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**STATE SIGNIFICANT DEVELOPMENT SCOPING
REPORT AND REQUEST FOR SEARs**

**CULTURAL, RECREATION AND TOURIST
FACILITIES**

**BLUE MOUNTAINS WILDLIFE PARK
10 GREAT WESTERN HIGHWAY, WENTWORTH FALLS**

FEBRUARY 2021

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LIST OF ABBREVIATIONS

| ABBREVIATION | DESCRIPTION |
|-----------------|---|
| A14 | Aesthete No.14 Pty Ltd |
| ACHAR | Aboriginal Cultural Heritage Assessment Report |
| AHIMS | Aboriginal Heritage Information Management System |
| BC Act | Biodiversity Conservation Act 2016 |
| BDAR | Biodiversity Development Assessment Report |
| BMATA | Blue Mountains Accommodation and Tourist Association |
| BM LEP 4 | Blue Mountains Local Environmental Plan No.4 |
| BM LEP 2015 | Blue Mountains Local Environmental Plan 2015 |
| BMNP | Blue Mountains National Park |
| BPM | Bushfire Protection Measures |
| CO | Carbon Monoxide |
| CIV | Capital Investment Value |
| DECCW | Department of Environment, Climate Change and Water |
| DPIE | Department Planning Industry and Environment |
| EIS | Environmental Impact Statement |
| EP&A Act | Environmental Planning & Assessment Act 1979 |
| EPA | Environmental Protection Authority |
| EPBC | Environment Protection and Biodiversity Conservation Act 1999 |
| EPI | Environmental Planning Instrument |
| GBMWA | Greater Blue Mountains World Heritage Area |
| GFA | Gross Floor Area |
| LEP | Local Environmental Plan |
| LGA | Local Government Area |
| LSPS | Local Strategic Planning Statement |
| NO ₂ | Nitrogen Dioxide |
| NorBE | Neutral or Beneficial Effect |
| O ₃ | Ozone |
| OSD | On-Site Detention |
| PARK | Blue Mountains Wildlife Park |
| PBP | Planning for Bushfire Protection |
| PFM | Planning Focus Meeting |
| PMF | Probable Maximum Flood |
| PM | Particulate Matter |
| RF Act | Rural Fires Act 1997 |
| RFS | Rural Fire Service |
| RTA | Roads and Traffic Authority |
| SEARs | Secretary's Environmental Assessment Requirements |
| SEPP | State Environmental Planning Policy |
| SFPP | Special Fire Protection Purposes |
| SO ₂ | Sulphur Dioxide |
| SIA | Social Impact Assessment |

| | |
|-----------------|---|
| SRD SEPP | State Environmental Planning Policy (State and Regional Development) 2011 |
| SREP 20 | Sydney Regional Environmental Plan No. 20 Nepean-Hawkesbury |
| SSD | State Significant Development |
| TMP | Transport Management Plan |
| VEC | Vulnerable Ecological Community |
| WSUD | Water Sensitive Urban Design |
| WMA | Water Management Act 2000 |

EXECUTIVE SUMMARY

The Applicant seeks approval for the Project under Division 4.7 of Part 4 of the EP&A Act.

This Scoping Report provides a preliminary assessment of the environmental and planning considerations that guide the preparation for the SEARs, which will then inform an SSD application.

The Application concerns a Wildlife Park (*Cultural, Recreation, and Tourist Facility*).

The Park will showcase native Australian fauna and flora. It will also recognise and respect Australian Indigenous Ancestry and the culture of our First Nations People.

The Park will bring together a range of services and experiences that complement one another, compliment the region, and that are sited in a recognised global tourist destination. Because of its size, location, and existing consent, the property provides a unique opportunity to deliver on the proposed services.

The Park will seek out best practice for fauna and flora exhibition, care, and conservation. It will lead by example in the recognition of First Nations People. It will provide development that is sympathetic to its world class setting.

Apart from a tourist offering, the Park provides essential services as a matter of need. Particularly within the Sydney Basin, where other uses rapidly increase and those proposed rapidly decrease. It will provide services that are not presently or readily available, including for:

- (a) fauna and flora conservation
- (b) fauna and flora research / science (with public programs)
- (c) care of wildlife, habitats, protective corridors, sanctuaries, breeding programs, rehabilitation, and veterinary services
- (d) recognition of, and respect to, Australian Indigenous Ancestry

The Park will provide, through various precincts:

- curated wildlife
- flora exhibition
- education and teaching (focussing on the *Gundungurra* and *Darug* people)
- free range and guided tours
- conservation programs (encouraging public participation)
- places for rest, recreation, and accommodation (interacting with fauna and flora)
- carefully selected iconic foods and beverages

Metropolitan, district, and local strategic planning all identify the increasing importance of tourism for our economy. They identify the need to provide additional tourist facilities and associated infrastructure to facilitate economic opportunities. The current pandemic increases the need for State and National offering as international borders close for unknown periods of time.

The Blue Mountains is already recognised as a tourist destination. It is steeped in native vegetation, native wildlife, and native ancestry. Tourists to the region rarely experience those attributes. They experience limited vegetation species and usually miss native wildlife, the biology, the ecology, and geology. They miss the conservation, the Indigenous Ancestry, and its importance to that region.

With its unique location the Park will take advantage of the existing day trip and overnight tourists (approximately 5.8 million in 2018-2019 and forecast for significant growth). The Park will benefit from an already known tourist destination and will provide those tourists with an experience they would not otherwise enjoy.

The exhibition will encourage visitation regionally, nationally, and in time, internationally. It will provide tourism expenditure, local training, employment, generate local manufacture and trade.

The property is already benefitted by an existing and operational development consent for use as a tourist fauna and flora park. A construction certificate has issued,

and physical works have commenced. However, the existing consent falls short of the current and forecast local, regional, State, and National demand.

The development consent may have been relevant as contemplated 30 years ago, and when tourism to the region was only a fraction of what it is today. Visitation to the region has doubled over the last decade. It is forecast for significant growth. The existing development consent cannot meet the present need or that which is forecast and would be an under development of the property and a loss of opportunity.

The Project may be defined as a *Cultural, Recreation, and Tourist facility* pursuant to clause 13(1) to Schedule 1 of the SRD SEPP. It has a CIV exceeding \$30 Million. It meets the definition of an SSD.

The property is zoned Part E2 Environmental Conservation and Part E3 Environmental Management under Clause 2.1 of BM LEP 2015. The usage is permissible within the E3 Zone, including as an *“Animal boarding or training establishment”*, a *“Recreation facility”* or *“Recreation facility (major)”*.

Limited elements of the built form extend beyond the E3 Zone and into the E2 Zone, however that does not make the Application prohibitive. The impact of that extension into the E2 Zone is mitigated because the existing consent also extends into that E2 Zone.

Moreover, section 4.38(2) to (3) of the EP&A Act provides that development consent may be granted to an SSD even where the use is partly prohibited. It is worth noting that a modification of the existing consent would permit the uses that were once permitted in the zoning as it applied in 1989.

Section 4.36 of the EP&A Act provides the relevant mechanism by which a SEPP may declare a development, or any class or description of development, an SSD. An assessment of the Application favours such a declaration.

The property is located outside the BMNP and World Heritage Area. It appears from preliminary assessment to present limited environmental constraints. It offers a rare and significant opportunity to provide for design, environmental innovation, conservation, and recognition of Ancestry.

In assessing the Project consideration must be given to avoidance, minimisation, and management of impacts upon the environment and local communities.

The assessment will identify mitigation and management measures to address any impact. It will also consider any impacts which may be encountered and require management during construction and operation of the Park.

Preliminary consultation with stakeholders and the local community has been undertaken and continues. The result of that consultation has so far signalled support for the development. Consultation will continue through the Project assessment, design, and construction phases.

The proponent meets the threshold for an SDD and therefore seeks, pursuant to section 4.36 of the EP&A Act, the issuing of the SEARs to enable preparation of an EIS.

1.0 INTRODUCTION

This Scoping Report is submitted to the DPIE to assist the Secretary in determining the scope of environmental assessment required to accompany an SSD for the Park.

The report has been prepared on behalf of the Applicant by *Cityscape Planning + Projects*. It is based on information provided by the Applicant and its consultants.

The Scoping Report provides the DPIE with detail of the proposed SSD and describes any potential environmental impact. It includes the following information relevant to the proposal:

- description of the property and the Project
- identification of relevant strategic and statutory context
- summary of results in early community engagement
- identification of scale and nature of impacts of the Project
- outline of proposed approach to assessment and community engagement

The details outlined in this Scoping Report enable the DPIE to commence preparation of the SEARs for an SSD.

The SEARs will then inform the preparation of an EIS that will accompany the SSD Application.

1.1 PROJECT CONTEXT AND LOCATION

1.1.1 REGIONAL CONTEXT

Wentworth Falls is a township located in the Blue Mountains region of New South Wales. It is situated approximately 100 kilometres west of Sydney's central business district, and about 8 kilometres east of Katoomba.

Travel to the region has improved over recent years with completion of a four-lane highway from Lapstone through to Katoomba.

The highway and access to the Sydney Basin is serviced via a network of Motorways. They include the M1, M2, M4, M7, and future M8, M9, and M12 Motorways.

Visitation is expected to increase with opening of Sydney’s second airport at Badgerys Creek, and ongoing development within the Aerotropolis.

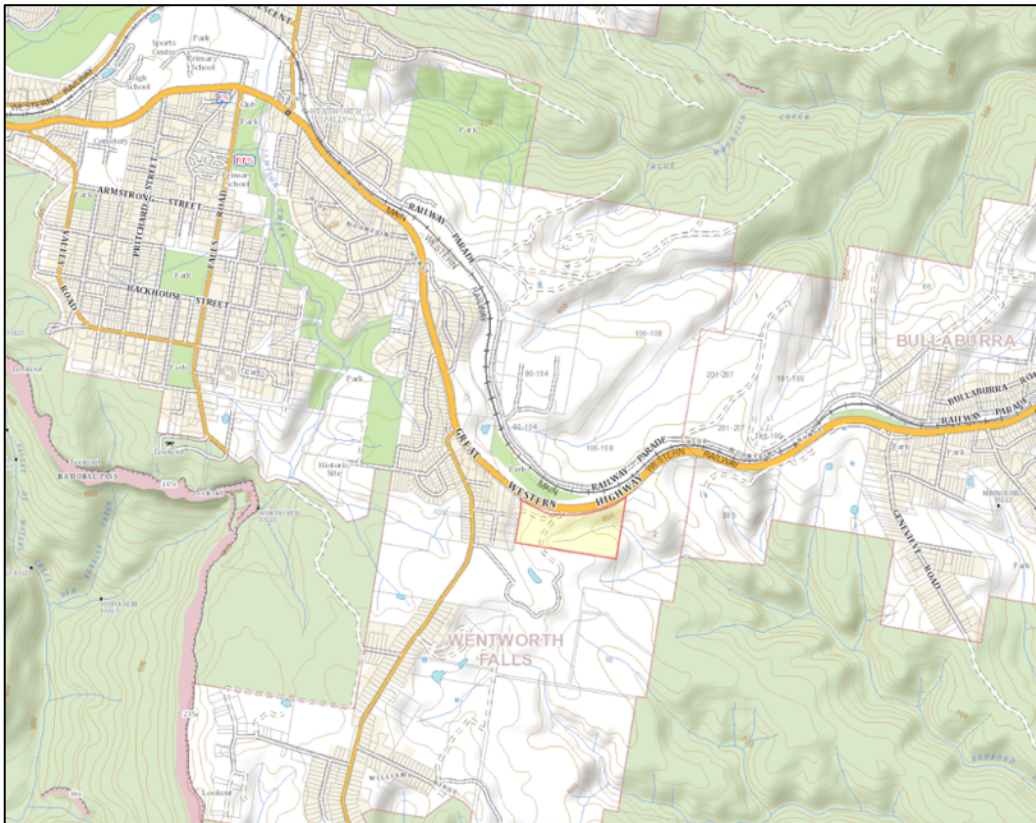
There is a railway station at Wentworth Falls on the Main Western line. The Main Western line is forecast for expansion.

The property sits within a region of growth and planned future infrastructure. Locating of services as are proposed within the burgeoning Sydney Basin is a rare and diminishing opportunity. Figure 1 provides an image of the regional context of the property.

FIGURE 1: REGIONAL CONTEXT



FIGURE 2: LOCATION OF SITE



1.1.2 LOCAL CONTEXT AND SITE DESCRIPTION

The property is a large (10.13ha) almost rectangular shaped parcel located on the southern side of the Great Western Highway, at Wentworth Falls. It is approximately 2.5km east of the Wentworth Falls village.

The property is known as 10 Great Western Highway, Wentworth Falls, and has the following real property description: Lot 4 in Deposited Plan 1158407. Figure 2 demonstrates the location of the property and Figure 3 demonstrates its configuration.

The property accommodates bushland type vegetation over its broader context. However, does provide a cleared area of approximately 1.2 ha in size at its western section. Figure 4 provides an aerial image that shows the extent of vegetation coverage over the property.

The property is currently vacant and is not improved by development or land use other than a vehicle access via the Great Western Highway, limited site works, limited engineering works, and clearing (all subject of the existing development consent). There is an easement for electricity transmission at its eastern section.

The property is located within the very upper catchment of Bedford Creek and accommodates a tributary to that drainage line in its lower eastern section.

The location of that drainage line is represented in the aerial photo provided at Figure 4. This drainage line forms a relatively deep and sloping valley. Images of the property are provided at Figure 5.

FIGURE 3: SITE BOUNDARIES

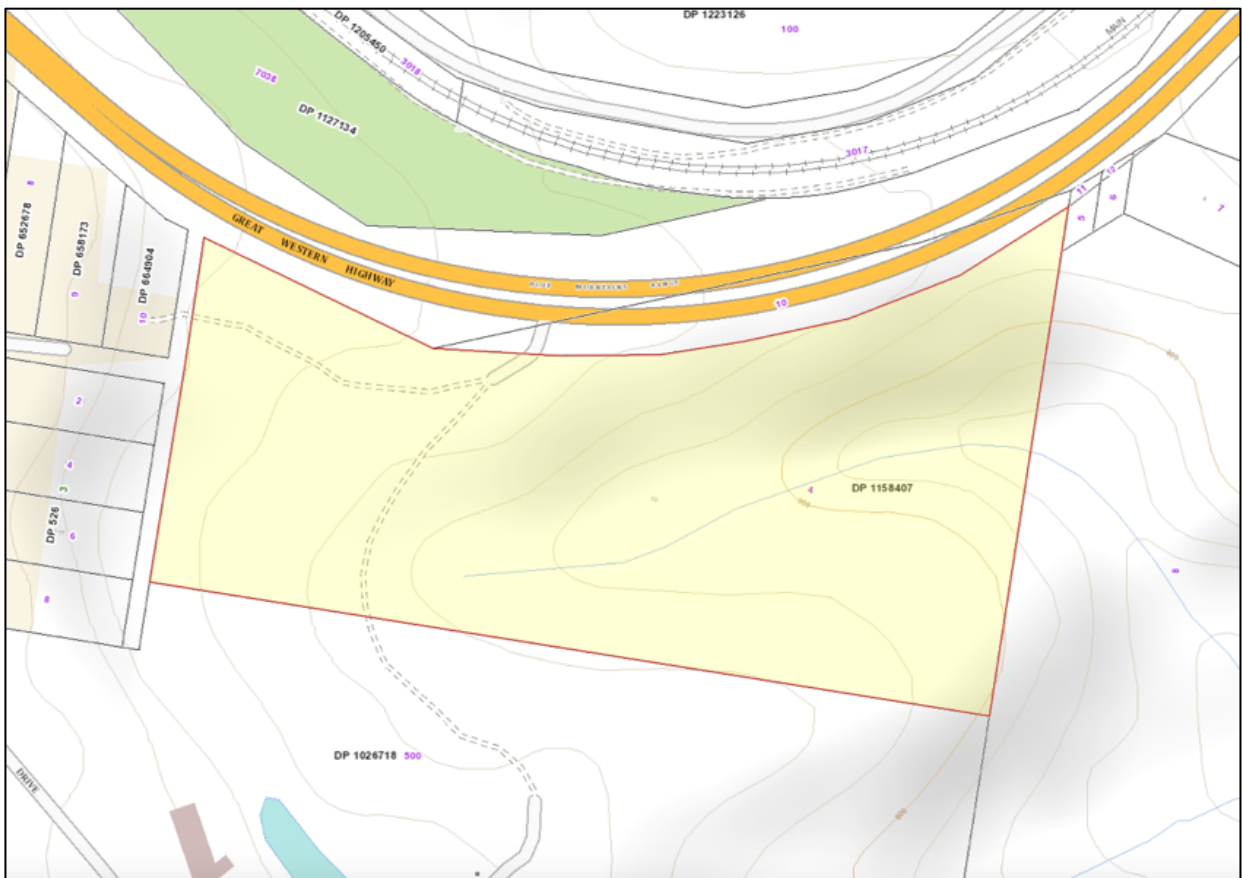


FIGURE 4: AERIAL PHOTO OF SITE



FIGURE 5: LOCATION PHOTOS OF SITE



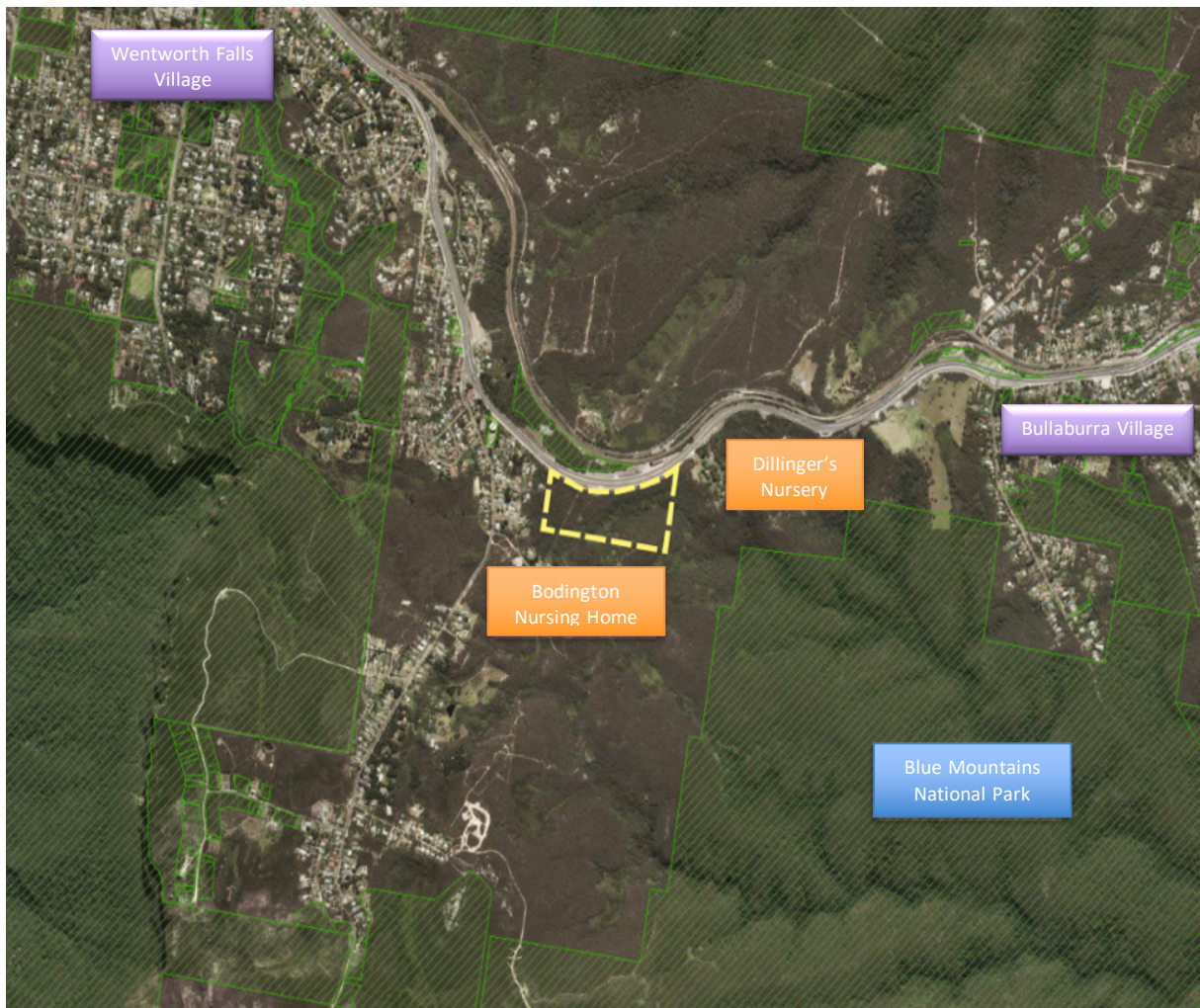
1.1.3 ADJACENT LAND USES

The property is located approximately 2.5km to the east of Wentworth Falls Railway Station and is sited adjacent to the eastern edge of that village environment.

