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URBIS

CENTRAL COAST QUARTER - STAGE 1, NORTHERN TOWER

Response to Submissions
Report for SSD-23588910

Prepared for

SH GOSFORD RESIDENTIAL PTY LTD

December 2021

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EXECUTIVE SUMMARY

This Response to Submissions Report has been prepared on behalf of SH Gosford Residential Pty Ltd to address the matters raised by government agencies, the public and community organisation groups during public exhibition of the proposed development at 26-30 Mann Street, Gosford.

Background

The proposal comprises the first 'detailed' stage of the redevelopment of the site as outlined below:

- Demolition of the existing retaining wall on site.
- Removal of three trees located at the site interface with Baker Street.
- Excavation to a depth of approximately 1.3m to accommodate the proposed ground floor structure.
- Earthworks to level the site in readiness for the proposed building.
- Construction of a 25-storey (26 level) mixed-use building, comprising:
 - 621sqm of retail GFA.
 - 136 apartments, equating to 13,263sqm of residential GFA.
 - Four parking levels for 183 cars, with vehicular access from Baker Street.
 - Storage areas and services.
 - Communal open space.
- Publicly accessible through site link, including stairs, walkways, public lift, public art and landscaping.

The SSDA was lodged with Department of Planning, Industry and Environment (DPIE) on 16 September 2021 and in accordance with clause 12 of *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)*, the determining authority is the Minister for Planning and Public Spaces.

DPIE issued a letter to the applicant on 22 October 2021 requesting a response to the issues raised during the public exhibition of the application. This Response to Submissions report outlines the proposed changes and responds to all concerns raised within submissions.

Analysis of Submissions

The SSD application was on public exhibition from 21 September 2021 to 18 October 2021. Seven submissions were received from government agencies, including:

- Central Coast Council.
- Transport for NSW.
- City of Gosford Design Advisory Panel.
- Heritage NSW.
- DPI Agriculture.
- Biodiversity and Conservation Division.
- DPIE Water.

A further 18 submissions were received from members of the public, including 14 objections, 1 comment and 3 letters of support.

Actions Taken Since Exhibition

Since the SSDA was publicly exhibited, the Applicant has undertaken further consultation with DPIE to discuss the issues raised within the submissions. Additional research and investigations have been undertaken to respond to the issues raised, including traffic modelling, further acoustic assessment of operational noise and further view sharing analysis.

Response to Submissions

The Applicant has amended the SSDA in response to the submissions and stakeholder consultation. The response to submissions largely contains additional information and justification for the scheme as lodged. Minor changes such as amendments to some internal apartment layouts (to ensure study areas cannot be used as bedrooms) and moving the ground floor fire egress doors forward to prevent the creation of a concealment area have been adopted in accordance with DPIE advice. It is anticipated all other matters can be successfully managed through appropriate conditions of consent.

Evaluation and Conclusion

Overall, it is considered the updated proposal is acceptable having regard to the relevant biophysical, economic and social considerations, including the principles of ecologically sustainable development, as outlined below:

- **Consistency with State and local strategic planning policies** – the proposal contributes to the State Government's vision for a revitalised Gosford CBD. The application will provide the first stage of urban renewal of a strategically unique, but currently underutilised site in Gosford CBD. The proposal leverages these qualities in a sympathetic manner, maintaining consistency with the surrounding built and natural environment. The interface of the site with the Leagues Club Field has undergone detailed analysis and consultation with both Central Coast Council and the HCCDC. The proposal will deliver a strong synergy with the refurbished public domain.
- **Consistency with planning controls** – the proposal is consistent with the objectives of the relevant planning controls and delivers a built form outcome that is aligned with the desired future character for the site. Overall, the proposal is highly consistent with the aims and objectives for the waterfront, Gosford CBD and the Central Coast region.
- **High standard of architectural design and amenity** – the design of the tower has undergone rigorous independent design review through five sessions with the CoGDAP. At each stage of the design process, the project team have responded positively to feedback obtained from the Panel, building on the foundations provided by the Concept SSDA scheme. Ultimately, the Panel have confirmed that the proposal exhibits design excellence. The building will deliver a bold design statement for Gosford CBD as a vibrant, high density area.
- **Social and economic benefits** – the tower will deliver high-amenity residential accommodation in a convenient, accessible and naturally beautiful location. The creation and embellishment of a new public, open-air through site link which will dramatically improve pedestrian accessibility to Gosford waterfront and the City Centre. Specifically, the proposal is estimated to generate \$41.1 million in value added to the local region and State economy over the construction phase, together with 269 direct and indirect jobs; and an additional \$4.9 million in additional retail spending during the operational phase, supporting the growth of local businesses.

Having considered all relevant matters, there will be no additional environmental impacts as a result of the proposed refinements and clarifications. The refinements include additional measures to ensure any previously known and assessed impacts will be appropriately managed and mitigated where relevant. On this basis, the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

1. INTRODUCTION

This Response to Submissions Report has been prepared on behalf of SH Gosford Residential Pty Ltd to address the matters raised by government agencies, the public and community organisation groups during public exhibition of the proposed development at 26-30 Mann Street, Gosford.

1.1. PROJECT CONTEXT

The SSDA was lodged with Department of Planning, Industry and Environment (DPIE) on 16 September 2021 and in accordance with clause 12 of *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)*, the determining authority is the Minister for Planning and Public Spaces.

