

SEPP 65 and ADG Assessment Report

Stage Significant Development (SSD) Development Application (DA)
89 John Whiteway Drive, Gosford

Prepared for Department of Planning, Industry and Environment by GMU, 8th July 2021

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CONTENTS

1. INTRODUCTION	5
2. STATUTORY PLANNING FRAMEWORK.....	6
3. SITE DESCRIPTION	7
4. PROPOSAL.....	7
5. ASSESSMENT AGAINST SEPP 65 AND THE ADG.....	8
6. CONCLUSION.....	37

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I. Introduction

GMU has been engaged by Department of Planning, Industry and Environment (DPIE) to provide an assessment of the State Significant Development Application (SSDA) for the construction of four (4) residential flat buildings at 89 John Whiteway Drive, Gosford.

According to the Response to Submissions and Amended Development Application prepared by Ethos Urban, 19.3.2021, the proposal includes the following:

- Site preparation and bulk earthworks;
- Construction and use of 4 residential flat buildings (ranging in height from 5 to 9 storeys)
- 204 residential apartments;
- 1 basement level and 1 part-basement level car parking for 305 parking spaces;
- Vehicular access points on John Whiteway Drive;
- Landscaping;
- New through site link and public viewing platform;
- Tree removal and planting and extension of physical infrastructure.

I.1 Documents Reviewed

In preparing this report, GMU have reviewed the following documents describing the site and its immediate surroundings:

- Response to Submissions and Amended Development Application, by Ethos Urban, March 2021
- B_Architectural Plans Blocks A, B, C, D
- B_Architectural Plans – Shadow and Solar_Part 1, Part 2, Part 3, by ADG Architects
- B_Architectural Plans – Solar complaint Scheme, Part 3, by ADG Architects
- B_Architectural Plans – Typical Units, Part 3, by ADG Architects
- B_Architectural Plans – Part 1, 2, 3, Part 3, by ADG Architects
- C_Visual Impact Assessment, by ADG Architects and Richard Lamb & Associates
- D_DCP Compliance Table V2, by Ethos Urban
- E_ADG Compliance Statement (SEPP 65 Verification Statement), by ADG Architects
- F_Design Excellence Design Report by ADG Architects and Marchese Partners
- J_Landscape Plans Part 1, 2, 3, 4, 5, 6, 7, 8, 9,10, by Distinctive Living Design
- Revised SEARs SSD-10321 09.07.2019
- T_Clause 4.6 Variation Request – Height, by Ethos Urban, March 2021

In June 2021, GMU reviewed additional information as follows:

- Request RTS_14052021_102826
- A_DA001-DA007_Overall_Part 1, Part 2, Part 3
- A_DA008_Typical Units
- A_DA009_Block A
- A_DA010_Block B
- A_DA011_Block C
- A_DA012_Block D

- B_ DA007.4 Solar access diagrams_Part1, Part 2, Part 3
- C_ Landscape Plans Rev O_ Part 1, Part 2, Part 3, Part 4, Part 5, Part 6, Part 7, Part 8, Part 9, Part 10, Part 11
- D_ Distinctive RFI Response
- JWD_ Response to Submissions

GMU has reviewed the following legislation relevant to the development proposal:

- NSW Government Architect's Gosford Urban Design Framework 2018, Section 3.6 - Design Principles for City South
- SEPP (Gosford City Centre) 2018
- Gosford City Centre Development Control Plan (DCP) 2018
- State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development (SEPP 65) and the Apartment Design Guide (ADG)

Other strategies, environmental planning instruments, policies and guidelines apply to the development but these are not considered in this assessment.

1.2 Project history

According to the EIS, Development Consent for six (6) residential flat buildings comprising of 178 apartments, basement car parking, landscaping and communal facilities was granted on 13 February 2004 (DA 19601/2003).

The EIS also refers to a separate Development Application currently under assessment. The application is for five (5) residential flat buildings comprising a total of 241 apartments, basement car parking, open space and communal facilities (DA 54602/2018). The application is not considered in this assessment.

Since the public exhibition ending May 2020, we understand the Gosford Design Advisory Panel (DAP) has provided input along with key stakeholders, including the Department of Planning, Industry and Environment (the Department), has led to the development of an amended scheme to address the key issues raised during exhibition.

The proposal has extensively reviewed the overall approach and elements of the original application. This process was undertaken through close engagement with key stakeholders, including the Department of Planning, Industry and Environment (the Department), and has accordingly led to the development of an amended scheme, which substantially addresses the key issues raised during exhibition.

2. Statutory Planning Framework

In accordance with Section 4.39 of the EP&A Act, the Secretary of the Department of Planning and Environment issued the revised requirements for the preparation of the EIS on 9 July 2019 and we understand the revised Secretary's Environmental Assessment Requirements (SEARs) was issued 09.07.2019, nominating submission requirements.

Point 6 (Residential and Environmental Amenity) of the SEARs nominates that it must be demonstrated that:

'the proposed building envelopes are capable of complying with SEPP 65 and the Apartment Design Guide (ADG) and ensure the proposal achieves a high level of environmental and residential amenity.'

According to the SEARs, the following statutory policies, plans and guidelines apply to the development:

State Environmental Planning Policy (Gosford City Centre) 2018;

Gosford City Centre Development Control Plan 2018

State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (SEPP 65) and accompanying Apartment Design Guide (ADG);

We understand the pursuant to Clause 11 of the State and Regional Development SEPP, the DCP does not apply where a development is State Significant Development. Nevertheless, an assessment of the proposal's relationship with Gosford City Centre DCP 2018 is provided in the DCP Compliance Review prepared by Ethos Urban (dated 11.03.2021). GMU note that 6A of SEPP 65 nominates that development control plans cannot be inconsistent with Apartment Design Guide.

Further policies and plans also apply to the development however, these are not considered in this assessment.

Key controls apply to the site as follows:

- The site is zoned R1 General Residential (SEPP (Gosford City Centre) 2018)
- The site is located within the Gosford City Centre Boundary (SEPP (Gosford City Centre) 2018)
- The site is subject to maximum building heights under SEPP (Gosford City Centre) 2018 ranging from RL 73 to the south to RL 77 and RL 80 to the north.
- The maximum Floor Space Ratio (FSR) applying to the site is 1.5:1 under SEPP (Gosford City Centre) 2018

3. Site description

The site is located in the Gosford City Centre, within the Central Coast Council Local Government Area (LGA). It is located on the eastern edge of the City Centre, approximately 50 kilometres to the north of the Sydney CBD and 68 kilometres to the south of the Newcastle CBD.

According to the design documentation reviewed, the total site area is nominated as 2.3ha site (22,300sqm).

The site was previously occupied by a former quarry and the site topography is characterised by a large, benched excavation area. According to the EIS, the majority of the site is relatively flat, with a gradual fall towards the south-west from 67m to approximately 64m AHD. This is understood to relate to its previous use of the site as a former sandstone quarry. The architectural documentation indicates natural (existing) ground levels with significant level changes around the perimeter of the site. According to the EIS, the majority of the site is cleared of existing trees and the site enjoys local as well as district views.

We understand an easement applies to the site.

4. Proposal

Chapter 3.0 of the EIS provides a description of the proposed development of 89 John Whiteway Drive, Gosford. The application proposal seeks approval for the following:

- Site preparation and bulk earthworks;
- Construction and use of 4 residential flat buildings (ranging in height from 5 to 12 storeys), including:
- 260 residential apartments;
- 1 basement level and 1 part-basement level car parking for 400 parking spaces;
- Vehicular access points on John Whiteway Drive;
- Site landscaping and a through site link and public viewing platform;
- Tree removal and planting; and
- Extension and augmentation of physical infrastructure and utilities as required.

According to the EIS, the proposal is developed on the basis of the following design principles:

- Improve connectivity to the Gosford City Centre through providing a direct connection to Rumbalara Reserve;
- Achieve a high level of design excellence;
- Respect the landscape context of Gosford;
- Maximise available open space by reducing building footprints and sensitively increasing heights; and
- Achieve a high level of sustainability.

