construction Management Plan;
- Infrastructure Plan; and
- Landscape Management Plan.



Emirates Luxury Resort



1 Introduction and Background

1.1 Introduction

The proposal involves the development of 40 luxurious hotel villas and associated facilities on over 1000 ha of cattle grazing property located 35 km north-west of Lithgow in an isolated valley surrounded by steep cliffs and bushland that is within National Parks comprising part of the Greater Blue Mountains World Heritage Area (GBMWA).

1.2 Background

1.2.1 Site Regional Context

The site is located approximately 190 km or 3 hours drive north-west of Sydney airport and CBD, within the Lithgow Local Government Area. It lies within a valley to the western escarpment of the Blue Mountains plateau, within the Greater Blue Mountains World Heritage Area.

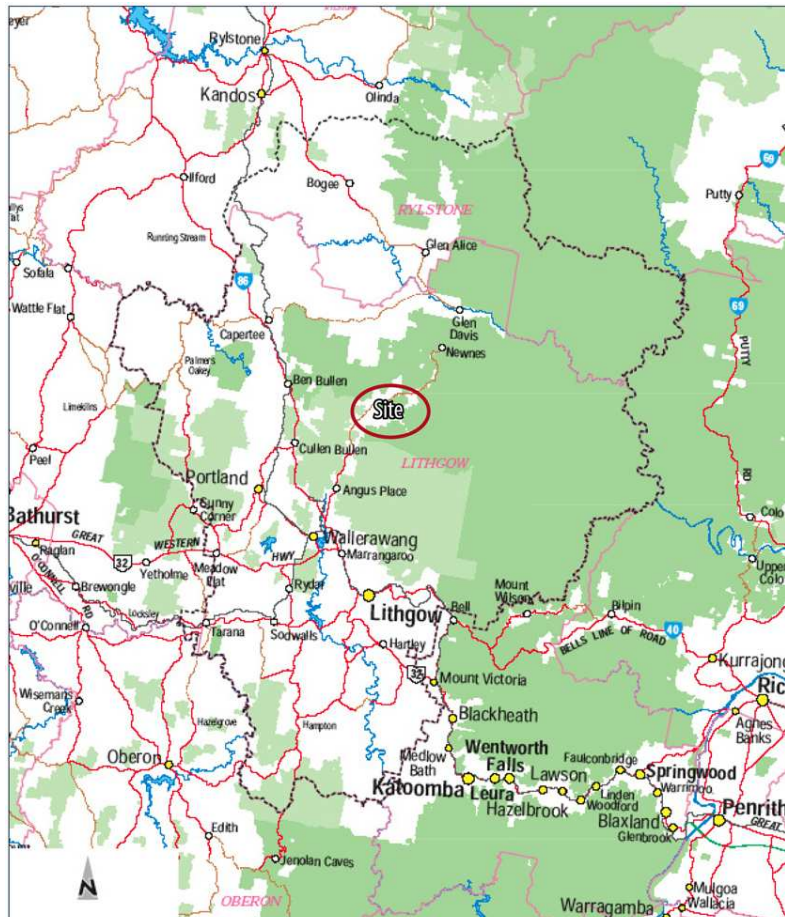


Figure 1: The Site in its Regional Context

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1.2.2 Local Context

The site is located on the Wolgan Road, 35 kilometres north of Lithgow, and approximately 8 kilometres south of Newnes. It forms part of the Wolgan Valley, which is approximate 13,750 ha in size and up to 28 km long and 6 km wide, extending from Newnes in the north-east to Wolgan Gap in the south-west. The site sits between Gardens of Stone National Park to the north and south and Wollemi National Park to the east; both part of The Greater Blue Mountains World Heritage area. Wolgan State Forest is located further to the west and Newnes State Forest further to the south. Glow Worm Tunnel, Newnes Industrial Ruins, Deep Pass, Blackfellows Hand Rock and Baal Bone Gap are located within the vicinity of the site.

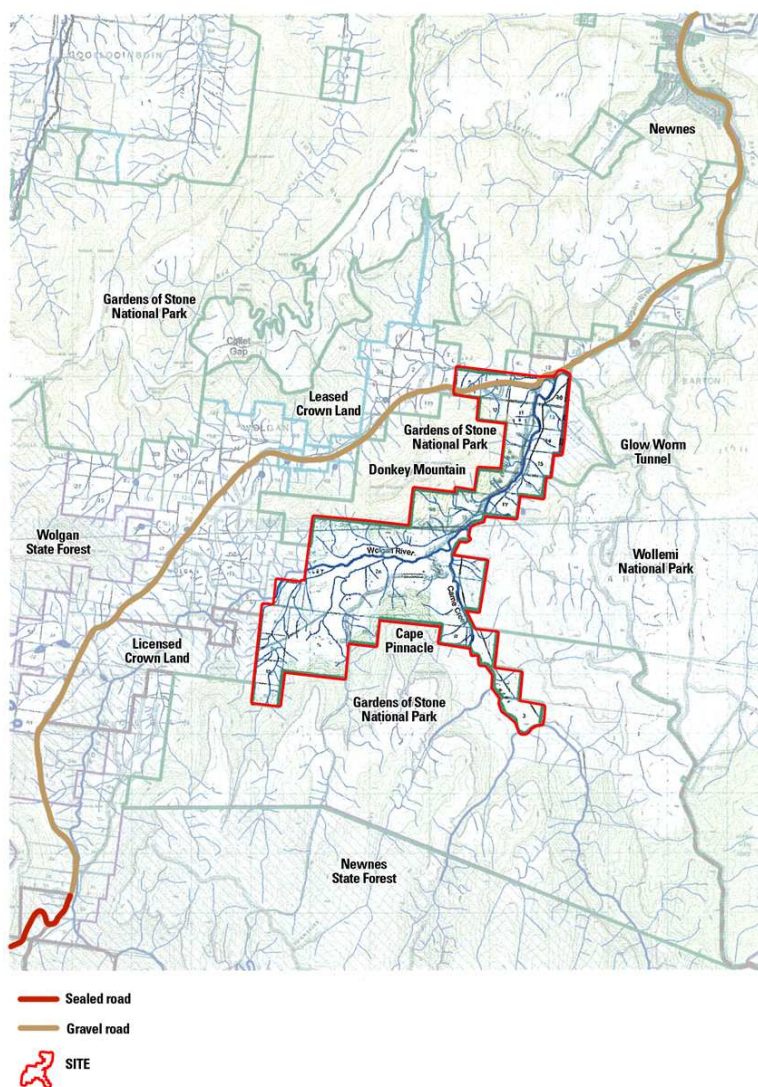


Figure 2: The Site in its Local Context



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1.2.3 Site Description

The site has an area of over 1,000 ha and is legally described as:

- Lots 3A, 4, 5A, 7A, 8A, 8B, 9B, 10, 10A, 11, 11B, 12B, 12C, 17, 18, 19, 26, 46 in DP 751666.
- Lots 1 in DP 726429
- Lots 4, 5, 13, 14, 15, 16, 17, 26 in DP 751624
- Lots 1, 2, 3 in DP 751634
- Additional leasehold land forming part of the Wollemi National Park adjoining the site.

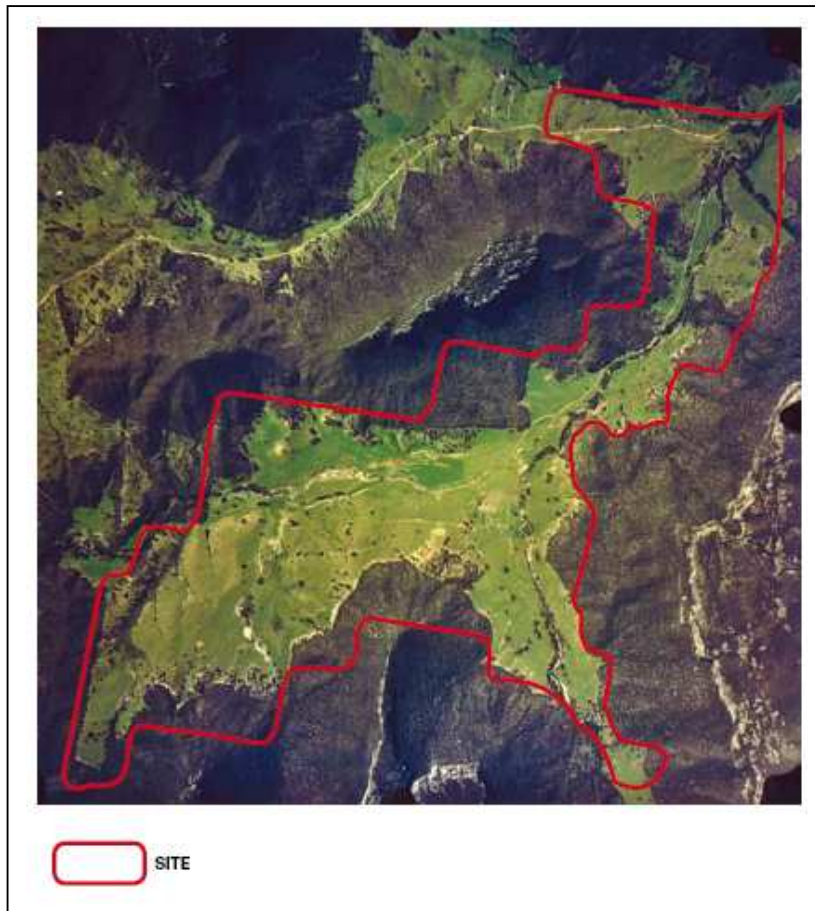


Figure 3: The Site

The original wattle and daub hut and slab homestead remain on the site, and are in a poor state of repair not having been inhabited for many decades. A circa 1950s house that is still occupied is also located on the site. The site is currently largely cleared, with some scattered Blue Gums, and is used for grazing.

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1.3 Statutory Planning Considerations

1.3.1 Environment Protection and Biodiversity Conservation Act 1999

The project has been declared a 'Controlled Action' under the Environment Protection and Biodiversity Conservation Act, 1999 (EPBC Act) due to its proximity and potential to effect the Greater Blue Mountain World Heritage Area.

1.3.2 Environmental Planning Policies

The following Environmental Planning Policies are relevant to the project.

1.3.3 State Environmental Planning Policy (Major Projects) 2005

State Environmental Planning Policy (Major Projects) 2005 (Major Projects SEPP) came into affect on 1 August 2005. The Major Projects SEPP identifies the classes of development that that Minister for Planning (the Minister) may declare to be "Major Projects" to be determined by the Minister. The Minister has previously declared the project a "Major Project".

1.3.4 State Environmental Planning Policy No 58 - Protecting Sydney's Water Supply

A person must not carry out development specified in Schedule 1 or 2 except with the consent of the consent authority. These include designated development and tourist and recreation facilities that: are unsewered, involve significant land modification, or involve periods of significant use.

1.3.5 State Environmental Planning Policy 44 – Koala Habitat Protection

SEPP 44 encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range. Local councils cannot approve development in an area affected by the policy without an investigation of core koala habitat.

