

Scoping Report

Proposed State Significant Development - Eco-Tourist Facilities, Environmental Facilities and Environmental Protection Works

Lot 100 DP 715376

Lawrence Hargrave Drive, Coalcliff NSW 2508

Submitted to Department of Planning, Housing and Industry
on behalf of Urban Apartments Pty Ltd



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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Appendices

Appendix	Author
A. Scoping Summary Table	<i>Ethos Urban</i>

Appendix		Author
B.	Vision Study	<i>Architecture AND</i>
C.	Proposed Site Plan	<i>Architecture AND</i>
D.	Preliminary Biodiversity Assessment	<i>Biosis</i>
E.	Preliminary Bushfire Assessment	<i>Peterson Bushfire</i>
F.	Vegetation Management Plan	<i>Biosis</i>
G.	Biodiversity Constraints Assessment	<i>Biosis</i>

1.0 Introduction

1.1 Overview

This Scoping Report has been prepared by Ethos Urban on behalf of Urban Apartments Pty Ltd. This Scoping Report is prepared in accordance with the ‘*State Significant Development Guide: Preparing a Scoping Report*’ as part of the process to obtain project-specific Secretary’s Environmental Assessment Requirements (**SEARs**) to guide the preparation of an Environmental Impact Statement (**EIS**) for proposed eco-tourist facilities, environmental facilities and environmental protection works (**the Proposal**) at Lot 100 DP 715376, Lawrence Hargrave Drive, Coalcliff (**the site**), in the Wollongong City Council Local Government Area (**the Wollongong LGA**).

As the Proposal includes development for the purposes of a tourist related facility (eco-tourism) that has an estimated development cost (**EDC**) in excess of \$10 million and is located in an environmentally sensitive area of State significance or a sensitive coastal location, it is State Significant Development (**SSD**) as prescribed in Section 13, Schedule 1 of the *State Environmental Planning Policy (Planning Systems) 2021* (**the Planning Systems SEPP**). In accordance with Clause 2.6(2) of the Planning Systems SEPP, all parts of a single development application are also declared SSD for the purposes of *Environmental Planning & Assessment Act 1979* (**EP&A Act**).

In accordance with the requirements of *State significant development guidelines – preparing a scoping report*, this report describes the site, the project, provides a strategic and statutory overview of the project, discusses alternatives, provides an overview of consultation to date and planned future consultation, and identifies the key matters proposed to be further assessed through the preparation of the EIS.

1.2 Applicant details

The details of the applicant, Urban Property Group, are outlined in the table below:

Table 1 Applicant details

Applicant	Document
ABN	49 096 925 423
Address	Urban Apartments Pty Ltd Suite 110, Level 1, 180-186 Burwood Road Burwood NSW 2134
Contact	Chris Ferreira
Contact details	(02) 9744 3333

1.3 Site description

The site is located approximately 70km south-west of Sydney and 23km north-east of Wollongong. The subject site has a varied topography with some cleared areas, steep hillsides, and cliffs, which afford a spectacular outlook to the Tasman Sea and the Illawarra Escarpment. The site comprises a single lot of land in two parts (east and west) and is legally referred to as Lot 100 DP 715376.

The eastern portion of the site is accessible from Lawrence Hargrave Drive. The western part of the site contains uncleared bushland forming part of the Illawarra Escarpment. Both parts of the site are zoned C2 Environmental Conservation under the Wollongong Local Environmental Plan (**the Wollongong LEP**) 2009. Both parts of the site are mapped as bush fire prone.

The surrounding area is characterised by bushland to the west, and single dwellings on large blocks of land east of Lawrence Hargrave Drive. Steep slopes, cliffs and high levels of vegetation cover are evident across the immediate surrounding locality.

The site is easily accessible by vehicle from Lawrence Hargrave Drive, and public transport, being in close proximity (less than 800m) from Coalcliff Railway Station. Practical vehicle access to the site can be gained from an existing vehicular driveway on Lawrence Hargrave Drive. The grand pacific walkway and cycle path are along the road reserve to the front of the site. The Forest Walk to Sublime Point track and the Wodi Wodi viewpoint are

to the north of the eastern portion of the site. The adjoining sites consists of vacant land to a Council reserve with the nearest dwelling over 110m to the south. The adjoining lot to the north is currently vacant.

A site plan is provided at **Figure 1**.



Figure 1 Site Plan

There are no restrictions or covenants on the land.

1.3.1 Planning History

The site has been subject to a limited application history as identified below.

DA-2018/1175

A development application was lodged on 19th December 2018 for '*Environmental Protection Works*' which included the development of a small amenities block, environmental restoration works, and the removal of coral trees and priority weeds within the study area. As environmental protection works are permissible with development consent in the E2 Environmental Conservation zone, and the application was deemed not to have any unreasonable impact on the environment or the amenity of the locality, the application was approved on 28th March 2019.

A Construction Certificate was issued by Building Certification Associates on 30th August 2019.

The works require a reliable, ongoing source of funding. As such, the site is still in need of the approved environmental protection works to protect and retain native vegetation and important ecological features across the site.

The priority of the proposed development subject to this Scoping Report is to provide the necessary environmental protection works and environmental facilities such as an amenities block, as previously approved, that can be sustainably funded by an eco-tourism facility, that represents appropriate development in the context of the surrounding area. The original vision and objectives that informed the previous development continue to be applicable and relevant, ensuring that the intent and benefits of the project are preserved.

Other relevant planning history includes:

Table 2 Planning History

Application Reference	Description of Development
DC-2018/641	Civil works Driveway Crossing
DA-1997/88	Subsurface Drainage Works For Railway – Approved 15 th April 1997

1.4 Proposal summary

The proposal will seek development consent for eco-tourist facilities, environmental facilities and environmental protection works, as follows, and sited as shown in **Figure 2**:

Eastern portion of the lot:

- 24 x eco-tourist cabins (for a maximum of 72 guests) and a communal pavilion building, and associated parking and landscaping.
- Environmental facilities in the form of:
 - Publicly available observation deck fronting and directly accessible from Lawrence Hargrave Drive.
 - Publicly available observation deck and seating on the southern portion of the eastern lot.
 - Multi-purpose building adjacent to the southern observation deck accommodating amenities.
 - Publicly available walking track connecting the two observation decks through the site forming an 'extension' of the Wodi Wodi Walking Track, which terminates on the western side of Lawrence Hargrave Drive.
 - Car parking ancillary to the provision of environmental facilities.
- Environmental protection works in the form of vegetation restoration including (but not limited to) revegetation, weed management, natural regeneration, in-fill planting and maintenance. A detailed scope in the form of a Vegetation Management Plan will be determined following a detailed ecological review.

Western portion of the lot:

- Environmental protection works in the form of vegetation restoration including (but not limited to) revegetation, weed management, natural regeneration, in-fill planting and maintenance. A detailed scope in the form of a Vegetation Management Plan will be determined following a detailed ecological review.
- Environmental facilities in the form of:
 - Publicly available walking track or boardwalk connecting to, and serving as a further 'extension' of the Wodi Wodi Walking Track.
 - Seating areas and potential viewing decks within a cleared area of the western portion of the lot, accessible via the new walking track or boardwalk connecting to the Wodi Wodi Walking Track.

Refer to the QS report prepared under separate cover for the indicative cost breakdown of the eco-tourism and environmental management works components of the project for the eastern portion of the site. The costs associated with the environmental protection works are to be determined following further ecological study and investigation, and through an update to the Vegetation Management Plan (**VMP**) as required (refer to **Appendix F**) and will therefore be in addition to the costs identified in the QS statement. Likewise, costs associated with environmental facilities on the western portion of the site will be determined following the development of the Proposal on that portion (which will be determined following detailed ecological review).

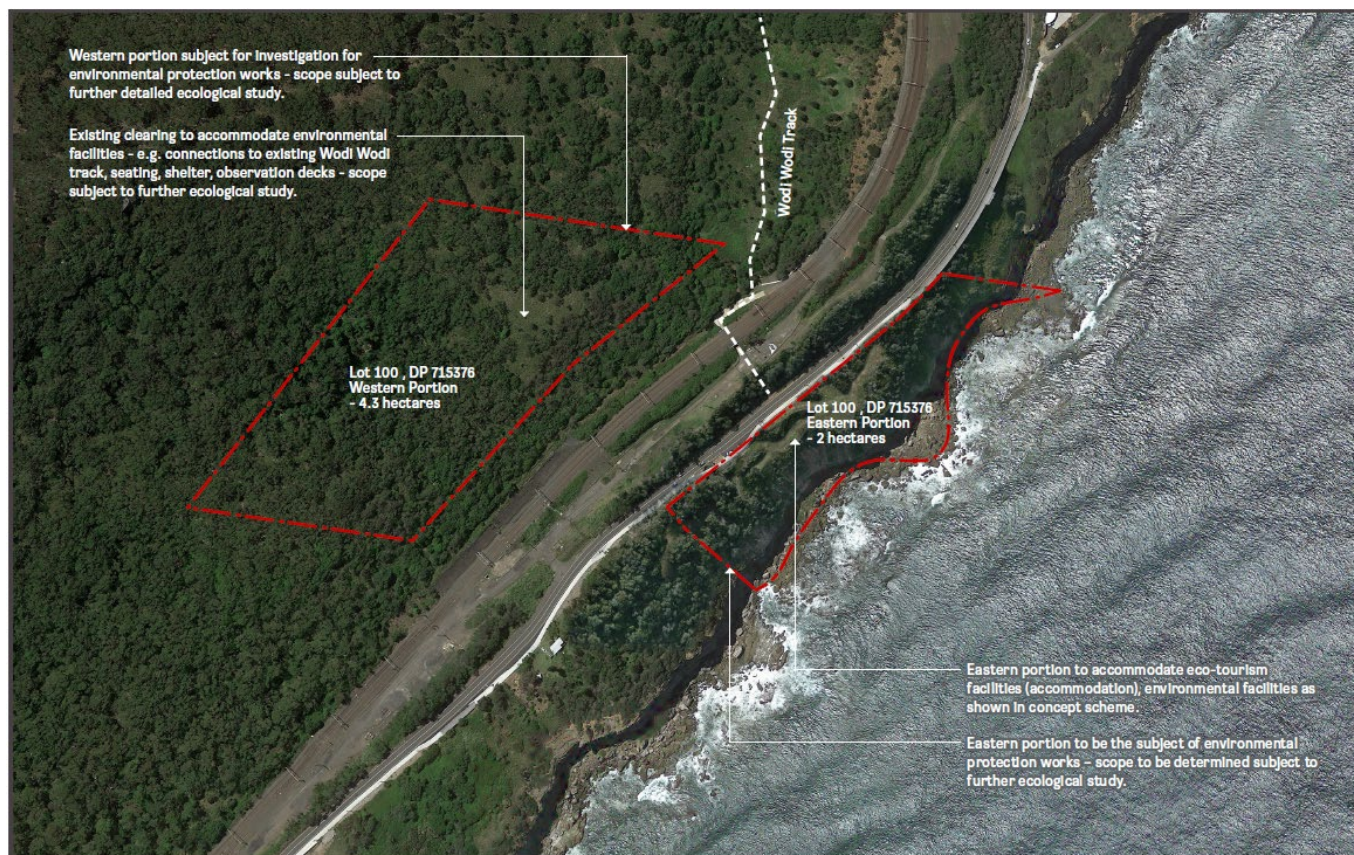


Figure 2 Overall land use plan

The EDC for the proposed eco-tourist facilities, proposed within the eastern portion of the lot, is expected to exceed \$10 million.

1.5 Project justification

The Proposal aims to create a unique destination for both locals and visitors, with the key objective being to increase visitor appreciation and understanding of the importance of the preservation of the natural environment, to appreciate its beauty, and to promote efforts to conserve the natural environment. The proposal's setting along the Illawarra Escarpment and with connectivity to existing tourist walking tracks constitutes the perfect backdrop for the proposal.

The Proposal includes works which will not only create tourist and visitor accommodation in the form of eco-tourism sensitively designed with the environment in mind, but also includes environmental facilities in the form of walking tracks and observation decks to provide opportunities to enjoy the spectacular views the site has to offer. The Proposal also includes environmental protection works, with the aim of rehabilitating and enhancing the site to the greatest extent possible.

The Proposal will be designed in a manner that minimises impacts on the natural environment, and it is envisioned that the facilities will maintain and enhance the environmental value of the land by utilising the natural flora, fauna, and resources in a harmonious manner. The site requires ongoing investment to manage the land and rehabilitate the degraded areas of the site.

The Proposal strongly aligns with the wider aims established by the NSW government within the *Visitor Economy Strategy 2030*, which sets a target to triple 2009 overnight visitor expenditure in NSW by 2030. The NSW government has targeted \$65 billion in total visitor expenditure for 2030, of which regional NSW is identified as being key to the future and contributing a total of \$25 billion. The proposal brings to fruition many of the goals and ideas set out in both the *Statewide Destination Management Plan February 2019* prepared for Destination NSW.

The Proposal represents an economic opportunity for the region and Australia as the region transitions away from unutilised prime land towards a more diversified economy and range of eco-tourist options. The Proposal is anticipated to support significant direct and indirect jobs in the region and across Australia. This Proposal has the potential to achieve benefits for the local, State economy and tourism industry.

