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URBIS

SUBMISSIONS REPORT

University of Newcastle -
Central Coast Campus
(SSD-47749715)

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URBIS
SUBMISSIONS REPORT - UNIVERSITY OF NEWCASTLE - CENTRAL COAST
CAMPUS (SSD-47749715)

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EXECUTIVE SUMMARY

This Submissions Report has been prepared by Urbis on behalf of the University of Newcastle (the Proponent) to address the matters raised by government agencies, local Council and the community during public exhibition of the proposed University of Newcastle, Gosford Campus at 305 Mann Street, Gosford (SSD-47749715).

The State Significant Development Application (**SSDA**) was lodged with the Department of Planning and Environment (**DPE**) on 8 February 2023 in accordance with Clause 15, Schedule 1 *State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)*.

DPE issued a letter to the Proponent on 5 April 2023 requesting a response to the issues raised during the public exhibition of the application. This submissions report outlines the additional information requested and responds to all issues raised within submissions.

Overview of Submissions

The SSDA was on public exhibition between 1 March 2023 until 28 March 2023. A total of twelve (12) submissions were received from NSW government agencies, Council and the community, including:

- Transport for NSW
- Central Coast Council (received outside of the formal notification period)
- Heritage NSW (Aboriginal Cultural Heritage)
- Sydney Trains
- Heritage NSW
- Fire and Rescue
- Hunter Central Coast Branch – Biodiversity and Conservation Division
- NSW Environmental Protection Agency
- DPE Water Assessments
- Central Coast Local Health District
- Two community submissions.

The key issues raised in the submissions can be broadly grouped into the following categories:

- Car parking and traffic modelling.
- Groundwater impacts and acid sulfate soils.
- Stormwater management.

Since only a small number of submissions were received, this Submissions Report provides a response to each individual submission within **Section 4**.

Actions Taken Since Exhibition

Since the SSDA was publicly exhibited, the Proponent has undertaken further consultation with government agencies to discuss the issues raised within their submissions. Additional assessments have been prepared to respond to the issues raised within the submissions. These are outlined in the table below.

Table 1 Amended Documentation

Report	Author	Appendix
Submissions Register	Urbis	Appendix A

Report	Author	Appendix
Updated Mitigation Measures	Urbis	Appendix B
Architectural Plans	Lyons Architecture	Appendix C
Traffic and Parking Response Letter	SECA Solution	Appendix D
Traffic and Parking Assessment	SECA Solution	Appendix E
Aboriginal Cultural Heritage Response to Submissions	Urbis Heritage	Appendix F
Amended Aboriginal Cultural Heritage Assessment Report	Urbis Heritage	Appendix G
Amended Archaeological Research Design and Evacuation Methodology	Urbis Heritage	Appendix H
Acid Sulfate Soil Management Plan	Kleinfelder	Appendix I
Dewatering Management Plan	Kleinfelder	Appendix J
Service Vehicle Swept Path Analysis	Northrop	Appendix K

Response to Submissions

The Proponent has provided additional information and clarification in response to the submissions. The key issues addressed to provide clarification include:

- Amended Architectural Plans (**Appendix C**) – which show the addition of one motorbike parking space and an increase in bicycle parking and lockers in the end of trip facilities.
- Amended Traffic and Parking Assessment (**Appendix E**) – that provides additional traffic counts and justification for the proposed traffic, parking and access at the proposed development.
- Amended Aboriginal Cultural Heritage Assessment Report and Archaeological Research Design and Evacuation Methodology (**Appendix G** and **Appendix H**) – which provides further details on the proposed excavation methodology at the site.
- Acid Sulfate Soil Management Plan (**Appendix I**) – which provides recommendations for acid sulfate soil management procedures to be incorporated during the construction phase.
- Dewatering Management Plan (**Appendix J**) – which assesses potential impacts on the groundwater and recommends that a Water Access Licence (WAL) exemption is made.
- Additional service vehicle swept paths (**Appendix K**) – which demonstrates how service vehicles will ingress and egress the site from Mann and Hills Street.

Updated Justification and Evaluation

The justification for the project as previously outlined in the Environmental Impact Statement (EIS) remains the same. The proposal represents a positive development outcome for the site and surrounding area for the following reasons:

- **The proposal is consistent with state and local strategic planning policies:**

The proposal is consistent with the relevant goals and strategies contained in:

- Central Coast Region Plan 2041

- Draft Central Coast Local Strategic Planning Statement
- Gosford Urban Design Framework
- Better Placed.
- **The proposal satisfies the applicable local and state development controls:**

The proposal is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including

 - *State Environmental Planning Policy (Planning Systems) 2021*
 - *State Environmental Planning Policy (Precincts – Regional) 2021*
 - *State Environmental Planning Policy (Transport and Infrastructure) 2021*
 - *State Environmental Planning Policy (Resilience and Hazards) 2021*
 - *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- **The design responds appropriately to the opportunities and constraints presented by the site:**
 - The proposed development responds to the site context. The urban form has been carefully considered to provide publicly accessible open space to the key entry corner of Mann and Beane Street.
 - Following massing studies, Lyons Architecture found setting the built form back 6m from Mann Street enhanced the solar access to the publicly accessible open space.
 - The proposed minimum floor level is RL14.75, above the flood planning level.
 - A salvage methodology is to be prepared by a heritage consultant to guide and manage the salvage of bricks of the existing heritage listed Mitre 10 building for potential re-use within the proposal.
 - The design has balanced the provision of open space, solar access and urban design. The proposal maximises solar access to a public open space on a site that does not have favourable orientation.
- **The proposal is highly suitable for the site:**
 - The site is identified as ‘Key Site 1’ under the Gosford City Centre DCP 2018 due to its size and proximity to Gosford Railway Station and offers significant and unique urban renewal opportunities.
 - The proposal is consistent with relevant State and local strategic plans and substantially complies with the relevant State and local planning controls.
 - The urban form has been carefully considered to provide publicly accessible open space to the key entry corner of Mann and Beane Street.
 - A BDAR Waiver granted on 9 December 2022 confirms that the proposed development is not likely to have any significant impact on biodiversity values.
- **The proposal is in the public interest:**
 - The proposal is consistent with relevant State and local strategic plans and substantially complies with the relevant State and local planning controls.
 - By expanding its presence on the Central Coast, the University will play a pivotal role in transforming Gosford into a thriving university-city at the heart of the region.
 - The proposal will provide significant, legible and usable area of publicly accessible open space.
 - The University will help close skills gaps, increase educational participation rates, generate new jobs, support emerging industries, develop the health services workforce, and foster innovation and entrepreneurship.
 - No adverse environmental, social or economic impacts will result from the proposal.

In view of the above, it is considered that this SSDA has significant merit and should be approved subject to the implementation of the mitigation measures described in this report and supporting documents.

1. INTRODUCTION

This Submissions Report relates to the State Significant Development Application (SSDA) for the proposed University of Newcastle Gosford Campus at 305 Mann Street, Gosford. On behalf of the University of Newcastle (the Proponent), this Submissions Report has been prepared to address the matters raised by public agencies, Central Coast Council (Council) and the community throughout the public exhibition period.

The SSDA (SSD-47749715) was formally lodged on 8 February 2023. The SSDA was on public exhibition between 1 March 2023 and 28 March 2023. A total of twelve (12) submissions were received from NSW government agencies, Council and the community, including:

- Transport for NSW
- Central Coast Council
- Heritage NSW (Aboriginal Cultural Heritage)
- Sydney Trains
- Heritage NSW
- Fire and Rescue
- Hunter Central Coast Branch – Biodiversity and Conservation Division
- NSW Environmental Protection Agency
- DPE Water Assessments
- Central Coast Local Health District
- Two community submissions.

It is noted that Central Coast Council's submission was received after the end of the notification period on 11 May 2023.

