



20 October 2020

Ms Louise Starkey
Senior Planning Officer, Regional Assessments
Department of Planning, Industry & Environment
Via email louise.starkey@planning.nsw.gov.au

Dear Ms Starkey

Major Projects – Mixed use development at 8-16-Watt Street, Gosford (Gateway site) (SSD-10414) (EXH-8956504)

Thank you for the opportunity to review and provide comment on the Environmental Impact Statement for the above development site. Council has reviewed the information on the Major Project Planning Portal in response to your request and provides the following comments for your consideration.

State Environmental Planning Policy (Gosford City Centre) 2018 (GCC SEPP)

The proposed height significantly exceeds the 36m height limit for the site under *State Environmental Planning Policy (Gosford City Centre) 2018* (GCC SEPP), with a maximum height of 135.9m, this is a 277.5% exceedance.

The proposal also significantly exceeds the Floor Space Ratio control of 5:1 under the GCC SEPP. The application proposes an FSR of 8:1 or 60% exceedance.

It is acknowledged that the GCC SEPP permits some exceptions to both height and FSR on key sites if the development meets design excellence criteria however the extent of overshadowing of public space, non-complying deep soil, non-complying building length and visual bulk as discussed further below indicate the application is an overdevelopment of the site.

Compliance with the maximum height and FSR should be better achieved.

Lot Isolation

The application results in the isolation of a single storey building on the corner of Faunce and Mann Streets. The site area of this adjoining property is 303m², which will be difficult to develop and will result in a future development that is inconsistent with the expected urban



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form. It is also noted that the already limited solar access to the public space is only achieved if the adjoining site remains undeveloped.

This is a poor planning outcome and considered unacceptable. Lot isolation of 139 Faunce Street has not been adequately addressed in the EIS. Regard should be paid to the planning principles in *Karavellas v Sutherland Shire Council [2004] NSWLEC 251* which includes providing evidence of genuine attempts to purchase the site.

Built Form and Scale / Solar Access / Amenity

There is major non-compliance with height and FSR controls in the GCC SEPP. Though some non-compliance may be supported to permit the construction of "slim towers", the proposal results in detrimental impacts on public spaces or adjoining sites resulting from various non-compliance with controls.

In particular clause 5.2.5 of the Gosford City Centre DCP specifies '*The maximum building length for towers in any direction is 45 metres*'. The EIS states that "The maximum building length for towers in any direction is 42m". Tower 1 proposes a length of approximately 58 metres. Though divided into different uses it remains a single unbroken building. The shallow recess at the core fails to disguise the continuous length and bulk.

This non-complying length also results in overshadowing of the majority of the important public area of Burns Park, the railway entrance and Mann Street from sunrise until approximately 10am in mid- winter.

Clause 4.3 of the Gosford City Centre DCP requires:

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

The proposed public space does not achieve this and the actual percentage of the new open space receiving sunlight is approximately 6% at noon on 21 June.

It is also noted that the shadow diagrams included with the application (Internal Open Space Solar Access for New Public Open Space / Plaza on page 78 of the concept plans) have major inaccuracies, the table does not correlate with the diagram or EIS and the diagrams appears to have inaccurate calculation of site area percentages.





The almost complete overshadowing of the proposed new plaza in mid-winter is considered a failure of the application to consider a fundamental aspect of good urban design. Non-complying solar access is contrary to the Planning Secretary's Environmental Assessment Requirements as well as the comments made by the City of Gosford Design Advisory Panel which both refer to solar access and overshadowing needing to be fully addressed and demonstrated.

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.

The EIS states that an objective of the development is to "Optimise energy efficiency and ecological sustainability". The ESD report states that "It must be noted that these ESD initiatives are for reference only and are not binding". The ESD report provides no details of any specific sustainability commitments and rather lists the current controls under the GCC SEPP and GCC DCP and best practices rather than any actual commitments specific to this development. Commitments should be detailed and conditioned to ensure they are carried through to the subsequent detailed Development Applications.

Landscaping

The deep soil zone is non-complying with *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development* (SEPP 65) and accompanying Apartment Design Guide (ADG). The ADG requires 7% of site area to be deep soil zone while the application proposes only 3.8% or 46% below the requirement. This is considered unacceptable on such a large site, does not demonstrate design excellence and is an indication that the application is an overdevelopment of the site.

It is noted that the landscape drawings are inconsistent with architectural drawings in that they show trees on the north east corner which is occupied by the building on the adjoining site.