The property adjoins residential and commercial development to its south, east, and west. The nearest dwelling is located 30m to the property's western boundary. It has neighbouring commercial uses immediately to its south and east. Those being a large nursing home to the south, and a nursery to the east.

The property is not located within either the BMNP or the GBMWhA but is located within close proximity to those areas of significance. Figure 6 provides an aerial photo that shows the property's proximity to adjacent land use.

FIGURE 6: ADJACENT LAND USE



1.1.4 PROJECT HISTORY

The property is currently vacant and is not improved by development or land use other than a vehicle access via the Great Western Highway, limited site works, limited engineering, and clearing (the subject of the existing development consent). There is an easement for electricity transmission at its eastern section.

Development consent was issued by Blue Mountains City Council on 23 November 1989, pursuant to BM LEP 4 as amended. Physical works were commenced, and a construction certificate issued. The development consent allows the property to be developed for the purposes of a tourist flora and fauna park and associated facilities inclusive of the following:

- centrally located, two-storey building providing a range of animal displays and exhibits together with a bistro, theatrette, and public amenities.
- curtilage of the building providing numerous animal enclosures for larger animals, whilst other sections of the property provide walking trails, picnic areas, and viewing platforms to enable experiences of the local fauna and flora communities.
- tourist facilities supported by vehicular access, car parking areas, bus and coach parking areas, water treatment ponds, and a maintenance shed.

Further details and plans for the existing consent are provided at Annexures C-D.

Preliminary works were commenced on 12-19 November 1992, as part of the development consent issued on 23 November 1989. These works include:

- partial excavation of the macrophytic pond (purification lagoon) including excavation of trench to 1.5m deep at length of 35m and width of 5-6m.
- commencement of the Parks reptile unit including digging and filling of trenches with concrete as part of building foundation works and fifteen to sixteen courses of brickwork laid above foundations.
- installation of footing for the Park's main building.

- partial completion of the bird lagoon involving the excavation of 6m x 8m dam at the south western corner of the property.
- initial works on the Park's sewer system including trench, pipes, and excavation works for sewer holding tank.

Further works were carried out in accordance with a construction certificate issued in 2019 and are presently held in abeyance pending determination of this Application. Absent favourable determination those works will resume and will see a tourist fauna and flora park of lesser scale established and operated.

The SSD Application seeks to enhance the existing consent and land use by providing an expanded and contemporary cultural, recreation, and tourist facility that will celebrate our fauna and flora, Australian Indigenous Ancestry, and that specifically of the Blue Mountains. It seeks to respond to the present and future forecast need for the region.

1.1.5 THE APPLICANT

The Applicant for the Project is Aesthete No.14 Pty Ltd (**A14**). A14 is the Trustee of the Blue Mountains Wildlife Trust. It is constituted by professional service providers who are experienced property developers and high net worth individuals having a connectivity with the Blue Mountains.

Investment from tourism industry operators is expected through the course of the Project delivery. Interest is already expressed from those parties, and from national and international financial institutions / other relevant industry bodies.

1.1.6 PROJECT TEAM

| CONSULTANT | COMPANY | NAME |
|----------------------|----------------------------|------------------|
| Accounting & Audit | PricewaterhouseCoopers | James McElvogue |
| Archaeology | Kayandel Services | Lance Syme |
| Architecture | Cox Architecture | Nick Tyrell |
| Bushfire | Bushfire Hazzard Solutions | Stuart McMonnies |
| Construction Manager | Pure Projects | Adam Adair |

| | | |
|-------------------------------------|-------------------------------|--------------------------------------|
| Digital Strategy & Media | SevenCommunications | Patrice Pandeleos |
| Ecologist | Enviro Ecology | Dr John Whyte |
| Economic Impact | Hill PDA | Martin Hill |
| Engineering | Northrop Engineering | Stephen Fryer |
| Financial Advisory | Investorlink Group Limited | Ross Benson |
| Modelling & Feasibility | Deloitte (Access Economics) | Adele Labine-Romain |
| Food & Beverage | Future Food | Francis Loughran |
| Geotechnical | Jeffery & Katauskas | Agi Zenon |
| Hotelier & Hospitality | Tuscan | Kyle Vinnicombe |
| Indigenous & Culture | Gundungurra and Darug | Sharyn Halls and Wayne Cornish |
| Legal & Compliance | Yates Beaggi Lawyers | Farshad Amirbeaggi |
| Legal & Compliance | Senior Counsel | Andrew Pickles SC |
| Project Management | Sync Developments | Christopher Wayman |
| Public Relations | SevenCommunications | Patrice Pandeleos |
| Quantity Surveyor | Altus Group | David Collins |
| Town Planning | Cityscape Planning + Projects | Vince Hardy |
| Traffic | TTPP Transport Planning | Wayne Johnson |
| Veterinary | Veterinarian | Dr Sam Gilchrist |
| Zoological | Zoo Consultant | Sally Padey, Craig Sowden, Liz Romer |

1.2 PROJECT OBJECTIVES

1.2.1 PROJECT VISION & BRIEF

To compliment the World Heritage Area with an engaging experience focussed on native fauna and flora, conservation, Indigenous Ancestry / culture, recreation, hospitality / tourism.

To provide a fauna and flora, and cultural experience to visitors whether they are drawn to the region because of the Park or because of the Blue Mountains and provide to them experiences they would not otherwise enjoy.

Provide a platform of best practice that is globally recognised for care and conservation of fauna and flora. Provide a stage upon which to recognise and respect First Nations People.

Provide a wildlife park and tourist destination to compliment an existing tourist destination.

Provide an offering of services that are presently and rapidly deplete within an existing tourist destination.

Channel the existing tourism to the region towards new experiences.

Provide variety with new and unique experiences not presently available.

Promote and operate a platform for wildlife care, conservation, protection of endangered species, research, breeding, and rehabilitation.

Provide areas for rest, recreation, and hospitality that interact with fauna and flora experiences.

Provide a unique food and beverage service that gathers and celebrates iconic Australian chefs, foods, beverages, and produce at affordable prices, in a family setting, whilst surrounded by fauna and flora.

1.2.2 THE PROJECT OBJECTIVES

The Project objectives are to:

- provide a tourist destination that showcases our cultural heritage, and our flora and fauna
- provide veterinary care, animal habitats, and sanctuaries
- provide a place for leisure, recreation, and hospitality
- promote and capture existing tourist expenditure by encouraging longer visits, overnight stays, public participation programs
- provide experiences visitors would not have enjoyed but for provision of the Park
- grow the regional, district, and local economies by providing new employment opportunities

- establish a world class facility that promotes best practice for sustainable tourism and conservation
- establish a globally recognised benchmark for recognition of First Nations People
- manage environmental impacts associated with construction and operation of the Park in an environmentally and socially sustainable manner

These objectives have guided the assessment of alternatives discussed in Section 1.5.

1.3 PROJECT OVERVIEW

A tourist wildlife park that is commensurate with its unique and established World Heritage location.

The provision of services expected within the region that are not presently offered.

A focus on Australian fauna and flora and Indigenous Ancestry.

A place for rest, leisure, and hospitality which interacts with fauna and flora experiences.

A world class facility Australia can identify with and be proud to showcase.

Accommodation that meets global expectations and is recognised as a preferred destination.

A unique food and beverage service.

An enabling of conservation.

1.4 PROJECT NEED

Metropolitan, district, and local strategic planning all identify the increasing importance of tourism in the local and regional economies and the need to provide additional tourism facilities and associated infrastructure to capture those economic opportunities.

The Project provides a valuable new tourism facility that will encourage further visitation and tourism expenditure in the Blue Mountains region. It provides additional short term stay accommodation to support the continued growth of that industry.

The property has been approved for use as a tourist facility, however that approval is no longer fit for purpose and requires a contemporary redesign to ensure that it will provide a tourist offering that meets contemporary market expectations.

The available economic data reveals that visitation to the Blue Mountains region for day trip or overnight stay has doubled over the last decade such that the existing consent (as contemplated in 1989) would not meet present or future demand.

1.5 ALTERNATIVES CONSIDERED

1.5.1 DO NOTHING

The '*do nothing*' option would involve no change to the existing use of the property which currently provides limited and early site and engineering works associated with the approved wildlife park. This option does not allow for the realisation of any of the tourist and economic opportunities, outcomes, and benefits that were envisaged as part of that original approval.

1.5.2 DEVELOP EXISTING APPROVAL

The Applicant has legitimately contemplated developing the property in accordance with the existing consent. However, the tourism industry, general population, access to the region, animal welfare, need for conservation, and general market expectations have all undergone significant change since the approval in 1989. This option does not allow for full and best use of the tourist and economic potential available.

1.5.3 MODIFY EXISTING DEVELOPMENT CONSENT

The Applicant has considered pursuing modifications of the development consent. However, the scale of modifications if pursued all in one application may not meet the '*substantially the same development*' threshold of section 4.55 of the EP&A Act, and if approached in fragmented stages would take significant time to deliver to market.

1.5.4 LARGER DEVELOPMENT PROPOSAL

Initial site planning provided a larger development footprint that included additional short stay accommodation including 5-Star cabins located further into the bushland / lower escarpment and expanded tourist offerings including retail facilities and recreational activities (such as a zip-line park).

However, the expanded facility was unlikely to satisfy the joint operation of bushfire and biodiversity conservation requirements together with the sustainability objectives that underpin the proposal.

Incorporation of those additional items would likely result in a loss of identity of the key objectives.

1.5.5 ALTERNATE SITE

No alternate sites were considered.

The proponent deliberately sought to pursue the subject property because:

- of the opportunity to pursue an outcome consistent with the existing development consent
- the property is sited within an already recognised tourist destination
- the property is sited in a region significant to the *Gundungurra* and *Darug* people
- the property already enjoys an outstanding transport network
- the experiences, facilities, and services proposed are not readily available
- of its rare and unique size, location, access, and existing use rights

It is because of those attributes that the property permits development sympathetic to the landscape, will not be an over development, is logistically capable of providing the proposed mix of uses and services, and is able to accommodate future growth.

2.0 PROJECT DESCRIPTION

2.1 SITE PLAN LAYOUT

The site plan is organised around the property's riparian corridor including a large central water body that will provide a water feature for exhibitions, aquatic habitat, and water quality management. This waterbody will be bunded for detention and edge planted with sedges designed in consultation with the engineering team.

Vehicular access to the Park will be provided directly via the Great Western Highway with a pick-up and set down area which includes accommodation for a shuttle service. There is a further point of access for vehicles (both ingress and egress) at its western boundary to Miller Street.

The Project will be supported by parking for 250 cars and 8 coaches. That is a reduction on earlier planning for 350 cars and 12 coaches. There is an abundance of space to accommodate forecast growth.

The primary visitor experience and entry building will be provided directly adjacent to the vehicle roundabout and will provide a visual arrival experience. Animal enclosures and free-range exhibits will be distributed across the property.

The primary wildlife component of the Park operation is provided in a series of pavilions that occupy the central and eastern parts of the property. Further buildings are provided to the south and west of the property and will provide rest areas and hotel accommodation with a total of 56 rooms.

The pavilions and hotel will provide a building height of 1-3 levels that provide a GFA of approximately 8,100m². The various activities provided in each building and the GFA they occupy is represented in the concept plan at Figures 7 and 8 and Table 1.

The site layout is represented at Figure 7, and massing plan at Figure 8, with further detail provided in the Project Plans in Annexure A.



COX

- | | | | |
|---|-------------------------|----|---------------------|
| 1 | BAR | 7 | VET CLINIC |
| 2 | HOTEL ENTRY & CONCIERGE | 8 | ENTRY / GIFT SHOP |
| 3 | DINING | 9 | THEATRE |
| 4 | ACCOMMODATION | 10 | AVIARY EXHIBIT |
| 5 | COACH PARKING | 11 | INDOOR ZOO EXHIBIT |
| 6 | CAR PARKING | 12 | EXHIBIT DESTINATION |

- | | | | |
|--|-------------------|--|-------------------------|
| | BUILT FORM | | TREES & TALL VEGETATION |
| | ROAD & CARPARKING | | BUSH & LOW VEGETATION |
| | SKYWALK | | PATHWAYS |

Sketch Site Plan | 1:1000

0 5 10 20 40



Figure 8: MASSING PLAN

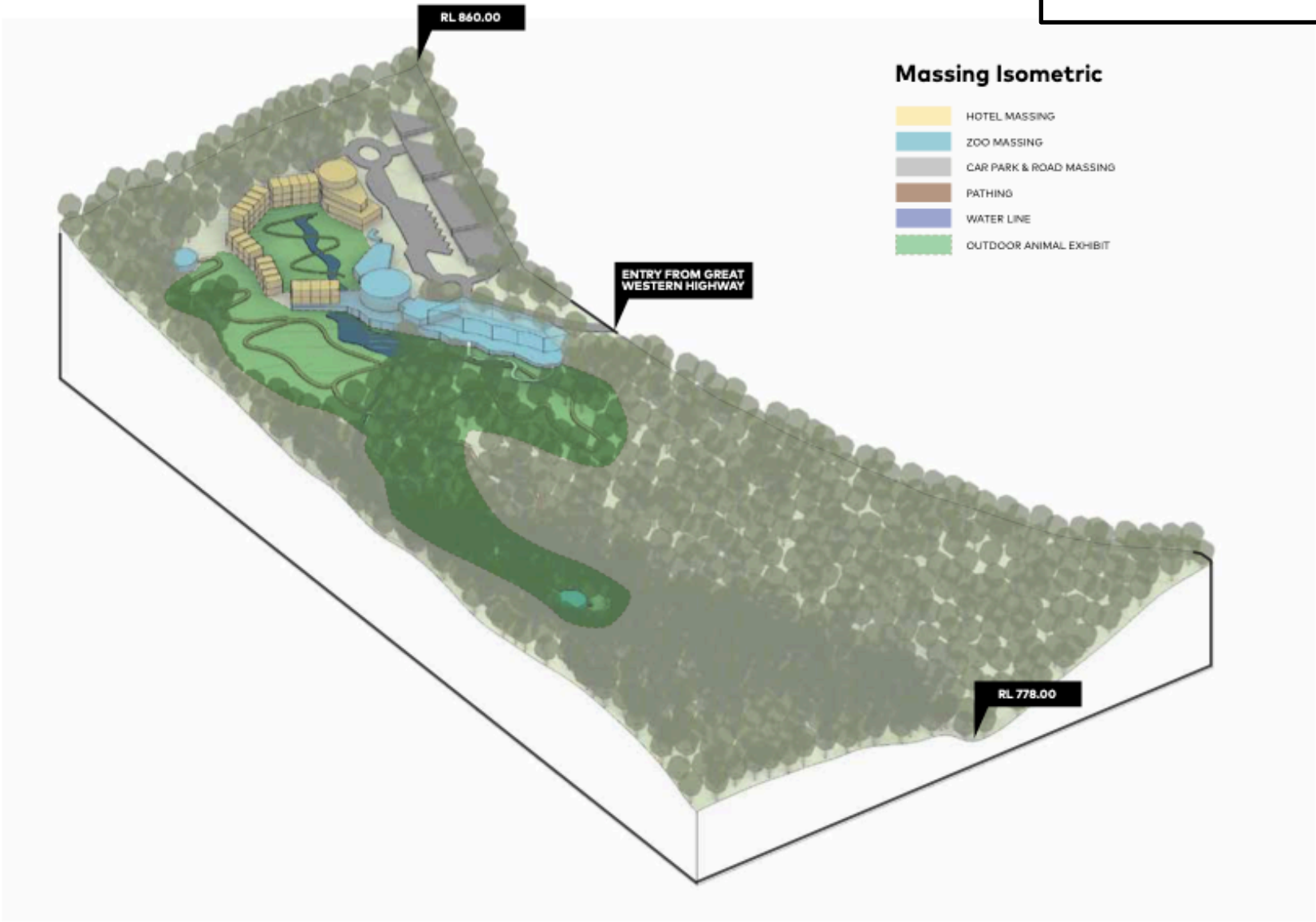


Figure 9: ISOMETRIC PLAN

Wentworth Falls Wildlife Park

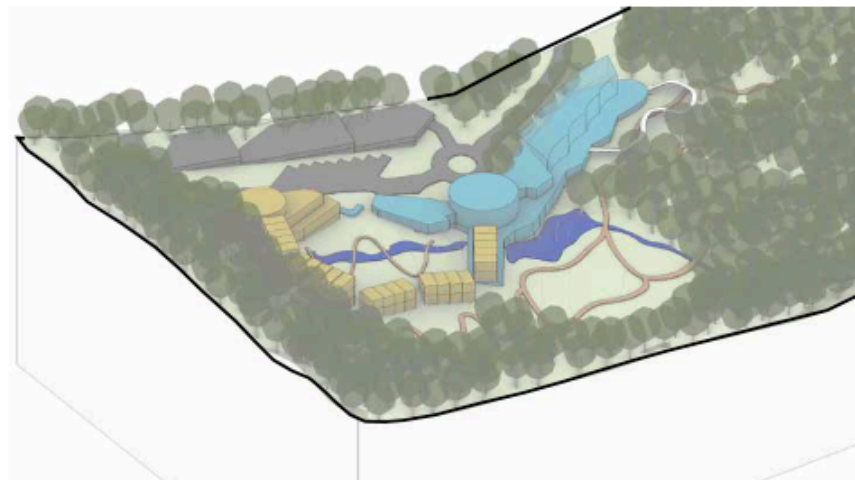
Concept Design & Planning



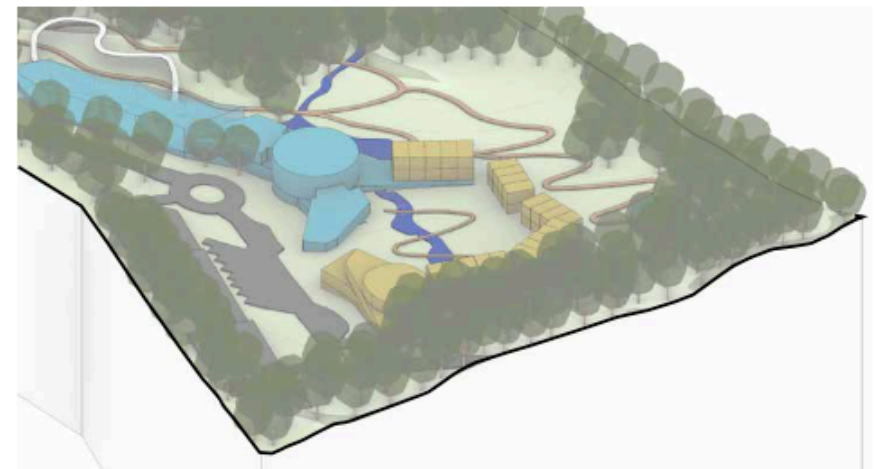
SE Isometric | NTS



NE Isometric | NTS



SW Isometric | NTS



NW Isometric | NTS

Wentworth Falls Wildlife Park

Table 1: Gross Floor Area Schedule

| Program | Area |
|--|---|
| Exhibit Entry | |
| Amenities / Gift Shop | 300m ² |
| Entrance / Ticketing / Concessions | 150m ² 450m² |
| Animal Exhibits | |
| Animal Hospital / Rehab | 400m ² |
| Feed and BOH | 150m ² |
| Indoor Animal Exhibits | 900m ² |
| Maintenance / Caretaker | 150m ² |
| Outdoor Exhibits | 10ha |
| Theatre | 350m ² 2200m² |
| F & B | |
| All Day Dining | 450m ² |
| Cafe & Eatery | 80m ² |
| Terrace | 270m ² 800m² |
| Central Facilities | |
| Entry / Concierge | 250m ² |
| FOH / Tours / Meeting | 250m ² |
| Bar | 260m ² |
| Outdoor Terrace | 250m ² 1010m² |
| Administration | 250m² |
| BOH / Services | |
| BOH / Stores / Utility | 350m ² |
| Housekeeping | 200m ² |
| Kitchen & Handling | 150m ² |
| Plant / Services | 300m ² |
| Staff Amenities / Training | 350m ² 1350m² |
| Accommodation | |
| Premium View Suites (20 x 36m ²) | 720m ² |
| Animal View Suites (36 x 36m ²) | 1296m ² 2016m² |
| Car Parking (Approx. 250) | 7925m² |
| Coach Parking (Approx. 8) | |
| Total | 16001m² |

2.2 PROJECT PRECINCTS

The property will provide a range of experiences and uses across several precincts.

