

STATUTORY COMPLIANCE REPORT

**Proposed Mixed-Use Development, including
Affordable Housing**

State Significant Development (SSD-84190958)

Nos. 23 – 25 Ashton Avenue, The Entrance

APRIL 2026

Ref: 1213_SCR

**STATUTORY COMPLIANCE REPORT FOR
Proposed Mixed-Use Development, including Affordable Housing**

WPP Pty Ltd

Address:

60 Denison Street Hamilton East NSW 2303

Contact:

ph: 0484 694 122

email: anthonywilliams@wppgroup.com.au

DOCUMENT STATUS

Issue	Date	Description	By
1	30/03/2026	Final – DPHI Adequacy Review	JK
2	22/04/2026	Final- Formal Submission	JK

Copyright © Williams Planning and Property Services Pty Ltd

This document has been authorised by Anthony Williams

Date 30/03/2026

Disclaimer

This report has been prepared based on the information supplied by the client and investigation undertaken by Williams Planning and Property Services Pty Ltd (WPP Pty Ltd) & other consultants. Recommendations are based on WPP's Pty Ltd professional judgement only and whilst every effort has been taken to provide accurate advice, Council and any other regulatory authorities may not concur with the recommendations expressed within this report. This document and the information are solely for the use of the authorised recipient and this document may not be used, copied or reproduced in whole or part for any purpose other than that for which it was supplied by WPP Pty Ltd. WPP Pty Ltd makes no representation, undertakes no duty and accepts no responsibility to any third party who may use or rely upon this document or the information.

Confidentiality Statement

All information, concepts, ideas, strategies, commercial data and all other information whatsoever contained within this document as well as any and all ideas and concepts described during the presentation are provided on a commercial in confidence basis and remain the intellectual property and Copyright of WPP Pty Ltd and affiliated entities.

This document has been registered with our solicitors along with a copy of all previous materials.

TABLE OF CONTENTS

1	Project Summary	3
2	Statutory Requirements	3
3	Statutory Compliance	4
3.1	Environmental Planning & Assessment Act 1979	4
3.2	Other Acts	6
3.2.1	Biodiversity Conservation Act 2016	6
3.2.2	Roads Act 1993	6
3.3	Environmental Planning & Assessment Regulation 2021	7
3.4	State Environmental Planning Policies	8
3.4.1	State Environmental Planning Policy (Housing) 2021	8
3.4.2	State Environmental Planning Policy (Planning Systems) 2021	15
3.4.3	State Environmental Planning Policy (Resilience and Hazards) 2021	15
3.4.4	State Environmental Planning Policy (Transport & Infrastructure) 2021	19
3.4.5	State Environmental Planning Policy (Sustainable Buildings) 2022	19
3.5	Proposed Environmental Planning Instruments	20
3.5.1	Draft Climate Change and Natural Hazards State Environmental Planning Policy	20
3.6	Central Coast Local Environmental Plan 2022	21
3.7	Central Coast Development Control Plan 2022	24

TABLES

Table 1: Project Summary	3
Table 2: Compliance with the Objects of the EP&A Act (Section 1.3)	4
Table 3: Compliance with Section 4.15(1) of the EP&A Act	5
Table 4: Compliance with the Environmental Planning & Assessment Regulation	7
Table 5: Compliance with the Housing SEPP – Chapter 2 Affordable Housing, Division 1 Infill Affordable Housing	8
Table 6: Compliance with the Housing SEPP – Chapter 4 Design of Residential Apartment Development	12
Table 7: Compliance with the Planning Systems SEPP	15
Table 8: Compliance with the Resilience and Hazards SEPP – Chapter 2 Coastal Management	16
Table 9: Compliance with the SEPP Resilience and Hazards – Chapter 4 Remediation of Land	18
Table 10: Compliance with the SEPP Transport & Infrastructure	19
Table 11: Compliance with the SEPP Sustainable Buildings	19
Table 12: Compliance with the Central Coast Local Environmental Plan	21
Table 13: Compliance with key provisions of the Central Coast Development Control Plan	24

1 Project Summary

A summary of the project details is provided in **Table 1** below.

Table 1: Project Summary

Prepared on behalf of	Pacific Link Housing
Subject Site	Nos. 23 – 25 Ashton Avenue, The Entrance
Legal Description	Lot 24, Section 2, DP14230; Lot 36, Section 2, DP14230; Lot 37, Section 2, DP14230.
Project Description Summary	7-storey mixed-use building, including 50 shop-top housing apartments (at least 60% affordable housing) and ground floor commercial space.

2 Statutory Requirements

This document forms part of the EIS (Environmental Impact Statement) for a State Significant Development Application (SSDA) for proposed development at Nos. 23-25 Ashton Avenue, as set out in **Table 1** above. The following sections address statutory requirements relevant to the Proposal, including the following:

- *Environmental Planning and Assessment Act 1979;*
- *Biodiversity Conservation Act 2016;*
- *Roads Act 1993;*
- *Environmental Planning and Assessment Regulation 2021;*
- *State Environmental Planning Policy (Housing) 2021;*
- *State Environmental Planning Policy (Planning Systems) 2021;*
- *State Environmental Planning Policy (Resilience and Hazards) 2021;*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021;*
- *State Environmental Planning Policy (Sustainable Buildings) 2022;*
- *Draft Climate Change and Natural Hazards State Environmental Planning Policy;*
- *Central Coast Local Environmental Plan 2022; and*
- *Central Coast Development Control Plan 2022.*

3 Statutory Compliance

The statutory requirements of relevance to the Proposal are addressed in the following sections.

3.1 Environmental Planning & Assessment Act 1979

Table 2: Compliance with the Objects of the EP&A Act (Section 1.3)

Relevant Provision	Compliance Discussion
<i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The EIS includes a detailed assessment of the potential social, economic and environmental impacts associated with the Proposal. The stakeholder engagement processes undertaken to inform the EIS, and the forthcoming public exhibition of the EIS provide additional opportunities for community views on the project to be provided.
<i>(b) to promote the supply, delivery and maintenance of housing, including affordable housing,</i>	The Proposal responds directly to this objective through the provision of new affordable housing.
<i>(c) to promote productivity through the development and management of the State and its resources,</i>	The Proposal will promote productivity through the provision of housing for workers in an accessible location, and through the generation of jobs in the construction and operational phases.
<i>(d) to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats,</i>	The Proposal would not have any impacts on threatened and other species of native animals and plants, ecological communities and their habitats as demonstrated in the <i>BDAR Waiver Request Report</i> at Appendix 20 and the <i>Biodiversity Development Assessment Report Waiver</i> at Appendix 34 .
<i>(e) to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention,</i>	The potential for impacts from the Proposal with respect to climate change have been assessed with regard to flooding within the <i>Flood Impact and Risk Assessment</i> at Appendix 23 . In summary, the Proposal does not present new or increased hazards with respect to climate change.
<i>(f) to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage,</i>	The EIS includes an assessment of the potential for impacts to Aboriginal cultural heritage through the <i>Aboriginal Heritage Due Diligence Report</i> at Appendix 5 . It is anticipated that potential Aboriginal heritage impacts can be appropriately mitigated.
<i>(g) to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,</i>	The Proposal will promote proper construction and maintenance of the proposed building through compliance with all relevant building standards to be further addressed in the future detailed design.
<i>(h) to provide opportunities for participation in environmental planning and assessment,</i>	To inform the EIS, engagement was sought with relevant community and agency stakeholders, as outlined in Section 5 of the EIS. Any feedback received was taken into account throughout the design refinement and detailed impact assessment. The EIS will be placed on public exhibition which will provide further opportunities for community participation in environmental planning and assessment.
<i>(i) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The Proposal is consistent with the principles of ecologically sustainable development as outlined within the <i>Ecologically Sustainable Development Report</i> at Appendix 28 .

Relevant Provision	Compliance Discussion
<i>(j) to promote a proportionate and risk-based approach to environmental planning and assessment,</i>	The EIS includes an appropriately precautionary assessment of the potential impacts of the proposal, as outlined through the various technical supporting assessments.
<i>(k) to promote the orderly and economic use and development of land.</i>	The orderly and economic use of land is best served by development which is permissible under the relevant planning regime and predominantly in accordance with the prevailing planning controls. The Proposal comprises a permissible development which is generally consistent with the statutory and strategic planning controls, and which has been subject to detailed site analysis and assessment of impacts, as outlined within the EIS.

