

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*

Application Number	SSD-21848218
Project Name	Mixed-use Development at 1A Racecourse Road, West Gosford (Conexions)
Location	1A Racecourse Road, West Gosford (Lot 120 DP 846754)
Applicant	Luux Pty Ltd
Date of Issue	5 July 2021
General Requirements	The environmental impact statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development. Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include: - adequate baseline data - consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed); - measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment; and - a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues. The EIS must also be accompanied by a report from a qualified quantity surveyor providing: - a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the 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 applicable GST component of the CIV; - an estimate of jobs that will be created during the construction and operational phases of the proposed development; and - certification that the information provided is accurate at the date of preparation.
Key issues	The EIS must address the following specific matters: 1. Statutory Provisions and Strategic Provisions

- Address all relevant Environmental Planning Instruments, plans, policies and guidelines, including (but not limited to those) outlined at **Attachment A**.
- Provide details of the proposed use for each component of the development, and the relationship between the different uses within the building.
- Detail the nature and extent of any prohibitions that apply to the development.
- Identify compliance with the development standards applying to the site and provide a detailed justification for any non-compliances.
- Address the adequacy of floor space provided for commercial purposes and provide relevant justification.
- Provide detailed particulars outlining what portion of the development each land use will occupy and the total floor area.

2. Design Excellence

- Prepare a Design Excellence Statement to demonstrate how the proposal exhibits design excellence and contributes to the natural, cultural, visual and built character values of Gosford City Centre
- In considering whether the development exhibits design excellence, demonstrate compliance with Clause 8.3 of State Environmental Planning Policy (SEPP) (Gosford City Centre) 2018
- The proposal has been reviewed by the City of Gosford Design Advisory Panel – Design Reference Group (DRG) and all issues raised by the DRG the must be considered and addressed.
- The proposal should be presented to the City of Gosford Design Advisory Panel prior to lodgement, and the EIS and must demonstrate how the Panel advice has been considered and incorporated into the proposal and address consistency with the advice.

3. Built Form and Urban Design

- Demonstrate how the proposal is informed by the Gosford Urban Design Framework (GANSW, 2018) and the Gosford Development Control Plan 2018 (DPE).
- Address the height, bulk and scale of the proposed development, including consideration of the building layout, separation, tower and podium heights, tower diversity, massing, setbacks and the size of the proposed floor plates.
- Address the design quality of the proposed development, including consideration of building articulation, street activation and interface with the public domain.
- Consider the character of the area described in Chapter 3 of the Gosford DCP: “The enterprise corridor allows a mix of employment generating uses to complement those in the commercial core. Located to the west of Presidents Hill, built form is to remain relatively low to maintain the prominence of Presidents Hill and views to Brisbane Water.”

- Provide clear justification for the proposed height of towers and how they respond to the surroundings and key urban design principles for Gosford.
- Demonstrate how above ground parking and services (including waste management, loading zones and mechanical plant) would be fully integrated into the design of the development. This includes how on-site car parking is provided wholly underground, or otherwise is not visible from, or minimises visual impacts to the street.
- Demonstrate how the future development potential of adjoining properties would not be compromised by the proposal.
- Detail the location, size and content of any proposed signage zones (if proposed) and provide an assessment of the proposed signage zones against the requirements of SEPP 64 - Advertising and Signage (where required).

4. Public Domain/Landscaping

- Outline the scope of public domain improvements, pedestrian linkages, street activation, and landscaping to be provided as a part of the proposal.
- Demonstrate how the proposed through site link (extension of Donnison Street) will be provided in accordance with Section 4.1 of the Gosford DCP and provide safe and direct pedestrian and/or vehicular access that is designed to be attractive and inviting.
- Demonstrate how the public open space on the site would be utilised and activated and integrate with the wider landscape.
- Consider the retention of existing trees along the eastern boundary of the site.
- Demonstrate how the proposal would:
 - o maximise permeability throughout the development and to adjoining sites
 - o maximise street activation
 - o provide sufficient open space for future residents
 - o provide access for people with disabilities
 - o minimise potential vehicle, bicycle and pedestrian conflicts.

5. Visual Impacts

- Prepare a comprehensive Visual Impact Assessment and view analysis of the proposal to/from key vantage points depicting images of the proposal in the background of those views. Photomontages or perspectives should be provided showing the project.
- Demonstrate how the proposal respects and maintains key view corridors (for example to the ridgelines of Presidents Hill and Rumbalara Reserve) and street vistas.