1.1. EXHIBITED PROJECT

SSD-47749715 seeks consent for:

- Demolition of the existing building and associated structures.
- Earthworks to prepare the site for construction.
- Associated excavation, removal and capping of on-site existing redundant services and augmentation and connection of new services to service the proposal, as required.
- Construction of a new three storey educational establishment building on the western portion of the site, comprising:
 - Approximately 3,726m² GFA including:
 - University space: 3,592m² GFA
 - Retail: 134m² GFA
 - Maximum building height of 23.3m (RL31)
- Operation 24 hours/day, 7 days per week (noting that controlled access will operate during this time, with classes generally running between 8.00am – 9.00pm, Monday-Friday).
- Approximately 2,450m² of publicly accessible open space along the western, southern and eastern portion of the site.
- Basement car park with 20 parking spaces and 4 EV charging spaces sleeved against the building.

- Vehicular access to the basement car park via an internal site laneway from Hills Street.
- Service vehicle access from Mann Street to a one-way internal site laneway immediately north of the proposed building, with vehicles exiting via Beane Street.

1.2. SUPPORTING DOCUMENTATION

This Submissions Report is supported by the following technical reports and documentation.

Table 2 Amended Documentation

Report	Author	Appendix
Submissions Register	Urbis	Appendix A
Updated Mitigation Measures	Urbis	Appendix B
Architectural Plans	Lyons Architecture	Appendix C
Traffic and Parking Response Letter and Revised Assessment	SECA Solution	Appendix D
Civil Engineering Drawings	Northrop	Appendix E
Aboriginal Cultural Heritage Response to Submissions	Urbis Heritage	Appendix F
Amended Aboriginal Cultural Heritage Assessment Report	Urbis Heritage	Appendix G
Amended Archaeological Research Design and Excavation Methodology	Urbis Heritage	Appendix H
Acid Sulfate Soil Management Plan	Kleinfelder	Appendix I
Dewatering Management Plan	Kleinfelder	Appendix J
Service Vehicle Swept Path Analysis	Northrop	Appendix K

2. ANALYSIS OF SUBMISSIONS

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

Table 3 Breakdown of Submissions Received

Submitter	Category of Issues Raised						
	The Project	Procedural Matters	Impacts			Justification and Evaluation of the Project	Issues Beyond the Scope of the Project
			Economic	Environmental	Social		
Public Authorities (State of Commonwealth Agencies and Council)							
Transport for NSW				X			
Central Coast Council	X			X			
Heritage NSW (Aboriginal Cultural Heritage)		X		X			
Heritage NSW	<i>No concerns raised</i>						
Sydney Trains				X			
Fire and Rescue	<i>No concerns raised</i>						
NSW EPA				X			
DPE Water Assessments				X			
Central Coast Local Health District				X			X
Biodiversity and Conservation Division				X			

Submitter	Category of Issues Raised						
	The Project	Procedural Matters	Impacts			Justification and Evaluation of the Project	Issues Beyond the Scope of the Project
			Economic	Environmental	Social		
Individuals							
Anonymous				X			X
TOTAL	1	1	0	9	0	0	2

2.1. CATEGORISING KEY ISSUES

In accordance with the *State Significant Development Guidelines*, the issues raised in the submissions have been categorised as outlined in **Table 4** below.

Table 4 Categorising Issues Raised

Category of Issue		Summary of Matters Raised
The Project	Physical layout and design	<ul style="list-style-type: none"> ▪ Central Coast Council notes that that the built form controls permit a building of 60m and an FSR of 5:1. While Council acknowledges that the proposal is a civic rather than commercial building, a taller building with greater density would be acceptable and appropriate in this context and may emphasise its importance in the streetscape. ▪ Central Coast Council notes that there is no landscaping on the northern boundary to provide screening to and from any future development of the site to the north.
Procedural matters	Level of quality of engagement	<ul style="list-style-type: none"> ▪ Heritage NSW (Aboriginal Cultural Heritage) sought clarification as to why the proposal was only notified in the Koori mail and not the local newspaper.
Economic, Environmental and Social Impacts	Traffic and Parking	<ul style="list-style-type: none"> ▪ Transport for NSW requested current traffic counts for Mann Street within the vicinity of the site, the distribution of the trips generated by the proposed development and traffic analysis of the proposed intersection using SIDRA. ▪ Central Coast Council suggested that the egress turning path from Hill Street does not provide the necessary pedestrian safety sight triangle in accordance with AS2890.1:2004 Fig 3.3. ▪ Central Coast Council stated that the proposed boom gates to Hills Street do not provide adequate clearance for service vehicles. ▪ The Central Coast Local Health District requested the provision of motorcycle parking in accordance with the Gosford City Centre DCP. ▪ The Central Coast Local Health District requested showers, lockers and motorcycle parking to be quantified on the architectural plans. ▪ Two public submissions stated that the proposal does not provide adequate car parking.
	Groundwater and contamination	<ul style="list-style-type: none"> ▪ The NSW Environmental Protection Agency and DPE Water Assessments requested that an Acid Sulfate Management Plan be prepared. ▪ DPE Water Assessments requested a Dewatering Management Plan to be reviewed prior to approval.

Category of Issue		Summary of Matters Raised
	Flooding	<ul style="list-style-type: none"> The Biodiversity and Conservation division requested that the climate change scenarios modelled in the Gosford City CBD overland flood study be used to set habitable floor levels for the building rather than present day 1% AEP levels.
	Construction management	<ul style="list-style-type: none"> Central Coast Local Health District requested that a detailed Construction Management Plan and Hazardous Materials Management Plan be prepared.
	Overshadowing	<ul style="list-style-type: none"> Central Coast Local Health District requested confirmation that proposal is the best possible outcome achievable for the site, particularly considering the potential reduction in solar access as a result of the future second stage development.
Issues beyond the scope of the project	Parking and access	<ul style="list-style-type: none"> One community submission requested the introduction of parking restrictions on the surrounding streets. The Central Coast Local Health District requested that the proposal consider providing a pedestrian link between the site and Gosford Hospital.

3. ACTIONS TAKEN SINCE EXHIBITION

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed development. This section summarises the changes that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised within the public agency, organisation and public submissions.

3.1. FURTHER ENGAGEMENT

Since the public exhibition of the SSDA between 1 March 2023 until 28 March 2023, the project team has undertaken the following additional consultation:

- **Central Coast Council:** Northrop contacted Central Coast Council via email on 26 April to discuss the climate change scenarios modelled in the Gosford City CBD overland flood. The observations of the review showed the modelled climate change scenarios an increase in flood elevation to that of the 1% AEP. The increase in flood elevation and the resulting freeboard. As outlined in **Appendix L**, the increase due to climate change is observed to be small. This indicates the flooding behaviour is not overly sensitive to the impacts of climate change. This is explained in detail in **Section 4.1.7** below.
- **Transport for NSW:** Urbis contacted Transport for NSW on 2 May 2023 to discuss the draft conditions of consent. Transport for NSW advised on 10 May 2023 that the Proponent's responses to the draft conditions would be reviewed by Transport for NSW once this Submissions Report was submitted.

3.2. ADDITIONAL IMPACT ASSESSMENT

Additional or updated assessments have been provided to respond to the issues raised within the submissions. These include:

- Amended Architectural Plans (**Appendix C**) – which show the addition of one motorbike parking space and an increase in bicycle parking and lockers in the end of trip facilities.
- Amended Traffic and Parking Assessment (**Appendix D**) – that provides additional traffic counts and justification for the proposed traffic, parking and access arrangement for the proposed development.
- Amended Aboriginal Cultural Heritage Assessment Report and Archaeological Research Design and Evacuation Methodology (**Appendix G** and **Appendix H**) – which provides further details on the proposed excavation methodology at the site.
- Acid Sulfate Soil Management Plan (**Appendix I**) – which provides recommendations for acid sulfate soil management procedures to be incorporated during the construction phase.
- Dewatering Management Plan (**Appendix J**) – which assesses potential impacts on the groundwater and recommends that a Water Access Licence (WAL) exemption is made.
- Additional service vehicle swept paths (**Appendix K**) – which demonstrates how service vehicles will leave and exit the site from Mann and Hills Street.
- Flooding response (**Appendix L**) – which provides a response to Biodiversity Conservation Division regarding flooding levels at the site.