Table 3: Compliance with Section 4.15(1) of the EP&A Act

Relevant Provision	Compliance Discussion
(1) Matters for consideration—general <i>In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—</i> <i>(a) the provisions of—</i> <i>(i) any environmental planning instrument, and</i>	Relevant EPIs are addressed in Section 4 of the EIS, and Sections 3.4 and 3.6 within this document.
<i>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i>	Proposed EPIs are addressed in Section 3.5 of this document.
<i>(iii) any development control plan, and</i>	Pursuant to Clause 2.10(1) of the <i>State Environmental Planning Policy (Planning Systems) 2021</i> development control plans (DCPs) do not apply to State Significant Development. Accordingly, DCPs are not a relevant consideration for the Project. Regardless, the <i>Central Coast Development Control Plan 2022</i> was utilised to inform design development, and key provisions are addressed in Section 3.7 of this document.
<i>(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i>	N/A
<i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i>	The Regulations are addressed in Section 4 of the EIS, and within Section 3.3 of this document.
<i>(v) (Repealed)</i> <i>that apply to the land to which the development application relates,</i>	-
<i>(b) the significant likely impacts of that development, including environmental impacts on</i>	The significant likely impacts of the Proposal are considered in Section 6 of the EIS.

Relevant Provision	Compliance Discussion
<i>both the natural and built environments, and social and economic impacts in the locality,</i>	
<i>(c) the suitability of the site for the development,</i>	The Site has been demonstrated to be suitable for the proposed development through previous rezoning as well as through detailed site analysis and assessment of impacts as detailed throughout the EIS and accompanying technical reports.
<i>(d) any submissions made in accordance with this Act or the regulations,</i>	The EIS will be placed on public exhibition and submissions will be sought from government agencies and the community. Any submissions received by will be reviewed and considered as part of the assessment of the SSDA.
<i>(e) the public interest.</i>	The Proposal is in the public interest as it will deliver new affordable housing. Additional public interest discussion is provided within the EIS.

3.2 Other Acts

3.2.1 Biodiversity Conservation Act 2016

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

A *Biodiversity Development Assessment Report Waiver* (BDAR Waiver Report – see **Appendix 20** of the EIS) was prepared by de Witt Ecology, which concluded that the Proposal was unlikely to have any significant impact on biodiversity values within the Site. The BDAR Waiver Report was subsequently submitted to the Department of Planning, Housing and Infrastructure (DPHI).

On 20 April 2026, a BDAR waiver was issued by DPHI and the Department of Climate Change, Energy, the Environment and Water (**Appendix 34**) which confirmed the Proposal is not likely to impact biodiversity values. Accordingly, the proposal complies.

3.2.2 Roads Act 1993

Section 138 of the *Roads Act 1993* requires the approval of the appropriate roads authority for works within a public road reserve.

New / improved driveway accesses are proposed from Ashton Avenue and Campbell Avenue, which are local public roads requiring approval under Section 138 from Central Coast Council.

In accordance with Clause 4.42 of the EP&A Act, a consent under Section 138 of the *Roads Act 1993* cannot be refused if the project is approved and must be substantially consistent with the approval.

Consultation will continue to be carried out with Council as part of the assessment of the SSDA.

3.3 Environmental Planning & Assessment Regulation 2021

Table 4: Compliance with the Environmental Planning & Assessment Regulation

Relevant Provision	Compliance Discussion
26 Information about affordable housing development Requires a DA for infill affordable housing to specify the name of the registered community housing provider who will manage the affordable housing.	Pacific Link Housing, a Tier One registered community housing provider, will manage the affordable housing component of the proposed development.
27 BASIX development Requires a DA for BASIX development to be accompanied by a BASIX certificate.	A <i>BASIX Certificate</i> and accompanying stamped plans are attached at Appendices 22 and 33 of the EIS.
29 Residential apartment development Requires DAs for residential apartment development to be accompanied by a design verification statement, and a statement outlining how the development addresses the design principles for residential apartment development in Chapter 4 of the Housing SEPP, and the objectives in Parts 3 and 4 of the ADG.	A design verification statement is provided within the <i>Design Report</i> at Appendix 14 . In addition, the report includes statements as to how the proposal addresses: • The design principles under Chapter 4 of the Housing SEPP; and • The objectives of Parts 3 and 4 of the ADG.
35BA Embodied emissions for non-residential development under Sustainable Buildings SEPP Sets out requirements for DAs for non-residential development under the Sustainable Buildings SEPP.	As outlined in Section 3.4.5 of this document, the proposal does not involve non-residential development for the purposes of the Sustainable Buildings SEPP.
61 Additional matters that consent authority must consider In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: <i>The Demolition of Structures</i> .	Any demolition of structures will occur in compliance with the relevant standard.
82 In-fill affordable housing Relates to infill affordable housing under the Housing SEPP and provides: <i>It is a condition of the development consent that before the issue of an occupation certificate for the development—</i> <i>(a) a restriction must be registered, in accordance with the Conveyancing Act 1919, section 88E, against the title of the property relating to the development, which will ensure the requirements of subsection (3)(a) and (b) are met, and</i> <i>(b) evidence of an agreement with a registered community housing provider for the management of the affordable housing component must be given to the Registrar of Community Housing, including the name of the registered community housing provider, and</i> <i>(c) evidence that the requirements of paragraphs (a) and (b) have been met must be given to the consent authority.</i> <i>(3) It is a condition of the development consent that during the relevant period—</i>	An appropriate restriction on title will be registered before issue of an Occupation Certificate for the building, confirming the affordable housing component of the Proposal will be used for the purposes of affordable housing for at least 15 years. Appropriate evidence of an agreement with the registered community housing provider for the management of the affordable housing will be provided at the appropriate time.

Relevant Provision	Compliance Discussion
(a) the affordable housing component must be used for affordable housing, and (b) the affordable housing component must be managed by a registered community housing provider, and (c) notice of a change in the registered community housing provider who manages the affordable housing component must be given to the Registrar of Community Housing and the consent authority no later than 3 months after the change, and (d) the registered community housing provider who manages the affordable housing component must apply the Affordable Housing Guidelines.	
190 Form of environmental impact statement Sets out the requirements for the form of the EIS.	The EIS is consistent with the requirements of Section 190 and has been prepared in accordance with the <i>State Significant Development Guidelines</i> .
191 Compliance with environmental assessment requirements Requires compliance with the environmental assessment requirements.	The EIS has been prepared in accordance with the Planning Secretary's Environmental Assessment Requirements (SEARs) issued on 19 May 2025. A response to each of the SEARs is provided within the <i>SEARs Response Table</i> at Appendix 1 of the EIS.
192 Content of environmental impact statement Sets out the required content to be included in an EIS.	The content of the EIS is consistent with the requirements set out in Section 192.
193 Principles of ecologically sustainable development Outlines the principles of ecologically sustainable Development.	The Proposal is consistent with the ESD principles. The <i>Ecologically Sustainable Development Report</i> at Appendix 28 has been prepared in accordance with the requirements of Section 193.

3.4 State Environmental Planning Policies

3.4.1 State Environmental Planning Policy (Housing) 2021

The Proposal's compliance with Chapter 2 of the Housing SEPP (Affordable Housing) is addressed at **Table 5**. Compliance with Chapter 4 (Design of Residential Apartment Development) is addressed at **Table 6**.

Table 5: Compliance with the Housing SEPP – Chapter 2 Affordable Housing, Division 1 Infill Affordable Housing

Relevant Provision	Compliance Discussion
15A Objective of division <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>	The Proposal will provide new affordable housing that will assist in providing housing for very low, low and moderate income households.
5B Definitions (1) <i>In this division—</i>	The Proposal includes the development of 'shop top housing'.

Relevant Provision	Compliance Discussion
affordable housing component, of development, means the percentage of the gross floor area used for affordable housing. residential development means development for the following purposes— ... (i) shop top housing.	
15C Development to which division applies (1) This division applies to development that includes residential development if— (a) the development is permitted with consent under Chapter 3, Part 4, Chapter 5, Chapter 6 or another environmental planning instrument, and (b) the affordable housing component is at least 10%, and (c) all or part of the development is carried out— (i) for development on land in the Six Cities Region, other than in the City of Shoalhaven or Port Stephens local government area—in an accessible area, or (ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone. (2) Affordable housing provided as part of development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing component under this division.	This division applies to the proposed development as: • The development includes ‘residential development’ as defined in the Housing SEPP (i.e. shop top housing); • Pursuant to the CCLEP (see Section 3.5 of this document) the site is zoned E1 Local Centre and the development of shop top housing is permitted with consent; • The proposed affordable housing component is a minimum of 60%; • The Site is within the Six Cities Region. An ‘accessible area’ is defined below. The site is less than 400m (i.e. around 160m) from bus stops on The Entrance Road, which service multiple bus routes available multiple times per hour, and therefore complies. accessible area means land within— (a) 800m walking distance of— (i) a public entrance to a railway, metro or light rail station, or (ii) for a light rail station with no entrance—a platform of the light rail station, or (iii) a public entrance to a wharf from which a Sydney Ferries ferry service operates, or (b) (Repealed) (c) 400m walking distance of a bus stop used by a regular bus service, within the meaning of the Passenger Transport Act 1990, that has at least 1 bus per hour servicing the bus stop between— (i) 6am and 9pm each day from Monday to Friday, both days inclusive, and (ii) 8am and 6pm on each Saturday and Sunday.
16 Affordable housing requirements for additional floor space ratio (Allows for bonus floor space ratio of up to 30%, for residential development where at least 10% affordable housing is provided.)	The Proposal does not rely on this provision.
17 Additional floor space ratio for relevant authorities and registered community housing providers (Allows for bonus floor space ratio where development is carried out by a relevant authority or registered community housing provider.)	The Proposal does not rely on this provision.

