

Department of Planning, Housing and Infrastructure

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# Central Coast Quarter Stage 1 Modification 7

State Significant Modification Assessment Report (SSD-23588910-Mod-7)

October 2025





# Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Central Coast Quarter Stage 1 Modification 7 (SSS-23588910-Mod-7)  
Assessment Report

Published: October 2025

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# Preface

This assessment report provides a record of the Department of Planning, Housing and Infrastructure's (the Department) assessment and evaluation of modification 7 of the State significant development (SSD) application for the Central Coast Quarter located at 30 Mann Street, Gosford lodged by UPG Waterfront Pty Ltd. The report includes:

- an assessment of the modification against government policy and statutory requirements, including mandatory considerations
- a demonstration of how matters raised by the community and other stakeholders have been considered
- an explanation of any changes made to the modification during the assessment process
- an assessment of the likely environmental, social and economic impacts of the modification
- an evaluation which weighs up the likely impacts and benefits of the modification, having regard to the proposed mitigations, offsets, community views and expert advice; and provides a view on whether the impacts are on balance, acceptable
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether the consent should be modified and any conditions that should be imposed.

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# 1 Introduction

## 1.1 The proposal

This report provides the NSW Department of Planning, Housing and Infrastructure (the Department's) assessment of an application to modify the State significant development (SSD-23588910) consent for the construction of a mixed-use 22-25 storey tower including 136 apartments, 621m<sup>2</sup> commercial floorspace, 183 car parking spaces, landscaping and a pedestrian through-site link. SSD-23588910 forms stage 1 of the Central Coast Quarter (CCQ) Concept Plan (SSD-10114). This is the seventh modification to the development consent.

The modification application seeks approval to modify the consent to adopt minor design changes to the basement and car parking areas, including:

- partial demolition of slabs to facilitate future stage construction (removing vehicular access to the future stage of the project)
- reconfiguration of car and bicycle parking, relocation of the cold-water pump room
- the addition of storage cages and a storeroom
- amendment to condition F35, which requires the completion of landscaping of the site prior to the commencement of operation, to be amended to require the completion of landscaping prior to the commencement of the relevant Occupation Certificate.

The proposed amendments will not alter the external appearance, scale, or function of the development and will focus on integrating with the approved built form.

The application was lodged on 31 July 2025 by UPG Waterfront Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act)

## 1.2 Central Coast Quarter

The subject site is located at 26-30 Mann Street, Gosford in the Central Coast local government area (LGA) and within the Central Coast region of NSW (see **Figure 1** and **Figure 2**).

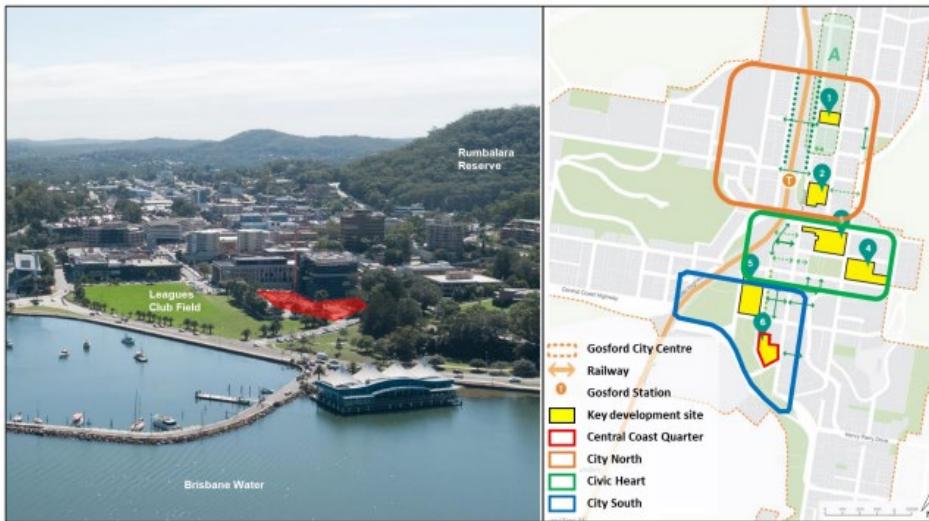
The site is known as the CCQ Precinct, which is a new development precinct located within the City South area of the Gosford City Centre. The Stage 1 site is located within the northern half of the CCQ Precinct, is irregular in shape and has an area of 4,255m<sup>2</sup>.

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. The remainder of the CCQ Precinct is located to the south. The site is legally described as Lots 1-4 in DP 1296100.

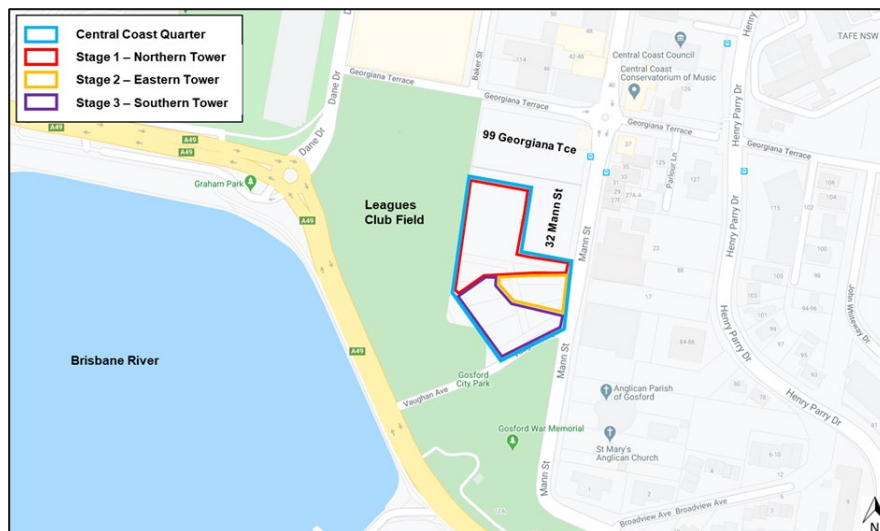
Concept Approval for a mixed-use development on the site was granted, comprising (Figure 2):

- 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

The proposed modification relates specifically to Stage 1, the Northern Tower.



**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)



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

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 2**. To the:

- north of the site is a 6-storey modern commercial building at 32 Mann Street, the 5 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 2 and 3 storey commercial buildings fronting Mann Street, 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. Beyond this is the Central Coast Highway, Brisbane Water foreshore and Central Coast Stadium.

### 1.3 Concept Plan Approval SSD-10114

On 24 August 2020, the Independent Planning Commission (Commission) approved SSD Concept Proposal (SSD-10114) for the redevelopment of the CCQ site (**Figure 3**), providing for:

- a building envelope including a podium and three towers up to approximately 25 storeys
- maximum of 34,861m<sup>2</sup> GFA for residential, hotel and commercial / retails uses
- site-wide concept landscape plan including through-site links
- design excellence strategy and design guidelines to guide future development.

#### 1.3.1 Modification to Concept Plan

The Concept Plan Approval (SSD-10114) has been modified twice as set out in **Table 1**.

