

7 November 2019

Director, Regional Assessments
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam

Re: Application SSD-10114
Central Coast Quarter
26-32 Mann Street, Gosford (Lot 11 & Lot 12 DP1250131)
Applicant St Hilliers Group

The Site is identified in the *Gosford City Centre Development Control Plan* (DCP 2018) as 'Key Site 6, 26 - 32 Mann Street'. The DCP 2018 requires that the 'site must be subject to a master planning process to ensure holistic consideration of site specific urban design issues'.

The following comments are provided on the proposed Masterplan:

PLANNING CONSIDERATIONS

1. The proposed towers should be reduced in height and width. In addition, a greater height difference between towers should be provided. This is essential to reduce shadow impact on the Leagues Club Field (and other public spaces) and to reduce the bulk, scale and visual impact of the proposal when viewed from the Gosford Waterfront.

The three towers significantly overshadow Leagues Club Field in the AM period. (eg: 84.5% at 9.00am and 45.9% at 10.00am). In addition, overshadow impacts on the nearby 'Poppy Park' and War Memorial with resultant impacts on the heritage value.

In accordance with Clause 5.2.5 of DCP 2018 slender towers with high amenity are required.

The floorplate of the towers (particularly the northern tower) should be reduced and greater separation provided.

The northern tower should be at least 15% lower than the eastern tower, and the southern tower should be at least 30% lower than the eastern tower.



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2. The cumulative shadow impacts and traffic impacts of other development sites in the City Centre should be taken into consideration.
3. As the proposal is relying on the special provisions of the State Environmental Planning Policy (Gosford City Centre) 2018 (Gosford City Centre SEPP) & DCP 2018, car parking should be provided in accordance with DCP requirements and not reduced under State Environmental Planning Policy 65 (Design Quality of Residential Apartment Development) and/or Roads and Maritime Service provisions. Where a development already gains benefit/concessions of the provisions of the Gosford City Centre SEPP and associated DCP 2018, it is unreasonable for the development to then gain further concessions on carparking through deferring to RMS provisions.
4. Under the provisions of Clause 4.37 of the *Environmental Planning & Assessment Act (EPA Act) 1979*, the Minister may declare that Central Coast Council is the consent authority for subsequent stages of the development. Council requests that future applications should be determined by the Central Coast Council.

ARCHITECTURAL / SEPP65 COMMENTS

The application proposes a mixed-use development of three towers above commercial podiums. Two towers are residential containing 295 residential units, the third is a hotel containing 182 rooms and approximately 3,500m² of commercial space with 1014 car parking spaces beneath the podiums.

It has been assessed in response to the nine SEPP 65 Design Quality Principles and the Apartment Design Guide (ADG), the Gosford City Centre SEPP, Gosford Local Environmental Plan (Gosford LEP) 2014 and the Gosford City Centre Development Control Plan (DCP) 2018.

Context and Neighbourhood Character

The proposal is on a prominent site within the city centre with the important public spaces of the Leagues Club Field on the west and the heritage listed Rotary Park and Memorial Park on the south.

The Leagues Club Field is proposed for redevelopment and is a significant public park within the city centre. Its importance to the community will only increase as more apartments are constructed and population density increases. It is essential that the amenity of the park for all users is maintained and that there is no increase in overshadowing or loss of views from within the park (see previous comments made in the opening planning section of this correspondence).

It is acknowledged that there will be some overshadowing of Leagues Club Park from approved developments however further overshadowing of public spaces resulting from non-complying height and FSR is unacceptable.

Though the proposal is supported in principle, it is considered to have detrimental impacts on Leagues Club Park and views of Rumbalara Reserve and must be amended to address these issues.



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Built Form and Scale

There is major non-compliance with height controls in the Gosford City Centre SEPP. The site is zoned with a maximum height of RL 48.00. The application proposes a maximum height of RL 81.40 or 59% non-compliance.

