



Statement of Environmental Effects

Proposed Residential Flat Building
(In-fill Affordable Housing)

56 Beane Street, Gosford



Prepared for Mono Constructions on behalf of
NSW Land & Housing Corporation

December 2019

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1. INTRODUCTION

This Statement of Environmental Effects has been prepared in support of a development application to the Department of Planning, Industry & Environment for a residential flat building on 56 Beane Street.

The development is proposed as 'In-fill Affordable Housing' under *State Environmental Planning Policy (Affordable Rental Housing) 2009*, and the application is lodged on behalf of the NSW Land & Housing Corporation ("LAHC"), who will manage the housing, and the application is submitted as Crown Development under the Division 4.6 of the *Environmental Planning & Assessment Act, 1979*.

The proposal is for a part 7/ part 8 storey residential flat building with 41 units, and car parking is provided for 19 cars in a part basement level.

The site is zoned R1 General Residential under *State Environmental Planning Policy (Gosford City Centre) 2018*, and the proposal is permissible with the consent of the Department of Planning, Industry & Environment.

This Statement considers the proposal against the provisions of relevant planning controls, including Gosford City Centre SEPP 2018, the Affordable Rental Housing SEPP, Gosford City Centre DCP 2018, SEPP 65 - Design Quality of Residential Apartment Development (and the SEPP 65 Apartment Design Guide) and other relevant state planning controls. The Statement also addresses the matters for consideration under Section 4.15 of the *Environmental Planning & Assessment Act, 1979*.

The assessment of the proposal against relevant planning controls and the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act, 1979* concludes that the proposal is permissible and appropriate for the site and its location, and is of a quality design standard that should be supported by Department.

A pre-DA meeting was held with the Department on 1 November 2019, and matters raised at the meeting have been considered and addressed as part of the application. A copy of the pre-DA advice is included as **Attachment 1**, and a response matrix is included as **Attachment 2**.

This Statement is to be read in conjunction with the supporting information submitted with the development application, including:

- Land Contour Site Survey – Total Surveying Solutions
- Deposited Plan 1250970
- Architectural Plans - Stanton Dahl Architects
- SEPP 65 Design Verification Statement and Compliance Table - Stanton Dahl Architects

- Landscape Plans – Site Image Landscape Architects
- Civil Plans and Sections – Quantum Engineers
- Access Report – Vista Access Architects
- Stormwater Plans/ Water Cycle Management Plan - Quantum Engineers
- BASIX Certificate/ NatHERS – Greenview Consulting
- Site Infrastructure Assessment - WSP
- Detailed Site Investigation - Consulting Earth Scientists
- Geotechnical Investigation Report – Consulting Earth Scientists
- Aboriginal and Historical Due Diligence Assessment - AECOM
- Traffic and Parking Impacts Report – TEF Consulting
- Arboricultural Impact Assessment Report – Koala Arbor Consulting Arborists
- Bush Fire Assessment Report – Clarke Dowdle & Associates
- Quantity Surveyor's Cost Estimate – Quantex Consulting
- Waste Management Plan – Michael Leavey Consulting
- Construction Noise and Vibration Management Plan - Rodney Stevens Acoustics
- Construction Management Plan – Mono Constructions
- Hydraulic & Fire Design Intent Statement – Greenview Consulting

2. THE SITE

2.1 Site Location & Description

The site is 56 Beane Road, Gosford, and is on the corner of Beane and Gertrude Streets.

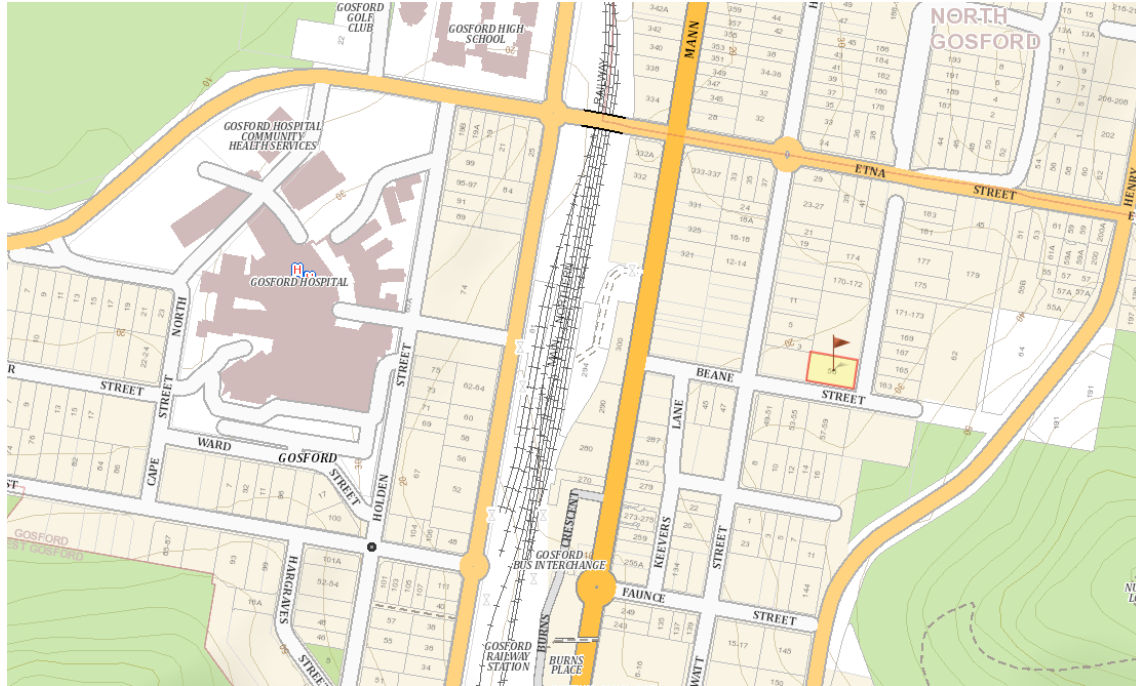


Figure 1 – Locality

Source: NSW SIX Maps 2018



Figure 2 – Site Aerial Photo

Source: NSW SIX Maps 2018

The site has an area of **1,284m²** and the real property description is Lot 30 DP 1250970.

2.2 Site Features and Existing Development

The site is rectangular in shape, with frontages of 46.86m to Beane Street and 27.395m to Gertrude Street. The site has a gentle slope from the front south-east corner down to the rear north-west corner of 3.6m or 7.3%, and is relatively level in the centre of the site, with gentle embankments to the Gertrude Street frontage and Beane Street close to the corner.

The site has an easement to drain water, 2.44m wide, located along the western side boundary.

The site is vacant, having previously contained a low-rise medium density housing development which was demolished between 2007 and 2010. The site is currently used for informal car parking.

There are several trees on the site, primarily along the Gertrude Street frontage and along the western boundary, as detailed in the submitted Arborist report from Tree iQ.

