

STRATEGY > DEFINITION > DELIVERY > TRANSITION

STATEMENT OF ENVIRONMENTAL EFFECTS



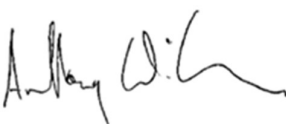
**ALTERATIONS AND ADDITIONS TO EXISTING REGISTERED
CLUB (GOSFORD RSL)
2 – 20 YALLAMBEE AVENUE WEST GOSFORD**

APP Corporation Pty Limited
27/05/2019

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This report has been prepared and reviewed in accordance with our quality control system. The report is a preliminary draft unless it is signed below.

This report has been prepared by: Anthony Williams

Signature 

Date 27/05/2019

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1. Executive Summary

This Statement of Environmental Effects (SEE) has been prepared by APP Corporation Pty Limited (APP) on behalf of the Gosford RSL (the proponent) to accompany a development application (DA) for alterations and additions to an existing Registered Club, be constructed over Lot 22, DP1201808, known as 2 – 20 Yallambee Avenue, West Gosford (the site).

This SEE has been prepared pursuant to Section 4.2 of the *Environmental Planning and Assessment Act 1979* and Clause 50 of the *Environmental Planning and Assessment Regulation, 2000*. The SEE seeks to:

- Describe the proposed development and its context (immediate / local / regional);
- Assess the proposal against the applicable planning controls and guidelines; and
- Assess the potential environmental impacts and describe any measures to mitigate impacts.

This SEE relates to the proposal for alterations and additions to an existing registered club comprising:

- The extension of the existing registered club with a 6,800m² club building and 46 at grade parking spaces underneath the building. The floor space of the extension will comprise a mix of function, dining, lounge, gaming and bar facilities supported by ‘back of house’ space including kitchens, food and beverage dispensaries, storage and loading facilities, amenities, and administration;
- The demolition of the existing club building;
- The construction of 128 parking spaces with associated landscaped areas within the footprint of the existing club building; and
- Ancillary landscaped areas

The proposal will have a capital investment value exceeding \$30 million. Consequently, the Hunter and Central Coast Joint Regional Planning Panel will be the consent authority for the development.

The proponent and consulting team has met with Central Coast Council’s town planning and development service team on two occasions. The matters raised in this meeting have been considered in the final development concept and addressed in the SEE and supporting technical plans and reports. Importantly, the proponent has flagged the need to vary Council’s development standard relating to building height of 8.5 metres to achieve an appropriate design response in terms of functionality and aesthetics. As provided in meeting minutes, Council have been supportive of the proponent’s intent to vary this development standard.

This SEE assesses the design for the site, as prepared by WMK Architects against the relevant considerations of Section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

The SEE finds that the project will:

- Deliver a landmark building for the locality that positively contributes to the urban form in a local context;
- Enhance the Club's offerings through the inclusion of new and improved eateries, bars and lounges, a theatre, conference/event facilities, and entertainment facilities;
- Enable the Club to have an improved presence through better addressing the Central Coast Highway;
- Result in streetscape improvements that will set a new benchmark for the West Gosford Locality;
- Provide an appropriate response to identified environmental constraints; and
- Through the provision of a new club facility the proposal will continue to serve the Gosford community, whilst offering employment opportunities.

For the above stated reasons, this SEE finds the proposal to be in the public interest and worthy of Council's approval.

The relevant technical reports and drawings relied upon in the preparation of this application are appended to this report and include:

- | | |
|--|----------------------------|
| • Detail and Topographical Survey | Barry Hunt and Associates |
| • Water Cycle Management and Flooding | Lindsay Dynan |
| • Architectural Plans | WMK |
| • Clause 4.6 variation | APP |
| • Traffic Impact Assessment | SECA Solutions |
| • Acoustic Impact Assessment. | Spectrum Acoustics |
| • Landscape Concept Plans | Sturt Noble and Associates |
| • BCA Compliance Advice | NewCert |
| • Cost Estimate | Muller Partners |
| • Waste Management | Pitt and Sherry |
| • Geotechnical and Acid Sulphate Soils | Douglas Partners |
| • Phase 1 Contamination Assessment | Douglas Partners |

2. The Site and Context

2.1 Legal Description and Site Address

The land subject to this development application (the site) is legally described as Lot 22, DP1201808 and known as 2 – 20 Yallambee Avenue, West Gosford.

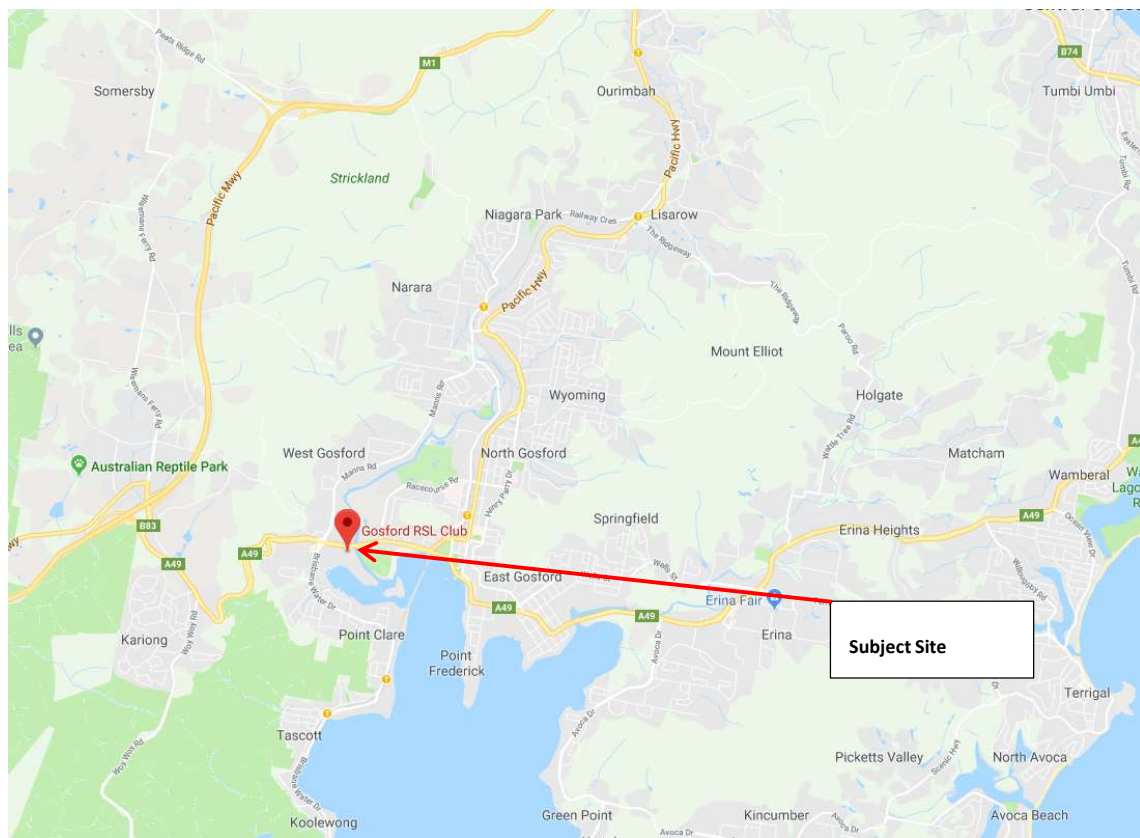
The site is owned by Gosford RSL Ltd, who are the proponents and applicant. Owners consent to lodge the DA is provided at **Appendix A**.

2.2 Site Location and Context

2.2.1 Land Use and Settlement Pattern

The subject site is located at West Gosford, approximately 2km west of the Gosford CBD. The site has frontage to the Central Coast Highway to the north, Yallambee Avenue to the south and Narara Creek to the east. The Yallambee Lodge residential aged care facility, operated by Evergreen Life Care is found to the south east of the site. This stands as the only sensitive receiver in the curtilage of the site. **Figure 1** shows the location of the site in the broader context of Gosford.

Figure 1 Regional Context (Source: Google Maps)



As shown in **Figure 2**, the site is situated amongst a precinct which accommodates a range of commercial, light industrial and retail activities. The proximity of Yallambee Lodge to the existing and proposed club extension is evident in **Figure 2**.

Figure 2 – Local Context



Bulky goods retailers including Office Works, Spotlight and Amazon along with Bunnings Hardware are found to the immediate west of the site and occupy large footprint, single level warehouse style buildings. The scale and appearance of these buildings is provided in **Figure 3**.

As provided in **Figure 4**, the mix of land uses and building typologies is more diverse on the northern side of the Central Coast Highway, including bulky goods retailers (Domayne), liquor retailers (Dan Murphy's), fast food offerings (KFC), service stations, a motel, and a multi tenanted four storey commercial building.

Further to the east, playing fields are found in Adcock Park which accommodate a range of team-based sporting activities.

2.2.2 Road Infrastructure and Public Transport

Public transport is provided through existing bus stops to both sides of the Central Coast Highway, with connection across the highway via the existing traffic signals. The Central Coast Highway is understood to accommodate 4,850 vehicles during the peak period (4:15pm – 5:15pm) and up to 48,000 vehicle movements per day, whilst peak hour volumes along Yallambee Avenue have been found to be significantly lower with two-way volumes averaging 900 vehicles per hour. This would give daily flows in the order of 9,000 vehicles per day. The volume of traffic in Yallambee Avenue is generated by the RSL club, Yallambee Lodge Retirement Village, and the commercial developments consisting of Bunnings, Anaconda, Officeworks and Spotlight.

Major upgrade works along the Central Coast Highway were completed in 2015 including the Manns Road / Brisbane Water Drive intersection and extending east to Yallambee Avenue.

Figure 3 – Surrounding Land Uses - West



Figure 4 – Surrounding Land Uses North



2.2.3 Local Environmental Constraints

As provided in **Figure 5**, Narara Creek, situated to the immediate east is flanked by dense vegetation, which screens the site to the east and acts as a riparian corridor. Brisbane Waters is found further to the south. The site is situated around 50 metres from the top of the bank of Narara Creek. The site and surrounds are situated on the Narara Creek flood-plain. As described in the Water Cycle Management plan provided at **Appendix K**, the 1% AEP flood level (1 in 100 flood level) stands at 1.90m AHD.

Figure 5 – Site Context - East



According to the Gosford Acid Sulphate Soils (ASS) Risk Map, the site is within an area identified as disturbed terrain with soil investigations required to assess the site for ASS. The geotechnical investigation report (**Appendix N**) finds that acid sulphate soils are present in the dark brown silt and silty sand soils underlying the site.