4. RESPONSE TO SUBMISSIONS

This section provides a detailed summary of the Proponent's response to the issues raised in submissions. As only twelve (12) submissions were received during the public exhibition process, a response to each individual submission is included in the tables below.

4.1. RESPONSE TO PUBLIC AUTHORITY SUBMISSIONS

4.1.1. Transport for NSW

Table 5 Response to Transport for NSW

Summary of Issue Raised	Response
<p>It is recommended that an updated Traffic Impact Statement be provided to include the following detail in relation to the proposed intersection:</p> <ul style="list-style-type: none"> ▪ Current traffic counts for Mann Street within the vicinity of the site ▪ The distribution of the trips generated by the proposed development, shown diagrammatically ▪ Traffic analysis of the proposed intersection using Sidra and including submission of electronic files 	<p>The Traffic and Parking Assessment (Appendix D) prepared by SECA has been updated in accordance with Transport for NSW's submission, as summarised below:</p> <ul style="list-style-type: none"> ▪ Current traffic counts for Mann Street are included in Section 2.5 of the Traffic and Parking Report (Appendix D). ▪ The distribution of trips are outlined in Section 4.4 of the Traffic and Parking Report (Appendix D). ▪ SIDRA modelling is not considered necessary due to the minimal number of peak hour trips generated by the proposal. The impact is spread across a number of routes therefore the impact at any one intersection is negligible and is not considered to warrant modelling. Refer Section 4.4 of the Traffic and Parking Report (Appendix D)
<p>The peak hour traffic generation is to be taken at as the maximum and not the minimum, as discussed within the current traffic report. The minimum is not considered adequate for the residential trips as the site is isolated and it will be likely that residents will travel external to the site for shopping and employment.</p>	<p>This comment appears to relate to an alternate project. The site is for a proposed university campus within the Gosford city centre, the site is not isolated and does not generate residential trips.</p>
<p>The following should be incorporated into the updated Draft Traffic and Parking Assessment:</p> <p>There has been no assessment of where students/staff will be based. It states that 30% of students will be within 2km of the site so they can walk, but there is no justification for this figure. It would be useful to compare this with where students are located at other campuses.</p>	<p>The Traffic and Parking Assessment (Appendix D) has been amended to include review of the data from other University of Newcastle sites. This identified that 33.6% of the students at NUspace (in the Newcastle CBD) lived within walking or cycling distance. Approximately a quarter of students at the Callaghan campus lived within a 2km radius and a total of 56% living within a walking or cycling distance. This review provides support for 40% of the proposed cohort for the Gosford campus living within walking or cycling distance of the site. It is also noted that the</p>

Summary of Issue Raised	Response
	Gosford CBD is undergoing renewal and increased residential development in the city centre will provide housing closer to the new campus.
The Traffic and Parking Assessment advises that 10% of trips will be via cycling or 69 trips. It is noted that 53 bike parking spaces and 64 lockers are to be provided. The provision of end of trip facilities should be reviewed and upgraded to match the anticipated demand along with capacity for future growth.	The end of trip facilities have been increased from 53 bicycle parking spots and 64 lockers to 69 bicycle parking spots and 70 lockers.
There has been no assessment of public transport capacity to determine if the existing services will be sufficient to cater for this increased demand. There may be a need for additional services to be considered.	<p>The Traffic and Parking Assessment (Appendix D) has been amended to include data from Transport for NSW Open data for Railway Station Demands.</p> <p>University hours are typically outside local commuter peaks and inbound arrivals of students to Gosford train station will complement existing demands at the station for morning outbound commuter trips and afternoon inbound journeys It is also noted that public transport use has also dropped by around 20% since Covid with capacity available to accommodate the proposed public transport demand</p>
There is a need to provide improved walking and cycling connections to this site to achieve their proposed mode targets. It is recommended that it is identified where these improvements are needed and work with Council and TfNSW to deliver them prior to operation of the site. All works should be at full cost to the developer and at no cost to Council or TfNSW.	Sufficient pedestrian facilities currently surround the site and will be suitable to accommodate additional demands associated with the proposal. Local streets in the area typically provide footpaths or wide verges to accommodate pedestrian demands. Cycling can be accommodated on street on most local roads due to the generally low traffic demands.
It is noted that a serious pedestrian crash has occurred in the vicinity. It appears most of pedestrians may leave via the southwest corner of the campus heading towards Gosford Railway Station. There is a high reliance on public transport to the Campus, therefore, the designer should consider a safe crossing at the Mann St and Beane St intersection that could cater for high pedestrian demand including those with disabilities.	SECA solutions note that the Safe System Approach to pedestrian safety has identified that vehicle speed has the most significant impact on the severity of pedestrian collisions, with speeds greater than 30km/h increasing the severity of incidents. It is unknown whether Council and Transport for NSW have reviewed the posted speed limit in this area in response to this pedestrian crash or undertaken assessment of the need for a pedestrian crossing in this location. SECA Solutions note that NSW road rules require drivers turning into a side street to give way to

Summary of Issue Raised	Response
	people who are crossing the side street or slip lane at or near the intersection. Further, a pedestrian crossing should not be used to reinforce this rule.
Consideration for a set of mid-block pedestrian signals or upgrading the existing signalised intersection with pedestrian legs to cater for increased foot traffic in the area should be discussed further with TfNSW.	<p>Pedestrian crossings are available north of the site at Racecourse and Mann Street Pedestrian access to the station across Mann Street is also available via an existing pedestrian overpass (Gateway Centre Bridge) however the Gosford City Masterplan recommends the removal of this bridge.</p> <p>Measures to provide for the safe movement safe movement of pedestrians across the Mann Street are not the sole responsibility of this project. The location of any additional pedestrian crossing in the vicinity of the site would need to consider Council's plans for the existing pedestrian overpass as well as the impact of adjacent development and resultant pedestrian desire lines.</p>

4.1.2. Heritage NSW (Aboriginal Cultural Heritage)

Table 6 Response to Heritage NSW (Aboriginal Cultural Heritage)

Summary of Issue Raised	Response
Please update Heritage NSW's Departmental details in the ACHAR from Department of Premier and Cabinet to the Department of Planning and Environment.	Noted. This has been updated in the revised ACHAR at Appendix G .
Please clarify why the only newspaper advertisement was placed in the Koori Mail and not the local newspaper as per Section 4.1.3 of the <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> (DECCW).	During COVID lockdowns many local newspapers were no longer published in paper or delivered locally. This required Urbis to adapt their consultation approach. The public notice was published in the Koori Mail as this is an Aboriginal owned newspaper which has high circulation and readership within the Aboriginal community across New South Wales (c.100,000+ readers per fortnight). It was

Summary of Issue Raised	Response
	<p>found that registrations for projects increased as a result of placing public notices in the KooriMail. Publishing in an Aboriginal owned newspaper is also consistent with the ethos of the ACHA process and assists in supporting regional Aboriginal businesses. Urbis Heritage have had feedback on other projects that RAPs are supportive of the public notice placed in the KooriMail.</p>
<p>Heritage NSW recommends that all assessment should be undertaken prior to the approval of impacts to Aboriginal cultural heritage to establish the cultural significance of sites and inform the EIS. Without adequate and complete assessment, including recommended test excavation, it cannot be demonstrated that more places of significance or places which may further enhance the significance of the known Aboriginal cultural heritage in the area will not be found.</p> <p>However, Heritage NSW does understand that for the reasons specified including the nature of the site, test excavations are proposed to be conducted post project approval, in accordance with the measures outlined in the Aboriginal Cultural Heritage Management Plan (ACHMP).</p>	<p>Noted. Urbis Heritage understand HNSW's position regarding undertaking testing prior to approval and reaffirm that due to site conditions with an existing building and slab this is not possible.</p>
<p>Please provide clarification on the following excavation details:</p> <ul style="list-style-type: none"> ▪ Mechanical archaeological excavation should be limited to removal of fill and/or known culturally sterile sediments. All excavation of potential archaeological deposit should be undertaken by hand excavation methods. Please provide further details on how the removal of the existing structure and hardstand will be managed in relation to not impacting the potential archaeological deposit. ▪ Please provide further information on how finds of historical significance are identified, especially if they are found associated with Aboriginal cultural heritage. 	<p>Further details of the excavation methodology have been provided as below:</p> <ul style="list-style-type: none"> ▪ The existing structure will be demolished to slab with careful removal of the foundations using mechanical excavation under the supervision of a qualified archaeologist. Mechanical excavation will be monitored and ceased should natural soils be encountered. ▪ Mechanical excavation will be limited to the removal of hardstand and fill, and natural soils will be subject to hand excavation. Mechanical excavation will be monitored and ceased should natural soils be encountered. <p>Excavation will be monitored or undertaken by suitably qualified archaeologists, with the ability to recognise historically significant deposits. Should historically significant deposits be identified during the excavation works, HNSW will be</p>