1.6 Proposal objectives

The proposed redevelopment of the site for the purposes of environmental facilities, eco-tourist facilities and environment protection works is intended to engage with the three pillars of sustainability, in terms of providing social, economic and environmental benefits. More specifically, the Proposal will seek to achieve the following objectives:

- Establish a unique destination and tourist facility that showcases cultural heritage and flora and fauna, that complements existing tourist destinations and provides a diversified tourism experience.
- Promote a form of tourist accommodation for short term visitor occupation which is compatible with the scenic quality, natural environment and relaxed lifestyle of Coalcliff and the site.
- Promote sustainable ecotourism and opportunities for nature-based activities that increase visitor appreciation and understanding of the environmental values of the site, specifically the scenic location appreciated both within the site and the area.
- Maintain the rural and cultural values of the land by providing low impact development and connections to the existing public walking track, that preserves the character of Coalcliff and the site, with the orientation of the buildings set out to maximise views of the coastline.
- Provide a facility that promotes best practice for sustainable tourism and conservation, and provides education as well as areas to enjoy and interact with local fauna and flora experiences.
- Promote responsible and sustainable travel leveraging off the existing key transport infrastructure.
- Provide sensitively designed and managed eco-tourist and environmental facilities which blend into the existing natural environment and which minimise impacts on the environment, particularly flora and fauna.
- Improve upon and provide investment in walking tracks and observation decks in the locality, offering visitors and locals unique and memorable experiences in one of the state's most spectacular areas.
- Enhance appreciation of the environmental and cultural values of the Wollongong LGA through an ecological focus.
- Facilitate the regeneration of natural habitats on the site as well as maintenance of existing areas of natural habitat.
- Facilitate the management and restoration of an area with high ecological, scientific, cultural and aesthetic values.
- Deliver socio-economic benefits and local employment generation for the LGA and wider region, and support Small, Medium and Micro-Enterprises (**SMME**) through the promotion of a tourism development.

Further opportunities for sustainable eco-tourism will be explored in the EIS through off-grid infrastructure provision.

2.0 Strategic context

2.1 NSW Visitor Economy Strategy 2020

The visitor economy is vital to the broader NSW economy, being one of NSW's major exports. Tourism and visitors make a major contribution to the State metropolitan and regional areas, providing economic stimulus which adds to the State's profile, liveability, prosperity, contributing to the vibrancy of public spaces and resulting in knock on effects for local residents. The *NSW Government's Visitor Economy Strategy 2030* sets out a strategy for supporting all industries involved in the visitor economy, and provides the impetus for recovery from the impact of drought, bushfires, and COVID-19. The strategy sets a bold vision for NSW to be the premier visitor economy of the Asia-Pacific by 2030.

The *NSW Visitor Economy Strategy 2030* sets a target to triple 2009 overnight visitor expenditure in NSW by 2030 surpassing previous targets despite recent challenges. Specific targets include:

1. \$65 billion in total visitor expenditure for NSW by 2030.
2. \$10 billion in domestic daytrips by 2030.
3. \$55 billion in overnight visitor expenditure by 2030.
4. \$25 billion in regional overnight visitor expenditure by 2030.

The *NSW Government's Visitor Economy Strategy 2030* aims to make it easier for businesses to establish and expand in NSW through streamlined licensing and planning approval processes and to prioritise planning and investment in projects that will have the most impact on the visitor economy.

2.2 Wollongong Local Strategic Planning Statement 2020

The *Wollongong Local Strategic Planning Statement (the LSPS)* sets out Council's envisaged program of land-use planning that will continue to be adjusted and evolve to help realise the community's vision for the next 20 years. The Statement summarises the City's opportunities and challenges, provides a Vision for Directions, identifies Planning Priorities, and sets Actions to help deliver on these priorities.

The biggest challenges and opportunities addressed by the Statement are:

- Employment opportunities.
- Climate Change Resilience and meeting the Emissions Reduction Target.
- Housing the additional 47,000 people in appropriate locations.
- Creating great places.
- Supporting the population with culture, recreation and social activities.
- Enabling infrastructure and transport – both within Wollongong, and to the adjoining regions.
- Protecting the environment, which is also the backdrop and the attraction of the area.

The Proposal addresses these challenges and opportunities by providing local Employment opportunities; improving Climate Change Resilience through eco-tourism; contributing to creating great places that people want to travel to; supporting the population with culture, recreation, and social activities by providing a facility to enjoy; and protecting the environment through eco-tourism.

The LSPS specifically notes that Coalcliff forms part of the Grand Pacific Walk, where the vision is to have a major project that creates a pathway along the Wollongong coastline, from the Royal National Park to Lake Illawarra. The Walk establishes a 3km walking and cycling connection between Coalcliff and Stanwell Park. This section has been cited in the LSPS as a high priority, as there are no existing pathways for much of this section and it has steep and sometimes unstable land, narrow roads, and a lack of provisions for pedestrians and cyclists.

The Proposal intends to contribute to the usage and marketing of the Grand Pacific Walk by attracting tourists to the area to see, use and experience the Seacliff Bridge and the Grand Pacific Walk, and to create views and vistas to the walk and the bridge.

2.3 NSW Government Statewide Destination Management Plan 2019

The *NSW Government Statewide Destination Management Plan 2019* identifies that the NSW visitor economy is a central strength and pillar of the NSW economy, with tourism's contribution to the NSW economy reaching \$34.2 billion in 2016-2017 and overnight visitor expenditure in NSW increasing 10.9% in 2017 to reach \$29.1 billion.

The *NSW Government Statewide Destination Management Plan 2019* explains that the NSW Government is committed to growing the visitor economy and has put in place a robust framework to deliver growth, including the establishment in 2011 of Destination NSW as the lead Government agency for the NSW tourism and major events sector, and more recently in 2016, a regional tourism reform that included the creation of six Destination Networks to facilitate visitor economy growth at a local level.

In August 2018, the Government launched the *Visitor Economy Industry Action Plan*. The *NSW Government Statewide Destination Management Plan 2019* is designed to provide a high-level framework to achieve alignment across NSW and assist coordinated delivery of the vision and goals for the NSW visitor economy. The Statewide DMP specifically identifies the South Coast region, within which the site is located, as an existing "Hero Destination".

2.4 Destination Wollongong Destination Management Plan 2022

Tourism is considered one of the key industries in the Wollongong economy and a continued commitment to the strategic focus areas will be critical to ensure sustainable visitation growth continues in the coming years. The plan cites that the *"tourism infrastructure investment would be a game-changer for the local tourism industry and has the potential to deliver benefits throughout the broader economy via improved perceptions about Wollongong."*

Coalcliff is cited as a 'less popular', but highly rated zone in the *Wollongong Destination Management Plan 2022 (the DMP)*. The DMP states that Coalcliff *"represents opportunities for enhancement of these zones to increase visitation, drive commercial activities while improving benefits to the local community by dispersing visitors from overly congested locations."*

2.5 Illawarra-Shoalhaven Regional Plan 2041

The Illawarra-Shoalhaven Regional Plan sets the strategic framework for the region, aiming to protect and enhance the region's assets and plan for a sustainable future. The Plan is intended to inform land use planning undertaken by Local Government, and inform the work of infrastructure agencies to plan for growth and change, and inform the private sector and the wider community of the NSW Government's approach to creating a connected, sustainable, innovative, and vibrant Illawarra-Shoalhaven.

Objective 5 relates to creating a diverse visitor economy and specifically identifies that increasing visitation and growing expenditure requires complementary products and experiences, including eco-accommodation, nature-based and cultural experiences, food and wine experiences, adventure activities, and events.

3.0 The Proposal

3.1 Indicative Proposal

The Proposal will involve the construction and operation of a new eco-tourist facility at the site, with environmental facilities and protection works, which involve the following works:

- Construction of 24 x eco-tourist cabins (for a maximum of 72 guests) and a communal pavilion building, and associated parking and landscaping.
- Provision of environmental facilities in the form of:
 - Publicly available observation deck fronting and directly accessible from Lawrence Hargrave Drive.
 - Publicly available observation deck and seating on the southern portion of the eastern lot.
 - Multi-purpose building adjacent to the southern observation deck accommodating amenities.
 - Publicly available walking track connecting the two observation decks through the site forming an 'extension' of the Wodi Wodi Walking Track, which terminates on the western side of Lawrence Hargrave Drive.
 - Car parking ancillary to the provision of environmental facilities.
- Associated environmental protection works in the form of vegetation restoration including (but not limited to) revegetation, weed management, natural regeneration, in-fill planting and maintenance. A detailed scope in the form of a Vegetation Management Plan will be determined following a detailed ecological review.

Western portion of the lot:

- Environmental protection works in the form of vegetation restoration including (but not limited to) revegetation, weed management, natural regeneration, in-fill planting and maintenance. A detailed scope in the form of a Vegetation Management Plan will be determined following a detailed ecological review.
- Environmental facilities in the form of:
 - Publicly available walking track or boardwalk connecting to, and serving as a further 'extension' of the Wodi Wodi Walking Track.
 - Seating areas and potential viewing decks within a cleared area of the western portion of the lot, accessible via the new walking track or boardwalk connecting to the Wodi Wodi Walking Track.

This Scoping Report is accompanied by a preliminary concept plan prepared by Architecture AND that illustrates the indicative layout for the eco-tourist facility (refer to **Figure 3** and **Figure 4**).

The preliminary layout positions the cabins in a linear fashion on an east-west axis to make the most efficient use of the land available for development and respond positively to the site's constraints, specifically the escarpment edge towards the eastern portion of the site.

The following sub-headings provide further details regarding the Proposal.

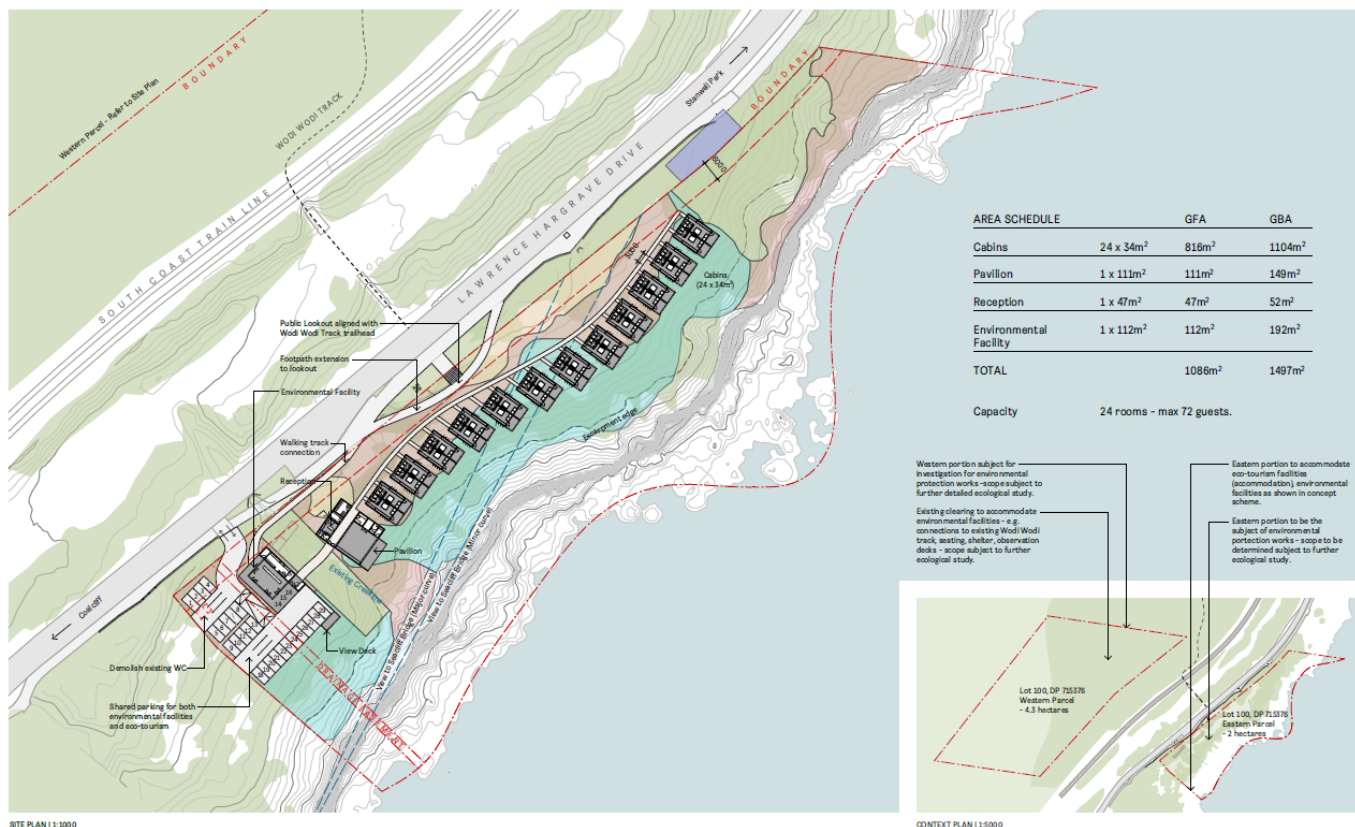


Figure 3 Eastern portion indicative site plan (eco-tourism and environmental facilities)