It is acknowledged that the Gosford City Centre SEPP permits some exceptions to both height and FSR on key sites if the proposal meets design excellence criteria. Though some non-compliance with height controls could be acceptable if it produced "slim towers", this is not the case with this application. The north tower and podium are particularly bulky and overscaled resulting in them visually overpowering the park. It is noted that the only perspective is from the distant location of Brian McGowan Bridge and even from this distance it clearly illustrates the excessive scale and height of the north tower.

The commercial podium to define the Baker Street frontage is supported in principle however the continuous 60-70 metre length of both podiums lack the "fine grain frontage" required by the Development Control Plan.

The visual impact and overshadowing of Leagues Club Field, Rotary Park and Memorial Park and the inadequate space devoted to public areas within the development and its overshadowing demonstrate the proposal has not achieved the required level of design excellence and therefore the proposed extent of height non-complying cannot be justified.

Density

The Reference Scheme proposes an Floor Space Ratio of 4.5:1; 28% above the 3.5:1 shown in the Gosford City Centre SEPP.

It is acknowledged that the Gosford City Centre SEPP permits some exceptions to both height and FSR on key sites if this meets design excellence criteria.

As stated under Built Form and Scale, the visual impact and overshadowing of Leagues Club Field, Rotary Park and Memorial Park and the inadequate space devoted to public areas within the development and its overshadowing demonstrate the proposal has not achieved the required level of design excellence and is has not provided justification for the proposed additional FSR.

Sustainability

The application must comply with mandatory minimum sustainability standards however a development of this size and significance is an opportunity to encourage and demonstrate sustainable design by providing more than the bare minimum. This could include but is not limited to providing solar and wind power generation and storage, storm and grey water recycling and a high level of passive solar design.



Landscape

The landscape concept is generally acceptable in principle however the large trees shown in the drawings appear unlikely to be realistic in the soil depths and volumes shown and the planting palette includes only low shrubs and ground covers.

A full landscape plan including all species, numbers and sizes should be included with the application.

Amenity

The previous February 2018 proposal was an excellent example of a well designed public space within a private development. It included an open, fully publicly accessible central space with good solar access, particularly during lunch time. There was adequate area for both outdoor dining and simply sitting in the sun or strolling and it also provided an attractive and inviting through site link gently stepping down the site to connect Mann Street with Baker Street and Vaughan Avenue.

The current proposal removes these highly commendable qualities and relegates the only real public space to a narrow through site link largely overshadowed and with long and continuous flights of stairs. The current proposal is inconsistent with the DCP key sites 6 in that the publicly accessible podium is very poorly integrated into the site and is simply relegated to leftover areas that cannot be developed for other uses.

Envisaging the public open space as “more urban in character” does not justify a poor urban design outcome.

The application provides no details of unit layouts, private open space, communal facilities and open space or pedestrian access to foyers. It is essential that all units comply with amenity requirements in the ADG and provide adequate communal facilities for 295 residential units.

Safety

Living areas and balconies overlook streets and public spaces to provide surveillance.

Housing Diversity and Social Interaction

The proposal provides a mix of 1, 2 and 3 bedroom units. No information is provided on accessible units.

Aesthetics

The design is largely uniform and repetitive with no differentiation between floors and no definitive top to any of the towers. It is accepted there is some variation in fenestration to the northern tower.

Architectural Concluding Comments

The application is not supported and requires major amendments to address the issues raised in this assessment.



In particular, the visual impact and overshadowing of the important public spaces of Leagues Club Field, Rotary Park and Memorial Park and the inadequate space devoted to public areas within the development and its overshadowing are significant public amenity problems that require major amendment to resolve.

These demonstrate the proposal has not achieved the required level of design excellence and therefore the proposed extent of height and FSR non-complying cannot be justified.

The issues of Sustainability, Landscape and Aesthetics, though important have less impact on public spaces and could be resolved in conjunction with the Design Review Panel.

Architectural Recommendations

1. The northern tower should be reduced to the complying height of 48 metres and significantly reduced in width to reduce both its visual impact and extent of overshadowing on Leagues Club Field, Gosford War Memorial Park and Rotary Park (Poppy Park), and to open views through the site in compliance with the DCP2018 below.