Table 1 | Summary of modifications to concept approval (SSD-10114)

Modification	Description	Decision-maker	Type	Date
<b>MOD 1</b>	Change the use of the eastern tower from Hotel to Commercial	Department	4.55(1A)	11 September 2022
<b>MOD 2</b>	Change the use of the eastern tower from Commercial to Residential	Department	4.55(1A)	30 June 2023

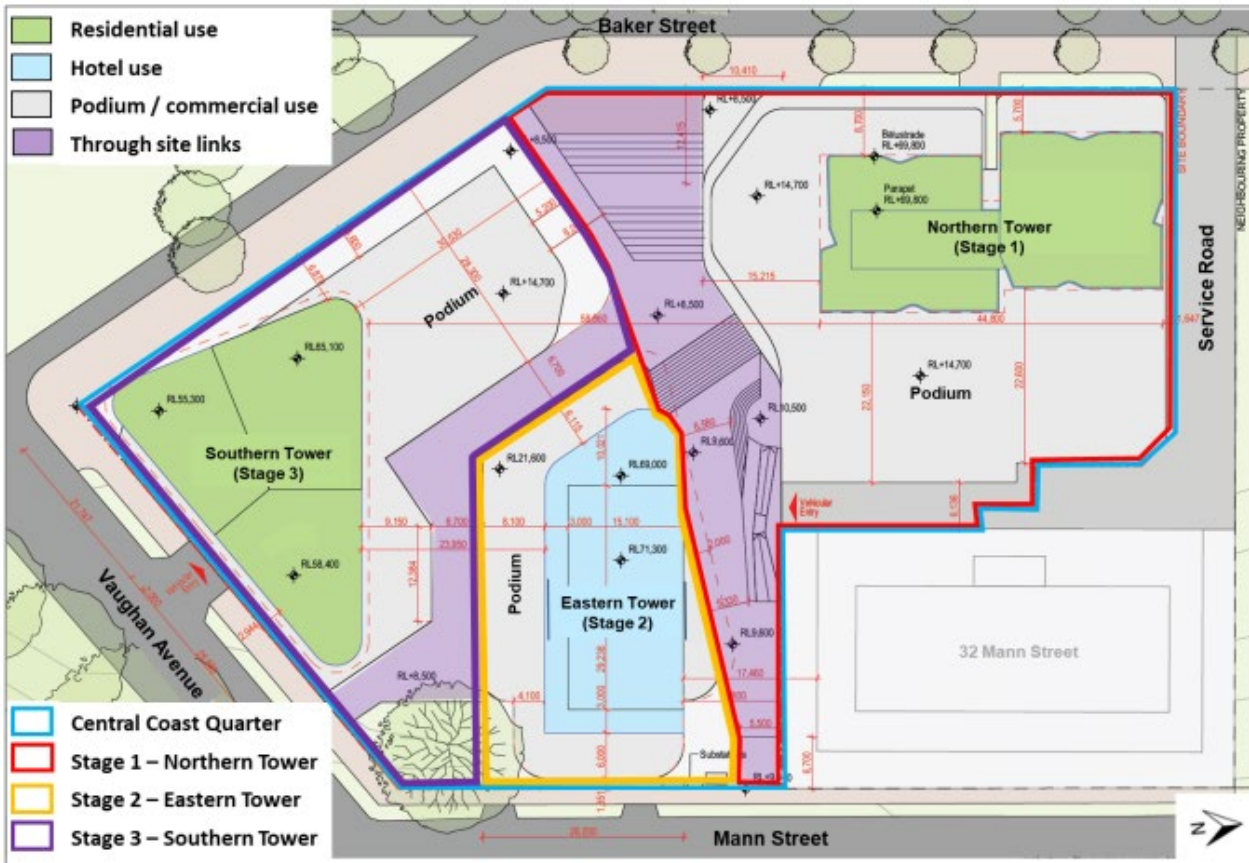


Figure 3 | Concept approval development stages

## 1.4 Stage 1, Northern Tower detailed consent

On 31 March 2022, development consent was granted for the detailed development of the Central Coast Quarter - Stage 1, Northern Tower (SSD 23588910). The consent permits the following works:

- construction of a 22 to 25 storey mixed-use tower and podium for residential and commercial use and associated public domain and landscaping works
- a total of 13,884m<sup>2</sup> GFA comprising:
  - 13,263m<sup>2</sup> residential GFA
  - 621m<sup>2</sup> retail GFA
- 136 apartments comprising:
  - 14 x 1-bedroom apartments
  - 107 x 2-bedroom apartments
  - 1 x 4-bedroom apartment
- a total of four retail units located within the podium, two fronting Baker Street and two fronting the through-site link

- 183 car parking spaces comprising:
  - 140 residential spaces
  - 27 residential visitor spaces
  - 16 retail spaces
- provision of a pedestrian through-site link connecting Baker and Mann Streets
- 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.

#### 1.4.1 Modification to Stage 1 Northern Tower detailed consent

The detailed consent for Stage 1, Northern Tower (SSD-23588910) has been modified on five occasions (**Table 2**)

**Table 2** | Summary of modifications to stage 1 northern tower detailed consent

Modification	Description	Decision-maker	Type	Date
<b>MOD 1</b>	Minor internal and external design amendments to the approved plans. There were no changes in building height or envelope. No change in number of apartments or car spaces and a minor decrease in Gross Floor Area.	Department	4.55(1A)	23 September 2023
<b>MOD 2</b>	Inclusion of a lightning protection device on the roof of the northern tower, minor internal layout amendment and correction of an error on the eastern elevation plan.	Department	4.55(1A)	29 May 2023
<b>MOD 3</b>	Internal changes to both the commercial/retail and residential land uses and a reduction in two units	Department	4.55(1A)	28 August 2024

Modification	Description	Decision-maker	Type	Date
<b>MOD 4</b>	Minor rooftop and communal open space design amendments	Department	4.55(1A)	4 December 2024
<b>MOD 5</b>	Minor design amendments to façade and crown of Northern Tower	Department	4.55(1A)	10 June 2025
<b>MOD 6</b>	15 signage zones on the retail podium for business and building identification signage as well as one business identification sign on the western roof façade.	Department	4.55(1A)	Currently under assessment at the time of writing this report

## 2 Proposed modification

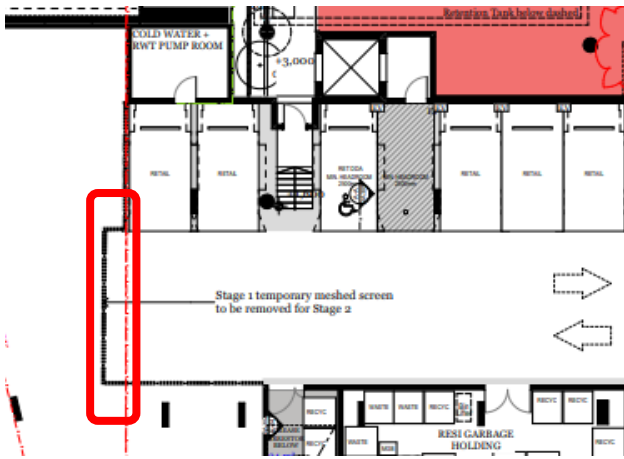
### 2.1 Modification overview

The modification application seeks approval to modify the consent to adopt minor design changes to the basement and car parking areas and changes to condition F35, including:

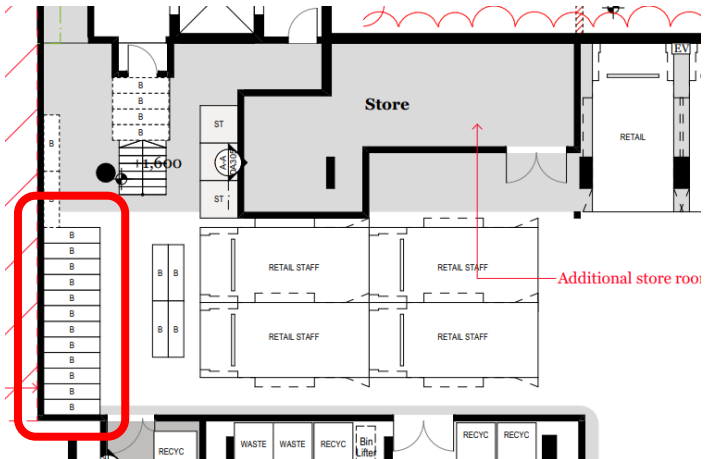
- partial demolition of slabs to facilitate future stage construction (removing vehicular access to the future stage of the project as shown in **Figure 4** and **Figure 5**)
- reconfiguration of bicycle parking (as shown in **Figure 6**, **Figure 7** and **Figure 8**)
- relocation of the cold-water pump room (as shown in **Figure 9** and **Figure 10**)
- reconfiguration of retail and visitor parking (as shown in **Figure 11**, **Figure 12**, **Figure 13** and **Figure 14**)
- the addition of storage cages and a storeroom (as shown in **Figure 5**)
- amendment to condition F35, which requires the completion of landscaping of the site prior to the commencement of operation, to be amended to require the completion of landscaping prior to the commencement of the relevant Occupation Certificate.

The applicant have indicated that while the vehicle access between the existing northern tower and the future stage 2 basement is to be removed, to ensure the centralised loading and waste collection area in the northern tower can serve the stage 2 of the development, the stage 2 detailed design will be able to implement a bin hoist that will facilitate the movement of the bins between the stage 1 and stage 2 basement.

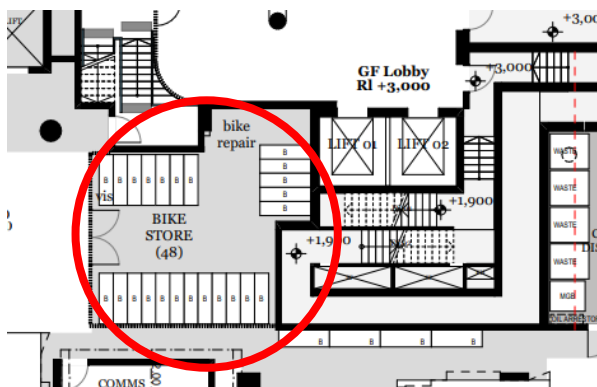
The figures below include representations of approved plans and the proposed arrangement under the current modification, within the red circular and rectangular outlines highlighting the areas to be amended. The proposed amendments will not alter the external appearance, scale, or function of the development.



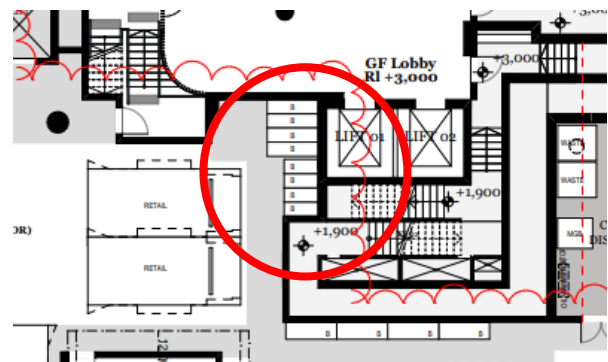
**Figure 4** | approved vehicle access to future stage (Ground floor)



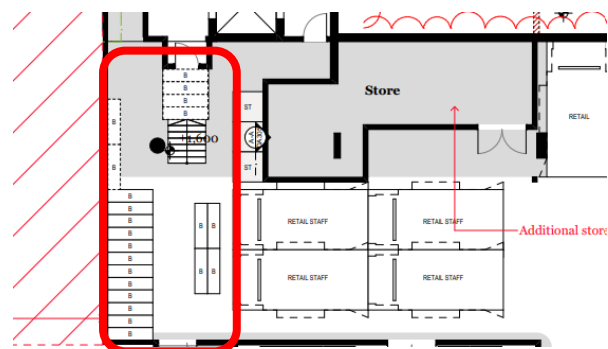
**Figure 5** | proposed closure of vehicle access to future stage (Ground floor)



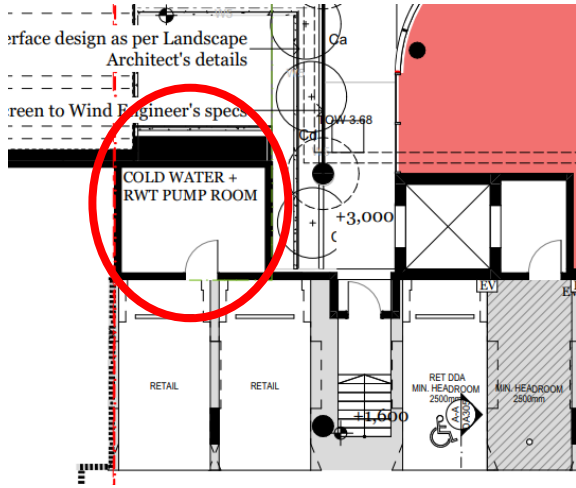
**Figure 6** | approved bicycle storage facility (ground floor)



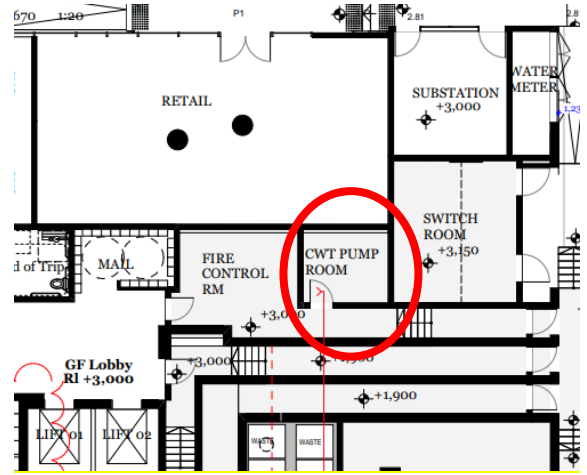
**Figure 7** | proposed bicycle storage location (ground floor)



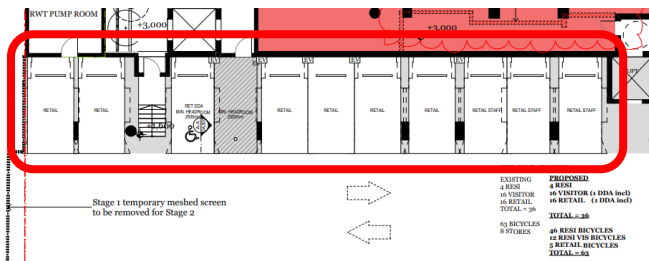
**Figure 8** | proposed bicycle storage location (ground floor)