Summary of Issue Raised	Response
<ul style="list-style-type: none"> ▪ Please provide further details on triggers for the expansion and cessation of excavation units based on the artefactual material identified during excavation and expected depth of works. ▪ The excavation methodology should include provisions for the expansion of excavation units to enable shoring, benching, and/or stepping of excavation units to allow for safe working conditions beyond 1.5 m below the surface. <p>The ACHAR must include provisions for the conservation and avoidance of highly significant Aboriginal Cultural heritage that may be identified during the test excavations.</p>	<p>notified through the submission of a Section 146 notification and an updated methodology provided to manage these unexpected finds.</p> <ul style="list-style-type: none"> ▪ Excavation units will be expanded where a significant number of objects, exception objects, or cultural layers are identified. For this purpose, a significant number of objects will be subject to the site conditions and context. It will typically be understood to be >5 objects, however if objects are only identified in a small number of test pits, this number may be revised down to the test pits with the highest frequency of objects. Excavation will stop upon the identification of culturally sterile layers (i.e where objects are no longer occurring). ▪ Provision for benching is included in Section 4.12.1 in the Amended Archaeological Research Design and Evacuation Methodology (Appendix H). <p>As per section 8.2 of the ACHA, “Further recommendations on the basis of the findings of the field investigations should be made within the post excavation report, including in relation to the management or interpretation any Aboriginal objects identified.”. This could include options for in-situ retention of significant deposits.</p>

4.1.3. Central Coast Council

Table 7 Response to Central Coast Council

Summary of Issue Raised	Response
<p>A detailed site plan is required showing existing and finished surface levels, existing structures, easements and adjoining development.</p>	<p>A detailed site plan was prepared and submitted with the SSDA package, refer to drawing DA-A-1001 of Appendix G of the submitted SSDA package.</p>
<p>Shadow diagrams are to be provided. Shadow impact on southern side shall be 1 hourly in winter time between 9.00am and 3.00pm.</p>	<p>Detailed shadow diagrams at 1 hour intervals on winter solstice were prepared by Lyons Architecture and provided from page 17 of the Architectural Plans (Appendix G) submitted with the SSDA package.</p> <p>The shadow diagrams demonstrate that the proposed scheme ensures 57% of the proposed publicly accessible open space receives 4 hours or more solar access between 9am and 3pm on the winter solstice, in compliance with the Gosford City Centre DCP 2018.</p> <p>It is also noted that following feedback from the City of Gosford Design Advisory Panel (CoGDAP), Lyons Architecture prepared massing studies that showed setting the built form back 6m from Mann Street allowed for the most solar access to the publicly accessible open space. Lyons Architecture also implemented adjustments to the façade canopy height to improve solar access to the publicly accessible open space.</p>
<p>Visual impact/view loss assessment to be provided from street and surrounding properties.</p>	<p>A Visual Impact Assessment was prepared by Terras Landscape Architects and was submitted as Appendix I to the SSDA package. The Visual Impact Assessment examined eight key locations surrounding the site.</p> <p>Terra Landscape Architects conclude that the overall visual impact from the proposed development is low. The incorporation of the publicly accessible open space through increased setbacks is a key design consideration making a positive contribution to the amenity of the site from all elevations. This proposal provides a refreshing facade change amongst the existing built environment streetscape of Mann Street and assists in achieving the urban revival of the desired, future character of City North as outlined in DCP 2018.</p>

Summary of Issue Raised	Response
<p>Address relevant planning controls, including SEPP (Precincts-Regional) 2021, Gosford City Development Control Plan 2018, SEPP (Resilience and Hazards) 2021, SEPP (Transport and Infrastructure) 2021.</p>	<p>All relevant statutory planning controls were assessed in Appendix C and Section 4 of the submitted EIS. The assessment within the EIS concludes that the proposal complies with the relevant provisions within the relevant instrument.</p>
<p>DA to be compatible for inclusion in Council's 3D model for the Gosford City Centre.</p>	<p>The requirement for a digital model was not communicated to the project team at the pre lodgement meeting. A digital model consistent with Councils' requirements can be submitted to Council as a condition of the SSDA consent.</p>
<p>Proposed development should address likely future development potential on adjoining lots to ensure the proposed development does not significantly reduce the development potential.</p>	<p>The proposed design was developed following two workshops and one panel session with the City of Gosford Design Advisory Panel (CoGDAP). Lyons Architecture set back the mass of the proposed building 6m from Mann Street to improve solar access to the public domain.</p> <p>As noted in Council's submission below, the proposal is well within the maximum building height and FSR permissible on the land, meaning that development of adjoining sites will not be limited by the proposal.</p>
<p>The site is zoned for a height of 60m and an FSR of 5:1. It is understood that this is a civic rather than a commercial building, however a taller building with greater density would be acceptable and appropriate in this context and may emphasise its importance in the streetscape.</p>	<p>The proposed built form was developed by Lyons Architecture with inputs from the wider project team and the CoGDAP. The final built form creates multiple significant street addresses, addresses the Gosford City Centre and embraces the natural local landmarks.</p>
<p>The proposal complies with setback controls and provides generous deep soil areas and landscaping however there is concern that there is no landscaping along the majority of the northern boundary and internal driveway to provide screening to and from any future residential development of the site to the north.</p>	<p>The proposal incorporates a native ground cover mix along the northern boundary and internal driveway. It is noted this area is a highly functional, constrained back of house area which operates as a driveway. Additional planting in this area would encroach upon the amount of the site available for the building as well as diminish the key public domain space within the centre of the site. A fence separates the site from the site to the north and any future development to the north can accommodate planting if required.</p>

Summary of Issue Raised	Response
<p>There are currently overhead power lines and services within the footpath that will impact the placement of street trees. The proposal to underground power is strongly supported.</p> <p>Consult with council on the location of water and sewer services to ensure street trees do not impact on these. Street trees in bulge outs in the road reserve will increase footpath width and access and are supported.</p>	<p>Noted.</p> <p>Consultation with Council regarding the location of water and sewer services will occur once the SSDA is approved.</p>
<p>Water and sewer are available to the land.</p>	<p>Noted.</p>
<p>Council Water and Sewer team supports the proposed sewer diversion plan as per proposed Civil plan C4.1. Detail design assessment will be carried out via the water management application process.</p>	<p>Noted and accepted.</p>
<p>The applicant is required to identify the depth of the existing water main along Mann St and Hills St where the proposed VAC are Subject to the depth of the existing water main, lowering of the water main may be required prior to construction of the new VAC. Further comments can be provided once more information is provided by the proponent.</p>	<p>The Dial Before You Dig report shows an old asbestos line along the site on Mann Street. Depths will be confirmed during construction by the Contractor for the Mann Street and Hills Street main. The Contractor will ensure cover is maintained.</p>
<p>Water and sewer developer charges will be applicable to the proposed development. The current rates are listed below:</p> <p>a. Water: \$2,807.15</p> <p>b. Sewer: \$1,972.06</p>	<p>Noted and accepted.</p>
<p>The proponent will be required to submit a S305 applicant under Water Management Act and obtain a S307 certificate prior to issue of the Occupation Certificate.</p>	<p>Noted and accepted.</p>

Summary of Issue Raised

The proposed laneway along the northern boundary of the site provides connection as a one way accessway for service vehicles between Mann and Hills Streets.