Relevant Provision	Compliance Discussion
18 Affordable housing requirements for additional building height <i>(1) This section applies to development that includes residential development to which this division applies if the development—</i> <i>(a) includes residential flat buildings or shop top housing, and</i> <i>(b) does not use the additional floor space ratio permitted under section 16.</i> <i>(2) The maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height of up to 30%, based on a minimum affordable housing component calculated in accordance with subsection (3).</i> <i>(3) The minimum affordable housing component, which must be at least 10%, is calculated as follows—</i> $\text{affordable housing component} = \frac{\text{additional building height}}{(\text{as a percentage})} \div 2$	This section applies as the Proposal includes shop top housing and does not rely on the additional FSR permitted under Section 16. The maximum building height permissible under the CCLEP is 23m. With a proposed affordable housing component of up to 60%, a bonus height of 30% is permitted i.e. up to a maximum height of 29.9m. The proposed development has a maximum height of 27.87m (at top of enclosed roof access stairwell), within the maximum permitted height (including bonus).
19 Non-discretionary development standards—the Act, s 4.15 <i>(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.</i> <i>Note—</i> <i>See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.</i> <i>(2) The following are non-discretionary development standards in relation to the residential development to which this division applies—</i> <i>(a) a minimum site area of 450m²,</i>	The proposed development predominantly complies with the non-discretionary standards as detailed below: The Site area is 2,332m², in excess of the minimum 450m².
<i>(b) a minimum landscaped area that is the lesser of—</i> <i>(i) 35m² per dwelling, or</i> <i>(ii) 30% of the site area,</i> landscaped area means the part of the site area not occupied by a building and includes a part used or intended to be used for a rainwater tank, swimming pool or open-air recreation facility, but does not include a part used or intended to be used for a driveway or parking area.	The <i>Architectural Plans</i> at Appendix 11 of the EIS (see Drawing DD104) indicates that the Proposal includes a total of 832.7m² of landscaped area, including 'soft' and 'hard' landscaped areas, both at Ground level and above ground. This equates to approximately 35.7% of the Site area, in compliance.

Relevant Provision	Compliance Discussion
(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 - Non-discretionary standards for deep soil do not apply to development to which Chapter 4 applies – see Section 19(3) of the SEPP.
(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 - Non-discretionary standards for solar access do not apply to development to which Chapter 4 applies – see Section 19(3) of the SEPP.
(e) the following number of parking spaces for dwellings used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms—at least 1 parking space,	As outlined within the <i>Traffic Impact Assessment</i> at Appendix 8 of the EIS, the calculated parking demand for the proposed affordable housing dwellings is 13.2 spaces, whilst the demand for dwellings not used for affordable housing is 14 spaces (i.e. total 28 spaces). As the Proposal includes provision of 37 residential parking spaces (excluding 2 spaces set aside for the office component), the Proposal complies.
(f) the following number of parking spaces for dwellings not used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,	See response above.
(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,	All 1-bedroom apartments have an internal area of at least 50m ² , as indicated in the <i>Architectural Plans</i> at Appendix 11 . All 2-bedroom apartments have an area of at least 70m ² as required. Therefore the proposal complies.
(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.
(i) if paragraphs (g) and (h) do not apply, the following minimum floor areas— (i) for each dwelling containing 1 bedroom—65m², (ii) for each dwelling containing 2 bedrooms—90m², (iii) for each dwelling containing at least 3 bedrooms—115m² plus 12m² for each bedroom in addition to 3 bedrooms.	Not applicable. Subsection (g) applies.
(3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.	Noted – see responses above.
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)	Not applicable – instead, Chapter 4 applies (see Table 6 in this document).

Relevant Provision	Compliance Discussion
<i>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.</i> <i>(2) Subsection (1) does not apply to development to which Chapter 4 applies.</i> <i>(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—</i> <i>(a) the desirable elements of the character of the local area, or</i> <i>(b) for precincts undergoing transition—the desired future character of the precinct.</i>	
21 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—</i> <i>(a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and</i> <i>(b) the affordable housing component will be managed by a registered community housing provider.</i> <i>(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.</i>	The Proposal includes the provision of a minimum 60% affordable housing for at least 15 years. The affordable housing will be managed by the applicant (Pacific Link Housing), a Tier One registered community housing provider.
22 Subdivision permitted with consent <i>Land on which development has been carried out under this division may be subdivided with development consent.</i>	The Proposal does not include subdivision. Note that amalgamation of the lots that form the Site is proposed – see Section 3.3 of the EIS.

Table 6: Compliance with the Housing SEPP – Chapter 4 Design of Residential Apartment Development

Relevant Provision	Compliance Discussion
144 Application of chapter <i>(1) In this policy, development to which this chapter applies is referred to as residential apartment development.</i> <i>(2) This chapter applies to the following—</i> <i>(a) development for the purposes of residential flat buildings,</i> <i>(b) development for the purposes of shop top housing,</i> <i>(c) mixed use development with a residential accommodation component that does not include</i>	The Proposal is for a new building comprising mixed use development with a residential accommodation component (not including boarding houses or co-living housing). The building is in excess of 3-storeys and contains in excess of 4 dwellings. Accordingly, this Chapter applies.

Relevant Provision	Compliance Discussion
<i>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> <i>(3) This chapter applies to development only if—</i> <i>(a) the development consists of—</i> <i>(i) the erection of a new building, or</i> <i>(ii) the substantial redevelopment or substantial refurbishment of an existing building, or</i> <i>(iii) the conversion of an existing building, and</i> <i>(b) the building is at least 3 storeys, not including underground car parking storeys, and</i> <i>(c) the building contains at least 4 dwellings.</i> <i>(4) 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> <i>(5) 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> <i>(6) To avoid doubt, development to which Chapter 2, Part 2, Division 1, 5 or 6 or Chapter 5 or Chapter 6 applies may also be residential apartment development under this chapter.</i>	
145 Referral to design review panel for development applications <i>(1) This section applies to a development application for residential apartment development, other than State significant development.</i> <i>(2) Before determining the development application, the consent authority must refer the application to the design review panel for the local government area in which the development will be carried out for advice on the quality of the design of the development.</i> <i>(3) This section does not apply if—</i> <i>(a) a design review panel has not been constituted for the local government area in which the development will be carried out, or</i> <i>(b) a competitive design process has been held.</i>	Not applicable, as the Proposal is SSD.
147 Determination of development applications and modification applications for residential apartment development <i>(1) 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> <i>(a) the quality of the design of the development, evaluated in accordance with the design principles</i>	The <i>Design Report</i> at Appendix 14 includes statements as to how the proposal addresses: • The design principles under Chapter 4 (Schedule 9) of the Housing SEPP; and • The objectives of Parts 3 and 4 of the ADG. Note that the proposal is not required to be reviewed by a design review panel.

Relevant Provision	Compliance Discussion
for residential apartment development set out in Schedule 9, (b) the Apartment Design Guide, (c) 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. (2) 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. (3) To avoid doubt, subsection (1)(b) does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide. (4) Subsection (1)(c) does not apply to State significant development.	
148 Non-discretionary development standards for residential apartment development—the Act, s 4.15 (1) 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. Note— See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with. (2) The following are non-discretionary development standards— (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,	Car parking is provided in accordance with Section 19 of the Housing SEPP (affordable housing) – see Table 5 above for details.
(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,	All 1-bedroom apartments have an internal area of at least 50m², as indicated in the <i>Architectural Plans</i> at Appendix 11. All 2-bedroom apartments have an area of at least 70m², as required. Therefore the proposal complies.
(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.	As noted within the <i>Design Report</i> at Appendix 14, the proposed ceiling heights are compliant with ADG minimums.
149 Apartment Design Guide prevails over development control plans Provides that the ADG prevails over DCPs in relation to listed matters.	Pursuant to Section 2.10 of the Planning Systems SEPP, DCPs do not apply to SSD. Note that compliance with relevant ADG matters is discussed within the <i>Design Report</i> at Appendix 14.

