

Concept State Significant Development Application

136 – 148 Donnison Street, Gosford

Request for Secretary Environmental Assessment
Requirements

On behalf of
Lederer Group
December 2018



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1 Introduction

This report accompanies a request to the Department of Planning and Environment (DPE) for the Secretary's Environmental Assessment Requirements (SEARs) in relation to a concept State Significant Development (SSD) proposed by the Lederer Group at 136 – 148 Donnison Street, Gosford.

The request for SEARs is made in relation to an SSD proposal for a new mixed use development, which will provide a mix of residential and retail uses. The site is located around 450m from Gosford railway station, within the Gosford City Centre as defined under State Environmental Planning Policy (Gosford City Centre) 2018 ('the Gosford SEPP').

The proposed development is permissible under the Gosford SEPP and is considered SSD in accordance with Schedule 2, Item 15 of State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD), which declares development in the Gosford City Centre with a capital investment value (CIV) over \$75m to be SSD.

The proposal follows a development proposal made to Central Coast Council by the proponent for the same site in mid-2016 under the Gosford local environmental plan (LEP) 2014. That development application was withdrawn as it was dependent on Central Coast Council progressing amendments to the LEP, which ultimately were not finalised. The new Gosford SEPP now allows development of a similar scale and outcome to take place, although it is noted that the scheme has been revised in the time since it was withdrawn.

In accordance with Clause 3 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000), before preparing an Environmental Impact Statement (EIS), a request for SEARS must first be made in a form approved by the Secretary, and include particulars of the location, nature and scale of the development or activity proposed, as well as the likely impacts of the development, relevant technical assessment guidelines, and stakeholder and engagement details.

To support the request for the SEARs application the following information is provided in this report:

- Site description and context;
- Project description;
- A summary of the applicable planning framework;
- An outline of the supporting deliverables expected to be required;
- Consultation undertaken and planned; and
- Separately attached drawings, prepared by Buchan Architects (**Attachment 1**).

2 Site Details

2.1 Regional Context

The subject site is located in the Gosford City Centre, within the Central Coast local government area (LGA). Under current strategic planning (Central Coast Regional Plan 2036), Gosford has been identified as the capital of the Central Coast, and is located within the Southern Growth Corridor, which runs between Somersby in the west and Erina in the east. Refer to figure below for the regional context of the site.

