



# Central Coast Quarter Stage 1 Northern Tower

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State Significant Development Assessment  
SSD 23588910

March 2022



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*Cover image: Perspective looking north-east across the Leagues Club Field towards the Baker Street elevation of the Northern Tower and podium (Source: Applicant's EIS)*

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# Glossary

Abbreviation	Definition
AAHS	Central Coast Affordable and Alternative Housing Strategy
ACHAR	Aboriginal Cultural Heritage Assessment Report
ADG	State Environmental Planning Policy 65, Apartment Design Guide
AHD	Australian Height Datum
Applicant	SH Gosford Residential Pty Ltd
ATO Building	Australian Tax Office building, 99 Georgiana Terrace
BASIX	State Environmental Planning Policy (Building Sustainability Index) 2004
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCD	Biodiversity and Conservation Division of the Department of Planning and Environment
BDAR	Biodiversity Development Assessment Report
CCQ Precinct	The Central Coast Quarter precinct including the Northern, Eastern and Southern towers as approved under the Concept Approval
CCRP 2036	Central Coast Regional Plan 2036
CCPS	draft Central Coast Car Parking Study
CIV	Capital Investment Value
Commission	Independent Planning Commission
Concept Approval	The approved concept application for the redevelopment of 26-30 Mann Street, Gosford (SSD 10114) approved by the Commission on 24 August 2020
Consent	Development Consent
Contributions Plan	Central Coast Council 7.12 Contributions Plan for Gosford City Centre
Council	Central Coast Council
CNVMP	Construction Noise, Vibration Management Plan
CPTED	Crime Prevention through Environmental Design
CPTMP	Construction Pedestrian Traffic Management Plan
DA(s)	Development application(s)
DAP	City of Gosford Design Advisory Panel
DCP	Development Control Plan
Department	Department of Planning and Environment
DES	Design Excellence Strategy
Design Guidelines	Central Coast Quarter Design Guidelines, titled ' <i>Central Coast Quarter 26 Mann Street Gosford Design Guidelines Revision C</i> ' prepared by DKO Architecture and dated 17 June 2020
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
FEAR	Future Environmental Assessment Requirement
FFL	Floor finished floor level
FSR	Floor space ratio

<b>Abbreviation</b>	<b>Definition</b>
<b>GANSW</b>	Governmental Architect NSW
<b>GDCP</b>	Gosford City Centre Development Control Plan 2018
<b>GFA</b>	Gross floor area
<b>Gosford SEPP</b>	State Environmental Planning Policy (Gosford City Centre) 2018
<b>GTP</b>	Green Travel Plan
<b>GUDF</b>	Gosford Urban Design Framework
<b>ICNG</b>	Interim Construction Noise Guideline
<b>LEP</b>	Local Environmental Plan
<b>LGA</b>	Local government area
<b>LoS</b>	Level of service
<b>Minister</b>	Minister for Planning and Homes
<b>NVIA</b>	Noise and Vibration Impact Assessment
<b>NML</b>	Noise management level
<b>Overshadowing Analysis</b>	Applicant's shadow diagrams showing the predicted overshadowing impacts on the adjoining parks and properties
<b>OWMP</b>	Operational Waste Management Plan
<b>Planning Secretary</b>	Secretary of the Department of Planning and Environment
<b>PWES</b>	Pedestrian Wind Environment Statement
<b>RL</b>	Reduced level
<b>RMS Guide</b>	Roads and Maritime Guide to Traffic Generating Developments 2002
<b>RtS</b>	Response to Submissions
<b>SEARs</b>	Planning Secretary's Environmental Assessment Requirements
<b>SEIA</b>	Social and Economic Impact Assessment
<b>SEPP</b>	State Environmental Planning Policy
<b>SEPP 55</b>	State Environmental Planning Policy No.55 – Remediation of Land
<b>SIC</b>	Gosford City Centre Special Infrastructure Contribution Levy
<b>Site</b>	26-32 Mann Street, Gosford
<b>SRD SEPP</b>	State Environmental Planning Policy (State and Regional Development) 2011
<b>SSD</b>	State Significant Development
<b>TfNSW</b>	Transport for NSW
<b>TIA</b>	Transport Impact Assessment
<b>ToA</b>	Term of Approval
<b>UDSI</b>	Updated Detailed Site Investigation
<b>VIA</b>	Visual Impact Assessment and View Sharing Analysis

# Executive Summary

This report provides an assessment of a State significant development (SSD) application seeking approval for the Northern Tower (Stage 1) of the Central Coast Quarter development, located at 26-30 Mann Street, Gosford (the Proposal).

The application seeks approval for the construction of a 22 to 25 storey, mixed-use tower including 136 apartments, 621m<sup>2</sup> commercial floorspace, 183 car parking spaces, landscaping and a pedestrian through site link.

The development is predicted to generate up to 105 construction jobs, 21 operational jobs and has a capital investment value (CIV) of \$52,133,121.

The Applicant is SH Gosford Residential Pty Ltd. The site is located within the Central Coast Council local government area. The proposal is SSD as it is the subject of a concept approval with a CIV in excess of \$75 million on land identified in the Gosford City Centre. The Minister for Planning is the consent authority for the application.

## Community engagement

The application was exhibited for a period of 28 days between 21 September and 19 October 2021. The Department received advice from five government agencies, a submission from Council providing comments and 17 public submissions, including 13 objections, one comment and three in support of the proposal. Key issues raised in public submissions included loss of views, building height, scale and visual impact, traffic and parking, construction impacts, density, overshadowing, public benefit, open space and property values.

The Applicant submitted its Response to Submissions (RtS), which provided additional information in response to submissions and included internal alterations to the ground floor and apartment layouts. In addition, Applicant removed its voluntary planning agreement offer and agreed to pay all applicable development contributions. The Department received additional advice from three government agencies in response to the RtS.

## Assessment

The Department has considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, the issues raised in the submissions and the Applicant's response to these. The key assessment issues associated with the proposed development are consistency with the Concept Approval, design excellence, built form, parking and traffic, landscaping, public domain and trees and social impacts.

The Department considers the proposal is acceptable for the following reasons:

- it is consistent with the objects of the EP&A Act including facilitating ecologically sustainable development, and Regional and State planning policy, which aims to grow Gosford City Centre as the Central Coast's regional capital, attract new investment, residents and businesses
- it is consistent with the advice from the Gosford Design Advisory Panel and has demonstrated the development would achieve design excellence, a high degree of amenity and minimal environmental impacts
- it fully complies with the Concept Approval height, layout and GFA controls applying to the site and provides an appropriate built form relationship to existing and future neighbouring buildings

- it provides for a range of apartment types and sizes and therefore promotes housing choice
- it provides for an appropriate wind environment within and around the site, subject to the implementation of landscaping works and wind mitigation measures
- traffic generated by the development would result in a negligible impact on the operation of surrounding road network or intersection performance and amendments to adjoining local road restrictions would further improve network and intersection performance
- the provision of 183 on-site car parking spaces is justified, meets the requirements of the Concept Approval and the green travel plan would encourage sustainable transport options
- it includes appropriate residential and visitor bicycle parking facilities subject to additional visitor parking being provided adjacent to Mann Street entrance to the through site link
- the hard and soft landscaping works achieve a high standard of layout and design and the planting of 78 replacement trees would compensate for the loss of three existing trees
- the through site link is a critical element of the development, to ensure its timely delivery the Department has recommended construction of footings be commenced prior to occupation of the tower, and completed no later than 18 months following the occupation of all apartments
- the design and layout of apartments provide for an appropriate standard of amenity for future occupants and the minor non-compliances with the ADG and GDCP standards are acceptable
- it would not have adverse amenity impacts on nearby residential properties in terms of view loss, overshadowing or noise
- the predicted construction works would not have significant amenity impacts, subject to implementation of mitigation and management measures
- it includes adequate drainage and flooding mitigation measures, subject to implementation of a floodgate and ongoing management measures
- it would provide significant public benefits including the provision of a new landscaped through site link, improved public domain and creation of approximately 105 construction and 21 ongoing operational jobs.

Based on the reasons outlined above, the Department concludes that the proposal is in the public interest and is able to be approved, subject to conditions.

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# 1 Introduction

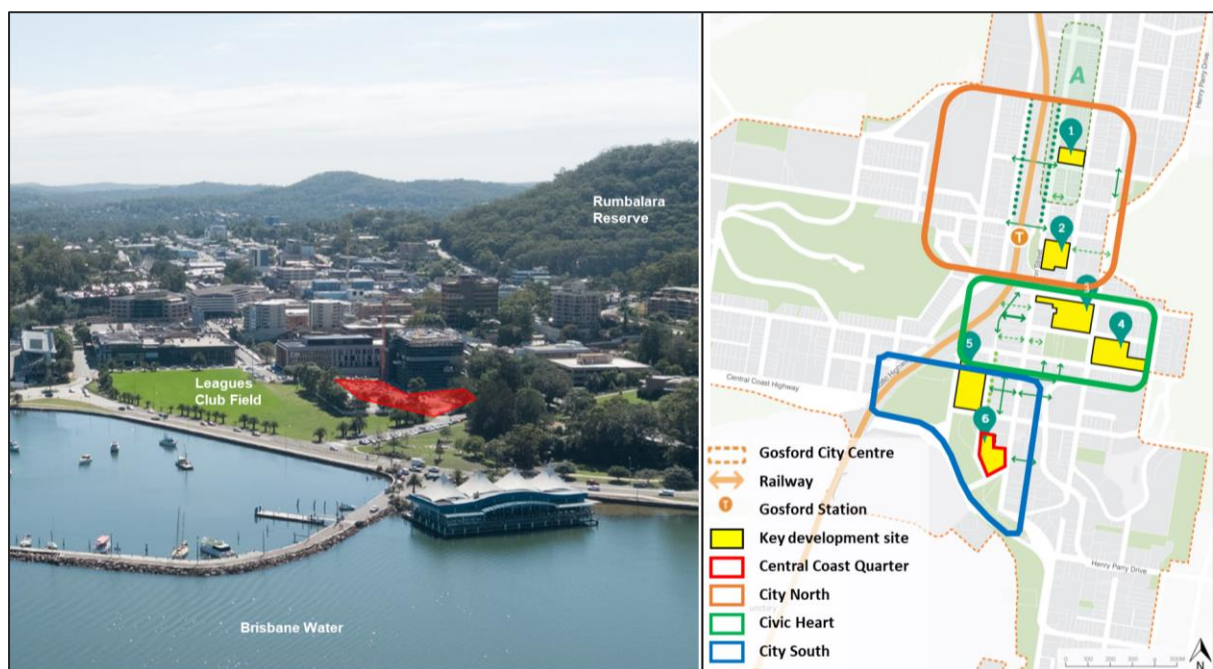
## 1.1 Introduction

This report provides an assessment of a State significant development (SSD) application for the Northern Tower (Stage 1) of the staged development of the Central Coast Quarter (CCQ) at 26-32 Mann Street, Gosford (SSD 23588910) (the Proposal).

The application has been lodged by SH Gosford Residential Pty Ltd (the Applicant) and seeks approval for the construction of a 22 to 25 storey, mixed-use tower including 136 apartments, 621m<sup>2</sup> commercial floorspace, 183 car parking spaces, landscaping and a pedestrian through site link.

## 1.2 Central Coast Quarter

The CCQ Precinct is a new development precinct located within the City South area of the Gosford City Centre (**Figure 1**) within the Central Coast (Council) local government area (LGA).



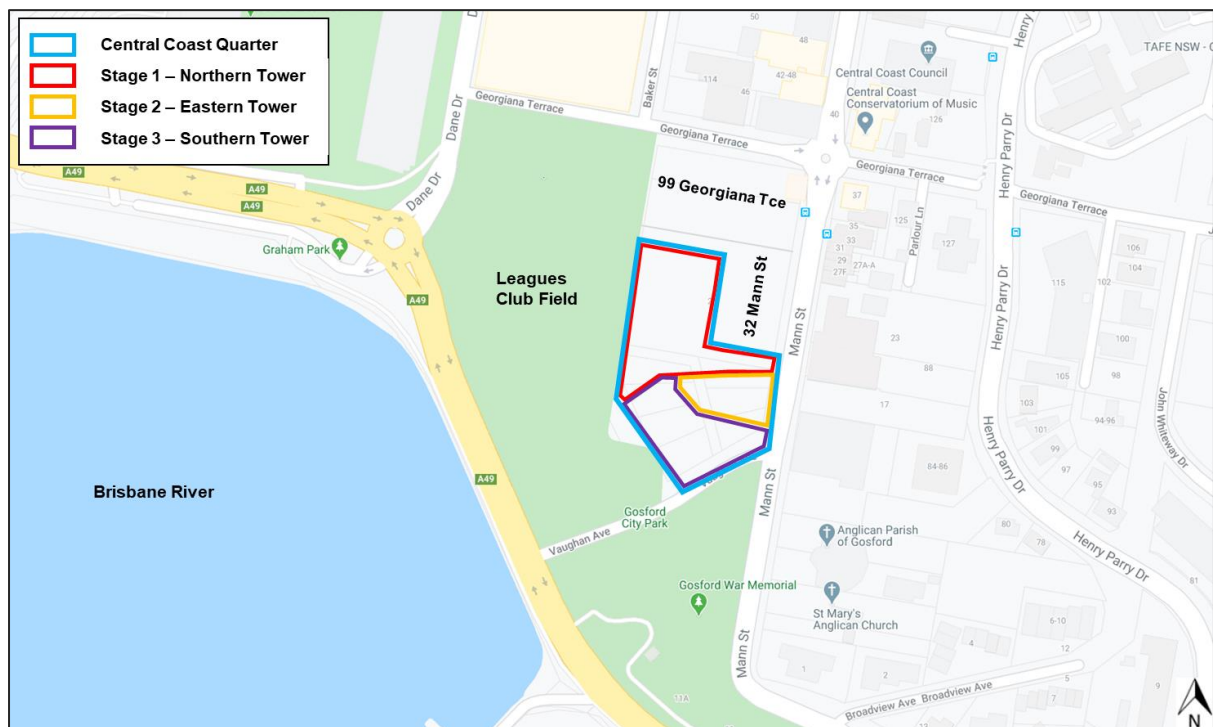
**Figure 1** | View north across Brisbane Water towards the site (left) and the Gosford City Centre layout (right) (Base source: Applicant's EIS and SSD 10114)

The CCQ Precinct site is irregular in shape, covers an area of approximately 8,884m<sup>2</sup> and consists of eight lots which previously formed part of the Gosford Public School. The site is bounded by Mann Street to the east, Vaughan Avenue to the south, Baker Street and the Leagues Club Field to the west and 32 Mann Street and 99 Georgiana Terrace to the north (**Figure 2**). The site is identified as a key development site within the Gosford City Centre Development Control Plan 2018 (GDCP)

Concept Approval was granted for a mixed-use development on the site (**Section 1.5.2**), which is divided into three development stages, comprising:

- Stage 1 – the northern residential tower, commercial podium and northern through site link
- Stage 2 – the eastern hotel tower and commercial podium
- Stage 3 – the southern residential tower, commercial podium and southern through site link.

This application relates specifically to Stage 1 of the Concept Approval, the Northern Tower, podium and through site link.



**Figure 2 | CCQ precinct location and three development stages (Base source: Nearmap)**

### 1.3 Site description

The Stage 1 site is located within the northern half of the CCQ Precinct, is irregular in shape and has an area of 4,255m<sup>2</sup>. The site is bounded by Mann Street to the east, Baker Street and the Leagues Club Field to the west, 32 Mann Street and 99 Georgiana Terrace to the north and the remainder of the CCQ Precinct is located to the south (**Figure 2** and **Figure 3**).

Due to levelling associated with previous development adjoining, the majority of the site is flat. However, the eastern arm of the site is sloped and rises up sharply to Mann Street, which is approximately 8m higher than the levelled western component of the site. The site is identified as being partially subject to flooding by Council.

The site was previously used for construction storage, car parking and site offices associated with the redevelopment of nearby sites. However, currently it is vacant, surrounded by a hoarding and comprises a hard standing and grassed areas. Three existing mature trees are located along the site boundary adjacent to Baker Street. There are no State or local heritage items located on the site.

### 1.4 Surrounding context

The site is located within a diverse urban context and the buildings and spaces surrounding the site vary in use, form, age height and architectural design. The surrounding context is summarised below and shown at **Figure 3**. To the:

- north of the site is a six storey modern commercial building at 32 Mann Street, the five storey Australian Tax Office building (ATO Building) at 99 Georgiana Terrace and a service access road

/ easement. The Former School of Arts building (local heritage item) is located on the corner of Georgiana Terrace and Mann Street

- east of the site is a variety of two and three storey commercial buildings fronting Mann Street and including the Gosford South Post Office (local heritage item). Further east, is a 15 storey residential tower at 21-37 Mann Street and older established apartment buildings and houses
- south of the site is the remainder of the CCQ precinct land and beyond this is Gosford City Park
- west of the site is Baker Street and the Leagues Club Field (recently upgraded to provide a community node for active and passive recreation). Beyond this is the Central Coast Highway, Brisbane Water foreshore and Central Coast Stadium.



**Figure 3 |** Aerial view of the site (outlined red), CCQ Precinct (outlined blue) and the surrounding context (Base source: Nearmap)

No existing residential properties directly adjoin the site or are located on the opposite side of adjoining roads. The closest residential property to the site is 21-37 Mann Street, which is located approximately 80m to the east of the Mann Street site boundary (**Figure 3**).

The surrounding road network consists of a variety of local and State roads. The Central Coast Highway is a State arterial road, which is a divided two-way road (four lanes) with no kerb-side parking. Baker Street is a one-way (south) road, includes time restricted parking (90 minutes) and provides access to the service road north of the site. Mann Street, Vaughan Avenue and Georgiana Terrace are all two-way local collector roads with time restricted kerb-side parking.

The site is within walking distance of existing public transport being 50m south of the Mann Street bus stop (17 bus services) and 600m south of the Gosford Train Station (to Newcastle / Sydney).

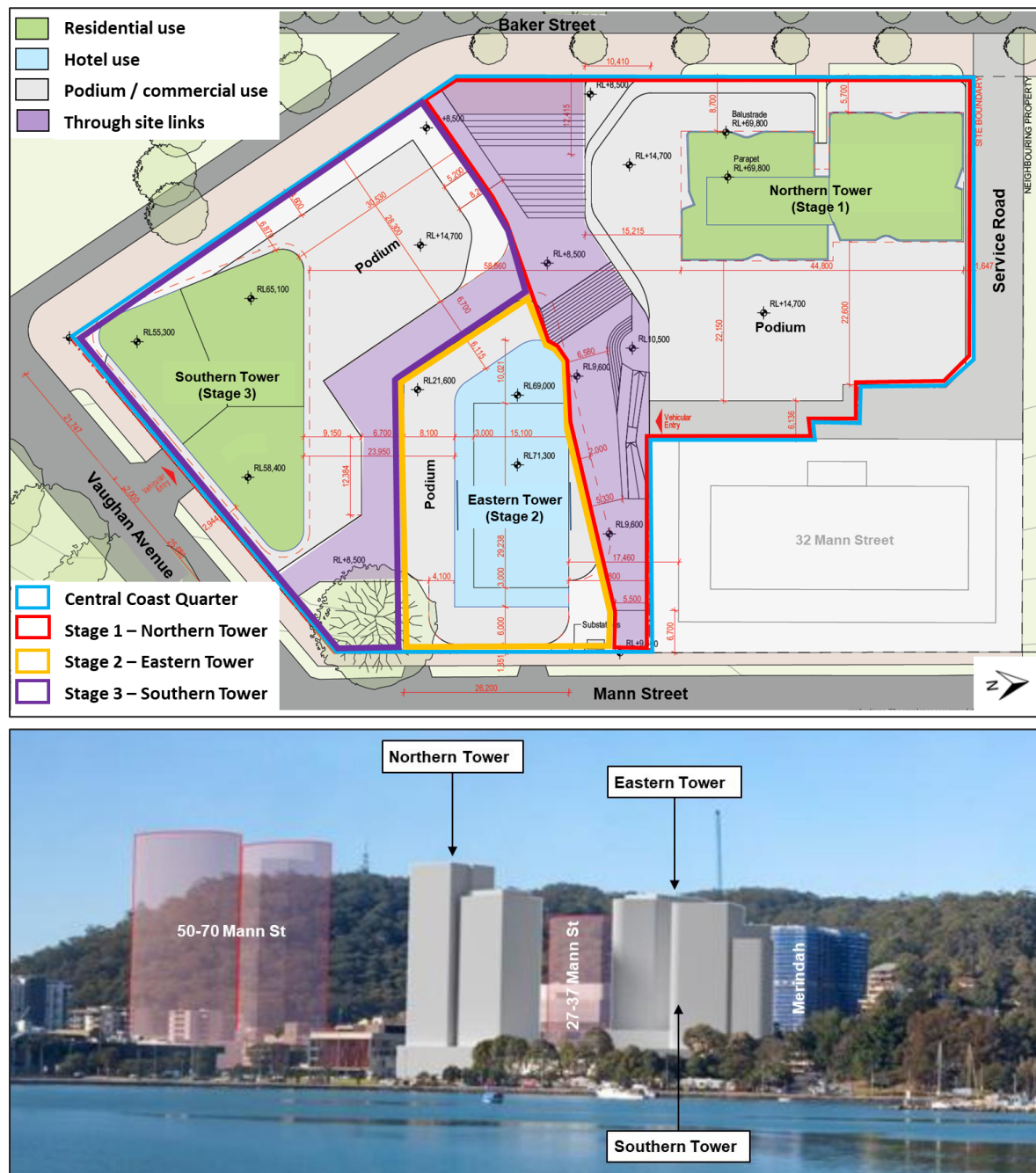


## 1.5 Relevant planning history

### 1.5.1 Concept Approval

On 24 August 2020, the Independent Planning Commission (Commission) approved an SSD Concept Proposal (SSD 10114) for the redevelopment of the CCQ site, providing for (**Figure 4**):

- a building envelope including a podium and three towers up to approximately 25 storeys
- maximum of 39,244m<sup>2</sup> GFA for residential, hotel and commercial / retail uses
- site-wide concept landscape plan including through site links
- design excellence strategy and design guidelines to guide future development.



**Figure 4 |** Concept Approval building envelope location and layout (top) and perspective north across Brisbane Water towards the Concept Approval building envelopes (grey) and in context with other planned / approved developments (red) and Rumbalara Reserve (bottom) (Base source: SSD 10114)

## 1.5.2 Relevant planning approvals to nearby redevelopment sites

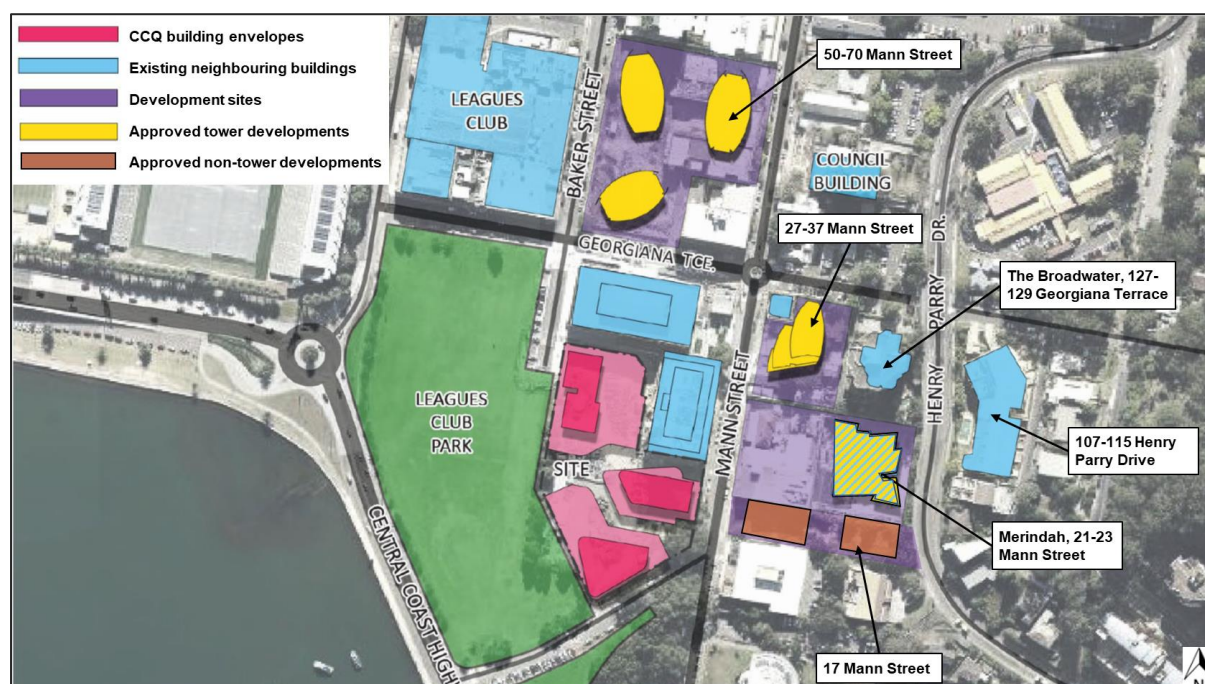
In 2014 and 2015, three development applications were approved by the Hunter and Central Coast Joint Regional Planning Panel (JRPP) relating to properties adjoining and nearby the site (**Table 1** and **Figure 5**).

These developments are relevant to the current proposal due to their approved height and scale and the transformative impact these may have on the character and setting of the Gosford City Centre.

At the time of the writing of this report, construction of 21-23 Mann had been completed. However, no substantive works appears to have commenced on the remaining developments listed at **Table 1**.

**Table 1** | Approved development applications to nearby and adjoining development sites

DA Reference	Address	Description of Development	Approval Date
DA46272/2014	Merindah, 21-23 Mann Street	Construction of a 17 storey (RL 67m) tower for residential uses (completed)	22 Nov 2015
DA47046/2015	50-70 Mann Street, 114 Georgiana Terrace	Construction of three towers up to 35 storeys (RL 88.6m to RL 117.03m) for residential, hotel, commercial, cinema and tavern uses	29 Jan 2015
DA46209/2014	Creighton's, 27-37 Mann Street	Construction of an 18 storey (RL 74.3m) tower for residential, commercial and restaurant uses	22 Aug 2014
DA28605/2005	17 Mann Street	Construction of two buildings up to 7 storeys for residential and commercial uses	10 Jan 2006



**Figure 5** | Aerial view of the site and adjoining properties and development sites (Base source: SSD 10114)

## 2 Project

### 2.1 Description of development

The key components and features of the proposal (as amended by the Response to Submissions) are summarised at **Table 2** and shown at **Figure 6** to **Figure 9**.

**Table 2** | Main components of the proposal

Component	Description
Summary	Construction of a 22 to 25 storey mixed-use tower and podium for residential and commercial use and associated public domain and landscaping works.
Site preparation	Demolition of existing retaining wall and bulk earthworks including excavation to a depth of 1.3m across the site.
Built form	Construction of a 22 to 25 storey tower and podium (RL 69.76m to RL 84.1m).
Gross floor area (GFA)	A total of 13,884m <sup>2</sup> GFA comprising: <ul style="list-style-type: none"> <li>13,263m<sup>2</sup> residential GFA</li> <li>621m<sup>2</sup> retail GFA.</li> </ul>
Uses	<ul style="list-style-type: none"> <li>136 apartments comprising: <ul style="list-style-type: none"> <li>14 x 1 bedroom apartments</li> <li>107 x 2 bedroom apartments</li> <li>14 x 3 bedroom apartments</li> <li>1 x 4 bedroom apartments.</li> </ul> </li> <li>A total of four retail units located within the podium, two fronting Baker Street and two fronting the through site link.</li> </ul>
Parking	<ul style="list-style-type: none"> <li>183 car parking spaces comprising: <ul style="list-style-type: none"> <li>140 residential spaces</li> <li>27 residential visitor spaces</li> <li>16 retail spaces.</li> </ul> </li> <li>10 motorcycle parking spaces.</li> </ul>
Bicycle facilities	<ul style="list-style-type: none"> <li>63 bicycle parking spaces comprising: <ul style="list-style-type: none"> <li>58 residential spaces (including 12 visitor)</li> <li>5 staff spaces (including 1 visitor).</li> </ul> </li> <li>End of trip facilities including one shower and change room for staff.</li> </ul>
Servicing	A vehicle servicing bay and turntable accessed from the service road.
Landscaping	<ul style="list-style-type: none"> <li>Removal of three existing trees and provision of 78 new trees, hard and soft landscaping and artwork throughout the site.</li> <li>Provision of a pedestrian through site link connecting Baker and Mann Streets.</li> <li>A total of 1,630m<sup>2</sup> residential communal open space at the rooftop of the podium and at level 22 of the tower.</li> </ul>
Staging	The development is proposed to be constructed in two separate stages, comprising: <ul style="list-style-type: none"> <li>Stage 1a – the tower and podium</li> <li>Stage 1b – the through site link (following occupation of Stage 1a).</li> </ul>
Jobs	105 construction jobs and 21 operational jobs.
Capital investment value (CIV)	\$52,133,121.





**Figure 6** | Perspective looking south towards the tower across the Leagues Club Field (Source: Applicant's RtS)



**Figure 7** | Perspective looking east across the Leagues Club Field (top) and from the entrance to the through site link (bottom) towards the podium levels (Base source: Applicant's RtS)





**Figure 8 | Aerial perspective of the Baker Street entrance to the through site link (Base source: Applicant's RtS)**



**Figure 9 |** Ground (top) and typical upper (bottom) floor layouts (Base source: Applicant's RtS)



## 3 Strategic context

### 3.1 Central Coast Regional Plan 2036

The Central Coast Regional Plan (CCRP) 2036 identifies the Gosford City Centre as the capital of the Central Coast and aims to achieve its ongoing revitalisation by increasing higher density residential and commercial development, creating active public spaces and enhanced connectivity and encouraging economic growth, jobs and development.

The CCRP Implementation Plan 2018-20 identifies the ongoing revitalisation and delivery of the current planning framework for Gosford as a key focus area for delivering the CCRP 2036. The proposed development supports the delivery of the following CCRP 2036 goals and directions as it:

- provides 621m<sup>2</sup> for retail uses to facilitate greater commercial development in the City Centre
- includes a through-site link between Mann Street and Baker Street / Leagues Club Field and provides commercial street frontages to activate Baker Street and the link
- includes inclusive, well-designed spaces and enhance amenity and attractiveness of the area
- provides housing supply / choice within the Southern Growth Corridor and the Gosford City Centre
- comprises infill development in an area with infrastructure, facilities and services to support growth.

### 3.2 Gosford Urban Design Framework

The Gosford Urban Design Framework (GUDF) supports the activation of the public domain linking places and key sites and improvements to building design to respond to the natural setting of Gosford City Centre. The GUDF identifies the site as a 'key site' and in the City South 'waterfront parklands'.

The proposal is consistent with the following GUDF key design principles as it:

- provides a public through-site link between Mann Street and Baker Street, presents active frontages and improves walkability from the City Centre to the City South
- would be an 'attractor' in Gosford City South precinct as it includes apartments and opportunities for retail, dining and entertainment uses
- maintains views from Leagues Club Field to the water, city and hills and Rumbalara Reserve
- establishes an integrated access strategy as the first stage of the Concept Approval, including a car parking study to balance parking need and traffic impacts (**Section 6.5**).

### 3.3 Draft Central Coast Regional Plan 2041

The draft Central Coast Regional Plan 2041 (the draft plan) was on public exhibition from 6 December 2021 until 4 March 2022. The draft plan is the 20-year strategic planning blueprint to ensure the ongoing prosperity of the Central Coast's vibrant and connected communities. The draft plan builds on the CCRP and responds to an era of rapid change within the Central Coast, to promote sustainable growth, connected communities, resilience and a region that all residents have a stake in.

As a response to the new ways people live and work in light of the COVID-19 pandemic, the draft plan's key focus is creating a sustainable '15-minute region' of connected neighbourhoods where people's everyday needs are close to home and can be met with a short walk and bike ride or a car

trip in rural areas. The close access to jobs and services will encourage exercise, public transport use and reduce dependency on cars. The proposed development is generally consistent with goals and objectives of the draft plan as it:

- provides additional housing within the Gosford City Centre, in close proximity to jobs and services, reducing car dependency
- is consistent with the draft plan's emphasis on infill approaches to growth over greenfield
- provides diverse housing choices within the Gosford City Centre.

### **3.4 Draft Somersby to Erina Corridor Strategy**

Council's Draft Somersby to Erina Corridor Strategy responds to the CCRP 2036 actions for the Southern Growth Corridor. The proposal will support the recommendations and actions in the draft strategy. In particular, it would focus residential development within an existing centre, enhance the public domain and contribute to housing choice within Gosford.

### **3.5 Draft Central Coast Urban Spatial Plan**

Council's Draft Urban Spatial Plan (Draft USP) responds to the CCRP 2036 and establishes how Council intends to manage sustainable growth across the LGA. The proposal is consistent with the Draft USP as it fosters a compact, connected and green City Centre with a range of services and relieves pressure on further greenfield expansion for housing delivery.

### **3.6 Draft Central Coast Car Parking Study**

Council has prepared the draft Central Coast Car Parking Study (CCPS). The CCPS outlines Council's commitment to support the region's growth and deliver robust, ongoing improvements to parking and transport infrastructure, management practices and resources. The study also provides a framework to improve the management and quality of parking and transport services in the region.

The CCPS confirms that existing parking demand in Gosford is very high (more than 5,000 vehicles during peak periods) and the City Centre has an immediate need to find new car parking options to offset expected development and cater for recent developments in the commercial core.

The CCPS identifies short-term (2023), medium term (2028) and long term (2038) strategies to address parking in the City Centre. In particular, use of parking space in existing facilities, provision of parking on the city fringe, on-street metered parking and improve public transport services and smart parking initiatives.

The site is located within the City South precinct of the Gosford City Centre and proposes car parking in accordance with a combination of the RMS Guide and GDCP. The Department has considered car parking provision in detail at **Section 6.5** and at **Appendix C**.

### **3.7 Draft Gosford City Centre Transport Plan**

The Gosford City Centre is expected to grow from its current population of 5,660 people to over 11,000 people in 2036 (94.8% growth). At the time of the determination of the Concept Approval, Transport for NSW (TfNSW) was preparing the Gosford City Centre Transport Plan (GCCTP). The GCCTP intended to identify how the Gosford City Centre fits within the broader transport networks and establish a transport vision, framework and infrastructure expenditure prioritisation in Gosford.

The draft GCCTP was expected to be finalised later in 2020. However, TfNSW has confirmed it is no longer pursuing the preparation or adoption of the GCCTP.

## 4 Statutory context

### 4.1 State Significant Development

The proposal is SSD under section 4.36 (development declared SSD) of the EP&A Act as it is development on land that is the subject of a concept approval with a CIV in excess of \$75 million on land identified in the Gosford City Centre, pursuant to clause 12 and item 15 to Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

### 4.2 Consent Authority

The Minister for Planning and Homes (the Minister) is the consent authority under section 4.5 of the Act. In accordance with the Minister's delegation dated 9 March 2022, the Director, Regional Assessments may determine this application as:

- the relevant Council has not made an objection
- there are less than 15 public submissions in the nature of objection
- a political disclosure statement has not been made.

### 4.3 Permissibility

State Environmental Planning Policy (Gosford City Centre) 2018 (Gosford SEPP) is the principle environmental planning instrument (EPI) that applies to the site.

The site is zoned B4 Mixed Use under the Gosford SEPP. The Gosford SEPP states residential flat buildings and commercial premises may be carried out with consent within the B4 Mixed Use zone. Therefore, the Minister (or his delegate) may determine the carrying out of the development.

The Department has considered the consistency of the proposal with the Concept Approval in detail at **Section 6.2** and **Appendix C** and is satisfied the proposal complies with all relevant standards.