3.4.2 State Environmental Planning Policy (Planning Systems) 2021

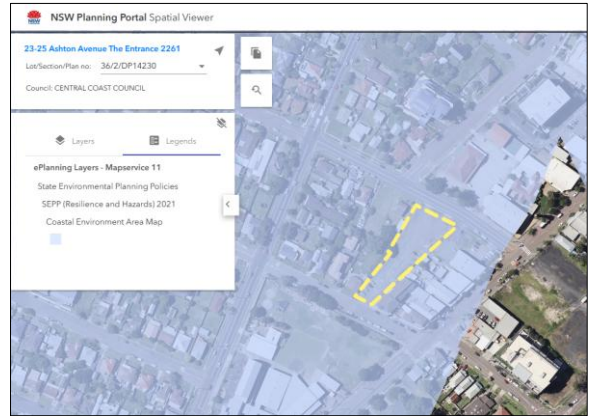
Table 7: Compliance with the Planning Systems SEPP

Relevant Provision	Compliance Discussion
2.7 Designation of Independent Planning Commission as consent authority for certain State significant development <i>(1) The Independent Planning Commission is declared, under section 4.5(a) of the Act, to be the consent authority for any of the following development that is State significant development unless the application to carry out the development is made by or on behalf of a public authority or unless the development is declared to be State significant infrastructure related development under subsection (2)—</i> <i>(a) development in respect of which the council of the area in which the development is to be carried out has duly made a submission by way of objection under the mandatory requirements for community participation in Schedule 1 to the Act,</i> <i>(b) development in respect of which at least 50 submissions (other than from a council) have duly been made by way of objection under the mandatory requirements for community participation in Schedule 1 to the Act,</i> <i>(c) development the subject of a development application made by a person who has disclosed a reportable political donation under section 10.4 to the Act in connection with the development application.</i>	Pacific Link Housing has not made a reportable political donation in connection with the DA. If the above threshold of objections is reached during the submission period, the IPC will be the consent authority. Otherwise it will be the Minister.
2.10 Application of development control plans to State significant development <i>(1) Development control plans (whether made before or after the commencement of this Chapter) do not apply to—</i> <i>(a) State significant development, or</i> <i>(b) development for which a relevant council is the consent authority under section 4.37 of the Act.</i>	Although DCPs do not apply to SSD the Proposal has been prepared with regard to the relevant provisions of the Central Coast DCP (see Section 3.7 of this document).
2.12 Extension of Part to State significant development under call-in power <i>Sections 2.8–2.10 extend to State significant development declared under section 4.36(3) of the Act.</i>	The Proposal was declared SSD under ‘call-in power’ pursuant to Section 4.36(3) of the EP&A Act. Accordingly, Sections 2.8-2.10 of the Planning Systems SEPP apply. Relevant sections are addressed above in this Table.

3.4.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The Proposal’s compliance with Chapter 2 of the Resilience and Hazards SEPP (Coastal Management) is addressed at **Table 8**. Compliance with Chapter 4 (Remediation of Land) is addressed at **Table 9**.

Table 8: Compliance with the Resilience and Hazards SEPP – Chapter 2 Coastal Management

Relevant Provision	Compliance Discussion
2.3 Land to which Chapter applies <i>This Chapter applies to land within the coastal zone.</i> 2.4 Identification of coastal management areas 2.6 Maps	The Site is mapped as within the 'Coastal Environment Area' (see map extract below). Therefore, with reference to the <i>Coastal Management Act 2016</i> definition (see below) the Site is within the Coastal Zone and the Chapter applies. Note the site is not mapped as within the Coastal Use Area or Coastal Vulnerability Area. <i>In this Act, the coastal zone means the area of land comprised of the following coastal management areas—</i> <i>(a) the coastal wetlands and littoral rainforests area,</i> <i>(b) the coastal vulnerability area,</i> <i>(c) the coastal environment area,</i> <i>(d) the coastal use area.</i> 
2.10 Development on land within the coastal environment area <i>(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—</i> <i>(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,</i>	The <i>Flood Impact and Risk Assessment</i> and <i>Stormwater Management and Soil & Water Management Report</i> (at Appendices 23 and 19 respectively of the EIS) provide assessments of the Proposal's likely impact on the hydrological environment. The assessments conclude that the Proposal will not have any significant adverse impacts. The <i>Biodiversity Development Assessment Report Waiver Report</i> at Appendix 20 of the EIS demonstrated that the Proposal is unlikely to have any significant adverse impact on biodiversity values within the Site.
<i>(b) coastal environmental values and natural coastal processes,</i>	The Site is significantly separated from the coastline (over 670m) and topographically positioned well above the elevation of Tuggerah Lake. Accordingly, the Proposal is not likely to impact on coastal environmental values or processes. Note that potential flooding impacts are addressed within the <i>Flood Impact and Risk Assessment</i> at Appendix 23.
<i>(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the</i>	The <i>Stormwater Management and Soil & Water Management Report</i> sets out proposed measures to

Relevant Provision	Compliance Discussion
<i>proposed development on any of the sensitive coastal lakes identified in Schedule 1,</i>	maintain appropriate quality of stormwater runoff from the Site. Note the nearby Tuggerah Lake is not identified as a 'sensitive coastal lake' in Schedule 1.
<i>(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,</i>	The Site does not contain any significant native vegetation, nor fauna or their habitats – see the <i>Biodiversity Development Assessment Report Waiver Report</i> at Appendix 20 of the EIS. The Site does not contain undeveloped headlands or rock platforms.
<i>(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>	The Site does not contain existing public space, nor does it provide access to foreshores, beaches, headlands or rock platforms.
<i>(f) Aboriginal cultural heritage, practices and places,</i>	The <i>Aboriginal Heritage Due Diligence Report</i> at Appendix 5 of the EIS concluded that the Site does not contain and is not likely to contain any Aboriginal objects. Regardless, appropriate mitigation measures are outlined within the <i>Proposed Mitigation Measures</i> at Appendix 9 .
<i>(g) the use of the surf zone.</i>	The Site is not in proximity to the surf zone.
<i>(2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</i>	The consent authority can be satisfied that the proposed development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1) (see above).
Division 5 General 2.12 Development in coastal zone generally—development not to increase risk of coastal hazards <i>Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.</i>	The Site is significantly separated from the coastline (over 670m) and topographically positioned well above the elevation of Tuggerah Lake. Accordingly, it is not likely to be subject to any particular coastal hazards, nor will it cause increased risk of coastal hazards on other land. Note that potential flooding impacts are addressed within the <i>Flood Impact and Risk Assessment (FIRA)</i> at Appendix 23 . The FIRA states that the Site is <i>elevated above potential flooding from oceanic inundation (including sea level rise) or from catchment inflows to Tuggerah Lake</i> (p21).
2.13 Development in coastal zone generally—coastal management programs to be considered <i>Development consent must not be granted to development on land within the coastal zone unless</i>	At the time of writing, the <i>Tuggerah Lakes Estuary Coastal Management Program</i> was still in development, with Stage 3 due in December 2026.

Relevant Provision	Compliance Discussion
<i>the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.</i>	Accordingly, no certified coastal management program applies to the Site.

Table 9: Compliance with the SEPP Resilience and Hazards – Chapter 4 Remediation of Land

Relevant Provision	Compliance Discussion
4.6 Contamination and remediation to be considered in determining development application This section provides 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 that it is satisfied that it is suitable in its contaminated state or that it will be suitable after remediation, for the purpose for which the development is proposed to be carried out. Further, the consent authority must consider 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.	A Preliminary Site Contamination Assessment (PSI) and Detailed Site Investigation – Contamination Assessment (DSI) were prepared by Regional Geotechnical Solutions - see Appendices 21 and 12 of the EIS. The DSI found a small isolated area of soil contamination, and recommended that the affected material should be disposed of at a licenced landfill site, in accordance with appropriate waste classification criteria, as part of the early works for the development. This recommendation is reflected within the <i>Proposed Mitigation Measures</i> at Appendix 9 of the EIS. The DSI concluded that, based on the findings of the PSI and DSI, the site is considered suitable for the proposed residential development from a contamination perspective, provided the recommendations are implemented. Accordingly, the Proposal complies with this provision.
4.8 Category 1 remediation work: work needing consent This section defines Category 1 remediation work, which requires development consent.	Subsection 4.8(e) lists Category 1 remediation work as work that includes that <i>carried out or to be carried out in an area or zone to which any classifications to the following effect apply under an environmental planning instrument...coastal protection</i>. As outlined in Table 8 above, the Site is within land mapped as the 'Coastal Environment Area' under this SEPP. Arguably, such mapping comprises a 'zone' to which 'coastal protection' classifications apply. Accordingly, the proposed remediation works may be classed as Category 1 works which require development consent. Note this categorisation is affirmed within the <i>Addendum Letter – Geotechnical and Contamination</i> at Appendix 35 of the EIS. Consent for the remediation works is sought as part of this SSDA.

