

Dear Sir or Madam

Submission - State Significant Development Application (SSD – 10321)
87-89 John Whiteway Drive, Gosford

Please accept this as my personal submission on the development.

In summary

The development needs to be modified to ensure it considers:

- the importance of the green hills of Gosford as one of the greatest assets of the LGA visually and environmentally;
- the height and bulk of this development has an unacceptable impact on the landscape values of the area;
- better design thinking resulting in better architecture and urban design;
- the aim for a livable and sustainable city
- the Aboriginal and historic heritage values of the site
- this site is not in the CBD and should not be allowed to use the impact of towers in the CBD as an excuse to extend the impact of high rise to the outer ring of the City Centre where there are clear visual and environmental constraints.

The site

The site is irregular in shape with a total site area of 2.23 hectares. It is bounded by John Whiteway Drive on the eastern and south-eastern sides. The site was historically used as a quarry, so the ground levels and vegetation have been modified from their natural state. There is remnant vegetation along the western boundary and in the southern part of the site.

Quarrying has resulted in a remnant ridge that runs north-south parallel to the western boundary and east-west parallel to the northern boundary. The western side of the north-south ridge is a benched excavation area resulting from past quarrying, with five existing residential apartment blocks on the lower level to the west.

Proposed Development

This application seeks approval for the following development:

- Site preparation and bulk earthworks;
- Construction and use of 4 residential flat buildings (ranging in height from 5 to 12 storeys), including:
 - 260 residential apartments;

- 1 basement level and 1 part-basement level car parking for 400 parking spaces;
- Vehicular access points on John Whiteway Drive;
- Site landscaping including a new through site link and public viewing platform;
- Tree removal and planting; and
- Extension and augmentation of physical infrastructure and utilities as required.

The preliminary CIV cost estimate for the proposed development is \$101,113,676 (incl GST).

Zoning and development controls

The site is zoned R1 General Residential under State Environmental Planning Policy (Gosford City Centre). Residential flat buildings are permissible in the R1 zone. The maximum Floor Space Ratio is 1.5:1.

The SEPP incorporates the same height controls for this site that previously applied under Gosford LEP 2014. The height limit for development on the southern part of the site is RL 73 metres; the height limit on the northern part of the site is RL 77 metres, except for the north-west corner where the height limit is RL 80 metres.

Although clause 8.4 of the SEPP allows some development in the Business zones that exceeds the height limits prescribed by the SEPP, this clause does not apply in the Residential zones.

Gosford City Centre DCP

The Gosford City Centre DCP 2018 includes Section 10.3: Special Area – John Whiteway Drive Precinct, which applies to the land known as the Old Gosford Quarry site. The objectives of this section are:

- To protect the western section of the ridgeline from visual encroachment by development when viewed from specified public viewing locations.
- To provide the northern section of the ridgeline and non-ridgeline influenced properties with development controls referenced to appropriate visual impact analysis and relevant site specific constraints.
- To ensure that the amenity of the area is protected for existing and future residents of the locality.
- To ensure that the land will be developed in a form and manner that the community will accept as a good example of high density residential development.

The DCP states the following about development controls:

1. In the John Whiteway Drive Precinct, the opportunity for high-rise residential development has largely arisen as a result of the existence of building platforms created from earlier sandstone quarrying. This precinct constitutes a unique site in which standardised controls are inappropriate considering the diversity of site constraints that affect various allotments. Where development proposals seek to vary numerical standards, the design principles and case for varying the control involved must be clearly documented in the development application.

2. The development controls specified below seek to maximise development potential within clearly identified development parameters acknowledging the inherent biophysical constraints of the precinct as a whole and the site specific requirements of individual allotments.