"4. The appropriate height for development of this site will be determined through a master planning process, which is to include design testing and consideration of impacts on views and overshadowing. In particular, the master planning process should test options to maximise views between street level on Mann Street through to the park and the water. The development must comply with the view, slender towers, and solar access provisions contained in this DCP. The development must also take into account the potential impacts on existing heritage items in the vicinity of this site including Gosford War Memorial Park, Rotary Park (Poppy Park), and other nearby heritage items".

2. It is reiterated that in comparison to the February 2018 proposal the public space has been reduced to a narrow through-site link largely overshadowed and with long and continuous flights of stairs. The claimed public space above Baker Street is not public but is private outdoor dining area for the adjoining commercial outlets. While the "eat street" concept and outdoor dining are strongly supported these are not a substitute for public space.

The current application is inconsistent with the DCP key sites 6 in that the publicly accessible podium is very poorly integrated into the site and is simply relegated to leftover areas that cannot be developed for other uses. It should be amended to address the DCP2018 below.

"3. Publicly accessible podium open space above Baker Street, at the level of Mann Street and overlooking the waterfront should be considered and integrated into development of the site".

It is recommended that the residential and commercial area of the southern podium is significantly reduced in length and a larger landscaped truly public area is created on the



podium. As the shadow diagrams illustrate, this is the only area public that achieves continuous sunshine in mid winter.

"6. For any new public spaces, buildings are to be designed to ensure that at least 50% (minimum) or 70% (preferred) of the open space provided receives a minimum of 4 hours of sunlight between 9am and 3pm on the winter solstice (21 June)".

This should be integrated with the staircase, preferably with additional large landings to provide further public seating and an easier and more gradual ascent.

ENGINEERING CONSIDERATIONS

Baker Street

Baker Street was recently partially extended adjacent to the Leagues Club Field as part of the recent Australian Taxation Office (ATO) and NSW Office of Finance building developments. This section of Baker Street was constructed two-way (2-way) with perpendicular parking, generally in accordance with the *Gosford City Centre Streetscape Design Guidelines (September 2011)* prepared by Occulus.

This recently constructed extension of Baker Street provides vehicle access to and from the ATO and NSW Office of Finance buildings and the associated perpendicular car parking made up for a parking shortfall associated with the existing developments. This constructed portion of Baker Street must be retained to continue the ongoing operation of the existing developments.

Vehicular access to and from the basement of the proposed (future) hotel on the subject site will be via the vehicle access driveway, constructed in association with the NSW Office of Finance building, which is accessed from the 2-way constructed section of Baker Street.

According to DCP 2018, the Baker Street (extension) is a desired pedestrian boulevard (emergency vehicle access only). This being the case, a turning head is required adjoining the 2-way constructed section of Baker Street to enable 12.5m heavy rigid vehicles (HRVs) to turn around and exit back onto Georgiana Terrace.

The Master Plan is to be amended to accommodate a turning head within Baker Street and the Site (if there is insufficient room in the road reserve to accommodate it). This turning head should be designed in such a way that it clearly delineates the 2-way trafficked portion from the pedestrian boulevard beyond.

As per the DCP 2018, the remaining section of Baker Street (i.e. from the end of the 2-way constructed portion and turning head through to Vaughan Avenue) is to be a pedestrian boulevard with vehicle access provided for emergency vehicles only. This remaining section shall be constructed of materials and signposted in a manner that clearly delineates it as a pedestrian boulevard.



Water Cycle Management

Water Cycle Management for the future developments on the Site shall be in accordance with Chapter 6.7 of the Gosford DCP 2013. DA's for the various stages of the proposal shall be supported by Water Cycle Management Plan (WCMP) Strategies prepared in accordance with Chapter 6.7 of Gosford DCP 2013.

Flood Planning Level

The Flood Planning Level for future developments shall be RL 3.00m AHD based on the 1% AEP flood level + freeboard + projected sea level rise for an 80-year design life.

Access to the basement car park shall have a minimum crest level or flood gate with a minimum crest level of RL 3.00m AHD to cater for the appropriate flood planning level.