2.3 Site Attributes

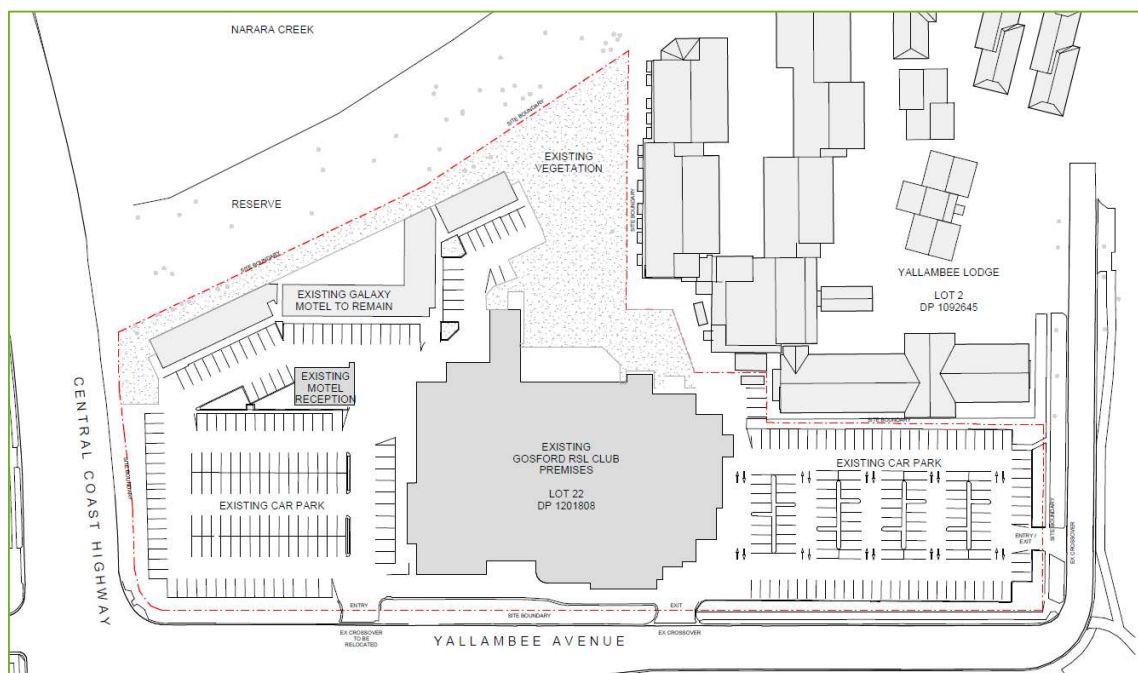
2.3.1 Improvements

The site has an area of 21,353m² and is irregular in shape. The site has frontage to the Central Coast Highway and Yallambee Avenue. The site benefits from three (3) driveway crossings connecting the site with Yallambee Avenue. Improvements within the site include the existing single level club facility, which has a gross floor area of 4,690m², 258 dedicated parking spaces, situated to the north and south of the existing club facility. The 52 room Galaxy Motel is found in the north eastern corner of the site and is operated by the Gosford RSL.

A review of Council's record of approvals for the site and historical records is provided in the Preliminary Site Investigation which accompanies the application at **Appendix H**. This report does not indicate that the site has been subject to historical practices which would result in contamination of soil or groundwater. Notwithstanding, soil sampling has been undertaken as part of investigations to address any areas of environmental concerns or information gaps in historical investigations.

The location of existing improvements are generally reflected in **Figure 6**.

Figure 6 – Existing Improvements



Reticulated services are provided to the club building, while an underground power supply traverses the northern property boundary. This supply is covered by an easement. Details on the location of the easement are provided in the topographical and detail survey which is found at **Appendix B**

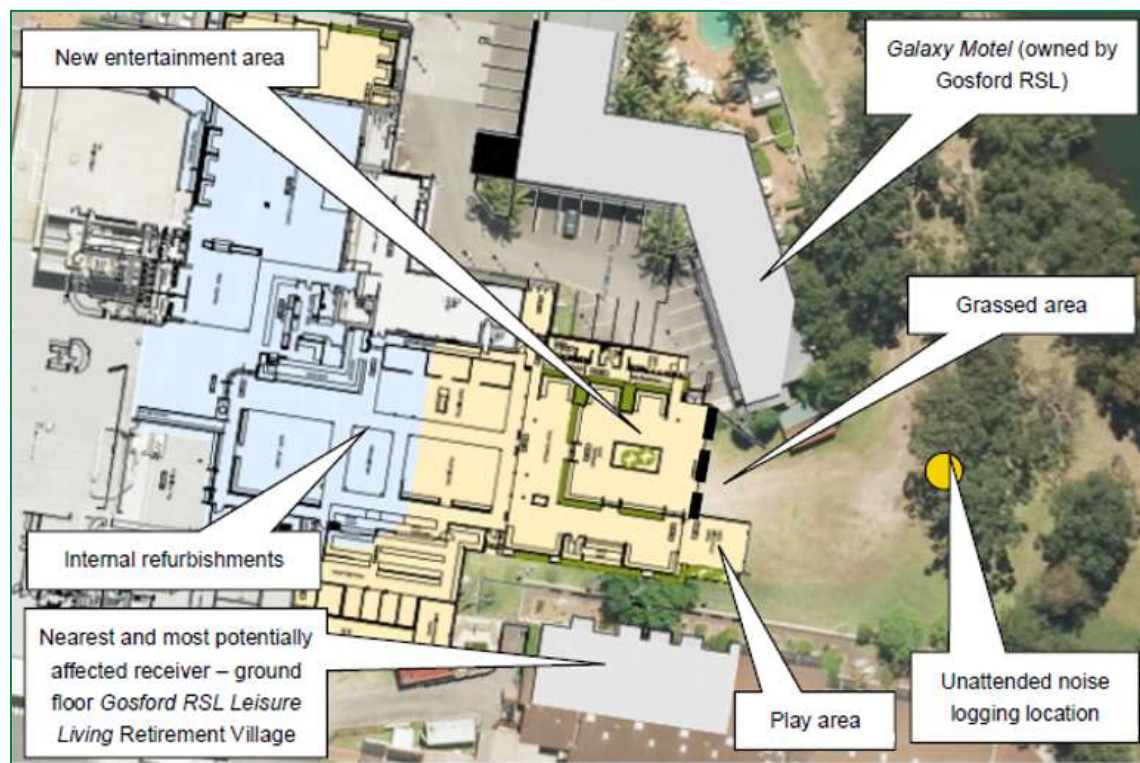
2.3.2 Recent Approval History

In 2016, Gosford RSL secured development consent (DA49069/2015) for works including alterations and additions to the existing club building. The development consent also allowed for modifications to the car parking areas. The approval allows for:

- An overall increase in the gross floor area (GFA) of 1,340m², resulting in a total GFA of 6,030m²;
- A minor reduction in parking numbers from 258 parking spaces to 252 spaces.

The location of the approved alterations and additions is reflected in **Figure 7**.

Figure 7 – Approved Alterations and Additions (DA49069/2015)



2.3.3 Topography

The site is relatively flat and generally slopes from east to west and is split into two catchments. Levels in the vicinity of the proposed club extension footprint range from RL1.72m to RL1.28m. Stormwater drains via a conventional pit and pipe network to either Yallambee Avenue or Narara Creek.

2.3.4 Identified Environmental Constraints

An opportunities and constraints analysis, including a review of a Section 149 Certificate and consultation indicates that the site is or may be affected by the following environmental constraints:

- Flooding;
- Acid Sulphate Soils;
- Contamination associated with historical land uses; and
- Operational noise impacts on Yallambee Lodge.

These constraints have been assessed in determining the suitability of the site to accommodate the development. Assessment has been made in the context of the relevant legislation and associated environmental planning instruments and guidelines.

2.3.5 Heritage - European

A review of the NSW Heritage Database (**Appendix F**) finds that the site does not contain any heritage items.

<http://www.environment.nsw.gov.au/heritageapp/viewheritageitemdetails.aspx?id=5014132>

2.3.6 Heritage - Indigenous

A desktop search of the Aboriginal Heritage Information Management System (AHIMS) was completed. The search adopted a 50-metre buffer to identify:

- Information about Aboriginal objects that have been reported to the Director General, Department of Premier and Cabinet
- Information about Aboriginal Places which have been declared by the Minister for the Environment to have special significance with respect to Aboriginal culture
- Archaeological reports.

The AHIMS report was obtained that indicates there are no registrations, known artefacts or objects on the site. Refer to **Appendix G** for a copy of the AHIMS reports for the site.

2.3.7 Traffic Impacts – Existing Operations

Traffic surveys were undertaken by SECA to determine traffic patterns associated with existing operations. Investigations found that the peak traffic volumes occur generally outside of the traditional road network peak periods, with peak demands occurring at lunch time during the week and higher demands in the evenings and weekends generally after 6.00pm when the background traffic movements are much lower.

Surveys were conducted on 19 January and 2 February 2018 from 5.30pm to 7.30pm. A further survey was undertaken on Friday 22 June 2018 from 4.00pm to 7.30pm in response to RMS comments made on the DA application. On 19 January 216 vehicle trips were recorded during the 2-hour period with 139 trips recorded during the peak period (5.30pm to 6.30pm). On 2 February 282 vehicle trips were recorded in 2 hours with 172 recorded in the peak period (5.30pm to 6.30pm).

On the 22 June 2018 the peak network period was recorded during 4.00pm to 5.00pm which is consistent with previous intersection counts conducted at this site by SECA Solution in November 2017 and February 2018. During this peak period 784 vehicles were recorded in Yallambee Avenue, however, only 119 of these (15%) were associated with the RSL Club. During the peak period for the RSL Club a total of 499 vehicles were recorded in Yallambee Avenue. 161 of these vehicles (32%) were associated with the RSL Club. The remaining 68% of vehicles in Yallambee Avenue were associated with the bulky goods developments (66%) on the western side of Yallambee Avenue or the retirement village south of the RSL Club (2%).

3. Proposed Development

3.1 Overview

The proposed development comprises alterations and additions including :

- The extension of the existing registered club with a 6,800m² club building and 46 at grade parking spaces underneath the building. The floor space of the extension will comprise a mix of function, dining, lounge, gaming and bar facilities supported by 'back of house' space including kitchens, food and beverage dispensaries, storage and loading facilities, amenities, and administration;
- The demolition of the existing club building and motel reception;
- The construction of a carpark (128 spaces) with associated landscaped areas within the footprint of the existing club building;
- Facia signage;
- Ancillary landscaped areas; and
- Ancillary plant and equipment including but not limited to roof top air conditioning condensers, exhaust fans and refrigeration plant).

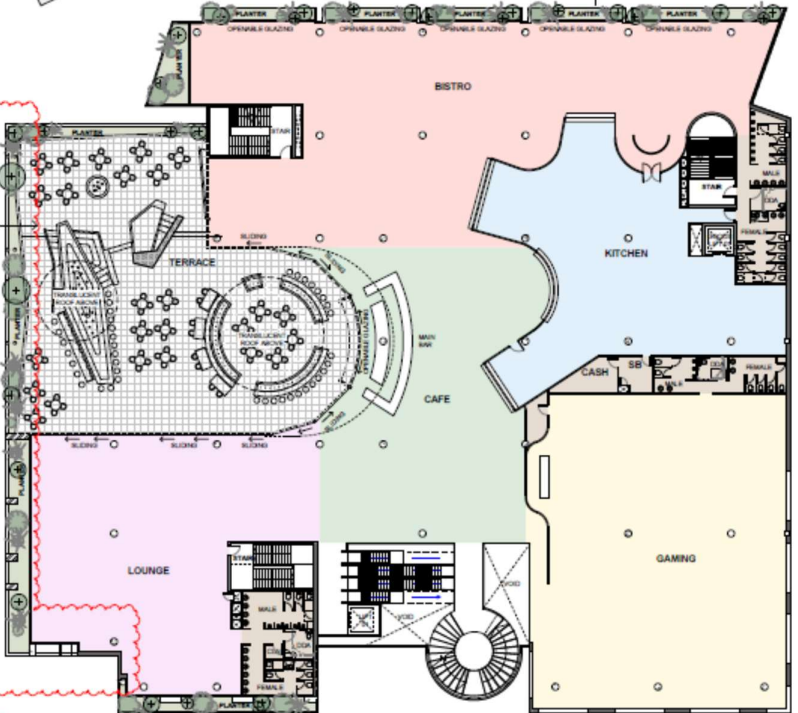
Refer to the below and accompanying architectural plans prepared by WMK Architects (**Appendix C**) for further details. As provided in the BCA Review (**Appendix O**), the building will comprise the following mix of BCA classifications:

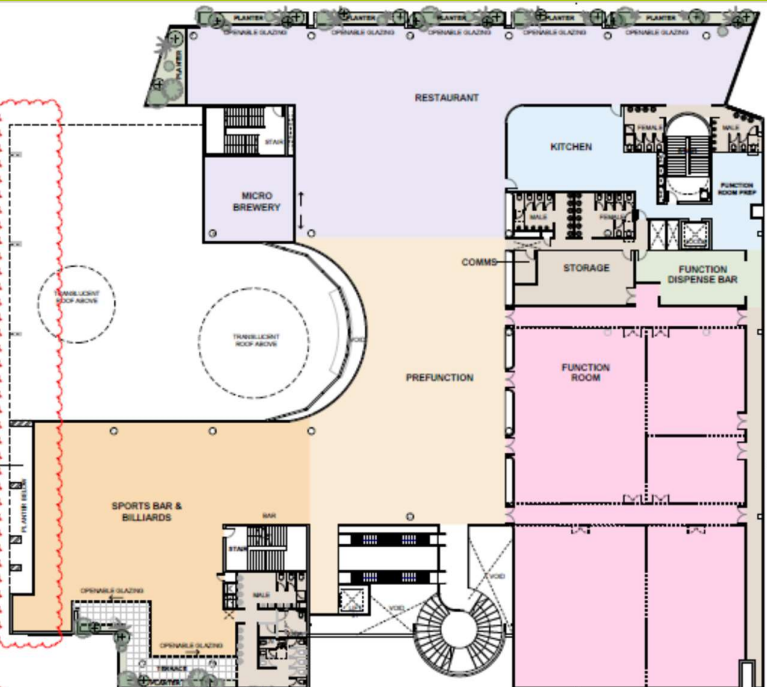
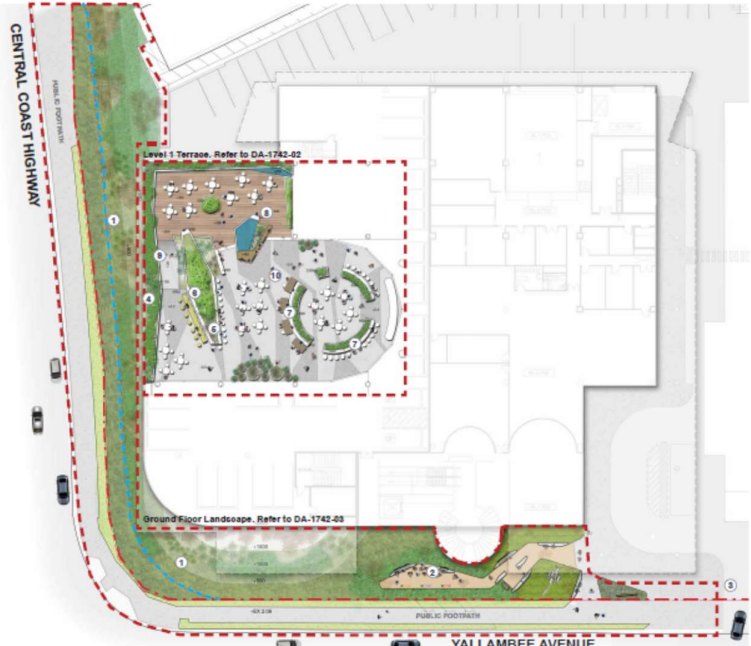
- Class 7a carpark – ground floor;
- Class 5 administration and back-of-house areas – ground floor;
- Class 9b club – ground, Level 1, Level 2.

The building will be subject to Type A construction requirements under the BCA.

The following table provides a summary of the proposal per level:

Table 1 Details of the Development

Level	Mix of Use	Plan
Ground – GFA 1,340m ²	46 parking spaces, Storage and Loading Dock, Staff Administration and Amenities, Waste, Foyer and Museum	
First Floor – GFA 2,740m ²	Café, Bistro, Gaming, Lounge, Terrace, Patron Amenities, Back of House Kitchen,	

Level	Mix of Use	Plan
Second Floor – GFA 2,720m ²	Formal Dining Restaurant, Sports Bar, Function Room, Kitchen, Patron Amenities, Brewery, Ancillary Storage and Dispensary	
External	Landscaping, 128 parking spaces, service road.	

Level	Mix of Use	Plan
External Signage	Signage forming part of western elevation and southern elevation. Refer to Architectural plans for signage sizes.	

The development will have an estimated construction cost of \$31,807,000 ex GST (Refer to Cost Report at **Appendix I**). As provided in the architectural plans (**Appendix C**), the building will be constructed to a maximum height of RL20.55m. This represents a maximum height of 18.1 metres.

3.2 Development and Construction Staging

Whilst the application is submitted as alterations and additions to an existing Registered Club, ultimately there will be only one club building. For a short period of time the existing and new club building will remain on site and will, to satisfy requirements under the Registered Clubs Act 1976, be connected. Practically, at no point in time, will both buildings be fully operational. Consequently, there will not be a duplication of club floor space. Following occupation of the new club building, after a short period of time all activities within the existing club will cease. Within a period of six months the existing club building will be demolished and replaced with at grade car parking.

On completion of the works, when compared to the club operations approved under DA 49069/2015, the proposal will result in an increase in GFA of 770m² and provision of the required minimum 291 car parking spaces.

During construction, it is anticipated that the car park to the south of the existing club building and peripheral to the Galaxy Motel will remain available to patrons. This would provide around 192 spaces on site.

3.3 Pre-Lodgement Consultation

Two meetings were held with the Council's development services unit. The minutes of the meeting are attached at **Appendix J**. The proposed development seeks to respond to the key matters identified by Council, as described in meeting minutes.

3.4 Civil and Stormwater Management Works

Civil works will primarily involve:

- the construction of at grade car parks underneath the proposed new club building;
- works associated with the construction of the new at grade car park within the footprint of the existing club building;
- excavation works for the new club building; and

- construction of stormwater management infrastructure to support the new building and car park.

The stormwater management system will seek to utilise a conventional pit and pipe networks. The proposed layout will introduce additional landscaping and retain roof water via re-use tanks. Other infrastructure such as pit baskets and rain gardens will be placed throughout the new car park footprint to manage water quality from hardstand areas. The design includes provision for overland flow paths to account for the 100 year major storm event and seek to mimic the existing conditions through discharging to accommodate higher flows whilst maintaining adequate freeboard to habitable and non habitable floor areas.

A stormwater concept plan and supporting calculations is provided at **Appendix D**.

During construction soil erosion and sediment control measures will be implemented. The plan provided in **Appendix D** details the general arrangements proposed.

3.5 Landscaping Works

The landscape concept plan, prepared by Sturt Nobel and Associates accompanies the application at **Appendix E**. The landscape concept seeks to provide an outcome which responds to and integrates with the proposed built form. Key elements of the proposal include:

- The provision of a landscaped berm / mound addressing the Central Coast Highway and Yallambee Crescent to screen the at grade car park situated below the new club building;
- Integrated landscape treatments to Level 1 Terrace;
- Commemorative garden incorporating commemorative plaque and repositioned aircraft gun.

The concept seeks to incorporate a range of treatments and elements in recognition of the intended use of the space and in response to the opportunities and constraints presented by the proposed built form.

3.6 Waste Management

A construction and operational waste management plan (WMP) has been prepared and is provided at **Appendix P**. This plan details the waste management and minimisation activities to be carried out during demolition, including the existing club building, construction and operation of the premises including:

- Specification of wastes and recyclables by expected type and volume, and nominated reuse and recycling potential.
- Nominated siting of waste storage, waste infrastructure and recycling facilities for demolition, construction and final use.
- Specification of how and where residual wastes will be disposed of (including collection schedules that will need to be implemented during the operational phase of the redevelopment).
- Specification of residual waste disposal (including collection schedules during the operational phase).
- Confirmation of ongoing operational waste management, including:

- Management of amenity.
- Effective separation of recyclables.
- The handling of special wastes in a clean, safe and efficient manner.

Importantly, the plan makes provision for unexpected finds including asbestos, other hazardous building materials and contaminated materials.

The WMP also considers the suitability of proposed loading dock and storage areas to accommodate collection by a waste contractor. Waste will typically be collected daily by the appointed contractor.

In terms of operational waste management, a graded garbage store area, with a floor area of approximately 45m² is proposed on the south-western corner of ground floor which will be accessed by multipurpose lifts from the upper levels.

The WMP provides measures which will need to be taken into account during the detailed design of these spaces.

Bins will be transported the short distance from the waste bin room to the collection point beside the loading bay. From the loading dock, bins will be emptied into the service truck by the appointed waste contractor, who can access the site and loading dock in a forward direction, with minimal reversing movements required to enter the loading dock. **Figure 8** details the general arrangements for the waste storage area, whilst **Figure 9** shows the proposed manoeuvring arrangements and swept path analysis for the waste collection vehicle.