Numerical Overview

The key numeric development information is summarized:

Site Area	22,300m ²	
Gross Floor Area (GFA)	30,966m ²	
Floor Space Ratio (FSR)	1.39:1	
Site Coverage	4,117m ²	(Building Footprint Area 18%)
Maximum Height (Metres)	Parapet Height: RL 107.20	Top of Building: RL 107.60
Maximum Height (Storeys)	Block A: 6, Block B: 7, Block C: 10. Block D: 12	
Car Parking	400 spaces	
Communal Open Space	6,187m ²	
Deep Soil Area	11,245m ²	

Proposed exceedance of height limits

The applicant has lodged an objection under clause 4.6 of the SEPP to the height limits that apply to this site. The table below compares the proposed height of each building to the height limit prescribed by the SEPP and estimates the percentage variation in building height that is proposed.

Building	Ground level#	Height limit (RL)	Permissible building height (m)	Proposed roof level (RL)	Proposed building height(m)	Variation in height (m)	Percentage increase^
A	65.0	73	8.0	86.4	21.4	13.4	168%
B (south)	65.0	73	8.0	88.4	23.4	15.4	193%
B (north)	68.5	77	8.5	88.6	20.1	11.6	136%
C	68.5	77	8.5	102.6	34.1	25.6	301%
D (east)	68.5	77	8.5	107.6	39.1	30.6	360%
D (west)	68.5	80	11.5	107.6	39.1	27.6	240%

Notes:

- Ground level based on RL of the lowest habitable floor (as shown in elevations attached to EIS).

^ - (Variation in height/Permissible height)*100.

Comment Visual Impacts

The green hills surrounding Brisbane water are a great asset for the Central Coast community in terms of a beautiful livable city and in terms of recreation and tourism. The visual impact of the proposal on the City Centre and key public spaces is not well understood. It is also important that more distant views of the green hills surrounding Gosford City Centre are protected, including views from being on Brisbane Water, or recreating on the foreshore of Brisbane Water.

- The applicant should be required to prepare a more comprehensive Visual Impact Assessment and view analysis of the proposal to/from key vantage points including Brisbane Water and the Point Clare to Gosford railway bridge crossing. Photomontages or perspectives should be provided showing the project.
- The design should be modified so that the impact of proposed development against the existing silhouette of surrounding does not detract from the skyline.
- The design should be modified so the proposal respects and maintains key view corridors (for example to the ridgelines of Rumbalara Reserve), street vistas and sightlines to nearby parks.
- The design should be modified so the proposal respects Gosford's landscape character and integrates into the surrounding landscape to prevent adverse visual impacts.
- The impacts of a maintained APZ around the site need to be carefully considered in terms in visual impact (and ecology).

Comment Buildable Area

The subject site is heavily constrained by the remaining rock headland and is burdened by a Restriction to User on the title deed under the Conveyancing Act 1919. Subsequently, this area is deemed as 'non - buildable area' and is addressed in State Environmental Planning Policy (Gosford City Centre) as having a '0 metre' height limit and is acknowledged as 'non - buildable area'.

Gosford City Centre DCP 2018 outlines specific requirements for this subject site regarding the 'non - buildable area' on site in Chapter 10.3.

- Providing sufficient evidence of geotechnical stability on the site is a quintessential component of the application that needs to be addressed further.

To meet the requirements of Section 10.3 Special Area - John Whiteway Drive Precinct, the following needs to be addressed in the geotechnical report:

- Any unacceptable stability risk to the ridgeline proposed by the development;
- Any risk to the existing and approved potential development;
- An assessment of potential impacts on the neighbouring residential developments is required, including the construction and stabilisation methodology to be implemented; and
- Appropriate measures to minimise this risk to both the ridgeline and the proposed development, including recommendations for acceptable setbacks.