We understand the proposal was recently amended in response to the public exhibition (May 2020) and submissions received. According to the Response to Submissions and Amended Development Application prepared by Ethos Urban (March 2021), the following key amendments have been made to the proposal:

- reduction in the building height from 6 - 12 storeys to 5 - 9 storeys;
- reduction in the number of residential apartments from 260 apartments to 204 apartments, resulting in a reduction in FSR of 1.39:1 to 1.11:1;
- overall refinement of the building envelopes to respond to concerns relating to built form, visual impacts and amenity;
- refinement of the façade design with a clear narrative to break down the perceived bulk and scale, providing a contemporary and uplifting aesthetic;
- replanning of apartment layouts to further improve amenity levels;
- deletion of the through site connection to John Whiteway Drive, mitigating visual privacy concerns; and
- inclusion of new publicly accessible open space, footpath construction and heritage interpretation elements which provide significant public benefits.

The key development outcomes are:

- 4 Residential Flat Buildings (5 tower forms) ranging in number of storeys from 5-9 storeys.
- Building heights as follows:
 - Block A RL 85.8 (20.77m)
 - Block B RL 88.6 (20.68m)
 - Block C RL 96 (28.68m)
 - Block D 99.1 (28.3m)
- FSR 1.11:1
- 204 residential apartments
- Deep soil area 11.570sqm which equates to 51.9% of the site area
- Communal open space of 5.774 sqm which equates to 26% of the site area
- Total 305 Car parking spaces

5. Assessment against SEPP 65 and the ADG

GMU have reviewed the relevant information as available on the public website (DPIE). We have considered the relevant information and undertaken an assessment against State Environmental Planning Policy No 65 (Design Quality of Residential Apartment Development SEPP 65) and the relevant principles in the Apartment Design Guide (ADG). We have assessed the proposal based on the design documentation and justification put forward by the applicant.

The ADG provides design criteria and general guidance about how development proposals can achieve the nine design quality principles identified in SEPP 65.

The table below indicates the topics, objectives or rule of thumb suggested within the design code and the response provided by the amended design.

Apartment Design Guide (ADG) – Assessment Table

Objective	Relevant Design Criteria/Guidelines	Compliance	Comment
Part 01 - Identifying the Context <i>This part introduces generic apartment building types to inform appropriate site, block and building design responses at a strategic level. It outlines the importance of understanding the context, setting, local character, size and configuration of a development site. It is to be used primarily during the design stage of a development and during the strategic planning process when preparing planning controls.</i>			

1A Apartment Building types		N/A	The proposal seeks to develop 5 Residential Flat Buildings as pavilion forms and courtyard apartment type buildings.
1B Local Character and Context		N/A	Refer to summary of responses to Design Quality Responses
1C Precincts and Individual sites		N/A	Refer to summary of responses to Design Quality Responses
Part 02 - Developing the controls <i>This part explains the application of building envelopes and primary controls including building height, floor space ratio, building depth, separation and setbacks. It provides tools to support the strategic planning process when preparing planning controls.</i>			
2A Primary Control		N/A	Part 02 of the ADG provides guidance and tools to the strategic planning process when preparing planning controls.
2B Building Envelopes		N/A	<p>A suite of controls apply to the site including local envelope controls under Gosford City Centre Development Control Plan 2018. Local built form controls include: Setbacks, Street Wall Heights, Upper Podium controls, Slender Towers, Amenity, Deep soil, Car Parking and Special Area controls.</p> <p>Assessment against applicable local controls is part of a separate assessment.</p>
2C Building Height		N/A	<p>Part 02 of the ADG provides guidance and tools to the strategic planning process when preparing planning controls.</p> <p>A suite of controls apply to the site including maximum building height controls under SEPP (Gosford City Centre) 2018 ranging from RL 73 to the south to RL 77 and RL 80 to the north.</p> <p>It is understood that the proposal seeks substantial variation to the maximum allowable building heights for Blocks A, B, C and D which is part of a separate assessment. The proposed building heights are as follows:</p> <ul style="list-style-type: none"> Block A RL 85.8 (20.77m) which equates to a height variation of 160.6% against the controls. Block B RL 88.6 (20.68m) which equates to a height variation of 86.64% -192% against the controls. Block C RL 96 (28.68m) which equates to a height variation of 196.2% against the controls. Block D 99.1 (28.3m) which equates to a height variation of 207.6% - 356.4% against the controls. <p>Refer to GMU's comments against Design Quality Principle No 2 – Bulk and Scale (SEPP 65, Schedule 1) later in this report.</p>
2D Floor space ratio		N/A	<p>Part 02 of the ADG provides guidance and tools to the strategic planning process when preparing planning controls.</p> <p>Maximum FSR controls apply to the site under SEPP (Gosford City Centre) 2018. The maximum FSR applicable to the site is 1.5:1 and we understand the proposal is compliant with the applicable controls with FSR 1.11:1 proposed as part of the amended scheme.</p> <p>Gross Floor Area compliance is part of a separate assessment.</p> <p>Refer to GMU's comments against Design Quality Principle No 2 – Density (SEPP 65, Schedule 3) later in this report.</p>

2E Building depth	<p>Use a range of appropriate maximum apartment depths of 12-18m from glass line to glass line when precinct planning and testing development controls.</p> <p>This will ensure that apartments receive adequate daylight and natural ventilation and optimise natural cross ventilation.</p>	N/A	<p>Overall building footprint depth are nominated ranging from (approximately) 18m – 24.4m for Blocks A, B and C whereas the overall building footprint depth nominated for D1 is approximately 31.1m.</p> <p>Apartment depths (glass line to glass line) range from approximately 9.8m (Town house Type 1) to approximately 14.4m (3B Type 7) which is consistent with the guidelines. However, Part 02 of the ADG provides guidance and tools to the strategic planning process when preparing planning controls and is therefore not part of this assessment.</p> <p>Please refer to GMU's comments regarding the proposal's response to Part 4D Apartment size and layout and the maximum depth of open plan living areas.</p>
2F Building separation	<p>Minimum separation distances for buildings are:</p> <p><u>Up to four storeys:</u></p> <ul style="list-style-type: none"> • 12m between habitable rooms/balconies • 9m between habitable and non-habitable rooms • 6m between non-habitable rooms <p><u>Five to eight storeys:</u></p> <ul style="list-style-type: none"> • 18m between habitable rooms /balconies • 12m between habitable and non-habitable rooms • 9m between non-habitable rooms <p><u>Nine storeys and above:</u></p> <ul style="list-style-type: none"> • 24m between habitable rooms/balconies • 18m between habitable and non-habitable rooms • 12m between non-habitable rooms 	N/A	<p>Part 02 of the ADG provides guidance and tools to the strategic planning process when preparing planning controls. Part 2F provides considerations in setting building separation controls to achieve appropriate amenity outcomes.</p> <p>Building separation between Blocks A and B do not meet with the minimum guidelines. Please refer to GMU's comments regarding the proposal's response to Part 3F Visual Privacy and minimum building separation.</p>

2G Street setbacks	<p>Determine street setback controls relative to the desired streetscape and building forms, for example:</p> <ul style="list-style-type: none"> • define a future streetscape with the front building line • match existing development • step back from special buildings • retain significant trees • in centres the street setback may need to be consistent to reinforce the street edge • consider articulation zones accommodating balconies, landscaping etc. within the street setback • use a setback range where the desired character is for variation within overall consistency, or where subdivision is at an angle to the street 	N/A	<p>Part 02 of the ADG provides guidance and tools to the strategic planning process when preparing planning controls. A suite of controls apply to the site including local envelope controls under Gosford City Centre DCP 2018 and compliance is part of a separate assessment.</p> <p>Nevertheless, <u>the DCP nominates street setback controls as follows:</u></p> <ul style="list-style-type: none"> • 5-6m to John Whiteway Drive for street wall heights of 6-12 storeys. <p>The proposal provides minimum 5m setback to the street frontages and is therefore consistent with the applicable DCP controls.</p> <p>The built forms provide definition to the street.</p> <p><u>the DCP nominates side setback controls as follows:</u></p> <ul style="list-style-type: none"> • 3m to streetwall • 4.5m above street wall. <p>The proposed side setbacks are consistent with the side setback controls of the DCP</p> <p><u>The DCP nominates rear setback controls as follows:</u></p> <ul style="list-style-type: none"> • 6m outside B zones, <p>A buildable area is nominated in chapter 10.3 of the DCP. The proposed development is located outside what is identified as the non-buildable zone' (Fig 14 Development Principles Plan).</p>
2H Side and rear setbacks	<p>Test side and rear setbacks with the requirements for:</p> <ul style="list-style-type: none"> • building separation and visual privacy • communal and private open space • deep soil zone requirements 	N/A	

Part 03 - Siting the Development


This part provides guidance on the design and configuration of apartment development at a site scale. Objectives, design criteria and design guidance outline how to relate to the immediate context, consider the interface to neighbours and the public domain, achieve quality open spaces and maximise residential amenity. It is to be used during the design process and in the preparation and assessment of development applications.

