

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*  
 Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

<b>Application Number</b>	SSD-14793297
<b>Project Name</b>	Blue Mountains Wildlife Park and Tourist Development
<b>Development</b>	<p>Construction and operation of a wildlife park and tourist accommodation comprised of:</p> <ul style="list-style-type: none"> <li>• native flora and fauna exhibits</li> <li>• veterinary clinic and koala rehabilitation facility</li> <li>• art gallery, cultural centre, museum, theatrette and information centre</li> <li>• walking tracks, viewing platforms, seating and playground</li> <li>• restaurant, take-away food outlets/kiosks and gift shop</li> <li>• 56 room hotel accommodation with a function centre.</li> </ul>
<b>Location</b>	10 Great Western Highway, Wentworth Falls (Lot 4 DP 1158407)
<b>Applicant</b>	Aesthete No.14 Pty Ltd
<b>Date of Issue</b>	17 March 2021
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the EP&amp;A Regulation).</p> <p>In addition, the EIS must include:</p> <ul style="list-style-type: none"> <li>• a detailed description of the development, including:             <ul style="list-style-type: none"> <li>– an accurate history of the site, including development consents</li> <li>– the need and justification for the proposed development</li> <li>– likely staging of the development</li> <li>– likely interactions between the development and existing, approved and proposed operations in the vicinity of the site</li> <li>– plans of any proposed building works</li> <li>– contributions required to offset the proposal</li> <li>– infrastructure upgrades or items required to facilitate the development, including measures to ensure these upgrades are appropriately maintained.</li> </ul> </li> <li>• details of how the proposal would interact with any existing development consents/approvals applicable to the site</li> <li>• consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments</li> <li>• consideration of issues discussed in <b>Attachment 2</b> (public authority responses to key issues)</li> <li>• a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment</li> <li>• a detailed assessment of the key issues specified below, and any other significant issues identified in the risk assessment, which includes:             <ul style="list-style-type: none"> <li>– a description of the existing environment, using sufficient baseline data</li> <li>– an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes</li> <li>– a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage significant risks to the environment</li> </ul> </li> <li>• consideration of issues raised at the Planning Focus Meeting facilitated by the Department on 8 February 2021</li> <li>• a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.</li> </ul> <p>The EIS must also be accompanied by:</p> <ul style="list-style-type: none"> <li>• high quality files of maps and figures of the subject site and proposal</li> </ul>