It is noted that the proposed egress turning paths as designed in the Parking and Transport Assessment prepared by SECA Solutions and the internal civil engineering plans prepared by Northrop Engineers do not provide the necessary pedestrian safety sight triangles in accordance with AS2890.1:2004 Fig 3.3. This requirement is considered essential due to the existing high pedestrian use of the footways areas around the site.

Response

Sight distance requirements for an access driveway are prescribed by Australian Standard AS2890.1:2004 Parking Facilities (Off-street Car Parking) which requires a minimum sight distance of 65 metres for the posted speed limit of 60 km/hr, with a desirable sight distance of 83 metres and AS2890.2.2002 Parking Facilities (Off-street Commercial Vehicle Facilities) which nominates a distance of 83 metres.

As noted in the Traffic and Parking Assessment (**Appendix D**), the sight distance for vehicles exiting the site at Hills Street to the north (left) is 125 metres, exceeding the requirements of both standards. To the south (right) the visibility is 75 metres which is beyond the roundabout intersection of Hills Street and Beane Street. The roundabout acts as a traffic calming device which sees vehicles travelling at less than the posted speed.

The sight distances meet the minimum requirements for AS2890.1 and meets with the requirement for a 50km/h frontage speed per AS2890.2 (69 metres). This sight distance is therefore considered appropriate for the operation of the driveway for both light and heavy vehicles also noting that the driveway has historically allowed for the commercial vehicle movements associated with the Mitre10 Hardware store.

In relation to pedestrian safety, vehicles exiting the driveway at Hills Street will be doing so at a slow speed given the gradient of the driveway. Drivers exiting the site will typically be familiar with the driveway and surroundings.

AS2890 nominates the suitable dimensions for sight splays for pedestrians and defines the minimum dimensions required to enable a pedestrian on the public road footpath to evade a vehicle emerging from an access driveway (AS2890.2). The requirement is 2.5m.

The footpath on Hills Street is located 1.95m from the property boundary and the north side fencing can be designed to ensure that visibility is available for a pedestrian to see an exiting vehicle within 600mm of the property boundary achieving the necessary distance. Pedestrian awareness can also be reinforced with suitable signage placed at the boundaries of the site.

Summary of Issue Raised	Response
<p>The proposed boom gates located within the accessway connecting to Hill Street provides sufficient clearances for passenger vehicles however it is not clear if service vehicles can negotiate the central barrier when exiting the laneway.</p>	<p>The boom gates have been removed from the proposal. The service vehicles swept path analysis prepared by Northrop (Appendix K) demonstrate that service vehicles can safely enter and exit the site.</p>
<p>The proposed footpath treatment (paving landscaping and street furniture) within Mann, Beane and Hills Street shall be designed in accordance with Councils adopted Gosford CBD Streetscape Design Guidelines.</p> <p>The proposed new vehicle access crossings within Mann and Hill streets are supported and the removal of redundant crossing & VCs within Mann, Beane and Hills Streets is required.</p>	<p>Noted and accepted.</p>
<p>Recommended Roads Act Conditions:</p> <p>1. Obtain a Roads Act Works Approval by submitting an application to Council for a Section 138 Roads Act Works Approval for all works required within the road reserve. The application is to be lodged using an Application for Subdivision Works Certificate or Construction Certificate, Roads Act Works Approval and other Development related Civil Works form. The application is to be accompanied by detailed design drawings, reports and other documentation prepared by a suitably experienced qualified professional in accordance with Council's Civil Works Specifications. Fees, in accordance with Council's Fees and Charges, will be invoiced to the applicant following lodgement of the application. Fees must be paid prior to Council commencing assessment of the application.</p>	<p>Noted and accepted.</p>
<p>Design drawings, reports and documentation will be required to address the following works within the road reserve:</p>	<p>Noted and accepted.</p>

Summary of Issue Raised

Response

- a) The reconstruction of kerb and guttering, subsurface pavement drainage, pedestrian ramps, service utility adjustment or relocation and road shoulder pavement including sealing across the Mann, Beane and Hills Street frontages of the site.
- b) Construction of full width footpath for the full street frontage of the development in Mann, Beane and Hills Streets designed in accordance with Councils Gosford CBD Streetscape Design Guidelines prepared by Oculus Landscape Architecture Design 2011.
- c) Construction of a commercial vehicle access crossings that has a width to accommodate the service vehicle turning paths within Mann and Hills Streets.
- d) Removal of all redundant vehicle gutter crossings / laybacks and replacement with kerb.
- e) Replacement of all damaged kerb and gutter with new kerb and gutter.
- f) Construction of any works required to transition the new works into existing infrastructure and the surrounding land formation.
- g) Construction of a storm water drainage connection from the development site to connect into Council's piped storm water drainage system within the Mann Street.

Note: The connection EKI shall be reconstructed to accommodate the new connection.
- h) Road pavement designs. An Investigation and Design report prepared by a practising Geotechnical Engineer must be provided. The pavement design thickness must be determined in compliance with Council's Civil design and Construction Specifications.

Summary of Issue Raised	Response
<p>The design is to be certified by a registered practising Civil or Structural engineer as being in accordance with Australian Standards.</p> <p>The section 138 Roads Act Works Approval must be issued by Council and all conditions of that approval must be addressed prior to occupying and commencing any works in the road reserve.</p>	
<p>Submit to Council a dilapidation report detailing the condition of all Council assets within the vicinity of the development. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs, street lights or any other Council assets in the vicinity of the development. The dilapidation report will be required to be submitted to Council prior to the issue of the Section 138 Roads Act Works approval or the issue of any construction certificate for works on the site. The dilapidation report may be updated with the approval of Council prior to the commencement of works. The report will be used by Council to establish damage to Council's assets resulting from the development works.</p>	<p>Noted and accepted.</p>
<p>Prepare a Construction Traffic and Pedestrian Management Plan (CTPMP) for all activities related to works within the site. The plan must be prepared and implemented only by persons with Roads and Maritime Service accreditation for preparing and implementing traffic management plans at work sites.</p> <p>The CTPMP must describe the proposed construction works, the traffic impacts on the local area and how these impacts will be addressed.</p> <p>The CTPMP must address, but not be limited to, the following matters:</p> <ul style="list-style-type: none"> ▪ Ingress and egress of construction related vehicles to the development site. 	<p>A Preliminary Construction Pedestrian and Traffic Management Plan was submitted as Appendix K to the SSDA package.</p> <p>A finalised Construction Pedestrian and Traffic Management Plan will be prepared by the project contractor once engaged.</p>

Summary of Issue Raised	Response
<ul style="list-style-type: none"> ▪ Details of the various vehicle lengths that will be used during construction and the frequency of these movement. ▪ Use of swept path diagrams to demonstrate how heavy vehicles enter, circulate and exit the site or Works Zone in a forward direction. ▪ Deliveries to the site, including loading / unloading materials and requirements for work zones along the road frontage to the development site. A Plan is to be included that shows where vehicles stand to load and unload, where construction plant will stand, location of storage areas for equipment, materials and waste, locations of Work Zones (if required) and location of cranes (if required). ▪ Works Zones if heavy vehicles cannot enter or exit the site in a forward direction. ▪ Control of pedestrian and vehicular traffic where pre-construction routes are affected. <p>Temporary Road Closures</p> <p>Where the plan identifies that the travel paths of pedestrians and vehicular traffic are proposed to be interrupted or diverted for any construction activity related to works inside the development site an application must be made to Council for a Road Occupancy Licence. Implementation of traffic management plans that address interruption or diversion of pedestrian and/or vehicular traffic must only take place following receipt of a Road Occupancy Licence from Council or the Roads and Maritime Service where on a classified road.</p> <p>Where a dedicated delivery vehicle loading and unloading zone is required along the road frontage of the development site a Works Zone</p>	

Summary of Issue Raised	Response
<p>Application must be lodged and approved by Council. A minimum of 3 months is required to allow Traffic Committee endorsement and Council approval.</p> <p>The Construction Traffic and Pedestrian Management Plan must be reviewed and updated during construction of the development to address any changing site conditions.</p> <p>A copy of the Construction Traffic and Pedestrian Management Plan must be held on site at all times and be made available to Council upon request.</p>	
<p>The Water Cycle Management Plan prepared by Northrop Engineers has been examined and is generally supported and is considered complying with Councils CC DCP 2022.</p> <p>The proposed rain gardens treatments within the site are supported subject to the preparation of Plan of Management to ensure on going performance.</p> <p>The proposed rain garden treatments located with Mann Street are not supported and shall be deleted from the Water Cycle Management Plan.</p>	<p>A rain garden treatment was not proposed along Mann Street, refer to the submitted Landscape Plans and Water Cycle Management Plan.</p> <p>Tree planting along Mann Street is now as per Central Coast Council standard details.</p>

4.1.4. Sydney Trains

Sydney Trains have provided draft conditions of consent to DPE. The project team have provided a response to these conditions in the table below.

