

Central Coast Community Better Planning Group
c/o Community Environment Network
PO Box 149
Ourimbah 2258
4 August 2026

Department of Planning, Housing and Infrastructure
c/o Ryan Lennox, Contact Planner
Via NSW Planning Portal (online submission)

RE: OBJECTION TO STATE SIGNIFICANT DEVELOPMENT APPLICATION SSD-83538214 — MIXED USE DEVELOPMENT WITH AFFORDABLE HOUSING, 43-45 BEANE STREET AND 2 KEEVERS LANE, GOSFORD

Dear Mr Lennox,

I write on behalf of Central Coast Community Better Planning Group to formally object to State Significant Development Application SSD-83538214, currently on public exhibition, for the proposed mixed-use development at 43-45 Beane Street and 2 Keever's Lane, Gosford.

The Central Coast Community Better Planning Group (CCCBPG) is a sub-committee of the Community Environment Network (CEN). The CCCBPG brings together community representatives from across the Central Coast who contribute a combination of professional expertise, practical planning experience and long standing local knowledge. The Group has a strong interest in the future planning of the Central Coast and in ensuring that decisions affecting land use, development and the environment are informed by sound strategic planning, community experience and the principles of Ecologically Sustainable Development.

While our group is not opposed to well-designed higher-density and affordable housing development in the Gosford City Centre in principle, and we recognise the need for additional affordable housing supply in the region, we hold significant concerns regarding the height, bulk, scale and consequent overshadowing and privacy impacts of this specific proposal. Our concerns and requests are set out below.

[Requirements of SEPP \(Precincts – Regional\) 2021](#)

We understand the proposal seeks approval for two buildings — a part 5-storey and part 26-storey development comprising 130 apartments (including 20 affordable housing dwellings), ground floor commercial/retail space, and three levels of basement parking. We further understand the application relies on the State's in-fill affordable housing bonus provisions (under State Environmental Planning Policy (Housing) 2021) to achieve a floor space ratio of 6.06:1, a 27.6% uplift on the site's base FSR of 4.75:1 under the Gosford City Centre controls in State Environmental Planning Policy (Precincts – Regional) 2021.

Although the latter SEPP provides that the height limit for development on the subject site is 48 metres, the application relies on the provisions of clause 5.46 of that SEPP to propose that a height of 89.8 metres should be permitted for the northern tower. The application argues that the application complies with the requirement of clause 5.46(3):

Development consent may be granted to development on land to which this section applies that results in a building with a height that exceeds the maximum height shown for the land on the Height of Buildings Map, by an amount to be determined by the consent authority, if—

- (a) the site area of the development is at least 2,800 square metres but less than 5,600 square metres, or the building will have a street frontage of at least 36 metres, and
- (b) a design review panel reviews the development, and
- (c) the consent authority takes into account the findings of the design review panel

The site area is only 2,070 sq.m., so it does not comply with the minimum site area of 2,800 sq.m. required in clause 5.46(3)(a). The street frontage of the subject site to Beane Street is only 30 metres, so it does not comply with the minimum street frontage of 36 metres required in clause 5.46(3)(a).

The application assumes, therefore, that the length of the site's frontage to Keever's Lane (83.7 metres) means that the proposal complies with the requirement of "a street frontage of 36 metres". What is the meaning of "street frontage"? Does frontage to Keevers Lane meet the requirements for design excellence in SEPP (Precincts – Regional) 2021.

Design excellence

Clause 5.45 of SEPP (Precincts- Regional) 2021 makes the following requirements for design excellence in the Gosford City Centre:

- (1) The objective of this section is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Gosford City Centre.
- (2) This section applies to development involving the erection of a new building or external alterations to an existing building.
- (3) Development consent must not be granted for development to which this section applies unless the consent authority considers that the development exhibits design excellence.
- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
 - (c) whether the development is consistent with the objectives of sections 5.52 and 5.53,
 - (d) **any relevant requirements of applicable development control plans,**
 - (e) how the development addresses the following matters—
 - (i) the suitability of the land for development,
 - (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,
 - (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access, circulation and requirements,
 - (x) the impact on, and any proposed improvements to, the public domain.

The "applicable development control plan" in this context is Gosford City Centre Development Control Plan 2018. The DCP states that its purpose is:

The purpose of this Development Control Plan (the DCP) is to provide development controls for quality development and sound environmental outcomes within the Gosford City Centre. This DCP provides more detailed provisions to expand upon the controls within GCC SEPP for development in the Gosford City Centre that will contribute to the growth and character of Gosford and protect and enhance the public domain. ...For State Significant Development, this DCP contains matters of relevance to applicants in the preparation of development proposals.

