

Director – Regional Assessments
Planning and Assessment
Department of Planning Industry and Environment
Locked Bag 5022
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**RE: PUBLIC NOTIFICATION OF SSD-23588910 – PROPOSED MIXED USE
DEVELOPMENT AT NOS. 26-30 MANN STREET, GOSFORD (LOT 111
DP 1265226; LOT 469 DP 821073 & LOTS 2-7 DP 14761 - ‘CENTRAL COAST
QUARTER – STAGE 1, NORTHERN TOWER’).**

I refer to the public notification of SSD - 23588910 for construction of a 25 storey mixed use retail/residential development (‘Central Coast Quarter – Stage 1, Northern Tower’) at Nos. 26 – 30 Mann Street, Gosford and make this submission on behalf of the owners (‘Rola Property Group’) of a neighbouring site at Nos. 27-37 Mann Street and No. 125 Georgiana Terrace, Gosford, which has the benefit of operational Development Consent 46209/2014 for a 19 storey mixed use development on that site.

1. ‘Rola Property Group’s’ site at Nos. 27-37 Mann Street and No. 125 Georgiana Terrace, Gosford.

On the 15th December 2016 the Hunter and Central Coast Joint Regional Planning Panel granted Development Consent 46209/2014 for mixed use development on Lots A & C, DP 355117; Lots 10 & 11, DP 591670; and Lots 1 - 4, DP 382784, Nos. 27-37 Mann Street and No. 125 Georgiana Terrace, Gosford (refer to the locality plan provided in **Attachment A**).

The approved development comprises:

- the demolition of all existing buildings and structures on the subject land, except for the heritage item, ‘Creighton Funeral Parlour’, which is to be retained as part of the redevelopment of the site; and
- the erection of a 19 storey mixed use building and two levels of basement car parking.

Consent 46209/2014 has subsequently been modified to permit early Stage 1 demolition works (DA 46209/2014 – Part 3) and to defer the requirements for a liquid trade waste application until fitout of the approved food premises (DA 46209/2014 – Part 4).

The architectural built form and internal layout however remains unchanged from the original consent. The height of the topmost floor level is RL 68.640m. A copy of the approved Council stamped plans is provided in **Attachment B**.

On the 6th November 2019, Central Coast Council was advised that certain works authorised under Consent 46209/2014 had been undertaken within the timeframe provided by Development Consent 46209/2014. Consequently, physical commencement had been achieved and the consent is operational.

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2. Concept Development Application (SSD 10114) – Nos. 26 – 32 Mann Street, Gosford.

It is noted that on the 24th August 2020 the Independent Planning Commission granted consent to SSD 10114 for building envelopes for a podium and three towers on land described as Nos. 26 -32 Mann Street, Gosford.

Whilst the Department has advised that a notification letter relating to the public exhibition of SSD 10114 was sent to Rola Property Group Pty Ltd (c/- of a Wamberal PO Box), Mr. Natale (Chris) La Rosa, Director, Rola Property Group advises that this was never received (a Statutory Declaration can be provided to this effect) and consequently the opportunity could not be taken to make a submission regarding the significant adverse view sharing impacts (and consequential economic loss) that the proposed building envelopes under SSD 10114 would have on Rola Property Group's approved tower at Nos. 27-37 Mann Street.

Rola Property Group's approved mixed uses/residential tower at 27-37 Mann Street has access to high value views of the near foreshore waterfront, including Gosford Harbour; expansive views over Brisbane Water and associated coastal wetlands; and the Brisbane Water Escarpment. The building envelopes approved by the Independent Planning Commission under SSD10114 deny access to these highly valued views from the approved development at 27-37 Mann Street and do not provide for reasonable view sharing consistent with the LEC principles established by *Tenacity Consulting v Warringah (220) NSWLEC 140*.

It is noted that neither the *Environmental Impact Statement – Central Coast Quarter* (Urbis – September 2019) nor the *Visual Impact Assessment* (Corkery Consulting – September 2019) accompanying SSD 10114 gave any consideration to the severe view loss that would be experienced by the approved development at 27-37 Mann Street under Consent 46209/2014, if SSD 10114 was approved.

As a consequence of Rola Property Group's inability to make submissions to the Department in response to the public exhibition of SSD 10114, for the reason explained above, neither the Department's assessment nor the Commission's determination of SSD 10114 gave any consideration to the severe view loss which would be experienced by the approved development at 27-37 Mann Street, Gosford under Consent 46209/2014, because of the placement and alignment of the building envelopes of the three towers resulting from approval of SSD 10114.