Details of the site are shown in the following photographs:



Figure 3 – Site viewed from corner of Beane and Gertrude Streets



Figure 4 – Internal view within the site, looking north-west



Figure 5 – Internal view within the site, looking north



Figure 6 – Embankment to Gertrude Street

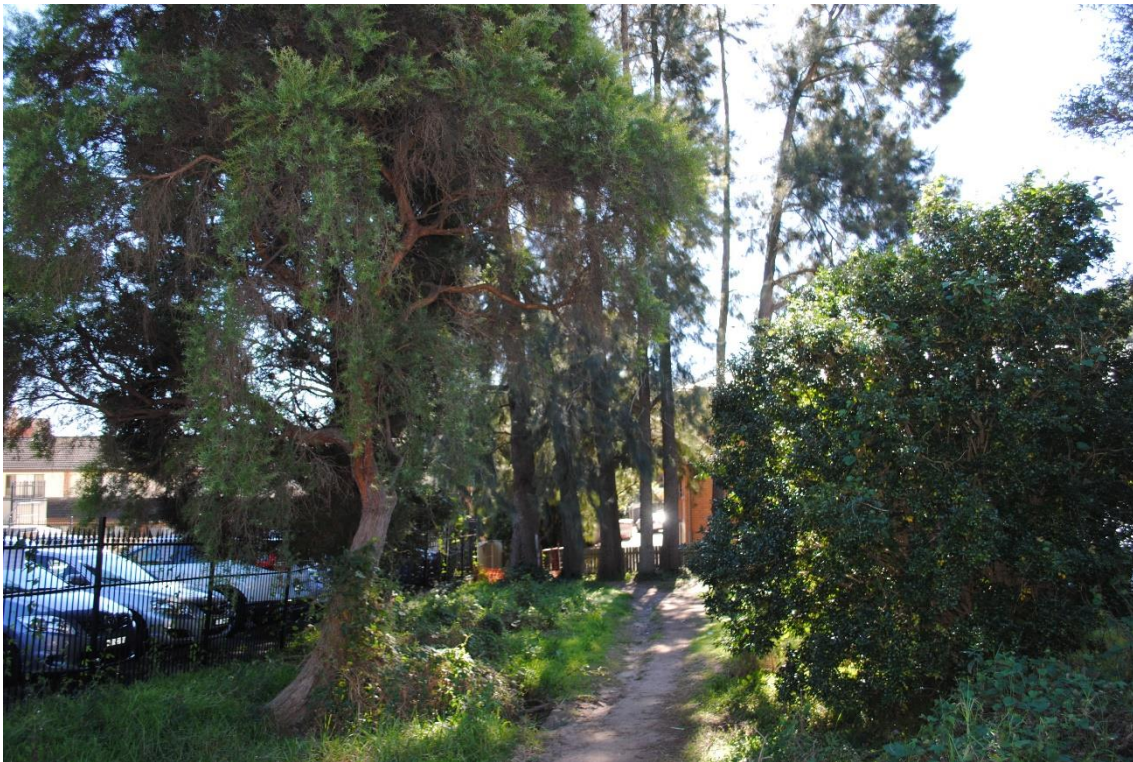


Figure 7 – Drainage easement area running along western boundary

2.3 Surrounding Land

The surrounding area contains a mixture of medium density housing developments, with some commercial development to the south and west of the site.

The adjoining land to the north contains a part 2 and part 3 storey residential flat building development, also owned by NSW Land and Housing Corporation, which is setback 8m from the side boundary with the subject land. Other properties further to the north and east along Gertrude Street contain medium density housing developments, mainly residential flat buildings. The adjoining land to the west, which is zoned B4 Mixed Use, contains a sports medicine centre setback 18m from the side boundary with the subject land, and with a car parking area located between the centre and the subject land.

Land to the immediate south, on the opposite side of Beane Street, contains specialist medical rooms, and is surrounded on both sides by 3 storey medium density housing developments.

Surrounding development is shown in the following photographs:



Figure 8 – Adjoining residential development to the north



Figure 9 – Setback between development to the north and the subject land



Figure 10 – Residential development to the north



Figure 11 – Adjoining commercial development and car park to the west



Figure 12 – Commercial development opposite in Beane Street to the south



Figure 13 – Residential development to the south-west in Beane Street



Figure 14 – Residential development to the south-east in Beane Street



Figure 15 – Residential development to the east in Beane Street



Figure 16 – Residential development to the east in Gertrude Street



Figure 17 – Residential development to the east in Gertrude Street

3 ZONING AND PLANNING CONTROLS

3.1 Zoning

The land is zoned R1 General Residential under State Environmental Planning Policy (Gosford City Centre) 2018, as is surrounding land to the north and east, and land to the west and south is zoned B4 Mixed Use.

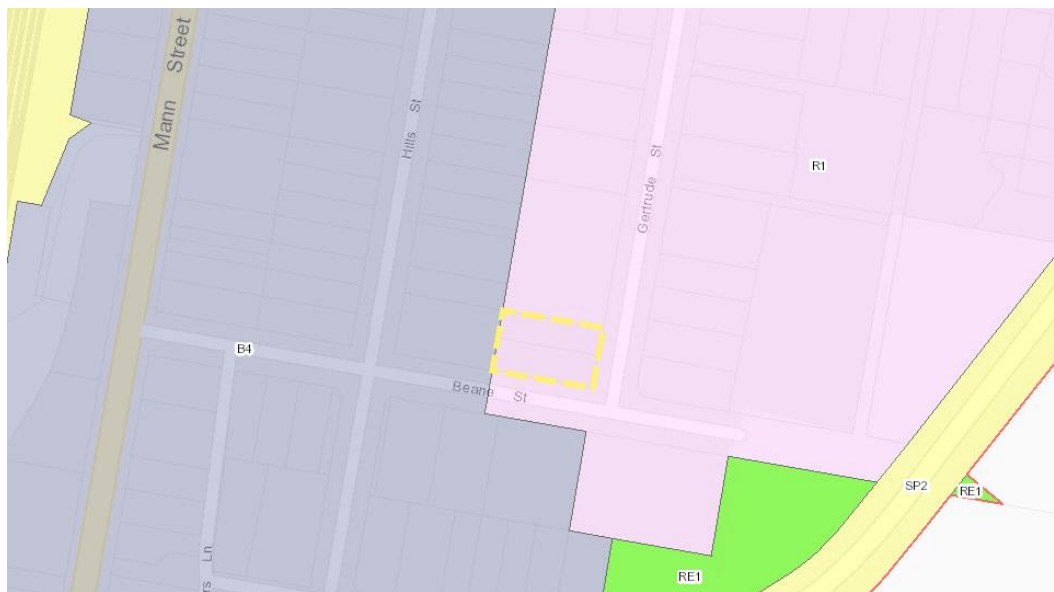


Figure 18 – Land Zoning

Source: NSW Planning Portal

3.2 Building Height

The mapped allowed Building Height for the site is 24m, and adjoining land to the west has a building height of 60m.

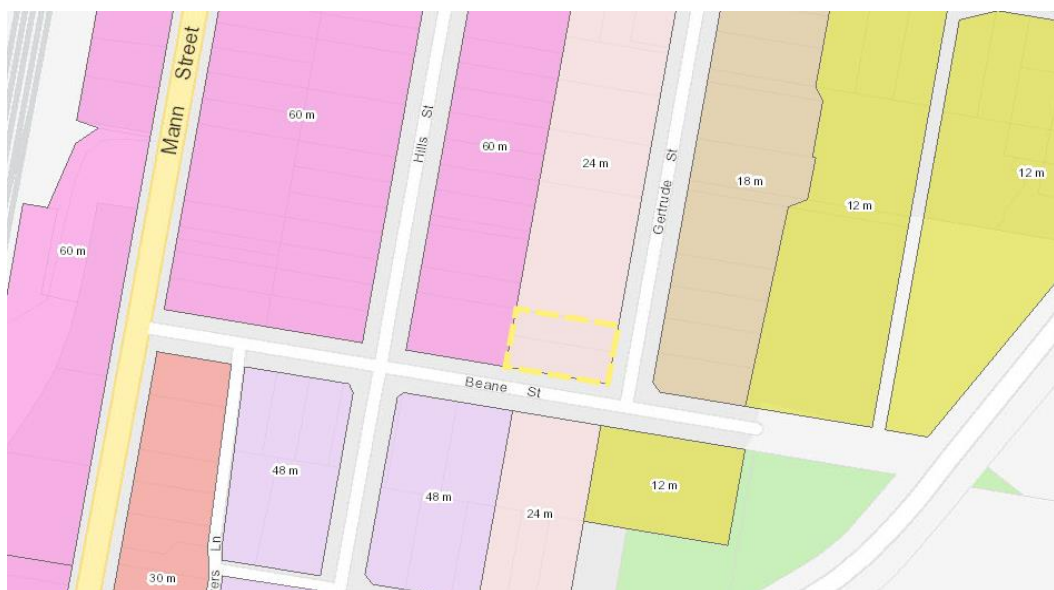


Figure 19 – Height of Buildings

Source: NSW Planning Portal

3.3 Floor Space Ratio

The mapped allowed Floor Space Ratio for the site is 3:1, and clause 8.12(2)(a)(1) of the Gosford City SEPP 2018 applies, together with the provisions of the Affordable Rental Housing SEPP 2009. The adjoining land to the west has a mapped floor space ratio of 5:1.