6. Environmental and Residential Amenity

- Assess the environmental and residential amenity impacts associated with the proposal, including solar access, acoustic impacts, visual privacy, view loss, overshadowing, lighting impacts and wind impacts. A high level of environmental amenity must be demonstrated.
- Demonstrate how the proposal maintains solar access to key public open spaces including the proposed public park and the surrounding public domain.
- Include detailed shadow diagrams (A3) that show the expected shadows cast by the proposal at hourly intervals between 9am and 3pm (inclusive) on the 21 June (Mid-Winter Solstice) and at 9.00am, 12.00pm and 3.00pm on 21 December (Summer Solstice). The diagrams must demonstrate existing and approved built form impacts and the proposal's net contribution, and cumulative impact. In preparing this information refer to clause 8.10 (and corresponding APU map) of State Environmental Planning Policy (SEPP) (Gosford City Centre) 2018 and Chapter 4 of Gosford Development Control Plan 2018 (DPE).
- Demonstrate that the proposed building envelopes are capable of complying with SEPP 65 and the Apartment Design Guide (ADG) and ensure the proposal achieves a high level of environmental and residential amenity.
- Demonstrate that the proposal has considered and adopted best practice Crime Prevention Through Environmental Design (CPTED) principles.

7. Ecologically Sustainable Development (ESD)

- Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design, construction and ongoing operation phases of the development.
- Demonstrate how future buildings would meet or exceed minimum building sustainability and environmental performance standards.
- Demonstrate how the proposal meets the Water Sensitive Urban Design principles and incorporates Water Sensitive Urban Design practices.

8. Transport and Accessibility (Construction and Operation)

The EIS must be accompanied by a Traffic Impact Assessment (TIA) prepared in accordance with relevant guidelines. The TIA must:

- Assess the traffic impacts of the development on the surrounding local and classified road network using SIDRA or similar traffic model and specify any road upgrade works (local and classified) required to maintain acceptable levels of service.
- The assessment is to include traffic and parking generated by existing and approved developments, as well as that by the proposal, and consider car sharing facilities to reduce overall parking demands in the area.
- Estimate the total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips (noting that the operational traffic may include coaches associated with the proposed hotel).
- Assess the adequacy of public transport, pedestrian and bicycle provisions to

meet the likely future demand of the proposed development.

- Demonstrate the proposed road layout, access points, and car parking can comply with the relevant Australian Standards and Council requirements.
- Demonstrate sufficient on-site car parking, loading/unloading, pedestrian and cycling facilities (including bicycle parking and end-of-trip facilities) would be provided for the development.
- Assess the impact of the proposal on car parking within the surrounding area during construction and operation of the proposed development.
- Describe the measures to be implemented to promote sustainable means of travel, including public transport use, pedestrian and bicycle linkages.
- Prepare a preliminary Construction Traffic Management Plan for the proposal and outline how construction traffic, public transport, bicycle and pedestrian impacts, and parking impacts would be appropriately managed and mitigated.
- Detail the public transport options and pedestrian links for future residents of the proposed development.
- Consider the traffic impacts on existing and proposed intersections, and the capacity of the local and classified road network to safely and efficiently cater for the additional vehicular traffic generated, as well as the cumulative traffic impact of other proposals in the area.
- Assess the Central Coast Highway / Racecourse Road intersection with and without the development in place both at year of opening and ten years hence to demonstrate the impact on this intersection.
- Demonstrate that queuing will not impact the through movements on Racecourse Road or the Central Coast Highway.
- Consider Chapter 4.5.1 of the Gosford DCP relating to driveways and the design of Porte Cochères.
- Identify if there is to be a new connection of Donnison Street West to Racecourse Road, noting that a two-way arrangement is preferable in this instance to alleviate pressure created by traffic at Hely Street and Central Coast Highway.

9. Flooding

- Assess the potential flooding impacts associated with the development and consider the relevant provisions of the NSW Floodplain Development Manual (2005), including the potential impacts of climate change, sea level rise and increase in rainfall intensity.

10. Stormwater and Drainage

- Prepare a preliminary stormwater management report demonstrating how stormwater would be appropriately managed in accordance with Council's requirements

11. Water Quality

- Assess water quality and hydrology impacts of the development, including any

downstream impacts for both surface and groundwater and any impacts on natural processes and functions.

12. Heritage

- Assess any impacts on State and local heritage items, including conservation areas, natural heritage areas, relics, gardens, landscapes, views and trees and recommend mitigation and management measures where required.

13. Aboriginal Cultural Heritage

- Provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) that:
 - o identifies and describes the Aboriginal cultural heritage values that exist across the site.
 - o includes surface surveys and test excavations where necessary.
 - o has been prepared in accordance with the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011), Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH, 2010) and Code of Practice for Archaeological Investigation in NSW (DECCW 2010).
 - o incorporates consultation with Aboriginal people in accordance with Aboriginal Cultural Heritage Consultation Requirements for Proponents (Department of Environment, Climate Change and Water, 2010).
 - o documents the significance of cultural heritage values of Aboriginal people who have a cultural association with the land.
 - o identifies, assesses and documents all impacts on the Aboriginal cultural heritage values.
 - o demonstrates attempts to avoid any impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR and EIS must outline measures proposed to mitigate impacts.
 - o demonstrates attempts to interpret the Aboriginal cultural heritage significance identified into the development.
 - o outline procedures to be followed if Aboriginal objects are found at any stage of the life of the project to formulate appropriate measures to manage unforeseen impacts.
 - o outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.
- Any Aboriginal objects recorded as part of the Aboriginal Cultural Heritage Assessment Report must be documented and notified to the Aboriginal Heritage Information Management System (AHIMS) within Heritage NSW of the Department of Premier and Cabinet.