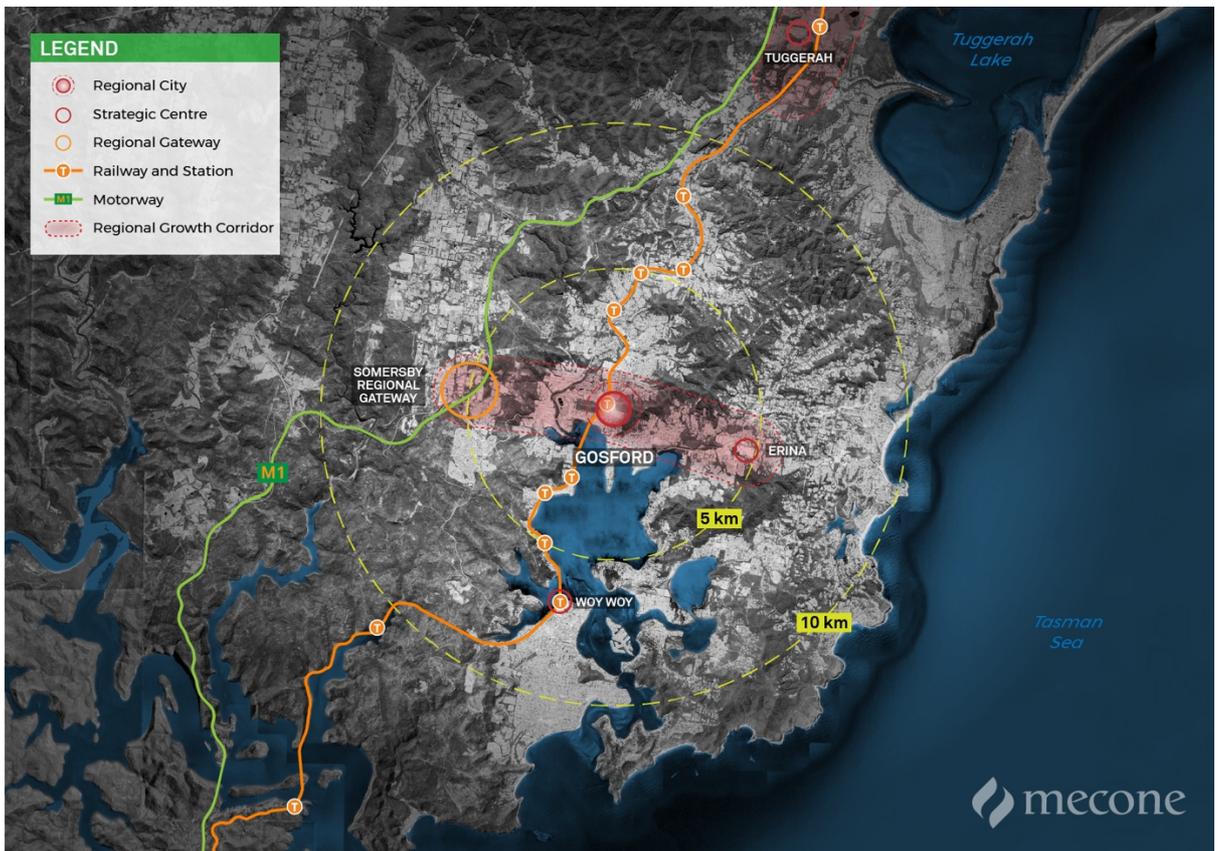


Figure 1 - Regional Context Map

Source: Mecone

2.2 Location

The subject site is located at 136-146 and 148 Donnison Street in Gosford, comprising Lot 6 DP 598833 and Lot 1 DP 540292. It has an area of around 1.42ha, with frontage to Donnison Street to the south (approximately 200m), Albany Street North to the east (approximately 40m), William Street to the north (approximately 125m), and Henry Parry Drive to the west (approximately 90m).

The site is the location of the former Kibbleplex shopping centre, which has been used solely for the purposes of carparking for a number of years. Gosford Station is located approximately 500m from the site, to the northwest. A number of bus stops are located within the walkable catchment of the subject site on Donnison Street and Albany Street North.