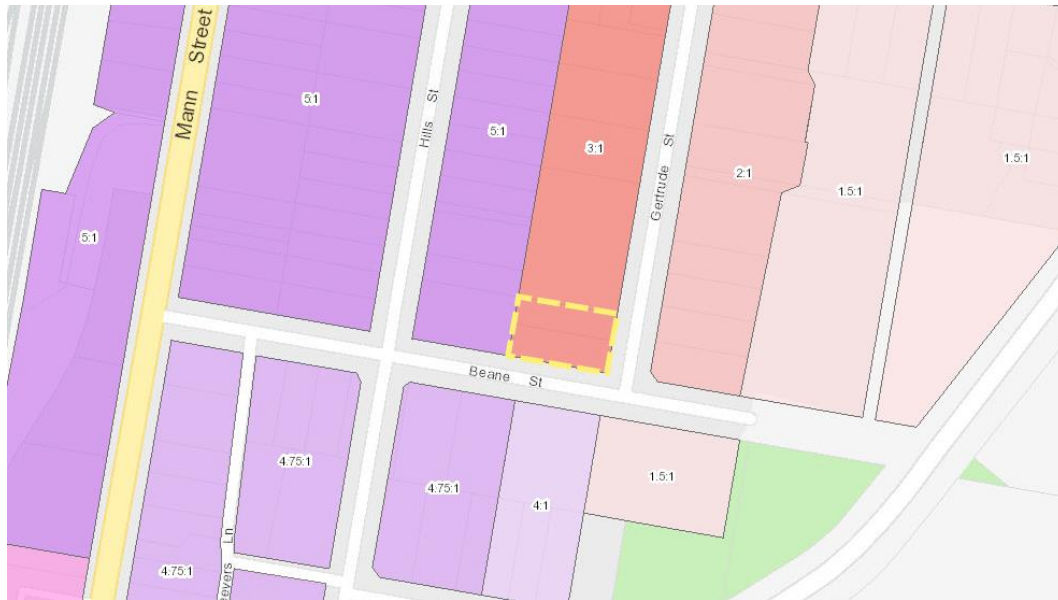


Figure 20 – Floor Space Ratio

Source: NSW Planning Portal

3.4 Other

The site is mapped as being Class 5 for Acid Sulfate Soils, and Central Coast Council mapping indicates no known occurrence of acid sulfate soils on the site.

The site is not identified on the following Gosford City Centre SEPP 2018 maps:

- Heritage
- Active Street Frontage
- Additional Permitted Uses
- Additional Provisions

The land is subject to number of provisions in the Gosford City Centre SEPP 2018, the Affordable Rental Housing SEPP 2009 and Gosford City Centre DCP 2018, which are addressed in Section 5 of this Statement.

There are no draft Planning Proposal which impact directly on the planning controls for the subject land or on the proposal, and the draft SEPP (Environment) and draft amendments to SEPP 55 are addressed in the assessment.

The following State Environmental Planning Policies are relevant to the proposal:

- SEPP (Gosford City Centre) 2018
- SEPP (Affordable Rental Housing) 2009
- SEPP 65 – Design Quality of Residential Flat Buildings 2002
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Infrastructure) 2007
- SEPP 55 – Remediation of Land 1998
- SEPP (Vegetation in Non-Rural Areas) 2017

and these are addressed in Section 5 of this Statement.

The site is not subject to SEPP (Coastal Management) 2018, as it is not within mapped *Coastal Environment* or *Coastal Use* area, and SEPP 64 – Advertising and Signage does not apply as there is no advertising or signage proposed other than a residential street number.

The site is mapped as being bushfire prone (buffer), and is partly mapped as being affected by 1 in 100 yr flooding, as shown in the Figures below:

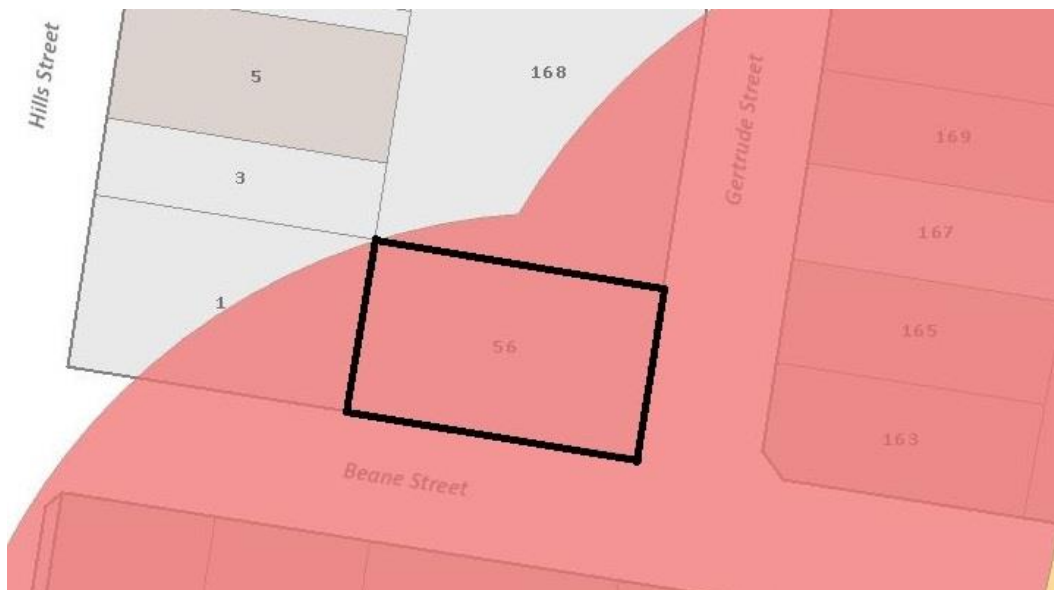


Figure 21 – Bushfire Mapping

Source: Central Coast Council Mapping

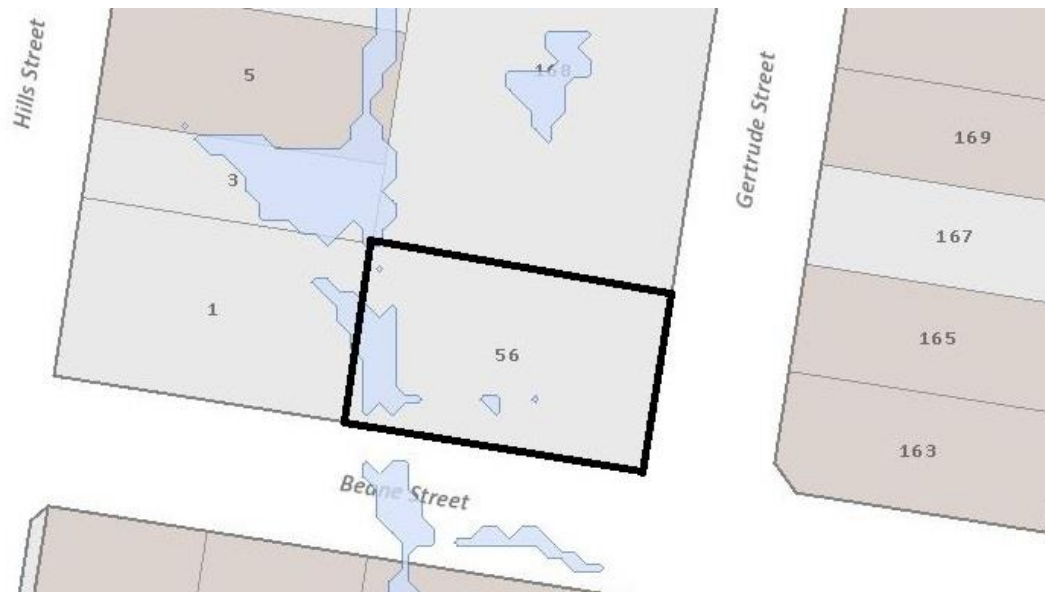


Figure 22 – Flood Mapping

Source: Central Coast Council Mapping

4. THE PROPOSAL

The proposal is for a part 7/ part 8 storey residential flat building containing 41 units, and with car parking for 19 cars in a part basement level. The residential flat building includes 20 x 1 bedroom and 21 x 2 bedroom units, which are distributed evenly throughout the development.

The development is proposed as 'In-fill Affordable Housing' under *State Environmental Planning Policy (Affordable Rental Housing) 2009*, and the application is lodged on behalf of the NSW Land & Housing Corporation ("LAHC"), who will manage the housing, and the application is submitted as **Crown Development** under the Division 4.6 of the *Environmental Planning & Assessment Act. 1979*.

At the ground level (Level 1 on the architectural plans) the development is located at or near the footpath levels on the street frontages to the south and east, and is more elevated in the rear north-western corner due to the slope and changes in level of the land. The overall building typology is of a 4-storey street-wall development, with the upper 3 levels being recessed on all elevations in a podium arrangement.

Level 1 contains 5 units, with street level private open space courtyards for 3 units with landscaping planter box screening and the rear 2 units have raised balconies on the northern side. The Level 1 lobby has pedestrian access to Beane Street, and storage for residents and a bin storage room are provided, with internal access to the lobby. Two lifts and fire stair access are provided on Level 1, with access to the residential levels above and the lower ground basement below. At Level 1 the external walls facing Beane and Gertrude Streets are slightly recessed behind the alignment of the residential levels above. Four bicycle spaces are also proposed near the pedestrian entrance from Beane Street.

Levels 2 to 4 contain 8 units per floor, with each unit having a balcony, and these levels comprise the street wall element of the building. Level 5 to 7 contain 4 units per floor, each with a balcony, and these levels are setback further behind the street wall element below on all elevations and a non-trafficable podium is provided. In response to matters raised at the Pre DA meeting, the submitted proposal includes changes to the front elevation facing Beane Street, including additional balcony areas and other architectural treatment to improve the appearance of this elevation.

The lower ground level has a ramped vehicular access to Gertrude Street, along the northern side boundary, and a roller shutter is proposed at the entry to the car parking area. Car parking is provided for 19 cars, including 7 disabled spaces, 3 motorcycle spaces and 14 bicycle spaces using vertical racks. Resident storage areas and a sprinkler and hydrant pump room are also provided on this level, together with lift and stair access to the residential levels above. Externally on the lower ground level are communal open space areas of 330.12m² around the western and

part of the northern boundaries. Existing trees in the rear north-western corner and adjacent to the western boundary will be retained as part of the communal open space.

Landscaping on the site is proposed in accordance with the submitted Landscape Plans prepared by Site Image.

The building has the following setbacks:

Elevation	Building Element	Setback
South (Beane Street)	<u>Level 1</u>	3.73m
	<u>Levels 2 – 4</u>	3.0m
	- walls	1.9m – 2.5m
	- balconies	6.0m
West (Gertrude Street)	<u>Level 1</u>	4.4m
	<u>Levels 2 – 4</u>	3.0m
	- walls	2.3m
	- balconies	6.04m
North (side boundary)	<u>Level 1 - 4</u>	6.0m
	- walls	5.6m
	- balconies	9.0m
	<u>Levels 5 – 7</u>	8.4m
West (side boundary)	<u>Level 1</u>	7.9m
	- walls	6.7m
	- balconies	4.6 – 6.0m
	<u>Levels 2 – 4</u>	5.6m
	- walls	8.54m
	- balconies	
	<u>Levels 5 – 7</u>	

The proposal provides 7 adaptable units, located on Levels 1, 5, 6 and 7, and a disabled car parking space is provided for each adaptable unit. Accessible lift access is available for the adaptable units provided on the upper levels.

The maximum height of the development is **24m** and the gross floor area is **3,047.72m²**, which is a floor space ratio of **0.373:1**.

The Authority Services Table for the proposal is detailed below.

SERVICES	COMMENTS
NBN/ Comms Authority	NBN application to be completed at CC stage.
Gas Authority	Gas availability confirmed. Gas application to be submitted after Development Consent.
Water Authority	Water Services Coordinator engaged. Preliminary works commenced. Pressure and flow information received.
Electrical Authority	Connection offer received and accepted.

5. PLANNING CONSIDERATIONS

5.1 Gosford City Centre SEPP 2018

Compliance with relevant controls in Gosford City Centre SEPP 2018 ("GCC SEPP") is set out in the following table:

SEPP Control/ Requirement	Proposed	Complies
<u>Permissibility</u>	The proposal is for a <i>residential flat building</i> , which is permissible with consent in the R1 General Residential zone.	Yes
<u>Clause 1.6 - Consent Authority</u> The Minister for Planning (or delegate) is the consent authority for development with a CIV of between \$10M and \$75M	The CIV for the development \$10,149,990, and the Minister for Planning (or delegate) is the consent authority	Yes
<u>R1 Zone Objectives</u> <ul style="list-style-type: none"> To provide for the housing needs of the community. To provide for a variety of housing types and densities. To enable other land uses that provide facilities or services to meet the day to day needs of residents. To ensure that development is compatible with the desired future character of the zone. To promote best practice in the design of multi dwelling housing and other similar types of development. To ensure that non-residential uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for multi dwelling housing or other similar types of development. 	<p>The proposal provides additional housing for the local community, and in response to demographic and affordable housing needs, and in a location close to public transport services.</p> <p>The form of the development is consistent with the future character of the area, as addressed in the DCP assessment below, and the design provides a quality residential development that responds to the site and surrounding development, and the intended density of development under the GCC SEPP.</p> <p>The proposal is a well-designed, contemporary residential flat building, consistent with the scale and design of other recent approved and constructed buildings in the Gosford City Centre area.</p>	Yes
<u>Clause 4.3 Height of buildings</u> Mapped 24m	The maximum height of the development is 24m, and that part of the building below the podium levels has a lesser building height.	Yes
<u>Clause 4.4 Floor space ratio</u> Mapped 3:1, however reduces to 2:1 under clause 8.12(2)(a)(1) of the SEPP as the site has a street frontage of 24m and a site area of between 1,000m ² and 1,500m ² . In addition, an additional FSR of 0.5:1 is available under the Affordable Rental Housing SEPP, which makes the overall allowed FSR 2.5:1.	The proposal has an FSR of 2.373:1, which complies with the allowed FSR of 2.5:1 under the Affordable Rental Housing SEPP.	Determined under the Affordable Rental Housing SEPP
<u>Clause 7.1 Acid sulfate soils</u> sets out requirements for managing acid sulfate soils	The site is identified as Class 5 for acid sulfate soils, and the submitted Geotechnical Report from Consulting Earth Scientists confirms there is no Class 1, 2, 3, or 4 land located within 500 m of the site, the site is situated at 20 m to 24 m AHD, and field screening does not indicate the presence of Actual Acid Sulfate Soils or Potential Acid Sulfate Soils at the site.	Yes