3.4.4 State Environmental Planning Policy (Transport & Infrastructure) 2021

Table 10: Compliance with the SEPP Transport & Infrastructure

Relevant Provision	Compliance Discussion
Subdivision 2 Development likely to affect an electricity transmission or distribution network 2.48 Determination of development applications—other development This section requires a referral to the relevant electricity supply authority for development within 5m of overhead electricity power lines or adjacent to a substation.	Relevant referrals will be undertaken as part of the notification given the location of above ground power lines adjacent to the site on Campbell Avenue.
2.119 Development with frontage to classified road Sets out that development consent must not be granted to development with frontage to a classified road unless the safety, efficiency and operation of the road has been considered, and the development is appropriately designed and located to minimise any potential traffic impacts on the development.	For the avoidance of doubt, the Site does not have frontage to a classified road. This section does not apply.
2.120 Impact of road noise or vibration on non-road development This section requires compliance with relevant noise criteria and consideration of the <i>Development near Rail Corridors and Busy Roads Interim Guideline</i> for development on land in or adjacent to a road corridor with an annual average daily traffic volume of more than 20,000 vehicles.	For the avoidance of doubt, the only road in the vicinity of the Site that may accommodate an annual average daily traffic volume of more than 20,000 vehicles is to the west of the site, at Oakland Avenue. This road is separated from the site by over 100m. Accordingly, the Site is not likely to be adversely affected by road noise or vibration, and this section does not apply.
2.120 Impact of road noise or vibration on non-road development Sets out that development of 300 or more dwellings (or 75 dwellings if located within 90m of a connection to a classified road) is traffic generating development requiring referral to Transport for NSW (TfNSW).	For the avoidance of doubt, this section does not apply, as the Proposal includes only 50 dwellings, and the closest classified road is over 100m from the Site (Oakland Avenue).

3.4.5 State Environmental Planning Policy (Sustainable Buildings) 2022

Table 11: Compliance with the SEPP Sustainable Buildings

Relevant Provision	Compliance Discussion
Chapter 2 Standards for residential development—BASIX 2.1 Standards for BASIX development and BASIX optional development Applies to residential development and sets relevant standards for BASIX buildings relating to energy, water use and thermal performance. Further, consent must not be granted to development to which the standards specified in Schedule 1 apply unless the consent authority is satisfied the embodied emissions attributable to the	The <i>BASIX Certificate</i> at Appendix 22 addresses the relevant standards and provides the required information.

Relevant Provision	Compliance Discussion
development have been quantified using an approved BASIX system.	
Chapter 3 Standards for non-residential development This Chapter applies to development, other than development for the purposes of residential accommodation, that involves— (a) the erection of a new building, if the development has an estimated development cost of \$5 million or more, or (b) alterations, enlargement or extension of an existing building, if the development has an estimated development cost of \$10 million or more.	For the avoidance of doubt, the non-residential component of the Proposal comprises the ground-floor office space. This development in and of itself does not involve the erection of a new building with an estimated development cost of \$5 million or more. Accordingly, this Chapter does not apply.

3.5 Proposed Environmental Planning Instruments

3.5.1 Draft Climate Change and Natural Hazards State Environmental Planning Policy

The proposed *Climate Change and Natural Hazards State Environmental Planning Policy* (draft CCNH SEPP) was placed on public exhibition from 17 February 2026 to 16 March 2026. The proposed policy introduces a consistent framework for tackling current and future risks, including climate change and natural hazards (coastal hazards, flooding, bushfires, and urban heat), and rebuilding after natural disasters.

At the time of public exhibition, the draft CCNH SEPP did not contain any legislative detail or provisions to be addressed. It included an *Explanation of Intended Effect* which outline the key areas of proposed policy change. These areas are addressed generally below:

- Climate Change: the key factors affecting the Site which may be influenced by climate change are likely to relate to flooding and stormwater management (e.g. changes to rainfall frequency, intensity etc) and urban heat (i.e. a heating climate). These matters are addressed briefly in the sections below.
- Urban Heat: the Site may be affected by a heating climate, with a greater average temperature and more days of extreme heat in the future. The Proposal incorporates a number of features to mitigate urban heat, as outlined within the EIS, *Architectural Plans* and *Ecologically Sustainable Development Report* (at **Appendices 11** and **28**) including:
 - High-performance thermal envelope with optimised orientation, insulation and appropriate glazing selection to limit heating and cooling loads;
 - Extensive landscaping at ground level and on balconies to increase canopy cover and provide shade, contributing to improved microclimate conditions and outdoor amenity;
 - Maximisation of natural cross ventilation opportunities throughout residential apartments wherever possible;
 - Light-coloured and heat-reflective materials will be used where practicable to roofs, façades, and external paved areas to minimise heat absorption;
 - Building shading elements such as overhangs and screens will be designed to reduce direct solar exposure and improve thermal comfort; and

- Water-sensitive landscape design and efficient irrigation will support vegetation health during warmer periods.
- **Bush fire:** Not relevant – the Site is not currently mapped as bushfire prone land. Due to its established urban setting it is not likely to be mapped as such in the future.
- **Coastal Hazards:** The potential for coastal hazards is addressed in **Table 8** of this document.
- **Flooding:** The potential for the Site to be affected by flooding, including in a climate change scenario, is addressed in detail within the *Flood Impact and Risk Assessment* at **Appendix 23**.
- **Rebuilding after natural disasters:** Not relevant to the current proposal.

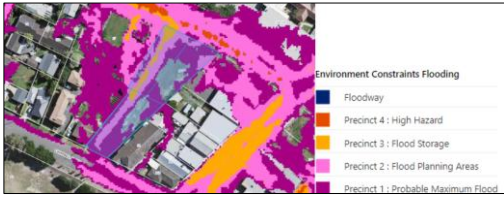
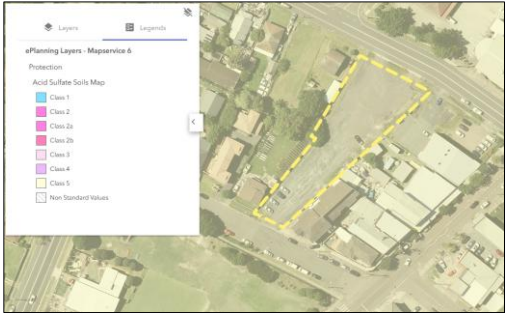
In summary, the Proposal has adequately considered the proposed matters outlined within the Draft CCNH SEPP and it is anticipated that the Proposal would comply with future legislative provisions.

3.6 Central Coast Local Environmental Plan 2022

Table 12: Compliance with the Central Coast Local Environmental Plan

Relevant Provision	Discussion	Complies?
2.3 Zone objectives and Land Use Table The Site is zoned E1 Local Centre. The consent authority must have regard to the zone objectives. Zone objectives are as follows: • <i>To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.</i> • <i>To encourage investment in local commercial development that generates employment opportunities and economic growth.</i> • <i>To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.</i> • <i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i> • <i>To encourage employment opportunities in accessible locations.</i> • <i>To maximise public transport patronage and encourage walking and cycling.</i> • <i>To minimise conflict between land uses within the zone and land uses within adjoining zones.</i> • <i>To encourage an increased residential population through stand alone development or as part of mixed use development in centres and other local areas where land is not otherwise required to serve local needs.</i> • <i>To permit residential uses while maintaining active retail, business and</i>	The development of 'shop top housing' and 'office premises' is permitted with consent in the zone. The Proposal satisfies the zone objectives as it provides new residential development in an accessible location within The Entrance town centre, whilst maintaining an active ground-level street frontage through provision of employment-generating office premises fronting Ashton Avenue.	Yes

Relevant Provision	Discussion	Complies?
<i>other non-residential uses at street level to contribute to the vitality of the area.</i>		
4.3 Height of buildings (The Height of Buildings Map illustrates a maximum building height on the site of 23m – see annotated extract below). 	The Proposal provides a maximum building height of 27.87m (at top of enclosed roof access stairwell), in excess of the CCLEP maximum. However, the proposed height is permitted through the bonus provisions of the Housing SEPP – see Table 5 in this document.	See discussion
4.4 Floor space ratio (The FSR Map illustrates a maximum building FSR on the site of 2.75:1 – see annotated extract below). 	The Proposal includes a FSR of 1.64:1, well below the permitted maximum.	Yes
5.10 Heritage conservation (Requires the consent authority to consider the effect of the proposed development on a heritage item, heritage conservation area or land within the vicinity of a heritage item or heritage conservation area).	The Site does not contain a listed heritage item, nor is it positioned within a heritage conservation area. However it is located in the vicinity of 2 heritage items of 'Local' significance pursuant to the CCLEP. An appropriate heritage assessment is provided within the <i>Statement of Heritage Impact</i> at Appendix 16 of the EIS.	Yes
5.21 Flood planning (Requires the consent authority to consider whether the development is compatible with flood risk, whether it will adversely affect flood behaviour, the safe occupation or evacuation in a flood event, or the environment and incorporates appropriate measures to manage risk to life. The consent authority must also consider projected changes due to climate change, the	This section applies to land the consent authority considers to be within the Flood Planning Area (FPA). Mapping provided by Council (see extract below) indicates parts of the site are within the FPA. Accordingly, this section applies.	Yes