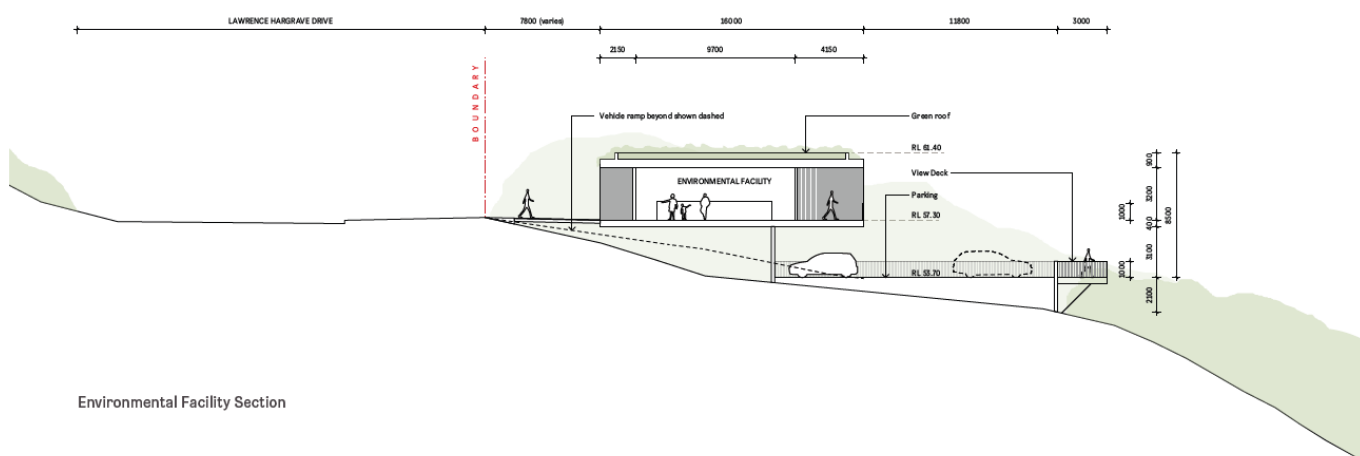


Figure 4 Indicative concept - proposed environmental facilities (southern observation deck)

3.2 Proposal Area

The Proposal Area comprises all of Lot 100 DP 715376, which lies to the north and south of Lawrence Hargrave Drive. The land falls under private ownership, with the public Wodi Wodi Walking Track located outside of the site boundary. Where relevant, the EIS will also consider associated works/activities on adjacent land, including connections to the existing public walking track and the creation of access points off the public road.

The land to the eastern portion of the lot extends to 2ha in size, which will accommodate the main built development of the Proposal, comprising an eco-tourist facility, with an ancillary reception/pavilion building and car parking, as well as new environmental facilities including a multi-purpose building and pedestrian links to the existing Wodi Wodi Walking Track.

Figure 3 above identifies the areas of the site assessed in terms of ecological value, as per the Preliminary Biodiversity Assessment provided at **Appendix D**. The site varies in significance between 'cleared vegetation', 'poor vegetation', 'moderate vegetation', 'good vegetation' and 'native vegetation', the latter of which has the

greatest ecological value. The majority of the site is identified between cleared – moderate ecological value, at which the proposed built development is located entirely within. There is a small strip of land acknowledged as 'good vegetation', which is intentionally absent of built development within the preliminary site plan. There is also a small area of 'native vegetation' to the north west of the site, which has also been retained in its entirety, with appropriate separation distances mapped out to ensure avoidance of any impacts associated with the construction of the Proposal.

A small area along the western edge of the site is identified as 'poor vegetation', but also mapped within an area subject to 'moderate ecological constraints'. Existing vegetation will be protected and retained where possible, however should tree removal be required to facilitate the development, appropriate mitigation or offset measures will be implemented, which will be assessed in further detail alongside the submission of the EIS.

The land forming the western portion of the lot extends across 4.3ha, at which a series of environmental protection works and low-impact environmental facilities, including seating, shelter, board walks, observation decks and pedestrian links to the existing public Wodi Wodi Walking Track. As such, it is considered that the existing ecological value of the site will remain unchanged and undisturbed as part of the Proposal.

3.3 Main Uses and Activities

The Proposal comprises works across the eastern and western portions of the lot. There are three main elements to this Proposal, as set out below:

Eco-tourist Facility

The eastern portion will comprise 24 freestanding cabins to be occupied on a short-term / temporary basis (defined as an **eco-tourist facility**). The very nature of the cabins are designed to be low-impact development, requiring minimal earthworks, and will be sensitively designed to sit comfortably within the context of the surrounding natural environment. The purpose of the development is to deliver a unique, conservation-based resort within an area of outstanding natural beauty, which will leverage off the spectacular views from the Illawarra Escarpment.

The eco-tourist resort will be supported by the necessary amenities within an ancillary building that will provide a reception desk to serve the guests, as well as toilet and washroom facilities. A pavilion will provide an open space that may be used as a café / restaurant or an event room for various functions, to diversify the visitor economy and in turn encourage sustainable, long-term eco-tourism. The eco-tourist facility is therefore anticipated to accommodate a wide range of visitors, locally, regionally and even internationally. The maintenance and management of the facility will also promote employment generation for the local community.

The existing creek line differentiates between the private and public uses proposed within the site.

Environmental Facilities

The detailed design of the western portion of the land is yet to be determined, however it is envisaged that the works will involve proposed pedestrian links to connect to the existing Wodi Wodi Walking Track, enhanced by low visibility and low impact development such as seating, shelter, and an observation deck, proposed for the enjoyment of the natural setting by the Public. The proposed facilities will encourage nature-based activities by extending the existing Walking Track and providing spaces for visitors to temporarily stay, enjoy the natural environment, and enhance the appreciation of the environmental and cultural values of the Wollongong LGA.

The existing Wodi Wodi Walking Track will be extended across Lawrence Hargrave Drive, connecting to new pedestrian pathways within the eastern portion of the land. As such, the Public can safely and efficiently move between both portions of the site to deliver an integrated experience.

This will lead to new environmental facilities to be used by the Public, including a multi-purpose building that will provide a mix of amenities to serve the Public, comprising toilet facilities and tourist information. The intention of the multi-purpose building is to support and in turn encourage members of the Public to visit the area by providing the necessary amenities, art exhibitions of local nature and culture, whilst providing informal education about sustainable tourism and the Wollongong LGA, and in turn, increasing visitor appreciation and understanding of the importance of the preservation of the natural environment. The building is therefore consistent with the existing and proposed land uses.

The site will be serviced by car parking, including undercroft parking at the building to reduce the visual dominance of parking along the streetscape, to serve both the eco-tourist facility and members of the Public. The multi-purpose building is therefore considered necessary to support the Proposal.

The environmental facilities will incorporate a number of observation decks throughout both sites, to encourage more opportunities for visitors to appreciate the spectacular views of the surrounding area.

Environmental Protection Works

To deliver a high-quality, sustainable development requires the protection and enhancement of the existing vegetation and landscaping. A Vegetation Management Plan was previously prepared as part of a Development Application on site (**Appendix F**), which identified the environmental protection works that will still be provided as part of the proposed scheme, including:

- **Seed collection** – The purpose of revegetation is to create buffer zones around retained native vegetation to protect it from edge effects, create or maintain habitat corridors to help facilitate the movement of flora and fauna species, and maintain native seed banks, local provenance of species endemic to the area and genetic diversity.
- **Weed management** – Environmental weeds are exotic species considered either a high risk of dispersing and becoming established in adjacent native vegetation, or have the potential to cause significant ecological harm. A series of weed management measures will be undertaken, prior to, and during, revegetation works, based on a combination of the current site management, bush regeneration industry standards and botanical knowledge of the weeds.
- **Natural regeneration** – Natural regeneration of pre-existing vegetation is encouraged, including distributing the soil surface, removing weed infestations, creating canopy gaps and watering.
- **Infill planting and revegetation** – Minor Infill planting and active revegetation are to be undertaken across both portions of land, to be installed in a manner that avoids structured plantings in linear formation and achieves a more randomised pattern.
- **Fertilising** – At the time of planting, fertiliser is to be applied to each plant in the form of a native slow release product.
- **Watering** – Watering of the supplementary planting works will be undertaken to ensure that an adequate survival and establishment rate is achieved. Watering is to abide by any local authority water restrictions or guidelines.
- **Pest control** – Predation by native macropods, introduced herbivores (rabbits and hares), insect pests and infection caused by plant diseases/pathogens can have an adverse effect on the establishment of plantings by defoliating, damaging, removing or killing young plants. To minimise the loss of plants through predation and/or disease, all new plantings will be protected by the use of black plastic rigid mesh tree guards, which would be reused on new plantings once the initial planted specimens mature, and temporary exclusion fencing of larger areas or where initial trials indicate that the efficacy of using individual tree guards is low.
- **Maintenance** – Maintenance works will commence following the implementation of the above measures, occurring quarterly during cooler months and bi-monthly in the warmer months.

The works therefore represent a long-term commitment to continuous biodiversity management, through the retention and enhancement of the existing areas of natural habitat. The works will result in a betterment for the ecological value of the site, when considered against the existing environment.

The proposed works will enhance the natural beauty of the site and encourage visitors to the area, whether it be via the enhanced walking track or eco-tourist accommodation, to appreciate the environmental and cultural value of the area. The proposed uses are therefore physically and operationally integrated.

The VMP can be updated upon request and will be submitted alongside the EIS. Should an updated VMP be required during the EIS stage, the requisite further nuances of the environmental protection works will then be provided.

3.3.1 Operation

The environmental facilities will be open for use by the Public during the following operational hours:

- Monday – Saturday: 08:30 – 17:00
- Sunday: 08:30 – 13:00

The operational management and maintenance of the environmental facility to the western portion of the site will be addressed through the preparation of a Management Plan to be included within the EIS. **Table 3** below provides a summary of the proposed works within the site, the respective use of each aspect of the Proposal and the proposed operational hours.

Table 3 *Key facilities*

Proposed Works	Anticipated Use	Operational Hours
Eco-tourist facility	The proposed eco-tourist cabins will provide short-term accommodation for tourists interested in a different experience, at a prime location along the Illawarra Escarpment.	Owing to the nature of the eco-tourist facility, it will be operational on a 24-hour basis, – with self check-in available. The operational model of the facility will be explored further within the EIS.
Pavilion and Reception	The building will provide the necessary amenities to serve the eco-tourist facility, including a reception area and pavilion. There is also the opportunity to hire the facility for external events, such as weddings or conferences.	<ul style="list-style-type: none"> Monday – Saturday: 08:30 – 17:00 Sunday: 08:30 – 13:00
Multi-purpose building	The multi-purpose building is characterised as an environmental facility as part of this development, to serve both the eco-tourist facility and members of the Public visiting the wider site. The building will provide public amenities such as washrooms and information on local flora and fauna, threatened and protected species, and local art.	<p>The operating hours of the car parking facility will align with the identified hours for the environmental facility, specifically:</p> <ul style="list-style-type: none"> Monday – Saturday: 08:30 – 17:00 Sunday: 08:30 – 13:00
External environmental facilities (including walking tracks, boardwalks, seats and view decks)	To the western portion of the subject site, various environmental protection works and clearing will facilitate the provision of public environmental facilities including connections to the existing Wodi Wodi Walking Track, seating, shelter, and observation decks.	N/A – Owing to the nature of the environmental works, there are no applicable opening hours related to this part of the Proposal.
Car Parking	<p>There are 29 car parking spaces proposed in total, 24 of which will be designated for the 24 eco-tourist cabins, and 5 additional spaces for public use.</p> <p>This will reduce on-street car parking associated with the environmental facility and therefore promote the use of such facilities for those who access the area via private vehicle.</p>	<p>The operating hours of the car parking facility will align with the identified hours for the environmental facility, specifically:</p> <ul style="list-style-type: none"> Monday – Saturday: 08:30 – 17:00 Sunday: 08:30 – 13:00

3.4 Analysis of Alternatives

As part of the early investigations for the site's redevelopment, a variety of options were considered in arriving at the Proposal, including:

- **Option 1 (Do Nothing):** Provide no development, leaving the existing site as it is.
- **Option 2 (Alternative Use):** Provide an alternative development type permitted within the C2 zone.
- **Option 3 (Alternative Site Configuration):** Position the Proposal elsewhere within the lot boundary.
- **Option 4 (The Proposal):** Deliver a high-quality, low-impact eco-tourist facility, alongside environmental facilities and environmental protection works.

A full analysis of alternatives will be conducted as part of the EIS. Nonetheless, these options will be considered briefly in turn below:

3.4.1 Do Nothing

Leaving the site unchanged would be inconsistent with the State Government's and Council's strategic vision to deliver a diverse visitor economy, including through eco-accommodation and nature-based experiences,

leveraging off the environmental significance of the area. A 'do nothing' scenario would result in a missed opportunity to:

- Improve upon the ecological values of the site.
- To further promote and capitalise on the wonderful features of Coalcliff for the benefit of the local and regional tourist and visitor economy.
- Realise public benefits through the shared use of private land for the public which benefits from spectacular amenity.
- Leverage off the accessibility of the area, with regular train and bus services operating from Coalcliff Station and immediate surrounding context.