1.3.6 Greater Lithgow Local Environmental Plan 1994 (GLLEP 1994)

The site is located within a 1(a) Rural (General) zone under the provisions of the Greater Lithgow Local Environmental Plan 1994 (GLLEP 1994). The zoning provides flexibility whilst protecting rural land. It aims to promote the proper management and utilisation of natural resources by protecting, enhancing and conserving rural land, soil, forests, valuable deposits of minerals, trees and other vegetation in environmentally sensitive areas, water resources, and localities of significance for nature conservation and items of heritage significance. The objectives of GLLEP 1994 also aim to provide land for other non-agricultural purposes whilst providing separation of conflicting land uses.

The proposed development is not specifically defined in GLLEP 1994. The LEP adopts the Environmental Planning and Assessment Model Provisions 1980, which defines the use as a "tourist facility", which is permissible with consent in the zone.



Emirates Luxury Resort

1.3.7 Environmental Planning and Assessment Act, 1979

There are two aspects to the approval being sought in this report:

- Modification of the approved Concept Plan approval.
- Project Approval for the approved Concept Plan.

Modification of the approved Concept Plan approval is sought pursuant to 75W of the Environmental Planning and Assessment Act, 1979, which states:

(1) *In this section:*

Minister's approval means an approval to carry out a project under this Part, and includes an approval of a concept plan.

Modification of approval means changing the terms of a Minister's approval, including:

- (a) *revoking or varying a condition of the approval or imposing an additional condition of the approval, and*
- (b) *changing the terms of any determination made by the Minister under Division 3 in connection with the approval.*
- (2) **The proponent may request the Minister to modify the Minister's approval for a project.**
The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part.
- (3) *The request for the Minister's approval is to be lodged with the Director-General. The Director-General may notify the proponent of environmental assessment requirements with respect to the proposed modification that the proponent must comply with before the matter will be considered by the Minister.*
- (4) *The Minister may modify the approval (with or without conditions) or disapprove of the modification.*
- (5) *The proponent of a project to which section 75K applies who is dissatisfied with the determination of a request under this section with respect to the project (or with the failure of the Minister to determine the request within 40 days after it is made) may, within the time prescribed by the regulations, appeal to the Court. The Court may determine any such appeal.*
- (6) *Subsection (5) does not apply to a request to modify:*
 - (a) *an approval granted by or as directed by the Court on appeal, or*
 - (b) *a determination made by the Minister under Division 3 in connection with the approval of a concept plan.*
- (7) **This section does not limit the circumstances in which the Minister may modify a determination made by the Minister under Division 3 in connection with the approval of a concept plan.**
(our emphasis)



Emirates Luxury Resort



Project Approval is sought pursuant to Section 75E of the Environmental Planning and Assessment Act, 1979, which states that:

- (1) *The proponent may apply for the approval of the Minister under this Part to carry out a project.*
- (2) *The application is to:*
 - (a) *describe the project, and*
 - (b) *contain any other matter required by the Director-General.*
- (3) *The application is to be lodged with the Director-General.*
- (4) *An application may relate to part only of a project.*

1.3.8 Other NSW Legislation:

- *National Parks and Wildlife Act 1974. Section 90* requires consent to knowingly destroy, deface or damage or knowingly cause or permit the destruction or defacement of or damage to, a relic or Aboriginal place.
- *Threatened Species Conservation Act 1995. Schedule 1 and 2* list threatened and vulnerable species.
- *Water Management Act 2000. Section 89, 90, 91* deals with water use approval, water management work approval or activity approval under Part 3 of Chapter 3.

Emirates Luxury Resort



2 The Approved Concept Plan

The Concept Plan was approved on the 12 May 2006 by the Acting Minister for Planning (on behalf of the Minister for Planning) in accordance with Section 75O of the Environmental Planning and Assessment Act 1979. This part of the report summarises the approved Concept Plan.

2.1 General Terms of Approval

The Concept Plan Approval states:

"Approval is granted for the:

- (a) construction and use of a tourist resort and ancillary facilities on the site in general accordance with the:*
 - design objectives and principles in section 7.1 of the concept plan; and*
 - indicative layout of the buildings and infrastructure in the concept plan (see Appendix A);*
 - (b) implementation of the landscaping strategy: for the 5 landscape precincts in the concept plan (see Appendix B);*
 - (c) conservation of the existing slab house and wattle daub house (including the curtilage); and*
 - (d) demolition of the 1957 homestead,*
- subject to the limitations in condition 6."*

2.2 Approved Concept Plan

The Concept Plan Approval related to tourist facilities on the site, comprising:

- 40 villas, with an average floor area of 115m².
- Ancillary facilities, including:
 - A main reception building with administration, gift shop, lounges, library, restaurant, bar and conference rooms;
 - A spa building with a gym, change rooms, spa, sauna, pools and various treatment rooms;
- Staff accommodation for up to 128 people;
- Associated infrastructure, including:
 - Road and internal access works;
 - Utility works, including the on-site sewage treatment and disposal works;
 - A helipad;
- Landscaping the site in 5 distinct precincts;
- Conserving the existing slab homestead and wattle and daub hut; and
- Demolishing the 1957 homestead.

The resort layout indicated at Figure 4 forms part of the approved Concept Plan.

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Figure 4 - Approved Concept Plan Resort Layout



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3 Proposed Modifications to Concept Plan Approval

This part of the report outlines the proposed Concept Plan Modifications.

Following Concept Plan approval, the design has been refined to a Project Application level of detail. Through this process a number of modifications to the Concept Plan have arisen and formal approval for the following modifications is hereby sought to implement the Project Application scheme:

1. Addition of an off-site electricity line including fibre optic cable to service the site:
The proposal requires the addition of an electricity line and fibre optic cable to be installed along Wolgan Road to service the site.
2. Modified resort layout:
The approved layout of the main resort precinct straddles both sides of Carnes Creek. The proposed modifications principally involve the consolidation of these facilities onto the eastern bank of Carnes Creek. The following consequential and ancillary modifications to the approved resort design and layout are also proposed:
 - Relocation of helipad:
The approved helipad is proposed to be relocated to the western side of Wolgan River, across the river from the staff and maintenance facilities location.
 - Re-alignment of the internal access road:
Re-alignment of the internal road network responding to the modified resort layout, providing for more efficient circulation and reducing the impact of river crossings.
 - Addition of gatehouse (not visible from Wolgan Road):
The addition of a gatehouse which will function as a security point/welcoming point for guests.
 - Addition of stables:
Addition of stables for 12 horses for recreational riding by resort guests only.
 - Supply of Water:
A modified range of water supply options is proposed, including the addition of a new 116 ML open water storage (dam) at the eastern end of the site.
 - Incorporation of National Parks and Wildlife Services land:
The modified resort layout extends over some adjoining National Parks and Wildlife Services (NPWS) land. However, this is cleared grazing land that is functionally part of the site and in return for its use, the Proponent is separately negotiating the dedication of a considerably larger area of forested land on the site to the NPWS.

3.1 Addition of electricity line and fibre optic cable to service the site

The project requires the addition of an off-site electricity line and fibre optic cable to be installed to service the site. The proposed electricity power line and fibre optic cable will extend for approximately 14 km along Wolgan Road to the site entrance. The overhead line is rated at 1.5 MVA and will run at a voltage of 11 kV.

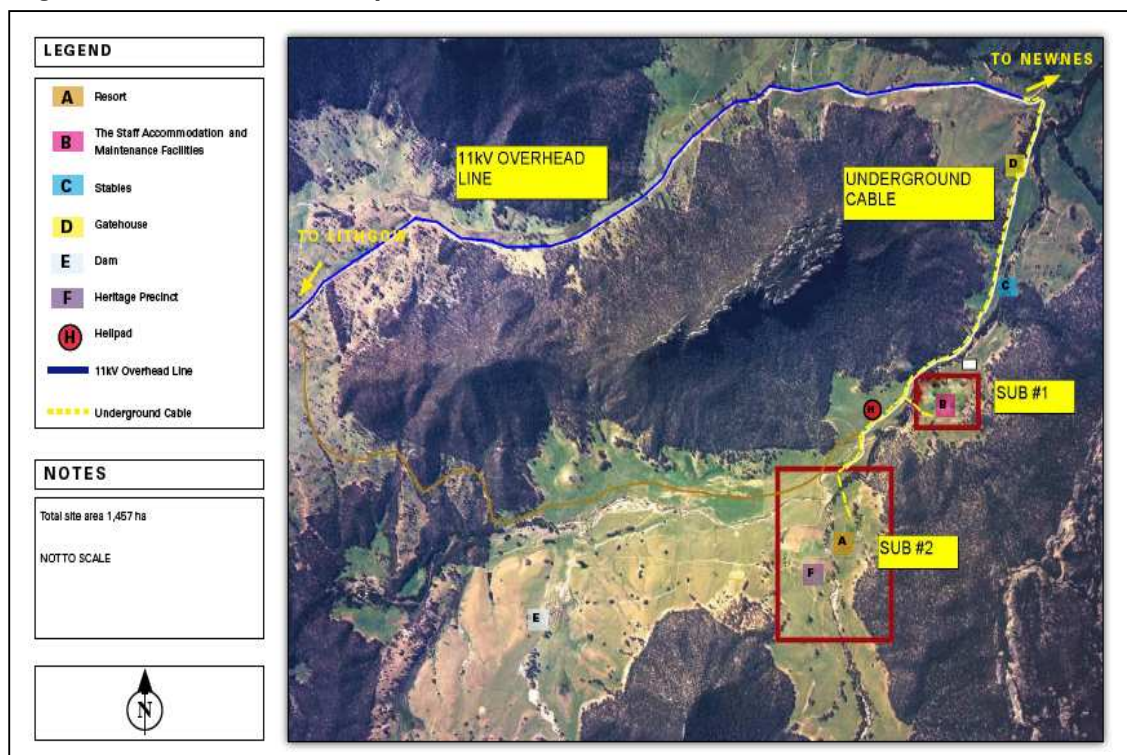
Figure 8 indicates the location of the proposed electricity line

Emirates Luxury Resort

Additionally, Telstra already have plans in place to upgrade the telecommunications services into the Wolgan Valley from the Wallerawang Telephone Exchange. This is to improve communications to the whole Valley. A fibre optic extension off this upgrade work is proposed to serve the site.

The telecommunications cabling will be run on the electrical overhead line poles to minimize the combined impact of these services.