Relevant Provision	Discussion	Complies?
intended design and scale of the building, risk to life and evacuation measures or the potential to modify, relocate or remove buildings in a flood event.)	 The <i>Flood Impact and Risk Assessment</i> at Appendix 23 of the EIS provides an assessment of the Proposal against the relevant matters for consideration.	
5.22 Special flood considerations (Contains additional provisions for 'sensitive and hazardous development', and land the consent authority considers may, in the event of a flood, cause a particular risk to life or require evacuation or other safety considerations).	The Proposal does not include 'sensitive and hazardous development', as defined. Further, pursuant to subclause 5.22(2)(b), the applicants have participated in ongoing consultation with Central Coast Council (CCC) throughout the design development phase (see Section 1.6.2 of the EIS for further details). At no point did CCC indicate the Site was land that, in the event of a flood, may cause a particular risk to life and require the evacuation of people or other safety considerations. Conversely, CCC noted <i>the flooding does not appear to be a significant hazard</i> (Record of Pre-Development Advice dated 9 February 2026). Accordingly, it may be inferred that Clause 5.22 does not apply to the Proposal. Nevertheless, the <i>Flood Impact and Risk Assessment</i> at Appendix 23 of the EIS provides an adequate assessment of safety and environmental impacts in the event of a flood.	Yes
7.1 Acid sulfate soils (Requires an acid sulfate soils management plan for certain development on land identified on the Acid Sulfate Soils map.) (The ASS map identifies the site as Class 5 – see extract below).	 The Site is less than 500m from Class 4 soils which may be below 5m AHD. However the Proposal is not likely to result in a lowering of the watertable below 2m AHD on adjacent Class 1-4 land. Accordingly, this provision is not triggered. Nevertheless, as a precautionary measure, the <i>Geotechnical Assessment</i> at Appendix 7 of the EIS undertook laboratory analysis of soils within the Site. It concluded that <i>due to the presence of sulfuric acidity and BH102 - 0.9 to 1.0m being PASS an Acid Sulfate Soils Management Plan is required for the proposed works where these soils will be impacted</i> (p17). This is reflected in the <i>Proposed Mitigation Measures</i> at Appendix 9 of the EIS.	Yes
7.6 Essential services	All essential services are or will be made available to the Proposal, noting:	Yes

Relevant Provision	Discussion	Complies?
(Sets out that development consent must not be granted unless the consent authority is satisfied that essential services are available or that adequate arrangements will be made to make them available.)	- The Site has ready access to mains water supplies and reticulated sewerage connections; - The Site is in close proximity to established overhead powerlines. An electricity substation is proposed along the Campbell Avenue frontage; - A comprehensive stormwater management system is proposed – see the <i>Stormwater Management and Soil & Water Management Report</i> at Appendix 19 of the EIS; - Suitable vehicular access is proposed, as detailed within the <i>Architectural Plans</i> at Appendix 11 of the EIS; and - Appropriate procedures for the collection and management of waste is proposed, as detailed within the <i>Waste Management Plan</i> at Appendix 26 of the EIS.	

3.7 Central Coast Development Control Plan 2022

Pursuant to the SEPP (Planning Systems - see **Section 3.4.2** of this document) it is noted that DCPs are not a matter for consideration in the assessment of SSDAs. Nevertheless, key provisions of the Central Coast DCP are addressed in **Table 13** below. As demonstrated, the Proposal is generally consistent with the key controls and objectives of the DCP.

Table 13: Compliance with key provisions of the Central Coast Development Control Plan

Relevant Provision	Discussion	Complies?
Chapter 2.3 Residential Flat Buildings and Shop Top Housing		
Side & rear setbacks: 1st to 4th storey - 6m 5th-8th storey – 9m	The Proposal predominantly complies. A detailed discussion of setbacks is provided within Section 6.2.3 of the EIS. In summary, despite some minor non-compliances, the Proposal appropriately provides for visual privacy between developments.	Partial
2.3.5.1 Facades and Articulation - Facades are to be articulated in length and height. Monotonous and unbroken lengths of wall exceeding 10 metres in length and 3 metres in height shall not be permitted. - For mixed use development, residential apartments are to be separated and distinguished from commercial entries - Shop-top housing development should be setback from the front street boundary and	- The facades are significantly articulated, with no unbroken length of walls exceeding 10m in length. - Residential and commercial entries are separated. - Shop top housing is partially set back from the street, with deep balconies extending across roughly half of the façade width.	Partial

Relevant Provision	Discussion	Complies?
buffered from the street by providing a balcony or similar		
2.3.6.2 Visual Privacy - Direct overlooking of internal living areas and private open space to surrounding dwellings shall be minimised by building layout, location and design of windows and balconies and screening devices. - Building separation distances (up to 4 storeys): - Between habitable rooms: 12m - Between habitable room & non-habitable room: 9m - Between non-habitable rooms: 6m	Refer to Section 6.2.3 of the EIS for a detailed discussion on privacy.	Partial
2.3.6.3 Acoustic Privacy For mixed use development, site layout should separate active recreational areas, parking areas, vehicle access ways, and service equipment areas from bedroom areas of dwellings.	All dwellings are on separate levels to acoustically significant activity areas.	Yes
2.3.6.6 Communal (and public) Open Space - Communal open space shall be provided in no more than two locations at a minimum rate of 10 square metres per dwelling and with a minimum width of 5 metres. - Minimum 25% of the site area at ground level shall be soft landscaping (planted areas). - The required communal open space area shall not be provided within the front building setback area. Front setback areas are to be generally reserved for landscaping works	Communal open space is proposed in 2 locations, at a rate required by the ADG. The spaces are behind the front setback.	Yes
2.3.7.2 Ground Level Parking - Where parking is proposed within a side or rear building setback and is exposed to adjoining properties, suitable landscaping shall be provided along the boundary to soften the visual impact of the parking and to provide for stormwater infiltration. - A minimum pavement width of 3m is required for driveways. - Driveways shall be offset from any side boundary by 2 metres at the front boundary and may taper back to 1m side setback at the front building line. - Parking or access which is visible from any street or laneway elevation must not visually dominate the street and must	- Landscaping is proposed along side boundaries to assist in screening carparking from adjacent properties wherever possible, including the provision of trees where sufficient space is available. - The proposed driveway is at least 3m wide, and is offset from side boundaries by more than 2m. - The vehicle access is recessed into the building and sleeved by landscaping and commercial space to ensure visual integration with the building.	Yes

Relevant Provision	Discussion	Complies?
respect the architectural qualities of the building and integrate with the overall presentation of the development.		
2.3.7.4 Vehicle Access Design - Optimise the opportunities for active street frontages and streetscape design by: - making vehicle access points as narrow as possible; - minimise the number of vehicle access ways; - locating car park entry and access from secondary streets and lanes where possible. - Improve the appearance of car parking and service vehicle entries, for example by: - screening garbage collection, loading and servicing areas visually away from the street; - setback or recess car park entries from the main façade line; - avoid 'black holes' in the façade by providing security doors to car park entries; - return the façade material into the car park entry recess for the extent visible from the street as a minimum.	- The proposed vehicle access is as narrow as possible, and limited to a single access point at both street frontages. The narrow width of the site supports the one-way movement of traffic between street frontages. - The proposed servicing area / waste pickup point will be partially screened from Campbell Avenue via landscaping, including a proposed screening tree within the site and a new street tree. - The car park entry is recessed behind the front building line. - A security door is proposed to the entry. - Appropriate façade materials will be used to maximise visual amenity from the street.	Yes
2.3.9.2 Street Trees All development shall incorporate street tree plantings at a rate of at least two semi-advanced trees per 15 metres of frontage. Details of the proposed street tree planting including species and locations shall be submitted with the development application and included as part of the landscape plan. A street tree planting plan shall be included as part of the landscape design report and is to include the location of any services within the footprint area.	A new street tree is proposed along Campbell Avenue, and 2 new trees are proposed along Ashton Avenue. See the <i>Public Domain Plan</i> at Appendix 15 of the EIS.	Yes
2.3.9.4 Fencing - Details of the material, height, type and extent of all proposed fencing shall be shown on the development application plans. - Decorative fencing of maximum 1.2 metres height is permitted along the front boundary. - Any fencing which is visible from the street or public places shall be decorative in style, forming part of the architectural and	The Proposal includes 1,800mm high Colorbond fencing along the Site's side boundaries (eastern and western), with 1,800mm high 'palisade style' fencing at the street interfaces. Whilst street-facing fencing is taller than 1,200mm, this is considered acceptable in this case due to its open design and recessive colouring; its limited length along the key Ashton Avenue frontage; proposed public domain landscaping which will assist to visually break up the fencing's horizontal	Partial