14. Social and Economic Impacts

- The EIS must include an assessment of the social and economic impacts of the development, including consideration of any increase in demand for community infrastructure and services including impacts on health services and address the Department of Planning, Industry and Environment Social Impact Assessment Guidelines for State Significant Development (July 2021).

15. Public Benefit and Contributions

- Outline the contributions and proposed public benefits to be delivered as a part of the proposal including details of any Voluntary Planning Agreement.

16. Noise and Vibration

- Prepare a noise and vibration assessment in accordance with the relevant EPA guidelines. This assessment must detail construction and operational noise impacts on nearby sensitive receivers and outline the proposed management and mitigation measures that would be implemented.

17. Contamination

- Prepare a contamination assessment for the site, by a qualified environmental consultant and demonstrate that the site is suitable for the proposed development, in accordance with the requirements of SEPP 55.

18. Biodiversity

- Assess any biodiversity impacts associated with the proposal in accordance with the requirements of the Biodiversity Conservation Act 2016, Biodiversity Conservation Regulation 2017 and the Biodiversity Assessment Method, including the preparation of a Biodiversity Development Assessment Report, except where a BDAR waiver has been issued in relation to the development.
- Where a BDAR is not required, because a BDAR waiver has been issued provide:
 - o a copy of the BDAR waiver and demonstrate that the proposed development is consistent with that covered in BDAR waiver.
 - o an assessment of flora and fauna impacts where significant vegetation or flora and fauna values would be affected by the proposed development.

19. Soil and Water

- The EIS shall include a:
 - o Geotechnical assessment
 - o Acid Sulfate Soils Assessment
 - o Groundwater Assessment.
 - o The EIS must map the following features relevant to water and soils including:
 - o Acid sulfate soils (Class 1, 2, 3, or 4 on the Acid Sulfate Soil Planning Map).
 - o Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).

- o Wetlands.
- o Groundwater dependent ecosystems.
- o Proposed intake and discharge locations.

· The EIS must assess the impacts of the development on water quality and on hydrology.

· The EIS is to include:

- o The identification of an adequate and secure water supply for the life of the project.
- o A detailed and consolidated site water balance.
- o Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourse, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- o Proposed surface and groundwater monitoring activities and methodologies.

20. Utilities

· In consultation with relevant agencies prepare a services and utilities impact assessment which:

- o assesses the capacity of existing services and utilities and identify any upgrades required to facilitate the development
- o assesses the impacts of the proposal on existing utility infrastructure and service provider assets and describe how any potential impacts would be managed.

21. Easements, restrictions, staging and consents

- Provide details of any easements, restrictions or positive covenants on site
- Consult with Central Coast Local Health District to ensure Gosford Hospital's Strategic Helicopter Landing Site (and associated flight paths) are not adversely impacted by the proposal during construction or operation at any stage.
- Provide details regarding the staging of the proposed development.
- Demonstrate how the visual and amenity impacts of staged construction will be mitigated.
- Provide details of any temporary (or continued) use or temporary activation of the land during staged construction.
- Demonstrate how the staged construction will not adversely impact the local road network or pedestrian connections.
- Detail the proposal's relationship to any existing development consents (if any).

	22. Construction Management Plans · Prepare a preliminary Construction Management Plan for the proposed works and outline how construction impacts would be appropriately managed and mitigated. · Demonstrate how public health and safety will be maintained during construction and operation, including any public health and safety measures that will be implemented. 23. Air Quality & Pollution · Assess the construction and operation air quality impacts and ensure they meet the requirements of Council and/or the Environment Protection Authority. · Clearly demonstrate whether any activities associated with the proposed development would be a scheduled activity as listed in Schedule 1 of the Protection of the Environment Operations Act 1997 (the POEO Act), or other legislative requirements administered by the EPA.
Consultation	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. In particular you must consult with: · Central Coast Council · Central Coast Local Health District · Hunter & Central Coast Development Corporation · NSW Department of Premier and Cabinet (Heritage Division) · Transport for NSW · NSW Roads and Maritime Services · Environment Protection Authority · Ausgrid · NSW Department of Planning, Industry and Environment (Biodiversity and Conservation Division, Crown Land, NRAR, Office of Water) · Department of Regional NSW (Department of Primary Industries) · Surrounding residents, business and local community groups. 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.