Figure 8 - location of electricity cable



Emirates Luxury Resort

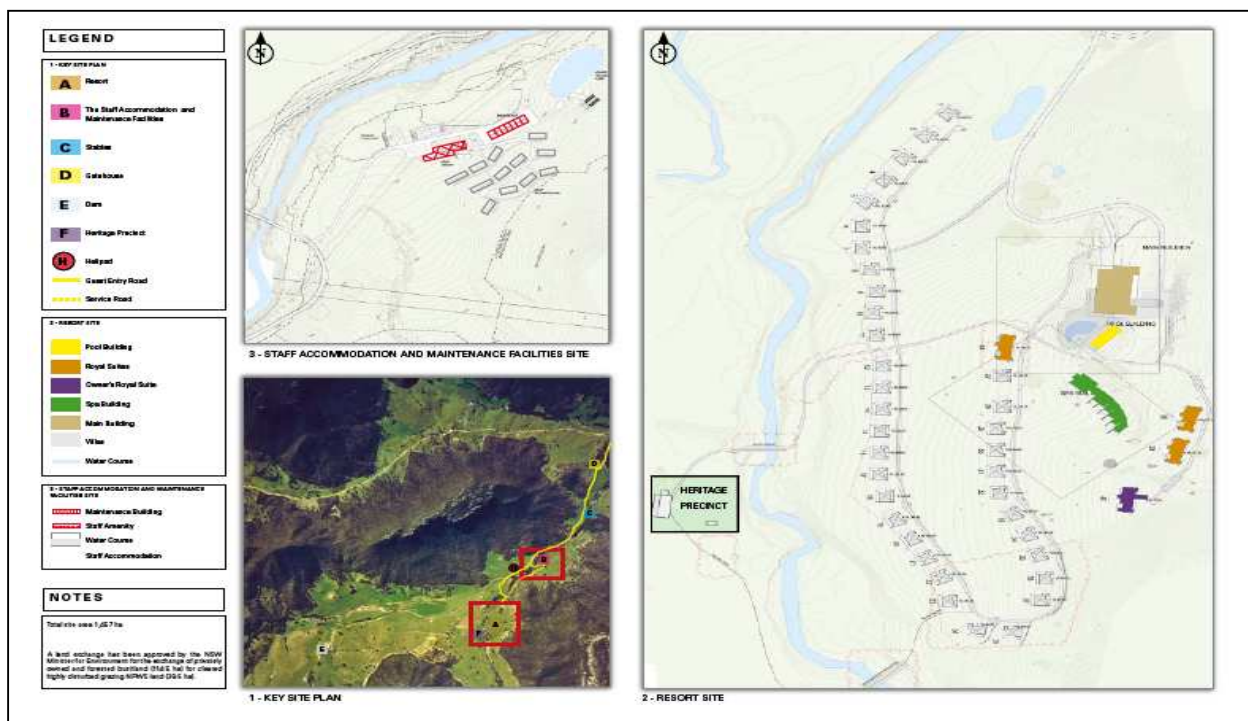
3.2 The Modified Resort Design and Layout

The approved resort straddles both sides of Carnes Creek, in a broadly scattered pattern. The modified resort concentrates all resort buildings onto the eastern side of Carnes Creek, opposite the original homestead precinct. This new layout results in a smaller, more efficient resort footprint with shorter traveling distances between the various parts of the resort. It also reduces the number and scale of required river crossing structures and removes all proposed buildings from the curtilage of the historic homestead precinct on the western bank of Carnes Creek.

The staff and maintenance precinct has also been rationalised and redesigned.

The resort layout as proposed to be modified is illustrated at Figure 5, and the individual components of the resort as proposed to be modified are compared to the approved resort in the tables following.

Figure 5 – Proposed modifications resort layout



Emirates Luxury Resort



Owner's Suite, Royal Suites and Standard Villas

Approved Concept Plan	Project as modified	Comparison
<ul style="list-style-type: none"> Total gross floor area: 4,260 m² 35 Standard Suites (1 bed), each of 93m². 3 Royal Suites (2 bed), each of 175 m². 2 Owner's Suites (3 bed), each of 375m². 	<ul style="list-style-type: none"> Total gross floor area: 4,080 m² 36 Standard Suites (1 bed), each of 85 m². Three Royal Suites (2 bed), each of 180 m². One Owner's Suites (3 bed), each of 220m². 	<ul style="list-style-type: none"> Reduction of total gross floor area. One additional Standard Suite and reduced floor space area. Increased floor space area. One less Owner's Suite and reduced floor space area.

Main Resort Building

Approved Concept Plan	Project as modified	Comparison
<p>Maximum gross floor area: 3,868m²</p> <ul style="list-style-type: none"> Reception. Administration Offices. Restaurant - Seating for 90 Private dining for 30 persons. Bar – with external seating for 90. Banquet Area. Boardroom. Conference rooms. Kitchen. Limited to a total of 80 delegates and those staying in the resort only. 	<p>Maximum gross floor area: 3,128 m²</p> <ul style="list-style-type: none"> Reception. Administration Offices. Dining room -Seating for 90 persons. Private dining room – Seating for 12 persons. Bar lounge area. Conference room – Seating for 60 persons. Main kitchen. Country kitchen (informal meals area) – Seating for 30 persons. Staffroom. Retail (Gift) Shop. Lobby Lounge area. Food storage including cool rooms and dry stores. 	<ul style="list-style-type: none"> Reduction of maximum gross floor area. Consolidation of services and facilities.



Emirates Luxury Resort

Approved Concept Plan	Project as modified	Comparison
	<ul style="list-style-type: none"> General storage (for example furniture store). 	

Staff Accommodation, maintenance facilities and housekeeping units

Approved Concept Plan	Project as modified	Comparison
Staff Accommodation	Staff Accommodation	
Maximum gross floor area: staff – 2,326m ²	Maximum gross floor area: 2,510m ²	<ul style="list-style-type: none"> Increased maximum gross floor area.
<ul style="list-style-type: none"> Accommodation for 128 staff in a combination of single, double and quad rooms. Kitchen and Dining facilities. Pool and Courtyard (BBQ and recreation area). 	<ul style="list-style-type: none"> Accommodation for 90 staff. Main staff amenity building Staff accommodation will comprise of a combination of single, double and quad bedroom units. 	<ul style="list-style-type: none"> Reduction in accommodation capacity for staff. Relocation of helipad.
Maintenance Facility	Maintenance Facility	
Maximum gross floor area: staff – 913m ²	Maximum gross floor area: 648 m ²	<ul style="list-style-type: none"> Reduced maximum gross floor area.
<ul style="list-style-type: none"> Workshops. Vehicle wash bay (drive through). Vehicle, buggy, fire equipment and general equipment storage. Nursery. Helipad. Parking. 	<ul style="list-style-type: none"> Pool and Courtyard (BBQ and recreation area). Workshops. Vehicle maintenance area. Vehicle, buggy, fire equipment and general equipment storage Nursery. Parking. 	<ul style="list-style-type: none"> Reduction to 2 units.
Housekeeping units	Housekeeping units	
Maximum gross floor area: each 45m ²	Maximum gross floor area: each 40 m ²	
<ul style="list-style-type: none"> 4 small units. Storage of linen and other supplies. 	<ul style="list-style-type: none"> 2 small units. Storage of linen and other supplies. 	



Emirates Luxury Resort



Spa Complex and Pool Building

Approved Concept Plan	Project as modified	Comparison
Spa Complex and Pool	Spa Complex	
Maximum gross floor area: 1,006m ²	Maximum gross floor area: 660m ²	<ul style="list-style-type: none"> Maximum gross floor area reduced.
<ul style="list-style-type: none"> Food/beverage area. Weight/cardio equipment room. Changing rooms. Spa, Sauna, Steam Room and Cold Plunge. Hydrotherapy room. Rasool room. 4 single treatment rooms (with shower). 2 double treatment rooms (with shower). Indoor/Outdoor 25m lap pool and relaxation pool. Pool Deck and covered outdoor area. 	<ul style="list-style-type: none"> Relaxation area including juice bar. Six treatment rooms with ensuite/changing rooms. Gym, Sauna, Steam Room and Plunge Pool. Hair, manicure and pedicure salon. Staff preparation room and office. Separate toilets for staff and guests. 	<ul style="list-style-type: none"> Addition of services including beauty salon.
	Pool Building	
	Maximum gross floor area: 250m ²	
	<ul style="list-style-type: none"> Free form shape pool. Pool deck. Covered outdoor area to pool building. Male and Female change rooms. 	

3.2.1 Relocation of helipad

The approved helipad is proposed to be relocated to the western side of the Wolgan River, on the opposite bank of the Wolgan River from the staff accommodation and maintenance areas. The new helipad location is indicated at Figure 5.

Emirates Luxury Resort



3.2.2 Re-alignment of the internal access road

The approved Concept Plan generally maintained the existing driveway into the site, but involved the construction of substantial concrete bridges over both the Wolgan River and Carnes Creek to access the resort, and a third vehicular accessible concrete bridge back over Carnes Creek to access the western portion of the resort.

Guest Access

The proposed modification seeks to maintain a lower key 'rural driveway' experience for guests, with guest access being via two 'splash through' crossings of Wolgan River and Carnes Creek in a manner very similar to the existing driveway. Guests will not cross any bridge structures within the site when accessing the resort.

Staff, Service and Flood Access

Staff and maintenance vehicles will access the site by the same rural driveway as guests, but will turn off at a point some distance before the first 'splash through' crossing. This turn off will lead to a concrete 1 in 100 year flood designated bridge across the Wolgan River designed to accommodate the maximum weight service vehicle. This bridge will lead to the staff and maintenance precinct on the eastern side of the Wolgan River. A secondary access into the resort will be provided along the east bank of the Wolgan River allowing staff movements between the resort and the staff/maintenance precinct, out of sight of resort guests. While this route will involve a concrete bridge structure to traverse some unstable, steep geology, it will not involve bridging of either Carnes Creek or Wolgan River.

In high rainfall periods when the 'splash through' crossings are not navigable, guests will be transported to and from the site via the 1 in 100 year accessible staff/maintenance route.

The internal road system and in particular the service road from the staff and maintenance facilities to the main resort building, has been designed above the 1 in 100 year flood level. The modified internal road system is illustrated at Figure 5.

3.2.3 Addition of gatehouse

The modifications include the addition of a 'gatehouse' located a short distance into the site from the junction of the internal access road with Wolgan Road. The gatehouse is to serve the dual functions of site security as well as an arrival and welcoming point for guests. The gatehouse will be manned by a security guard where guests, staff and service people will have to register their arrival with the security person on duty prior to entering the site.

The gatehouse will be the formal entrance to the site and will not be visible from Wolgan Road. The gatehouse will convey the appearance of a small standalone rural out-building.

The gatehouse building will have a total floor area of 40m² and will be of Australian hardwood timber board construction. It will include a lounge area, covered waiting area, office, toilet and car parking for approximately eight cars. The roof of the structure will be metal roof sheeting (zincalume finish). Figure 5 indicates the location of the gatehouse.



Emirates Luxury Resort



3.2.4 Addition of stables

The proposed modifications includes the addition of stables for 12 horses. The total area of the stables will be approximately 750 m². Figure 5 indicates the location of stables. The stables will include an indoor grooming area, concreted grooming and horse shoe area, grain feed store, hay and straw store, tack area, reception, staff office, kitchen and toilets. It is expected that the stables will be made of Australian hardwood timber board construction with zincalume metal roof sheeting.

The horses housed in the stables will only be available for the use of resort guests and staff.

3.2.5 Supply of Water

The approved Concept Plan involved the sourcing of water from:

- Harvested Rainwater (roof water tanks);
- An extension of mains water supply to the site;
- Effluent Re-use; and
- Ground water bores.

The proposed modifications involve sourcing water from:

- Harvested Rainwater (roof water tanks);
- A 116 ML open dam to collect surface water;
- Use of existing water extracted from Wolgan River for irrigation purposes;
- Effluent Re-use; and
- Ground water bores.

The previously proposed mains water extension has not been found to be viable, and negotiations to obtain additional water from various mines in the locality have not progressed.

The proposed 116 ML dam on the eastern part of the site will be made of an earth-clay structure. It will provide an additional water supply to the resort and will also be utilised for make up water to the Wolgan River in low flow periods. The dam will also support the reinstatement of the wetlands on the site, which are thought to have been an original feature of the natural environment, prior to clearing for agricultural activities.