### 4.4 Secretary's Environment Assessment Requirements

On 29 July 2021, the Department notified the Applicant of the Planning Secretary's Environment Assessment Requirements (SEARs) that apply to the proposal. The Department is satisfied that the EIS and RtS adequately address the requirements of the SEARs to enable the assessment and determination of the application.

### 4.5 Biodiversity Development Assessment Report

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

The Concept Approval included a BDAR, which assessed the proposal in terms of biodiversity impacts in accordance with the BC Act. The Concept Approval BDAR assessment concluded, although the site resulted in the removal of existing vegetation, the site does not include a threatened ecological community or contain habitat or foraging potential for threatened species. The Biodiversity Assessment Method determined that two ecosystem credits are required to offset the direct impact of tree removal proposed (as part of the overall Concept Approval) and no species credits are required.

The current proposal includes the removal of three existing mature trees (Box Brush) located at the south-west corner of the site adjoining Baker Street. These trees were identified for removal within the Concept Approval. The proposal does not include removal of any other trees on the broader CCQ Concept Approval site.

On 3 August 2021, The Biodiversity and Conservation Division of the Department of Planning and Environment (BCD) determined that the proposed Stage 1 development would not be likely to have any significant impact on biodiversity values and that a BDAR is not required. The Department supported BDC's decision and on 17 August 2021, determined that the application is not required to be accompanied by a BDAR under section 7.9(2) BC Act. However, the Department noted the waiver of the requirement to undertake a BDAR for Stage 1 does not negate the Applicant's obligation to comply with Future Environmental Assessment Requirement (FEAR) 10 of the Concept Approval, which requires future development application(s) (DAs) address ecosystem credit requirements.

The Applicant has confirmed it would not object to a condition requiring the purchase of the two ecosystem credits (described above) as part of the current (Stage 1) application to offset vegetation/tree removal across all stages of the Concept Approval.

BCD reviewed the EIS and confirmed the proposal is consistent with the BDAR waiver and provided no further comments on biodiversity.

The Department has recommended a condition requiring the purchase of the two ecosystem credits to offset the biodiversity impact. The Department has considered landscaping and trees further at **Section 6.6.3**.

#### **4.6 Matters for consideration**

The following relevant matters have been taken into account in the assessment of the application:

- section 4.15(1) of the EP&A Act
- relevant EPIs
- objects of the EP&A Act
- Ecological Sustainable Development (ESD)
- Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

The Department has undertaken a detailed assessment of the above matters at **Appendix B** and is satisfied the application has appropriately addressed the relevant matters for consideration.

## 5 Engagement

### 5.1 Department's engagement

On 16 September 2021 by DPIE, the Applicant lodged the EIS for the redevelopment of the site. The proposal was subsequently amended by the Applicant's Response to Submissions and attachments (RtS) dated December 2021.

In accordance with Schedule 1 of the EP&A Act the Department publicly exhibited the EIS. During the exhibition surrounding landowners, Council and relevant public authorities were notified in writing. The Department also published the Applicant's RtS on its website and notified Council and relevant public authorities.

A total of 26 submissions were received in response to the exhibition of the EIS and notification of the RtS comprising eight from public authorities, one from Council and 17 from the public.

A summary of the exhibition and notification is provided at **Table 3** and a summary of the issues raised in the submissions is provided at **Section 5.2 to 5.4**. Copies of the submissions may be viewed at **Appendix A**.

**Table 3** | Summary of public exhibition and notification of the application

Stage	Exhibition / Notification Period	Submissions
EIS	21 Sep 2021 until 19 Oct 2021 (28 days)	23 submissions comprising: <ul style="list-style-type: none"><li>• 1 Council</li><li>• 5 Public authorities</li><li>• 17 public</li></ul>
RtS	17 Dec 2021 until 27 Jan 2022 (42 days)	3 submissions comprising: <ul style="list-style-type: none"><li>• 3 Public authorities</li><li>• none from Council or the public</li></ul>

### 5.2 Key issues - public authorities

The key issues raised in public authority submissions are summarised in **Table 4**.

**Table 4** | Public authority submissions to the EIS and RtS of the proposal

Transport for NSW (TfNSW)	
EIS	<p>TfNSW does not object to the proposal and provided the following comments:</p> <ul style="list-style-type: none"><li>• transport impacts of all stages should be provided to enable an understanding of the overall cumulative impact of the development</li><li>• the base SIDRA traffic modelling has not appropriately modelled the operations of the road network, does not include impacts on existing and proposed intersections and should be updated in accordance with the Transport Roads and Maritime Modelling Guidelines v.1 2013</li><li>• traffic impact should include consideration of the cumulative traffic impact of other proposed developments in the area</li><li>• swept path analysis is not to scale and vehicle swept paths are not accurate</li><li>• a Green Travel Plan (GTP) should be prepared to TfNSW's requirements prior to commencement of operations</li></ul>

### Transport for NSW (TfNSW)

	<ul style="list-style-type: none"> <li>the existing Mann Street bus stops near Georgiana Terrace should be relocated 100m south towards the site and designed in accordance with relevant access, transport and Council bus stop design requirements.</li> </ul> <p>TfNSW clarified that it is no longer preparing the draft Gosford City Centre Transport Plan for adoption.</p>
RtS	<p>TfNSW reviewed the RtS and provided the following comments:</p> <ul style="list-style-type: none"> <li>TfNSW supports the proposal's minimisation of on-site car parking provision</li> <li>the Applicant should consider the impacts of road noise generated by the Central Coast Highway</li> <li>traffic modelling for the entire CCQ Precinct has not been provided. However, TfNSW does not object to the proposal noting future stages would provide necessary modelling.</li> </ul> <p>TfNSW recommended conditions requiring:</p> <ul style="list-style-type: none"> <li>the preparation of a Construction Traffic and Pedestrian Management Plan</li> <li>no increase in stormwater discharge from the site to the State road network</li> <li>the Applicant obtain the necessary Road Occupancy Licence(s)</li> <li>a GTP be prepared to TfNSW's requirements prior to commencement of operations.</li> </ul> <p>TfNSW noted that future CCQ Precinct stages may have impacts on State roads and will be required to include investigations and upgrades to the surrounding road networks. The applicant is aware of the need for additional investigations and TfNSW comments,</p>

### Department of Planning and Environment Water and the Natural Resource Access Regulator (NRAR)

EIS	<p>NRAR did not object to the proposal and provided the following comments:</p> <ul style="list-style-type: none"> <li>the development would require excavation into the water table and subsequent dewatering</li> <li>demonstrate sufficient entitlement for groundwater take and provide a consolidated site-water balance</li> <li>prepare a Groundwater Impact Assessment (GIA) considering construction and operational groundwater volumes and impacts</li> <li>update the Acid Sulfate Soil Management Plan to include field testing, Appendix A figures and clarification of testing depth</li> <li>consider designing the basement as a fully tanked system.</li> </ul> <p>NRAR recommended a condition requiring the Applicant enter into a Water Access Licence.</p>
RtS	<p>NRAR reviewed the RtS and confirmed the RtS has adequately addressed all of NRAR's comments provided in response to the EIS and it had no further comments.</p>

### Biodiversity and Conservation Division of Department of Planning and Environment (BCD)

EIS	<p>BCD does not object to the proposal and provided the following comments:</p> <ul style="list-style-type: none"> <li>the development is consistent with the BDAR waiver and no future biodiversity assessment is required</li> <li>the stormwater treatment devices should be certified during the detailed design phase</li> <li>the basement flood protection barrier should be fully automatic</li> <li>the flood emergency response plan should address how medical emergency would be managed during a flood event.</li> </ul>
RtS	<p>BCD considered the RtS and recommended a condition requiring a failsafe egress to flood free refuge for any occupants of the basement car park during a large flood event.</p>

## Transport for NSW (TfNSW)

### Heritage NSW Aboriginal Cultural Heritage, Department of Premier and Cabinet (Heritage ACH)

EIS	Heritage ACH did not object to the proposal and confirmed the majority of the site has been subject to past disturbances and no further assessment with regard to Aboriginal cultural heritage is required.
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### Department of Primary Industries (DPI)

EIS	DPI did not object to the proposal and stated that due to the site's urban location it is unlikely to have any impact on agricultural land or resources.
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## 5.3 Key issues - Council

Council's submission in response to the EIS exhibition is summarised in **Table 5**. Council did not provide comments on the RtS.

**Table 5** | Council's submissions to the EIS and RtS

### Council

EIS	<p>Council does not object to the proposal and provided the following comments:</p> <ul style="list-style-type: none"><li>the creation of a shared zone on Baker Street requires approval of Council's Traffic Committee to implement regulatory controls/signposting</li><li>the through site link should be constructed and provided as part of Stage 1</li><li>following completion of construction, the remainder of the Concept Approval site should be turfed or restored to prevent dust and improve visual amenity</li><li>works in lieu of the payment of developer contributions must only be agreed if they are required under the contributions plan or involve significant public benefit. A voluntary planning agreement (VPA) may also be required</li><li>a temporary turning head may be required on Baker Street</li><li>excavation below the water table / flood level may require bunding and separate approval for groundwater extraction</li><li>prepare a construction management plan to address construction routes and delivery times to mitigate impacts on adjoining properties.</li></ul> <p>Council recommended conditions be prepared to address waste storage / collection, road works, water and sewer infrastructure, architectural design, construction impacts and developer contributions.</p>
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## 5.4 Key issues - community

A total of 17 public submissions (including one special interest group) were received in response to the public exhibitions of the EIS. Submissions comprised 13 objections, one comment and three in support. The key issues raised in public submissions are summarised at **Table 6**.

**Table 6** | Public submissions raised in response to the exhibitions of the EIS

Issue	Proportion of total EIS (17) submissions
Loss of private views	64.7%
Inappropriate building height and scale	52.9%



Issue	Proportion of total EIS (17) submissions
Traffic, parking and road safety impacts	29.4%
Adverse visual impact and impact on character of area	29.4%
Construction noise impacts	17.6%
Impact on property values	17.6%
Density / overdevelopment of the site	11.8%
Overshadowing of public domain / open space	11.8%
Insufficient public benefit	11.8%
Loss of open space / pressure on existing open spaces	11.8%

Other issues raised in public submissions (5% or less) included tree removal, overshadowing of adjoining residential properties, inadequate on-site communal open space, structural impact on adjoining properties, oversupply of apartments in the area, increased pressure on school capacities, development sets a precedent, and inadequate public consultation.

An objection submitted by the owner of the approved, and as yet unbuilt, development at Creighton's, 27-37 Mann Street (**Section 1.5.2**) included an independent view loss impact assessment, which was subsequently updated by an addendum report including additional information.

The objection by the Committee of the Broadwater Owners' Corporation (special interest group) raised concerns that have already been summarised above (including height and scale, public benefit, open space, community infrastructure, overshadowing of public domain and view loss).

The three submissions submitted in support of the application stated the development would have a positive economic impact on the area, has an appropriate architectural design and overall makes a positive contribution to the Central Coast.

## 5.5 Applicant's responses to submissions

Following the exhibition of the EIS, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised.

On 17 December 2021, the Applicant provided its RtS, which included additional information and justification in response to the issues raised during the public exhibition of the proposal. The RtS also included the following amendments to the proposal:

- local and State contributions are agreed to and a VPA is no longer proposed
- fire egress doors are relocated at ground floor level to remove a deep recess
- internal amendments to the design of study rooms and bathrooms.

On 19 January 2022, the Applicant provided an addendum to the RtS, which responded to the initial independent view loss assessment submitted by the owners of Creighton's. The analysis concluded the view loss impacts are reasonable and consistent with the Concept Approval. The Applicant did not provide any comments on the addendum to the independent view loss assessment.

## 5.6 City of Gosford Design Advisory Panel

The City of Gosford Design Advisory Panel (DAP) was established by the GANSW in accordance with Clause 8.4 of the Gosford SEPP to encourage design excellence in Gosford City Centre and provide independent and expert design review of development applications. The DAP consists of two panel members including the Government Architect of the GANSW (chair) and Council and is assisted by three members of a Design Review Group (DRG). The DAP's role in the development assessment process is advisory in nature.

Prior to the submission of the application the Applicant presented the proposal at three DRG design development workshops and then to the DAP. The DAP unanimously concluded the pre-submission proposal had the ability to achieve design excellence subject to amendments including widening the through site link, improved integration with Baker Street and compliance with the Concept Approval requirements.

The Department referred the proposal to the DAP for its consideration as part of the public exhibition process for the EIS. The DAP considered the EIS and confirmed the proposal adequately addressed previous design issues raised. In addition, the DAP unanimously concluded the development exhibits design excellence and the through site link provides a significant public benefit.

The DAP recommended conditions to ensure the design excellence is retained throughout the subsequent phases of the development and provided additional advice relating to the through site link, wind mitigation, glazing to retail frontages, provision of lobby stairs and public domain interfaces.

The DAP's detailed advice and recommendations are provided at **Appendix D**, and the Department has considered the DAP's detailed comments within its assessment of the application at **Section 6**.

## 6 Assessment

### 6.1 Key assessment issues

The Department has considered the Applicant's EIS and RtS and the issues raised in submissions in its assessment of the proposal. The Department considers the key assessment issues associated with the proposal are:

- consistency with the Concept Approval
- design excellence
- built form
- parking and traffic
- landscaping, public domain and trees
- social impacts.

Each of these issues is discussed in the following sections of this report. Other issues were taken into consideration during the assessment of the application and are discussed at **Section 6.9**.

### 6.2 Consistency with the Concept Approval

The Concept Approval establishes a planning framework to be addressed in future DA(s) for development within the CCQ Precinct. The proposal comprises Stage 1, the Northern Tower, of the Concept Approval.

FEAR C3 requires that all proposed built form must be contained within the building envelopes.

The Department has assessed the development against the key Concept Approval building envelope controls and concludes the proposal is consistent with the controls as summarised at **Table 7**. The Department has considered the development against all Concept Approval requirements in detail at **Appendix C**.

**Table 7** | Consistency with the Concept Approval building envelope controls for the Northern Tower

Northern Tower Component	Envelope Control	Proposal	Difference	Complies
Envelope efficiency	Max. 85%	84.6%	-0.4%	Yes
GFA: • residential • commercial / retail	Max. 34,861m <sup>2</sup> : • Max. 22,414m <sup>2</sup> • Min. 2,787m <sup>2</sup>	Max. 13,884m <sup>2</sup> : • 13,263m <sup>2</sup> • 621m <sup>2</sup>	- 20,977m <sup>2</sup> - 9,146m <sup>2</sup> - 2,166m <sup>2</sup>	Yes
Podium heights: • podium building • amenity structures allowance	Max. RL 14.70m Max. RL 17.90m	RL 14.70m RL 16.72m	0m - 1.18m	Yes
Tower heights: • northern half of Tower • southern half of Tower	Max. RL 81.4m Max. RL 71.3m	RL 81.4m RL 69.7m	0m - 1.6m	Yes
Tower setbacks from Baker Street (above podium): • northern half of Tower • southern half of Tower	Min. 5.7m Min. 8.7m	5.7m 8.7m	0m 0m	Yes

The Department notes 9,146m<sup>2</sup> residential and 2,166m<sup>2</sup> commercial/retail GFA is reserved for Stages 2 and 3 of the CCQ Precinct. In addition, this quantum of GFA is generally consistent with the indicative residential / retail GFA noted as necessary for the Eastern and Southern towers under the Applicant's details submitted in response to the requirements of Concept Approval FEAR B1 (approved 9 April 2021). The Department is therefore satisfied sufficient GFA has been reserved for the reasonable development of the remaining stages of the CCQ Precinct.

The Department notes that concern was raised in public submissions about the proposed density of the development. However, given the development is consistent with the Concept Approval GFA and height requirements, the Department is satisfied the proposal provides for an appropriate density of development in line with the Concept Approval planning framework, including density, established for the CCQ Precinct.

### **6.3 Design excellence**

FEAR C1 of the Concept Approval requires future DAs to be carried out in accordance with the Concept Approval Design Excellence Strategy (DES) and to be subject to review by the DAP. Clause 8.3 of the Gosford SEPP seeks to ensure that new development within the Gosford City Centre exhibits design excellence.

FEAR C4 requires future DAs demonstrate consistency with advice of the DAP and the Design Guidelines. The Design Guidelines provide whole-of-site and building specific guidance relating generally to height, scale, setbacks, façade presentation, materials and public domain to provide a coherent vision for the CCQ precinct and foster design excellence.

The proposal does not trigger the requirement to undertake a design excellence architectural competition under clause 8.4(c) of the Gosford SEPP (**Appendix B**). However, FEAR C1 requires the Applicant to undertake a competition, unless the DAP agrees a competition is not required.

On 4 December 2020, following the determination of the Concept Approval, the DAP considered and endorsed the Applicant's revised DES. The revised DES amended the CCQ design excellence pathway by removing the requirement for CCQ Stage 1 to undertake an architectural design competition, subject to any future Stage 1 development meeting the following requirements:

- align with the Concept Approval, including the Design Guidelines
- retain the Concept Approval design team (DKO and Turf)
- deliver the east-west through site link as part of Stage 1 works
- subject to the review / endorsement of the DAP and ongoing design integrity processes.

The Applicant has stated the proposal meets the design excellence provisions of clause 8.3 of the Gosford SEPP. In addition, the application is consistent with the revised DES alternative design excellence pathway and therefore an architectural design competition is not required.

No comments were provided by Council or in public submissions specifically related to Design Excellence.

The DAP reviewed the proposal prior to lodgement of the Application and in response to the EIS exhibition (**Appendix D**). The DAP did not recommend that an architectural design competition be undertaken. The DAP unanimously formed the opinion that the development exhibits Design Excellence and the through site link provides significant public benefit. The DAP also recommended the Applicant further resolve design matters relating to:

- wind effects and mitigation measures should contribute to the development's identity
- provision of curved glass along retail frontages
- provision of access stairs near lobby lifts
- further enhancement of public domain interfaces.

The DAP recommended conditions relating to design integrity, ongoing involvement and retention of the design architect.

The Department has assessed the proposal against the design excellence provisions set out in clause 8.3 of the Gosford SEPP in detail at **Appendix B**, and concludes the proposal meets the design excellence objectives as it achieves a high standard of architectural, urban and landscape design.

The Department considers the application has been carried out in accordance with the requirements of the revised DES, an architectural design competition is not required and the proposal would achieve design excellence as:

- it is consistent with the Concept Approval and Design Guidelines requirements (**Appendix C**)
- it incorporates the east-west through site link within the development (**Section 6.6**)
- the DAP has reviewed and endorsed the proposal (**Appendix D**) and the Department has considered the DAP's comments within **Sections 6.4, 6.6 and 6.9**.
- the Department recommends conditions requiring the:
  - Applicant retain the design team for the life of the project
  - DAP be maintained throughout the design development and construction of the proposal to review and provide independent oversight at key milestones.

The Department concludes, subject to conditions establishing a design integrity process and requiring consistency with the DES, retention of the design team and ongoing involvement of the DAP, the development will achieve design excellence and maintain design integrity.

## 6.4 Built form

The proposal seeks approval for the construction of a tower and podium including residential and retail uses, as summarised at **Section 2**.

The Department considers the key assessment issues to be building height, scale and visual impact, design and materials and view loss. These matters are considered in the following sections.

### 6.4.1 Building height and scale and visual impact

The development comprises a tower with stepped roof line set above a split-level podium. The tower maximum building heights are:

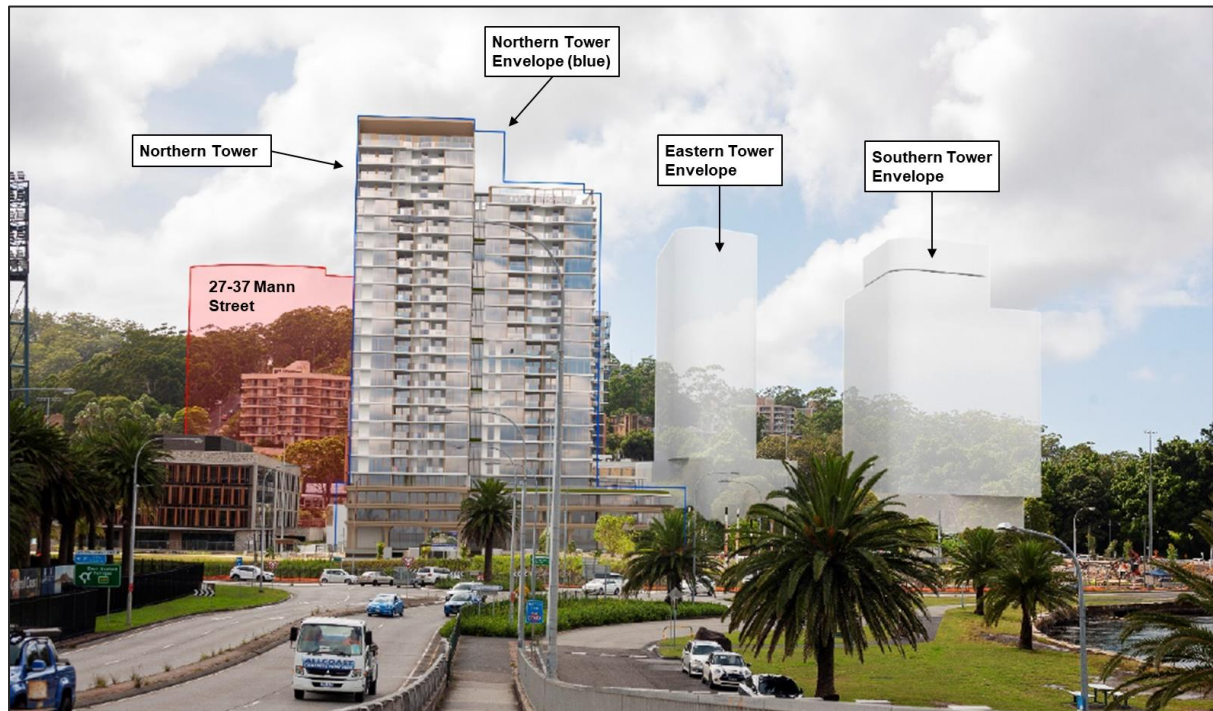
- RL 81.4m to the northern half of the tower (approximately 79.8m above Baker Street / ground)
- RL 69.7m southern half of the tower (approximately 68.1m above Baker Street / ground).

Concern was raised in public submissions about the height and scale of the development, its visual impact and impact on the character of the surrounding area. The independent view loss assessment, as amended and submitted by the owners of Creighton's concluded the proposal is incompatible with the existing visual context.

The DAP did not provide specific comments on the height and scale of the development. Council stated it is supportive of the need for development in the Gosford City Centre.



The Application includes a Visual Impact Assessment and View Sharing Analysis (VIA), which provides perspectives of the proposed development when viewed from the key public vantage points referenced in the Concept Approval (**Figure 10 to Figure 13**). With reference to the Concept Approval building envelope parameters and the VIA, the Applicant contends the height and scale of the tower is appropriate within the Gosford City Centre context and has acceptable visual impacts noting the desired future built form evolution of the CCQ Precinct and the building envelope built form and volumetric parameters.

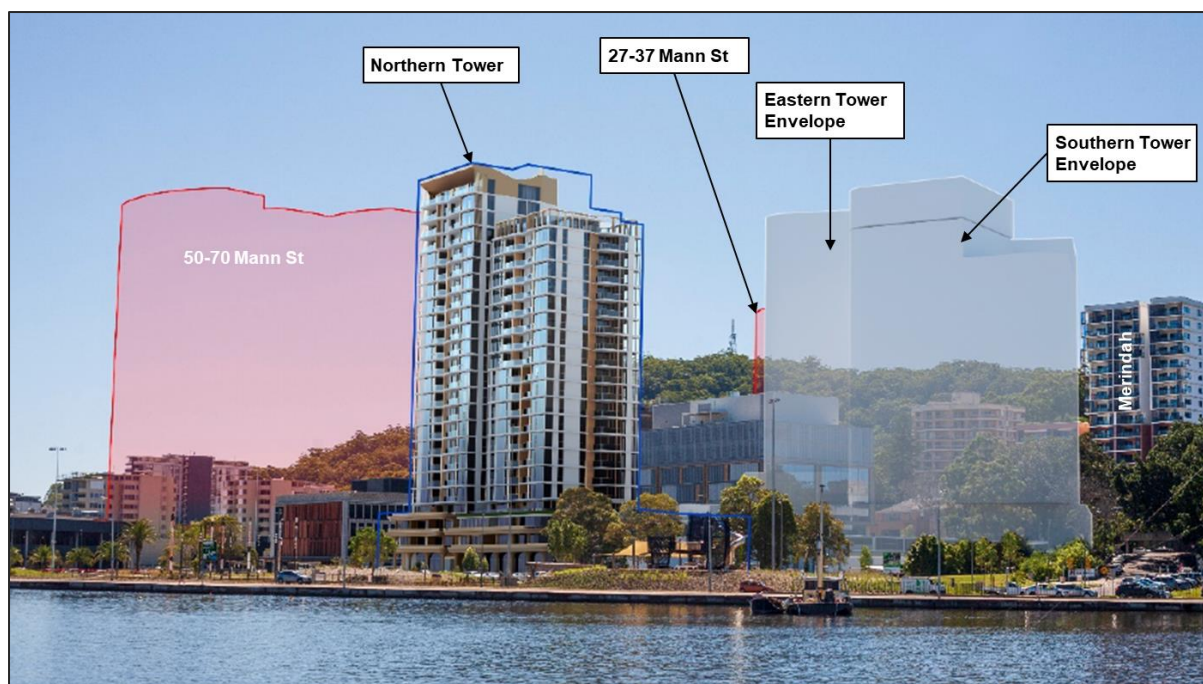


**Figure 10 |** Perspective looking east along the Central Coast Highway towards the development in context with future proposed towers (Base source: Applicant's RtS)



**Figure 11 |** Perspective looking south-west from Mann Street and Georgiana Terrace intersection, over the former Schools of Arts Building towards the development (Source: Applicants RtS)





**Figure 12 |** Perspective looking north-west over Brisbane Waters towards the development in context with future proposed towers (Base source: Applicant's RtS)



**Figure 13 |** Perspective from Rumbalara Reserve towards the development in context with future proposed towers (Base source: Applicants RtS)

As outlined in **Section 1.4**, the Department notes the existing character of the surrounding area is diverse, with a mix of established low to medium-rise residential and mixed-use buildings, public open space areas and the Brisbane Water foreshore.

In addition, the future development within the broader CCQ Precinct and on adjoining and nearby development sites (**Section 1.5.2**) will result in a significantly greater intensity and scale of development within the Gosford City Centre, including tall tower developments.

The Department acknowledges the tower would be highly visible from close and distance views around the site and the scale of the proposed tower differs from the existing surrounding built form. Notwithstanding, the Department considers the height and scale of the development is appropriate for the site, as:

- it is consistent with the Concept Approval built form parameters, including maximum building height, location and GFA controls for the site and the Design Guidelines (**Section 6.2** and **Appendix C**)
- the architectural design of the proposal results in a building with landmark qualities and the development overall has been endorsed by the DAP as achieving design excellence
- the tower forms part of an emerging cluster of towers within the CCQ Precinct and Gosford City Centre. In addition, the tower would contribute positively to the Gosford skyline and is consistent with the desired future character for the area, which envisages the construction of tall buildings
- the bulk and scale of the tower has been divided into two unequal halves and this modulation reduces the overall perception of the scale of the development
- the tower is adequately separated from adjoining properties and future CCQ Precinct towers to ensure an appropriate built form relationship and transition to existing and future development
- view corridors either side of the tower are retained to ensure appropriate views are maintained towards Rumbalara Reserve and would not adversely impact on nearby heritage items
- the proposal would not result in adverse amenity (view loss, overshadowing, noise or wind) impacts (**Sections 6.4.3** and **6.9**).

The Department therefore concludes the proposed height and scale is acceptable as it complies with the Concept Approval built form development controls for the site and will be consistent with the future desired character of development within Gosford City Centre. Further the development provides for an appropriate built form relationship to existing and future adjoining buildings and would not have adverse amenity or visual impacts.

#### 6.4.2 Design and materials

The design of the development comprises a distinctive and contemporary architectural design and finish. The elevations comprise a sympathetic combination of grey and sand coloured concrete, dark bronze coloured feature vertical and standing seam rooftop metal cladding, bronze coloured vertical metal blades and metal balustrades.

The DAP commended the Applicant for its responsiveness to the design process. The DAP also recommended minor amendments including that the retail glazing be curved rather than segmented, stairs be included within the ground floor lobby to improve vertical circulation and wind mitigation measures to contribute to the identity of the development. No specific concerns were raised by the Council or in public submissions about the architectural appearance of the building.

The Applicant has stated it has engaged with the DAP and as a consequence the design of the development is well-resolved. In addition, the development is if a high-quality overall design, is scaled and articulated to fit within its context and materials have been selected to contrast and provide depth to the facades. In response to the DAP's comments, the Applicant amended the design of the building



to include curved retail glazing, lobby stairs and additional design information on the appearance and integration of wind mitigation measures.

The Department considers the development achieves a high standard of design and materiality and would contribute positively to the character of the locality as:

- the modern design approach provides a coherent and well-proportioned overall architectural composition that is and highly articulated and makes a positive contribution to the Brisbane Water foreshore
- the proposed external materials are of a high quality and include a neutral colour palette consistent with the character of surrounding existing and emerging developments
- the façade treatment and selection of materials establishes an architectural rhythm which emphasises the vertical proportions of the building
- the modulation of the tower into two unequal halves, use of metal cladding both vertically on the façade and at roof level and provision of recessed windows and balconies breaks down the bulk of the tower and reduces its overall visual impact
- the podium is highly articulated, includes fine-grain shopfronts, opens out onto Baker Street and is of a different architectural design to the tower, which adds further visual complexity and results in an overall interesting and inviting development
- wind mitigation measures, including screens, balustrades and treatments within communal open spaces are integrated into the design of the development and contribution to its appearance.

The Department concludes the proposed development achieves a high standard of design and results in a building which has been designed and articulated to appropriately fit within its urban context without having an adverse impact on the character of the locality

#### 6.4.3 View loss

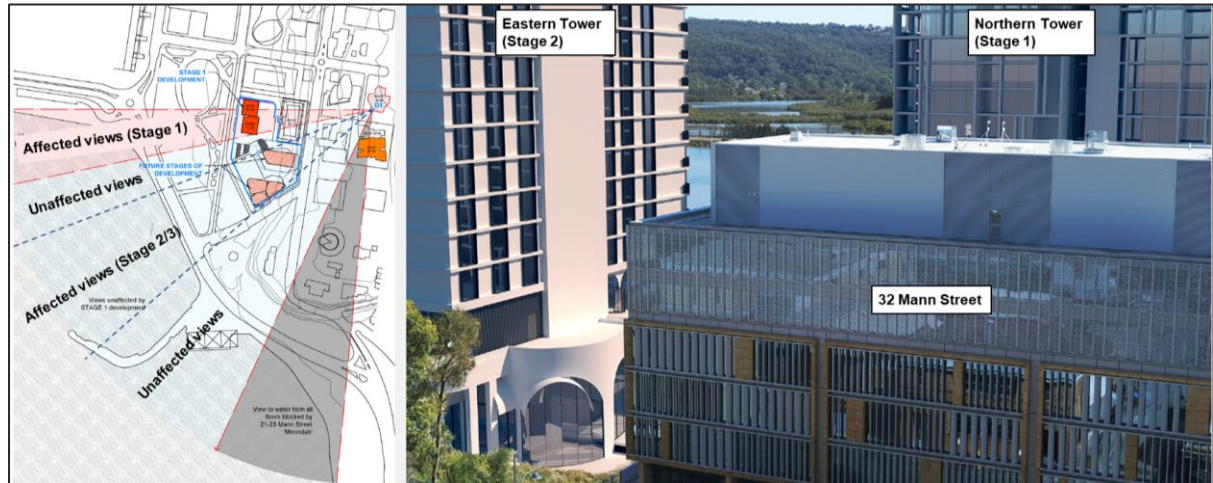
The following five existing and proposed residential apartment buildings east of the site have a range of views of Brisbane Water and district views over the site and the broader CCQ Precinct and are the most affected properties by the proposal in terms of view loss:

- 'Broadwater' 127-129 Georgiana Terrace
- 'Merindah' 21-23 Mann Street
- 'Georgiana Quay' 107-115 Henry Parry Drive
- 17 Mann Street (planning approval)
- 'Creighton's' 27-37 Mann Street (planning approval).

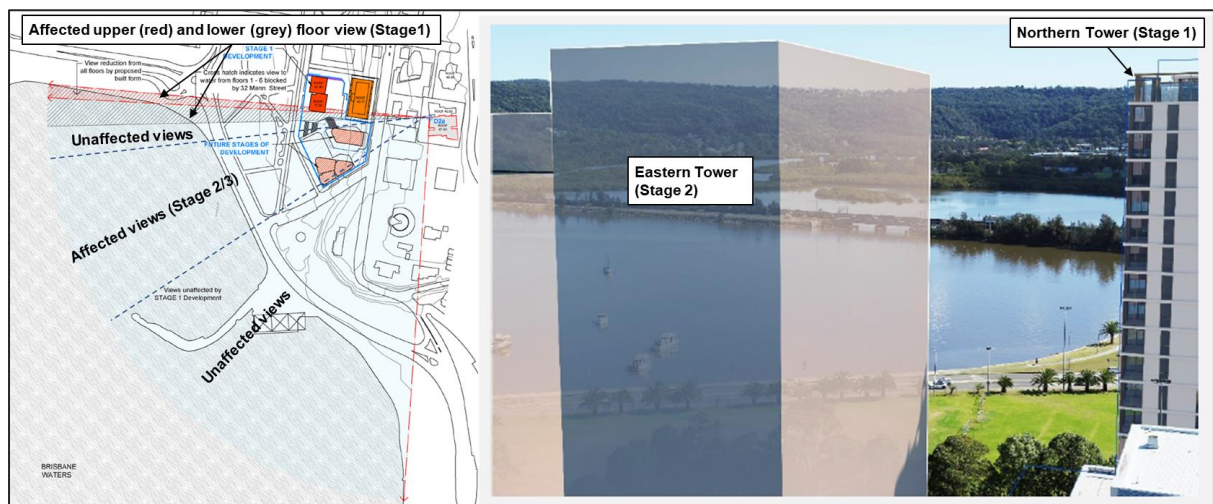
Concern was raised in public submissions the proposal would result in the loss of private views from apartments specifically within the existing Broadwater and Merindah developments and the yet to be built Creighton's development. The owner of the Creighton's development submitted an independent view loss impact assessment (as amended), which concluded the view loss impact to the future apartments within Creighton's would be severe and unacceptable.