Figure 8 – Proposed Waste Storage Enclosure

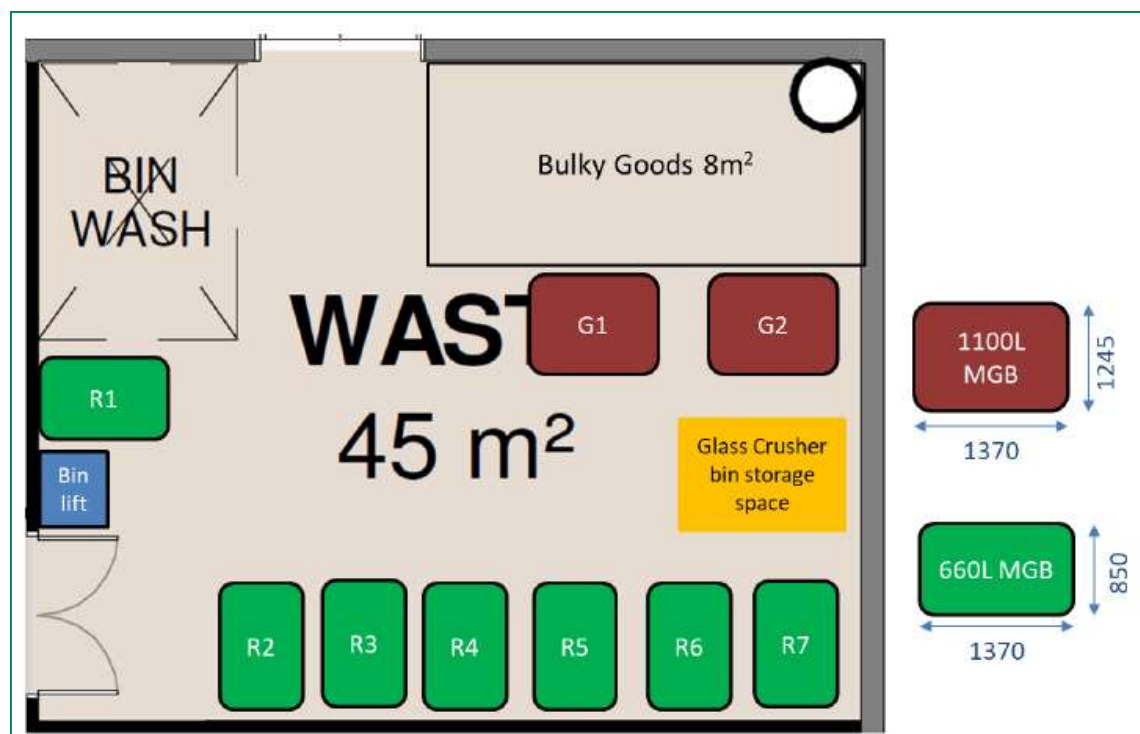
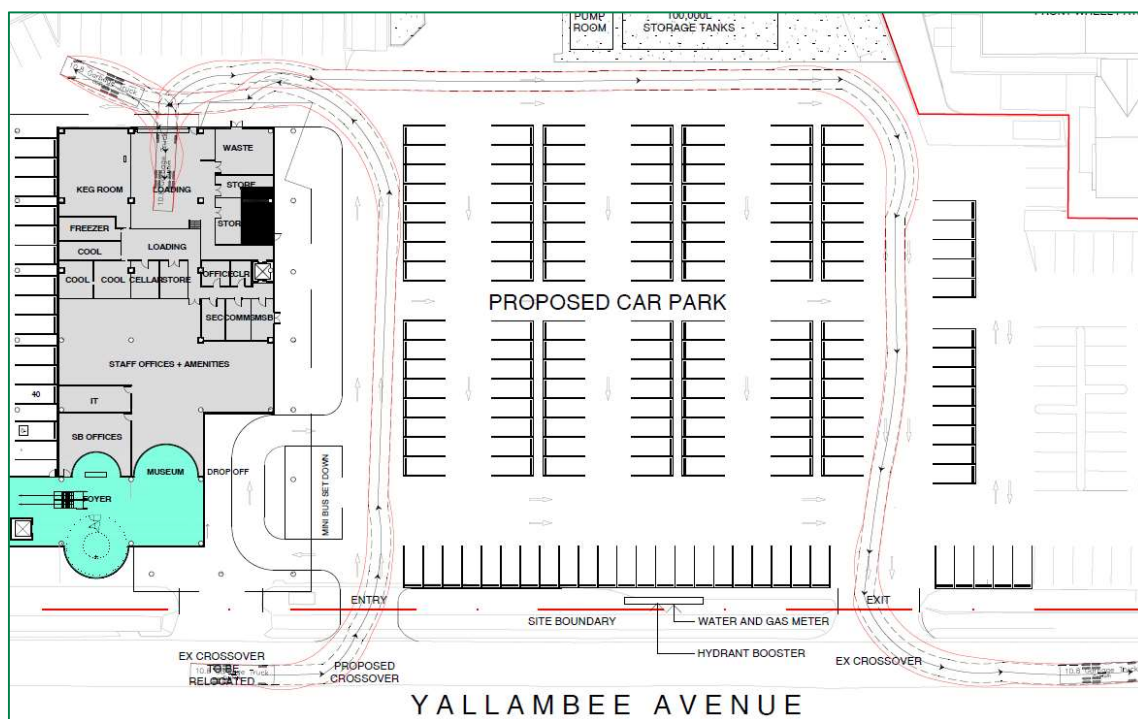


Figure 9 – Garbage Truck / Delivery Vehicle Swept Path Analysis



3.7 Access and Circulation

A new entry driveway will be provided 10 metres south of the existing northern entry / exit driveway. The existing southern driveways will be retained as part of the development.

Service vehicles (deliveries and waste collection) will enter via the new access off Yallambee Avenue and proceed along the internal access road to the eastern side of the building where the loading dock will be located. The loading dock will provide for both deliveries and waste collection.

Service vehicles will be able to reverse on site into the loading dock then exit in a forward direction, circulate around the perimeter of the adjacent carpark and exit via the existing southern driveway onto Yallambee Avenue.

A dedicated mini bus set down area is provided adjacent to the main entry. Provision is also made for a dedicated covered drop off area adjacent to the main entry. A detailed swept path analysis of all vehicle movements is provided in the Traffic Impact Assessment (**Appendix M**).

3.8 Operational Details

Table 2 details key operational details:

Table 2 – Operational Details

Operation	Proposal
Trading Hours and hours of operation.	Sunday to Wednesday: 9am – 1.30am Thursday to Saturday: 9am – 3.30am Activities likely to occur outside of these hours may include: - Food and beverage deliveries; - Cleaning; - General Maintenance of plant and equipment, landscaped areas etc - Waste collection.
Access	The proposal seeks to utilise existing driveway crossings fronting Yallambee Avenue and as detailed in Figure 9 will also relocate one driveway crossing to the south. No direct access is proposed from the Central Coast Highway. The club courtesy bus will continue to serve patrons through providing a pick up and drop off service for those who reside in the surrounding catchment.
Car Parking	A total of 291 spaces will be provided to support club and motel operations. While a total of 350 spaces will be available on site at completion of the works, the proponent requires that only 291 spaces are to be made available in support of club and motel operations. 46 spaces will be provided underneath the new club building. Following the demolition of the existing club building 128 spaces will be constructed within the footprint of this building. The development will include provision for 4 accessible spaces. The balance of spaces available for the club will be provided in the existing car park to the south of the existing club building.
Courtesy Bus	A courtesy bus will be retained and available for members and guests of the Club.
Motel Reception	As the motel reception office will be demolished, these services will be provided within the new club building. Motel operations will remain consistent with current arrangements.

4. Planning Framework

This section summarises the approval requirements for the proposal, including its permissibility under relevant planning instruments, and the application of other environmental legislation.

The legislation and environmental planning instruments relevant and applicable to the subject site and proposal include:

- Environmental Planning and Assessment Act 1979 (EP&A Act 1979);
- Heritage Act 1977;
- National Parks and Wildlife Act 1974;
- Water Management Act 2000;
- Environmental Planning and Assessment Regulation 2000;
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (State and Regional Development) 2011
- Gosford Local Environmental Plan 2014
- Gosford Development Control Plan 2014

Where relevant, these controls are addressed below.

4.1 Assessment Pathway

As established in this submission, and in accordance with Section 4.2 of the EP&A Act 1979 the proposal is development that needs consent and is therefore subject to the provisions of Part 4 of the EP&A Act 1979. Based on the cost of works (\$31,807,000ex GST), the proposal becomes *regional development* as described in Part 4 of SEPP (State and Regional Development) 2011 and Section 4.5(b) of the EP&A Act 1979.

As such the Hunter and Central Coast Joint Regional Planning Panel (JRPP) will be the consent authority for the proposal.

4.2 Relevant Legislation

4.2.1 Environmental Planning and Assessment Act, 1979

The EP&A Act provides the framework for environmental planning and development approvals and includes provisions to ensure that the potential environmental impacts of a development are assessed and considered in the decision-making process.

As outlined in Section 4.1, the proposal is subject to assessment under Part 4 of the EP&A Act.

4.2.1.1 Objects of the Act

The objects of the EP&A Act are:

(a) to encourage:

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) the protection, provision and co-ordination of communication and utility services,*
- (iv) the provision of land for public purposes,*
- (v) the provision and co-ordination of community services and facilities, and*
- (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) ecologically sustainable development, and*
- (viii) the provision and maintenance of affordable housing, and..."*

For the reasons set out below, it is considered that the proposed development satisfies the above stated objects of the Act:

- The proposed development will promote the social and economic welfare of the local community through the provision of a high quality not for profit club facility which exists to serve its members and the wider community;
- Creation of additional jobs during the construction and support of the local commercial precinct;
- The proposal will result in the orderly and economic use and development of land as the site is of an appropriate size, location and land use zoning to enable the development;
- Appropriate utility services are available; and
- There will be no unreasonable adverse impacts on the environment.

4.2.1.2 Section 77A - Designated Development

The proposal is not designated development as described in Section 4.10 of the EP&A Act.

4.2.1.3 Section 79(C) Evaluation

Section 4.15(1) of the Environmental Planning and Assessment Act, 1979 (“the Act”) specifies the matters which a consent authority must consider when determining a DA.

The relevant matters for consideration under Section 4.15 of the Act are addressed in the Table below. Also refer the detailed analysis of the proposal provided in the SEPP 65 Statement prepared by WMK accompanying this SEE.

Table 3 – Section 79C Considerations

Section 79C	Reference within this SoEE
(a) the provisions of:	
(i) any environmental planning instrument, and	Refer to Section 4.3 of this submission
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Refer to Section 4.3.5 of this submission
(iii) any development control plan, and	Refer to Section 4.3.4
(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and	No reference. No planning agreement has been entered into with respect to the site or proposed development.
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	Refer to Section 4.2.2 of this submission
(v) any coastal zone management plan (within the meaning of the <u>Coastal Protection Act 1979</u>),	No reference. While the subject site is situated in the coastal zone, a coastal zone management plan has not been prepared for this part of the site.
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	Refer to Section 4.5 of this submission and associated technical reports and plans.
(c) the suitability of the site for the development,	Refer to Section 4.6 of this Submission and associated technical reports and plans.

Section 79C	Reference within this SoEE
(d) any submissions made in accordance with this Act or the regulations,	To be considered as part the assessment process.
(e) the public interest	Refer to Section 4.8 of this Submission.

4.2.1.4 Section 4.46 - Integrated Development

This Section of the Act defines integrated development as matters which require consent from Council and one or more approvals under related legislation. In these circumstances, prior to granting consent Council must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development.

The proposal does not require approval under any of the acts listed in Section 4.46 of the EP&A Act 1979.

4.2.2 Environmental Planning and Assessment Regulation 2000

This application satisfies relevant clauses of the Regulation as follows:

- Clause 50(1)(a) - the nominated documentation is provided (accompanying this SEE);
- Clause 92 - Demolition will be undertaken in accordance with AS 2601 - 1991: The Demolition of Structures; and
- Clause 98 - All building work will be carried out in accordance with the provisions of the Building Code of Australia.

4.2.3 Heritage Act, 1977

The *Heritage Act 1977* is concerned with all aspects of conservation ranging from the most basic protection against indiscriminate damage and demolition of buildings, through to restoration and enhancement.

Heritage places and items of particular importance to the people of NSW are listed on the State Heritage Register. A search of the register (**Appendix F**) shows there to be no items of local or state heritage significance on or in the curtilage of the site.

4.2.4 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) provides the basis for the legal protection and management of Aboriginal sites within NSW. Sections 84 and 90 of the NPW Act provide statutory protection for any physical/material evidence of Aboriginal occupation of NSW and places of cultural significance to the Aboriginal community. The key principles of the Act in relation to Aboriginal heritage are the prevention of unnecessary or unwarranted destruction of Aboriginal objects, and the active protection and conservation of objects which are of high cultural significance. It is an offence

to knowingly disturb an Aboriginal object, irrespective of its nature or significance, without the prior consent of the Director-General of the NSW OEH.

An AHIM search (**Appendix G**) has been obtained to identify any registrations or known artefacts or objects on, or within the vicinity of the site. Based on the disturbed nature of the site and current records, it is considered that further investigations are not required in this instance.

4.2.5 Protection of the Environment Operations Act, 1997

Activities required to obtain a licence under the Protection of the Environment Operations Act 1997 (POEO Act) are detailed in Schedule 1 of the Act.

The proposal is not consistent with the description of any activity listed in Schedule 1 of the POEO Act.

4.3 Environmental Planning Instruments

4.3.1 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 requires that land contamination be considered whenever a planning authority considers a development where the new use may increase risk from contamination, if it is present. This means that the consent authority must routinely consider whether land is suitable for a proposed use in terms of the risk from contamination. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.

Managing Land Contamination Planning Guidelines SEPP 55–Remediation of Land provides a decision-making framework to assist authorities carrying out planning functions under the EP&A Act 1979 and guidance for proponents pursuing a rezoning, development consent or modification under the Act. In the case of the subject application, the planning authority is compelled to consider whether the land is suitable, or can and will be made suitable.