Other than for one narrow view corridor available from Nos. 27-37 Mann Street, the building envelopes approved under SSD 10114 present a solid wall of buildings, providing a barrier to near foreshore coastal scenic views that would be otherwise available from the approved development at Nos. 27 – 37 Mann Street, Gosford.

3. SSD-23588910 – Stage 1 (Northern Tower) – Proposed Mixed Use Development at Nos. 26 – 30 Mann Street, Gosford.

Review of the publicly exhibited supporting consultant documents reveals that SSD-23588910 provides no assessment of the severe view loss that would be experienced by the approved development at Nos. 27-37 Mann Street under Consent 46209/2014, if SSD-23588910 is approved:

- The topmost floor height of the development approved at Nos. 27-37 Mann Street, Gosford under Consent 46209/2014 is RL 68.640m. In comparison, the proposed maximum building height under SSD-23588910 is RL 81.4m, some 12.76m higher than the topmost floor height at Nos. 27-37 Mann Street. This will result in severe loss of highly valued Brisbane Water and escarpment views from the approved development at Nos. 27-37 Mann Street, which will be further exacerbated by the cumulative impact of the tower building envelopes approved under SSD 10114 (Northern Tower – up to RL 81.4m; Southern Tower – up to RL 65.1m; and Eastern Tower – up to 71.3m);
- In its discussion of site context, the accompanying *Environmental Impact Statement - Central Coast Quarter – Northern Tower SSDA* (Urbis – September 2021) only makes reference to existing buildings. It does not make any reference to the approved (but not yet constructed) development at Nos. 27 – 37 Mann Street, Gosford (Operational Consent 46209/2014);
- The *Environmental Impact Statement* relies on the visual impact and view sharing analysis of Corkery Consulting and makes no further assessment of the potential impacts of the proposed development on the development approved on the site at Nos. 27-37 Mann Street, under Development Consent 46209/2014;
- The *Visual Impact Assessment + View Sharing Analysis – Stage 1 Development Application, 26 – 30 Mann Street, Gosford* prepared by Corkery Consulting (August 2021) is fundamentally the same as the assessment/analysis previously accompanying SSD 10114.

It presents a very limited view sharing analysis, only assessing view loss from three existing buildings in the locality ('The Broadwater' at Nos. 127 – 129 Georgianna Terrace; 'Merinda' development at Nos. 21-23 Mann Street; and 'Georgianna Quay' development at Nos. 107 – 115 Henry Parry Drive) and an approved development at No. 17 Mann Street, Gosford.

Whilst the analysis presents some Photomontage images that include indicative outlines of the building approved at 27-37 Mann Street under Consent 46209/2014 (referred to in the analysis as the proposed 'Creightons' development), there is absolutely no consideration given in the 'Corkery' view sharing analysis to the severe loss of highly valued views from the approved development at Nos. 27 – 37 Mann Street, Gosford, which would be caused by the development now proposed under SSD – 23588910;

- The *Design Report – Central Coast Quarter – 26 Mann Street* (DKO Architecture – September 2021) presents a number of building massing diagrams informing the design approach to SSD - 23588910. These include diagrammatic references to the approved development on the Rola Property Group's site at Nos. 27 – 37 Mann Street.

It is noted however that images of context and neighbourhood character (existing and proposed development) presented in the Design Report omit any reference to the approved development at Nos. 27 – 37 Mann Street, Gosford, under Consent 46209/2014. The *Design Report* makes no reference to the obligation to achieve view sharing with neighbouring developments. The only reference to views is provided on

page 7 of the report, which singly identifies views available from the development site itself.

4. Concluding Comment.

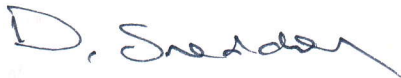
It is evident that the documentation accompanying SSD-23588910 is deficient in that no reasonable consideration has been given to view sharing impacts of the proposed Stage 1 - Northern Tower on the neighbouring development at Nos 27 – 37 Mann Street, Gosford approved under Development Consent 46209/2014.

The severe loss of views from the approved development at Nos. 27 – 37 Mann Street is exacerbated by the failure of the previous application SSD 10114 to consider the cumulative impact of the three approved tower building envelopes on the severe loss of highly valued near foreshore and distant coastal and escarpment views otherwise available to the development at Nos. 27-37 Mann Street, Gosford approved under Consent 46209/2014.

These matters require the Department's proper and full consideration in its further assessment of SSD-23588910.