The Applicant has stated the Northern Tower development is consistent with the Concept Approval building envelope parameters and the established view sharing principle has been maintained. In response to the concerns raised about Creighton's, the Applicant updated the VIA to provide further view loss analysis and stated impacts are reasonable as:

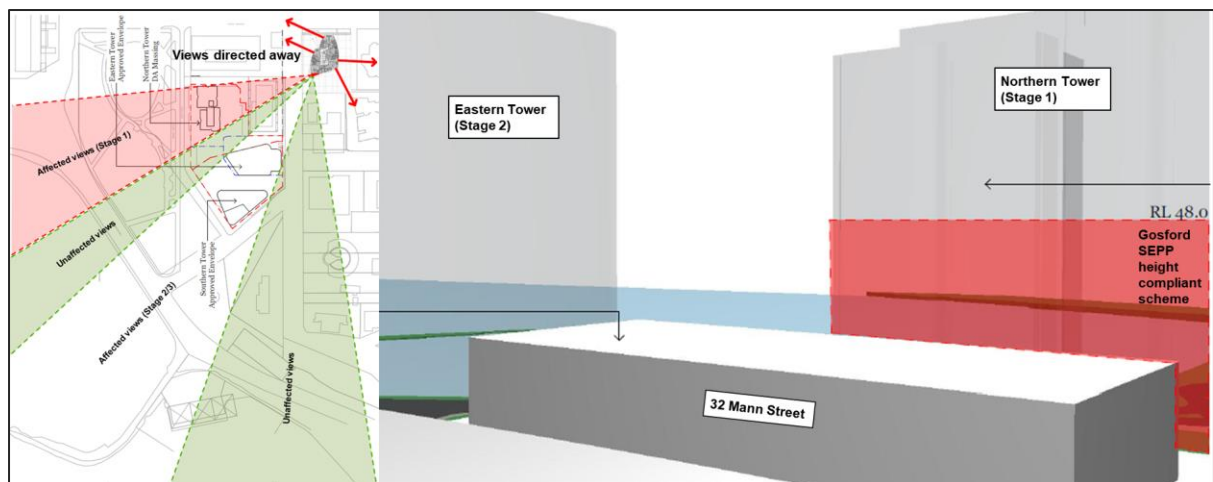
- Creighton's has not been constructed and the protection of views that do not exist carry less weight than those from existing developments.
- virtually all proposed views from Creighton's are directed away from the site, with only 5 of 131 apartments (4%) experiencing view loss.



**Figure 14 |** View loss impact to upper floors of Broadwater (Base source: Applicant's RtS)



**Figure 15 |** View loss impacts to Merindah (Base source: Applicant's RtS)



**Figure 16 |** View loss impacts to Creighton's (Base source: Applicant's RtS)





**Figure 17 |** Predicted view loss impacts to Creighton's at the approximate height of level 4 (Source: 27-27 Mann St independent view loss assessment)



**Figure 18 |** Predicted view loss impacts to Creighton's at the approximately height of level 11 (Source: 27-27 Mann St independent view loss assessment)

The impact of the development on existing private views was a key consideration of the Department's assessment and IPC's determination of the Concept Approval. The Department's assessment considered the view impact of the building envelopes on adjoining properties using the principles established by *Tenacity Consulting Vs Warringah [2004] NSWLEC 140*. The Department concluded view loss impacts to the affected properties would range from moderate to severe. However, this is reasonable as:

- the site is located within the Gosford City Centre, on a vacant, identified redevelopment site, changes to existing views are unavoidable in this context

- the proposal establishes view corridors between the tower building envelopes and this approach is representative of the aim of view sharing principles
- key elements of the affected views are located at mid-distance, in a city-centre environment and some elements of existing views and in most cases, water views, are retained and therefore acceptable in this context.

In determining the Concept Approval, the Commission stated it agreed with the Department's consideration of view loss and noted the site has been designated for increased density under the Gosford SEPP. In addition, the Commission's recommended built form amendments to the proposal would result in more slender towers and this would further reduce the impact on private views.

In its assessment of the Concept Approval, the Department noted that the majority of apartments within the as-yet unbuilt Creighton's development are directed away from the CCQ Precinct and therefore there would be minimal view loss impacts.

The Department is satisfied the proposal would not have any adverse impact on views from apartments within existing and proposed residential buildings east of the site, beyond what has already been considered acceptable via the Concept Approval, for the following reasons:

- the development is contained wholly within the Concept Approval building envelope.
- as the building fills only 85% of the building envelope (in accordance with the Design Guidelines / IPC built form amendments), view loss impacts are overall less than the maximum assessed under the Concept Approval
- the proposal would not project into or obstruct established view corridors within the CCQ Precinct and therefore maintains the established view sharing principles
- only 4% of apartments within Creighton's would experience view affectation and this impact is reasonable for the same reasons outlined in the Department's assessment of the Concept Approval (summarised above).

The Department concludes the proposal would not result in any additional loss of views, beyond what has already been approved under the Concept Approval and the predicted resulting view loss impacts are on-balance acceptable.

## **6.5 Parking and traffic**

### **6.5.1 Car parking**

FEAR B3 requires that residential parking rates must be no greater than GDCP parking rates and no less than the Roads and Maritime Guide to Traffic Generating Development 2002 (RMS Guide) parking rates and commercial parking must be consistent with the Gosford SEPP rate.

FEARs C22 and C23 require DA(s) undertake an assessment of car parking demand and impacts, including analysis of need, ownership, surveys and comparable developments, to determine the most appropriate number of on-site car parking spaces for the development.

A comparison between the Gosford SEPP, GDCP and RMS Guide car parking rates are shown at **Table 8**.

**Table 8** | Comparison between the Gosford SEPP, GDCP and RMS Guide and proposed car parking rates

Use	Type	Gosford SEPP rate (req. spaces)	GDCP rate (req. spaces)	RMS Guide rate (req. spaces)	Proposed Parking
Residential	1 bed (14 units)	-	1 x unit (14)	0.6 x unit (8)	140
	2 bed (107 units)	-	1.2 x unit (128)	0.9 x unit (96)	
	3+ bed (15 units)	-	1.5 x unit (23)	1.4 x unit (21)	
	Visitor (136 units)	-	0.2 x unit (27)	0.2 x unit (27)	27
Retail	Retail (621m <sup>2</sup> )	1 x 40m <sup>2</sup> (16)	1 x 40m <sup>2</sup> (16)	1 x 40m <sup>2</sup> (16)	16
<b>Total</b>		<b>16</b>	<b>208</b>	<b>168</b>	<b>183</b>

The application includes a Car Parking Assessment Report (CPAR), which has undertaken an assessment of parking demand and impact. In response to the requirements of FEARs C22 and C23, the CPAR has:

- considered the strategic context of the site including the State and Regional planning framework
- undertaken surveys and a needs based parking assessment including comparison with other developments.
- includes a draft GTP, which outlines initiatives including car share, electric vehicle charging, travel access guides, public transport information, bicycle facilities and workshops, footpath review, promotional campaigns and associated initiatives.

The CPAR concludes the provision of 183 parking spaces is consistent with the Concept Approval requirements, the City Centre location will naturally reduce reliance on private vehicle use, all parking demand will be accommodated on-site, the development would not exacerbate existing on-street parking problems and the GTP will encourage sustainable transport options.

Concern was raised in public submission that insufficient car parking has been provided on-site. TfNSW confirmed it supports the proposed minimisation of on-site car parking provision and recommended the GTP be updated to set key objectives and measurable targets and improve sustainable transport initiatives in consultation with TfNSW. Council did not provide comments on the on-site car parking provision.

The Department notes the proposed parking (183 spaces) is approximately halfway between the GDCP and RMS Guide parking rates, includes retail parking in accordance with the Gosford SEPP rate and therefore addresses the requirements of FEAR B3.

The Department has considered the CPAR against the requirements of the Concept Approval at **Appendix C** and concludes the CPAR has undertaken an adequate assessment of car parking need relating to the development and therefore has adequately justified the provision of 183 on-site car parking spaces.

The Department recommends conditions requiring car parking be provided in accordance with the CPAR and the GTP be prepared and updated in consultation with TfNSW.

The Department concludes, subject to the above conditions, the proposal would provide for sufficient on-site car parking, would encourage sustainable transport options and would therefore not have an adverse impact on existing on-street parking pressures.

## 6.5.2 Traffic

FEAR C21 requires future development application(s) consider traffic generation impacts and nearby intersection capacity.

The Traffic Impact Assessment (TIA) submitted with the application predicts the development (Stage 1 only) would generate approximately 101 vehicle movements during the AM peak and 73 vehicle movements during the PM peak.

The TIA also considered the performance of nearby intersections including the level of service (LoS) and vehicle delay at the predicted completion of the development (2023) and at 10 years following completion (2033) (Stage 1 only) (**Table 9**).

**Table 9** | Intersection performance LoS (Source Applicant's EIS)

Intersection	Control	Base (2023)		Base with Proposal (2023)		Future base (2033)		Future with Proposal (2033)	
		AM	PM	AM	PM	AM	PM	AM	PM
Georgiana Terrace / Dane Drive	Priority	B	A	B	A	C	B	C	B
Georgiana Terrace / Baker Street	Priority	B	C	C	C	C	D	C	D
Georgiana Terrace / Mann Street	Roundabout	A	A	A	A	A	A	A	A
Mann Street / Vaughan Avenue	Priority	B	B	B	B	C	B	D	B
Central Coast Hwy / Mann Street	Traffic lights	B	B	B	B	B	F	C	F
Central Coast Hwy / Dane Drive	Roundabout	F	F	F	F	F	F	F	F

The TIA concluded that the surrounding road network would generally continue to perform at similar LoS during the predicted 2023 and 2336 AM and PM peak scenarios. In addition, it noted that the two Central Coast Highway intersection would operate over capacity, however, this would occur with or without the development.

To improve the operation of the Mann Street / Vaughan Avenue intersection the TIA recommends the removal of the 'left turn only' vehicle movement restriction from Baker Street onto Vaughan Avenue (as discussed at **Section 6.5.3**), which would improve the AM LoS of this intersection in the 2033 scenario from LoS D to C (highlighted orange at **Table 9**).

Concern was raised in public submissions about the proposal increasing traffic in the surrounding area. TfNSW initially raised concern about TIA traffic modelling, however, after considering the RtS confirmed it had no objection to the proposal. Council did not provide any comments on traffic generation or impact.

The Department has considered the Applicant's TIA and considers the proposal would not have adverse traffic impacts as:

- the Concept Approval predicted the three CCQ Precinct stages would cumulatively result in 387 AM and 324 PM peak vehicle movements. The proposal represents less than a third of the Concept Approval traffic generation and is therefore within the predicted traffic generation range



- the surrounding road network including key intersections would generally function at the same level of performance with or without the development
- the proposed road network amendments would further improve the future operation of the Mann Street / Vaughan Avenue intersection, as discussed at **Section 6.5.3**
- the Applicant has agreed to pay the Gosford City Centre Special Infrastructure Contribution Levy (SIC) (2% of CIV) for road network upgrades, as discussed at **Section 6.9**
- the development is located within the Gosford City Centre and has access to a range of different public transport options to access the site and the Green Travel Plan (GTP) would encourage alternative travel modes to private car use, as discussed at **Section 6.5.1**.

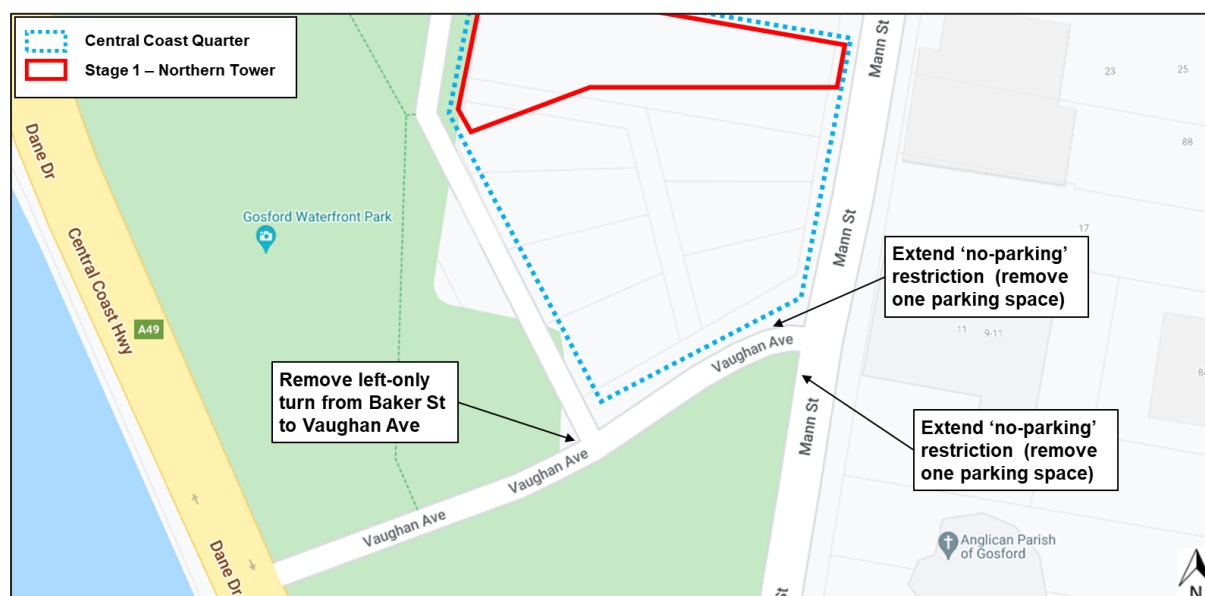
The Department concludes the development would result in negligible impact on current traffic conditions during the AM and PM peak periods.

### 6.5.3 Network amendments

FEAR C21 requires future development application(s) consider any necessary road infrastructure upgrades to adjoining and nearby roads and intersections, impact of the removal of existing parking and the development's relationship to Baker Street.

To further improve the operation of the local road network the application proposes the following two road network amendments (**Figure 19**):

- extension of the on-street 'no-stopping' parking restrictions on the Vaughan Avenue and Mann Street approaches to the Vaughan Avenue / Mann Street intersection (resulting in the removal of one car parking space on Vaughan Avenue and another on Mann Street)
- removal of the 'left turn only' vehicle movement restriction from Baker Street onto Vaughan Avenue.



**Figure 19 |** Proposed road network amendments (Base source: Nearmap)

Concern was raised in public submission about the proposed removal of existing on-street car parking spaces and the potential resulting increase in parking pressure on surrounding streets.

Council recommended Baker Street should be upgraded to include a pedestrian crossing connecting the through site link to the Leagues Club Field. Council, the Baker Street shared zone requires

Council approval and a vehicle turning head is required. TfNSW did not provide any specific comments on the proposed road network improvements.

The Applicant stated the:

- proposed removal of the left turn restriction would improve the operation of the Vaughan Avenue / Mann Street intersection and prevent unnecessary / re-routed travel on the local road network.
- amendment to the Mann Street / Vaughan Avenue intersection would allow vehicles to overtake vehicles turning left
- SIC contribution would result in broader road network upgrades to improve traffic flow and pedestrian connections through the city centre
- removal of two car parking spaces is minor and would not have an adverse impact

In response to Council's comment, the Applicant stated that Baker Street is already a shared vehicle/pedestrian zone (maximum 10kph speed restriction), there is no need for a pedestrian crossing due to the low maximum speed on Baker Street. In addition, a turning head is not required as swept path diagrams show vehicles can enter/leave the site safely.

The Department notes the proposed road network amendments shown at **Figure 19** would result in improvements to the surrounding intersections. In addition, Council and TfNSW have not raised any concern with those proposed road amendments.

The Department acknowledges the proposed amendments would result in the reduction of two existing on-street car parking spaces. However, the Department considers this would not result in any adverse increase in parking pressure noting the recent provision of 17 car parking spaces along Baker Street, adjacent to the site, as part of the Leagues Club Field redevelopment.

The Department considers a Baker Street pedestrian crossing is not necessary noting the street comprises a shared vehicle / pedestrian zone with a very low maximum vehicle speed (10kph). A turning head is not required as vehicles can manoeuvre in/out of the site via the service road and Baker Street safely.

The Department considers the road network amendments, as proposed, are acceptable and recommends a condition requiring the upgrades be undertaken subject to the necessary separate approvals by Council.

#### 6.5.4 Bicycle parking

FEAR C25 requires future DA(s) to include bicycle facilities in accordance with the GDCP. FEAR C26 recommends the Applicant explore opportunities to exceed the GDCP visitor bicycle parking requirements.

The proposal includes 63 residential, retail and visitor bicycle parking spaces (below) and end of trip facilities (EoT) for retail staff, including one shower and change room within the car park:

- 48 secure residential spaces within the car park
- 12 residential visitor spaces within the Baker Street public domain
- 5 retail staff spaces (including 1 visitor) within the car park.

The Applicant has stated the bicycle parking and EoT facilities are provided in accordance with the GDCP. In addition, the Applicant confirmed it intends to explore opportunities to include additional bicycle parking within Stages 2 and 3 of the CCQ Precinct.



The Department considers the bicycle parking facilities are acceptable noting the number of spaces and EoT rates are consistent with the GDCP.

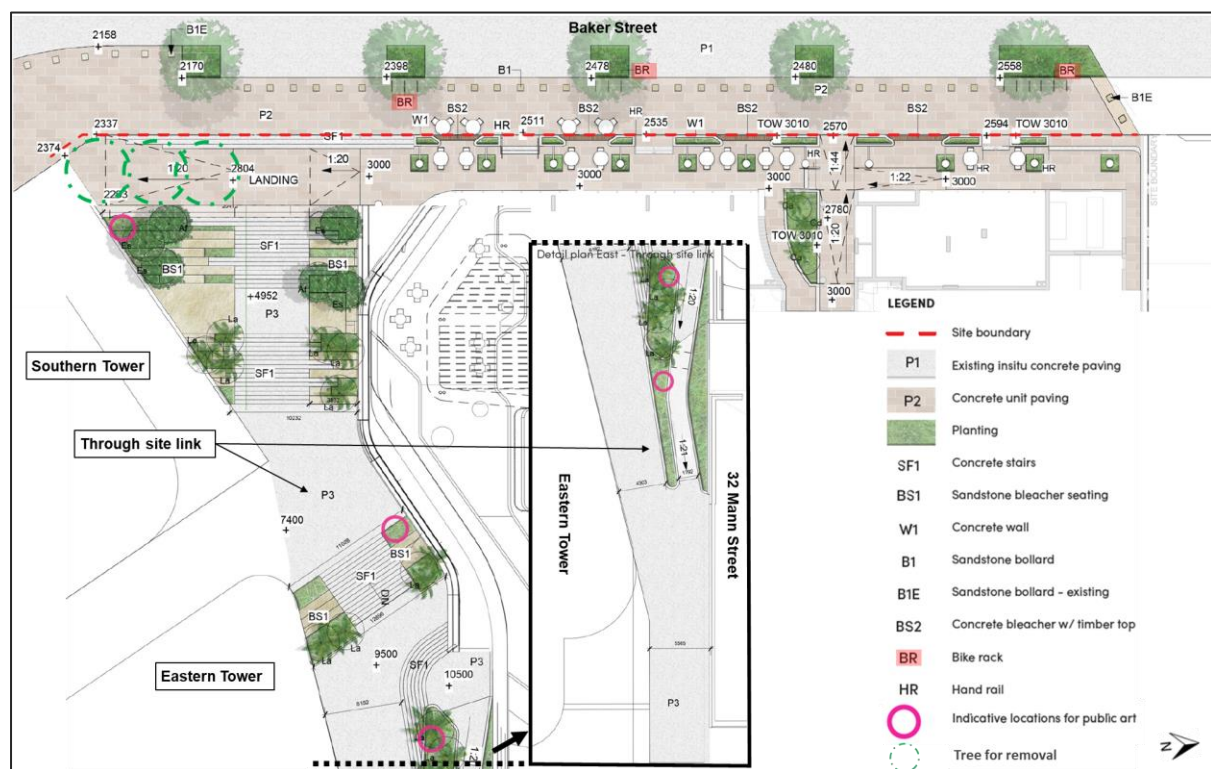
The Department notes 12 visitor parking spaces are proposed along the Baker Street frontage, which is appropriate. However, the Department considers an additional four visitor parking spaces should also be provided within the eastern part of the through site link, opposite the Eastern Tower, to address FEAR 26 and provide convenient parking for cyclists arriving from the east.

The Department concludes bicycle facilities are acceptable subject to conditions requiring the 63 bicycle parking spaces and EoT facilities be installed as proposed and four additional spaces be installed within the through site link.

## 6.6 Landscaping, public domain and trees

### 6.6.1 Landscaping

The proposal seeks approval for the construction of an east-west through site link connecting Mann Street to Baker Street and the Leagues Club Field, public domain improvements at the site interfaces at Baker Street and Mann Street, provision of residential communal open spaces at podium and roof levels together with associated landscaping, as summarised at **Section 2, Figure 20** and **Figure 21**.





**Figure 21 |** Landscaping to the communal open spaces at Levels 4 and 21 (Base source: Applicants EIS)

The DAP recommended the Applicant liaise with Council about the proposed treatments of the public domain to further enhance interfaces. No specific comments were provided by Council or raised in public submissions about the proposed site landscaping or public domain treatments. However, Council recommended, following construction, the remaining CCQ Precinct site (i.e. Stage 2 and 3 sites) should be landscaped or restored so to not become visually unsightly or cause dust problems.

The Applicant has stated the landscaping and public domain areas would achieve a high standard of design, and in particular:

- the through site link would be accessible by the public, provides site activation, a key physical and visual connection from Mann Street to the Leagues Club Field and includes seating, planting and three public artworks with a focus on Aboriginal cultural interpretation
- the Baker Street frontage provides a seamless transition from the retail tenancies and includes bleacher seating, bicycle parking and planting to deliver high levels of public amenity
- the tower communal open spaces benefit from high standards of solar and physical amenity and planting has considered the local climate and its Indigenous history.

In response to Council's comments, the Applicant has agreed that following construction the remaining CCQ Precinct site would be landscaped or restored to prevent amenity impacts.

The Department considers the proposed landscaping and public domain of the development are crucial components of the development and the attainment of design excellence. The Department considers the landscaping for the site achieves a high standard of design and appearance and is acceptable. The Department particularly notes the inclusion of extensive native tree planting, publicly accessible through site link, communal open spaces that are varied in their size and nature and that buildings are designed to provide for a seamless transition between indoors and outdoors.

The Department therefore recommends conditions requiring:

- the development be carried out in accordance with the landscaping and public art proposals
- the through site link be publicly accessible 24 hours a day, seven days a week
- the Applicant liaise with Council about the treatment of the public domain at the site interfaces
- following construction, the remainder of the CCQ Precinct site to be landscaped or restored to prevent amenity impacts.

#### 6.6.2 Timing of the through site link

Council recommended the through site link should be constructed as part of the current (Stage 1) development. The DAP stated the timing of the construction / delivery of the through site link should be resolved as part of the Department's assessment of the application. The Department requested the Applicant clarify its proposed timing of the through site link.

The Applicant has confirmed the through site link is proposed as part of this application. However, the Applicant has stated the link would be constructed following the occupation of the tower as it would be commercially unviable to construct both the link and the tower at the same time. The Applicant has confirmed it would not object to a condition requiring construction of the link within 24 months of the final occupation of the tower.

The through site link forms a key part of the public benefits arising from the CCQ Precinct and the Department considers it is critical that it is constructed as part of the first stage of the CCQ Precinct development. In this regard, the Department welcome's the Applicant's commitment to constructing the through site link as part of Stage 1.

The Department notes the Applicant's concern about the financial implications of timing of the construction of the link. However, noting the importance of this element of the development to the community and to the success of the CCQ Precinct, the Department is concerned that the Applicant's suggested timing of the delivery of the link (delayed until 24 months after occupation) represents an unreasonable delay, lacks enforceability and therefore presents an unacceptable risk to the delivery of the public benefit.

The Department has carefully considered the Applicant's comments and the importance of the timing of the through site link. To provide adequate enforceability and certainty around delivery of the link, the Department recommends a condition requiring that:

- the footing associated with the through site link be commenced prior to the issue of the relevant occupation certificate for the Northern Tower
- completed no later than 18 months following the issue of the occupation certificate of the final apartment within the tower.

Subject to compliance with the above condition the Department is satisfied the through site link would be commenced and the public benefit realised within an appropriate and reasonable timeframe.

#### 6.6.3 Tree removal and replacement

Three existing Box Brush trees are located within the site adjacent to Baker Street (**Figure 20**). A significant and mature Port Jackson Fig tree is located south of the site within Stage 3 of the Concept Approval. Baker Street also includes new street tree planting.

FEAR C11 requires all DA(s) to include an Arboricultural Impact Assessment (AIA) confirming that the existing mature Port Jackson Fig tree (within Stage 3) is protected.

Concern was raised in a public submission about the removal of the three existing trees.

The Applicant has stated the removal of the three existing trees is unavoidable due to the proposed layout of the development and to offset the removal of the trees, the development includes 78 replacement trees and two ecosystem credits would be purchased to offset/mitigate any biodiversity impacts.

The Application includes an AIA which confirms, due to the distance of Stage 1 from the Port Jackson Fig tree, the development would not have any adverse impacts on the tree. Notwithstanding this, it recommends the implementation of tree protection measures, including works within the tree protection zone (15m from trunk) (TPZ), tree protection fencing and associated management. In addition, the CMP has confirmed the development would be carried out in accordance with the AIA.

The Department notes the three trees for removal are situated where the proposed through site link stairs and ramps are to be located and agrees their removal is unavoidable. The Department considers the removal of these trees would be adequately compensated by the proposed 78 replacement trees and purchase of two ecosystem credits.

The Department notes Stage 1 is located on the opposite side of the CCQ precinct to the retained Port Jackson Fig tree. However, the CMP indicates construction operations and materials storage would occur in the intervening hardstand area between Stage 1 and the tree (Stage 3). Notwithstanding this, the Department is satisfied, subject to the establishment of the TPZ and implementation of the AIA tree protection measures the Port Jackson Fig tree is able to be appropriately protected during the construction phase of the development.

The Department considers that subject to the following conditions requiring tree replacement, retention and protection, the proposed tree removal is, on-balance, acceptable:

- the provision of landscaping, including no less than 78 replacement trees, in accordance with the proposed landscaping plan
- the Port Jackson Fig tree and adjoining Baker Street street trees are to be protected during the construction phase of the development
- the two ecosystem credits are to be purchased prior to the occupation of the development.

The Department concludes the removal of three existing trees is unavoidable and is compensated by the 78 replacement trees and two ecosystem credits. In addition, subject to the implementation of tree protection measures adequate protection would be afforded to the Port Jackson Fig tree, Baker Street street trees and all other trees on-site not approved for removal during construction.

## **6.7 Social impacts**

FEAR C16 requires future DA(s) to include a Social and Economic Impact Assessment (SEIA) that considers the social and economic impacts of the proposal and investigates the potential for the development to accommodate affordable housing, community facilities and childcare centre.

The proposal includes 136 apartments, which results in an estimated Northern Tower residential population of approximately 339 persons (based on Council's 'Community Profile' average dwelling size for the Central Coast LGA of 2.49 persons per household).

The Application includes a SEIA, which considered the economic and social impact of the development. The SEIA concluded the proposal would have significant economic benefits, particularly



in terms of direct and indirect investment in the economy and providing construction and operational jobs.

The SEIA predicts that this first stage of the CCQ Precinct development would not have any negative social impacts. In addition, the apartments would be affordable to a range of incomes and due to the small overall increase in population the proposal would not generate sufficient demand for the provision of additional social infrastructure including:

- a community or cultural facility, library, health centre or hospital beds
- sport and recreational facilities, also noting the upgrade of Leagues Club Fields
- public primary or secondary school classrooms or a childcare facility, noting the predicted population is likely to include up to 12 children.

Concern was raised in one public submission that the development would put additional demand on schools. Council did not comment on the social or economic impacts of the proposal. The Department requested the Applicant provide additional information to support its consideration of affordable housing.

In response to the Department's request, the Applicant updated the SEIA to include a further assessment of the proposal against the affordable housing benchmarks contained within the Central Coast Affordable and Alternative Housing Strategy (AAHS). The SEIA noted the AAHS indicates that any dwellings in the Central Coast LGA with a sale price of greater than \$439,001 and less than \$684,000 are considered affordable to moderate income households.

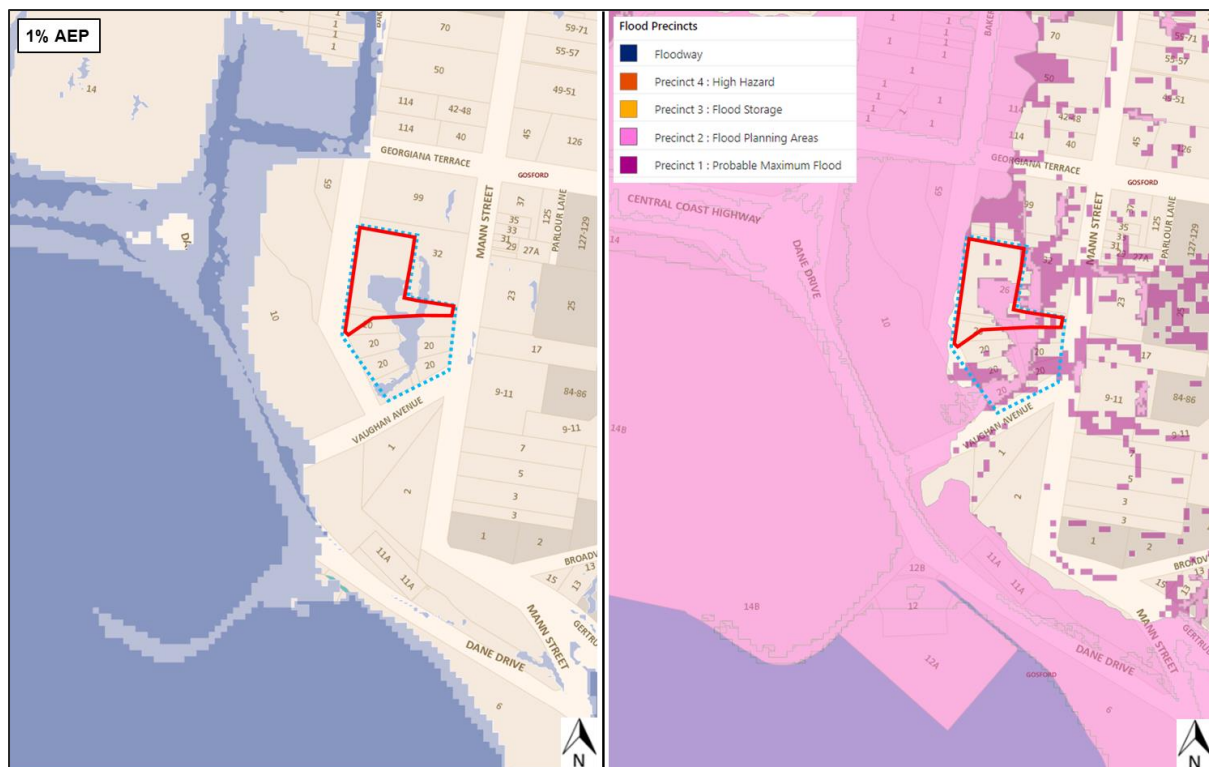
The Applicant concluded the obligation to investigate the potential for affordable housing on the site has been addressed as 49 apartments (or 36% of total dwellings) within the tower have been sold for prices less than \$684,000 and are therefore considered affordable to moderate income households.

The Department has considered the SEIA and is satisfied the 136 apartments of the Northern Tower would not generate sufficient demand for the provision of additional social infrastructure. However, notwithstanding this, further consideration of this matter would be required as part of the assessment of future development stages of the CCQ Precinct to consider potential need arising from cumulative potential demands of the CCQ Precinct.

The Department considers the Applicant has adequately investigated the potential provision of affordable housing on the site in accordance with the specific requirements of FEAR C16. In addition, noting the AAHS' definition of what can be considered 'affordable' for moderate income households the Department concludes the development provides for a range of housing including affordable options for moderate income households.

## **6.8 Flooding and stormwater management**

FEAR C32 requires future DA(s) consider potential flooding, stormwater, water quality and sea level rise impacts. Council identifies the site as being partially prone to flooding during the 1% Annual Exceedance Probability (AEP) and a Flood Planning Area (**Figure 22**).



**Figure 22 |** Site location and susceptibility to flooding during 1% AEP (left) and relevant Flood Precincts (right) (Base source: Council's Flood Mapping Tool)

The application was accompanied by a Water Cycle Management Plan (WCMP), which considers the flooding and drainage impacts of the proposal and includes management and mitigation measures.

The WCMP has considered the AEP flood event and sea level rise predictions. The WCMP indicates an increase of 0.76m over 80 years, and a ground floor finished floor level (FFL) of RL 3m Australian Height Datum (AHD) is required to address the combined impact of 1% AEP and sea level rise.

To address sea level rise and drainage requirements the application proposes:

- a ground floor FFL of RL 3m AHD and installation of a floodgate at the interface with the service road
- a stormwater system to the southern side of the development that would gravity drain to Baker Street and to an existing pit
- runoff from roofs, balconies, and podium would be conveyed to a rainwater harvesting tank or the stormwater system
- runoff from the service road would be pumped via a rising main to the stormwater system
- water treatment devices in accordance with Council's water quality targets.

BCD recommended the stormwater system be independently certified, the floodgate be automatic and the flood emergency response plan consider how a medical emergency would be managed during a flood event. TfNSW recommended the Applicant consider installing an on-site detention system (OSD) to ensure there is no increase of stormwater discharge from the site to the State road network.

In response the Applicant agreed to independent certification of stormwater systems and confirmed emergency evacuation can be achieved via podium link to Mann Street.



The Applicant stated the provision of a manual (rather than automatic) floodgate is appropriate as the proposed ground floor (RL 3 AHD) provides passive flooding protection. In response, BCD recommended a condition requiring the Applicant demonstrate there is a failsafe egress to flood free refuge during large flood events (greater than the 1% AEP).

The WCMP confirmed an OSD is not proposed as it would have a negligible impact on stormwater flows given the site's location within the stormwater catchment and proximity to the Brisbane Water outlet.

The Department notes the ground floor FFL (RL 3m AHD) and floodgate would mitigate the impacts of predicted 1% AEP and future sea level rise and flood impacts greater than 1% AEP can be managed. In addition, the concept stormwater system would adequately address the capture and disposal of stormwater.

The Department concludes, subject to conditions requiring the provision of the stormwater system, independent certification, installation of the floodgate, confirmation of no increased discharge to the State road network, implementation an emergency response plan and confirmation of failsafe escape route(s), the proposal would adequately address flooding, sea level rise and include appropriate stormwater management.

## 6.9 Other issues

The Department's consideration of other issues is provided at **Table 10**.

**Table 10** | Department's consideration of other issues

Issue	Consideration	Recommendation
Future residential amenity	<ul style="list-style-type: none"> <li>FEAR C15 requires future DA(s) to consider the relevant requirements of the ADG and GDCP.</li> <li>Concern was raised in a public submission that insufficient communal open space is provided for the residential component of the development. The Department recommended the windowless study rooms be redesigned to ensure they are not used as habitable rooms.</li> <li>The Department has considered the proposal against the objectives of SEPP 65 and the requirements of the ADG and GDCP standards in detail at <b>Appendix C</b>. The Department concludes the proposal generally complies with the key ADG requirements.</li> <li>Notwithstanding the above, the Department notes the proposal includes minor non-compliances with the ADG and GDCP amenity standards relating to solar access, lift capacity, balconies, deep soil areas and site coverage.</li> <li>The Applicant stated the proposed apartments generally comply with ADG and GDCP recommended residential standards. In addition, solar access is appropriate given the city centre location, the shortfall in deep soil area is compensated for by the proposed landscaping and the predicted average wait time for a lift would be 46 seconds, which provides for an acceptable level of service. The Applicant amended study room designs to ensure they are not used as habitable rooms.</li> <li>The proposal indicates 85 of the 136 (63%) apartments receive 3 hours of direct sunlight to living rooms during mid-winter, which is</li> </ul>	The Department recommends a condition requiring that study rooms must not be used as bedrooms.