The SSDA seeks consent for the construction of a 25-storey (26 level) mixed-use building, comprising 621sqm of retail GFA, four levels of parking (comprising 183 spaces) and 136 residential apartments.

DPIE issued a letter to the applicant on 22 October 2021 requesting a response to the issues raised during the public exhibition of the application. Various matters were raised by DPIE in their Request for Information, however the following dot points provide a thematic breakdown of the key issues requiring additional work or further justification:

- DPIE request for updates to documentation to reflect latest design development of the building.
- Small design changes requested for better CPTED outcomes and to promote better internal apartment amenity.
- Clarification of approach on development staging and justification on the satisfaction of Concept SSDA Condition C16.
- Updates to acoustic and traffic modelling to ensure impacts are suitably mitigated.

This Submissions Report outlines the proposed changes and responds to all concerns raised within submissions.

1.2. STRUCTURE OF THIS REPORT

This Submissions Report is structured in accordance with the DPIE guidelines, including:

- **Section 2** – Analysis of submissions.
- **Section 3** – Actions taken since exhibition.
- **Section 4** – Response to submissions.
- **Section 5** – Evaluation and conclusion.

1.3. SUPPORTING DOCUMENTATION

This Submissions Report is supported by the following documentation:

Table 1 – Supporting Documentation

Report	Prepared By	Appendix
Revised Architectural Plans	DKO	Appendix A
Revised Design Report	DKO	Appendix B
Revised EIS	Urbis	Appendix C
GGIs of Podium Roof Communal Open Space	Turf	Appendix D
Revised View and Visual Impact Assessment	Corkery Consulting	Appendix E
Additional Landscape Information	Turf	Appendix F
Updated BCA Report	BCA Logic	Appendix G
Acoustic Advice	Acoustic Logic	Appendix H
Additional View Sharing Analysis	DKO	Appendix I
Traffic Response	Stantec (GTA)	Appendix J
Affordable Housing Analysis	Urbis	Appendix K
Revised Acid Sulfate Soils Management Plan	EDP	Appendix L
Letter from EDP (in response to DPIE Water)	EDP	Appendix M

2. ANALYSIS OF SUBMISSIONS

The SSDA was publicly exhibited between 21 September 2021 to 18 October 2021. There were seven submissions received from public agencies and the local Council, and 18 submissions received from special interest groups, members of the local community and individuals.

All submissions were managed by DPIE, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-23588910). A breakdown of the submissions made by group and issues raised is provided in Table 2.

The key issues raised in the submissions include:

- Density, Height and Bulk.
- View Sharing.
- Shadow.
- Traffic and Parking.
- Impact on Open Space.

3. ACTIONS TAKEN SINCE EXHIBITION

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed development since public exhibition, in consultation with DPIE.

This section summarises the changes that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency, organisation and public submissions outlined in Section 2.

3.1. AMENDMENT OF THE PROJECT

The Proponent has amended the SSDA in response to the submissions and stakeholder consultation. The response to submissions largely contains additional information and justification for the scheme as lodged. Minor changes such as amendments to some internal apartment layouts (to ensure study areas cannot be used as bedrooms) and moving the ground floor fire egress doors forward to prevent the creation of a concealment area have been adopted in accordance with DPIE advice. It is anticipated all other matters can be successfully managed through appropriate conditions of consent.

Refer to the revised Architectural Plans (Appendix A) for further details on the design refinements made since public exhibition.

3.2. ADDITIONAL IMPACT ASSESSMENT

Additional assessments have been undertaken to respond to the issues raised within the submissions. These include:

- Revised Architectural Plans.
- Revised Design Report.
- Revised EIS.
- GGIs of Podium Roof Communal Open Space.
- Revised View and Visual Impact Assessment.
- Additional Landscape Information.
- Updated BCA Report.
- Updated Acoustic Report.
- Additional View Sharing Analysis.
- Traffic Response (including modelling, which will be sent to TfNSW directly under separate cover).
- Affordable Housing Analysis.
- Revised Acid Sulfate Soils Management Plan.

The findings and recommendation of the additional assessments are discussed in detail within Section 4 of this report.

4. RESPONSE TO SUBMISSIONS

This section provides a detailed response to the issues raised in the submissions received during the public exhibition of the SSDA and in accordance with the categorisation of issues as outlined in the DPIE guidelines.

This section provides a detailed summary of the Applicant's response to the issues raised in submissions. The response has been structured according to the categorisation of issues outlined in Section 2.

Table 2 – Detailed Response to Submissions

Issue	Comment	Response
NSW Department of Planning, Industry and Environment		
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.	The Applicant intends on making a contributions payment (no Planning Agreement will be entered into prior to the determination of this SSDA).
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).	The EIS references the legal description of the Concept SSDA site (SSD-10114) because site preparation works are proposed across the whole site. The architectural drawings correctly show the Stage 1 building footprint concentrated in the northern portion of the site. The site address is 26-30 Mann Street, Gosford (as described in the EIS and public exhibition notice).
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.	Refer to revised EIS attached at Appendix C, which demonstrates the SSD pathway for the proposal in Section 5.3.