The precincts will include fauna and flora; veterinary hospital; Indigenous Ancestry, (artifacts and teaching); general recreation, rest, and accommodation; and hospitality (including food and beverage). These precincts are represented in the images provided at Figure 10-12.

The development concept shows each distinct precinct for the purpose of defining the Project scope. It is envisaged that the outcome will be a fully integrated experience all operating under one operational plan.

A summary description of each of these precincts is provided below.

2.2.1 CURATED EXHIBITS

This feature represents the primary focus of the Park and provides the following:

- zoological displays of endemic flora and fauna species
- curated exhibits of endemic flora and fauna species
- fauna feeding and petting experiences

2.2.2 INTERACTIVE EXHIBITS

Interactive exhibits will include:

- veterinary clinic
- animal research
- volunteer's facility
- animal breeding
- animal hospital and habitat protection/sanctuaries

2.2.3 EDUCATIONAL + CULTURAL EXHIBITS

A range of educational and learning experiences will be provided including:

- theatrette
- display of historical sites and artifacts
- aboriginal education, tours, presentations, and engagement
- indigenous art applications, gallery, and display

2.2.4 PREMIUM EXHIBITS

The premium exhibits will house the property's most popular displays in the western section of the property, adjoining both the hotel and Park entry area. This area will provide the following:

- koala view rooms
- free range animals
- kangaroo lawns
- animal feeding

2.2.5 FREE RANGE TOURS

This precinct provides free range exhibits that include designated walking tours and wildlife encounters that will be provided in the bushland areas located at the central, eastern, and western sections of the property. These will be supported by defined walking trails, viewing platforms, and seating areas with interpretive signage.

2.2.6 FOOD BEVERAGE AND MERCHANDISE

A range of food and beverage offerings from healthy take-away, to casual dining, to casual fine dining will be offered.

Leading chefs and providores will be approached to develop menus where patrons are able to experience a collection of prominent / iconic Australian food and beverage offerings all in the one location, casually served, and at affordable family pricing. The experience will be enjoyed in open and closed areas including large outdoor dining terraces.

Locally themed retail offerings will be provided by way of souvenir, gift shop, or Indigenous arts and crafts. It will provide locally produced goods such as leathers, produce, art, and woodwork. The Indigenous arts exhibition and studio will offer lessons in traditional painting with takeaway souvenirs of works completed.

2.2.6 ACCOMMODATION

This precinct provides a hotel style facility that will accommodate 56 rooms at 5 Star rating in a 3-storey built form located in the western section of the property. The hotel will also incorporate a function centre to host conferences and events.

2.3 OPERATING HOURS

It is expected that the Park will be open 363 days per year from between the hours of 9:00am and 5:00pm and attract patronage exceeding 2 million per annum.

Some elements of the facility including dining, functions, theatrette, and wildlife experiences may operate further into the evening for special events to enhance the tourist offering and experience.

2.4 WORKFORCE

Initial estimates indicate the facility will generate up to 150 new jobs across a range of industry sectors including the following:

- zookeepers
- veterinary
- hotel
- dining

- administration and reception
- education
- cleaning and custodial
- maintenance

Significant additional employment opportunities, estimated to be 1,155 jobs, would be generated in the construction phase of the Project.

2.5 ESTIMATED CAPITAL INVESTMENT VALUE

The entire development has a proposed CIV of approximately \$110.35 million (excluding cost of land and finance).

A CIV is provided at Annexure B and breaks down costs between the accommodation and wildlife park (zoo) elements of the development.

The CIV identifies the following costs for those elements of the development:

| | |
|----------------|----------------------|
| Accommodation: | \$26,653,000 |
| Wildlife Park: | \$83,699,000 |
| Total: | \$110,352,000 |

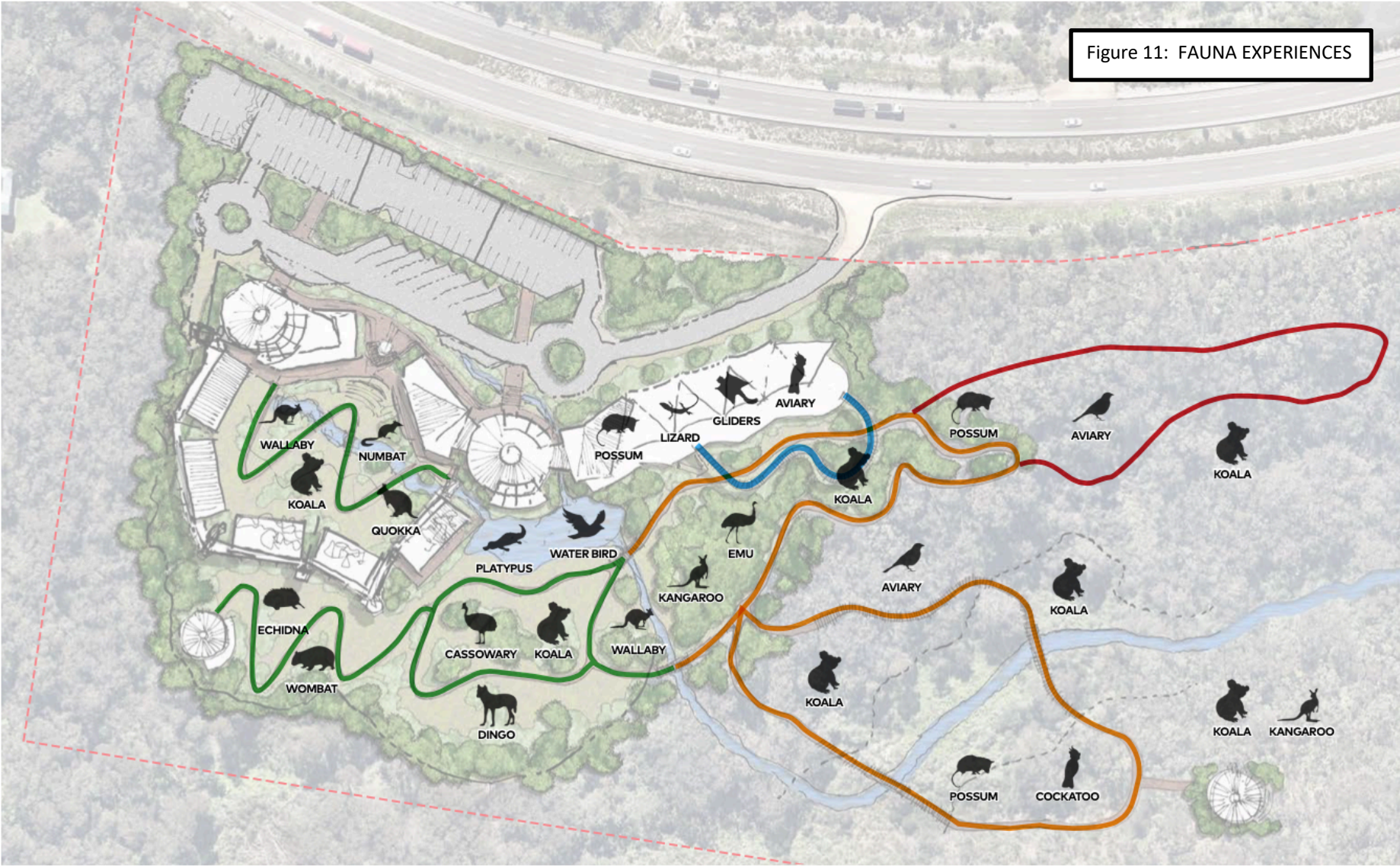


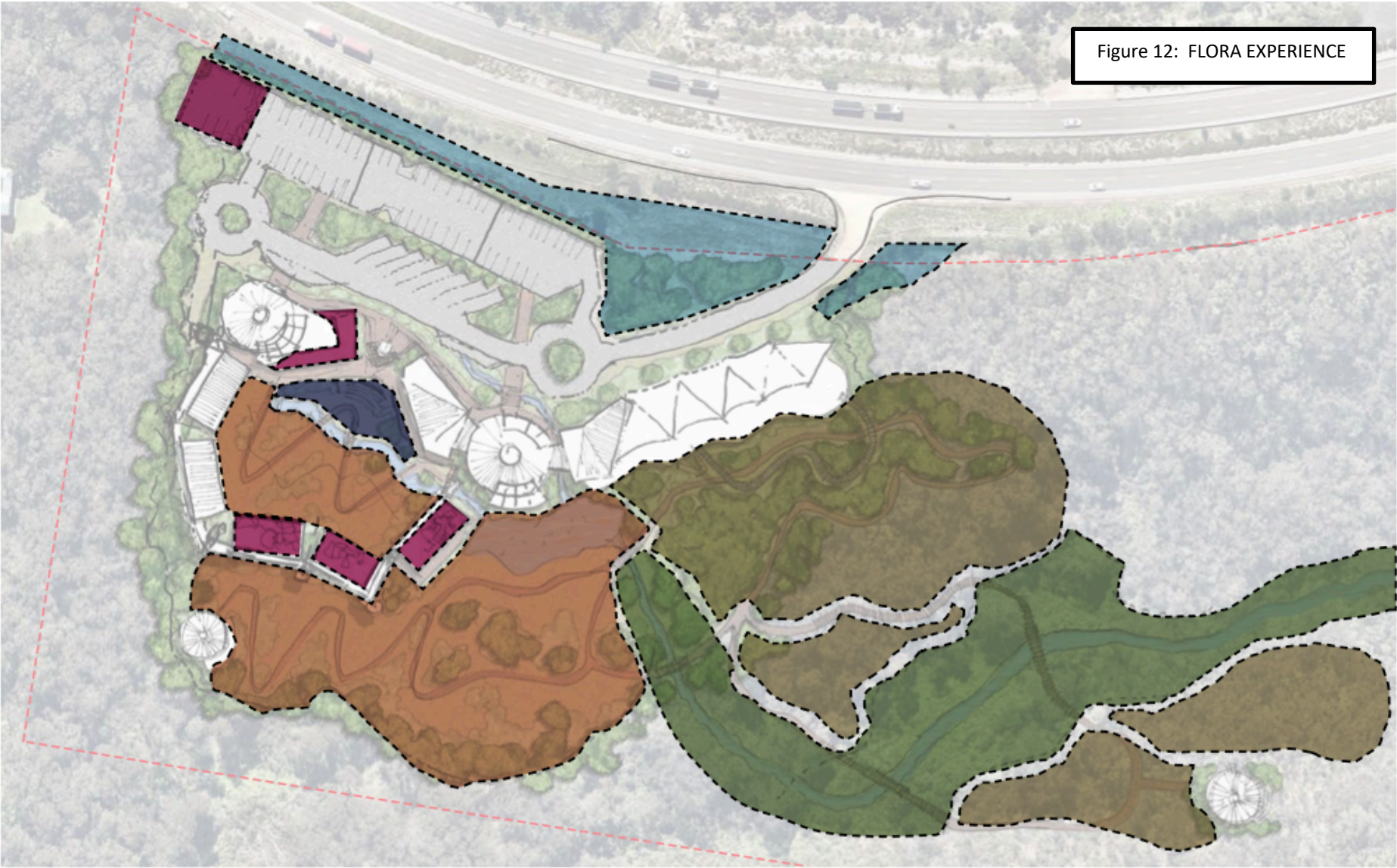
- COX**
- | | | | | |
|---|---|---|---|--|
| Curated Exhibits | Interactive Exhibits | Educational Exhibits | Premium Exhibits | Free-Range Exhibits |
| Zoological Display Close Encounters Petting Experience Selfie Zones Free Flight Animal Feeding | Vet Clinic Volunteers / Rehab Research Koala Rehab Training + Education | Theatrette Art + Displays Select Animals Aboriginal Engagement Indigenous Arts, Crafts, & Education Centre | Koala View Rooms Free Range Animals Kangaroo Lawn Animal Feeding | Rehabilitation + Respite Animals Koala Sanctuary Discovery Walks Possum Boxes Bird Boxes Night Encounters & Spotlighting Wallaby Lawns |

Sketch Experiences Plan | 1:1000

0 5 10 20 40







3.0 STRATEGIC PLANNING CONTEXT

3.1 GREATER SYDNEY REGION PLAN – A METROPOLIS OF THREE CITIES

The *Greater Sydney Region Plan, A Metropolis of Three Cities*, is built on a vision of three cities where most residents live within 30 minutes of their jobs, education, health facilities, services, and great places.

To meet the needs of a growing and changing population the vision seeks to transform Greater Sydney into a metropolis of three cities:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City

The vision brings new thinking to land use and transport patterns to boost Greater Sydney's liveability, productivity, and sustainability by spreading the benefits of growth.

The *Regional Plan* is by definition a broad plan and therefore has no detailed or specific references to the property, its locality, or the proposed preliminary development proposal however does identify the importance of tourism in strengthening the economy of the metropolitan area.

3.2 WESTERN CITY DISTRICT PLAN

The Western City District includes Blue Mountains, Penrith, Hawkesbury, Fairfield, Liverpool, Camden, Campbelltown, and Wollondilly.

The *Western City District Plan* is a 20-year plan to manage growth in the context of economic, social, and environmental matters to achieve the 40-year vision for Greater Sydney. It has a substantial focus on infrastructure requirements of high growth areas within the Western District and the Western Sydney Aerotropolis.

The District Plan provided the following Planning Priorities relevant to the proposed development:

“Planning Priority W8

Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis

Visitor Economy

Western Sydney Airport will create significant opportunities to grow the international and domestic tourism markets, and thus the District’s visitor economy, by attracting visitors to the heart of the Western Parkland City. This will better connect visitors to attractions such as the Greater Blue Mountains World Heritage Area.....

The increased activity will also create the need for new and/or upgrades to tourism infrastructure.”

3.3 GREATER BLUE MOUNTAINS WORLD HERITAGE AREA STRATEGIC PLAN

World Heritage listing is the highest level of international recognition that may be achieved, acknowledging outstanding universal value and global significance.

The GBMWhA was inscribed into the World Heritage List because of its outstanding natural values. It represents outstanding examples of major stages of the Earth’s ongoing biological processes and of biological diversity.

A wide range of plant and animal lineages and communities with ancient origins in Gondwana survive in the reserves, many of which are restricted largely or entirely to the GBMWhA. The GBMWhA also provides the principal habitat for many threatened species of plants and animals.

The Strategic Plan has been prepared to assist in meeting Australia’s international responsibilities under the World Heritage Convention. It will ensure that appropriate consideration is given to the GBMWhA World Heritage values by managers when

developing management prescriptions for the GBMWhA reserves, and that they are developed and implemented in a consistent and coordinated way.

The property is not located within the area that comprises the GBMWhA but is located approx. 300m from the boundary of this area. The Strategic Plan recognises that the GBMWhA has an interface with approximately 5,000km of adjacent land uses. Those uses have the potential to impact upon its World Heritage values.

In this context, the Strategic Plan states as follows:

“Proposals for works, activities and other development proposals within and adjacent to the GBMWhA will be assessed using the normal environmental impact assessment processes applied by the Australian and New South Wales governments under their respective legislation.”

GBMWhA Strategic Plan 2009 p.21

Accordingly, those World Heritage values attributed to the GBMWhA, together with the management strategies identified as part of this Strategic Plan will be considered as part of the EIS assessment process.

Importantly, whilst the Strategic Plan has a significant focus on conserving and protecting the GBMWhA's important biodiversity, geological, natural, and cultural values, it also provides objectives that seek to optimise social and economic benefits derived from visitation to the GBMWhA. This includes recognising the importance of providing an appropriate range of recreational and visitor usage opportunities to assist achieve this outcome.

3.4 LOCAL STRATEGIC PLANNING STATEMENT

Blue Mountains 2040: Living Sustainably is a long-term land use plan aimed at ensuring the Blue Mountains Local Government Area can respond in a locally appropriate way, to the challenges and opportunities of the future.

This LSPS is required by legislation (Clause 3.9 of the EP&A Act) to identify the basis for strategic planning in the area, having regard for social, economic, and environmental matters.

The LSPS recognises the important role tourism has in the local economy and particularly providing for local employment opportunities. It therefore provides the following vision and priority actions relevant to the subject property and the preliminary development proposal:

“20 Year Vision

The City will contain world class facilities and nature based tourism experiences that achieve best practice for sustainable tourism...

Local Planning Priority 8 Actions:

Managing increased tourist visitation

Long Term (2025 – 2040)

8.13 Council will coordinate with the NSW National Parks and Wildlife Service to deliver on a diversified range of visitation opportunities and locations, to reduce visitation impacts at single points within the local government area,”

3.5 CONCLUSION

The Project therefore aligns with all three levels of strategic planning by providing new tourism experiences that will grow the regional, district, and local economies and provide new employment opportunities within that increasingly important economic sector.

4.0 STATUTORY PLANNING FRAMEWORK

4.1 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

4.1.1 OVERVIEW

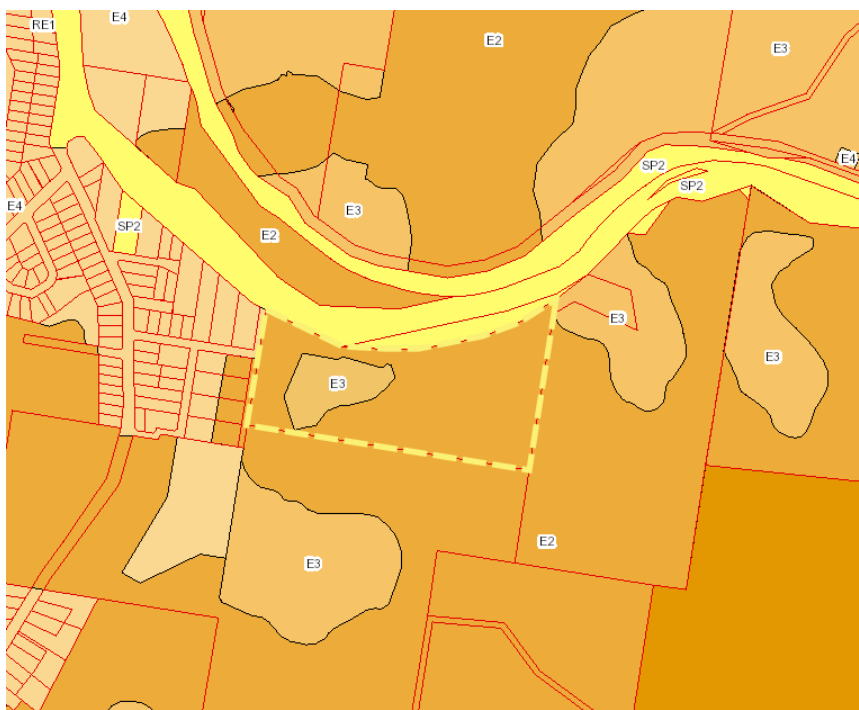
The EP&A Act is the primary legislation governing land use and provides a framework for development in NSW. The EP&A Act is supported by the *Environmental Planning and Assessment Regulation 2000*, and numerous EPI's including SEPPs and LEPs. Part 4 of the EP&A Act establishes a framework for assessing development that requires consent under an EPI. It allows development to be classified as 'exempt development', 'complying development', 'development that needs consent', or 'prohibited development'. The term 'development' is in section 1.5 of the EP&A Act.

4.1.2 ZONING AND LAND USE PERMISSIBILITY

ZONING

Pursuant to Clause 2.1 of BM LEP 2015 the property is zoned part Zone E2 Environmental Conservation and part Zone E3 Environmental Management. An extract of the zoning is at Figure 13. It shows spatial extent of zones across the property.

FIGURE 13: BM LEP ZONING MAP



LAND USE CHARACTERISATION

Neither the ‘*Dictionary*’ nor ‘*Land use table*’ to BM LEP 2015 defines a zoo or *wildlife park*. However, the Dictionary does provide the following relevant definitions which are considered to best characterise/respond to the development proposal:

***animal boarding or training establishment** means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.*

***recreation facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).*

***hotel or motel accommodation** means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that—*

(a) comprises rooms or self-contained suites, and

(b) may provide meals to guests or the general public and facilities for the parking of guests’ vehicles,

but does not include backpackers’ accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

The Project also includes retail and function areas. These are only ancillary land uses and do not form the primary or dominant use of the property. In this regard it is useful to reference the *NSW Planning Circular PS13-001* which specifically deals with ancillary development and provides clarification as to how development is ‘characterised’.