	<ul style="list-style-type: none"> <li>• a report from a qualified quantity surveyor providing: <ul style="list-style-type: none"> <li>– a detailed calculation of the capital investment value (CIV) of the proposal (as defined in clause 3 of the EP&amp;A Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate the applicable GST component of the CIV</li> <li>– an estimate of the jobs that will be created by the development during the construction and operational phases of the proposed development</li> <li>– certification that the information provided is accurate at the date of preparation.</li> </ul> </li> </ul>
<p><b>Key issues</b></p>	<p>The EIS must include an assessment of the potential impacts of the proposal (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts.</p> <p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li>• <b>Statutory and strategic context</b> – including: <ul style="list-style-type: none"> <li>– detailed justification the proposed land use is permissible with consent</li> <li>– a detailed description of the history of the site, including the relationship between the proposed development and all development consents and approved plans previously and/or currently applicable to the site</li> <li>– demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans or detailed justification for any inconsistencies. This includes, but is not limited to: <ul style="list-style-type: none"> <li>○ Blue Mountains Local Environmental Plan 2015</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy (Koala Habitat Protection) 2020</li> <li>○ State Environmental Planning Policy No 55 - Remediation of Land</li> <li>○ Greater Sydney Region Plan: A Metropolis of Three Cities</li> <li>○ Our Greater Sydney 2056: Western City District Plan.</li> </ul> </li> </ul> </li> <li>• <b>Suitability of the Site</b> – a detailed justification that the site can accommodate the proposed development having regard to its potential environmental impacts, permissibility, strategic context and existing site constraints.</li> <li>• <b>Community and Stakeholder Engagement</b> – a community and stakeholder participation strategy identifying key community groups and stakeholders, including: <ul style="list-style-type: none"> <li>– details and justification for the proposed consultation approach(s)</li> <li>– clear evidence of how each stakeholder identified in the community and stakeholder participation strategy has been consulted</li> <li>– issues raised by the community and surrounding landowners and occupiers</li> <li>– clear details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development</li> <li>– details of the proposed approach to future community and stakeholder engagement based on the results of consultation.</li> </ul> </li> <li>• <b>Traffic and Transport</b> – a quantitative traffic impact assessment prepared in accordance with relevant Roads and Maritime Services and Austroads guidelines, that includes: <ul style="list-style-type: none"> <li>– details of all daily and peak traffic types and volumes likely to be generated during all key stages of construction and operation, including a description of key access routes, vehicle types and potential queuing impacts</li> <li>– an assessment of predicted impacts (including cumulative impacts) on road safety, future road capacity and performance of key intersections, including: <ul style="list-style-type: none"> <li>○ the access to the Great Western Highway</li> <li>○ Tableland Road/ Great Western Highway</li> <li>○ other intersections that may be impacted by the development (using SIDRA modelling or similar as agreed by Transport for NSW)</li> </ul> </li> <li>– details of proposed access arrangements during construction and operation, including temporary and permanent access points, intersection design, sight distances and emergency access/ egress</li> <li>– details and plans of the proposed internal road network, servicing provisions, on-site parking provisions and pedestrian and cyclist facilities, in accordance with the relevant Australian Standards</li> </ul> </li> </ul>

- swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site