Vehicular Access and Car Parking

Vehicular access and car parking for the various future DA's on the Site shall comply with all applicable sections of the current car parking standard AS 2890.

Engineering Recommendations

1. The recently constructed two-way extension of Baker Street and associated car parking shall be retained.
2. The Master Plan shall be amended to provide for a turning head on the south side of the recently constructed two-way section of Baker Street. The turning head shall be designed for a 12.5m heavy rigid vehicle (HRV). If there is insufficient room to accommodate it, part of the Site is to be dedicated as road reserve as required. The turning head shall be designed to clearly delineate the 2-way portion of Baker Street from the proposed pedestrian boulevard extension to Vaughan Avenue.
3. Baker Street shall be extended from the proposed turning head through to Vaughan Avenue as a pedestrian boulevard with access for emergency vehicles only. This section of Baker Street is to be constructed of materials and signposted to clearly designate it as a pedestrian boulevard.

TRAFFIC

Comments on Architectural Plans

- The Concept plan does not appear to readily provide wheelchair access for the different levels through the site. Ramps at 1:14 grade near the staircases should be provided, in addition to any lifts.
- Preliminary through site link. The levels given to Leagues Club Park are a level zero, which is not correct.



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Comments on Traffic Study

- 8.3.1 Analysis shows Central Coast Highway / Dane Drive roundabout in the PM is operating over capacity now with significant delays particularly to Dane Drive vehicles accessing the roundabout. The Dane Drive approach to the roundabout should be upgraded as part of the masterplan proposed.
- Plans or provisions should be made to upgrade both the Donnison Street and Etna Street railway overbridges as outlined in the SEAR's Attachment A Strategic Plan '*Gosford City Centre Transport Management and Accessibility Plan*'. Both bridges require major upgrading for improved bus, vehicle, pedestrian and cyclists access across the railway corridor. The proposed development will contribute to the need to upgrade both bridges.

LANDSCAPE

The proposal is supported by an Arborist letter by Urban Forestry Australia (dated 28 August 2019). Its focus is to '*ensure the existing Ficus on the corner of Vaughan Avenue and Mann Street is preserved*'.

The Arborist discusses the existing encroachments into the Tree Protection Zone of the Ficus and that it must now have compensatory ground contiguous with the root zone to maintain tree health. The result was design changes to the arborists satisfaction to create a Designated Tree Protection Zone (DTPZ) to the north of the tree.

It is understood that the upper most proposed basement floor was deleted within the DTPZ and that the lower two basement floors will be undercut to limit disturbance to the existing soil within the trees DTPZ. The existing upper surface is to remain undisturbed to a depth of 1200 – 1500mm.

Other recommendations are to retain the existing crib wall approximately 4m to the west of the tree, due to fig roots entwined into and around it.

It is apparent that all other trees on the property are to be removed consisting of Camphor laurel, Eucalypt, Blackbutt, Brush Box and She oak, however these trees have not been addressed in the Arborist letter.

Landscape Plans show new tree planting however the conceptual plans have not provided species or sizes at this stage.

Landscaping is supported providing the applicant: -

- Provide an Arboricultural Impact Assessment of all trees on site, including other trees within the DTPZ that are not intended to be retained.
- Engages a Project Arborist to provide Monitoring and Certification in accordance with Section 5 of AS 4970-2009 *Protection of Trees on Development Sites*.
- Provide a detailed Landscape Plan showing species and sizes of trees to be planted and in accordance with *Occulus Gosford City Centre Streetscape Design Guidelines Sept 2011*.



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WASTE

Any proposal will require residential and commercial waste to be stored separately with residential waste serviced by Councils contractor in accordance with the current Domestic Waste Contract provisions.

Waste vehicle entry/exit from the site must be in a forward direction without crossing the centre line of the public road.

All waste vehicle entry/exit and internal manoeuvring must be demonstrated by swept turning path overlays to AS2890.2 for a rear loading HRV. A minimum 4.0m vertical height clearance must be provided.

Residential waste to be stored in 1.1m³ bulk waste bins. The residential waste storage enclosure must be located to provide ready roll out of bulk waste bins to the rear of the waste collection vehicle.