As such, doing nothing would not deliver any of the substantive benefits of the Proposal. On this basis, the 'Do Nothing' scenario is not considered to represent the highest and best use approach to align with the strategic vision for the area.

3.4.2 Alternative Use

The site is zoned 'C2 Environmental Conservation' under the *Wollongong Local Environmental Plan 2009* (**Wollongong LEP**). Within the C2 zone, there are few permissible land uses. The Proposal seeks to provide the most logical distribution of permissible land uses, consistent with the zone's objectives and previous planning history.

Notwithstanding the above, the development, and ongoing management and maintenance, of the environmental facilities and protection works require a reliable and sustainable source of funding. The permissible uses are not viable in isolation and the development of the eco-tourist facility has been assessed as the most feasible, long-term source of funding. As such, this alternative option was not considered to be an economically feasible alternative, nor would it provide the public benefits that the Proposal subject to this Scoping Report will deliver.

The eco-tourist cabins are considered to be a complimentary use to the area, thereby promoting a diversified local economy, whilst protecting and enhancing the ecological value of the site for the enjoyment of visitors. The Proposal is therefore considered to be the most appropriate based on the site's strategic context and to provide the necessary funding for the environmental facilities and protection works.

3.4.3 Alternative Site Configuration

The siting of the Proposal was identified as the most suitable location for the Proposal due to the physical parameters of the site. The extent of land encompassed within the defined lot is restricted in width and constrained by the escarpment towards the eastern boundary. As such, there is a limited area for development to be sited within the land. An alternative site configuration would not represent the optimal visual or ecological outcome, having regard to the significance of the ecological features on site, as identified in **Appendix B**.

The preliminary Asset Protection Zones (**APZs**) have been determined in the context of the existing vegetation on site, the low bushfire risk as discussed in the Preliminary Bushfire Assessment included at **Appendix E**, and the nature of the proposed development. APZs and other bushfire protection measures will be determined in conjunction with the Bushfire Consultant during the EIS stage. The siting of the proposed development has been deemed as the most logical location within the site boundary and further justification and mitigation measures to mitigate any impacts will be provided within a detailed Bushfire Assessment as part of the EIS.

The nature of the Illawarra Escarpment provides scenic coastal views to leverage off, which provides a unique opportunity for visitors of the area that they would otherwise not experience, and will therefore ensure the long-term, sustainable operation of the Proposal.

The siting of the proposed development ensures minimal impact to Lawrence Hargrave Drive and to the ocean, ensuring that there is low visual intrusion on the escarpment. The units have been intentionally sited in the current manner to take advantage of the uninterrupted ocean views and rising eastern sun.

A detailed analysis of the design alternatives within the site will be explored as part of the EIS.

3.4.4 The Proposal

The site's accessibility, natural beauty, expansive vistas and coastal location, when balanced against its constraints such as dense vegetation and topography, mean that eco-tourism, environmental facilities and environmental protection works are an optimum use of the site, and strike a balance between appropriate

tourism, environmental conservation and rehabilitation objectives. The Proposal will make a significant contribution to the local and regional economy and result in public benefits through the creation of publicly accessible areas on private land, enhancing the status of and highlighting the spectacular natural attributes of the Wollongong LGA and Illawarra region more broadly.

The C2 Environmental Conservation zone under the Wollongong LEP permits limited forms of development, however does permit environmental facilities and environmental conservation works. The proposal also involves eco-tourism given it is a related and meaningful additional use to the provision of wider environmental facility uses, and also continues to promote the zone objectives, being to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values, to prevent development that could destroy, damage or otherwise have an adverse effect on those values, and to retain and enhance the visual and scenic qualities of the Illawarra Escarpment. It is considered that few other alternative uses would achieve these objectives.

Further design refinement will be undertaken during the preparation of the EIS.


4.0 Statutory Context

This section provides an overview of the key statutory requirements for the project, having regard to:

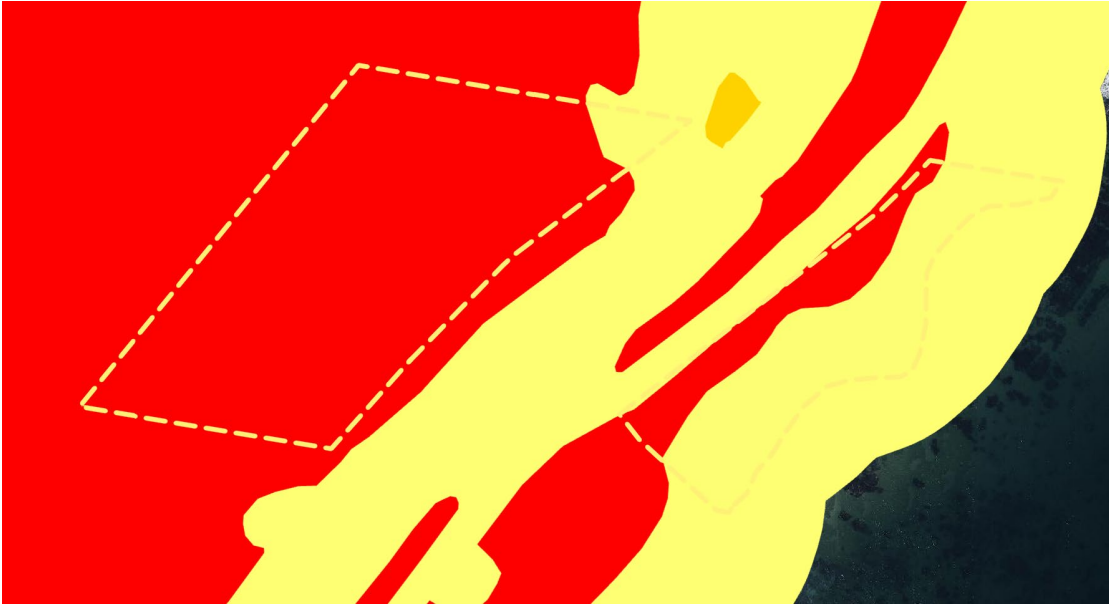
- The EP&A Act and EP&A Regulation.
- Other relevant legislation.
- Relevant environmental planning instruments.

Table 4 Statutory context

Matter	Consideration
Power to grant consent	<p>Environmental Planning and Assessment Act 1979 (EP&A Act)</p> <p>Section 4.36 of the EP&A Act identifies that certain development is development 'declared' under that section to be SSD, and that a State environmental planning policy may declare any development "or any class or description of development" to be SSD.</p> <p>The Minister for Planning and Public Spaces is the consent authority for the State Significant Development Application (SSDA). The Minister may delegate this function to staff within the DPE. However, the Independent Planning Commission will be the consent authority if the following circumstances occur:</p> <p>The application is not supported by the relevant Council.</p> <p>The Department has received more than 50 unique public objections.</p> <p>The application has been made by a person who has disclosed a reportable political donation in connection with the development application.</p>
State Environmental Planning Policy (Planning Systems) 2021	<p>Section 13 of Schedule 1 of the Planning Systems SEPP provides that the following is SSD:</p> <p>13 Cultural, recreation and tourist facilities</p> <ol style="list-style-type: none"> 1) <i>Development that has a capital investment value of more than \$30 million for any of the following purposes:</i> <ol style="list-style-type: none"> a) <i>film production, the television industry or digital or recorded media,</i> b) <i>convention centres and exhibition centres,</i> c) <i>entertainment facilities, information and education facilities, including museums and art galleries,</i> d) <i>recreation facilities (major),</i> e) <i>zoos, including animal enclosures, administration and maintenance buildings, and associated facilities.</i> 2) <i>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:</i> <ol style="list-style-type: none"> a) <i>has a capital investment value of more than \$100 million, or</i> b) <i>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.</i> <p>The subject Proposal involves development for "other tourist related purposes" (being the eco-tourist facilities) with a capital investment value of more than \$10 million, and is located both in an environmentally sensitive area of State significance and a sensitive coastal location. Therefore, the eco-tourism component of the Proposal satisfies the requirements of Part 13(2)(b) of Schedule 1 of the SEPP. The Proposal will also seek consent for environmental facilities and environmental protection works. Section 2.6(2) of the Planning Systems SEPP declares that if a single proposed development the subject of one development application comprises development that is only partly SSD declared under the PS SEPP, the remainder of the Proposal is also declared to be SSD, except for so much of the remainder of the Proposal as the Director-General (or the Secretary) determines is not sufficiently related to the SSD component.</p> <p>The proposed environmental facilities and environmental protection works, which form significantly integrated yet distinct land use components of the overall Proposal, are considered sufficiently related to the proposed eco-tourist facility, for the following reasons:</p> <ul style="list-style-type: none"> • All components of the Proposal work together and are essential to achieve the project's key objective, which is to increase visitor appreciation and understanding of the importance of the

Matter	Consideration
	<p>preservation of the natural environment, to appreciate its beauty, and to promote efforts to conserve the natural environment.</p> <ul style="list-style-type: none"> • The design of each component (environmental facilities, eco-tourism and environmental protection works), whilst distinct and substantial in their own right relative to the overall scope of the project, have natural synergies, which is embodied through the concept design. The concept design demonstrates how each of the particular uses intertwine and connect with each other to provide an experience where visitors can appreciate all three together. • The eastern portion of the lot will be the subject of a substantial component of all works. The western portion of the lot will be the subject of environmental facilities and protection works, however will involve direct pedestrian connections from the eco-tourist facility to a broader walking track network. These connections will provide greater scope for visitors to travel through the national park's walking tracks to a genuine 'destination' in the form of observation decks on the eastern portion of the lot, and will provide opportunities for visitors of the eco-tourist facility to more deeply connect with natural bushland on the western portion of the lot and within the national park more broadly. • Whilst each of the proposed works in their own right will make a genuine contribution to the beauty of the Illawarra Escarpment and enhance future visitors' appreciation of the natural environment, when designed together as an integrated proposition, the impact and benefits of each of these are enhanced, with opportunities for true synergy and integration able to be realised. • Each of the proposed works will together as an integrated proposition achieve the objectives of the C2 Environmental Conservation zone, being to: <ul style="list-style-type: none"> • To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. • To prevent development that could destroy, damage or otherwise have an adverse effect on those values. • To retain and enhance the visual and scenic qualities of the Illawarra Escarpment • All works are proposed on the same lot of land (the eastern and western portion of the lot are not separate, and therefore constitute a single 'lot' under the title of the land). Future works are therefore integrated and on one lot as opposed to being on separate lots. • The environmental facilities and eco-tourism uses are physically and operationally integrated including the use of common car parking areas and building and site services. • The operation of the eco-tourism facility will provide the funding required to sufficiently manage and maintain the proposed environmental facilities within the western portion of the lot. At this stage, the Proponent has not yet devised an approach to dedicate an ongoing portion of income, however this will be considered further during the development process. • The eco-tourism facility alone exceeds the \$10 million EDC threshold.
Permissibility	<p>Wollongong LEP 2009</p> <p>The site is zoned C2 Environmental Conservation under the Wollongong LEP.</p>  <p><i>Figure 5 Zoning overlay</i></p> <p>The list of permissible uses with consent in the C2 zone include:</p>

Matter	Consideration
	<p>3 Permitted with consent</p> <p><i>Environmental facilities; Environment protection works; Extensive agriculture; Oyster aquaculture; Recreation areas</i></p> <p>Development for the purposes of environmental facilities and environment protection works are permissible with consent. However, eco-tourist facilities are prohibited:</p> <p>4 Prohibited</p> <p><i>Business premises; Hotel or motel accommodation; Industries; Local distribution premises; Multi dwelling housing; Pond-based aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 3</i></p> <p>Section 4.38(2) and (3) of the EP&A Act addresses the issue of permissibility for a SSD and provides that development consent can be granted for a Proposal which is partly prohibited:</p> <ul style="list-style-type: none"> 2) <i>Development consent may not be granted if the development is wholly prohibited by an environmental planning instrument.</i> 3) <i>Development consent may be granted despite the development being partly prohibited by an environmental planning instrument.</i> <p>The Proposal as a whole can be approved by virtue of Section 4.38(3) of the EP&A Act as it involves development which is only partly prohibited.</p>
Other approvals	<p>Roads Act 1993</p> <p>Section 138 of the Roads Act 1993 requires the consent of the relevant roads authority (the Council or Transport for NSW) for work in, on, under or over a public road.</p> <p>Section 4.42 of the EP&A Act provides that a consent under Section 138 of the Roads Act 1993 cannot be refused if it is necessary for carrying out State Significant Development. The proponent will engage with Wollongong Council as required by the SEARs.</p>

Matter	Consideration
	<p>Rural Fires Act 1997</p> <p>The entire site is classified as Bush Fire Prone Land on the Wollongong Bush Fire Prone Land map. The site contains Vegetation Buffers and Vegetation Category 1 areas.</p> <p>Consistent with Section 4.41 of the EP&A Act, SSD does not require an approval for a bushfire safety authority under Section 100B of the Rural Fires Act 1997.</p> <p>Nonetheless, Section 2.4.2 of Planning for Bushfire also says:</p> <p><i>"Given the scale of SSI [State Significant Infrastructure] and SSD projects, the requirements of this document [PBP] should still be applied and seeking advice from the NSW RFS is encouraged. Even where comments have been provided by the NSW RFS at the strategic planning stage, future DAs may benefit from further advice from the NSW RFS."</i></p> <p>It is the applicant's intention to seek advice from NSW RFS.</p>  <p>Figure 6 Bushfire prone land</p> <hr/> <p>National Parks and Wildlife Act 1974 (NPW Act)</p> <p>The NPW Act aims to prevent the unnecessary or unwarranted destruction of relics and the active protection and conservation of relics of high cultural significance. The provisions of the Act apply to both indigenous and nonindigenous relics.</p> <p>Consistent with Section 4.41 of the EP&A Act, SSD is exempt from the need for a permit for the removal of items of Aboriginal heritage.</p> <hr/> <p>Heritage Act 1977</p> <p>The Heritage Act 1977 is the principal Act for the management of NSW environmental heritage. It establishes the State Heritage Register (SHR) and includes provisions for Interim Heritage Orders, Orders to Stop Work and archaeological relics (both on land and underwater).</p> <p>Consistent with Section 4.41 of the EP&A Act, SSD does not require an approval under Part 4, or an excavation permit under section 139 of the <i>Heritage Act 1977</i>.</p>

Matter	Consideration
	 <p>Figure 7 Heritage map – Illawarra escarpment landscape area, local significance</p> <p>Water Management Act 2000</p> <p>During the preparation of the EIS an assessment of potential impacts to surface or groundwater will be undertaken.</p> <p>Consistent with section 4.41 of the EP&A Act, SSD does not require an approval for water use (section 89), a water management work (section 90) or an activity (section 91) of the <i>Water Management Act 2000</i>.</p> <p>The Proposal does not require a Water Use Licence (WUL) or a Water Access Licence (WAL).</p> <p>Whilst the site does not compromise the coastal water, the <i>Water Management Act 2000</i> will be adequately addressed in the EIS, as required by the SEARs.</p>

4.1 Pre-Conditions to Exercising Power to Grant Approval

The following list identifies pre-conditions to be fulfilled by the consent authority before exercising their power to grant development consent.