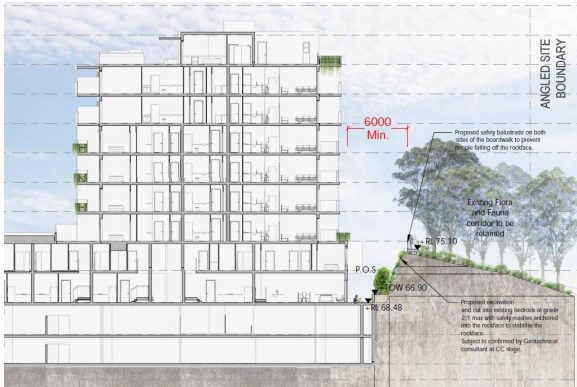
3A Site Analysis

<p>Objective 3A-1</p> <p>Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.</p>		No	<p>Site analysis is provided as part of the proposal. The architectural plans provide a schematic indication of neighbouring development locations however, only limited information is provided in regard to the existing cross boundary relationships and how these have informed the overall proposal and detailed design solutions.</p> <p>The architectural documentation provides only limited survey information for adjoining lots, failing to adequately demonstrate the detailed design responses adopted to manage the significant level changes and ensure capacity to deliver appropriate built form responses to site edges including neighbouring sites and public domain interfaces.</p>
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			<p>Given the size of the proposed development, the topographical constraints and the proposed alterations to site levels, the site analysis should clearly demonstrate how the detailed design solutions to site edges are informed by a comprehensive understanding of the site and context analysis as well as potential impacts to surrounding areas.</p> <p>The building lengths range from approximately 38.9m (Block A) to 75.1m (Block D) exacerbating the perceived bulk and scale impacts presented to site edges. The proposal does not include figure ground analysis demonstrating how the building lengths are compatible and sympathetic to the existing development pattern in the area.</p> <p>The proposal does not include comprehensive streetscape analysis demonstrating how the building heights are informed by the built form and topographical context.</p> <p>The configuration of the buildings relative to each other is awkward and creates poor quality spaces and relationships in a number of locations. This suggests that the layout has been derived more by maximising FSR rather than seeking to create a positive place making outcome eg the awkward relationship between block A and B and between Block B and D and to a lesser extent Block D and C.</p> <p>Therefore, the proposal does not meet Objective 3A-1.</p>
3B Orientation			
<p>Objective 3B-1</p> <p>Building types and layouts respond to the streetscape and site while optimising solar access within the development.</p>	<p>Buildings along the street frontage define the street, by facing it and incorporating direct access from the street.</p> <p>Where the street frontage is to the east or west, rear buildings should be orientated to the north.</p>	No	<p>Blocks A, B and C address the street interface along the eastern site edge.</p> <p>Direct access is provided to each of the buildings fronting the street. Due to the depth and geometry of the site, pedestrian access is provided to Block D through the communal open space between Block C and D.</p> <p>Block D at the rear of the site is orientated east/west to capture views and maximise solar access.</p> <p>Buildings address the street but the site layout does not optimise solar access within the development to meet Objective 3B-1.</p>
<p>Objective 3B-2</p> <p>Overshadowing of neighbouring properties is minimised during mid-winter.</p>	<p>Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access.</p> <p>Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%.</p> <p>If the proposal will significantly reduce the solar access of neighbours, building</p>	No	<p>The information provided does not demonstrate that the proposal is designed to minimise overshadowing to neighbouring properties, with regard to the proposed building heights in particular.</p> <p>The revised shadow diagrams (DA007.4.6.1 - DA007.4.6.7 (Issue 4)) do not clearly demonstrate to what extent the additional overshadowing is caused by the non-compliant building height.</p> <p>The shadow diagrams indicate that the proposed development will reduce solar access to the courtyard and pool area of the adjoining development at No 91-95 John Whiteway Drive. During the morning (mid-winter), overshadowing also appear to impact the neighbouring building itself however, the overshadowing analysis does not include elevational analysis demonstrating additional impact to habitable windows.</p> <p>The majority of additional overshadowing to No 91-95 occurs between 9:00 AM and 10:00 AM during mid-winter. By 11:00 AM, the neighbouring property at No 91-95 is no longer impacted.</p>



	<p>separation should be increased beyond minimums contained in section 3F Visual privacy.</p> <p>Overshadowing should be minimised to the south or downhill by increased upper level setbacks.</p>		<p>During the afternoon, additional overshadowing impacts the road reserve (John Whiteway Drive) to the east and the existing residential development at No 117. The additional overshadowing appears to occur between 2:00 PM and 3:00 PM (mid-winter).</p> <p>The Sun Eye Diagram Study (DA007.4.6.8 - DA007.4.6.11 (Issue 4)) is ambiguous and does not accurately represent views from the sun as shadows are cast.</p> <p>The additional information provided (June 2021), indicates that additional overshadowing to neighbouring properties primarily occurs between 9:00 AM-10:00 AM and between 2:00 PM -3:00 PM. However, the documentation does not demonstrate how the built forms are organised and proportioned to minimised overshadowing impact to neighbouring sites.</p> <p>Therefore, further information is required to determine the capacity to meet Objective 3B-2.</p>
3C Public Domain interface			
<p>Objective 3C-1</p> <p>Transition between private and public domain is achieved without compromising safety and security.</p>	<p>Terraces, balconies and courtyard apartments should have direct street entry, where appropriate.</p> <p>Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings.</p> <p>Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m.</p> <p>Length of solid walls should be limited along street frontages.</p> <p>Opportunities should be provided for casual interaction between residents and the public domain.</p> <p>Opportunities for people to be concealed should be minimised.</p>	<p>No. The principle is not met for Block C</p>	<p>Block A: Units fronting the street do not have direct access from the street.</p> <p>Block B: Individual access is provided to units fronting the street.</p> <p>Block C: Units fronting the street do not have individual direct access.</p> <p>Due to the site geometry and site layout, Block D does not have a direct street frontage.</p> <p>Balconies overlook the street to provide passive surveillance to the public domain in accordance with the guidelines.</p> <p>However, the massing strategy relies on extensive excavation to the northern and eastern site edges, resulting in a subterranean condition where units in Block C are located below street level.</p> <p>The arrangement raises concern for potential privacy impacts to the lower level units in Block C.</p> <p>Objective 3C-1 seeks to guide outcomes which prioritise the public domain interface of the development and ensure it contributes to the quality and character of the street. Landscape Plan 05 (dwg 10-19.34, Issue O) does not include sufficient survey information to demonstrate the elevational relationship between the subterranean units and the footpath areas.</p> <p>The additional landscape information does not include sectional studies indicating how privacy to the subterranean units can be maintained for Block C through landscaping. The landscape plans (dwg 10-19.44, issue O) indicate canopy trees and low level planting in this location but it is not clearly demonstrated how this can be accommodated, taking into account the steep embankment and balconies cantilevering above (Section 1B (DA005.1, Rev 11) & Section 3 (DA005.7, Rev 10)). It is also noted that it is not appropriate to rely solely on landscape to create privacy.</p> <p>Solid walls presented to John Whiteway Drive appear to exceed 1m in height.</p> <p>The current scheme does not meet Objective 3B-2.</p>