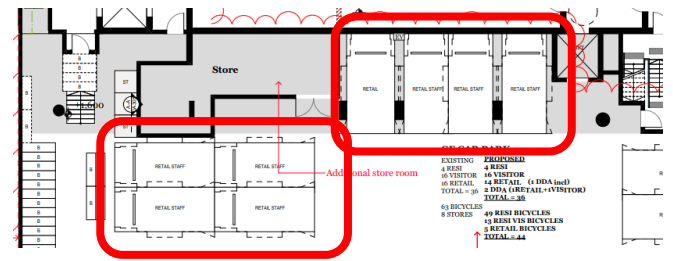
**Figure 9** | approved cold water and pump room location (ground floor)



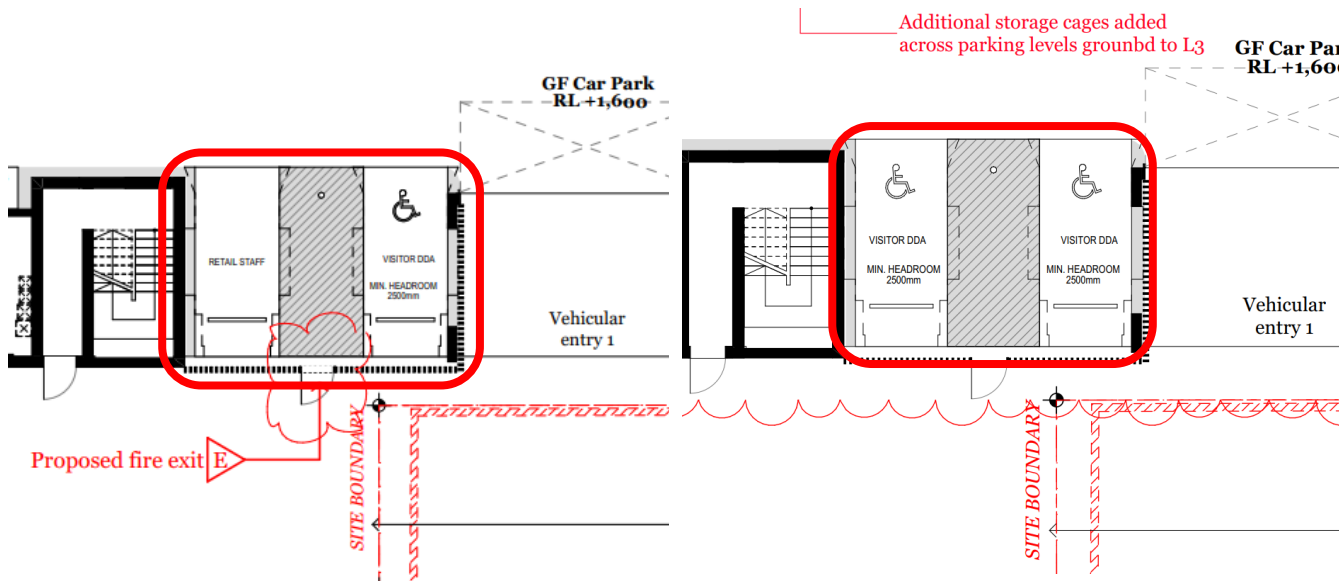
**Figure 10** | Proposed cold water and pump room location (ground floor)



**Figure 11** | approved retail and visitor parking (ground floor)



**Figure 12** | proposed retail and visitor parking (ground floor)



**Figure 13** | approved visitor DDA parking space location

**Figure 14** | proposed visitor DDA parking space location

# 3 Statutory context

Details of the legal pathway under which modification is sought and are provided in **Table 3** below.

**Table 3** | Permissibility and assessment pathway

Consideration	Description
<b>Scope of modification</b>	<p><b>Modification involving minimal environmental impact</b></p> <p>The Department has reviewed the scope of the modification and considers that it can be characterised as a modification involving minimal environmental impact as the proposal involves closing off ground floor access to future stage 2 development, reconfiguration of vehicle and bicycle parking, reconfiguration of cold-water tank, introduction of a new store room and amending condition F35 to ensure landscaping is completed prior to the commencement of the relevant Occupation Certificate.</p> <p>The Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&amp;A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&amp;A Act rather than requiring a new development application to be lodged.</p>
<b>Consent Authority</b>	<p><b>Minister for Planning and Public Spaces</b></p> <p>The Minister continues to be the consent authority under section 4.5(a) of the EP&amp;A Act and has the capacity to modify the consent of the project.</p>
<b>Decision-maker</b>	<p>Under the Minister’s delegation dated 9 March 2022, the Team Leader, Regional Assessments, may determine the application as:</p> <ul style="list-style-type: none"><li>• no public submissions were received</li><li>• no objection from Council was received</li><li>• no political donations were declared.</li></ul>

## 3.1 Mandatory matters for consideration

### 3.1.1 Matters of consideration required by the EP&A Act

In determining the modification, the consent authority must take into consideration the matters referred to in section 4.15(1) of the EP&A Act as are of relevance to the development the subject of

the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified. The Department's consideration of these matters is shown in **Table 4** below.

**Table 4** | Matters for consideration

Matter for consideration	Department's assessment
<b>Environmental planning instruments, proposed instruments, development control plans &amp; planning agreements</b>	Appendix C
<b>EP&amp;A Regulation</b>	Appendix C
<b>Likely impacts</b>	Section 5 – Assessment
<b>Suitability of the site</b>	Section 1- Modification background, Section 5 – Assessment
<b>Public submissions</b>	Section 4 - Engagement & Section 5 – Assessment
<b>Public interest</b>	Section 5 – Assessment and Section 6 – Evaluation
<b>Reasons for granting consent</b>	The proposed modifications do not detract from the reasons for which consent was granted.

### 3.1.2 Objects EP&A Act

In determining whether or not to modify the consent, the consent authority should consider whether the modified project is consistent with the relevant objects of the EP&A Act (section 1.3) including the principles of ecologically sustainable development. Consideration of those factors is described in **Appendix C**.

The Department is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ecologically sustainable development (ESD).

### 3.1.3 Biodiversity development assessment report

Section 7.17(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD modifications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the authority or person determining the application is satisfied that the modification will not increase the impact on biodiversity values (as identified in the BC Act and in the Biodiversity Conservation Regulation 2017)

The Department is satisfied that the modification will not increase the impact on biodiversity values and consequently a BDAR is not required to accompany the modification application.

### 3.1.4 Concept plan

The concept plan establishes a planning framework to be addressed in future DA(s) for development within the CCQ Precinct. Section 4.24(2) of the EP&A Act requires that while any consent granted on the determination of a concept development application for a site remains in force, the determination of any further application in respect of the site cannot be inconsistent with the consent for the concept proposal.

The Department has considered the proposed modification and is of the opinion that the modified development is not inconsistent with the concept approval, which remains in force. The Department has also considered the development against the relevant concept approval requirements in detail at **Appendix B**.

# 4 Engagement

## 4.1 Department's engagement

In accordance with the EP&A Regulation the Department made the modification application publicly available on the Department's website on 14 August 2025 and forwarded the application to Council for comment.

Council did not raise any issues with the proposed modification.

Condition A9 of the development consent for the Stage 1 detailed development, Northern Tower (SSD-23588910) requires that any future modification of the development be reviewed by CoGDAP (CoGDAP) prior to lodgement. The CoGDAP raised concerns regarding:

- the potential traffic impacts on Baker Street as a result of removing the vehicle connection between the Northern Tower basement and the future Stage 2 basement
- the relocation accessible parking at the ground floor basement (**Figure 13** and **Figure 14**)
- the proposed bin hoist arrangement between the shared Stage 1 & 2 garbage storage and bin pick-up areas
- the removal of bike parking in a lockable room and relocation of bike parking in different areas at the ground level.