Further consultation after 2 years	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Planning Secretary in relation to the preparation of the EIS.
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. In addition to the documents and plans listed in the key issues above, the EIS must include the following: · Survey plan (A3) · Overall site plan (A3) · Concept elevations, floor plans and sections of the proposal (A3) · 3D digital model (refer Central Coast Council's requirements) • Visual Impact Assessment · Design verification statement · Compliance tables for all relevant development standards and planning controls · Detailed overshadowing diagrams (A3) · Cross ventilation diagrams (A3) · Ecologically Sustainable Development (ESD) / Energy Efficiency Report · Concept landscape and public domain plans (A3) · A table identifying the proposed land uses including a floor-by-floor breakdown of GFA, total GFA and site coverage · Water Cycle Management Plan Strategy · Arborist report (if required) · Pre-submission consultation statement · Quantity Surveyor Report
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

ATTACHMENT A

Policies, Plans and 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.legislation.nsw.gov.au>

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

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

<https://www.centralcoast.nsw.gov.au/council/news-and-publications/policies-and-codes>

Policies, Plans and Guidelines	
Statutory policies and plans	· Environmental Planning & Assessment Act 1979 · Biodiversity Conservation Act 2016 · State Environmental Planning Policy (State & Regional Development) 2011 · State Environmental Planning Policy (Gosford City Centre) 2018 · State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 · State Environmental Planning Policy (Infrastructure) 2007 · State Environmental Planning Policy (Building Sustainability Index BASIX) 2004 · State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 · State Environmental Planning Policy (Coastal Management) 2018 · State Environmental Planning Policy No.55 – Remediation of Land · State Environmental Planning Policy No 64 - Advertising and Signage · State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development & Accompanying Apartment Design Guide · Draft State Environmental Planning Policy (Environment) · Central Coast Council's 7.12 (former S94A) Contributions Plan Centre (Civic Improvement Plan 2007) for Gosford City Centre · Gosford City Centre Special Infrastructure Contribution (Ministerial Direction, Ministerial Determination and Order).
Strategic plans	· Future Transport Strategy 2056 and supporting plans · State Infrastructure Strategy 2018-2038 · Central Coast Regional Plan 2036 · NSW Government Architect's Gosford Urban Design Framework 2018 · Gosford City Centre Development Control Plan 2018 · Gosford City Centre Transport Management and Accessibility Plan · Central Coast Council's Draft Somersby to Erina Strategy (Southern Growth Corridor)
Guidelines and policies	· City of Gosford Design Advisory Panel (CoGDAP) Guide for Proponents and Stakeholders (DPE, 2018) · Gosford City Centre Streetscape Design Guidelines (Oculus for Gosford City Council, 2011) · Central Coast Council's 3D Model Submission Requirements (rev2 dated 11 September 2019) · Central Coast Council's Civil Works Specification · Central Coast Council's Gosford City Centre Developer Services Plan (DSP)

- Central Coast Council's Gosford City Centre Water Servicing Strategy (Aug 2017)
- Central Coast Council's Gosford City Centre Sewer Servicing Strategy (Mar 2017)
- Central Coast Council's Gosford CBD Overland Flood Study
- Central Coast Council's Voluntary Planning Agreements Policy for Gosford City Centre (adopted July 2017)
- EIS Guidelines – Roads and Related Facilities (DoPI)
- NSW Planning guidelines for walking and cycling (DIPNR & RTA, 2004)
- Guide to Traffic Generating Developments (RMS, 2002), including Section 2 Traffic Impact Studies
- Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development (Austroads, 2016)
- Standards Australian AS2890 Parking Facilities Set
- Cycling Aspects of Austroads Guides (2017)
- Draft Environmental Impact Assessment Guidance Series (DPE, 2017)
- Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land (DUAP)
- Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)
- Statement of Heritage Impact Guide (OEH)
- Design in context: Guidelines for infill development in the Historic Environment (NSW Heritage Office, 2005)
- Managing Urban Stormwater – Soils & Construction Volume 1 (Landcom, 2004)
- NSW Aquifer Interference Policy (2012)
- Guidelines for Controlled Activities on Waterfront Land (2018)
- Central Coast Council's Water Cycle Management Guidelines
- Central Coast Council's Waste Control Guidelines
- Interim Construction Noise Guideline (DECC, 2009)
- Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA, 2005)
- Better Placed: An integrated design policy for the built environment of New South Wales (GANSW, 2017)
- Healthy Urban Development Checklist (NSW Health, 2009)
- Health Impact Assessment Guidelines (enHealth, 2017)
- Health Impact Assessment: A practical Guide (University of NSW and NSW Health, 2007)
- Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning 2008)

ATTACHMENT B

**Government Authority Responses to Request for Key Issues
For Information Only**