Relevant Provision	Discussion	Complies?
landscaping design concept for the site. Fencing should not detract from the streetscape or character of the area. Plain colourbond and /or timber paling fences are unacceptable in this regard. A combination of materials and articulation of the fence plane is required in order to achieve better presentation to the public domain, as illustrated above.	length; and to promote the safety and security of residents.	
2.3.10.1 Services – General - All applications shall provide details of the proposed method of sewerage disposal from the site. - All applications shall provide details of potential impacts on existing services, for example nearby drainage, water or sewer lines. - The construction of kerb and guttering, associated street drainage, pavement construction and foot paving across the street frontages is a standard requirement for all residential flat development in the Central Coast LGA, where these do not currently exist, or Council agrees that exceptional circumstances exist.	Appropriate kerb and guttering and associated street drainage is proposed along both street frontages. In addition, a new footpath is proposed along much of the Ashton Avenue frontage – see the <i>Civil Plans</i> at Appendix 13 and the <i>Public Domain Plan</i> at Appendix 15 .	Yes
2.3.10.2 Stormwater Management All proposed development is to comply with Council's Civil Works Specification	Refer to the <i>Stormwater Management and Soil & Water Management Report</i> at Appendix 19 of the EIS.	Yes
2.3.10.3 Garbage and Waste Services - All proposed development is to comply with the requirements of the Chapter 2.14 Site Waste Management. - Separate waste storage facilities must be provided for commercial and residential components of a development - For mixed use proposals, if an elevator is provided for residential use, it must not be used for retail loading or waste removal.	The <i>Waste Management Plan</i> and <i>Completed CCC Resource and Waste Management Plan Form</i> at Appendices 26 and 27 address DCP requirements. Further: - Residential and commercial waste is proposed to be stored in separate areas. - The proposed elevator/ lift is for residential use only.	Yes
2.3.12.1 Housing Choice - A variety of dwelling types is encouraged between one, two, three and four bedroom apartments; particularly in large residential flat developments and on the ground floor. 10% of units in residential flat developments shall be designed as suitable for adaptation for occupation by disabled / aged persons, as outlined in AS 4299:	- A mixture of 1 and 2 bedroom apartments is proposed. 5 units (10%) are proposed to be accessible for people with disabilities.	Partial

Relevant Provision	Discussion	Complies?
Adaptable Housing. A higher rate of adaptable housing of 15% is encouraged		
2.3.12.2 Facilities and Amenities - A meeting place for residents is encouraged in all developments to avoid social isolation. In smaller developments this could simply be a seat and small shelter within the common open space. - An individual laundry shall be provided within each dwelling which may be separate or included as part of another room. - Drying areas shall be provided in common open space areas, in accordance with the requirements of the Building Code of Australia. - Within each development, provision shall be made for a car washing facility. In the case of development without basement car parking, a paved area having minimum dimensions of 5m x 2.7m, directly accessible from the driveway, upon which car washing should be encouraged by way of an appropriate sign. The car washing area is to be located and designed to drain to a grassed or landscaped area located within a common area and sufficient in size to absorb wastewater from car washing. This may be provided in a visitor space.	- Proposed outdoor communal areas include multiple seating areas. - All dwellings include laundry cupboards. - Site spatial restrictions do not allow for drying areas in common open space areas. Space for clothes dryers are provided within each apartment. Further, the <i>DA Capability Report</i> at Appendix 17 confirms that compliance with the provisions of the BCA is readily achievable. - As outlined in the <i>Traffic Impact Assessment</i> at Appendix 8, one of the provided carparking spaces can provide for a car washing bay without impacting minimum carparking requirements.	Partial
Chapter 2.5 Commercial Development		
2.5.3.1 Ceiling Heights Ground floor ceiling heights in commercial development are to be a minimum of 4 metres to allow for servicing and permit flexibility of use.	The ceiling height of the proposed office will be in excess of 4m.	Yes
2.5.4.1 Street Setbacks Zero metre street setbacks are permitted and encouraged for new commercial development in urban centres that are built to the front boundary.	Proposed commercial development (office) has a zero setback to Ashton Avenue.	Yes
2.5.5.1 Construction and Appearance - All commercial development should address the main and secondary street frontages through the appropriate location of activities, building form, and building entrances. - Mixed use buildings should be arranged to maximise passive surveillance of the street by locating:	- The proposed commercial element addresses Ashton Avenue through the provision of an entrance directly to the street and full-length glazing. - The commercial space at Ashton Avenue will assist in providing passive surveillance along the street frontage.	Yes

Relevant Provision	Discussion	Complies?
- Retail activities on the ground floor to activate the street, maximise merchandise display opportunities, and provide visual interest and safety for pedestrians; - Commercial office activities on the first floor; and - Residential development on the floors above.		
2.5.5.3 Facades • Deliver legibly designed buildings where the functions are expressed in the facade: - Building entries are clearly defined; Separate and differentiated entries for different users are provided in mixed use buildings; - Retail or commercial parts of the development are expressed differently to residential parts. • Design shopfronts, including entries and windows, to reinforce any prevalent character in the local area. • Use of one colour over a whole building is discouraged. Colour should be used to express features, define storeys and relate to adjacent buildings and places.	• The proposed commercial and residential entrances are clearly defined and separated. • The residential building entrance is setback significantly from the commercial façade, and requires entry through a front pedestrian gate, which clearly defines the boundary of the residential space. • A variety of colour and material treatments are proposed over the building, to reflect the prevalent character of the area, as discussed within the <i>Design Report</i> at Appendix 14.	Yes
2.5.5.4 Awnings • Awnings should be provided on all building frontages facing public open space, streets, footpaths, and circulation areas. • Generally awnings should be a minimum of 3 metres deep and setback a minimum of 0.6 metres from the kerb, to allow for street signage, lighting and street tree planting.	• An awning is proposed along the length of the commercial element fronting Ashton Avenue. • It has a depth sufficient to provide protection over the footpath, whilst allowing for required street signage or lighting. Note street tree planting is provided for just west of the awning, as outlined within the <i>Public Domain Plan</i> at Appendix 15.	Yes
2.5.6.1 Public Domain • Pedestrian routes are to be clear, safe, well-lit and legible to all. Particular attention should be given to linking areas of the public domain and to improve safety at potential conflict points between different transport modes. • Pedestrian and vehicle access ways are to be separated and clearly distinguishable. • Pedestrian areas should minimise any changes in levels where possible. • Pedestrian areas surrounding commercial development should allow for wheelchair,	• Clearly defined pedestrian pathways are provided between Ashton Avenue and Campbell Avenue, and to key destinations within the site (e.g. stairwells, storage rooms / spaces etc. • While pedestrians and vehicles will both utilise the driveway to access some areas of the site (e.g. parking spaces near Campbell Avenue), the relatively small size of the parking area, its private residential nature and one-way driveway format ensures that the risk of vehicle / pedestrian conflict is low.	Partial

Relevant Provision	Discussion	Complies?
scooter or pram access from public areas and car parking to any retail areas, including at the threshold of shops.	A paving pathway is proposed from the carparking area to the Ashton Avenue frontage to allow for equitable access to the commercial entry.	
2.5.6.3 Lighting - New commercial development must provide external lighting so that the surrounding public domain appears safe and inviting at night. - Under-awning lighting must be provided in accordance with relevant building codes and standards - Where residential development is located above or adjoins commercial development, proponents must provide the location and design details demonstrating that lighting is directed away from residences.	Specific details on proposed lighting can be provided at the detailed design stage. The Proposal is anticipated to comply.	Yes
2.5.7 SERVICES - Waste areas and loading or servicing bays should be grouped and located underneath or behind buildings. Ideally, they should not be visible from public streets, parks or other public spaces, and should either be enclosed or screened with building elements or landscaping. - Access to service areas shall be routed away from main streets to protect pedestrian amenity and safety, and reduce friction from vehicular traffic. - The location and design of service areas must have regard for neighbours in terms of noise, light spill, odour, hours of operation and deliveries, especially when adjacent to residential development.	The proposed service vehicle / bulky waste pickup point will be partially screened from Campbell Avenue via landscaping, including a proposed screening tree within the site and a new street tree. Note that bins will be predominantly screened from view within a dedicated waste room.	Yes
Chapter 2.13 Transport and Parking		
2.13.2 Calculation of Car Parking Spaces ...	Project car parking requirements are calculated with regard to the Housing SEPP.	-
2.13.3.5 Delivery / Service Vehicle and Emergency Vehicles Requirements for delivery/service vehicles and other vehicles unless identified in this chapter, are to be based generally on the Roads and Traffic Authority "Guide to Traffic Generating Developments", as amended, and the Australian Standards relating to the specific needs of each development. Regard needs to be given to the type and scale of the development.	- The proposed waste pickup point / service area will provide space for occasional deliveries, waste pick up and emergency vehicles. - The position of the service bay ensures that no reversing or other special manoeuvres by service vehicles are required.	Yes