An initial evaluation, undertaken by Douglas Partners (**Appendix N**) of the site, including a review of historical records, site walk over and review of OEH records finds that the potential sources of contamination, present a low to negligible risk to receptors, in considering the setting and proposed future use of the site.

Notwithstanding, potential sources of contamination within the site include uncontrolled filling, which has the potential to introduce contaminated material to the site and the placement of fill over organic sediments, which has the potential to generate hazardous ground gases.

An intrusive investigation, including five boreholes was undertaken to advise on the contamination status of the soils within the site. Laboratory analysis of identified contaminants of concern was undertaken including common contaminants associated with filling including:

- Heavy metals;
- Phenols;
- Asbestos
- TRH - total recoverable hydrocarbons;
- BTEX - benzene, toluene, ethylbenzene, xylene
- PAH - polycyclic aromatic hydrocarbons;
- PCB - polychlorinated biphenyls;
- OCP - organochlorine pesticides and
- OPP - organophosphorous pesticides

In discussing the findings of the sampling programme, Douglas Partners advise that the laboratory results indicate that all contaminant concentrations in the soil samples analysed were within the adopted site assessment criteria (commercial / industrial).

Douglas Partners further advise that the fieldwork and laboratory test results suggest a low risk to human health across the site, provided that the potential for hazardous ground gases, primarily methane and carbon dioxide are assessed and managed (if required). It is considered appropriate for these investigations to be completed as part of the detailed design phase so the mitigation measures (if required) can be planned and implemented.

On this basis, it is assessed that the site is likely to be suitable for the proposed development in accordance with Clause 7 of SEPP 55 and no further investigations are required prior to the determination of a development application.

4.3.2 State Environmental Planning Policy (State and Regional Development) 2011

SEPP (State and Regional Development) seeks to confer functions on Planning Panels to determine development applications in certain circumstances.

Part 4 of the SEPP provides that a regional panel (in this case the Hunter-Central Coast Joint Regional Planning Panel (JRPP) may exercise consent authority functions, including the determination of development applications, for development identified within Schedule 7 of the SEPP (State and Regional Development).

The proposal is described as regionally significant development within Schedule 7 of SEPP (State and Regional Development) as being *General Development with a Capital Investment Value over \$30 million*. Consequently, the application will be determined by the JRPP rather than Central Coast Council.

4.3.3 SEPP Infrastructure 2007

The aim of the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) is to facilitate the effective delivery of infrastructure across NSW by identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure such as classified roads and prescribing consultation requirements for certain development.

The proposal constitutes a traffic generating activity, comprising a premises licensed under the Registered Clubs Act 1976 with more than 200 car parking spaces. Clause 104 of the ISEPP requires that the consent authority is to give written notice to RMS. Accordingly; the proposal will be referred to RMS for comment.

4.3.4 SEPP 14 - Coastal Wetlands

SEPP 14 – Coastal Wetlands seeks to ensure that coastal wetlands are preserved and protected across the State.

Clause 7 places restrictions on the development of land affected by SEPP 14 and states that the following works shall not be undertaken except with the consent of the Council and the concurrence of the Director of the NSW Office of Environment and Heritage:

- (a) clear that land,
- (b) construct a levee on that land,
- (c) drain that land, or
- (d) fill that land,

Regional mapping indicates that a small portion of the site, adjacent to the southern boundary contains SEPP 14 wetlands. This appears to be a mapping anomaly, as this part of the site is predominantly a paved area with landscaping and not representative of a wetland environment. Furthermore, the proposed development footprint is situated on the northern part of the site and well clear of the mapped (yet non-existent) SEPP 14 wetland.

On this basis the concurrence of the Director of the NSW Office of Environment and Heritage is not required.

4.3.5 Gosford Local Environmental Plan 2014

The Gosford LEP 2014 provides the mechanism and framework for the management and orderly and economic development and conservation of land in the former Gosford Local Government Area.

Table 4 provides an overview of those provisions of the Gosford LEP 2014 relevant to the site and proposed development and an assessment demonstrating how the proposal is consistent with the requirement

Table 4 – GLEP Assessment

LEP Provision	Requirement	Planning Assessment
Land Use Zone and Zone Objectives Zone B5 – Business Development	1 Objectives of zone - To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres. - To ensure that development is compatible with the desired future character of the zone. - To provide and protect land for employment-generating activities. - To encourage the location of business and other premises requiring large floor plates in appropriate locations to ensure they do not sterilise commercial or residential areas. - To recognise the importance of business lands at Erina and locations supporting Gosford City Centre at West Gosford and Wyoming. - To recognise small isolated business and commercial areas located throughout Gosford.	The subject application comprises alterations and additions to an existing Registered Club. The proposal relates to a use which is permitted with consent in the B5 Business Development Zone. The proposal is considered to be consistent with the objectives of the zone as it: - Involves the development of a land use which requires a large floor plate; - Will not affect the viability of other commercial activities or sterilise residential areas; - Will continue to provide an employment generating activity on the site, whilst allowing for further opportunities on the site and not compromising the development of other land in the locality for employment generating purposes The scale of the development is consistent with the immediate surrounds and representative of the area's evolution as a business park. This SEE demonstrates that the impacts on the amenity of nearby developments will be acceptable in terms of noise, privacy, overshadowing and aesthetics. In summary the proposal is thought to be consistent with the objectives of the B5 Business Park Zone.

LEP Provision	Requirement	Planning Assessment
	- To recognise the range of service activities located in business areas that support business development. - To ensure that business areas are not sterilised by residential development.	
Land Use Table / Permissibility	2 Permitted without consent Nil 3 Permitted with consent Bulky goods premises; Centre-based child care facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Passenger transport facilities; Respite day care centres; Roads; Warehouse or distribution centres; <u>Any other development not specified in item 2 or 4</u> 4 Prohibited Agriculture; Air transport facilities; Amusement centres; Biosolids treatment facilities; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Educational establishments; Electricity generating works; Entertainment facilities; Environmental facilities; Environmental protection	The proposed development is most appropriately characterised as a registered club and is defined in the GLEP 2014 as follows: registered club means a club that holds a club licence under the <u>Liquor Act 2007</u>. A registered club is a land use which is permitted with consent in the zone as <i>any other development</i>.

LEP Provision	Requirement	Planning Assessment
	works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Hospitals; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Rural supplies; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems	
Clause 4.3 Height of Buildings	1) The objectives of this clause are as follows: (a) to establish maximum height limits for buildings,	The proposal has a maximum building height of 18.1m when measured from the ground level to the highest point of the building. The adopted height of buildings map prescribes a maximum building height of 8.5 metres.

LEP Provision	Requirement	Planning Assessment
	(b) to permit building heights that encourage high quality urban form, (c) to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight, (d) to nominate heights that will provide an appropriate transition in built form and land use intensity, (e) to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area, (f) to protect public open space from excessive overshadowing and to allow views to identify natural topographical features. (2) The height of a building on any land is not to exceed the maximum height shown for the land on the <u>Height of Buildings Map</u>.	While this represents a substantial numerical departure from the prescribed development standard, the impacts are acceptable and in the context of the site, the surrounds and the proposed development, the proposed height is considered appropriate. Clause 4.6 of the NLEP 2012 provides the circumstances under which development consent can be granted to development that contravenes a development standard. A written request (Clause 4.6 variation request) is made and is provided at Appendix L. This request demonstrates that: • compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and • that there are sufficient environmental planning grounds to justify contravening the development standard.
Clause 4.4 Floor Space Ratio	(1) The objectives of this clause are as follows: (a) to provide an appropriate density of development consistent with the established centres hierarchy, (b) to ensure building density, bulk and scale makes a positive contribution towards the desired built form as	The density and scale of the development is consistent with the desired built form for the locality, and compatible with the scale of surrounding development, in particular that found on the southern side of the Central Coast Highway. The design of the building includes elements to provide a suitably articulated form which has the effect of reducing bulk and scale. As such the proposal represents an improved outcome for the street when compared to the attributes of adjoining development. The design also responds

LEP Provision	Requirement	Planning Assessment
	identified by the established centres hierarchy. (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the <u>Floor Space Ratio Map</u>. (2A) Despite subclause (2), the maximum floor space ratio for a building on land in any zone in this Plan is to be determined as if the area of the access laneway of a battle-axe lot were not part of the area of the lot.	appropriately to the adjoining-built form to the west and open space afforded by Narara Creek to the east. Furthermore, the floor space ratio for the development stands at 0.32:1, which is substantially below the development standard prescribed on the adopted Floor Space Ratio Map of 1:1.
Clause 5.5 – Development in the Coastal Zone	(1) The objectives of this clause are as follows: (a) to provide for the protection of the coastal environment of the State for the benefit of both present and future generations through promoting the principles of ecologically sustainable development, (b) to implement the principles in the NSW Coastal Policy, and in particular to: (i) protect, enhance, maintain and restore the coastal environment, its associated ecosystems, ecological processes and biological diversity and its water quality, and (ii) protect and preserve the natural, cultural, recreational and economic attributes of the NSW coast, and	The relevant matters have been considered in the assessment of this application and are considered consistent with the stated aims and objectives.

LEP Provision	Requirement	Planning Assessment
	(iii) provide opportunities for pedestrian public access to and along the coastal foreshore, and (iv) recognise and accommodate coastal processes and climate change, and (v) protect amenity and scenic quality, and (vi) protect and preserve rock platforms, beach environments and beach amenity, and (vii) protect and preserve native coastal vegetation, and (viii) protect and preserve the marine environment, and (ix) ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and (x) ensure that decisions in relation to new development consider the broader and cumulative impacts on the catchment, and (xi) protect Aboriginal cultural places, values and customs, and (xii) protect and preserve items of heritage, archaeological or historical significance.	
Clause 6.2 - Earthworks	(1) The objectives of this clause are as follows:	The proposal will involve some minor earthworks, ancillary to the development and associated with

LEP Provision	Requirement	Planning Assessment
	(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land, (b) to allow earthworks of a minor nature without requiring a separate development consent. (2) Development consent is required for earthworks unless: (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or (b) the earthworks are ancillary to other development for which development consent has been given. (3) Before granting development consent for earthworks, the consent authority must consider the following matters: (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development, (b) the effect of the proposed development on the likely future use or redevelopment of the land,	the levelling of the building footprint, installation of services, establishment of footings and installation of stormwater retention tank. The proposal is not likely to have detrimental impacts on soil stability or drainage patterns. A Sediment & Erosion Control Plan is attached at Appendix D. Measures identified on this plan will be in place at the commencement of construction and maintained for the duration of the construction program. The subject site is a disturbed site with a long history of urban use, and it is unlikely that the proposal will result in the disturbance of any previously undiscovered archaeological objects.

LEP Provision	Requirement	Planning Assessment
	(c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area. (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. Note. The <i>National Parks and Wildlife Act 1974</i>, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.	
Clause 7.1 Acid Sulphate Soils	(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.	The subject site is identified as containing Class 2 Acid Sulphate Soils. An Acid Sulphate Soils Management Plan has been prepared and provided at Appendix N. The plan has been prepared taking into account the requirements of the Acid Sulphate Soils Manual.

LEP Provision	Requirement	Planning Assessment
Clause 7.2 – Flood Planning	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development: (a) is compatible with the flood hazard of the land, and (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and (c) incorporates appropriate measures to manage risk to life from flood, and (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	This clause applies to land at or below the flood planning level. An assessment of the likely impacts of flooding on the proposed built form and any impacts of the proposal is provided at Appendix K and in summary at Section 4.6 of this report.