Water and Sewer

The SEAR's requires the applicant to assess the impacts of the proposal on existing utility infrastructure and service provider assets and describe how any potential impacts would be managed.



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Section 4 'Impacts of proposed development on existing services and utilities' of the Services and Utilities Impact Assessment simply states: "This proposal is for a concept DA and more detailed investigations for infrastructure upgrades will be required for the subsequent DA submissions".

The development proposal will impact various Council sewer mains located within the development site. These sewer mains, which service existing development to the north, northwest and north east of the site, may not physically be able to be relocated without impacting third party properties situated adjacent to the proposed development. Investigations should occur at concept stage to confirm feasibility of relocation of the sewer mains and inform the subsequent detailed Development Applications.

The development will impact the existing Council water mains fronting Mann Street, Faunce Street and Watt Street. The water mains are required to be replaced with PVC or similar material for the extent of the proposed development boundary prior to commencement of any construction activities. Engineering details for the replacement of water mains must be submitted to Council for approval with any future detailed Development Applications.

Social Planning – Accessibility

Given the scale and prominence of the development, it should seek to provide universal access, particularly through the public domain, to achieve design excellence. Importantly, this site links the railway station to key services such as Centrelink, Medicare, Gosford Service Centre, UnitingCare and NSW Justice. It is not clear from the documents provided whether the public plaza would provide inclusive access for all users, including people using wheelchairs, walkers or prams.

There should be a commitment at Concept stage to universal access and should be a requirement of any future Development Applications, including a detailed public domain plan that illustrates the continuous accessible paths of travel for people with disability or other access needs through the public domain. 'Continuous accessible paths of travel' should follow the most straight forward routes and not require users to divert from standard walkways where possible.

As the existing pedestrian walkway from the station will be removed and not replaced, there is a need to consider access for people from the train station, across Mann Street and into the public plaza or building entrances.

The existing Gateway building and car park do not offer equitable access. The building's main entrance is via an escalator and there is a labyrinth of dark corridors and inaccessible



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stairwells connecting the building to the rear car park. Wayfinding thorough the complex is difficult. Significant alterations and retrofitting would be needed to modernise and address access issues. This should be a commitment of this concept application and carried through to the detailed development applications.

The principles for crime prevention through environmental design (CPTED) should be considered at the concept stage and incorporated into the concept design.

Social and Economic Impact Assessment

The documentation does not provide an estimate of total jobs created by the development. Only an estimate of construction jobs was included in the economic impact assessment and reference to some cleaners and maintenance staff. While exact numbers would not be possible at concept stage, an estimate should be provided of the total jobs created by all aspects of the development on an ongoing basis to assist with identifying the potential impact of the development on the Gosford community.

The Social and Economic Impact Assessment says that there will not be a need for additional services as the housing is temporary and seasonal. Even if the housing is short term, those residents will still require access to services and facilities relevant to the cohort being housed. The number of potential residents is not stated anywhere in the documentation.

The cumulative impact on services and facilities of other key developments in Gosford CBD should also be considered in this assessment.

While the Social and Economic Impact Assessment notes that the proposal will retain existing important services currently located in the Gateway building, access to these services may be impacted for a time, putting further stress on the existing service sector. The Social and Economic Impact Assessment notes that community and cultural facilities will be provided in the new development that will be available to the community. This is important to retain at the detailed DA stage and proper consideration should be given to the type of community facilities that would most benefit the population of Gosford (e.g. multi-purpose community space) and it is essential that this is accessible and affordable for the community. Suitable relocation options for The Rhythm Hut have not been addressed.

It is noted that a significant level of communication was undertaken to consult with the local community and business. However, extremely limited feedback was received. This was likely due to the timing of consultation coinciding with the start of the Coronavirus pandemic in late February 2020.





The proposed development includes towers of 135.9m and 105m. These towers would dwarf anything else in Gosford. The argument supporting the extra height is around the provision of additional commercial space for Gosford CBD. It is questionable whether there is adequate benefit to Gosford to allow such tall towers, particularly now that working patterns have changed post COVID-19.

Affordable housing

Affordable housing is a priority for the Central Coast and the site is in a prime position to offer affordable accommodation that enables people on lower incomes to easily access work, services and public transport options. Although it is noted that student and independent retirement living options will be provided, there is currently no allocation for affordable or key worker housing.

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, older people and people with a disability.