Issue	Comment	Response
4.	<p>Clarify the likely visual impacts of the implementation of the key wind mitigation measures. In particular:</p> <p>(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)</p> <p>(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.</p>	<ul style="list-style-type: none"> ▪ The Design Report has been updated to show the proposed wind mitigation measures in the relevant CGIs, refer to Appendix B (specifically p. 74) and drawing SK08 (within the Architectural Drawing Set at Appendix A). ▪ Refer to CGIs prepared by Turf (Appendix D), which show the proposed 3m baffle screen arrangement at the podium roof communal open space.
5.	<p>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.</p>	<ul style="list-style-type: none"> ▪ A label has been added on DA-205 indicating a TOW height of RL14.7m. ▪ An open staircase is provided for podium egress. Water egress will be managed by the provision of strip drainage at all door interfaces with basement levels and drainage points to all landings.
6.	<p>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.</p>	<p>As discussed with DPIE, in accordance with Ausgrid requirements, the ground floor substation must face a public road. Accordingly, the substation must be positioned in the proposed location.</p>
7.	<p>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.</p>	<p>The fire egress doors have been amended/extended forward as far as permitted in accordance with the BCA and fire safety codes. Refer to DA-201.</p>

Issue	Comment	Response
8.	Update the VIA photomontage imagery to accurately reflect the current design of the development.	Refer to revised VIA at Appendix E.
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).	A label has been added on DA-205 indicating a TOW height of RL14.7m.
10.	<p>Apartment Design Guide requirements:</p> <p>(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).</p> <p>(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).</p>	<ul style="list-style-type: none"> ▪ Dimensions have been added to DA-414 and DA-415, indicating compliance with the NSW ADG. ▪ Additional nib walls have been added to all 1B apartments on L13-20. Concertina doors have been removed from all 1B apartments on L2-3.

Issue	Comment	Response
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.	<ul style="list-style-type: none"> ▪ The through site link must be constructed after the occupation of the tower, as its commercially unviable for the Applicant to construct both at the same time. This arrangement is consistent with discussions with DPIE over the past 6-12 months and is reflected in the endorsed Design Excellence Strategy. ▪ For avoidance of doubt, the Applicant is fully committed to constructing the through site link in an orderly and timely fashion. To assist DPIE in the determination of this SSDA, the Applicant is willing to accept a condition of consent as follows: <i>“After the relevant Occupation Certificate for the tower, the through site link works must be completed within 24 months, prior to the Occupation Certificate for the development”.</i>
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.	Turf Design Studio has reviewed the proposal and believes climbing plants are viable along the blank level 3 car park southern wall. The proposed species is Ficus pumila (creeping fig), which is shade tolerant.
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.	Refer to detailed responses to BCD's referral comments below.
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.	Refer to updated BCA Report at Appendix G, which provides an assessment of the most up-to-date architectural and landscape drawings/concepts.
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.	Refer to updated BCA Report at Appendix G, specifically Section 3.4 and within the assessment table (C1.9, C1.14 and D2.16), which addresses the use of green walls in the proposal.

Issue	Comment	Response
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).	A revised table has been prepared and is included in the Traffic Response (refer to Appendix J).
17.	Update the Noise Report to include consideration of loading dock operational noise on future residential properties within the development.	Updated Acoustic advice has been prepared to address this comment, refer to Appendix H. The advice confirms that the residences would not be adversely impacted by loading dock operations, with noise levels complying with the relevant acoustic criteria (NSW NPI, 2017).
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.	<p>It is important to note that a Social and Economic Impact Assessment was prepared for the Concept SSDA (SSD-10114), which considered the cumulative impact of all three stages of development. This report confirmed that the development (as a whole) does not generate demand for a new childcare or community facility.</p> <p>Notwithstanding, Condition C16 was imposed by the IPC, which requires the Applicant to <i>"investigate the potential for"</i> community facilities and/or a childcare centre within the development. In satisfaction of this condition, an updated SEIA was prepared and found that this SSDA (Stage 1) did not generate the requirement for these facilities.</p> <p>As has been discussed with DPIE, the spatial arrangement of the non-residential components of Stage 1 are relatively small and do not lend themselves to the successful operation of a childcare centre. Introducing a new use at this stage of the assessment process would also require reworking of access, acoustic and traffic parameters, which is not practically feasible.</p> <p>Accordingly, it is proposed that the Applicant meaningfully explore the best place in Stages 2 and 3 to accommodate a childcare centre, especially considering the large commercial podium in these stages, which has more scope to be adapted for a wider range of uses.</p>

Issue	Comment	Response
19.	The EIS confirms the proposal includes 1-bedroom flats, will be 'affordable'. The EIS and SEIA refer to 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	<p>Urbis has undertaken an assessment of the affordable housing benchmarks contained within the <i>Central Coast Affordable and Alternative Housing Strategy</i> (refer to Appendix K). Urbis has also reviewed these (indexed) benchmarks against the NSW Affordable Housing Ministerial Guidelines 2021/22.</p> <p>Under the Strategy, any dwellings in the Central Coast LGA with a sale price of greater than \$439,001 and less than \$684,000 are considered affordable to moderate income households.</p> <p>Based on sales data provided by SH Gosford Residential Pty Ltd, 49 apartments (or 36% of total dwellings), have been sold for less than \$684,000 and are therefore considered affordable to moderate income households.</p> <p>This is considered to satisfy the Applicant's obligation under Concept SSDA (SSD-10114) Condition C16 to "<i>investigate the potential for</i>" affordable housing. In lieu of any statutory requirement or affordable housing contributions framework, it is respectfully considered that the proposal provides an appropriate response to this matter.</p>
Central Coast Council		
20.	A pedestrian connection should be provided from the development across Baker Street to Leagues Club Field.	Noted. Baker Street is a nominated 'shared zone', with a 10kp/h speed limit.
21.	The pedestrian link from Mann Street to Baker Street on the southern side of the Stage 1 development, must be constructed and provided with Stage 1. It should not be left until further stages are developed in the future.	Noted. The pedestrian link will be constructed prior to the OC for the development. Refer to detailed commentary above in item 11.