Table 5 Pre-conditions

Legislation	Comment
Wollongong LEP 2009	<p>Clause 7.2 Natural resource sensitivity – biodiversity</p> <p>Clause 7.2 of the Wollongong LEP applies to land mapped as “Natural resource sensitivity—biodiversity” on the Natural Resource Sensitivity—Biodiversity Map. The majority of the site is mapped as such. Subclause (3) and (4) states:</p> <ol style="list-style-type: none"> 3) <i>Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the impact of the development on—</i> <ol style="list-style-type: none"> a) <i>native terrestrial flora and fauna and its habitat, and</i> b) <i>native aquatic flora and fauna and its habitat, and</i> c) <i>the ecological role of the land, waterways, riparian land or wetland, and</i> d) <i>threatened species, communities, populations and their habitats.</i> 4) <i>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development is consistent with the objectives of this clause and—</i> <ol style="list-style-type: none"> a) <i>the development is designed, sited and managed to avoid potential adverse environmental impact, or</i> b) <i>if a potential adverse environmental impact cannot be avoided, the development—</i>

- i. *is designed and sited so as to have minimum adverse environmental impact, and*
- ii. *incorporates effective measures so as to have minimal adverse environmental impact, and*
- iii. *mitigates any residual adverse environmental impact through the restoration of any existing disturbed or modified area on the site.*

The clause will be considered closely through the development of the Proposal following close study of the biodiversity values of the site, with the intent of the Proposal to not result in impacts.



Figure 8 Natural resource sensitivity – biodiversity map

Wollongong LEP 2009 – Clause 7.8 Illawarra Escarpment area conservation

Clause 7.8 of the Wollongong LEP 2009 applies to land mapped as Illawarra escarpment, and states:

- 1) *The objective of this clause is to provide specific controls to protect, conserve and enhance the Illawarra Escarpment.*
- 2) *This clause applies to land shown as being within the Illawarra Escarpment area on the Illawarra Escarpment Map.*
- 3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—*
 - a) *will be located so as to minimise any adverse impact on the natural features and environment of the Illawarra Escarpment, and*
 - b) *will incorporate on the land, conservation and rehabilitation measures to enhance the Illawarra Escarpment.*

The site's western portion is mapped as being within the Illawarra Escarpment. The Proposal is intended to meet the objectives and requirements of the clause, with the western portion the subject of environmental protection works, being a requirement of the clause where works are proposed to land mapped as the Illawarra Escarpment. The western portion of the lot will be thoroughly investigated as part of the preparation of the EIS to determine the scope of environmental protection works and environmental facilities.

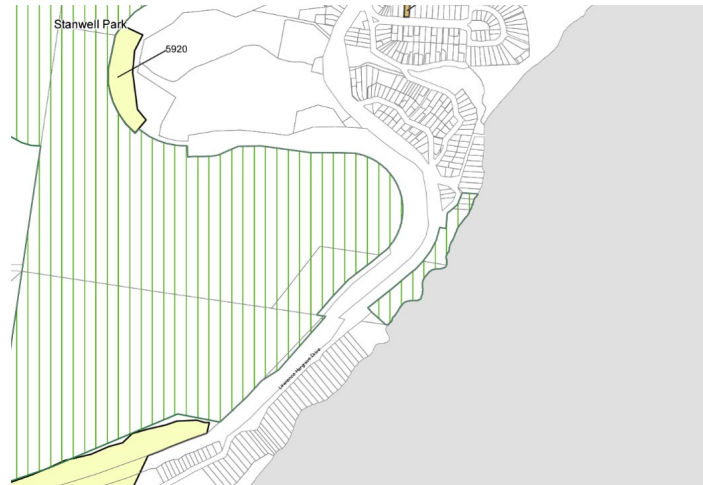


Figure 9 Illawarra Escarpment area conservation map

**State Environmental
Planning Policy
(Resilience and Hazards)
2021**

2.10 Development on land within the coastal environment area

The site is identified as a Coastal Environment Area under the State Environmental Planning Policy (Resilience and Hazards) 2021 (**Resilience and Hazards SEPP**).

Clause 2.10(1) states that development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—

- a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,
- b) coastal environmental values and natural coastal processes,
- c) the water quality of the marine estate (within the meaning of the [Marine Estate Management Act 2014](#)), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,
- d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
- e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
- f) Aboriginal cultural heritage, practices and places,
- g) the use of the surf zone.

Owing to the works being located along the Illawarra Escarpment, the Proposal will not create any adverse impact upon the hydrological environment, water quality of the marine estate, natural coastal processes, nor the use of the surf zone.

A Biodiversity Constraints Assessment was undertaken by Biosis (refer to **Appendix G**) which identifies the significance of the existing vegetation within the eastern portion of the lot. The mapped native vegetation will remain untouched and the works have been sited within the identified cleared, poor and moderately significant vegetated areas. A series of environmental protection works are proposed within the western portion of land to protect and enhance the ecological environment.

The environmental facilities proposed within the scheme take advantage of the site's Escarpment location, providing publicly accessible viewing decks and seating areas, from new accessible pathway extensions from the Wodi Wodi Walking Track, in turn promoting public amenity.

As such, the works are considered to comply with the criteria set out under Clause 2.10(1).

Clause 2.10(2) states that development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—

- a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or

Legislation	Comment
	<p>b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p> <p>The proposed built development has been designed and sited to avoid adverse impacts upon the existing environment. Detailed assessments will be undertaken during the preparation of the EIS to assess the site and the development's impact, to determine the extent of mitigation measures required. Such measures will be identified within the EIS as part of the forthcoming application.</p>
	<p>2.11 Development on land within the coastal use area</p> <p>The site is identified as a Coastal Use Area under the Resilience and Hazards SEPP. Clause 2.11 states:</p> <ol style="list-style-type: none"> 1. Development consent must not be granted to development on land that is within the coastal use area unless the consent authority— <ol style="list-style-type: none"> a) has considered whether the proposed development is likely to cause an adverse impact on the following— <ol style="list-style-type: none"> i. existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability, ii. overshadowing, wind funnelling and the loss of views from public places to foreshores, iii. the visual amenity and scenic qualities of the coast, including coastal headlands, iv. Aboriginal cultural heritage, practices and places, v. cultural and built environment heritage, and b) is satisfied that— <ol style="list-style-type: none"> i. the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or ii. if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or iii. if that impact cannot be minimised—the development will be managed to mitigate that impact, and c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development. <p>The eco-tourist cabins are low in scale and will be constructed with a material palette that complements the natural, coastal surroundings. As such, the proposal is not considered to create any adverse impact upon visual amenity or overshadowing. The accommodation units are oriented to the east to maximise views.</p> <p>As detailed above, this assessment has considered the likely impacts of the development proposal. During the preparation of the EIS, a series of technical reports will be prepared to supplement the application, which will assess the extent of the impacts as a result of the development. Any impacts will seek to be minimised and managed through appropriate mitigation measures.</p>
	<p>2.12 Development in coastal zone generally—development not to increase risk of coastal hazards</p> <p>Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.</p> <p>An assessment of any potential coastal hazards that may impact upon the site's development and require necessary mitigation, will be provided within the EIS.</p>
	<p>2.13 Development in coastal zone generally—coastal management programs to be considered</p> <p>Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.</p>

Legislation	Comment
	<p>Wollongong City Council are currently preparing a Coastal Management Program to protect, enhance and effectively manage our coast and coastal assets. Should this be adopted at the time of the preparation of the EIS, the relevant provisions will be addressed.</p>
	<p>Chapter 4 of the Resilience and Hazards SEPP requires the consent authority to consider whether the subject land of any rezoning or development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, the consent authority must be satisfied that the land can and will be remediated before the land is used for that purpose.</p>
	<p>A Preliminary Site Investigation will be undertaken alongside the preparation of the EIS, and if required as advised by the specialist consultant, a Detailed Site Investigation and Remediation Action Plan would be prepared.</p>

4.2 Mandatory Matters for Consideration

Table 6 identifies matters that the consent authority will be required to consider in deciding whether to grant consent to the development application. These matters will be addressed in the EIS.

Table 6 Mandatory matters for consideration

Legislation	Relevance & Matter for Consideration
Environmental Planning and Assessment Act 1979	<p>Section 4.15 of the EP&A Act outlines the matters that a consent authority must take into consideration when determining development applications. These matters include:</p> <ul style="list-style-type: none"> Provisions of environmental planning instruments (including draft instruments). Development control plans. Planning agreements, and the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The environmental, social and economic impacts of the Proposal. The suitability of the site. Any submissions. The public interest, including the objects of the EP&A Act and the encouragement of ecologically sustainable development (ESD). <p>These requirements will be addressed and detailed in the EIS.</p>
Wollongong LEP 2009	<p>The various provisions of the Wollongong LEP will be considered as part of the future Proposal, in particular:</p> <ul style="list-style-type: none"> The Proposal's consistency with the zone objectives of the C2 Environmental Conservation zone The principal development standards for height and floor space Heritage mapping – noting the site is mapped as heritage conservation – landscape Acid sulfate soils
Biodiversity Conservation Act 2016 (BC Act)	<p>Clause 7.9 of the BC Act 2016 applies to SSD applications and requires SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless it is determined the Proposal is not likely to have any significant impact on biodiversity values.</p> <p>Biosis Pty Ltd was commissioned by the proponent to complete an ecological constraints assessment to describe the biodiversity values and constraints to support a previous development application. The report states that the study area is subject to moderate levels of disturbance related to human activities including bush walking, camping and trail bike riding. Steeper sections of intact vegetation are relatively undisturbed. Vegetation within the study area is fragmented by Lawrence Hargrave Drive, with a larger more extensive patch located to the west, connecting with the Illawarra State Conservation Area. Background searches identified 28 threatened flora species and 91 threatened fauna species recorded (OEH 2018) or predicted to occur (DEE 2018) within 10 kilometres of the study area.</p>

Legislation	Relevance & Matter for Consideration
	Whilst no endangered species were recorded, further investigation and potential impacts will be assessed in accordance with the Biodiversity Assessment Method (BAM) during the preparation of the BDAR.
State Environmental Planning Policy (Transport and Infrastructure) 2021 (the Transport and Infrastructure SEPP)	<p>The consent authority is to have regard to Division 17 'Roads and Traffic', Subdivision 2 'Development in or adjacent to road corridors and road reservations. The site is adjacent to Lawrence Hargrave Drive, which is a State Classified Road. The consistency of the Proposal with relevant provisions, in particular section 2.119 'development with frontage to classified road', will be detailed in the EIS.</p> <p>Where required, any mitigation measures will be detailed to ensure the Proposal does not compromise the effective and ongoing operation or function of this classified road.</p> <p>The Proposal would not constitute traffic-generating development pursuant to Section 2.122 of the Transport and Infrastructure SEPP.</p>
Wollongong Development Control Plan 2009 (the DCP)	Section 2.10 of the Planning Systems SEPP provides that development control plans do not apply to state significant development. Despite this, the provisions of the DCP will be considered as part of the impact assessment in the EIS.
Commonwealth Environment Protection and Biodiversity Conservation Act 1999	The Preliminary Biodiversity Assessment (Biosis, 2018) has identified some Matters of National Environmental Significance (MNES) under the Commonwealth Environment Protection and Biodiversity Conservation Act (EPBC Act) as potentially occurring on or near the Proposal footprint, including TECs and threatened species. To satisfy the requirements of the EPBC Act, a referral to the Commonwealth Minister for the Environment may be required if there is potential to have a significant impact on MNES. It is anticipated that potential impacts to MNES will be assessed in accordance with the NSW Assessment Bilateral Agreement therefore, allowing DPHI to manage the assessment of the Proposal on behalf of the Commonwealth, including the issuing of the assessment requirements for the EIS.