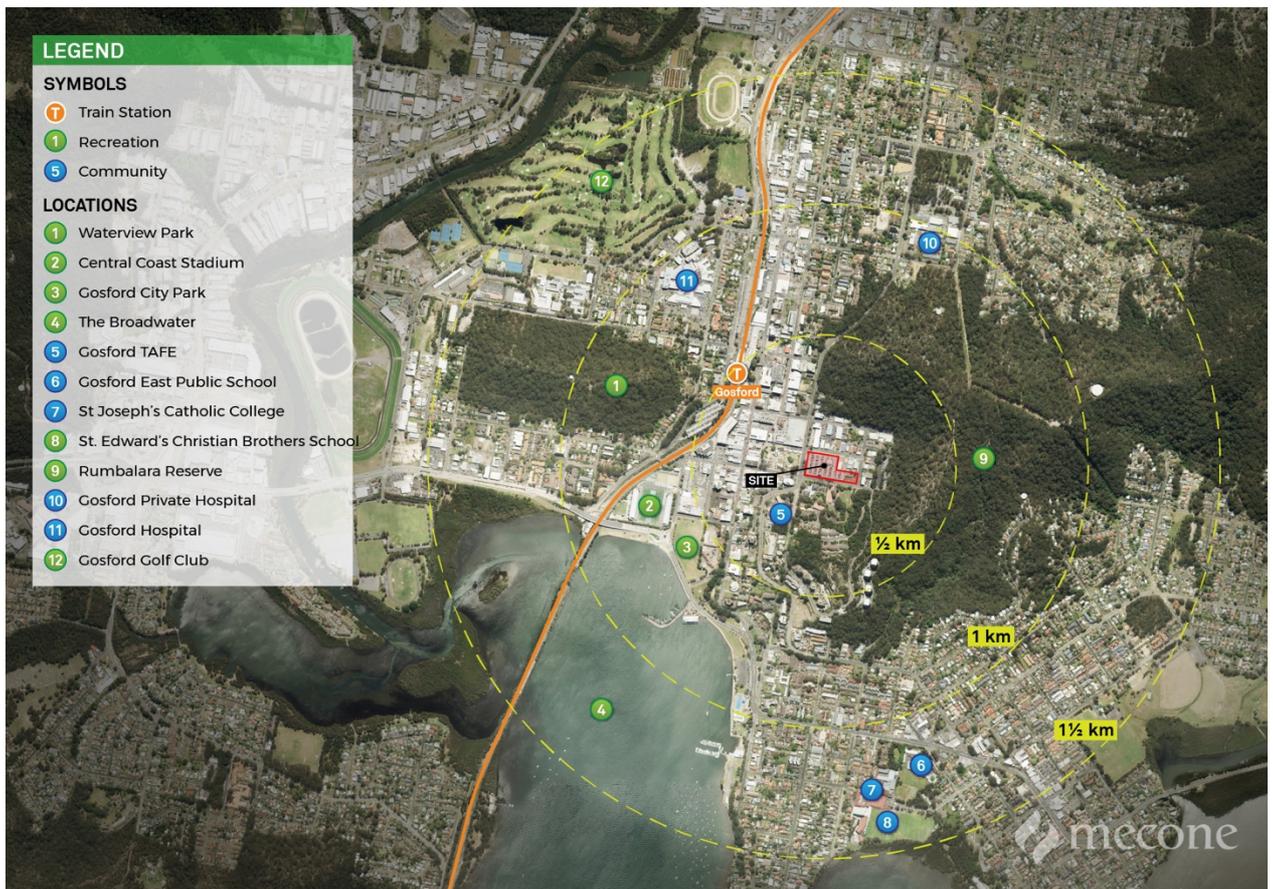


Figure 2 – Local Context Map

Source: Nearmap, modified by Mecone



Figure 3 – Subject Site

Source: Nearmap, modified by Mecone

A further summary of the site description is provided in the table below.

Table 1 – Site Description	
Item	Description
Legal Description	Lot 6, DP 598833 Lot 1, DP 540292
Total Area	14,194 m ²
Street Frontage	The site contains frontage to Donnison Street to the south (approximately 200m), Albany Street North to the east (approximately 40m), William Street to the north (approximately 125m), and Henry Parry Drive to the west (approximately 90m).
Site Description	The site is known as the “Kibbleplex Centre” and was previously owned and operated by Council as a public car park, and as a shopping centre before that. It is currently operated by the proponent for car parking purposes.
Site Topography	The site has a significant fall from east to west. The lowest point on the site is at RL 9.15 at the corner of William Street and Henry Parry Drive, and the highest point is RL 20.8 at the

Table 1 – Site Description	
	west on Albany Street. With a fall of over 10m, topography is likely to be a major factor impacting design.
Access	The site and development proposal is accessible from William Street, Donnison St, Albany Street North and Henry Parry Drive.
Public Transport	Gosford Station is located approximately 500m from the site. A number of bus stops are located within the walkable catchment of the subject site.

2.3 Surrounding Development

The site is located within the Gosford City Centre and is surrounded by a range of mixed uses. Immediately to the west is Kibble Park, the central open space serving Gosford, which in turn has a major shopping centre, the Imperial Centre, to its north.

To the north, south, and east of the site itself, the built form is predominantly lower scale, with mixed commercial buildings largely of 1 to 2 storeys in height, though some higher. The Gosford Local Court directly to the south of the site comprises a 3 storey building, and the building adjoining the site to the west (fronting William Street) is 4 storeys in height.

The site's surrounding development context is presented in the following figures.



Figure 4 Site viewed from Henry Parry Drive looking southeast

Source: Buchan



Figure 5 Streetscape character of Donnison Street looking east

Source: Buchan



Figure 6 Neighbouring development at 39-41 William Street, looking north.

Source: Buchan



Figure 7 View of Kibble Park from Donnison Street, looking east.
Source: Buchan



Figure 8 View north across Kibble Park towards the Imperial Centre
Source: Buchan

3 Development Description

3.1 The Project

The proposed development is an urban renewal project, which will result in the transition of an unappealing car parking site into a lively, attractive, and vibrant precinct to serve the growing needs of the emerging population in and around the Central Coast. The proposal will provide an integrated mixture of development supported by public transport, access to essential services and facilities, and employment opportunities.

The proposal is for a mixed-use development comprising five towers above a podium, with a mix of uses including residential, retail, entertainment, leisure, and food and beverage.

Specifically, the concept State Significant Development Application (SSDA) will seek approval for:

- The proposed built form and building envelopes, which includes:
 - Five towers above a podium;
 - Vehicular access to Donnison, William, and Albany Streets;
 - An open plaza to Henry Parry Drive fronting Kibble Park;
 - Building heights ranging to a maximum of approximately 105m; and
 - A gross floor area of approximately 90,730sqm.
- Indicative land use mix, which is likely to include:
 - Residential accommodation in the form of residential flat buildings and/or shop-top housing;
 - A neighbourhood supermarket;
 - Food and beverage retail premises;
 - Indoor recreation / entertainment (gymnasium and bowling); and
 - A cinema.
- The proposed staging approach.

NB: At the concept SSDA stage, the exact mix of uses and their respective GFA is unlikely to be determined. Specific uses will be confirmed for individual detailed SSDAs in line with the market. The above uses represent the current outcomes for the site, however, additional uses being considered include tourist and visitor accommodation, education facilities, or office premises.