<p>Objective 3C-2</p> <p>Amenity of the public domain is retained and enhanced.</p>	<p>Planting softens the edges of any raised terraces to the street, for example above sub-basement car parking.</p> <p>The visual prominence of underground car park vents should be minimised and located at a low level where possible.</p> <p>Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view.</p> <p>On sloping sites protrusion of car parking above ground level should be minimised by using split levels to step underground car parking.</p>	No	<p>The protruding basement entry structure at the south eastern corner of the site is visually prominent which will adversely impact the presentation to John Whiteway Drive. Landscaping may screen the structure in part as presented to the neighbouring development but according to the recent CGI information provided June 2021 (Appendix D, Page 3), the structure will present as visually dominant to the streetscape.</p>  <p>The current scheme does not meet Objective 3C-2.</p>
3D Communal and Public Open Space			
<p>Objective 3D-1</p> <p>An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.</p>	<p>Criteria 1 - Communal open space has a minimum area equal to 25% of the site.</p> <p>Criteria 2 - Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3 pm on 21 June.</p> <p>Communal open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions.</p> <p>Communal open space should be co-located with deep soil areas.</p> <p>Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies.</p>	<p>Yes, pending further clarification in regard to which areas are included in the solar access calculations.</p>	<p>According to the recent information, the proposal provides 14,783sqm of communal open space which equates to 66% of the total site area. This area includes the public walkway and viewing platform.</p> <p>A large portion (3.959sqm) of the communal open space is provided as landscaped area above structure and is dominated by hardscape. Many of the areas included in the communal open space calculations are not universally accessible (such as the public walkway). Other areas included in the communal open space calculations are not accessible to residents as they are gated areas intended for maintenance access only (such as the bushland corridor along the southern boundary).</p> <p>Nevertheless, given the generous open space provisions and recreational areas available in the area, the provision of communal open space is considered to meet Criteria 1.</p> <p>The communal open spaces generally appear to have a minimum dimension of 3m with a variety of spaces for different uses but greater capacity for canopy coverage within the central open space is encouraged to provide outdoor recreation opportunities for residents, connection to the natural environment of the area.</p> <p>Direct and equitable access is provided to the centralised communal areas from lobbies and circulation areas except for the lower pool deck area.</p> <p>The most recent solar access information does not clearly demonstrate how the development achieves a minimum of 50% direct sunlight to the <u>principal usable part</u> of the communal open spaces for 2 hours during mid-winter. For example, areas located within front setbacks cannot be considered part of the principal usable communal areas. Communal open space should not occur within front setbacks as the lack of privacy means it is not useable by residents.</p>

			Additional, detailed information is required to demonstrate that, the proposal can meet Criteria No 2 and Objective 3D-1.
<p>Objective 3D-2</p> <p>Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.</p>	<p>Facilities are provided within communal open spaces and common spaces for a range of age groups, incorporating seating, barbecue areas, play equipment or play areas, swimming pools, gyms, tennis courts or common rooms.</p> <p>Visual impacts of services should be minimised, including location of ventilation duct outlets from basement car parks, electrical substations and detention tanks.</p>	Yes	<p>According to the Landscape plans, the communal areas include a range of active and passive recreation areas including, pool facilities, communal gardens, putting golf greens, boardwalks, Bocce Courts and open areas for congregation and social gathering.</p> <p>Visual impact to the communal open space of service areas is minimised.</p> <p>The proposal is considered to meet Objective 3D-2.</p>
<p>Objective 3D-3</p> <p>Communal open space is designed to maximise safety.</p>	<p>Communal open space and the public domain should be readily visible from habitable rooms and private open space areas while maintaining visual privacy.</p>	<p>Yes, pending privacy measures to prevent overlooking from the public boardwalk to Unit D1-09.</p>	<p>Units are orientated to overlook the communal areas with communal pathways meandering through open spaces to increase passive surveillance and enhance a sense of security for residents.</p> <p>Landscape screening is proposed to ensure adequate privacy between private outdoor areas and communal spaces.</p> <p>According to the recent landscape plan (dwg 10-19.35, Issue O), the bushland boardwalk along the northern site edge is elevated more than 5m above the finished floor level of Unit D1-09 and the information provided does not sufficiently demonstrate how overlooking issues can be avoided in this location.</p> <p>Elsewhere, the separation distances between the boardwalk and habitable areas are considered to be adequate to ensure adequate levels of visual privacy. However the steep slope and proximity of the retaining wall does not provide adequate space to manage the steep slope and the wall will overwhelm the low level apartments.</p>  <p>Providing mitigation measures are incorporated to prevent overlooking to Unit D1-09, the proposal is believed to have capacity to meet Objective 3D-3.</p>
<p>Objective 3D-4</p> <p>Public open space, where provided, is responsive to the</p>	<p>The public open space should be well connected with public streets along at least one edge.</p>	Yes	<p>The communal open space is centrally located between the built forms but visual corridors between the buildings provide a perceived connection through view lines to the public domain and surrounding bushland zones.</p>

existing pattern and uses of the neighbourhood.	<p>The public open space should be connected with nearby parks and other landscape elements.</p> <p>A positive address and active frontages should be provided adjacent to public open space.</p>		<p>Boundaries between public open space and private areas are sufficiently defined.</p> <p>Boundaries are generally well defined between public open space and private areas.</p> <p>The proposal is considered to meet Objective 3D-4.</p>
3E Deep soil zones			
<p>Objective 3E-1</p> <p>Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.</p>	<p>Criteria 1 - Deep soil zones for sites greater than 1,500m² with significant existing tree cover are to provide minimum dimension of 6m and minimum 7% of the site area as deep soil.</p> <p>On some sites it may be possible to provide larger deep soil zones, depending on the site area and context.</p> <p>Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees.</p>	Yes	<p>A large part of the site is provided as non-buildable area where existing bushland corridor is retained.</p> <p>According to recent information (dwg 10-19.14, Issue O), the proposal provides 11,959sqm of deep soil which equates to 53.5% of the total site area. The deep soil is largely accommodated within the undevelopable part of the site along the northern, western and southern perimeter of the site.</p> <p>Overall, the development meets the design criteria for deep soil and is therefore considered to meet Objective 3E-1.</p>
3F Visual Privacy			
<p>Objective 3F-1</p> <p>Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.</p>	<p>Criteria 1 - Separation between windows and balconies is provided to ensure visual privacy is achieved.</p> <p>Minimum required separation distances from buildings to the side and rear boundaries are as follows:</p> <p>up to 12m (4 storeys) = 6m (habitable rooms and balconies), 3m (non habitable rooms).</p> <p>up to 25m (5-8 storeys) = 9m (habitable rooms and balconies), 4.5m (non habitable rooms).</p> <p>over 25m (9+ storeys) = 12m (habitable rooms and balconies), 6m (non habitable rooms).</p> <p>New development should be located and oriented to maximise visual privacy between buildings on site and for neighbouring</p>	No	<p>The building separation between Blocks A and B as well as Blocks C and D does not meet the Design Criteria under Objective 3F-1.</p> <p>According to the Response to Submissions document, the proposal relies on privacy screens to west facing frontages to compensate for inadequate building separation. While privacy screens mitigate impact, the site layout is not considered to maximise visual privacy in accordance with the ADG guidelines.</p> <p>Compromised building separation also leads to other undesirable amenity outcomes such as compromised acoustic privacy and exacerbated sense of enclosure.</p> <p>The proposal is not considered to demonstrate Objective 3F-1 is met.</p>

	<p>buildings. Design solutions include:</p> <ul style="list-style-type: none"> • site layout and building orientation to minimise privacy impacts (see also section 3B Orientation) • on sloping sites, apartments on different levels have appropriate visual separation distances. <p>Direct lines of sight should be avoided for windows and balconies across corners.</p>		
<p>Objective 3F-2</p> <p>Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space.</p>	<p>Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows.</p> <p>Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas.</p> <p>Windows should be offset from the windows of adjacent buildings.</p> <p>Recessed balconies and/or vertical fins should be used between adjacent balconies.</p>	Yes	<p>Planter boxes are generally provided to mitigate privacy impacts between private and communal areas.</p> <p>Habitable rooms are separated from communal areas and circulation spaces.</p> <p>The proposal meets Objective 3F-2.</p>
3G Pedestrian Access and Entries			
<p>Objective 3G-1</p> <p>Building entries and pedestrian access connects to and addresses the public domain.</p>	<p>Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge.</p> <p>Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries.</p>	No, due to the configuration of Block C.	<p>Block D does not have an address to the street due to the geometry and orientation of the site. The southern entry and lobby area is visible to the street with direct pedestrian access along a pathway between Blocks B and C.</p> <p>Block C fronts the street but does not provide individual entries to units fronting the street due to the configuration the site levels.</p> <p>Therefore, the proposed configuration of Block C does not meet Objective 3G-1.</p>
<p>Objective 3G-2</p> <p>Access, entries and pathways are accessible and easy to identify.</p>	<p>Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces.</p> <p>The design of ground floors and underground car parks</p>	Yes	<p>The pedestrian entries and lobbies are clearly visible from the public domain and communal spaces.</p> <p>The design of Block A responds to the existing topography, minimising level changes to residential entries.</p> <p>The finished floor level of Block B (Ground floor) appears to be located approximately 1.1m – 3m below the street level which</p>