Table 8 Response to Sydney Trains

Sydney Trains Draft Condition	Project team comment
<p>Prior to the issue of a Construction Certificate, the Applicant shall provide an accurate survey locating the development with respect to the rail boundary and</p>	<p>Accepted.</p>

Sydney Trains Draft Condition	Project team comment
<p>rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains' representative.</p>	
<p>Prior to the issue of a Construction Certificate, the Applicant shall undertake a Dial Before You Dig search to establish the existence and location of any rail services. Persons performing the Dial Before You Dig search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the subject development site, the Applicant must discuss with Sydney Trains as to whether these services are to be relocated or incorporated within the development site.</p>	<p>Accepted.</p>
<p>If required by Sydney Trains, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains.</p>	<p>This condition is considered onerous noting that this provides Sydney Trains with the ability to disrupt construction without notice. Suggested alternate wording is:</p> <p><i>If required by Sydney Trains, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys survey will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains.</i></p>
<p>If required by Sydney Trains, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The Principal Certifying Authority is not to issue the final Occupation</p>	<p>This condition is considered onerous noting that this provides Sydney Trains with the ability to disrupt construction without notice. This condition also restricts the issuing the OC. Suggested alternate wording is:</p> <p><i>If required by Sydney Trains, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains</i></p>

Sydney Trains Draft Condition	Project team comment
<p>Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.</p>	<p><i>and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.</i></p>
<p>The Applicant shall prepare an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning’s document titled “Development Near Rail Corridors and Busy Roads- Interim Guidelines”.</p> <p>The Applicant must incorporate in the development all the measures recommended in the report. A copy of the report is to be provided to the Principal Certifying Authority and Council prior to the issuing of a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.</p>	<p>Accepted.</p>
<p>Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.</p>	<p>Accepted.</p>
<p>The Applicant shall provide a Geotechnical Engineering report to Sydney Trains for review by Sydney Trains’ Geotechnical section prior to the commencement of works. The report shall demonstrate that the development has no negative impact on the rail corridor or the integrity of the infrastructure</p>	<p>Accepted.</p>

Sydney Trains Draft Condition	Project team comment
<p>through its loading and ground deformation and shall contain structural design details/analysis for review by Sydney Trains. The report shall include the potential impact of demolition and excavation, and demolition- and excavation-induced vibration in rail facilities, and loadings imposed on Sydney Trains Facilities by the development.</p>	
<p>Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows, and other external features (e.g., roof terraces and external fire escapes) that are within 20 metres of, and face, the rail corridor, the development must have measures installed, to the satisfaction of Sydney Trains (e.g., awning windows, louvres, enclosed balconies, window restrictors etc.) which prevent the throwing of objects onto the rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.</p>	<p>The site is 60m from the rail corridor, therefore this condition does not apply. It is requested that this condition is deleted.</p>
<p>The design, installation and use of lights, signs, and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the rail operator. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.</p>	<p>Accepted. However suggested removal of the last line, so construction is not delayed by Sydney Trains.</p> <p><i>The design, installation and use of lights, signs, and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the rail operator. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.</i></p>
<p>No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.</p>	<p>Accepted.</p>
<p>If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method</p>	<p>Accepted. However suggested inclusion of 'relevant' to allow for staged CCs:</p>

Sydney Trains Draft Condition	Project team comment
<p>Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.</p>	<p><i>If required by Sydney Trains, prior to the issue of a the relevant Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the relevant Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.</i></p>
<p>Prior to the issuing of a Construction Certificate the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains' requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains' requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.</p>	<p>Accepted. However suggested inclusion of 'relevant' to allow for staged CCs:</p> <p><i>Prior to the issuing of a the relevant Construction Certificate the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains' requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains' requirements. The Principal Certifying Authority is not to issue the relevant Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.</i></p>
<p>The Applicant must ensure that all drainage from the development is adequately disposed of and managed and not allowed to be discharged into the rail corridor unless prior written approval has been obtained from Sydney Trains.</p>	<p>Accepted.</p>
<p>The Applicant/Developer shall not at any stage block the corridor access gate on Mann Street and should make provision for easy and ongoing 24/7 access by rail vehicles, plant, and equipment to support maintenance and emergency activities.</p>	<p>Accepted.</p>
<p>Prior to the issuing of a Construction Certificate, the following final version rail specific items are to be submitted to Sydney Trains for review, comment, and written endorsement:</p>	<p>Accepted.</p>

Sydney Trains Draft Condition	Project team comment
<ul style="list-style-type: none"> ▪ Machinery to be used during excavation/construction. ▪ Demolition, excavation, and construction methodology and staging. <p>The Principal Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.</p>	
<p>Sydney Trains or Transport for NSW, and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.</p>	<p>Accepted.</p>
<p>If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains External Interface Management team to determine the need for public liability insurance cover. If insurance cover is deemed necessary, this insurance must be for a sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor and rail infrastructure, and must be maintained for the duration specified by Sydney Trains. The Applicant is to contact Sydney Trains External Interface Management team to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains' written advice to the Applicant on the level of insurance required.</p>	<p>The Proponent requests further information from Sydney Trains that outlines what information is required to make this request and how this process works.</p>
<p>If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains External Interface Management team to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney</p>	<p>The Proponent requests further information from Sydney Trains that outlines what information is required to make this request.</p>

Sydney Trains Draft Condition	Project team comment
Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.	
Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAHE (Transport Asset Holding Entity) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.	Accepted.
<p>The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:</p> <ul style="list-style-type: none"> ▪ oversees the carrying out of the Applicant’s obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains; ▪ acts as the authorised representative of the Applicant; and ▪ is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant. 	Accepted.
Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.	Accepted.
Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is Illawarra Interface, and they can be contacted via email on North_Interface@transport.nsw.gov.au .	The site is on the Central Coast, please confirm that the Illawarra Interface is the appropriate team.

4.1.5. Heritage NSW

Table 9 Response to Heritage NSW

Summary of Issue Raised	Response
The site is not listed on the State Heritage Register (SHR), nor is it in the immediate vicinity of any SHR items. Further, the site presents a low potential to contain any State significant historical archaeological relics. Therefore, no further heritage comments are required.	Noted and accepted.

4.1.6. Fire and Rescue

Table 10 Response to Fire and Rescue

Summary of Issue Raised	Response
No comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation.	Noted and accepted.