In Chapter 5 of the DCP on Built Form, there is a table which clarifies the hierarchy of development controls and their relation to site size. The delineation of site size is specifically defined by “primary street frontage” – **this means that the size of a site that is on the corner of a public street and a laneway is defined by the length of the frontage to the public street.**

This hierarchy is demonstrated in Figure 8 of the Gosford City Centre DCP which defines the hierarchy by types of streetscape. Beane Street is shown as the primary frontage of the subject site, whereas Keever’s Lane does not have a defined streetscape role.

It must be concluded, therefore, that the subject site does not comply with the requirement for a primary street frontage of more than 36 metres. Consequently, the site does not comply with clause 5.46 and the height of the proposed development should not exceed 48 metres.

The following sections of this submission consider the impacts of the height proposed for the development, particularly when combined with the proposed amount of floorspace.

Height, Bulk and Scale

The proposed 26-storey tower represents a substantial departure from the prevailing and permitted built form envisioned for this part of the Gosford City Centre. Specific concerns include:

- The cumulative effect of the FSR uplift (27.6% above the base control) combined with the height of the tower element results in a building bulk that is out of proportion with adjoining and nearby development, much of which is significantly lower in scale.
- The Environmental Impact Statement should be required to demonstrate, through accurate photomontages and view-loss analysis from a representative range of public and private vantage points, that the height and bulk of the tower does not unreasonably dominate the streetscape or compromise the visual character of Beane Street and Keevers Lane.
- We request that the Department require the applicant to justify the extent of the FSR uplift against the objectives of the affordable housing pathway, rather than treating the bonus as a default entitlement, and to explore built-form options that better distribute density (e.g. reduced tower footprint, increased setbacks, or podium-only elements) while still delivering the affordable housing yield.
- We ask that any approval be conditioned to require independent design review sign-off (beyond the initial Design Advisory Panel input) at each key design development stage, given the scale of departure from the existing streetscape.

Overshadowing and Solar Access

Given the height of the proposed tower, we are concerned about the extent and duration of overshadowing cast onto neighbouring residential properties, particularly in Mann Street, Faunce Street and Watt Street, and any nearby public open space, e.g. Burns Place. Section 4.3 of the DCP recommends that public open space should receive at least 4 hours of sunlight per day. Specifically, we request that the Department:

- Require comprehensive shadow diagrams for the equinoxes and winter solstice, at hourly intervals between 9am and 3pm, covering all directly affected properties and public spaces.
- Assess compliance with the minimum solar access standards set out in the Gosford City Centre Development Control Plan 2018 for neighbouring residential units, including existing dwellings that may not have been designed to accommodate overshadowing from a building of this height.
- Consider whether the orientation, floorplate or setback of the 26-storey tower could be amended to reduce overshadowing impacts on neighbouring properties without materially affecting the delivery of affordable housing.

Privacy and Residential Amenity

We also raise the following amenity concerns on behalf of surrounding residents:

- The height and orientation of the tower, and the placement of balconies and windows facing existing lower-scale residential development, has the potential to result in unreasonable overlooking and loss of privacy. We request that the Department require a detailed privacy impact assessment, including consideration of screening, window placement, and building separation distances, consistent with the ADG (Apartment Design Guide) and local DCP controls.
- We request that communal open space, landscaping and any publicly accessible plaza areas be designed and conditioned to avoid creating overlooking or acoustic amenity impacts on adjoining residential properties, particularly during evening hours given the ground-floor commercial and dining activation proposed for Keevers Lane.

Vistas and View Corridors

Clause 5.53 of the SEPP (Precincts – Regional) and section 4.4 of the DCP require the protection and enhancement of views of the key landscapes, in particular Rumbalara Reserve and Presidents Hill. The SEPP and DCP also recommend the protection of the vistas of these landscapes along the “primary” streets, such as Beane Street and Mann Street.

The EIS has virtually ignored the vista along Beane Street, even though it is one of the best East-West streets with a view of Rumbalara Reserve. The Visual Impact study appears to have deliberately selected viewpoints, such as Racecourse Road, that have buildings or other obstructions blocking views of the key landscapes.

The redevelopment of Gosford Hospital and the creation of a pedestrian corridor between the new parking station and the hospital Main Entrance has provided a fantastic view corridor across the railway and Mann Street then along Beane Street to Rumbalara. The proposed 26 storey tower would create a major obstacle in this view corridor and the tower would ruin a significant vista.

The Department should require the applicant to find viewpoints that are not located behind buildings and redesign the towers so that they do not obstruct significant vistas.

Requested Outcome

For the reasons outlined above, we request that the Department:

- Not approve the application in its current form; or
- If minded to approve the application, impose conditions requiring a reduction in height and/or bulk of the tower element, revised setbacks and building separation to protect solar access and

privacy for neighbouring properties, and independent verification of shadow and privacy modelling prior to the issue of any Construction Certificate.

We would welcome the opportunity to discuss these concerns further with the Department or the applicant, and request that our group be kept informed of the assessment timeline and any response to submissions.

Yours faithfully,

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Central Coast Community Better Planning Group

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