Bushfire

The Rural Fire Service included the following comments in its input to the Secretary's Environmental Assessment Requirements (SEARs) for the EIS:

- The principles and criteria associated with subdivisions in bushfire prone areas will apply to the development, in accordance with section 4.1.3 of BPB 2006 (or subsequent version), as the proposal increases residential density.
- Asset Protection Zones (APZs) must be provided that comply with Appendix 2 as part of a deemed-to-satisfy solution. Alternatively, a performance solution can be provided based on a radiant heat threshold of 29kW/m² or less for the proposed residential towers. In addition, suitable provisions for construction, access, water and landscaping are required.
- The proposed residential towers on the south-eastern, northern and western aspects are required to provide APZs within the lot boundaries that comply with Appendix 2 of BPB 2006 (or subsequent version). In this regard, proposed tower T1 does not satisfy the requirements of Table A2.4 in its current location without considering offsite APZs.
- Where the development seeks to utilise adjoining privately owned or managed lands to provide an APZ, an 88B easement must be supplied or prepared after having been agreed to by the adjoining owner.
- Landscaping must comply with the requirements of Appendix 5 of the PBP 2006 (or subsequent version) to provide managed gardens along the northern and western site boundaries that are along the threat bushfire interface. In this regard, any retention of existing vegetation on the northern and western aspects will influence the vegetation assessment and result in greater radiant heat exposure for the towers on those aspects.

The Bushfire Assessment Report submitted with the EIS has assessed the relative bushfire hazard based on topography, proximity to vegetation, and the type of vegetation. Drawing on this information, Clarke Dowdle & Associates has rated the proposed development as BAL 29 (refer to Table 11).

Table 11 APZ and Bushfire Attack Level Summary

Block	Aspect	Setback/APZ Provided	Bushfire Attack Level (BAL)
Block A	South	57m	29
Block B	East/South-East	~90m	29
Block C	North/North-East	45m	29
Block D	North-West	45m	29
Block D	West	37m	29

- A classification of BAL 29 requires the implementation of specific construction standards over and above compliance with the standard construction requirements of the Building Code of Australia. The purpose these controls is to provide increased levels of building protection against particular types of bushfire behaviour impacts, including radiant heat and embers.
- Furthermore, the development will require an Asset Protection Zone completely surrounding it. The APZ will need to be over 40 metres wide around towers C and D and 60 – 90 metres wide around towers A and B. The landscaping within the APZ will need to be maintained in accordance with the RFS guidelines to minimize bushfire hazards. What is the environmental impact of the APZ?

Comment: Transport and Access

The EIS states:

“A Green Travel Plan has been prepared by Barker Ryan Stewart (Appendix Z) which outlines measures to encourage visitors and future occupants of the development to choose sustainable modes of travel. The Green Travel Plan details a range of strategies aimed at encouraging walking, cycling, public transport, car sharing and car pooling.”

- The applicant needs to be clear that the strategies for walking, cycling and public transport are basically that residents and visitors should walk or cycle up and down the 70 metre high hill to gain access to the paths and public transport routes along Mann Street and Dane Drive etc..
- Any walking and cycling routes need to be landscaped and separated from heavy traffic areas so that they are attractive to users.

Comment: Aboriginal heritage issue

Although the site has been heavily modified by quarrying since European settlement, the heavily vegetated landforms that surround the Central Coast, and particularly those that soften the impact of more built up areas, are culturally important to understanding the Aboriginal settlement of the region.

- The current Aboriginal heritage impact assessment is not adequate. Consultation with Aboriginal community groups should be required.
- The ringing of the town centre of Gosford in undeveloped green hills is a heritage (cultural) landscape issue.

Comment Historic Heritage Issues

Whether or not the site is heritage listed does not remove the fact that the site does have historical, associative and archaeological heritage value. There is no doubt that Gosford Quarries is a major player in the supply and use of sandstone in the NSW building trade from 1922 and continuing today. Heritage significance is not just about physical evidence of past uses.

- The current heritage impact assessment is not adequate.
- There should be a more formal archaeological assessment of the site.
- Part of the quarry face should be available to be viewed at close range from publicly accessible open space.
- The ringing of the town centre of Gosford in undeveloped green hills is a heritage (cultural) landscape issue.

Yours sincerely

20 May 2020