4.3 Coastal Management Act 2016

The Coastal Management Act 2016 provides a legal framework for the ecologically sustainable management, use and occupation of the New South Wales coast. As identified above, the site is located within the coastal environment area and coastal use area. An assessment against the objectives of the identified coastal management areas is provided below.

Table 7 Coastal Management Act 2016

Objectives	Comments
Objects of the Act	
(a) to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and	<p>The Proposal maintains a connection with the ecological values of the area. The built development is sited in predominantly existing cleared areas and where the ecological value of the site is considered poor to moderate. The ongoing management of the development will ensure that the site vegetation will be protected and revegetated where necessary to ensure the ongoing protection and enhancement of the site's natural resources. Impacts to flora and fauna on site will be managed and minimised through mitigation measures. Refer to Section 6.1 for further details.</p> <p>The orientation of the eco-tourist cabins seeks to maximise the scenic views of the coastal area owing to the Escarpment location. The perceived bulk of the buildings and materiality is sympathetic to the character of the surrounding environment.</p>
(b) to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and	The social and cultural values of the land will be maintained. The works include opportunities for publicly accessible viewing decks and seating areas, connected by a new pathway from the existing Wodi Wodi Walking Track, which will provide multiple benefits for the public.

Objectives	Comments
	The development will not have any significant visual or privacy impacts on the land, thus preserving the character of the locality.
(c) to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone, and	The EIS will be accompanied by an Aboriginal Cultural Heritage Assessment report which will assess the significance of the site from a cultural and Aboriginal heritage perspective and determine whether the Proposal may affect the heritage significance of the site or locality. Consultation will be undertaken in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW).
(d) to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and	<p>The Proposal is anticipated to support significant direct and indirect employment opportunities. The development provides for a type of tourist accommodation that is not extensively provided in the area. The development is therefore anticipated to be a significant economic attractor to the local area, in alignment with the strategic vision for the region to grow tourism. The development is also likely to generate direct expenditure on retail and services within the local areas in the vicinity of the site through an increase in tourism in the area.</p> <p>The EIS will consider the potential economic benefits of the Proposal including employment generation, investment in local goods and services, and broader economic growth in the region.</p>
(e) to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and	The Proposal will be supported by an Ecological Sustainable Development (ESD) report alongside the EIS to identify how the proposal will comply with the key ESD principles.
(f) to mitigate current and future risks from coastal hazards, taking into account the effects of climate change, and	An assessment of any potential coastal hazards that may impact upon the site's development and require necessary mitigation, will be provided within the EIS.
(g) to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and	An assessment of any potential coastal hazards that may impact upon the site's development and require necessary mitigation, will be provided within the EIS.
(h) to promote integrated and co-ordinated coastal planning, management and reporting, and	The Proposal seeks to support and enhance any coastal planning, management and reporting.
(i) to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and	The Proposal supports any plan and strategy to be prepared to improve the resilience of coastal assets to the impacts of an uncertain climate future.
(j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and	Wollongong City Council are currently preparing a Coastal Management Program to protect, enhance and effectively manage our coast and coastal assets. Should this be adopted at the time of the preparation of the EIS, the relevant provisions will be addressed.
(k) to support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions, and	<p>The Proponent will commence an extensive community consultation process engaging with the local and wider communities, as well as relevant NSW agencies.</p> <p>The development will also showcase the scenic vales of the area and provide environmental education opportunities to guests and the chance to experience the significant environmental values of the area.</p>
(l) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the	The works encourage public use of the site, which is currently underutilised and inaccessible, through the provision of an extension of the existing Wodi

Objectives		Comments
protection, enhancement, maintenance and restoration of the environment of the coastal zone, and		Wodi Walking Track, leading to observation decks and other environmental facilities throughout the site.
(m) to support the objects of the Marine Estate Management Act 2014 .		<p>The Proposal supports the objects of the <i>Marine Estate Management Act 2014</i> as it:</p> <ul style="list-style-type: none"> Promotes a biologically diverse site through protecting and enhancing the vegetation on site; and Facilitates new economic opportunities for surrounding communities with employment opportunities available during both the construction and operational phases of development.
Coastal environment area		
(a) to protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity,		The three components of the Proposal create a holistic approach to protect and enhance coastal ecosystems, enhance natural character, scenic value, and biological diversity. This is set out throughout this Scoping Report and detailed within the Appendices supplementing the report.
(b) to reduce threats to and improve the resilience of coastal waters, estuaries, coastal lakes and coastal lagoons, including in response to climate change,		The works are proposed along the Illawarra Escarpment and will not create any threat to the coastal waters, estuaries, coastal lakes, nor coastal lagoons.
(c) to maintain and improve water quality and estuary health,		Owing to the nature and location of the development, it is not considered that the works would adversely impact upon water quality and estuary health.
(d) to support the social and cultural values of coastal waters, estuaries, coastal lakes and coastal lagoons,		Owing to the nature and location of the works along the Escarpment, the Proposal will retain the social and cultural values of coastal waters, estuaries, coastal lakes and coastal lagoon. The development will not have any significant visual impacts on the land, thus preserving the character of the locality.
(e) to maintain the presence of beaches, dunes and the natural features of foreshores, taking into account the beach system operating at the relevant place,		The site's location at the edge of the Illawarra Escarpment will not adversely impact the presence of beaches, nor the natural features of foreshores.
(f) to maintain and, where practicable, improve public access, amenity and use of beaches, foreshores, headlands and rock platforms.		The environmental facilities proposed throughout the site seek to improve public access to a currently publicly inaccessible area through pathway extensions from the Wodi Wodi Walking Track, to new viewing decks, seating areas and other environmental facilities, in turn supporting public amenity.
Coastal use area		
(a) to protect and enhance the scenic, social and cultural values of the coast by ensuring that—	(i) the type, bulk, scale and size of development is appropriate for the location and natural scenic quality of the coast, and	<p>The nature of the Proposal is entirely appropriate for the Escarpment location. The eco-tourist cabins and environmental facilities have been designed to be low scale and incorporate materials sympathetic to the natural environment, to blend seamlessly into the landscape, and minimise visual and environmental impact. The orientation of the units has been set out to maximise the scenic views to the east of the site, beyond the coastline.</p> <p>The environmental facilities provided, including seating areas and viewing decks, as well as the siting and orientation of the eco-tourist cabins, have been designed for the public to appreciate the scenic quality of the coast.</p>
	(ii) adverse impacts of development on cultural and built environment heritage are avoided or mitigated, and	The EIS will be accompanied by an Aboriginal Cultural Heritage Assessment report which will assess the significance of the site from a cultural and Aboriginal heritage perspective and determine whether the Proposal may affect the heritage significance of the site or locality, and provide mitigation measures as appropriate. There are no environmental heritage constraints within the site, or within its vicinity.

Objectives	Comments
(iii) urban design, including water sensitive urban design, is supported and incorporated into development activities, and	Any water sensitive urban design (WSUD) measures would be delivered during the preparation of the EIS, following further design development.
(iv) adequate public open space is provided, including for recreational activities and associated infrastructure, and	The Proposal seeks to provide environmental facilities that promote recreational opportunities, through new connections to the existing Wodi Wodi Walking Track, with the incorporation of seating areas and viewing decks throughout the site for visitor and general public enjoyment.
(v) the use of the surf zone is considered,	The Proposal will not impact upon the use of the surf zone.
(b) to accommodate both urbanised and natural stretches of coastline.	The works create harmony between the urban and natural environment. The eco-tourist facility and associated works have been designed to blend with the natural surroundings, while surrounded by extensive landscaping.

5.0 Community engagement

5.1 Engagement carried out to date

The Applicant engaged informally with Wollongong City Council to discuss the Proposal on 14 December 2023, including an overview of the preliminary scheme and very early thinking about the overall proposition. Initial feedback was provided around matters regarding visual impact, traffic and construction impacts, including the following key comments:

- Traffic / Mobility – Consider leveraging off the accessibility of the site and the various modes of travel for different visitors, including by train, walking and cycling. Consider including secure storage for personal possessions.
- Construction Impacts – The Proposal is likely to create some level of impact to surrounding residents, in respect of waste, noise and parking.
- Visual Impact – Ensure the Proposal creates a low visual impact.
- Heritage – Consider Aboriginal Cultural Heritage within the EIS.

See **Section 6.0** for further detail in respect to an initial assessment of the scheme and the recommendations for the EIS. Further engagement will be undertaken with Council as the scheme develops.

5.2 Likely level of interest

Given the nature of the Proposal and its potential positive impacts for Coalcliff it is likely that the Coalcliff community will take an interest. However, given the contained nature of the valley, it is unlikely that there would be significant interest beyond, other than that arising from related industry groups.

5.3 Engagement to be carried out

In line with the Guidelines for SSD, stakeholder engagement is proposed to occur with a suite of relevant stakeholders. A comprehensive programme of communication and engagement will occur during the preparation of the EIS with relevant stakeholders which will include the relevant State and Local authorities, service and utility providers and surrounding landowners.

It is the intention of the proponent to collaborate closely with the planning authorities to ensure community participation can inform the design and outcomes of the Proposal. A Stakeholder and Community Engagement Strategy will be developed, which will identify all stakeholders who have an interest in the Proposal and ensure they are comprehensively consulted with.

The Proponent intends to consult with the following parties at a minimum:

- DPHI.
- Transport for NSW.
- Wollongong City Council.
- Utility and service authorities including Endeavour Energy, Sydney Water, Telstra/ NBN Co.
- NSW Rural Fire Service and NSW Fire and Rescue.
- National Parks and Wildlife Service.
- The Aboriginal community.
- Residents and landowners in proximity to the site.

The engagement techniques adopted during the preparation of the EIS may include letterbox drops, agency and stakeholder briefings and the maintenance of a project email and phone number.

6.0 Assessment and Mitigation of Impacts

This section provides an overview of the key matters that will require further assessment in the EIS and the proposed approach to assessing each of these matters. The purpose of considering these factors at this stage is to inform the preparation of the SEARs which will guide the preparation of the detailed EIS.

The key matters for consideration will be assessed through supporting documentation prepared by technical consultants to support the EIS, which will also outline any mitigation measures necessary to minimise impacts of the Proposal. Upon successful implementation of the identified mitigation measures (as required), it is considered that the Proposal will be entirely acceptable.

6.1 Biodiversity

The direct footprint of the eco-tourism and environmental facilities (particularly the observation decks) is situated on mostly cleared areas and designed to be in locations which limits impacts to vegetation. The locations have also been informed with the intention not to require clearing for Asset Protection Zones.

A comprehensive Flora and Fauna report will also be prepared to assess any potential impact to Flora and Fauna. This report will be prepared early within the SSD assessment to ensure that appropriate steps can be taken early within the design process to achieve the biodiversity impact hierarchy of avoid, minimise, mitigate, and offset. The overall project is centred on the principle of providing a mix of eco-tourism, environmental facilities and environmental protections works situated within the local native vegetation present on site. As such, the retention and protection of the ecological values of the site is of high priority.

However, the Proposal will be refined to mitigate any potential impacts on remnant native vegetation and isolated trees. Therefore, biodiversity impacts will be further avoided and minimised through the refinement of the design at the EIS stage.

A Biodiversity Development Assessment Report (**BDAR**) will be undertaken in accordance with the Biodiversity Assessment Method (BAM, 2020) to accompany the EIS, which will address all impacts to threatened ecological communities and species listed under both the BC Act and EPBC Act.

Biosis Pty Ltd were commissioned by the Proponent to complete a preliminary biodiversity assessment to describe the biodiversity values and constraints to support a previous development application at the eastern portion of the lot (refer to **Appendix D** for further details). The report states that the study area is subject to moderate levels of disturbance related to human activities including bush walking, camping and trail bike riding. Steeper sections of intact vegetation are relatively undisturbed. Vegetation within the study area is fragmented by Lawrence Hargrave Drive, with a larger more extensive patch located to the west, connecting with the Illawarra State Conservation Area. Background searches identified 28 threatened flora species and 91 threatened fauna species recorded (OEH 2018) or predicted to occur (DEE 2018) within 10 kilometers of the study area.

Overall, it is expected that the Proposal will have a low overall impact, subject to the following mitigation measures:

- Avoid impacts to native vegetation where practicable. Under the Biodiversity Offsets Scheme (BOS), a native vegetation clearing threshold of 0.5 hectares applies to the study area before triggering entry into the scheme.
- Retain the hollow bearing tree that provides potential shelter and/or roosting habitat for hollow dependent threatened microbats and other native fauna species.
- Qualified contractors will undertake weed control works associated with the proposed vegetation rehabilitation works.
- All weed material removed from site will be disposed of to a licenced facility.
- Priority Weed removal using manual methods – dig, hand pull or cut and paint to avoid impacts to retained native groundcover.