Images below demonstrate the proposed built form and massing of the development.

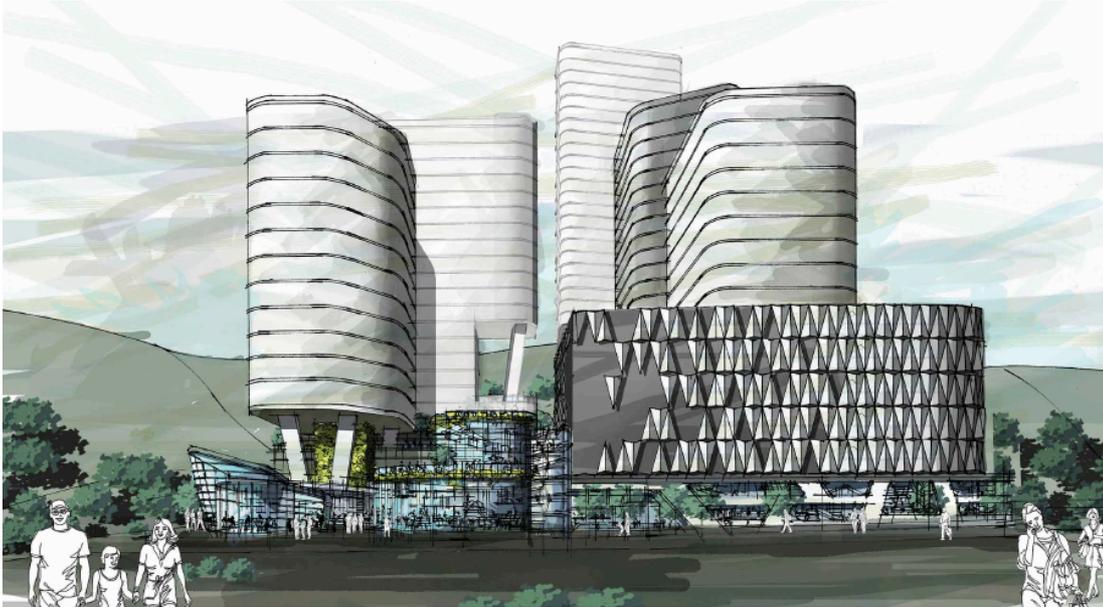


Figure 9 - 3D illustrative sketch – view from Kibble Park

Source: Buchan

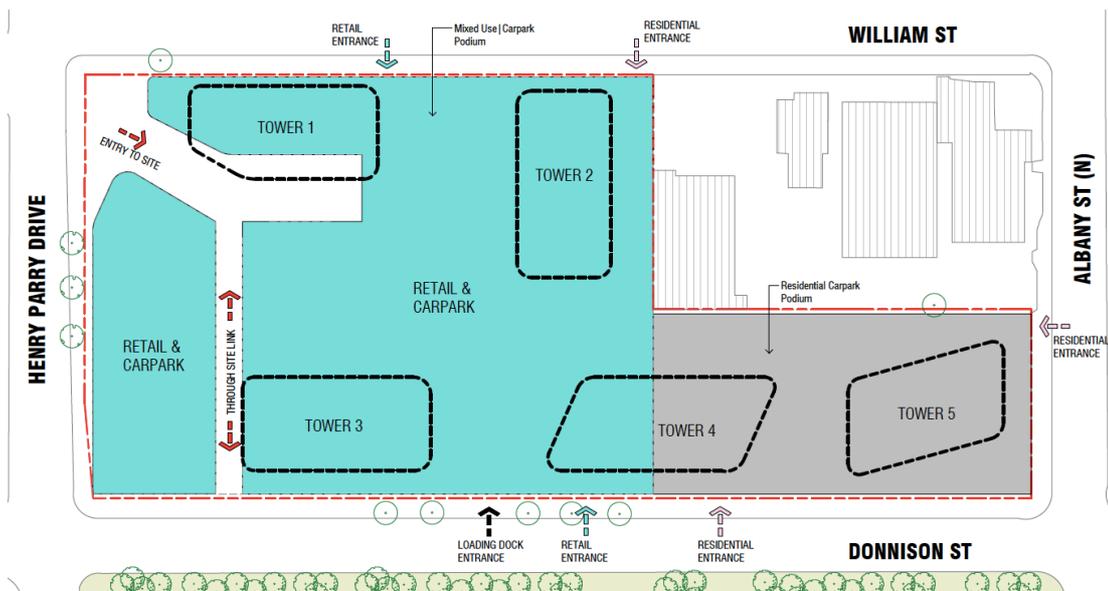


Figure 10 - Tower footprint

Source: Buchan

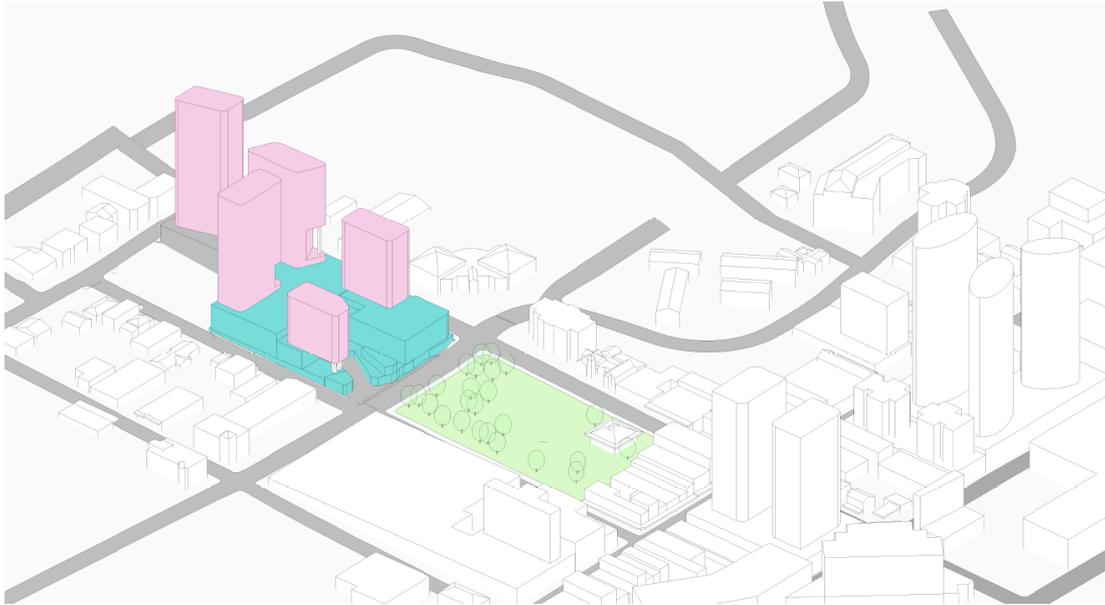


Figure 11 – Perspective from northwest

Source: Buchan

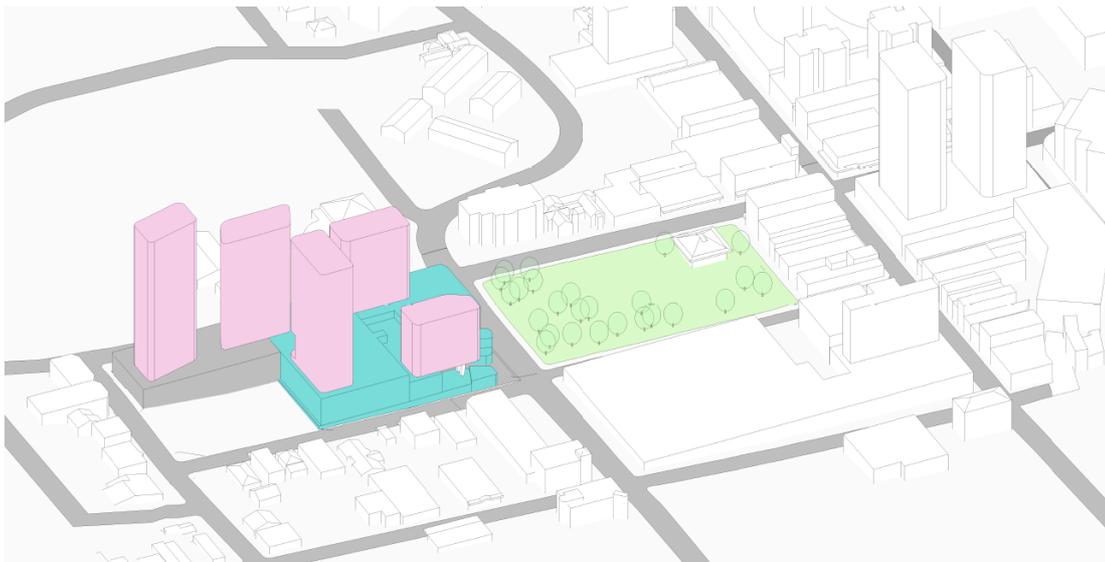


Figure 12 – Perspective from northeast

Source: Buchan

4 Planning Context

4.1 Strategic Planning Framework

The following strategic plans and policies primarily apply to the proposed development and will be required to be addressed within the EIS submitted with the SSDA:

- *Central Coast Regional Plan 2036*
- *Future Transport 2056*

Central Coast Regional Plan 2036

The Central Coast Regional Plan provides the strategy to deliver the land use planning priorities and decisions over the next 20 years. The plan outlines a number of Goals, Directions and Actions that have been set to apply to growth and investment in the Central Coast.