4.3.6 Any draft environmental planning instruments

No draft environmental planning instruments apply to the proposed development.

4.4 Gosford Development Control Plan 2013

The Gosford Development Control Plan (DCP) 2013 contains general controls across land forming part the former Gosford Local Government Area (LGA) and specific controls in relation to certain types of development.

The application of the Gosford DCP 2013 has been considered in the context of Section 79C(3A) of the EP&A Act 1979, which compels the consent authority to be flexible in applying development standards and performance criteria and to allow for reasonable alternate solutions.

Table 5 provides an assessment of those matters relevant to the subject site and proposed land use, and having regard to Section 4.15(3) of the EP&A Act justifies any departures from specified controls.

Table 5 DCP Compliance

DCP Provision	Planning Assessment	Compliance
Part 2.1 - Character	The subject site is situated in the West Gosford 'Main Road Employment' precinct. The proposed development is consistent with the desired future character of this precinct through: - • Providing a high-quality building in a prominent, high exposure location, which seeks to address both frontages; • Siting the building behind landscaped street frontages, including the use of the landscape berm; • Reducing bulk and scale through adopting a variety of materials and finishes, avoiding a uniform building height, incorporating substantial elevated out door areas, with appropriate landscaping; • Providing a clear and defined building entry	Yes
Part 2.2 Scenic Quality	The proposal is subject to the provisions of Gosford Development Control Plan (DCP) 2013 Chapter 2.2 – Scenic Quality and is located within the Gosford Central Geographic Unit and encompasses the Landscape Units of Narara Creek, Ourimbah Creek and Cut Rock Creek. The principle aim of the Scenic Quality Development Control Plan is to provide guidelines for the interpretation and management of the Scenic Quality of Gosford and provides for the following objectives: <i>i to provide a detailed assessment of Gosford's landscape character which highlights the diversity between and within landscape units;</i> <i>ii to detail the components of that landscape character;</i> <i>iii to provide a comparative ranking of the landscapes; and</i> <i>iv to develop appropriate guidelines for the management of the landscape character.</i> The proposal seeks to improve the existing scenic qualities / built form, when compared to the improvements found on the subject site and is therefore consistent with the stated objectives of Gosford DCP 2013 Chapter 2.2 - Scenic Quality.	Yes
Part 6.1 – Acid Sulphate Soils	Part 6.1 of the DCP seeks to provide for the effective management of Acid Sulphate Soils across the LGA and provides a procedure for assessing development on land which may contain acid sulphate soils. This procedure is provided below: Step 1 Check Clause 7.1 of the Gosford LEP 2014 and the Development Control Plan 2013 - Acid Sulphate Soils maps. These maps introduce various classes of land and determine whether a Development Application is necessary. Step 2 If the Gosford LEP 2014 and the Development Control Plan 2013 - Acid Sulphate Soil Maps held by Council identify that a Development Application is required, there are two	Yes

DCP Provision	Planning Assessment	Compliance
	options. Either: A suitably qualified professional is required to carry out a preliminary soil assessment to determine the extent of acid sulphate soil. Details are provided in Section 6.1.9 of this chapter and the Office of Environmental Heritage (OEH) Guidelines. 1. Assume that the soils within the site of the proposal contain acid sulphate soil and by-pass this step and carry out step 3. Step 3 Engage a suitably qualified professional to prepare an Acid Sulphate Soil Management Plan for all proposals which will disturb/expose acid sulphate soils or potential acid sulphate soils. The relevant mapping has been assessed and an Acid Sulphate Soils Management Plan has been prepared and is provided at Appendix N.	
Part 6.3 – Erosion Sedimentation Control	This provision seeks: • To prevent land from being degraded by soil erosion or unsatisfactory land and water management practices. • To protect streams and waterways from being degraded by erosion and sediment caused by unsatisfactory land and water management practices. • To promote and protect biodiversity. This part of the DCP compels the proponent to submit: • An Erosion and Sediment Control Plan; and • A Soil and Water Management Plan. The soil erosion and sediment control plan provided at Appendix D includes a range of controls to manage exposed soils during rainfall events and treat runoff prior to discharge from the site.	Yes.
Part 6.7 – Water Cycle Management	Part 6.7 requires that the following documentation is submitted with proposals with a footprint of 2000m² of greater: • Site plan showing roofed, other impervious areas, topography and the location of easements & underground services, • Drainage plan showing catchments, drainage systems, and discharge point including calculations of runoff (with and without blockage), • Overland runoff flow paths (across the site and beyond the site boundaries clearly shown) • Setback distances from buildings to infiltration devices and drainage easements, • Demonstrate setback distances from buildings to top of bank of creeks, • Water Saving Target: demonstrate compliance	Yes.

DCP Provision	Planning Assessment	Compliance
	- Retention target: Show rainwater tank/s, infiltration devices, and any stormwater capture, storage and slow release devices (including a table showing sizes, and details for each, along with calculations which demonstrate achievement of stormwater capture volumes and replenishment times for each device and for the overall site. - On Site Detention Target: Detail the OSD device including size, outlet control and configuration, along with calculations which demonstrate the achievement of the predevelopment peak flowrates - Stormwater quality target: Show location of each landscaping pollution retention measure (including a table showing calculations, sizes, and details for each; along with a table showing calculations of the overall Site Discharge Index). - Local Overland Drainage Target: Show raised floor levels, cut & fill, overland flow paths, and discharge points. - Flooding Targets: Show details of applicable targets, including: floor levels, flood impacts, access & parking (if applicable). - BASIX certificate for residential developments, - for commercial and industrial sites, a summary of water conservation measures to be applied on site, including an estimate of total water demands and expected savings associated with water conservation measures / alternative water sources, as well as detail on how water demands will be managed and monitored, - plans and cross-sectional drawings of stormwater treatment systems, showing inlets, outlets and overflow points (these may be prepared from standard drawings, with site-specific levels and dimensions included). An appropriate level of information has been provided to assess the proposed response to water cycle management, including: - modelling to demonstrate compliance with water quality targets; - Survey information; - Plans detailing catchments, overland flow paths, stormwater infrastructure and environmental controls; - BCA report demonstrating compliance with Section J efficiency requirements.	
Part 7.1 – Car Parking		
Design Criteria	The proposed dimensions of new on-site car parking spaces and driveways giving access to parking spaces have been designed to comply with Australian Standard - AS 2890.1.	

DCP Provision	Planning Assessment	Compliance
Numerical Compliance	Part 7.1.2.3 states that where an existing building is to be replaced by a new building, 1. having a floor area greater than the existing building and / or 2. which will have a different use and/or 3. where renovations, alterations or additions create potential to generate additional visitor and customer demand; Car parking is to be provided as calculated under this chapter for the new building area and use. The Gosford DCP requires parking for registered clubs at the rate of: • 1 space per 10 m2 of gross floor area up to 5000m2 (including outside seating areas); and • 1 space per 20m2 of gross floor area over 5000m2 (including outside seating areas) Council has previously approved an application by Gosford RSL Club for a development proposal to increase the club to 6,030m2 GFA and required 252 parking spaces, inclusive of the Motel operations on site. The current application is seeking approval for an additional 770m2 over this prior approval to a total of 6,800m2. This is above the 5000m2 threshold and therefore the 1:20 ratio would apply to the additional GFA. On this basis an additional 39 spaces are required to serve the additional GFA. This means a total of 291 spaces are required to serve the development as a whole. The proposed parking supply is therefore appropriate to meet this parking demand.	Yes – On completion, 291 spaces are available to serve the proposed development.
Loading Arrangements	Part 7.1.4.3 requires that the development provide a dedicated loading bay appropriate to the scale and type of development used. The DCP requires that all service vehicles access and depart from the site in a forward direction. Service vehicles (deliveries and waste collection) will enter via the new access off Yallambee Avenue and proceed along the internal access road to the eastern side of the building where the loading dock will be located. The loading dock will provide for both deliveries and waste collection. Service vehicles will be able to reverse on site into the loading dock then exit in a forward direction, circulate around the perimeter of the adjacent carpark and exit via the existing southern driveway onto Yallambee Avenue. The swept paths of a 10.8 metre waste collection vehicle and a 12.5 metre single unit truck are provided at Appendix M.	Yes
Landscaping	The design of the proposed outdoor parking area as provided at Appendix C, is found to be consistent with the landscaping requirements for open parking areas. This is achieved through providing planting strips and staggered landscape fingers in a manner consistent with Part 7.1.4.4. Plant species within the landscaped areas have been selected to avoid	Yes

DCP Provision	Planning Assessment	Compliance
	obscuring sight distance while being capable of providing shade to vehicles and pavement areas.	
7.2 – Waste Management	Part 7.2.11.1 requires submission of a Waste Management Plan (WMP). The DCP requires that the WMP nominates: • volume and type of waste and recyclables to be generated • storage and treatment of waste and recyclables on site • disposal of residual waste and recyclables • operational procedures for ongoing waste management once the development is complete. The WMP should also identify the method of recycling or disposal and the waste management service provider. A construction and operational waste management plan (WMP) has been prepared and is provided at Appendix P. This plan details the waste management and minimisation activities to be carried out during demolition, including the existing club building, construction and operation of the premises including: • Specification of wastes and recyclables by expected type and volume, and nominated reuse and recycling potential. • Nominated siting of waste storage, waste infrastructure and recycling facilities for demolition, construction and final use. • Specification of how and where residual wastes will be disposed of (including collection schedules that will need to be implemented during the operational phase of the redevelopment). • Specification of residual waste disposal (including collection schedules during the operational phase). • Confirmation of ongoing operational waste management, including: • Management of amenity. • Effective separation of recyclables. • The handling of special wastes in a clean, safe and efficient manner. Importantly, the plan makes provision for unexpected finds including asbestos, other hazardous building materials and contaminated materials. The WMP also considers the suitability of proposed loading dock and storage areas to accommodate collection by a waste contractor.	Yes

4.5 Likely Impacts

4.5.1 Visual Amenity – Bulk and Scale

The proposal represents a departure from the established built form along the southern side of the Central Coast Highway. The established built form is typified by precast concrete structures occupied by bulky goods retailers set back behind several rows of car parking and minimal landscaping.

The proposed development departs through brining the built form forward to address both street frontages, while placing car parking and vehicular access either underneath the building or behind the proposed building. This is reflected in **Figures 10** and **11**.

The proposal also departs through introducing a high-quality design response which will introduce a landmark building to a gateway location. The use of a variety of materials, judicious use of glazing, and the introduction of landscaped terraces above the street level have been combined with a design which seeks to maximise solar access, capture natural ventilation and create a new benchmark for club members and guests.

Figure 10 Streetscape Perspective

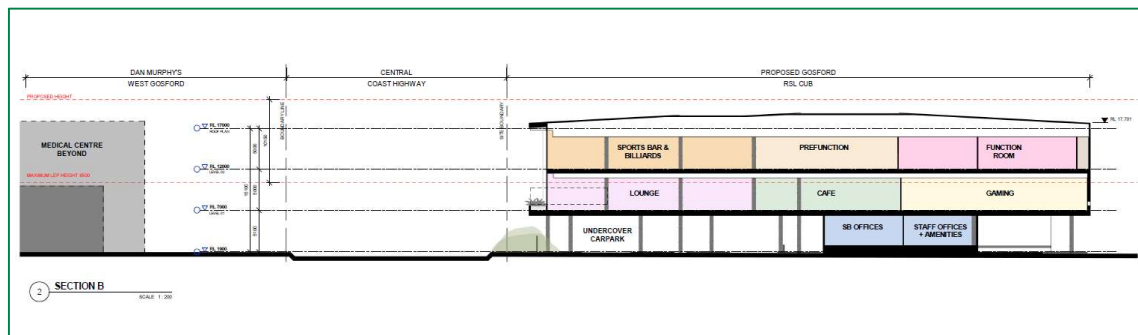


Whilst the building height does depart from the numerical standard prescribed in the GLEP 2014 as reflected in **Figures 10, 11** and **12**, the scale of the development is not out of context with the surrounds. Furthermore, the development is considered to be consistent with Council's desired future character for the locality as described in the GDCP. Finally, mature vegetation fringing Narara Creek reduces the visual curtilage, while the low GFA has the effect of providing relief between the building and surrounding development.

