



DEPARTMENT OF PLANNING
New South Wales

Contact: Juliet Suich
Phone: 02 9228 6413
Fax: 02 9228 6466
Email: juliet.suich@dipnr.nsw.gov.au

Mr Tony Burg
Clifton Coney Group
Level 18, 2 Park Street
SYDNEY NSW 2000

Our ref: 9038619
Your ref:

Dear Mr Burg

Proposed Emirates Tourist Facility, Wolgan Valley Lithgow LGA

I refer to your Major Project application of 10 October 2005, and subsequent to the Minister's authorisation on 7 September 2005 that Emirates Resorts (NSW) or their nominee may seek a concept approval in this instance. The previous requirements of the Director General have been revised. These requirements have been developed with regard to:

- the Department's draft guidelines "*Steps in the Part 3A Project Application Process*" (attached);
- the outcomes of the Planning Focus Meeting held on 17 June 2005; and
- subsequent consultation with the attendees of that meeting.

I highlight the expectation that the Environmental Assessment will be prepared with a rigorous technical and scientific methodology, focussing on key environmental impacts and robust mitigation measures to address residual impacts from the project. As you are aware, there is substantial interest in the proposal, both from the local community, environmental interest groups and the citizens of Sydney generally. You are under an obligation to each of these stakeholders to deliver an accessible and defensible Environmental Assessment that will serve to inform and involve all stakeholders in the assessment process.

The Environmental Assessment should focus on key issues associated with the likely environmental impacts of the project, mitigation measures of the highest quality and be compliant with the attached requirements.

In respect of the Environmental Assessment to be submitted, the Department should be consulted at least one week prior to the lodgement of the Environmental Assessment to confirm the:

- fees applicable to the application;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessments that will be required.

Once you have lodged the Environmental Assessment, the Department will consult with the relevant authorities to determine the adequacy of the Environmental Assessment. At this time, the Director-General may require the proponent to submit a revised Environmental Assessment to address matters raised during the review.

Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days

You should keep the contact officer for this project, Juliet Suich ((02) 9228 6495, juliet.suich@dpnr.nsw.gov.au), up to date with the progress of the Environmental Assessment, and seek clarification of any issues that` may arise during this process.

Yours sincerely

Chris Wilson

A/Deputy Director General

As delegate for the Director-General

ATTACHMENT No. 1

ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

CONCEPT PLAN – TOURIST FACILITY, WOLGAN VALLEY

Project	The construction and operation of a tourist facility in the Wolgan Valley comprising 40 free standing single storey suites providing accommodation for 86 guests, conference and boardroom facilities as well as staff accommodation, including the following ancillary project components: a) a sewerage treatment plant and effluent irrigation; b) connection of the project to the electricity supply grid, Fish River water supply and telecommunication provider; and c) Helipad and appropriate upgrade of Wolgan Valley Road for vehicular access.
Site	Lots 4, 5, 6A, 7A, 8A, 8B, 9A, 9B, 10, 10A, 11, 11B, 12B, 12C, 18, 19, 26, 43, 46 in DP 751666, Lot 1 in DP726429, Lots 4, 5, 13, 14, 15, 16, 17, 26 in DP 751624, Lots 1, 2, 3, in DP 751634.
Proponent	Clifton Coney Group on behalf of Emirates Resorts (Australia) Pty Ltd
Date of Issue	9 November 2005
Date of Expiration	9 November 2007
Special Provision	On 7 September 2005, the Minister for Planning authorised the submission of a Concept Plan for the project under Part 3A of the <i>Environmental Planning and Assessment Act, 1979</i> . On 9 November 2005 the Director General, as delegate of the Minister formed the opinion that the proposal by Emirates to develop a luxury conservation resort in the Wolgan Valley north-west of Sydney is development described in Schedule 1 of <i>State Environmental Planning Policy (Major Projects) 2005</i> applies; and that the Minister will be the consent authority for any relevant application submitted for the proposal.
General Requirements	The Environmental Assessment must include: <ul style="list-style-type: none"> • An executive summary; • A description of the proposal, including construction, operation, and staging; • An assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; • Justification for undertaking the project with consideration of the benefits and impacts of the proposal; • A draft Statement of Commitments detailing measures for environmental monitoring, mitigation and management proposed so as to avoid or minimise key environmental and amenity impacts. Monitoring should commence with a comprehensive baseline survey prior to construction and incorporate specific performance criteria relevant to a range of natural/physical elements that are adequate to facilitate effective evaluation of construction, operational and management practices on the natural and cultural environment of the site and surrounds; and • Certification by the author of the Environmental Assessment that the information contained in the Assessment is neither false nor misleading.
Key Assessment Requirements	The Environmental Assessment must address the following key issues: <ul style="list-style-type: none"> • Proposed development and suitability of the site - Include detailed specification of site selection, including examination of alternative sites and layouts. Specifically include a description of the preferred overall concept, its components, proposed staging of the development and an assessment of the proposal against the significance and values of the Greater Blue Mountains World Heritage Area.

