



Environmental Impact Statement

Shop Top Housing with In-fill Affordable Housing

43-45 Beane Street and 2 Keevers Lane, Gosford

Submitted to Department of Planning, Housing and Infrastructure
on behalf of 43 Beane Street Pty Ltd

SSD-83538214

Prepared by Colliers Urban Planning

19 June 2026 | 2250364



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Colliers Urban Planning acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past and present.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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B. Architectural Drawings (including Shadow Diagrams)	Tony Owen Partners
C. Statutory Compliance	Colliers Urban Planning
D. Community Engagement Table	Colliers Urban Planning
E. Consolidated Mitigation Measures	Colliers Urban Planning
F. Estimated Development Cost Report	Archi-QS

Appendix	Author
G. Visual Impact Analysis	Tony Owen Partners
H. Affordable Housing Provider Letter	EchoRealty NSW & ACT Limited
I. Landscape Plans	Creative Planning Solutions
J. Survey Plan	Clarke Dowdle & Associates
K. Connecting with Country Report	Access Archaeology
L. Engagement Report	Sarah George Consulting
M. Ecologically Sustainable Development Report	Eco Engineering Group
N. BASIX Certificate and Stamped Plans	Eco Engineering Group
O. Nabers Embodied Emissions Form	Nabers
P. BASIX and NatHERS Assessment Report	Eco Engineering Group
Q. Transport Impact Assessment	Genesis Traffic
R. Aboriginal Heritage Due Diligence Report	Everick Heritage
S. Statement of Heritage Impact	Access Archaeology
T. Preliminary Site Investigation	EI Australia
U. Preliminary Groundwater Quality Screening	JK Geotechnics
V. Preliminary Salinity Assessment	JK Geotechnics
W. Surface and Groundwater Impact Assessment	JK Geotechnics
X. Site Hydrology Report	JK Geotechnics
Y. Arboricultural Impact Assessment	Creative Planning Solutions
Z. Biodiversity Development Assessment Waiver	DCCEEW
AA. Geotechnical Investigation	EI Australia
BB. Flood Risk Management Report	SGC
CC. Stormwater Concept Design	SGC
DD. Hydraulic and Services Report	SGC
EE. Integrated Water Management Report	SGC
FF. Construction and Demolition Waste Management Plan	Elephants Foot Consulting
GG. Operational Waste Management Plan	Elephants Foot Consulting
HH. Noise and Vibration Impact Assessment	Koikas Acoustics Pty Ltd
II. BCA Assessment Report	Technical Inner Sight
JJ. Access Assessment Report	Accessible Building Solutions
KK. Wind Impact Assessment	Windtech
LL. Aeronautical Assessment (HLS)	Strategic Airspace
MM. CPTED Report	Lote Consulting
NN. Legal Advice – Housing SEPP & Regional Precincts SEPP	Mills Oakley
OO. Gosford City Centre DCP Compliance Table	Colliers Urban Planning
PP. Design Verification Statement	Tony Owen Partners

Signed Declaration

Project Details			
Project Name	Shop top housing with in-fill affordable housing		
Application Number	SSD-83538214		
Land to be Developed	43-45 Beane Street and 2 Keevers Lane, Gosford		
Legal Description	Lots 8, 9 and 14 in DP 18726		
Applicant Details			
Applicant Name	43 Beane Street Pty Ltd		
Applicant Address	C/- No. 138 Woorarra Avenue, Elanora Heights		
Prepared By			
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Declaration			
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Qualifications	BUrbanEnvPlan (Hons), DipPM, MPIA RP(EIA+)		
Registration Number	11063		
Organisation Registered With	Planning Institute of Australia		
	The undersigned declares that this EIS: • has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021; • contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates; • does not contain information that is false or misleading; • addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project; • identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments; • has been prepared having regard to the Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement; • contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development; • contains a consolidated description of the project in a single chapter of the EIS; • contains an accurate summary of the findings of any community engagement; and • contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.		
Signature			
Date	19 June 2026		

Abbreviations

Abbreviation	Meaning
ACHAR	<i>Aboriginal Cultural Heritage Assessment Report</i>
ADG	<i>Apartment Design Guidelines</i>
Applicant	<i>43 Beane Street Pty Ltd</i>
BCA	<i>Building Code of Australia</i>
BDAR Waiver	<i>Biodiversity Development Assessment Report Waiver</i>
BOCSAR	<i>Bureau of Crime Statistics and Research</i>
CBD	<i>Central Business District</i>
Council	<i>Central Coast Council</i>
CPTED	<i>Crime Prevention Through Environmental Design</i>
CMP	<i>Construction Management Plan</i>
CTMP	<i>Construction Traffic Management Plan</i>
DA	<i>Development Application</i>
DPHI	<i>NSW Department of Planning, Housing and Infrastructure</i>
CoGDAP	<i>City of Gosford Design Advisory Panel</i>
EDC	<i>Estimated Development Cost</i>
EIS	<i>Environmental Impact Statement</i>
EP&A Act	<i>Environmental Planning & Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPA	<i>NSW Environmental Protection Authority</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
ESD	<i>Ecologically Sustainable Development</i>
FSR	<i>Floor Space Ratio</i>
GFA	<i>Gross Floor Area</i>
GTP	<i>Green Travel Plan</i>
Housing SEPP	<i>State Environmental Planning Policy (Housing) 2021</i>
HPC	<i>Housing and Productivity Contribution</i>
HRV	<i>Heavy Rigid Vehicles</i>
Darkinjung LALC	<i>Darkinjung Local Aboriginal Land Council</i>
LGA	<i>Local Government Area</i>
LSPS	<i>Local Strategic Planning Statement</i>
NDIS	<i>National Disability Insurance Scheme</i>
NSW	<i>New South Wales</i>
OSD	<i>On-Site Detention</i>
PCT	<i>Plant Community Types</i>
Planning Systems SEPP	<i>State Environmental Planning Policy (Planning Systems) 2021</i>
Regional Precincts SEPP	<i>State Environmental Planning Policy (Precincts – Regional) 2021</i>

RAP	<i>Registered Aboriginal Parties</i>
SEARs	<i>Secretary's Environmental Assessment Requirements</i>
SWMP	<i>Soil and Water Management Plan</i>
SSD	<i>State Significant Development</i>
SSDA	<i>State Significant Development Application</i>
Sustainable Buildings SEPP	<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>
TfNSW	<i>Transport for New South Wales</i>
The site	<i>43-45 Beane Street and 2 Keevers Lane, Gosford</i>
Transport and Infrastructure SEPP	<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>
GCC DCP	<i>Gosford City Centre Development Control Plan 2018</i>

Executive Summary

This Environmental Impact Statement (EIS) has been prepared by Colliers Urban Planning on behalf of 43 Beane Street Pty Ltd in support of State Significant Development Application SSD-83538214 for shop top housing with an in-fill affordable housing component at 43-45 Beane Street and 2 Keevers Lane, Gosford. The proposal comprises a mixed-use development containing ground floor retail premises, 130 residential apartments including 20 affordable housing apartments, basement parking, communal open space, landscaping and public domain upgrades to Keevers Lane.

The proposal is State Significant Development pursuant to Schedule 1, section 26A of the *State Environmental Planning Policy (Planning Systems) 2021*, as it includes in-fill affordable housing and the residential component has an estimated development cost exceeding the applicable threshold. The application will be assessed by the NSW Department of Planning, Housing and Infrastructure and determined by the Minister for Planning or delegate.

The EIS has been prepared having regard to the Secretary's Environmental Assessment Requirements issued for SSD-83538214, the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, the Department's State Significant Development Guidelines and the Registered Environmental Assessment Practitioner declaration requirements applicable to State significant development.

The site is located within the Gosford City Centre, approximately 250m from Gosford railway station and close to employment, health, education, retail and public transport services. The proposal supports the strategic role of Gosford as a regional city by delivering additional housing supply, affordable housing, employment-generating retail floor space and public domain improvements in a highly accessible urban location.

The proposal has been assessed against the relevant strategic and statutory planning framework, including the Planning Systems SEPP, Housing SEPP, Regional Precincts SEPP, Sustainable Buildings SEPP and other applicable environmental planning instruments. The EIS also addresses the relationship between the Housing SEPP affordable housing floor space bonus and the Regional Precincts SEPP height pathway, having regard to supporting legal advice.

The environmental assessment is informed by specialist technical reports addressing built form, residential amenity, traffic and parking, flooding and stormwater, groundwater, contamination, noise and vibration, heritage, Aboriginal heritage, biodiversity, wind, sustainability, social impact, waste, accessibility, building code matters and public domain outcomes. Subject to the implementation of the mitigation measures identified in this EIS and supporting technical reports, the assessment concludes that the proposal is capable of being appropriately managed and is not expected to result in unacceptable environmental, social or economic impacts.

Mitigation measures identified through the EIS and supporting technical reports have been captured in the Consolidated Mitigation Measures at **Appendix E** and are intended to be implemented through the detailed design, construction and operational phases of the project, as relevant, to avoid, minimise or manage potential impacts.

Overall, the proposal is considered suitable for the site and in the public interest. It will deliver additional housing supply, affordable housing, improved activation of Keevers Lane, high-quality communal and public open spaces, and employment benefits during construction and operation. On this basis, the proposal is considered capable of approval, subject to appropriate conditions of consent.

Site Location and Context

The site is situated at 43-45 Beane Street and 2 Keevers Lane, Gosford, approximately 74km from the Sydney CBD and within the Central Coast Local Government Area (LGA). It is strategically located within the Gosford City Centre, being approximately 250m from Gosford railway station which provides services within the Central Coast, to Newcastle and the Sydney CBD. It is within proximity to the local retail shopping strip along Mann Street and Gosford Hospital. Additionally, the site is adjacent to the University of Newcastle (Gosford District Campus) development that is under construction.

The land is wholly owned by 43 Beane Street Pty Ltd. It is legally described as Lot 8, Lot 9, and Lot 14 in DP 18726.

Strategic Planning Context

The proposal is consistent with the relevant Government plans, policies and guidelines applying to the site. This report addresses and finds the proposed development to be consistent with the following strategic planning documentation:

- National Housing Accord 2022;
- NSW State and Premier's Priorities;
- NSW Housing Strategy: Housing 2041;
- NSW Housing Targets;
- NSW Future Transport Strategy 2056;
- Connecting with Country Framework;
- Central Coast Regional Plan 2041;
- Central Coast Local Strategic Planning Statement 2020;
- Gosford Urban Design Framework; and
- Somersby to Erina Corridor Strategy.

The site is located within the Gosford City Centre, which in its context is an urbanised area containing higher density development within a growing and evolving mixed use centre. The project is not expected to give rise to any unacceptable environmental impacts that cannot be appropriately managed or mitigated.

Project Description

The proposal seeks approval for a shop top housing development comprising retail premises and residential apartment buildings with an in-fill affordable housing component, on land at 43-45 Beane Street and 2 Keevers Lane, Gosford (the site).

Specifically, this SSDA seeks approval for:

- Site preparation works including tree removal, bulk excavation and in-ground services works;
- Construction of a new mixed-use development consisting of:
 - A new three (3) storey basement;
 - Ground floor retail premises consisting of 416m² of Gross Floor Area (GFA);
 - Two (2) residential towers, ranging from 5-26 storeys and comprising a total of 130 apartments;
- Public plaza, associated landscaping and public domain upgrades to Keevers Lane; and
- Extension and augmentation of services and infrastructure as required.

Statutory Context

As the proposed development is for the purposes of 'in-fill affordable housing' with an estimated development cost (EDC) of over \$30 million, it is State Significant Development by virtue of Schedule 1, Section 26A(1)(a)(ii) of the Planning Systems SEPP. The EDC Report confirms that the development's EDC exceeds \$30 million.

The non-residential component of the development, being the retail premises, is also SSD by virtue of Section 2.6(2) of the Planning Systems SEPP, which provides that where a development is only partly classified as SSD, the remainder of the development is also declared to be SSD if it is sufficiently related to the SSD component.

The proposed land uses – 'Shop top housing', 'retail premises' and 'residential flat buildings' are all permissible with consent under the B4 zoning of the site under the *State Environmental Planning Policy (Precincts – Regional) 2021* (Regional Precincts SEPP). The development is consistent with the objectives of the zone, as it will:

- Provide a mixture of compatible residential and non-residential land uses at a key site within the Gosford City Centre so as to maximise public transport patronage and encourage walking and cycling.
- Create opportunities to improve the public domain and pedestrian links of Gosford City Centre.

With regards to building height, Clause 5.46 'Exceptions to height and floor space in Zones B3, B4 and B6' of the regional Precincts SEPP enables a development to contravene the height of buildings development standard established under Clause 5.25 by "an amount to be determined by the consent authority", essentially enabling a merit assessment of building height with no upper height cap. This is subject to the requirements of the Clause being met. This report provides an assessment of the development against the requirements of Clause 5.46, demonstrating that it is eligible to be exempted by the 48m building height limit mapped under Clause 5.25.

With regards to floor space ratio, Section 16 of *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) applies to the proposed development as it includes an affordable housing component, enabling a FSR bonus of up to 30%. The development seeks consent for 12,549m² of GFA (of which 12,133m² is residential), including 1,760.90m² of affordable housing. This constitutes 14.03% of all GFA sought being for the purposes of affordable housing. Under the formula established under Section 16(2) of the Housing SEPP, the development is therefore eligible for a 28.06% FSR bonus. Given the base FSR of 4.75:1 under the Floor Space Ratio Map, application of the 28.06% FSR bonus results in a maximum permitted FSR of 6.0825:1 that applies to the development. The proposed development seeks consent for a FSR of 6.06:1, which represents a 27.61% bonus to the base FSR of 4.75:1. This is slightly below the maximum FSR (6.0825:1) and bonus (28.06%) that the development is eligible for, following application of the Housing SEPP bonus.

Stakeholder Engagement

A comprehensive list of community members and stakeholders to consult during preparation of the EIS was developed through:

- The identification of neighbours who would be impacted by the proposal unless mitigation measures were implemented.
- The identification of stakeholders who would have a particular interest in the proposal.
- The identification of stakeholders who would have information of value to the proposal, for example, Aboriginal groups with cultural knowledge relating to the site.
- Consultation with the DPHI.

As a result of the above process, the following stakeholders were identified for consultation/notification, including:

- DPHI, including the Infill Affordable Housing Assessment and Regional Assessment team;
- City of Gosford Design Advisory Panel (CoGDAP);
- Central Coast Council;
- NSW government agencies;
- First Nations;
- Community and surrounding residents and landowners;
- Local businesses and land owners.

Detailed discussion around the results of engagement undertaken is provided at Section 6 of this report.

Assessment of Impacts

This EIS provides a comprehensive assessment of the anticipated environmental impacts of the proposal, including with regards to the following matters:

- Built form;
- Residential amenity;
- Environmental amenity;
- Landscaping and public domain;
- Tree protection and removal;
- Traffic and parking;
- Geotechnical impacts;
- Noise and vibration;

- Sustainability;
- Heritage;
- Social impact;
- and other environmental assessment matters including contamination, flooding, waste, CPTED, accessibility, building code and aeronautical considerations.

The assessment confirms that the proposed development would not give rise to unacceptable adverse environmental impacts, subject to mitigation, and would be supportable from a planning perspective.

Project Justification

Having regard to environmental, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposed development is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including the Housing SEPP and the Regional Precincts SEPP;
- The proposed development will not result in significant adverse environmental impacts, with appropriate mitigation measures implemented where necessary to minimise any potential impacts;
- The proposed development exhibits a high standard of architectural, urban and landscape design, and provides a recognition and high-quality contribution to the built form of Gosford;
- The proposal is anticipated to generate a total of 465 construction jobs and 24 operational FTE jobs which will have broader social and economic benefits to the region;
- The proposal creates an improved pedestrian environment to create a safe and welcoming public domain that exhibits CPTED principles;
- Traffic and parking impacts associated with the proposed development can be managed in such a way that encourages active transport and alleviates any increased pressure on the local road network;
- The proposal is consistent with the principles of ecologically sustainable development as defined by section 190 of the EP&A Regulation; and
- The proposed development is suitable for the site and in the public interest.

Given the merits described above, and the significant benefits associated with the proposed development, the proposal is considered capable of approval, subject to appropriate conditions of consent.

1.0 Introduction

This Environmental Impact Statement (EIS) has been prepared by Colliers Urban Planning on behalf of 43 Beane Street Pty Ltd (the Applicant) in support of a State Significant Development Application (SSDA) identified as SSD-83538214, and is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a shop top housing development comprising retail premises and residential apartment buildings with an in-fill affordable housing component, on land at 43-45 Beane Street and 2 Keevers Lane, Gosford (the site).

The proposed development is State Significant Development (SSD) pursuant to Schedule 1, Section 26A(1)(a)(ii) of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP), which stipulates development for the purposes of 'in-fill affordable housing' where the residential component has an estimated development cost (EDC) of over \$30 million (for development outside the Eastern Harbour City, Central River City or Western Parkland City) is SSD for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act). As the proposed development is classified as SSD, it will be assessed by DPHI and determined by the Minister for Planning.

Industry-specific Secretary's Environmental Assessment Requirements (SEARs) for SSD-83538214 were issued on 14 May 2025.

This EIS is based on the Architectural Drawings prepared by Tony Owen Partners (see **Appendix B**) and other supporting technical information appended to the report (see **Table of Contents**). It has been prepared in accordance with the requirements of Part 4 of the EP&A Act, Clause 175 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), and the issued SEARs. A SEARs Compliance Table is provided at **Appendix A** which identifies where the SEARs have been addressed in this EIS.

This EIS should be read in conjunction with the supporting information and plans appended to and accompanying this report. The EIS intends to inform the community and stakeholders about the proposal, including its social, economic and environmental impacts, mitigation measures and benefits, as well as providing an environmental assessment of the proposal.

1.1 The Applicant

The Applicant's details are presented in **Table 1** below.

Table 1 *Applicants Details*

Applicant	43 Beane Street Pty Ltd
Address	C/- No. 138 Woorarra Avenue, Elanora Heights
ABN	48 645 510 489

1.2 Overview of Proposed Development

This SSDA seeks consent for an infill affordable housing development at 43-45 Beane Street and 2 Keevers Lane, Gosford.

Specifically, this SSDA seeks approval for:

- Site preparation works including tree removal, bulk excavation and in-ground services works;
- Construction of a new mixed-use development consisting of:
 - A new three (3) storey basement;
 - Ground floor retail premises consisting of 416m² of Gross Floor Area (GFA);
 - Two (2) residential towers, ranging from 5-26 storeys and comprising a total of 130 apartments, including:
Building A (26 Storeys):
 - Ground floor retail premises comprising three (3) tenancies;

- Residential lobby;
- 4 affordable housing dwellings, to be managed by a community housing provider for a period of at least 15 years; and
- 110 market build-to-sell dwellings.

Building B (5 Storeys):

- Ground floor retail premises comprising two (2) tenancies;
 - Residential lobby;
 - Communal open space; and
 - 16 affordable housing dwellings, to be managed by a community housing provider for a period of at least 15 years.
- A three (3) storey basement, with vehicular access from Beane Street, comprising:
 - 140 car parking spaces;
 - 3 motorcycle spaces;
 - 42 bicycle spaces;
 - Garbage storage;
 - Plant rooms and other associated services.
 - Public plaza, associated landscaping and public domain upgrades to Keevers Lane.
 - Extension and augmentation of services and infrastructure as required.

This EIS provides further description of the proposal in **Section 4.0**. The proposal will be undertaken in accordance with the Architectural Drawings prepared by Tony Owen Partners (**Appendix B**).

1.3 Objectives of the Development

The proposal seeks to improve the provision of diverse housing options within Gosford City Centre, enhancing the mixed-use precinct by delivering high quality residential development, whilst concurrently providing a diverse range of housing choices through the provision of affordable housing, which is in growing need within the Gosford City Centre. The objectives of the proposed development are to:

- Facilitate the renewal of underutilised land in a highly accessible strategic location within the Gosford City Centre.
- Provide high quality residential dwellings and a mix of housing choices to meet Gosford's changing demographics and housing needs.
- Contribute to the surrounding neighbourhood by delivering a high quality, contemporary, activated mixed-use precinct that supports housing, employment and retail.
- Significantly enhance the streetscape through improvements to the public realm including partially pedestrianising and activating the site's Keevers Lane frontage, delivering an engaging new public plaza in the western part of the site with excellent solar access.
- Ensure a high level of residential amenity by providing a large quantum of high quality residential communal open space and facilities throughout the development.
- Provide a compatible and complementary mix of retail and residential floorspace on the site, at a scale that will be fully supported by the current and future residents and visitors to the site, and which reinforces the retail primacy of Gosford City Centre.
- Integrate ecologically sustainable development (ESD) principles into the proposal's future design to achieve best practice sustainable building principles and improve the site's environmental and social performance.

1.4 Previous Development Consent – DA/46238/2014

An existing development consent approved by Central Coast Council (Council) on 6 August 2015 (DA/46238/2014) applies to the site. The consent was granted for the demolition of existing structures, tree removal, excavation for basement car parking and construction of ninety-eight (98) residential units, 138m² of commercial floor area, and three (3) basement

car parking levels. Further, Council's assessment report noted the development comprised an FSR of 3.97:1 and building height of 64.6m.

It is understood that works have commenced in relation to DA/46238/2014, including the demolition of the previously existing dwelling on the site. A subsequent Modification Application DA/46238/2014/A was approved on 4 May 2018 for staging the development consent.

A photomontage of the approved development is shown in **Figure 1**.



Figure 1 *Rendered image of the approved development under DA/46238/2014*

Source: Architex

Since the approval was granted, the site has been acquired by the Proponent who has appointed a new design team to review the existing development consent and undertake a fresh approach to the site, seeking to refine the approved scheme and identify opportunities to optimise the provision of additional market and affordable housing. The proponent has pursued the proposed scheme as it delivers a significantly improved development outcome for the site, including additional housing, greater employment floorspace and a much more considered approach to the public realm.

A numerical comparison between the proposed development and that of DA/46238/2014 is provided at **Section 7.1** of this report.

1.5 Secretary's Requirements

In accordance with section 4.39 of the EP&A Act, the Secretary of DPHI issued requirements for the preparation of the EIS for SSD-83538214 on 14 May 2025. **Appendix A** provides a detailed summary of the individual matters listed in the SEARs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies. The development described in this EIS is consistent with the development as described in the request for SEARs

2.0 The Site

This section identifies key strategic matters relevant to the assessment of the proposal, including the site's features, context, strategic context and other development in the surrounding area. This section also provides an analysis of feasible alternatives that were considered regarding the proposal's objectives.

2.1 Site Location and Context

The site is situated at 43-45 Beane Street and 2 Keevers Lane, Gosford, approximately 74km from the Sydney CBD and within the Central Coast Local Government Area (LGA). It is strategically located within the Gosford City Centre, being approximately 250m from Gosford Railway Station which provides services within the Central Coast, to Newcastle and the Sydney CBD. It is within proximity to the local retail shopping strip along Mann Street and Gosford Hospital. Additionally, the site is adjacent to the University of Newcastle (Gosford District Campus) development that is under construction.

A site location and context map is provided in **Figure 2**.

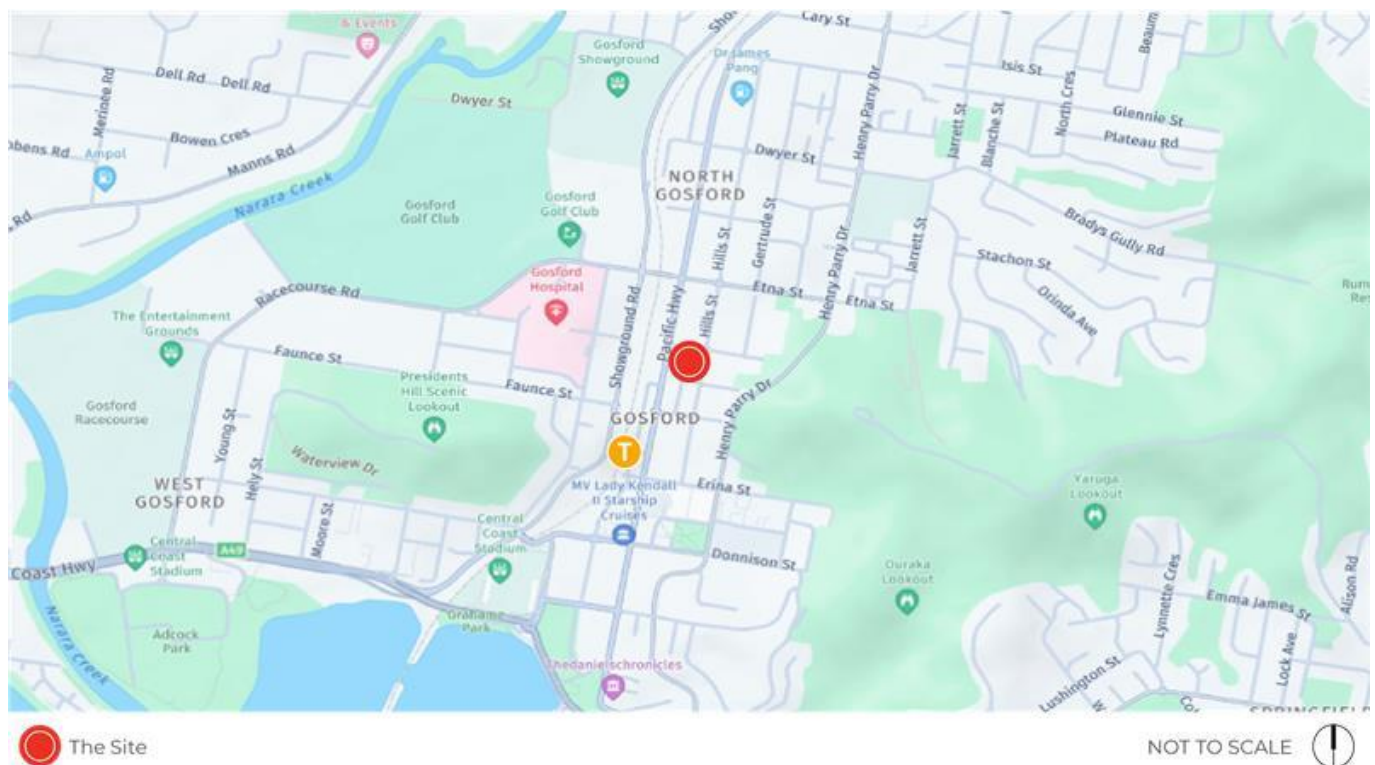


Figure 2 Site location and context

Source: Nearmap, annotated by Colliers Urban Planning

2.2 Key Features of Site and Surrounds

2.2.1 Site Description

The site is legally described in **Table 2**. The land is wholly owned by 43 Beane Street Pty Ltd. The site is irregularly shaped with an area of approximately 2,070.3m². A Survey Plan has been prepared by Clarke Dowdle and Associates and is provided at **Appendix J**. An aerial of the site is provided in **Figure 3**.