<u>Clause 7.2 Flood planning and Clause 7.3 Floodplain risk management</u> various requirements	Part of the site is affected by localised flooding in the vicinity of the existing drainage easement, and flooding issues are addressed in the submitted flooding information prepared by Quantum Engineers.	Yes
<u>Clause 8.3 Design excellence</u> various requirements	The proposal demonstrates design excellence, consistent with the requirements of Clause 8.3, as addressed below. Additionally, the proposal is consistent with the objectives of clauses 8.10 and 8.11 of the SEPP, as detailed below.	Yes
<u>Clause 8.10 Solar access to key public open spaces</u> consideration of overshadowing impacts on Kibble Park and Leagues Club Field	The site is well removed from Kibble Park and Leagues Club Field, and the proposal does not result in any overshadowing of these public open spaces.	Yes
<u>Clause 8.11 Key vistas and view corridors</u> consideration of impacts on key vistas and view corridors in the Gosford City (which are detailed in the Gosford City Centre DCP 2018)	The proposal is not located within, and will not impact on any of the key views or vistas as identified on Figure 4 of Gosford City Centre DCP 2018. The site and development are only visible within the immediate visual catchment of the site, being within Gertrude and Beane Streets, and will be partially visible from Watt Street, and beyond that from Gosford Hospital, where the development will sit well below the vegetated ridgeline of Rumbalara Reserve to the east, and would also be blocked by future redevelopment of the adjoining land to the west which has an allowed building height of 60m.	Yes
<u>Clause 8.13(2)(a)(i) Floor space ratio in Zone R1</u> For a site with a street frontage of at least 24m and a site area of between 1,000m ² and 1,500m ² the mapped FSR of 3:1 reduces to 2:1	The site has a street frontage greater than 24m, and a site area of 1,284m ² , and therefore the relevant FSR applying to the site (for the purpose of applying the Affordable Rental Housing SEPP) is 2:1.	Addressed in clause 4.4 above

5.1.1 Clause 8.3 - Design Excellence

Clause 8.3 of the SEPP sets out Design Excellence requirements for development in Gosford City Centre, which apply to the subject proposal. The objective of the clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Gosford City Centre, and the clause applies to development involving the erection of a new building or external alterations to an existing building.

The clause prescribes that development consent must not be granted for development to which the clause applies unless the consent authority considers that the development exhibits design excellence, and in considering whether development exhibits design excellence, the consent authority must have regard to a number of matters, which are addressed below:

GCC SEPP 2018 Clause 8.3(4) Design Excellence Considerations	Proposed	Addressed
(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved	The proposal has a high standard of architectural design, and is generally consistent with the desired building typology encouraged under Gosford City Centre DCP 2018 and recent residential developments in the Gosford City Centre area. The proposal incorporates suitable materiality and articulation, including additional balcony elements on the Beane Street elevation following pre-DA advice.	Yes
(b) whether the form and external appearance of the development will improve the quality and amenity of the public domain	The form and external appearance of the development will improve the quality and amenity of the public domain, providing a building that is consistent with the development forms and setbacks encouraged in the City Centre residential areas under the Gosford City Centre DCP. Additionally, the proposal will not result in any overshadowing or other impacts on any areas of public open space.	Yes
(c) whether the development is consistent with the objectives of clauses 8.10 and 8.11	The development is consistent with the objectives and provisions of clauses 8.10 and 8.11, as addressed above.	Yes
(d) any relevant requirements of applicable development control plans	A detailed assessment of the proposal against Gosford City Centre DCP 2018 (GCC DCP 2018) is provided in Part 5.3 of this Statement below, and the	Yes
(e) how the development addresses the following matters:		
(i) the suitability of the land for development	Addressed in Part 6.1 of this Statement, and the site is suitable for the development having regard to the zoning of the land, the allowed building height and FSR applying under the SEPP, the nature of surrounding land uses and the proximity of the site to public transport and services and amenities provided in the city centre area.	Yes
(ii) existing and proposed uses and use mix	The proposed use is consistent with the zoning of the land, the previous residential use of the land, and with the residential use of adjoining land to the north and east. The use will also be compatible with existing medical centre commercial uses to the south and west, and with the future redevelopment of these properties in line with the B4 Mixed Use of the land.	Yes
(iii) heritage issues and streetscape constraints	The site is not subject to heritage issues, as addressed in the Statement of Heritage Impact prepared by AECOM, and is not subject to streetscape constraints. The site has street frontages of 46.86m to Beane Street and 27.395m to Gertrude Street, which can reasonably accommodate the development, including the provision of vehicular access and kerbside waste collection. The proposal meets the required street setbacks to both street frontages, and landscape planters are proposed at the street level along both frontages, together with the provision of street tree planting in accordance with the submitted Landscape Plans.	Yes
(iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in	The site is currently vacant, and the development will be compatible with existing and future development on neighbouring sites. The proposal provides good building separation between neighbouring sites and development, noting the site has 2 street frontages	Yes

terms of separation, setbacks, amenity and urban form	which increase separation to the south and east, the development to the north is setback 8m from the side boundary, and the medical use to the west is setback approximately 19m from the subject land. The proposal is largely consistent with the required setbacks under the SEPP 65 Apartment Design Guide, with some minor substantiated variations which do not adversely impact on other properties, and is generally consistent with the urban form requirements of GCC DCP 2018, as addressed below.	
(v) bulk, massing and modulation of buildings	The bulk, massing and modulation of the building is consistent with the SEPP planning controls (building height and FSR) and is generally consistent with the requirements and desired building typology/ form under GCC DCP 2018, as detailed below.	Yes
(vi) street frontage heights	Street frontage heights are addressed in assessment against GCC DCP 2018 below. A minor variation is sought to the street wall height (as detailed in Part 5.3.3 below), due to the sloping nature of the street frontages and the need to maintain level floor plates, and the typology of the building with a 4 storey street wall remains consistent with the DCP requirements, does not result in adverse impacts on surrounding properties and will be consistent with the form of contemporary residential flat buildings built recently in the city centre area.	Yes
(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity	Environmental impacts are addressed in the DCP assessment below, as well as Part 6 of this Statement. The proposal complies with BASIX requirements, as well as the solar access and natural ventilation requirements of the ADG. The proposal will not result in adverse impacts on adjoining properties through overshadowing or reflectivity (as detailed in Part 6.11 below), and the building maintains good separation between existing and future likely developments on adjoining properties, which should minimise any adverse wind impacts.	Yes
(viii) the achievement of the principles of ecologically sustainable development	The proposal is consistent with the principles of ecologically sustainable development with the environmental impacts meeting relevant DCP requirements, as addressed below, and being consistent with the form of development that is anticipated and encouraged for the site. The proposal will not result in adverse environmental impacts, nor impact on the conservation of biological diversity and ecological integrity, and will deliver social benefits with an increase in affordable social housing supply in response to a demonstrated demand for this type of housing in this location, as addressed in Part 5.3.7 of this Statement.	Yes
(ix) pedestrian, cycle, vehicular and service access, circulation and requirements	Relevant requirements are addressed in the submitted Traffic and Parking Impacts Report, prepared by TEF Consulting, and the assessment against GCC DCP 2018 below.	Yes
(x) the impact on, and any proposed improvements to, the public domain	The proposal will not result in adverse impacts on the public domain or any areas of public open space, and improvements are proposed to the streetscape through proposed street tree planting.	Yes