Issue	Comment	Response
22.	The balance of the site on the southern side of stage 1 will likely be used for storage of materials during construction of stage 1. However as soon as the balance of the site is not needed for this purpose, the land should be turfed or restored so as not to cause dust problems and not to be an eyesore, unless construction of further stages immediately occurs following stage 1. If this is the case, the landscape plan should include works on the southern side/balance of the site.	Noted. The balance of the site will be turfed or restored in between construction stages. A condition of consent can be applied in this regard.
23.	The applicant's proposal to do works in lieu of s7.12 contributions should only be agreed to if the works are required under the contribution plan or involve significant public benefit. A Voluntary Planning Agreement may be needed.	Noted. No Planning Agreement is sought with Central Coast Council at this stage.
24.	If Baker Street is not being constructed for its full length with Stage 1, a temporary turning area may be required.	Baker Street has been fully constructed, connecting Georgiana Terrace to Vaughan Avenue.
25.	If excavation is involved below the water table/flood level, bunding may be required. Any extraction of groundwater may require separate approval.	Noted.
26.	Appropriate conditions of consent will need to address waste storage and collection, road works, water and sewer, architectural design, impact of construction, s7.12 contributions, as well as other matters.	Noted.
27.	The construction management plan should address road routes and delivery times to mitigate impact on nearby residents and businesses.	Noted, this can be incorporated in the Construction Management Plan submitted post consent.
28.	If Baker St is approved as a shared zone with a 10km/h speed limit I assume a pedestrian crossing will not be required. While the Transport Impact Assessment may have suggested a shared zone in Baker St this requires approval of the Traffic Committee to implement regulatory controls/signposting etc. Has such an application been lodged and/or approved by the traffic committee.	The shared zone on Baker Street has already been implemented as part of the Gosford City Park Project and is not included in this SSDA.

Issue	Comment	Response
29.	Baker St is one way to the end with Vaughan St. If certain vehicles cannot get through they will need a turning area within Baker St, otherwise they will have to enter the adjoining development/ROW to turn around. If medium or heavy vehicles can get through to the end of Baker St they can only do a left turn onto Dane Dr. While they can do a left or right turn onto Mann St, this is not a good intersection with regard to slope and sight distance. It may need provision for a turning area where the red arrow is pointing so that medium/heavy vehicles do not have to go any further. The developers traffic engineer needs to look at all this and the surrounding road system/intersections	Baker Street between Georgiana Terrace and Vaughan Avenue is already one-way and therefore we do not recommend a turn-around facility to be provided. With regard to Council's comment that the intersection of Vaughan Street and Mann Street is "not a good intersection", we have recommended that Council remove the 'left turn only' sign at the intersection of Baker Street and Vaughan Street in our TIA to allow any vehicles heading eastbound to exit right towards the Central Coast Highway rather than using the intersection of Vaughan Street and Mann Street. Please refer to Section 8.5.2 of the TIA.
City of Gosford Design Advisory Panel		
30.	The proponent and the design team are commended for their commitment and responsiveness to the design review process. Specific design issues raised at the DRG workshops have been well addressed and resolved.	Noted.
31.	The Panel is unanimous and forms the opinion that the development exhibits Design Excellence. The through site link provides significant public benefit and the timing of delivery should be resolved with the Regional Assessments Team.	Noted.

Issue	Comment	Response
32.	<p>The Regional Assessments Team should continue to liaise with the proponent to explore options to address the following specific design issues:</p> <ul style="list-style-type: none"> Measures to mitigate the southerly wind effects. The mitigation measures should contribute towards the overall identity and character of the development. Opportunity to provide curved glass instead of segmentation glass along the retail frontages. Opportunity to provide access stairs near the lobby lifts to improve building accessibility and vertical circulation; and, Liaise with the Central Coast Council about the proposed treatments of the public domain in proximity to the development to further enhance its public domain interfaces. 	<ul style="list-style-type: none"> Noted. The relevant wind mitigation measures have been considered and incorporated into the design of the development. Curved glass has been incorporated into the retail frontages in accordance with CoGDAP feedback – refer to DA201 Ground Floor Plan for details. An additional door has been added to the ground floor fire stair to allow access to the lobby, refer to DA201 Ground Floor Plan for details. The Applicant has been with Jared Phillips and Central Coast Council representatives on Thursday, 26 August. The following items were discussed: <ul style="list-style-type: none"> Interface of the development with Baker Street and the Park. The form and function of Baker Street. The consistent use of materials; and Landscaping and street furniture components. <p>It is intended for further workshops to be conducted to finalise the Park interface materiality.</p>

Issue	Comment	Response
33.	<p>It is recommended that the application be conditioned as follows:</p> <p><i>In order to ensure the Design Excellence of the development is retained throughout the subsequent delivery phases:</i></p> <ul style="list-style-type: none"> ▪ <i>An appropriate Design Integrity Panel process is established.</i> ▪ <i>The design architect is to have direct involvement in the design documentation, contract documentation and construction phases of the project.</i> ▪ <i>Evidence of the design architect's commission is to be provided to the Principal Certifying Authority prior to the release of the construction certificate; and</i> ▪ <i>The design architect of the project is not to be changed without prior notice and approval of the Department of Planning Industry and Environment.</i> 	Noted.
Transport for NSW		
34.	<p>TfNSW note that this development application is lodged for Stage 1 of the precinct development. TfNSW would expect that the transport impacts of all stages, including the South Tower and the Hotel, as identified on the masterplan, are provided to enable a better understanding of the cumulative impact of the total development.</p>	Please refer to the Traffic Response at Appendix J which provides a detailed response to this matter, based on consultation with TfNSW.