Table 2 Site Legal Description

Legal Description	Address
Lot 8 in DP 18726	43 Beane Street
Lot 9 in DP 18726	45 Beane Street
Lot 14 in DP 18726	2 Keevers Lane



Figure 3 Site aerial

Source: Nearmap, annotated by Colliers Urban Planning

2.2.2 Existing Development

The site is currently vacant land with areas of overgrown shrubbery and bushes within the centre of the site and remnant concrete gravel patches. The site has frontages to Beane Street of 30.265m (northern boundary), and Keevers Lane of 83.71m (western boundary) and 14.675m (southern boundary).

The site previously contained a dwelling house, but this has been demolished pursuant to DA/46238/2014 (**Section 1.4**).

2.2.3 Topography

The site's topography is varied, with its highest point at the southeast corner of 43 Beane Street within the site (RL 25.3). It slopes downwards towards the north approximately 6.3m, with the lowest point being on the corner of Beane Street and Keevers Lane in the northwest corner (RL 19.01).

2.2.4 Vegetation

Six trees are located within and adjoining the site, comprising five trees within the site and one Council street tree on Beane Street. The site otherwise contains disturbed vegetation, including weeds, shrubs and juvenile vegetation, rather than mapped native vegetation communities or endangered ecological communities.

It is noted that removal of all trees on site was approved under the previous DA on the site (DA/46238/2014).

A Tree Location Plan is provided within the Arboricultural Impact Assessment prepared by Creative Planning Solutions at **Appendix Y**.

2.2.5 Contamination

The previous contamination investigation of the site undertaken as part of the DA/46238/2014 approval included soil sampling and groundwater level surveys. This concluded that the subsurface of the site was expected to be comprised of uncontrolled/poorly compacted fill, overlying natural, silty sandy clays, grading into (weathered) sandstone and/or shale bedrock and presented a low potential for site contamination.

No acid sulphate soil risk has been identified at the site.

A Preliminary Geotechnical Investigation has been prepared by EI Australia and is provided as part of **Appendix AA**, and supported through additional testing within the Surface and Groundwater Impact Statement prepared by JK Environments at **Appendix W**. Contamination is discussed further within **Section 7.13**.

2.2.6 Transport and Access

The site is in proximity to several transport services, comprising options for active transport, public transport and private vehicle transport.

The site is located approximately 250m northeast of Gosford railway station, serviced by frequent NSW TrainLink services travelling between the Sydney CBD and Newcastle. Gosford Station is an important transport interchange for the Central Coast, with express train services to Sydney and Newcastle and regional bus services. As of 2018, it carried over 4000 commuters a day, with over 22 million trips a year.

The site is connected to a range of bus services and is located near three bus stops that provide services to Wyong, Westfield Tuggerah, Kariong, Woy Woy, and Umina Beach.

The site and surrounding context are well designed for pedestrian movement around the entirety of the site, with formal pedestrian footpaths and pedestrian crossings. Currently, Beane Street and Keevers Lane do not provide cycling pathways or amenities.

2.2.7 Heritage

The site is not identified as containing a heritage item nor is it within a heritage conservation area. However, the site is in proximity to 2 heritage items of local significance being the 'Steps of former private hospital' at 297 Mann Street (I320), and a 'Mitre 10' store at 299-309 Mann Street (I43).

A Statement of Heritage Impact has been prepared by Access Archaeology and is provided as part of **Appendix S**.

A map of the heritage listed items in proximity to the site and those within the surrounding context is shown in **Figure 4**.

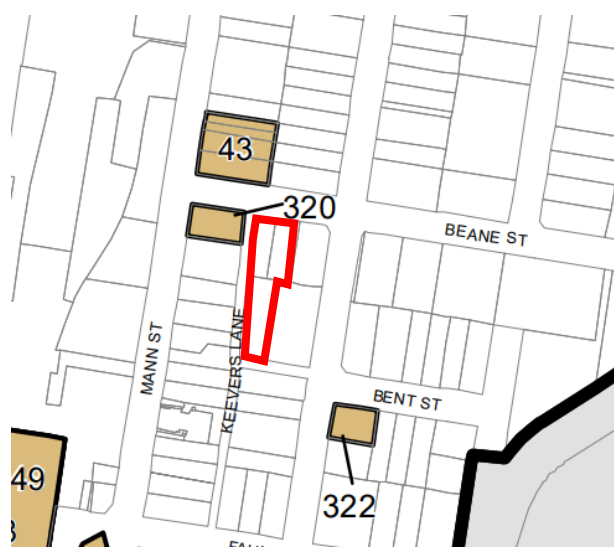


Figure 4 Location of Heritage items (site outlined in red)

2.2.8 Flooding

As identified in the Central Coast Council Flooding Map, the site is not identified as flood prone land as shown in **Figure 5**. Additionally, the Flood Impact Assessment (**Appendix BB**) confirms that the site is not situated on flood prone land.



Figure 5 Peak flood level – 1% AEP event

Source: Central Coast Council Flood Map 2025

2.2.9 Airspace Operations

The site is located approximately 450m to the south-east of the Gosford Hospital helipad. Accordingly, the safety of the Helicopter Emergency Management Services operations of the helicopter landing space forms a matter for consideration for the proposed development (refer to **Section 7.13**).

The site is outside the normally protected airspace of any of the nearest airports; thus, it is not subject to the *Airports (Protection of Airspace) Regulations 1996* and does not require any Commonwealth airspace height approvals.

2.2.10 Surrounding Development

The site is located within the Gosford City Centre and is predominantly surrounded by retail development. Specifically, the surrounding context includes the following:

North

The site is bounded by Beane Street to the north. The site directly to the north is being redeveloped by the University of Newcastle as the Central Coast Campus. The campus is intended to be delivered in two stages:

- **Stage 1:** Construction of a 3-storey educational establishment with a maximum height of 23.3m, and 2,450m² of publicly accessible open space. This building is sited on the western portion of the site. Approved on 28 July 2023 under SSD-47749715.
- **Stage 2:** Construction of a 13-storey building within Stage 2 of the University of Newcastle Central Coast Campus development, comprising student accommodation, student services, recreational uses, a rooftop terrace, car parking and a basement plant. The built form is intended to be sited on the eastern portion of the site. This project is in 'Prepare EIS' phase under SSD-84541461.



Figure 6 Photomontage of Stage 1 (approved) (left) and built form massing of Stage 2 (indicative) (right)

Source: Lyons Architecture

Beyond this, the area is characterised by a mix of commercial and residential development. Additionally, to the northeast of the site is Gosford Private Hospital.

East

Immediately east of the site are two mixed use developments with ground floor retail both six (6) storeys in height at 26 Watt Street and 43 Beane Street. Further east of the site is a mix of small medical facilities interspersed within residential development. Both adjoining buildings present a 2-storey high blank wall to the subject site.

South

Keevers Lane is located directly south of the site and adjoins a 7-storey mixed-use development. Further south of the site is the Gateway Shopping Centre, a large retail centre that comprises a through site link to Gosford railway station. Burns Place Park is located approximately 250m to site's southwest and acts as the main green open space in proximity to the station.

West

To the site's immediate west is Keevers Lane which adjoins a single storey brick dwelling house at 287 Mann Street and a 4-storey residential development at 295 Keevers Lane. To the site's west is a series of small-scale retail shops located on Mann Street.

Images of the site and its surrounds are provided within the Architectural Plans at **Appendix B**.

3.0 Strategic Planning Context

The proposal is consistent with the relevant Government plans, policies and guidelines applying to the site as summarised below within **Table 3**. A summary of the strategic planning context relevant to the project includes:

- National Housing Accord 2022;
- NSW State and Premier's Priorities;
- NSW Housing Strategy: Housing 2041;
- NSW Housing Targets;
- NSW Future Transport Strategy 2056;
- Connecting with Country Framework;
- Central Coast Regional Plan 2041;
- Central Coast Local Strategic Planning Statement 2020;
- Gosford Urban Design Framework; and
- Somersby to Erina Corridor Strategy.

Table 3 *Summary of Strategic Context*

Strategic Plan	Strategic Context
National Housing Accord 2022	The Federal Government announced the National Housing Accord in October 2022, which committed to delivering 1 million houses in well-located areas in 5 years starting from the year 2024. Further, the Commonwealth is supporting an additional 10,000 affordable dwellings over 5 years from 2024. Specifically, NSW has committed to delivering 3,100 affordable homes between 2024-2029, facilitated by a new SSD pathway for residential developments (with an EDC of \$75 million or \$30 million, depending on the site's location) and which deliver up to 15% of affordable housing, which the proposed development is consistent with and utilises. The proposed development is consistent with NSW's commitment to provide these affordable homes in well-located areas, in that the site is located near many jobs, public transport connections, social infrastructure such as Gosford Public and Private Hospitals, the expected University of Newcastle Central Coast Campus, and other amenities, services and open space. Overall, the proposed development is aligned with the National Housing Accord as it seeks to deliver a significant amount of additional housing including affordable housing in a strategic location.
NSW State and Premier's Priorities	The proposal will deliver on key State and Premier's Priorities, principally, through the delivery of additional housing in a strategic location. Further, the proposal will deliver on the priority of 'well connected communities with quality local environments' through the provision of a new public plaza and upgrades to Keevers Lane. The site also has strategic merit to improve the connectivity of the community by providing accommodation near major public transport infrastructure such as the Gosford Train Station and various bus routes.
Housing 2041 – NSW Housing Strategy	Housing 2041 is the NSW Government's 20-year vision for the delivery of housing across the State. Released in 2021, Housing 2041 sets out the framework for delivering more housing in the right locations, more diverse housing options that suit diverse demographics, as well as a high amenity housing. Housing 2041 establishes four pillars to underpin the future of housing. The proposed development will closely align with each of these pillars in the following manner: • Supply: The proposal will deliver a total of 130 dwellings with 20 of these being affordable housing. • Diversity: A range of 1-, 2-and 3-bedroom apartments are proposed to appeal to a broad residential market and ensure that all types of households have a place in the development. • Affordability: The proposed development provides 20 affordable housing dwellings, comprising a range of 1-, 2-and 3-bedroom dwellings. • Resilience: ESD principles are embedded into the building's design and future operation. Further discussion of this is provided at Appendix M and Table 21.

Strategic Plan	Strategic Context
NSW Housing Targets	The Central Coast Council's housing target is 9,400 new completed homes by 2029. Subject to development consent, the proposed development will make a meaningful contribution to realising the LGA's housing target.
NSW Future Transport Strategy 2056	The Future Transport Strategy sets out a 40-year vision, directions and outcomes framework for moving people in NSW and will guide transport investment over the longer term. The Future Transport Strategy was refreshed in 2022 to consider the COVID-19 Pandemic, drought, bush fires, floods, alongside population growth and global megatrends. The proposal is consistent with the Strategy by delivering increased residential dwellings and affordable housing within a highly accessible location within the Gosford City Centre with excellent access to transport, jobs and education.
Connecting with Country Framework	The Government Architect's Connecting with Country will be incorporated throughout the lifecycle of the project. Further detailed discussion regarding the project's Connecting with Country outcomes is provided in Section 4.3 below.
Central Coast Regional Plan (CCRP) 2041	The Central Coast Regional Plan (CCRP) 2041 (October 2022) identifies the Gosford City Centre as the social and economic heart of the Central Coast and as a regionally significant growth area. The CCRP describes that regional economic gateways aim to provide employment, a range of housing choice, connect local communities and provide access to goods and services within 15 minutes of homes. Gosford is identified as a Regional City. The site is located within a 'regionally significant growth area', and more specifically, within the City North Precinct. The place strategy outcomes for this precinct are as follows:

- *Create an education and employment precinct integrating the redevelopment of Gosford Hospital, Central Coast Clinical School and Research Institute and University of Newcastle campus on Mann Street.*
- *Ensure walking, cycling and public transport connections improve access to the education and employment precinct.*
- *Plan for a range of housing types to support a diverse and varied population, including key workers, students, young professionals and seniors.*

The site is marked within the Regional Plan as 'mixed use' (**Figure 7**).

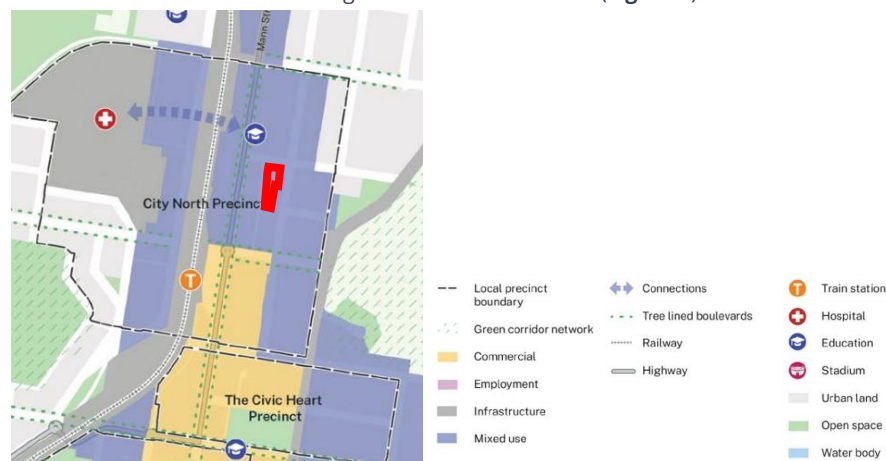


Figure 7 Gosford City Centre regionally significant growth area (site outlined in red)

Source: Lyons Architecture

The proposed development strongly aligns with the Regional Plan in that it:

- Delivers a mixed-use development, comprising retail premises and residential apartments, with an affordable housing component.
- Contributes to the employment precinct by providing retail premises on the ground floor, which further activates the public domain.
- Provides for a new public plaza and enhancements to Keevers Lane that will encourage walking and therefore improve connections between the city centre. Bicycle parking provision is made within the basement which will further encourage this form of active transport.
- Delivers a range of housing types, being market dwellings and affordable housing dwellings, which supports a diverse and varied population.

Strategic Plan	Strategic Context
Gosford Urban Design Framework	The Government Architect's Gosford Urban Design Framework (GUDF) (October 2018) provides a vision, principles and recommendations to support the revitalisation of Gosford City Centre through identified opportunities for improvements to the public domain, pedestrian amenity, connectivity, celebration of Aboriginal culture, and improved building design to enhance the natural setting of Gosford. The development is consistent with the GUDF for the following reasons: • The site is identified within City North. Through the provision of market build-to-sell and importantly, affordable housing, the proposal will support the City North Precinct to deliver a diverse range of housing types. Affordable housing will support key workers, particularly noting the prominence of the health sector workforce in the Gosford City Centre. • Design Principle 4 for the City North Precinct identifies the site as an opportunity for new building form, and particularly, encourages development outcomes that promote a diversity of built form. The proposed decanting strategy seeks to concentrate floor space within the tower form, which allows for two varying building forms. This creates diversity of building types with varied scales and is therefore consistent with the GUDF. • The GUDF identifies a lack of public open space. The proposed public plaza within the site provides opportunities for the community and visitors to meet and engage with each other. • Options for a new pedestrian crossing from the hospital to Beane Street are being investigated, which highlights an opportunity for the site to have a direct connection and be within 200m walking distance to Gosford Hospital. While the GUDF identifies the site as 'education', it is emphasised that this is only an illustration of <i>how</i> a health and education innovation opportunities could develop within the City North precinct. The proposed mixed-use development aligns with the use envisaged under the Regional Plan, as discussed above.
Central Coast Local Strategic Planning Statement 2020	The Central Coast Local Strategic Planning Statement (LSPS) establishes a framework for the growth of the Central Coast Region, outlining a land use vision to guide development through to 2036 and beyond. This strategic direction positions Gosford Regional City as the central hub, connecting the region's coastal and hinterland centres through an integrated transport network that ensures access to essential services. The LSPS also addresses key challenges such as affordable housing, transport, and economic growth by prioritising sustainable development. Gosford City Centre is the capital of the Central Coast, offering regional-level facilities and strengthening local identity. As a key location for future employment, infrastructure investment, and services, Gosford will build on its ongoing revitalisation to drive economic and social benefits. An identified priority is to increase residential living within the Gosford City Centre and close to public transport. This proposal aligns with the LSPS priorities by contributing to the residential growth of the Gosford City Centre, enhancing its amenity, urban lifestyle, and cultural vibrancy as a regional capital. It supports high-quality building design, increases housing supply close to major public transport infrastructure, and reinforces Gosford's role as the Central Coast's regional capital.
Somersby to Erina Corridor Strategy	Council's Somersby to Erina Corridor Strategy responds to the Central Coast Regional Plan 2036 actions for the Southern Growth Corridor. Gosford is identified as one of six centres in the corridor connected by the Central Coast Highway, with Gosford noted as the Central Coast's regional city. The vision for Gosford is a premier waterfront city with medium to high density neighbourhoods, civic uses, education, health, retail, art and culture, and housing choice. The proposal aligns well with the intent of this strategy by providing higher density housing which includes affordable housing in conjunction with retail and commercial in the Gosford City Centre. The provision of retail spaces protects employment uses, and the proposal will contribute to the revitalisation of the City Centre. The delivery of 130 dwellings will significantly contribute to the dwelling targets set out for the Gosford City Centre, which have been reproduced in Figure 8 below.

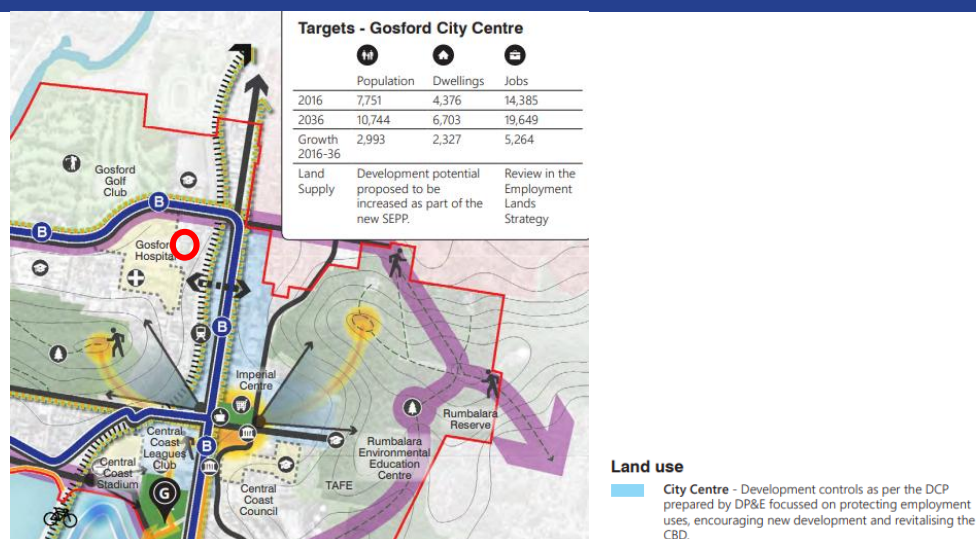


Figure 8 Gosford City Centre (the site circled in red)

Source: Central Coast Council

3.1 Cumulative Impacts

The site is located within the Gosford City Centre, which in its context is an urbanised area containing higher density development within a growing and evolving mixed use centre. Potential cumulative impacts associated with nearby approved and proposed developments have been considered in the relevant technical assessments, including traffic and transport, construction management, built form, visual impact, overshadowing, noise and vibration, and social impact. No unacceptable cumulative impacts are anticipated, subject to implementation of the recommended mitigation measures.

The nearby relevant future proposals that have the potential to result in cumulative impacts are identified in **Table 4** below.

Table 4 Surrounding Future Development

Development	Description	Location	Status
SSD-47749715 305 Mann Street	Construction of a 3 storey building within Stage 1 of the University of Newcastle Central Coast Campus development, comprising an educational establishment	Approx. 50m north of the site	Approved 28/07/2023
SSD-10114 26 Mann Street	Mixed use development (known as Central Coast Quarter) comprising commercial, retail (including food and drink premises), hotel accommodation and residential accommodation	Approx. 900m south of the site	Approved 11/09/2022
SSD-9813 136-148 Donnison Street	Concept and Stage 1 mixed-use development (known as Gosford Alive), comprising commercial, retail and residential uses	Approx. 600m south of the site	Approved 25/09/2020
DA/46274/2014/I 140 Henry Parry Drive	Retail and shop top housing (180 units)	Approx. 350m south of the site	Approved 18/02/2025
DA/753/2025 3/3 Watt Street	Change of use to shop top housing including alterations and additions to first floor	Approx. 300m southeast of the site	Approved 05/06/2025
DA/47046/2015/B 114 Georgiana Terrace	Mixed use development including residential (shop top housing), and commercial (childcare centre, gym, supermarket and speciality shops	Approx. 1km south of the site	Under assessment

Development	Description	Location	Status
DA/34204/2007/H 7 Watt Street	Demolition and construction of a retail, commercial, medical and residential units	Approx. 250m southeast of site	Under assessment
SSD-84541461 305 Mann Street	Construction of a 13-storey building within Stage 2 of the University of Newcastle Central Coast Campus development, comprising student accommodation, student services, recreational uses, a rooftop terrace, car parking and a basement plant	Approx. 50m north of the site	Prepare EIS

Potential cumulative impacts associated with nearby approved and proposed developments have been considered in the relevant technical assessments. An assessment of the cumulative impacts associated with these proposals are considered for each relevant issue in **Section 7.0**.

4.0 Project Description

The proposal seeks approval for a shop top housing development comprising retail premises and residential apartment buildings with an in-fill affordable housing component, on land at 43-45 Beane Street and 2 Keevers Lane, Gosford (the site).

Specifically, this SSDA seeks approval for:

- Site preparation works including tree removal, bulk excavation and in-ground services works;
- Construction of a new mixed-use development consisting of:
 - Ground floor retail premises consisting of 416m² of Gross Floor Area (GFA);
 - Two (2) residential towers, ranging from 5-26 storeys and comprising a total of 130 apartments, including:
 - Building A (26 Storeys):**
 - Ground floor retail premises comprising three (3) tenancies;
 - Residential lobby;
 - 4 affordable housing dwellings, to be managed by a community housing provider for a period of at least 15 years; and
 - 110 market build-to-sell dwellings.
 - Building B (5 Storeys):**
 - Ground floor retail premises comprising two (2) tenancies;
 - Residential lobby;
 - Communal open space; and
 - 16 affordable housing dwellings, to be managed by a community housing provider for a period of at least 15 years.
 - A three (3) storey basement, with vehicular access from Beane Street, comprising:
 - 140 car parking spaces;
 - 3 motorcycle spaces;
 - 42 bicycle spaces;
 - Garbage storage;
 - Plant rooms and other associated services.
- Public plaza, associated landscaping and public domain upgrades to Keevers Lane.
- Extension and augmentation of services and infrastructure as required.

The proposed development is discussed further in the following subsections and detailed in the Architectural Drawings prepared by Tony Owen Partners at **Appendix B**, as well as the Landscape Plan prepared by Creative Planning Solutions at **Appendix I**.

Photomontages of the proposed development are provided in **Figure 9**, **Figure 10**, and **Figure 11**.

The project description in this chapter forms the basis for the technical assessments appended to this EIS. Where project-specific mitigation or management measures are required, these are identified in the relevant technical reports and consolidated in **Appendix E**.



Figure 9 *Render of the proposed development, from the corner of the Pacific Highway and Beane Street*

Source: Tony Owen Partners

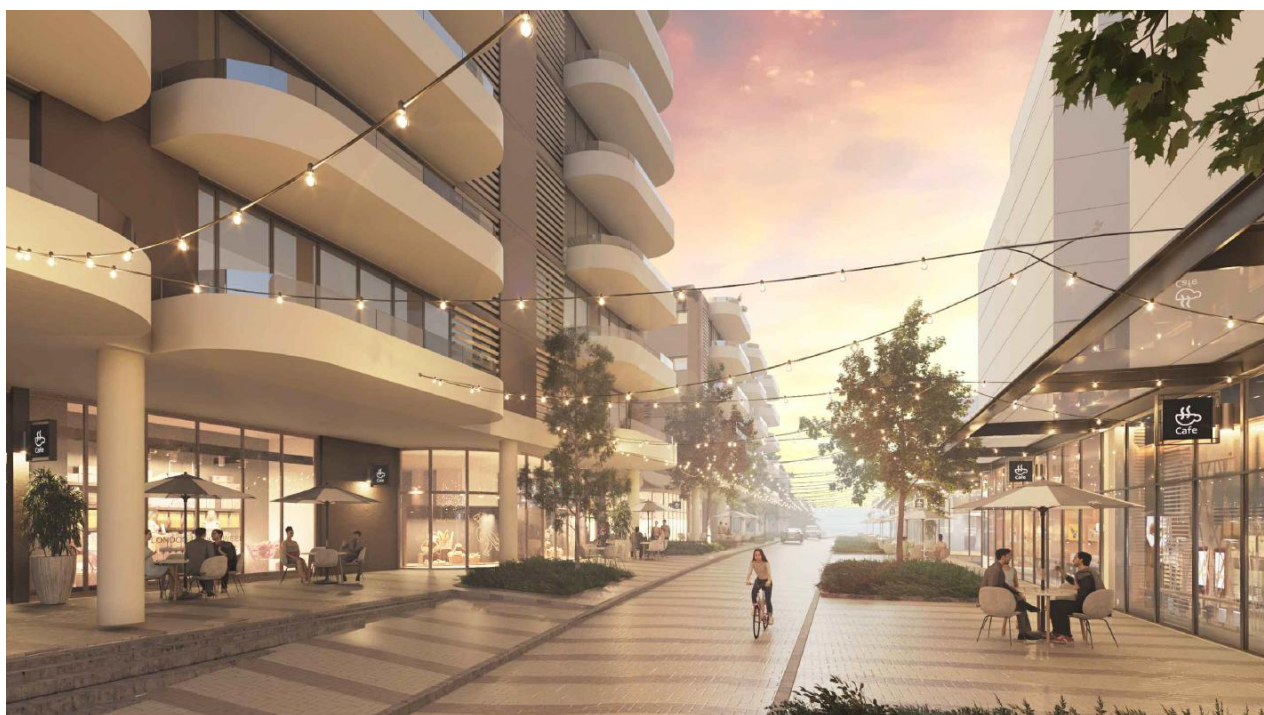


Figure 10 *Render of the proposed new public plaza from Keevers Lane*

Source: Tony Owen Partners



Figure 11 *Render of the proposed development, from Keevers Lane*

Source: Tony Owen Partners

4.1 Key Project Information

The key project details regarding the proposal are outlined in **Table 5**.