	<p>minimise level changes along pathways and entries.</p> <p>Steps and ramps should be integrated into the overall building and landscape design.</p>		<p>may result in poor way finding to the main building entry from the street.</p> <p>The finished ground floor level of Block C (Level 01) appears to be located approximately 3m – 3.3m below the street level compromising way finding to the main building entry from the street.</p>  <p>Nevertheless, subject to the implementation of 'way finding maps', the proposal has capacity to meet Objective 3G-2.</p>
<p>Objective 3G-3</p> <p>Large sites provide pedestrian links for access to streets and connection to destinations.</p>	<p>Pedestrian links through sites facilitate direct connections to open space, main streets, centres and public transport.</p>	N/A	
3H Vehicle Access			
<p>Objective 3H-1</p> <p>Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.</p>	<p>Car park access should be integrated with the building's overall façade.</p> <p>Car park entries should be located behind the building line.</p> <p>Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout.</p> <p>Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided.</p> <p>Visual impact of long driveways should be minimised through changing alignments and screen planting.</p> <p>Garbage collection, loading and servicing areas are screened.</p>	No	<p>The vehicle access points have significant impacts on the streetscape presentation.</p> <p>The exposed basement entry structure located at the south eastern part of the site is not well integrated into the overall building envelope. At the south eastern corner of the site, the basement entry structure protrudes approximately 3.5m above the street level. The basement entry projects forward of the predominant building alignment (Block A) and despite the implementation of landscape screening, the wide basement entry structure will present as visually dominant to the streetscape.</p> 


			<p>The double width driveway/Porte Cochere located at the northern part of Block B appears to be partially exposed along the northern interface which may result in adverse visual to the public domain with direct sightlines to the basement level from the pedestrian areas along John Whiteway Drive.</p> <p>Garbage and loading facilities are appropriately screened.</p> <p>The proposal is not considered to meet Objective 3H-1 due to the configuration of the basement entry structure at the south eastern corner of the site.</p>
3J Bicycle and Car Parking			
<p>Objective 3J-2</p> <p>Parking and facilities are provided for other modes of transport.</p>	<p>Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters.</p> <p>Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.</p>	Yes	<p>Bicycle and car parking is located at the basement levels.</p> <p>The proposal meets Objective 3J-3.</p>
<p>Objective 3J-3</p> <p>Car park design and access is safe and secure.</p>	<p>Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces.</p> <p>A clearly defined and visible lobby or waiting area should be provided to lifts and stairs.</p>	Yes	The proposal meets Objective 3J-3.
<p>Objective 3J-4</p> <p>Visual and environmental impacts of underground car parking are minimised.</p>	<p>Excavation should be minimised through efficient car park layouts and ramp design.</p> <p>Car parking layout should be well organised, using a logical, efficient structural grid and double loaded aisles.</p> <p>Protrusion of car parks should not exceed 1m above ground level. Design solutions may include stepping car park levels or using split levels on sloping sites.</p>	No	<p>Integrating car parking within apartment buildings has a significant impact on site amenity and visual presentation.</p> <p>Site Section Block A and C (DA005.3 (Rev 11)) indicates that the basement level projects a full storey above ground to the southern interface, presenting a blank wall interface which results in adverse visual and bulk impact to the surrounding areas.</p> <p>Block A Section 1 (DA005.5 (Rev 11)) indicates a protrusion in excess of 1m country to the guidelines.</p> <p>At the southern part of the site, the basement entry structure projects beyond the building footprint exposing blank wall interfaces to the bushland corridor and the public domain at oblique angles.</p> <p>Based on the information provided, the proposal is not considered to meet Objective 3J-4.</p>
<p>Objective 3J-5</p> <p>Visual and environmental impacts of on-grade car parking are minimised.</p>		N/A	The proposal does not include on grade car parking.

Objective 3J-6 Visual and environmental impacts of above ground enclosed car parking are minimised.		N/A	Basement car parking is proposed.
Part 04 - Designing the Building <i>This part addresses the design of apartment buildings in more detail. It focuses on building form, layout, functionality, landscape design, environmental performance and residential amenity. It is to be used during the design process and in the preparation and assessment of development applications.</i>			
Amenity			
4A Solar and Daylight Access			
Objective 4A-1 To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.	<p>Criteria 2 - In all other areas (Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas), living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.</p> <p>Criteria 2 - A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter.</p> <p>The design maximises north aspect and the number of single aspect south facing apartments is minimised.</p> <p>To maximise the benefit to residents of direct sunlight within living rooms and private open spaces, a minimum of 1m² of direct sunlight, measured at 1m above floor level, is achieved for at least 15 minutes.</p> <p>Achieving the design criteria may not be possible on some sites. This includes where significant views are oriented away from the desired aspect for direct sunlight.</p> <p>Design drawings need to demonstrate how site constraints and orientation preclude meeting the design criteria and how the</p>	No	<p>According to the information recently provided (DA006.11, Rev 11) 106 of 204 units receive minimum 3 hours of solar access during mid-winter. This equates to 51.9% which is well below the minimum 70% of units as nominated by Design Criteria No 2.</p> <p>Based on GMU's review of the additional solar access analysis (DA007.4.7-13, Issue 1), we are concerned that the following six units included in the solar calculations may not achieve 3 hours of solar access to living rooms in accordance with the ADG definition: Units A1-04, A2-04, B4-10, C1-02, D3-10, D3-11, whereby only 100 of 204 units would receive the required 3 hours of solar access (equates to 49%).</p> <p>This outcome fails to meet the design guidelines and address the underlying objective to optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.</p> <p>We note that the ADG guidelines refer to 3 hours solar access to 70% of apartments in a <u>building</u> and the units within Block B receives particularly poor levels of solar access.</p> <p>The ADG also provides guidance under Objective 4A-1 for development on sites where significant views are oriented away from the desired aspect for direct sunlight. We understand the applicant seeks to rely on units receiving water views to compensate for the inadequate levels of solar access.</p> <p>40 units are nominated (DA006.7D-F, Rev 1) as receiving significant water views (instead of 3 hours solar access) but no information is provided, demonstrating primary views lines from living room areas to confirm that these units may in fact enjoy significant water views - taking into account the surrounding topography, site levels and location of neighbouring buildings.</p> <p>However we consider that relying on water views for such a high percentage of apartments to avoid compliance with the ADG is not appropriate. Even if 40 units receive significant water views, only 140 of 204 units would receive acceptable amenity which equates to only 68% of units across the development. This still fails to meet Criteria No. 2.</p> <p>It is noted that should the applicant seek to rely on water views to compensate for the lack of adequate solar access, the unit layouts should also be amended to provide wider frontages to these units. However we consider it is excessive and</p>

	development meets the objective.		unreasonable to rely on such a justification for such a high percentage of the units. The current proposal does not meet Objective 4A-1.
Objective 4A-2 Daylight access is maximised where sunlight is limited.	Courtyards, skylights and high level windows (with sills of 1,500mm or greater) are used only as a secondary light source in habitable rooms.	Yes	The proposal meets Objective 4A-2.
Objective 4A-3 Design incorporates shading and glare control, particularly for warmer months.		Yes	The proposal meets Objective 4A-3.
4B Natural Ventilation			
Objective 4B-1 All habitable rooms are naturally ventilated.	The building's orientation maximises capture and use of prevailing breezes for natural ventilation in habitable rooms. Depths of habitable rooms support natural ventilation. The area of unobstructed window openings should be equal to at least 5% of the floor area served. Light wells are not the primary air source for habitable rooms.	Yes	With recent amendments, the proposal is considered to meet Objective 4B-1.
Objective 4B-2 The layout and design of single aspect apartments maximises natural ventilation.	Apartment depths are limited to maximise ventilation and airflow.	Yes	The proposal meets Objective 4B-2.
Objective 4B-3 The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.	Criteria 1 - At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed. Criteria 2 - Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Yes	With recent amendments, the proposal is considered to meet Objective 4B-3.