The waste servicing location must not impede other vehicle access while servicing of bulk waste bins is undertaken.

Commercial waste to be serviced by a private, Commercial waste contractor. The Commercial waste storage enclosure to be similarly located as per the residential waste storage enclosure.

All Development Applications will require a detailed comprehensive signed and dated *Waste Management Plan* in accordance with Chapter 7.2 – Waste Management of *Gosford DCP 2013* and the '*Guide for Applicants on Supporting Document Requirements*', for all site preparation, construction, use of premises and on-going management of waste.

Submission of specifications for the heavy duty, 12.5 metre minimum radius truck turntable. A minimum 1.0m clearance to be indicated from the turntable to the nearest wall and/or other obstruction. Additional space to be indicated at the rear of the waste servicing location to facilitate servicing of bulk waste bins.

Travel paths for transfer of waste containers within the footprint of the development of the principal waste storage enclosures. A bin lifter to be indicated within bulk waste bin storage enclosures to facilitate transfer of waste from mobile garbage bins into mixed and recyclables bulk bins.

WATER AND SEWER

The development site is located within Central Coast Councils "*Southern Region Water Supply and Sewerage Development Servicing Plan (DSP) 2019*" area. Water Supply and Sewerage system capacity upgrades are being provided within the CBD to accommodate loads and demands from development identified within the DSP area. Should the development progress in its current form, further augmentation of Councils water and sewer infrastructure will be required.



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Upon determination of loads and demands identified as a consequence of the development proposal, revised water and sewer infrastructure requirements, including augmentation works can be identified. Timely provision of water and sewer infrastructure necessary to accommodate the proposed developments will be dependent upon receipt of government funding under the Gosford CBD Housing Acceleration Fund. Water and sewer developer services contributions shall also apply.

The developer shall be required to submit an application to Council under Section 305 of the *Water Management Act 2000*, to obtain a Section 307 Certificate of Compliance. The Application for a Section 307 Certificate under Section 305 Water Management Act 2000 form can be found on Council's website www.centralcoast.nsw.gov. Early application is recommended. A Section 307 Certificate must be obtained prior to the issue of any Construction Certificate. Section 307 developer contributions and water and sewer relocation / augmentation works shall apply to obtain the Section 307 certificate.

The development shall impact existing Council sewer mains traversing the development site. The sewer mains, which service land east and north of the development site, will be required to be relocated prior to commencement of any development. Engineering details for the relocation of the sewer mains must be submitted to Council for approval. Relocation of this sewer main shall be at the developers full cost.

ENVIRONMENTAL HEALTH

Acid Sulphate Soils (ASS)

The site is located on Acid Sulfate Soil Class 2. Coffey Services Australia Pty Ltd have undertaken a preliminary acid sulfate soils assessment which found there is a relatively low likelihood of widespread presence of acid sulfate soils. Acid sulfate soils have been previously detected on adjacent site developments. Coffey recommends the implementation of an Acid Sulfate Soil Management Plan at the detailed DA stage.

Air Quality/Dust

A Preliminary Construction Management Plan (CMP) has been prepared by St Hilliers, dated 3/09/2019. The CMP indicates dust control will be required during construction. Mitigation controls are recommended including:

- The use of non-potable water for dust suppression and soil binders
- Signage to vehicle drivers and plant/equipment
- Installation of dust barriers (e.g. vegetation, walls).
- Watering of work areas will be supplemented with wet brooming and the retrieval of deposited dirt from sealed access points and affected roads with street sweepers etc.
- All dust-generating activities will be inspected daily.



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Asbestos

A Detailed Site investigation (DSI) has been prepared by Coffey Services Australia Pty Ltd. The DSI concluded asbestos was detected below laboratory limits of reporting and no visible asbestos fragments were apparent. The previous Preliminary Site Investigation conducted by Douglas Partners identified one asbestos fragment at one location. Coffey Services Australia recommends an Unexpected Finds Protocol during excavation and construction to mitigate risk of asbestos contamination. The Environment and Public Health Team support this recommendation and further recommends a Clearance Certificate/s issued by a suitably qualified independent Occupational Hygienist or Licensed Asbestos Assessor certifying that the site has been made free of asbestos material following completion of excavation works.