4.1.7. Biodiversity and Conservation Division

Table 11 Response to Biodiversity Conservation Division

Summary of Issue Raised	Response
There are no biodiversity concerns related to this development site.	Noted and accepted.
BCD recommends that the climate change scenarios modelled in the Gosford City CBD overland flood study be used for setting habitable floor levels rather than present day 1% AEP levels.	Climate change scenarios were reviewed from the flood model data.. The scenarios reviewed included: <ul style="list-style-type: none">1% AEP + 10% Climate Change increase

Summary of Issue Raised	Response															
	<ul style="list-style-type: none"> ▪ 1% AEP + 20% Climate Change increase ▪ 1% AEP + 30% Climate Change increase <p>The increase in flood elevation over the 1%AEP and the resulting freeboard are outlined in the table below.</p> <table border="1" data-bbox="1140 440 1957 735"> <thead> <tr> <th>Event</th> <th>Increase In Flood Elevation</th> <th>Freeboard to Floor Level (14.75)</th> </tr> </thead> <tbody> <tr> <td>1% AEP</td> <td>0mm (baseline data)</td> <td>540mm</td> </tr> <tr> <td>1% AEP + 10% climate change</td> <td>+ 33mm</td> <td>507mm</td> </tr> <tr> <td>1% AEP + 20% climate change</td> <td>+ 60mm</td> <td>480mm</td> </tr> <tr> <td>1% AEP + 30% climate change</td> <td>+ 76mm</td> <td>464mm</td> </tr> </tbody> </table> <p>As shown in the results, flood level increase due to climate change is observed to be small. This indicates the flooding behaviour in the area and on the site is not overly sensitive to the impacts of climate change. As the observed depth increase due to climate change does not significantly alter the flood behaviour, Northrop has concluded that the increase is able to be accommodated within the provided freeboard over the design life of the development.</p>	Event	Increase In Flood Elevation	Freeboard to Floor Level (14.75)	1% AEP	0mm (baseline data)	540mm	1% AEP + 10% climate change	+ 33mm	507mm	1% AEP + 20% climate change	+ 60mm	480mm	1% AEP + 30% climate change	+ 76mm	464mm
Event	Increase In Flood Elevation	Freeboard to Floor Level (14.75)														
1% AEP	0mm (baseline data)	540mm														
1% AEP + 10% climate change	+ 33mm	507mm														
1% AEP + 20% climate change	+ 60mm	480mm														
1% AEP + 30% climate change	+ 76mm	464mm														
BCD requires additional details to demonstrate that the proposed storage and treatment tanks are viable and will be able to function as required in flood events.	The tank has been relocated to a higher level on the site. The tank invert has been set above the 1% AEP flood level. The tank configuration and sections are shown on civil engineering drawings C33.2_Rev 5 and C35.6_Rev 1 at Appendix E .															
BCD recommends that Council staff continue to work with BCDs Water, Floodplains and Coast Team to ensure proposed zoning is appropriate to site water and flooding constraints.	Noted and accepted.															

4.1.8. NSW Environmental Protection Agency

Table 12 Response to NSW EPA

Summary of Issue Raised	Response
<p>The EPA recommends the Department of Planning and Environment requests an update of the EIS to include a management plan for potential onsite acid sulfate soils.</p>	<p>Kleinfelder have prepared an Acid Sulfate Soils Management Plan (Appendix I). The site is identified as Class 5 acid sulfate soils, meaning that development consent is required for the carrying out of works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m AHD and by which the water table is likely to be lowered below 1m AHD on adjacent Class 1, 2, 3 or 4 land.</p> <p>Class 4 land is present within 500m of the site to the south-east; however, this land is at an elevation of above 16m AHD.</p> <p>The Acid Sulfate Soils Management Plan provides recommendations for acid soil management procedures to be incorporated during the construction phase.</p>
<p>The EIS should estimate volumes of waste generated on the site and identify waste streams and disposal options for all waste including liquid waste, wastes classified as hazardous and wastes containing radiation.</p>	<p>Section 6.2.9 of the submitted EIS provides the estimated waste streams and quantities during demolition, construction and operation.</p> <p>Waste Management Plans were prepared by Elephants Foot (Appendix Z within the SSDA package) for the construction and operational phase and estimated waste and management, minimisation and storage requirements which reflect best-practice and promote strong sustainability initiatives.</p> <p>No hazardous or wastes containing radiation will occur on the site during operation.</p>

4.1.9. DPE Water Assessments

Table 13 Response to DPE Water Assessments

Summary of Issue Raised	Response
<p>Prior to Determination the proponent:</p> <ul style="list-style-type: none"> ▪ quantifies the maximum annual volume of water take due to aquifer interference activities required for the project, and ▪ demonstrates sufficient entitlement can be acquired in the relevant water source unless an exemption applies. <p>Post approval the proponent ensures sufficient water entitlement is held in a water access licence/s (WAL) to account for the maximum predicted take in each water source prior to take occurring unless an exemption applies.</p> <p>Recommendation – Prior to Determination: That the proponent provide an assessment of the dewatering activities against the ‘minimal impact considerations’ of the NSW Aquifer Interference Policy (AIP).</p>	<p>A Dewatering Management Plan has been prepared by Kleinfelder and is provided at Appendix J.</p> <p>Kleinfelder estimate that dewatering at the site can expect a maximum inflow of 1166L/day and the maximum volume of water to be disposed of during construction is likely to be approximately 104,976L. Kleinfelder recommends applying for a Water Access Licence (WAL) exemption. Under the exemption, a company can take up to 3 megalitres of groundwater through an aquifer interference activity per authorised project per water year without needing to obtain a WAL.</p> <p>This will be considered and addressed post SSDA approval.</p> <p>Groundwater is likely to require treatment on-site or be tankered off site for disposal at a suitably licensed facility. The treatment method will be confirmed with Central Coast Council by the Contractor after the initial sampling assessment, which is to be conducted prior to the start of dewatering proper.</p> <p>To assess the ongoing suitability of extracted water for discharging to the municipal sewer system, water quality monitoring will be undertaken prior to commencement and for the duration of dewatering activities at the site.</p>
<p>That the proponent prepare an Acid Sulfate Soil Management Plan in accordance with the NSW Acid Sulfate Soil Manual by including an acid sulphate soil and salinity monitoring plan.</p>	<p>An Acid Sulfate Soil Management Plan has been prepared by Kleinfelder and is provided at Appendix I. The Acid Sulfate Soils Management Plan provides recommended site acid soil management procedures to be incorporated during the construction phase.</p>

4.1.10. Central Coast Local Health District

Table 14 Response to Central Coast Local Health District

Summary of Issue Raised	Response
<p>NSW Ambulance Aeromedical Operations colleagues have advised that the aviation contractors have no concerns about the project and are satisfied with the Aviation Risk Assessment provided by Avi Pro.</p>	<p>Noted.</p>
<p>We request that consent conditions address appropriate assessment of air quality impacts, and support control measures to ensure that the community is not adversely affected by impacts on air quality.</p>	<p>Noted. The operation of the proposal does not involve uses that will result in adverse air quality impacts. Construction air quality impacts will be addressed through standard construction management measures.</p>
<p>A construction noise management plan and various impact management methods are recommended.</p> <p>We request consideration be given to consent conditions addressing the following:</p> <ul style="list-style-type: none"> ▪ a detailed Construction Noise Management Plan (all phases of work) be prepared and implemented, including appropriate noise and vibration impact controls, to the satisfaction of the appropriate regulatory authority. ▪ affected receivers should be consulted rather than notified of works (Environmental Acoustic Assessment p 41). The objective should be to establish works programs that create the least possible disruption to the community, noting the project hours of work will overlap with hours of occupation for both residential and commercial premises ▪ mitigation measures to the satisfaction of the appropriate regulatory authority be identified prior to works commencing, and effectively applied so that the surrounding community is not adversely affected 	<p>Noted and accepted as a condition of consent.</p>