- details of road upgrades, infrastructure works or new roads or access points required for the development if necessary, including the use of Crown roads
- a draft Construction Traffic Management Plan.
- **Bush Fire** – a bush fire assessment report that addresses the aims and objectives of Planning for Bushfire Protection 2019, specifically in relation to requirements for a special fire protection purpose development, and includes:
  - details of proposed operational access for emergency services personnel
  - details of emergency and evacuation arrangements for occupants/visitors
  - a Bush Fire Emergency Management and Evacuation Plan prepared in accordance with relevant RFS guidance.
- **Biodiversity** – an assessment of the proposal's biodiversity impacts prepared in accordance with the *Biodiversity Conservation Act 2016*, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act (except where a waiver for preparation of a BDAR has been granted). The BDAR must include:
  - plans and details of any existing consents that authorised the clearing of native vegetation on the site
  - an assessment of impacts on fauna corridors, including impacts on native fauna using the Boddington Hill Wildlife Underpass under the Great Western Highway and movement of koalas to and through the site
  - a demonstration of how the proposal seeks to avoid, mitigate and offset any potential impacts on biodiversity and fauna corridors
  - details of how interactions between captive and wild fauna will be avoided
  - an assessment of the suitability of the proposed water feature as platypus habitat
  - an assessment of the impacts of all components of the development on 'Environmentally Sensitive Land' as defined in the Blue Mountains Local Environmental Plan 2015.
- **Soils and Water** – a surface and groundwater assessment that includes:
  - an assessment of potential surface and groundwater impacts associated with the development, including potential impacts on watercourses, riparian areas, groundwater, and groundwater-dependent communities
  - an assessment of water quality or hydrological impacts on the hanging swamp vegetation community, Bedford Creek and the Blue Mountains National Park
  - a detailed and consolidated site water balance
  - details of the stormwater and wastewater management systems, including the capacity of onsite detention system(s), pre- and post-development stormwater peak discharge, onsite sewage management, measures to treat, reuse or dispose of water incorporating water sensitive urban design measures
  - characterisation of pre- and post-development stormwater quality at the point of discharge to surface and/or groundwater against relevant water quality criteria
  - a detailed flood assessment of Bedford Creek and overland flooding
  - details of any proposed cut and fill and an assessment of impacts of any earthworks on the natural environment, drainage patterns and soil/slope stability
  - description of erosion and sediment controls during construction.
- **Biosecurity, Disease Management and Animal Welfare** – including:
  - details of animal species, enclosures, security requirements, staffing requirements, support facilities and perimeter fencing
  - details of how the proposed development would comply with relevant animal welfare, biosecurity and disease management legislation, codes and guidelines
  - an assessment of visitor attendance impacts on animal welfare
  - details of all disease control measures
  - details of contingency measures that would be implemented for any required disposal of animals in the event of a disease outbreak or a bush fire event.
- **Urban Design and Visual** – a visual impact assessment (including photomontages and perspectives) of the development layout and design that includes:
  - an assessment of potential visual impacts on nearby public and private receivers and from significant vantage points in the broader public domain
  - details of staging, site coverage, setbacks, open space, landscaping, height, colour, scale, building materials and finishes, façade design, signage and lighting