No comments or objections were made regarding the new proposed storeroom and the relocation of the cold- water pump room.

## 4.2 Request for further information

On 16 September 2025, the Department issued a request for further information (RFI) to the applicant requesting further clarification and information on:

- the proposed relocation of accessible visitor parking spaces
- the proposed bin hoist, including how it will operate spatially between the approved stage 1 and future stage 2 buildings
- consideration to retain the bicycle parking in its original lockable room
- a justification for the proposed additional storeroom.

On 19 September 2025, the applicant submitted its response to the RFI via the Major Project Portal, which included detailed responses to the issues raised in the Department's RFI.

# 5 Assessment

The Department has assessed the proposal, considering all documentation submitted by the applicant, Council's submission and all issues raised by CoGDAP. The Department considers the key assessment issues to be:

- Traffic and access
- Accessible parking
- Location of services and storage
- Bicycle parking
- Amendments to condition F35

## 5.1 Traffic and access

Concerns were raised by CoGDAP regarding the proposed removal of access between the approved stage 1 and future stage 2 ground level basements as shown in **Figure 4** and **Figure 5**. CoGDAP noted that the removal of vehicle access between the two ground level basements would have an impact on traffic volumes and access onto Baker Street and its public domain and that the proposed amendments would result in potential impacts for the wider street network in terms of vehicle movements. It was also noted that the concept plan has approved the entries connected across stage 1 and 2 basements.

CoGDAP recommended that the proposed removal of access between stage 1 and 2 basements be validated by an updated traffic and access impact assessment, to ensure that the proposed removal of access between the two basements does not result in adverse impacts on Baker Street and its public domain.

The concerns raised by CoGDAP on the removal of access between stage 1 and 2 basements are noted however, the access between the two basements was intended to provide thoroughfare for the occupants between the two buildings. The dual accessway between stages 1 and 2 basements was not a design feature that was included with the intention to reduce traffic on Baker Street or the surrounding street network.

The Department notes that entrance to the future stage 2 development is provided separately, off Baker Street, which has been considered in the traffic impact assessment for the concept approval. The second vehicular entry into the future stage 2 development has been presented in the concept approval and stage 1 architectural drawings, which clearly indicates that there are two separate entry/exit points for stage 1 and 2 off Baker Street. As such, the Department considers that an

updated traffic study assessing the potential traffic and access impacts on Baker Street and its public domain is not required. The Department is satisfied that the proposed removal of access within stage 1 and future stage 2 basements will not have any adverse impacts on Baker Street or any other surrounding road network. The occupants of future stage 2 will be able to access the development through a previously approved 'vehicular entry 2' point, along Baker Street, which has been considered in the traffic and access impact assessment that informed the concept approval.

## 5.2 Accessible parking

The modification proposes to relocate one accessible visitor ground level parking space on the western side of an existing approved accessible visitor parking space, adjacent to the vehicle entry and vehicle access ramp. The Department raised concerns that the accessible visitor parking space will be further from the lifts, and its new location could potentially cause conflict between pedestrians and vehicles due to its proximity to the vehicle ramp entry/exit.

The applicant noted that the proposed relocation of the accessible visitor space had been reviewed by the project's access consultant, who confirmed that the proposed location of the accessible visitor parking space is acceptable as a compliant and suitable path of travel to the lifts is maintained throughout the ground floor basement, directly to the lifts. The applicant also noted that the accessible spaces have been designed in accordance with AS/NZS 2890.6-2009 and will maintain compliance with the Disability (Access to Premises – Buildings) Standards 2020, the Accessibility Provisions of the Building Code of Australia (BCA), and AS 4299 Adaptable Housing. A letter from the project's access consultant Jensen Hughes confirming the suitability of the proposed accessible parking space is appended to the applicant's response to RFI.

The Department has considered the proposed relocation and potential impacts of one accessible visitor parking space to the western side of an already approved (under Modification 3) accessible visitor parking space, adjacent to the vehicle entry and vehicle access ramp. Whilst the proposed location of the parking space is somewhat further from the lifts in the approved design, a clear path of travel to the lifts is maintained from the new location. Pedestrians can travel directly west to the lifts, which will not directly interfere with vehicles entering and exiting the basement.

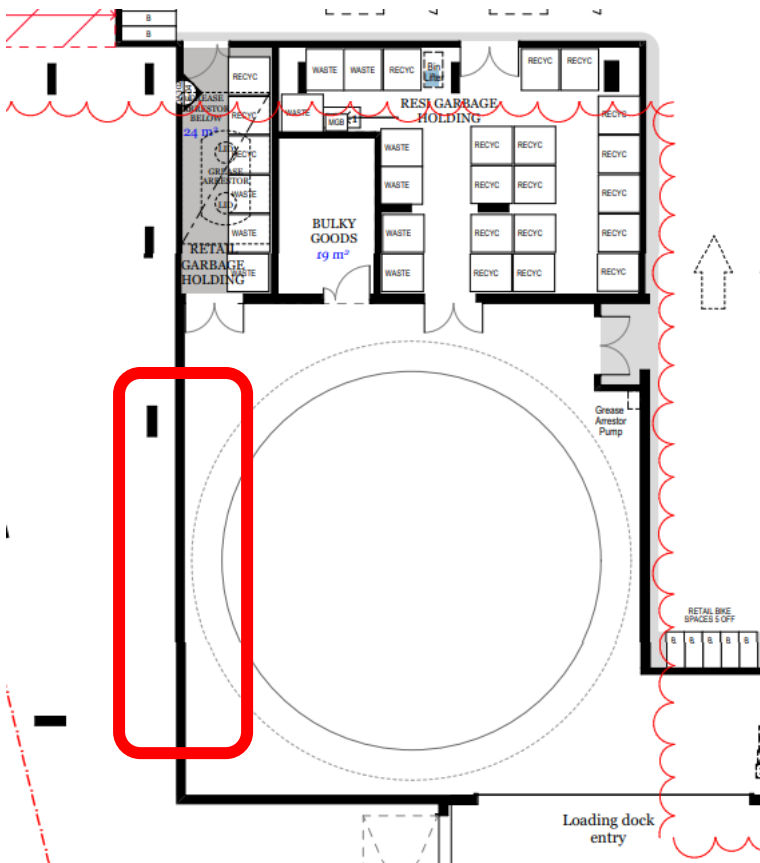
The Department considers the proposed relocation of the accessible visitor parking space is acceptable as it allocates the two accessible visitor spaces to the same designated space. The Department is satisfied that the proposed relocation of the accessible visitor parking space complies with all applicable statutory and technical standards, delivering safe, inclusive and accessible outcomes for all future users, including people with mobility needs. The proposed relocation of the parking space will not result in a net loss or gain of the approved parking space targets.

### 5.3 Location of services and storage

The vehicle access between the existing northern tower and the future stage 2 basement is proposed to be removed. The applicant indicated that to ensure the centralised loading and waste collection area in the northern tower can serve the stage 2 of the development, the stage 2 detailed design will implement a bin hoist that will facilitate the movement of the bins between the stage 1 and stage 2 basement.

The Department requested additional information on the proposed bin hoist, including its location and how it will operate spatially.