Issue	Consideration	Recommendation
	<p>10 (7%) less than the ADG and GDCP recommend target of 70%. The Department considers this is acceptable as the Concept Approval identified that future buildings would not be able to achieve 70%. In addition, the 10 affected apartments all have secondary east facing aspects and would be provided an otherwise high standard of amenity in terms of views, outlook and space standards.</p> <ul style="list-style-type: none"> <li>The proposal includes two lifts resulting in 68 apartments sharing a lift, which is 28 more than the ADG recommended target of 40. The Department considers the provision of two lifts is acceptable as the likely wait time is not excessive and the communal areas / lobby are spacious and naturally ventilated and therefore achieve a high standard of layout and amenity.</li> <li>The proposal includes 51m<sup>2</sup> (2%) deep soil area, which is less than the ADG (7%) and GDCP (13%) targets and the development covers almost 100% of the site which exceeds the GDCP (60%) target. The Department considers the deep soil area and site coverage is acceptable in this instance, as the site is within a dense city centre, the development adjoins extensive parkland and provides extensive landscaping including tree planting within the through site link and the rooftop communal areas and as the site forms part of a broader precinct redevelopment on a relatively small site.</li> <li>The Department notes eight 1 bedroom apartments have a balcony size of 8m<sup>2</sup>, which is 2m<sup>2</sup> less than the GDCP recommended standard (10m<sup>2</sup>). However, the Department considers this is acceptable as the balcony sizes are consistent with the ADG recommended minimum standard (8m<sup>2</sup>).</li> <li>Overall, the Department considers the development generally meets the ADG and GDCP amenity standards and the non-compliances relating to solar access, lifts, balconies, deep soil and site coverage and minor and acceptable. The Department concludes the proposal achieves a high standard of residential amenity. The Department recommends a condition ensuring study rooms are not used as habitable rooms.</li> </ul>	
Dwelling mix	<ul style="list-style-type: none"> <li>Concern was raised in public submissions that there is an oversupply of apartments within the area.</li> <li>The GDCP recommends that the dwelling mix of a development should comprise no more than 25% one bedroom apartments and 75% two bedroom apartments. The ADG recommends residential developments provide for an appropriate mix of dwellings.</li> <li>The proposal includes 14 (10%) one bed and 107 (78%) two bed apartments and therefore exceeds the GDCP recommended 75% two bedroom parameter by 3% (5 apartments).</li> <li>The Applicant has stated that its market research has confirmed there is a need for two bedroom apartments in this location and the overall dwelling mix is appropriate.</li> <li>The Department considers the exceedance of the GDCP target is minor in nature and the proposal provides a good housing mix, which also includes one, three and four bed apartments. The proposal would also contribute to diversifying housing choice and supply within the Southern Growth Corridor and the Gosford City Centre in accordance with the aims of the strategic CCRP 2036.</li> </ul>	No additional conditions or amendments are necessary.

Issue	Consideration	Recommendation
Public open space	<ul style="list-style-type: none"> <li>Concern was raised in public submissions that the proposal would result in a loss of open space and would place additional pressure on existing public open spaces.</li> <li>The SEIA submitted with the application considered future likely demand for open space and concluded the predicted demand would be met by existing on-site communal open space and adjoining public open space.</li> <li>The Department notes the site does not constitute 'open space', the GDCP identifies the site as a Key Development Site for high density residential / commercial redevelopment (<b>Figure 1</b>) and the Concept Approval did not envisage the site's redevelopment for open space. In this context, the development of the site does not constitute a loss of open space.</li> <li>The Department acknowledges the conclusions of the SEIA and is satisfied the public open space demands resulting from the development would be met by on-site communal and nearby public open spaces. In particular, the Department notes: <ul style="list-style-type: none"> <li>the recent completion of significant upgrades to the Leagues Club Field, which increase the functionality and usability of that space</li> <li>the development includes 53% communal open space, which is 23% in excess of the ADG 30% minimum requirement</li> <li>the development includes a landscaped, publicly accessible through site link.</li> </ul> </li> </ul>	No additional conditions or amendments are necessary.
Overshadowing	<ul style="list-style-type: none"> <li>Concern was raised in public submissions the proposal would overshadow adjoining public open space and residential properties.</li> <li>In its assessment of the Concept Approval, the Department concluded the building envelopes would maintain more than 70% direct sunlight for four hours (11am to 3pm) to the Leagues Club Field in accordance with the requirements of the Gosford SEPP and GDCP.</li> <li>FEAR C13 requires future DA(s) assess overshadowing impacts on surrounding proposed spaces, existing open spaces and neighbouring residential properties. In addition, development should be consistent with the Concept Approval building envelopes and minimise overshadowing of open spaces.</li> <li>The application has considered overshadowing and includes overshadowing diagrams (Overshadowing Analysis), which confirms the development: <ul style="list-style-type: none"> <li>is contained wholly within the approved building envelopes</li> <li>would result in a 4% reduction in overshadowing of the League Club Field when compared to the maximum impact of the approved building envelopes</li> <li>would not result in overshadowing of any existing neighbouring residential properties between 9am and 3pm during mid-winter.</li> </ul> </li> <li>The Department is satisfied the development is contained wholly within the Concept Approval building envelopes (<b>Section 6.2</b>), has minimised overshadowing on nearby public open spaces and would not overshadow nearby residential properties.</li> </ul>	No additional conditions or amendments are necessary.

Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> <li>The Department concludes the proposal would not result in any adverse overshadowing impacts.</li> </ul>	
Wind	<ul style="list-style-type: none"> <li>FEAR C27 requires future DA(s) undertake a wind assessment, wind tunnel testing and include mitigation measures where necessary.</li> <li>The application was accompanied by a Pedestrian Wind Environment Study (PWES), which undertook wind tunnel testing and considered the existing wind environment, the future wind environment including the Northern Tower in isolation and in context with the Eastern and Western Towers, pedestrian comfort and safety levels and usability of spaces.</li> <li>The PWES results indicate that the majority of trafficable outdoor locations within and around the development will experience strong winds that will exceed the relevant criteria for comfort and/or safety.</li> <li>The PWES concludes the wind conditions to all measured areas would be suitable for their intended use subject to the installation of screens and landscaping indicated on the plans and installation of additional mitigation measures requiring: <ul style="list-style-type: none"> <li>a variety of screens up to 2.4m, densely foliating trees and a porous car-park façade at ground floor level</li> <li>porous hoarding and impermeable screens up to 2m at Levels 2 and 3</li> <li>3m baffle screens within communal open space and either remove access or include impermeable screens at south-west corner of the terrace at level 4</li> <li>densely foliating vegetation to the eastern and western sides of level 21 communal open space.</li> </ul> </li> <li>The DAP recommended the Applicant address wind effects and that mitigation measures contribute to the identity of the development. The Department requested the Applicant clarify the visual impact of the PWES mitigation measures.</li> <li>The Applicant has confirmed it would implement the PWES mitigation measures. In addition, the wind mitigation measures have been integrated into the design of the development.</li> <li>The Department has considered the wind mitigation measures and concludes that they have been appropriately integrated into the overall design and have acceptable visual impacts.</li> <li>Based on the conclusions of the PWES and subject to the implementation of its recommended mitigation measures, the Department is satisfied that the development will provide for an acceptable wind environment and outdoor spaces would be suitable for their intended use.</li> </ul>	<p>The Department recommends a condition requiring the wind mitigation measures be installed prior to the occupation of the development.</p>
Groundwater	<ul style="list-style-type: none"> <li>NRAR initially raised concerns that the development includes excavation into the water table and would require dewatering and a water access licence. In addition, NRAR recommended the Applicant prepare a groundwater impact assessment and redesign the basement to be a fully tanked system.</li> <li>Council stated that if excavation occurs below the water table, bunding may be required and extraction of groundwater may require separate approval.</li> </ul>	<p>No additional conditions or amendments are necessary.</p>



Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> <li>In response to the comments provided, the Applicant updated its Geotechnical Report, which clarified:               <ul style="list-style-type: none"> <li>the basement does not extend below 1.3 AHD and therefore minimal ground disturbance is planned for Stage 1 works</li> <li>it predicts groundwater would only be encountered along the CCQ Precinct eastern boundary / part CCQ Stages 2 and 3</li> <li>no dewatering activities are proposed during construction or operational phases as part of Stage 1 works</li> <li>Stage 1 does not require a tanked basement system. However, this may be considered for future Stages 2 and 3.</li> </ul> </li> <li>NRAR confirmed the Applicant's response addresses all of its initial comments.</li> <li>The Department considers as the proposal (Stage 1) does not propose significant earthworks or any dewatering activities the proposal would not have any adverse groundwater or groundwater management impacts.</li> </ul>	
Construction noise impact	<ul style="list-style-type: none"> <li>The proposal includes excavation and construction works that are anticipated to occur over a 23 month period.</li> <li>The closest receivers to the site are apartments within Merindah, 21-37 Mann Street located 80m east of the site, commercial premises within the ATO building and 32 Mann Street located 15m to the north and east of the site and the Leagues Club Field opposite the site to the west (<b>Figure 3</b>).</li> <li>The Interim Construction Noise Guideline 2009 (ICNG) recommends limits to construction noise impacts. In particular, it sets noise management levels (NML) of 65 dB(A) for open space, 70 dB(A) for commercial properties and a limit of 10 dB(A) above the existing background noise level for residential properties. The ICNG confirms impacts above 75 dB(A) represent a point where a sensitive receivers may be 'highly noise affected'.</li> <li>FEAR C35 requires future DA(s) consider construction noise impacts and community engagement. The Applicant submitted a Noise and Vibration Impact Assessment (NVIA) to assess the potential construction noise impacts. The NVIA confirms:               <ul style="list-style-type: none"> <li>the works would be undertaken in accordance with the ICNG requirements and Council's standard hours of construction, 7am to 6pm Monday to Friday, 8am to 4pm Saturday and no work on Sunday or public holidays.</li> <li>the NML at Merindah is 61 dB(A) weekdays and Saturdays until 1pm and 56 dB(A) on Saturdays from 1pm to 4pm</li> <li>the proposed works have the potential to generate noise exceeding the NMLs up to:                   <ul style="list-style-type: none"> <li>+15dB(A) (up to 76 dB(A)) at Merindah, resulting from excavation, rock hammering and concrete pumps</li> <li>+22-27dB(A) (up to 92 dB(A)) at commercial premises and open space resulting from excavation, rock hammering, concrete pumps, piling, cranes and tools.</li> </ul> </li> </ul> </li> <li>Concerns were raised in public submissions about construction noise impacts associated with the development. Council recommended construction impacts be addressed via conditions.</li> <li>To address above NML exceedances, the Applicant recommends the following potential mitigation measures:</li> </ul>	The Department recommends conditions requiring the implementation of the Applicant's and Department's construction noise mitigation measures, preparation of a CVNMP and implementation of the standard construction hours.

Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> <li>○ preparation and implementation of a Construction Noise and Vibration Management Plan (CNVMP)</li> <li>○ implementation of noisy work respite periods</li> <li>○ no engine idling and appropriate concrete pump location</li> <li>○ notification, reporting and complaints handling</li> <li>○ where NML's are exceeded all feasible and reasonable mitigation measures to reduce noise should be carried out (e.g. acoustic barriers, materials handling, equipment location and selection, management training and noise monitoring).</li> <li>• The Department has considered the findings of the NVIA and concerns raised in public submissions. On balance, the Department considers, given the urban nature of the immediate surrounding area, some noise exceedances during construction would be unavoidable. Notwithstanding this, the development is predicted to exceed the maximum NML by up to 27 dB(A) and exceed the ICNG 75 dB highly noise affected level.</li> <li>• The Department therefore considers, in addition to the Applicant's mitigation measures, the following additional measures are appropriate to further address impacts to nearby properties: <ul style="list-style-type: none"> <li>○ work to be carried out strictly in accordance with the ICNG requirements and the Council's standard hours</li> <li>○ noisy work to only be undertaken in three continuous hour blocks and not at all after noon on Saturdays</li> <li>○ all construction vehicles only to arrive to the work site within the permitted hours of construction</li> <li>○ no noise to be 'offensive noise' as defined by the POEO Act.</li> </ul> </li> <li>• On this basis, and subject to the Applicant's compliance and commitment to implement the above and all reasonable and feasible mitigation measures to mitigate and manage construction noise, the Department is satisfied construction works can be appropriately managed to minimise disruption to nearby amenity.</li> </ul>	
Other Construction impacts	<ul style="list-style-type: none"> <li>• In addition to potential construction noise, concern was raised in public submissions about potential construction impacts in particular structural impact on adjoining properties.</li> <li>• FEAR 35 requires future DA(s) consider construction impacts relating to noise, traffic, waste, air quality, geotechnical and erosion.</li> <li>• The Application includes a draft Construction Environmental Management Plan (CEMP), which considers potential mitigation measures to prevent adverse construction impacts during the excavation and construction phases of the development.</li> <li>• Council recommended the draft CEMP should address construction vehicle routes and delivery times to mitigate impact on residential properties. TfNSW recommended a conditions requiring the preparation of a Construction Traffic and Pedestrian Management Plan (CTPMP), alternative routes for vehicles 20m long and the Applicant obtain a Road Occupancy Licence (ROL).</li> <li>• The Department notes the site is located within an established city centre environment and in this context, it is likely that some construction impacts would be unavoidable. However, the Department considers impacts can be kept within acceptable</li> </ul>	The Department has recommended conditions requiring the implementation of the CEMP, CTPMP and ROL and its associated construction management and dilapidation plans.

Issue	Consideration	Recommendation
	<p>parameters subject to the construction occurring in accordance with the Council's standard hours of construction and works being undertaken in accordance with standard practices for development sites within urban areas.</p> <ul style="list-style-type: none"> <li>• To address construction impacts, the Department recommends the preparation of final CEMP, including detailed management plans relating to construction pedestrian traffic management, soil and water management, air quality and waste management.</li> <li>• The Department notes the site adjoins existing commercial properties and is 80m away from the closest existing residential property. To ensure the proposal does not have adverse structural impacts on nearby developments the Department recommends a condition requiring the Applicant undertake detailed dilapidation surveys prior to works commencing and monitoring / review during and after construction.</li> <li>• The Department concludes subject to the implementation of the construction noise and tree protection mitigation measures (discussed previously), the CTPMP (including alternative routes), ROL CEMP and its associated management and dilapidation plans, construction impacts can be appropriately managed and mitigated in accordance with standard practice for development sites in urban areas.</li> </ul>	
Operational noise	<ul style="list-style-type: none"> <li>• TfNSW recommended the development consider the impact of traffic noise generated by the highway on the development. No concerns were raised in public submissions or by Council about operational noise impacts.</li> <li>• The NVIA identified operational noise would primarily arise from outdoor communal spaces, loading dock and mechanical plant and traffic from adjoining streets. The NVIA concluded: <ul style="list-style-type: none"> <li>◦ noise impact from outdoor communal spaces at closest residential properties would be 39dB(A), which is less than the EPA Noise Policy for Industry (NPI) recommendation (43dB(A))</li> <li>◦ the loading dock would operate between 7am and 10pm and would result in a noise impact of 42dB(A) at the closest residential property, which is less than the NPI recommendation (43dB(A))</li> <li>◦ all mechanical plant would be designed/installed to meet the NPI acoustic criteria</li> <li>◦ the resulting increase in noise from traffic associated with the development would be less than 0.5dB(A), imperceptible in the site context and complies with the EPA Road Noise Policy.</li> </ul> </li> <li>• The Applicant confirmed the development is not located adjacent to the Central Coast Highway and is located outside the area identified under the Infrastructure SEPP where noise intrusion is considered likely and may require mitigation.</li> <li>• The Department considered the conclusions of the NVIA and is satisfied the development would not result in any adverse operational noise impacts, subject to a condition requiring the operation of the development and mechanical plant meet the NPI acoustic criteria.</li> <li>• The Department notes the development results in an increase in traffic noise less than 0.5dB(A) and the site is located</li> </ul>	The Department has recommended conditions requiring mechanical plant be installed to meet the NPI acoustic criteria and maintained as such thereafter.

Issue	Consideration	Recommendation
	approximately 90m away from the Central Coast Highway. The Department therefore concludes the development would not experience adverse impacts from traffic noise.	
Contamination	<ul style="list-style-type: none"> <li>FEAR 33 requires future DA(s) undertake a detailed assessment of potential site contamination.</li> <li>The application includes an Updated Detailed Site Investigation (UDSI), which considers the potential for land contamination and includes management and mitigation measures. The UDSI confirms that the site contains contamination that presents a low health and environmental risk and can be managed and mitigated.</li> <li>The UDSI conclude the site can be made suitable for its intended use subject to the following management and mitigation measures: <ul style="list-style-type: none"> <li>offsite disposal of basement excavation managed in accordance with waste classification guidelines and regulations</li> <li>preparation of an Asbestos Management Plan (AMP), Acid Sulfate Soil Plan (ASSP) and unexpected finds protocol to be implemented during the construction phase.</li> </ul> </li> <li>The UDSI also concluded the level of contamination (extent and degree) is not considered significant enough to require the preparation of a Remediation Action Plan</li> <li>The Department has considered land contamination in detail at <b>Appendix B</b>. In summary, the Department is satisfied that any contaminants found on the site would be addressed through the implementation of UDSI management and mitigation measures and subsequent site validation. The Department concludes the site can therefore be made suitable for its intended use.</li> </ul>	The Department has recommended conditions requiring the preparation and implementation of the UDSI contamination management and mitigation measures and subsequent site validation.
Reflectivity	<ul style="list-style-type: none"> <li>FEAR C7 requires future DAs include a reflectivity analysis demonstrating that building facades do not result in unacceptable glare. The GDCP recommends developments address solar glare impacts.</li> <li>The application includes a Solar Light Reflectivity Study (SLRS), which concludes the proposal would not result in unacceptable glare subject to the installation of either vertical sun-shades or low reflectivity glazing to the western and eastern elevations at Level 11 and above of the Tower.</li> <li>The Department is satisfied the development would not result in unacceptable glare subject to the implementation of the SLRS mitigation measures.</li> </ul>	The Department recommends a condition requiring the development incorporate the mitigation measures contained within the SLRS.
Sustainability	<ul style="list-style-type: none"> <li>FEAR C20 requires future DAs demonstrate how the principles of ecological sustainable design (ESD) have been incorporated into the design of buildings. In addition, it requires residential developments achieve at least an equivalent 4 Star Green Design and As Built (4 Star) rating and BASIX certification.</li> <li>The Applicant has confirmed it has applied ESD principles to the proposal. In addition, the proposal would achieve a 4 Star rating and BASIX certification.</li> </ul>	The Department has recommended a condition requiring the proposal achieve an equivalent 4 Star rating and BASIX certification.



Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> <li>The Department has considered ESD in detail at <b>Appendix C</b> and concludes the proposal has appropriately incorporated ESD principles into its design.</li> <li>The Department notes the proposal is consistent with the sustainability requirements of the Concept Approval and includes appropriate sustainability initiatives and design features.</li> <li>The Department concludes the proposal is acceptable and recommends a condition requiring the development achieve a 4 Star rating and BASIX certification as proposed.</li> </ul>	
Airspace	<ul style="list-style-type: none"> <li>FEAR A11 requires future DA(s) to include an Airspace Impact Assessment (AIA), prepared in consultation with NSW Central Coast Health, to ensure the development does not have an adverse impact on helicopter flight paths associated with Gosford Hospital.</li> <li>The AIA submitted with the application concludes the proposal would not have an adverse impact on flight paths subject to obstacle lighting being installed on cranes throughout construction.</li> <li>NSW Central Coast Health had previously confirmed no objection this aspect of the proposal subject to the installation of obstacle lighting as proposed.</li> <li>The Department agrees the installation of obstacle lighting to crane(s) during construction is necessary and has recommended a condition accordingly.</li> </ul>	The Department has recommended a condition requiring obstacle lighting be installed to any crane(s) used during construction.
Operational waste	<ul style="list-style-type: none"> <li>FEAR C28 requires future DA(s) consider the management of operational waste.</li> <li>The application includes a preliminary Operational Waste Management Plan (OWMP), which confirms residential and retail waste would be contained within garbage rooms adjacent to the loading dock and waste would be collected by Council from the on-site loading dock.</li> <li>Council did not provide comment on the proposed management of operational waste and recommended waste requirements be addressed via condition.</li> <li>The Department supports the preliminary OWMP as it seeks to establish appropriate operational waste management. The Department has recommended a condition requiring the preparation and implementation of a final OWMP in consultation with Council.</li> </ul>	The Department has recommended a condition requiring the preparation and implementation of a final OWMP in consultation with Council.
CPTED	<ul style="list-style-type: none"> <li>FEAR C12 requires future DA(s) to consider crime prevention through environmental design (CPTED) principles.</li> <li>The Application included a CPTED assessment, which concluded the development provides adequate safety subject to mitigation measures including lighting, CCTV, wayfinding signage, access control measures ongoing maintenance.</li> <li>The Department recommended the Applicant amend the application to remove the deep recess created by ground floor fire doors. The Applicant's RtS included this amendment.</li> <li>The Department is satisfied that the development has been designed in accordance with CPTED principles and subject to the</li> </ul>	The Department recommends a condition requiring the implementation of the CPTED mitigation measures.

Issue	Consideration	Recommendation
	mitigation measures would provide for a safe and secure development.	
Contribution levies	<ul style="list-style-type: none"> <li>Term of Approval (ToA) A12 requires the payment of development contribution levies (3%) in accordance with the: <ul style="list-style-type: none"> <li>Central Coast Council 7.12 Contributions Plan for Gosford City Centre – 1% of CIV (Contributions Plan)</li> <li>SIC levy – 2% of CIV.</li> </ul> </li> <li>Council recommended contributions be levied in accordance with the Contributions Plan. TfNSW did not provide comment on State infrastructure contributions.</li> <li>The Applicant has confirmed it does not object to the imposition of local and State development contribution levies.</li> <li>The Department supports the imposition of the development contributions levies and recommends a condition accordingly.</li> </ul>	The Department has recommended a condition requiring the payment of relevant development contribution levies.
Aboriginal and non-Aboriginal archaeology	<ul style="list-style-type: none"> <li>FEAR C19 requires future DA(s) include an Aboriginal Archaeological Assessment (AAA) and consider archaeological impacts.</li> <li>The proposal included an AAA and a Statement of Heritage Impact, which assessment the potential for Aboriginal and non-Aboriginal archaeological remains on the site.</li> <li>Both assessments concluded due to the extent of previous site disturbance the site has little to no potential for Aboriginal or non-Aboriginal archaeological deposits or Aboriginal Cultural Heritage. Notwithstanding this, the AAA recommended construction be undertaken in accordance with an unexpected finds protocol to mitigate impacts in the event of any archaeological artifacts being encountered during construction.</li> <li>Heritage ACH confirmed it agrees with the conclusions of the AAA that the site has little to no potential for archaeological finds. Council did not comment on potential impacts on Aboriginal or non-Aboriginal archaeological heritage.</li> <li>The Department notes that the proposal would include minor excavation works and therefore could have an impact on any unexpected archaeological deposits that may exist.</li> <li>To ensure archaeological impacts are appropriately managed, the Department recommends construction be undertaken in accordance with the AAA unexpected finds protocol.</li> </ul>	The Department has recommended a condition requiring the construction be undertaken in accordance with the AAA unexpected finds protocol.
Utilities	<ul style="list-style-type: none"> <li>FEAR C29 requires future DA(s) include a Utility Services Infrastructure Assessment (USIA) that addresses capacity and connection to / augmentation of utilities.</li> <li>The application includes a USIA, which was prepared in consultation with utility providers and confirms the installation of an electrical substation and indicative connections to gas, water, sewer and telecommunications infrastructure. In addition, the USIA indicates Council's sewer crosses the CCQ Precinct site (through the Stage 3) and recommends the sewer be diverted.</li> <li>The Department requested the Applicant clarify whether the sewer diversion forms part of this application. In response the</li> </ul>	The Department recommends conditions requiring compliance with the Water Act confirming the sewer diversion does not form part of this consent.

Issue	Consideration	Recommendation
	<p>Applicant stated the sewer diversion would form part of future DA(s) and is not applied for as part of this application.</p> <ul style="list-style-type: none"> <li>The Department is satisfied appropriate utility connections can be made. The Department has recommended conditions requiring a compliance certificate under Section 307 of the <i>Water Management Act 2000</i> (Water Act) and clarifying that sewer diversion works do not form part of this consent.</li> </ul>	
Development precedent	<ul style="list-style-type: none"> <li>Concern was raised in one public submission that the proposal may set a precedent for the development of other tall buildings within the locality.</li> <li>The Department notes that the development of land around the site, within the CCQ Precinct and beyond, would be the subject of separate development applications (including public consultation), subject to height, floor space ratio and other planning controls and would be assessed on their merits.</li> <li>The Department therefore does not consider the proposal would set a development precedent.</li> </ul>	No additional conditions or amendments are necessary.
Public benefits	<ul style="list-style-type: none"> <li>Concern was raised in public submissions that the proposal would not provide for sufficient / proportionate public benefits.</li> <li>The Applicant has stated the proposal generates construction and operational jobs and includes a new open-air through site link and therefore provides for appropriate social and economic benefits.</li> <li>The Department considers the proposal would provide for appropriate public benefits including the new landscaped through site link, improved public domain and creation of approximately 105 construction and 21 on-going operational jobs.</li> <li>The Department also notes future stages of the CCQ Precinct would also provide for public benefits including the second through site link, additional jobs and public domain improvements.</li> <li>The Department concludes the proposal provides for sufficient public benefit.</li> </ul>	No additional conditions or amendments are necessary.
Public consultation	<ul style="list-style-type: none"> <li>Concern was raised in one public submission that insufficient public consultation was undertaken.</li> <li>The Applicant has confirmed it consulted with key stakeholders including the local community prior to the lodgement of the application. Consultation activities included virtual meetings, email correspondence, letterbox drop of 500 surrounding residents, and establishment of a webpage to enable enquiries and feedback.</li> <li>The Department exhibited the EIS for 28 days in accordance with statutory requirements of the EP&amp;A Act (<b>Section 5</b>). It also made the Applicant's RtS publicly available and has considered all additional submissions received in its assessment (<b>Section 6</b>).</li> <li>The Department considers, given the extended public exhibition period and subsequent public availability of all documentation, the community has had sufficient opportunity to comment on the proposal.</li> </ul>	No additional conditions or amendments are necessary.

Issue	Consideration	Recommendation
Property value	<ul style="list-style-type: none"> <li>Concerns were raised in public submissions the proposal would have an adverse impact on property values.</li> <li>The Department considers matters relating to the private contracts of sale and/or value of properties are not planning matters for consideration and therefore objections based on loss of property value are not able to inform the assessment of the application</li> <li>The Department has assessed the merits of the application in detail at <b>Section 6</b> of this report and concludes, subject to conditions, the development has acceptable impacts. Therefore, the Department is satisfied the proposal is unlikely to result in any significant adverse impacts on property prices.</li> </ul>	No additional conditions or amendments are necessary.



## 7 Evaluation

The Department has reviewed the EIS and RtS and assessed the merits of the proposal, taking into consideration advice from the public authorities and comments made by Council. Issues raised in the public submission have also been considered and all environmental issues associated with the proposal have been thoroughly assessed.

The proposal will provide for the first tower development of the CCQ precinct within the Gosford City Centre and will positively contribute to the emerging character and revitalisation of Gosford. The Department has considered the merits of the proposal and considers it acceptable as:

- it is consistent with the objects of the EP&A Act including facilitating ecologically sustainable development, and Regional and State planning policy, which aims to grow Gosford City Centre as the Central Coast's regional capital, attract new investment, residents and businesses
- it is consistent with the advice from the Gosford Design Advisory Panel and has demonstrated the development would achieve design excellence, a high degree of amenity and minimal environmental impacts
- it fully complies with the Concept Approval height, layout and GFA controls applying to the site and provides an appropriate built form relationship to existing and future neighbouring buildings
- it provides for a range of apartment types and sizes and therefore promotes housing choice
- it provides for an appropriate wind environment within and around the site, subject to the implementation of landscaping works and wind mitigation measures
- traffic generated by the development would result in a negligible impact on the operation of surrounding road network or intersection performance and amendments to adjoining local road restrictions would further improve network and intersection performance
- the provision of 183 on-site car parking spaces is justified, meets the requirements of the Concept Approval and the green travel plan would encourage sustainable transport options
- it includes appropriate residential and visitor bicycle parking facilities subject to additional visitor parking being provided adjacent to Mann Street entrance to the through site link
- the hard and soft landscaping works achieve a high standard of layout and design and the planting of 78 replacement trees would compensate for the loss of three existing trees
- the through site link is a critical element of the development, to ensure its timely delivery the Department has recommended construction of footings be commenced prior to occupation of the tower, and completed no later than 18 months following the occupation of all apartments
- the design and layout of apartments provide for an appropriate standard of amenity for future occupants and the minor non-compliances with the ADG and GDCP standards are acceptable
- it would not have adverse amenity impacts on nearby residential properties in terms of view loss, overshadowing or noise
- the predicted construction works would not have significant amenity impacts, subject to implementation of mitigation and management measures
- it includes adequate drainage and flooding mitigation measures, subject to implementation of a floodgate and ongoing management measures
- it would provide significant public benefits including new landscaped through site link, improved public domain and creation of approximately 105 construction and 21 ongoing operational jobs.

The Department's assessment therefore concludes the proposal is in the public interest and is approvable subject to conditions (**Appendix F**).

## 8 Recommendation

It is recommended that the Director, Regional Assessments, as delegate of the Minister for Planning and Homes:

- **considers** the findings and recommendations of this report
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of the Central Coast Quarter, Stage 1 Northern Tower (SSD 23588910)
- **signs** the attached development consent and recommended conditions of consent (**Appendix F**).

Recommended by:



**Kendall Clydsdale**

Team Leader

Regional Assessments



**Louise Starkey**

Team Leader

Regional Assessments

## 9 Determination

The recommendation is **Adopted** by:

**Keiran Thomas**

Director

Regional Assessments

# Appendices

Appendix A – Relevant Supporting Information

Appendix B – Statutory Considerations

Appendix C – Concept Approval and Design Guidelines

Appendix D – City of Gosford Design Advisory Panel Advice

Appendix E – Summary of Department's Consideration of Public Submissions

Appendix F – Recommended Conditions of Consent



## **Appendix A – List of Documents and Relevant Supporting Information**

The following supporting documents and information to this assessment report can be found on the Department's website as follows:

1. Environmental Impact Statement

<https://www.planningportal.nsw.gov.au/major-projects/project/42296>

2. Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/42296>

3. Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/42296>

## Appendix B – Statutory considerations

### B1 Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects as set out in section 1.3 the Act. The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent / approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant.

The Department has considered the proposal to be satisfactory with regard to the objects of the EP&A Act as detailed in **Table 11**.

**Table 11** | Consideration of the proposal against the objects of section 1.3 the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	The proposal promotes social and economic welfare by increasing employment opportunities, dwellings numbers and providing a through site link to facilitate improved pedestrian connectivity. The proposal would not impact on any natural or artificial resources, agricultural land or natural areas.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal has been designed in accordance with ESD principles and the Department recommends conditions to ensure sustainable targets are met ( <b>Section B3</b> of this Appendix).
(c) to promote the orderly and economic use and development of land,	<p>The proposal involves the orderly and economic use of land through the efficient redevelopment of an existing urban site that is in close proximity to existing services and public transport. The proposal will facilitate redevelopment of the site for residential and retail purposes, the merits of which are considered in <b>Section 6</b>.</p> <p>The development of the site will also provide 105 construction and 21 operational jobs.</p>
(d) to promote the delivery and maintenance of affordable housing,	<p>The proposal will not result in the loss of any existing affordable housing provisions in the locality.</p> <p>The proposal includes the provision of apartments in a highly accessible location and at a cost less than \$684,000, which is consistent with the aims of Council's Central Coast Affordable and Alternative Housing Strategy.</p>
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The project involves redevelopment of an existing urban site and would not adversely impact on any native animals and plants, including threatened species, populations and ecological communities, and their habitats.

Objects of the EP&A Act	Consideration
	The Applicant will purchase two offset ecosystem credits ( <b>Section 4.5</b> ) as required by the Concept Approval.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The Department has considered the heritage impacts of the proposal at <b>Sections 6.4</b> and <b>6.9</b> and concludes the proposal will not adversely impact on the nearby heritage items.
(g) to promote good design and amenity of the built environment,	<p>As discussed in <b>Section 6</b>, the Department concludes the development is of an appropriate height, scale and articulation and provides for a high standard of building design, amenity and landscaping. The proposal is supported by the DAP and the proposal achieves design excellence <b>Section 6.3</b>.</p> <p>The Department has concluded the development is consistent with the Concept Approval controls and generally consistent with the Design Guidelines and the GDCP recommendations.</p>
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	<p>The proposal has been designed to be accessible and inclusive and 45 apartments would be adaptable.</p> <p>The application was accompanied by a BCA Report that concludes the development is capable of complying with the requirements of the relevant sections of the Act.</p>
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposed development as outlined in <b>Section 5</b> , which included consultation with Council and other public authorities and consideration of their responses.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal as outlined in <b>Section 5</b> , which included notifying adjoining landowners and displaying the proposal on the Department's website during the exhibition period.

## B2 Section 4.15(1) matters for consideration

The matters for consideration under section 4.15(1) that apply to SSD in accordance with section 4.40 of the EP&A Act have been addressed in **Table 12**.

**Table 12** | Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in the following sections of this Appendix and at <b>Section 6</b> .
(a)(ii) any proposed instrument	Not applicable.

Section 4.15(1) Evaluation	Consideration
(a)(iii) any development control plan	Consideration has been given to the relevant controls under the GDCP at <b>Section 6</b> and in the following section of this Appendix.
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations Refer Division 8 of the EP&A Regulation	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications, requirements for notification and fees.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The impacts of the proposal have appropriately mitigated or conditioned as discussed in <b>Section 6</b> .
(c) the suitability of the site for the development	The site is suitable for the development as discussed in <b>Section 6</b> .
(d) any submissions	Consideration has been given to the submissions received during the exhibition of the proposal as summarised at <b>Section 3</b> and considered at <b>Section 6</b> .
(e) the public interest	The proposal is in the public interest as discussed at <b>Section 6</b> .

### B3 Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

FEAR 20 requires future DA(s) achieve a minimum equivalent 4 star Green Star rating and BASIX certification and demonstrate how ESD principles have been incorporated into the development.

The Applicant confirms the development has been designed to target a minimum 4-star minimum sustainability target under the Green Star Design and As Built rating tool. In addition, the proposal would meet BASIX thermal comfort (Pass) and Water (40%) requirements and exceed BASIX Energy (20%) requirements by 5%.

In addition, to the above minimum sustainability target, the development proposes a range of ESD initiatives and sustainability measures, including:

- provision of 10 electric vehicle charging points
- provision of a solar photovoltaic array (25-30kW) provided at roof level
- highly efficient façade design, thermally efficient glazing and maximised thermal efficiency of the podium through landscaping



- mixed-mode natural ventilation within residential buildings
- high efficiency plant and systems, including monitoring controls
- centralised gas hot water system for apartments
- high efficiency lighting, fixtures and sensors
- water efficient appliances and fixtures
- rainwater harvesting primarily for irrigation (76 kilolitre tank)
- construction waste management plan to reduce waste to landfill during construction.

The Department has considered the project in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision making process by a thorough assessment of the environmental impacts of the development. The conservation principle has been applied through careful consideration of tree removal, replacement and habitat creation on the site. Improved valuation is achieved through the creation of a new building that embodies sustainable design, construction and ongoing operation and the creation of a publicly accessible through site link. The proposed development is consistent with ESD principles as described in the Applicant's EIS which has been prepared in accordance with the requirements of Schedule 2 of the EP&A Regulation.

The Department has recommended conditions requiring that the minimum sustainability targets are met. Subject to the above conditions, the proposed development would be consistent with ESD principles and the Department is satisfied the future detailed development is capable of encouraging ESD, in accordance with the objects of the EP&A Act.

#### **B4 Environmental Planning and Assessment Regulation 2000**

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

#### **B5 Environmental Planning Instruments (EPIs)**

To satisfy the requirements of Section 4.15(a)(i) of the Act, this report includes references to the provisions of the EPIs that govern the carrying out of the proposal and have been taken into consideration in the Department's environmental assessment.