Summary of Issue Raised	Response
<p>We request that the detailed Construction Management Plan and Hazardous Materials Management Plan are to the satisfaction of the appropriate regulatory authorities, with consent conditions to support this if required.</p>	<p>Noted and accepted as a condition of consent.</p>
<p>Management of risks associated with contaminated groundwater should be undertaken to the satisfaction of the appropriate regulatory authority. All necessary approvals must be obtained prior to work commencing. Appropriate consent conditions should be applied to ensure this.</p> <p>The Hazardous Materials Survey (Environmental Safety Professionals) notes the presence of certain hazardous materials (EIS p72) and proposes risk mitigation measures. We suggest that consent conditions address these recommendations, appropriate disposal methods and an unexpected finds protocol, to the satisfaction of the appropriate regulatory authority.</p>	<p>Noted and accepted as a condition of consent.</p>
<p>Best practice adoption of CPTED principles should be supported by consent conditions.</p>	<p>Noted and agreed. CPTED principles have informed the design of the proposal and operational management plan.</p>
<p>The Environmental Impact Statement (EIS) at page 49 notes that solar access to the public open space at the winter solstice meets requirements of section 4.3 of DCP 2018. We request confirmation that this is the best possible outcome achievable for the site, particularly considering the potential reduction in solar access as a result of the future second stage development (EIS p55).</p>	<p>As an outcome of further design development and feedback from the CoGDAP workshops, the building was setback from Mann Street to improve solar access to the public domain.</p> <p>As outlined in the CoGDAP feedback within the Design Report at Appendix H, the design has evolved through feedback sessions with the CoGDAP and achieves Design Excellence in accordance with clause 5.45 of State Environmental Planning Policy (Precincts–Regional) 2021.</p>
<p>A future link to Gosford Hospital and the University of Newcastle facilities at 77A Holden St Gosford is noted in the Architectural Design Report but considered beyond scope and the site in the Environmental Impact Statement (page 45). This link has potential to encourage movement between these destinations and</p>	<p>Noted. The link to Gosford Hospital is not within the site boundary and does not form a part of the scope. The Proponent cannot control projects/ outcomes outside of the site boundary.</p>

Summary of Issue Raised	Response
provide improved safety, compared to the existing route. We suggest that the feasibility of this link be considered however possible, as a priority.	
As recommended by the Environmental Acoustic Report, community liaison contact points should be made available to facilitate communication, and for the community to lodge concerns or complaints. We request that consent conditions be applied to address these comments.	Noted and accepted as a condition of consent.
Whilst the University aspires for all students to use public transport, walk if living within 2km, or cycle if living within 5km of campus, the reality is many will probably drive and current demand for public parking in the CBD, particularly around Gosford Hospital, already challenges supply.	<p>The proposal provides parking for 24 vehicles spaces which exceeds that provided by similar developments.</p> <p>The strategy to not provide parking for students is consistent with other City based Universities along with Transport for NSW Future Transport Strategy which is committed to delivering a range of transport infrastructure service and technology initiatives which aims to encourage travel by public and active transport (such as walking and cycling), rather than by private car, which can help reduce traffic congestion and greenhouse gas emissions.</p>
UoN has not set any explicit motorcycle mode share target and has not proposed to provide any motorcycle parking. Motorcycles may be an attractive mode of transport for students.	<p>One motorbike space has been included in the carpark, in accordance with the Central Coast Council DCP.</p> <p>The use of motorcycles as an alternate mode of travel is not consistent with the environmental goals of the project which is to encourage the use of public and active transport.</p>
The bicycle parking rate falls 13 spaces short of target and 79 spaces short of DCP compliance.	It is noted that the DCP requirement is for Educational Establishments with bike storage for children over Year 4 with a rate equivalent to 20% mode share or 1 per 5 students. Bicycle storage provided on the site reflects the mode share target for this development, with 69 spaces provided.
In line with the GTP, we request monitoring and review by the Department of Planning and Environment during the first year of implementation and once fully implemented.	Noted.

Summary of Issue Raised	Response
We recommend showers, lockers and motorcycle parking are quantified on the architectural plans.	Showers, lockers and motorcycle parking are quantified on the architectural plans at Appendix C .

4.2. RESPONSE TO COMMUNITY SUBMISSIONS

Table 15 Response to Community Submissions

Summary of Issue Raised	Response
The proposal does not provide enough parking spaces to support the number of students.	<p>The proposal provides parking for 24 vehicles spaces which exceeds that provided by similar developments.</p> <p>The strategy to not provide parking for students is consistent with other City based Universities along with Transport for NSW Future Transport Strategy which is committed to delivering a range of transport infrastructure service and technology initiatives which aims to encourage travel by public and active transport (such as walking and cycling), rather than by private car, which can help reduce traffic congestion and greenhouse gas emissions</p>
It is recommended 2 hour parking limits are incorporated to discourage students from parking in surrounding residential streets.	Noted. The project cannot influence street parking controls which are controlled by Council.

5. UPDATED PROJECT JUSTIFICATION

This section provides an updated justification and evaluation of the project as a whole. An updated table of proposed mitigation measures is provided at **Appendix B** which has regard to the economic, environmental and social impacts of the proposal.

The proposal represents a positive development outcome for the site and surrounding area for the following reasons:

- **The proposal is consistent with state and local strategic planning policies:**

The proposal is consistent with the relevant goals and strategies contained in:

- Central Coast Region Plan 2041
- Draft Central Coast Local Strategic Planning Statement
- Gosford Urban Design Framework
- Better Placed.

- **The proposal satisfies the applicable local and state development controls:**

The proposal is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including

- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Precincts – Regional) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*

- **The design responds appropriately to the opportunities and constraints presented by the site:**

- The proposed development responds to the site context. The urban form has been carefully considered to provide publicly accessible open space to the key entry corner of Mann and Beane Street.
- Following massing studies, Lyons Architecture found setting the built form back 6m from Mann Street enhanced the solar access to the publicly accessible open space.
- The proposed minimum floor level is RL14.75, which is above the flood planning level inclusive of all climate change scenarios.
- A salvage methodology is to be prepared by a heritage consultant to guide and manage the salvage of bricks of the existing heritage listed Mitre 10 building for potential re-use within the proposal.
- The design has balanced the provision of open space, solar access and urban design. The proposal maximises solar access to a public open space on a site that does not have favourable orientation.

- **The proposal is highly suitable for the site:**

- The site is identified as 'Key Site 1' under the Gosford City Centre DCP 2018 due to its size and proximity to Gosford Railway Station and offers significant and unique urban renewal opportunities.
- The proposal is consistent with relevant State and local strategic plans and substantially complies with the relevant State and local planning controls.
- The proposed development responds to the site context. The urban form has been carefully considered to provide publicly accessible open space to the key entry corner of Mann and Beane Street.
- The Detailed Site Investigation confirms the site is suitable for development without the need for remediation, however de-watering mitigation measures have been recommended to minimise any effects on the local stormwater network.

- A BDAR Waiver granted on 9 December 2022 confirms that the proposed development is not likely to have any significant impact on biodiversity values.
- **The proposal is in the public interest:**
 - The proposal is consistent with relevant State and local strategic plans and substantially complies with the relevant State and local planning controls.
 - By expanding its presence on the Central Coast, the University will play a pivotal role in transforming Gosford into a thriving university-city at the heart of the region.
 - The proposal will provide significant, legible and usable area of publicly accessible open space.
 - The University will help close skills gaps, increase educational participation rates, generate new jobs, support emerging industries, develop the health services workforce, and foster innovation and entrepreneurship.
 - No adverse environmental, social or economic impacts will result from the proposal.

In view of the above, it is considered that this SSDA has significant merit and should be approved subject to the implementation of the mitigation measures described in this report and supporting documents.

DISCLAIMER

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A

SUBMISSIONS REGISTER

APPENDIX B

UPDATED MITIGATION MEASURES

APPENDIX C

ARCHITECTURAL PLANS

APPENDIX D

TRAFFIC AND PARKING RESPONSE LETTER AND REVISED TRAFFIC AND PARKING ASSESSMENT

APPENDIX E

CIVIL ENGINEERING DRAWINGS

APPENDIX F

**ABORIGINAL CULTURAL HERITAGE
RESPONSE TO SUBMISSIONS**

APPENDIX G

**AMENDED ABORIGINAL CULTURAL
HERITAGE ASSESSMENT REPORT**

APPENDIX H

AMENDED ARCHAEOLOGICAL RESEARCH DESIGN AND EVACUATION METHODOLOGY

APPENDIX I

**ACID SULFATE SOIL MANAGEMENT
PLAN**

APPENDIX J

DEWATERING MANAGEMENT PLAN

APPENDIX K

SERVICE VEHICLE SWEPT PATHS

APPENDIX L

FLOODING RESPONSE