Traffic

Pedestrian Access

The Traffic Study and EIS propose that the existing footbridge is to be demolished with a pedestrian crossing to be provided on Mann Street to allow a connection from the site to Gosford Station. The Seca Traffic Study concludes;

"This at-grade pedestrian crossing allows for enhanced pedestrian facilities and assist in activating the street frontage as well as this section of Mann Street. With the subject site identified as Key Site 2 the at grade pedestrian crossing actively supports the site and the connectivity to the Gosford railway station. The key sites form the major changes to allow for the redevelopment of the Gosford CBD to encourage increased commercial, retail and residential development as well as leisure activities. Whilst the at-grade crossing may create some traffic delays, the aim of the city centre redevelopment is to revitalise and increase activity to provide improved pedestrian usage and the delays to through traffic in the city centre will be acceptable."

Given existing traffic flows on Mann Street at this location are substantial and it also caters for a significant number of bus routes, there is likely to be high levels of congestion with all stages of the proposed development.



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The conclusion fails to mention that a majority of bus routes, bus route numbers 19, 21, 22, 23, 42, 44, 55, 63, 64, 66c, 67, 68, 70, presently rely on Mann Street and Burns Crescent for ingress/egress access to the Gosford bus interchange located on the eastern side of the railway station. Due to topographical and road network limitations there are no alternative bus routes that could be developed (like Showground Road for example). Hence the whole region presently relies on Mann Street to function as an effective bus route in both directions.

When buses leave the bus interchange then most bus routes travel southbound along Mann Street to pick up passengers at the William Street mall for trips to East Gosford, Woy Woy, Erina and coastal suburbs like The Entrance, The Entrance North, Wyong, Terrigal and Ettalong Beach. Once pedestrians are on the crossing then significant traffic delays could occur.

Consultation with Transport for NSW would be required to ensure that they are satisfied that buses won't experience extensive delays due to the proposed pedestrian crossing on Mann Street.

From a traffic perspective consideration should be given to the option of the retention and potential upgrade of the existing pedestrian bridge:

- The existing overbridge provides more direct access for wheelchair access to the footpath network of the bus interchange area, noting that wheelchair access to the station would be difficult as there are a several stairs in Burns Park.
- Considering the local topography, the existing bridge is considered a safer option and would create less congestion.
- Once in the bus interchange wheelchairs have access to lifts to the station ticket area flooring that extends to Showground Road. Wheelchair access is then available along Showground Rd to a new 800 space commuter carpark where there is another lift for access to the hospital.
- Consideration of adding a lift to the bridge to facilitate wheelchair access.

If the pedestrian overbridge is to be removed, then the following steps are suggested for all 3 stages of the proposed development:

- Carry out safety assessment of the proposed pedestrian crossing. Identify whether kerb extensions or traffic signals would be more appropriate.
- Determine if the proposed pedestrian crossing meets the TfNSW pedestrian and traffic requirements and warrants for a zebra crossing for 3 time periods of the day.
- If a pedestrian crossing meets the requirements/warrants then the proposed crossing should be submitted to the Local traffic Committee for endorsement.



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- Consideration of how much on street parking is to be lost
- Consideration on if the facility/crossing is to be raised.

Car Sharing

The SEAR's required the Traffic Impact Assessment to "include traffic and parking generated by existing and approved developments, as well as that by the proposal, and consider car sharing facilities to reduce overall parking demands in the area."

It is noted that car sharing of facilities has not been discussed in the Traffic Study. The level of parking should be considered with consideration of potential car sharing.

Engineering

Consideration must be given to the staged construction of the basement car park. Constructing a portion of the car park beneath Tower 1A and then 1B, followed by Tower 2 does not seem feasible. It would appear from the layout that a significant portion of the proposed basement car park may need to be constructed as part of Stage 1.

Consideration must be given to:

- How vehicle access for waste servicing vehicles will be achieved for each stage.
- Where deliveries will be made and the size of the delivery trucks.
- The development shall be designed to permit all vehicles to enter and exit the site in a forward direction.

All subsequent detailed development applications must address the following:

- The design of the car park and associated ramps etc., shall comply with the current standard AS 2890 parts 1, 2 & 6.
- Comply with sight distance requirements of AS 2890 part 1, Section 3.2.4.
- The grade of vehicle crossings (access from kerb to boundary) shall be +2.5% from the rear of the heavy-duty gutter crossing to the property boundary.
- Streetscape treatment to be in accordance with the Gosford City Centre "Streetscape Design Guidelines" (September 2011) prepared by Oculus.