The applicant confirmed that the future stage 2 development will include a designated holding area for bins. A bin hoist will be provided next to the designated bin area and will operate between the basement levels beside the existing stage 1 loading dock, so that bins from stage 2 are able to be moved into the designated bin area in stage 1 (see **Figure 15**).



**Figure 15** | proposed opening area for future stage 2 bin hoist

The Department also requested details on the proposed additional storeroom at ground floor including what is proposed to be stored within the storeroom. The applicant also clarified that the additional storeroom is proposed to be used by the incoming food and beverage (F&B) tenant. The fit-out and use of the future tenancy and associated storeroom will be subject to a separate approval process.

The Department has considered the proposed future bin hoist and opening within the waste storage area and is satisfied that it allows for an appropriate waste management solution for the future stage 2 development. The proposed future opening will be able to allow for the efficient transfer of waste from the future stage 2, while maintaining safety and functionality within the basement environment.

The Department accepts the clarification that the additional storeroom is to be allocated to the incoming food and beverage tenancy. As the detailed fit-out and operation of the tenancy, including use of the storeroom, will be subject to a separate approval process, the current proposal is considered acceptable.

## 5.4 Bicycle parking

The proposed modification includes amendments to bicycle parking from an enclosed and lockable room in close proximity to the end of trip facility and lifts, to an open area along the western edge of the ground floor. The Department is concerned that the proposed arrangement would result in a disincentive to use the bicycle parking.

The applicant confirmed that the proposed bicycle parking arrangements will retain full compliance with the required bicycle parking rates under the applicable planning controls. The number of bicycle parking spaces is retained and continues to meet the relevant requirements.

The Department acknowledges the applicant's response and notes that the proposal continues to achieve full compliance with the applicable bicycle parking rates under the Gosford City Centre Development Control Plan 2018. While the configuration differs from the originally endorsed arrangement, the number of spaces remains consistent with statutory requirements and remain in a secure, weather protected and accessible location. On this basis, the Department considers the amended bicycle parking provision acceptable.

## 5.5 Amendments to condition F35

The applicant seeks to amend Condition F35, which requires landscaping of the site to be completed in accordance with landscape plan(s) and the approved occupation certificate (OC) stages. The applicant proposes that the landscaping be completed prior to the issue of the relevant OC for each stage, rather than requiring all landscaping to be delivered before the first OC. This adjustment would allow the main building to be occupied in November 2025, with remaining landscaping, particularly on Level 4 and within the through-site link is delivered in subsequent stages consistent with the approved staging program.

The Department has considered the proposed amendment to Condition F35 and accepts the revised staging approach. Allowing landscaping to be delivered in line with the relevant Occupation

Certificate for each stage is consistent with the approved program and does not result in any adverse impacts. The change ensures timely occupation of the main building while maintaining delivery of the full landscaping outcome across the site.

## 6 Evaluation

The Department has reviewed the proposed modification and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposal is appropriate as:

- it is substantially the same development as originally determined
- it does not result in unacceptable impacts or diminish the ability of the development to achieve design excellence
- the development continues to facilitate the activation of the Gosford City Centre.

Consequently, the Department considers the modification application is not contrary to the public interest and should be approved, subject to the recommended changes to existing conditions of consent (**Appendix D**).

# 7 Recommendation

It is recommended that the **Team Leader, Regional Assessments**, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **considers** any findings or recommendations of the IPC following the Minister's request for advice
- **agrees** with the key reasons for approval listed in the notice of decision
- **modifies the consent** for the Central Coast Quarter (SSD-23588910-MOD 6), subject to the conditions in the attached instrument of modification.
- signs the attached instrument of modification (**Appendix D**).

Recommended by:



**Fadi Shakir**  
Senior Planning Officer  
Regional Assessments

Recommended by:



**Renah Givney**  
Senior Planning Officer  
Regional Assessments

## 8 Determination

The recommendation is **adopted** by:

A handwritten signature in black ink, appearing to read 'EM', is positioned below the text 'The recommendation is adopted by:'. The signature is written in a cursive, fluid style.

**Erin Murphy**

Team Leader

Regional Assessments

# Glossary

Abbreviation	Definition
<b>AHD</b>	Australian height datum
<b>CCQ</b>	Central Coast Quarter
<b>Council</b>	Central Coast Council
<b>Department</b>	Department of Planning, Housing and Infrastructure
<b>EIS</b>	Environmental impact statement
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>EPI</b>	Environmental planning instrument
<b>ESD</b>	Ecologically sustainable development
<b>IPC</b>	Independent Planning Commission
<b>LGA</b>	Local government area
<b>LEP</b>	Local environmental plan
<b>Minister</b>	Minister for Planning and Public Spaces
<b>NCC</b>	National Construction Code
<b>Planning Systems SEPP</b>	State Environmental Planning Policy (Planning Systems) 2021
<b>SEARs</b>	Planning Secretary's Environmental Assessment Requirements
<b>Secretary</b>	Secretary of the Department of Planning, Housing and Infrastructure
<b>SEPP</b>	State environmental planning policy

Abbreviation	Definition
<b>SSD</b>	State significant development
<b>ToA</b>	Terms of Approval

# Appendices

## Appendix A – List of referenced documents

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

- Modification report
- Applicant's additional information

<https://www.planningportal.nsw.gov.au/major-projects/projects/ccq-stage-1-mod-7-basement-changes>

## Appendix B – Concept Approval and Design Guidelines

### C1 – Concept Approval

An assessment of the modified development against the relevant Concept Approval requirements is provided in **Table 5**.

**Table 5** || Department’s consideration of the relevant Concept Approval requirements

Condition	Department’s consideration	Inconsistent
<p><b>A10 - Inconsistency between documents</b></p> <p>The maximum building heights for the development are shown on the concept drawings listed in Terms of Approval (ToA) A3 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 proposed modification does not involve increasing the maximum building heights for the development as shown on the approved concept drawings listed in the ToA.</p>	No
<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 modified development does not exceed the maximum building height specified by Condition B2 of the detailed consent for Stage 1, Northern Tower (SSD-23588910).</p>	No
<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> <ul style="list-style-type: none"> <li>a) a maximum of 31,683m<sup>2</sup> residential GFA</li> <li>b) a minimum of 2,787m<sup>2</sup> commercial / retail GFA.</li> <li>c) a maximum of 555 m<sup>2</sup> centre based childcare facility.</li> </ul>	<p>The modified development does not propose any changes to the approved maximum GFAs.</p>	No
<p><b>B3 - Car parking</b></p> <ul style="list-style-type: none"> <li>a) Car parking for residential apartments shall be provided at a rate of no more than</li> </ul>	<p>The modified development does not propose any changes to the approved car</p>	No

Condition	Department's consideration	Inconsistent
<p>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>parking rates. The relocation of parking and accessible car parking spaces will not result in a loss or gain of approved parking spaces.</p>	
<p><b>C1 – Design excellence</b>  In addition to the requirements of the State Environmental Planning Policy (Gosford City Centre) 2018, all future development application(s) shall be 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).  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>	<p>The modified development has been reviewed by the Chair of CoGDAP on behalf of the Panel. The Panel's feedback is discussed in <b>Section 5</b>.</p>	<p>No</p>
<p><b>C2 – Building design</b>  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 modification application includes drawings, which detail the proposed reallocation of parking spaces, bicycle parking and additional store room at ground level basement.</p>	<p>No</p>
<p><b>C3 – Building design</b>  Any proposed built form must be contained within the approved building envelopes illustrated in the approved plans referenced at ToA A3 as amended by Modification B1</p>	<p>The proposed modification does not involve increasing the height of the building or building envelope. The proposed modification relates to ground, level 1 to</p>	<p>No</p>