Issue	Comment	Response
35.	<p>There is insufficient information and evidence provided in the in the SIDRA model for review by TfNSW.</p> <p>The Roads and Maritime Modelling Guidelines (vers.1) February 2013, specifies the requirements for model development in Section 5 and the reporting required to enable a review.</p> <p>The base model has not been modelled appropriately for the network, as it has been built as standalone intersections. The model is required to be modelled as a network within Sidra and by not doing this, fundamentally defeats the purpose of the modelling assessment.</p> <p>The overall TIA and SIDRA provided for review has failed to accurately represent real space movements and operations of the network. Insufficient evidence is provided to sufficiently review the SIDRA Model and is not fit for purpose. As such, the proposed road network improvements (EIS – clause 6.6.1) have not been correctly determined for this stage of the development.</p> <p>The networked model should include the traffic impacts on existing and proposed intersections, including Central Coast Highway and Dane Drive, Central Coast Highway and Vaughan Avenue, Central Coast Highway and Mann Street, Henry Parry Drive & Donnison Street, and the capacity of the local and classified road network to safely and efficiently cater for the additional vehicular traffic generated by the proposed development during both the construction and operational stages. The traffic impact shall also include the cumulative traffic impact of other proposed developments in the area.</p> <p>It is recommended that a networked model be resubmitted in accordance with the requirements of Transport Roads and Maritime Modelling Guidelines vers.1 2013.</p>	<p>Please refer to the Traffic Response at Appendix J which provides a detailed response to this matter, based on consultation with TfNSW.</p> <p>Please note that updated modelling will be submitted directly to TfNSW under separate cover.</p>

Issue	Comment	Response
36.	TIA Appendix C - Swept path assessment. The swept path analysis provided on several drawings are out of scale. The background images appear to be enlarged which provides misrepresentation of the actual vehicle's swept paths as there is more space in the images than in real space.	A revised swept path has been prepared and is included in the Traffic Response (refer to Appendix J).
37.	It is requested that the applicant provide a Green Travel Plan (GTP) prior to the commencement of operations.	Noted.
38.	<p>To support the mode share target identified in the GTP overview, and encourage residents and customers to use public transport, it is recommended that the developer be required to:</p> <ul style="list-style-type: none"> Relocate and upgrade the two closest bus stops (Mann St before Georgiana Tce 2250535 and Mann St after Georgiana Tce 225017) approximately 100 metres south towards the proposed development site to better serve the proposed development as well as provide an even gap between stops along Mann Street. The bus stops should be developed in accordance with relevant Disability Discrimination Act (DDA) and Disability Standards for Accessible Public Transport (DSAPT) legislation and be undertaken in accordance with Central Coast Council's bus stop requirements, including the provision of shelter and other amenities. 	Please refer to the Traffic Response at Appendix J which provides a detailed response to this matter.
Heritage NSW – Aboriginal Cultural heritage Regulation		
39.	Heritage NSW notes that proposed development will impact the study area, however, concurs with the AHMP, that the majority of the site has been disturbed due to past land use, as a result, Heritage NSW does not require any further assessment with respect to Aboriginal cultural heritage.	Noted.

Issue	Comment	Response
Biodiversity and Conservation Division (BCD)		
40.	Biodiversity and Conservation Division (BCD) has reviewed the EIS and is satisfied that the development is consistent with the information provided to support the BDAR waiver application. As such no further assessment is required by BCD on biodiversity.	Noted.
41.	BCD recommends that the proprietary stormwater treatment devices are certified by an independent suitably qualified person during the detailed design.	Noted.
42.	BCD recommends that during the detailed design, the proponent should demonstrate that the flood protection barrier is fully automatic and does not depend on people, power or pumps.	<p>The Flood planning level for the site has been adopted to be the 1% AEP + 80-year sea level rise (SLR) + 500mm freeboard. The existing driveway currently provides adequate flood protection for a 1% AEP event + SLR.</p> <p>The design life of automatic flood barriers is not expected to last for the design life of the development and would likely require multiple replacements/reconstructions over time, which would be inefficient and undesirable.</p> <p>Given that protection is passively provided by the driveway entry (without freeboard) it is proposed that a manual system would be acceptable, in the event flood protection is required for an extreme flooding event.</p>
43.	BCD recommends that the flood emergency response plan should address how a medical emergency will be managed during a flood event.	<p>The site is only subject to flooding from the Brisbane Water foreshore during extreme and infrequent rainfall events with consideration for sea level rise and freeboard allowances.</p> <p>In such an event, evacuation or medical access can be achieved via the podium link to Mann Street & internal building access/circulation.</p>
DPI Agriculture		