5.2 Affordable Rental Housing SEPP 2009

The proposal is for 'in-fill affordable housing' under the Affordable Rental Housing SEPP 2009 ("ARH SEPP"), and compliance with relevant requirements in is set out in the following table:

SEPP Control/ Requirement	Proposed	Complies
<u>Clause 10 - Development to which Division applies</u> The Division applies to Residential Flat Buildings if the development is permitted under another EPI, and is not on land containing a heritage item. Additionally, the Division does not apply to development on land in the Sydney region unless all or part of the development is within an accessible area	Residential Flat Buildings are permitted on the site under the GCC SEPP 2018, and the land does not contain a heritage item. The site is within the defined Sydney Region, and is within an accessible area, being located 525m walking distance to the entrance of Gosford railway station.	Yes
<u>Clause 13 Floor space ratio</u> For development where the % of affordable housing is greater than 20%, the maximum FSR is the FSR permitted on the land under GCC SEPP (ie 2:1) <u>plus</u> , where the allowed FSR is 2.5:1 or less and where more than 50% of the gross floor area is used for affordable housing, an additional FSR of 0.5:1. The allowed FSR under the ARH SEPP is therefore 2.0:1 + 0.5:1 = 2.5:1	100% of the GFA will be used for affordable housing. The proposed FSR is 2.373:1	Yes
<u>Clause 14 Standards that cannot be used to refuse consent</u> (see note below)		
Site area – min 450m ²	1,284m ² - meets	Not development standards, addressed below
Landscaped area (social housing provider DA) – 35m ² per dwelling = 1,435m ²	350.07m ² – does not meet, addressed below at 5.2.2.	
Deep soil zone – min 15% of the site, with min dimensions of 3m	23.5% - meets	
Solar access - living rooms/ POS min 70% sunlight between 9am and 3pm mid-winter	70% - meets	
Parking (social housing provider DA, in an accessible area) – at least 0.4 parking spaces per 1 bedroom unit and at least 0.5 parking spaces per 2 bedroom unit (0.4 x 20) + (0.5 x 21) = 18.5 = 19 parking spaces required	19 spaces provided - meets	
Dwelling size minimums – 1 bedroom unit 50m ² , 2 bedroom unit 70m ²	Min 1 bed – 51.05m ² , 2 bed – 70.14m ² - meets	
<u>Clause 15 Design requirements</u> Consideration to be given to relevant provisions in <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> published by the DIPNR (March 2004)	Refer to assessment below, at 5.2.3	Yes
<u>Clause 16 Continued application of SEPP 65</u> SEPP 65 applies to in-fill affordable housing under Division 1	This is an enabling mechanism, and SEPP 65 and the Apartment Design Guide are addressed as part of the application documents, including assessment against the Apartment Design Guide and the provision of a design verification statement.	Yes

Clause 16A Character of local area A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.	Refer to assessment below, at 5.2.4.	Yes
Clause 17 Affordable Housing Must be used for the purposes of affordable housing for 10 years, and be managed by a registered community housing provider.	The housing will be used for affordable housing, consistent with the definition under clause 6 of the SEPP, for a minimum of 10 years, and will be managed by the NSW Land & Housing Corporation, who are a community housing provider.	Yes

5.2.1 Application of Clause 14 of the SEPP

Clause 14 of the ARH SEPP sets out standards which cannot be used to refuse consent for in-fill affordable housing. These are not development standards as such, but are threshold standards which if met, cannot be used as a ground of refusal. If a development does not meet one of these standards, a 'variation to development standards' is not required, but the protection offered by the SEPP would be removed in terms of that issue not being a ground that a consent could be refused on.

5.2.2 Landscaped Area

The proposal meets all of the Clause 14 standards, with the exception of landscaped area, where to not be a reason that can be used to refuse consent, a landscaped area of 35m² per dwelling is required for a development application lodged by a social housing provider.

The application is being lodged on behalf of the NSW Land and Housing Corporation, who are a "social housing provider" under the SEPP, and therefore for landscaped area to not be a ground that consent could be refused upon, the proposal would require 35m² landscaped area per dwelling, being is an area of 1,435m², which is larger than the site itself. The proposal provides a total of 350.07m² of landscaped area, including a communal open space area of 330.12m² and deep soil zone (min 3m dimension) of 302m².

The 35m² per dwelling standard does not appear to be as relevant to a higher-rise residential flat building such as the subject proposal. The amount of landscaped area as currently proposed is 27.2% of the site area, and the amount of both deep soil area and communal open space proposed exceed the minimum requirements under Gosford City Centre DCP 2018 (GCC DCP) and the SEPP 65 Apartment Design Guide (ADG). In particular, the deep soil area of 23.5% of the site is over 3 times the amount of deep soil required for a site of this size under the ADG (7%).

Given the high rise nature of the development, the size of the site and the provision of more open space and deep soil zone than is required under the GCC DCP and ADG, the proposal provides a reasonable amount of communal open space for residents, and the amount of open space does not result in the compromising of any other development standards or controls.

5.2.3 Seniors Living Policy: Urban Design Guidelines

While the proposal is not for seniors housing, the ARH SEPP requires consideration of relevant provisions in the *Seniors Living Policy: Urban Design Guidelines for Infill Development* published by the NSW Department of Infrastructure, Planning and Natural Resources (March 2004).

The proposal has been assessed against, and is consistent with relevant provisions in the Guidelines. There are some standards in the Guidelines relating to the specific requirements of the Seniors Living SEPP, which are not relevant to the subject application, and are otherwise covered by requirements in the ARH SEPP, the GCC SEPP and the GCC DCP.

In responding to the Guidelines:

- Responding to Context – The proposal is compatible with the character of the surrounding area, as addressed in some detail below, and will contribute to the built environment of the surrounding area with a building form consistent with the planning objectives and controls for Gosford City Centre, and the nature of existing and future likely development in the surrounding area.
- Site Planning and Design – The proposal is appropriate for the site, providing a building form that responds to the characteristics and dimensions of the property, and responds to the desired building typology and standards encouraged under the GCC DCP. Landscaping is proposed in accordance with the submitted Landscape Plan, with existing trees retained in the rear corner and along the western boundary, and the amount of deep soil zone provided is significantly more than the area required under the GCC DCP and ADG.
- Impacts on Streetscape: The proposal meets the street setback requirements of GCC DCP, with street level walls slightly recessed behind the alignment of the street wall elements above, and containing courtyards to the street with opportunities for passive surveillance. The provision of a street wall to both street frontages is consistent with GCC DCP requirements, and the upper levels are recessed behind the street wall alignment, which modulates the bulk of the development and provides a pedestrian friendly scale. Landscape planters are proposed around the perimeter of the street frontages, which will soften the interface between the footpath and the development.

The external building treatment facing the streets is articulated and modulated through the use of different building materials and treatments, and with balconies provided along part of both street frontages including further balcony elements added to the Beane Street frontage following pre-DA discussions, which increase opportunities for passive surveillance of the streets.

- Impacts on Neighbours is addressed in detail in the assessment against GCC DCP below, and the proposal will minimise impacts on surrounding properties. The proposal has given consideration to impacts on privacy and overshadowing/ solar access for surrounding properties, and meets the relevant objectives and standards under the GCC DCP and ADG.