	<ul style="list-style-type: none"> <li>– consideration of the layout and design of the development having regard to the surrounding vehicular, pedestrian and cycling networks</li> <li>– an assessment of impacts on the land identified as ‘Protected Area – Land Between Towns’ in the Blue Mountains Local Environmental Plan 2015</li> <li>– detailed plans showing suitable landscaping which incorporates endemic species.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Aboriginal Cultural Heritage</b> – an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared in accordance with the Code of Practice for Archaeological Investigation in NSW (DECCW 2010), and guided by the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011). The ACHAR must include: <ul style="list-style-type: none"> <li>– identification, description and assessment of impacts on the Aboriginal cultural heritage values that exist across the development</li> <li>– evidence and details of consultation with Aboriginal people in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010)</li> <li>– results of a surface survey and any test excavations</li> <li>– an unexpected finds protocol.</li> </ul> </li> <li>• <b>Heritage</b> – a non-Aboriginal cultural heritage assessment (including both cultural and archaeological significance) which must detail potential impacts on heritage assets and any proposed management and mitigation measures.</li> <li>• <b>Air Quality and Odour</b> – a quantitative assessment of the potential air quality, dust and odour impacts of the development during construction and operation in accordance with relevant Environment Protection Authority guidelines, including details of proposed mitigation, management and monitoring measures.</li> <li>• <b>Noise and Vibration</b> – a quantitative noise and vibration impact assessment of the development during construction and operation prepared in accordance with the relevant Environment Protection Authority guidelines and Australian Standards.</li> <li>• <b>Waste Management</b> – a waste management report that includes: <ul style="list-style-type: none"> <li>– identification and classification of waste streams that would be generated at the site in accordance with the Environment Protection Authority’s Waste Classification Guidelines</li> <li>– details of waste storage, handling and disposal during construction and operation of the development</li> <li>– details of the measures that would be implemented to ensure the development is consistent with the aims, objectives and guidance in the NSW Waste Avoidance and Resource Recovery Strategy 2014-2021.</li> </ul> </li> <li>• <b>Hazards and Risk</b> – a preliminary risk screening in accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and the Department’s ‘Applying SEPP 33’ guideline, with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. If the preliminary risk screening indicates the development is “potentially hazardous”, a Preliminary Hazard Analysis (PHA) must be prepared in accordance with the Department’s Hazardous Industry Planning Advisory Paper No. 6, ‘Hazard Analysis’ and ‘Multi-level Risk Assessment’ guideline.</li> <li>• <b>Contamination</b> – a site contamination assessment in accordance with the Managing Land Contamination Planning Guidelines: SEPP 55 – Remediation of Land (DUAP, 1998).</li> <li>• <b>Socio-Economic Impacts</b> – including: <ul style="list-style-type: none"> <li>– a social impact assessment in accordance with the Department’s Draft Social Impact Assessment Guideline – State significant projects (October 2020)</li> <li>– an analysis of any potential economic impacts of the development, including a discussion of any potential economic benefits to the local and broader community.</li> </ul> </li> <li>• <b>Infrastructure Requirements</b> – an infrastructure management plan that includes: <ul style="list-style-type: none"> <li>– details of the existing capacity of the site to service the proposed development and any extension or augmentation, property tenure or staging requirements for the provision of utilities, including arrangements for electrical network requirements, drinking water, wastewater and recycled water</li> <li>– a description of how any upgrades will be co-ordinated, funded and delivered on time and be maintained to facilitate the development</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>– identification of any existing infrastructure or easements on or off the site which may be impacted by construction or operation of the development and measures to be implemented to address any impacts.</li> <li>• <b>Ecologically Sustainable Development</b> – including: <ul style="list-style-type: none"> <li>– a description of how the proposal will incorporate the principles of ecologically sustainable development in the design, construction and ongoing operation of the development</li> <li>– consideration of the use of green walls, green roofs and/or cool roofs</li> <li>– a description of the measures to be implemented to minimise consumption of resources, especially energy and water.</li> </ul> </li> <li>• <b>Planning Agreement/Development Contributions</b> – consideration of the Blue Mountains City-Wide Local Infrastructure Contributions Plan (30 June 2020) and/or details of any Voluntary Planning Agreement.</li> </ul>
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> <li>• Blue Mountains City Council</li> <li>• DPIE - Environment, Energy and Science Group</li> <li>• Department of Primary Industries (Animal Welfare)</li> <li>• Department of Primary Industries (Biosecurity)</li> <li>• Rural Fire Service</li> <li>• NSW Fire and Rescue</li> <li>• Transport for NSW</li> <li>• Greater Sydney Local Land Services</li> <li>• National Parks and Wildlife Service</li> <li>• Heritage NSW, Department of Premier and Cabinet</li> <li>• DPIE - Water</li> <li>• Natural Resources Access Regulator</li> <li>• Destination NSW</li> <li>• WaterNSW</li> <li>• Sydney Water</li> <li>• Endeavour Energy</li> <li>• Featherdale Wildlife Park</li> <li>• Taronga Zoo</li> <li>• Sydney Zoo</li> <li>• Blue Mountains World Heritage Advisory Committee</li> <li>• surrounding local landowners, businesses and stakeholders</li> <li>• local and regional community and environmental groups</li> <li>• Local Aboriginal Land Council</li> <li>• any other public transport, utilities or community service providers.</li> </ul> <p>The EIS must describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
<b>Further consultation after 2 years</b>	<p>If you do not lodge a Development Application and EIS for the development within two (2) years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>
<b>References</b>	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, <b>Attachment 1</b> contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.</p>