Table 5 *Key Project Details*

Component	Proposal
Proposed Land Use	Shop-top housing comprising retail premises and residential apartments.
Legal Description	Lots 8, 9 and 14 in DP18726
Site area	2,070.3m ²
GFA	- Residential: 12,133m² - Retail: 416m² Total: 12,549m ²
FSR	6.06:1
Building Height	- Building A: 89.8m (RL 109.3) (26 storeys) - Building B: 20.85m (RL 41.10) (5 storeys) <i>*building heights in metres are measured vertically from the lowest point of the ground floor level to the highest point of the building.</i>

Component	Proposal		
Boundary Setbacks	Level	Building A	Building B
	Ground	- West (Keevers Lane): 4.13m - North (Beane Street), east and south: Nil	- West (Keevers Lane): 4.6m - South (Keevers Lane) 3m (nil for fire stairs)
	Level 1	- West (Keevers Lane): Nil-4.1m - North (Beane Street), east and south: Nil	- West (Keevers Lane): Nil - South (Keevers Lane): 2.8m-3.3m - East: 1.5m-6.3m
	Level 2-4	-	- West (Keevers Lane): Nil - South (Keevers Lane): 2.8m-3.3m - East: 1.5m-6.3m
	Level 2-26	- West (Keevers Lane): Nil - North (Beane Street): 3m - East: 9m	-
Apartments	<u>Market Housing</u>		<u>Affordable Housing</u>
	1 Bedroom: 35 2 Bedroom: 61 3 Bedroom: 14		1 Bedroom: 6 2 Bedroom: 13 3 Bedroom: 1
	Total: 110 units		Total: 20 units
Vehicle Access	One (1) vehicular access point is provided for at Beane Street enabling access for cars and trucks/service vehicles. A designated service vehicle (10.5m waste truck) will enter and exit the site from Beane Street in a forward manner with the aid of a turntable.		
Car Spaces	- Resident spaces: 131 - Retail / restaurant spaces: 9		
	Total: 140 Spaces		
Motorcycle Spaces	3 spaces		
Bicycle Spaces	42 spaces		
Communal Open Space	1,108.2m ² (53.5%)		
Landscape area	- Ground floor: 565.4m² - Level 1: 683.4m² - Level 5: 424.3m²		
	Total: 1,673.1m ² (80.8%)		
Deep soil Area	145.8m ² (7%)		
Trees	6 trees to be removed (5 trees on site and 1 street tree). 4 new trees to be planted at grade along Keevers Lane.		
Construction Hours	- Monday to Friday: 7:00am to 6:00pm. - Saturdays: 7:00am to 5:00pm. - No work on Sunday and Public Holidays.		
Demolition and Earthworks	The proposal will involve tree removal and site excavation for new three (3) basement levels. An estimated 25,972 m ³ of excavated material is anticipated from the proposed excavation works.		

Component	Proposal
Signage	No signage is proposed. Subject to future approvals.
Infrastructure and Servicing	Electricity, telecommunication, gas, water and sewerage will service the site.
Estimated Development Cost	\$74,370,432 (excluding GST). Refer to the Estimated Development Cost (EDC) Report prepared by Archi-QS at Appendix F .
Construction Jobs	Estimated 465 jobs.
Operational Jobs	Estimated 24 jobs.

4.2 Design Principles

The following design principles and urban approaches have been adopted to ensure the overall vision and objectives for the site are achieved:

- **Tower Character:** The development considers the local context of the site and is consistent with the controls and the massing of buildings anticipated within the future context of the Gosford City Centre.
- **Distinct Ground Floor Identities:** Complement Gosford's rich network of laneways by activating Keevers Lane through a new public plaza in the western part of the site.
- **Connecting to Country:** Connecting with Country principles are at the core of the design through utilising a material palette and built form/spaces that reflects Country and Place. This includes sandstone seating in the inclusion of the rooftop space which lends itself to the concept of a meeting place/yarning circle and motifs of the six clan groups in the art installations/paving patterns along the Keevers Lane activation.
- **Permeability:** Improve on existing site permeability in line with active frontages with consideration to universal access and enhance pedestrian movement through and around the site.
- **Retail:** Deliver a high-quality active retail frontage that reinforces the role of Keevers Lane as an activated alfresco dining and retail laneway.
- **Solar amenity:** Maximise the solar amenity to private and public spaces within the development.
- **Housing diversity and social interaction:** The proposed residential accommodation consists of 130 units and includes 41 x one-bedroom apartments, 74 x two-bedroom apartments and 15 x three-bedroom apartments.

4.3 Connecting with Country

A Connecting with Country Report has been prepared by Access Archaeology, in consultation with local Aboriginal stakeholders and is provided at **Appendix K**. Design principles, informed by cultural values, have formed the basis of design discussions and concept stages and the proposal provides opportunities to inform design development. These include:

- **Acknowledge Country:** The development is sited on Wannangini Country, positioned within a significant location being in a direct line between two important landmarks, Rumbalara and Presidents Hill.
- **Native Planting:** Use native flora in the majority of the landscape design, to support site users and local communities to reconnect with Country.
- **Connect with Country:** Create spaces and opportunities which are calm, tranquil, and offer contact with sky, land, water and fire. Offer spaces which benefit health and wellbeing for Aboriginal and non-Aboriginal people and consider outdoor play spaces for children.
- **Consider Maintenance:** Maintain plants and landscapes to ensure Country is cared for and protect expressions of Aboriginal culture like artworks to ensure they are not disrespected by vandalism.
- **Celebrate Culture:** Further design development may explore the use of lighting to represent the 6 seasons/constellations visible during the six seasons. Additionally, the rooftop of Building A will incorporate a special representation of a local carving motif. Moreover, local language will be maximised, reflective of landscape features through naming each floor – flora or fauna/theme and art in the public areas of each floor to go with the name, and the potential to rename Keevers Lane with an appropriate language name.

4.4 Site Preparation Works

4.4.1 Tree Removal

The removal of six (6) trees, as identified in **Figure 12**, is proposed to facilitate the proposed development. This comprises five site trees that are located within the proposed basement and building footprint, and one Council street tree on Beane Street affected by major TPZ/SRZ encroachment associated with the proposed works.



Figure 12 Proposed Tree Removal Plan

Source: Creative Planning Solutions

4.4.2 Earthworks

Earthworks and excavation are sought as part of this application with an estimated 25,972m³ of excavated material anticipated. Excavation is proposed on the site to provide for the three (3) basement levels. Further detailed geotechnical investigation and design input will be required prior to construction to confirm subsurface conditions, groundwater conditions, excavation methodology, retention design and foundation design for the final approved scheme.

For further detail, refer to the Geotechnical Assessment prepared by EI Australia at **Appendix AA** and Surface and Groundwater Impact Statement prepared by JK Environments at **Appendix W**.

4.5 Built Form

The proposed built form is characterised by a part 5 (Building B), part 26 storey (Building A) mixed use development with a total frontage of approximately 83.7m along the perimeter of Keevers Lane. The mass and density across the overall development have been decanted from Building B to be centralised in Building A (refer to **Section 7.1.1**).

As shown in the Architectural Plans provided by Tony Owen Partners (**Appendix B**), the proposed development comprises a built form split into two buildings with a shared one (1) storey podium that consists of ground floor retail and communal open space, with residential dwellings situated above the ground floor. The proposed site plan is provided at **Figure 13** and the proposed massing is shown at **Figure 14**, illustrating the proposed layout of buildings across the site.

Building A

Building A is located within the northern portion of the site with a primary street frontage to Beane Street and secondary frontage to Keevers Lane. It is a 26-storey building with a proposed maximum building height of 89.8m (RL 109.3). Building A is connected to Building B through the proposed ground level podium that serves the purpose of interconnecting the ground level of both buildings and providing a continuous activated frontage to Keevers Lane. Building A comprises a total of 114 residential apartments.

Building B

Building B is located within the southern portion of the site with a primary street frontage to Keevers Lane. It is a 5-storey building with a maximum building height of 20.85m (RL 41.10). Building B comprises a total of 16 residential apartments.

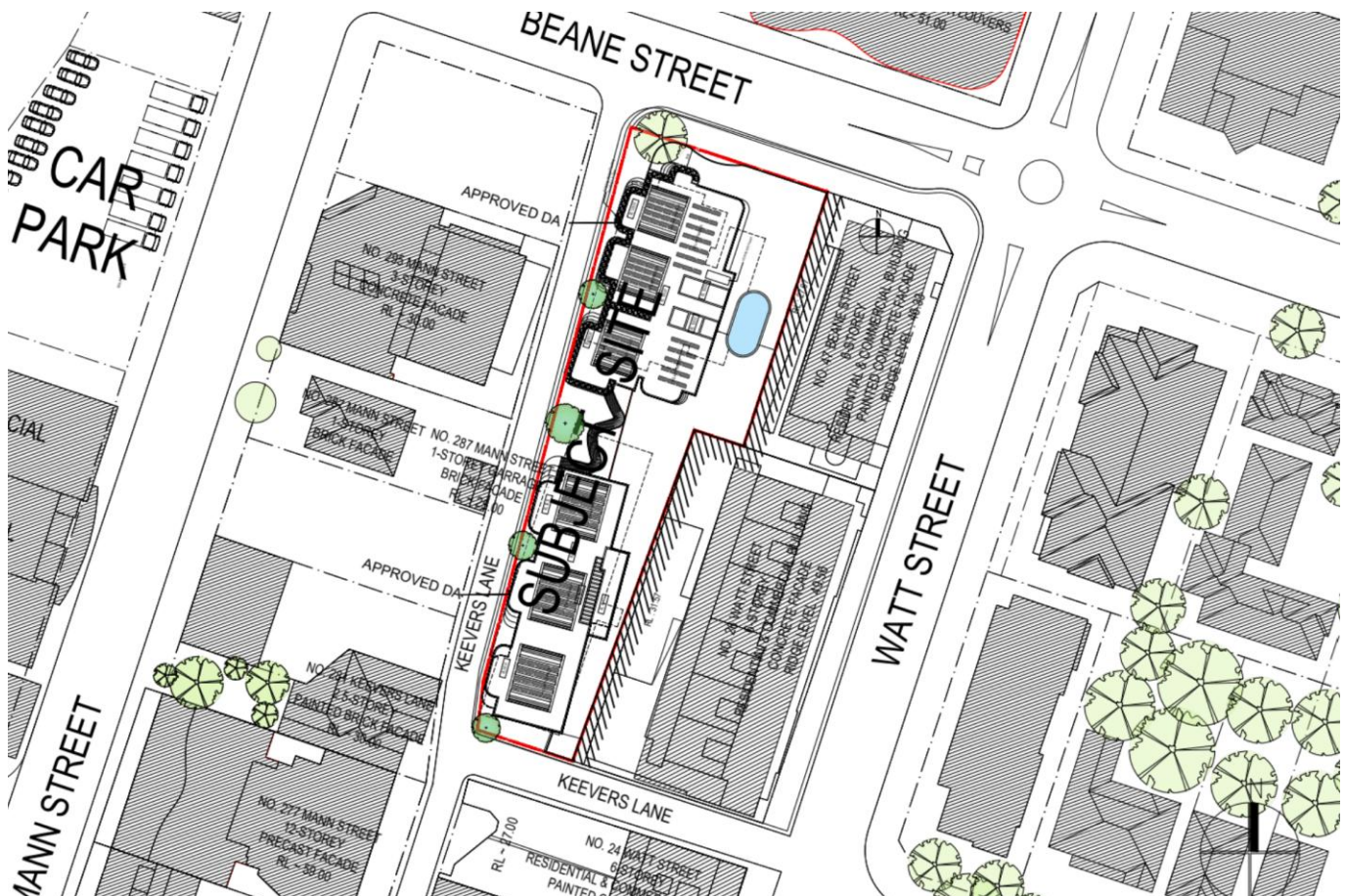


Figure 13 Proposed Site Plan

Source: Tony Owen Partners



Figure 14 *Proposed Massing Diagram (Looking south-east)*

Source: Tony Owen Partners

4.5.1 Basement

The proposed development includes a three (3) storey basement comprising of retail and residential car parking, bicycle and motorcycle spaces, waste storage and plant room areas. Proposed parking rates in the basement are as follows:

- 140 parking spaces (including 16 accessible spaces), including:
 - 131 x residential car parking spaces
 - 9 x commercial / retail spaces
- 1 x loading bay
- 42 x bicycle parking spaces
- 3 x motorcycle parking spaces

Vehicular access to the basement car parking levels will be via the proposed driveway entry from Beane Street. The driveway will provide a controlled two-way ramped entrance to the shared basement level carpark spanned across the entirety of the site. Loading and servicing of the site will also take place via a loading dock accessed from Beane Street.

4.5.2 Ground Floor

The proposed development will provide five (5) retail units at ground level comprising 416m² of GFA which can be accessed via Keevers Lane. The primary frontage of the site is to be along Keevers Lane, marked by a striking double-height ground floor retail frontage that enhances street presence and encourages pedestrian engagement. It is anticipated that the retail components of the development will be fine grain shopfronts and/or café/commercial spaces. The ground floor includes the proposed public plaza fronting Keevers Lane, providing a high level of public domain amenity and helping to generate pedestrian activity in this part of Gosford.

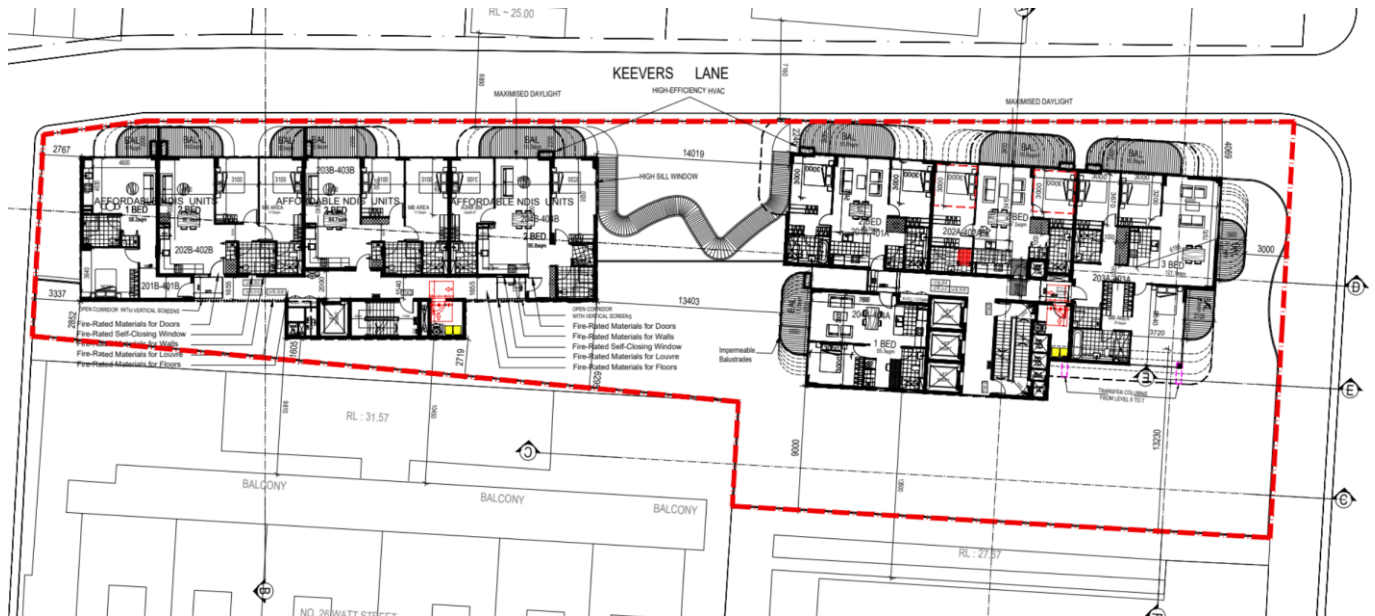


Figure 16 Proposed Levels 2-4 floor plan

Source: Tony Owen Partners

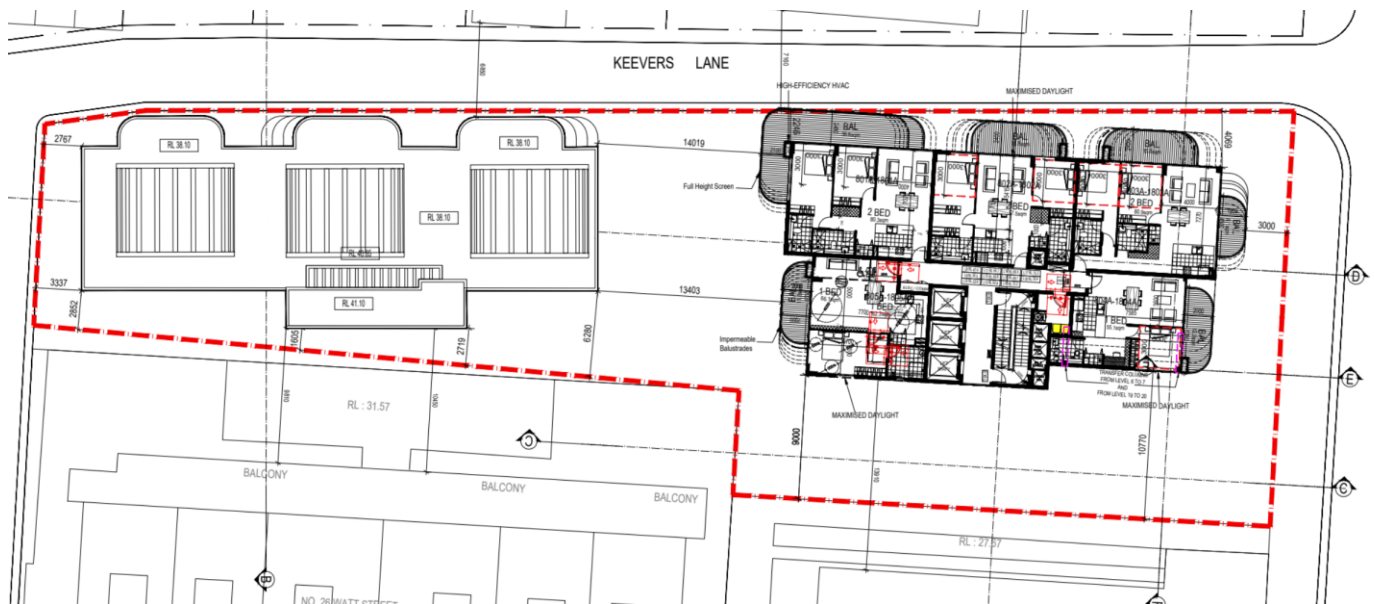


Figure 17 Proposed Levels 8-18 floor plan

Source: Tony Owen Partners

4.5.4 Façade and Materiality

A schedule of materials and finishes has been developed by Tony Owen Partners and is provided within **Appendix B**. The proposed built form is highly articulated with a refined palette adding visual interest to the streetscape.

The material palette and architectural elements have been thoughtfully curated to reflect the general colour advice provided by the RAPs, which included the chosen sand palette. The design draws inspiration from the region's forested landscape and Aboriginal heritage, expressed through vertical forms and a composition of earthy tones and textured finishes.

The materials schedule is illustrated in **Figure 18**.



Figure 18 External finishes to the proposed development

Source: Tony Owen Partners

4.6 Affordable Housing

A total of 12,549m² GFA is proposed across the site. Of the GFA provided, 1,760.9m² is to be the ‘affordable housing component’ within the meaning of *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). The ‘affordable housing component’ is detailed in **Table 6**. The affordable housing component identified above is calculated by reference to GFA for the purposes of the Housing SEPP.

Table 6 Proposed Affordable Housing Component

Location	No. of Units	Unit Mix	GFA
Building A	4	2 x 1-bed units 1 x 2-bed units 1 x 3-bed units	360.5m ²
Building B	16	4 x 1-bed units 12 x 2-bed units	1,400.4m ²
Total	20 affordable residential units		1,760.90m²

This equates to 14.03% of the total GFA proposed. The development is therefore eligible for a 28.06% bonus to FSR under the formula established under Section 16(2) of the Housing SEPP. The proposal will utilise a bonus of 27.6% which remains below the maximum quantum of bonus FSR the development is eligible for. Refer to **Section 5.5.3.2** for detailed discussion.

Appendix H includes a letter from EchoRealty NSW & ACT Limited (EchoRealty), a registered Community Housing Provider who will manage the affordable housing component of the project and confirms the proposed affordable housing dwellings, unit mix and management arrangements.

Of the 130 dwellings proposed, the development also includes 12 adaptable units and 24 silver level liveable units under the Livable Housing Guidelines. The design and location of these units throughout the building are illustrated in the Architectural Drawings at **Appendix B**.

4.7 Landscaping and Communal Open Space

A Landscape Plan has been prepared by Creative Planning Solutions and is provided at **Appendix I**. The proposed design provides a variety of landscaped public and communal spaces across the development comprising a total landscaped area of 1,673.1m² (80.8%) and communal open space area of 1,108.2m² (53.5%), contributing to the amenity of the future residents and providing a landscaped buffer to surrounding sites.

Landscaping aspects for the public domain and communal spaces are detailed in the sections below.

4.7.1 Ground Floor

The proposed landscaped area on the ground floor comprises a total area of 565.4m² and consists of the key plaza fronting Keevers Lane with paved outdoor space for seating, passive gathering and a series of retail offerings fronting the activated plaza, as illustrated in **Figure 19**.



Figure 19 Ground floor landscaping plan

Source: Creative Planning Solutions

4.7.2 Level 1

A landscaped communal open space area is provided on Level 1 of the development, comprising an area of 683.4m², with access provided to this landscaped area from both Building A and Building B, as illustrated in **Figures 20** and **21**. The communal open space area provides for a pool, spa and sundeck; multiple seating nooks; and two barbecue and outdoor dining spaces. Landscaping has been provided throughout as well as a lawn area adjacent the proposed pool and adjoining Building A.

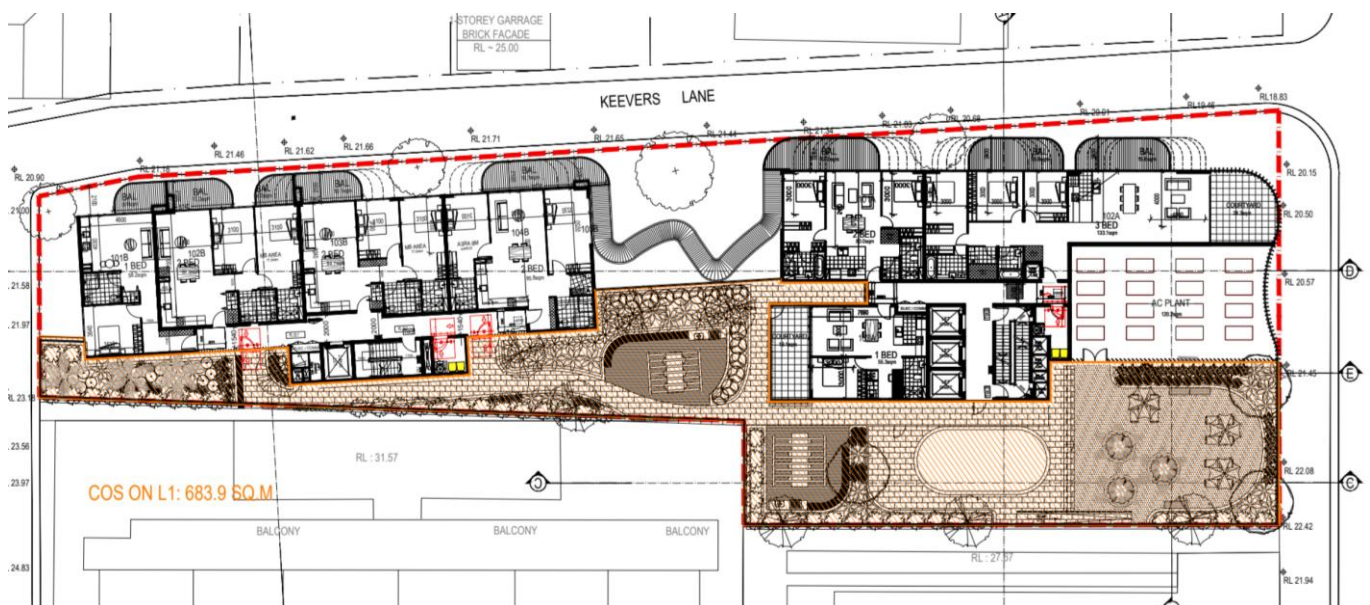


Figure 20 Level 1 communal open space plan

Source: Tony Owen Partners



Figure 21 Level 1 communal open space landscaping plan

Source: Creative Planning Solutions

4.7.3 Level 5

Another landscaped terrace is situated at Level 5 atop Building B. This area also provides for extensive landscaped communal open space being approximately 424.3m², through the provision of three (3) social terraces with BBQ and dining facilities, pergolas, and additional seating nooks, offering both opportunities for casual interaction and high visual amenity, as well as substantial landscaping area and green space (**Figures 22 – 23**).

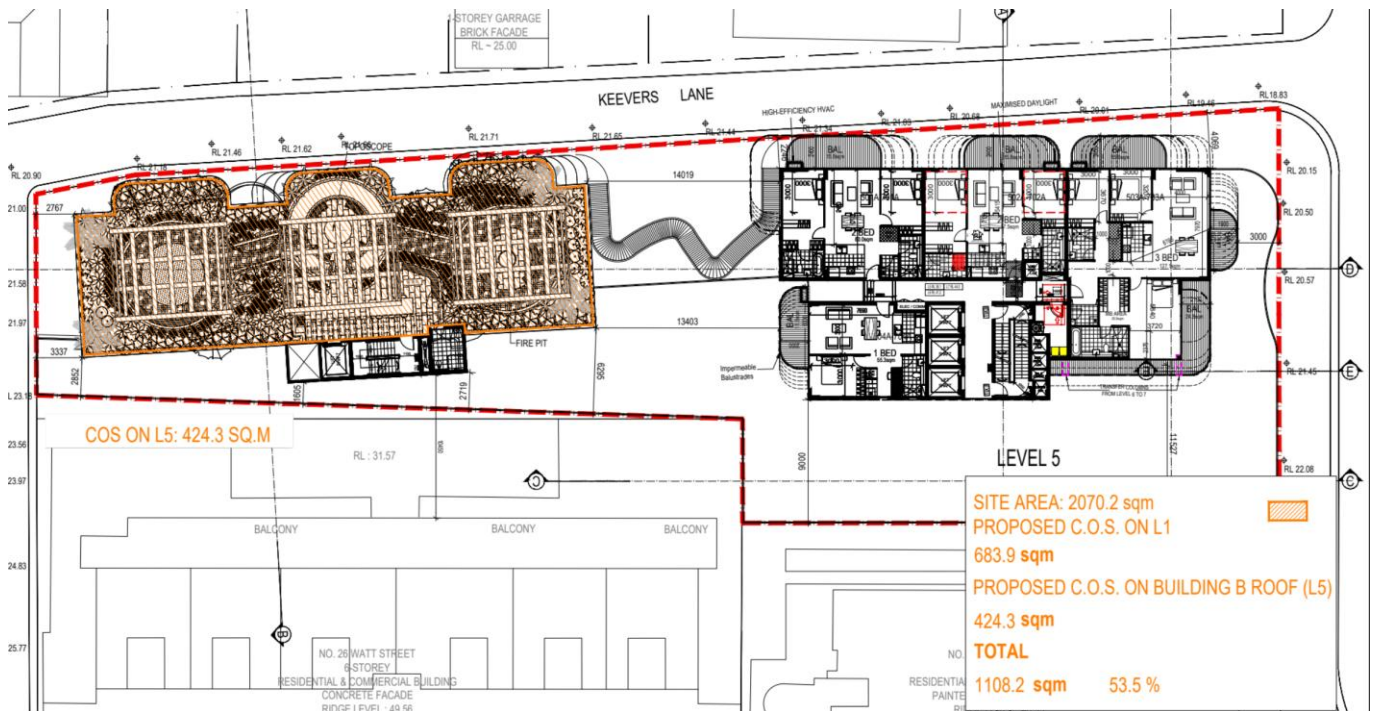


Figure 22 Level 5 communal open space plan

Source: Tony Owen Partners



Figure 23 Level 5 communal open space landscaping plan

Source: Creative Planning Solutions

4.8 Keevers Lane

Consent is also sought for domain upgrades to Keevers Lane including the provision of a shared pathway area as an extension of the new retail activated public domain and plaza to be delivered at the site's western frontage, to ensure pedestrian safety within and surrounding the site. It is noted that this will require consent under section 138 of the *Roads Act 1993*.