Direction 1 of the Plan is to **“Grow Gosford City Centre as the region’s capital”**, identifying Gosford as the capital of the Central Coast region and establishing a number of actions relating to revitalising this centre. The Plan has also outlined that Department of Planning and Environment (DPE) will work with Council to support and promote development and associated infrastructure. A precinct planning map has been prepared to identify future growth and opportunities to support the revitalisation of the Gosford City Centre (refer to Figure 13 below). The planning precincts focus on improving amenity, integrating transport and encouraging higher-density housing within the city centre, and delivering community infrastructure.



Figure 13 - Gosford City Centre

Source: Department of Planning and Environment

Gosford is also located within the Southern Growth Corridor, defined by the Central Coast Highway and linking Somersby in the west and Erina in the east. This corridor provides services to communities in the southern half of the Central Coast region, and its success will depend upon the protection of its natural attributes, the revitalisation and facilitation of better transport access to the Gosford City Centre, and achieving more diverse economic growth opportunities in Somersby and Erina. One of the key actions of the Plan is to **“deliver renewal plans for Gosford City Centre to enhance the function of the Southern Growth Corridor”**, which the proposed development responds to.

The proposal aligns strongly with the Central Coast Regional Plan. In particular, the proposal represents a significant investment in the Gosford City Centre and will assist in transforming the City Centre as an attractive place to live, work and play.

- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy – No 55 – Remediation of Land*
- *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development*
- *State Environmental Planning Policy (BASIX) 2004*

Additionally, the Gosford City Centre Development Control Plan 2018 applies to the site.

It is noted that the Gosford Local Environmental Plan (GLEP) 2014 does not apply to the site, as stipulated by clause 1.8 of the Gosford SEPP.

Environmental Planning and Assessment Act 1979

Division 4.7 of the EP&A Act 1979 establishes the assessment framework for SSD, and outlines when development may be designated as SSD.

Section 4.37 outlines that if a concept application is made for SSD, later stages may be determined by the local council and that those stages may not be SSD.

State Environmental Planning Policy (State and Regional Development) 2011

The proposed development is declared SSD in accordance with State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRP 2011). Section 8(1) of the SEPP identifies that development is SSD if it requires development consent under Part 4 of the EP&A Act 1979 and is specified in Schedule 1 or Schedule 2. Item 15 Schedule 2 of the SEPP then outlines development in the Gosford City Centre as SSD as per the below criteria.

15 Development in Gosford City Centre

Development that has a capital investment value of more than \$75 million on land identified on the Land Application Map (within the meaning of State Environmental Planning Policy (Gosford City Centre) 2018).

As the proposed development will have a total capital investment value in excess of \$75 million, it is therefore deemed as SSD. As agreed with DPE prior to lodgement, a QS estimate has not been prepared for the purposes of this SEARs, however this will be submitted with the SSDA.

State Environmental Planning Policy (Gosford City Centre) 2018

The Gosford SEPP commenced in October 2018 and is the primary environmental planning instrument applying to the site, providing controls relating to land use, built form, and design.

The proposed development will be a mixed-use development comprising residential accommodation, indoor recreation facilities, a neighbourhood supermarket, and commercial premises. These are all permissible uses with consent.

The Gosford SEPP allows for the site's height of building (HOB) and floor space ratio (FSR) controls to be exceeded in certain circumstances under clause 8.4.

Specifically, the both HOB and FSR can be exceeded under clause 8.4(4) where:

- (a) the site area of the development is at least 5,600 square metres, and
- (b) a design review panel reviews the development, and
- (c) if required by the design review panel, an architectural design competition is held in relation to the development, and
- (d) the consent authority takes into account the findings of the design review panel and, if held, the results of the architectural design competition, and
- (e) the consent authority is satisfied with the amount of floor space that will be provided for the purposes of commercial premises, and
- (f) the consent authority is satisfied that the building meets or exceeds minimum building sustainability and environmental performance standards.

Preliminary analysis and discussions with DPE suggest these criteria will be able to be complied with fully.

The SSD will take advantage of these provisions, exceeding the numerical figures shown on the HOB map (which shows a maximum height limit of between 15m and 48m), and exceeding the numerical figures shown on the FSR maps (which shows a maximum FSR of between 2.5 and 4.75).