	The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths.		
4C Ceiling Heights			
Objective 4C-1 Ceiling height achieves sufficient natural ventilation and daylight access.	Criteria 1 - Measured from finished floor level to finished ceiling level, minimum ceiling heights are: Habitable rooms = 2.7m Non-habitable = 2.4m For 2 storey apartments = 2.7m for main living area floor, 2.4m for second floor, where its area does not exceed 50% of the apartment area.	Yes	The proposal is considered to meet Objective 4C-1
Objective 4C-2 Ceiling height increases the sense of space in apartments and provides for well proportioned rooms.		Yes	The proposal is considered to meet Objective 4C-2
Objective 4C-3 Ceiling heights contribute to the flexibility of building use over the life of the building.		N/A	
4D Apartment size and layout			
Objective 4D-1 The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.	Criteria 1 - Apartments are required to have the following minimum internal areas: Studio = 35m ² 1 bedroom = 50m ² 2 bedroom = 70m ² 3 bedroom = 90m ² The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m ² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m ² each. Criteria 2 - Every habitable room must have a window in an external wall with a total minimum glass area of	Yes	With recent amendments, the proposal is considered to meet Objective 4D-1.


	<p>not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.</p> <p>A window should be visible from any point in a habitable room.</p>		
<p>Objective 4D-2</p> <p>Environmental performance of the apartment is maximised</p>	<p>Design criteria 1 - Habitable room depths are limited to a maximum of 2.5 x the ceiling height.</p> <p>Design Criteria 2 - In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window</p>	Yes	With recent amendments, the proposal generally meets Objective 4D-2.
<p>Objective 4D-3</p> <p>Apartment layouts are designed to accommodate a variety of household activities and needs.</p>	<p>Design criteria 1 - Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).</p> <p>Design criteria 2 - Bedrooms have a minimum dimension of 3m (excluding wardrobe space).</p> <p>Design criteria 3 - Living rooms or combined living/dining rooms have a minimum width of: 3.6m for studio and 1 bedroom apartments, 4m for 2 and 3 bedroom apartments.</p> <p>The main bedroom of an apartment or a studio apartment should be provided with a wardrobe of a minimum 1.8m long, 0.6m deep and 2.1m high.</p>	Yes	Many bedrooms do not include wardrobes as part of the layout but the proposal is considered to meet Objective 4D-3.
4E Private Open Space and Balconies			
<p>Objective 4E-1</p> <p>Apartments provide appropriately sized private open space and balconies to enhance residential amenity.</p>	<p>All apartments are required to have primary balconies as follows:</p> <p>Studio apartments = 4m²</p> <p>1 bedroom apartments = 8m² (2m min depth)</p> <p>2 bedroom apartments = 10m² (2m min depth)</p> <p>3+ bedroom apartments = 12m² (2.4m min depth)</p>	Yes	The proposal meets Objective 4E-1.
<p>Objective 4E-2</p> <p>Primary private open space and balconies are appropriately</p>	<p>Primary open space and balconies should be located adjacent to the living room, dining room or</p>	Yes	The proposal meets Objective 4E-2.

located to enhance liveability for residents.	kitchen to extend the living space. Primary open space and balconies should be orientated with the longer side facing outwards or be open to the sky to optimise daylight access into adjacent rooms.		
Objective 4E-3 Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.	Solid and partially solid balustrades are preferred. Projecting balconies should be integrated into the building design and the design of soffits considered.	No	In several locations, the proposal relies on glazed balustrades to the projecting balustrades at upper levels. This is presumably to maximise view capture however, the design solutions should be refined to consider how the balconies can be better integrated architecturally into the upper level forms.  The current scheme does not meet Objective 4E-3.
Objective 4E-4 Private open space and balcony design maximises safety.	Changes in ground levels or landscaping are minimised Design and detailing of balconies avoids opportunities for climbing and falls.	N/A	Subject to relevant standards.
4F Common circulation and spaces			
Objective 4F-1 Common circulation spaces achieve good amenity and properly service the number of apartments.	Design criteria 1 -The maximum number of apartments off a circulation core on a single level is eight. Design criteria 2 - For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40. Daylight and natural ventilation should be provided to all common circulation spaces that are above ground. Longer corridors greater than 12m in length from the lift core should be articulated.	Yes	The proposal is considered to meet Objective 4F-1.

	<p>Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation corridor on a single level.</p> <p>Longer corridors greater than 12m in length from the lift core should be articulated.</p>		
<p>Objective 4F-2</p> <p>Common circulation spaces promote safety and provide for social interaction between residents.</p>	<p>Incidental spaces, for example space for seating in a corridor, at a stair landing, or near a window are provided.</p> <p>In larger developments, community rooms for activities such as owners corporation meetings or resident use should be provided and are ideally co-located with communal open space.</p>	Yes	The proposal meets Objective 4F-2.
4G Storage			
<p>Objective 4G-1</p> <p>Adequate, well designed storage is provided in each apartment.</p>	<p>Design Criteria 1 - In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <p>Studio apartments = 4m³</p> <p>1 bedroom apartments = 6m³</p> <p>2 bedroom apartments = 8m³</p> <p>3+ bedroom apartments = 10m³</p> <p>At least 50% of the required storage is to be located within the apartment.</p>	Yes	The proposal meets Objective 4G-1.
<p>Objective 4G-2</p> <p>Additional storage is conveniently located, accessible and nominated for individual apartment.</p>		Yes	<p>Additional storage is provided at basement with capacity to nominate the storage units for individual apartments.</p> <p>The proposal meets Objective 4G-2</p>
4H Acoustic			
<p>Objective 4H-1</p> <p>Noise transfer is minimised through the siting of buildings and building layout Privacy.</p>	<p>Adequate building separation is provided within the development and from neighbouring buildings / adjacent uses.</p>	No	<p>The proposal relies on privacy screens to mitigate privacy impact and compensate for inadequate building separation. Privacy screens do not sufficiently mitigate acoustic impact associated with insufficient building separation. Please also refer to comments provided under Objective 3F-1.</p> <p>Due to inadequate building separation, the proposal does not meet Objective 4H-1.</p>

	Window and door openings are generally orientated away from noise sources.		
Objective 4H-2 Noise impacts are mitigated within apartments through layout and acoustic treatments.		Yes	The proposal meets Objective 4H-2.
4J Noise and Pollution			
Objective 4J-1 In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings		N/A	The site is not located in a noisy or hostile environment or near a major noise source.
Objective 4J-2 Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.		N/A	The site is not located in a noisy or hostile environment or near a major noise source.
Configuration			
4K Apartment mix			
Objective 4K-1 A range of apartment types and sizes is provided to cater for different household types now and into the future.	A variety of apartment types is provided. Flexible apartment configurations are provided to support diverse household types and stages of life including single person households, families, multi-generational families and group households.	Yes	A variety of dwelling typologies are provided and the proposal is considered to meet Objective 4K-1.
Objective 4K-2 The apartment mix is distributed to suitable locations within the building.		Yes	The proposal meets Objective 4K-2.
4L Ground floor apartments			
Objective 4L-1 Street frontage activity is maximised where ground floor apartments are located.	Direct street access should be provided to ground floor apartments	No, due to the configuration of Block C.	The proposal does not provide direct street access to ground floor units in Block C and does not sufficient contribute to street frontage activation to the north-eastern corner of the site. Therefore, the proposal does not meet Objective 4L-1

<p>Objective 4L-2</p> <p>Design of ground floor apartments delivers amenity and safety for residents.</p>	<p>Privacy and safety should be provided without obstructing casual surveillance.</p>	<p>No, due to the configuration of Block C.</p>	<p>The massing strategy results in subterranean conditions where units in Block C are located below street level, raising concern for potential privacy impact to the lower level units.</p> <p>The proposal does not meet Objective 4L-2</p>
<p>4M Facades</p>			
<p>Objective 4M-1</p> <p>Building facades provide visual interest along the street while respecting the character of the local area.</p>	<p>Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale.</p> <p>Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights.</p> <p>Shadow is created on the facade throughout the day with building articulation, balconies and deeper window reveals.</p>	<p>No</p>	<p>Block A: The basement entry structure protrudes beyond the building alignments, presenting exposed blank walls to the site edges detracting from the pedestrian scale and experience along John Whiteway Drive.</p>  <p>The repetitive façade treatment and lack of vertical articulation presented to the eastern elevation (DA009.11 Rev.5) delivers undesirable bulky proportions detracting from the visual character of the site and the area.</p> <p>Block B: Extensive blank wall areas are exposed to the southern façade, adversely impacting the presentation to the street and exacerbating perceived bulk and scale of the development. The monolithic proportions presented exacerbate the tight spatial proportions and ‘canyon-like effect’ created between Blocks A and B due to insufficient building separation.</p>  <p>Block C: The lack of articulation to the upper levels results in poor built form proportions and a dominant form presented to the street.</p> 