4.9 Site Access and Parking

4.9.1 Pedestrian Access

The development has been designed to facilitate efficient and easy access throughout the site. Pedestrian access to the residential components of the site is provided via two (2) residential lobbies for Building A and Building B respectively, with both being located along the Keevers Lane frontage. Additionally, the plaza and associated retail component of the development is easily accessible from Keevers Lane, with a shared zone proposed to ensure safety for pedestrians.

4.9.2 Vehicle Access and Parking

Vehicular access to the proposed basement car park is provided from Beane Street. The proposed driveway arrangement provides for greater frontage to Keevers Lane enabling the activation of the laneway rather than creating a disjointed streetscape. Access for trucks/service vehicles is also provided on Beane Street.

A loading bay is located within the ground floor of the proposed development and features a turntable in order for trucks/service vehicles to exit the site in a forward direction. Genesis Traffic have prepared a swept path analysis within the Transport Impact Assessment provided at **Appendix Q**, showing that the loading and waste vehicles can enter and exit the site in a forward direction.

All retail parking spaces are proposed within Basement 1, and residential parking is provided across all levels, with car parking numbers provided in **Section 4.5.1** above. The swept paths included at **Appendix Q** demonstrate that adequate vehicular manoeuvrability can be achieved in the basement. The basement is also designed to contain secure bicycle parking and 133 resident storage cages.

4.9.3 Loading and Waste Collection Facilities

All loading and unloading will take place within the loading dock on the ground floor of the development and will accommodate vehicles up to 10.5m, including a Council waste truck. With a 4m height clearance, the loading dock will facilitate a truck to enter and exit the site in a forward direction. Waste collection is proposed to occur within the loading dock via Council collection for the residential land uses and private contractor collection for the retail land uses.

4.10 Site Servicing and Utilities

4.10.1 Utility Infrastructure

The proposal is strategically located within an established urban area with access to existing infrastructure and services including water, sewer, stormwater, power, and telecommunications. These services can be augmented as required to support the proposed development.

As well, the site benefits from excellent access to public transport, with Gosford Railway Station located approximately 250m to the southwest and high-frequency bus services that provide connections to Wyong, Westfield Tuggerah, Woy Woy, Erina Fair, and The Entrance. As well, traffic and access studies support the proposed parking, loading and circulation arrangements as consistent with local road capacity and design standards. Accordingly, the site is capable of being adequately serviced.

4.10.2 Stormwater Management

One OSD tank will be situated fronting Beane Street with an area of approximately 47.5m². Comparatively, the other OSD tank will be at the rear of the development adjoining the eastern boundary that has an approximate area of 27.9m². The discharge point for the OSD tanks will be directed to Beane Street.

Water runoff from roof areas will be collected and drained to rainwater tanks and any overflow is to be collected and drained to storm filter chamber tanks. The runoff from the buildings and the open areas will be directed to the on-site retentions or storm filter tanks systems. It will then be subject to water quality treatment measures prior to discharging into the receiving pits. The subsoil discharge and any runoff from the basement car park ramps will be collected in pump out pits inside the basement, prior to being pumped into the water quality systems. The design of pump out systems will be in accordance with Council's guidelines.

5.0 Statutory Context

Development approval is sought for the project under the State Significant Development provision of Part 4 of the EP&A Act. The sections below outline the project's key statutory requirements. This section is complemented by a Statutory Compliance Table included at **Appendix C** that identifies all statutory requirements and where those requirements have been addressed in the EIS.

5.1 Power to Grant Approval

The legislative pathway under which the consent is sought, why the pathway applies, and the relevant consent authority is outlined in **Table 7** below.

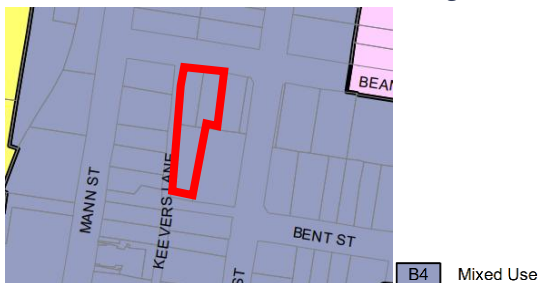
Table 7 Power to Grant Consent

Matter	Consideration
Declaration of State Significant Development	Development consent will be sought under 'Division 4.7 State significant development' of the EP&A Act. Section 4.36(2) of the EP&A Act states that: <i>A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.</i> Schedule 1 of the Planning Systems SEPP identifies development that is declared SSD. Section 26A 'In-fill affordable housing' of Schedule 1 states: 26A In-fill affordable housing (1) <i>Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—</i> (a) <i>the part of the development that is residential development has an estimated development cost of—</i> <i>(ii) for development on other land—more than \$30 million, and</i> (b) <i>the development does not involve development prohibited under an environmental planning instrument applying to the land.</i> As the proposed development is for the purposes of 'in-fill affordable housing' with an estimated development cost (EDC) of over \$30 million, it is State Significant Development by virtue of Schedule 1, Section 26A(1)(a)(ii) of the Planning Systems SEPP. The EDC Report at Appendix F, confirms that the development's EDC exceeds \$30 million. The non-residential component of the development, being the retail premises, is also SSD by virtue of Section 2.6(2) of the Planning Systems SEPP, which provides that where a development is only partly classified as SSD, the remainder of the development is also declared to be SSD if it is sufficiently related to the SSD component. The direct nexus between the shop top housing and retail floor space offering is that the proposal is for a singular integrated mixed-use development that includes both residential and non-residential uses. All the buildings within the proposed scheme are served by a consolidated basement and an integrated public domain, which is critical to the overall success of the development.
Consent Authority	Section 4.5 of the EP&A Act and section 2.7 of the Planning Systems SEPP stipulate that the consent authority is the Minister for Planning and Public Spaces (or DPHI as their delegate) unless the development triggers the matter set out in section 2.7(1) in which case the consent authority will be the NSW Independent Planning Commission.

5.2 Permissibility

The permissibility of the proposed development considering the proposed land use/s and land zoning is outlined in **Table 8** below.

Table 8 *Permissibility*

Matter	Consideration
Land Use	The proposed development constitutes ‘shop top housing’ as defined under the Standard Instrument meaning “one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.” The proposal seeks consent for shop top housing, with ground floor retail premises and residential accommodation above.
Land Zoning	The site is zoned B4 Mixed Use under the Regional Precincts SEPP (Figure 24).  Figure 24 <i>Land Zoning Map (the site outlined in red)</i> Source: Regional Precincts SEPP
Permissibility	‘Shop top housing’, ‘retail premises’ and ‘residential flat buildings’ are all permissible with consent under the B4 zoning of the site. The development is consistent with the objectives of the zone, as it will: • Provide a mixture of compatible residential and non-residential land uses at a key site within the Gosford City Centre so as to maximise public transport patronage and encourage walking and cycling. • Create opportunities to improve the public domain and pedestrian links of Gosford City Centre.

5.3 Other Approvals

The other legislative approvals required for the Proposal in addition to a development consent under Division 4.7 of the EP&A Act are outlined in **Table 9** below.

Table 9 *Other Approvals*

Matter	Consideration														
Approvals not required for SSD	Section 4.41 of the EP&A Act stipulates that certain authorisations are not required for State significant development. The following legislative approvals would otherwise be required if the Project was not State significant. <table> <tr> <th>Legislation</th><th>Approval Otherwise Required</th></tr> <tr> <td colspan="2">Legislation that does not apply to State Significant Development</td></tr> <tr> <td><i>Fisheries Management Act 1994</i></td><td>No</td></tr> <tr> <td><i>Heritage Act 1977</i></td><td>No</td></tr> <tr> <td><i>National Parks and Wildlife Act 1974</i></td><td>No</td></tr> <tr> <td><i>Rural Fires Act 1997</i></td><td>No</td></tr> <tr> <td><i>Water Management Act 2000</i></td><td>No</td></tr> </table>	Legislation	Approval Otherwise Required	Legislation that does not apply to State Significant Development		<i>Fisheries Management Act 1994</i>	No	<i>Heritage Act 1977</i>	No	<i>National Parks and Wildlife Act 1974</i>	No	<i>Rural Fires Act 1997</i>	No	<i>Water Management Act 2000</i>	No
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<i>Rural Fires Act 1997</i>	No														
<i>Water Management Act 2000</i>	No														
Consistent Approvals	Section 4.42 of the EP&A Act stipulates that certain authorisations cannot be refused if they are necessary for carrying out State significant development. The following table lists legislative approvals that are required for the Project and cannot be refused if the Project is approved.														

Matter	Consideration																				
	<table> <tr> <th>Legislation</th><th>Approval Required</th></tr> <tr> <td colspan="2">Legislation that must be applied consistently</td></tr> <tr> <td><i>Fisheries Management Act 1994</i></td><td>No</td></tr> <tr> <td><i>Coal Mine Subsidence Compensation Act 2017</i></td><td>No</td></tr> <tr> <td><i>Mining Act 1992</i></td><td>No</td></tr> <tr> <td><i>Petroleum (Onshore) Act 1991</i></td><td>No</td></tr> <tr> <td><i>Protection of the Environment Operations Act 1997</i></td><td>No</td></tr> <tr> <td><i>Roads Act 1993</i></td><td>Yes (refer to Section 4.8)</td></tr> <tr> <td><i>Pipelines Act 1967</i></td><td>No</td></tr> <tr> <td><i>Water Management Act</i> (aquifer interference approval)</td><td>No</td></tr> </table>	Legislation	Approval Required	Legislation that must be applied consistently		<i>Fisheries Management Act 1994</i>	No	<i>Coal Mine Subsidence Compensation Act 2017</i>	No	<i>Mining Act 1992</i>	No	<i>Petroleum (Onshore) Act 1991</i>	No	<i>Protection of the Environment Operations Act 1997</i>	No	<i>Roads Act 1993</i>	Yes (refer to Section 4.8)	<i>Pipelines Act 1967</i>	No	<i>Water Management Act</i> (aquifer interference approval)	No
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<i>Water Management Act</i> (aquifer interference approval)	No																				
EPBC Approval	The <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities, and heritage places. These are known as matters of National Environmental Significance. If the proposed development will, or is likely, to impact a matter of National Environmental Significance, then it is required to be referred to the Federal Department of the Environment for assessment to determine if it constitutes a 'controlled action' requiring EPBC approval. Presently, a bilateral agreement allows the Commonwealth Minister for the Environment to rely on the NSW environmental assessment process when assessing a controlled action under the EPBC Act. Having regard to the disturbed site condition, absence of mapped high biodiversity value land, and the BDAR Waiver (Appendix Z) dated 6 May 2026, the proposed development is not expected to have a significant impact on matters of national environmental significance. Accordingly, referral to the Federal Department of the Environment to determine whether the proposal is a controlled action is not considered necessary.																				

5.4 Pre-Conditions to Exercising the Power to Grant Consent

The pre-conditions to be fulfilled by the consent authority before exercising their power to grant development consent are identified and considered in **Table 10** below.

Table 10 Pre-Conditions to Exercising the Power to Grant Consent

Statutory Reference	Consideration
<i>Biodiversity Conservation Act 2016</i>	In accordance with this Act, an assessment of any State Significant proposal's biodiversity impacts must be undertaken as part of the provision of any SSDA, including the provision of a Biodiversity Development Assessment Report (BDAR) in instances where it is required, unless a BDAR Waiver is provided. The site is located within an urbanised area and does not contain mapped native vegetation communities or endangered ecological communities. The Arboricultural Impact Assessment identifies six trees within and adjoining the site, all of which are proposed to be removed to facilitate the development. A BDAR Waiver has been issued (6 May 2026) for the proposed development by DCCEW at Appendix Z. If the development is amended in a way that may affect biodiversity impacts, the Applicant should confirm whether a fresh BDAR waiver request or BDAR is required.
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	As discussed at Section 5.1 , the proposal is State Significant Development pursuant to Schedule 1, Section 26A(1)(a)(ii) of the Planning Systems SEPP.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure of the State. Section 2.48 – Determination of development applications—other development Section 2.48 requires the consent authority to give written notice to the electricity supply authority for the area and take into consideration any response to that notice before granting consent to a development likely to affect an electrical transmission or distribution network. The application will be referred to the relevant utility providers during the assessment. Section 2.122 – Traffic-generating development

Statutory Reference	Consideration
	Section 2.122 requires the consent authority to provide TfNSW with written notice of a DA for developments considered to be 'traffic-generating development' This development does not meet the relevant thresholds for 'traffic-generating development' under Schedule 3 of the SEPP, and therefore referral to TfNSW is not required.
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	The Resilience and Hazards SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Section 4.6 stipulates that a consent authority must not consent to the carrying out of development unless: • It has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. • If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose. In this regard, the Preliminary Site Investigation and Geotechnical Assessment prepared by EI Australia confirms that the site can be made suitable for the proposed development and use as a shop top housing development. Refer to Appendix T and Appendix AA, and further discussion provided at Section 7.13 below.
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	Chapter 2 of the Biodiversity and Conservation SEPP aims to protect the biodiversity value of trees and other vegetation in non-rural areas. The site contains limited vegetation within a highly disturbed urban context, including six trees within and adjoining the site that are proposed to be removed. Having regard to the site context, the absence of mapped native vegetation communities or endangered ecological communities, and the BDAR Waiver issued (6 May 2026) at Appendix Z, the proposed development is not considered likely to result in significant adverse biodiversity impacts.
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	The Sustainable Buildings SEPP encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for residential and non-residential development and starts the process of measuring and reporting on the embodied emissions of construction materials. The following parts of the Sustainable Buildings SEPP are applicable to this development: • Chapter 2, Standards for residential development – BASIX; and • Chapter 3, Standards for non-residential development. An assessment of the proposed development's consistency with the relevant provisions and controls of the Sustainable Buildings SEPP is provided in the ESD Report provided at Appendix M. A BASIX Certificate and Stamped Plans have also been prepared, and are included at Appendix N. Refer to further discussion at Section 7.9.

5.5 Mandatory Matters for Consideration

The matters that the consent authority is required to consider in deciding whether to grant consent to any development application are identified and considered in the below subsections.

5.5.1 Environmental Planning & Assessment Act 1979

The proposed development is consistent with the objects of the EP&A Act for the following reasons:

- It will enable the delivery of 110 market apartments and 20 affordable housing units for the growing population of the Central Coast LGA and will positively contribute to housing supply and affordability.
- The proposed development will support a more productive use of the site through the delivery of a mixed-use development which supports residential, commercial and retail uses. As well, the proposal further promotes productivity through development by providing additional construction jobs.
- A BDAR waiver has been provided for the site (**Appendix Z**), which confirms that the site does not comprise any threatened species of native animals and plants and ecological communities and their habitats.
- It facilitates the orderly and economic use and development of land.
- It promotes the delivery and maintenance of affordable housing (20 new affordable housing dwellings).
- The proposal's design includes a range of Ecologically Sustainable Design (ESD) measures including the considered selection of low carbon materials, waste management and achievement of BASIX certification.

- It promotes the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).
- It facilitates good design and amenity of the built environment. The building has been carefully articulated to reduce the overall visual, overshadowing and solar access impacts. As a result, the proposal and surrounding development still achieve a high level of compliance with the ADG.
- The project will be subject to public exhibition and agency consultation as part of the SSD assessment process, providing opportunities for community participation and consideration of submissions.
- The proposal integrates economic, environmental and social considerations by delivering housing and jobs proximate to high frequency public transport (reducing car dependence), incorporating landscaped areas and public domain improvements, and enabling ESD initiatives.
- This SSDA has been prepared with the assistance of multiple and various supporting documentation that outline potential risks involved with the proposal, and mitigation measures to resolve them.
- The proposal will promote the orderly and economic use of the land by allowing the redevelopment of the site to suit the planning intent of the Gosford City Centre.

The proposed development is consistent with Division 4.7 of the EP&A Act, particularly for the following reasons:

- The development meets the requirements for State Significant Development
- The development is not prohibited by an environmental planning instrument.
- The development has been evaluated and assessed against the relevant matters of consideration under section 4.15(1), as outlined in this report.

5.5.2 Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)

Part 8, Divisions 2 and 5 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) sets out procedures which relate to the preparation and submission of Environmental Impact Statements. This EIS has been prepared in accordance with sections 190 and 192 of Division 5 which relate to the form and content of the EIS. Similarly, the EIS has addressed the principles of ESD through the precautionary principle (and other considerations), which assesses the threats of any serious and irreversible environmental damage.

In addition, and of particular note to this SSDA is Section 26 of the EP&A Regulation which stipulates the following:

26 Information about affordable housing development

(1) A development application for development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1, 2 or 5 applies must specify the name of the registered community housing provider who will manage—

(a) for development to which Division 1 applies—the affordable housing component, or

[...]

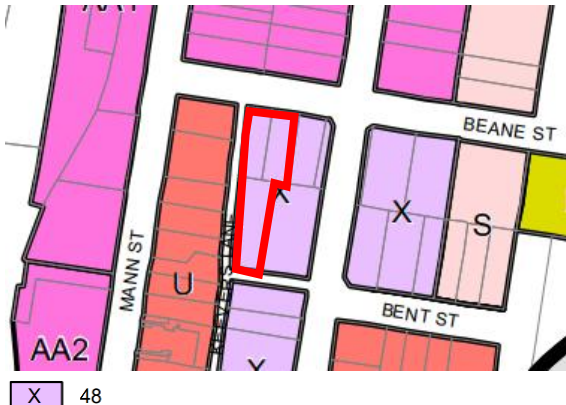
Appendix H includes a letter from EchoRealty, a registered Community Housing Provider who will manage the affordable housing component of the project.

5.5.3 State Environmental Planning Policy (Precincts – Regional) 2021

Chapter 5 of *State Environmental Planning Policy (Precincts – Regional) 2021* (Regional Precincts SEPP) is the key environmental planning instrument applicable to the Gosford City Centre, setting out the key built form controls for development. The SEPP applies in lieu of the *Central Coast Local Environmental Plan 2022* for development within the Gosford City Centre.

An assessment of the development against the key parameters of the SEPP is provided in **Table 11** below.

Table 11 *Assessment against Chapter 5 of Regional Precincts SEPP*

Clause	Assessment
Clause 5.13 <i>Zone objectives and land use table</i>	The site is zoned B4 Mixed Use. The proposed development is permissible with consent and consistent with the objectives of the B4 land use zoning. Refer to Section 5.2 .
Clause 5.17 <i>Demolition requires development consent</i>	The site is currently devoid of development and demolition is not proposed.
Clause 5.25 <i>Height of buildings</i>	The site is subject to a 'base' building height of 48m, as shown in Figure 25.  Figure 25 <i>Height of Buildings Map (the site outlined in red)</i> Source: Regional Precincts SEPP However, Clause 5.46 provides that development may exceed the maximum height provided under certain circumstances, by an amount determined by the consent authority. The proposed development seeks to utilise the exception to maximum height permitted under Clause 5.46, with the proposed built form having a building height of 89.8m. Refer to Section 5.5.3.1 below for detailed discussion around compliance with the Height of Building development standard.
Clause 5.26 <i>Floor space ratio</i>	The site is subject to a 'base' floor space ratio (FSR) control of 4.75:1, as shown in Figure 26.  Figure 26 <i>FSR Map (the site outlined in red)</i> Source: Regional Precincts SEPP The proposed development seeks consent for a FSR of 6.06:1, as consistent with the FSR limit following application of the Housing SEPP FSR bonus as applicable to the development. Refer to Section 5.5.3.2 below for detailed discussion around compliance with the floor space ratio development standard.
Clause 5.36 <i>Heritage conservation</i>	The site is not identified as a heritage item or in a heritage conservation area. However, it is in the vicinity of the following heritage items (Figure 28): • Mitre 10 store (43) at 299–309 Mann Street, local significance; and • Steps of former private hospital (320) at 297 Mann Street, local significance.

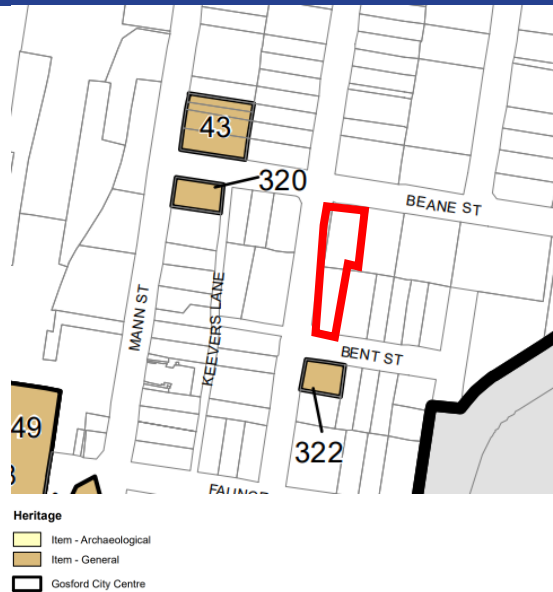


Figure 27 Heritage Map (the site outlined in red)

Source: Regional Precincts SEPP

Clause 5.39
Acid sulfate soils

The site is located on land that is partially mapped as containing Class 5 acid sulfate soils. The Geotechnical Investigation prepared by JK Geotechnics (**Appendix AA**) confirms that no acid sulfate soil risk has been identified at the site with this also indicated in the Preliminary Site Investigation by EI Australia (**Appendix T**).

Clause 5.40
Flood planning

Not applicable, the site is not flood affected – refer to **Appendix BB**.

Clause 5.45
Design excellence

This clause aims to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Gosford City Centre. An assessment of the development against the design excellence requirements stipulated at Clause 5.45(4) of the SEPP is provided in the table below.

Requirement	Assessment
<i>(4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—</i>	
<i>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</i>	The architectural design of the building features a podium-like built form in combination with a mass decanting strategy from Building B to Building A. In this respect, the building height of Building A has been carefully positioned to enable the provision of public plaza activation which will improve the overall site amenity and ground floor streetscape activation. Further discussion is provided in Section 7.1 .
<i>(b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,</i>	
<i>(c) whether the development is consistent with the objectives of sections 5.52 and 5.53,</i>	The development has been designed in accordance with clause 5.52 and 5.53 and exhibits a high quality and skilful design that addresses the surrounding land uses, bulk, massing and modulation of the proposed and nearby buildings and separation, setbacks, amenity and urban form.
<i>(d) any relevant requirements of applicable development control plans,</i>	The proposed development has had regard to the GCC DCP 2018 (noting that it remains technically inapplicable to State Significant Development) and is considered a suitable use of the site that is suitable to its existing and future surrounding context.
<i>(e) how the development addresses the following matters—</i>	

Clause	Assessment
	(i) <i>the suitability of the land for development,</i> The development is suitable for the site. Refer to Section 8.5. (ii) <i>existing and proposed uses and use mix,</i> Currently, the site is vacant and does not contain any land uses. The development proposes shop-top housing comprising retail premises and residential apartments. (iii) <i>heritage issues and streetscape constraints,</i> As aforementioned, the site is not identified as a heritage item or in a heritage conservation area. Access Archaeology have confirmed that the local heritage item at 297 Mann Street (I320), and a 'Mitre 10' store at 299-309 Mann Street (I43), will not be significantly or physically impacted by the proposed development. (iv) <i>the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</i> Decanting the bulk into the tower form (Building A) rather than distributing it across Building B ensures that density is concentrated in the location best able to accommodate height, while Building B remains appropriately scaled to respond to a finer-grain context. This approach provides an appropriate planning and urban design outcome by reducing visual bulk on secondary frontages, strengthening the plaza interface, and achieving a clearer transition between the Gosford City Centre core and the adjoining local streets. Further discussion is provided in Section 7.1. (v) <i>bulk, massing and modulation of buildings,</i> As aforementioned, the proposed building massing has been designed as two (2) distinct volumes to reflect a decanting strategy. The proposed 26 storey tower (Building A), is connected to a one (1) storey podium which joins to the five (5) storey building (Building B) on the corner of Keevers Lane. It is noted that the proposed five (5) storey building is significantly under the maximum building height permitted on the site. This positioning of building height from Building B to Building A creates an improved interface to the surrounding boundaries, especially the boundary adjacent Building A at 295 Keevers Lane to the east and Building B at 287 Watt Street to the east. Refer to Section 7.1 for further discussion. (vi) <i>street frontage heights,</i> The development has been designed to feature a ground level podium which will provide an appropriate street frontage height to the context and is consistent with surrounding development. (vii) <i>environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</i> As detailed in Section 7.3 and 7.13, the proposed development has incorporated appropriate overshadowing principles and wind mitigation measures as a part of its design. (viii) <i>the achievement of the principles of ecologically sustainable development,</i> As detailed in Section 7.9, the proposed development has incorporated sustainability principles as a part of its design. (ix) <i>pedestrian, cycle, vehicular and service access, circulation and requirements,</i> The proposed development provides appropriate pedestrian, cycle, vehicular and service access and circulation, in accordance with the necessary requirements as discussed at Section 7.6. (x) <i>the impact on, and any proposed improvements to, the public domain.</i> The proposed development provides public domain upgrades to Keevers Lane including the provision of a shared pathway area to ensure pedestrian safety within and surrounding the site.
Clause 5.46 <i>Exceptions to height and floor space in Zones B3, B4 and B6</i>	This clause enables development to exceed the height of building development standard (48m) "by an amount to be determined by the consent authority" subject to meeting the requirements of the clause.

Clause	Assessment
	The proposed development seeks to utilise the exception to maximum height permitted under Clause 5.46, with the proposed built form having a building height of 89.8m. Refer to Section 5.5.3.1 below for detailed discussion around compliance with the Height of Building development standard.
Clause 5.47 <i>Car parking in Zones B3 and B4</i>	The proposed number of retail car parking spaces has been designed in accordance with Clause 5.47(1)(b). 1 car parking space has been provided for every 40m ² of retail premises GFA, resulting in a total number of 9 car parking spaces.
Clause 5.52 <i>Solar access to key public open spaces</i>	The proposed development will not result in any adverse impact in relation to the overshadowing of Kibble Park or Leagues Club Field. Shadow diagrams have been provided in Appendix B , and show that the development does not overshadow either of these spaces.
Clause 5.53 <i>Key vistas and view corridors</i>	The objective of this section is to protect and enhance key vistas and view corridors in Gosford City Centre. Photomontages of the proposed development in relation to the key viewpoints, including from Kibble Park, Industree Group Stadium Parking as well as neighbouring buildings has been provided by Appendix G . Refer to further discussion at Section 7.3.2 below.
Schedule 5 <i>Additional permitted use</i> <i>3 Use of certain land in Zone B4</i>	This section applies to land in Zone B4 Mixed Use. Development for the purposes of car parks is permitted with development consent. The proposed basement car park is ancillary to the residential and retail components of the development.

5.5.3.1 Height of Building Development Standard

As noted above, the 43-45 Beane Street and 2 Keevers Lane, Gosford site has a mapped 'base' building height limit of 48m under Clause 5.25 and the Height of Buildings Map of the Regional Precincts SEPP.