Figure 11 - Streetscape Photomontage



Figure 12 – Proposed Height and Scale



In summary the visual impact of the development is thought to be appropriate, will provide a new benchmark for the locality and thus the development will contribute to visual amenity in an appropriate manner.

4.5.2 Acoustic Amenity

A Noise Impact Assessment (NIA) of the proposed development has been prepared for the proposal by Spectrum Acoustics (see **Appendix Q**). Importantly, this assessment takes into account the likely impacts on the nearest residential receiver, being the Yallambee Lodge RAC Facility. Based on an

assessment of existing and proposed operations, and the floorplan and orientation, of the proposed building, the NIA takes into account predicted impacts from noise sources including:

- Music and patron noise;
- Mechanical plant and equipment; and
- Operational noise (waste management and loading dock).

For music and patron noise, the *Independent Liquor and Gaming Authority* standard conditions have formed the basis for the assessment. In this instance the assessment has been made against the more stringent night time criterion to ensure compliance at other times.

For mechanical plant and operational noise (loading dock), the *EPA Noise Policy for Industry* has been adopted. It has been assumed that a typical combination of rooftop commercial A/C condenser units, exhaust fans and refrigeration plant, would generate a sound power level of 90 dB(A).

The impact assessment provided at **Appendix Q** confirms that:

- There are no predicted adverse noise emissions from outdoor terrace areas, with no specific mitigation measures required to achieve compliance;
- There are no predicted adverse noise emissions from music within the proposed function room with no specific mitigation measures required;
- Compliance with the applicable noise criteria will be achievable. During detailed design and at completion of construction, Spectrum Acoustics recommend final assessment of sound power and placement of mechanical plant to ensure compliance with the night time noise criterion at the Yallambee Lodge retirement living complex;
- No specific mitigation measures or operational limitations are required with respect to loading dock and waste handling operations.

The NIA concludes that, providing the recommendations are implemented, the site is suitable for the intended purpose and external noise impacts will comply with the prescribed noise thresholds.

4.5.3 Traffic and Parking

4.5.3.1 Traffic Impact and Road Safety

The Traffic Impact Assessment (TIA) includes a SIDRA analysis of the local road network to determine if there is sufficient capacity in the local road network, including key intersections to accommodate the predicted increase in vehicle movements generated by the proposal. This included an assessment of the road network and club operations during peak periods, noting that normal traffic patterns associated with RSL clubs, the peak traffic volumes occur generally outside of the traditional road network peak periods, with peak demands occurring at lunch time during the week and higher demands in the evenings and weekends generally after 6.00pm when the background traffic movements are much lower.

Importantly, for the proposed development, this includes the intersection of Yallambee Avenue and the Central Coast Highway. The impact assessment also addresses road safety considerations in the immediate vicinity of the site and the location of the proposed driveway crossing.

The report concludes that the proposed development application should have no impediment to approval based on traffic and access grounds. Any additional traffic movements generated by the development will have an acceptable impact on the surrounding road network.

Consequently, the report does not propose or recommend any upgrades to the road network beyond the driveway crossing to serve the development, the footpath along the frontage of the development site and the replacement of redundant driveway crossings with new kerb and gutter.

A Section 138 permit will be obtained prior to the construction of the new driveway crossing or other works within the Yallambee Avenue Road Reserve. No works are proposed or required on the Central Coast Highway.

4.5.3.2 Off Street Parking

In assessing the proposed development against the off-street parking requirements (**Section 4.4**) has found that an additional 39 spaces are required to serve the additional GFA. This means a total of 291 spaces are required to serve the development as a whole. On completion, a total of 350 spaces will be provided on site, with 291 spaces to be retained for club operations and activities.

Notwithstanding numerical compliance, the TIA (**Appendix M**), also finds that during peak periods, the existing parking supply is operating at no more than 80% capacity with up to 58 vacant spaces, providing a further indication that the proposed 291 spaces will accommodate the predicted demand for off street parking.

4.5.3.3 Access

Site ingress / egress is available to all vehicles in a forward direction. A swept path analysis of a 10.8m waste collection vehicle and a 12.5m heavy vehicle is provided as part of the TIA (**Appendix M**) which confirms that circulation can be provided without conflict to existing or proposed improvements. Sight lines for the existing and proposed driveway crossings have been found to be acceptable and based on traffic counts, there will be minimal delays or queuing at site entry points.

SECA conclude in stating that:

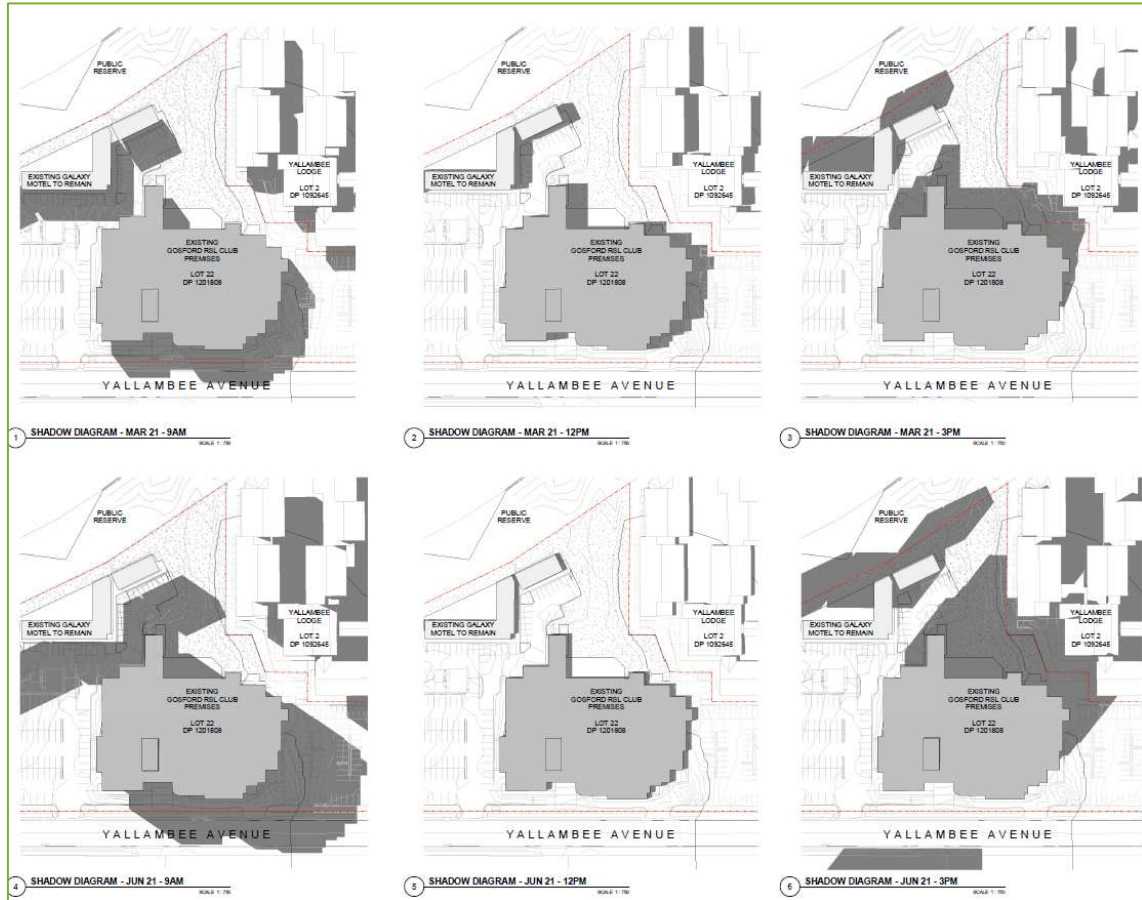
The proposed internal circulation arrangements will increase the efficiency of traffic movements through the site by moving the exit location to the existing southern driveway where exiting vehicles will not be blocked by vehicles queuing back from the Central Coast Highway intersection.

On this basis the proposed access and maneuvering arrangements can be supported.

4.5.4 Solar Access and Overshadowing

The building has been designed to maintain at least 3 hours of sunlight to all adjoining properties, including Yallambee Lodge between 9am and 3pm in mid-winter (refer to diagrams below). This is reflected in **Figure 13**.

Figure 13 Overshadowing



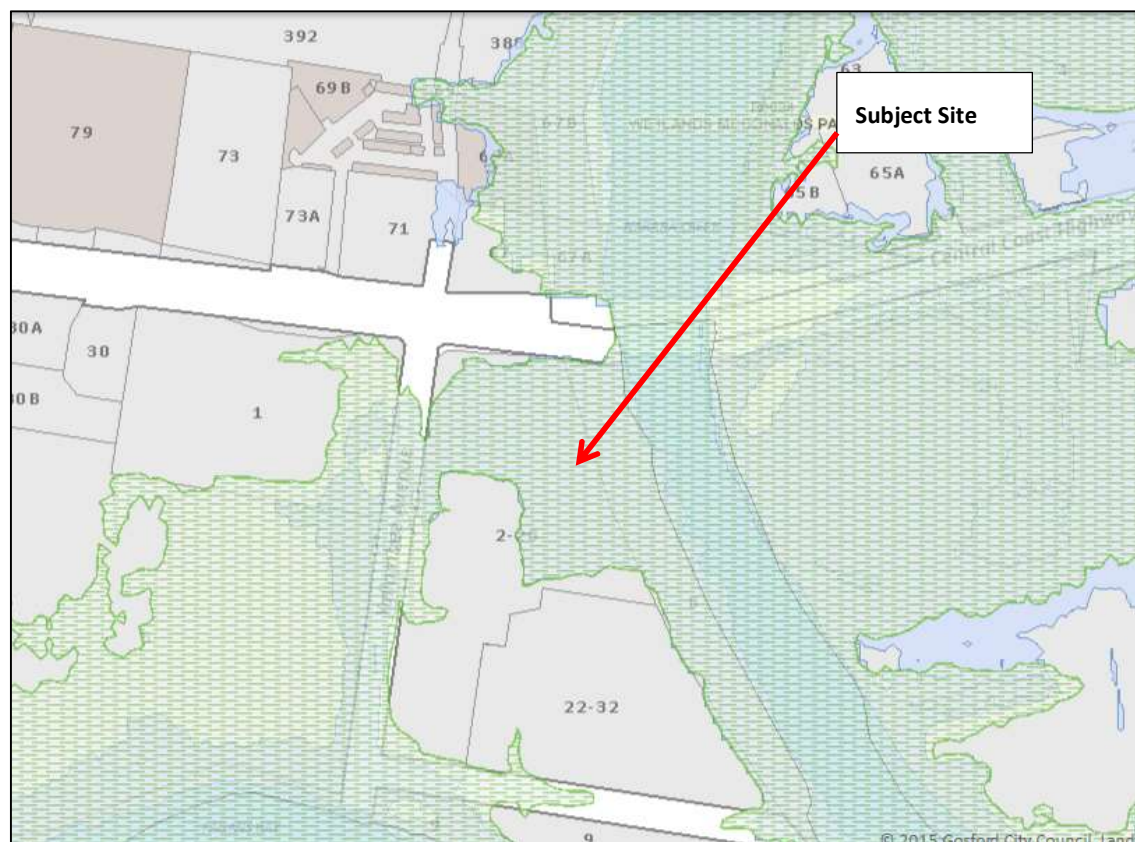
This assessment indicates that adequate levels of solar access will be maintained to the occupants of Yallambee Lodge and provided to the occupants of the new RSL Club building.