A Constraints Report has been prepared by Biosis to support the Scoping Request, relating to the western portion of the lot (refer to **Appendix G**). Please note that the study is limited to desktop at this stage, due to the closure of the Wodi Wodi track for upgrading and the inclement weather experienced, which prevented a physical survey of the site. It is intended that a full report is prepared under the SEARs and at EIS stage.

The Report considers the study area to be highly constrained, based on the dense vegetation across the land, including one Threatened Ecological Community (**TEC**) and several habitats for a number of threatened flora and fauna species listed under the BC Act and EPBC Act (refer to **Figure 10**).

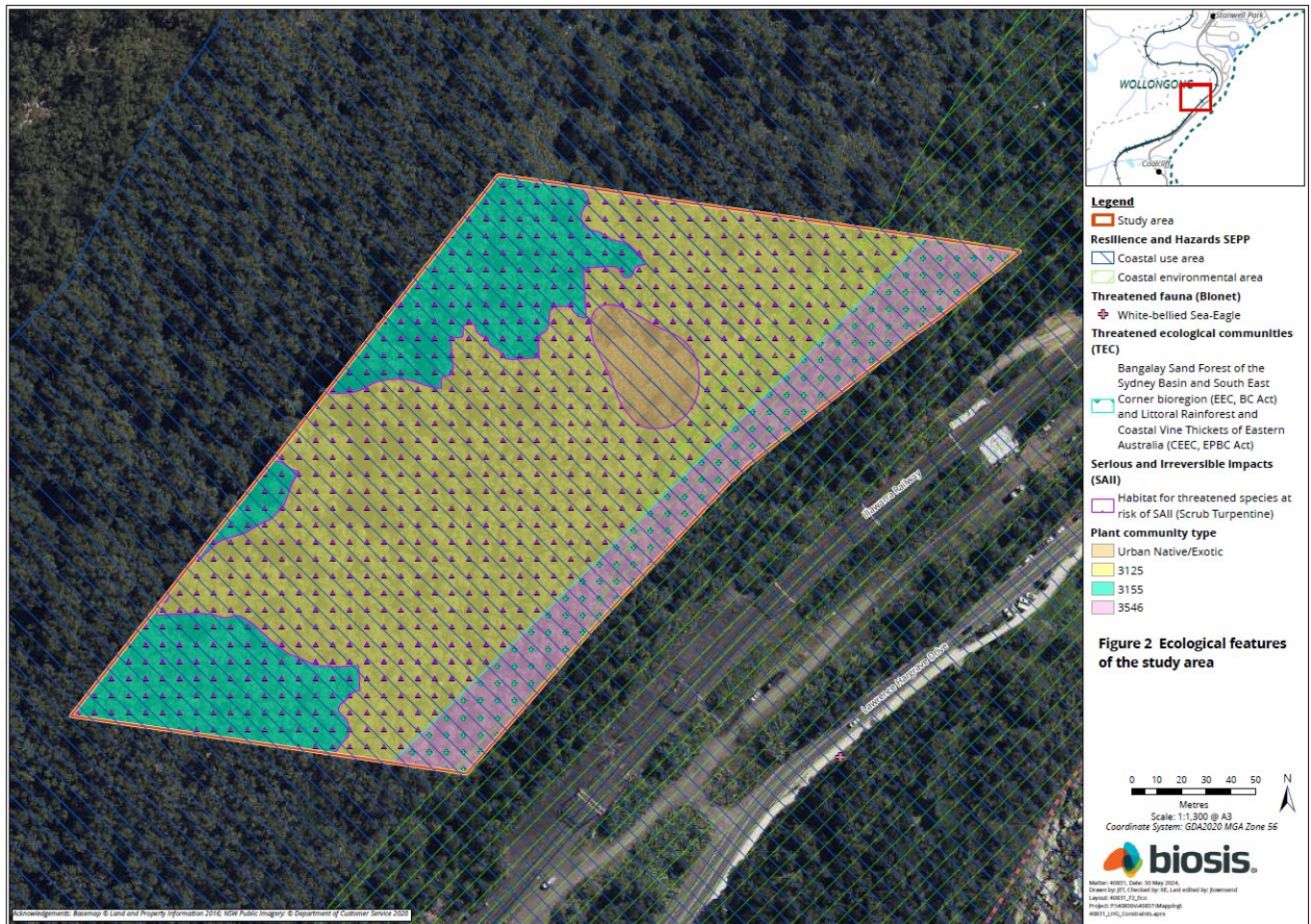


Figure 10 Ecological features of the study area

Source: Biosis

The report recommends further investigations, including a habitat-based assessment and detailed vegetation mapping, to accurately map the identified constraints, which will be prepared alongside the EIS. Notwithstanding this, the proposed environmental facilities within the western portion of the lot are low impact by nature, in the form of new seating, sheltered areas, board walks, observation decks and pedestrian links to the existing public Wodi Wodi Walking Track. The proposed works will avoid impacts to the TECs or areas identified as habitat for threatened species where possible. Further details will be provided alongside the forthcoming application.

The report recommends further mitigation measures to be adopted, which will be provided alongside the EIS, including:

- Undertake a field investigation, including a habitat-based assessment and detailed vegetation mapping, in order to accurately map TECs and suitable habitat for threatened species within the study area. Determining the presence or absence of Scrub Turpentine should be a priority as it is listed as a candidate for potential SAIL, and surveys for this species can be undertaken all-year round. The possible presence of this species is a potential hurdle for development as Council cannot consent to a DA if the approval authority determines there is likely to be a SAIL.
- Avoid clearing of native vegetation, where possible.
- Avoid impacts to TECs or areas identified as habitat for threatened species.
- Avoidance of hollow-bearing trees as far as practicable.
- Minimise impacts to vegetation that represents habitat for entities at risk of SAIL.
- The avoidance and minimisation of impacts to biodiversity values should be considered further during the detailed design phase of the project.
- Following ground-truthing of assumed PCTS and habitat values, prepare NSW Test of Significance and Commonwealth Significant Impact Criteria assessments to evaluate impacts to threatened species and/or their habitat.
- Where possible, restrict impacts to areas of open grassland to reduce overall clearing of native vegetation. Impacts to native vegetation contribute to the allowable clearing threshold, and exceeding this threshold will trigger the BOS.

A Vegetation Management Plan was also prepared by Biosis to provide controls and actions required to manage the retained ecological features within the study area (refer to **Appendix F**). An Adaptive Management Statement (or similar) will be prepared and signed by both parties prior to implementation of any adaptive management actions.

6.2 Traffic and Access

It is expected that the Proposal will lead to a minor increase in traffic. Car parking will be provided on site to service the Proposal and will be located in proximity to the existing access driveway.

The proposed car parking facility will provide a shared service for both the eco-tourist facilities and the environmental facility. There are 29 car parking spaces proposed in total, which equates to one car parking space per cabin, plus 5 additional parking spaces to serve the public. The site is considered to be in a highly accessible and sustainable location, being in close proximity to a range of public transport services including the Coalcliff Train Station approximately 800m from the site, with bus services to and from the site and the Stanwell Tops Train Station. Buses operate along Lawrence Hargrave Drive and travel towards Wollongong along the southern route, and towards Stanwell Park along the northern route. It is therefore considered that the proposed car parking is entirely sufficient owing to the accessibility of the site via sustainable modes of transport, and will in turn encourage active travel. Access gates are currently provided to the subject site. However, the intensification of use associated with the Proposal is expected to require supplementary works to provide improved access. The environmental assessment will include a traffic and transport impact assessment of the Proposal considering:

- Assessment of traffic volumes generated from the Proposal, including traffic associated with construction and operation.
- Assessment on proposed traffic generation and impacts on the existing road network.
- Detail on site access, internal loading, and manoeuvring in accordance with the relevant standards and controls.
- Suitable access for emergency vehicles.
- The required car parking provision.
- Journey options such as public transport and non-motorised transport through train, bus, hiking, cycling, and mountain biking as opposed to private transport.

Mitigation and management measures to reduce the Proposal's impact will also be identified where relevant.

Both pedestrian and vehicular access to the eastern portion of the site will be located off Lawrence Hargrave Drive, with a new vehicular access point at the south-western corner and pedestrian access linking to the existing Wodi Wodi Walking Track. The proposed western portion of the land will be accessible off the existing walking track, which will remain as existing throughout the construction and operational phases of the Proposal. Owing to the nature of the envisaged environmental protection works and environmental facilities, access to and from the land during construction will not be affected. This will be considered in further detail as part of a management plan to be submitted with the EIS.

6.3 Amenity

6.3.1 Noise

The Proposal is not anticipated to result in significant noise generating activities once construction has completed. The EIS will be accompanied by a Noise Impact Assessment to assess the noise impacts associated with the construction and ongoing operation of the Proposal, including with regards to traffic. Relevant noise mitigation and management measures to reduce noise will be detailed in the report.

6.3.2 Visual

A view analysis and assessment of the impact upon the visual amenity and attributes of the site will be included as part of the environmental assessment. This will assess the existing plans for development and provide any necessary recommendations to ensure the preservation of the visual amenity, both from Lawrence Hargrave Drive and from the ocean up to the escarpment.

The Proposal is proposed to be designed and sited with the utmost care to ensure the Proposal does not diminish the natural visual environment of the site and surrounding valleys. This is proposed to be achieved by locating the buildings in lower areas of the site which are not visible from Lawrence Hargrave Drive. The elements visible from Lawrence Hargrave Drive and the ocean will be discrete and consistent with the nature of the Proposal of an eco-tourist facility which embraces its natural setting.

6.3.3 Air

The Proposal is not anticipated to generate any adverse impact upon air quality in the area. The EIS will be supported by an Air Quality Assessment to assess the impacts of the Proposal upon local air quality during both the construction and operational phases of development. Any mitigation and design measures will be detailed in the report.

6.4 Built environment

The EIS will be supported by an architectural package which will set out the Proposal for the site. The EIS will:

- Outline the design rationale for positioning of eco-tourism cabins, internal road access and parking considering the site's constraints and opportunities
- Include architectural and landscape plans to demonstrate the building positioning (setbacks) from each other, walking paths, observation decks, and the boundaries of the site.
- Outline the cut and fill requirements for the site.

The site is under private ownership, but adjoins public land, including both Lawrence Hargrave Drive separating the site, and the Wodi Wodi Walking Track to the west. The existing public land will remain operational during construction of the land. Details of the management of the site in the context of the adjoining public land during the construction phase will be provided within a Management Plan as part of the EIS.

6.5 Economic

The EIS will consider the potential economic benefits of the Proposal including employment generation, investment in local goods and services, and broader economic growth in the region.

6.6 Hazards and risks

6.6.1 Bushfire

The entire site is classified as Bush Fire Prone Land on the Fire Prone Land map. The site contains a mix of Vegetation Category 1 and Vegetation buffer categorised areas.

As the SSDA Site is within a designated bushfire prone area the vulnerability of the site to bushfires will be assessed as part of the EIS. This will include an assessment against the NSW Government's Planning for Bush Fire Protection 2019.

A preliminary bushfire assessment has been undertaken by and accompanies this Scoping Report (refer to **Appendix E**) which identifies preliminary bushfire planning constraints for each area of the site.

The preliminary bushfire assessment identifies that the preliminary scheme has the potential to meet the requirements of Planning for Bushfire and with more detailed investigation and engagement of the NSW RFS, it is likely that all BPM's required by PBP can be met. It is concluded that specific bushfire protection provisions are not required for the development proposal.

6.6.2 Topography

The topography of the land within the eastern portion has been carefully considered within the design development and the proposed site configuration makes the most efficient use of the land in the context of the site's physical parameters.

It is acknowledged that the western portion of the site is steep in topography, and landslip risk will be addressed in the EIS. Nonetheless, the environmental facilities are minimal, including picnic areas, seating and walking links to the existing Wodi Wodi Walking Track. By their nature, the proposed works are of low impact, and it is not considered that the facilities would generate any further environmental impacts beyond the existing site. Indeed, the proposed works are to improve the existing landscape.

6.6.3 Mine Subsidence Prone Land

The majority of the western portion of the site and a small section of the eastern portion of the site are located within an underground coal mining subsidence prone land (refer to **Figure 11**). Further studies will be

undertaken alongside the EIS if required, to address the requirements of the *Coal Mine Subsidence Compensation Act 2017 No 37*.