However, Clause 5.46 'Exceptions to height and floor space in Zones B3, B4 and B6' enables a development to contravene the height of buildings development standard established under Clause 5.25 by "an amount to be determined by the consent authority", essentially enabling a merit assessment of building height with no upper height cap. This is subject to the requirements of the Clause being met.

Table 12 below provides an assessment of the development against the requirements of Clause 5.46, demonstrating that it is eligible to be exempted by the 48m building height limit mapped under Clause 5.25.

Table 12 Assessment against Clause 5.46 of the Regional Precincts SEPP

Subclause	Assessment
(1) This section applies to land in the following zones— (a) Zone B3 Commercial Core, (b) Zone B4 Mixed Use, (c) Zone B6 Enterprise Corridor.	The site is zoned B4 Mixed Use. Therefore, Clause 5.46 is applicable to the site.
(2) Development consent may be granted to development on land to which this section applies that results in a building with a floor space ratio that exceeds the floor space ratio shown for the land on the Floor Space Ratio Map if— (a) the site area of the development is less than 2,800 square metres or the building has a street frontage of 36 metres or less, and (b) the floor space ratio does not exceed the ratio calculated in accordance with $2 + (X \times 0.02):1$, where X is the percentage of the gross floor area of the building that is used for a purpose other than residential purposes.	N/A. The proposed development does not seek to utilise this provision. It is also noted that, as the proposed development instead seeks to utilise Clause 5.46(3) to exceed the mapped building height, it is ineligible to utilise this provision pursuant to Clause 5.46(5).
(3) Development consent may be granted to development on land to which this section applies that results in a building with a height that exceeds the maximum height shown for the land on the Height of Buildings Map, by an amount to be determined by the consent authority, if— (a) the site area of the development is at least 2,800 square metres but less than 5,600 square metres, or the building will have a street frontage of at least 36 metres, and (b) a design review panel reviews the development, and	The proposed development meets the requirements of items (a) through (e) and therefore is eligible for an uncapped building height limit, as demonstrated below. The building has a street frontage of more than 36m to Keevers Lane. The City of Gosford Design Advisory Panel (CoGDAP) has reviewed the proposed development, being presented to the CoGDAP on 28 May 2025.

Subclause	Assessment
<i>(c) the consent authority takes into account the findings of the design review panel, and</i>	A response to comments raised by the CoGDAP is provided in Section 6.2 below, enabling the consent authority to take in account CoGDAP commentary through the SSD-83538214 assessment process.
<i>(d) the consent authority is satisfied with the amount of floor space that will be provided for the purposes of commercial premises, and</i>	416m ² of floor space is provided for retail premises (a subset of commercial premises) which is considered sufficient to activate Beane Street and Keevers Lane.
<i>(e) the consent authority is satisfied that the building meets or exceeds minimum building sustainability and environmental performance standards.</i>	As detailed in the ESD Report (Appendix M), the project voluntarily adopts best-practice sustainability strategies consistent with the intent of the Sustainable Building SEPP. These include outperforming and complying with the BASIX and NCC Section J energy efficiency requirements, and the inclusion of initiatives aligned with the Green Star Buildings tool, such as water reuse, thermal comfort design, indoor environmental quality, and use of renewable energy. Further discussion is provided at Section 7.9 .
5) Despite any other provision of this Chapter and except as otherwise provided by this section, development on land to which this section applies on a site having an area of 2,800 square metres or more or a street frontage of 36 metres or more (or both) must not result in either or both of the following— (a) a building with a height that exceeds the maximum height shown for the land on the Height of Buildings Map, (b) a building with a floor space ratio that exceeds the floor space ratio shown for the land on the Floor Space Ratio Map.	As noted above, the proposal only seeks to utilise the height of building provision under Clause 5.46(3), and not the floor space ratio provision under Clause 5.46(2).

Therefore, the development is considered to meet the provisions of Clause 5.46 of the Precincts SEPP. The proposed exceedance of the mapped 48m height standard is therefore not pursued as a clause 4.6 variation, but through the specific height exception mechanism in clause 5.46(3) of the Regional Precincts SEPP.

The building heights sought under the proposed development, including the 89.8 metre maximum height of Building A, are largely due to the decanting strategy applied to the proposed built form, where the bulk and height of the proposal is concentrated in Building A and decanted away from Building B, which has a more modest building height of 20.85 metres for Building B (which, it must be noted, is significantly lower than the 48m ‘base’ limit permitted under Clause 5.25).

This ensures that that density is concentrated in the location best able to accommodate height, while Building B remains appropriately scaled to respond to a finer-grain context, providing an appropriate planning and urban design outcome by reducing visual bulk on secondary frontages, strengthening the plaza interface, and achieving a clearer transition between the Gosford City Centre core and the adjoining local streets. The massing provides for a logical visual transition in height from the surrounding tower developments on 159 Mann Street, 134 Mann Street, 27-28 Mann Street, 50-70 Mann Street and 26-30 Mann Street to the smaller local streets within the Gosford City Centre. This redistribution of massing and bulk allows for the following:

- Compliant building separation as required under the ADG.
- A more slender north-south presentation of the tower form.
- Appropriate east-west apartment depths.

Therefore, based on the above, the proposed 89.8m maximum building height for Building A is considered appropriate. Further discussion regarding bulk and scale is provided in **Section 7.1.1** below.

5.5.3.2 Floor Space Ratio Development Standard

As noted above, the 43-45 Beane Street and 2 Keevers Lane, Gosford site has a mapped ‘base’ FSR limit of 4.75:1, under Clause 5.26 and the Floor Space Ratio Map of the Regional Precincts SEPP.

Section 16 of *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) applies to the proposed development as it includes an affordable housing component, enabling a FSR bonus of up to 30%.

The development seeks consent for 12,549m² of GFA (of which 12,133m² is residential), including 1,760.90m² of affordable housing. This constitutes 14.03% of all GFA sought being for the purposes of affordable housing. Under the formula established under Section 16(2) of the Housing SEPP, the development is therefore eligible for a 28.06% FSR bonus. An assessment of the proposal against the in-fill affordable housing development standards in Part 2, Division 1 of the Housing SEPP is provided in **Section 5.5.4** below.

Given the base FSR of 4.75:1 under the Floor Space Ratio Map, application of the 28.06% FSR bonus results in a maximum permitted FSR of 6.0825:1 that applies to the development.

The proposed development seeks consent for a FSR of 6.06:1, which represents a 27.61% bonus to the base FSR of 4.75:1. This is slightly below the maximum FSR (6.0825:1) and bonus (28.06%) that the development is eligible for, following application of the Housing SEPP bonus.

5.5.3.3 Relationship Between Regional Precincts SEPP and Housing SEPP

As noted above:

- For building height, the proposed development seeks to utilise the uncapped building height permitted by Clause 5.46(3) of the Regional Precincts SEPP.
- For floor space ratio, the proposed development seeks to utilise the FSR bonus for in-fill affordable housing permitted under Section 16 of the Housing SEPP.

As established by the formal legal advice prepared by Mills Oakley at **Appendix NN**, these two instruments operate harmoniously. Under established NSW planning principles, the specific, public-benefit incentive provisions of the Housing SEPP (being more recent and specifically targeted at delivering affordable housing) prevail over the general FSR controls of the Regional Precincts SEPP to the extent of any inconsistency. This establishes a valid, highly robust statutory pathway for the proposed yield. The advice therefore confirms that it is appropriate for the proposed development to utilise both pathways without giving rise to any inconsistency with the relevant environmental planning instruments.

In practical terms, the application relies on clause 5.46(3) of the Regional Precincts SEPP for height and section 16 of the Housing SEPP for FSR.

In summary, this is due to the following reasons:

- Although Clause 5.46(5) of the Regional Precincts SEPP states “*Despite any other provision of this Chapter and except as otherwise provided by this section*”, it does not prohibit or exclude the utilisation of other environmental planning instruments, such as the Housing SEPP, that, by application of its provisions, may sanction development that exceeds the limitations imposed by subclauses (2) and (3).
- As is apparent when the relevant provisions of the two SEPPs are compared, the language of each does not contradict one another. Rather, any inconsistency arises only when the relevant provisions of each instrument are applied to the development application.
- Both the Housing SEPP (in Section 8) and the Regional Precincts SEPP (in Clause 5.9) provide that, in the event of an inconsistency between its provisions and those of another environmental planning instrument, its provisions prevail to the extent of inconsistency. Therefore, it is pertinent to consider the dates of operation of each of the two SEPPs.
- In this regard, the relevant provisions of the Housing SEPP predate the making of the Regional Precincts SEPP. The Regional Precincts SEPP, which was gazetted on 2 December 2021 but did not commence until 1 March 2022, predates the introduction of the in-fill affordable housing provisions of the Housing SEPP, which were gazetted on 14 December 2023.
- These provisions were introduced into the Housing SEPP by *State Environmental Planning Policy Amendment (Housing) 2023*, the schedule of which also amended other environmental planning instruments, including the Regional Precincts SEPP. This included an amendment to another chapter of the Regional Precincts SEPP (Chapter 4) which excluded another chapter of the Housing SEPP (also Chapter 4) from being applicable to the Regional Precincts SEPP. This demonstrates that there was clear opportunity to exclude certain provisions of the Housing SEPP from the Regional Precincts SEPP if required; however, it is noteworthy that no action was taken to exclude any provisions of the Housing SEPP from Chapter 5 (Gosford City Centre) of the Regional Precincts SEPP.

- Furthermore, the infill affordable housing provisions of the Housing SEPP have a narrow focus, given the identification of “the need for affordable housing within each area of the State” opposed to the general focus of the provisions in Section 5.46 of the Regional Precincts SEPP. As such, the more general Regional Precincts SEPP is subordinate to the Housing SEPP in the event where each addresses the same subject matter (*Bayside City Council v Telstra Corporation* (2004) 216 CLR 595 at [24]).
- For the above reasons, the in-fill affordable housing provisions of the Housing SEPP prevail over Chapter 5 (including Clause 5.46) of the Regional Precincts SEPP. Therefore, Clause 5.46 of the Regional Precincts SEPP does not prohibit the utilisation of Section 16 of the Housing SEPP to achieve a FSR bonus above the mapped FSR limit at the site.

5.5.4 State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy (Housing) 2021 (Housing SEPP) sets the standards for the development of different forms of residential accommodation across the State. The following provisions of the Housing SEPP are applicable to the proposed development:

- Chapter 2, Division 1 – In-fill affordable housing; and
- Chapter 4 – Design of residential apartment development.

The above provisions of the Housing SEPP have been considered in the preparation of the SSDA and are addressed in **Table 13** below.

Table 13 Summary of consistency with *State Environmental Planning Policy (Housing) 2021*

Clause	Control	Compliance
Chapter 2, Division 1 – In-fill affordable housing		
Clause 15A <i>Objective of division</i>	<i>The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.</i>	Consistent. The proposed development meets this objective.
Clause 15C <i>Development to which Division applies</i>	(1) <i>This division applies to development that includes residential development if—</i> (a) <i>the development is permitted with consent under Chapter 3, Part 4 or another environmental planning instrument, and</i> (b) <i>the affordable housing component is at least 10%, and</i> (c) <i>all or part of the development is carried out—</i> (i) <i>for development on land in the Six Cities Region, other than in the City of Shoalhaven local government area—in an accessible area, or</i> (ii) <i>for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.</i> (2) <i>Affordable housing provided as part of development because of a requirement under another environmental planning instrument or a planning agreement within the meaning of the Act, Division 7.1 is not counted towards the affordable housing component under this division.</i>	Consistent. This division applies to the proposed development as: • Residential flat buildings are permitted with consent under the Regional Precincts SEPP, and • 14.03% of the GFA will be used for the purposes of affordable housing, and • The site is located within approximately 250m of Gosford railway station and is within walking distance of land in a relevant zone / accessible transport services for the purposes of the Housing SEPP. There are no requirements under another EPI that requires land or contributions for affordable housing for the subject site.

Clause	Control	Compliance
Clause 16 Floor space ratio	(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2). (2) The minimum affordable housing component, which must be at least 10%, is calculated as follows— $\text{affordable housing component} = \frac{\text{additional floor space ratio (as a percentage)}}{2}$ (3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1). (4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.	The development seeks consent for 12,549m² of GFA (of which 12,133m² is residential), including 1,760.90m² of affordable housing. This constitutes 14.03% of all GFA sought being for the purposes of affordable housing. Under the formula established under Section 16(2) of the Housing SEPP, the development is therefore eligible for a 28.06% FSR bonus. The total GFA proposed remains below the maximum permitted following application of this bonus. Refer to Section 5.5.3.2 above for detailed discussion.
Clause 19 Non-discretionary development standards	(1) The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.	Noted.
	2) The following are non-discretionary development standards in relation to the residential development to which this division applies— (a) a minimum site area of 450m²,	The site area is 2,070.3m ²
	(b) a minimum landscaped area that is the lesser of— (i) 35m² per dwelling, or (ii) 30% of the site area,	Required: 621.09m ² (30%) Proposed: 1,673.1m ² (80.8%)
	(c) a deep soil zone on at least 15% of the site area, where— (i) each deep soil zone has minimum dimensions of 3m, and (ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,	Not applicable, as subclause (3) provides that subclause (2)(d) does not apply to development to which Chapter 4 applies.
	(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter,	Not applicable, as subclause (3) provides that subclause (2)(d) does not apply to development to which Chapter 4 applies.
	(e), (f) (Repealed)	N/A
	(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,	The Architectural Plans at Appendix B demonstrates that apartments comply with the minimum internal area specified in the ADG
	(h) for development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces)—the minimum floor area specified in the Low Rise Housing Diversity Design Guide	Not applicable
	(3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.	Noted.
Clause 20 Design requirements	(1) Development consent must not be granted to development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces) under this division unless the consent authority has considered the Low Rise Housing Diversity Design Guide, to the extent to which the guide is not inconsistent with this policy.	Not applicable.

Clause	Control	Compliance
	(2) Subsection (1) does not apply to development to which Chapter 4 applies.	Noted.
	(3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with— (a) the desirable elements of the character of the local area, or (b) for precincts undergoing transition—the desired future character of the precinct.	(a) Not applicable. (b) The proposal is consistent with the desired future character of the Gosford City Centre.
Clause 21 <i>Must be used for affordable housing for at least 15 years</i>	(1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development— (a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and (b) the affordable housing component will be managed by a registered community housing provider. (2) This section does not apply to development carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation.	The affordable housing component will be provided for a period of 15 years commencing on the day an Occupation Certificate is issued for the development. Appendix H includes a letter from EchoRealty , a registered Community Housing Provider who will manage the affordable housing component of the project. Not applicable.
Clause 22 <i>Subdivision permitted with consent</i>	Land on which development has been carried out under this division may be subdivided with development consent.	Noted.
Clause 22A <i>Requirement to provide car parking</i>	Development consent must not be granted to development under this division unless— (a) the consent authority is satisfied the development will result in— (i) the following number of parking spaces for dwellings used for affordable housing— (A) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (B) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (C) for each dwelling containing at least 3 bedrooms—at least 1 parking space, and (ii) the following number of parking spaces for dwellings not used for affordable housing— (A) for each dwelling containing 1 bedroom—at least 0.5 parking spaces, (B) for each dwelling containing 2 bedrooms—at least 1 parking space, (C) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces, or (b) the consent authority has considered the Guide to Transport Impact Assessment published by Transport for NSW on 4 November 2024.	10 required, 20 provided for dwellings used for affordable housing. 1 bedroom (6x0.4) = 2.4 2 bedroom (13x0.5) = 6.5 3 bedroom (1x1) = 1 93.5 required, 111 provided for dwellings not used for affordable housing. 1 bedroom (18x0.5) = 17.5 2 bedroom (55x1) = 55 3 bedroom (14x1.5) = 21 Noted.
Chapter 4 – Design of residential apartment development		
Clause 143 <i>Land to which chapter applies</i>	This chapter applies to the whole of the State, other than land to which State Environmental Planning Policy (Precincts—Regional) 2021, Chapter 4 applies.	The site is not located in land subject to Chapter 4 (Kosciuszko Alpine Region) of the Regional Precincts SEPP. Therefore, this chapter applies.
Clause 144 <i>Application of chapter</i>	(1) In this policy, development to which this chapter applies is referred to as residential apartment development.	Noted.

Clause	Control	Compliance
	(2) <i>This chapter applies to the following—</i> (a) <i>development for the purposes of residential flat buildings,</i> (b) <i>development for the purposes of shop top housing,</i> (c) <i>Mixed use development with a residential accommodation component that does not include boarding houses or co-living housing, unless a local environmental plan provides that mixed use development including boarding houses or co-living housing is residential apartment development for this chapter.</i>	This chapter applies as the proposal is for development for the purposes of shop top housing.
	(3) <i>This chapter applies to development only if—</i> (a) <i>the development consists of—</i> (i) <i>the erection of a new building, or</i> (ii) <i>the substantial redevelopment or substantial refurbishment of an existing building, or</i> (iii) <i>the conversion of an existing building, and</i> (b) <i>the building is at least 3 storeys, not including underground car parking storeys, and</i> (c) <i>the building contains at least 4 dwellings.</i>	This chapter applies as it consists of the erection of a new building, and the building is at least 3 storeys, and the building contains at least 4 dwellings.
	(4) <i>If particular development comprises development for the purposes specified in subsection (2) and development for other purposes, this chapter applies only to the part of the development for the purposes specified in subsection (2).</i>	Noted. This chapter does not apply to the non-residential uses proposed.
	(5) <i>This chapter does not apply to development that involves only a class 1a or 1b building within the meaning of the Building Code of Australia.</i>	Not applicable.
	(6) <i>To avoid doubt, development to which Chapter 2, Part 2, Division 1, 5 or 6 applies may also be residential apartment development under this chapter.</i>	Chapter 2, Part 2, Division 1 (In-fill affordable housing) applies to this development, and is residential apartment development under this chapter.
Clause 145 <i>Referral to design review panel for development applications</i>	<i>This section applies to a development application for residential apartment development, other than State significant development.</i>	This section does not apply as it is classified as SSD.
Clause 146 <i>Referral to design review panel for modification applications</i>	<i>This section applies to a modification application for residential apartment development, other than State significant development.</i>	Not applicable.
Clause 147 <i>Determination of development applications and modification applications for residential apartment development</i>	(1) <i>Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—</i> (a) <i>the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,</i> (b) <i>the Apartment Design Guide,</i> (c) <i>any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.</i>	Tony Owen Partners has prepared a Design Verification Statement included at Appendix PP, confirming that the proposal appropriately addresses each of the design principles for residential development set out in Schedule 9, as well as the ADG. Key design criteria of the Apartment Design Guide are also discussed in Section 7.2 below.
	(2) <i>The 14-day period referred to in subsection (1)(c) does not increase or otherwise affect the period in which a development application or modification application must be determined by the consent authority.</i>	Not applicable.
	(3) <i>To avoid doubt, subsection (1)(b) does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide.</i>	Noted.
	(4) <i>Subsection (1)(c) does not apply to State significant development.</i>	Noted.

Clause	Control	Compliance
Clause 148 <i>Non-discretionary development standards for residential apartment development—the Act, s 4.15</i>	(1) <i>The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i>	Noted.
	(2) <i>The following are non-discretionary development standards—</i> <i>(a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,</i>	The proposed development will provide residential car parking provision in accordance with the ADG and non-residential car parking provision in accordance with the Regional Precincts SEPP. Refer to the Transport Impact Assessment provided at Appendix Q and Section 7.6 below.
	<i>(b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide.</i>	All internal apartment areas and room sizes have been designed in accordance with ADG requirements. Refer to Section 7.2 below.
	<i>(c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.</i>	All ceiling heights for the building have been designed in accordance with ADG requirements. Refer to Section 7.2 below.
Clause 149 <i>Apartment Design Guide prevails over development control plans</i>	(1) <i>A requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a requirement, standard or control in relation to the same matter—</i> <i>(a) visual privacy,</i> <i>(b) solar and daylight access,</i> <i>(c) common circulation and spaces,</i> <i>(d) apartment size and layout,</i> <i>(e) ceiling heights,</i> <i>(f) private open space and balconies,</i> <i>(g) natural ventilation,</i> <i>(h) storage.</i>	Noted. Refer to Section 5.5.5 below.
	(2) <i>This section applies regardless of when the development control plan was made.</i>	Noted.
Schedule 9 <i>Design principles for residential apartment development</i>	Tony Owen Partners has prepared a Design Verification Statement included at Appendix PP , confirming that the proposal appropriately addresses each of the design principles for residential development set out in Schedule 9, as well as the ADG.	

5.5.5 Gosford City Centre Development Control Plan 2018

Development control plans are not technically a matter for consideration in the assessment of SSDAs by virtue of section 2.10 of the Planning Systems SEPP, which states that ‘*Development Control Plans... do not apply to... State significant development*’. Notwithstanding this, an assessment of the key provisions of the Gosford City Centre Development Control Plan 2018 (GCC DCP 2018) has been undertaken and is provided in **Appendix C**, which confirms that the proposal is generally consistent with the GCC DCP 2018.

6.0 Stakeholder Engagement

This section describes consultation undertaken and feedback received prior to the lodgement of the EIS for the proposal and engagement to be carried out following lodgement of the EIS.

An Engagement Report has been prepared by Sarah George Consulting and is included at **Appendix L** and Connecting with Country Report by Access Archaeology at **Appendix K**. Further reference should be made to the Community Engagement Table included at **Appendix D** of this EIS.

6.1 Engagement Carried Out

6.1.1 Identified Stakeholders

A comprehensive list of community members and stakeholders to consult throughout during the preparation of the EIS process was developed through:

- The identification of neighbours who would be impacted by the proposal unless mitigation measures were implemented.
- The identification of stakeholders who would have a particular interest in the proposal.
- The identification of stakeholders who would have information of value to the proposal, for example, Aboriginal groups with cultural knowledge relating to the site.
- Consultation with the DPHI.

As a result of the above process, the following stakeholders were identified for consultation/notification, including:

- DPHI, including the Infill Affordable Housing Assessment and Regional Assessment team;
- City of Gosford Design Advisory Panel (CoGDAP);
- Central Coast Council;
- NSW government agencies;
- First Nations;
- Community and surrounding residents and landowners;
- Local business and landowners.

6.1.2 Consultation Methods

As detailed in the Engagement Report at **Appendix L**, a range of consultation methods were used to engage stakeholders. These included activities completed prior to lodgement through the preparation of the EIS and associated technical studies. The consultation methods are detailed in **Table 14**.

Table 14 Consultation methods - Community

Activity/Tool	Description	How engagement informed the project	Target audience
Letterbox drop to neighbouring premises (Inform)	On 1 May 2025, a notice was delivered to residents and businesses including key information about the project and included an invitation to seek additional information. Registration details for the community information webinar was also provided.	Provided early awareness of the proposal and collected community feedback that informed subsequent design refinements.	In total, 300 notices were distributed. Following, 16 emails and phone calls were received seeking additional information and registering for the Community Information Webinar.

Activity/Tool	Description	How engagement informed the project	Target audience
Newspaper Notice (Inform)	A public notice appeared in the May 8 th Edition of the Central Coast Community News.	To provide an opportunity for the broader Central Coast community to be made aware of the proposal, and to seek out additional information if needed.	The broader Central Coast community.
Letters/emails to Community Groups and Government Bodies (Inform)	Letters and emails were sent to a range of local community groups and government departments. Community newsletters and project updates were emailed directly to key stakeholders	Ensured key decision-makers and representatives were informed early, helping shape government and community expectations.	Key stakeholders including: • NSW Police; • Department of Communities and Justice-Housing; • NSW Health; and • Darkinjung Local Aboriginal Land Council
Community Information Webinar (Involve)	A community information webinar was held via Microsoft TEAMS on 11 June 2025 11.00am–11.50am	The aim of the webinar was to provide participants with information about the proposal and provide an opportunity for comments and questions to be asked.	Local residents and community groups. In total, 15 participants registered to attend the webinar, and 9 participants joined the webinar.
Meeting with Central Coast Council (Inform/Involve)	A pre-DA meeting to discuss the proposal was held with Central Coast Council on 20 February 2025.	Council provided preliminary advice and included a list of reports that would need to accompany any future application.	Central Coast Council

This approach follows the Undertaking Engagement Guidelines for State Significant Projects (2021) by:

- Engaging with relevant NSW Government agencies, service providers, Council, close neighbours and targeted members of the community who are most likely impacted or interested in the proposal;
- Informing the surrounding community to the site about the proposal and providing opportunities to engage directly with the project team;
- Explaining how community feedback will be considered and documented;
- Providing relevant information in plain English so that potential impacts and implications can be readily understood; and
- Providing channels of communication to gather feedback.

6.1.3 Aboriginal Community and Stakeholder Consultation

Consultation was undertaken with Aboriginal groups during the preparation of the Connecting with Country Report and the Aboriginal Cultural Heritage Assessment as discussed in **Appendix K** and **Appendix R**, respectively. The consultation methods are summarised in **Table 14**.

Engagement sessions assisted to guide the direction of the project, including the response to Country in architecture, landscape and open space design, materials and palette and plant species selected.

Table 15 *First Nations engagement*

Activity	Stakeholders	Outcome
An advertisement/notification was made to 39 people or groups to become Registered Aboriginal Parties	Six groups or individuals responded to the notification process to become Registered Aboriginal Parties: • Tiarna Bird, Mura Gadi Aboriginal Corporation • Matt Syron • Carolyn Hickey, A1 Indigenous Services	These groups responded to the notification process in relation to attending CwC walk on site and consultation.

Activity	Stakeholders	Outcome
	• Renee Sales, Darkinung/Darkinoog • Trudy Smith • Tracey Howie, Wannangini Pty Ltd	
Site inspection and consultation forum	The following Registered Aboriginal Parties were invited to the site inspection and consultation meeting: • Tiarna Bird, Mura Gadi Aboriginal Corporation • Matt Syron • Carolyn Hickey, A1 Indigenous Services • Renee Sales, Darkinung/Darkinoog • Trudy Smith • Tracey Howie, Wannangini Pty Ltd	The following groups attended the site inspection and consultation meeting: • Mura Gadi Aboriginal Corporation - Tiarna Bird, • A1 Indigenous Services - Carolyn Hickey • Darkinung/Darkinoog - Renee Sales • Wannangini Pty Ltd - Tracey Howie
Notified bodies	• Heritage NSW • Central Coast Council • Darkinung Local Aboriginal Land Council • Local Land Services • Native Title Services • National Native Title Tribunal • Office of the Registrar of Aboriginal Land Claims	It is noted that no response was received from the Darkinung/Darkinoog Local Aboriginal Land Council.

6.2 City of Gosford Design Advisory Panel

The proposed development was presented to the CoGDAP on the 28 May 2025. During this meeting, Tony Owen Partners presented the project and strategy for achieving design excellence. A breakdown of the feedback received by the CoGDAP during the session, as well as the response implemented in the proposal, is shown in **Table 15**.