The location of the dam is indicated at Figure 5.

Emirates Luxury Resort

3.2.6 Incorporation of National Parks and Wildlife Services land

The modified resort involves the placement of resort buildings and associated works onto land that is technically located within adjoining National Parks.

While the legal boundary of the site is defined by historically created legal allotments, in reality the existing cattle grazing use follows more natural boundaries. In some areas the highly disturbed grazing land extends into land that is legally within adjoining National parks, while in other areas natural bushland that appears to be part of the National Parks is actually located within the legal boundaries of the site. The proponent has therefore been negotiating with NPWS to rationalise the property boundary, involving the transfer of some 39.5 hectares of highly disturbed land within the National Parks to the proponent, in return for the transfer of some 114.5 hectares of privately owned forested land to the NPWS. Figure 6 identifies the NPWS land proposed to be incorporated in the scheme. Note that the area marked as 'Area A' is no longer included in the proposed land transfer.

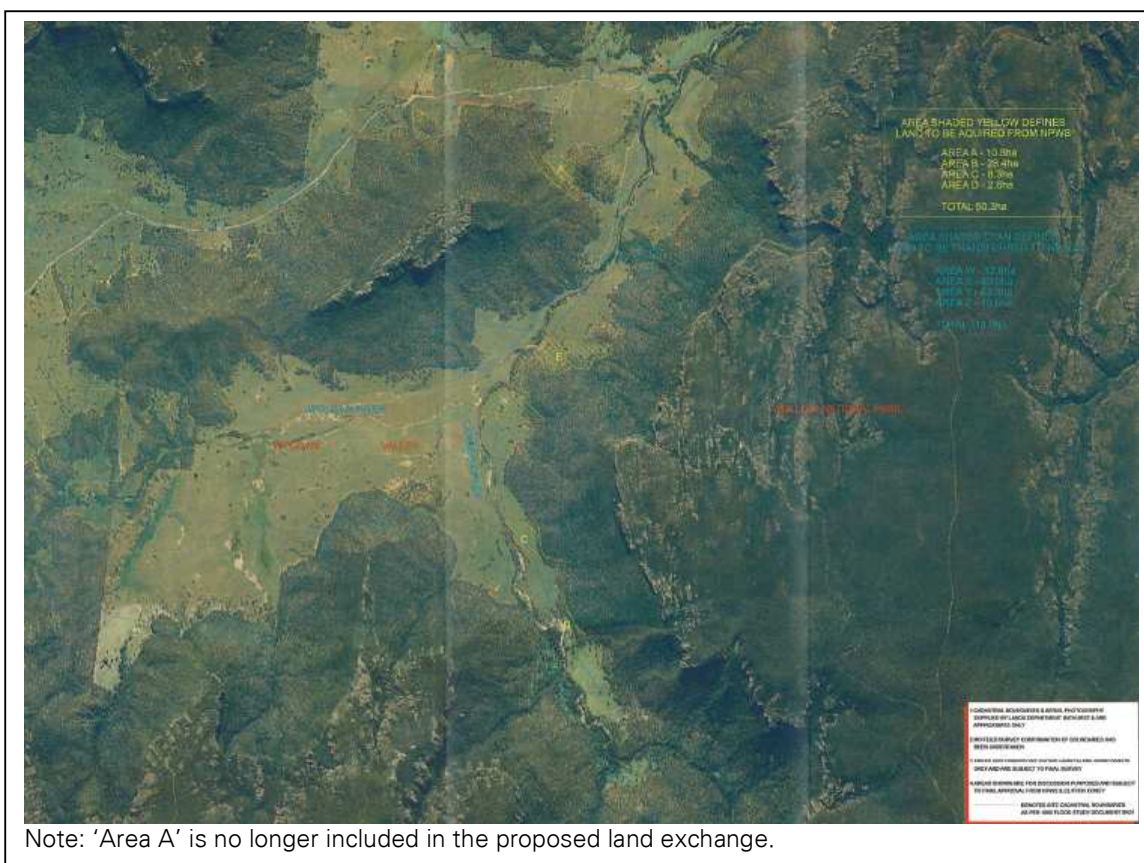


Figure 6 – NPWS land being exchanged

Emirates Luxury Resort



The NSW Minister for Environment has granted approval in principle to this exchange (see Appendix 2). However, the process of land transfer will involve lengthy legal processes. In the interim, the Minister has approved the lease of subject NPWS lands to the proponent, and it is proposed that various components of the resort extend into the NPWS land on a leasehold basis. Detailed survey plans accurately identifying the parcels of land to be used by Emirates are provided at Appendix 2. The Architectural Drawings to the Project Application detailed at Section 5 of this report (see Appendix 3) indicate the areas where project extends onto NPWS land.



Emirates Luxury Resort



4 Environmental Assessment of Proposed Modifications

The Director General issued Environmental Assessment Requirements (EARs) for the proposed modifications to the Concept Plan on 10 November 2006 (see Appendix 1). The following is our environmental assessment of the modifications structured in accordance with those requirements.

4.1 General Requirements

We note the following in response to the General Requirements specified in the DG's EARs :

- An executive summary is included at the start of this report;
- A detailed description of the project is provided at Section 4. Additionally:
 - the modifications are needed to facilitate refinements to the design;
 - various alternatives in relation to water and energy supply are detailed in the reports included at Appendix 13. Alternatives to the feral proof fence are considered in the report included at Appendix 14. The alternative resort layout and design is considered relative to the alternative approved design at Section 6.2.1 and the use of grazing land that is technically within a national park is preferable to the use of natural bushland that is technically part of the site ; and
 - the various components of the modification are described at Section 4 and the stages of the project are detailed at Appendix 9;
- Relevant statutory provisions are considered at Section 1;
- A general overview of the environmental impacts of the modifications is provided below, taking into consideration issues raised during consultation concerning the original Concept Plan;
- A detailed assessment of the key issues specified in the DG's EARs is included below, and:
 - a description of the existing environment is included at Section 1 and in the original Concept Plan;
 - the assessment accounts for cumulative impacts;
 - the measures that will be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project are provided in the various Management Plans that have been or are still being prepared in accordance with the Concept Plan approval.
- No additional commitments are made with respect to the proposed modifications.
- A conclusion justifying the project is included at Section 8;
- A signed statement from the author certifying that the information contained in the report is neither false nor misleading is included at the start of this report.



Emirates Luxury Resort



4.2 Environmental Assessment of Key Issues

Our assessment of the key issues raised in the DG's EARs is provided below.

4.2.1 Flora and Fauna

The proposed modifications to the resort design and the addition of stables and a gatehouse will not materially change the impact of the project upon critical habitats, protected species, threatened species, populations or ecological communities and their habitats in the region.

The new land occupied by the modified resort layout is cleared grazing land and the only significant vegetation on this part of the site will be retained. In terms of the classification of local vegetation types contained within the Flora and Fauna Assessment that accompanied the original Concept Plan, the new layout occupies adjacent land within the same classification (i.e. cleared pasture) as that upon which the approved layout was located, and the relative proximity of resort buildings to the creek line and the adjacent bushland communities is not substantively altered. The modified layout should therefore not have any materially different flora and fauna impacts to the layout which has been approved.

While the stables will provide for accommodation of 12 horses on the site, these horses will have negligible impact relative to the 1000+ beef cattle with which the site has been stocked over the last 150+ years.

The principal effect of the proposed dam upon flora and fauna will be the maintenance of an open water supply during low rainfall periods. Other potential flora and fauna impacts of the new dam are considered in the Flora and Fauna Report included at Appendix 12.

Potential impacts of the new power/telecommunications line are addressed in the Linear Assessment Report prepared by HLA Envirosciences (see Appendix 8).

4.2.2 Aboriginal Heritage

A CD copy of Stage 2 Archaeological investigations undertaken by Kelleher Nightingale Consulting is included in the Appendices folder to this report. This report provides a comprehensive review of the archaeological potential of the various parts of the site, and has informed the modifications to the building and road layout currently proposed.

Following final approval of the resort layout, the following detailed assessments will be prepared by Kelleher Nightingale Consulting, as detailed in the Aboriginal Heritage Management Plan included as part of the Construction Management Plan at Appendix 12:

- archaeological excavation of areas to be disturbed by construction;
- participation of local Aboriginal community groups in excavation program; and
- detailed assessment of Aboriginal cultural heritage.
- Preparation of a detailed archaeological impact assessment (excavation report) in compliance with DEC's draft Guideline for Assessment of Impacts on Aboriginal Heritage under Part 3A;

Emirates Luxury Resort

All works will be undertaken in accordance with DEC guidelines relating to Aboriginal cultural heritage for Part 3A (Major Projects).

Prior to the preparation of the detailed Archaeological Impact Assessment, an Aboriginal Heritage Management Plan will be prepared which requires a consultation phase to be undertaken. The consultations have been scheduled to be undertaken through December 2006 and January 2007. Consequently, field assessments will need to commence in February 2007. However, full archaeological assessment of areas proposed to be disturbed will be submitted prior to the commencement of building works.

4.2.3 Surface and Groundwater

At the time that the DG's Environmental Assessment Requirements were requested, it was thought that the modifications may involve the pumping of water from disused mines (e.g. Invincible Mine) into the upper reaches of the Wolgan River for re-extraction at the resort. However, this option is no longer proposed.

Dam

The only remaining modification with the potential to impact upon ground water conditions is the proposed new dam. In this regard, Geotechnics Pty Ltd (Coffey) have conducted preliminary geotechnical investigation for the proposed dam site, including boreholes near the dam alignment, abutments, the upstream area and within the footprint of the dam.

Boreholes located at about the centre of the proposed dam wall alignment encountered soft/loose alluvium to 8m depth. Groundwater inflow occurred from 2.5m depth, and below 8m depth the soil grades to residual clay and rock. In contrast, boreholes near the abutments encountered mainly stiff to hard clay for the full depth to rock at about 8m depth, and groundwater was deeper (5m to greater than 8m). The test pits in the proposed dam storage footprint exposed mainly clay soils. Upstream the soils became more sandy near the surface and clayey at depth.

Groundwater inflows occurred at varying depths, usually as perched flows over less permeable strata. Because of the high permeability of some of the substrata beneath the central portion of the proposed dam, the preliminary design includes a 3m deep clay cut-off to the more clayey soil horizons beneath the dam to reduce water losses. Excavation within the dam storage area may intersect the water table and/or expose local areas of higher permeability soil. Construction of a clay lining is therefore proposed to reduce water losses.

Coffey expect that the dam will have little impact on groundwater conditions in the area apart from localised influences around the area of impoundment and immediately down-gradient from the dam wall. Groundwater levels during investigation were logged at 1.5m to greater than 3.5m below ground surface in the vicinity of the proposed dam wall and proposed impoundment footprint. Up-gradient from the dam, groundwater was usually encountered in test pits at depths ranging from 1m to 2.5m (at the time of investigation) may be locally shallow in the ephemeral gully, considering the nature of the vegetation. Water level rise to ground surface could occur at the fringe of the impoundment.

The Wolgan River is a short distance downstream from the proposed dam location. In the intervening ground, groundwater levels may fall in response to dam construction due to cut-off of a component of natural groundwater flow. However, at the time of investigation no seeps were apparent in this area and a groundwater bore drilled near the edge of the alluvial deposits did not encounter



Emirates Luxury Resort

groundwater above rock level. Monitoring of groundwater levels in standpipes installed during geotechnical investigations will provide an opportunity to assess groundwater conditions following dam construction. This will allow identification of changes to groundwater levels and provide a basis for mitigation measures should this prove necessary.