Condition	Department's consideration	Inconsistent
	level 3 parking facilities.	
<p><b>C4 – Building design</b>            Future development application(s) shall demonstrate consistency with the:</p> <ul style="list-style-type: none"> <li>a) advice of the DAP (FEAR C1)</li> <li>b) Design Guidelines.</li> </ul>	<p>The modified development was reviewed by the Chair of CoGDAP on behalf of the Panel, as discussed in <b>Section 5</b>.</p>	No
<p><b>C5 – Building design</b>            Future development application(s) shall ensure the design of:</p> <ul style="list-style-type: none"> <li>a) all podiums provide active frontages to streets and the through-site link and minimises the occurrence of long inactive facades</li> <li>b) 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> </ul>	<p>The modified development does not propose any changes to the approved podium design.</p> <p>The modification relates to amendments to ground, level 1 to level 3 parking facilities and will not have an impact on the approved podium designs.</p>	No
<p><b>C7 – Building design</b>            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 modified development does not propose any changes to the approved building design.</p> <p>The modification relates to amendments to ground, level 1 to level 3 parking facilities and will not have an impact on the approved podium designs.</p>	No
<p><b>C8 – Building design</b>            Future development application(s) shall include an Access Report demonstrating that the development achieves an appropriate degree of accessibility</p>	<p>Noted. No changes to accessibility proposed.</p> <p>The proposed reallocation of DDA parking spaces remain compliant with the necessary statutory requirements and Australian Standards.</p>	No
<p><b>C9 – Public domain and landscaping</b>            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</p>	<p>The proposed modification involves changes to the timing for landscaping associated Stage 1 to be delivered but does not change the approved landscaping treatment.</p>	No

Condition	Department's consideration	Inconsistent
<p>spaces with existing and proposed buildings, spaces, structures and connections. 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 'Central Coast Quarter 26 Mann Street Masterplan Report Issue A' prepared by Turf Design Studio and dated August 2019</li> <li>ii) arboricultural report titled 'Arboricultural Impact Assessment' 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 (FEAR C17)</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><b>C15 – Future Residential Amenity</b> Future development application(s) relating to residential use shall consider residential amenity including any relevant requirements of the:</p> <ul style="list-style-type: none"> <li>a) State Environmental Planning Policy 65 – Residential Apartment Development and the residential guidelines within the associated Apartment Design Guide</li> <li>b) Gosford City Centre Development Control Plan 2018.</li> </ul>	<p>The modified development has been considered against the relevant requirements of State Environmental Planning Policy (Housing) 2021 and the Apartment Design Guideline.</p>	<p>No</p>
<p><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</p>	<p>While the modification involves some changes to approved car parking</p>	<p>No</p>

Condition	Department's consideration	Inconsistent
the CPAR (FEAR 22), with the final parking rate to be determined by the consent authority.	arrangements (discussed in <b>Section 5</b> ), there are no changes proposed to car parking rates.	
<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 modified development does not propose any changes to approved bicycle parking rates. Changes proposed to the location of bicycle spaces is discussed in <b>Section 5</b> .	No

## 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 C4 states that all CCQ development applications must consider consistency with the Design Guidelines. The Department has considered the proposal against the Design Guidelines at **Table 6**.

**Table 6 | Consideration of the proposal against the Design Guidelines**

Design Guideline		Consistent
<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</li> </ul>	The modified development does not involve changes to the through-site link.	Yes

Design Guideline	Consistent	
<p>not enclose the space or reduce the perception of openness</p> <p>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</p> <p>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</p> <p>g) include areas within soil volumes/depths that can accommodate landscape and trees planting.</p>		
<p>Podium elevations facing Baker Street, Vaughan Street and Mann Street are to:</p> <p>a) provide a human scale 'street wall' and present a fine grain frontage to surrounding streets</p> <p>b) include the principal entrances to each of the residential apartment buildings, which shall be provided with a strong sense of arrival</p> <p>c) 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</p> <p>d) provide for commercial and retail tenancies that have a high degree of visual transparency to reveal active uses</p> <p>e) ensure the development respects and engages with all local streets and connections</p> <p>f) supports the use of bicycles and provision of visitor bicycle parking around and within the development</p> <p>g) buildings must have street numbers prominently displayed on the main street elevation.</p>	<p>The modified development does not involve changes to podium elevations.</p>	<p>Yes</p>

Design Guideline		Consistent
<p>Public Art</p> <p>a) 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</p> <p>b) artwork should provide interest, create engagement and draw on local aspects, culture, environment or other subject relevant to the area</p> <p>c) 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>The modified development does not involve changes to the approved public art arrangements.</p>	<p>Yes</p>

### 3.1 URBAN PERMEABILITY – Views & Vistas

<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 modified development will not result in any unacceptable changes to views and vistas.</p>	<p>Yes</p>
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### 3.1 URBAN PERMEABILITY – Character of Spaces/Edges

<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</p>	<p>The modified development does not involve changes to the approved podium or through-site link.</p>	<p>Yes</p>
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Design Guideline		Consistent
on safety, casual surveillance are created with high emphasis on amenity.		

### 3.2 ARCHITECTURAL CHARACTER

<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>The Department has concluded the modified development does not detract from the development achieving design excellence.</p>	<p>Yes</p>
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#### 3.2.1 BUILDING ARTICULATION

<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>Consideration should also be given to the follow matters:</p> <ol style="list-style-type: none"> <li>a) the podium/tower relationship is to be clearly differentiated through means such as facade articulation, recesses, setbacks, colours and materials</li> <li>b) the buildings must demonstrate contemporary architectural expression and respond to the urban character (existing/emerging) of the Gosford City Centre</li> <li>c) 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> </ol>	<p>The modified development does not involve changes to the building articulation of the development.</p>	<p>Yes</p>
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Design Guideline	Consistent	
<p>d) elements that are required to moderate environmental conditions shall be designed to enliven a buildings facade</p> <p>e) building entries must be clearly articulated and be visible from the public domain buildings must not have adverse setting or visual impacts on heritage items.</p>		

### 3.2.2 MATERIALS

<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> <p>a) utilise variation in materials application and texture to achieve richness in architecture, with:</p> <ul style="list-style-type: none"> <li>i) a clear distinction expressed between podium and tower elements</li> <li>ii) a greater richness in materiality and texture provided at the lower levels</li> <li>iii) the materiality of the towers is to respond to its context in the city skyline and to form a cohesive, distinctive precinct</li> </ul> <p>b) longevity, durability, flexibility and maintenance shall be considered in the choice of materials.</p>	<p>The modified development does not involve changes to approved materials.</p>	<p>Yes</p>
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### 3.3 BUILT FORM

<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>The modified development does not alter building heights.</p>	<p>Yes</p>
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Design Guideline		Consistent
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.		