Table 16 Responses to CoGDAP feedback

Topic	Feedback	Response
CoGDAP 1		
Connecting with Country	Provide a considered response to Connecting with Country. This may include: • identify and develop Country-led initiatives (where possible through engagement with local Knowledge Holders) • demonstrate how the engagement, design and delivery processes work together to achieve continuity and integrity of concept in realising the project. Factor-in any limitations or opportunities.	A Connecting with Country Report has been prepared by Artefact Archaeology (Appendix K) and includes the following design responses: • Plant choice and landscape design; • Incorporation of local materials in the façade/lobbies (e.g. stone, timber); • Use of lighting to represent the 6 seasons/constellations visible during the 6 seasons; • Incorporation of local language (e.g. naming the building, a name for each floor (named after flora or fauna), theme and art in public areas of each floor to go with the name; • Flora names to be used for naming of floors of the building including: - Goanna = wun-yun-gah - Eastern grey kangaroo = putt-a-ga-run - Eel = cull-a-myn - Bream = mook-a-rah - Stringray = dur-in-yun - Octopus = djun-gah

Topic	Feedback	Response
		• Art on the front facing ground floor glass (e.g. Engraving/etching, and in lobbies; • Representation of a local carving motif on northern building rooftop; and • Use of patterns in the ground cover.
Urban structure and built form	Demonstrate improved urban outcomes. Provide options for alternative GFA distribution and built form, and for optimising the ground plane, public domain, streetscape, connectivity and pedestrian environment. Undertake the necessary urban analysis to support a preferred option. Considerations may include: • the future character of the laneway • pedestrian and vehicular access • clarity of site entries and arrival • other urban design considerations outlined below.	The Architectural Plans (Appendix B) illustrates three (3) alternative options for ground floor distribution of GFA. Option 1: Option 1 provides the following architectural design: • Access to the loading dock from the car park ramp removes a cross over conflict; • An additional retail tenancy on the corner of the proposed development has been provided with a higher ground level RL due to the proposed detention tank beneath; • The proposed disabled drop off within Keevers Lane addresses accessibility issues; • An elongated ramp to the basement has been provided which increases the loading height, subsequently leading in a loss of the unit above and raise od COS levels. Option 2: Option 2 provides the following architectural design: • Relocation of the proposed loading dock to south which does not enable truck swept paths to be adequately met; and • Minimal additional ground floor retail achieved due to redistribution of services/plant. Option 3: Option 3 provides the following architectural design: • - Relocation of the proposed car parking ramp to south which does not enable swept paths to be adequately met in the laneway and in basement below. Option 1 was found to be the most appropriate design option and thus adopted. Ultimately truck manoeuvring makes Option 2 impossible, and basement ramps and basement manoeuvring made Option 3 impossible.
Views Analysis	Provide a comprehensive view analysis from key vantage points in the locality, to understand potential impacts and substantiate the built form proposal. Include the following: • key view corridors • heights of adjacent buildings from recent or current proposals • future character of the built form • geographical elements – e.g. topography, water and landforms.	A comprehensive view analysis has been prepared including 3D modelling from Mann St, Hospital and DCP designated view corridors and demonstrates that the proposed massing is consistent with future character of the area. Refer to Section 7.3.2 for detailed discussion.
Deep Soil	Achieve ADG requirements for deep soil, including the necessary unimpeded widths and contiguous lengths. Demonstrate unencumbered deep soil quality and quantity at locations where mature tree canopy optimises amenity and good urban outcomes.	Additional true deep soil has since been provided resulting in amendments to the basement design, with 7% of the site area to be deep soil as consistent with the ADG. The deep soil provided has been provided in quality locations within the site, within the urban plaza.

Topic	Feedback	Response
Wind	Demonstrate wind conditions are appropriate for comfort and safety for the proposed uses at the ground plane, streetscape, lane, street corner and upper-level outdoor communal spaces. Outline any proposed mitigation strategies. Do not rely on trees for mitigation.	A Pedestrian Wind Assessment has been prepared by Windtech and is provided at Appendix KK. This assessment provides an evaluation of the wind comfort conditions of the proposal and provides wind control mitigation measures aimed at enhancing wind comfort. The results of the wind assessment have confirmed that trafficable outdoor locations within and around the development will be suitable for their intended uses following implantation of the recommendations provided within the report.
Beane Street Interface	To minimize streetscape impacts and improve capacity for street trees, revisit the basement entry to test if a single entry is achievable. If unachievable, provide detailed drawings to demonstrate the spatial limitations.	The proposal has carefully examined alternative loading and basement access arrangements, as demonstrated in the three options presented for loading placement. Due to the constrained nature of the site, the currently proposed location is considered the only feasible and efficient solution. In response to CoGDAP design advice, the scheme has been revised to consolidate the loading access and basement ramp into a single combined entry. The design has also sought to maximise the size and activation of the retail tenancy at the corner of Beane Street and Keevers Lane, while maintaining compliance with the relevant design and operational requirements. The final arrangement has been informed by consideration of basement functionality, including the impacts of ramp positioning, as well as truck swept path requirements associated with loading operations. Bringing these factors together, the Architectural Plans demonstrate that the proposed combined basement and loading entry achieves the most balanced and efficient outcome for the site, while minimising streetscape impacts and improving opportunities for pedestrian activation and street tree planting.
Keevers Lane Interface	Better develop the character of the lane in response to its amenity, pedestrian environment and context, including existing and future in impacts from other sites and built form.	Adjoining potential future development has been modelled. Revised perspectives, plans and sections show a successful public space and character with future development and enhanced street activation.
	Provide analysis including key drawings with full context and future character of the adjoining sites– e.g. key sections, overlays of vehicle, pedestrian movements and visualizations.	A Laneway Plan has been provided within Appendix B , and shows a new accessible drop off location along Keevers Lane off and potential future loading areas to facilitate safe pedestrian and vehicle shared environment.
	Consider of amenity sharing between both sites (either side of the lane) for setbacks, footpaths and trees. Justify any departures from an amenity sharing scenario.	The amended Laneway Plan shows GF setbacks, pedestrian access and street trees. Tony Owen Partners have prepared extensive modelling showing the future massing of 285-295 Beane Street based on LEP/DCP controls and ADG widths. It is noted that L8-11 at 289-295 Beane Street departs from building separation principles as per the ADG, as its envelope exceeds the allowable FSR for the site. However, as shown within the Architectural Drawings (Appendix B), a compliant envelope at 289-295 Beane Street would achieve compliant building separations throughout.
	Do not include the road reserve of Keevers Lane in the design (lane paving, kerb treatments) without consultation/input from Council.	The Applicant is engaged in ongoing consultation with Council to resolve this matter.
Pedestrian environment	Ensure universal access and CPTED for pedestrians, relative to: arrival and building/retail entries,	Following the CoGDAP process, the proposal has considered several universal access and CPTED principles, as noted within the CPTED Report by Lote Consulting at Appendix MM :

Topic	Feedback	Response
	• movement across the site • vehicle drop off. • localised topography at the street corner and other height transitions.	• Access control measures are proposed to be implemented at all entry and egress points that may be susceptible to unauthorised access. These areas include residential lobbies and bin areas. • Additionally, in response to CoGDAP's concerns relating to the presence of undercrofts within the ground floor, effective security lighting alongside the installation of surveillance cameras in these areas is proposed. • To ensure safe vehicle drop off and movement across the site, wayfinding including marked pedestrian paths and vehicle safety barriers to separate foot traffic from vehicular movement, in combination with 24-hour pedestrian-level lighting that is vandal-resistant will be installed. • The installation of video monitoring systems and emergency help points will be implemented throughout the development.
	Provide drawings and detailed sections to demonstrate universal access at key areas of the site and public domain.	The proposed drop-off on Keevers Lane is considered as the most appropriate option for accessible building access and drop off. This drop-off location is shown within the Architectural Plans at Drawing A160-A165 within Appendix B .
Ground floor under-croft, entries and interface	If under-croft spaces are proposed for retail frontages, seating areas and lobbies, test their quality and amenity. Provide precedents and detailed studies to ensure the spaces have the following qualities: • good amenity relative to the depth and height, for dwelling and movement – e.g. winter sun, daylighting, wind, weather protection • are attractive, engaging and welcoming as a destination • exhibit good CPTED outcomes.	In response to CoGDAP feedback, the proposal has accommodated for additional retail depth in order to reduce the undercroft depth as shown in Sections 301-302 of Appendix B. The revised perspective also illustrates the revised undercroft depth. Furthermore, Plans A170-A173 show shadow diagrams for the laneway for summer and winter and demonstrate suitable outcomes for solar amenity. The CPTED Report (Appendix MM) provides an assessment of the proposed laneway.
	Improve lobbies and entries to be: • clear and legible • free of columns to improve sightlines and circulation.	The lobbies and entries to the proposed development have been amended following CoGDAP feedback, as shown in Plan A204 (Appendix B).
Apartment layouts	Improve the relationships between living spaces and balconies.	Following CoGDAP feedback, apartment layouts been redesigned to consider the relationship between the living area and balcony areas through the relocation of the living rooms to align with the proposed balconies as shown in Plan A102 (Appendix B).
Landscape strategies	Provide setbacks that enable thriving mature tree growth. Ensure planting on structure (e.g. Level 1) has sufficient soil depth.	Adequate soil depth and appropriate landscaping has been provided throughout the development.
Response to climate	Ensure breezeway circulation achieves generous unimpeded wall area for cross ventilation. Check breezeways meet regulatory definitions to include/exclude them from FSR totals as necessary.	The proposed full height of the breezeway (5.5m) provides suitable area for ventilation from Unit 202-402. An additional window has been added in the kitchen adjacent to the entrance door to improve natural ventilation and cross-breezeway.

Topic	Feedback	Response
Community Housing Provider (CHP)	Prioritise engagement with the preferred CHP partner(s) to understand their requirements and optimal apartment mix.	Noted. A CHP Letter has been provided with the application at Appendix H .
Quality of presentation material	Ensure visualisations include current or future context and accurately portray architectural and landscape elements. Check the urban analysis drawings as various inaccuracies are present – e.g. site location on maps and the like.	Noted.

6.3 Engagement to be Carried Out

6.3.1 Exhibition and Assessment

Following its submission, DPHI will exhibit the EIS on the Major Projects NSW Website and invite submissions from government agencies and the public. Once the exhibition period is complete, DPHI may require the Applicant to prepare a Submissions Report in response to issues raised. The Applicant and its project team will continue to liaise with DPHI and stakeholders during the proposal's assessment to address queries that may arise.

6.3.2 Post Approval

The Applicant will implement post-approval stakeholder consultation strategies in addition to the Condition of Consent requirements. This will include continual liaison with and advisement of construction activities to adjoining landowners as required.

7.0 Assessment of Impacts

This section of the report assesses and responds to the environmental impacts of the proposed development, and addresses the relevant matters for consideration set out in the issued SEARs for SSD-83538214 dated 14 May 2025 (see **Appendix A**).

The Mitigation Measures proposed to mitigate any environmental impacts are provided at **Appendix E** and complement the findings of this section.

7.1 Built Form

7.1.1 Bulk and Scale

The development's compliance with the height of building and floor space ratio development standards have been addressed in detail at **Section 5.5.3** above, demonstrating consistency with the desired future character of the Gosford City Centre.

As noted above, the proposed development applies a 'decanting strategy' to the built form, where the bulk and height of the proposal is concentrated in Building A and decanted away from Building B. This results in Building A having a maximum height of 89.8 metres (above the mapped 48m 'base' height limit, suitably addressed under Clause 5.46 of the Precincts SEPP, discussed at **Section 5.5.3.1**), while Building B has a much more modest building height of 20.85 metres, significantly lower than the 48m 'base' height limit.

This approach concentrates density where greater height can be best accommodated, while keeping Building B scaled to suit the finer-grain surrounding context. It reduces visual bulk along secondary frontages, improves the plaza interface, and creates a clearer transition between the Gosford City Centre core and nearby local streets.

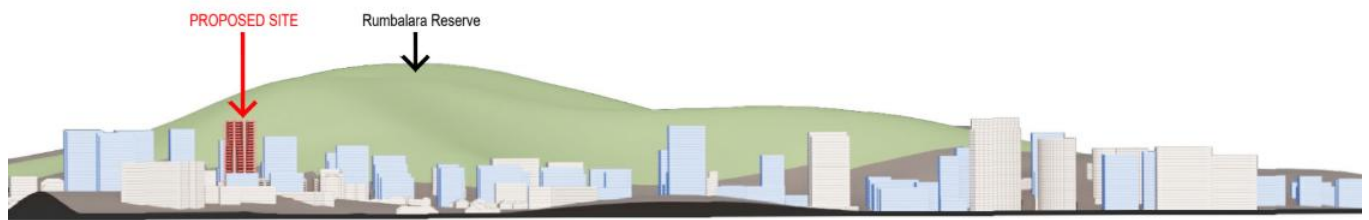
The design provides a logical step-down in height from surrounding towers at 159, 134, 27–28, 50–70, and 26–30 Mann Street to the smaller local streets.

This redistribution of mass and bulk enables:

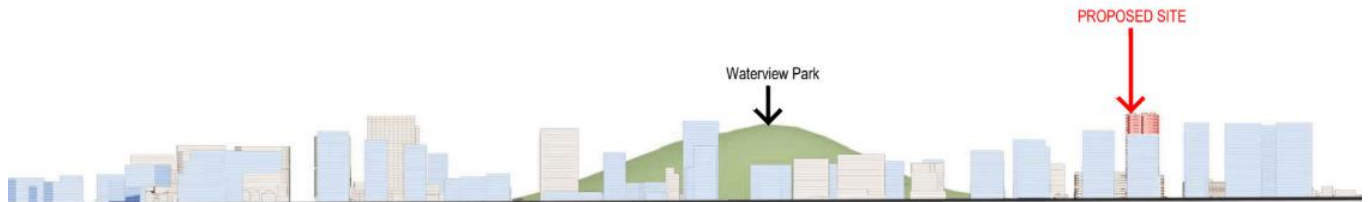
- Compliant building separation under the ADG
- A more slender north-south tower form
- Appropriate east-west apartment depths

In this regard, as shown in the Architectural Plans included in **Appendix B**, the proposal responds to the form of the surrounding development. The Gosford City Centre is currently undergoing significant transformation, with a marked increase in building heights along Mann Street within proximity to the Gosford Train Station. Many of these buildings range from 20-26 storeys, reflecting a varied urban landscape with higher densities, as illustrated in **Figure 28**.

In this evolving context, the design and height of the proposed development have drawn on contextual cues from adjacent developments, as well as the maximum building height controls in the locality to deliver a development outcome that fits into the neighbourhood context. The proposed building envelopes are designed to preserve the public domain's amenity, distributing density across the site to form two distinct buildings connected by a podium. This podium aligns in height and scale with nearby developments, better defining the street edge and contributing to a balanced urban form.



TRANSVERSE VIEW OF GOSFORD CBD LOOKING EAST



TRANSVERSE VIEW OF GOSFORD CBD LOOKING WEST

LEP FUTURE ENVELOPES - GOSFORD MASSING MODEL

ITEM 3.3 - Streetscape of future character shows proposal is consistent with future streetscape

- PROPOSED SITE
- EXISTING BUILDINGS
- POTENTIAL FUTURE BUILDINGS (INCLUDES AFFORDABLE BONUS)

Figure 28 The proposed development in its surrounding context

Source: Tony Owen Partners

The massing and height of Building A improves how the development fits with surrounding properties, particularly next to 295 Keavers Lane and Building B at 287-Watt Street. The building's scale has been carefully designed to allow for a public plaza, which enhances site amenity and activates the ground floor streetscape.

In this context, the proposed development aligns with the evolving built form of the area. Importantly, the case of *Project Venture Developments v Pittwater Council [2005] NSWLEC 191* (Project Venture) points out that compatibility does not necessarily mean uniformity in built form, finding that:

- Buildings can exist together without having the same density, scale or appearance.
- Compatibility between the proposed and existing is not always desirable.
- There are situations where the planning controls envisage a change in character.

The proposal is consistent with the planning principle for compatibility established in *Project Venture* as the proposed development complies with the FSR control of the development standards (following application of the Housing SEPP bonus as discussed at **Section 5.5.3.2**) which sets out the overall desired bulk and scale for development on the site.

Finally, the massing of the proposal has been carefully considered in the building footprint and architecturally curved forms to improve sightlines to the waterfront from existing towers and enable the delivery of an architecturally distinct building which demonstrates design excellence. The extent of the podium to Keavers Lane aligns with the podium base of the adjoining building's 'base' at 24 Watt Street and surrounding buildings including 18-22 Watt Street, enabling a consistent streetscape presentation, as shown in **Figure 29** below.

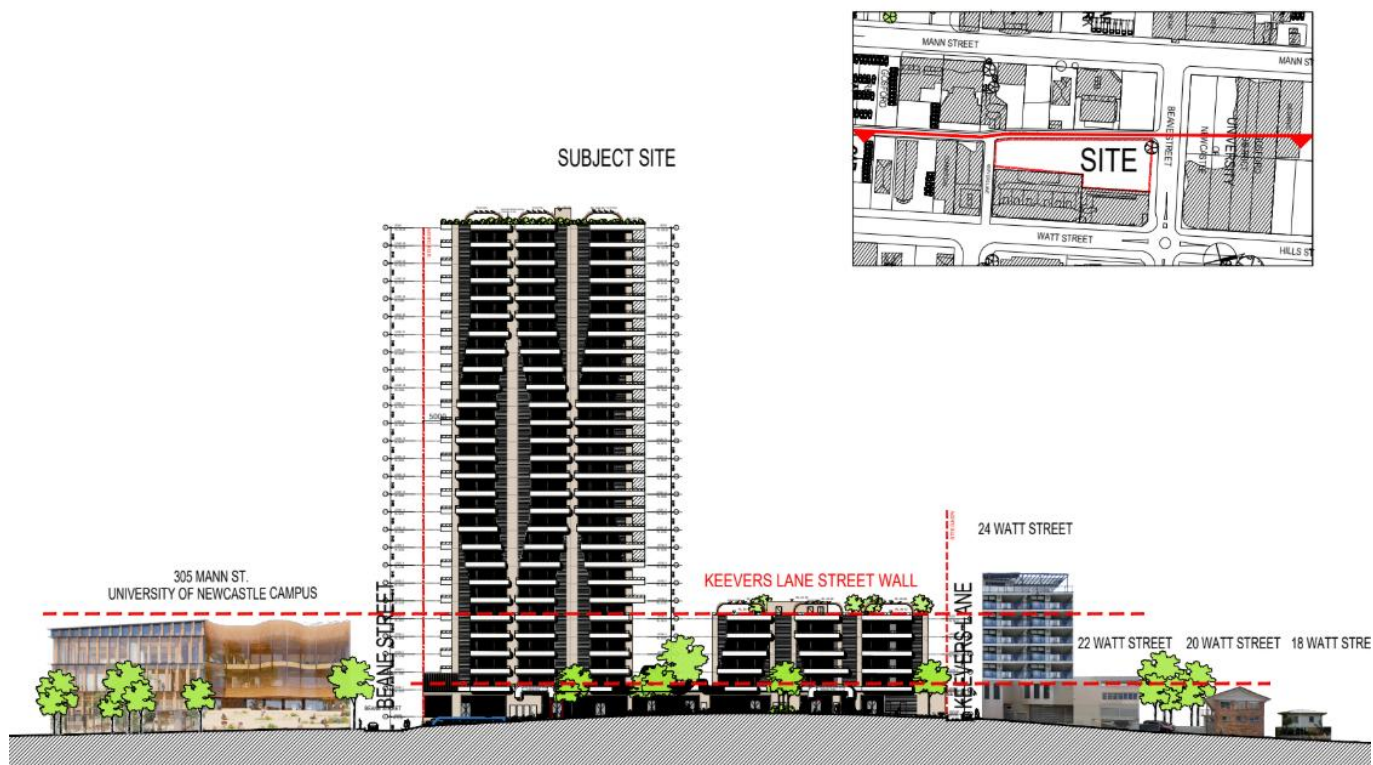


Figure 29 Future streetscape presentation to Keevers Lane

Source: Tony Owen Partners

Therefore, the proposal is consistent with the planning principle for compatibility as established in *Project Venture*, is consistent with the transitioning form of the Gosford City Centre and is compatible with the desired future character of the area with regards to bulk and scale.

7.1.2 Materiality

A carefully selected material palette has been provided for the development to respond to the surrounding landscape and architectural language of the area, including variety of materials and finishes such as pre-cast masonry, timber pergola and glass.

The materiality of the podium façade along Keevers Lane has been designed to respond sensitively to the scale, rhythm, and materiality of the adjacent heritage structures. This approach ensures a cohesive streetscape while introducing architectural variety that adds richness to the urban experience. The materiality of Level 1 of the proposed development features a full height aluminium screen in a pale brown shade.

Further vertical facade articulation has been introduced as a key design principle throughout the development to break down the overall massing into smaller components, creating a more balanced and visually coherent expression and reducing perceived bulk and scale while reinforcing the architectural rhythm and clarity of the form and evoking visual interest.

Detail has been applied to the facades to enhance the architectural expression and develop a cohesive design language that is reflective of the region's forested landscape and Aboriginal heritage. Both buildings feature a distinct and unique facade treatment, while maintaining visual harmony across the development to ensure a unified and well-integrated built form.

In this regard, the proposed materiality of the development contributes to Gosford City Centre's emerging identity, while integrating them into a contemporary development that supports thoughtful urban renewal.

7.1.3 Public Domain

The proposed development includes a distinct open public plaza with active retail edges proposed on the interface with Keevers Lane. This plaza will serve as a key public space, offering a mix of retail tenancies, including a space designated for a restaurant. In addition, the plaza will accommodate the proposed residential lobby entries to Building A and B creating a vibrant and active interface between public and private uses.

The proposal is considered to provide an improved planning and urban design outcome, particularly through the redistribution of built form, activation of Keevers Lane, provision of a public plaza and delivery of additional housing, including affordable housing.

7.1.4 Visual Privacy and Setbacks

Despite compliance with Section 3F of the ADG, to maximise visual privacy the proposal incorporates a range of design measures to ensure that visual privacy and residential amenity are appropriately safeguarded, including the use of privacy screens, blank walls and planters.

In Building B, Levels 2-4 have been designed without windows facing 26 Watt Street. Instead, corridor access and services are located along this western elevation, ensuring there are no direct privacy conflicts. Whilst an open corridor is proposed, it is sufficiently screened via vertical panels and provides an adequate distance (greater than 11m) from the balcony of 26 Watts Street. Further, at Level 5, an extensive canopy is incorporated to provide additional screening and amenity for residents utilising the rooftop terrace.

Similarly, Building A aims to minimise any privacy impacts that may arise by consolidating services along the eastern façade from Levels 2-26. Balconies have been purposely orientated toward Beane Street and Building B rather than 47 Beane Street. While one of these balconies partially extends toward 47 Beane Street, sufficient distance is still maintained and any potential privacy impacts are avoided through the inclusion of appropriately detailed columned screening and impermeable balustrades, preventing overlooking and mitigating potential amenity impacts. As well, along the northern interface to Beane Street and extending around to 47 Beane Street, full-length privacy screens are integrated to protect the outlook of residents making use of the Level 1 landscaped area.

The proposed development provides for the following setbacks (**Figure 31**):

Ground

Building A:

- 0m setback to Beane Street
- 0m setback to all other boundaries

Building B:

- 3m setback to Keevers Lane (south)

Level 1

- 2.1m-4.07m setback to Keevers Lane (West)
- 3.3m setback to Keevers Lane (south)

Level 2-26

- 2.2m-4.07m setback to Keevers Lane (West)
- 2.7m-3.33m setback to Keevers Lane (south)
- 3m to Beane Street

The above setbacks result in the following building separation distances:

- 13.4-14m between Building A and Building B
- 10.5m between Building B and 26 Watt Street
- 11.53m between Building A and 47 Beane Street
- 6.85m between Building B and 287 Mann Street
- 7.16m between Building A and 295 Mann Street

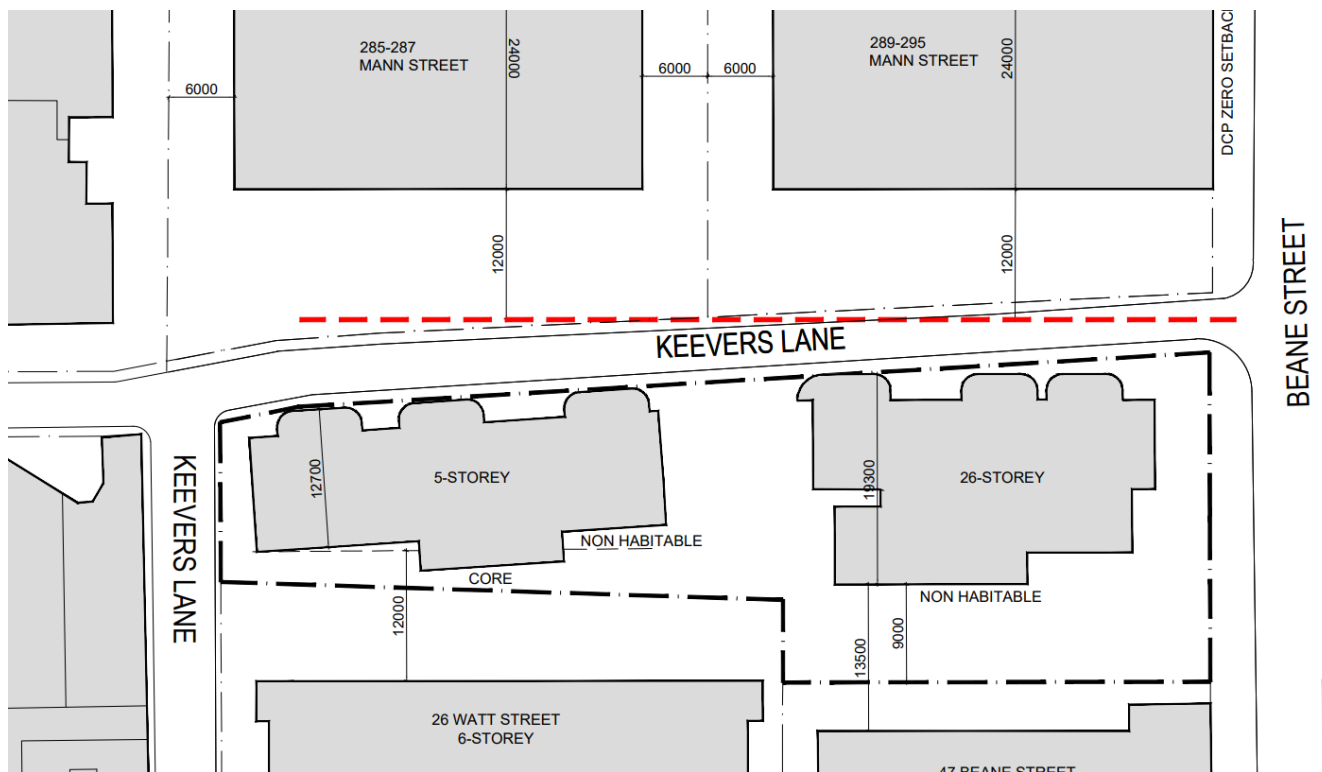


Figure 30 Proposed setbacks

Source: Tony Owen Partners

The proposed setbacks are a consequence of the constrained nature for the site and offer an acceptable balance between providing a rationalised built form and ensuring there are no adverse visual privacy implications for surrounding receivers. Although it is acknowledged that these building separation distances result in a minor numerical noncompliance with the building separation recommendations in Part 2F of the ADG, these departures are considered reasonable given the site's constrained nature, location in a high-density urban centre (Gosford City Centre) and the employment of skilful mitigation measures as described above, including usage of screening, blank walls and strategic location of balconies and planters.