The EPIs that have been considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX)
- State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- State Environmental Planning Policy No.65 – Residential Apartment Development (SEPP 65)
- State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP)
- State Environmental Planning Policy (Gosford City Centre) 2018 (Gosford SEPP).
- other relevant plans, policies or guidance:
  - Gosford City Centre Development Control Plan 2018 (GDCCP).

#### **State Environmental Planning Policy (State and Regional Development) 2011**

The aims of the SRD SEPP are to identify SSD, State significant infrastructure (SSI), critical SSI and to confer functions on regional planning panels to determine development applications. The proposal is SSD as summarised at **Table 13**.

**Table 13** | SRD SEPP compliance table

Relevant Sections	Department's consideration	Compliance
<p>3 Aims of Policy</p> <p>The aims of this Policy are as follows:</p> <p>(a) to identify development that is State significant development,</p>	<p>The proposed development is identified as SSD (<b>Section 4.1</b>).</p>	<p>Yes</p>
<p>8 Declaration of State significant development: section 4.36</p> <p>(1) Development is declared to be State significant development for the purposes of the Act if:</p> <p>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</p> <p>(b) the development is specified in Schedule 1 or 2.</p>	<p>The proposed development is permissible with development consent.</p> <p>The development is specified in Schedule 2.</p>	<p>Yes</p>
<p>12 Concept development applications: If:</p> <p>(a) development is specified in Schedule 1 or 2 to this Policy by reference to a minimum capital investment value, other minimum size or other aspect of the development, and</p> <p>(b) development the subject of a concept development application under Part 4 of the Act is development so specified,</p> <p>any part of the development that is the subject of a separate development application is development specified in the relevant Schedule (whether or not that part of the development exceeds the minimum value or size or other aspect specified in the Schedule for such development).</p>	<p>The development is specified in Schedule 2 and is subject to a Concept Approval.</p> <p>This application is therefore development specified in the relevant Schedule – despite its CIV not exceeding the minimum value for such a development.</p>	<p>Yes</p>
<p>Schedule 2 State significant development — identified sites (Clause 15)</p> <p>Development within the Gosford City Centre with a CIV of more than \$75 million.</p>	<p>The proposal is development within Gosford City Centre and the subject of a Concept Approval with a CIV of \$150 million.</p>	<p>Yes</p>

### State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

As the development includes more than 50 car parking spaces and more than 75 dwellings the following Infrastructure SEPP clause 104 of Division 17 Roads and traffic - Traffic generating development is applicable.

The application was referred to TfNSW in accordance with the Infrastructure SEPP. TfNSW did not object to the proposal, provided comments and recommended conditions as summarised at **Section 5**. The Department has considered TfNSW's response at **Section 6** and has incorporated its recommended conditions. The Department has considered noise impact at **Section 6.9**.

#### **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

SEPP BASIX encourages sustainable residential development across NSW by setting targets that measure the efficiency of buildings in relation to water, energy and thermal comfort. SEPP BASIX requires all new dwellings meet sustainable targets of a 20% reduction in energy use (building size dependent) and 40% reduction in potable water.

There has been a commitment to BASIX as a minimum. The application includes a BASIX report (certificate reference: 1186192M) for the building demonstrating satisfactory compliance with BASIX targets. The BASIX scores of the building are:

- Energy – 25%
- Water – 40%
- Thermal Comfort – Pass.

The Department has recommended a condition of consent requiring the development to be constructed in accordance with the BASIX report (certificate reference: 1186192M\_02).

#### **State Environmental Planning Policy No.55 – Remediation of Land**

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application.

The EIS includes a UDSI, which provides a summary of previous investigations, likely contaminants, recommendations on further investigation, remediation and management and the suitability of the site for the proposed use.

The UDSI confirmed that the site has a history of educational use since 1954, including classrooms, offices and amenity buildings, with the remaining areas comprising a mix of concrete or asphalt pavements, gardens or grassed areas. Two chemical storage rooms were identified within the former school.

The UDSI reviewed previous contamination assessment reports relating to the site and undertook soil sampling and testing. The UDSI identified the fill material across the site varied, comprising various building materials, scrap metal, blue metal gravels and non-friable asbestos-containing fibre cement fragments. The UDSI chemical contaminant analysis determined Contaminants of Potential concern were below adopted contaminant thresholds.

A soil reuse assessment was undertaken and the UDSI concluded, given the varying amount of foreign materials within the fill, the soil is not suitable for reuse. The soil is also considered to have a minor potential for acid sulfate soils.

Based on the analysis, the UDSI stated that the potential contaminants present a low health / environmental risk to the intended receptors with respect to the proposed development and can be managed / mitigated.

The UDSI concludes the site can be made suitable for the proposed use, subject to the following:

- offsite disposal of basement excavation managed in accordance with waste classification guidelines and regulations
- preparation of an AMP, ASSP and unexpected finds protocol to be implemented during the construction phase.

The UDSI also concluded the level of contamination (extent and degree) is not considered significant enough to require the preparation of a Remediation Action Plan.

### Draft Remediation of Land State Environmental Planning Policy

The Explanation of Intended Effect for a Draft Remediation of Land SEPP was exhibited until 13 April 2018. The Draft Remediation of Land SEPP proposes to better manage remediation works by aligning the need for development consent with the scale, complexity and risks associated with the proposed works. As the proposal has demonstrated it can be suitable for the site, subject to future DA(s), the Department considers it would be consistent with the intended effect of the Remediation of Land SEPP.

### State Environmental Planning Policy No. 65 – Residential Apartment Development, including Apartment Design Guide

State Environmental Planning Policy 65 – Residential Apartment Development (SEPP 65) seeks to improve the design quality of residential developments and encourage innovative design. The Department has assessed the proposal against the SEPP 65 aims / objectives at **Table 14**.

The ADG is closely linked to the principles of SEPP 65 and sets out best practice design principles for residential developments. Concept Approval FEAR C15 states that CCQ applications including residential use must consider the requirements of the ADG. The Department has assessed the proposal against the requirements of the ADG at **Table 15**.

**Table 14** | Consideration of the aims and objectives of SEPP 65

SEPP 65 Principle	Department's Response
1. Context and Neighbourhood Character	The development is located to the South City area of Gosford City Centre and is consistent in its form and function with the desired future character of this part of Gosford. The Department has considered the height, scale and design of the development at <b>Section 6.4</b> and concludes the proposal responds to the existing and future context of the site and surrounding area and maintains adequate levels of amenity for existing neighbouring properties.
2. Built Form and Scale	The height and scale of the development is consistent with the Concept Approval building envelope, appropriate in this location and context and is of a similar height and scale as the other new nearby developments within Gosford City Centre. The development is considered to achieve design excellence as discussed in <b>Section 6.3</b> . The development would have an appropriate relationship with nearby heritage items. The publicly accessible through site link would be spacious yet proportionate to the size of the development and expected level of pedestrian activity.



SEPP 65 Principle	Department's Response
3. Density	The development is compatible with the emerging South City character. The density of the development has strategic merit, is consistent with the Concept Approval and the proposal has demonstrated that it would not have adverse built form, traffic, amenity or heritage impacts ( <b>Section 6</b> ).
4. Sustainability	The development has been designed in accordance with ESD principles and the Department has recommended conditions requiring the development achieve minimum sustainability targets.
5. Landscape	Public domain improvements are proposed around the development and the through site link would be a publicly accessible (24/7) thoroughfare, including hard and soft landscaping and public art.  Podium and rooftop communal gardens have been provided for the future occupants of the tower. The Department considers the landscaping achieves a high standard of design and forms an integral part of the development ( <b>Section 6.6</b> ).
6. Amenity	The proposal generally complies with the requirements of SEPP 65 and the ADG ( <b>Table 15</b> ). The proposal has demonstrated that the development would achieve satisfactory residential amenity, including satisfactory levels of internal layout amenity, solar access, natural ventilation and privacy. Minor non-compliances with the ADG recommended standards are considered justified ( <b>Section 6.9</b> ).
7. Safety	The application includes a CPTED Report and mitigation measures and the development would provide for passive and active surveillance of the surrounding area. The Department has recommended a condition requiring the implementation of the CPTED Report mitigation measures.
8. Housing Diversity and Social Interaction	The development will improve housing supply and choice and provides for a mix of apartment types to cater for a range of households. The provision of new housing will aid in the creation of a mixed and balanced community.
9. Architectural Expression	The development includes appropriate building articulation, modulation and setbacks to complement the desired character for the site and surrounding area. The palette of materials and finishes would appropriately articulate the building form. The architectural detail responds appropriately to the site's opportunities and constraints and would provide for a visually interesting contemporary building ( <b>Section 6.4.2</b> ).

The ADG sets out a number of guidelines for residential apartment development to ensure apartments are provided with an appropriate level of residential amenity. An assessment of the proposal against the ADG best practice design principles is provided at **Table 15**.

**Table 15** | Assessment of the proposal against the ADG requirements

ADG – Relevant Criteria	Proposal	Complies
<b>2E Building Depth</b>		
<ul style="list-style-type: none"> <li>Use a range of building depth of 12-18m from glass line to glass line</li> <li>Where greater depths are proposed demonstrate layouts can achieve acceptable amenity</li> </ul>	<ul style="list-style-type: none"> <li>Building depth of approximately 19m</li> <li>The application has demonstrated that a high level of internal and external amenity would be provided.</li> </ul>	Yes

ADG – Relevant Criteria			Proposal	Complies												
3B Orientation																
<ul style="list-style-type: none"><li>• Building type/layouts respond to streetscape, optimising solar access</li><li>• Overshadowing of neighbouring properties is minimised</li></ul>			<ul style="list-style-type: none"><li>• Direct access is provided from the street and solar access is maximised.</li><li>• Overshadowing is minimised.</li></ul>	Yes												
3C Public Domain Interface																
<ul style="list-style-type: none"><li>• Transition between public/private without compromising security</li><li>• Amenity of public domain is retained and enhanced</li></ul>			<ul style="list-style-type: none"><li>• Active frontage is provided and the entrance lobby is easily identifiable.</li><li>• Public domain landscaping is provided.</li></ul>	Yes												
3D Communal and Public Open Space																
<ul style="list-style-type: none"><li>• minimum 25% of the site</li><li>• minimum 50% direct sunlight to principal usable part of the communal open space for a minimum of 2 hours in mid-winter</li></ul>			<ul style="list-style-type: none"><li>• Communal open space is provided at Level 4 and 21 (1,630m<sup>2</sup> / 53%)</li><li>• More than 50% of communal open space would receive direct sunlight for 4 hours in mid-winter.</li></ul>	Yes												
3E Deep Soil Zones																
<ul style="list-style-type: none"><li>• For sites greater than 1,500sqm a minimum of 7% to 15% of the site should provide for deep soil zone(s)</li></ul>			<ul style="list-style-type: none"><li>• The proposal includes 51m<sup>2</sup> (2%) deep soil area.</li></ul>	No (red) Refer to Section 6.9												
3F Visual Privacy																
<ul style="list-style-type: none"><li>• Minimum building separation distance:</li></ul> <table><tr><th>Height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>Up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr><tr><td>Over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr></table>			Height	Habitable rooms and balconies	Non-habitable rooms	Up to 12m (4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9+ storeys)	12m	6m	<ul style="list-style-type: none"><li>• The Northern Tower is located greater than 25m away from the Southern Tower and no windows face towards the Eastern Tower.</li><li>• The northern elevation of the tower is located 14.5m away from the southern elevation of the four storey ATO building.</li><li>• The proposal exceeds the ADG recommended minimum building separation distances.</li></ul>	Yes
Height	Habitable rooms and balconies	Non-habitable rooms														
Up to 12m (4 storeys)	6m	3m														
Up to 25m (5-8 storeys)	9m	4.5m														
Over 25m (9+ storeys)	12m	6m														
3G Pedestrian Access to Entries																
<ul style="list-style-type: none"><li>• Building entries and pedestrian access connects to and addresses the public domain</li><li>• Access, entries and pathways are accessible and easy to identify</li><li>• Large sites provide pedestrian links for access to streets and connection to destinations</li></ul>			<ul style="list-style-type: none"><li>• Entries are well located, designed and easily identifiable.</li><li>• Access, entries and pathways are accessible.</li><li>• A pedestrian through site link is provided.</li></ul>	Yes												
3H Vehicle Access																
<ul style="list-style-type: none"><li>• Vehicle access points are to be designed to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.</li></ul>			<ul style="list-style-type: none"><li>• Vehicle access to the site is provided with appropriate sight lines off an existing service laneway. The carpark entry is well designed.</li></ul>	Yes												

ADG – Relevant Criteria	Proposal	Complies
<b>3J Bicycle and Car Parking</b>		
<ul style="list-style-type: none"> <li>Minimum parking requirement as set out in the Guide to Traffic Generating Developments or local Council requirement, whichever is the less</li> <li>Parking is available for other modes of transport</li> <li>Car parking design access is safe and secure</li> <li>Visual and environmental impacts of underground, at grade or above ground car parking are minimised</li> </ul>	<ul style="list-style-type: none"> <li>183 car parking and 63 bicycle parking spaces are provided, which the Department concludes is acceptable (<b>Section 6.5</b>)</li> <li>Above ground car parking has been appropriately screened by retail/residential uses or architectural treatments.</li> </ul>	Yes
<b>4A Solar and Daylight Access</b>		
<ul style="list-style-type: none"> <li>Minimum of 70% of apartments' living rooms and private open spaces receive 3hrs direct sunlight between 9am-3pm in mid-winter (for sites outside the Sydney Metropolitan Area)</li> <li>Maximum of 15% of apartments have no direct sunlight between 9am-3pm in mid-winter</li> <li>Shading and glare control is provided</li> </ul>	<ul style="list-style-type: none"> <li><b>85 of the 136 apartments (63%) receive 3 hours of direct sunlight during mid-winter.</b></li> <li>17 apartments (12%) receive no direct sunlight in mid-winter.</li> <li>Balconies provide passive solar protection to apartments.</li> </ul>	No (red) Refer to <b>Section 6.9</b>
<b>4B Natural Ventilation</b>		
<ul style="list-style-type: none"> <li>At least 60% of apartments are cross ventilated in the first nine storeys (apartments 10 storeys or greater are deemed to be cross ventilated)</li> <li>Overall depth of a cross-over or cross-through apartment does not exceed 18m</li> </ul>	<ul style="list-style-type: none"> <li>41 of 45 apartments within the first nine storeys (91%) achieve natural cross ventilation.</li> </ul>	Yes
<b>4C Ceiling Heights</b>		
<p>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <ul style="list-style-type: none"> <li>Habitable rooms 2.7m</li> <li>Non-habitable rooms 2.4m</li> </ul>	<ul style="list-style-type: none"> <li>Proposed minimum habitable ceiling heights and non-habitable ceiling heights comply with the ADG recommended minimums.</li> </ul>	Yes
<b>4D Apartment Size and Layout</b>		
<ul style="list-style-type: none"> <li>Minimum apartment sizes <ul style="list-style-type: none"> <li>Studio 35m<sup>2</sup></li> <li>1 bedroom 50m<sup>2</sup></li> <li>2 bedroom 70m<sup>2</sup></li> <li>3 bedroom 90m<sup>2</sup></li> </ul> </li> <li>Every habitable room must have a window in an external wall with a total glass area of not less than 10% of the floor area. Daylight and air may not be borrowed from other rooms</li> <li>Habitable room depths are limited to 2.5 x the ceiling height</li> <li>In open plan layouts the maximum habitable room depth is 8m from a window</li> <li>Master bedroom have a minimum area of 10m<sup>2</sup> and other bedrooms have 9m</li> <li>Bedrooms have a minimum dimension of 3m (excluding wardrobes)</li> <li>Living rooms have a minimum width of: <ul style="list-style-type: none"> <li>3.6m for studio and one bed</li> <li>4m for 2 and 3 bed</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The proposed apartments sizes include: <ul style="list-style-type: none"> <li>1 bedroom – 53 to 70m<sup>2</sup></li> <li>2 bedroom – 76 to 90m<sup>2</sup></li> <li>3+ bedroom – 111 to 251m<sup>2</sup></li> </ul> </li> <li>Each habitable room includes a window</li> <li>Open plan layouts are no deeper than 8m.</li> <li>All bedrooms exceed minimum area and depth space standard requirements.</li> <li>The proposed 1 bedroom living room widths range between 3.6 – 4m and have a minimum of 4m for 2 bedrooms or more</li> <li>All apartments are greater than 4m width.</li> </ul>	Yes

ADG – Relevant Criteria	Proposal	Complies
<ul style="list-style-type: none"> <li>The width of cross-over or cross-through apartments are at least 4m internally.</li> </ul>		
<b>4E Private Open Space and Balconies</b>		
<ul style="list-style-type: none"> <li>Primary balconies are provided to all apartments providing for: <ul style="list-style-type: none"> <li>1 bedroom min area 8sqm min depth 2m</li> <li>2 bedroom min area 10sqm min depth 2m</li> <li>3 bedroom min area 12sqm min depth 2.5m</li> </ul> </li> <li>For apartments at ground floor level or similar, private open space must have a minimum area of 15sqm and depth of 3sqm</li> <li>Private open space and primary balconies are integrated into and contribute to the architectural form and detail of the building</li> <li>Primary open space and balconies maximises safety</li> </ul>	<ul style="list-style-type: none"> <li>Balconies are provided to all apartments, including (minimum): <ul style="list-style-type: none"> <li>1 bedroom – 8m<sup>2</sup></li> <li>2 bedroom – 10m<sup>2</sup></li> <li>3+ bedroom – 13m<sup>2</sup> to 47m<sup>2</sup></li> </ul> </li> <li>Podium level apartments have a private open of 22m<sup>2</sup>.</li> <li>All balconies are integrated into the architectural form/detail of the building.</li> <li>Balcony design avoids opportunities for climbing and falls.</li> </ul>	Yes
<b>4F Common Circulation and Spaces</b>		
<ul style="list-style-type: none"> <li>Maximum number of apartments off a circulation core is eight – where this cannot be achieved, no more than 12 apartments should be provided off a single circulation core.</li> <li>For buildings 10 storeys and over, the maximum number of apartments sharing a single lift is 40</li> <li>Natural ventilation is provided to all common circulation spaces where possible</li> <li>Common circulation spaces provide for interaction between residents</li> <li>Longer corridors are articulated</li> </ul>	<ul style="list-style-type: none"> <li>Maximum number of apartments on a floor off a single circulation core is seven.</li> <li><b>Number of apartments per lift is 68.</b></li> <li>The communal corridors have access to an operable window.</li> <li>Communal corridors and the ground floor lobby are generously sized and allow for interaction.</li> <li>The corridors are not unreasonably long and are articulated.</li> </ul>	No (red) Refer to <b>Section 6.9</b>
<b>4G Storage</b>		
<ul style="list-style-type: none"> <li>The following storage is required (with at least 50% located within the apartment): <ul style="list-style-type: none"> <li>Studio apartments 4m<sup>3</sup></li> <li>1 bedroom apartments 6 m<sup>3</sup></li> <li>2 bedroom apartments 8 m<sup>3</sup></li> <li>3 bedroom apartments 10 m<sup>3</sup></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Apartments are provided with the following storage (minimum): <ul style="list-style-type: none"> <li>1 bedroom 6 m<sup>3</sup></li> <li>2 bedroom apartments 8 m<sup>3</sup></li> <li>3 bedroom apartments 10 m<sup>3</sup></li> </ul> </li> </ul>	Yes
<b>4H Acoustic Privacy and 4J Noise and Pollution</b>		
<ul style="list-style-type: none"> <li>Noise transfer is minimised through the siting of buildings and building layout and minimises external noise and pollution.</li> <li>Noise impacts are mitigated through internal apartment layout and acoustic treatments.</li> </ul>	<ul style="list-style-type: none"> <li>Apartments are appropriately laid out to prevent noise transfer.</li> </ul>	Yes
<b>4K Apartment Mix</b>		
<ul style="list-style-type: none"> <li>Provision of a range of apartment types and sizes</li> <li>Apartment mix is distributed to suitable locations within the building.</li> </ul>	<ul style="list-style-type: none"> <li>The proposal includes a range of apartments sizes, including: <ul style="list-style-type: none"> <li>14x1 bedroom apartments</li> <li>107x2 bedroom apartments</li> <li>14x3 bedroom apartments</li> <li>1x4 bedroom apartment.</li> </ul> </li> </ul>	Yes

ADG – Relevant Criteria	Proposal	Complies
<b>4L Ground Floor Apartments</b>		
<ul style="list-style-type: none"> <li>Street frontage activity is maximised where ground floor apartments are located</li> <li>Design of ground floor apartments delivers amenity and safety for residents</li> </ul>	<ul style="list-style-type: none"> <li>No ground floor apartments proposed.</li> </ul>	N/A
<b>4M Facades</b>		
<ul style="list-style-type: none"> <li>Building facades provide visual interest along the street while respecting the character of the local area</li> <li>Building functions are expressed by the facade</li> </ul>	<ul style="list-style-type: none"> <li>The development is of a high standard of design and appearance and achieves design excellence (<b>Section 6.3</b>).</li> <li>The retail and residential uses of the building are expressed in the design of these components of the building.</li> </ul>	Yes
<b>4N Roof Design</b>		
<ul style="list-style-type: none"> <li>Roof treatments are integrated into the building design and positively respond to the street</li> <li>Opportunities to use roof space for accommodation and open space is maximised</li> <li>Roof design includes sustainability features</li> </ul>	<ul style="list-style-type: none"> <li>The building includes an architectural roof feature. The roof feature screens rooftop plant and services.</li> <li>Roof gardens located at podium tower-top roof levels, which include hard and soft landscaping.</li> </ul>	Yes
<b>4O Landscape Design and 4P Planting on Structures</b>		
<ul style="list-style-type: none"> <li>Landscape design is viable and sustainable</li> <li>Landscape design contributes to streetscape and amenity</li> <li>Appropriate soil profiles are provided and plant growth is maximised (selection/maintenance)</li> <li>Plant growth is optimised with appropriate selection and maintenance</li> <li>Building design includes opportunity for planting on structure</li> </ul>	<ul style="list-style-type: none"> <li>The site includes extensive landscaping, which would be viable and sustainable and contribute to the streetscape and amenity.</li> <li>Planting on the podium and throughout the through site link is provided with sufficient soil areas to sustain trees</li> <li>The proposed planting species list is largely comprised of native plants.</li> </ul>	Yes
<b>4Q Universal Design</b>		
<ul style="list-style-type: none"> <li>20% of apartments meet the Universal Design Guidelines.</li> <li>A variety of apartments with adaptable designs are provided</li> <li>Apartment layouts are flexible and accommodate a range of lifestyle needs</li> </ul>	<ul style="list-style-type: none"> <li>23% of all apartments meet the Universal Design criteria.</li> <li>45 apartments (33%) are adaptable.</li> <li>Apartment layouts are regular in shape and flexible to accommodate a range of lifestyles.</li> </ul>	Yes
<b>4S Mixed Use</b>		
<ul style="list-style-type: none"> <li>Mixed use developments are provided in appropriate locations and provide street activation and encourage pedestrian movement</li> <li>Residential levels are integrated within the development, safety and amenity is maximised.</li> </ul>	<ul style="list-style-type: none"> <li>The development comprises a mixed use development in an appropriate location and includes street and through site link level activation.</li> <li>Residential levels are integrated into the development and safety and amenity have been maximised</li> </ul>	Yes
<b>4T Awning and Signage</b>		
<ul style="list-style-type: none"> <li>Awnings are well located and complement and integrate with the building</li> <li>Signage responds to the context and design</li> </ul>	<ul style="list-style-type: none"> <li>No awnings are proposed</li> <li>No signage is proposed.</li> </ul>	N/A



ADG – Relevant Criteria	Proposal	Complies
streetscape character		
<b>4U Energy Efficiency</b>		
<ul style="list-style-type: none"> <li>Development incorporates passive environmental and solar design</li> <li>Adequate natural ventilation minimises the need for mechanical ventilation</li> </ul>	<ul style="list-style-type: none"> <li>The development has been designed in accordance with ESD principles and the Department has recommended conditions requiring the development achieve appropriate sustainability targets (<b>Appendix B(B3)</b>).</li> </ul>	Yes
<b>4V Water Management and Conservation</b>		
<ul style="list-style-type: none"> <li>Potable water use is minimised</li> <li>Urban stormwater is treated on site before being discharged to receiving waters</li> <li>Flood management systems are integrated into the site design</li> </ul>	<ul style="list-style-type: none"> <li>The Department has considered flooding and drainage at <b>Section 6.9</b> and concludes, subject to conditions, the flooding and drainage impacts can be managed and/or mitigated.</li> </ul>	Yes
<b>4W Waste Management</b>		
<ul style="list-style-type: none"> <li>Waste storage facilities are designed to minimise impacts on streetscape, building entry and residential amenity</li> <li>Domestic waste is minimised by providing safe and convenient source separation and recycling</li> </ul>	<ul style="list-style-type: none"> <li>The Department has considered operational waste at <b>Section 6.9</b> and recommends an operational waste management condition.</li> </ul>	Yes
<b>4X Building Maintenance</b>		
<ul style="list-style-type: none"> <li>Building design detail provides protection from weathering</li> <li>Systems and access enable ease of maintenance</li> <li>Material selection reduced ongoing maintenance cost</li> </ul>	<ul style="list-style-type: none"> <li>The building has been appropriately designed to allow ease of maintenance.</li> <li>The materials are robust.</li> </ul>	Yes

### State Environmental Planning Policy (Coastal Management) 2018

The Coastal SEPP gives effect to the objectives of the Coastal Management Act 2016 from a land use planning perspective. It defines four coastal management areas and specifies assessment criteria that are tailored for each coastal management area. The consent authority must apply these criteria when assessing proposals for development that fall within one or more of the mapped areas.

The Coastal SEPP identifies the site is located within the Coastal Environment Area and Coastal Use Area. An assessment of the proposal against the requirements under Divisions 3 to 5 of the Coastal Management is provided at **Table 16**.

**Table 16** | Consideration of Division 3 to 5 of the Coastal SEPP

Coastal Management SEPP	Department Comment/Assessment
<b>Clause 13 Development on land within the coastal management area</b>	
<ol style="list-style-type: none"> <li>Development consent must not to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:</li> </ol>	

Coastal Management SEPP	Department Comment/Assessment
(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,	The application has considered flooding and drainage impacts and include mitigation measures where necessary. The Department has recommended conditions accordingly ( <b>Section 6.9</b> ).
(b) coastal environmental values and natural coastal processes,	The site is located approximately 110m north-east of the Brisbane Water foreshore and is separated from the foreshore by intervening parkland. Having regard to these characteristics, it is not considered that the coastal environmental values or natural processes would be impacted by the proposal.
(c) the water quality of the marine estate (within the meaning of the <i>Marine Estate Management Act 2014</i> ), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,	The site is not located near any sensitive coastal lakes and the application has considered flooding and drainage impacts.
(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,	<p>The proposal would not impact on any marine vegetation, native fauna or impact on any undeveloped headlands and rock platforms.</p> <p>The proposal commits to offsetting two ecosystem credits for the removal of existing native vegetation on the site. The Department concludes the biodiversity impacts of the proposal are acceptable as summarised at <b>Section 4.5</b>.</p>
(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	<p>The development is contained wholly within the Concept Approval building envelope and would not result in any impacts on nearby open spaces beyond what has already been considered and determined to be acceptable.</p> <p>The proposal would not impact on access to any existing foreshore, beach or headland areas and the development includes a through-site link ensuring pedestrian permeability.</p>
(f) Aboriginal cultural heritage, practices and places,	The site has been identified as having little archaeological potential ( <b>Section 6.9</b> ). The Department has recommended a condition requiring an archaeological unexpected finds protocol.
(g) the use of the surf zone.	The proposal will not impact on any surf zones.
2. Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:	
(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or	The proposal located within an existing urban B4 Mixed Use zoned site. The proposed scale of development would not have any adverse impacts on the coastal management area.

Coastal Management SEPP	Department Comment/Assessment
(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or	
(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	

#### Clause 14 Development on land within the coastal use area

1. Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:

- (a) has considered whether the proposed development is likely to cause an adverse impact on the following:

i. existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	The proposal would not impact on access to any existing foreshore, beach or headland areas and the development includes the provision of appropriate through-site pedestrian permeability.
ii. overshadowing, wind funnelling and the loss of views from public places to foreshores,	The Department has considered overshadowing, wind and view impacts at <b>Section 6.4.3</b> and <b>Section 6.9</b> and concludes the proposal has acceptable impacts on surrounding amenity and is within the scope of impacts determined to be acceptable under the Concept Approval.
iii. the visual amenity and scenic qualities of the coast, including coastal headlands,	The visual amenity of the local coastal zone and its surroundings will not be impacted on by this proposal. The site is setback from the Brisbane Water foreshore and the tower components include varied maximum heights. The proposal would not adversely interrupt the appreciation of Gosford's valley setting framed by hills.
iv. Aboriginal cultural heritage, practices and places	Refer to the response to Clause 13(1)(f).
v. cultural and built environment heritage, and	The development would not have an adverse impact on the setting or heritage significance of nearby heritage items and is within the scope of impacts determined to be acceptable under the Concept Approval.

Coastal Management SEPP	Department Comment/Assessment
(b) is satisfied that:	
i. the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or	<p>The site is located within an existing urban B4 Mixed Use zoned site and would not have any adverse impacts on the coastal management area.</p> <p>The proposed use of the site for residential and retail uses would not give rise to adverse impacts on the existing coastal use area.</p>
ii. if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or	
iii. if that impact cannot be minimised—the development will be managed to mitigate that impact, and	
(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.	<p>The Department has considered the height, scale and impact of the proposed development at <b>Section 6.4</b> and concludes the proposal is acceptable and would achieve design excellence.</p>

#### Clause 15 Development in coastal zone generally – development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.	<p>The proposal involves the redevelopment of an existing urban B4 Mixed Use zoned site. The proposal would not increase the risk of coastal hazards on the site or other surrounding land.</p>
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#### State Environmental Planning Policy (Gosford City Centre) 2018

The Gosford SEPP was gazetted in October 2018 and seeks to promote the economic and social revitalisation of Gosford City Centre. In addition, it aims to seeks to strengthen Gosford's regional position, enhance its vitality, identity and diversity, promote employment, residential, recreational and tourism opportunities, manage natural and man-made resources, protect and enhance the environment, preserve solar access to open spaces, create a mixed-use place and pedestrian links and ensure developments exhibit design excellence.

The Department has considered the relevant provisions of the Gosford SEPP at **Table 17** and concludes the development is consistent with the Gosford SEPP.

**Table 17** | Consideration of the relevant clauses of the Gosford SEPP

Clause	Control	Department's consideration	Complies
Clause 2.1 Land use zones	The proposed development is on land zoned B4 Mixed Use	The proposal is permissible with consent and meets the objectives of the zone.	Yes
Clause 4.3 Height of buildings	A height of buildings development standard of RL 48m applies to the site	The maximum height of the building envelope is RL 81.4m and exceeds the maximum Gosford SEPP height of buildings control for the site.  However, the development is consistent with the Concept Approval building envelope height control.	No  (refer to clause 8.4 and the Concept Approval)
Clause 4.4 Floor space ratio	An FSR development standard of 3.5:1 applies to the site.	The total approved FSR across the entire site (under the Concept Approval) is 3.92:1.  The proposal includes a total GFA of 13,884m <sup>2</sup> , which is below the Concept Approval maximum GFA for the site.	No  (refer to clause 8.4 and the Concept Approval)
Clause 5.10 Heritage conservation	To conserve the environmental heritage of the City of Gosford, the significance of heritage items and heritage conservation areas, including associated fabric, settings and views, archaeological sites, Aboriginal objects and Aboriginal places of heritage significance.	The application includes a Heritage Impact Statement. The Department concludes the development would not have an adverse impact on heritage items or Aboriginal or non-Aboriginal archaeology ( <b>Section 6.9</b> ).	Yes
Clause 6.1 Acid sulfate soils	The site is mapped as being located on Class 2 acid sulfate soils.  Development should not disturb, expose or drain acid sulfate soils and cause environmental damage.	The application includes a UDSI, which recommends the preparation of an ASSP. The Department has recommended a condition requiring the ASSP be implemented during construction ( <b>Section 6.9</b> ).	Yes
Clause 7.2 Flood Planning	To minimise the floor risk to life and property associated with the use of land, allow development on land that is compatible with the land's floor hazard and avoid significant adverse impacts on flooding behaviour.	The application includes a Stormwater Management Report including mitigation measures. The Department concludes flooding and drainage impacts can be managed and/or mitigated subject to conditions ( <b>Section 6.9</b> ).	Yes
Clause 8.2 Building height on Mann Street	Building height must not exceed three storeys at the building's Mann Street frontage.	There is no built form component on Mann Street as part of this application.	N/A
Clause 8.3 Design Excellence	All developments must exhibit design excellence	The Department's has considered the advice from the DAP and concludes the proposal exhibits design excellence ( <b>Section 6.3</b> ).	Yes
	In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—		
	a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved	As discussed at <b>Section 6.3</b> the Department has concluded the proposal exhibits design excellence and the development achieves a high	Yes



Clause	Control	Department's consideration	Complies
	b) whether the form and external appearance of the development will improve the quality and amenity of the public domain	standard of design and amenity.	Yes
	c) whether the development is consistent with the objectives of clauses 8.10 and 8.11	As discussed at <b>Section 6.4.3</b> the Department has concluded the proposal would not have an adverse impact on key vistas, view corridors or solar access to key open spaces.	Yes
	d) any relevant requirements of applicable development control plans	The Department has assessed the proposal against the Concept Approval Design Guidelines and the Gosford City Centre Development Control Plan 2018 (below).	Yes
	e)(i) the suitability of the land for development	The development is permissible with consent, consistent with the Concept Approval and site contamination can be managed and/or mitigated	Yes
	e)(ii) existing and proposed uses and use mix	The development is permissible with consent, consistent with the Concept Approval and includes and appropriate mix of uses.	Yes
	e)(iii) heritage issues and streetscape constraints	The proposal would not have adverse heritage impacts.	Yes
	e)(iv) the relationship of development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form	As discussed at <b>Section 6.4</b> the Department has concluded the development has an appropriate relationship to existing and future adjoining developments	Yes
	e)(v) bulk, massing and modulation of buildings	As discussed at <b>Section 6.4</b> the Department has concluded the bulk, massing and modulation of the proposal is acceptable and overall the development achieves design excellence.	Yes
	e)(vi) street frontages heights	As discussed at <b>Section 6.4</b> the Department is wholly contained within the Concept Approval building envelope and provides for an appropriate human scale of development at Baker Street and the through site link frontages.	Yes
	e)(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity	As discussed at <b>Section 6.9</b> the proposal would not result in adverse overshadowing, wind or reflectivity impacts subject to conditions.	Yes
	e)(viii) the achievement of the principles of ecologically sustainable development	As discussed at <b>Appendix B(B3)</b> the development has been designed in accordance with ESD principles.	Yes
	e)(ix) pedestrian, cycle, vehicular and service access, circulation and requirements	As discussed at <b>Section 6.5</b> the proposal provides for appropriate car, bicycle and service vehicle access and parking.	Yes

Clause	Control	Department's consideration	Complies
	e)(x) the impact on, and any proposed improvements to, the public domain	As discussed at <b>Section 6.6</b> the proposal includes significant public domain improvements including a new through site link.	Yes
<b>Clause 8.4</b> Exceptions to height and FSR in Zone B4	Development consent may be granted to development that results in a building with a height of buildings and FSR that exceeds the height of buildings and FSR controls.	The Concept Approval met the criteria in clause 8.4(4) for the height and FSR development standards.  In its assessment of the Concept Approval, the Commission concluded the variation and exceedances of the height and FSR development standards were acceptable.  The proposal is consistent with the Concept Approval controls and building envelope parameters.	Yes
<b>Clause 8.5</b> Car parking in Zone B4	<ul style="list-style-type: none"> <li>at least 1 car parking space is provided for every 75m<sup>2</sup> commercial GFA</li> <li>at least 1 car parking space is provided for every 40m<sup>2</sup> of retail GFA.</li> </ul>	The proposal includes 16 retail car parking spaces, which complies with the Gosford SEPP controls ( <b>Section 6.5</b> ).	Yes
<b>Clause 8.6</b> Active street frontages	Consent authority must be satisfied that the building will have an active street frontage as identified on the Active Street Frontages Map.	The proposal provides active street frontages to Baker Street and the through site link.	Yes
<b>Clause 8.10</b> Solar access to key public open spaces	The development must not result in any more than 30 per cent of Leagues Club Field receiving less than 4 hours of sunlight between 9 am and 3 pm at the winter solstice.	The development is contained wholly within the Concept Approval building envelope.  The proposal has demonstrated building envelopes would not result in overshadowing of the Leagues Club Field in excess of the 30% requirement ( <b>Section 6.9</b> ).	Yes
<b>Clause 8.11</b> Key vistas and new view corridors	To protect and enhance key vistas and view corridors in Gosford City Centre.	The development is contained wholly within the Concept Approval building envelope.  The proposal has demonstrated the development provides for appropriate view sharing and establishes appropriate view corridors around the Northern Tower ( <b>Section 6.4.3</b> ).	Yes

### Gosford City Centre Development Control Plan 2018

The Department has considered the proposal against the relevant controls and guidelines within the GDCP at **Table 18**.