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings

SEPP 65 applies to all buildings over 3 or more storeys containing 4 or more dwellings, and guides the design quality of these buildings through several mechanisms. In particular, the SEPP and its associated *Apartment Design Guide* (ADG) provide development standards to guide apartments such as car parking rates, apartment sizes, building separations, as well as 9 'Design Quality Principles' which must be addressed by any development.

The principles of SEPP 65, and its key design criteria, have been considered for the purposes of the plans developed to date. The SSDA will demonstrate the proposal's compliance with the design criteria relevant for the concept application stage, as well as addressing the 9 Design Quality Principles. It is anticipated that demonstrating compliance with several specific controls from the ADG will be deferred until later subsequent stage SSDs when more detail is available.

State Environmental Planning Policy (Infrastructure) 2007

SEPP (Infrastructure) 2007 (ISEPP 2007) aims to facilitate the effective delivery of infrastructure across the state. The ISEPP provides a consistent planning regime for infrastructure and the provision of service in NSW, and identifies matters to be considered in the assessment of development adjacent to different types of infrastructure.

Clause 101 of ISEPP 2007 will apply to the proposed development given portions of the development are located adjacent to Henry Parry Drive which is a classified road. Clause 104 of ISEPP 2007 (traffic generating development) will also apply to the proposed development, as the development will likely trigger the minimum thresholds for referral under Schedule 3 including for car parks and residential accommodation.

State Environmental Planning Policy (BASIX) 2004

The Building Sustainability Index (BASIX) was introduced by the NSW Government to encourage sustainable residential development and deliver equitable water and greenhouse gas reductions across the state. Section 6 of the SEPP identified that a BASIX certificate is required as per listed below:

- “(1) This Policy applies to buildings arising from the following development:*
- (a) proposed BASIX affected development for which the regulations under the Act require a BASIX certificate to accompany a development application or an application for a complying development certificate or construction certificate,”*

Under the Environmental Planning and Assessment Regulation, a BASIX affected development is defined as any building that contains one or more dwellings but does not include a hotel or motel. As the proposed SSDA will be for a concept masterplan, BASIX certificates will not will not accompany the EIS, but will be a consideration for further detailed developments.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy (SEPP) No 55 stipulates that a consent authority must not consent to the carrying out of development on land unless it has considered whether the land is contaminated, and if so whether the land is suitable in its contaminated state for the purpose of the development or whether remediation is required. Furthermore, the object of this policy states:

- “(1) The object of this Policy is to provide for a Statewide planning approach to the remediation of contaminated land.*
- (2) In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:*
- (a) by specifying when consent is required, and when it is not required, for a remediation work, and*
- (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and*
- (c) by requiring that a remediation work meet certain standards and notification requirements.”*

The proposal will be assessed in accordance to the requirements under the SEPP to ensure the subject site is suitable for the proposed development.

4.3 Other Relevant legislation, guidelines and policies

In addition to the statutory and strategic instruments and policies outlined of relevance to the proposal, the following will also require consideration:

- *The Roads Act 1993*
- *Rural Fires Act 1997*
- *Water Management Act 2000*
- *Local Government Act 1993*
- *A Guide to Traffic Generating Developments*

5 Likely Environmental and Planning Impacts

Key impacts of the proposal have been identified which will require further assessment in the EIS submitted with the SSDA. These impacts include (but are not limited to) the following:

- Built form and Urban Design
- Amenity Impacts
- Traffic and Transport
- Community Consultation
- Geotechnical / Ground Conditions
- Bushfire
- Contamination
- Stormwater and Drainage
- Ecologically Sustainable Development (ESD)

The assessment of the above aspects of the proposed development will be supported by the provision of specialist studies as identified in the following section of the report.

5.1 Built Form and Urban Design

The height, bulk and scale with respect to the surrounding context will be a key issue that is required to be addressed within the EIS. Specifically, the aspects of the built form which will be required to be addressed will be in relation to:

- The appropriateness of the height, bulk and scale of the integrated development proposed in relation to the Gosford City Centre;
- How development responds to the Gosford Urban Design Framework, such as the key Design, Urban Design and Built Form principles for the Civic Heart;
- Protecting important views and vistas; and
- Design excellence and the design quality of the proposed components of the development (see Section 5.1.1 below).

An urban design strategy will need to accompany the EIS to address this.

5.1.1 Design Excellence Strategy

A core component of the Gosford SEPP is to promote design excellence in the Gosford City Centre. This is listed as one of the Aims of the SEPP and is captured under Clause 8.4.

