

Our Ref: 20018 BDAR Waiver – Gosford Gateway
Via: email

Date: 17 March 2020

Attn: Anthony Kelly
ADG Architects
Suite 3.04, Level 4-3, 107-109 Mann St,
Gosford NSW 2250

Dear Anthony

RE: BDAR WAIVER REQUEST – GOSFORD GATEWAY, GOSFORD, NSW

MJD Environmental was engaged by ADG Architects on behalf of Jarre Pty Ltd, to prepare an ecological appraisal and BDAR waiver for the development of Gosford Gateway at Lot 112 DP 1022614, 8-16 Watt St, and Lots 1-4 DP 1191104, 243 & 249 Mann St, and 135 & 137 Faunce St, Gosford NSW, hereafter referred to as the 'site'.

In order to satisfy Biodiversity Development Assessment (BDAR) waiver request information requirements, the results of the ecological appraisal have been presented below and compiled as per "Table 2: Impacts of the proposed development on biodiversity values" of *Fact Sheet Biodiversity development assessment report waiver determinations for SSD and SSI applications* (DPE 2018) – refer to **Table 2**.

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Proponent	Jarre Pty Ltd
LGA	Central Coast City Council
Person(s) completing Table 2	MJD Environmental Pty Ltd: Phoebe Smith (M. Env. Mgmt & Sust.); 3 years' experience in environmental assessment Matt Doherty (BLMC, BAM Assessor BAAS17044); 19 years' experience in environmental assessment

Site details

Site Location	Lot 112 DP 1022614, 8-16 Watt St, and Lots 1-4 DP 1191104, 243 & 249 Mann St, and 135 & 137 Faunce St, Gosford NSW
Description of Existing Development	The existing development is a mixed-used area, with a variety of buildings, carparks, walkways and infrastructure. The subject site primarily consists of the 'Gateway Centre' which houses professional and service-based users including commercial offices and retail areas. The heritage listed Burns Park is located to the west of the site across Mann St and connects to the Gosford Train Station. The site also comprises several residential housing type buildings to the west and other commercial and retail buildings to the south.

Proposed development

The proposed development is to accommodate a number of complementary functions on site including a hotel, commercial offices, retail areas, an educational and entertainment component, student accommodation, retirement independent living units and a health services precinct, producing a vibrant area that provides a clear public benefit in the provision of a generous, activated public plaza and links through the site.

The concept has a public plaza in the centre connecting to the existing green space at Burns Place and Gosford Station. The existing Mann Street pedestrian overpass connecting the site to Burns Park and Gosford train station will be demolished and a new at-grade pedestrian crossing will be installed to activate the street level. Three mixed use towers will be located on the site.

Tower 1 will be located at the northern end of the site at the corner of Mann and Faunce Streets and will comprise approximately 24 levels, including a podium of 3-4 levels. The maximum building height of Tower 1 will be RL 107.2m.

Tower 2 will occupy the south-eastern section of the site with frontage to Watt Street. Tower 2 will comprise approximately 33 levels, including a podium of 4 levels. The maximum building height of Tower 2 will be RL 133.9m.

Tower 3 will face Mann Street and will be located in the south-western section of the site. The existing retail building will be adaptively reused in this location to maintain a retail podium of 3 levels. Tower 3 will extend from the podium to a maximum height of approximately 15 levels. The maximum building height of Tower 3 will be RL 70.9m.

Subject to further design refinement the GFA for the entire development will be approximately 80,944m². The mix of uses (approximate percentages) will be shown in the concept plans.

Basement car parking will be provided with access off Watt and Faunce Streets. The number of car parking spaces will be confirmed at the EIS stage following a detailed traffic and car parking assessment.

Refer to **Attachment 2** for Proposed Site Plan (same as existing site plan).

Ecological appraisal

The scope of this appraisal is to investigate ecological matters for consideration for the development of a mixed-use development in the form of 3 towers in an existing urban environment. This ecological advice aims to identify matters potentially applicable to the site under the Biodiversity Conservation Act 2016 (BC Act). The following ecological advice was informed by desktop research and a site inspection to confirm the site and its ecological characteristics.

A site inspection was conducted by MJD Environmental on 5th March 2020, traversing the entire site extent on foot. Particular attention was given to the extent of existing vegetation, the building extents and interface, condition and complexity of vegetation, and the suitability of habitat on site for threatened flora and fauna.

The site inspection identified the following ecological matters for consideration:

- Native vegetation in the form of two individually planted *Glochidion ferdinandi* var. *ferdinandi* (Cheese Tree) will be removed under this proposal.
- All other vegetation observed within the subject site includes the exotic species *Robinia pseudoacacia* (Black Locust) which has also been planted. No ground cover vegetation is present within the entire lot with the exception of exotic grasses growing through concrete cracks.
- Burns Place is a managed park area with primarily planted exotic trees including *Syagrus romanzoffiana* (Cocos Palm), *Phoenix canariensis* (Canary Island Date Palm), *Murraya paniculata* (Mock Orange) and *Sequoia* spp. (Redwood). One native mature *Corymbia maculata* (Spotted Gum) and few native *Archontophoenix cunninghamiana* (Bangalow Palms) also occur within this park. No trees within Burns Place are expected to be removed under this proposal.
- The subject site contains primarily existing concrete buildings, carparks and walkways. No areas of connecting vegetation occur. The closest patch of contiguous vegetation occurs in the form of Rumbalara Reserve 200m to the east. A large patch of vegetation (Presidents Hill Lookout) occurs 350m to the west, however this patch has very limited connections (via street plantings) to larger parcels of vegetation within the surrounding landscape.