In Coffey's view groundwater impacts arising from construction of the proposed dam would be small in magnitude and would be localised to the immediate vicinity of the dam. A full copy of Coffey's advice is included at Appendix 7.

4.2.4 Access

As detailed at Section 4.2.7 the modified internal access road still generally follows the existing rural driveway into the site, as approved. The modifications essentially involve reducing the number and scale of river crossing points, such that guests entering the site will not cross any vehicular bridges. Instead they will access the eastern bank of Carnes Creek via an unsealed rural driveway and the two 'splash through' crossings detailed in Civil Drawing No.C05 (see Appendix 6). Staff and maintenance vehicles will access the staff and maintenance precinct via the eastern bank of Carnes Creek via a single concrete bridge designed to provide access in a 1 in 100 year flood event. They will then be able to access the resort precinct by a secondary access road along the eastern bank of Carnes Creek that is located wholly above the 1 in 100 year flood level. In high rainfall periods when the guest 'splash through' crossings are not passable, guests will enter and leave the site via the staff/maintenance road.

In bushfire events, roads into Wolgan Valley may be cut. As discussed at Section 6.3.8, the resort has therefore been designed to allow occupants to remain on site for the duration of a bushfire event. The modification to the proposed internal road is therefore, not relevant to bushfire management. However, in bushfire events where Rural Fire Service trucks are able to access the site, the modified internal road and bridges will provide fire truck access to within 40 metres of all proposed buildings.

4.2.5 Visual

The visual impacts of the proposed modifications are considered in terms of the various components of the project below.

The resort buildings

The modifications to the resort precinct essentially just consolidate the resort accommodation and guest facilities into a smaller area, within a small pocket of land on the eastern side of Carnes Creek, instead of straddling both sides of the creek as approved. While neither the approved or proposed resort would be visible from outside the site, the modification to the resort layout further reduce its visibility by screening it between vegetation along Carnes Creek and vegetation within Wollemi national park.

Furthermore, the relocation of all resort facilities to the opposite creek bank from the original homestead precinct will completely remove the potential visual conflict between the approved resort layout and the heritage values of the original homestead precinct

Internal Access Road

The internal access road will be slightly relocated to reflect the new resort layout, but will otherwise still be an upgraded version of the existing driveway. The only material difference will be the replacement of four large concrete river crossing bridges with only one concrete bridge, two 'splash

Emirates Luxury Resort



through' crossings and two light weight, low level pedestrian only bridges. This will significantly reduce the visual impact of the proposed internal roads and bridges.

Gatehouse and Stables

The proposed new stables will be a small, 12 horse structure of typical rural outbuilding style. Its visual character will be entirely consistent with similar structures throughout the locality, and in any event it is located well into the site, where it will be barely, if at all visible from outside the site. Similarly, the gatehouse will be a small structure of low key, rural outbuilding style, located a considerable distance from Wolgan Road. Both structures will have minimal visual impact in the context of the scale and rural character of the site.

Dam

The proposed dam is located centrally within the western part of the site, where it will not be visible from any location outside the site, other than the tops of the inaccessible surrounding sandstone plateaus. In any event the dam will replace a highly eroded and denuded intermittent watercourse with a new water body that will contribute to the reinstatement of a wetland habitat thought to have existed on this part of the site prior to the commencement of grazing activities. It will also be available to regulate flows of the Wolgan River, thereby contributing to the reinstatement, and visual quality of creek bank vegetation.

Power/telecommunications line

The visual impacts of the new power/telecommunications line are addressed in the Linear Assessment Report prepared by HLA Envirosiences (see Appendix 8).

4.3 1.1 Consultation in relation to Modifications

While consultation in relation to the proposed modifications has generally occurred as part of the broader consultation for the whole project reported at Section 5.1.6, the following consultations were specific to the currently proposed modifications:

- Rural Fire Service: 6 November 2006
- Department of Planning Meetings:
 - 3 October, 2006
 - 15 November, 2006
- Lithgow Council: various telecons
- National Parks: 26 July, 2006
- Department of Environment and Conservation: Various telecons
- Various local community groups have been informally advised of the various modifications as they have evolved.



Emirates Luxury Resort



5 Project Application

This section of the report constitutes a Project Application pursuant to Part 3A, Section 75E of the Environmental Planning and Assessment Act, 1979 (EP&A Act).

Specifically, project approval is sought for the design and construction of the proposed resort in accordance with Condition 11 of the Minister's approval of the Concept Plan. This application and assessment is structured in direct accordance with the General Terms of the Concept Plan Approval.

5.1 Consideration of General Terms of Approval of Concept Plan

5.1.1 Consistency of Future Development

Condition Number 3 of the Concept Plan Approval states:

"The Proponent shall ensure that any development associated with this approval is carried out generally in accordance with:

- (a) concept plan;*
- (b) statement of commitments (see Appendix C); and*
- (c) conditions of this approval.*

If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the inconsistency.

The proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:

- (a) any reports, plans or correspondence that are submitted in accordance with the requirements of this approval; and*
- (b) the implementation of any actions or measures contained in these reports, plans or correspondence."*

The Project Application has generally been prepared in accordance with the approved Concept Plan, the Statement of Commitments and the Conditions of Approval for the Concept Plan. However, the ongoing design process has identified numerous refinements. Where such refinement is not consistent with the approved Concept Plan, modification of the Concept Plan is proposed at Section 4 of this document.

5.1.2 Limits of Approval

Condition Number 6 of the Concept Plan Approval states:

"6. This approval does not allow any development to be carried out. The Proponent shall submit detailed project applications to the Minister for the implementation of the approved concept plan in accordance with the requirements in condition 11."

Condition 6 of the approved Concept Plan is acknowledged and the Project Application is hereby lodged in accordance with Condition 11.

Emirates Luxury Resort

5.1.3 Staging Plan

Condition Number 7 of the Concept Plan Approval states:

"7. Within 6 months of this approval, the Proponent shall submit a Staging Plan for the implementation of the approved concept plan to the Director-General:

- (a) identifies how the implementation of the concept plan is likely to be staged; and*
- (b) provides an indicative timetable for the lodgement of project applications for the various stages."*

A staging plan providing an indicative timetable of works required to complete the project is attached at Appendix 9.

5.1.4 Liability to Lapse

Condition Number 8 of the Concept Plan Approval states:

"8. If the Proponent does not lodge a project application with the Minister for the elements of the concept plan within 5 years of the date of this approval, the approval shall lapse."

The project application is hereby lodged, well within 5 years of the Concept Plan approval.

5.1.5 Planning Agreement

Condition Number 9 of the Concept Plan Approval states:

*"9. **Prior to accepting guests at the resort**, the Proponent shall develop a suitable planning agreement for upgrading of Wolgan Road to the satisfaction of the Director-General. This Agreement must:*

- (a) be prepared in consultation with Council and any relevant State Government agencies; and*
- (b) consider the recommendations in the Transport Review and Road Safety Audit of the proposed Resort, which was prepared by Samsa Consulting and dated March 2006."*

(Our emphasis)

A planning agreement is being prepared in association with Lithgow Council and relevant authorities to include such matters as the initiation of the up-grade of Wolgan Road. The planning agreement will be submitted to the Department of Planning for approval by the Director-General prior to accepting any guests at the resort.

5.1.6 Community Consultation

Condition Number 10 of the Concept Plan Approval states:

*"10. **Prior to submitting any project application** for the implementation of the approved concept plan, the Proponent shall develop a detailed program for community consultation on the implementation of the approved concept plan, in consultation with the Council, and to the satisfaction of the Director-General."*

(our emphasis)



Emirates Luxury Resort

On 22 June 2005, Emirates Airline announced Wolgan Valley as the site of its first conservation based luxury development resort outside Dubai. The announcement took place in the presence of NSW Minister for Tourism, the Hon Sandra Nori MP and local community stakeholders.

The launch attracted national and international media coverage, specifically:

- More than 30 media in attendance at the media launch in Sydney.
- Several hundred radio, newspaper and other media stories; and
- 120 MPs attended 'Friends of Tourism' luncheon at Parliament House, which included a briefing of the Wolgan Valley project.

Since the announcement Emirates and its consultants have to date conducted hundreds of hours of community consultation and the active involvement of stakeholders, including environmental, conservation, heritage, indigenous people, local business, resident groups and government authorities. These include:

- 15 November 2005, consultation with local Aboriginal communities;
- 30 November 2005, consultation with environmental and conservation groups;
- 30 November 2005, consultation with local community representatives, Lithgow; and
- April 2006, consultation with Lithgow Business Association and local businesses;
- More than 10 separate community meetings at the Newnes Hotel, Wolgan.

In addition, in December 2005 Emirates circulated a community consultation form, and responded to community feedback.

Since 2005, Emirates has set up and maintained a toll free community hotline (1800 102 660) to address community concerns regarding the project. The applicants objective is to ensure that all stakeholders - government, community, and tourism industry, have a strong level of understanding of the project prior to and during construction.

More than 300 inquiries have been received and responded to which have covered several issues including the Wolgan Road, tenders, commencement of construction, job opportunities, and environmental issues.

Emirates has regularly kept the community informed of developments regarding the Project,

A Consultation Plan for continuing consultation has been prepared by Parker and Partners and is attached at Appendix 10.

5.2 Project Application Requirements

Condition Number 11 of the Concept Plan Approval states:

"11. The Proponent shall ensure that project applications for the various stages of the concept plan:

(a) include detailed plans of the proposed development;"

The Project Architect (Turner and Associates) has prepared detailed drawings of the project which are included at Appendix 3.

Emirates Luxury Resort

The following statement prepared by the Project Architect describes the architectural approach in progressing the project architecture from Concept Plan to Project Application stage.

“Architectural Design Statement

The current design has been developed with the minimisation of the built impact on the site as a guiding principle. This has been achieved by restricting new building work to a reduced site footprint on the Eastern bank of Carne Creek, and by carefully integrating building siting within existing topography, vegetation and patterns of water movement.

The buildings are conceived of as a family of structures gathered around a central homestead building. The material expression of the buildings is therefore familial, with stone, weathering hardwoods and corrugated iron as the primary materials for the exteriors of all buildings. Timber screening and louvres on the perimeter of the buildings mediate between the interior and exterior, controlling privacy as well as providing protection from the elements. Materials salvaged from site such as timber fence posts and star pickets, as well as agricultural relics have been integrated in the fabric of the design.

The homestead building’s form and expression are directly informed by rural vernacular Australian architecture. The building is a simple rectangular form with a hipped corrugated iron roof skirted by a verandah protected by operable sun screening devices.

Connection between the homestead, the pool building and the spa meanders along the contour of the hill, opening up varying aspects and experiences of the valley scenery along the way. The scale of these ancillary buildings breaks down along this pathway and the grain of the materials becomes finer in response to each building’s function.

Villa buildings are sited along contours parallel to the creek. These buildings are low slung with their outlook focused across the creek. The side wall of each villa is windowless allowing the space between the villas to function as a private outdoor space.

The architecture is honest, pragmatic and quiet. It defers to the natural beauty, scale and complexity of its unique and diverse site.”