This Circular states:

“Ancillary use

An ancillary use is a use that is subordinate or subservient to the dominant purpose. The concept is important when a development involves multiple components on the same land. To put it simply:

- *if a component serves the dominant purpose, it is ancillary to that dominant purpose;*
- *if a component serves its own purpose, it is not a component of the dominant purpose but an independent use on the same land. It is a dominant use in its own right. In such circumstances, the development could be described as a mixed use development.”*

(NSW Planning Circular PS13-001 21/2/13 p.2)

When viewed in this context the primary or dominant use of the property is characterised as either an *animal boarding or training establishment*, or *recreation facility (outdoor)*, the latter of which is also consistent with the definition provided at Schedule 1 of the SEPP SRD.

LAND USE PERMISSIBILITY

The BM LEP 2015 land use table to Zone E3 Environmental Conservation identifies the following land uses as permissible development in the zone:

- *animal boarding or training establishments*
- *recreation facility (major)*
- *hotel and motel accommodation*

However, the BM LEP land use table to Zone E2 Environmental Conservation does not identify either of these land uses as permissible in that Zone.

The Project will provide essentially all the proposed built works within that portion of the property zoned E3 Environmental Management. An overlay of the zones and development is provided at Figure 14.

For the purposes of compliance with the zoning under BM LEP 2015, the Project may be characterised as either an *‘animal boarding or training establishment’* or a *‘recreation facility (outdoor)’* both of which are permissible within that E3 Environmental Management Zone. Limited elements of that built form extend beyond

that E3 Environmental Management Zone boundary and into the E2 Environmental Conservation zoned section of the property. Those elements if pursued as an SSD and not as a modification of the existing consent would be partly prohibited under BM LEP 2015. As noted above, the existing development consent already travels into those areas that are zoned E2 Environmental Conservation.

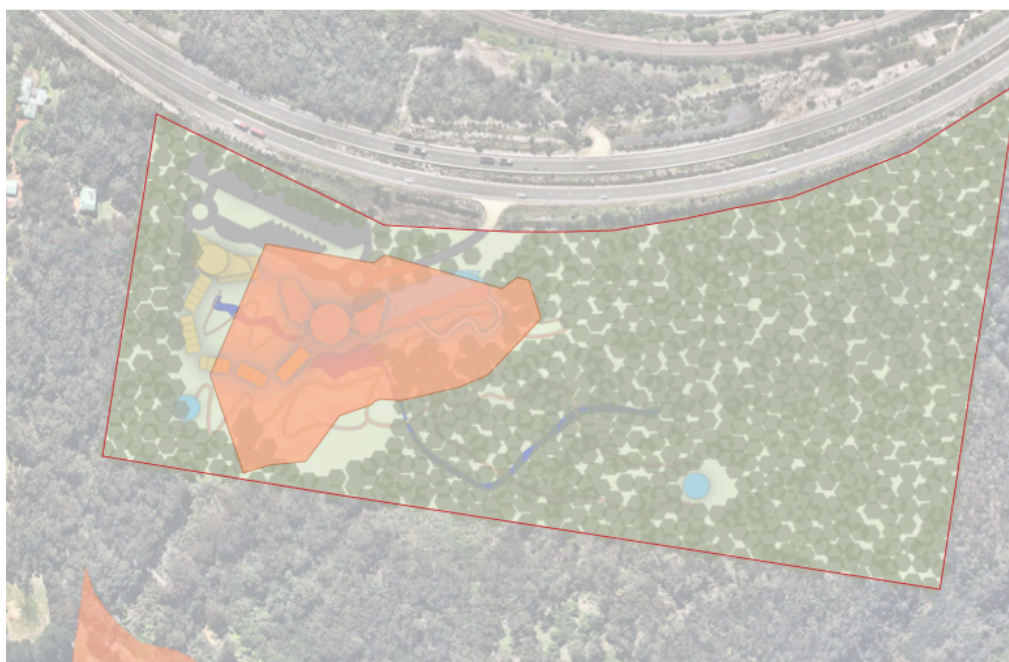
A summary of each of the elements of the proposed development and whether they are ordinarily permitted in the relevant zone is presented in the Table 2.

TABLE 2: LAND USE CHARACTERISATION AND PERMISSIBILITY

| Proposed Use | BM LEP 2015 definition | Characterisation of use (Dominant purpose or ancillary use) | Zone | Permissible/ Prohibited |
|---|---|---|-------------------------------|-------------------------|
| Zoo | Recreation facility (outdoor) | Dominant purpose | E2 Environmental Conservation | Prohibited |
| | or Animal boarding or training establishment | | E3 Environmental Management | Permissible |
| Veterinary clinic, koala rehabilitation facility | Veterinary hospital | Ancillary to dominant purpose | E2 Environmental Conservation | Prohibited |
| | | | E3 Environmental Management | Permissible |
| Art gallery, cultural centre, museum, theatre, information centre | Information and education facility | Ancillary to dominant purpose | E2 Environmental Conservation | Prohibited |
| | | | E3 Environmental Management | Permissible |
| Walking tracks, viewing platforms, seating | Environmental facility | Ancillary to dominant purpose | E2 Environmental Conservation | Permissible |
| | | | E3 Environmental Management | Permissible |
| Playground | Recreation area | Ancillary to dominant purpose | E2 Environmental Conservation | Prohibited |
| | | | E3 Environmental Management | Permissible |
| Tourist accommodation | hotel or motel accommodation | Dominant purpose | E2 Environmental Conservation | Prohibited |
| | | | E3 Environmental Management | Permissible |
| Restaurant | Retail premises | Dominant purpose - forms part of | E2 Environmental Conservation | Prohibited |

| | | | | |
|------------------------|-----------------|-------------------------------------|--|--|
| | | hotel or motel accommodation | E3 Environmental Management | Permissible |
| Function centre | Function centre | Ancillary to dominant purpose | E2 Environmental Conservation E3 Environmental Management | Prohibited Permissible – ancillary to dominate purpose |
| Take-away food outlets | Retail premises | Ancillary to dominant purpose | E2 Environmental Conservation E3 Environmental Management | Prohibited Permissible – ancillary to dominate purpose |
| Gift shop | Retail premises | Ancillary to dominant purpose | E2 Environmental Conservation E3 Environmental Management | Prohibited Permissible – ancillary to dominate purpose |
| Food kiosks | Retail premises | Ancillary to dominant purpose | E2 Environmental Conservation E3 Environmental Management | Prohibited Permissible – ancillary to dominate purpose |
| | | | | |

FIGURE 14: BM LEP ZONING MAP AND DEVELOPMENT OVERLAY



4.1.3 PLANNING APPROVAL PATHWAY

Section 4.36 of the EP&A Act provides the mechanism for a SEPP to declare any development, or any class or description of development, to be an SSD.

Pursuant to section 4.38(2)-(3) of the EP&A Act development consent may not be granted to an SSD if the development is wholly prohibited by an environmental planning instrument.

However, development consent may be granted despite the development being partly prohibited by an environmental planning instrument. In this case, whilst part of the development would be prohibited in the E2 Environmental Conservation Zone the majority is permissible in the E3 Environmental Management Zone.

4.1.4 STATE SIGNIFICANT DEVELOPMENT

SRD SEPP aims to identify development that is State Significant and to establish a development assessment process for that development.

Schedule 1 of the SRD SEPP provides the relevant categories of development that are identified as SSD and clause 13 of that Schedule is considered the most relevant. An extract provides as follows:

13 Cultural, recreation and tourist facilities

- (1) *Development that has a capital investment value of more than \$30 million for any of the following purposes:*
 - (a) *film production, the television industry or digital or recorded media,*
 - (b) *convention centres and exhibition centres,*
 - (c) *entertainment facilities,*
 - (d) *information and education facilities, including museums and art galleries,*
 - (e) *recreation facilities (major),*
 - (f) *zoos, including animal enclosures, administration and maintenance buildings, and associated facilities.*

- (2) *Development for other tourist related purposes (but not including any commercial premises, residential accommodation and serviced apartments whether separate or ancillary to the tourist related component) that:*
- (a) *has a capital investment value of more than \$100 million, or*
 - (b) *has a capital investment value of more than \$10 million and is located in an environmentally sensitive area of State significance or a sensitive coastal location.*

The various elements of the development proposal, as identified at Section 2 of this Scoping Report, expressly form part of either 1(d) to (f), and likely attract 1(b) and (c).

The CIV for the project is approximately \$110,352,000 (exclusive of land value and interest costs) with the accommodation component representing \$26,653,000 or 24% of that total.

Both the entire development and the zoo as a stand-alone element (excluding the accommodation component) exceed the \$30 million threshold. That satisfies the criteria for an SSD.

4.1.5 CONCLUSION

The development proposal as identified at Section 2 of this Scoping Report can be identified as a cultural, educational, recreational, tourist facility, or zoo, as defined at Schedule 1 of SRD SEPP.

Further, the development proposal, although partly prohibited under the existing BM LEP 2015, is largely permissible under that LEP and therefore can be granted a development consent pursuant to section 38 of the EP&A Act. The development properly identifies as an SSD.

4.2 STATE AND REGIONAL PLANNING INSTRUMENTS

4.2.1 SEPP (STATE AND REGIONAL DEVELOPMENT) 2011

For the purposes of clause 8 of the SRD SEPP and as outlined in Section 5.1 of this Scoping Report, and without being repetitive, the proposed development identifies as an SSD.

4.2.2 SEPP (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) aims to facilitate the effective delivery of infrastructure across the state.

The Policy includes a requirement for traffic generating development to be referred to NSW Transport for consideration and review as to impact upon the regional road network. The SEPP also requires development near road and rail corridors to be assessed as to the impact of noise or vibration on that development.

The proposed development is classified as a Schedule 3 development pursuant to the SEPP and as such will necessitate referral to NSW Transport.

4.2.3 SEPP (VEGETATION IN NON-RURAL AREAS) 2017

This Policy provides a state-wide planning approach to protect the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of those areas through the preservation of trees and other vegetation.

4.2.4 SEPP No. 55 REMEDIATION OF LAND

This Policy provides a state-wide planning approach to remediation and aims to promote the remediation of any contaminated land for the purpose of reducing the risk of harm to human health and or the environment.

Clause 7 of the SEPP requires the consent authority to consider whether the land is contaminated prior to giving consent for a development.

4.2.5 SREP No.20 – HAWKESBURY NEPEAN RIVER

Sydney Regional Environmental Plan No 20 (SREP 20) is in place to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

It seeks to achieve this by providing a series of strategies and planning controls that all development must be considered against.

4.2.6 SREP (KOALA HABITAT PROTECTION) 2019

This Policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

4.2.7 SREP No.33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

This Policy aims, amongst other things, to:

- require development consent for hazardous or offensive development that is proposed to be carried out in the Western Division, and
- to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and
- to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.

4.2.8 SREP No.64 – ADVERTISING AND SIGNAGE

This Policy sets out planning controls for advertising and signage in NSW. It requires signage to be compatible with:

- the future character of an area,
- provide effective communication in suitable locations, and
- be of high-quality design and finish.

Further, the SEPP regulates signage, provides time-limited consents, regulates the display of advertising in transport corridors, and ensures that public benefits may be derived from advertising in and adjacent to transport corridors.

4.3 RELEVANT LOCAL PLANNING INSTRUMENTS

4.3.1 BLUE MOUNTAINS LEP

ZONING + PERMISSIBILITY

Pursuant to Clause 2.1 of BM LEP 4 the property is zoned as follows:

- Part Zone E2 Environmental Conservation
- Part Zone E3 Environmental Management

An extract of the relevant zoning plan is provided at Figure 13 and 14 and shows the spatial extent of those zones across the property.

Section 4.1 of this Scoping Report has already demonstrated that the development proposal is generally permissible under BM LEP 2015 and that S.38 of the EP&A Act operates to allow development consent to be granted to an SSD where it is partly prohibited by another environmental planning instrument.

OTHER RELEVANT PROVISIONS of BM LEP 2015

| LEP Clause | Comment |
|--------------------------------|--|
| Clause 4.3 Height of buildings | <p>The LEP provides a maximum building height of 8m for the property. An extract of the relevant map is provided at Figure 15.</p> <p>The development proposal will provide building with a height of approximately 12m and therefore will exceed the LEP standard. Clause 4.6 of BM LEP 2015 allows for development to exceed a development standard where it can be demonstrated that:</p> <ul style="list-style-type: none">(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and(b) that there are sufficient environmental planning grounds to justify contravening the development standard. |

| | |
|--|--|
| | The EIS would include a detailed justification of why strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the case. |
| Clause 4.4 Floor space ratio | NA |
| Clause 5.10 Heritage conservation | <p>Clause 5.10 and Schedule 5 of BM LEP 2015 identify items of cultural heritage value. The property is not identified as accommodating any heritage item, however is located in close proximity to the following local heritage items:</p> <ul style="list-style-type: none"> • WF 047 Boddington Hospital • WF 020 Rhonda Valley, grounds & railway yards <p>An extract of the BM LEP 2015 heritage map is provided at Figure 19.</p> <p>The development concept attempts to locate built development in areas well removed from those heritage items.</p> <p>The EIS will include a heritage impact statement that assesses the impact of the development on the heritage conservation value of the adjacent sites and identifies any mitigation measures necessary to avoid adverse impacts.</p> |
| Clause 6.4 Protected area – slope constraint area | <p>The LEP seeks to restrict development of land that provides slopes greater than 20%. The clause also references a slope constraint map and an extract of that map is provided at Figure 16.</p> <p>The EIS will identify areas of the property and the development that are subject to slope constraints and identify measures to mitigate any adverse impact of development of those areas.</p> |

| | |
|--|---|
| <p>Clause 6.8 Protected area – Riparian lands and watercourse</p> | <p>The LEP seeks to protect riparian lands and watercourses. This clause also references a riparian lands and watercourses map and an extract of that map is provided at Figure 17.</p> <p>The development concept will site built development in areas well removed from the riparian lands and its vegetation.</p> <p>The EIS will identify measures to further mitigate adverse impacts to those riparian lands.</p> |
| <p>Clause 6.13 Protected area – land between towns</p> | <p>The LEP seeks to identify and maintain the scenic values of lands between towns as viewed from the Highway Corridor. This clause also references a Scenic and Landscape Values map and an extract of that map is provided at Figure 18.</p> <p>The EIS will undertake a visual impact assessment that will address the visibility of the Project and the ability of the existing natural landscape to absorb any visual impact of the Project.</p> |

4.3.2 BLUE MOUNTAINS LEP 4

The property was previously zoned under BM LEP 4 as amended by Blue Mountains LEP No.79.

A development consent was issued by Blue Mountains City Council on 23 November 1989, pursuant to BM LEP 4 as amended.

The development consent is operational and allows the development of the property for the purposes of a tourist flora and fauna park and associated facilities.

