

Mr Justyn Ng
Development Manager
Suite 3
8 Windmill Street
Millers Point NSW 2000
22/10/2021

Dear Mr Ng

Central Coast Quarter - Stage 1, Northern Tower (SSD-23588910)

Submissions Report

The exhibition of the development application for the above proposal, including the Environmental Impact Statement (EIS) ended on 18 Oct 2021.

All submissions received by the Department during the exhibition of the proposal are available on the Department's website at <https://www.planningportal.nsw.gov.au/major-projects/project/42296>. Please note a number of comments are still outstanding and these will be forwarded to you separately. Future agency comments may also result in further requests for information.

The Department requires that you provided a response to the issues raised in those submissions, in accordance with clause 82(2) of the Environmental Planning and Assessment Regulation 2000.

The Department has also undertaken a preliminary assessment of the EIS and, in addition to the issues raised in the submissions, requires the matters at **Attachment 1** to be addressed in full.

You are requested to provide a response to submissions by Friday 10 December 2021.

Please lodge your response by progressing the application on the major projects planning portal <https://majorprojects.planningportal.nsw.gov.au/>.

Note that the time between the date of this letter and the date the Secretary receives your response are not included in the period of 'deemed refusal', under clause 113(7) of the *Environmental Planning and Assessment Regulation 2000*.

If you have any questions, please contact Kendall Clydsdale on 02 9586 6366 or at kendall.clydsdale@dpie.nsw.gov.au.

Yours sincerely



Keiran Thomas
Director Regional Assessments
Regional Assessments

as delegate for the Planning Secretary

Enclosed: Attachment 1

ATTACHMENT 1

Statutory

1. Provide a detailed VPA letter of offer, including confirmation of consultation with Council. The Department is not able to apply a condition (should any subsequent consent be issued) requiring an agreement be entered into without a sufficiently detailed letter of offer in accordance with the Department's Planning Agreement Practice Note, Feb 2021 and Council's agreement to the offer. Alternatively, please confirm that contributions payment is intended.
2. The legal description of the site (Lot/DP) quoted in the EIS (page 27) and annotated on the architectural drawings (DA101A and DA103A) is inconsistent. Also, confirm whether the site is known as 26-32 (to), 26 & 32 Mann Street or another address (noting it only relates to Stage 1 and not the entire Concept Approval site).
3. Section 5.3 of the EIS (page 53) does not refer to clause 12 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). Please update the EIS to demonstrate the SSD pathway for the proposed development.

Building design

4. Clarify the likely visual impacts of the implementation of the key wind mitigation measures. In particular:
 - a) update the Baker Street elevation CGIs (pages 67 and 68 of the Design Report) to show the wind mitigation measures, including the 1.2m impermeable balustrades, 2.4m impermeable screen (grounds and level 1) and 1.8m impermeable screen on top of planters and 2m intertenancy screen (level 4)
 - b) clarify what is meant by the Wind Report recommended mitigation measure '*3m baffle screen arrangement*' at Level 4 / the podium roof communal open space (page 29 and 54) and provide visual representation.
5. Clarify how podium level access will be provided from the stair core located at the eastern boundary of the podium roof level. In plan the drawings show a door at podium level, however, in section it is shown as an open staircase. In addition, clarify the maximum RL height of the stair core and if an open staircase is proposed confirm how water/weather ingress would be managed.
6. The Department notes the Utility Service Assessment's commentary on the location of the substation. However, provide justification why the simple relocation of the ground floor substation doors from Baker Street building frontage to the service road building frontage cannot be achieved given that road access for Ausgrid servicing requirements would continue to be provided in the revised door location.
7. To prevent the creation of an area of concealment/anti-social behaviour, extend the ground floor entrance doors (to the lift lobby and stair core) forward so they are flush with the building northern elevation fronting the adjoining service road.

8. Update the VIA photomontage imagery to accurately reflect the current design of the development.
9. Update the architectural drawings to include an annotation of the maximum RL podium heights (i.e. at the podium parapet and podium stair core)

Future amenity

10. Apartment Design Guide requirements:
 - a) Part 4D – Confirm the minimum habitable room depths, bedroom areas, bedroom dimensions and width of cross-over/through apartments to support the statement that the proposal complies with these Part 4D requirements (currently only shown for 3 bed apartments, DA416)
 - b) Part 4D – The windowless study areas of the 1-bedroom apartments at levels 13-20 (58sqm) are of a size that could constitute a habitable room (noting indication of the areas to be used as 'storage'). These areas are of a sufficient size to be used for habitable purposes. Accessible 1-bedroom apartments on levels 2 and 3 are also of a size which would enable them to be used for habitable purposes. They are provided with 'concertina' doors which enable the area to be isolated for potential bedroom use. The areas in questions must have their size reduced to be non-habitable (i.e. no more than 6m², to be used for storage).

Landscaping and civil

11. Clarify the reason for the delay of the construction of the through site link (Stage 1B) following the issue of an Occupation Certificate for the tower. In addition, provide reason(s) why the through site link could not be constructed concurrently with the tower or following the commencement of above ground or superstructure works. The Department does not support the delivery of the through site link post the issue of an Occupation Certificate for the tower. The Department requires assurance that the through site link and its public benefit is provided as part of the proposed development should consent be granted. Should any subsequent development consent be granted, the Department would consider the use of part Occupation Certificates, bonds and/or conditions with timeframes to address this matter. Please provide relevant details. The Department is open to further discussion on this matter.
12. Update the landscaping plans/report to include a consideration of the viability of climbing plants proposed to the blank, Level 3 car park southern wall that fronts the through site link in this location - noting the wall is south facing and under an awning. In addition, confirm likely planting species.
13. Confirm the exact location and number of proposed floodgate(s) and respond to the Biodiversity Conservation Division's (BCD's) request for clarification of its/their operation.

Building Code of Australia (BCA) Report

14. The description of the proposal in the BCA report is not accurate (e.g. refers to 181 carparking spaces instead of the 183 proposed etc). This indicates the report has not considered the as submitted architectural plan set. Please review and update the report accordingly.

15. In addition to point 14 above, any use of climbing plants and/or 'green walls' in the proposed development and their potential impact(s) on BCA compliance matters must be considered in the BCA report.

Traffic

16. Update table 5.4 'Parking Requirements and Provision' of the TIA (p34) to include the breakdown of the proposed car parking (residential, residential visitor and retail).
17. Update the Noise Report to include consideration of loading dock operational noise on future residential properties within the development.

Social and economic impact assessment

18. The project's Social and Economic Impact Assessment (SEIA) considers only the impact of the increase in population associated with Stage 1 and concludes no childcare or community facilities are required. This approach in effect defers the requirement (and cost) of public benefits to the last stage of the precinct development. The Department considers a more equitable approach to require partial contribution as part of Stages 1, 2 and 3 and spread the cumulative requirements (and costs) would be appropriate. Additional information in this regard to address FEAR C16 of the Concept Approval is required.

Affordable housing

19. The EIS confirms the proposal includes 1-bedroom flats, will be 'affordable'. The EIS and SEIA refer to the the Central Coast Affordable and Alternative Housing Strategy and anticipates 1-bedroom apartments to be leased at lower rents compared to most one-bedroom apartments in the area. Please provide evidence and/or further information as to how the 1-bedroom apartments will remain 'affordable'. Additional information in this regard to address FEAR C16 of the Concept Approval is required.