

19 May 2020

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Dear Louise,

**RE: Central Coast Council advice, State Significant Development (SSD-9813), 36-48 Donnison Street, Gosford.**

I refer to recent correspondence sent by Central Coast Council (Council) to yourself, regarding updated documentation lodged as a part of the Response to Submissions (RtS) process for the subject development. Whilst we acknowledge that you have not formally requested a response to Council's letter, we wish to take this opportunity to provide clarity to DPIE concerning several of Council's issues.

**Built Form**

Council's assertions that the proposed height and FSR are a "major non-compliance" are incorrect, and fail to recognise the structure of the planning process that was established for major developments in the Gosford City Centre.

As you are aware, Clause 8.4 of *State Environmental Planning Policy (Gosford City Centre) 2018* does not limit height and FSR on certain sites, subject to a number of steps being undertaken and, critically, design excellence being demonstrated. The project team have worked closely and transparently with DPIE and the *City of Gosford Design Advisory Panel (DAP)* to undertake all these necessary steps and ensure that design excellence has been achieved.

The design excellence process included a number of engagements with the DAP over several months. Feedback received at each stage resulted in design changes, up to and including those submitted as a part of the most recent RtS. These resolved many matters that Council have now raised in its latest letter. For example, Council have raised:

- Carparking provision above ground, despite all frontages being activated at the request of the DAP; and
- The crossing of Henry Parry Drive to Kibble Park, despite resolution of this issue with the DAP through design solutions which enable provision of a crossing by other authorities, and no compelling grounds for a crossing to be provided by the developer.

The most recent advice from the DAP, dated 17 April 2020, stated:

*"The Panel is satisfied you have worked to address each of [the] issues and considers that, for a concept masterplan process, **your proposal now exhibits Design Excellence**"*

As all criteria under Clause 8.4(4) have been achieved, the maximum height and FSR can be determined by the consent authority.

## Engineering

A number of comments have been provided by Council with respect to engineering matters. It is noted that many of these have been identified as **resolved**. Some specific commentary and clarification is provided below.

- Council has requested the stormwater main passing under the adjoining sites be relocated into William Street, commencing from Albany Street (Comment 33). This is agreed and shall be completed in conjunction with the proposed demolition works stage.

Construction details of this stormwater diversion can be provided and approved by Council prior to commencement of demolition.

- Council's request to relocate the sewer main currently located on the site (Comment 38) is agreed to. Construction details of this sewer main relocation can be provided and approved by Council prior to commencement of demolition.

## Waste

Council have requested amendments and additional information be provided with respect to waste servicing and waste management. In response:

- Individual waste room/loading docks and strategies will be implemented and assessed in detail under future stages of assessment. The level of detail being requested for resolution at this stage goes beyond that which is necessary in a concept application.
- Council have requested that more detail regarding construction and operational stage waste be captured in an updated Waste Management Plan.

Again, as the subject application only seeks consent for building envelopes and demolition, it is unreasonable to request information specifically relating to the adequacy and dimensions of waste storage, volumes, transfer, and manoeuvring of distant project stages. This is ordinarily addressed at detailed built form stages. The issues raised by Council regarding this may be easily addressed through subsequent built form applications or via conditions of consent.

## Conclusion

We wish to re-iterate the project team's commitment to working co-operatively with DPIE and all stakeholders to achieve best outcomes on the site through a balanced consideration of all issues. It is our view that many of the matters raised in Council's correspondence have already been addressed and resolved, or can be managed through appropriate conditions of consent and/or in later detailed development application stages.

Thank you for the opportunity to provide a response on these matters. We trust that the above provides you with the information required to continue your assessment.

Yours sincerely



Adam Coburn

**Practice Director – Western Sydney**