4.5.5 Flooding

As provided in **Figure 14**, Council records indicate that the site is affected by flooding. Flood studies prepared for and adopted by Council identify specific flood scenarios and flood behaviour in the Brisbane Water Foreshore region and include:

- Narara Creek Flood Study (Golders, 2013)
- Brisbane Water Foreshore Flood Study (Cardno Lawson Treloar, 2013)
- Brisbane Water Foreshore Floodplain Risk Management Plan (Cardno, 2015) (Cardno BWFRMP)

Figure 14 – Extent of Flooding



Pre – lodgement advice from Council (**Appendix J**) indicates that the Cardno BWFRMP would apply to the subject site.

Consulting Engineers Lindsay Dynan have undertaken a review (**Appendix K**) of the site and proposal in the context of the Cardno BWFRMP and note that:

- The Flood Planning Level (FPL) is defined as 2.80m AHD (being 1% AEP flood level (1.90m) + 2050 Sea Level Rise (SLR) (0.4m) + 0.5 m Freeboard);

- The Probable Maximum Flood (PMF) is defined as 2.4 m AHD.
- The Site Classification is considered to be High Intensity Use, based on the definition contained within Appendix A of the Cardno BMFRMP.

In response to these constraints, the proposal addresses the flood planning requirements through:

- Ensuring the upper levels of the development site are located above the FPL;
- The entry level foyer is proposed to sit at RL1.90m AHD, which is below the FPL but at the 1% AEP flood level and therefore should be void of infrastructure prone to damage from flood waters.
- Habitable areas within the ground floor (staff offices, cellar, cool rooms etc) are proposed to sit below the FPL (but above the PMF level), with any electrical or other sensitive infrastructure to be located above the FPL.
- Car parking levels shall generally reflect existing site levels to retain overland flow paths.

In addition, the Lindsay Dynan review finds that the proposal does not present an unreasonable risk when assessing against the Floodplain Risk Management Matrix appended to the BWFRMP.

In summary it is considered that flood risk can be mitigated through imposition of appropriate conditions of consent which will inform the detailed design and subsequent construction of the development.

4.5.6 Stormwater Management and Soil Erosion and Sediment Control

The stormwater management plan (**Appendix D**) includes a range of measures to convey stormwater and overland flow through the site. These include rain gardens within the proposed car park and a conventional pit and pipe network which captures stormwater and connects to existing infrastructure within the site and conveys stormwater to either Yallambee Avenue to the west or Narara Creek to the east.

The proposed measures to manage stormwater and water quality associated with the proposed development include:

- Additional landscaped area;
- Extended detention infiltration pits within the new car park;
- Rainwater harvesting and water reuse tanks for toilets and landscaping;
- 'Raingardens' incorporating filter media and collection systems to remove sediments and gross pollutants; and
- Maintenance of overland flow paths.

An assessment of the proposed system by Lindsay Dynan (**Appendix K**) indicates that approval of the development will result in an improved outcome in terms of:

- Stormwater Detention;
- Stormwater Retention; and
- Water Quality.

The reuse tank will assist in meeting water quality and on-site detention requirements, while also improving the overall water efficiency of the development.



The measures proposed and methodology is consistent with the provisions of Section 7.06 of the DCP. Plans, including proposed soil erosion and sediment control measures are provided at **Appendix D.**

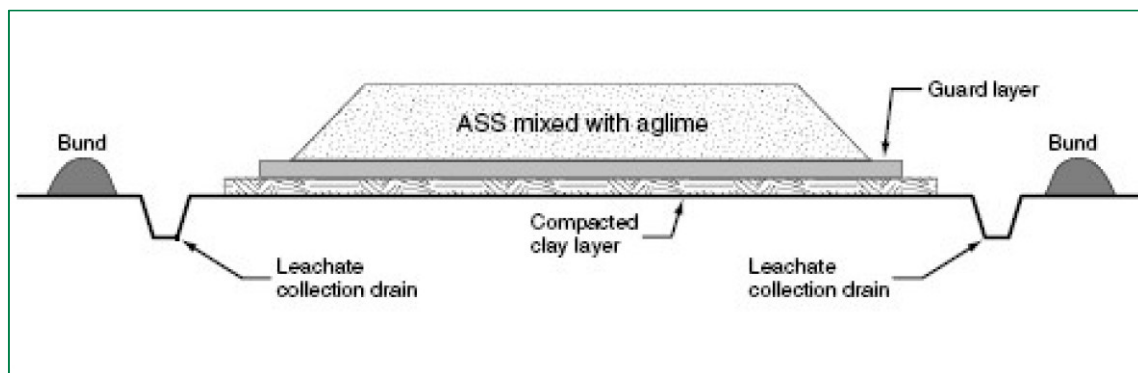
4.5.7 Acid Sulphate Soils

Investigations undertaken by Douglas Partners (**Appendix N**) in accordance with the *NSW Acid Sulphate Soils Manual (1998)* confirms the presence of acid sulphate soils (ASS) within the site. Whilst the extent of excavations within the site will be minor and largely limited to service trenches and stormwater infrastructure, the disturbance of acid sulphate soils as a result of subsurface works must be managed to avoid the release of acid and associated metal contaminants into the environment. An ASS Management Plan has been prepared to mitigate potential impacts associated with the disturbance of ASS.

Based on the results of site investigations and laboratory testing, the ASS Management plan includes a series of recommendations including:

- Lime neutralisation within designated treatment pad;
- Specification for neutralising material;
- Methodology for the capture and treatment of water draining from excavated material;
- A testing and validation protocol for treated material and water and methodology for returning treated material; and
- Contingency measures to mitigate potential environmental threats during construction.

Figure 15 ASS treatment pad



An appropriate condition of consent which requires that the ASS management plan is adopted for the duration of the construction program will mitigate risks associated with the disturbance of ASS during site works.

4.5.8 Safety and Security (CPTED)

The proposed development incorporates a number of features to maximise safety and security for the site, including the following:

- Opportunities for passive surveillance of the surrounding from first and second floor dining and terrace areas;
- Provision of a dedicated drop off point within the site;
- Continued use of the courtesy bus;

- Direct, secure access is available between the front entry, carparking areas and lifts / stairs to upper levels of the building;
- Landscaping adjacent to the proposed building will provide territorial reinforcement and deter uninvited access to the site; and
- Improved lighting of outdoor areas.

Approval of the plans as proposed will provide an improved outcome when viewed against applicable CPTED principles.

4.5.9 BCA Compliance and Accessibility for People with a Disability

A preliminary BCA assessment of the DA issue architectural plans has been prepared and accompanies the application at **Appendix O**.

The report includes a design review which outlines the key BCA compliance issues including:

- Fire separation and compartmentation;
- Access and egress;
- Fire Safety upgrades;
- Fire engineering;
- Essential fire safety measures;
- Access requirements for people with disabilities; and
- Sanitary facilities.

The outcome of the design review indicates that compliance with the BCA is readily achievable with any matters identified in the report described being capable of being resolved through the provision of further information with detailed construction documentation and certification.

4.5.10 Site Contamination

An initial evaluation, undertaken by Douglas Partners (**Appendix H**) of the site, including a review of historical records, site walk over and review of OEH records finds that the potential sources of contamination, present a low to negligible risk to receptors, in considering the setting and proposed future use of the site.

Notwithstanding, potential sources of contamination within the site include uncontrolled filling, which has the potential to introduce contaminated material to the site and the placement of fill over organic sediments, which has the potential to generate hazardous ground gases.

An intrusive investigation, including five boreholes was undertaken to advise on the contamination status of the soils within the site. Laboratory analysis of identified contaminants of concern was undertaken including common contaminants associated with filling including:

- Heavy metals;
- Phenols;
- Asbestos
- TRH - total recoverable hydrocarbons;
- BTEX - benzene, toluene, ethylbenzene, xylene

- PAH - polycyclic aromatic hydrocarbons;
- PCB - polychlorinated biphenyls;
- OCP - organochlorine pesticides and
- OPP - organophosphorous pesticides

In discussing the findings of the sampling programme, Douglas Partners advise that the laboratory results indicate that all contaminant concentrations in the soil samples analysed were within the adopted site assessment criteria (commercial / industrial).

Douglas Partners further advise that the fieldwork and laboratory test results suggest a low risk to human health across the site, provided that the potential for hazardous ground gases, primarily methane and carbon dioxide are assessed and managed (if required). It is considered appropriate for these investigations to be completed as part of the detailed design phase so the mitigation measures (if required) can be planned and implemented.

On this basis, it is assessed that the site is likely to be suitable for the proposed development in accordance with Clause 7 of SEPP 55 and no further investigations are required prior to the determination of a development application.

4.6 Suitability of the Site

As discussed throughout this SEE, the site is considered suitable for the proposed development. A summary of the key reasons for its suitability is provided below:

- The site has been identified for this scale / form of development through a strategic planning process (e.g. the GLEP, DCP);
- The variations sought to development standards are minor, not unreasonable and can be justified;
- The site is located within walking distance of public transport services;
- It has been established that the site is disturbed as a result of existing development on the site however is not affected by significant environmental constraints which would preclude the proposed development.

4.7 Any Submissions

Any submissions received in respect of this proposal will be considered by the Council as required under the Act and Regulation.

4.8 The Public Interest

The proposed development will provide an improved club facility which will continue to benefit the community as a not for profit organisation. The proposed built form has been found to be appropriate and has architectural merit. In this way, the development will set a new benchmark for other development in the locality and will result in an improvement in amenity in a prominent location. This attribute is thought to be in the public interest.

Furthermore, as provided in this SEE, any impacts arising from the proposal are not predicted to be significant and can be mitigated in a manner which will ensure the development does not compromise the public interest.

5. Conclusion

As demonstrated throughout this SEE, the proposed development complies with the relevant heads of consideration under Section 4.15 of the EP&A Act. While the development does rely on some minor variations to both development standards in the GLEP 2014 and numerical controls in the GDCP, justification has been provided, and thus strict adherence is thought to be unreasonable and unnecessary in this instance.

In light of the merits of the proposal and the absence of any significant adverse environmental effects, the DA is considered worthy of Council's support and a favourable recommendation to the Hunter – Central Coast JRPP.

Appendices

Appendix A. Owners Consent

Appendices

Appendix B. Survey Plan

Appendix C. Architectural Plans

Appendices

Appendix D. Civil Concept Plans

Appendix E. Landscape Plans

Appendices

Appendix F. NSW Heritage Data Base Search

Appendix G. AHIMS Search

Appendices

Appendix H. Preliminary Site Environmental Assessment

Appendix I. Cost Report

Appendices

Appendix J. Pre-Lodgement Meeting Minutes

Appendix K. Flood Impact Assessment

Appendices

Appendix L. Clause 4.6 Variation Height

Appendix M. Traffic Impact Statement

Appendices

Appendix N. Geotechnical Investigations and Acid Sulphate Soils Management Plan

Appendix O. BCA Compliance Statement

Appendices

Appendix P. Waste Management Plan

Appendix Q. Noise Impact Assessment

Appendices



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