In addition to the above architectural details, the Power Supply Report prepared by HLA Envirosciences (see Appendix 8) details the proposed extension of the Wolgan Road power lines to the site, and the addition of a fibre optic telecommunications line on the same poles. The HLA report also provides Environmental Assessment of the off-site power and telecommunications infrastructure, including a ‘linear assessment’ of the potential visual, flora, fauna and archaeological impacts of that infrastructure.

5.2.1 Design Consistency

Part (b) of Condition Number 11 of the Concept Plan Approval states:

“(b) demonstrate that the proposed development is consistent with the layout and design principles in the approved concept plan; and if there are any inconsistencies between the proposed development and the approved concept plan, justify these inconsistencies;”



Emirates Luxury Resort

Inconsistencies between the approved and proposed development concepts have been identified, and modification of the Concept Plan is proposed at Sections 3 and 4 of this report to regularize them.

5.2.2 Detailed Archaeological Impact Assessment

Part (d) of Condition Number 11 of the Concept Plan Approval states:

“(d) include a detailed archaeological impact assessment of the land that would be disturbed by the proposed development that has been prepared in accordance with DEC’s draft Guidelines for Assessment of Impacts on Aboriginal Heritage under Part 3A;”

A CD copy of Stage 2 Archaeological investigations undertaken by Kelleher Nightingale Consulting is included in the Appendices folder to this report. This report provides a comprehensive review of the archaeological potential of the various parts of the site, and has informed the final building and road layout modifications currently proposed. Following final approval of the resort layout, the following assessment will be prepared by Kelleher Nightingale Consulting, as detailed in the Aboriginal Heritage Management Plan included as part of the Construction Management Plan at Appendix 12:

- archaeological excavation of areas to be disturbed by construction;
- participation of local Aboriginal community groups in excavation program; and
- detailed assessment of Aboriginal cultural heritage.
- Preparation of a detailed archaeological impact assessment (excavation report) in compliance with DEC’s draft Guideline for Assessment of Impacts on Aboriginal Heritage under Part 3A;

All works will be undertaken in accordance with DEC guidelines relating to Aboriginal cultural heritage for Part 3A (Major Projects).

Prior to the preparation of the detailed Archaeological Impact Assessment an Aboriginal Heritage Management Plan will be prepared which requires a consultation phase to be undertaken. The consultations have been scheduled to be undertaken through December 2006 and January 2007. Subsequently, field assessments will need to commence in February 2007. However, full archaeological assessment of areas proposed to be disturbed will be submitted prior to the commencement of building works.

5.2.3 Water and Energy Measures

Part (e) of Condition Number 11 of the Concept Plan Approval states:

“(e) Describe the measures that would be implemented to reduce water and energy demand”

The following list of measures proposed to reduce electrical energy demand has been compiled by Wood & Grieve Electrical Engineers:

1. Exterior Lighting

All exterior lighting has been minimized to reduce energy consumption.

LED light fittings (3 watt each) are utilized for all exterior pathway and roadway lighting.

All exterior lighting is controlled by photo-electric sensors to bring the lighting on and time clocks to switch off.



Emirates Luxury Resort



2. Villas

Entry pathway and veranda lighting is controlled via motion sensors to ensure these fittings are off when not in use.

3. Main Building

All main building lighting circuits are controlled by centralized electronic dimming system that will be adjusted to provide the best lighting effect and reduce energy consumption by reducing the output.

The following list of measures proposed to reduce water consumption has been compiled by Steve Paul and Partners Hydraulic Engineers:

- Installation of flow control systems on all sanitary fixtures to '*monitor and control water flows throughout the site*' – see Section 2.4 of Water Supply report at Appendix 13.
- Provision of water meters to the Main Building, Central Staff Building, Spa Building and Maintenance Building - to monitor water usage.
- Installation of rain water storage tanks to all buildings.

5.2.4 External Lighting Plan

Part (f) of Condition Number 11 of the Concept Plan Approval states:

"(f) include an External Lighting Plan that is generally consistent with the requirements in AS4282-1997: Controls of Obtrusive Effects of Outdoor Lighting;"

An External Lighting Plan has been prepared by Wood and Grieve Electrical Engineers. The plan details external lighting that has been designed to satisfy the following objectives, while conforming to AS4282:

- Provides effective levels of light for the safe movement of guests and staff within the accommodation areas.
- Minimises the impact of light on the surrounding areas.
- Minimises light spillage into the atmosphere.
- Ensures that the night sky view is a feature of the development by controlling all light sources that impact on this experience.
- All lighting will be directed downwards and mounted at low level wherever possible.
- Is energy efficient by utilising efficient light sources and providing much lower levels of light than the recommended levels in the Australian Standards, while still maintaining safe movement.

The Resort & Spa Complex

- The pedestrian pathways interlinking the villa have LED fitting cast into the concrete pathways that have a downward and a 120 degree horizontal distribution that provides low level "pools" of light. These marker lights identify one edge of the pathway while not detracting for the night time experience.



Emirates Luxury Resort



- The Entry to the Main Building will be highlighted under the canopy with exterior type down-lights.
- Bollard lighting, with 20 Watt metal halide lamps, provide exterior lighting to the Main Building entrance area as well as around the pool. Again these fittings direct the light downwards only.
- LED Bollard fittings will be used along the main incoming road from the Staff precinct to the Resort. This lighting provides safe passage for staff moving between the Staff Accommodation and the Resort during darkness.
- In-ground up-light fittings will be used to highlight the cluster of trees along the entry road near the Resort as well as adjacent to the Spa Complex.

The Staff Accommodation Precinct

- The exterior lighting to this area will be minimised with only pathway lighting assisting with the safe movement of pedestrians around the complex.

The Entry & Gate House

- The entrance lighting will be understated while providing a suitable level for security identification.
- The entry roadway leading from the entrance to the resort will not have any lighting.

AS4282-1997 – Control of Obtrusive Effects of Outdoor Lighting.

There are four main criteria when assessing the obtrusive effects of outdoor lighting:

- The effects on surrounding developments – There are no other developments near any of the boundaries on this property. The lighting design will have no spill light on any of the boundaries.
- The effects on road users – This aspect does not apply to the development as the Staff and Resort precincts are a considerable distance from any public roadway.
- The effects on transport signalling - Not applicable due to distance from any public roadway.
- Effects on Astronomical Observations – This is the most important of the four criteria to this development. One of the main attractions of the resort is to experience the night sky. The lighting design will concentrate all light in a downwards direction with the only exception being when the underside of a few feature trees' canopies are being highlighted. The selection of light fitting will ensure that no spill light is able to pass the edge of the canopy and to go into the sky.

A copy of the External Lighting Plan is included at Appendix 11.

5.2.5 Construction Management Plan

Part (g) of Condition Number 11 of the Concept Plan Approval states:

"(g) include a Construction Management Plan for the proposed development that includes..."

The various required elements of the Construction Management Plan are included below

Emirates Luxury Resort



Traffic Management Plan

“construction traffic management plan that has been prepared in consultation with Council and the local community in the Wolgan Valley, and includes a driver code of conduct for construction vehicles associated with the proposed works, and describes the measures that would be implemented:

- *Minimise the traffic impacts of the proposed development, and*
- *Ensure that Wolgan Road remains safe for all traffic during the construction period;”*

A Traffic Management Plan has been prepared by Clifton Coney Group in association with Taylor Thompson Whitting in consultation with Lithgow City Council and the local community in the Wolgan Valley. The Traffic Management Plan includes:

- A description of the building works;
- Details on the duration of construction;
- Description of the site location and existing use;
- Description of the existing traffic conditions;
- Identification of affected areas;
- Details of construction phase including construction vehicle trips; and
- Measures to be adopted as part of construction traffic management plan.

The Traffic Management Plan is included as part of the Construction Management Plan in Appendix 12.

Soil and Water Management Plan

“soil and water management plan that has been prepared in accordance with the relevant requirements of Landcom’s Managing Urban Stormwater: Soils and Construction, and describes the measures that would be implemented to minimise the erosion and the discharge of sediments from the disturbed area during construction;”

A Soil and Water Management Plan has been prepared by Taylor Thomson Whitting. The Soil and Water Management Plan outlines construction measures and practices that are to be implemented, in order to minimise potential construction impacts such as erosion and sediment transfer.

Staging of the works will be required to be such that the agents of erosion are minimised at any one time. Necessary measures will be adopted as may be necessary for erosion control, including the following where applicable:

- Staging: Staging of operations (e.g. clearing, stripping);
- Restoration: Progressive restoration of disturbed areas;
- Drains: Temporary drains and catch drains;
- Dispersal: Diversion and dispersal of concentrated flows to points where the water can pass through the site without damage;
- Spreader Banks: Or other structures to disperse concentrated silt traps;
- Construction and maintenance of silt traps to prevent discharge of scoured material to downstream areas;



Emirates Luxury Resort



- Temporary grassing: Or other treatment to disturbed areas (e.g. contour ploughing);
- Temporary fencing.

The builder will be required to liaise and comply with the requirements of the Department of Conservation and Land Management (Soil Conservation Service) and the local Council.

The builder will be required to apply dust and noise control measures to minimise disturbance to the functioning of neighbouring properties and the surrounding natural environment. The contractor will be required to demonstrate the proposed works equipment to be within acceptable limits for noise and vibration as determined by a registered acoustic consultant.

The Soil and Water Management Plan is included as part of the Construction Management Plan in Appendix 12.

Aboriginal Heritage Management Plan

"aboriginal heritage management plan that has been prepared in consultation with DEC and relevant Aboriginal community groups, and describes the measures that would be implemented:

- *protect aboriginal objects/sites outside in disturbance area;*
- *salvage and/or conserve any Aboriginal objects in the disturbance area;*
- *respond to the discovery of any new Aboriginal objects or skeletal remains during construction; and*
- *involve Aboriginal community groups in the conservation and management of Aboriginal cultural heritage on the site;"*

An Aboriginal Heritage Management Plan has been prepared by Kelleher Nightingale Consulting. The methodology for implementing the Aboriginal Heritage Management Plan will include:

Stage 1

- preparation of an Aboriginal Heritage Management Plan based on the detailed design plan and in compliance with the conditions outlined in the approved Concept Plan, to accompany the Project Application;
- consultation with the NSW Department of Environment and Conservation (DEC); and
- consultation with the local Aboriginal community groups with a known interest in the Wolgan Valley site (community groups and individuals identified during the Aboriginal heritage survey).

Stage 2

- archaeological excavation of areas to be disturbed by construction;
- participation of local Aboriginal community groups in excavation program; and
- detailed assessment of Aboriginal cultural heritage.

Stage 3 includes the preparation of a detailed Archaeological Impact Assessment. This preparation of the detailed Archaeological Impact Assessment has been addressed in section 5.2.2 of this document.

The Aboriginal Heritage Management Plan is included as part of the Construction Management Plan in Appendix 12.



Emirates Luxury Resort

Flora and Fauna Management Plan

"flora and fauna management plan, that describes the measures that would be implemented to:

- *protect the areas outside the disturbance areas;*
- *undertake pre-clearance surveys;*
- *minimise and manage the impacts on fauna;*
- *conserve and reuse topsoil; and*
- *collect and propagate seed for the rehabilitation or revegetation of the site;"*

The Flora and Fauna Impact Assessment prepared by AMBS (October 2005) concluded that potential impacts on local flora and fauna and their habitats have been reduced to a large extent by the incorporation of appropriate impact mitigation and environmental management measures.