FIGURE15: BM LEP HEIGHT MAP

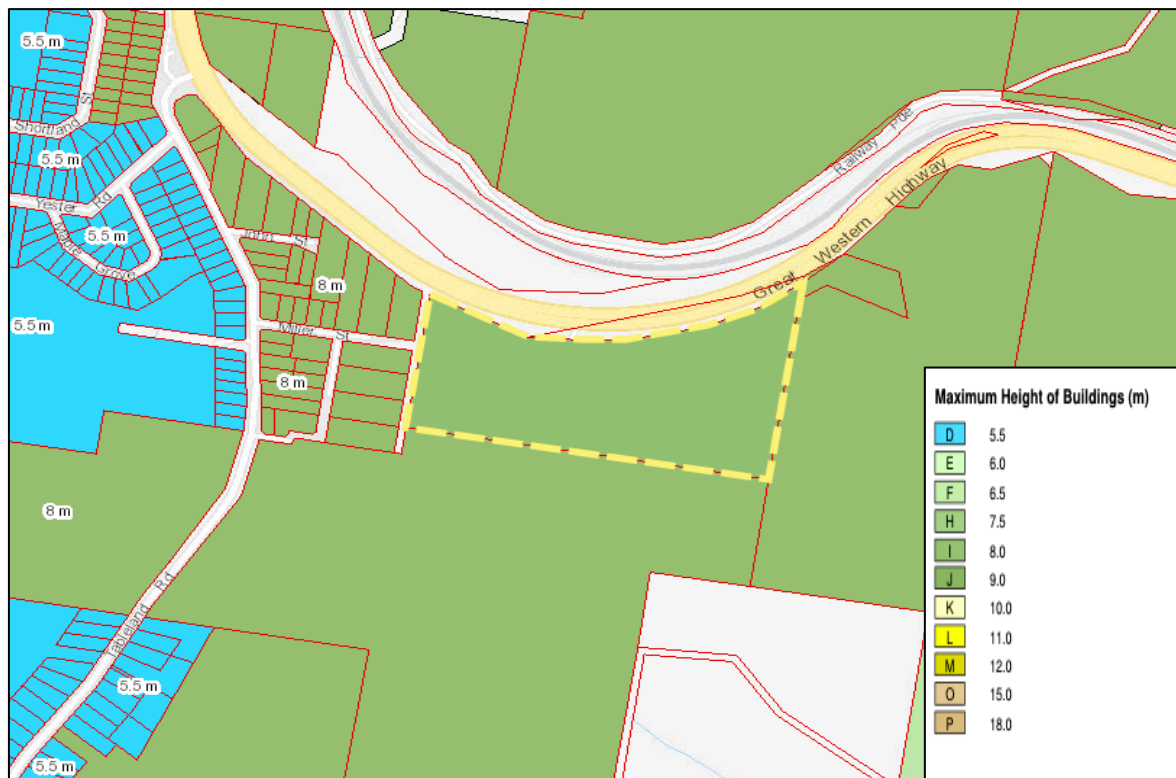


FIGURE 16: BM LEP – SLOPE CONSTRAINT AREA MAP

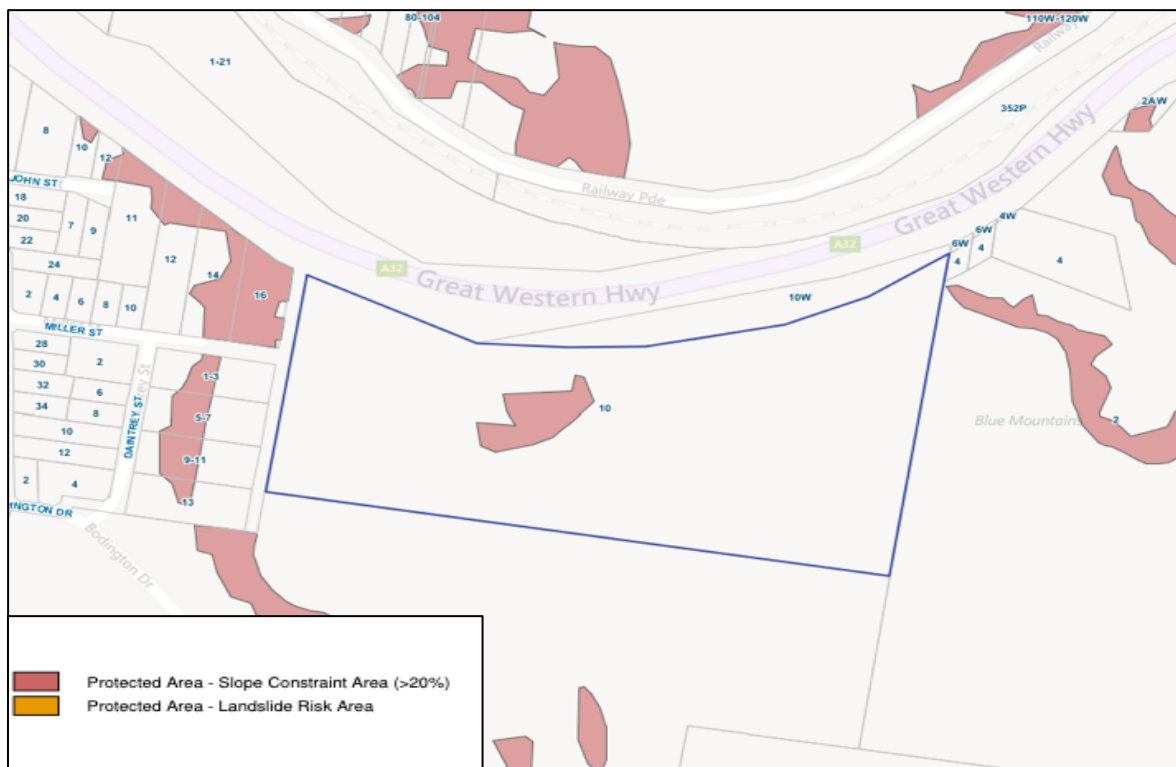


FIGURE 17: BM LEP – RIPARIAN LANDS AND WATERCOURSE MAP

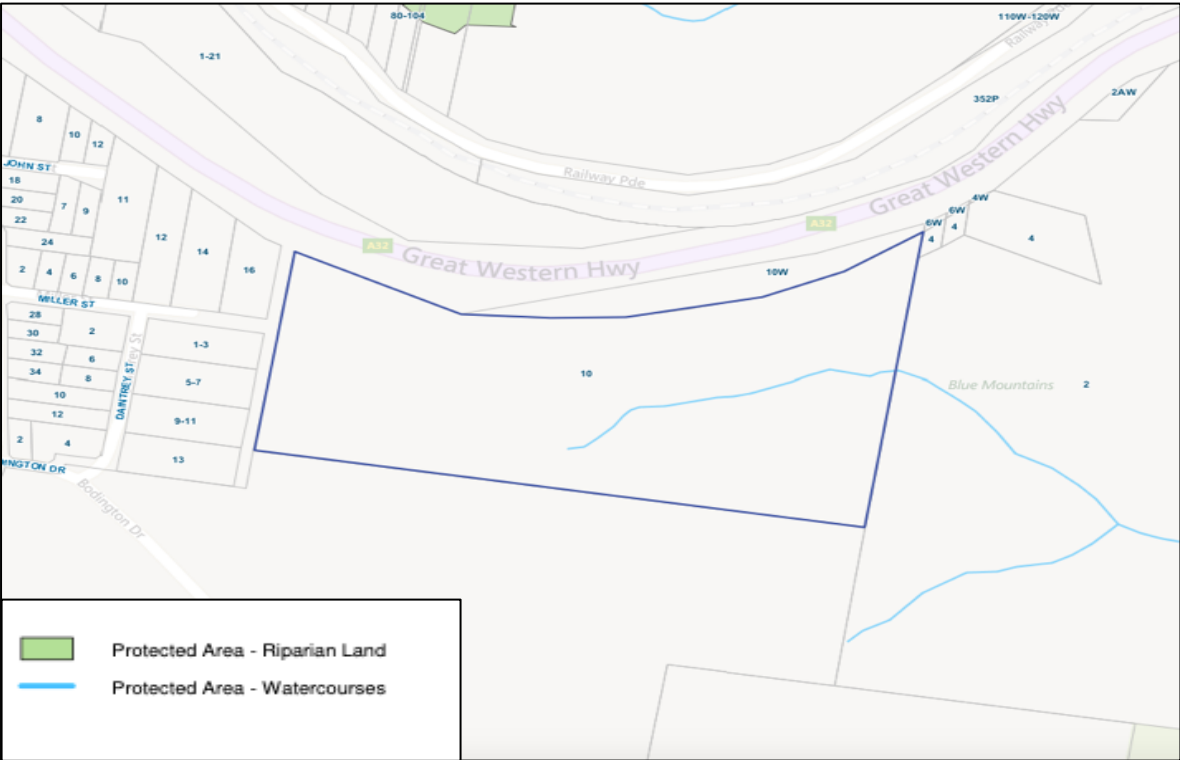


FIGURE 18: BM LEP – SCENIC AND LANDSCAPE VALUES MAP

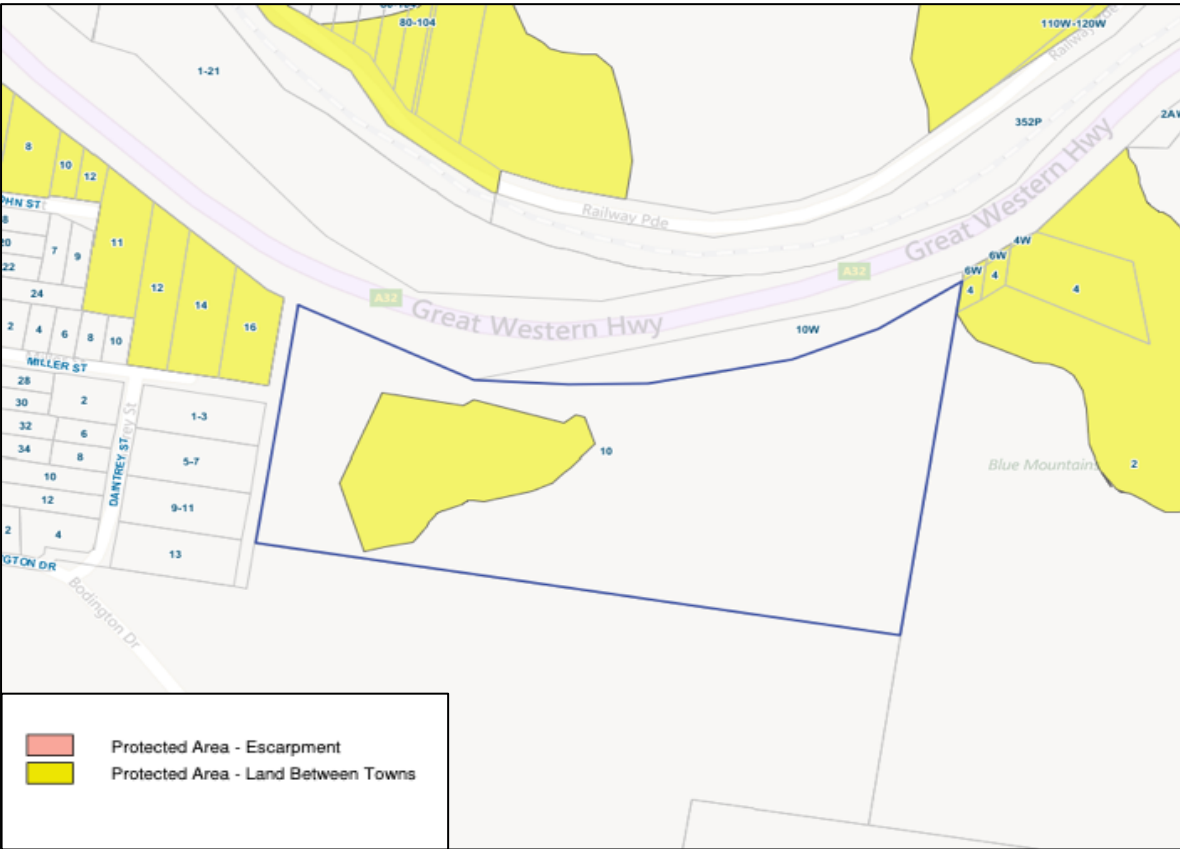
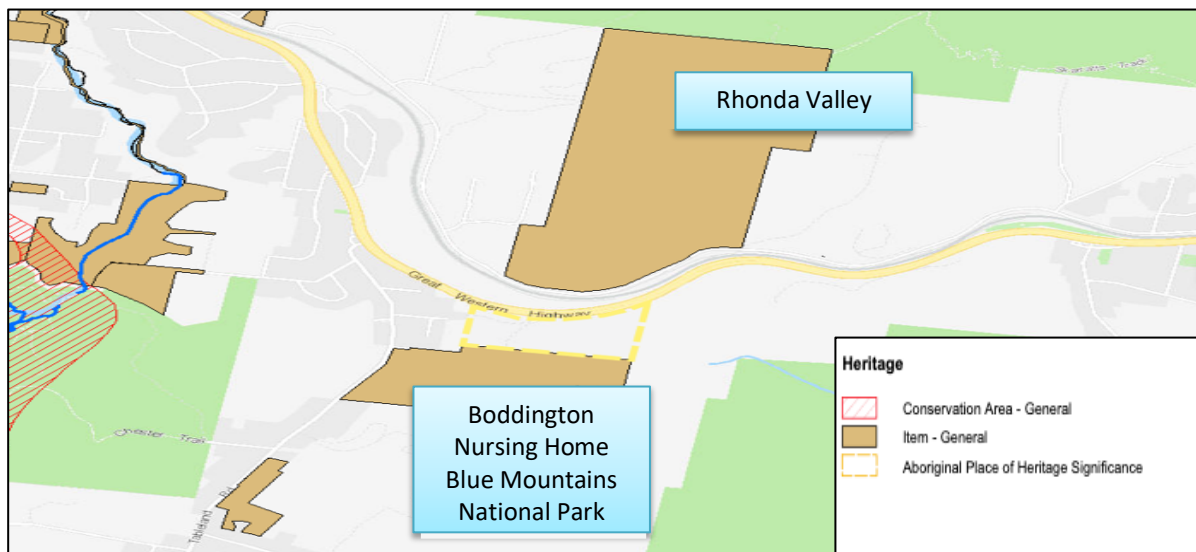


FIGURE 19: BM LEP 2015 HERITAGE MAP



4.4 RELEVANT STATE LEGISLATION

4.4.1 BIODIVERSITY CONSERVATION ACT 2016

The *Biodiversity Conservation (BC) Act* 2016, and the supporting *Regulation* establishes an integrated legislative framework for land management and biodiversity conservation.

The BC Act aims to conserve biodiversity at bioregional and state scales and maintain the diversity and quality of ecosystem elements including major innovations to offsetting and private land conservation, as well as improvements to threatened species conservation and how we manage human-wildlife interactions.

Part 7, Division 1, section 7.3 of the BC Act identifies the five matters (5 Part Test) that need to be addressed to determine whether or not a significant effect on threatened species, populations, or ecological communities or their habitats is likely to result from the proposed development.

4.4.2 EXHIBITED ANIMALS PROTECTION ACT 1986 ACT

The *Exhibited Animals Protection Act* 1986 identifies the need for approvals to be given for the Project to exhibit animals, with certain animals requiring specific permits.

The *Exhibited Animals Protection Act* 1986 ensures the safety and well-being of animals through the design and approval of animal enclosures.

The Applicant considers animal welfare to be paramount. The enclosure designs will exceed the minimum specified standards by a considerable margin. A best practice benchmark will apply.

4.4.3 WATER MANAGEMENT ACT 2000

The objectives of the *Water Management Act (WMA)* 2000 are the sustainable and integrated management of the state's water for the benefit of both present and future generations.

The WMA is based on the concept of ecologically sustainable development – development today that will not threaten the ability of future generations to meet their needs.

The presence of Bedford Creek on the property and the proximity of the proposed development to that drainage line require a controlled activity approval under the WMA.

4.4.4 RURAL FIRES ACT 1997

The EP&A Act and the *Rural Fires Act* 1997 (RF Act) both operate to enhance bushfire protection through the development assessment process as follows:

- (i) requiring Councils to map bushfire prone land
- (ii) requiring certain development to demonstrate compliance with PBP (section 4.14 of the EP&A Act)

Section 4.46 of the EP&A Act (in combination with the RF Act requirements for a section 100B Bush Fire Safety Authority) classes the following types of development application as Integrated Development:

- residential and rural residential subdivision.

- “*Special Fire Protection Purposes*” (SFPP).

The property and broader areas are exposed to a bushfire hazard as defined by the Council bushfire map. The preliminary development proposal includes tourist accommodation, which is an SFPP and would usually require a Bush Fire Safety Authority pursuant to s 100B of the RF Act. However, pursuant to s 4.14(1B) of the EP&A Act, an SSD is exempt from requiring a Bushfire Safety Authority from the NSW Rural Fire Service.

4.5 RELEVANT COMMONWEALTH LEGISLATION

4.5.1 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

The EPBC commenced in July 2000 and is the main Commonwealth environmental law.

The EPBC aims to provide for protection of the environment and to promote ecologically sustainable development and conservation of biodiversity.

5.0 COMMUNITY AND STAKEHOLDER ENGAGEMENT

5.1 CONSULTATION OBJECTIVES

The Applicant is committed to engaging with all relevant stakeholders to help identify potential or perceived impacts of the Project and to identify and incorporate design and control measures that avoid and or mitigate risks and issues where possible. To achieve this objective, the Applicant has and will undertake consultation with the aim of providing stakeholders with an opportunity to have meaningful involvement by expressing their views and concerns.

The key objectives of consultation and engagement for the Project are to:

- initiate and maintain open and transparent communication
- provide an understanding of the statutory approval process to stakeholders.
- provide information about the Project to create awareness and help the local community understand the key features of the Project.
- actively engage with stakeholders and seek local information and input into the Project by providing a range of opportunities for stakeholders to identify key issues for consideration and provide feedback on the Project design and mitigation measures.
- work with stakeholders to identify strategies to realise the benefits and minimise potential impacts of the Project.

An audience survey undertaken by Hall & Partners with respect to the Project and dated November 2020 is at Annexure E.

5.2 ENGAGEMENT STRATEGY

The *Community and Stakeholder Engagement Guideline* (NSW DPE, 2017) provides direction to applicants on how to engage with the community and other stakeholders during the preparation of Scoping Reports and EIS's for an SSD.

The Applicant proposes an engagement process consistent with the guidelines including conducting detailed stakeholder analysis; actively engaging government, community, and key stakeholders; and seeking feedback at key points of the process.

A range of stakeholder engagement tools and techniques would be employed and would include but not necessarily be limited to:

- email / letter / phone calls
- meetings/ focus group discussions/ workshops/ forums
- media statements/ advertising
- website; newsletters, notifications, and fact sheets
- social media and media monitoring
- establishing an 1800 24/7 community hotline
- community liaison groups
- community events/ pop-ups/ information and feedback sessions/ drop-in

A draft implementation plan outlining the above measures has been prepared to meet the key consultation objectives outlined in Section 5.1. The Applicant has already commenced engagement with the Blue Mountains Council, Blue Mountains Chamber of Commerce, Minister for Tourism, Minister for Energy & Environment, Minister for Planning and Public Spaces, BMCC Aboriginal Advisory Council, Muru Mittigar, Department of Primary Industries, Destination NSW, Community Focus Groups, and Community Surveying.

5.3 PLANNING FOCUS MEETING

The DPIE facilitated a Planning Focus Meeting (PFM) with key government agencies. This meeting was initially held on site on February 2021, before reconvening at the offices of Blue Mountain City Council.

The PFM provided an opportunity for the meeting participants to familiarise themselves with the site, be briefed by the Applicant's project team and raises issues and queries with the Applicant project team. Key issues raised by participants of the PFM are provided below together with an initial response from the Applicants project team:

| Agency | Issue | Initial Response |
|----------------------------|--|---|
| DPIE, DPI – Animal Welfare | <ul style="list-style-type: none">• The types of animal enclosures• The ability of native fauna to move across the site perimeter | <p>Further detail of all animal enclosures will be documented in the EIS and demonstrate compliance with all Animal Welfare statutory requirements.</p> <p>secure fence shall be provided at the site perimeter to restrict the movement of that fauna and potential biosecurity risks.</p> |
| BMCC | The extent of proposed built development within the E4 zone. | The baseline studies that accompany the EIS will ground truth the suitability of the application of the E3 and E4 zones to the site and demonstrate consistency with the various zone objectives. |
| BMCC | The current inability of right-hand traffic movements to and from the site. | A TMAP will be prepared as part of the EIS and will examine various movement options for all transport modes including the potential for engineering interventions that will facilitate right hand turn movements. |

| | | |
|--|--|---|
| Various | Biodiversity impacts | The EIS will undertake a full assessment of all biodiversity impacts and prepare a BDAR. |
| DPI, Biodiversity Conservation Division | <ul style="list-style-type: none"> The impact of the development on the operation of the existing fauna tunnel under the Great Western Highway. Animal waste collection and disposal Impact of light and noise spill into the National Park | <p>A fauna camera will be installed to assess the current usage of the tunnel and the results incorporated in the BDAR.</p> <p>All animal waste shall be collected and disposed-off in a sustainable manner. This will be documented in the waste management section of the EIS.</p> <p>Site is 300m from the boundary of the National Park but EIS will examine both issues.</p> |
| FIRE NSW | <ul style="list-style-type: none"> Appropriate APZ delineation Emergency management evacuation of patrons during a bushfire event. | <p>Fine-grained resolution of APZ boundaries will be determined as an initial base line study of the EIS and the outcomes of that study will inform</p> <p>A bushfire emergency evacuation plan shall be prepared as part of the EIS.</p> |
| Various | <p>Concern about the presence of in-line stream water bodies as part of the concept plan.</p> <p>Impact of storm water on water quality within catchment, hydrology of watercourses and ground waters</p> | <p>Proposed water bodies are notionally located outside drainage lines. However, this will be examined in greater detail as part of the EIS and inform site planning accordingly.</p> <p>The development will be accompanied by OSD and WSUD measures and modelled as part of the EIS.</p> |
| Various | Infrastructure availability i.e. water, sewer, utilities | The demands, capacity, availability and any amplification of all utilities and services will be examined as part of the EIS. |

5.3 CONSULTATION ACTIVITIES PROPOSED DURING THE EIS PHASE

Consultation activities (outlined in Section 5.2) would be continued and or implemented during the preparation of the EIS. Consultation activities during the EIS phase would be staged to occur in line with the environmental assessment process.

Consultation activities during EIS preparation would focus on addressing the issues identified at Section 5.5 and new issues that emerge during the process through the communication of design and assessment information. Consultation would be undertaken as environmental impact information comes to hand (as technical assessments progress) so that there can be a meaningful exchange of information with stakeholders, and feedback received would inform the assessment and development of mitigation measures.

Consultation with agencies would focus on keeping agencies up to date with technical impact assessments and assessment findings to ensure these are in line with regulatory standards and expectations.

5.4 STAKEHOLDERS FOR PROPOSED CONSULTATION

Limited formal consultation with key agencies and stakeholder groups has occurred to this point of time. However, consultation with the following groups and agencies will be undertaken (to the extent it hasn't already commenced) during preparation of the EIS.

Further consultation with these groups together with state agencies, local council and adjoining residents would occur as part of the formal SSD application process.

| Organisation | Relevant Planning issues |
|---|--|
| State Agencies | |
| NSW Department Planning, Industry and Environment | <ul style="list-style-type: none">- Urban and environmental planning- Biodiversity Conservation |
| NSW Environment Protection Authority | <ul style="list-style-type: none">- Noise- Odour |

| | |
|--|--|
| | <ul style="list-style-type: none"> - Waste management - Water quality - Contamination - Erosion and sediment control |
| NSW Department of Premier and Cabinet | <ul style="list-style-type: none"> - Aboriginal and Non- Aboriginal heritage |
| NSW Dept of Primary Industries | <ul style="list-style-type: none"> - Biosecurity and Animal welfare |
| RSPCA | <ul style="list-style-type: none"> - Animal Welfare |
| Destination NSW | <ul style="list-style-type: none"> - Economic and tourism impacts |
| Transport NSW (RMS) | <ul style="list-style-type: none"> - Transport and travel demand |
| National Parks and Wildlife Service | <ul style="list-style-type: none"> - Biodiversity conservation - Tourism impact management |
| NSW Rural Fire Service | <ul style="list-style-type: none"> - Bushfire hazard |
| Natural resources Access Regulator | <ul style="list-style-type: none"> - Water quality and hydrology |
| Sydney Water | <ul style="list-style-type: none"> - Utility services |
| Ausgrid | <ul style="list-style-type: none"> - Energy services |
| Department of Education | <ul style="list-style-type: none"> - Educational opportunities |
| Regional groups | |
| Deerubbin Local Aboriginal Land Council | <ul style="list-style-type: none"> - Aboriginal heritage and cultural engagement |
| Blue Mountains World Heritage Institute | <ul style="list-style-type: none"> - World Heritage values - Tourism impacts and opportunities |
| Blue Mountains City Council | <ul style="list-style-type: none"> - Urban and environmental planning - Waste management - Community issues |
| Blue Mountains Accommodation and Tourism Association (BMATA) | <ul style="list-style-type: none"> - Economic and tourism impacts |
| Blue Mountains Regional Business Chamber | <ul style="list-style-type: none"> - General support for the availability of tourist accommodation |

| | |
|---|---|
| Blue Mountains Transit | - Transport and travel demand |
| Blue Mountains Cultural Centre | - Integrated art and cultural programs |
| Other zoo/wildlife park operators | - Understanding of key issues and impacts |
| Local groups | |
| Wentworth Falls Chamber of Commerce and Community | - Economic and tourism impacts |
| Blue Mountains Conservation Society | - Environmental impacts |

5.5 LIKELY KEY STAKEHOLDER ISSUES

A good working knowledge of the local community and environment together with experience with other tourism related projects within the Blue Mountains LGA allows for understanding of the likely key community concerns that will be raised as part of the consultation process. These issues are identified below:

- Aboriginal and non-Aboriginal heritage
- acid sulphate soils.
- accessibility.
- acoustic and vibration
- air quality
- animal welfare
- Biodiversity
- biosecurity and disease management
- bushfire hazard
- contamination
- construction impacts
- developer contributions

- erosion and sedimentation
- geotechnical stability
- groundwater
- hazard and risk
- flooding
- Infrastructure and services availability
- land use compatibility
- odours
- socio-economic impacts
- stormwater and riparian corridor
- sustainability
- traffic and transport
- urban design and built form
- visual
- waste and resource use and management
- world heritage

The significance ranking of these issues, and how they will be addressed in the EIS, is discussed in detail at **Section 6 Preliminary Environmental Risk Analysis** and **Section 7 Environmental Impact Assessment** of this report.