Relevant Provision	Discussion	Complies?
- Manoeuvring and reversing areas for delivery/service vehicles are not to conflict with general parking and pedestrian requirements. - Provision should also be made for appropriate access for emergency vehicles.		
2.13.3.7 Parking and access for the disabled - Parking for people with a disability is to be located as close as possible to the nearest access for the disabled within a particular building. - The path of travel from the parking area is to be a safe route with adequate width, manoeuvring, circulation area and gradients to allow satisfactory access, as a minimum in accordance with AS 1428.1 as amended. If possible, this access path should be covered for all weather use. - The total number of accessible car parking spaces for the disabled required for a development is to be determined in accordance with the Building Code of Australia. Generally, this rate is 1-2% of total parking provided is to be for disabled parking. For carparks containing more than 10 car spaces then a rate of 1 Disabled space is to be provided for every 100 spaces additional spaces.	3 accessible parking spaces are proposed, as close as possible to the building entrances. - An all-weather, covered path provides direct access to the residential lobby.	Yes
2.13.3.8 Bicycle Parking ...	The <i>Traffic Impact Assessment</i> at Appendix 8 notes: <i>Bike storage for 26 bikes is provided on site including a secure storage unit on the ground floor. The bike storage allows for 22 resident bikes and 4 visitor bikes.</i> <i>The DCP short term parking for visitors is the same as that for residents for shop top housing (1 space per 3 dwellings). Allowing for lower level commercial spaces to be similar in area to dwellings this is justifiable. This project however has only a small commercial space in which case the provision of four short term spaces for short stay is considered appropriate. By comparison, if this development was assessed as a multi-dwelling housing development the bike storage rates would be 1 space per 5 dwellings for long stay and 1 space per 12 dwellings.</i>	Yes
2.13.3.9 Motorcycles and motor scooters Parking is to be provided at a ratio of at least 1 motorcycle space per 50 car spaces. The	2 motorbike parking spaces are proposed.	Yes

Relevant Provision	Discussion	Complies?
minimum dimension for a motorcycle space is 2.5m x 1.35m.		
2.13.4.3 Access Design - Parking areas with boom gates or locked gates operated by key pads or similar should have a queuing length sufficient to accommodate the peak demand without adversely affecting traffic or pedestrian movements on the frontage road, with a minimum queue length of two vehicles (12 metres) and not exceeding 10%. The grade at the key pad or similar (control point) is not to exceed 5%. A Traffic Impact Study should determine the length of the queuing area by consideration of the traffic volume in the frontage road, the capacity and design of the parking area, likely peak flow and access time at entry/exit gates. - For smaller parking areas with gated entries, AS 2890.1 is to be used to provide guidance on the queuing length for such facilities, which should allow for a minimum of two cars (as specified above).	The <i>Traffic Impact Assessment</i> at Appendix 8 notes that <i>given the low opposing flows right turns into the site on Ashton Avenue can occur without delay. Similarly, any queuing associated with vehicles exiting the site onto Campbell Avenue would be minimal given the low overall traffic generation and would be contained within the site.</i>	Yes
2.13.4.5 Delivery and service vehicle requirements - There must be adequate provision made for the manoeuvring, loading and unloading of vehicles on the site. - Delivery/service vehicles are to be separated from other uses (such as pedestrians, cyclists and cars). - Access for emergency vehicles is to be provided and maintained at all times. Designs for commercial and industrial developments are to identify the location of loading facilities.	A dedicated service / loading bay is proposed. Emergency vehicles are able to utilise this space as required. The <i>Traffic Impact Assessment</i> acknowledges <i>site servicing demands are expected to be low being occasional deliveries and bi-weekly waste collection... Occasional deliveries are typically by van which can park using the service layover or on street. Similarly rare deliveries from larger trucks can also use the on site layover or be on street per the existing situation for other houses in the street.</i>	Yes
Chapter 2.14 Site Waste Management		
2.14.2.1 When is a Resource and Waste Management Plan Required? A Resource and Waste Management Plan (RWMP) is required to be submitted and approved as part of the development application and approval process for each new development on the Central Coast.	See the <i>Completed CCC Resource and Waste Management Plan Form</i> at Appendix 27 of the EIS.	Yes
Chapter 3.1 Floodplain Management / Water Cycle Management		
3.1.3.1 Required Information	See the <i>Flood Impact and Risk Assessment</i> at Appendix 23 of the EIS.	Yes

Relevant Provision	Discussion	Complies?
Development Applications for land subject to flood related development controls are to include certain information.		
Chapter 4.6 The Entrance Peninsula		
4.6.2.7 Desired Character: Mixed Development in The Entrance Town Centre 4.6.2.7.1 Encourage an Outdoor Lifestyle and Increased Levels of Pedestrian Activity • Provide reasonable levels of midwinter sunlight for street frontages and open spaces. • Provide a pedestrian friendly-scale next to any pedestrian frontage by avoiding “street wall” building forms with sheer vertical facades that are excessively long. • Stimulate the highest levels of pedestrian activity around open spaces and along commercially significant street frontages. • Contribute to the Council’s improvements strategies for street frontages and open spaces. • Incorporate facilities for public transport, pedestrians and cyclists.	• The proposed building is anticipated to cast minimal shadows on the proposed street frontages – see the shadow diagrams within the <i>Architectural Plans</i>. • The proposed street wall frontage to Ashton Avenue is limited in length (circa 18m). • Pedestrian activity is encouraged along Ashton Avenue through the provision of a new footpath, as well as street trees to Council’s specifications.	Yes
4.6.2.7.2 Stimulate Highest Levels of Pedestrian and Business Activity • Concentrate shops, entertainment or business-related premises, community facilities or major pedestrian entrances in podium facades that that will face and abut an open space area or a commercially-significant street frontage. • Avoid blank walls, building services, vehicle entrances or above-ground car parking that would face any open space area or commercially-significant street frontage. • Locate car parking predominantly in basements or behind “active” floor space. • Limit pedestrian links across any site to those which would service destinations that are commercially or socially significant, incorporating an outdoor fresh-air character rather than conventional indoor arcades, but only if such links would not detract from the desired level of street activity.	• The proposed commercial element addresses Ashton Avenue. • The vehicle access point is recessed and sleeved by landscaping to minimise its visual impact on the streetscape. • Proposed pedestrian links through the site are intended for use by residents only.	Yes
4.6.3.2.5 Mixed Development in Zones B2, SP3 over Six Storeys: Frontages to Streets, Lanes and Civic Spaces 4.6.3.2.5.1 Streetscape	The podium element (total 4-storeys) is proposed to have a zero setback. The 2 stories above are setback 5m, in compliance.	Yes -see below row

Relevant Provision	Discussion	Complies?
- For podium elements, heights and setbacks to be the same as for buildings up to six storeys (podium = 0 setback, max 2-storeys. Tower = 5m setback). - For buildings taller than six storeys, tower elements to be setback from building lines by a minimum of 10m.	The tower element taller than 6 storeys (6th floor) is proposed to be predominantly setback 10m from the street frontage. Refer to page 16 of the <i>Design Report</i> at Appendix 14 of the EIS.	
4.6.3.2.5.2 General - a balcony on the first storey above any street or open space may extend up to 3m beyond a building line. - for tower facades, up to 50% of the width may extend as far as the general building line but only for third and fourth storeys. - in general, basements shall not extend beyond a building line; - unless noted above, balconies shall not extend beyond the tower envelope.	- As indicated in the plans, approximately 50% of the width of the 3rd and 4th floors are proposed to extend as far as the general building line. - No basements are proposed. - Balconies do not extend beyond the tower envelope.	Yes
4.6.3.2.6 Mixed Development in Zones B2, SP3 and RE2: Sunlight to Footpaths and Open Spaces Significant public places occur within zones B2 and SP3 at The Entrance Town Centre. As well as satisfying other envelope controls, new buildings are to: - maintain the amount of sunlight that is currently available to significant public places between the hours of 10 am and 2.00pm during midwinter (June 21); and - ensure specified sunlight is to be available to at least half of any public open space, and at least half of the width for the specified footpaths.	The Site is not in the immediate vicinity of any significant public places. As indicated in the shadow diagrams, the proposed footpath along Ashton Avenue is not likely to be overshadowed by the proposed building.	Yes
4.6.3.2.8 Mixed Development in Zones B2, SP3 and RE2: Boundary Facing Residential Development - A setback which is predominantly deep soil is to be provided next to any residential property. - Podium elements and any basement to be setback from any boundary that faces a residential property by a minimum of 6m.	The proposed podium element is separated by the western boundary with residential development by over 6m. this setback predominantly comprises deep soil areas.	Yes