Issue	Comment	Response
44.	Given the urban location and the unlikely impact on agricultural land or resources, DPI Agriculture has no concerns with the proposed development.	Noted.
DPIE Water		
45.	<p>The Proponent should provide a consolidated site water balance including expected groundwater take to be intercepted during construction and operational phases.</p> <p>Additionally, the proponent should demonstrate that any required groundwater entitlements can be obtained from the water source for the predicted groundwater dewatering.</p>	<p>In response to DPIE Water's comment on the Geotechnical Report wording "<i>groundwater is expected along the eastern boundary and adjacent to Mann Street</i>", it is important to note that this is in reference to a part of the site subject to Stage 2 and 3 works.</p> <p>Stages 1 and 1A do not entail the capturing and disposing of ground water from the water table (dewatering) from the embankment adjacent Mann Street (or elsewhere), during the construction or operational phases.</p> <p>Further, minimal disturbance to the existing ground level is planned in Stage 1A, sufficient only to construct the overhead footbridge. All ground/suspended slabs and concrete retaining wall works in the Stage 1A zone will be constructed as part of Stages 2 and/or 3.</p>
46.	The proponent must ensure sufficient water entitlement is held in a Water Access Licence/s (WAL) to account for the maximum predicted take for each water source prior to take occurring, unless an exemption under the Water Management (General) Regulation 2018 applies.	Same as above (#45).
47.	<p>Undertake further groundwater impact assessments in accordance with the NSW Aquifer Interference Policy (AIP) (2012). This should include an:</p> <p>a. estimate of expected construction and operational dewatering volumes; and</p> <p>b. address of the impacts of dewatering on licensed groundwater users and groundwater dependent ecosystems.</p>	There are no DPIE defined 'dewatering' activities planned as part of the Stage 1 or 1A works. In the highly unlikely scenario that dewatering works are required, the Applicant will follow DPIE's Guidelines.

Issue	Comment	Response
48.	Consider re-designing the basement to be a fully tanked system.	As part of the Stage 2 and Stage 3 works, the Applicant will consider a tanked basement system.
49.	<p>The proponent should update the Acid Sulfate Soil Management Plan presented in Appendix Y to include:</p> <p>a. tabulated results from field and laboratory testing</p> <p>b. Appendix A Figures</p> <p>c. In lieu of undertaking further testing, justification should be provided as to why ASS testing was undertaken to a depth of 5m rather than that required for an excavation depth of 8.5m as detailed in Appendix X.</p>	<p>Tabulated data and Appendix A figures have been included in revision V3 of the Acid Sulfate Soils Management Plan (Appendix L).</p> <p>In response to item c, EDP have provided the following response (Appendix M):</p> <p><i>“There appears to be a misunderstanding of the depth of excavation as described in the Geotech report clause 1.3. The Geotech report states that ‘Excavations for the proposed basement carpark are expected to extend to depths of up to 8.5m below existing ground level along the south eastern boundary to Mann St’ that is referring to measurements from the Mann St level which ranges from 8.36 AHD – 9.4 AHD.</i></p> <p><i>The proposed basement excavation does not extend below 1.3m AHD. The reference to 8.5m is the difference between the highest elevation on Mann Street to the basement RL, a depth of approximately 8.5m. The investigation for acid sulfate soils was undertaken on the flat lower grade of the site at RL approximately 2.7m AHD.</i></p> <p><i>The investigation design depth of 5m is from this lower level of the site and exceeds the minimum of 1m below the lowest point in the basement. No additional deeper investigations are therefore required.”</i></p>
Public Submissions (grouped thematically)		
50.	Density, Height and Bulk	<p>The proposal is fully compliant with the approved Concept SSDA and is considered to provide an appropriate density, height and bulk given:</p> <ul style="list-style-type: none"> ▪ The proposal achieves ‘design excellence’ and has been reviewed/supported by the CoGDAP.

Issue	Comment	Response
		<ul style="list-style-type: none"> ▪ The building height and scale is appropriate within its context and is compatible with the emerging character of Gosford City Centre. ▪ The building will contribute to a cluster of towers within Gosford CBD and establish a visual marker that enhances the built environment. ▪ The building is designed as a tall, slender tower (i.e. floor plate of less than 750sqm) which improves opportunities for solar access, building separation, ventilation, view sharing, reduces the appearance of bulk and promotes a higher amenity for the public domain. ▪ The building's relationship to the Leagues Club Field is considered appropriate, especially considering the additional setbacks and chamfers accommodated to the envelope post Concept approval. ▪ The building footprint has acceptable amenity outcomes in relation to view, overshadowing or heritage impacts. ▪ The Applicant will pay development contributions in accordance with State and Local requirements (total 3% of development cost), which will go towards funding the relevant infrastructure to support the increase in density within Gosford CBD (generally).
51.	View Sharing (generally)	<p>At the Concept SSDA stage – DPIE, the CoGDAP and the IPC reviewed the impacts of the development (as a whole) and concluded that the view sharing outcome was reasonable. This was subject to the volumetric reduction of the concept building envelopes, which has since been adopted and endorsed by DPIE. This proposal is made wholly in compliance with the approved building envelopes (as amended).</p> <p>In other words, the proposed mass and form sits well within the approved envelope and as such is a narrower form relative to it. In this regard, the</p>