### 3.3 BUILT FORM – Northern Tower

<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>	The modified development does not involve changes to the Northern Tower in terms of height or overall built form.	Yes
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### 3.4 SUSTAINABILITY

The development shall be designed in accordance with ecologically sustainable development (ESD) principles, in	The modified application remains consistent with the ESD principles	Yes
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Design Guideline		Consistent
<p>accordance with the concept approval environment standards and the following objectives:</p> <ul style="list-style-type: none"> <li>a. 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>b. integrate modern energy efficient systems, technology, controls and metering</li> <li>c. use of high performance glazing and efficient facade design/construction</li> <li>d. 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>e. incorporate material choices that reduce environmental impacts</li> <li>f. consider opportunities for natural ventilation.</li> </ul>	<p>and achieves an appropriate standard of sustainable design.</p>	

### 3.4 SIGNAGE

<p>Any signage provided on the site shall be cohesive, attractive and informative but shall not impact the character and quality of the 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</li> </ul>	<p>The modification does not include signage zones or business identification signage.</p>	<p>Yes</p>
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Design Guideline	Consistent	
<p>determined following consideration of location, visual impact and integration with the parent building</p> <p>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</p> <p>d. detailed development application shall show the location of the proposed signage and detailing dimensions, proposed colour, material and any method of illumination.</p>		

## Appendix C – Statutory considerations

### Objects of the EP&A Act

A summary of the Department’s consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in **Table 7** below.

**Table 7** | Objects of the EP&A Act and how they have been considered

Object	Consideration
<p><b>(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,</b></p>	<p>The modification will not adversely impact the State’s natural or other resources.</p>
<p><b>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</b></p>	<p>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 project. Overall, the proposal is generally consistent with ESD principles noting the modification does not seek to change ESD initiatives and sustainability measures.</p>
<p><b>(c) to promote the orderly and economic use and development of land,</b></p>	<p>The proposal involves the orderly and economic use of land through by providing for a signage strategy to ensure that a cohesive and architecturally integrated outcome that responds to the approved building form, materiality, and the desired character of the Gosford City Centre.</p>
<p><b>(d) to promote the delivery and maintenance of affordable housing,</b></p>	<p>The development doesn’t specifically deliver affordable housing.</p>
<p><b>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</b></p>	<p>The modification does not involve additional impacts to native animals and plants, including threatened species, populations and ecological communities, and their habitats.</p>
<p><b>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</b></p>	<p>The Department considers the proposal will not result in unacceptable environmental impacts.</p>

Object	Consideration
<b>(g) to promote good design and amenity of the built environment,</b>	The proposal provides compliant vehicle and bicycle spaces to service the needs of future users. The proposed future bin hoist will allow for the efficient transfer of waste between the 2 stages while maintaining safety and functionality within the basement environment.
<b>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</b>	The reallocation and distribution of parking spaces will continue to achieve the relevant statutory requirements and Australian Standards.
<b>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the state,</b>	The Department published the modification application and consulted with Central Coast Council and have considered its response.
<b>(j) to provide increased opportunity for community participation in environmental planning and assessment.</b>	<p>In accordance with the EP&amp;A Regulation, the Department was not required to formally notify the application, given the minor nature of the proposed modifications.</p> <p>However, the Department did make the modification application publicly available on the NSW planning portal.</p>

### Ecologically sustainable development

The EP&A Act adopts the definition of ecologically sustainable development (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.

The Department considers that the modified development does not alter the developments compliance with the principles of ESD.

## EP&A Regulation

The Department is satisfied that the modification has been lodged and assessed in accordance with the requirements of the EP&A Regulation including the requirements for the application to be prepared in accordance with the SSD Guidelines, the requirements for public exhibition and for the calculation of and payment of assessment fees.

## Environmental Planning Instruments (EPIs)

### State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of the State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) applies to all land in NSW in relation to the remediation of contaminated land.

Section 4.6 of the Resilience and Hazards SEPP requires the consent authority to be satisfied, before consent is granted for a development, whether the land subject to the development is contaminated and if contaminated, whether the land is suitable in its contaminated state or will be suitable after remediation.

The development consent for Stage 1 imposed a condition requiring the preparation and implementation of the updated detailed site investigation to control contamination management and mitigation measures and subsequent site validation. The current proposal involving the reallocation of parking spaces, an opening for a future stage bin hoist and addition of a storage facility does not change previous consideration of contamination.

### State Environmental Planning Policy (Housing) 2021

State Environmental Planning (Housing) 2021 seeks to improve the design quality of residential developments and encourage innovative design.

Section 147(1) of the SEPP specifies that a development consent for residential apartment development must not be modified, unless the consent authority has considered the Apartment Design Guide (ADG).

The Department has considered the relevant objectives and design criteria contained within the ADG, including 4M-1 and 4M-2 relating to facades. While the proposed modifications involve some changes to the parking and storage arrangements in the ground, first, second and third floor basements, the development continues to provide visual interest along the street while respecting the character of the local area. The modified development is considered to exhibit design excellence as discussed in **Section 5**.

### State Environmental Planning Policy (Precincts – Regional) 2021

Chapter 5 of the State Environmental Planning Policy (Precincts – Regional) 2021 is the primary environmental planning instrument applying to the site and the proposed development. The site is

zoned B4 (Mixed Use) in accordance with the SEPP. No changes are proposed to the land uses on the site which are permitted with development consent within the B4 (Mixed Use) zone. The following table assesses the compliance of the proposed development with other relevant clauses in the SEPP.

**Table 8 | Consideration against SEPP (Precincts – Regional) 2021**

Provision	Consideration
<b>Section 5.25 - Height of buildings</b>	The proposed basement parking arrangements do not protrude beyond the approved building height.
<b>Section 5.26 – Floor space ratio</b>	The proposed basement parking arrangements do not involve additional floor space ratio.
<b>Section 5.36 – Heritage conservation</b>	The proposed basement parking arrangements are not expected to result in adverse impacts to heritage values in the locality.
<b>Section 5.39 - Acid sulfate soils</b>	The proposed basement parking arrangements do not require additional consideration of acid sulfate soils.
<b>Section 5.40 - Flood planning</b>	The proposed basement parking arrangements do not require additional consideration of flood planning.
<b>Section 5.45 - Design excellence</b>	<p>Condition A9 of the development consent for the Stage 1 detailed development, Northern Tower (SSD-23588910) requires that any future modification of the development be reviewed by CoGDAP prior to lodgement. The Chair on behalf of the CoGDAP reviewed the proposed modification and the feedback is discussed in <b>Section 5.</b></p> <p>The Department is satisfied that the development, as proposed to be modified continues to exhibit design excellence.</p>
<b>Section 5.46 - Exceptions to height and floor space in Zones B3, B4 and B6</b>	The proposed basement parking arrangements are contained wholly within the approved building height for Stage 1.
<b>Section 5.47 - Car parking in zones B3 and B4</b>	The proposed basement parking arrangements do not involve any changes to the approved car parking rates and requirements. The reallocation of DDA and bicycle parking spaces remain compliant with the applicable statutory requirements.

Provision	Consideration
<b>Section 5.48 - Active Street Frontages</b>	The proposed basement parking arrangements will not diminish the active street presentation of the building to Baker Street.
<b>Section 5.52 - Solar access to key public open spaces</b>	The modifications proposed under this application do not result in additional overshadowing impacts.
<b>Section 5.53 - Key vistas and view corridors</b>	The proposed basement parking arrangements will retain key vistas and view corridors in Gosford City Centre.

## Appendix D – Recommended instrument of modification

A copy of the instrument of modification can be found here:

<https://www.planningportal.nsw.gov.au/major-projects/projects/ccq-stage-1-mod-7-basement-changes>