The potential impacts of the proposed development on native biota and their habitats will be largely confined to:

- The proposed Access Corridor and
- Development precincts of the site and involving the resort facilities and infrastructure construction phase.
- Possible effects associated with the longer term operational phase of the resort (increased human access, lights and noise, potential for ongoing habitat degradation).

Whilst there will still be some limited adverse impacts imposed upon some elements of the natural environment as a result of the proposed development, these impacts are not expected to impose a significant impact on the native biota, including threatened species and their habitats, which occur on the study site or in adjoining habitats.

The primary aim of the proposed Fauna and Flora Management Plan is to reduce the potential for adverse impacts of the development of a resort on local flora and fauna, in particular threatened species. The Fauna and Flora Management Plan outlines any threatened species / communities (NSW Fisheries Management Act, 1994; TSC Act, 1995; EPBC Act, 1999) observed on the site, as well as any found likely to occur based on the DEC Atlas of Wildlife Database Records (2005).

The methodology for undertaking the preparation of the Flora and Fauna Management Plan included:

Pre-documentation Research

Consultation with DEC & DoP

Consultation with DEC and DoP was undertaken during the preparation of the Management Plan in order to integrate the recommendations of mitigative measures for reducing impacts of the development on threatened species and communities.

Review of Recovery Plan Requirements

The Department of Environment and Conservation has developed specific guidelines for the management of several fauna species known to occur in the Wolgan Valley in the form of Recovery Plans. The preparation of the Management Plan for these species at this site necessitated a review of the Recovery Plans in order to ensure compliance.

Review of Existing Mapping and Documentation



Emirates Luxury Resort



Existing mapping and documentation for the relevant species in relation to this proposal have been reviewed.

Management Plan Preparation

The Flora and Fauna Management Plan has been prepared in accordance with the Department of Environmental and Conservation's ((DEC) EPA) and the Department of Planning's requirements and in particular any Threatened species / communities Recovery Plans. In accordance with the conditions set out in the Concept Plan Approval (part 11.g), the Flora and Fauna Management Plan is included as part of the Construction Management Plan in Appendix 12.

Construction Waste Management Plan

A Construction Waste Management Plan has been prepared by Clifton Coney Group in association with Coffey International.

The Construction Waste Management Plan is included as part of the Construction Management Plan in Appendix 12.

5.3 Specific Environmental Conditions

5.3.1 Infrastructure Plan

Condition Number 12 of the Concept Plan Approval states:

*"12. **Prior to carrying out any construction on the site**, the Proponent shall prepare (and following approval implement) an Infrastructure Plan for the site, in consultation with DEC, DNR and Council, and to the satisfaction of the Director-General. This plan must describe in detail the proposed arrangements for the following infrastructure on the site:*

- (a) water supply network;*
- (b) storm water management system;*
- (b) wastewater management system;*
- (c) energy supply network;*
- (d) telecommunication system;*
- (e) transport network, including internal roads, pedestrian paths, fire trails and tracks, helipad; and*
- (f) fire management system, including asset protection zones."*

(Our emphasis)

The Infrastructure Plan will be submitted prior to carrying out any construction on the site. However, a copy of the draft Infrastructure Plan is attached at Appendix 13.

The sections below address each component of the Infrastructure Plan as listed in the Concept Plan Approval.

5.3.2 Water Supply Network

A Water Supply Plan has been prepared by Steve Paul and Partners. The key features of the water supply network are listed below.

Emirates Luxury Resort



Site Water Demand

Mass Water Balance Studies have been undertaken to determine both potable and non-potable requirements for the development.

Potable water demand has been determined as 115,000 litres per day or 420 megalitres per annum. The potable water demand includes allowance for the following:

- i. Drinking water requirements.
- ii. Personal Hygiene requirements.
- iii. Cooking requirements.

The non-potable water demand for the resort has been determined at 5,000 litres per day or approximately 18 megalitres per annum. The non-potable water demand includes allowance for the following:

- i. Vehicle Wash Down requirements.
- ii. Mechanical Services requirements.
- iii. Pool Make up water requirements.

Potable Water Supply Network

Detailed investigations of how to provide the proposed development with a reliable and sustainable water supply have been undertaken to provide a long term sustainable water supply for the proposed development. The proposal determined as the best solution entails the following:

- i. Extraction of water from the Carne & Wolgan River Systems for discharge to a storage tank.
- ii. Extraction of water from the Wolgan River for discharge to an onsite dam.
- iii. Extraction from an on site dam to an onsite bulk storage tank.
- iv. Reticulation from the onsite bulk water storage tank throughout the resort.

The Water Management Report prepared by Steve Paul Partners attached at Appendix 13, outlines the system components proposed to provide a sustainable potable water supply to the site.

Non-potable Water Supply Network

Given the location of the proposed development and the lack of any Authority sewage reticulation system in the area, it is proposed to construct on site an onsite Wastewater Treatment Plant to treat the effluent generated by the development. The Wastewater Treatment Plant shall treat the effluent to a Class A water quality.

The means of disposing of the treated wastewater supply is via an irrigation system. Given the treated wastewater shall be Class A quality; the irrigation system shall be of a spray type. Refer to the Wastewater Management Report for details of the Wastewater Treatment Plant.

Preliminary calculations indicate the total disposal area required to be approximately 14 hectares.

The treated wastewater shall be utilised for irrigation of the resort precinct including the open areas between buildings and separate systems for the landscaped areas around the individual buildings. This equates to approximately 3-4 hectares of area. The balance of the disposal area shall be provided at the northern end of the site (see map at Appendix 13), for the irrigation of grazing pasture for the horses proposed to be located on the site.



Emirates Luxury Resort



Rainwater Harvesting

Rainwater storage tanks shall be provided to all buildings to supplement the water supply derived from the Wolgan River.

The Water Supply Network report concluded that, based on the above, water supply to the site can be allocated as follows:

- Local Rainwater Harvesting 10%
- Site Rainwater Harvesting into the Dam 55%
- Carne & Wolgan River System 35%

The Water Supply report is attached at Appendix 13.

5.3.3 Stormwater Management System

Plans providing the detail design measures, devices and practices to manage overland flow in a manner that minimises erosion, sediment and pollutant loads and hydrological impacts.

Development will be limited inside the required 50m buffer adjacent to any waterway or wetland to act as a protection buffer for the adjacent waterway

Fish passage will be maintained along waterways, bridge crossings will be designed to clear the stream flow zone up to the 1 in 5 year storm flood flow as a minimum

The project has been designed to achieve no net increase in runoff or reduction in water quality.

5.3.4 Wastewater Management System

A Wastewater Management System Plan has been prepared by Steve Paul and Partners. The key features of the wastewater system are listed below.

Overview of wastewater management scheme

- All wastewater will be collected using a conventional gravity drainage system and pumped via a series of pump stations to a central wastewater treatment plant located to the north of the Maintenance and Staff Accommodation precinct
- Primary treatment tanks followed by recirculating Textile Packed Bed Reactors will be used to provide secondary treatment and nitrogen removal to produce effluent with 10:10:15 BOD:SS:TN
- The wastewater will be disinfected using ultraviolet irradiation prior to being discharged to a 9 ML wet weather storage dam
- The recycled water will be tertiary filtered using sand or multimedia filters to achieve a Class A standard prior to being used for beneficial irrigation of landscaped areas and open space within the resort. The balance of recycled water will be used for irrigation of a dedicated effluent disposal area to be used for horse grazing.

Emirates Luxury Resort



Wastewater Loads

Hydraulic Loads

- Peak day wastewater generation was calculated to be approximately 135 kL/day, while the average daily flow is 110 kL/day.
- Average day loads were estimated using annual occupancy rates of 80% for resort guests, 50% for conferences and 100% for staff and maintenance facilities.
- The assumptions used in the wastewater load assessment are given in the Wastewater Management System Report.

Treatment Process Description

- This wastewater treatment process is shown schematically in the process flow diagram shown in Figure 5 of the Wastewater Management System Report.

Wastewater Collection System

- Wastewater from all buildings will be drained using a conventional gravity system to a series of pump stations located across the site which will then pump the raw sewage to the central primary treatment tanks.

Effluent Quality

- The wastewater treatment plant will produce recycled water that complies with the National Water Quality Management Strategy (2000) guideline values. The recycled water will be of high enough quality for above ground open space irrigation within the resort and for irrigation of pasture for grazing animals.
- The treatment system is designed to be operated automatically.

Effluent Irrigation System

- All wastewater produced by the development will be beneficially reused for irrigation of landscaped areas within the resort with the balance being used for irrigation of dedicated effluent irrigation area.

The effluent irrigation system has been designed to apply effluent at low loading rates to ensure the irrigation area does not become overloaded from either a hydraulic or pollutant loading perspective.

Effluent Irrigation Areas

The 14 ha of area required for effluent irrigation will be divided between open space and landscaped areas within the resort area and a dedicated land disposal area to the north-west of the site. The area requiring irrigation within the resort precinct is approximately 3 to 4 ha. The aim is to keep this area as green as possible all year round.

An area to the north east of the development has been identified as the preferred location for the dedicated land disposal area. The area is within close proximity of the horse stables and has previously been cleared for cattle grazing.

The dedicated land disposal area will be used for pasture irrigation for horse grazing.

The area will be divided into a number of fenced paddocks which will be rotated so that irrigation can continue even whilst the horses are grazing.



Emirates Luxury Resort



Monitoring

Operational and environmental monitoring will be documented in a Site Based Environmental Management Plan (SBEMP).

The Wastewater Management System report is attached at Appendix 13.

5.3.5 Energy Supply Network

The Energy Supply Network has been designed by Wood and Grieve Engineering. The energy supply network drawings are attached at Appendix 13.

5.3.6 Telecommunications System

The Telecommunications Systems has been designed by Wood and Grieve. The Proponent has been advised by Telstra, that Telstra have already made plans to upgrade the telecommunications services in to the Wolgan Valley. This is predominately for the Wallerawang Telephone Exchange. The purpose of the upgrade is to improve communications to the whole Valley. A fibre optic extension will be required off this upgrade work into the proposed Emirates Resort.

The telecommunications cabling will be run on the electrical overhead line poles to minimise the overall impact of these services.

5.3.7 Transport Network

The Transport Network has been designed by Taylor Thompson Whitting. Details of the transport network are provided at Appendix 6.

5.3.8 Fire Management System

The site and the surrounding valley is accessed via roads that pass through high fire hazard areas, the Fire Management System has been designed on the basis that Rural Fire Service personnel may not be able to access the site by ground during a fire event. That is, the system is designed to be capable of fire protection without external assistance.

This is proposed principally by a system that:

- Provides Asset Protection Zones (APZs) in accordance with 'Planning for Bushfire Protection'.
- Includes sufficient on-site water supply and reticulation
- Concentration of safety measures upon the central resort building, where all guests will congregate for the duration of any fire event.

Roads and Bridges

Access into the resort from Wolgan Road will be via the existing rural driveway route, which will be upgraded and extended to provide access to the resort site on the eastern bank of Carnes Creek. Graded gravel road access is provided through both the staff accommodation and resort precincts.