I also foreshadow that Urbaine Architecture has been engaged by the owners of Nos. 27-37 Mann Street to prepare an assessment of the view sharing impacts of the development now proposed under SSD 23588910 on the development at Nos. 27-37 Mann Street, approved under Development Consent 46209/2014. This will be made available to the Department as soon as it is available

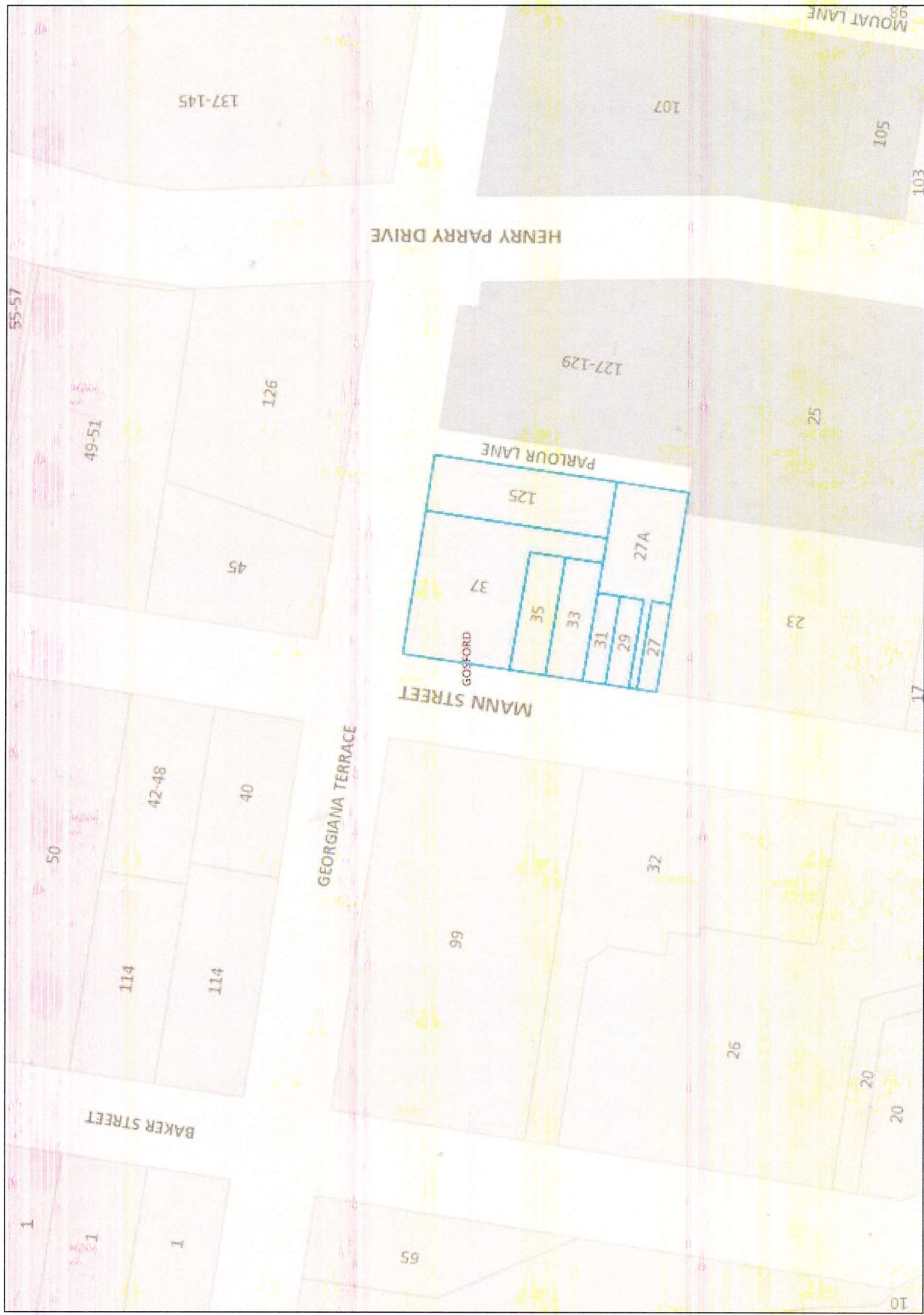
Yours Sincerely



Doug Sneddon
8th November 2021.

ATTACHMENT A: LOCATION PLAN

**(Land Subject to Development Consent 46209/2014 –
Nos. 27 – 37 Mann Street & No. 125 Georgiana Terrace, Gosford).**



Legend

- Local Government Area
- Central Coast Suburbs
- M1 Motorway
- Surrounding LGAs
- State Forests
- Cadastre
- Other
- Deposited Plan
- Strata Plan
- Waterways and Ocean
- NPWS Reserves

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34.3 0 17.15 34.3 Metres

ATTACHMENT B: STAMPED PLANS - DEVELOPMENT CONSENT 46209/2014

(Under Separate Cover)