



Our ref: DOC19/877766-10

Your ref: SSD 9813

Ms Louise Starkey

Senior Planning Officer  
Regional Assessments  
Department of Planning, Industry and Environment  
[Louise.Starkey@planning.nsw.gov.au](mailto:Louise.Starkey@planning.nsw.gov.au)

Dear Ms Starkey

**Response to Submissions Report – Gosford Alive Concept DA & Stage 1 works, Donnison Street, Gosford (SSD 9813)**

I refer to your email dated 20 April 2020 in which Regional Assessments invited Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment (the Department) for comment on the Response to Submissions Report for the proposed mixed-use Gosford Alive development application and Stage 1 works at Donnison Street, Gosford (Lot 6 in DP598833 and Lot 1 in DP540292), Gosford (SSD 9813). BCD has previously (October 2019) provided comments on the Environmental Impact Statement for the project.

BCD has reviewed the '*Gosford Alive Concept DA & Stage 1 works Response to Submissions*' report (prepared by Mecone Pty Ltd and dated April 2020), including relevant appendices, annexures and attachments in relation to impacts on biodiversity, Aboriginal Cultural Heritage and flooding.

BCD's recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Steve Lewer, Senior Regional Biodiversity Conservation Officer, on 4927 3158 or via email at [rog.hcc@environment.nsw.gov.au](mailto:rog.hcc@environment.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to be 'S. Cox'.

01 May 2020

**STEVEN COX**  
**Senior Team Leader Planning**  
**Hunter Central Coast Branch**  
**Biodiversity and Conservation Division**

Enclosure: Attachments A and B

## BCD's recommendations

### Gosford Alive Concept DA & Stage 1 works, Donnison Street, Gosford (SSD 9813) – Response to Submissions

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#### Biodiversity

1. A biodiversity development assessment report (BDAR) waiver has been issued for this project and no further biodiversity assessment is required.

#### Aboriginal cultural heritage

2. BCD recommends that an Aboriginal cultural heritage assessment report should be prepared in consultation with all interested Aboriginal parties of the Gosford Local Government area in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (DECCW 2011).

#### Flooding and flood risk

3. No further flooding assessment is required.

## BCD's detailed comments

### Gosford Alive Concept DA & Stage 1 works, Donnison Street, Gosford (SSD 9813) – Response to Submissions

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#### Biodiversity

1. BCD is satisfied with the biodiversity assessment.

BCD notes that a biodiversity development assessment report (BDAR) waiver was issued for the project on 6 September 2019 and no further biodiversity assessment was required

#### Recommendation 1

A biodiversity development assessment report (BDAR) waiver has been issued for this project and no further biodiversity assessment is required.

#### Aboriginal cultural heritage

2. An Aboriginal Cultural Heritage Assessment Report should be prepared

The Secretary's Environmental Assessment Requirements (SEARs) have not been met. BCD recommends that an ACHAR should be prepared in accordance with the SEARs issued on 30 January 2019 in consultation with the registered Aboriginal parties.

The proponent provided an Aboriginal heritage due diligence report, the *Gosford "Kibbleplex CBD Redevelopment - Aboriginal Heritage Due Diligence Assessment* which was prepared by Artefact and dated June 2019. Aboriginal cultural values for the project area were not considered or documented in the report. Consultation was not undertaken with interested Aboriginal parties of the Gosford Local Government Area.

The ACHAR should be prepared in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW 2011)* in consultation with all interested Aboriginal parties.

#### Recommendation 2

BCD recommends that an Aboriginal cultural heritage assessment report should be prepared in consultation with all interested Aboriginal parties of the Gosford Local Government area in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW 2011)*.

#### Flooding and flood risk

3. BCD is satisfied with the surface water assessment

BCD were satisfied with the flooding assessment provided during the review of the Environmental Impact Statement phase and no further assessment was required.

#### Recommendation 3

No further flooding assessment is required.