- Internal Site Amenity – The proposal complies with relevant internal amenity requirements under the GCC DCP and ADG, as addressed below, and in particular meets or exceeds the minimum solar access and natural ventilation requirements. The proposal has been designed to maintain privacy between units and includes a large communal open space area for the use of residents, which meets GCC DCP and ADG requirements, and with a larger than required deep soil zone to assist with planting and landscaping.

5.2.4 Compatibility with the character of the local area

Clause 16A of the ARH SEPP requires that Council must not consent to development unless it has taken into consideration *whether the design of the development is compatible with the character of the local area*.

The Land and Environment Court has established a planning principle for considering the compatibility of development with the surrounding area in *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*, as detailed below:

22 There are many dictionary definitions of *compatible*. The most apposite meaning in an urban design context is *capable of existing together in harmony*. *Compatibility* is thus different from *sameness*. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

23 It should be noted that compatibility between proposed and existing is not always desirable. There are situations where extreme differences in scale and appearance produce great urban design involving landmark buildings. There are situations where the planning controls envisage a change of character, in which case compatibility with the future character is more appropriate than with the existing. Finally, there are urban environments that are so unattractive that it is best not to reproduce them.

24 Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.
- Is the proposal's appearance in harmony with the buildings around it and the character of the street?

25 The physical impacts, such as noise, overlooking, overshadowing and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.

26 For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by **building height, setbacks and landscaping**. In special areas, such as conservation areas, **architectural style and materials** are also contributors to character.

27 Buildings do not have to be the same **height** to be compatible. Where there are significant differences in height, it is easier to achieve compatibility when the change is gradual rather than abrupt. The extent to which height differences are acceptable depends also on the consistency of height in the existing streetscape.

28 Front **setbacks** and the way they are treated are an important element of urban character. Where there is a uniform building line, even small differences can destroy the unity. **Setbacks** from side boundaries determine the rhythm of building and void. While it may not be possible to reproduce the rhythm exactly, new development should strive to reflect it in some way.

29 **Landscaping** is also an important contributor to urban character. In some areas landscape dominates buildings, in others buildings dominate the landscape. Where canopy trees define the character, new developments must provide opportunities for planting canopy trees.

30 Conservation areas are usually selected because they exhibit consistency of scale, style or material. In conservation areas, a higher level of similarity between the proposed and the existing is expected than elsewhere. The similarity may extend to **architectural style** expressed through roof form, fenestration and materials.

31 It should be remembered that most people are not trained planners or urban designers and experience the urban environment without applying the kind of analysis described above. As people move through the city, they respond intuitively to what they see around them. A photomontage of a proposed development in its context provides the opportunity to test the above analysis by viewing the proposal in the same way that a member of the public would.

The character of the local area includes consideration of the setting and characteristics of the site and surrounding land, and existing and future likely development in the area having regard to the zoning and development controls applying to surrounding land.

The *local area* in the context of the proposal is the immediate visual catchment of the site, being along Gertrude Street and Beane Street between Watt Street and the cul de sac to the east, and is an enclosed area accessed via Beane Street. There are also some views towards the site from Watt Street, and distant views from Gosford Hospital beyond that. The local character area is shown in the following figure:



Figure 23 – Local Character Area

The existing character of the surrounding area can be described as mixed, with different land use zones and activities, and a range of different medium density residential development forms, as also shown on Figures 9 – 17 in this Statement. The primary development in the areas is older style medium density residential, which are largely 3 storey, and including both residential flat buildings and townhouses, which is located to the north in Gertrude Street and to the east in Beane Street. The site adjoins medical related commercial uses to the east, and to the south on the opposite side of Beane Street.

The surrounding area is also in transition, with recent planning controls for Gosford City Centre significantly increasing the development capacity of the area, with development potential for immediate surrounding properties to the north and south being to 8 storeys, to the immediate west 20 storeys, and to the east 6 storeys. Central Coast Council has approved an 8 storey residential flat building to the north at 181-183 Gertrude Street (DA48850/2015), as shown on Figure 23, and there is a 6/ 7 storey building recently constructed on the corner of Beane and Watt Street, which is at the entry to the local character area.

Within Gertrude and Beane Streets there are a number of established, and likely strata-titled medium density developments, which are unlikely to undergo redevelopment in the short term, there are also some properties with detached houses, and these have redevelopment potential in line with the current planning controls. Overall the land to the north and east has limited redevelopment potential, however the adjoining land to the north is also owned by the NSW LAHC, and has future redevelopment potential.

Land in Beane Street, to the west of Gertrude Street, and including the subject land, has much greater redevelopment potential in line with the current planning controls under the GCC SEPP. In particular, the medical-related commercial uses to the immediate west and south of the site are under-developed properties, both zoned B4 Mixed Use, and with potential for a 20 storey residential or mixed use development on the land to the west and for a 8 storey development to the south, and land to the south-west has potential for 16 storey development. At the entry to the local character area along Watt Street there are a number of larger, and more recent buildings that have been constructed, and there are a number of sites in close proximity that are under-developed and have likely redevelopment potential for developments up to 20 storeys in height.

The proposed residential use of the land will be compatible with the zoning of the land and the use of surrounding properties, particularly to the north and east, and will be compatible with likely redevelopment of surrounding properties for either residential or mixed-use purposes, which would have a likely majority residential component.

The scale and height of the proposal will be different to other residential developments to the north and east, however will be consistent with future likely character of the area including the approved development at 181-183 Gertrude Street to the north, future likely redevelopment to the west and

the south, and existing and future likely development in Watts Street. In particular, the proposal provides a transition in height from allowed 20 storey development on the land to the immediate west, and forms part of Beane Street that is likely to be redeveloped in the shorter to medium term.

The physical impacts of the proposal on surrounding development has been considered in the design of the proposal, and as demonstrated in the DCP assessment below, the proposal will not give rise to adverse or unreasonable impacts on surrounding properties in terms of overshadowing, privacy, noise or view impacts, and this is assisted by having 2 street frontages which provide further separation between the development and land to the east and to the south. The scale and form of the development is consistent with the planning controls applying to the site, including building height and setbacks and the building is well articulated and modulated so as to minimise visual impacts on the surrounding area. The proposed architectural style of the building and its materiality is consistent with recent contemporary residential development in the Gosford City Centre area, and is consistent with the form, bulk and scale of development being encouraged under both the Gosford City Centre SEPP and DCP.

The proposal also includes landscaping of the site, the retention of trees in the rear corner and along the western boundary and the streetscape presentation to Beane Street will provide for a suitable transition to future development to the west, which is required to be built to the street boundary in line with its mixed-use zoning. The proposal will also not impact on the development potential of surrounding sites, and allows for reasonable building separation having regard to the requirements of the SEPP 65 Apartment Design Guidelines.

The appearance of the development will be in harmony with the surrounding area, which is an area undergoing transition to larger and more intensive building forms, consistent with the planning controls applying to the area, and as evidenced by the approved development at 181-183 Gertrude Street and other recent development in Watt Street. The proposal is residential in nature, which is consistent with the majority of surrounding development, and is consistent with the development forms envisaged for the area under both the SEPP and DCP.

As referred to in the Court's planning principle, there are situations where planning controls envisage a change of character, in which case compatibility with the future character is more appropriate than with the existing. The proposal will coexist in harmony with existing development in the surrounding area, and will be compatible with future development likely to occur, and particularly relating to the adjoining land to the west which has an allowed height limit two and a half times higher than the subject land.

5.3 Gosford City Centre Development Control Plan 2018

Consistency with relevant provisions in Gosford City Centre DCP 2018 is set out in the table below:

In assessing the proposal against Gosford City Centre DCP 2018, Section 3.42 of the *Environmental Planning & Assessment Act, 1979* provides that the purpose of a DCP is to provide guidance, and section 4.15(3A)(b) of the Act provides that DCP standards are to be flexibly applied and non-compliance can be addressed through alternative solutions or addressing how a proposal otherwise achieves the objectives of the standard.