Issue	Comment	Response
		<p>proposed development reduces the extent of view loss from neighbouring residential dwellings and therefore improves view sharing outcomes.</p> <p>In accordance with the requirements of the Concept SSDA consent, the application was accompanied by a comprehensive view sharing assessment, which found that the proposal will result in the transfer of a portion of existing water views from existing multistorey residential buildings (located to the east of the site) to the proposed development. The significance of the predicted view loss generally falls into the category of 'Minor' as defined in the VIA (using the four step 'Tenacity' principle).</p> <p>Given the site (and multiple others in the vicinity) permit multi-storey development, it is expected that a portion of the existing water views would be transferred, in accordance with the orderly development of the land, the Gosford SEPP controls and the Concept SSDA approval.</p> <p>It is also noteworthy that this site is in a CBD environment and is currently a vacant, identified redevelopment site. In this context, changes to existing views are unavoidable and view impacts are reasonable in this context.</p> <p>Moreover, all views to be lost are gained across privately owned land for which there would be a reasonable expectation for development at least to the SEPP height control. Therefore, all views from low level units could not be expected to be retained and in the context of the approved envelope, some level of view loss has already been approved.</p>

Issue	Comment	Response
52.	Shadow	<p>Regarding shadow, the proposal is considered acceptable because it complies with the approved Concept SSDA envelope, which was deemed to be acceptable because:</p> <ul style="list-style-type: none"> ▪ It maintains more than 70% direct sunlight for four hours (11am to 3pm) to the Leagues Club Field (in compliance with the Gosford SEPP). Additional overshadowing to the Leagues Club Field is limited to the early morning (9am to 10am), which is outside the usual peak demand times, including the lunchtime period. The proposal also complies with the DCP control relating to solar access to other public open spaces. ▪ The proposal will not have significant or consequential impacts on surrounding residential properties.
53.	Traffic and Parking	<p>The traffic and parking provision is considered acceptable because:</p> <ul style="list-style-type: none"> ▪ The parking provision is proposed on the 'lower' end of the allowable rate in view of providing a sustainable approach to transport, given the site's location (within walking distance of transport amenity, including Gosford Station). It is appropriate to balance the demands for future residential car parking and minimising the likely traffic generated by the development, noting the existing and projected parking demand in Gosford. The proposed parking provision also mitigates the requirement to excavate basement levels below the standing watertable, which would have knock-on flooding implications. The approach will provide a positive initiative towards a modal shift which is supported by various 'green' infrastructure throughout the building. ▪ It is noted that concerns have been raised with the existing (and future) performance of the Gosford CBD road network, given the cumulative impact of various development projects either under construction or in the planning phase. The Traffic Impact Assessment (TIA) submitted for SSDA identified future, longer-term (2032) capacity concerns –

Issue	Comment	Response
		<p>particularly at the intersections between local and state roads. The TIA concluded that capacity issues would occur with or without the proposed development. As such, infrastructure improvements are likely to be required to ensure acceptable levels of service across the road network. Road network improvements to assist in mitigating these issues include:</p> <ul style="list-style-type: none"> - The 'No Stopping' distances at the intersection of Vaughan Avenue and Mann Street be increased. This would result in the removal of a total of two on-street car parking spaces, but would provide improvements to the existing intersection. - Removal of the left turn only restriction on Baker Street at Vaughan Avenue, to improve the intersection performance at the Vaughan Avenue/Mann Street intersection in the ten-year horizon scenario. - TfNSW and Council should consider infrastructure improvements to the intersection of Central Coast Highway and Dane Drive. <ul style="list-style-type: none"> ▪ In this regard, it is noteworthy that the Applicant will be making a SIC levy contribution (2% of the development CIV), which will be put toward <i>“road network upgrades to improve traffic flow and pedestrian connections through the city centre”</i> (DPIE SIC Explanation Note 2020). The payment of a monetary contribution is considered appropriate in this instance because the funds will be directed toward the relevant type and sequence of upgrade works (determined in accordance with a detailed traffic study), which enables both a 'whole of CBD' approach and the equitable apportionment of cost.

Issue	Comment	Response
54.	Impact on Open Space	<p>The proposal is considered to provide sufficient open space because:</p> <ul style="list-style-type: none"> ▪ The SEIA which considered future resident/occupant's likely demand for open space concludes the demand would be met by existing public open space and communal open space provided on-site. ▪ The site is located opposite the Leagues Club Field, which has recently undergone major upgrade to establish a regional park with significant amenities for the broader Central Coast community. ▪ Although not a traditional form of 'open space', the through-site link will also provide public spaces for general enjoyment, gathering and relaxing, and will serve a similar purpose and benefit to open space. ▪ In accordance with the NSW ADG, the proposal will provide adequate communal open space within the building for resident enjoyment.
55.	View Sharing from 27-37 Mann Street, Gosford	<p>The Applicant is in receipt of a submission from the landowner of 27-37 Mann Street, Gosford, who obtained development consent in 2016 (466209/2014) for a 19-storey mixed-use residential building.</p> <p>The landowners have advised DPIE that the consent is operative due to the physical commencement of construction works on-site. While this may be correct, no meaningful construction activity has occurred on-site in the past five years (i.e. the buildings approved for demolition are still standing).</p> <p>The submission claims the view loss experienced at 27-37 Mann Street is "severe" using the <i>Tenancy</i> principle, however, has not provided any modelling to support this assessment.</p> <p>It is noteworthy that these views do not currently exist and are wholly hypothetical, given the building has not been constructed. Therefore, the protection of these views is unlikely to carry the same weight as a completed/constructed building, especially considering the consent may</p>

