



## **Community Environment Network Inc.**

*An alliance of community and environment groups from Lake Macquarie and the Central Coast.*

27<sup>th</sup> April 2021

Department of Planning and Environment

PO Box 1148

Gosford NSW 2250

### **Development Application for 89 John Whiteway Drive, Gosford (SSD 10321)**

This is a submission from the Community Environment Network regarding the development application for 89 John Whiteway Drive, Gosford. It is supplementary to our previous submission dated 20<sup>th</sup> May 2020.

The Community Environment Network is an alliance of community and environment groups from the Central Coast and Lake Macquarie LGAs. We are a not-for-profit, community based organisation that works for ecologically sustainable development and against threats to it. Our membership is approximately 400 including 90 groups with an affiliated membership of approximately 5,000.

CEN is a non-political organisation and has not made any donation to a political party in the last two years.

Although the applicant has slightly reduced the size of the proposed development, CEN is opposed to the approval of the proposed development because it considers that the Clause 4.6 request for a variation in development standards has still not been justified.

The applicant has reduced the height of the two highest towers: Tower C is reduced by 2 storeys and Tower D is reduced by 3 storeys. However, the physical height of the towers has not been reduced by a proportionate quantity: Tower C is only reduced by 6 metres and Tower D is only reduced by 8 metres. Despite the reduced number of floors in Towers C and D, they would both have a physical height of more than 28 metres and would both exceed the height limit by at least 200% .

The revised version of the Clause 4.6 Variation Request now includes a more realistic calculation of the variation in the height limit (Table 1). However, there is a significant error in the calculation for Tower B because the proposed height of the tower is actually 22.68 metres, rather than 20.68 metres as indicated. Consequently, Table 1 should have indicated that the height of the southern wing of Tower B would exceed the height limit by 220%.

The slight reduction in the size of the development does not reduce the area of the site that is required to provide an Asset Protection Zone. Furthermore, the reduction in tree cover in the APZ would not be changed for the revised development proposal.

Our previous submission argued that the Visual Impact Assessment did not appear to have considered the reduced tree cover in the APZ when preparing the photomontages of the proposed development. A comparison of the photomontages in the revised Visual Impact Assessment does not show any difference in the vegetation density on the ridgeline as a result of the development. CEN is not convinced by the photomontages that Towers B, C and D will be screened by the existing vegetation in the APZ when the canopy is reduced to 15% cover.

CEN does not accept that the public loss of amenity that this development would cause is negligible. The applicant has still not "justified the contravention of the development standard by demonstrating that compliance with the development standard is unreasonable or unnecessary", as required by clause 4.6(3)(a).

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Conroy', is placed on a light beige rectangular background.

Michael Conroy  
Executive Member  
Community Environment Network