- **Soil and Water Quality and Water Cycle Management** – the Environmental Assessment must address the expected water cycle during each phase of the project, and how the project will be designed and operated to meet relevant water quality criteria. The Environmental Assessment must include details of the expected water balance for the site and detail the proposed water management cycle across the site specifically water use/demand, supply (including local hydrology, reliability and sustainability), and wastewater treatment/disposal, and any proposed artificial water bodies. The environmental assessment should detail potential surface and groundwater impact/s, specifically regarding wastewater disposal, quality, quantity and re-use, flow buffering and measures to prevent the contamination of waterways and National Parks. Soil quality impacts must be addressed, particularly with regard to the potential disturbance and subsequent management of Acid Sulphate Soils (ASS) or Potential ASS, areas of high watertable, highly permeable soils and the identification and treatment of any contaminated soils and the potential erosion and sedimentation impacts of the proposed works and construction activities.
- **Ecological Impacts (in relation to all components of the project)** - the Environmental Assessment must include an assessment of ecological impact as a result of the clearing of vegetation, excavation and filling, effluent re-use, roads, buildings and waterway crossings (including fencing), operation of the proposed development and any site rehabilitation proposed, in relation to both terrestrial and aquatic ecosystems. The ecological assessment must also assess the potential impacts of the proposal on critical habitats; threatened species, populations or ecological communities, or their habitats in accordance with section 5A of the *Environmental Planning and Assessment Act 1979*, and provide objectives and performance criteria for:
 1. Control of feral and pest flora and fauna (terrestrial and aquatic);
 2. Rehabilitation and re-introduction of indigenous flora and fauna;
 3. Management of ongoing grazing and farm activities, effluent re-use and recreational use in light of conservation objectives.

The Environmental Assessment must also detail the means of incorporating best practice emergency (in particular fire) and risk management practices in accordance with conservation objectives, including details of any off site contributions to NPWS management objectives, such as physical works, interpretation, signage, camp and visitor management.
- **Fire and Emergencies** - The Environmental Assessment should detail compliance with the requirements of *Planning for Bush Fire Protection 2001* and the guidelines prepared by the Rural Fire Service included at Attachment 2. Specific consideration should be given to the standards relating to setbacks (for special protection of development), provision of water supply and other services, access arrangements, fuel management on and off the site, evacuation planning, ongoing management of staff, guests and property, potential conflict with conservation objectives and surrounding National Parks, and other matters necessary to protect persons, property or the environment from danger that may arise from a bush fire.
- **Traffic and Transport** - Assess the traffic impacts of the proposed development in accordance with the guidelines prepared by the Roads and Traffic Authority included at Attachment 2 and with reference to the capacity, safety and design of the key transport routes to and from the development site and the types and volumes of vehicles entering and leaving the site. Clear details of any necessary road infrastructure upgrades, both on and off site must be provided, as well as details of the safety and efficiency of the internal road network
- **Heritage** - include an assessment of heritage impact of the development the site and surrounds, including identification of all areas of archaeological potential as well as the significance and any potential impacts on all indigenous, non-indigenous and natural heritage items, draft items and elements of historic/heritage significance (i.e. elements not specifically identified as individual items) on the site. This analysis should examine both the site and the wider cultural landscape of the valley and address land uses and curtilage, layout, access, structures, vegetation, views and consistency with the expressed values

	<p>of the Greater Blue Mountains World Heritage Area. Include details of the proposed means of interpretation of the heritage significance across the site.</p> <ul style="list-style-type: none"> • Utilities - include details of the means by which adequate utility services are proposed to be provided to the site, the likely environmental impacts associated with the provision of utilities and the means of ameliorating those impacts, including but not limited to sewerage, electricity, water, telephone and gas. (Refer also to the Department's EIS guidelines for sewerage systems and irrigation of effluent). • General Environmental Risk Analysis (in relation to all components of the project) – notwithstanding the above key assessment requirements, the Environmental Assessment must include an environmental risk analysis to identify additional potential environmental impacts associated with the project (such as impacts associated with visual amenity, noise, and helipad operations, waste management and ecologically sustainable design, construction and operation). Include details of proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of these additional key environmental impacts must be included in the Environmental Assessment. • Other matters - all relevant matters raised in the Brief for the Planning Focus Meeting and at the Planning Focus Meeting of Wednesday April 27, 2005 as well as all issues relevant to the preparation of a Concept Plan raised by the Authorities and included at Attachment 2.
Consultation Requirements	<p>You must undertake an appropriate and justified level of consultation with the following parties during the preparation of the Environmental Assessment:</p> <ul style="list-style-type: none"> • Commonwealth Department of Environment and Heritage; • NSW Department of Environment and Conservation; • NSW Roads and Traffic Authority; • NSW Rural Fire Service; • NSW Heritage Office; • Council of the City of Lithgow; and • Aboriginal groups, community groups and potentially-affected residents; <p>The Environmental Assessment must clearly indicate issues raised by stakeholders during consultation, and how those matters have been addressed in the Environmental Assessment.</p>

ATTACHMENT No. 2
RELEVANT AUTHORITIES ISSUES FOR ENVIRONMENTAL ASSESSMENT

ATTACHMENT 3

DRAFT GUIDELINE

Steps in the Part 3A Project Application Process