6.0 PRELIMINARY ENVIRONMENTAL RISK ANALYSIS

6.1 OVERVIEW

An initial review of potential issues for consideration has been undertaken, with the aim of determining the likely level of assessment required to adequately and appropriately address each issue.

In undertaking the initial screening, consideration has been given to the significance of potential environmental impacts for each environmental aspect, through a preliminary environmental risk screening and to the likely level of stakeholder interest in each issue.

The inclusion of stakeholder perceptions of potential environmental impacts is considered an important part of determining the level of assessment that should be applied, given that key stakeholder concerns may not necessarily align with a purely technical analysis of environmental risks.

By combining the likely significance of each identified environmental issue with the expected level of stakeholder interest, an assessment has been made as to whether each issue is integral to the assessment of the Project.

Where a high level of stakeholder interest is expected, potential environmental impacts have been determined to be key issues, requiring a more detailed assessment irrespective of the outcomes of the environmental risk screening.

6.2 ENVIRONMENTAL RISK SCREENING METHODOLOGY

This environmental risk screening has been prepared in reference to:

- a desktop review of the potential environmental constraints
- field inspection and analysis

- key risks identified in a review of other like projects including identifying areas of primary community interest

The preliminary environmental risk screening for the Project has taken into consideration the likelihood of a potential environmental impact occurring and the consequence of that impact, should it not be mitigated.

The likelihood and consequence of each impact has been combined through the risk screening matrix (Table 3) to establish the likely risk of the issue for the environmental assessment of the Project.

The allocation of risk is based upon the following considerations:

Likelihood of effect:

1. *unlikely* – unlikely to happen or occur
2. *possible* – could happen and has occurred elsewhere
3. *likely* – could easily happen and would probably occur

Consequences of unmitigated impact:

1. *minor*: minor adverse environmental change; small impact area; non-reportable incident
2. *moderate*: moderate adverse environmental change; moderate impact area; reportable incident
3. *major*: major adverse environmental change; large impact area; reportable incident to external agency; may result in fines

The screening process aims to prioritise the issues for assessment and does not consider the application of mitigation measures to manage potential environmental effects. Appropriate mitigation measures would be included in the Project to minimise potential impacts and would be detailed in the EIS.

TABLE 3: SIGNIFICANCE SCREENING MATRIX

| Likelihood of Effect | Consequence of Unmitigated Effect | | |
|----------------------|-----------------------------------|----------|-----------|
| | Minor | Moderate | Major |
| Unlikely | Very Low | Low | Medium |
| Possible | Low | Medium | High |
| Likely | Medium | High | Very High |

TABLE 4: SCREENING LEVELS – EXPECTED STAKEHOLDER INTEREST

| Level of Interest | Definition |
|-------------------|--|
| High | Identified potential environmental impact is likely to affect or garner interest from large number stakeholders. |
| Medium | Identified potential environmental impact is likely to affect or garner interest from some stakeholders. |
| Low | Identified potential environmental impact is unlikely to affect or garner interest from stakeholders. |

6.3 REVIEW OF EXPECTED STAKEHOLDER INTEREST

Section 5.5 of this report has identified the range of expected stakeholder interests.

The expected level of stakeholder interest in each potential environmental issue identified has been considered based on known key issues raised in submissions in relation to other projects of this nature and a good understanding of the local community.

Potential environmental impacts have been assigned an expected level of stakeholder interest based on the definitions presented in Table 4.

6.4 SCREENING OF ENVIRONMENTAL ASSESSMENT SIGNIFICANCE OUTCOME

The outcomes of the preliminary screening process are presented in Table 3. Mitigation measures would be developed during the assessment process and presented in detail in the EIS.

6.5 RANKING OF ENVIRONMENTAL ASSESSMENT ISSUES

Based on the risk screening presented in Table 5, a summary of key issues and their ranking is provided in Table 6.

This risk screening assessment was based on the information currently available and the desktop investigations undertaken to date.

These environmental assessment significance rankings would be reviewed and updated as more detailed environmental investigations are undertaken to inform the preparation of the EIS for the Project.

In addition, where additional relevant issues or aspects are identified during the preparation of the EIS including through stakeholder consultation, these would be subject to risk screening and assessment in the EIS commensurate with the level of risk and sensitivity identified.

TABLE 5: OUTCOMES OF SCREENING OF ENVIRONMENTAL ASSESSMENT SIGNIFICANCE (UNMITIGATED RISKS)

| Issue | Unmitigated Environmental Risk Screening | | | Stakeholder Level of Interest | Environmental Assessment Significance |
|--|--|-------------|-----------|-------------------------------|---------------------------------------|
| | Likelihood | Consequence | Risk | | |
| Aboriginal and Non Aboriginal Heritage | Possible | Major | High | Medium | High |
| Acid Sulfate soils | Unlikely | Minor | Very Low | Low | Low |
| Accessibility | Possible | Moderate | Medium | Medium | Medium |
| Acoustic and vibration | Likely | Major | Very High | High | Very High |
| Air Quality | Possible | Moderate | Medium | Low | Medium |
| Animal Welfare | Likely | Moderate | High | High | High |
| Biodiversity | Likely | Major | Very High | High | Very High |
| Biosecurity and disease management | Possible | Major | Very High | High | Very High |
| Bushfire Hazard | Likely | Major | Very High | High | Very High |
| Contamination | Unlikely | Moderate | Medium | Low | Medium |
| Construction impacts | Likely | Major | Very High | High | Very High |
| Erosion and sedimentation | Likely | Major | Very High | Medium | High |

| | | | | | |
|--|----------|----------|-----------|--------|-----------|
| Development contributions | Unlikely | Minor | Very Low | Low | Low |
| Geotechnical stability | Possible | Major | High | Low | Medium |
| Groundwater | Unlikely | Moderate | Low | Low | Low |
| Flooding | Unlikely | Moderate | Low | Low | Low |
| Hazard and risk | Possible | Moderate | Medium | Medium | Medium |
| Infrastructure and services availability | Possible | Major | High | Medium | High |
| Land use compatibility | Possible | Moderate | Medium | High | High |
| Odours | Likely | Major | Very High | High | Very High |
| Socio-economic impacts | Likely | Major | Very High | High | Very High |
| Stormwater and riparian corridor | Likely | Major | Very High | High | Very High |
| Sustainability | Likely | Moderate | High | Medium | High |
| Traffic and Transport | Possible | Major | Very High | High | Very High |
| Urban Design and built form | Possible | Moderate | Medium | High | High |
| Visual | Possible | Major | High | High | Very High |
| Waste and Resource use and management | Possible | Minor | Low | Medium | Medium |
| World Heritage | Low | Moderate | Medium | High | High |

TABLE 6: SUMMARY OF ENVIRONMENTAL ISSUE RANKING

| Environmental Issue | Assessment Significance |
|---|--------------------------------|
| Acoustic and vibration impacts | Very High |
| Biodiversity | Very High |
| Biosecurity and Disease Management | Very High |
| Bushfire Hazard | Very High |
| Construction Impacts (air, noise, traffic, water quality) | Very High |
| Odour | Very High |
| Socio-economic | Very High |
| Stormwater quality and quantity and Riparian Corridor | Very High |
| Traffic and Transport | Very High |
| Visual Impact | Very High |
| Aboriginal and Non-Aboriginal Heritage | High |
| Animal Welfare | High |
| Erosion and sedimentation | High |
| Infrastructure and services availability | High |
| Land Use Compatibility | High |
| Sustainability | High |
| Urban Design and Built Form | High |
| World Heritage | High |
| Accessibility | Medium |

Scoping Report – Tourist Facility
10 Great Western Highway, Wentworth Falls

| | |
|-------------------------------|--------|
| Air Quality | Medium |
| Contamination | Medium |
| Geotechnical Stability | Medium |
| Hazard and risk | Medium |
| Waste and Resource Management | Medium |
| Acid Sulphate Soils | Low |
| Development Contributions | Low |
| Groundwater | Low |
| Flooding | Low |

7.0 ENVIRONMENTAL IMPACTS ASSESSMENT

7.1 ACOUSTIC AND VIBRATION IMPACTS

7.1.1 EXISTING ENVIRONMENT

The existing noise environment is predominantly influenced by the property's proximity to the Great Western Highway and Main Western Railway transport corridors. There are no land uses within the vicinity of the property that generate any adverse noise or vibration impacts.

7.1.2 ISSUES FOR CONSIDERATION

The project provides outdoor recreational, dining, and tourist facilities that may generate new sources of noise impact to surrounding residential development.

In addition, there is potential for the project to generate new noise sources from activities inclusive of:

- animal calls from within the enclosures
- crowd noise
- local and small events and education programs that may use amplified speech
- vehicle access to and from the site including buses and heavy vehicles for deliveries

7.1.3 PROPOSED EIS ASSESSMENT METHODOLOGY

A detailed Noise and Vibration Impact Assessment would be carried out for the Project.

The existing background noise monitoring data would be reviewed to inform the noise assessment and where required additional monitoring would be carried out to supplement the existing data.

The detailed assessment would consider the latest Project layout design, plant and equipment, proposed construction methodology, and traffic volumes.

Operational noise impacts from the Project would be assessed in accordance with the *Noise Policy for Industry* (NSW EPA, 2017), which considers short-term intrusiveness due to changes in the noise environment and maintaining the noise amenity of the area. The operational noise assessment would include a model to undertake an assessment of the key operational noise sources from the Project and the impact on nearby sensitive receivers. Based upon the outcomes of the operational noise assessment, noise attenuation and mitigation measures would be recommended where required.

7.2 BIODIVERSITY

7.2.1 EXISTING ENVIRONMENT

The property accommodates bushland type vegetation coverage over its broader extent. However, does provide a cleared area in the western section, which is associated with works undertaken under an existing development consent and construction certificate. Figure 20 provides an aerial image that shows the extent of vegetation coverage on the property.

FIGURE 20: AERIAL PHOTO OF SITE

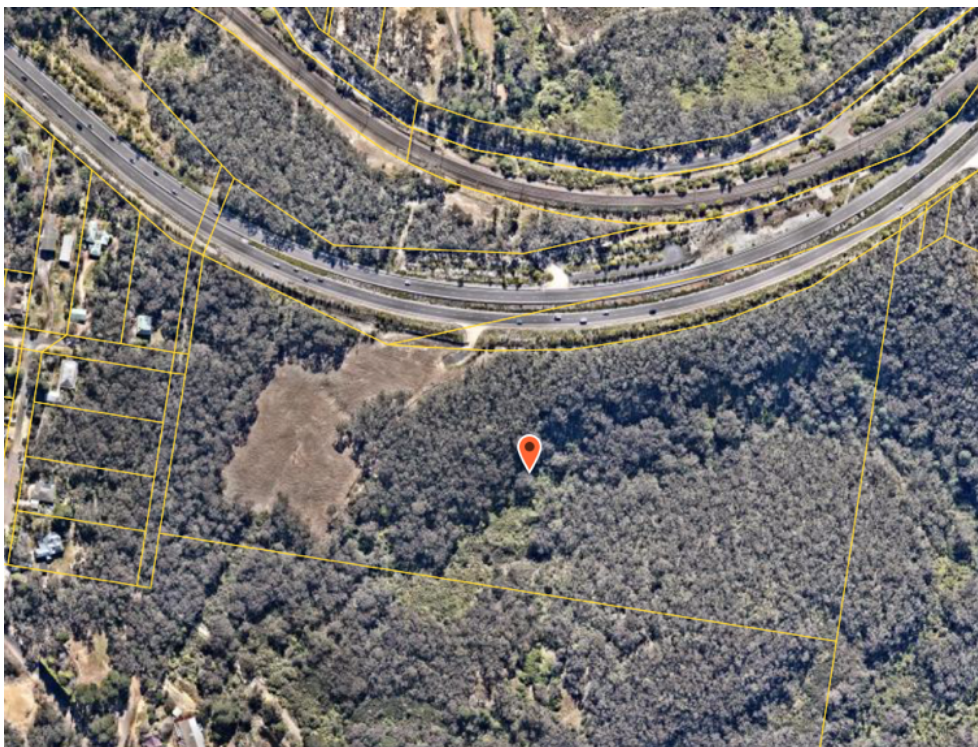
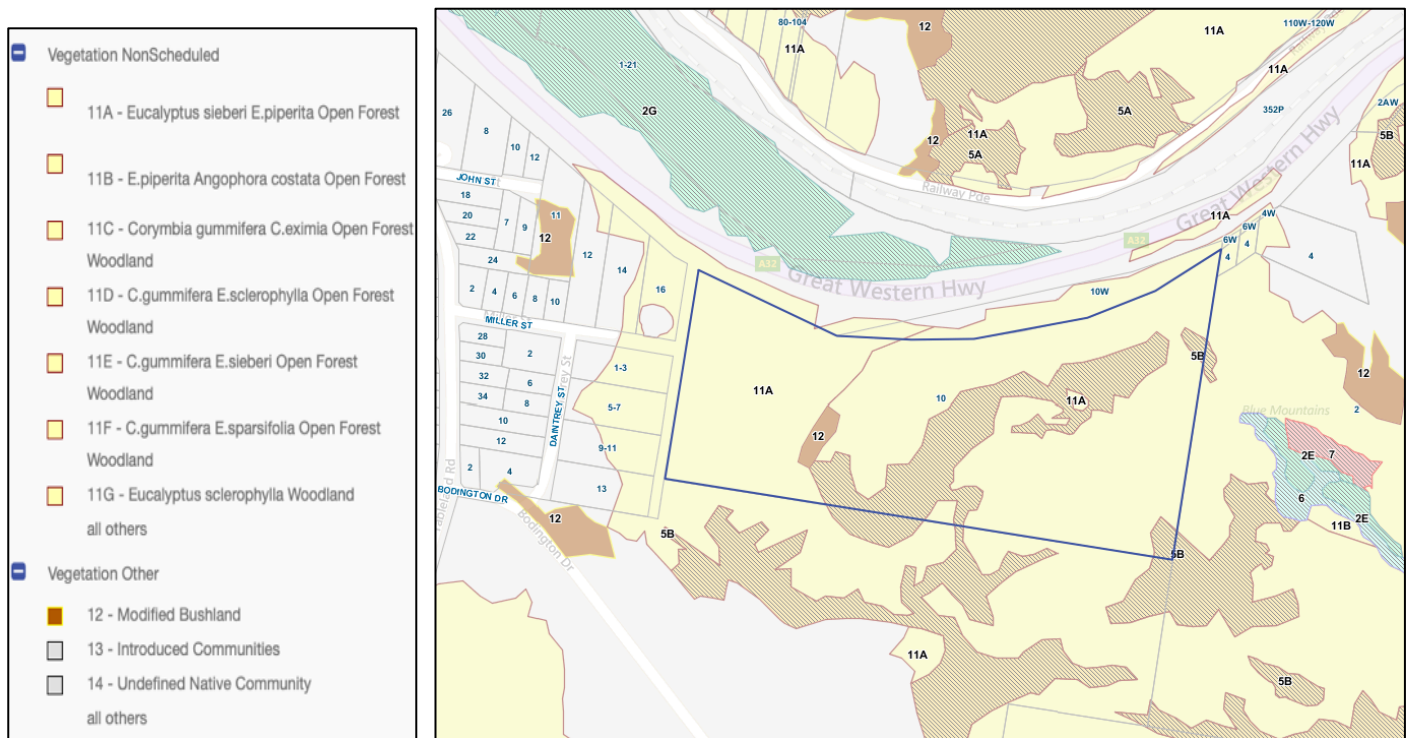


FIGURE 21: COUNCIL VEGETATION MAP



A review of Council’s vegetation mapping indicates that the property accommodated the following vegetation units:

- Blue Mountains Swamp
- *Eucalyptus sieberi E.piperita* Open Forest
- Modified bushland

An extract of that Council mapping is provided at Figure 21.

7.2.2 ISSUES FOR CONSIDERATION

Section 7.9 of the BC Act requires that an Application for SSD be accompanied by a BDAR.

The project will necessitate removal of a portion of that existing bushland vegetation. Initial ecological analysis has identified the presence of Blue Mountains Swamps in the Sydney Basin Bioregion - vulnerable ecological community (VEC) listed under the BC Act. This too triggers the need for a BDAR.

The preliminary development layout has been positioned largely within the existing cleared areas / approved development footprint and overall, with the benefit of advice from Dr. John Whyte, Ecologist, to avoid (and in other areas minimise) impacts upon the VEC. This is demonstrated at Figure 22.

7.2.3 PROPOSED EIS ASSESSMENT METHODOLOGY

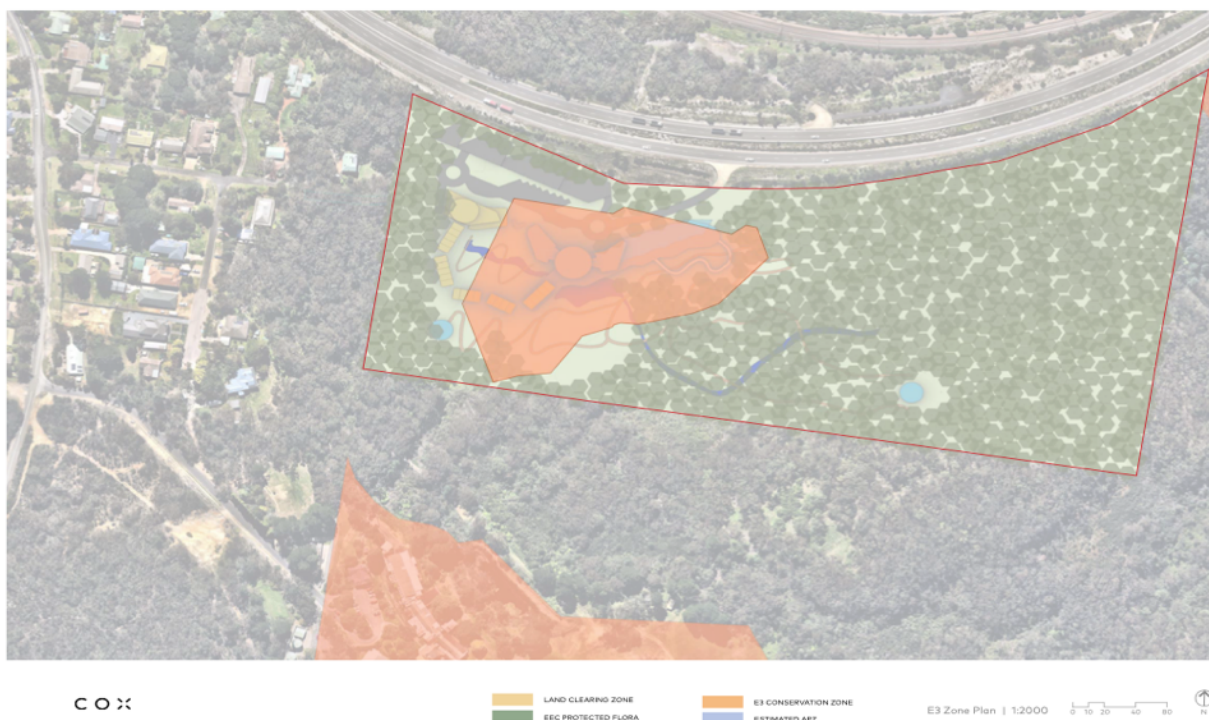
The project consultants will undertake a BDAR in accordance with the BC Act.