			<p><u>Block D:</u> The bulky proportions of the block D1 form presented to the northern elevation detract from the visual quality of the site. The continuous scale, footprint proportions and the lack of vertical articulation result in overbearing visual bulk to the north. The repetitive façade treatment and lack of slender proportions to the southern façade of Block D1 contributes to poor built form proportions and a monolithic building profile.</p> <p>The proposal does not meet Objective 4M-1.</p>
<p>Objective 4M-2</p> <p>Building functions are expressed by the façade.</p>	<p>Building entries should be clearly defined.</p> <p>Important corners are given visual prominence through a change in articulation, materials or colour, roof expression or changes in height.</p> <p>The apartment layout should be expressed externally through facade features such as party walls and floor slabs.</p>	Yes	The proposal meets Objective 4M-2.
4N Roof design			
<p>Objective 4N-1</p> <p>Roof treatments are integrated into the building design and positively respond to the street.</p>	<p>Roof design relates to the street.</p> <p>Roof treatments should be integrated with the building design.</p>	No	<p>The roof form is poorly defined for Building C and does not contribute to a harmonious building profile.</p>  <p>Further design adjustments to Block C are required to meet Objective 4N-1.</p>
<p>Objective 4N-2</p> <p>Opportunities to use roof space for residential accommodation and open space are maximise.</p>	<p>Roof design maximises solar access to apartments during winter and provides shade during summer.</p> <p>Skylights and ventilation systems should be integrated into the roof design.</p>	Yes	The proposal meets Objective 4N-2.
<p>Objective 4N-3</p> <p>Roof design incorporates sustainability features.</p>		Yes	The proposal meets Objective 4N-3.
4O Landscape design			
<p>Objective 4O-1</p>	<p>Microclimate is enhanced by:</p>	Yes	<p>Greater capacity for mature trees and canopy coverage within the central communal space would be considered an improvement.</p>

Landscape design is viable and sustainable.	<ul style="list-style-type: none"> • appropriately scaled trees near the eastern and western elevations for shade • a balance of evergreen and deciduous trees to provide shading in summer and sunlight access in winter • shade structures such as pergolas for balconies and courtyards 		
Objective 4O-2 Landscape design contributes to the streetscape and amenity	<p>Landscape design responds to the existing site conditions including:</p> <ul style="list-style-type: none"> • changes of levels • views • significant landscape features including trees and rock outcrops <p>Significant landscape features should be protected by:</p> <ul style="list-style-type: none"> • tree protection zones (see figure 4O.5) • appropriate signage and fencing during construction 	Yes	<p>The communal landscaped areas are largely provided above podium with limited deep soil capacity. The basement levels extend well beyond the building footprints, eroding deep soil capacity within the central communal space.</p> <p>Extensive cut and fill results in protruding basement levels and large retaining walls, resulting in compromised amenity outcome to some units.</p> <p>Nevertheless, the proposal is considered to meet Objective 4O-2 which is largely due to the bushland corridors and their contribution to the landscape character.</p>
4P Planting on structures			
Objective 4P-1 Appropriate soil profiles are provided.		N/A	Subject to landscape assessment
Objective 4P-2 Plant growth is optimised with appropriate selection and maintenance.		N/A	Subject to landscape assessment
Objective 4P-3 Planting on structures contributes to the quality and amenity of communal and public open spaces.		Yes	
4Q Universal design			
Objective 4Q-1 Universal design features are included in apartment design to promote flexible housing for all community members.	Developments achieve a benchmark of 20% of the total apartments incorporating the Liveable Housing Guideline's silver level universal design features	Yes	According to the compliance statement prepared by the applicant, the proposal meets with local council provisions and therefore, it meets with Objective 4Q-1.

Objective 4Q-2 A variety of apartments with adaptable designs are provided.		Yes	The proposal is considered to meet Objective 4Q-2.
Objective 4Q-3 Apartment layouts are flexible and accommodate a range of lifestyle needs.		Yes	The proposal is considered to meet Objective 4Q-3.
4R Adaptive reuse		N/A	The proposal does not include adaptive reuse.
4S Mixed Use		N/A	The proposal is not for mixed use development.
4T Awnings and signage		N/A	
Performance			
4U Energy efficiency			
Objective 4U-1 Development incorporates passive environmental design.	Adequate natural light is provided to habitable rooms. Well located, screened outdoor areas should be provided for clothes drying.		
Objective 4U-2 Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.		N/A	Subject to a Basix compliance.
Objective 4U-3 Adequate natural ventilation minimises the need for mechanical ventilation.	A number of the following design solutions are used: • rooms with similar usage are grouped together • natural cross ventilation for apartments is optimised • natural ventilation is provided to all habitable rooms and as many non-habitable rooms, common areas and circulation spaces as possible	Yes	The proposal meets Objective 4U-3.
4V Water Management and Conservation		N/A	
4W Waste Management			
Objective 4W-1 Waste storage facilities are designed to minimise impacts on the		Yes	The proposal meets Objective 4W-1.

streetscape, building entry and amenity of resident.			
Objective 4W-2 Domestic waste is minimised by providing safe and convenient source separation and recycling.	Communal waste and recycling rooms are in convenient and accessible locations related to each vertical core	Yes	The proposal meets Objective 4W-2.
4X Building Maintenance			
Objective 4X-1 Building design detail provides protection from weathering.	A number of the following design solutions are used: <ul style="list-style-type: none"> • roof overhangs to protect walls • hoods over windows and doors to protect openings • detailing horizontal edges with drip lines to avoid staining of surfaces • methods to eliminate or reduce planter box leaching • appropriate design and material selection for hostile Location 	No due to the roof design of Block C.	No roof overhang is provided to the eastern façade of Block C. There is generally an overreliance on paint render to some elevations which is not considered a durable high quality material. The development includes deep blank wall insets which may be difficult to access for maintenance. Further design adjustments are required to meet Objective 4X-1.
Objective 4X-2 Systems and access enable ease of maintenance..		N/A	Subject to separate assessment.
Objective 4X-3 Material selection reduces ongoing maintenance costs		No	There is an overreliance on paint render to some elevations. Therefore, the proposal does not meet Objective 4X-3.

Schedule 1 of SEPP 65 nominates 9 Design Quality Principles. The table below indicated the Design Quality Principles and GMU assessment summary of the responses provided by the amended design as follows:

Schedule 1 Design Quality Principles	GMU comments
Principle 1: Context and Neighbourhood Character <i>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</i> <i>Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings</i>	<p>The proposal provides 4 built forms configured around communal open spaces. The primary communal open spaces are distributed across two podium levels constructed above the basement structure. Deep soil capacity is provided within a flora/fauna corridor along the northern and western boundaries as well as within the front setback.</p> <p>Natural features such as the sloping topography, exposed rock shelves, bushland setting and extensive district views are considered key character elements defining the existing character of the area.</p>