7.2 Residential Amenity

7.2.1 Consistency with Design Principles and Apartment Design Guide

The proposal has been designed in accordance with the relevant provisions of the design principles for residential apartment development set out in Schedule 9 of the Housing SEPP and its accompanying Apartment Design Guide (ADG).

An assessment against the design principles and the ADG is provided in **Table 17**. A Design Verification Statement, has been prepared by Tony Owen Partners and is provided at **Appendix PP**, confirming that the proposal was designed by a registered architect, and appropriately addresses each of the design principles for residential development set out in Schedule 9 of the Housing SEPP, as well as the ADG.

Table 17 *Assessment against the Housing SEPP Schedule 9 Principles*

Objectives and Design Criteria	Assessment	Compliance
Design Principles for Residential Apartment Development – Housing SEPP, Schedule 9		
1 Context and neighbourhood character	The proposal responds to its surrounding context and neighbourhood character. The Gosford City Centre is currently undergoing significant transformation, with a marked increase in building heights along Mann Street within proximity to the Gosford Train Station. Many of these buildings range from 20-26 storeys, reflecting a varied urban landscape with higher densities. In this evolving context, the design and height of the proposed development have drawn on contextual cues from adjacent developments, as well as the maximum building height controls in the locality to deliver a development outcome that fits into the neighbourhood context.	Yes
2 Built form and scale	The proposal will deliver appropriate built form and scale. The massing of the proposal has been carefully considered in the building footprint and architecturally curved forms to improve sightlines to the waterfront from existing towers and enable the delivery of an architecturally distinct building which demonstrates design excellence. The extent of the podium to Keevers Lane aligns with the podium base of the adjoining building's 'base' at 24 Watt Street and surrounding buildings including 18-22 Watt Street, enabling a consistent streetscape presentation.	Yes
3 Density	The proposed development applies a 'decanting strategy' to the built form, where the bulk and height of the proposal is concentrated in Building A and decanted away from Building B. This approach concentrates density where greater height can be best accommodated, while keeping Building B scaled to suit the finer-grain surrounding context. It reduces visual bulk along secondary frontages, improves the plaza interface, and creates a clearer transition between the Gosford City Centre core and nearby local streets. The design provides a logical step-down in height from surrounding towers at 159, 134, 27-28, 50-70, and 26-30 Mann Street to the smaller local streets.	Yes
4 Sustainability	As detailed in Section 7.9, the proposed development has incorporated sustainability principles as a part of its design with positive environmental outcomes.	Yes
5 Landscape	The proposed design provides a variety of landscaped public and communal spaces across the development comprising a total landscaped area of 1,673.1m² contributing to the amenity of the future residents and providing a landscaped buffer to surrounding sites. Refer to Section 4.7.	Yes
6 Amenity	The proposed development contributes to positive living environments and resident well-being. It provides for appropriate room sizes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, and other matters stipulated in this Design Principle through consistency with the relevant parameters of the ADG, demonstrated below.	Yes

Objectives and Design Criteria		Assessment	Compliance
7	Safety	The proposed development optimises safety and security within the development and the public domain. The CPTED Report (Appendix MM) demonstrates the proposal exhibits appropriate CPTED outcomes, including with regards to passive surveillance.	Yes
8	Housing diversity and social interaction	Housing diversity is a core tenet of the proposed development. 20 affordable residential units of a variety of bedroom typologies will be delivered to meet the needs of different demographics, living needs and household budgets. The incorporation of extensive communal open space as discussed at Section 4.7 above will foster social interaction.	Yes
9	Aesthetics	The proposal will deliver a high quality built form. The project team has engaged with the City of Gosford Design Advisory Panel (CoGDAP), as discussed at Section 6.2 to deliver strong aesthetics in design.	Yes
Part 3: Siting the Development			
3D Communal and Public Open Space			
Communal open space has a minimum area equal to 25% of the site.		The proposed development provides 1,108.2m ² of communal open space, which is 53.5% of the site area, well exceeding ADG minimum requirements.	Yes
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).		The proposed development achieves 89.06% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm at mid-winter.	Yes
3E Deep Soil Zones			
Deep soil zones are to meet the following minimum requirements:		The proposed development achieves 7% of the site area as deep soil (145.8m ²).	Yes
Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)	
Less than 650m2	-	7%	
650m2 - 1,500m2	3m		
Greater than 1,500m2	6m		
Greater than 1,500m2 with significant existing tree cover	6m		
3F Visual Privacy			

Objectives and Design Criteria		Assessment	Compliance
Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:		Visual privacy is achieved through the development, and full compliance is achieved with the minimum required separation distances. In cases where visual privacy issues may arise, even though minimum separation distances have been met, appropriate measures with privacy screens, blank walls and planters have been implemented. Refer to further discussion at Section 0 below.	Yes
Building Height	Habitable Rooms/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	
33 Bicycle and Car Parking			
For development in the following locations: - on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or - on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre. The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less. The car parking needs for a development must be provided off street.		A Transport Impact Assessment has been prepared by Genesis Traffic (Appendix Q) which confirms that the proposed provision of car parking for residential uses meets the requirements of the Housing SEPP. Refer to Section 7.6 .	Yes
Part 4: Design the Buildings			
4A Solar and Daylight Access			
Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.		80% of all apartments in the proposed development achieve at least 2 hours of direct sunlight between 9am and 3pm at midwinter (104/130 units).	Yes
In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter.			Yes
A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.		All apartments in the proposed development receive direct sunlight between 9am-3pm at midwinter (100%).	Yes
4B Natural Ventilation			
At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.		77.1% in the first nine levels are naturally cross ventilated (37/48 apartments).	Yes
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.		The maximum depth of a cross-over or cross through apartment does not exceed 18m.	Yes
4C Ceiling height			

Objectives and Design Criteria		Assessment	Compliance
Measured from finished floor level to finished ceiling level, minimum ceiling heights are:		The proposed development has been designed to meet these ceiling height requirements for all rooms. The Architectural Drawings at Appendix B h confirms compliance with these requirements.	Yes
Minimum Ceiling Height			
Habitable rooms	2.7m		
Non-habitable	2.4m		
For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area		
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope		
If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use		
These minimums do not preclude higher ceilings if desired			
4D Apartment Size and Layout			
Apartments are required to have the following minimum internal areas:		The proposed development comprises a mix of studio, one-, two-and three-bedroom apartments, each designed to comply with the minimum internal area requirement.	Yes
Apartment Type	Minimum Internal Area		
Studio	35m ²		
1 bedroom	50m ²		
2 bedroom	70m ²		
3 bedroom	90m ²		
The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m ² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m ² each.			
Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.		External glazing to all habitable rooms is greater than the minimum 10% minimum required.	Yes
Habitable room depths are limited to a maximum of 2.5 x the ceiling height.		All habitable room depths comply with this control.	Yes
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.		All apartments generally comply with the maximum 8m depths of apartments with open plan living.	Yes
Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space).		Bedrooms and master bedrooms have been designed to be equal to or greater than the minimum sizes required.	Yes
Bedrooms have a minimum dimension of 3m (excluding wardrobe space).			Yes
Living rooms or combined living/dining rooms have a minimum width of: 3.6m for studio and 1-bedroom apartments. 4m for 2- and 3-bedroom apartments.		All living rooms or combined/living dining rooms comply with the minimum width requirements.	Yes
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.		Cross through apartments are proposed with a minimum width of 4m.	Yes

Objectives and Design Criteria		Assessment	Compliance
4E Private Open Space and Balconies			
All apartments are required to have primary balconies as follows:		All balconies meet the minimum areas and dimensions required.	Yes
Dwelling Type	Minimum Area	Minimum Depth	
Studio apartments	4m ²	-	
1-bedroom apartments	8m ²	2m	
2-bedroom apartments	10m ²	2m	
3+ bedroom apartments	12m ²	2.4m	
The minimum balcony depth to be counted as contributing to the balcony area is 1m.			
For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m ² and a minimum depth of 3m.		All podium level apartments comply with this requirement.	Yes
4F Common Circulation and Spaces			
The maximum number of apartments off a circulation core on a single level is eight.		The maximum proposed number of apartments off a single core on a level is 4 units.	Yes
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.		Complies.	Yes
4G Storage			
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:		All apartments meet the ADG minimum requirements, with 50% of storage located within the apartment and 50% located in the basements.	Yes
Dwelling Type	Storage Size Volume		
Studio apartments	4m		
1 Bedroom apartments	6m ²		
2 Bedroom apartments	8m ²		
3+ Bedroom apartments	10m ²		
At least 50% of the required storage is to be located within the apartment.			

7.2.2 Affordable Dwelling Amenity

The proposed development includes the provision of 20 affordable apartments being 14.03% of the overall GFA of the proposed development (refer to **Section 4.6**). These designated apartments boast equivalent amenities, adhering to the Design Quality Principles outlined in both the Housing SEPP and the ADG.

Level 1 to Level 4 in Buildings B and Level 1 to Level 2 in Building A are indicatively allocated for affordable housing units. The affordable units are diverse and comprise the full range of unit typologies offered in the development, ranging from one-, two- and three-bedroom apartments, in addition to adaptable apartments, the exact typologies and layouts of the units are detailed in **Appendix B**.

Importantly, affordable housing units achieve the equitable residential amenity when compared to the build to sell apartments. All affordable housing units receive at least 80% of 2 hours of direct sunlight between midwinter and 81% of

affordable housing apartments are naturally cross ventilated, with all residents being provided with adequate access to communal open space.

7.3 Environmental Amenity

7.3.1 Overshadowing and Solar Access

Overshadowing on Surrounds

Shadow diagrams of the development during midwinter (June 21) have been prepared by Tony Owen Partners and are provided within the Architectural Drawings at **Appendix B**. The analysis illustrates overshadowing from the proposed development on the site's surrounds and demonstrates that shadows generated by the proposed development across surrounding sites are slim and fast-moving throughout the day, in part due to the 'decanting' strategy employed by the proposal where floorspace is concentrated in a single, slim tower (Building A).

An excerpt of the development's overshadowing impact is provided in **Figure 31** below. In the figure:

- The blue shading represents overshadowing impacts generated by the proposed development.
- Blue shading represents overshadowing impacts of surrounding buildings.

The analysis demonstrates that these shadows cast by the development will generally not exceed 2 hours for any given area (including sites to the east, south and west of the development). It is also evident that the proposal will not reduce any surrounding residential property that currently receives sunlight to less than 2 hours between the hours of 9am – 3pm midwinter, in accordance with the requirements of the ADG (noting that buildings to the site's immediate south are already overshadowed by buildings to the west during the afternoon, and are not residential in nature).

The site is not directly impacted by the overshadowing controls for Kibble Park or Leagues Club Field under the Regional Precincts SEPP, given the site is positioned significantly north of these parks. As such, the proposed scheme will not result in any additional overshadowing to Kibble Park or Leagues Club Field for 4 hours between 9am-3pm during the winter solstice, achieving the objective of Clause 5.52 of the SEPP. No other overshadowing controls are provided within the SEPP.

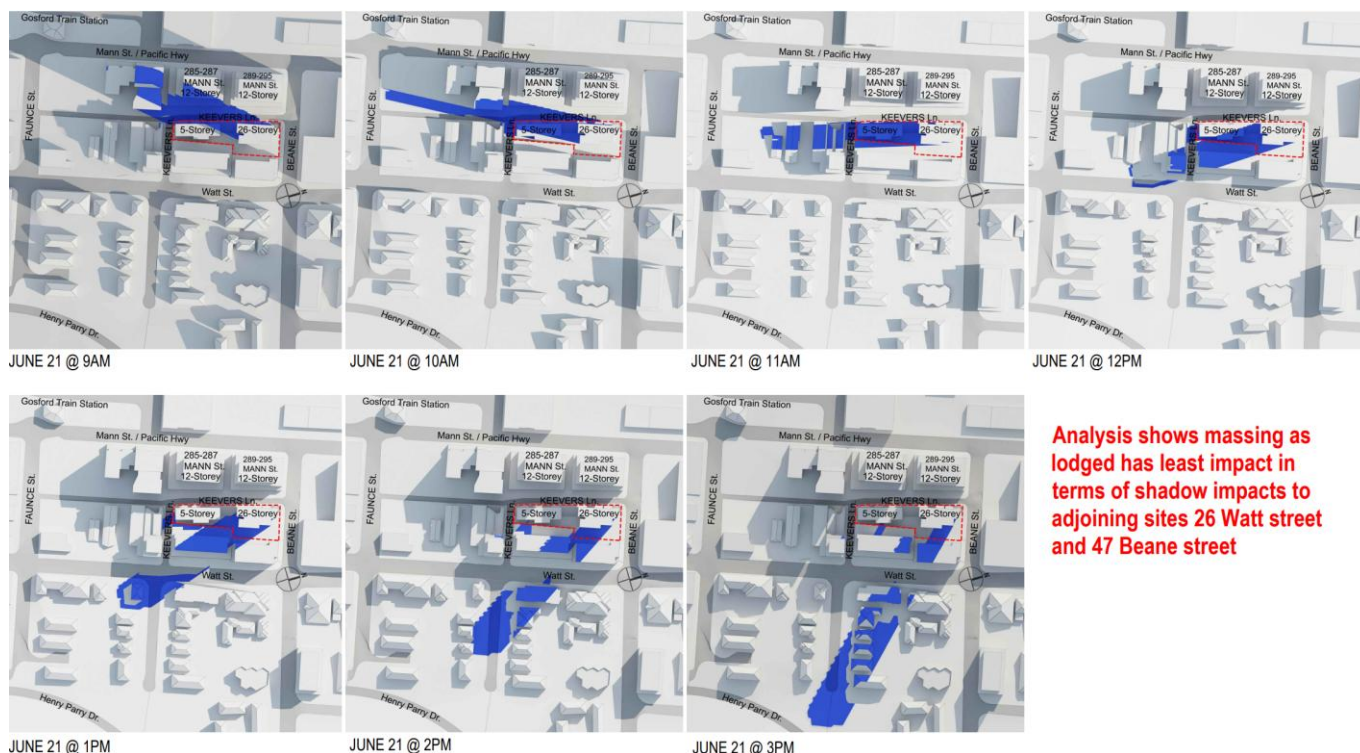


Figure 31 Overshadowing impacts of the proposed development

Source: Tony Owen Partners

Solar Access to Communal Open Space

The proposal addresses the ADG requirements of solar access. Solar access for the combined communal open space (COS) areas is achieved with 1,012.2m² out of 1,136.5m² of COS area achieving 3-hour solar access from 12pm and 3pm (89.06%). Accordingly, the development achieves a minimum of 50% direct sunlight to the principal usable parts of the COS for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter). Refer to the Solar Access drawings within **Appendix B**.

7.3.2 Visual Impact

A View Impact Analysis has been prepared by Tony Owen Partners and is provided at **Appendix G**. The intention of the analysis is to confirm that the proposed development is appropriate in terms of the site's context with regard to the preservation of views. The key viewpoints considered as part of this study are mapped in **Figure 32** below, based on the key views identified in the GCC DCP.

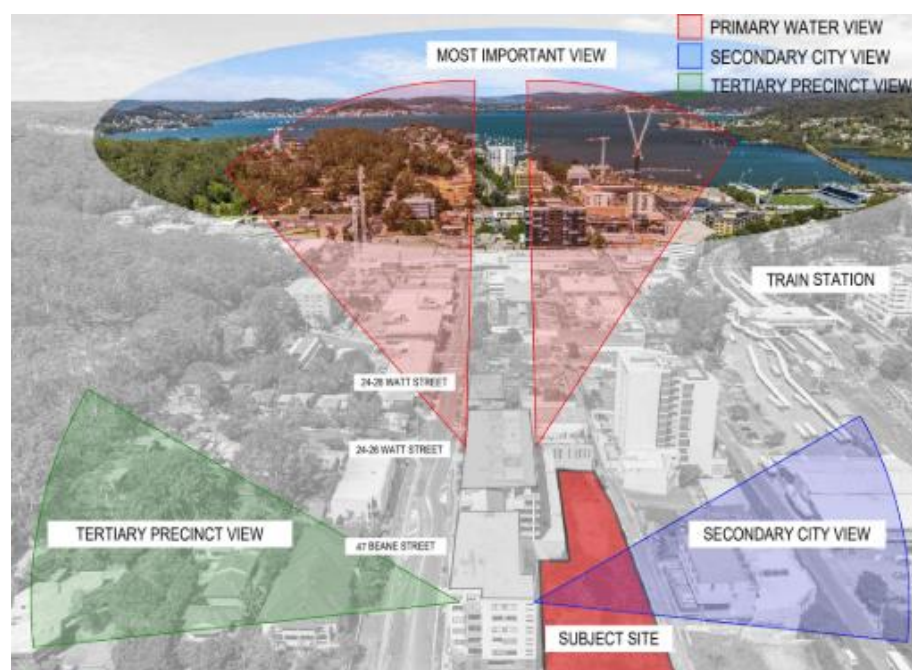


Figure 32 Key viewpoints

Source: Tony Owen Partners

The View Impact Analysis demonstrates that, from key viewpoints in the Gosford City Centre (including Kibble Park and Industree Group Stadium Parking; **Figure 33 – 34**), visual impacts of the proposal are similar to that of a scheme which complies with the base 48m height limit of the site plus the Housing SEPP affordable housing bonus, without utilising the provisions of Clause 5.46 of the Regional Precincts SEPP.



Photomontages from Gosford DCP Key Viewpoints - View 1 from Kibble Park (base height)



Photomontages from Gosford DCP Key Viewpoints - View 1 from Kibble Park (with Housing SEPP bonus)

Figure 33 Viewpoint 1, view from Kibble Park

Source: Tony Owen Partners



Photomontages from Gosford DCP Key Viewpoints - View 2 from Stadium Parking (base height)



Photomontages from Gosford DCP Key Viewpoints - View 2 From Stadium Parking (with Housing SEPP bonus)

Figure 34 Viewpoint 2, view from Industree Group Stadium Parking

Source: Tony Owen Partners

Overall visual impacts of the proposal are considered to be reasonable overall given that the proposed massing from the development is broadly similar to the approved DA/46238/2014 consent on the site (refer to **Section 1.4**) and that the resultant public view impacts and view loss are similar to that of the approved building envelope, which was found to be acceptable by Council (**Figure 35**). It is acknowledged that the proposed DA results in lesser view loss on Level 1 of the adjoining eastern development in comparison to the approved development, with 23/23 units receiving views. As well, on Level 4 of the adjoining eastern developments, the proposed scheme results in 13/19 units retaining their views in contrast to the approved scheme of 9/19 units. As such, the proposed scheme does not result in any additional view loss impact, which is reflective of its more skilful design.



3D Views – Existing Approved DA



3D Views – Proposed DA

Figure 35 3D Photomontage

Source: Tony Owen Partners

It is important to note that impacts are inevitable with any reasonable built form at the site. The expectation that a completely unobstructed view is retained from surrounding developments is unrealistic when considered against the current controls that apply to the site. Clearly, a development of similar height and massing is envisaged on the site by virtue of the Regional Precincts SEPP height and FSR controls and the approved development scheme. Accordingly, there is a reasonable expectation that these views would be impacted by development in the future given the City Centre location and the fact that these current views are gained by looking directly across the application site.

7.4 Landscaping and Public Domain

A Landscape Plan has been prepared by City Planning Solutions and is provided at **Appendix I**. The proposed landscaping strategy incorporates a range of high-quality landscaped areas throughout the development, enhancing the amenity for future residents and contributing positively to the surrounding urban environment.

The landscaping design includes generous green spaces and plantings that provide a visual buffer to adjacent properties and soften the built form. Key elements of the landscape plan include street-level plantings, rooftop landscaping, and integrated private garden zones.

Ground Floor Landscaping and Public Plaza

A major feature of the development is the publicly accessible plaza fronting Keevers Lane comprising an area of approximately 564.4m². This space includes extensive paved areas designed for outdoor seating and passive recreation, supported by a variety of retail tenancies that activate the plaza edges. The plaza also accommodates entries to the residential lobbies of Buildings A and B, establishing a dynamic interface between public and private realms. The landscaping in this area is designed to create a welcoming, pedestrian-friendly environment, with quality finishes and integrated planting. Refer to **Figure 19** for the Ground Floor Landscaping Plan.

Upper-Level and Rooftop Landscaping

Landscaped areas are also integrated at various upper levels of the development. Between Buildings A and B at Level 1, a landscaped zone has been proposed comprising an area of 683.4m² and features a pool, spa, sun deck, multiple seating areas, and two BBQ and outdoor dining spaces. This space incorporates premium materials and planting to promote visual and recreational appeal. Refer to **Figure 21** for details.

In addition, a landscaped terrace is located at Level 5 within Building B. This area includes three social terraces with BBQ and dining facilities, pergolas, and additional seating nooks. The rooftop landscaping contributes approximately 424.3m² of high-quality green space, providing both visual amenity and opportunities for casual interaction. Refer to **Figure 23**.

7.5 Tree Protection and Removal

An Arboricultural Impact Assessment has been prepared by Creative Planning Solutions and is included at **Appendix Y**. The assessment focuses on trees located within the proposed building footprints and immediate construction zones.

To facilitate the proposed works, consent is sought for the removal of six (6) existing trees on the site (Trees 1-6) as shown in **Figure 36** below, including one (1) Council street tree (Tree 1). The removal of these trees has been recommended as their locations are either in full or major encroachment with the proposed basement and building footprints.

The site inspection identified the site as highly disturbed, with a significant presence of invasive weed species including Blackberry (*Rubus fruticosus*), Lantana (*Lantana camara*), Crofton Weed (*Ageratina adenophora*), Pennywort (*Hydrocotyle*), and Canadian Goldenrod (*Solidago canadensis*). The existing vegetation consists of a mix of exotic, Australian native, and local species, with varying levels of health, vigour, and structural condition. Root zones were generally observed in modified groundcover within areas of deep soil, with limited ecological value.

A review of Central Coast Online Mapping confirms that there are no mapped vegetation communities or Endangered Ecological Communities (EECs) are present on the subject site. As such, the removal of the identified trees will not result in any adverse impact on native vegetation communities or EECs, and the proposed development is not expected to have any significant ecological effect.



Figure 36 Location of trees (Trees 1-6) on and adjoining the subject site to be removed

Source: Creative Planning Solutions

7.6 Traffic and Parking

A Transport Impact Assessment (TIA) has been prepared by Genesis Traffic and is provided at **Appendix Q**. The TIA involves an assessment of the operational traffic generation of the development including cumulative impacts. A summary of the assessment and proposed mitigation measures are provided below.

7.6.1 Existing Traffic Conditions

The observations conducted by Genesis Traffic within the site's locality reveal generally free-flowing traffic condition on Beane Street during the peak periods. Furthermore, there is no apparent capacity constraint on Beane Street during peak periods.

7.6.2 Proposed Traffic Generation

The anticipated traffic generation impact of the proposed development during the AM and PM peak, in vehicle trips per hour (vtp/h) is summarised in **Table 18** below.

Table 18 Average anticipated traffic generation

Period	Total	In	Out
AM Peak	59 vtpd	14 vtpd	45 vtpd
PM Peak	59 vtpd	46 vtpd	13 vtpd

The results of the above analysis indicate that the addition of up to 59 vtpd in each direction during road network peaks equates to an average traffic load of 1 trip every 1-2 minutes. In the context of the local road network's operating circumstance, this additional generation is considered minor.

Therefore, Genesis Traffic concludes that the anticipated traffic generation is not considered to have a significant impact on the surrounding road network.

7.6.3 Access, Loading and Servicing

Vehicular access to the proposed three level basement car park is provided from Beane Street. Although this is different to the DA/46238/2014 arrangement, the proposed driveway arrangement provides for greater frontage to Keevers Lane enabling the activation of the laneway rather than creating a disjointed streetscape. Access for trucks/service vehicles is also provided on Beane Street.

A loading bay is located within the ground floor of the proposed development and features a turntable in order for trucks/service vehicles to adequately exit the site. Genesis Traffic have prepared a swept path analysis within the Traffic Impact Assessment provided at **Appendix Q**, showing that the loading and waste vehicles can enter and exit the site in a forward direction. Vehicular manoeuvrability in the basement has been tested and illustrated by the traffic engineer, with swept paths included within the report, demonstrating compliance with the relevant requirements and Australian Standards.

7.6.4 Parking

The Housing SEPP provides car parking rates for dwellings used for affordable housing and for dwelling not used for affordable housing (market), which are non-discretionary standards. The Central Coast DCP 2018 sets out the standard for visitor parking, retail and residential land uses. **Table 19** provides the relevant parking rates applicable to the development under the Housing SEPP in addition to the Central Coast DCP 2018.

Table 19 Car Parking Rates

Land Use	Source	Parking Rates	
Apartments used for affordable housing	Housing SEPP, Chapter 2 Affordable Housing, Division 1, Section 19	1 bedroom	0.4 space(s) per unit
		2 bedroom	0.5 space(s) per unit
		3 bedroom	1.0 space(s) per unit
Apartments not used for affordable housing	Housing SEPP, Chapter 2 Affordable Housing, Division 1, Section 19	1 bedroom	0.5 space(s) per unit
		2 bedroom	1.0 space(s) per unit
		3 bedroom	1.5 space(s) per unit
Retail	Regional Precincts SEPP, Clause 5.47 (1)(b)	1 space per 40m ²	
Restaurants	GCC DCP, Section 7	Carparking: 1 spaces per 40m ²	
		Motorcycle parking: 1 space/25 car spaces	
		Bicycle parking: 1 space/200 m ² gross floor area for employees	
		and 1 space/750m ² gross floor area for visitors	

The proposed development is fully compliant with the above rates, resulting in a total of 140 parking spaces.

It should be noted that the Housing SEPP does not specify whether the rate is a minimum or maximum, as well as it also being a non-discretionary standard, meaning that the development is non-refusable based on carparking. The proposed development is compliant with this rate as it includes 131 residential car parking spaces.

Furthermore, Section 7 of the Central Coast DCP 2018 establishes the minimum rates for motorcycle and bicycle parking. As detailed in **Appendix Q**, 40 bicycle spaces are required to comply with the DCP requirements. As such, the proposed development proposes 40 bicycle spaces.

The DCP also requires that 3 motorcycle spaces are provided to service the proposed development. A total of 3 motorcycle spaces is proposed to be included, thus complying with this provision.

7.6.5 Conclusion

The proposed development is supportable from a traffic and parking perspective, as:

- The site is well-served by local transport services and benefits convenient walking distances to train and bus services. A comprehensive cycle network is also available within the immediate and wider site context, affording further opportunities to encourage active travel.
- The proposed car parking provision meets the Housing SEPP and the Council's DCP.
- The existing road network intersections operate with a satisfactory level of service, both as existing and after factoring in the proposed development.

7.7 Geotechnical Impacts

El Australia have issued a Preliminary Geotechnical Investigation Report at **Appendix AA** that is supported through additional testing within the Surface and Groundwater Impact Statement prepared by JK Environments at **Appendix W** (with Preliminary Groundwater Quality Screening, Salinity and Hydrology Reports at **Appendix U, V and X**). The reports assess the subsurface conditions in relation to excavation conditions, hydrogeological conditions and construction methodology based on data collected from three (3) boreholes locations.