**Table 18** | Compliance with the relevant GDCP objectives and controls

GDCP objectives and controls	Department's consideration	Complies
<b>Section 3.4 – City South</b>		
<b>Objectives</b> <ol style="list-style-type: none"> <li>1. Maintain strong visual connections and views to Presidents Hill and Rumbalara Reserve.</li> <li>3. Provide improved connections to the waterfront.</li> <li>4. Promote a diversity of uses and attractors to accommodate a range of uses at all times of the day and week.</li> <li>6. Conserve significant local heritage buildings and landscapes which contribute to the character of the City South.</li> </ol>	<b>Objectives</b> <ol style="list-style-type: none"> <li>1. The development would alter the views towards Rumbalara Reserve. However, this is consistent with the Concept Approval and considered acceptable (<b>Section 6.4.1</b>).</li> <li>3. The proposal includes the creation of a through site link connecting Mann Street to the waterfront (<b>Section 6.6</b>).</li> <li>4. The proposal includes residential and retail uses, which would ensure the activity at all times of the day and week.</li> <li>6. The proposal would not have an adverse impact on nearby heritage items (<b>Section 6.9</b>).</li> </ol>	Yes
<b>Section 4.1 – Pedestrian Network</b>		
<b>Objectives</b> <ol style="list-style-type: none"> <li>A. Provide high pedestrian comfort for pedestrian amenity and safety.</li> <li>B. Retain and enhance existing through site links.</li> </ol> <b>Controls</b> <ol style="list-style-type: none"> <li>6. Reference should be made to relevant guidelines in Austroads Guides, Australian Standards, NSW Government Planning Guidelines for Walking and Cycling and NSW Roads and Maritime Services technical directions.</li> </ol>	<b>Objectives</b> <ol style="list-style-type: none"> <li>A. The proposal includes new paths and a through site link, which are of appropriate widths and pedestrian comfort and safety.</li> <li>B. The proposal includes new through site links</li> </ol> <b>Controls</b> <ol style="list-style-type: none"> <li>6. The TIA has considered relevant Australian Standards and other guidelines.</li> </ol>	Yes
<b>Section 4.2 – Public Open Space</b>		
<b>Objectives</b> <ol style="list-style-type: none"> <li>A. Provide accessible and safe high quality open spaces.</li> <li>B. Retain and enhance existing public open spaces, especially Kibble Park, the Leagues Club Field and the waterfront.</li> <li>D. New open spaces are required in the city to support a growing population and to ensure residents are in walking distance of quality open space.</li> </ol>	<b>Objectives</b> <ol style="list-style-type: none"> <li>A. The site is opposite significant areas of existing open space and includes a publicly accessible through site link.</li> <li>B. The proposal would not have an adverse impact on solar access to the Leagues Club Field and would appropriately frame the eastern boundary of the park (<b>Section 6.9</b>).</li> <li>D. Refer to response to Objective A above.</li> </ol>	Yes
<b>Section 4.3 – Solar Access to Key Public Spaces</b>		
<b>Control</b> <ol style="list-style-type: none"> <li>3. For Key Open Space 2 (Leagues Club Field), buildings must be designed to ensure at least 70% of the field receives 4 hours of direct sunlight between 9am and 3pm on the winter solstice (21 June). Note – This performance standard is contiguous hours, and is cumulative between developments.</li> </ol>	<b>Control</b> <ol style="list-style-type: none"> <li>3. The proposal is contained wholly within the building envelope, which was designed to ensure more than 70% of the field receives direct sunlight for more than 4 hours in mid-winter (<b>Section 6.9</b>).</li> </ol>	Yes

GDCP objectives and controls	Department's consideration	Complies
<b>Section 4.4 – Views and Vistas</b>		
<p><b>Objectives</b></p> <p>A. Enhance Gosford's unique identity and sense of place that is created by the current significant views and vistas, particularly those identified in Figure 4.</p> <p>B. Protect Gosford's character of visual openness with the surrounding landscape.</p> <p>C. Maintain and enhance significant view corridors from public spaces and streets to Brisbane Water and the identified view corridors which afford views of the ridgelines of Rumbalara Reserve and Presidents Hill.</p> <p>D. Open up new significant views, where possible.</p> <p><b>Controls</b></p> <p>1. The floorplates of buildings above street frontage heights should be designed in accordance with the slender tower provisions in Chapter 5 of this DCP.</p> <p>2. <b>Key views</b> (identified in Figure 4) are those existing views of the ridgelines of Presidents Hill, Rumbalara Reserve and views of Brisbane Water from important locations, including the centre of Kibble Park, Leagues Club Field and Brian McGowan Bridge.</p>	<p><b>Objectives</b></p> <p>A. The proposal is not located within the view-cones identified in the GDCP Figure 4.</p> <p>B. The development provides for a tower divided into two slender components and includes appropriate setbacks to ensure the character and visual openness of Gosford is maintained (<b>Section 6.4</b>).</p> <p>C. The development would alter general views towards Rumbalara Reserve. However, this is considered acceptable and consistent with the Concept Approval (<b>Section 6.4</b>).</p> <p>D. The proposal includes the creation of a new through site link, which would open up new vistas (<b>Section 6.6</b>).</p> <p><b>Controls</b></p> <p>1. The development has been designed in accordance with the Concept Approval controls and building envelope parameters. The development has been limited to 85% volumetric fill of the building envelope.</p> <p>2. Refer to response to Objective C and D.</p>	Yes
<b>Section 4.5.1 – Vehicle Footpath Crossings</b>		
<p><b>Objectives</b></p> <p>A. To make vehicle access to buildings more compatible with pedestrian movements.</p> <p>B. Reduce the impact of vehicular access on the public domain.</p> <p><b>Controls</b></p> <p>Location of Vehicle Access</p> <p>1. One vehicle access point only (including the access for service vehicles and parking for non-residential uses within mixed use developments) will be generally permitted.</p> <p>2. Where practicable, vehicle access is to be from lanes and minor streets rather than primary street fronts or streets with major pedestrian activity.</p> <p>3. Where practicable, adjoining buildings are to share or amalgamate vehicle access points.</p>	<p><b>Objectives</b></p> <p>A. One vehicular entrance point is provided, located off an existing service lane shared with the ATO Building.</p> <p>B. The design has limited impacts on the public domain.</p> <p><b>Controls</b></p> <p>Location of Vehicle Access</p> <p>1. One vehicular access point is proposed, off the rear service lane.</p> <p>2. See response to control 1 above.</p> <p>3. See response to control 1 above.</p>	Yes
<b>Section 5.2.1 – Street Setbacks and Rear Setbacks</b>		
<p><b>Objectives</b></p> <p>A. Provide for public amenity of the street including:</p> <ul style="list-style-type: none"> <li>landscape and deep soil zones in</li> </ul>	<p><b>Objectives</b></p> <p>A. The development includes areas of deep soil within the through site link, defines the street edge and provides for high quality</p>	Yes

GDCP objectives and controls	Department's consideration	Complies
<p>appropriate locations,</p> <ul style="list-style-type: none"> <li>to establish the desired spatial proportions of the street and define the street edge</li> <li>to provide for high quality pedestrian amenity and activity.</li> </ul> <p>B. Enhance the setting and street address of the building.</p> <p>C. Provide front setbacks appropriate to building function and character, including entries and setbacks for ground floor apartments.</p> <p>D. Create a transition between public and private space.</p> <p>E. Maintain sun access to the public domain.</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>Buildings should be designed to comply with streetscape controls as shown in Figure 8 (being nil podium setback for the site). These setbacks should be deep soil and contain no parking structures.</li> <li>In addition to the above, street building alignment and street setbacks are to comply with Figure 8. Parking structures may encroach into these setbacks by up to 1m (except for 0m ground setbacks).</li> <li>Balconies may project up to 600mm into front building setbacks, provided the cumulative width of all balconies at that level is no more than 50% of the horizontal width of the building façade measured at that level.</li> <li>Building separation and visual privacy requirements of SEPP65 and the Apartment Design Guide will also apply.</li> </ol>	<p>pedestrian amenity and activated frontages.</p> <p>B. Refer to response to Objective A above</p> <p>C. The ground floor podium shopfronts have been setback from the site boundary</p> <p>D. The proposal provides for a transition between public and private spaces</p> <p>E. The proposal would not adversely overshadow the Leagues Club Field (<b>Section 6.9</b>).</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>The podium built form has a nil podium setback from the site boundary in accordance with the GDCP requirement.</li> <li>Refer to response to Control 1 above.</li> <li>Balconies project forward of the tower façade in accordance with the Concept Approval 5% articulation zone.</li> <li>The proposal complies with the ADG recommended building separation and visual privacy standards.</li> </ol>	

#### Section 5.2.2 – Street Wall Heights and Upper Podium

Objectives	Objectives	Yes
<p>A. Achieve comfortable street environments for pedestrians in terms of daylight, scale, sense of enclosure and wind mitigation as well as a healthy environment for street trees.</p> <p>B. Reinforce the intrinsic character and scale of existing and heritage buildings in Gosford City Centre whilst also enable flexibility in contemporary building design.</p> <p>C. Protect solar access to key streets and public spaces.</p> <p>D. Encourage a strong architectural expression.</p> <p>E. Provide for views of the hillsides from key locations.</p> <p>F. Achieve a consistent and strong building line where desirable for urban design</p>	<p>A. Refer to Section 5.2.1 response to Objective A.</p> <p>B. The proposal would not have an adverse impact on nearby heritage items (<b>Section 6.9</b>).</p> <p>C. The proposal would not result in adverse overshadowing of public domain or open space.</p> <p>D. The development achieves design excellence (<b>Section 6.3</b>).</p> <p>E. The development would alter general views towards Rumbalara Reserve. However, this is considered acceptable and consistent with the Concept Approval (<b>Section 6.4.1</b>).</p> <p>F. Refer to response to Objective A above</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>The podium height complies with the</li> </ol>	



GDCP objectives and controls	Department's consideration	Complies
<p>and streetscape reasons.</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>1. The street frontage height of buildings must comply with the minimum and maximum heights above mean ground level on the street front as shown in Figure 8 (being nil setback up to three storeys, maximum 14m street wall height, for this site)</li> <li>2. All built form above the street wall height should be set back a minimum of 3m from the building line of the street wall frontage. This may include: <ol style="list-style-type: none"> <li>a. an 'upper podium' of up to 2 storeys/7m (in height) and side setbacks should be provided consistent with the Apartment Design Guide; and</li> <li>b. a tower element above this, which is to be consistent with the controls in Section 5.2.5 of this document.</li> </ol> </li> </ol>	<p>GDCP and Concept Approval requirements.</p> <ol style="list-style-type: none"> <li>2. The tower component is setback between 5.7m and 8.7m from the podium edge.</li> </ol>	

#### Section 5.2.3 – Active Street Frontages and Street Address

<p><b>Objectives</b></p> <ol style="list-style-type: none"> <li>A. Ensure frontages are pedestrian oriented and of high quality design to add vitality to streets.</li> <li>B. Provide continuity of shops along streets and lanes within the City Centre and other identified locations.</li> <li>C. To promote pedestrian activity and the vibrancy of Gosford.</li> <li>D. To provide excellent pedestrian experience in the public domain.</li> <li>E. To promote active and safe streets in the Gosford City Centre.</li> <li>F. To provide buildings with clear address and direct access to the street.</li> <li>G. To promote commercial and retail uses in Gosford</li> </ol>	<p><b>Objectives</b></p> <ol style="list-style-type: none"> <li>A. The proposal includes the provision of retail uses to ground floor street and through site link frontages, which ensure ground floor frontages are appropriately activated.</li> </ol> <p>B-G Refer to response to Objective A.</p>	Yes
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#### Section 5.2.4 – Building Setbacks and Separation

<p><b>Objectives</b></p> <ol style="list-style-type: none"> <li>A. To provide good amenity for building occupants including daylight, outlook, visual privacy, acoustic amenity, ventilation, wind mitigation and view sharing.</li> <li>B. To achieve usable and pleasant streets and public domain areas.</li> <li>C. To maximise view corridors and maintain Gosford's character of visual openness with the surrounding landscape.</li> <li>D. Provide for the preferred building typology.</li> </ol>	<p><b>Objectives</b></p> <ol style="list-style-type: none"> <li>A. The development provides for a high standard of future residential amenity in terms of daylight, outlook, privacy, noise, ventilation and wind mitigation. The development provides for view sharing in accordance with the Concept Approval.</li> <li>B. The integrated built form and landscaping of the development achieves design excellence.</li> <li>C. The development establishes view corridors in accordance with the Concept Approval.</li> <li>D. The development provides for a building typology in accordance with the Concept Approval and Design Guidelines.</li> </ol>	Yes
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GDCP objectives and controls	Department's consideration	Complies
Section 5.2.5 – Slender Towers with High Amenity		
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>A. Achieve high amenity for the public domain including access to sun light and views.</li> <li>B. Allow for view sharing and view corridors.</li> <li>C. Achieve an attractive city skyline which is sympathetic to the topography and context.</li> <li>D. Allow for high internal amenity to development, including natural light and ventilation</li> <li>E. Mitigate potential adverse impacts that tall and bulky buildings might have on the public domain</li> <li>F. Reduce the apparent bulk and scale of buildings by breaking up expanses of building wall with modulation of form and articulation of facades.</li> <li>G. Provide viable and useable floor space.</li> </ul> <p><b>Controls</b></p> <ul style="list-style-type: none"> <li>1. For development within the B zones (B3, B4 and B6), the maximum floorplate size for towers is: <ul style="list-style-type: none"> <li>a. 750sqm GFA for residential uses, serviced apartments and hotels.</li> <li>b. 1500sqm GFA for commercial uses (office space).</li> </ul> </li> </ul> <p>Note - This maximum floor plate control applies only to towers, and not to podium level development.</p> <ul style="list-style-type: none"> <li>3. The maximum building length for towers in any direction is 45m.</li> <li>4. All tower forms must be set back a minimum 8m from the street wall frontage, however reductions may be accepted (from 8m to 6m) on some sites where it is demonstrated that this control would compromise the ability to design the podium or tower appropriately.</li> <li>5. All building frontages for a tower with a length over 30m should be: <ul style="list-style-type: none"> <li>a. expressed as two vertical forms</li> <li>b. include a clear 'break' of minimum 1m width and 1m depth</li> <li>c. include a stepped height difference of minimum two storeys</li> </ul> </li> <li>6. Tower heights should be varied. Where two towers are provided on one site, their height above ground level should have a minimum of 15% variation between each tower (e.g. with three towers, the tallest should be minimum 30% taller than the shortest).</li> <li>7. For sites with more than one tower, separation between buildings should be</li> </ul>	<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>A. The development has maximised solar access to public domain, public and private open spaces.</li> <li>B. The development is wholly contained within the Concept Approval building envelopes.</li> <li>C. Refer to response to Objective B.</li> <li>D. the development provides for an acceptable level of solar access and is consistent with the ADG recommended natural ventilation requirements (<b>Section 6.9</b>).</li> <li>E. The development has been highly articulated and achieves design excellence.</li> <li>F. Refer to response to Objective E.</li> <li>G. the proposal includes a diverse variety of compatible uses. Retail floorplates are of appropriate and usable sizes.</li> </ul> <p><b>Controls</b></p> <ul style="list-style-type: none"> <li>1. The development has the volumetric fill of the building envelope to 85%. Floorplates are contained wholly within the Concept Approval building envelopes.</li> <li>3. Maximum length of the tower (width) is 44.8m.</li> <li>4. The tower is setback between 5.7m and 8.7m, which is consistent with the Concept Approval requirements.</li> <li>5. The tower is expressed as two vertical form, includes vertical breaks and is stepped in height.</li> <li>6. The tower is stepped in height being 25 storeys (RL 81.4m) and 22 storeys (RL 69.76m), which is consistent with the Concept Approval requirements.</li> <li>7. The development is consistent with the approved building separation distances established by the Concept Approval.</li> </ul>	Yes

GDCP objectives and controls	Department's consideration	Complies
considered in accordance with the specified distances for each component use, as if there is a boundary between them.		
<b>Section 5.2.6 – Fine grain frontages</b>		
<b>Objectives</b> <ul style="list-style-type: none"> <li>A. Ensure that development responds to the human scale.</li> <li>B. To provide a high quality and diverse retail environment for Gosford.</li> <li>C. To respond to the character and grain of existing buildings at street level (even when taller buildings are provided).</li> <li>D. Provide a variety of architectural character.</li> <li>E. Ensure that the scale, modulation and façade articulation of development responds to its context.</li> </ul> <b>Controls</b> <ul style="list-style-type: none"> <li>1. The maximum continuous street frontage length of an individual podium (below street wall height) is 40m. Where a podium form exceeds this length it will be visually broken into two or more podium forms.</li> <li>2. Each podium form (below street wall height) is to be articulated into smaller elements at a scale or grain.</li> </ul>	<b>Objectives</b> <ul style="list-style-type: none"> <li>A. The development is wholly contained within the Concept Approval building envelope and provides for a human scale of development to Baker Street and the through site link.</li> <li>B. The proposal includes the provision of retail use at ground floor street and through site link frontages.</li> <li>C. Fine grain shopfronts are provided to the retail tenancies</li> <li>D. The development is highly articulated and modulated and includes appropriate materials that differentiate the podium from the tower.</li> <li>E. As above.</li> </ul> <b>Controls</b> <ul style="list-style-type: none"> <li>1. The Baker Street elevation of the podium is approximately 60m long and has been divided into two parts marked by the deep recessed residential entrance.</li> <li>2. The podium is articulated by fine grain shopfronts, structural pillars and undulating above ground balconies.</li> </ul>	Yes
<b>Section 5.2.8 – Building Sustainability and Environmental Performance for Key Sites</b>		
<b>Objectives</b> <ul style="list-style-type: none"> <li>A. To provide enhanced building sustainability and environmental performance controls for key sites in Chapter 6 of this DCP), or medium and large sites seeking to vary heights or floor space using clause 8.4(3) or 8.4 (4) GCC SEPP.</li> <li>B. To minimise energy use through passive building design and energy efficient systems.</li> <li>C. To minimise potable water use.</li> <li>D. To minimise waste and promote the reuse and recycling of materials.</li> <li>E. To promote thermal comfort through natural ventilation in residential developments.</li> <li>F. To promote passive cooling and air flow through innovative and renewable sources of heating and cooling.</li> </ul>	<b>Objectives</b> <ul style="list-style-type: none"> <li>A. The proposal has been designed in accordance with ESD principles and the Department recommends conditions ensuring that minimum Green Star rating required under the Concept Approval is met (<b>Appendix B(B3)</b>).</li> </ul> <p>B-F Refer to response to Objective A.</p>	Yes
<b>Section 5.2.9 Above ground car parking</b>		
<b>Objectives</b> <ul style="list-style-type: none"> <li>A. To ensure excellent streetscape activation</li> </ul>	<b>Objectives</b> <ul style="list-style-type: none"> <li>A. The development provides active, retail frontages to Baker Street and the through</li> </ul>	Yes

GDCP objectives and controls	Department's consideration	Complies
<p>B. To minimise the visual impact of parking</p> <p>C. To ensure excellent amenity, activation and use in building areas that have a visual relationship to the street</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>1. Car parking is to be provided wholly underground unless the determining authority is satisfied unique site conditions prevent achievement of parking in basements.</li> <li>2. On-site car parking provided at or above ground level is to have a minimum floor to floor height of over 3.5m so it can be adapted to another use in the future.</li> <li>3. On-site parking is to be accommodated underground, or otherwise fully integrated into the design of the building.</li> <li>4. Any on site above ground parking should be 'sleeved' by a minimum 8m depth activation (commercial or residential use) facing any street.</li> </ol>	<p>site link.</p> <p>B. All above ground car parking has been screened from view by retail tenancies, apartments or architectural treatments.</p> <p>C. Refer to response to Objectives A and B.</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>1. The proposal includes above ground car parking, which is considered acceptable, consistent with the Concept Approval and would not have an adverse design or amenity impacts.</li> <li>2. The proposal provides for appropriate floor to ceiling heights.</li> <li>3. The above ground car parking is 'sleeved' by uses and architectural treatments.</li> <li>4. Refer to response to Control 3.</li> </ol>	

#### 5.2.11 Internal Amenity

<p><b>Objectives</b></p> <p>A. To ensure high quality internal amenity for all uses in Gosford.</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>1. Building depth, deep soil requirements, communal open space and planting on structures should follow the guidance provided in the Apartment Design Guide that accompanies SEPP 65.</li> <li>3. Development applications are to demonstrate compliance with Apartment Design Guide sun access for residential uses.</li> </ol>	<p><b>Objectives</b></p> <p>A. The Department has considered the internal amenity of the development at <b>Appendix B(B5)</b> and concludes the development provides for a high standard of internal amenity.</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>1. The Department has considered the ADG requirements within the preceding section of this Appendix and concludes the proposal generally complies. Minor non-compliances are considered acceptable.</li> <li>3. <b>Only 63% of apartments achieve 3 hours of direct sunlight in mid-winter.</b></li> </ol>	<p>No (red) Refer to <b>Section 6.9</b></p>
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#### 5.2.12 Building Services and the Streetscape

<p><b>Objectives</b></p> <p>A. To ensure a high quality streetscape.</p> <p>B. To minimise intrusion of building services on the public domain.</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>1. Substations must be provided wholly within the subject site, either internal to the development or suitably located and integrated within the architectural or landscaping design. Substations are to be designed in accordance with Ausgrid's requirements. Substations within the street will not be accepted.</li> <li>2. Building entries, building services including fire services and parking and servicing locations should all be treated with high quality materials.</li> <li>3. Ground floor substations are preferred to</li> </ol>	<p><b>Objectives</b></p> <p>A. The podium provides for a high quality streetscape and interface with the public domain.</p> <p>B. Building services fronting the public domain have been minimised.</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>1. A substation is provided within the ground floor elevation of the podium fronting Baker Street.</li> <li>2. High quality materials are proposed.</li> <li>3. Refer to response to Control 1.</li> </ol>	<p>Yes</p>
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GDCP objectives and controls	Department's consideration	Complies
simplify substation access and avoid the need for forced ventilation.		
<b>5.2.13 Landscape Design</b>		
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>A. To ensure that the use of potable water for landscaping irrigation is minimised.</li> <li>B. To ensure landscaping is integrated into the design of development.</li> <li>C. To add value and quality of life for residents and occupants within a development in terms of privacy, outlook, views and recreational opportunities.</li> <li>D. To improve storm water quality and control run-off.</li> <li>E. To improve the micro-climate and solar performance within the development.</li> <li>F. To improve urban air quality and contribute to biodiversity.</li> </ul> <p><b>Controls</b></p> <ul style="list-style-type: none"> <li>1. For all development applications, a landscape plan shall be submitted by a suitably qualified landscape architect</li> <li>2. All development proposals are to be designed to minimise the impact on significant trees on site, street trees and trees on adjoining land including remnant vegetation.</li> <li>3. Landscaped areas are to be irrigated with recycled water.</li> </ul>	<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>A. The proposal includes rainwater harvesting.</li> <li>B. The landscaping forms an integral part of the overall design of the development.</li> <li>C. The landscaping design enhances privacy, outlook, views and recreational opportunities.</li> <li>D. The proposal includes planting at podium, roof and through site link levels which would control run-off, improve micro-climate, air quality and contribute to biodiversity.</li> <li>E. Refer to response to Objective D.</li> <li>F. Refer to response to Objective D.</li> </ul> <p><b>Controls</b></p> <ul style="list-style-type: none"> <li>1. The application includes a landscape plan.</li> <li>2. The removal of three existing trees is unavoidable (<b>Section 6.6.3</b>). The retained Port Jackson Fig tree will be protected during construction.</li> <li>3. Refer to response to Objective A.</li> </ul>	Yes



GDCP objectives and controls	Department's consideration	Complies
Section 5.2.14 Site cover and deep soil zones		
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>A. To provide an area on sites that enables soft landscaping and deep soil planting, permitting the retention and/or planting of trees that will grow to a large or medium size.</li> <li>B. To limit building bulk on a site and improve the amenity of developments, allowing for good daylight access, ventilation, and improved visual privacy.</li> <li>C. To provide passive and active recreational opportunities.</li> </ul> <p><b>Controls</b></p> <ul style="list-style-type: none"> <li>1. The maximum site cover for development is 60% for development in the Mixed Use Zone</li> <li>2. All developments with a residential component in all zones except the Commercial Core must include a deep soil zone.</li> <li>3. The deep soil zone shall comprise no less than 15% of the total site area (or proportionate to the percentage of residential uses in a mixed-use development). It is to be provided preferably in one continuous block but otherwise with no dimension (width or length) less than 6 metres.</li> <li>4. Where non-residential development results in full site coverage and there is no capacity for water infiltration, the deep soil component must be provided on structure. In such cases, compensatory storm water management measures must be integrated within the development to minimise storm water runoff.</li> <li>5. Where deep soil zones are provided, they must accommodate existing mature trees as well as allowing for the planting of trees/shrubs that will grow to be mature plants.</li> <li>6. No structures, works or excavations that may restrict vegetation growth are permitted in this zone (including but not limited to car parking, hard paving, patios, decks and drying areas).</li> </ul>	<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>A. The proposal includes a through site link, which include hard and soft landscaping.</li> <li>B. The proposal provides for an appropriate standard of future residential and public domain amenity.</li> <li>C. The through site link would provide for active and passive recreational opportunities. The site is located opposite the Leagues Club Field.</li> </ul> <p><b>Controls</b></p> <ul style="list-style-type: none"> <li>1. The proposal has a site coverage of almost 100%</li> <li>2. Deep soil areas are provided within the through site link for tree planting.</li> <li>3. The deep soil zone would be less than 15% of the total site area.</li> <li>4. The proposal could provide for varied soil depths on the structure.</li> <li>5. It is not possible to retain the three existing trees on the site (Section 6.6.3)</li> <li>6. The proposal does not adversely impact on adjoining existing street trees by way of basement levels or awnings.</li> </ul>	<p>No (red) Refer to <b>Sections 6.6 and 6.9</b></p>
5.2.16 Safety and Security		
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>A. To ensure developments are safe and secure for pedestrians.</li> <li>B. Reduce opportunities for crime through environmental design.</li> <li>C. To contribute to the safety of the public domain.</li> <li>D. Encourage a sense of ownership over</li> </ul>	<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>A. The application includes a CPTED Report, which includes recommended mitigation measures. The Department concludes subject to the implementation of the CPTED mitigation measures opportunity for crime would be minimised.</li> </ul> <p>B-D Refer to response to Objective A.</p>	<p>Yes</p>

GDCP objectives and controls	Department's consideration	Complies
public and communal open spaces.		
<b>5.2.17 Building Exteriors</b>		
<b>Objectives</b> <ol style="list-style-type: none"> <li>Contribute positively to the streetscape and public domain by means of high quality architecture and robust selection of materials and finishes,</li> <li>Provide richness of detail and architectural interest especially at visually prominent parts of buildings such as lower levels and roof tops,</li> <li>Present appropriate design responses to nearby development that complement the streetscape,</li> <li>Clearly define the adjoining streets, street corners and public spaces and avoid ambiguous external spaces with poor pedestrian amenity and security,</li> <li>Maintain a pedestrian scale in the articulation and detailing of the lower levels of the building, and</li> <li>Contribute to a visually interesting skyline.</li> </ol>	<b>Objectives</b> <ol style="list-style-type: none"> <li>The Department has considered the design and appearance of the development at <b>Section 6.4</b> and concludes the proposal is of a high standard of design and achieves design excellence.</li> </ol> <p>B-F Refer to response to Objective A.</p>	Yes
<b>5.2.18 Public Artwork</b>		
<b>Objectives</b> <ol style="list-style-type: none"> <li>To contribute to Gosford City's physical attractiveness and the quality of life that it offers visitors and residents.</li> <li>To provide the opportunity to interpret and express Gosford's historical and cultural themes.</li> <li>To increase the amount of public artworks in Gosford.</li> </ol>	<b>Objectives</b> <ol style="list-style-type: none"> <li>The application includes a Public Art Strategy, which indicates the potential locations for public art throughout the development and that the development has a budget of \$200,000 for public art. The Department has considered public art at <b>Section 6.6</b>.</li> </ol> <p>B-C Refer to response to Objective A.</p>	Yes
<b>Section 6.4 – Key Site 6, 26-32 Mann Street</b>		
<b>Principles</b> <ol style="list-style-type: none"> <li>This site must be subject to a master planning process to ensure holistic consideration of site specific urban design issues.</li> <li>The provision of visual connections and pedestrian links between Mann Street and Baker Street (to Leagues Club Field) are priorities for development of this site.</li> <li>Publicly accessible podium open space above Baker Street, at the level of Mann Street and overlooking the waterfront should be considered and integrated into development of the site.</li> <li>The appropriate height for development of this site will be determined through a master planning process, which is to <ul style="list-style-type: none"> <li>include design testing and consideration of impacts on views and overshadowing.</li> </ul> </li> </ol>	<b>Principles</b> <ol style="list-style-type: none"> <li>The Concept Approval and Design Guidelines establish the masterplan planning framework for the development of the site. The DAP and the Department conclude the proposed built form is acceptable and achieve design excellence (<b>Section 6.3</b>).</li> <li>The development includes the provision of a through site link between Mann Street and the waterfront.</li> <li>The proposed through site link would be publicly accessible (24/7).</li> <li>As discussed at <b>Section 6</b>, the Department has considered overshadowing, view loss, view sharing, overshadowing and heritage impacts together with the built form of the proposed development. The Department has concluded the proposed development would have acceptable impacts and is</li> </ol>	Yes

GDCP objectives and controls	Department's consideration	Complies
<ul style="list-style-type: none"> <li>include test options to maximise views through to the park and the water.</li> <li>comply with the view, slender towers, and solar access provisions contained in this DCP.</li> <li>potential impacts on existing heritage items in the vicinity of this site.</li> </ul> <p>5. Baker Street (extension) is a desired pedestrian boulevard (emergency vehicle access only).</p> <p>6. Vehicular access to the site and servicing should be provided from Vaughan Avenue and not from either Mann Street or the Baker Street extension, which are two of the most important active street frontages in Gosford.</p> <p>7. Any development must consider any future plans for the adjoining public spaces and investigate the conversion of the western section of Vaughan Avenue (beyond Baker Street to the Waterfront) to a shared way to improve pedestrian connectivity between the two adjacent public open spaces.</p>	<p>therefore acceptable in this regard.</p> <p>5. The Leagues Club Field has been recently upgraded, which includes the extension to Baker Street. The development has considered to the Baker Street extension and would not adversely impact on its operation or use.</p> <p>6. Vehicular access for servicing is proposed off the existing shared access road to the north of the site.</p> <p>7. The Leagues Club Field has been redeveloped and the development would not have an adverse impact on that open space. The provision of a through site link and a new retail frontage to the open space is considered to enhance the Leagues Club Field.</p>	

## 7.2 Pedestrian Access and Mobility

<b>Objectives</b> <p>A. To provide safe and easy access to buildings to enable better use and enjoyment by people regardless of age and physical condition, whilst also contributing to the vitality and vibrancy of the public domain.</p> <p>B. To ensure buildings and places are accessible to people with a disability.</p> <p>C. To provide a safe and accessible public domain.</p>	<b>Objectives</b> <p>A-B The application includes an Access Report which confirms the development would achieve DDA compliance</p> <p>C. Building entrances will be visible and identifiable from the street and the mitigation measures of the CPTED report will be implemented.</p>	Yes
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## 7.3 Vehicular Driveways and Manoeuvring Areas

<b>Objectives</b> <p>A. To minimise the impact of vehicle access points on the quality of the public domain.</p> <p>B. To minimise impact of driveway crossovers on pedestrian safety and streetscape amenity.</p>	<b>Objectives</b> <p>A. The vehicular access to the site is off an existing service laneway to the rear of the site, would not impact on pedestrian safety and streetscape amenity and will comply with relevant design requirements.</p> <p>B. Refer to response to Objective A.</p>	Yes
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## Section 7.4 – On-Site Parking

<b>Objectives</b> <p>A. To facilitate an appropriate level of on-site parking provision in the city centre to cater for a mix of development types.</p> <p>B. To minimise the visual impact of on-site parking.</p> <p>C. To provide adequate space for parking</p>	<b>Objectives</b> <p>A. The proposal provides for an appropriate amount of on-site car and bicycle parking in accordance with the Concept Approval requirements and based on identified need (<b>Section 6.5</b>).</p> <p>B. All above ground car parking has been</p>	Yes
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GDCP objectives and controls	Department's consideration	Complies
<p>and manoeuvring of vehicles (including servicing vehicles and bicycles).</p> <p>G. To recognise the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking.</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>On-site vehicle and bicycle parking is to be provided in accordance with Table 2 of this chapter.</li> <li>Car parking above ground level is to have a minimum floor to ceiling height of 3.1m so it can be adapted to another use in the future.</li> <li>On-site parking must meet the relevant Australian Standard.</li> <li>Provide a minimum of 4% of the required parking spaces, or minimum of 2 spaces per development, (whichever is the greater) as disabled parking.</li> <li>Provide a Transport Management Plan to justify any variation to parking rates.</li> <li>Bicycle parking is to be in secure and accessible locations, with weather protection.</li> <li>Reference should be made to relevant guidance in Austroads Guides, Australian Standards, NSW Government Planning Guidelines for Walking and Cycling and NSW Roads and Maritime Services technical directions.</li> </ol> <p><u>Bicycle lockers and shower facilities</u></p> <ol style="list-style-type: none"> <li>For commercial and retail development providing employment for 20 persons or more, provide adequate change and shower facilities for cyclists. Facilities should be conveniently located close to bike storage areas.</li> </ol>	<p>screened by residential and retail uses or architectural treatments.</p> <p>C. Car parking areas are provided with appropriate space for vehicle manoeuvrability</p> <p>G. Refer to response to Objective A.</p> <p><b>Controls</b></p> <ol style="list-style-type: none"> <li>Refer to response to Objective A.</li> <li>above ground parking has minimum floor to ceiling height of 3.1m.</li> <li>On-site parking will meet the relevant Australian Standards.</li> <li>14 (10%) disabled parking spaces are provided.</li> <li>The application includes a CPAR to justify the proposed parking rates (<b>Section 6.5</b>).</li> <li>Bicycle parking in a secure and accessible location within the podium.</li> <li>The TIA has considered all relevant guidance.</li> </ol> <p><u>Bicycle lockers and shower facilities</u></p> <ol style="list-style-type: none"> <li>Refer to response to Objective A.</li> </ol>	