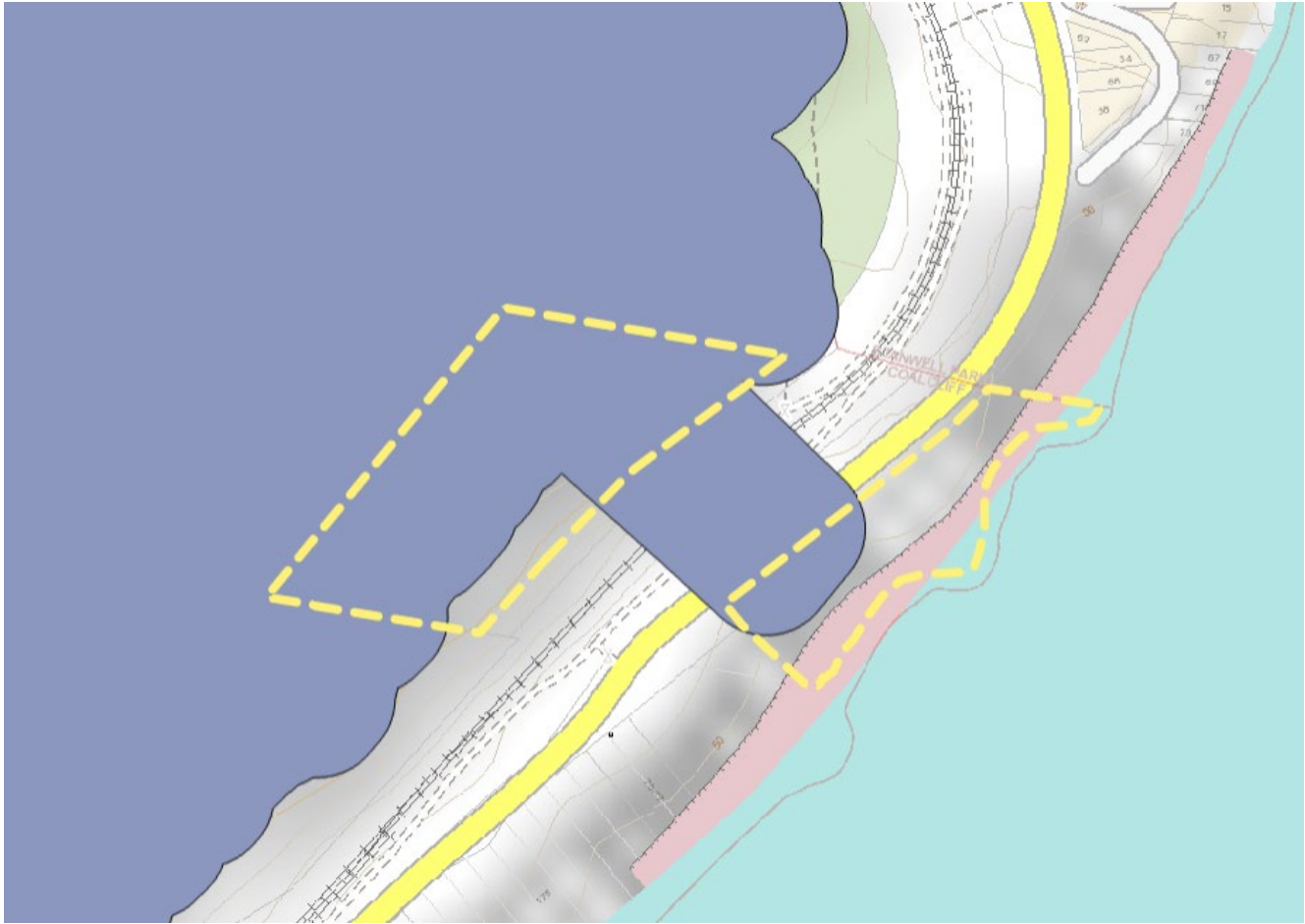


Figure 11 Underground Coal Mining (Non-EPI)

Source: NSW Planning Portal Spatial Viewer

6.6.4 Coastal Hazards

An assessment of any potential coastal hazards that may impact upon the site's development and require necessary mitigation, will be provided within the EIS.

6.6.5 Waste

The EIS will detail all likely waste streams that will be generated during construction and outline proposed measures to dispose of the waste offsite in accordance with relevant legislation and guidelines. All construction and operational waste will be reused or recycled where possible.

6.7 Heritage and archaeology

While no Aboriginal objects have been previously identified within the study area, the Proposal still has the potential to impact on Aboriginal heritage values which may be uncovered during the construction of the Proposal. All Aboriginal cultural heritage sites, whether recorded or not, are protected under the NPW Act.

The EIS will be accompanied by an Aboriginal Cultural Heritage Assessment report which will assess the significance of the site from a cultural and Aboriginal heritage perspective and determine whether the Proposal may affect the heritage significance of the site or locality. Consultation will be undertaken in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW).

6.8 Geotechnical Assessment

A geotechnical report will be prepared to assess the site's subsurface conditions and to determine the suitability of the site for the Proposal. The report will detail any engineering measures required for the construction of the Proposal.

6.9 Infrastructure and servicing

The EIS will assess the impact the Proposal will have on existing utility services and service provider assets surrounding the site. The infrastructure requirements and augmentation needed (on and off site) to support Proposal will be outlined and assessed. This includes with regards to water, sewerage, electricity, telecommunications infrastructure.

6.10 Social

The social impacts associated with the Proposal will be assessed in accordance with the DPE Guidelines to Social Impact Assessment. The EIS will include a Social Impact Assessment addressing the requirements of the Guidelines.

6.11 Water

The Proposal will involve an increase in impervious and semi-impervious areas within the site. This increase of impervious area will increase stormwater runoff within the local system. The introduction of additional vehicles will further add to the stormwater treatment requirements. The site has extensive permeable areas that will remain to attenuate and treat flows, with a stormwater management scheme proposed to further treat and manage flow rates.

The EIS will be accompanied by an Integrated Water Management Strategy including suitable modelling to address the potential for increased impact on downstream receptors as part of the environmental assessment. It will focus on varied water quality and quantity resulting from the Proposal. Suitable mitigation measures and development measures will be recommended as part of the assessment.

7.0 Conclusion

The purpose of this report is to request project-specific SEARs for the preparation of an EIS to support the proposed SSDA for eco-tourist facilities, environmental facilities and environmental protection works at Lot 100 DP 715376, Lawrence Hargrave Drive, Coalcliff in the Wollongong LGA.

This SEARs request outlines the approval pathway for the application, the legislative framework, and the key matters for consideration in the assessment of the application. The EIS will demonstrate how the Proposal is suitable for the site and that potential environmental impacts can be appropriately mitigated, minimised, or managed to avoid any unacceptable impacts.

Having regard to the economic, environmental, and social impacts of the project and the principles of ecologically sustainable development, the initial findings are that the proposed project would have low environmental impacts and positive socio-economic impacts. It is intended that the project will comply with the state and local standards and performance measures in the relevant government legislation, plans, policies, and guidelines.

The design of the project is consciously proposed to be aesthetically appealing and have a low visual impact on the escarpment where, whilst providing key views and vistas to the southern coast of Wollongong towards the Seacliff Bridge. Action has been taken to avoid or minimise the impacts of the project through the setting of objectives of the project, alternatives considered, working in conjunction with the surrounding project area, the site physical layout and design, the low impact proposed uses and activities, the reasonable timing, and the proposed mitigation measures.

The project is consistent with the strategic context of Government policy, is consistent with regional and local plans, avoids impacts on key natural and built features with significant of conservation value, provides economic benefits to the local community, and is a site that is suitable for the project, as intently procured.

The Proposal complies with the relevant statutory requirements, will consider the community's views about the project in the design of the project and will be used in the assessment of the impacts of the project. Consultation with government agencies and the surrounding community throughout the following stages and development of the Proposal will ensure the most favourable outcomes.

The scale and nature of the economic, social, and environmental impacts of the project, including any cumulative impacts will be further explored and discussed in the EIS and will propose actions to address any anticipated uncertainties.

The receipt of SEARs will enable the Proposal to move to the EIS stage where specialist studies as identified above will be commissioned and more detailed investigations undertaken.

Appendix A – Scoping Summary Table

Level of Assessment	Matter	Cumulative Impact Assessment	Engagement	Relevant Government Plans, Policies and Guidelines	Ability to Avoid, Minimise, or Offset Potential Impacts	Scoping Report References
Access						
Standard	Access to property, traffic and parking	Y	Specific	State Environmental Planning Policy (Transport and Infrastructure) 2021 Guide to Traffic Management – Part 3 Traffic Studies and Analysis (Austroads, 2013) NSW Bicycle Guidelines (RTA, 2003) Guide to Traffic Generating Developments Version 2.2 (RTA, 2002)	<ul style="list-style-type: none"> Ability to minimise impact through mitigation measures 	Section 6.2
Amenity						
Standard	Noise and vibration	Y	General	Construction Noise Strategy (Transport for NSW, 2012) Interim Construction Noise Guideline (Department of Environment, Climate Change and Water, 2009) NSW Industrial Noise Policy (Environment Protection Authority, 2000) NSW Road Noise Policy (Environment Protection Authority, 2011) Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006) German Standard DIN 4150-3: Structural Vibration – Effects of Vibration on Structures Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006)	<ul style="list-style-type: none"> Ability to minimise impact through mitigation measures 	Section 6.3.1
Standard	Visual	N	General	Refer to Scoping Report for further discussion on assessment approach	<ul style="list-style-type: none"> Ability to avoid impact through design measures Ability to minimise 	Section 6.3.2

Level of Assessment	Matter	Cumulative Impact Assessment	Engagement	Relevant Government Plans, Policies and Guidelines	Ability to Avoid, Minimise, or Offset Potential Impacts	Scoping Report References
					impact through mitigation measures	
Standard	Air	N	General	The Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA 2016)	<ul style="list-style-type: none"> Ability to minimise impact through mitigation measures 	Section 6.3.3
Biodiversity						
Detailed	Terrestrial flora and fauna	Y	General	Environmental Protection and Biodiversity Conservation Act 1999 Biodiversity Conservation Act 2016 State Environmental Planning Policy (Biodiversity and Conservation) – Chapter 2 Vegetation in non-rural areas	<ul style="list-style-type: none"> Ability to avoid impact through design measures Ability to minimise impact through mitigation measures Ability to offset impacts 	Section 6.1
Built Environment						
Standard	Design quality	N	General	Refer to Scoping Report for further discussion on assessment approach	<ul style="list-style-type: none"> Ability to avoid impact through design measures Ability to minimise impact through mitigation measures 	Section 6.4
Detailed	Public Infrastructure	Y	General	Refer to Scoping Report for further discussion on assessment approach	<ul style="list-style-type: none"> Ability to minimise impact through mitigation measures 	Section 6.9
Standard	Public Land	N	General	Refer to Scoping Report for further discussion on assessment approach	<ul style="list-style-type: none"> Ability to avoid impact through design measures 	Section 6.4
Economic						

Level of Assessment	Matter	Cumulative Impact Assessment	Engagement	Relevant Government Plans, Policies and Guidelines	Ability to Avoid, Minimise, or Offset Potential Impacts	Scoping Report References
Standard	Livelihood	N	General	Refer to Scoping Report for further discussion on assessment approach	N/A	Section 6.5
Hazards and Risk						
Detailed	Bushfire	N	General	Planning for Bush Fire Protection 2019	<ul style="list-style-type: none"> Ability to avoid impact through design measures Ability to minimise impact through mitigation measures 	Section 6.6.1.
Standard	Coastal Hazards and Environmental Hazards	N	Specific	Refer to Scoping Report for further discussion on assessment approach	<ul style="list-style-type: none"> Ability to avoid impact through design measures Ability to minimise impact through mitigation measures 	Section 6.6.4
Standard	Land contamination and Groundwater contamination	N	General	Protection of the Environment Operations Act 1997 Contaminated Land Management Act 1997 Managing Land Contamination: Planning Guideline (SEPP 55) Guidelines on the Duty to Report Land Contamination State Environmental Planning Policy (Resilience and Hazards) 2021 National environment protection (assessment of site contamination) measure	<ul style="list-style-type: none"> Ability to avoid impact through design measures Ability to minimise impact through mitigation measures 	Section 6.8
Standard	Waste	N	General	Protection of the Environment Operations Act 1997 Waste Avoidance and Resource Recovery Act NSW Waste and Sustainable Materials Strategy 2041	<ul style="list-style-type: none"> Ability to avoid impact through design measures Ability to minimise impact 	Section 6.6.5

Level of Assessment	Matter	Cumulative Impact Assessment	Engagement	Relevant Government Plans, Policies and Guidelines	Ability to Avoid, Minimise, or Offset Potential Impacts	Scoping Report References
				Waste Classification Guidelines	through mitigation measures	
Heritage						
Detailed	Aboriginal	N	Specific	National Parks and Wildlife Act 1974 Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW 2011 Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW) Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010 GANSW Designing with Country Framework GANSW Connecting with Country Guidelines	<ul style="list-style-type: none"> Ability to avoid impact through design measures Ability to minimise impact through mitigation measures 	Section 6.7
Detailed	Non-Aboriginal	N	Specific	Heritage Act 1977 Wollongong LEP 2019 Australia ICOMOS Charter for the Conservation of Places of Significance, Burra Charter 2013 Assessing Significance for Historical Archaeological Sites and 'Relics' 2009	<ul style="list-style-type: none"> Ability to avoid impact through design measures Ability to minimise impact through mitigation measures 	Section 6.7
Social						
Standard	Community	N	General	Social Impact Assessment Guidelines for State Significant Projects (Department of Planning Industry and Environment, 2021) Refer to Scoping Report for further discussion on assessment approach	N/A	Section 6.10
Water						
Standard	Hydrology and water quality	N	Specific	Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (A. Installation of Services; B. Waste Landfills; C. Unsealed Roads; D. Main Roads; E.	<ul style="list-style-type: none"> Ability to avoid impact through design measures Ability to minimise impact 	Section 6.11

Level of Assessment	Matter	Cumulative Impact Assessment	Engagement	Relevant Government Plans, Policies and Guidelines	Ability to Avoid, Minimise, or Offset Potential Impacts	Scoping Report References
				Mines and Quarries) (DECC 2008)	through mitigation measures	