The BDAR will identify:

- how the proponent proposes to avoid and minimise impacts
- any potential impact that could be characterised as serious and irreversible according to specified principles
- any offset obligation required (to offset the likely biodiversity impacts of the development or clearing proposal), expressed in biodiversity credits

The outcomes of this BDAR will be integrated into the design and operational plans of the Project.

FIGURE 22: ZONE AND BUILDING OVERLAY



7.3 BIOSECURITY AND DISEASE MANAGEMENT

7.3.1 EXISTING ENVIRONMENT

The GBMWhA derives its significance from the biodiversity it accommodates and the natural landscape values that biodiversity provides.

In addition, the local communities of Wentworth Falls and other nearby towns and villages typically accommodate older and more vulnerable communities that increases their risk to exposure from disease.

7.3.2 ISSUES FOR CONSIDERATION

The Project does not intend to exhibit any exotic flora and fauna and therefore biosecurity risks from pests, disease, and weeds will be limited.

Recent experiences from the Covid-19 pandemic also demonstrate risk from international tourists and poor hygiene from concentrated gathering of peoples.

7.3.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The biosecurity risks from the Project will be examined as part of detailed study assessed in accordance with the *Biosecurity Act* 2015. This study will also result in the preparation of an operational plan that will seek to ensure that all biosecurity and disease management issues are identified and managed as part of the operation of the Park and its associated tourist accommodation and facilities.

The outcomes of these studies and plans will include recommendations that, when required, will be integrated into the design and operational plans of the Project.

7.4 BUSHFIRE HAZARD

7.4.1 EXISTING ENVIRONMENT

The property both accommodates and is located within close proximity to extensive bushland units. Accordingly, it is identified on Blue Mountains City Council's Bushfire Prone Land Map as containing designated Category 1 Vegetation and has an

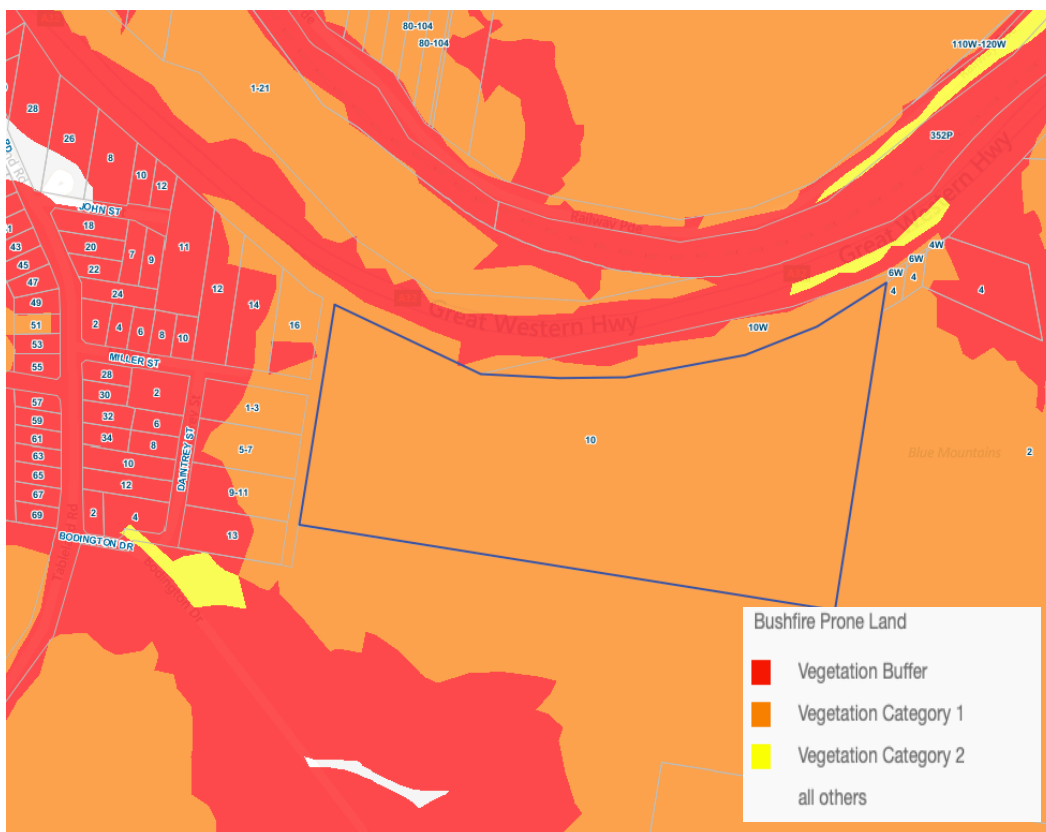
associated 100 metre buffer zone. An extract of the Council Bushfire Map is provided at Figure 23.

7.4.2 ISSUES FOR CONSIDERATION

The bushfire hazard presents risks to hotel guests, park patrons, and animals. Tourist accommodation is listed as Special Fire Protection Purpose (SFPP) under section 100B of the RF Act. SFPP developments are considered ones which are occupied by people who are identified as at-risk members of the community and consequently in a bushfire event may be more susceptible to the impacts of radiant heat and other bush fire effects.

However, pursuant to S.4.14(1B) of the EP&A Act, SSD developments are exempt from requiring a Bushfire Safety Authority from the RFS. Nevertheless, properties that are identified as being bushfire prone should still apply the requirements of PBP. A preliminary assessment of the property and preliminary design suggests that suitable APZ's and other BPMs can be achieved.

FIGURE 23: COUNCIL BUSHFIRE PRONE MAP



7.4.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will include a detailed Bushfire Hazard Assessment of the extent to which the Project conforms with or deviates from the standards, specific objectives, and performance criteria set out in PBP. This will demonstrate that the development satisfactorily achieves the following BPMs:

- asset protection zones
- building construction & design
- landscaping
- emergency management arrangements
- water supply & utilities
- access arrangements

The Bushfire Hazard Assessment shall also be accompanied by a Bushfire Emergency Evacuation Plan as a means of mitigating any risks that may arise.

The outcomes of these studies and plans will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.5 CONSTRUCTION IMPACTS

7.5.1 EXISTING ENVIRONMENT

The property is adjoined by sensitive land uses to the south, east, and west including nursing home, nursery, and residential uses respectively.

It is currently undergoing limited construction activity associated with the existing development consent.

7.5.2 ISSUES FOR CONSIDERATION

The Project will likely require extensive construction works, implemented over several stages, which will result in construction activity occurring over a period of 18 to 24 months.

The construction activity will present some logistical, environmental, and amenity challenges to the property and its surrounds. They are however not uncommon challenges and are entirely manageable.

7.5.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will be informed by a suite of technical studies over a range of disciplines. Each of these technical studies, including the following, will provide detailed analysis of the impacts through the construction phase of the development.

- dust / air quality
- noise and vibration
- sediment and erosion
- biodiversity
- aboriginal and non-aboriginal heritage
- traffic and transport

The outcomes of these studies and plans will include recommendations that, when required, shall be integrated to the design and operational plans of the Project.

A Preliminary Construction and Environmental Management Plan will also be submitted with the EIS and will outline the key management measures to be implemented during construction of the Project.

7.6 ODOUR IMPACTS

7.6.1 EXISTING ENVIRONMENT

The property currently provides limited land use or development and therefore generates no existing or background odours. Similarly, there are limited land uses within the vicinity of the property that generate adverse odours. The nursery may for instance produce odours associated with soils and manures.

7.6.2 ISSUES FOR CONSIDERATION

The fauna / wildlife component of the Park generates the potential for odour from the collection, handling, and treatment of animal waste.

Further, the food offerings present the potential to generate odour during their cooking and disposal / waste management.

7.6.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will examine odour impacts from the Project as part of a detailed study. This study will develop an odour dispersion model, inclusive of variable weather conditions, wind direction, wind speed, temperature, and local topography, as the most effective means of forecasting odour impacts upon adjacent sensitive land uses and the broader environment.

An odour management plan will also be developed if the modelling indicates that odours would be generated in a manner that could cause adverse amenity impacts to adjacent land uses.

The outcomes of these studies and plans will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.7 SOCIO-ECONOMIC IMPACTS

7.7.1 EXISTING ENVIRONMENT

The upper Blue Mountains provides an important and internationally renowned tourist destination. It provides a significant contribution to the local and regional economy.

In the year 2018-2019 more than 5.8 million people visited the Blue Mountains (source: Destination NSW) and in 2015-2016 the Blue Mountains tourism industry contributed \$378 million and \$362 million in direct and indirect tourism output, and \$740 million in total tourism output. The tourism industry also employed approximately 3,000 people which is 8.4% of Blue Mountains employment (Source: Deloitte Access Economics' Regional TSA model). The number of tourists to the region is expected to grow significantly over the following decade.

Much of this economic activity is currently focused on the Echo Point precinct. There is therefore an opportunity to capture, complement, and grow those inputs into the economy through providing additional tourist attractions / facilities.

7.7.2 ISSUES FOR CONSIDERATION

The Project is entirely consistent with broader economic strategies currently pursued for the region and LGA. It can therefore provide positive economic impacts to the local and regional economy.

The development will generate significant new local employment opportunities in the operational phase with estimates of up to 150 new jobs created.

The development will require significant capital investment during the construction phase. Expenditure of these monies will generate significant local employment opportunities though the construction phases and can be expected to initiate further economic investment in the LGA.

The Project has the potential to impact upon the amenity of surrounding receptors and land use during construction and operation as a result of air quality, transport, noise, and / or visual impacts.

7.7.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will include a socio-economic impact statement that will model and quantify the economic impacts to the local and broader communities, through capture of tourism expenditure and employment generation.

The EIS would include a social impact assessment (SIA) prepared consistent with the approach presented in *Environmental Planning and Impact Assessment Practice Note: Socio-economic Assessment* (Roads and Maritime Services, 2013). This approach utilises social indicators to assess impacts and monitor changes to the socio-economic environment.

Where relevant, consideration will also be given to DPIE's "*Social impact assessment guideline for State significant mining, petroleum production and extractive industry development*" (September 2017).

The community consultation and engagement approach implemented by the Applicant would inform the social impact assessment regarding community perceptions and key concerns, and enable incorporation of avoidance, mitigation, and management strategies as part of the Project planning and EIS preparation.

7.8 STORMWATER AND RIPARIAN CORRIDOR

7.8.1 EXISTING ENVIRONMENT

The property is not located within the Sydney Drinking Water Catchment. It is located in the very upper catchment of Bedford Creek and accommodates a tributary to that drainage line at its lower eastern section. The location of that drainage line is represented in the image provided at Figures 24-25. This watercourse drains into the BMNP and GBMWA.

An assessment of potential pollutants and increases in flow from the Project will be necessary. The development of built forms and hard stand areas has potential to increase stormwater flows.

Management during and after construction may be necessary to minimise pollutants into the catchment. Further, stormwaters have potential to cause scouring at discharge points, which may cause sediment and erosion impacts. That may impact upon water quality in the catchments.

FIGURE 24: TOPOGRAPHY

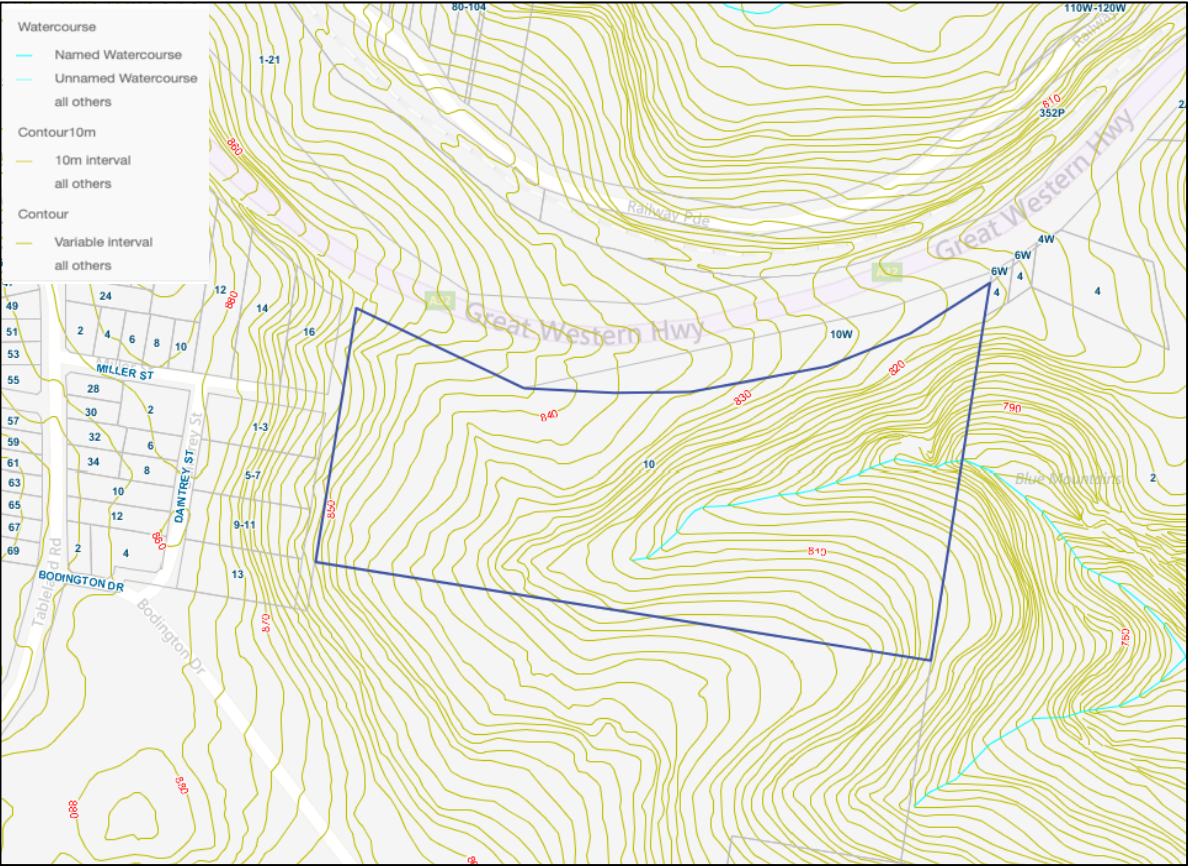


FIGURE 25: TOPOGRAPHY MODEL



7.8.2 ISSUES FOR CONSIDERATION

The sloping topography is susceptible to erosion and changes in water volumes. The Project seeks to provide all built development on less sloping and cleared areas well outside the riparian zone. There are generous buffers to the creek line which mitigate adverse water quality impacts.

7.8.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS shall include a detailed stormwater management plan for both the construction and operational phases of the development. The stormwater management plan will be informed by MUSIC modelling to estimate the quantity of key stormwater pollutants (total suspended solids, total nitrogen, total phosphorus and gross pollutants being discharged from the property during existing conditions and post development).

The plan shall also demonstrate water sensitive urban design (WSUD) outcomes as well as ensure that development achieves a neutral or beneficial effect (NorBE) on water quality.

The outcomes of these studies and plans will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.9 TRAFFIC AND TRANSPORT

7.9.1 EXISTING ENVIRONMENT

The property is located with direct vehicular access to the Great Western Highway and therefore enjoys excellent access to the local and regional road network. There is a secondary point of vehicle access at the western boundary to Miller Street.

Further, it is approximately 2.5km from the Wentworth Falls Railway Station. It therefore enjoys good access to the regional and metropolitan rail network.

The property also enjoys good proximity to two local bus routes that run regular services to Wentworth Falls, Leura, Katoomba, and Springwood Town Centres.

The property is located within a regional transport corridor that includes the Great Western Highway and main western railway line. There is excellent proximity to public transport services.

The direct vehicular access via the Great Western Highway may present traffic impacts on that corridor, particularly the turning movements for vehicles accessing the Site from the west and egressing the property to the east.

7.9.2 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will be accompanied by a Transport Management Plan (TMP) that will examine all opportunities for promoting public and active transport usage, inclusive of the potential to introduce local and shuttle bus services to the property from Katoomba, Leura, and Wentworth Falls.

The TMP will also include a Traffic and Transport Impact Assessment which will be prepared in accordance with the *RMS Guide to Traffic Generating Developments* (RTA, 2002). This assessment would include the following tasks:

- assessment of the existing roads, traffic, and general review of the existing road network
- review of previous traffic impact assessments and traffic counts undertaken for the surrounding area
- identification of traffic safety issues on the existing road network
- preparation of a preliminary concept sketch design of the preferred access option, including access through Miller Street and consideration of emergency vehicle access requirements
- consultation with RMS and Blue Mountains City Council to discuss the preferred access option
- assessment of potential impacts to road traffic and the outcomes of consultation with RMS and local Council

- assessment of plant access options, proposed layout, internal road network and parking in accordance with relevant Australian Standards to provide the most suitable traffic flow pattern considering site constraints
- assessment of heavy and light vehicle generation as a result of the Project during construction and operations including SIDRA analysis of intersection performance of the Project site access
- assessment of need for mitigation measures for potential traffic impacts
- identification of impacts of the Project in relation to road and intersection capacity, access arrangements, traffic safety, public transport routes and affected pedestrian walkway(s)

Parking for the proposed development will generally be in accordance with the *RMS Guide to Traffic Generating Developments* and will also include parking demand from survey of other similar tourist facilities.

The outcomes of these studies and plans will include recommendations that, when required, shall be integrated into the design and management plans of the Project.

7.10 VISUAL IMPACT

7.10.1 EXISTING ENVIRONMENT

The property provides a natural landscape and is located adjacent to the Great Western Highway Transport Corridor. However, the property slopes down and away from that Transport Corridor ensuring that most of it has limited visibility within that key viewshed. Similarly, the property has limited viewsheds to and from other key public domain areas or vantage points including the GBMWhA.

7.10.2 ISSUES FOR CONSIDERATION

The proposal provides numerous medium scaled built forms within the Great Western Highway Transport Corridor.

The development if not properly articulated and massed may cause visual impacts upon scenic values of the Blue Mountains and lands between towns as viewed from that corridor.

The development proposal provides site planning, massing, and building modulation that responds to both the key features of the property and broader precinct by providing generous setbacks to the highway and maintaining existing vegetation to screen views to and from the highway.

7.10.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will provide a Landscape Character and Visual Impact Assessment Technical Report for the Project in accordance with the *Guidelines for Landscape and Visual Impact Assessment (2013)*. This would include identification of existing landscape character zones and sensitive visual receivers, and identification of measures to be used to minimise potential visual impacts. This Technical Report will also have regard to the Department's *Local Character and Place Guideline (2019)*.

The assessment would also include artist impressions, 3D models, and detailed viewshed analysis as well as photomontages of the Project from nominated viewpoints.

The assessment would address the visibility of the Project and the ability of the existing natural landscape to absorb visual impact of the Project. The assessment would identify the design principles of the Project site including indicative architectural and urban designs for the building facades and how community input has been considered in the design.

The outcomes of these studies and plans will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.11 ABORIGINAL AND NON-ABORIGINAL HERITAGE

7.11.1 EXISTING ENVIRONMENT

The property provides a largely undisturbed natural landscape and therefore presents potential for accommodating Aboriginal Heritage.

The AHIMS identifies two recorded Aboriginal sites in or near the property.

An initial archaeological survey of the property has been undertaken by *Kayandel Consultants* and has not identified any item of Aboriginal Heritage or significance upon the property.

A search of Council and NSW databases has confirmed that the property is not identified as containing any identified items of European heritage but does adjoin and is located in close proximity to the following local heritage items:

- WF 047 Boddington Hospital
- WF 020 Rhonda Valley, grounds and railway yards

7.11.2 ISSUES FOR CONSIDERATION

The project, including site disturbance and earthworks, could impact upon matters of heritage significance of non-Aboriginal Heritage, however they are considered very unlikely.

7.11.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The identification of cultural heritage values will be informed by the '*Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW*' (DECCW 2011) and consultation with Aboriginal Cultural Heritage Regulation of NSW. That consultation will be documented in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*' (DECCW).

Consultation with Aboriginal People must be undertaken and documented in accordance with the '*Aboriginal cultural heritage consultation requirements for proponents 2010*' (DECCW). An Aboriginal Heritage due diligence assessment would then be conducted in accordance with OEH's *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010). The assessment would involve conducting a desktop review of the existing environment, available Aboriginal archaeological reports for the Project area, and field inspection. A short report would be prepared with management advice for any identified / potential Aboriginal Heritage

constraints. If necessary, an ACHAR will also be prepared and included as part of the EIS.