To ensure design excellence across the entirety of the development and its future stages, the project will be subject to assessment by the Gosford Design Advisory Panel. The proponent, the architect, and Mecone will work collaboratively with the Design Advisory Panel throughout the design process, with the process and outcomes detailed as a part of the EIS. Engagement with the Panel is anticipated to begin imminently

Already, the incorporation of design excellence is being considered through the development of concept plans. This includes consideration of the Government Architect's vision for Gosford, relevant SEPP and DCP controls, and broad design responses such as ensuring street activation, opening the site to address Kibble Park with a public plaza, and consideration of appropriate bulk and scale. More detailed design excellence outcomes such as façade and detailed design will be considered under subsequent stages of the development.

5.2 Amenity Impacts

Given the scale of the development proposed, its impact on surrounding amenity will require rigorous assessment and need to be addressed in the EIS. Amenity impacts will be assessed in regard to:

- Solar access to residents
- Overshadowing impacts;
- Visual impacts; and
- Wind impacts.

5.3 Traffic and Transport

The development proposal is within a 10 minute walk of Gosford Station and has access to bus services as well as local and State roads. However, there are known congestion and parking issues in the City Centre, and the Department has formed a Traffic and Parking subcommittee in collaboration with Council, the RMS, and Transport for NSW to address these issues. This is particularly relevant for the site given it is currently used for car parking purposes.

Given the scale of the proposed development, traffic and transport impacts will be require assessment and be addressed in the EIS.

5.4 Community Consultation

Extensive consultation was already undertaken as a part of the previous 'Gosford Alive' concept development scheme in 2016, which was subsequently withdrawn. While the scheme has changed, the general concept remains, being the renewal of the site for mixed use purposes, and the wider community is expected to be generally familiar with a planned development for the site. The community will be consulted again on this development as a result of the DPE's public notification of the SSDA.

5.5 Geotechnical / Ground Conditions

Geotechnical advice has previously been provided informing groundwater table levels, soil conditions, and likelihood of acid sulfate soils. Previous analysis has identified a likely shallow depth for groundwater. This geotechnical advice will accompany the submission of the EIS.

5.6 Bushfire

The southeast corner of the site, fronting Donnison Street and Albany Street, is currently identified as bushfire prone land. Advice was previously received regarding the necessary implementations for development to comply with Planning for Bush Fire Protection 2006 guidelines. This matter will be addressed under the EIS.

5.7 Contamination

The EIS will provide an assessment of the site in relation to whether there is the potential for contamination, in accordance with SEPP 55.

5.8 Stormwater and Drainage

The management of stormwater infrastructure will be given due consideration as a part of the EIS. Engineering documentation accompanying the SSDA will address matters such as water sensitive urban design and stormwater harvesting.

5.9 Ecologically Sustainable Development

The EIS will address how ESD principles will be incorporated in the design of the development and potential for sustainable technologies will be addressed, in response to Clause 8.4 of the Gosford SEPP.

As the initial intention is to lodge a concept application, broad advice will be sought regarding how building sustainability can, at a minimum, be achieved across the ultimate development and accompany the EIS.

6 Supporting Deliverables with the EIS

To assist in addressing the SEARs and to provide adequate information to assess the integrates SSD proposed, the following deliverables are proposed for inclusion:

- Quantity Surveyors Report
- Site Survey
- Architectural Drawings
- Design Report
- Shadow and Solar Diagrams
- Traffic Impact Assessment
- Visual Impact Assessment
- Contamination Report
- Geotechnical Assessment
- Bushfire Report
- Wind Impact Assessment
- Stormwater Management Plan
- SEPP 65 Report including a design quality verification statement.
- Public Art Strategy
- Design Excellence Strategy

7 Government Consultation

To date, for the subject application, limited consultation has been undertaken with relevant stakeholders and public authorities, other than:

- Preliminary discussions with the Department of Planning and Environment, and;
- Preliminary discussions with Central Coast Council.

There was also substantial community consultation undertaken associated with the original 'Gosford Alive' concept application in 2016.

The EIS will provide information regarding the extensive pre-lodgement consultation activities that will be undertaken following DPE's issue of SEARs for the proposal. For the concept application, it is anticipated that more detailed consultation will be undertaken with:

- The Department of Planning and Environment
- Central Coast Council
- The Gosford Design Advisory Panel
- Transport for NSW
- Roads and Maritime Services
- Service authorities
- Emergency Services

8 Conclusion

This document is a written application requesting the provision of the Secretary's Environmental Assessment Requirements (SEARs) for a concept State Significant Development proposed at 136 – 148 Donnison Street, Gosford. It includes a description of the proposed SSD, which will see the revitalisation of the site for high density mixed use purposes, including residential, retail, and entertainment uses. The SEARs request has also provided a summary of the key issues required to be addressed for the assessment of the State Significant Development Application.