The proposed excavation level of approximately 11.5m AHD depth will require excavation to depths ranging between 8.5m and 14.5m below the existing surface levels. Bulk excavation for the proposed development is anticipated to comprise of fill, residual soils and sandstone/interbedded bedrocks. Excavation will be predominantly achieved utilising earthmoving equipment including backhoes/tracked excavators. However, the use of rock breaking and ripping equipment may be necessary for high strength bedrock, subject to additional geotechnical investigation prior to the commencement of excavation.

A suitable retention system will be required for the support of the entire basement excavation. This retention system must be installed to below Bulk Excavation Level (BEL) (including footings, service trenches and lift overrun pits) and socketed into low strength bedrock or better. Any anchors/props and reinforced shotcrete must be installed progressively as excavation proceeds.

Groundwater was observed at approximately 10m below ground level, however, the highest groundwater level was recorded at a depth of RL16.22 to RL16.75 below the existing ground level. It is anticipated that groundwater will be encountered during bulk excavation.

The Geotechnical Report concludes that the required excavation works which form part of this SSDA are readily achievable at the site subject to adopting the recommendations outlined in the report.

7.8 Noise and Vibration

A Noise and Vibration Impact Assessment has been prepared by Koikas Acoustics and is provided at **Appendix HH**. This report provides an assessment of the proposed development's anticipated acoustic impacts during both construction and operation in accordance with the NSW Environmental Protection Authority (EPA) guidelines and the Transport and Infrastructure SEPP.

7.8.1 Construction Noise Assessment

Section 7 of the Noise and Vibration Impact Assessment addresses anticipated noise and vibration impacts during the construction phase of the project. In summary, the analysis confirms that the proposal will not result in unacceptable

environmental acoustic impacts during construction following implementation of the following mitigation measures as provided at Section 7.3 of the report.

7.8.2 Operational Noise Assessment

The predicted noise emissions from the proposed development's operation relate to mechanical plant equipment, building services and car movements. In accordance with the operational acoustic criteria detailed within **Appendix HH**, Koikas Acoustics confirms that potential noise emissions can be suitably mitigated through detailed design considerations including:

Mechanical Services

Mechanical plant noise has been assessed using acoustic modelling based on specific equipment selections outlined in the mechanical services plans. The model incorporates point-to-point calculations and standard sound propagation algorithms to predict noise levels at nearby residential receivers. The report includes preliminary noise level predictions for key plant equipment, including AC condenser units (65 dB(A)), car park exhaust fans (94 dB(A)), supply fans (90 dB(A)), and garbage exhaust fans (73 dB(A)). In addition, all AC condensers will include a night-quiet mode to reduce operational sound levels by at least 6 dB between 10:00 pm and 8:00 am.

External Noise Managements

The report confirms that the building envelope can be effectively insulated from existing road traffic noise through the use of standard construction methods and recommended glazing systems. These systems have been specified based on anticipated noise levels at the site's boundaries and are expected to achieve compliance with applicable internal noise criteria for habitable rooms. Final verification of these treatments will be completed during the detailed design phase and prior to construction.

Internal Noise Management

With respect to internal noise management, the proposed acoustic treatments to common walls, floors, and service risers are considered sufficient to satisfy the sound insulation requirements of the BCA and Council's acoustic guidelines. These measures will ensure privacy and residential comfort across all dwellings within the development.

Noise Mitigation Measures

To further reduce noise emissions, a minimum of 3m of 25 mm thick fibreglass acoustic lining (minimum density 24 kg/m³) will be incorporated into rooftop fan ductwork. Mechanical equipment will be located on the roof of Building B or within the basement to minimise acoustic exposure to sensitive receptors. On-site noise monitoring conducted from 10 to 17 February 2025 supports the modelling results and confirms baseline noise conditions.

Importantly, not all plant and equipment will operate concurrently. For instance, the car park ventilation system is controlled by CO₂ sensors and will only activate when required. As such, operational noise levels are anticipated to be lower than the conservative levels predicted in the report.

Accordingly, the noise assessment undertaken aligns with all relevant legislative frameworks and controls, identifies that the proposed development is compliant with the relevant noise criteria controls for this type of development, and confirms that the proposed development is supportable from an acoustics perspective.

7.9 Sustainability

An Ecologically Sustainable Development (ESD) Report has been prepared by Eco Engineering Group and is provided at **Appendix M**. The report outlines the relevant sustainability principles and targets applicable to the site, as well as how the proposed development will meet the relevant industry recognised building sustainability and environmental performance standards.

The project sets several commitments in relation to relevant industry recognised building sustainability and environmental performance requirements, which will help with minimising greenhouse gas emissions and consumption of energy, water and material resources.

The sustainability targets for the development will be achieved in an integrated and staged approach through minimising the need for energy consumption (via passive measures) and then consumption optimisation (energy efficiency) and use of renewable resources where required.

The ESD Report outlines several design initiatives implemented to help meet the abovementioned environmental benchmarks established for the project. A summary of these is provided below:

- Greenhouse gas emission reduction: Energy consumption will be reduced through the efficient design of lighting, air-conditioning and ventilation systems, as well as energy efficient water heating and renewable energy technologies (where feasible).
- Effective Daylighting/Natural Lighting: Daylighting strategies will be considered to allow effective control of indoor lighting levels whilst minimising power consumption for the building. High level of architectural input regarding design, orientation and external shading will be considered to effectively maximise natural lighting for the building.
- Façade: High performance façade systems and shading systems to reduce load on the heating, ventilation and air conditioning (HVAC) system.
- Passive Design: Passive design will be utilised to minimise the amount of air-conditioning required and therefore significantly reduce the building's energy consumption and greenhouse performance.
- Hot water: An energy efficient heat pump system to provide hot water and reduce energy consumption.
- Appliances and equipment: Apartment appliances and equipment to be selected with high energy rating to ensure reduced consumption in line with BASIX energy targets and Green Star requirements. Additionally, the proposed development will be fully electric with no gas combustion, allowing for operational net zero.
- Landscape Selection: The use of native, drought-resistant planting will be considered to reduce water consumption used in irrigation.
- Waste Management System: Dedicated waste recycling rooms allow space for the separation and storage of recyclable waste during the building's operation.

Further detail is provided in the ESD Report at **Appendix M**, which also includes detail regarding the project's incorporation of the ESD principles set out in section 193 of the EP&A Regulation. Additionally, a BASIX Certificate has been prepared by Eco Engineering and is provided at **Appendix N**.

7.10 Heritage

7.10.1 European Heritage

A Statement of Heritage Impact (SOHI) has been prepared by Access Archaeology and is provided at **Appendix S**. The SOHI includes an assessment of the potential heritage impact of the proposed development on surrounding items of heritage significance. The site itself is not considered a heritage item, but it is situated within the visual catchment of several heritage items listed under the Precincts Regional SEPP.

The SOHI confirms that the proposed development has been designed to sensitively respond to its heritage context. Specifically, the assessment concludes the following:

- There would be little to no adverse physical impacts to listed heritage items because of the proposed development;
- There would be inevitable moderate adverse visual impacts to heritage items in the vicinity of the study area because of overshadowing and massing caused by the proposed development;
- There would be no impacts to significant archaeological remains caused by the proposed development due to the absence archaeological potential in the study area; and
- The proposed development does not include the removal or alteration of any items of State, Local or s170 heritage significance.

Access Archaeology have confirmed that the proximate local heritages item at 297 Mann Street (I320), and a 'Mitre 10' store at 299-309 Mann Street (I43), will not be significantly or physically impacted by the proposed development. Accordingly, based upon a visual analysis of the existing terrain and setting of the heritage items, the proposed works will also not result in an adverse visual impact to the surrounding heritage items.

7.10.2 Aboriginal Cultural Heritage

An Aboriginal Heritage Due Diligence Report has been prepared by Everick Heritage at **Appendix Q**. The report confirms that Aboriginal objectives are unlikely to be present in the project area. The site is not within a sensitive landform and has low potential to retain any archaeological remains. The proposed works will occur in an area that has already been heavily modified, significantly minimising the likelihood of impacting undisturbed deposits. The report concludes that the proposed development may proceed with caution with no further Aboriginal archaeological investigation, assessment or mitigation measures required.

7.11 Social Impact Summary

This section presents the anticipated social impacts of the project, as identified through the review of supporting consultant documentation including the Engagement Report (refer to **Appendix L**), and summarised in **Table 20** below. The assessment finds the anticipated social impacts of the project to be mostly positive. Where negative impacts have been identified, they are largely temporary in nature and can be appropriately mitigated.

Table 20 Anticipated social impacts

Potential impact	Key impacted communities	Impact dimensions	Recommended project responses
Increased supply of housing including affordable housing in a good location near transport and existing amenities	- People looking to secure housing (particularly rental housing) in the local area. - Key workers looking to secure affordable rental housing in the local area.	Almost Certain/Moderate = Positive	- Affordable housing to be professionally managed by a Community Housing Provider (EchoRealty). - Consideration of flexible lease conditions such as allowing pet ownership and minor interior alterations such as wall hangings.
Protection and support of the local centre and economy	- Existing residents of Gosford and surrounding suburbs. - Central Coast LGA residents. - Future residents of the site.	Almost Certain/Moderate = Positive	- Implement local procurement strategy for the retail tenancies. - The public domain profile of the proposed development (comprising public plaza, associated landscaping, public domain upgrades to Keevers Lane, and ground floor retail tenancies) will attract meaningful foot traffic to the site and surrounding businesses, helping revitalise the Gosford city centre through increased economic engagement. - The proposal will maximise the development potential of the site, enabling the construction of a public plaza, public domain upgrades to Keevers Lane, retail uses, and residential accommodation.

Increased height, bulk and scale of buildings which could impact amenity and sense of place for immediate neighbours	Immediate nearby residents.	Possible/Minor = Negative	- Design sensitively considers additional height and density to reduce amenity impacts on nearby residents where possible such as overshadowing and visual impacts. - Employment of 'decanting strategy' centralising bulk into the tower form (Building A) rather than distributing it across Building B to concentrate density in the area of the site best able to accommodate height, while Building B remains scaled to a finer-grain context. - Use of landscaping to soften built form and help reduce visual impacts for surrounding residents.
Temporary disruption to daily routines during construction and amenity impacts related to construction	Immediate nearby residents.	Possible/Minor = Negative	- Implement Construction Environmental Management Plan with protocols for pedestrian and vehicle safety. - Implement a complaints management system during construction to ensure residents have a process to report any issues. - Regular construction notification letters to inform nearby residents of activities (particularly noisy activities) or any changes to vehicle access conditions.

On the above basis, it is considered that a comprehensive Social Impact Assessment is not required.

7.12 Development Contributions

The proposed development does not propose any alternative public benefits or a departure from an existing contributions framework. Contributions will be provided in accordance with the Section 7.12 Contributions set out in the Central Coast Development Contributions Plan 2024, which involves a levy that represents 1% of the cost of the development for development with an estimated cost of development exceeding \$200,000.

The proposal will also be subject to the Housing and Productivity Contribution (HPC). This contribution will apply the following rates to the development:

- \$6,000 per dwelling / lot (excluding affordable housing dwellings); and
- \$30 per square metre of new retail GFA.

The HPC is to be paid before the issue of the first construction certificate in relation to the development and the rates are indexed quarterly based on the Producer Price Index. Under the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024*, development for the purposes of affordable housing is exempt from the Housing and Productivity Contributions. The proposed development includes the provision of 20 affordable dwellings; these dwellings would therefore be exempt.

7.13 Assessment of Other Impacts

An assessment of the remaining assessment issues is provided in **Table 21** below.

Table 21 *Other assessment issues*

Issue	Assessment
Contamination	A Preliminary Site Investigation has been undertaken by EI Australia to support the proposed development and is provided at Appendix T. This investigation included soil sampling and groundwater level surveys and concluded that subsurface conditions generally comprise uncontrolled or poorly compacted fill materials overlying natural silty sandy clays, which transition into weathered sandstone and/or shale bedrock. The results of the investigation indicate that no significant contamination or geotechnical constraints have been identified that would preclude the development from proceeding. While no immediate concerns were noted, further detailed contamination testing will be undertaken following site demolition and prior to construction to confirm the extent of any potential contamination and to identify any requirements for remediation, if necessary. As such, the site is considered suitable for the proposed development from a contamination and geotechnical perspective, subject to standard site preparation and management procedures.
Aeronautical	An Aeronautical Impact Assessment Report has been prepared by Strategic Airspace and is provided at Appendix LL. The assessment confirms that: • The development is located outside prescribed airspace for nearby airports; no Commonwealth airspace approvals are required. • Building A (110m AHD) sits below the Obstacle Limitation Surfaces (OLS) and the Visual Approach Area (VAA) for helicopter approaches and departures to the HLS. • The temporary construction crane has also been assessed and will remain below the VAA surface, with no impact on flight procedures. • No modifications to existing visual or instrument flight procedures are necessary. The proposed development will be managed through strict adherence to the assessed maximum building height of 89.9 metres AHD for Building A, including all rooftop structures. During construction, crane operations will also be restricted to the assessed parameters to ensure there is no interference with helicopter flight paths to or from the Gosford Hospital helipad. With these measures in place, the development will not compromise aviation safety, efficiency, or regularity, and is therefore considered appropriate from an aeronautical perspective.
Biodiversity	Given the site's location within an established residential area and the absence of native vegetation communities, the proposed development is not expected to result in any adverse impacts on biodiversity, either on-site or in the surrounding locality. A Biodiversity Development Assessment Waiver (BDAR Waiver, 6 May 2026) has been issued for the project at Appendix Z.
BCA and Accessibility	A BCA and Accessibility Report has been prepared by Accessible Building Solutions and is provided at Appendix II and JJ, respectively. It reviews the capability of the proposed design to meet the requirements of the <i>Disability (Access to Premises – Buildings) Standards 2010</i> and deemed-to-satisfy provisions of the Building Code of Australia 2022. Accessible Building Solutions have concluded that subject to the implantation of the recommended accessibility upgrades, compliance with the <i>Disability (Access to Premises – Buildings) Standards 2010</i> and deemed-to-satisfy provisions of the Building Code of Australia 2022 is readily achievable.

Issue	Assessment
Waste Management	Elephants Foot have prepared an Operational and Construction Waste Management Plan (Appendix FF). It describes and quantifies the likely waste streams to be generated during demolition and construction of the proposed development. Construction Given the site's existing situation as a vacant lot with no existing structures, the waste generated from the site preparation works will be minimal. Specifically, no demolition works are required and therefore it is determined that no waste will be produced. Throughout construction, the main anticipated wastes are concrete, which will be reused as fill on-site where possible, and metals which will be separated wherever possible to enhance resource recovery. Other construction wastes will be returned to the manufacturer, recycled at construction and demolition processors, or reused on site, or disposed to landfill if contaminated. On-site construction skip bins are to be provided for disposal if necessary and a waste storage area is positioned along the eastern boundary of the site in order to store sufficient waste streams during construction. Hazardous waste, if encountered, will be removed by qualified contractors and disposed at licensed facilities in alignment with the relevant state strategies and Council guidelines. Operational <u>Residential Waste Management</u> Residential waste will be managed in accordance with the estimated volumes of general waste, recycling, and FOGO generated by the development. The residential component requires 11 bins of 1100L capacity each for general waste and recycling, and 15 bins of 240L capacity for FOGO, all collected on a weekly basis. The building manager will be responsible for monitoring waste volumes during operation and liaising with waste contractors to adjust bin sizes, quantities, or collection frequencies as needed to respond to changes in resident behaviour or occupancy levels. Chute discharge equipment is recommended to allow for efficient daily handling of general waste to maintain operational effectiveness. <u>Commercial Waste Management</u> Commercial waste generated by the retail tenancies is expected to be managed using three 1100L bins for general waste and two 1100L bins for recycling, with collections occurring twice weekly. The building management will oversee monitoring and adjusting waste requirements in consultation with service providers to accommodate operational demands and seasonal fluctuations, ensuring ongoing compliance with waste management standards.
Stormwater Management	An Integrated Water Management Report has been prepared by SGC and is provided at Appendix EE, including the stormwater design for the proposed development. The development will require two (2) on-site detention (OSD) tanks as the proposed development will increase the storm peak flows in a storm up to and including the 100-year ARI events. One (1) OSD tank will be situated fronting Beane Street with a storage area of approximately 48.72m² and comprise of a StormFilter Chamber to provide stormwater quality treatment. Comparatively, the other OSD tank will be at the rear of the development adjoining the eastern boundary that has an approximate area of 11.71m² to ensure that post-development stormwater discharge does not exceed pre-development flow rates for all storm events up to and including the 1% AEP event. The discharge point for both OSD tanks will be directed to Beane Street. Two (2) rainwater tanks (RWT) with a combined storage volume of 5.95 m³ and 2.5 m³ are proposed, to ensure rainwater harvesting, retention, irrigation for the proposed landscaping and reuse in accordance with Council guidelines. Accordingly, water runoff from roof areas will be collected and drained to these rainwater tanks and any overflow is to be collected and drained to storm filter chamber tanks. It will then be subject to water quality treatment measures, including a grated surface inlet pit to capture any gross pollutants, sediment, and debris from stormwater surface runoff. Additionally, the subsoil discharge and any runoff from the basement car park ramps will be collected in pump out pits inside the basement, prior to being pumped into the water quality systems.
Flooding	As identified above and confirmed by the Flooding Risk Management Report at Appendix BB, the site is not identified as being on flood prone land.
Wind Impact	A Pedestrian Wind Assessment has been prepared by Windtech and is provided at Appendix KK. This assessment provides an evaluation of the wind comfort conditions of the proposal and provides wind control mitigation measures aimed at enhancing wind comfort. The results of the wind assessment have confirmed that trafficable outdoor locations within and around the development will be suitable for their intended uses following implantation of the recommendations provided within the report.

8.0 Project Justification

The proposed seeks approval for a shop top housing development comprising retail premises and residential apartment buildings with an in-fill affordable housing component, on land at 43-45 Beane Street and 2 Keevers Lane, Gosford (the site).

Specifically, this SSDA seeks approval for:

- Site preparation works including tree removal, bulk excavation and in ground services works;
- Construction of a new mixed-use development consisting of:
 - Ground floor retail premises consisting of 416m² of Gross Floor Area (GFA);
 - Two (2) residential towers, ranging from 5-26 storeys and comprising a total of 130 apartments, including:
 - Building A (26 Storeys):**
 - Ground floor retail premises comprising three (3) tenancies;
 - Residential lobby;
 - 4 affordable housing dwellings, to be managed by a community housing provider for a period of at least 15 years; and
 - 110 market build-to-sell dwellings.
 - Building B (5 Storeys):**
 - Ground floor retail premises comprising two (2) tenancies;
 - Residential lobby;
 - Communal open space; and
 - 16 affordable housing dwellings, to be managed by a community housing provider for a period of at least 15 years.
 - A three (3) storey basement, with vehicular access from Beane Street, comprising:
 - 140 car parking spaces;
 - 3 motorcycle spaces;
 - 42 bicycle spaces;
 - Garbage storage;
 - Plant rooms and other associated services.
- Public plaza, associated landscaping and public domain upgrades to Keevers Lane.
- Extension and augmentation of services and infrastructure as required.

In considering the justification of the proposed development and in reference to section 4.15 of the EP&A Act which specifies matters for consideration a consent authority must consider in determining a development application, the following matters have been considered:

- Design of the proposed development, including actions taken to avoid or minimise the impact of the proposed development while still achieving the objectives of the project;
- Consistency with the strategic context;
- Consistency with the statutory requirements;
- 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 suitability of the site for the development; and
- The public interest.

These matters have been addressed in the below subsections.

8.1 Design of the Proposed Development

The alternatives considered and actions taken to avoid or minimise the impacts of the project have been set out in the preceding sections of this EIS. The proposed mitigation measures are set out in **Appendix E** of this EIS. Subject to the implementation of these mitigation measures, in addition to the considered and thoughtful design response, it is considered that the proposed development will not generate any unreasonable environmental impact.

8.2 Consistency with Strategic Context

The strategic context for the proposal has been discussed at **Section 3.0** of this EIS, and the proposal is considered to be consistent with the relevant strategic context.

8.3 Consistency with the Statutory Requirements

The relevant statutory requirements have been discussed in **Section 5.0** and **Appendix C**.

Specifically, this EIS has addressed all of the matters specified in the issued SEARs dated 14 May 2025 (refer to **Appendix A**) and section 190 and 192 of the EP&A Regulation (refer to **Appendix C**). The proposal is consistent with the relevant statutory context.

8.3.1 Consistency with the Objects of the Act

As discussed at **Section 5.5.1** of this report, the proposal is consistent with the objects of the EP&A Act.

8.3.2 Principles of Ecologically Sustainable Development

Section 193 of the EP&A Regulation outlines four (4) principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle;
- Intergenerational equity;
- Conservation of biological diversity and ecological integrity; and
- Improved valuation, pricing and incentive mechanisms.

An analysis of these principles is provided in the following sections.

Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential impacts to avoid, wherever practicable, serious or irreversible damage to the environment.

This EIS and its supporting reports and studies has not identified any serious threat of irreversible damage to the environment and therefore, the precautionary principle is not relevant to the proposal.

Intergenerational Equity

Intergenerational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The proposal has been designed to benefit both the existing and future generations by:

- Delivering significant additional housing supply (including affordable housing) in a strategic location, consistent with numerous federal, state and local government initiatives to alleviate the housing supply and affordability crisis in NSW.
- Ensuring the health, diversity and productivity of the environment are maintained through the implementation of passive and active design measures that reduce operational energy and water use from the project.
- Reducing energy, water and waste to ensure that the health, diversity and productivity of the environment is maintained for the benefit of future generations.

- Facilitating job creation near homes and public transport.
- The consolidated list of mitigation measures at **Appendix E** outlines measures to safeguard and protect the environment.

The proposal has integrated short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long-term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in this EIS and the appended technical reports.

Conservation of biological diversity and ecological integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. The proposal would not have any significant effect on the biological diversity and ecological integrity of the study area.

Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources require consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would be implemented to ensure resources are used responsibly in the first instance.

8.4 Likely Impacts of Development

Having regard to the natural environment, built environment and economic and social impacts of the proposed development, the likely impacts of development are considered acceptable as outlined in the following sections.

Additionally, the proposed mitigation measures detailed within **Section 7.0** and **Appendix E** outlined mitigation and management measures that will minimise the impact of the proposed development.

8.4.1 Biophysical

The environmental assessment undertaken in this EIS has confirmed that:

- The proposal will not have any significant effect on threatened species, populations or ecological communities or their habitat arising from the construction or uses of the proposed development. The Proposal will not have an impact on any matters of National Environmental Significance under the *Environmental Protection and Biodiversity Conservation Act 1999 (Cth)*, or *Biodiversity Conservation Act 2016 (NSW)*; and
- The proposal will not result in any undue adverse environmental impacts. Potential sources of risk associated with the construction works and operation of the proposed development can be managed with the appropriate safeguards and mitigation measures as outlined at **Appendix E**.

8.4.1.1 Social and Economic Impacts

The likely social and economic impacts of the proposal will generally be positive. This includes:

- Facilitating the delivery of 130 high quality apartments, inclusive of 20 affordable apartments, in an accessible and amenity-rich location in the Gosford City Centre to support the shortfall of housing stock in NSW.
- Strengthening the role of the Gosford CBD as a commercial and strategic centre by creating a truly mixed-use development that will generate employment and economic growth and reinforce the primacy of the centre.
- Delivering a development with a public domain outcome that has a high level of accessibility and amenity, comprising comprehensive landscape design principles, CPTED principles, and streetscape activation articulation.
- Creating new and attractive public spaces, including a new high quality public plaza and upgrades to Keevers Lane.
- Facilitating a residential population at the site to support increased activation in the locality beyond business hours. This has the potential to subsequently benefit Gosford's nighttime economy and status as a strategic centre within which people can live, work, and play.
- Contributing to direct employment during construction and operation of the development.

8.5 Suitability of the Site

The proposed development is suitable for the site for the following reasons:

- It responds to the strategic vision for the delivery of additional housing supply in key locations, including those with locational proximity to key transport nodes such as Gosford Train Station, Gosford Hospital and the upcoming University of Newcastle campus.
- It provides a mix of uses that will enable the population growth of both residents and workers in a strategic area, reinforcing the role of the Central Coast LGA as a residential community and stimulating a competitive employment market through creating a more active and attractive precinct.
- It delivers high quality housing, improving housing stability and diversity in Gosford as well as supporting the creation of a series of mixed-use buildings, including 14.03% affordable housing.
- The site is not affected by critical constraints, such as flooding, bush fire hazards, endangered species and contamination or hazardous material.
- The proposal is consistent with the objectives of the B4 Mixed Use zone and the proposed land uses are permissible with consent on the site.

8.6 Public Interest

The proposed development is in the public interest as it will:

- Revitalise a strategically located site within walking distance of existing transport infrastructure, retail, social, cultural, open space and employment opportunities.
- Improve the public domain within and around the site, including provision of a new public plaza and upgrades to Keevers Lane.
- Foster social connectedness and cultural expression through a high-quality public domain, Connecting with Country-inspired landscape design, and activated ground floor tenancies.
- Demonstrate excellence in both design and ecologically sustainable development initiatives.
- Deliver 130 dwellings, which will take advantage of this accessible location, proximity to services and existing networks.
- Deliver 20 affordable dwellings which directly addresses the critical need for affordable housing in the area.
- Create a more vibrant and activated precinct that provides a range of day-to-day services and offerings for employees, visitors, and the local community, tailored to support existing creative and diverse offerings in Gosford.
- Create new jobs during the construction and operational phases of the development..
- Include 724.7m² of publicly accessible open space, with a diverse array of landscaped, passive and active recreational spaces.
- The public interest is best served by the orderly and economic use and development of land for permissible purposes in a form which is cognisant of and does not unreasonably impact on surrounding land uses while satisfying a market demand.

9.0 Conclusion

The Environmental Impact Statement (EIS) has been prepared to consider the natural environment, built environment and social and economic impacts of the proposed shop top housing development including infill affordable housing as well as ground floor retail development on land at *43-45 Beane Street and 2 Keevers Lane, Gosford*. The EIS has addressed the issues outlined in the SEARs (**Appendix A**) and accords with section 190 and 192 of the EP&A Regulation.

Having regard to environmental, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposed development is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including the Housing SEPP and the Regional Precincts SEPP;
- The proposed development will not result in significant adverse environmental impacts, with appropriate mitigation measures implemented where necessary to will minimise any potential impacts;
- The proposed development exhibits a high standard of architectural, urban and landscape design, and provides a recognition and high-quality contribution to the built form of Gosford;
- The proposal is anticipated to generate a total of 465 construction jobs and 24 operational FTE jobs which will have broader social and economic benefits to the region;
- The proposal creates an improved pedestrian environment to create a safe and welcoming public domain that exhibits CPTED principles;
- Traffic and parking impacts associated with the proposed development can be managed in such a way that encourages active transport and alleviates any increased pressure on the local road network;
- The proposal is consistent with the principles of ecological sustainable development as defined by section 190 of the EP&A Regulation; and
- The proposed development is suitable for the site and in the public interest.

Given the merits described above, and the significant benefits associated with the proposed development, it is requested that the application be approved.



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