## 7.5 Site Facilities and Services

<p><b>Objectives</b></p> <ol style="list-style-type: none"> <li>To ensure that site facilities (such as clothes drying areas, mail boxes, recycling and garbage disposal units/areas, screens, lighting, storage areas, air conditioning units and communication structures) are effectively integrated into the development and are unobtrusive.</li> <li>To ensure that site services and facilities are adequate for the nature and quantum of development.</li> <li>To establish appropriate access and location requirements for servicing.</li> <li>To ensure service requirements do not have adverse amenity impacts.</li> </ol>	<p><b>Objectives</b></p> <ol style="list-style-type: none"> <li>Site facilities can be integrated into the design of the development. Rooftop plant and communication structures are screened behind the roof feature.</li> </ol> <p>B-C Refer to response to Objective A.</p>	Yes
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## Section 8.2 – Energy Efficiency and Conservation and Section 8.3 Water Conservation

GDCP objectives and controls	Department's consideration	Complies
<p><b>Objectives</b></p> <p>A. To reduce the necessity for mechanical heating and cooling.</p> <p>B. To minimise greenhouse gas emissions.</p> <p>C. To use natural climatic advantages of the coastal location such as cooling summer breezes, and exposure to unobstructed winter sun.</p> <p><b>Objectives</b></p> <p>A. To reduce per-capita mains consumption of potable water.</p> <p>B. To harvest rainwater for use and reduce urban storm water runoff.</p> <p>C. To reduce wastewater discharge.</p> <p>D. To reuse wastewater where appropriate.</p> <p>E. To safeguard the environment by improving the quality of water run-off and to mimic pre-development flows where appropriate.</p> <p>F. To ensure infrastructure design is complimentary to current and future water use.</p> <p>G. To protect public health.</p>	<p><b>Objectives</b></p> <p>A. The development have been designed in accordance with ESD principles and the Department has recommended conditions requiring that sustainability targets are met.</p> <p>B-C Refer to response to Objective A above.</p> <p><b>Objectives</b></p> <p>A-G Refer to response to Objective A above.</p>	Yes
<b>Section 8.4 – Reflectivity</b>		
<p><b>Objectives</b></p> <p>A. To restrict the reflection of sunlight from buildings to surrounding areas and buildings.</p> <p><b>Controls</b></p> <p>1. New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers.</p> <p>2. Visible light reflectivity from building materials used on the facades of new buildings should not exceed 20%.</p> <p>3. Subject to the extent and nature of glazing and reflective materials used, a Reflectivity Report that analyses potential solar glare from the proposed development on pedestrians or motorists may be required.</p>	<p><b>Objectives</b></p> <p>A. The application includes a reflectivity analysis, which recommends mitigation measures. The Department has considered reflectivity at <b>Section 6.9</b> and concludes subject to the implementation of the mitigation measures, the development would not result in unacceptable glare.</p> <p><b>Controls</b></p> <p>1. The proposal would not result in unacceptable glare that threatens safety.</p> <p>2-3 Refer to response to Objective A</p>	Yes
<b>Section 8.5 – Wind Mitigation</b>		
<p><b>Objectives</b></p> <p>A. To ensure that new developments satisfy nominated wind standards and maintain comfortable conditions for pedestrians.</p>	<p><b>Objectives</b></p> <p>A. The application includes a wind assessment. The Department has considered the wind impacts associated with the development at <b>Section 6.9</b> and concludes wind impacts can be managed and/or mitigated subject to conditions.</p>	Yes
<b>Section 8.6 – Waste and Recycling</b>		
<p><b>Objectives</b></p> <p>A. To minimise waste generation and</p>	<p><b>Objectives</b></p> <p>A. The application includes an OWMP. The</p>	Yes



GDCP objectives and controls	Department's consideration	Complies
<p>disposal to landfill with careful source separation, reuse and recycling.</p> <p>B. To minimise the generation of waste through design, material selection, building and best waste management practices.</p> <p>C. To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of the development as well as the ongoing generation of waste.</p> <p>D. To ensure efficient storage and collection of waste and quality design of facilities.</p>	<p>Department has considered operational waste at <b>Section 6.9</b> and has recommended an operational waste management condition.</p> <p>B-C Refer to response to Objective A.</p>	
<b>Section 8.7 – Noise and Vibration</b>		
<p><b>Objectives</b></p> <p>A. To ensure development is designed so noise and vibration from new businesses, light industrial and leisure / cultural / entertainment venues and other noise generating activities do not unacceptably affect the amenity of nearby residential and other noise or vibration sensitive uses.</p> <p>B. To ensure development is designed and constructed so that noise and vibration impacts from existing neighbouring activities do not unreasonably compromise the amenity of occupants of the proposed development</p> <p>C. To ensure noise and vibration impacts between different uses and occupancies within a development provide reasonable amenity to all occupants of the development.</p>	<p><b>Objectives</b></p> <p>A. The application includes a NVIA. The Department has considered noise and vibration at <b>Section 6.9</b> and concludes noise and vibration impacts can be managed or mitigated subject to condition.</p> <p>B-C Refer to response to Objective A.</p>	Yes
<b>Section 9 – Residential Development Controls</b>		
<p>The provisions in the Apartment Design Guide associated with State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development (SEPP 65) will be applied as the design controls for residential development within Gosford City Centre (including flats, any residential component of a mixed use development, and serviced apartments that are strata titled).</p> <p>Multi-dwelling housing is to be designed in accordance with the general provisions of this DCP and this chapter, to the extent that they apply.</p>	<p>The Department has considered the proposal against the requirements of the ADG and GDCP and concludes the development is generally in accordance with those guidelines, and the minor inconsistencies identified are considered acceptable (<b>Section 6.9</b>).</p>	Yes
<b>9.1 Housing Choice and Mix</b>		
<p><b>Objectives</b></p> <p>A. Ensure that residential development provides a mix of dwelling types and sizes to cater for a range of households.</p> <p>B. Ensure that dwelling layout is sufficiently</p>	<p><b>Objectives</b></p> <p>A. The proposal includes a range of 1, 2, 3 and 4 bedroom apartments.</p> <p>B. The apartments are regular in shape and exceed minimum room and apartment</p>	<p>No (red) Refer to <b>Section 6.9</b></p>

GDCP objectives and controls	Department's consideration	Complies
<p>flexible for residents' changing needs over time.</p> <p>C. Ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents.</p> <p>D. Ensure the provision of housing that will, in its adaptable features, meet the access and mobility needs of any occupant.</p> <p>E. Ensure the delivery of a diversity of housing in Gosford, including the provision of affordable housing.</p> <p><b>Controls</b></p> <p>2. Residential development to comply with the following mix and size:</p> <p>a. provide a mix of studio, 1, 2 and 3 bed apartments,</p> <p>b. 1 bed apartments must not be greater than 25% and less than 10%</p> <p>c. 2 bed apartments are not to be more than 75%</p> <p>4. 15% of all dwellings must be adaptable.</p> <p>5. Dwellings above ground level may only be adaptable where lift access is available.</p> <p>6. The development application must be accompanied by certification from an accredited Access Consultant Car parking and garages allocated to adaptable dwellings must comply with the requirements of the relevant Australian Standard for disabled parking spaces.</p>	<p>space standards ensuring flexibility.</p> <p>C. Adaptable apartments are provided that would meet occupant needs</p> <p>D. Refer to response to Objective C.</p> <p>E. Refer to response to Objective A.</p> <p><b>Controls</b></p> <p>2. a. Refer to response to Objective A above.</p> <p>b. the proposal provides 14 (10%) 1 bed apartments</p> <p>c. the proposal provides 107 (78%) 2 bed apartments</p> <p>4. 45 (33%) of apartments are adaptable</p> <p>5. All adaptable apartments have access to two lifts</p> <p>6. The application includes an Access Report confirming adaptability. Disabled parking is provided.</p>	

## 9.2 Storage

<p><b>Objectives</b></p> <p>A. To provide adequate storage for everyday household items within easy reach of the dwelling.</p> <p>B. To provide storage for sporting, leisure, fitness and hobby equipment.</p> <p><b>Controls</b></p> <p>1. In addition to storage in kitchens, bathrooms and bedrooms wardrobes. The following storage is to be provided:</p> <ul style="list-style-type: none"> <li>- 1 bedroom – 6m<sup>3</sup></li> <li>- 2 bedroom – 8m<sup>3</sup></li> <li>- 3+ bedroom – 10m<sup>3</sup></li> </ul> <p>2. At least 50% of the required storage is to be located within the apartment</p>	<p><b>Objectives</b></p> <p>A-B The proposal provides storage in accordance with this GDCP (and ADG) storage requirement.</p> <p><b>Controls</b></p> <p>1. Refer to response to Objective A above.</p>	Yes
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## 9.3 Multi-Dwelling Housing

<p><b>Objectives</b></p> <p>A. To ensure development positively contributes to and actively addresses the streetscape</p>	<p><b>Objectives</b></p> <p>A. The proposal is consistent with the desired character of the CCQ and surrounding area. The podium and</p>	No (red) Refer to <b>Section</b>
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GDCP objectives and controls	Department's consideration	Complies
<p>B. To ensure development contributes to a well framed streetscape</p> <p>C. To clearly define semi-private, private and communal spaces, and to ensure no left over spaces with ambiguous ownership</p> <p>D. To ensure adequate levels of privacy for new and existing residents</p> <p>E. To ensure adequate levels of solar access to private open spaces and principle living rooms within the development, and to existing dwellings</p> <p>F. To provide quality, usable private and communal open spaces for residents</p> <p>G. To maximise deep soil and open space for mature tree planting, water percolation and residential amenity</p> <p>H. To minimise the physical and visual dominance of car parking, garaging and vehicular circulation</p> <p><b>Controls</b></p> <p><u>Form and Streetscape</u></p> <p>2. Buildings addressing the street are to have a minimum height of 2 storeys</p> <p>3. Parts of development towards the rear of the site should be more modest in scale to limit the impact on adjoining properties</p> <p>5. Utilise the site so that any private, public and communal spaces are clearly defined with a clear sense of ownership</p> <p><u>Privacy</u></p> <p>1. Privacy measures such as screens, landscaping and fencing should be provided between private open spaces at ground level</p> <p>2. A minimum separation distance between directly opposing second level or higher rear windows (within the private domain) to primary living areas and bedrooms of 12m applies.</p> <p>3. Use landscaping to provide a visual buffer between new / existing dwellings</p> <p><u>Solar Access</u></p> <p>1. Dwellings within the development site and adjoining properties are to receive a minimum of 3 hours sunlight to principal living rooms and to at least 50% of the private open space between 9am and 3pm on 21st June.</p> <p><u>Private Open Space</u></p> <p>1. Provide each dwelling with private open space in the form of a balcony or terrace adjacent to a living room or kitchen of the dwelling, having a minimum area of 10m<sup>2</sup> with a minimum depth of 2.5m</p> <p><u>Communal Open Space</u></p> <p>1. Retain, where possible, existing mature trees in communal open space.</p>	<p>through site link include active uses.</p> <p>B. The podium retail uses frame the streetscape.</p> <p>C. There is clear delineation between public and private spaces.</p> <p>D. Building separation from existing and proposed buildings ensures future and existing residents are not significantly overlooked.</p> <p>E. The proposal achieves an acceptable level of solar access (<b>Section 6.9</b>)</p> <p>F. The development provides quality, usable private and communal open spaces for residents</p> <p>G. The proposal includes some areas of deep soil.</p> <p>H. The above ground car parking has been sleeved by uses or architecturally treated.</p> <p><b>Controls</b></p> <p><u>Form and Streetscape</u></p> <p>2. The podium is up to three storeys</p> <p>3. The rear part of development comprises podium landscaped areas</p> <p>6. Private, public and communal spaces are clearly defined with a clear sense of ownership.</p> <p><u>Privacy</u></p> <p>1. Balconies and private podium gardens include privacy screen and/or do not overlook each other.</p> <p><u>Solar Access</u></p> <p>1. 63% of apartments within the development receive a minimum of 3 hours sunlight to principal living rooms and to at least 50% of the private open space between 9am and 3pm on 21st June.</p> <p><u>Private Open Space</u></p> <p>1. Each apartment is provided with a balcony or podium garden space having a minimum area of 10m<sup>2</sup> and depth of 2.5m, except for eight 1 bedroom apartments which are provided with 8m<sup>2</sup>.</p> <p><u>Communal Open Space</u></p> <p>1. It was not possible to retain the three existing trees on the site.</p> <p>2. Communal open space has lift and stair access from the communal circulation spaces.</p> <p>3. The communal open spaces receive a minimum of 3 hours of sunlight between 9am and 3pm to a least 50% of the space on 21st June.</p> <p>4. The communal open space does not include at least 50% deep soil. However, it has a minimum dimension in excess of 6m, contains landscaping, seating and</p>	<p><b>6.9</b></p>

GDCP objectives and controls	Department's consideration	Complies
<p>2. Communal open space should be readily accessible to all dwellings in the development.</p> <p>3. Communal open space should receive a minimum of 3 hours of sunlight between 9am and 3pm to a least 50% of the space on 21st June.</p> <p>4. Communal open space is to consist of at least 50% deep soil, have a minimum dimension of 6m in any direction, contain landscaping, seating and barbecue areas.</p> <p>5. Dwellings are to be designed so that they overlook and provide informal surveillance of communal open spaces. Any threshold treatments between private and communal space is not to exceed 1.2m in height.</p>	<p>barbecue areas.</p> <p>5. The apartments overlook and provide informal surveillance of communal open spaces.</p>	

#### Section 10.1 – Heritage Items

##### Objectives

- A. For development that affects a heritage item, information addressing relevant issues must be included in a Statement of Heritage Impact submitted with the development application (DA). The SOHI must be prepared in accordance with the guidelines published by the NSW Office of Environment and Heritage.
- B. To facilitate the conservation and protection of heritage items and heritage conservation areas and their settings.
- C. To conserve, maintain and enhance existing views and vistas to buildings and places of historic and aesthetic significance.

##### Objectives

- A. The proposal includes a Heritage Impact Statement. The Department concludes the proposal would not have an adverse impact on nearby heritage items or Aboriginal or non-Aboriginal archaeology (**Section 6.9**).
- B. Refer to response to Objective A above.
- C. Refer to response to Objective A above.

Yes

## Appendix C – Concept Approval and Design Guidelines

### C1 – Concept Approval

An assessment of the proposal against the Concept Approval requirements is provided in **Table 19**.

**Table 19** | Department's consideration of the relevant Concept Approval requirements

Condition	Department's consideration	Complies
<p><b>A10 - Inconsistency between documents</b></p> <p>The maximum building heights for the development are shown on the concept drawings listed in <b>ToA A3</b> and shall not exceed maximum:</p> <ul style="list-style-type: none"> <li>a) podium height RL 14.7m (Northern and Southern envelopes) and RL 21.6 (Eastern envelope)</li> <li>b) northern tower heights RL 71.3m and RL 81.4m</li> <li>c) Southern tower height RL 52.6m, 58.8m and 65.1m</li> <li>d) Eastern tower height RL 71.3m.</li> </ul>	<p>The proposal includes the following maximum podium and Northern Tower heights:</p> <ul style="list-style-type: none"> <li>a) podium height of RL 13.60m</li> <li>b) tower heights of RL 69.7m and RL 81.4m</li> </ul> <p>The proposal therefore complies with the maximum podium and Northern Tower heights.</p>	Yes
<p><b>A11 - Airspace Protection</b></p> <p>Prior to the lodgement of any future development application(s) the Applicant shall prepare an Aviation Impact Assessment (AIA) to assess the potential impact of building height(s) and construction crane height(s) on helicopter flight paths including management and mitigation measures where necessary. The AIA shall be prepared in consultation with NSW Central Coast Health.</p>	<p>The Application includes an AIA, which has been prepared in consultation with NSW Central Coast Health.</p> <p>The Department has considered the impact of the development on flight paths at <b>Section 6.9</b> and concludes the proposal would not have an adverse impact on flight paths subject to obstacle lighting being installed on cranes during construction.</p>	Yes
<p><b>A12 - Development contribution levies</b></p> <p>Development contribution levies will be required in accordance with the Central Coast Council 7.12 Contributions Plan for Gosford City Centre and/or the Gosford City Centre Special Infrastructure Contribution Levy, as determined in the relevant future development application(s).</p>	<p>The Applicant has agreed to pay contribution levies as required.</p>	Yes
<p><b>B1 - Amendments to the concept proposal</b></p> <p>Prior to the lodgement of any future development application(s), revised concept proposal drawings shall be submitted to, and approved by, the Planning Secretary that include the following amendments:</p> <ul style="list-style-type: none"> <li>a) the concept envelope amended in plan and in elevation, but not in height, to show a zone within the envelope that represents 85% of the volumetric fill of the envelope, plus an additional 5% zone beyond that which is the 'articulation zone'. The articulation zone represents the outer permissible limit for any built form.</li> <li>b) a minimum additional 3m setback for the Northern Tower building envelope (both halves) from the western podium street-wall edge, providing for the following minimum setbacks: <ul style="list-style-type: none"> <li>i) 5.7m setback (northern half of the Northern Tower envelope)</li> </ul> </li> </ul>	<p>On 9 April 2021, the Department approved revised Concept Approval drawings pursuant to FEAR B1.</p> <p>The current proposal is consistent with the revised Concept Approval drawings and confirms:</p> <ul style="list-style-type: none"> <li>a) the development does not exceed 85% volumetric fill of the envelope</li> <li>b) the Northern Tower is setback 5.7m and 8.7m from the podium street-wall edge</li> <li>c) the south-west corner of the Northern Tower podium has been chamfered.</li> <li>d) solar access has been increased to the north-western oriented component of the southern through-site link</li> </ul>	Yes



Condition	Department's consideration	Complies
<p>ii) 8.7m setback (southern half of the Northern Tower envelope)</p> <p>c) the chamfering of the south-west corner of the Northern Tower podium as shown at page 10 of the Applicant's document titled '<i>Central Coast Quarter 26 Mann Street Gosford</i>' prepared by DKO Architecture and dated 26 June 2020</p> <p>d) increased solar access to the southern through site link (i.e. the north-west oriented component, located between the Eastern Tower and the Southern Tower) in mid-winter (having regard to any visual, view and heritage impacts of any proposed change), which may include:</p> <p>i) re-orientation, chamfering and/or setback of the Northern Tower envelope above podium level</p> <p>ii) reduction of the height of the western end of the Eastern Tower envelope podium from three to one storey</p> <p>iii) other option(s) that may achieve the aim of increasing solar access to the through site link as may be agreed with the Planning Secretary</p> <p>e) amendment to the northern through site link or to the building envelope to show that a view line directly to the waterfront/Leagues Club Field is retained from when standing at the boundary of the site on the footpath on Mann Street.</p>	<p>e) the northern through-site link has been widened and lowered to improved views from Mann Street to the waterfront/Leagues Club Field.</p>	
<p><b>B2 - Amendments to GFA</b></p> <p>The maximum gross floor area (GFA) for the development shall not exceed 34,861m<sup>2</sup>, and shall comprise:</p> <p>a) a maximum of 22,414m<sup>2</sup> residential GFA</p> <p>b) a maximum of 9,660m<sup>2</sup> hotel GFA</p> <p>c) a minimum of 2,787m<sup>2</sup> commercial / retail GFA.</p>	<p>The proposal includes the following maximum GFA:</p> <p>a) 13,263m<sup>2</sup> residential GFA</p> <p>b) no hotel GFA</p> <p>c) 621m<sup>2</sup> commercial / retail GFA.</p> <p>The proposal does not exceed the maximum GFA controls.</p> <p>Sufficient GFA is reserved for the development of future stages.</p>	Yes
<p><b>B3 - Car parking</b></p> <p>a) Car parking for residential apartments shall be provided at a rate of no more than the requirements of the Gosford City Centre Development Control Plan 2018 and no less than the requirements of the Roads and Maritime Guide to Traffic Generating Developments 2002, to be determined in future development application(s) in accordance with the requirements of Future Environmental Assessment Requirements (FEAR) C21 to C23.</p> <p>b) Car parking for 'commercial activities' as defined in State Environmental Planning Policy Gosford City Centre 2018 shall be provided at the rate in accordance with clause 8.5 of the GSEPP.</p>	<p>The proposal includes a total of 183 car parking spaces, comprising:</p> <p>a) 167 residential and visitor spaces, which is between the RMS Guide (168) and the GDCP (249) requirements</p> <p>b) 16 retail spaces, which complies with the Gosford SEPP requirement.</p> <p>The Department has assessed the car parking provision at <b>Section 6.5</b> and concludes the proposal is acceptable.</p>	Yes
<p><b>C1 – Design excellence</b></p> <p>In addition to the requirements of the State Environmental Planning Policy (Gosford City Centre) 2018, all future development application(s) shall be</p>	<p>The proposal is consistent with the requirements of the:</p> <ul style="list-style-type: none"> <li>Gosford SEPP (<b>Appendix B(B5)</b>)</li> </ul>	Yes

Condition	Department's consideration	Complies
<p>carried out in accordance with the Design Excellence Strategy titled St Hilliers, Gosford – Design Excellence Strategy prepared by Urbis in March 2020, except as may be amended by this consent, and shall be reviewed by the City of Gosford Design Advisory Panel (DAP).</p> <p>Note: Prior to the lodgement of any future development application(s), the Applicant should conduct a design competition for each development application unless the DAP agrees it is not required.</p>	<ul style="list-style-type: none"> <li>DES (<b>Section 6.3</b>)</li> <li>Design Guidelines (<b>Appendix C (C2)</b>).</li> </ul> <p>The proposal has been reviewed by the DAP, as discussed throughout <b>Section 6</b>.</p> <p>The DAP considered the need for a design competition and concluded it was not necessary for this application, as discussed at <b>Section 6.3</b>.</p>	
<p><b>C2 – Building design</b></p> <p>All future development applications for new built form must include:</p> <ol style="list-style-type: none"> <li>detailed plans, elevations and sections</li> <li>artist's perspectives and photomontages</li> <li>a design statement demonstrating the design quality of the proposed development and having regard to the character of surrounding development consideration of the Design Guidelines</li> </ol>	<p>The application includes architectural drawings, perspectives / photomontages a design statement and has considered the Design Guidelines.</p>	Yes
<p><b>C3 – Building design</b></p> <p>Any proposed built form must be contained within the approved building envelopes illustrated in the approved plans referenced at <b>ToA A3</b> as amended by <b>Modification B1</b></p>	<p>The development is contained wholly within the approved building envelope (<b>Section 6.2</b>).</p>	Yes
<p><b>C4 – Building design</b></p> <p>Future development application(s) shall demonstrate consistency with the:</p> <ol style="list-style-type: none"> <li>advice of the DAP (<b>FEAR C1</b>)</li> <li>Design Guidelines.</li> </ol>	<p>The proposal has:</p> <ol style="list-style-type: none"> <li>responded to the advice of the DAP</li> <li>considered the Design Guidelines.</li> </ol> <p>The Department has considered the DAP's advice in <b>Section 6</b> and the Design Guidelines at <b>Appendix C (C2)</b>.</p>	Yes
<p><b>C5 – Building design</b></p> <p>Future development application(s) shall ensure the design of:</p> <ol style="list-style-type: none"> <li>all podiums provide active frontages to streets and the through site link and minimises the occurrence of long inactive facades</li> <li>the Baker Street podium(s) relates appropriately to the Baker Street extension and the Leagues Club Field redevelopment and provide for an appropriate transition between the Baker Street entrance to the through site link and adjoining public domain and open space.</li> </ol>	<p>The podium is appropriately designed (<b>Section 6.4</b>):</p> <ol style="list-style-type: none"> <li>podiums are provided with active frontages and inactive facades have been minimised</li> <li>the Baker Street frontage of the podium relates appropriately to the street, the through site link and the public domain / open space.</li> </ol>	Yes
<p><b>C7 – Building design</b></p> <p>Future development application(s) shall include a Reflectivity Analysis demonstrating that the external treatments, materials and finishes of the development do not cause adverse or excessive glare</p>	<p>The application includes a reflectivity analysis.</p> <p>The Department concludes the development would not result in unacceptable glare subject to the implementation of mitigation measures (<b>Section 6.9</b>).</p>	Yes

Condition	Department's consideration	Complies
<p><b>C8 – Building design</b></p> <p>Future development application(s) shall include an Access Report demonstrating that the development achieves an appropriate degree of accessibility</p>	<p>The application includes an Access Report, which confirms the development would be accessible.</p>	<p>Yes</p>
<p><b>C9 – Public domain and landscaping</b></p> <p>Future development application(s) shall include a Public Domain and Landscape Report (Landscape Plan) providing details and justification for the design and treatment of all areas of public domain, through site links and landscaping and the relationship of these spaces with existing and proposed buildings, spaces, structures and connections.</p> <p>The Landscape Plan must:</p> <ul style="list-style-type: none"> <li>a) be generally in accordance with the: <ul style="list-style-type: none"> <li>i) concept landscape report titled '<i>Central Coast Quarter 26 Mann Street Masterplan Report Issue A</i>' prepared by Turf Design Studio and dated August 2019</li> <li>ii) arboricultural report titled '<i>Arboricultural Impact Assessment</i>' prepared by Urban Forestry Australia and dated December 2019</li> </ul> </li> <li>b) include relevant details of the species to be planted (preferably species indigenous to the area), landscape treatments, including any paving and seating areas, soil depths and volumes and any other relevant information</li> <li>c) consider, and incorporate where necessary, the recommendations of the Public Art Strategy (<b>FEAR C17</b>)</li> <li>d) confirm method(s) / arrangement(s) to ensure the on-site through site links are publicly accessible 24 hours-a-day 7 days-a-week</li> <li>e) demonstrate the Mann Street entrance to the through site link (northern arm) is no narrower than 5m</li> <li>f) show that all publicly accessible areas will have all abilities access.</li> </ul>	<p>The proposal includes public domain and landscaping report/drawings, which:</p> <ul style="list-style-type: none"> <li>a) is generally consistent with the Concept Approval</li> <li>b) includes details of species to be planted and landscaping treatments</li> <li>c) has included public art opportunities within the through site link</li> <li>d) confirms the through site link would be open 24 hours a day, 7 days a week</li> <li>e) the Mann Street entrance is 5.57m wide</li> <li>f) publicly accessible areas have all abilities access.</li> </ul>	<p>Yes</p>
<p><b>C10 – Biodiversity</b></p> <p>Future development application(s) shall consider biodiversity impacts, including the removal of existing vegetation on the site and the requirement to address ecosystem credits in accordance with the Biodiversity Development Assessment Report prepared by Niche Environment and Heritage and dated 29 August 2019.</p>	<p>The development results in the removal of three existing trees. The Applicant has agreed to purchase two ecosystem credits to offset vegetation removal across the entire Concept Approval site (<b>Section 4.5</b>).</p>	<p>Yes</p>
<p><b>C11 – Port Jackson Fig Tree</b></p> <p>Future development application(s) shall include an Arboricultural Impact Assessment (AIA) prepared generally in accordance with the recommendations of the '<i>Arboricultural Impact Assessment</i>' prepared by Urban Forestry Australia and dated December 2019. The AIA shall:</p> <ul style="list-style-type: none"> <li>a) detail the retention of the existing Port Jackson Fig tree, located adjacent to the intersection of Vaughan Avenue and Mann Street</li> </ul>	<p>The application includes an AIA.</p> <p>The application confirms, due to the location of the Stage 1 works site boundary, it would not have any impact on the Port Jackson Fig Tree. The Port Jackson Fig tree would be protected during the construction phase.</p>	<p>Yes</p>

Condition	Department's consideration	Complies
<p>b) demonstrate the location, excavation and construction of the basement would not adversely encroach on the roots of the Port Jackson Fig tree or impact on that tree's vigour or structural condition</p> <p>c) provide detail of the protection of the Port Jackson Fig tree during construction phase of the development including management and mitigation measures.</p>	The Department has considered landscaping and trees at <b>Section 6.6</b> .	
<p><b>C12 – CPTED</b></p> <p>Future development application(s) shall include a Crime Prevention Through Environmental Design Report (CPTED) including method(s) / treatment(s) to ensure that all buildings, spaces and places within and around the development are safe and secure and the opportunity for crime has been minimised in accordance with CPTED principles</p>	The application includes a CPTED Report, which includes recommended mitigation measures. The Department concludes subject to the implementation of the CPTED mitigation measures opportunity for crime would be minimised ( <b>Section 6.9</b> ).	Yes
<p><b>C13 – Overshadowing</b></p> <p>Future development application(s) shall include an Overshadowing Impact Assessment (OIP), including shadow studies and diagrams showing the likely overshadowing impact of the development on surrounding proposed spaces, existing open spaces and neighbouring residential properties (including existing and approved residential developments). Buildings shall:</p> <p>a) be consistent with amendments to the building envelope as endorsed by the Secretary (<b>Modification B1</b>)</p> <p>b) minimise overshadowing to adjoining public open spaces and proposed through site links within the site.</p>	<p>The application includes Overshadowing Analysis that demonstrates the proposal is contained within the Concept Approval building envelopes.</p> <p>The Department has considered overshadowing impacts at <b>Section 6.9</b> and concludes the development would not have an unacceptable impact, consistent with the Concept Approval.</p> <p>The proposal has maximised solar access to public open space and through site links.</p>	Yes
<p><b>C14 – Public and private views</b></p> <p>Future Development Application(s) shall include a Visual and View Loss Assessment, which assesses public and private view impacts and demonstrates how consideration has been given to minimising such impacts, where feasible</p>	The application includes a VIA. The Department has considered the impact on public and private views <b>Section 6.4.3</b> and concludes the impacts are reasonable and are either consistent with, or a marginal improvement on, the impacts concluded to be acceptable under the Concept Approval maximum building envelopes.	Yes
<p><b>C15 – Future Residential Amenity</b></p> <p>Future development application(s) relating to residential use shall consider residential amenity including any relevant requirements of the:</p> <p>a) State Environmental Planning Policy 65 – Residential Apartment Development and the residential guidelines within the associated Apartment Design Guide</p> <p>b) Gosford City Centre Development Control Plan 2018.</p>	<p>The application has considered the requirements of SEPP 65, the ADG and the GDCP.</p> <p>The Department has assessed the proposal against the above requirements at <b>Appendix B(B5)</b> and concludes the proposal would provide for an acceptable standard of residential amenity subject to conditions.</p>	Yes

Condition	Department's consideration	Complies
<p><b>C16 – Social and Economic Impact</b></p> <p>Future development application(s) shall include a Social and Economic Impact Assessment (SEIA) that considers the social and economic impacts of the proposal, including cumulative impacts, including health impacts, of the development in context with other existing/approved large developments within the Gosford City Centre. In addition, the SEIA shall investigate the potential for the development to accommodate</p> <p>a) affordable housing and/or community facilities b) a childcare centre.</p>	<p>The application includes a SEIA, which has investigated the potential to include affordable housing and/or community facilities and a childcare centre (<b>Section 6.7</b>).</p>	Yes
<p><b>C17 – Public art</b></p> <p>Future Development Application(s) shall include a Public Art Strategy (PAS) for the inclusion of public art within the development. The PAS shall be prepared in consultation with Council.</p>	<p>The application includes a Public Art Strategy, which indicates the potential locations for public art throughout the development and that the development has a budget of \$200,000 for public art.</p> <p>The Department has considered public art at <b>Section 6.6</b>.</p>	Yes
<p><b>C18 – Heritage</b></p> <p>Future development application(s) shall include a detailed Heritage Impact Statement (HIS), which considers the heritage impact of the development, including any visual and view impacts on adjoining and nearby heritage items and the need for any additional mitigation measures</p>	<p>The application includes a Heritage Impact Statement. The Department has considered heritage at <b>Section 6.9</b> and concludes the development would not have an adverse heritage impact or impact on Aboriginal or non-Aboriginal archaeology.</p>	Yes
<p><b>C19 – Aboriginal archaeology</b></p> <p>Future development application(s) shall include an Aboriginal Archaeological Assessment (AAA) to assess the impacts of the development on the Aboriginal archaeological resources. The AAA shall be prepared in consultation with the Biodiversity and Conservation Division of the Department of Premier and Cabinet, the local Aboriginal community and shall be generally in accordance with the recommendations of the <i>'Aboriginal Cultural Heritage Assessment Report'</i> prepared by Streat Archaeological Services and dated February 2020</p>	<p>The Application includes an AAA. The Department has considered Aboriginal cultural and archaeological impacts at <b>Section 6.9</b> and concludes the development would not have an adverse impacts subject to conditions.</p>	Yes
<p><b>C20 – Environmental performance</b></p> <p>Future development application(s) for new built form must address the National Construction Code of Australia 2019 and demonstrate how the principles of Ecologically Sustainable Development have been incorporated into the design, construction and on-going operation of the new buildings. The development must meet or exceed environmental standards including those equivalent to the following:</p> <p>a) 4-star Green Star Design and As Built rating b) 4-star NABERS Energy and Water rating c) BASIX certification</p>	<p>The application includes ESD and BCA reports, which have demonstrated the development has been designed in accordance with ESD principles and would meet a Green Star environmental target and includes BASIX certification (<b>Appendix B(B5)</b>).</p>	Yes



Condition	Department's consideration	Complies
<p><b>C21 – Traffic and transport</b></p> <p>Future development application(s) shall be accompanied by a Traffic Impact Assessment (TIA) that assesses the traffic, transport and pedestrian impacts on the road and footpath networks and nearby intersection capacity. The TIA shall also address:</p> <ul style="list-style-type: none"> <li>a) traffic generation impacts and any necessary road infrastructure upgrades to adjoining and nearby roads and intersections</li> <li>b) vehicle and pedestrian safety within and around the site</li> <li>c) loading / unloading, servicing, coach, pick-up/drop-off arrangements</li> <li>d) on-site car parking provision, location, access and operation</li> <li>e) the impact of the removal of any existing on-street car parking spaces</li> <li>f) pedestrian and bicycle infrastructure and facilities</li> <li>g) the development's relationship to, and impact on, the Baker Street extension</li> <li>h) access, use and safety of any hotel porte-cochere (if proposed)</li> <li>i) any Gosford City Centre Transport Plan (including draft plan).</li> </ul>	<p>The application includes a TIA, which has addressed the requirements of FEAR C21.</p> <ul style="list-style-type: none"> <li>a) amendments to road restrictions are proposed (<b>Section 6.5.3</b>)</li> <li>b) the proposal has considered vehicle and pedestrian safety</li> <li>c) a loading dock is provided. Coach, pick-up/drop-off is not required</li> <li>d) the proposal has considered car parking (<b>Section 6.5</b>)</li> <li>e) the impact of the removal of two car parking spaces is considered minor (<b>Section 6.5</b>)</li> <li>f) bicycle facilities and a through site link are provided (<b>Section 6.5</b>)</li> <li>g) the proposal does not have an adverse impact on Baker Street. A pedestrian crossing is not required (<b>Section 6.5</b>)</li> <li>h) N/A</li> <li>i) TfNSW confirmed that it is no longer preparing the Gosford City Centre Transport Plan for adoption</li> </ul>	Yes
<p><b>C22 – Traffic and transport</b></p> <p>Future development application(s) shall include a Car Parking Assessment Report (CPAR) that includes a detailed assessment of car parking demand and impacts to confirm the most appropriate number of on-site car parking spaces for the development. In proposing the final car parking rate for the site, the CPAR shall:</p> <ul style="list-style-type: none"> <li>a) consider any existing or draft car parking study or guideline applying to the Central Coast Council local government area</li> <li>b) provide on-site car parking for residential apartments at a rate no more than the requirements of the Gosford City Centre Development Control Plan 2018 and no less than the requirements of the Roads and Maritime Guide to Traffic Generating Developments 2002</li> <li>c) provide parking for 'commercial activities' as defined in the GSEPP at a rate no less than in clause 8.5 of the GSEPP</li> <li>d) undertake a needs-based car parking assessment for the development</li> <li>e) undertake parking surveys (or consider existing recent surveys that may have been undertaken) examining the existing parking pressure on surrounding streets and parking facilities</li> <li>f) analyse existing and projected car ownership details of residents within Gosford and the development</li> <li>g) compare the proposal with other existing and approved developments within Gosford and other similar NSW regional centres</li> </ul>	<p>The application includes a CPAR and confirms the development would provide for 183 car parking spaces.</p> <p>The Department has considered the CPAR against FEAR C22 requirements below:</p> <ul style="list-style-type: none"> <li>a) the CPAR considered Council's on/off-street parking surveys undertaken for the draft Central Coast Council Parking Study 2020.</li> <li>b) 183 spaces is approximately halfway between the GDGP (208) and RMS Guide rates (168).</li> <li>c) retail parking is consistent with clause 8.5 of the GSEPP (16 spaces).</li> <li>d) the CPAR includes a needs based assessment by applying the findings of the responses to each of the FEAR C22 requirements.</li> <li>e) refer to response to point a)</li> <li>f) the CPAR has considered the site location, existing parking, public transport, existing travel behaviour and projected car ownership.</li> <li>g) the CPAR states that as this is the first development under the GDGP there are no other comparable developments.</li> </ul>	Yes