## **ATTACHMENT 1**

### **Technical and Policy Guidelines**

The following guidelines may assist in the preparation of the environmental impact statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.shop.nsw.gov.au/index.jsp>

<http://www.australia.gov.au/publications>

<http://www.epa.nsw.gov.au/>

<http://www.environment.nsw.gov.au/>

<http://www.dpi.nsw.gov.au/>

#### **Plans and Documents**

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.

In addition, the EIS must include the following:

1. An existing site survey plan drawn at an appropriate scale illustrating:
  - the location of the land, boundary measurements, area (sqm) and north point
  - the existing levels of the land in relation to buildings and roads
  - location and height of existing structures on the site
  - location and height of adjacent buildings and private open space
  - all levels to be to Australian Height Datum (AHD).
2. Locality/context plan drawn at an appropriate scale should be submitted indicating:
  - significant local features such as heritage items
  - the location and uses of existing buildings, shopping and employment areas
  - traffic and road patterns, pedestrian routes and public transport nodes.
3. Drawings at an appropriate scale illustrating:
  - detailed plans, sections and elevations of the existing building, which clearly show all proposed buildings
  - detailed plans of proposed access driveways, internal roads, carparking and external alterations services infrastructure.
4. Schedule of materials, colours and additions. finishes.

#### **Documents to be Submitted**

Documents to submit include:

- one (1) electronic copy of all the documents and plans for review prior to exhibition
  - other copies as determined by the Department once the development application is lodged.
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## Policies, Guidelines & Plans

Aspect	Policy / Methodology
<b>Traffic, Transport and Access</b>	
	Roads Act 1993
	State Environmental Planning Policy (Infrastructure) 2007
	Guide to Traffic Generating Development (RTA, 2002 as updated)
	Road Design Guide (RMS, 2015-2017)
	Guide to Traffic Management – Pt 12: Traffic Impacts of Development (Austroads, 2016)
	Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas (Austroads, 2014)
	Bicycle Parking Facilities: Guidelines for Design and Installation (AS 2890.3:2015)
	Integrated Public Transport Service Planning Guidelines: Sydney Metropolitan Area (TfNSW, 2013)
	Future Transport Strategy 2056 (TfNSW, 2018)
	Greater Sydney Services and Infrastructure Plan (TfNSW, 2018)
	NSW Freight & Ports Plan 2018-2023 (TfNSW, 2018)
<b>Bushfire</b>	
	Planning for Bushfire Protection (RFS, 2019)
	A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan (RFS, 2014)
<b>Soils and Water</b>	
<i>Erosion and Sediment</i>	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC, 2000)
	Wind Erosion – 2nd Edition (DIPNR, 2003)
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 2000)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW Aquifer Interference Policy (NOW, 2012)
	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW, 2011)
<i>Stormwater</i>	Storing and Handling Liquids: Environmental Protection (DECC, 2007)
	Managing Urban Stormwater: Strategic Framework. Draft (EPA, 1996)
	Managing Urban Stormwater: Council Handbook. Draft (EPA, 1997)
	Managing Urban Stormwater: Treatment Techniques (DEC, 2006)
	Managing Urban Stormwater: Source Control. Draft (EPA, 1998)
<i>Wastewater</i>	Managing Urban Stormwater: Harvesting and Reuse (DEC, 2006)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC, 1997)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC, 2000)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (EPHC, NRMMC & AHMC, 2006)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMMC & AHMC, 2009)
<i>Contamination</i>	State Environmental Planning Policy No. 55 – Remediation of Land
<b>Biodiversity</b>	
	Biodiversity Conservation Act 2016
	Biodiversity Assessment Method (OEH, 2017)

## Policies, Guidelines & Plans

Aspect	Policy / Methodology
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
<b>Biosecurity</b>	NSW Biosecurity Strategy 2021
<b>Heritage</b>	Heritage Act 1977
	NSW Heritage Manual (HO and DUAP, 1996)
	The Burra Charter (ICOMOS Australia, 2013)
	Statements of Heritage Impact (HO and DUAP, 2002)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)
	Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
<b>Noise and Vibration</b>	Assessing Vibration: A Technical Guide (DEC, 2006)
	Acoustics - Description and measurement of environmental noise (AS1055:2018)
	Noise Policy for Industry (EPA, 2017)
	NSW Road Noise Policy (DECCW, 2011)
	Noise Guide for Local Government (EPA, 2013)
	Interim Construction Noise Guideline (DECC, 2009)
<b>Air Quality</b>	Protection of the Environment Operations (Clean Air) Regulation 2002
<i>Air Quality</i>	Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2016)
<i>Odour</i>	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
<b>Waste</b>	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA, 2014)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC, 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA, 1997)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
	NSW Energy from Waste Policy Statement (EPA, 2015)
	Standards for Managing Construction Waste in NSW (EPA, 2018)
<b>Visual</b>	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
<b>Hazards and Risk</b>	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011)
<b>Social</b>	Draft Social Impact Assessment Guideline (DPIE, 2020)



**ATTACHMENT 2**  
**Government Authority Responses to Request for Key Issues**