Contamination

A Detailed Site investigation (DSI) has been prepared by Coffey Services Australia Pty Ltd. The detailed site investigation is incomplete as investigation was not able to be completed in some areas of the site due to construction material still being present on site. The DSI concludes *"the site can be made suitable for the proposed mixed use residential/commercial development."*

Groundwater

Groundwater is expected to be encountered in some areas of the excavations on site following extended periods of rainfall. Information will need to be provided in relation to extent of excavation and associated dewatering management plan.

Noise

A *Noise Impact Assessment* ('The Assessment') has been prepared by Acoustic Logic. The Assessment has been prepared in accordance with NSW EPA Noise Policy for Industry and Infrastructure SEPP 2007. The Assessment presents a review of traffic noise impacts on the proposed development. The assessment provides recommendations for adoption in future DA's for each stage of the development to ensure suitable internal noise levels and residential amenity are achieved. The recommendations include:

- Windows and doors to be glazed in accordance with standard building construction
- Penetrations in any façade should be acoustically sealed

The Assessment also reviewed potential noise during construction. Construction Noise goals have been provided to guide the preparation of a Construction Noise Management Plan during future DA's for each stage of the development. Construction Vibration goals have also been included in the Assessment and should be used as a guide for future DA's. In addition, a Preliminary Construction Management Plan (CMP) has been prepared by St Hilliers, dated 3/09/2019 which outlines mitigation controls for noise management during the construction phase of the development. A detailed Construction Noise Management Plan will be required at DA stage.



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The Assessment of operational noise impacts has not been reviewed. This includes noise from the proposed tavern and outdoor pool, noise from mechanical plant. The Assessment recommends these noise impacts are to be undertaken at future DA stage for each individual component once specific location, type of plant and hotel operations are known. These will be reviewed at future DA.

Soils and Construction/Water

The potential size of soil disturbance and exposure is 8,884sqm. Section 6.3 of the Gosford DCP requires a soil and water management plan, which has not been provided by the applicant.

SOCIAL PLANNING

- Consideration should be given to the inclusion of affordable housing within the residential component of the development. There is a significant need for affordable housing across the Central Coast. Although the Central Coast has historically been an affordable area, a range of factors have resulted in the area being less affordable than Greater Sydney for local residents. While housing is cheaper than the Greater Sydney average, the incomes of local people are much lower with higher levels of overall social disadvantage on the Central Coast, particularly in the former Wyong LGA. The Central Coast now has higher rates of housing stress and higher rates of growth of primary homelessness and those who are marginally housed than Greater Sydney. In 2016, there were around 24,200 households in the Central Coast LGA in 'housing stress', with this figure projected to reach at least 31,000 by 2036. There was a 35% increase in homelessness in the Central Coast from 2011 to 2016, with around 6,000 people who are homeless or marginally housed in the LGA. Affordable housing is an important resource particularly for low income workers, as well as seniors and people with a disability.
- When considering whether additional community facilities are required, this should be done in the context of the cumulative impact of the proposed large-scale developments being considered for Gosford. The proposal appears to underestimate the increased need and consideration should be given to including community facilities within the development.
- The proposal needs to demonstrate how access will be provided for people with a disability. This building is only a few doors up from the NDIS offices. The public thoroughfare from Mann Street through to Baker Street and the Leagues Club Park appears to be a staircase. This would prevent access for people with limited mobility, wheelchair users, people with prams, the elderly, small children etc. While the gradient of the site is acknowledged, an important link like this must provide access options for all. There may also be a public liability issue with a large public staircase. Consideration could also be given to inclusion of quiet spaces within the development to cater for people with sensory difference, older people and parents with children.



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- The proposal appears to provide benefits for activation of Gosford, increased employment and linking Mann Street with the Leagues Club Park.

Yours sincerely,



Andrew Roach
Unit Manager Development Assessment
Central Coast Council

Our Reference:

Your Reference: SSD - 10114



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