Table 2 Impacts of the proposed development on biodiversity values

Biodiversity value	Meaning	Relevant	Explain and document potential impacts including additional impacts prescribed under the BC Regulation
Vegetation abundance – 1.4(b) BC Regulation	Occurrence and abundance of vegetation at a particular site	Yes	Native vegetation is present in the form of two (2) planted <i>Glochidion ferdinandi</i> var. <i>ferdinandi</i> (Cheese Tree), situated between existing buildings, and within a carpark area within the subject site. These 2 planted native trees are expected to be removed under this proposal. The proposal will not impact surrounding vegetation beyond the extents of the subject site boundary.
Vegetation integrity 1.5(2)(a) BC Act	Degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state	Yes	The subject site contains existing buildings, carparks, walkways and other infrastructure with very minor areas of vegetation as individual trees present. The vegetation integrity of vegetation present on site is very low, as the site contains only 2 individually planted <i>Glochidion ferdinandi</i> var. <i>ferdinandi</i> and two planted <i>Robinia pseudoacacia</i> . The proposal will not impact surrounding vegetation beyond the levels of the subject site boundary.
Habitat suitability 1.5(2)(b) BC Act	Degree to which the habitat needs of threatened species are present at a particular site	Yes	The subject site does not contain any significant habitat features for threatened species which have the potential to occur or that may be impacted by the proposal. The subject site contains existing buildings, carparks, walkways and other infrastructure, however no human made structures were deemed appropriate for the use of threatened species such as Microchiropteran Bats. The two planted <i>Glochidion ferdinandi</i> var. <i>ferdinandi</i> (Cheese Tree), could potentially provide foraging habitat for highly mobile species such as threatened rainforest fruit-eating doves, however no records occur within a 10km OEH Bionet search of the subject site.

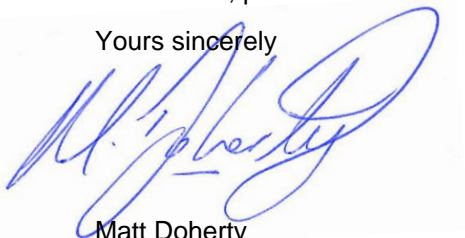
Biodiversity value	Meaning	Relevant	Explain and document potential impacts including additional impacts prescribed under the BC Regulation
Threatened species abundance 1.4(a) BC Regulation	Occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site	Yes	The subject site does not contain any suitable habitat for threatened species. No records of threatened species or TECs occur within the subject site. The subject site is located within an existing highly urbanised/built up environment. Heavy traffic currently occurs within the area, therefore the proposal is not considered to significantly contribute to the impact of vehicle strikes.
Habitat connectivity 1.4(c) BC Regulation	Degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range	NA	The subject site contains existing buildings, carparks, walkways and other infrastructure which will not be extended beyond the existing subject site boundary, and as such will not impact on the connectivity of habitat in the wider area and the movement of threatened species. No areas of connecting vegetation occur within the subject site. The closest patch of contiguous vegetation occurs in the form of Rumbalara Reserve 200m to the east. A large patch of vegetation (Presidents Hill Lookout) occurs 350m to the west, however this patch has very limited connections (via street plantings) to larger parcels of vegetation within the surrounding landscape.
Threatened species movement 1.4(d) BC Regulation	Degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle	NA	The subject site contains existing buildings, carparks, walkways and other infrastructure which will not be extended beyond the existing subject site boundary. No suitable vegetation occurs within the subject site that would aid in the movement of a threatened species and as such the proposal is not considered to impact on the movement of a threatened species to maintain their lifecycle.
Flight path integrity 1.4(e) BC Regulation	Degree to which the flight paths of protected animals over a particular site are free from interference	Yes	The proposal involves the construction of three towers, maximum heights of each tower are as follows: Tower 1: 107.2m Tower 2: 133.9m Tower 3: 70.9m. <i>Pteropus poliocephalus</i> (Grey-headed Flying Fox) listed as Vulnerable under both the BC and EPBC Acts inhabit a roost camp at Wingello Creek, Gosford, situated ~3km north west of the subject site. The construction of 3 towers within an already urbanised landscape are not considered to interfere with the flight path of this species. The subject site is located within a low depression between two topographically high points (President Hill Lookout and Rumbalara Reserve), therefore it is expected the species will be familiar with the topography of the surrounding landscape and be able to navigate around the proposed development.
Water sustainability 1.4(f) BC Regulation	Degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.	NA	No existing water courses or aquatic habitats occur within the subject site. Provided that all erosion and sedimentation control plans, environmental management plans and drainage control plans are followed, the proposal will not impact water quality, water bodies, or hydrological processes.

The proposed development will not impact native vegetation or fauna habitat. No significant fauna habitat features were observed. Therefore, impacts to threatened species or ecological communities or their habitat are unlikely to occur. The proposed development is not considered to impact habitat connectivity

within the site or surrounding area. As the proposal does not seek to expand beyond the existing subject site boundary, which contains existing buildings, carparks, walkways and infrastructure no indirect impacts are expected to occur to flora and fauna off site. Therefore, it is considered the application of a biodiversity assessment waiver as required under the SEARs issued for the site is appropriate for the current proposal.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact Phoebe Smith (Ecologist) or the writer.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Doherty', written over a light blue rectangular background.

Matt Doherty
Director
MJD Environmental