Issue	Comment	Response
		<p>never be acted upon, or otherwise be modified to provide a different floor plan arrangement and/or land uses.</p> <p>The Applicant has sourced the approved floor plans from the JRPP website and has undertaken an assessment of view sharing (refer to Appendix I). The analysis has found that the proposed building floor plan is oriented to the north-west, which in combination with the fact the proposed building is located to the north of the site, means that the majority of views from the majority of apartments are oriented away from Brisbane Water and will not be obstructed by the proposal (SSDA).</p> <p>The Applicant has also analysed potential view loss that may be experienced from the 'worst affected' position (on the 3-bedroom, west facing balcony on each floor plate) at low, mid and high-rise positions. This would represent one apartment on each floor plate of eight apartments.</p> <p>This analysis has found:</p> <ul style="list-style-type: none"> Low-rise views are already impacted by the approved/constructed development at 32 Mann Street, which blocks a section of an aperture of the view which is characterised by open water, land/water interface and intervening building development between the proposal (Northern Tower) and the approved Eastern Tower. In relation to the proposal (Northern Tower), it was found that an RL 48m compliant scheme would also block all water views experienced from this position. Notwithstanding, due to the slender tower and generous building separation arrangement approved under the Concept SSDA, distant water views would still be obtained between the buildings. As explored during the Concept SSDA stage, a potentially compliant (RL 48m) scheme would not allow for views between these buildings, as the towers would be shorter and squatter. The proposal is therefore

Issue	Comment	Response
		<p>considered reasonable having consideration of the skilful design outcome test described in Tenacity.</p> <ul style="list-style-type: none"> Mid-rise views have a similar affectation to low-rise views in that an RL 48m compliant scheme would also block the water views available in this direction. The gap between the proposal (Northern Tower) and approved Eastern Tower envelope preserves the partial views towards aperture of the Brisbane Water, including the land/water interface. This is considered to provide a reasonable view sharing outcome. High-rise views will be affected by the proposal (Northern Tower), including distant water views above the RL 48m height datum. Notwithstanding, views will be preserved between the proposal (Northern Tower) and approved Eastern Tower envelope, including of the land/water interface. This is considered to provide a reasonable view sharing outcome. <p>As above, this view study was undertaken for the worst affected location (balcony facing west). These worst affected apartments (one per eight on each floor plate) will still receive good/uninterrupted views from internal living spaces, secondary balconies, bedroom windows et cetera).</p> <p>It is also noteworthy that only four of these south west facing apartments sit above RL 48m, meaning that only 4 out of 131 apartments (4%) have any view affectation because of a non-compliance with the Gosford SEPP height control. However, in this context (where a Concept SSDA is approved with building envelopes), it is the envelopes which dictate compliance. The building is sited wholly within the approved envelopes.</p> <p>In conclusion, the view sharing outcomes in relation to 27-37 Mann Street are considered reasonable. As noted above, the site is in a CBD environment and is currently vacant. In this context, changes to existing views are unavoidable and view impacts are reasonable in this context.</p>

5. UPDATED EVALUATION OF PROJECT

This Response to Submissions Report has responded to each of the issues raised within the submissions received regarding the proposed redevelopment of 26-30 Mann Street, Gosford. The report is accompanied by:

- Updated architectural drawings which detail the proposed changes to the original scheme; and
- Supplementary reports and advices which provide additional clarification and information regarding technical issues.

The report and supporting documents have been informed by additional consultation and engagement with key stakeholders, including the NSW DPIE, the CoGDAP and Central Coast Council.

Overall, it is considered the updated proposal is acceptable having regard to the relevant biophysical, economic and social considerations, including the principles of ecologically sustainable development, as outlined below:

- **Consistency with State and local strategic planning policies** – the proposal contributes to the State Government's vision for a revitalised Gosford CBD. The application will provide the first stage of urban renewal of a strategically unique, but currently underutilised site in Gosford CBD. The proposal leverages these qualities in a sympathetic manner, maintaining consistency with the surrounding built and natural environment. The interface of the site with the Leagues Club Field has undergone detailed analysis and consultation with both Central Coast Council and the HCCDC. The proposal will deliver a strong synergy with the refurbished public domain.
- **Consistency with planning controls** – the proposal is consistent with the objectives of the relevant planning controls and delivers a built form outcome that is aligned with the desired future character for the site. Overall, the proposal is highly consistent with the aims and objectives for the waterfront, Gosford CBD and the Central Coast region.
- **High standard of architectural design and amenity** – the design of the tower has undergone rigorous independent design review through five sessions with the CoGDAP. At each stage of the design process, the project team have responded positively to feedback obtained from the Panel, building on the foundations provided by the Concept SSDA scheme. Ultimately, the Panel have confirmed that the proposal exhibits design excellence. The building will deliver a bold design statement for Gosford CBD as a vibrant, high density area.
- **Social and economic benefits** – the tower will deliver high-amenity residential accommodation in a convenient, accessible and naturally beautiful location. The creation and embellishment of a new public, open-air through site link which will dramatically improve pedestrian accessibility to Gosford waterfront and the City Centre. Specifically, the proposal is estimated to generate \$41.1 million in value added to the local region and State economy over the construction phase, together with 269 direct and indirect jobs; and an additional \$4.9 million in additional retail spending during the operational phase, supporting the growth of local businesses.

Having considered all relevant matters, there will be no additional environmental impacts as a result of the proposed refinements and clarifications. The refinements include additional measures to ensure any previously known and assessed impacts will be appropriately managed and mitigated where relevant. On this basis, the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

DISCLAIMER

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