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- A Water Cycle Management Plan (WCMP) Strategy is required for each staged SSD application. The WCMP Strategy shall be prepared in accordance with Chapter 6.7 of Gosford DCP 2013.
- Overland flooding
- Waste Servicing of the property – demonstrating that the design has the capability of including areas to facilitate swept turning movements of the AS2890.2:2002 12.5m HRV, and all vehicles can enter and exit the site in a forward direction

Waste

The document refers to each Tower being fitted with a diverter chute with the recycling and garbage to be discharged into bulk waste bins. Disposal of recyclables waste via a chute is not supported. Note: Councils DCP clearly states *"Garbage chutes are not to be used for the disposal of recyclables materials. Signage to this effect should be displayed near service openings"*.

The Better Practice Guide for Resource Recovery in residential developments states: *"Diverter chute systems are not recommended for developments of more than 10 storeys"* and lists reasons why they are unsuitable. Diverter systems and/or dual chutes are not supported due to contamination resulting in entire loads of contaminated recyclables product being disposed to landfill and the potential for blockages with possible fire risks within the chute.

A garbage chute is required to be within a dedicated waste room with mobile recyclable waste containers within the dedicated waste room for interim storage of recyclables waste prior to transfer of recyclables waste to the principle waste storage room.

Service lifts should be provided separate from residential lifts for transfer of waste from individual floors and deliveries of bulky goods within the completed Development.

The Waste Management Plan proposes waste to be managed with 1100 litre bulk waste bins serviced at varying servicing frequencies. While waste bins of this size minimise WHS issues however, larger waste volumes may benefit from other waste storage / waste servicing strategies. Council recommend commercial waste being stored and serviced from a centralised location to minimise large vehicle movements and frequency of servicing. Consideration of larger commercial waste storage containers and trucks ie. hook-lift compaction arrangements would assist storage and servicing requirements.

Waste Services recommends development of a detailed Master Plan for Ongoing Operation and Management of Waste to manage mixed and recyclables waste to accommodate the



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significant waste volumes to be generated from each stage of the development and the final completed development. Early consideration to develop an integrated solid waste outcome for the completed development will assist to manage heavy vehicles/ waste servicing vehicle movements within and around the site.

Review of the document notes residential waste servicing being undertaken weekly. Council may provide twice weekly servicing of residential waste to assist with waste container storage requirements.

Separate Residential and Commercial waste storage enclosures will be required to minimise conflict of use with residential waste being serviced by Councils Domestic Waste contractor and Commercial waste being serviced by a private commercial waste contractor.

The size, scale and proposed use may provide opportunity for consideration of other waste technology becoming available including automated waste collection systems (AWCS), Food dehydrators etc. Consideration of management of food waste should be undertaken where Council is investigating the introduction of a FOGO (Food and Organic waste) system for food and green waste management for residential developments which may require separate waste bins for materials of this nature.

Waste vehicle manoeuvring, manoeuvring space and vertical height clearance for all waste vehicle travel within the site is to be demonstrated by swept turning path details to AS 2890.2. Councils current domestic waste vehicle employed for MUD's requires a minimum vertical height clearance of 4.0m however, larger vehicles and other servicing options including front lift vehicles, hook lift compactors etc require a greater vertical height clearance in internal manoeuvring areas.

Demonstration of the design is to include areas to facilitate swept turning movements of a minimum HRV to AS 2890.2 and/or the largest service vehicles likely to enter the site for loading/unloading is required. Forward entry/ forward exit the site is required for all service vehicles.

A detailed signed and dated Waste Management Plan for Site preparation, Demolition and Construction will be required at DA stage. The detailed DA will require details of fully dimensioned waste storage enclosures located to be readily accessible to user of the development with all waste collection contractors to be indicated on plans to demonstrate waste storage access, manoeuvrability and ready roll out/ roll back of waste containers.

General



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The issues raised above are brought to the attention of the Department for consideration in the detailed assessment of the proposal. In doing so it is acknowledged that these issues, and any other issues raised by state government agencies or via public submissions, will be duly assessed by the Department in their overall consideration of the application under a merit assessment.

Your attention is also drawn to the resolution of Council on 10 December 2019, a copy of which has previously been provided to the Minister for Planning and Public Spaces, Executive Director Compliance, Industry and Key Sites and Regional Assessments- Department of Planning, Industry and Environment.

If you have any further enquiries, please contact Erin Murphy on 0427 002 301 or at Erin.Murphy@centralcoast.nsw.gov.au.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Andrew Roach".

Andrew Roach
Unit Manager
DEVELOPMENT ASSESSMENT

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