Condition	Department's consideration	Complies
h) consider green travel plan initiatives i) consider any Gosford City Centre Transport Plan (including draft plan).	h) the CPAR includes draft GTP initiatives. The Applicant has confirmed it would accept a condition requiring further resolution of the GTP. i) TfNSW has confirmed the preparation of the Gosford City Centre Transport Plan has been cancelled. The Department has considered the merits of the proposed car parking provision and concludes the proposal addressed the requirements of FEAR C22 and the provision of 183 on-site car parking spaces is justified.	
<b>C23 – Traffic and transport</b> Future development application(s) shall propose on-site car parking at a rate consistent with the findings / conclusions of the CPAR ( <b>FEAR 22</b> ), with the final parking rate to be determined by the consent authority.	The application has provided car parking spaces consistent with the recommendations of the CPAR.	Yes
<b>C24 – Traffic and transport</b> Future development application(s) shall include green travel plans, identifying opportunities to maximise the use of sustainable transport choices.	The application includes a draft GTP. The Department has recommended a condition requiring the preparation and implementation of a final GTP ( <b>Section 6.5</b> ).	Yes
<b>C25 – Bicycle parking and facilities</b> Future development application(s) shall include bicycle parking for residents / employees / visitors and end of trip facilities (toilets, change/locker rooms and showers) in accordance with the Gosford City Centre Development Control Plan 2018. Wayfinding / signage shall be provided as appropriate.	The proposal includes the provision of 63 bicycle parking spaces. The Department has considered bicycle parking at <b>Section 6.5</b> and concludes the proposed rate of parking is acceptable.	Yes
<b>C26 – Bicycle parking and facilities</b> Future development application(s) shall explore opportunities to exceed the Gosford City Centre Development Control Plan 2018 visitor bicycle parking requirements to encourage sustainable modes of transport	The Applicant has stated that it would consult with Council as part of future Stages of the CCQ Precinct about the potential for providing additional bicycle parking within the public domain. The Department has recommended that an additional four bicycle parking spaces be installed within the eastern part of the through site link, adjacent to the Eastern Tower ( <b>Section 6.5.4</b> ).	Yes
<b>C27 – Wind assessment</b> Future development application(s) shall include a Wind Impact Assessment, including wind tunnel testing, which: <ul style="list-style-type: none"> <li>a) assesses the existing and proposed wind environment including the cumulative impact of existing and proposed (approved) tower developments adjoining and nearby the site</li> <li>b) demonstrates spaces within and around the site are suitable for their intended purpose</li> </ul>	The application includes a WIA (including wind tunnel testing), which recommends mitigation measures to address wind impacts. The Department concludes subject to the implementation of the WIA mitigation measures the proposal would provide for an appropriate wind environment within and around the development.	Yes

Condition	Department's consideration	Complies
c) includes mitigation measures to address adverse wind condition where necessary, including amendment to the building elements within the envelope if necessary to provide for planting on the site. In the event that the Wind Impact Assessment recommends landscaping / planting mitigation measures, these shall be shown on the Landscape Plan ( <b>FEAR 9</b> ).	Wind mitigation measures have been incorporated into the landscaping drawings.	
<b>C28 – Waste</b> Future development applications shall include an Operational Waste Management Plan to address storage, collection, and management of waste and recycling within the development.	The application includes an OWMP. The Department concludes the OWMP is acceptable as discussed at The Department has considered bicycle parking at <b>Section 6.5</b> and concludes the proposed rate of parking is acceptable.	Yes
<b>C29 – Utilities</b> Future development application(s) shall include a Utility Services Infrastructure Assessment (USIA) which addresses the existing capacity and any augmentation requirements of the development for the provision of utilities, including staging of infrastructure. The USIA shall be prepared in consultation with relevant agencies and service providers.	The application includes a USIA, which was prepared in consultation with utility providers. The Department has recommended conditions requiring utility connection / augmentation in consultation with utility providers.	Yes
<b>C30 – Utilities</b> Future development application(s) shall consider the location of any existing drainage / sewer infrastructure on the site and the impact of the development on that infrastructure in consultation with Council and/or relevant service owner/provider.	The application has noted the sewer line crossing the Concept Approval site is not located near the Stage 1 application site and would not be realigned / diverted as part of this application. The Department has recommended a condition confirming the sewer realignment does not form part of this application ( <b>Section 6.9</b> ).	Yes
<b>C31 – Operational noise and vibration</b> Future development application(s) shall be accompanied by a Noise and Vibration Impact Assessment (NVIA) that identifies and provides a quantitative assessment of the main noise generating sources and activities during operation. The NVIA shall include details of any mitigations measures to ensure the amenity of sensitive land uses are protected during the operation of the development	The application includes a NVIA. The Department has considered noise and vibration impacts at <b>Section 6.9</b> and concludes impacts can be managed or mitigated subject to conditions.	Yes
<b>C32 – Hydrology</b> Future development application(s) shall consider potential flooding, stormwater, climate change/sea level rise and water quality impacts. Buildings shall be designed to appropriately respond to any constraints and address water sensitive urban design principles and the Gosford Development Control Plan 2013 water cycle management requirements.	The application includes a Water Cycle Management Plan. The Department has considered hydrology impacts at <b>Section 6.9</b> and concludes flooding and stormwater impacts can be managed or mitigated subject to conditions.	Yes
<b>C33 – Land contamination</b> Future development application(s) shall include an updated Stage 2 Detailed Site Contamination Report. The Report must review the history of the site prior to	The application includes a UDSI which confirms the site is suitable for the proposed development.	Yes

Condition	Department's consideration	Complies
1954 and include a Site Contamination Assessment and, as necessary, a Remedial Action Plan reviewed and approved by a site auditor accredited under the <i>Contamination Land Management Act 1997</i> .	The Department has considered contamination at <b>Appendix B(B5)</b> and concludes the potential for significant site contamination is low and impacts can be managed or mitigated subject to conditions.	
<b>C34 – Structure</b> Future development application(s) shall include a Structural Report that demonstrates the proposal can be constructed in accordance with the Building Code of Australia	The application includes a BCA report that demonstrates the development can be constructed in accordance with BCA requirements.	Yes
<b>C35 – Construction</b> All future development application(s) must provide an analysis and assessment of the impacts of construction and include: <ul style="list-style-type: none"> <li>a) Construction Pedestrian and Traffic Management Plan (CPTMP), prepared in consultation with Transport for NSW. The CPTMP must detail vehicles routes, numbers of trucks, hours of operation, access arrangements and traffic control measures and cumulative construction impacts (i.e. arising from concurrent construction activity)</li> <li>b) Construction Noise and Vibration Impact Assessments that identifies and provides a quantitative assessment of the main noise generating sources and activities during construction. Details are to be provided outlining any mitigation measures to ensure the amenity of adjoining sensitive land uses is protected throughout the construction period(s)</li> <li>c) Community Consultation and Engagement Plans</li> <li>d) Construction Waste Management Plan</li> <li>e) Air Quality Management Plan</li> <li>f) Water Quality Impact Assessments and an Erosion and Sediment Control Plan (including water discharge and dewatering considerations)</li> <li>g) Geotechnical and Structural Investigation Report</li> <li>h) Acid Sulphate Soil Assessment and Management Plan</li> <li>i) Sediment and Erosion Management Plan</li> </ul>	The application includes an analysis of the potential construction impacts and the required reports listed under FEAR C35.	Yes

## C2 – Concept Approval Design Guidelines

The Concept Approval includes Design Guidelines (titled '*Central Coast Quarter 26 Mann Street Gosford, Design Guidelines Revision C*', prepared by DKO Architecture and dated 17 June 2020), which are intended to inform the detailed design of development within the Concept Approval site. The Design Guidelines provide guidance on a range of matters including urban design and built form, architecture, public domain, signage and sustainability considerations.

Concept Approval FEAR C15 states that all CCQ applications must consider the requirements of the Design Guidelines. The Department has considered the proposal against the Design Guidelines at **Table 20**.

**Table 20** | Consideration of the proposal against the Design Guidelines

Design Guideline		Complies
<b>3.1 URBAN PERMEABILITY - Through Site Links &amp; Podium Guidelines</b>		
<p>The through site links are to:</p> <ul style="list-style-type: none"> <li>a) include commercial, retail and hotel uses, avoid back of house elevations, support the character of the development and provide activation and animation</li> <li>b) allow pedestrians to permeate through the site and facilitate safe pedestrian movements within the links</li> <li>c) ensure direct public access and line of sight between Mann Street and the Leagues Club Field</li> <li>d) be open to the sky along their entire length, any canopies or awnings shall not enclose the space or reduce the perception of openness</li> <li>e) provide spaces that are accessible and inviting and include convenient and direct mobility impaired access to all parts of the ground level uses and within the through site links</li> <li>f) have readily identifiable entrances on Mann Street and Vaughan Avenue and the entrances shall not be unreasonably narrowed by structures, walls or landscape features</li> <li>g) include areas within soil volumes/depths that can accommodate landscape and trees planting.</li> </ul>	<p>The through site link included in this application:</p> <ul style="list-style-type: none"> <li>a) includes retail uses, has avoided back of house elevations and activates the link</li> <li>b) allows for the free-flow of pedestrians safely through the site</li> <li>c) provides for 24/7 public access and a direct line of sight between Mann Street and the Leagues Club Field</li> <li>d) is open to the sky along its entire length and overhanging elements are kept to the northern side of the link and do not reduce the sense of openness</li> <li>e) provides accessible and convenient access to all parts of the ground level uses and within the through site link</li> <li>f) has a readily identifiable through site link entrance on Mann Street that has not been narrowed by structures, walls or landscape features</li> <li>g) includes some areas of deep soil and adequate soil depths on the structure for trees and landscaping.</li> </ul>	Yes
<p>Podium elevations facing Baker Street, Vaughan Street and Mann Street are to:</p> <ul style="list-style-type: none"> <li>h) provide a human scale 'street wall' and present a fine grain frontage to surrounding streets</li> <li>i) include the principal entrances to each of the residential apartment buildings, which shall be provided with a strong sense of arrival</li> <li>j) ensure above ground podium level car parking is screened/sleeved by commercial, retail or residential uses, or concealed by high quality architectural treatments so as not to be noticeable</li> <li>k) provide for commercial and retail tenancies that have a high degree of visual transparency to reveal active uses</li> <li>l) ensure the development respects and engages with all local streets and connections</li> <li>m) supports the use of bicycles and provision of visitor bicycle parking around and within the development</li> <li>n) buildings must have street numbers prominently displayed on the main street elevation.</li> </ul>	<ul style="list-style-type: none"> <li>h) the podium height is within the Concept Approval envelope height limits and shopfronts have been divided to present a fine grain frontage</li> <li>i) the Baker Street elevation includes the principal residential entrance to the development, which is well designed and identifiable</li> <li>j) all above ground car parking has been sleeved by retail and residential uses and the short length of podium wall (Level 3) adjoining the through site link is of a high-quality finish.</li> <li>k) retail tenancies are transparent and would reveal active uses</li> <li>l) the podium engages with Baker Street and the through site link connection</li> <li>m) visitor bicycle parking is included within the public domain</li> <li>n) the Department has recommended a condition in this regard.</li> </ul>	Yes
<p>Public Art</p> <ul style="list-style-type: none"> <li>o) public artworks are to be integrated into the development and any artwork shall be provided in accordance with the Public Art Strategy for the development</li> </ul>	<p>The proposal includes a Public Art Strategy:</p> <ul style="list-style-type: none"> <li>o) identifying locations for public artworks within the public domain, with a budget of \$200,000</li> </ul>	Yes



Design Guideline		Complies
<p>p) artwork should provide interest, create engagement and draw on local aspects, culture, environment or other subject relevant to the area</p> <p>q) the site has a rich Aboriginal and Non-Aboriginal history and there is an opportunity to integrate heritage interpretation through public art into the development, based on the advice of specialist heritage consultants.</p>	<p>p) the artwork will draw on local aspects, culture, environment or other subject relevant to the area</p> <p>q) the artwork will include Aboriginal and Non-Aboriginal history.</p>	
<b>3.1 URBAN PERMEABILITY – Views &amp; Vistas</b>		
<p>Cutouts in the podium and the location of the tower forms are carefully created to ensure minimal overshadowing to the leagues field club. Future developments must have a visual connection from Mann Street through to Brisbane Water.</p>	<p>The development is wholly contained within the Concept building envelopes, has an envelope volumetric fill of 85%, presents two slender towers and has minimised overshadowing impacts.</p> <p>The through site link ensures there is a strong visual connection between Mann Street and Brisbane Water.</p>	
<b>3.1 URBAN PERMEABILITY – Character of Spaces/Edges</b>		
<p>A series of incisions are created in the horizontal massing of the podium forming smaller elements to achieve a human scale podium with an attractive and active street level experience. The publicly accessible podium space provides active edges and laneways that offers activity and interest for people, thereby drawing the public in and contributing to the connectivity of existing streetscapes and the surrounding pedestrian environment.</p> <p>In alignment with the UDF for Gosford, there is an opportunity to create great spaces for people, with careful consideration of the human scale on the ground plane and how the towers interact with the podiums, laneways with emphasis on safety, casual surveillance are created with high emphasis on amenity.</p>	<p>The podium has been designed to achieve a human scale of development, is articulated and has active edges fronting Baker Street and the through site link.</p> <p>The ground floor retail levels and upper level residential levels ensure a high degree of passive surveillance of the surrounding public domain</p>	Yes
<b>3.2 ARCHITECTURAL CHARACTER</b>		
<p>What makes a city is the unique collection of different architectural styles and forms and in alignment with the vision for Gosford as outlined in the Urban Design Framework for Gosford, there must be a collection of architectural proposals for the site with each following core principles but with unique architectural characters to ensure that development does not need to multiple buildings of the same architectural expression.</p>	<p>This is the first development within the Concept Approval site. Future developments will be required to ensure the site as a whole achieves a diverse architectural expression.</p> <p>The Department has concluded the development achieves design excellence (<b>Section 6.3</b>)</p>	Yes
<b>3.2.1 BUILDING ARTICULATION</b>		
<p>Building articulation is to be generated through the expression of overall massing as well as separate parts of a building. Building articulation could comprise (but not limited to) vertical recesses/shadow gaps within the elevations, architectural treatments (window grouping, blades/fins, louvres and other expressions), entries and stairs, sun shading and balconies.</p>	<p>The proposed podium and tower are highly articulated, including:</p> <ul style="list-style-type: none"> <li>• prominent vertical recesses separating the tower into two parts,</li> <li>• vertical indentations to each elevation of the two tower halves</li> </ul>	Yes

Design Guideline		Complies
	<ul style="list-style-type: none"> <li>varied materials differentiating the podium, tower and tower roof.</li> </ul>	
<p>Consideration should also be given to the follow matters:</p> <ol style="list-style-type: none"> <li>the podium/tower relationship is to be clearly differentiated through means such as facade articulation, recesses, setbacks, colours and materials</li> <li>the buildings must demonstrate contemporary architectural expression and respond to the urban character (existing/emerging) of the Gosford City Centre</li> <li>architectural elements that create a sense of scale or rhythm on the facades are to be employed to add to the richness of the architectural expression</li> <li>elements that are required to moderate environmental conditions shall be designed to enliven a buildings facade</li> <li>building entries must be clearly articulated and be visible from the public domain</li> <li>buildings must not have adverse setting or visual impacts on heritage items.</li> </ol>	<ol style="list-style-type: none"> <li>The podium and tower have been designed to be visually differentiated in form and materials. The tower has been generously setback from the podium edges.</li> <li>The building achieves a high standard of design and appearance (<b>Section 6.4</b>)</li> <li>architectural elements have been used to enhance the overall appearance of the development, mitigate the scale of the towers and provide a visually interesting development appropriate within its context.</li> <li>The tower and podium include deep balconies to address solar gain, which are integrated into the design of the development</li> <li>building entries are clearly articulated and visible from the public domain</li> <li>the development would not have any adverse heritage impacts (<b>Section 6.9</b>).</li> </ol>	Yes
<b>3.2.2 MATERIALS</b>		
<p>The material selection should reflect the intent to create a diversity of built forms and varying architectural styles as opposed to monotonous building expressions. A materials palette should be adopted for the precinct that complements the surrounding urban fabric and the existing/emerging character of Gosford</p> <ol style="list-style-type: none"> <li>utilise variation in materials application and texture to achieve richness in architecture, with: <ol style="list-style-type: none"> <li>a clear distinction expressed between podium and tower elements</li> <li>a greater richness in materiality and texture provided at the lower levels</li> <li>the materiality of the towers is to respond to its context in the city skyline and to form a cohesive, distinctive precinct</li> </ol> </li> <li>longevity, durability, flexibility and maintenance shall be considered in the choice of materials.</li> </ol>	<p>The key materials throughout the development comprise rendered concrete, metal panels and glazing.</p> <p>The podium and tower have been designed to be visually differentiated in form and materials.</p> <p>Materials have been selected for durability and longevity.</p>	Yes
<b>3.3 BUILT FORM</b>		
<p>Tower heights are varied, stepping in a direct response to the natural topography of the surrounding context and allowing views and vistas through to the Rumbalara Reserve. Buildings are expressed as slender tower forms by breaking up the expanses of building wall through modulation of form and vertical articulation of facades.</p> <p>High quality architecture and robust selection of building materiality and finishes are utilised in conjunction with modern building expressions, in order to further enrich the context of Gosford City.</p>	<p>The tower is wholly contained within the Concept Approval building envelope, is stepped in height, has an envelope volumetric fill of 85%, presents two slender towers and includes a vertical building separation gap.</p> <p>The proposal includes high quality and varied materials that are appropriate within the context.</p>	Yes

Design Guideline		Complies
<b>3.3 BUILT FORM – Northern Tower</b>		
<p>As a response to the natural topography of the site, the Northern-most tower is proposed as the tallest of the three towers with each tower stepping progressively lower in height to compliment the natural topography of the ridgeline that frames Gosford.</p> <p>The intention of the built form across the site is to break down the massing of large towers into the perception of multiple slender towers. The heights of the tower are stepped with the Southern portion of the tower lower in order to align with the ridgeline of the Rumbalara Reserve behind. The massing is then offset horizontally so the tower is interpreted in two different planes with a break in the middle.</p> <p>Both halves of the Northern Tower shall include a vertical building separation gap (or alternative articulating feature that emphasises the verticality of the tower and the perception of multiple slender forms). The separation gap shall be wide and deep enough to be appreciated from a distance and form an integral part of the design of the building.</p> <p>The design should ensure the tower provides for an architecturally designed rooftop that complements the overall design of the building and other towers on the site.</p>	<p>The tower is wholly contained within the Concept Approval building envelope, is stepped in height, has an envelope volumetric fill of 85%, presents two slender towers and includes a vertical building separation gap.</p> <p>The roof of the tower is architecturally treated, visually interesting and complements the overall design of the building.</p>	Yes
<b>3.4 SUSTAINABILITY</b>		
<p>The development shall be designed in accordance with ecologically sustainable development (ESD) principles, in accordance with the concept approval environment standards and the following objectives:</p> <ol style="list-style-type: none"> <li>Incorporate best practice passive design features, such as thermal mass, orientation and solar shading, to minimise reliance on technologies to achieve low greenhouse emissions and low energy demand</li> <li>integrate modern energy efficient systems, technology, controls and metering</li> <li>use of high performance glazing and efficient facade design/construction</li> <li>reduce the dependence on mains water by incorporating water efficient fixtures and fittings and integrating rainwater tanks throughout the precinct and incorporate Water Sensitive Urban Design elements</li> <li>incorporate material choices that reduce environmental impacts</li> <li>consider opportunities for natural ventilation.</li> </ol>	<p>The proposal has been designed in accordance with ESD principles and achieves an appropriate standard of sustainable design.</p> <p>The Department has recommended conditions requiring that sustainability targets are met.</p>	Yes
<b>3.4 SIGNAGE</b>		
<p>Any signage provided on the site shall be cohesive, attractive and informative but shall not impact the character and quality of the</p>	<p>The proposal does not include signage. Any signage would form part of separate future planning application(s), as required.</p>	Yes

Design Guideline		Complies
<p>development and shall comply with the following requirements:</p> <ul style="list-style-type: none"> <li>a) building identification signage must relate only to the development/building</li> <li>b) the appropriate size of and building identification signage shall be determined following consideration of location, visual impact and integration with the parent building</li> <li>c) signage lighting is to be arranged and maintained so that the light source is not directly visible from a public right-of-way or adjacent property</li> <li>d) detailed development application shall show the location of the proposed signage and detailing dimensions, proposed colour, material and any method of illumination.</li> </ul>		

## Appendix D – City of Gosford Design Advisory Panel Advice

DAP submission in response to the exhibition of the EIS



Planning,  
Industry &  
Environment

Our Ref SF21/120324  
Your Ref: SSD - 23588910

14 October 2021

Mr Keiran Thomas  
Director Regional Assessments  
Planning & Assessments  
Department of Planning, Industry and Environment

Dear Mr Thomas

### **Central Coast Quarter Stage 1 Northern Tower – Mixed Use Development at No.26-30 Mann Street, Gosford**

The City of Gosford Design Advisory Panel (The Panel) has reviewed the State Significant Development package received on 21 September 2021 for the Central Coast Quarter Stage 1 Northern Tower.

The Panel operates as the design review panel for development proposals under clause 8.4 of *State Environmental Planning Policy (Gosford City Centre) 2018* and to encourage Design Excellence in Gosford City Centre. The Panel's role is advisory in nature and it does not have a role in the determination of applications.

The Panel is satisfied that the development application adequately addresses previous design issues raised and now exhibits Design Excellence.

The Panel provides the following specific design advice in **Attachment A** and recommends that the application be conditioned to ensure the Design Excellence of the development is retained throughout the subsequent delivery phases.

Should you have any enquiries about this matter, I have arranged for Panel Secretariat Mr Trent Wink to assist you. He can be contacted on 4904 2716.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Paulo Macchia'.

Paulo Macchia  
Director Design Governance  
Government Architect NSW  
**Chair, City of Gosford Design Advisory Panel**



## Attachment A – Design Review Panel Advice

City of Gosford Design Advisory Panel*	
Panel meeting	17 May 2021
SSD Referral (Panel members reviewed and provided comments via email)	21 September 2021
Panel members	Paulo Macchia, NSW Government Architect (Chair) John Choi, Design Reference Group Paul Walter, Design Reference Group Jared Phillips, Central Coast Council - Design Reference Group
Proposal name	Central Coast Quarter “St Hilliers” Stage 1 DA
Street Address/property description	26-30 Mann Street, Gosford Lot 111 DP1265226, Lot 469 DP 8211073 and Lots 2-7 DP 14761
Proposal description	Central Coast Quarter –Northern tower and through site link Mixed use development comprising residential and commercial/retail uses
Proposal details	<p>IPC determination 24 August 2020 - Concept Approval</p> <ul style="list-style-type: none"> <li>• a building envelope including a podium and three towers, comprising: <ul style="list-style-type: none"> <li>○ maximum tower heights including: <ul style="list-style-type: none"> <li>- Northern Tower up to RL 71.3m and RL 81.4m</li> <li>- Southern Tower up to RL 52.6m, RL 58.8m and RL 65.1m</li> <li>- Eastern Tower up to RL 71.3m</li> </ul> </li> <li>○ maximum of 39,244 m<sup>2</sup> GFA for residential, hotel and commercial / retail uses</li> <li>○ site-wide concept landscape plan including through site links</li> <li>○ design guidelines and design excellence strategy.</li> </ul> </li> </ul> <p>Site area: 8884m<sup>2</sup></p>
Proponent	SH Gosford Residential Pty Ltd
Pre Lodgement Design Reference Group workshops	<p>16 December 2020 – Design Reference Group workshop No.1</p> <p>2 February 2021 – Design Reference Group workshop No.2</p> <p>24 February 2021 – Design Reference Group workshop No.3</p> <p>30 March 2021 – Panel Meeting – proceed to DA lodgement</p>
Material considered by the Panel	<p>Regional Assessment’s referred the State Significant Development exhibition package, which included Environment Impact Statement prepared by Urbis and dated September 2021 and appendixes B to II.</p> <p>The following Appendixes were of particular relevance:</p> <ul style="list-style-type: none"> <li>• Appendix B Architectural Plans</li> <li>• Appendix C Architectural Design Report</li> <li>• Appendix D Design Guidelines Assessment</li> </ul>

	<ul style="list-style-type: none"> <li>• Appendix F Landscape Plans and Drawings</li> <li>• Appendix G Visual and View Loss Assessment</li> <li>• Appendix I Reflectivity Report</li> <li>• Appendix J Wind Report</li> <li>• Appendix M Traffic Impact Assessment</li> <li>• Appendix R Heritage Impact Statement</li> <li>• Appendix S Aboriginal Archaeology Assessment</li> <li>• Appendix T Social and Economic Impact Assessment</li> <li>• Appendix W Arborist Report</li> <li>• Appendix CC BASIX Report</li> <li>• Appendix DD Access Report</li> <li>• Appendix FF Public Art Strategy</li> </ul>
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*\* The Panel operates as the design review panel for development proposals under clause 8.4 of State Environmental Planning Policy (Gosford City Centre) 2018 and to encourage design excellence in Gosford City Centre.*

#### **Panel advice:**

A summary of the Panel's comments and advice is provided below:

1. The proponent and the design team are commended for their commitment and responsiveness to the design review process. Specific design issues raised at the DRG workshops have been well addressed and resolved.
2. The Panel is unanimous and forms the opinion that the development exhibits Design Excellence. The through site link provides significant public benefit and the timing of delivery should be resolved with the Regional Assessments Team.
3. The Regional Assessments Team should continue to liaise with the proponent to explore options to address the following specific design issues:
  - Measures to mitigate the southerly wind effects. The mitigation measures should contribute towards the overall identity and character of the development;
  - Opportunity to provide curved glass instead of segmentation glass along the retail frontages;
  - Opportunity to provide access stairs near the lobby lifts to improve building accessibility and vertical circulation; and,
  - Liaise with the Central Coast Council about the proposed treatments of the public domain in proximity to the development to further enhance its public domain interfaces.
4. It is recommended that the application be conditioned as follows:

*In order to ensure the Design Excellence of the development is retained throughout the subsequent delivery phases:*

- *An appropriate Design Integrity Panel process is established;*
- *The design architect is to have direct involvement in the design documentation, contract documentation and construction phases of the project;*
- *Evidence of the design architect's commission is to be provided to the Principal Certifying Authority prior to the release of the construction certificate; and,*
- *The design architect of the project is not to be changed without prior notice and approval of the Department of Planning Industry and Environment.*

## Appendix E – Summary of Department's Consideration of Public Submissions

A summary of the Department's consideration of the issues raised in submissions is provided at **Table 21**.

**Table 21** | Summary of the Department's consideration of key issues raised in public submissions

Issue raised	Department's consideration
Loss of private views	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The application includes a Visual and View Loss Assessment (VIVA) and addendum information from the applicant, which concludes the development is consistent with the Concept Approval building envelope parameters and the established view sharing principle has been maintained.</li> <li>The Department is satisfied the proposal would not have any adverse impact on views from apartments within existing and proposed residential buildings east of the site, beyond what has already been considered acceptable via the Concept Approval as: <ul style="list-style-type: none"> <li>the development is contained within the Concept Approval building envelope.</li> <li>the building fills only fill 85% of the building envelope and view loss impacts are overall less than the maximum assessed under the Concept Approval</li> <li>the proposal would not obstruct Concept Approval view corridors and therefore maintains the established view sharing principles.</li> </ul> </li> </ul>
Building height and scale and development density	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The development comprises a tower with stepped roof line set above a split-level podium. The tower maximum building heights are between RL 81.4m and RL 69.7m and are therefore consistent with the Concept Approval maximum building heights.</li> <li>VIVA provided perspectives of the proposed development when viewed from key public vantage points. The Applicant contends the height and scale of the tower is appropriate within the Gosford City Centre context and has acceptable visual impacts.</li> <li>The Department concluded the proposed height and scale is acceptable as it complies with the Concept Approval built form development controls for the site and will be consistent with the future desired character of development within Gosford City Centre. In addition, the Gosford Design Advisory Panel (DAP) has considered the development in detail and confirms it achieves design excellence.</li> <li>Further the development provides for an appropriate built form relationship to existing and future adjoining buildings and would not have adverse amenity or visual impacts.</li> <li>The development includes the creation of 13,884m<sup>2</sup> GFA including 136 apartments and 621m<sup>2</sup> retail accommodation. The Department is satisfied the development is consistent with the Concept Approval height and GFA requirements and therefore provides for an acceptable density of development in accordance with the planning framework established for the Central Coast Quarter.</li> </ul> <p><i>Recommended conditions</i></p> <ul style="list-style-type: none"> <li>Consistency with the Design Excellence Strategy for the site, establish a design integrity process, ongoing retention of the design team and involvement of the DAP throughout the construction of the development.</li> </ul>

Issue raised	Department's consideration
<p><i>Traffic and parking</i></p>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The TIA predicts the development would generate approximately 101 AM and 73 PM vehicle movements during peak times.</li> <li>• The TIA concluded that the surrounding road network would operate at a similar level of performance as existing during the predicted 2023 and 2336 peak scenarios. In addition, the two Central Coast Highway intersections would operate over capacity, however, this would occur with or without the development.</li> <li>• The proposal includes amendments to local road restrictions to improve the operation of the Vaughan Avenue / Mann Street intersection performance.</li> <li>• The Department considers the proposal would not have adverse traffic impacts as traffic generation is consistent with the Concept Approval, would have a negligible impact on road / intersection operation, the Applicant will pay the SIC levy and the GTP would encourage sustainable transport measures. The Department supports the amendments to road restrictions</li> <li>• The application includes a Car Parking Assessment Report (CPAR), which has undertaken an assessment of parking demand and impact. The CPAR concluded the provision of 183 car parking spaces is consistent with the Concept Approval, would accommodate parking demand generated by the development. In addition, the Applicant proposes to prepare and implement a Green Travel Plan (GTP), which would encourage sustainable transport options.</li> <li>• The Department has considered the CPAR against the requirements of the Concept Approval and concludes the CPAR has undertaken an adequate assessment of car parking need relating to the development and therefore has adequately justified the provision of 183 on-site car parking spaces. The Department supports the implementation of the GTP. However, recommends it is prepared in consultation with TfNSW.</li> </ul> <p><i>Recommended conditions</i></p> <ul style="list-style-type: none"> <li>• the road restriction amendments must be implemented prior to occupation of the development and car parking must be provided in accordance with the CPAR.</li> <li>• the Applicant must pay the relevant SIC contribution.</li> <li>• the GTP be prepared in consultation with TfNSW and implemented thereafter.</li> </ul>
<p><i>Construction noise</i></p>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The application includes a Noise and Vibration Impact Assessment (NVIA), which confirmed construction may result in noise impacts on adjoining properties. The NVIA recommended mitigation measures including preparation of a Construction Noise and Vibration Management Plan (CNVMP), noise monitoring and mitigation measures where noise limits are exceeded.</li> <li>• The Department supports the Applicant's mitigation measures and recommends works be restricted to Council's standard hours of construction (7am to 6pm Monday to Friday and 8.00 am to 4.00 pm Saturdays).</li> <li>• To further manage noise impacts to residential receivers during standard construction hours, the Department also recommends conditions requiring the Applicant to implement the mitigation measures outlined in the AR, preparation and implementation of the CNVMP, respite periods and other controls.</li> <li>• The Department is satisfied that, subject to the conditions, noise and vibration impacts can be satisfactorily managed and mitigated to ensure the amenity and operations of surrounding sensitive receivers is not adversely impacted upon.</li> </ul> <p><i>Recommended conditions</i></p> <p>Conditions include list summary of conditions that relate to the issue</p>

Issue raised	Department's consideration
	<ul style="list-style-type: none"> <li>Construction work shall be carried out in accordance with the Applicant's management and mitigation measures.</li> <li>Construction work shall be limited to standard construction hours, include respite periods, not be 'offensive noise' and all construction vehicles shall only arrive at the site during the permitted hours of construction.</li> <li>preparation and implementation of a CNVMP.</li> </ul>
<i>Overshadowing</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The application includes an Overshadowing Analysis, which confirms the development: <ul style="list-style-type: none"> <li>is contained wholly within the approved building envelopes</li> <li>would result in a 4% reduction in overshadowing of the League Club Field when compared to the maximum impact of the approved Concept Approval building envelopes</li> <li>would not result in overshadowing of any existing neighbouring residential properties between 9am and 3pm during mid-winter.</li> </ul> </li> <li>The Department is satisfied the development is contained wholly within the Concept Approval building envelopes, has minimised overshadowing on nearby public open spaces and would not overshadow nearby residential properties.</li> </ul>
<i>Impact on open space</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The application includes a Social and Economic Impact Assessment (SEIA), which considered future likely demand for open space and concluded the predicted demand would be met by existing on-site communal open space and adjoining public open space.</li> <li>The Department notes the site does not constitute 'open space' and its redevelopment does not constitute a loss of open space.</li> <li>The Department is satisfied the public open space demands resulting from the development would be met by nearby public open spaces. In particular, the Department notes: <ul style="list-style-type: none"> <li>the recent completion of significant upgrades to the Leagues Club Field, which increase the functionality and usability of that space</li> <li>the development includes 53% communal open space, which exceeds the recommended ADG standard (30%)</li> <li>the development includes a landscaped, publicly accessible through site link.</li> </ul> </li> </ul>
<i>Public benefit</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department is satisfied the proposal would provide for appropriate public benefits including the new landscaped through site link, improved public domain and creation of approximately 105 construction and 21 on-going operational jobs</li> <li>The Department also notes future stages of the Central Coast Quarter would also provide for public benefits including the second through site link, additional jobs and public domain improvements.</li> </ul>
<i>Property values</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department considers matters relating to the private contracts of sale and/or value of properties are not planning matters for consideration and therefore objections based on loss of property value are not able to inform the assessment of the application.</li> <li>Notwithstanding this, the Department assessed the merits of the modification in detail and concludes, subject to conditions, the development has acceptable</li> </ul>



Issue raised	Department's consideration
	impacts. Therefore, the Department is satisfied the proposal is unlikely to result in any significant adverse impacts on property prices

## **Appendix F – Recommended Instrument of Consent**

The recommended instrument of consent can be found on the Department's website as follows.

<https://www.planningportal.nsw.gov.au/major-projects/project/42296>