Schedule 1 Design Quality Principles	GMU comments
<p><i>respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</i></p> <p><i>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i></p>	<p>The DCP objectives nominated for the Special Area – John Whiteway Drive Precinct (Gosford DCP 10.3) seek to:</p> <ul style="list-style-type: none"> • To protect the western section of the ridgeline from visual encroachment by development when viewed from specified public viewing locations. • To provide the northern section of the ridgeline and non-ridgeline influenced properties with development controls referenced to appropriate visual impact analysis and relevant site specific constraints. • To ensure that the amenity of the area is protected for existing and future residents of the locality. • To ensure that the land will be developed in a form and manner that the community will accept as a good example of high density residential development. <p>The proposal relies on extensive alteration of site levels to achieve continuous slab levels through the large, consolidated basement serving all 4 buildings. Extensive volumes of cut and fill result in compromised relationships to site edges and adverse visual impact to the public domain at the south eastern corner of the site in particular. Therefore, the proposal is not considered to be a good example of high density development, protecting the site amenity of the area for existing or future residents of the locality (10.3).</p> <p>The proposed building lengths and bulk fail to achieve slender building forms presented to the street and the northern interface which is contrary to outcomes sought by the DCP objectives for Slender Towers with High Amenity (5.2.5).</p> <p>The extensive excavation also results in subterranean units, and is not considered to respond sympathetically to the local character or the site constraints.</p> <p>Several of the buildings lack adequate articulation to the upper levels and only limited deep soil capacity is provided to the large communal open areas at the centre of the site eroding the opportunity for substantial canopy coverage to complement the neighbourhood character.</p> <p>It is understood the proposal includes removal of 606 of the existing 830 trees across the site and within the designated bushland corridor which, given the sloping terrain and the scale of the development, may exacerbate the visual exposure of the site and development.</p> <p>The removal of existing mature canopies may result in visual dominance by the development and failure to preserve and strengthen the connection with the distinct landscape setting which frames the city as intended by the urban design framework for Gosford (NSW Government Architect's Gosford Urban Design Framework 2018 (3.6.1)).</p> <p>Based on the comments above, the proposal is not considered to provide a well considered contextual response to meet Design Quality Principle No. 1.</p>
<p>Principle 2: Built form and scale</p> <p><i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</i></p> <p><i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of</i></p>	<p>It is understood that the built form configuration seeks to concentrate the built forms to the eastern and northern part of the site and maximise the open space amenity by increasing the scale of the built forms and thereby reducing the site coverage. The site is constrained and the massing strategy may well achieve more consolidated open space within the site to improve amenity outcomes to future occupants compared to a compliant envelope scenario. Nevertheless, Design Quality Principle No 2 seeks to ensure an appropriate bulk and scale response to the surrounding streetscapes and desired neighbourhood character.</p> <p>The proposed height variations range from 86.64% to 356.4% against the controls presenting built form outcomes which are inconsistent with the outcomes sought by the controls in terms of building profiles and proportions but also in terms of</p>

Schedule 1 Design Quality Principles	GMU comments
<p><i>streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p>	<p>the spatial relationships to neighbouring sites and between the buildings within the development itself.</p> <p>The overshadowing analysis fails to demonstrate what part of the additional overshadowing is associated with the height exceedance.</p> <p>The increased development scale in combination with the proposed alterations to site levels, result in abrupt level changes to all site edges and while abrupt level changes currently exist on the site and in the area, the proposal results in a dominant forms which will detract from the visual quality of the site and area due to excessive bulk and scale.</p> <p>The building lengths range from approximately 38.9m (Block A) to 75.1m (Block D) exacerbating the perceived bulk and scale impacts presented to site edges. The proposal does not include figure ground analysis demonstrating how the building lengths are compatible and sympathetic to the existing development pattern in the area.</p> <p>The lack of adequate solar access to units is a major concern, detracting from amenity outcomes and the local character. Therefore, the proposal is not considered to meet Design Quality Principle No. 2.</p>
<p>Principle 3: Density</p> <p><i>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</i></p> <p><i>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</i></p>	<p>The amended proposal results in a FSR of 1.11:1 across the development which is compliant with the maximum FSR controls applying to the site (1.5:1).</p> <p>The proposed density is consistent with the density sought for the site by the current controls and the nominated emerging precinct character.</p> <p>The proposal is considered to meet Design Quality Principle No 3.</p>
<p>Principle 4: Sustainability</p> <p><i>Good design combines positive environmental, social and economic outcomes.</i></p> <p><i>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</i></p>	<p>According to the Design Excellence Report, the proposal incorporates the use of solar panels to reduce use of fossil fuel energy sources as well as the use of recycled water for toilets and landscaping.</p> <p>The flora and fauna corridor contributes to canopy coverage and reduction in heat island effect, and it is understood that the landscape strategy incorporates native low water consumption species to improve sustainability outcomes.</p> <p>With recent amendments, the proposal meets the nominated design criteria for cross ventilation but due to the poor solar performance, the proposal cannot be considered to deliver good sustainable design solutions to meet Design Quality Principle No 4.</p>
<p>Principle 5: Landscape</p> <p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</i></p>	<p>The proposal provides a comprehensive landscape strategy relying on a series of communal open spaces located primarily at the centre of the site across two podium levels.</p> <p>The deep soil capacity is provided largely within the bushland corridor along the northern and western boundaries as well as within the front setback. The site as a whole meets the design criteria for deep soil and while the central landscaped areas only include limited capacity for deep soil plantings, the bushland corridor and elevated boardwalk system is considered to be valuable amenity to future residents.</p>

Schedule 1 Design Quality Principles	GMU comments
<p><i>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</i></p> <p><i>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management</i></p>	<p>Universal access between communal areas on the upper podium level and the lower podium appears to occur through the (single) lift located in the communal facilities building (Block B) so it is unclear whether all residents have equal access to the shared facilities such as the pool area.</p> <p>According to the Response to Submissions and Amended Development Application by Ethos Urban, a total of 830 trees were surveyed within the site. The proposal will result in the retention of 224 trees and the removal of 606 trees which we understand includes 6 trees on neighbouring land. Where possible, tree retention is encouraged by ADG guidelines and it is unclear whether the large, consolidated basement footprint is at the expense of existing trees which could otherwise be retained with between pavilion building forms. However, the landscape strategy is supported in principle.</p> <p>Therefore, the proposal has capacity to meet Design Quality Principle No 5.</p>
<p>Principle 6: Amenity</p> <p><i>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</i></p> <p><i>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility</i></p>	<p>Units are generally generous in size with adequate ceiling height but some units are subterranean, raising concerns for insufficient daylight, sense of enclosure and potential overlooking from the public domain.</p> <p>Based on the poor solar access performance, the proposal does not meet Design Quality Principle No. 6.</p>
<p>Principle 7: Safety</p> <p><i>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</i></p> <p><i>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</i></p>	<p>Units are orientated to overlook the street and communal open spaces and circulation areas to ensure adequate passive surveillance to enhance public and private domain safety.</p> <p>Residential lobbies generally address the street and the communal areas to improve activation and residential entries are well defined. Therefore, the proposal is considered to meet Design Quality Principle No. 7.</p>
<p>Principle 8: Housing diversity and social interaction</p> <p><i>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</i></p> <p><i>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</i></p> <p><i>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people</i></p>	<p>The proposal provides a range of different dwelling types and apartments are generally generous in size with the following mix:</p> <ul style="list-style-type: none"> • 1 bedroom: 29 (14.2%) • 2 bedroom: 121 (59.3%) • 3 bedroom: 53 (26%) • 4 bedroom: 1 (0.5%) <p>Communal areas include a variety of spaces for active uses and casual encounters to encourage social interaction and a sense of community.</p> <p>The proposal is considered to meet Design Quality Principle No 8.</p>

Schedule 1 Design Quality Principles	GMU comments
<p><i>and providing opportunities for social interaction among residents.</i></p>	
<p>Principle 9: Aesthetics</p> <p><i>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</i></p> <p><i>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i></p>	<p>Generally, the design is well articulated however, some elevations present unarticulated with bulky proportions. This is largely due to the scale of the built forms and repetitions horizontal treatment.</p> <p>The roof form is poorly defined for Building C, detracting from the streetscape presentation and there is generally an overreliance of painted render finishes.</p> <p>Nevertheless, with amendments to the roof design of Building C and a more durable material palette, the proposal has capacity to meet Design Quality Principle No 9.</p>

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6. Conclusion

GMU appreciate that the massing strategy is seeking to maximise the open space provisions by consolidating the gross floor areas within taller built forms. The approach to maximise open space is supported in principle but is compromised by the actual site layout, the proximity of Blocks A and B and the subsequent outcomes both in terms of built form and amenity. It seems the need for continuous slab levels within the large consolidated basement and subsequent alterations to site levels, results in abrupt level changes which compromises the public domain interface and amenity outcomes to some of the units.

The massing strategy and proximity of built forms also result in poor levels of solar access to several buildings. Solar access and daylight intake is important to residential amenity, improving the liveability and thermal performance of interior and exterior areas as well as reducing the reliance on artificial lighting.

Therefore, GMU recommend that further design adjustments be undertaken to improve the solar access performance across the development and ensure capacity to meet ADG guidelines and deliver good quality development outcomes consistent with SEPP 65 and the Design Quality Principles.