An historical assessment may be undertaken which would include searches of relevant historic registers, desktop review of historic heritage reports, a site inspection and sensitivity mapping of historical heritage items. A Statement of Heritage Impact and historical heritage assessment may be prepared for the Project which would include management advice for any identified / potential historic heritage constraints.

The outcomes of these studies and plans would include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.12 ANIMAL WELFARE

7.12.1 EXISTING ENVIRONMENT

The Project seeks to exhibit animals for display to patrons of the Park. The property has a current development consent for a tourist fauna and flora park.

7.12.2 ISSUES FOR CONSIDERATION

The *Exhibited Animals Protection Act* 1986 identifies the need for approvals for the Project to exhibit animals, with certain animals requiring specific permits. Compliance with this Act will ensure the safety and well-being of animals through the design and approval of animal enclosures.

The Applicant considers animal welfare to be paramount and therefore its enclosure designs will exceed the minimum specified standards by a considerable margin. Best practice will be adopted.

Positive animal welfare will also be provided through an on-site veterinary health care program, animal sanctuaries, animal diets prepared by nutritionists, enrichment measures determined by animal behavioural scientists and animal care provided by qualified zookeepers.

7.12.3 PROPOSED EIS ASSESSMENT METHODOLOGY

An appropriate Animal Welfare Program, including compliance with the *Exhibited Animals Protection Act* 1986 will be demonstrated by a Technical Study that accompanies the EIS.

The outcomes of these studies and plans will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.13 EROSION AND SEDIMENT CONTROL

7.13.1 EXISTING ENVIRONMENT

The property in sections provides a relatively steep topography that is particularly susceptible to erosion and changes in water volumes. The property also accommodates a watercourse that drains into the BMNP and GBMWhA and may create potential impacts from erosion and sedimentation.

7.13.2 ISSUES FOR CONSIDERATION

The greatest potential for sediment and erosion will occur during construction works (earthworks / excavation). These works may cause erosion and sedimentation that result in silt laden runoff discharging into receiving waterbodies. Further, stormwaters have the potential to cause scouring at discharge points, which in turn cause sediment and erosion impacts, that may further impact upon the water quality and health of catchments.

7.13.3 PROPOSED EIS ASSESSMENT METHODOLOGY

It is proposed that the Stormwater Management Plan also include a detailed erosion and sediment control plan that would be implemented during the construction phase of the Project. This Plan would also include physical infrastructure elements that would mitigate the risk of scouring from stormwater infrastructure during the operation phase of the development.

The outcomes of these studies and plans will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.14 INFRASTRUCTURE AND SERVICES AVAILABILITY

7.14.1 EXISTING ENVIRONMENT

The property enjoys access to a full range of urban services and infrastructure including water, sewer, energy, and communication utilities.

7.14.2 ISSUES FOR CONSIDERATION

There is potential that the development may generate infrastructure demands beyond the existing and planned capacity of those utilities and services.

7.14.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will include a detailed Technical Study of the demands and capacity of all infrastructure, including energy services, reticulated water, sewer supply, and communication utilities.

This study will include consultation with all infrastructure and service authorities and the identification of required infrastructure upgrades or amplification works necessitated by the development.

The outcomes of these studies and plans will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.15 LAND USE COMPATIBILITY

7.15.1 EXISTING ENVIRONMENT

The property is located within the Transport Corridor that runs through the Blue Mountains and therefore sits within that relatively urbanised corridor. It adjoins residential development to its south, east and west.

The property itself is currently largely vacant and is not improved by any form of development or land use other than a vehicle access via the Great Western Highway, site clearing, engineering works, clearing and an easement for electricity transmission at its eastern section.

This vehicle access and other works described is associated with a current and operational development consent issued by the City of Blue Mountains City Council on 23 November 1989 for the purposes of a wildlife (flora and fauna) park. This development consent is operational and but for this Application will be completed. The layout of that approved development is identified at Annexure D.

7.15.2 ISSUES FOR CONSIDERATION

BM LEP 2015 identifies the land use as a permissible development within the E3 Environmental Management Zone. The development proposal is generally aligned with the built footprint of that already approved development and the E3 Environmental Management Zone. The subject application therefore affirms the already approved and permissible use of the property as a tourist facility. It seeks to enhance it in order to meet contemporary need and demand.

7.15.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will examine the role of all relevant planning legislation and environmental planning instruments and clearly identify the Project permissibility within that statutory planning framework.

This will include a clear characterisation of the proposed land use of the Project and provision of any legal advice where required.

The EIS will also include an assessment of the Project's consistency with all the relevant zone objectives and establish a clear case for granting consent.

7.16 SUSTAINABILITY

7.16.1 EXISTING ENVIRONMENT

The property and broader environs provide a largely undisturbed natural landscape that provides significant natural and cultural environmental values.

7.16.2 ISSUES FOR CONSIDERATION

Sustainability will represent a fundamental objective of the entire design process and as such a raft of energy and water efficiency measures will be integrated into the development proposal.

In addition, broader sustainability matters such as building materials, emission, alternative transport options and indoor environmental quality and waste management will also form key considerations of the design process, and sustainable outcomes for those matters will also be addressed in the development proposal.

7.16.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The Project would be assessed against the principles of sustainability in accordance with the EP&A Act, together with the following voluntary sustainability tools:

- Eco Tourism Certification
- Living Building Challenge
- WELL Building
- NABERS Energy and Water

The outcome of the sustainability assessment would be documented in a technical study and included in a section of the EIS.

7.17 URBAN DESIGN AND BUILT FORM

7.17.1 EXISTING ENVIRONMENT

The property and broader environs provide a largely undisturbed natural landscape that provides significant natural and cultural environmental values. There is residential and commercial development immediately adjacent to each boundary of the property.

7.17.2 ISSUES FOR CONSIDERATION

The property location is in close proximity to the GBMWhA and the development of a major new tourist destination presents both a responsibility and an opportunity to design an iconic built form that demonstrates a sympathetic design response to the property, its broader context, and the inherent environmental values they possess.

7.17.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The architectural design response will be prepared by qualified, distinguished, and award-winning architects and urban designers. Submission of a concept plan was sought from three leading national / international architectural firms. An award-winning firm with recent experience in state significant fauna and flora design and planning has been chosen and engaged.

The concept plan will be developed demonstrating a fundamental analysis and understanding of the existing natural and built environment and will step through, both figuratively and contextually, how the built form design responds to and celebrates the environmental values of the property and its broader environs.

This graphical element of the analysis and design response will be represented by the suite of plans that accompany the Development Application, however, will also be accompanied by a written design statement and technical report that form part of the EIS.

7.18 WORLD HERITAGE

7.18.1 EXISTING ENVIRONMENT

The property is not located within the area that comprises the GBMWhA but is located approx. 300m from the boundary of that area.

7.18.2 ISSUES FOR CONSIDERATION

The GBMWhA Strategic Plan recognises that the heritage area has an interface with approximately 5,000km of adjacent land uses, which means that those uses may impact upon its Word Heritage values.

Importantly, whilst the Strategic Plan has a significant focus on conserving and protecting the GBMWH's important biodiversity, geological, natural and cultural values, it also provides objectives that seek to optimise social and economic benefits derived from visitation to the GBMWH. This includes recognising the importance of providing an appropriate range of recreational and visitor usage opportunities to assist achieve this outcome.

7.18.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will examine the World Heritage values attributed to the GBMWH, together with the management strategies identified as part of that Strategic Plan.

Specific technical issues relating to biodiversity, water quality, and landscape values etc will be examined as part of the respective technical studies that accompany the EIS, whilst a qualitative analysis of the Project's consistency with the broader GBMWH Strategic Plan will occur within the body of the EIS.

7.19 ACCESSIBILITY

7.19.1 EXISTING ENVIRONMENT

The existing development consent for the flora and fauna park provides limited consideration to matters of accessibility.

7.19.2 ISSUES FOR CONSIDERATION

The Project will attract a broad range of patrons across a wide demographic. Current best practice and regulation requires that the Project ensure development is accessible to all people, regardless of their physical limitations, disabilities, or age.

7.19.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The development shall be designed to achieve accessibility to all public domain areas and the EIS shall demonstrate this through the provision of an accessibility report.

The outcomes of this report will include recommendations that, when required, can be integrated into the design and operational plans of the Project.

7.20 AIR QUALITY

7.20.1 EXISTING ENVIRONMENT

Wentworth Falls and the property have an elevation of 760m and therefore sit within the upper sections of the Sydney airshed.

An air quality monitoring sensor, located at Boddington Hill, Wentworth Falls, provides information on ambient air quality and complements data from the Katoomba air quality monitoring station which currently measures particles (PM₁₀, PM_{2.5}), sulphur dioxide (SO₂), carbon monoxide (CO), ozone (O₃), nitrogen dioxide (NO₂) and visibility. Wind speed and direction, air temperature, and humidity are also recorded.

There are no land uses within the vicinity of the airshed that generate pollutants that would typically compromise the local air quality. However, the property's proximity to the Great Western Highway and railway line does expose it to local emissions from vehicles. The local and broader area can also experience poor air quality as a consequence of seasonal usage of domestic wood fire heaters in winter months or bush fires and hazard reduction burns in summer and spring periods, respectively.

7.20.2 ISSUES FOR CONSIDERATION

The Project has the potential to generate dusts through the construction phase and odour impact during the operational phase but is unlikely to generate significant other air emissions during the operational phase.

7.20.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will examine air quality impacts relating to odours and air dusts as part of the respective technical studies undertaken for those matters. This would include a qualitative assessment of construction and a quantitative assessment of operational air quality impacts which would be conducted in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (EPA, 2017).

The potential for all other air emissions from all other associated activities, both fugitive and point sources, would be estimated as part of the technical air quality study and qualitatively assessed. The outcomes of this report will include recommendations

that, when required, shall be integrated into the design and operational plans of the Project.

7.21 CONTAMINATION

7.21.1 EXISTING ENVIRONMENT

The property provides no historical or current use that would present a likelihood for potential land contamination. A search of the NSW EPA Contaminated Land Register does not identify the property as being contaminated. However, the adjacent Boddington Hospital Site was identified as an “*Investigation Area*” in 2003, but in 2005 the EPA declared that it was satisfied that it no longer had reasonable grounds to believe the land presented a significant risk or harm.

7.21.2 ISSUES FOR CONSIDERATION

During construction spillage and leakage of hydraulic oils, fuel, or chemicals have the potential to contaminate soil and surface runoff, if not subject to appropriate control measures.

7.21.3 PROPOSED EIS ASSESSMENT METHODOLOGY

A Phase I Environmental Site Assessment may be carried out as part of the EIS to identify potential residual contamination risks and identify measures to be implemented during construction to control soil contamination risks to workers and the receiving environment during earthworks.

7.22 GEOTECHNICAL STABILITY

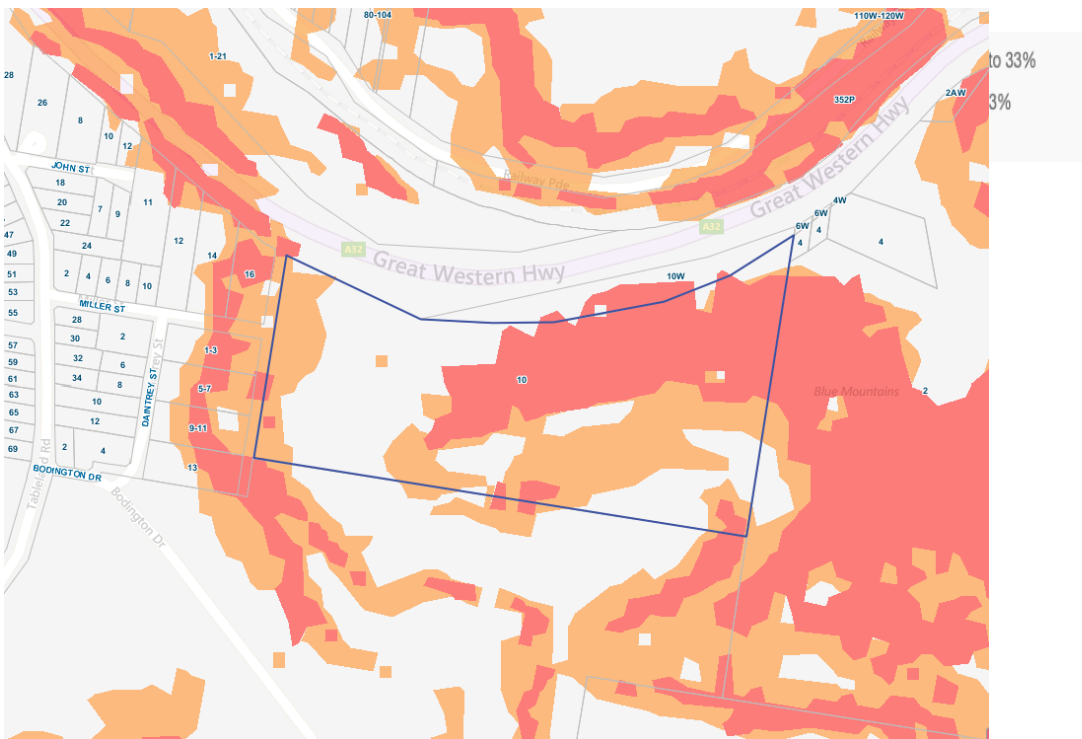
7.22.1 EXISTING ENVIRONMENT

The property accommodates a drainage line in its eastern section which represents a small tributary to the very upper catchment of Bedford Creek. This eastern section of the property also experiences significant topographic change associated with land sloping down towards that drainage line. The western section of the property experiences less topographic change however still provides a 20m downslope. Figure 26 provides a slope map that shows the extensive slopes across the central and eastern section of the property.

7.22.2 ISSUES FOR CONSIDERATION

The development of built forms and project infrastructure presents the potential for geological instability and subsequent adverse impacts upon vegetation, landforms, water quality and geomorphology of the property and its broader environs.

FIGURE 26: TOPOGRAPHY



7.22.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will include a geotechnical report prepared by a suitably qualified person that examines the existing property conditions, as well as design and construction recommendations to demonstrate that the property is suitable for the Project. The outcomes of this report will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.23 WASTE AND RESOURCE MANAGEMENT

7.23.1 EXISTING ENVIRONMENT

The property currently provides no development or land use that would generate waste.

7.23.2 ISSUES FOR CONSIDERATION

The Project has the potential to generate new waste streams including animal waste and waste from the food and beverage elements.

7.23.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will identify all potential waste streams through the construction and operational phases of the development and classify those in accordance with the *NSW EPA Waste Classification Guidelines*.

The EIS will promote opportunities to recycle and re-use those materials to avoid wastes being diverted to landfill. The outcomes of this report will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.24 ACID SULFATE SOILS

7.24.1 EXISTING ENVIRONMENT

The geology of the local area and broader region is unlikely to result in the presence of acid sulphate soils.

7.24.2 ISSUES FOR CONSIDERATION

Should acid sulphate soils be present then the Project has the potential to disturb, expose, or drain acid sulphate soils and cause environmental damage.

7.24.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will include a geotechnical report prepared by a suitably qualified person that examines existing conditions, including potential for acid sulphate soils. The outcomes

of this report will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.25 DEVELOPMENT CONTRIBUTIONS

7.25.1 EXISTING ENVIRONMENT

The property enjoys access to urban utilities and services together with proximity to major transport linkages.

7.25.2 ISSUES FOR CONSIDERATION

The development may generate demand on existing services that necessitate contributions to assist commensurate upgrade of services and infrastructure.

7.25.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will include a detailed Technical Study of the demands upon and capacity of all infrastructure. This study will include consultation with all infrastructure and service authorities and the identification of required infrastructure upgrades or amplification works necessitated by the development.

The outcomes of these studies and plans will include recommendations that, when required, shall be integrated into the design and operational plans of the Project. Where considered necessary, developer contributions for the upgrade or improvement of infrastructure will be identified and the mechanism for payment or delivery.

7.26 GROUNDWATER

7.26.1 EXISTING ENVIRONMENT

There are no known ground water sources located on the property, however, the geology of the Blue Mountains results in the common occurrence of ground waters feeding hanging swamps.

7.26.2 ISSUES FOR CONSIDERATION

The development of built forms and project infrastructure presents the potential for penetration of ground water aquifers and subsequent adverse impacts upon vegetation, landforms, and water quality of the property and its broader environs.

7.26.3 PROPOSED EIS ASSESSMENT METHODOLOGY

The EIS will include a BDAR which will identify hanging swamp vegetation communities and therefore the presence of ground waters on the property.

The BDAR will ensure that no significant impact is caused to these vegetation communities and their water sources, whilst the stormwater management plan will identify and incorporate techniques to protect the surface and groundwater regimes and water quality of the property. The outcomes of this report will include recommendations that, when required, shall be integrated into the design and operational plans of the Project.

7.27 FLOODING

7.27.1 EXISTING ENVIRONMENT

The property accommodates a drainage line in its eastern section which represents a small tributary to the very upper catchment of Bedford Creek. This eastern section of the property also experiences significant topographic change associated with land sloping down towards that drainage line.

The western section of the property experiences less topographic change however still provides a 20m downslope. Figures 17-18 provides a contour plan that shows the extensive slopes across the property together with the drainage line.

7.27.2 ISSUES FOR CONSIDERATION

The drainage line is located at the very upper end of the catchment and therefore may present an impact from local flooding events.

The development of built forms and hard stand areas may increase stormwater flows and ought to be assessed and if needed properly managed.

7.27.3 PROPOSED EIS ASSESSMENT METHODOLOGY

A desktop flood impact assessment of the potential impact of the Project on flooding during construction and operation would be undertaken. This would include:

- reviewing available information relating to flooding conditions in the vicinity of the property
- obtaining existing flood modelling (if available) for the local catchment. Where an existing flood model is not available a new model would be developed to represent existing conditions
- undertaking a site inspection to confirm/enhance understanding of local drainage conditions and validate model assumptions
- undertaking a qualitative assessment of potential flood impacts during construction
- undertaking flood modelling to assess flood impacts during operation. This would involve modifying the existing flood model to represent the proposed concept design and rerunning the model to assess flood impacts for a range of flood events, notionally the 10% Annual Exceedance Probability up to and including the Probable Maximum Flood (PMF) including consideration of potential climate change affects
- flood depth, velocity, and impact/afflux for the range of events to demonstrate the extent and nature of any hydrologic and hydraulic impacts on neighbouring lands
- where necessary, the need for measures to mitigate potential impacts during construction and operation would be identified and recommended
- providing commentary on the suitability of the proposed land use in the context of the existing flood conditions and flood hazards at the property

7.28 OTHER ENVIRONMENTAL ISSUES

Where additional relevant issues or aspects are identified during the preparation of the EIS including through stakeholder consultation, these would be subject to risk

screening and assessment in the EIS commensurate with the level of risk and sensitivity identified.

8.0 CONCLUSION

The Applicant is seeking approval for the Project under Division 4.7 of Part 4 of the EP&A Act.

This Scoping Report provides a preliminary assessment of the environmental and planning considerations to guide the preparation of SEARs for the SSD application.

The Project represents a significant economic investment into the Blue Mountains and presents a unique opportunity to complement and grow that tourism sector as well as create significant local employment growth and cultural awareness both on site and within the local community and district.

The proposal is one of not only state significance, but from a tourism and cultural perspective of national, and international significance.

It is therefore considered that the proposed development is complementary and consistent with local, district, and metropolitan strategic planning directions.

The development is generally a permissible land use within the relevant zones and takes advantage of the property's excellent proximity to regional transport linkages.

The development also presents significant opportunity for design and environmental innovation and a preliminary environmental assessment has not revealed any likelihood of significant adverse impact.

In assessing the Project, care would be given to avoid or minimise the impact on the environment and local communities. The assessment would also identify mitigation and management measures for impacts on the environment during construction and operation of the Park. Consultation with stakeholders and the local community would continue throughout the Project assessment, design, and construction phases.

Given the matters discussed in this Scoping Report, including the significant public benefit proposed, it is requested that the Secretary and the DPIE issue SEARs to enable the EIS to be prepared.

ANNEXURE A: PROJECT PLANS

ANNEXURE B:

CAPITAL INVESTMENT VALUE

ANNEXURE C:

EXISTING DEVELOPMENT CONSENT

ANNEXURE D: APPROVED DA PLANS

ANNEXURE E: CONSULTATION SURVEY