Emirates Luxury Resort



Details of fuel reduction measures to create a fuel managed zone along this road will be detailed in the Bushfire Management Plan to be submitted prior to construction.

The internal access road extension will involve the construction of two bridges to enable access to the eastern bank of Carnes Creek. Both bridges will be of concrete construction and designed to accommodate Rural Fire Service Tankers in accordance with the AS5100 Bridge design standard.

Building Siting

A 60 metre asset protection zone (APZ) is proposed around all buildings, as indicated in the attached Architectural Drawings prepared by Turner and Associates (Drawing Nos. A102 and A103).

Water Supply

The principal water supply for building fire fighting will be a static 450 kilolitre contained within a 1,050 kilolitre on site combined potable/fire water storage tank. This will be connected to the potable/fire reticulation system serving hydrants and hose pipes around the site (see below).

A 116 megalitre dam on the site will be available for both fire trucks and helicopters to draft water for bush fire fighting purposes. The 400 kilolitre main resort swimming pool will provide a supplementary bush fire fighting water supply, as will a range of smaller dams across the site, and the individual swimming pools at every villa. All of these supplementary water sources will be accessible to fire trucks (i.e. truck standing area within 4 metres) to draft water to refill their tanks.

Reticulation of water

A combined potable water and fire services reticulation network shall extend throughout the resort and staff precincts connecting to dual hydrant standpipes to ensure all buildings are provided with coverage in accordance with AS2419.1 as indicated on the attached Hydraulic Services Drawings prepared by Steve Paul & Partners (Drawing Nos. HI-200 to HI-216 inclusive). The reticulation system shall also supply the dedicated fire hydrant, hose reel and sprinkler systems located within the Resort Main Building and the Staff Main Building in accordance with AS21419.1, AS2118, AS2441 and the BCA.

Vehicular Access

All buildings will be accessible either by the main internal access road or the buggy paths serving individual villas, with no building being more than 40 metres from these paths. While the buggy paths will only be 2 metres wide, an additional 1.0m wide road base verge is proposed to adequately support fire fighting vehicles.

The design of the internal access road and buggy paths is detailed in the attached Civil Drawings prepared by Taylor Thompson Whitting (Drawing Nos. C00 – C81).

Building Protection Systems

Buildings will be fire protected in accordance with the Building Code of Australia (BCA) and relevant Australian Standards fire safety requirements (see attached Architectural Drawing Nos. A102 and A103 prepared by Turner and Associates). Wet protection systems are detailed in the attached

Emirates Luxury Resort

Hydraulic Drawings Prepared by Steve Paul and Partners (Drawing Nos. H-200, H-201, H-202, F100, F-101, F102, F103).

Dry protection systems will include addressable smoke detection and alarms in each villa accommodation unit connected back to the Main Building Fire Alarm Panel. The Main Building and the Spa Building will have early warning addressable smoke detection throughout the building. Similarly for the Staff Accommodation Precinct there will addressable smoke detection and alarms in each unit connected back the Amenities Building Fire Alarm Panel. The Resort precinct and Staff Amenities Fire Alarm Panels will be interconnected.

Bushfire Management Plan

As required by the General Terms of Approval of the Concept Plan, ongoing operational management of bushfire hazard will be detailed in a comprehensive plan submitted for approval prior to occupation of the project.

5.4 Landscape Management Plan

Condition Number 13 of Concept Plan Approval states:

*"13. **Prior to carrying out any construction on the site**, the Proponent shall prepare (and following approval implement) a Landscape Management Plan for the site, in consultation with the DEC, DNR, and Council, and to the satisfaction of the Director-General. This plan must include detailed landscape management plans for each of the 5 precincts in the approved concept plan, that includes:*

- (a) an outline of the landscaping objectives for each precinct;*
- (b) a description of the short, medium and long term measures that would be implemented to landscape each precinct;*
- (c) detailed completion criteria for the landscaping of each precinct;*
- (d) a detailed description of the measures that would be implemented over the next 5 years to landscape the site, including the procedures to be implemented for:*

- *revegetating the site;*
- *managing the impacts on fauna;*
- *rehabilitating the creeks on site;*
- *landscaping the site to minimise the visual impacts of the development on Wolgan Road and the adjoining national parks;*
- *conserving and reusing topsoil;*
- *collecting and propagating seed for rehabilitation and revegetation works;*
- *controlling weeds and feral pests; controlling access;*
- *bushfire management;*
- *managing any potential conflicts between the landscape plan and Aboriginal cultural heritage;*

(e) a detailed description of how the performance of the landscaping plan would be monitored over time; and



Emirates Luxury Resort



(f) a detailed description of who would be responsible for monitoring, reviewing and implementing the plan."

(Our emphasis)

A Landscape Management Plan is currently being prepared by Context Landscape Design, in conjunction with Trevor Evans, AMBS Consulting, Kelleher Nightingale Consulting and UrbisJHD.

The objectives of the Landscape Management Plan (LMP) are to provide recommendations and strategies to achieve the following:

- Protect and enhance existing ecological communities within the Wolgan Valley site;
- Protect and provide habitat linkages between areas of ecological communities throughout the Wolgan Valley site;
- Provide strategies for the revegetation and sustainable management of ecological communities within the Wolgan Valley site;
- Reinstate much of the natural ecology, hydrology and stream morphology of the site;
- Create a sanctuary for locally endemic threatened plants and animals;
- Create a buffer between the Greater Blue Mountains World Heritage Area and adjacent agricultural uses;
- Create a world class tourist destination that will enhance the international reputation of the Blue Mountains and the State of NSW; and
- Recognise the important aboriginal and European heritage values of the valley.

The Landscape Management Plan will be submitted prior to carrying out any construction on the site. However, a copy of the draft Landscape Management Plan is attached at Appendix 14.

5.5 Conservation Management Plan (European Heritage)

"14. Prior to carrying out any construction on the site, the Proponent prepare (and following approval implement) a Conservation Management Plan for the site, in consultation with the Heritage Office, and to the satisfaction of the Director-General."

A Conservation Management Plan is currently being prepared by HBO+EMTB Heritage Pty Ltd (HBO+EMTB) and is based on the previous management plan prepared by Conybeare Morrison International, dated June 2006.

The Conservation Management Plan prepared by HBO+EMTB endorses the significance attached to the site which has been changed only by the addition of the later outbuildings and 1950's house and cottage.

The Conservation Management Plan will be submitted prior to carrying out any construction on the site. However, a copy of the draft Conservation Management Plan is attached at Appendix 15.

5.6 Operational Environmental Management

*"15. **Prior to accepting guests at the resort**, the Proponent shall prepare (and following approval implement) an Environmental Management Plan for the site, in consultation with the DEC, DNR, 5 Council and the local Wolgan Valley community, and to the satisfaction of the Director-General. This plan must include:*

(a) a transport management plan;



Emirates Luxury Resort



- (b) an emergency management plan, including a bushfire management plan;*
- (c) a soil and water monitoring program;*
- (d) waste management plan; and*
- (e) the other plans required under this approval or included in the statement of commitments that are relevant to the ongoing operation of the resort."*

(Our emphasis)

The Operational Environmental Management Plan (OEMP) will address all the matters listed in Condition 15 of the Concept Plan Approval and will be prepared prior to accepting any guests at the resort, to the satisfaction of the Director-General.



Emirates Luxury Resort



6 Consistency with Approved Concept Plan Statement of Commitments

The Statement of Commitments contained within the Concept Plan requires that all of the commitment made therein will be finalised **prior to construction**. The requirements and status of the various commitments is summarised below.

6.1 Contamination Remediation Plan

Preliminary investigations have been completed and full remediation of all land contamination resulting from previous agricultural use of the site will be remediated and validated by an EPA accredited auditor prior to the commencement of building works.

6.2 Archaeological Investigation

As detailed at Section 6.2.2 the consultation phase of archaeological investigations is ongoing and field work will not be able to commence until February 2007. However, no building works will commence until the land required to be disturbed to accommodate that work is fully surveyed and any relics or objects managed in accordance with relevant guidelines.

6.3 Conservation Management Plan – Non Aboriginal Heritage

A Conservation Management Plan for the site is included at Appendix 14.

6.4 Ecological Management

The following Environmental Management Plans (EMPs) are currently being prepared and will be submitted for approval prior to the occupation of the resort:

- Ecological Rehabilitation and Management Plan, including management strategies for the creek lines, vegetation and native fauna and their habitats, including specific considerations for threatened fauna species;
- Weed Management Plan; and
- Feral Fauna Management Plan.

6.5 Soil and Water Management Plan

A Soil and Water Management Plan is included at Appendix 11.

Emirates Luxury Resort



6.6 Bush Fire Hazard Management

Proposed fire management infrastructure is detailed at Section 6.3.8. A bushfire management plan that details operational strategies and protocols that ensure unplanned fires on the site are contained and suppressed as quickly as possible, will be submitted for approval prior to occupation of the resort.

6.7 Emergency Response Plan (Flooding and Bushfire)

A plan detailing training and emergency response measures to protect human safety in the event of flood, bushfire or other natural emergencies will be submitted for approval prior to occupation of the resort.

6.8 Water Management Plan

The proposed Water Management Plan is considered at Section 6.3.2 and is included at Appendix 11.

6.9 Energy and Water Conservation Plan

The proposed Energy and Water Conservation Plan is considered at Section 6.3.5 and is included at Appendix 13.

6.10 Energy and Water Conservation Plan

The proposed Construction Management Plan is considered at Section 6.2.3 and is included at Appendix 13.

6.11 Wolgan Road Upgrade Plan

As discussed at Section 6.1.5, the Wolgan Road Upgrade Plan is still being developed in consultation with Lithgow Council and will be implemented prior to the commencement of building works.

6.12 Operational Management Plan

As discussed at Section 6.6, the Operational Management Plan is still being developed in consultation with Lithgow Council and will be implemented prior to occupation of the resort.

Emirates Luxury Resort



7 Conclusion

The Minister for Planning has previously approved the Concept Plan for the Project. The conditions of this approval require the submission of a project application detailing the final design of the resort, as well as specifying a range of management plans that must be submitted for approval at various other stages.

In addition to containing the information required to be submitted at project application stage, this report also proposes various modifications to the Concept Plan to reflect the evolution of the design process from Concept to actual design. While these modifications involve numerous detail matters, in essence they all relate to refinement of the resort design and the construction of a power line along Wolgan Road to provide electricity and telecommunications to the site.

Notwithstanding these modifications, the project remains substantially the same as that for which Concept Plan approval was granted by the Minister, namely a tourist facility comprising 40 villas, ancillary resort and spa facilities, staff accommodation, associated infrastructure, landscaping, conservation of the existing slab homestead and wattle and daub hut, and demolition of the 1957 homestead. The addition of stables, a gatehouse and dam, and the relocation of some structures onto adjacent NPWS land (on a leasehold basis) do not substantially alter the underlying characterisation of the project, or the manner in which it will impact upon the receiving environment.

Various additional Management Plans will be submitted prior to the commencement of construction and occupation of the resort respectively, as required pursuant to the General Terms of the Concept Plan Approval.

In our opinion the Minister may reasonably form the opinion that the project as modified satisfies the relevant provisions of the Environmental Planning and Assessment Act 1979, and therefore recommend that the Concept Plan be modified, and project approval granted, subject to appropriate conditions.