5.3.1 Character Areas

Part 3 of the DCP contains Character Area Maps, Objectives and Statements to be considered in the assessment of development applications. The subject site falls within the *City North* character area, which is shown in a schematic manner, however appears to be more appropriately included in the adjoining *Residential* character area and there is some overlapping of these areas in Figure 1 of the DCP.

Objective 2 of Part 3.5 of the DCP is relevant to the proposal, with the requirement to:


“Provide a diversity of housing, including higher density residential development in the city fringe to support the viability of the city centre and encourage 24-hour use of the city’s amenities”

The proposal adds to the housing stock of Gosford City Centre area, and is located on the residential fringe immediately adjoining the northern city centre mixed use precinct. The type of housing proposed is higher density housing, which diversifies existing housing stock in the area, increases housing options, and will provide affordable housing in line with State government objectives. The site is located within walking distance of public transport and a range of services and amenities provided in the city centre area, and will contribute to the ongoing development of Gosford as a Regional City.

5.3.2 DCP Development Requirements

Part 4 – Public Spaces		
DCP Requirement	Proposed	Consistent
4.1 Pedestrian Network	The site is located within walking distance of public transport and the city centre heart, and is not a site identified for additional pedestrian linkages in Figure 2 of the DCP. The site is a corner allotment and pedestrian paths are proposed on both frontages.	Yes
4.2 Public Open Space	The site is not identified for future public open space.	Yes
4.3 Solar access to key public spaces	The proposal will not overshadow any public open space areas, and the site is well removed from, and will not	Yes

	overshadow, the identified key open space areas of Kibble Park or Leagues Club Field identified in Figure 3 of the DCP.	
4.4 Views and vistas	The proposal is not located within, and will not impact on any of the key views or vistas as identified on Figure 4 of the DCP. The site and development are only visible within the immediate visual catchment of the site, being within Gertrude and Beane Streets, and will be partially visible from Watt Street, and beyond that from Gosford Hospital, where the development will sit well below the vegetated ridgeline of Rumbalara Reserve to the east, and would also be blocked by future redevelopment of the adjoining land to the west which has an allowed building height of 60m.	Yes
4.5 Footpath crossings and pedestrian overpasses and underpasses	The proposal has a 6m access driveway to Gertrude Street, which is the minor street frontage, and the suitability of the proposed driveway width is addressed in the submitted traffic report. The proposal does not involve any pedestrian overpasses or underpasses.	Yes

Part 5 – Built Form		
DCP Requirement	Proposed	Consistent
Figure 7 – Anticipated Development Forms	<p>The proposed building form, with street wall treatments and recessed upper levels, is consistent with the desired building typology in Figure 7 of the DCP, as shown below:</p>  <p>The diagram, titled 'Residential Areas', shows a 3D perspective of a building complex. It features a main building with a recessed upper level and a smaller, stepped building in front of it. The buildings are white with grey outlines. The ground is shown in green, and a road with a red curb is visible in the foreground. The sky is a light blue gradient.</p>	Yes
5.2.1 Street setback at ground 3 – 4m	All building walls are setback a minimum of 3-4m from the street boundaries.	Yes
5.2.1 Street setback to street wall level 3m, and 600mm variation permitted for balconies to max 50% of elevation	3m, and balconies encroach by 400mm for less than 50% of each street elevation.	Yes
5.2.1 Rear Setback 6m	The rear Setback (to the north) is 5.6m – 9.0m, and the external walls fully comply, with a part minor variation for balcony elements which extend 400mm beyond the wall	Addressed in ADG assessment

	alignment. The DCP adopts the provisions of the SEPP 65 Apartment Design Guide (ADG), which are the same as the DCP requirement, and the minor variation is addressed separately in the assessment against the ADG, and will not give rise to unreasonable privacy or building separation impacts.	
5.2.2 Street wall height 6-12 metres (DCP Figure 8)	A street wall height of between 11.4 m and 13.5m is proposed along the Beane and Gertrude Street frontages, with an average street wall height of 12.7m. While this is in part a minor variation, the street wall heights are consistent with the objectives of the control, as addressed below.	Part variation, addressed below
5.2.2 Upper podium setback 6m (3m behind street wall)	6m	Yes
5.2.2 Upper podium height 2 storeys/ 7m	3 storeys/ 11.3m, and the building typology is consistent with the objectives of the DCP, as addressed below.	Variation, addressed below
5.2.3 Active street frontage and street address	The site is not mapped in Figure 8 of the DCP as requiring any active street frontages. The proposal provides street addresses to both frontages, with private courtyards and windows to habitable rooms on the street level, and balconies and windows to habitable rooms on the street wall.	Yes
5.2.4 Building setbacks and separation 3m side setback (to street wall height) 5.5m side setback (above street wall height)	Side setbacks (to the west) are 4.6m – 6.0m to street wall height, and 8.545m – 8.945m above street wall height, and compliance with the SEPP 65 ADG is addressed separately. Above the street wall height all facades are well articulated, containing balconies and windows, and with modulation through different building elements and materials.	Yes
5.2.5 Slender Towers	The proposal does not provide a tower element as such (ie a higher element located above both the street wall height and above the upper podium level) This control is not applicable as the proposal separately seeks a variation for a 3 storey upper podium level, as addressed below.	N/A
5.2.6 Fine grain frontages 40m max podium length, 3m separation from other podiums, architectural character, articulation of podiums	The street wall and podium elements have a length of less than 40m to both street frontages, and are separated from a future podium element on adjoining sites by greater than 3m. The street wall and podium have their own architectural character, consistent with residential flat buildings in Gosford City Centre, and are well articulated and modulated.	Yes
5.2.7 Awnings	The site is not mapped in Figure 8 of the DCP as requiring an awning, and no awning is proposed.	N/A
5.2.8 Building sustainability	A BASIX Certificate is submitted with the application that demonstrates that with the commitments contained in the certificate, the proposed development is able to meet BASIX requirements, and is BASIX compliant. The development has also been designed to comply with the solar access and natural ventilation requirements of the SEPP 65 ADG.	Yes
5.2.9 Above ground parking	The car parking floor level is located below the existing ground level, and the roof level is located at or near the footpath level on both street frontages. Due to the fall of	Yes

	<p>the land from both streets to the north-west, the roof level of the car parking area is above existing ground level on the northern and western sides of the car park, and this occurs so as to enable a level car parking area to be provided, and for the residential level above to relate to the levels at the street frontages.</p> <p>The DCP makes an exception for parking to not be wholly provided underground, where unique site circumstances exist, and this applies to the subject land with its slope and the need to maintain residential presentations at both street frontages. If the car parking level was to be lowered to be fully underground, this would lead to residential floor levels below the footpath/ street level, and access to Gertrude Street would not be possible due to minimum access driveway grade requirements.</p> <p>While car parking is not wholly underground, it will not be evident from the street frontages and will be screened from external view from the side and rear, and will be integrated into the external appearance of the development. The parking area also does not give rise to any breach of the allowed height limit applying to the site under the GCC SEPP.</p> <p>The site and the proposal fall within the exception provisions of this control, and the car parking as proposed will not adversely impact on the streetscape, nor result in adverse visual impacts, and is consistent with the objectives of the controls.</p>	
5.2.10 Stand-alone multi-storey car parks	The proposal does not include a stand-alone multi-storey car park	N/A
5.2.11 Internal amenity - refers to ADG Guidelines	Separate assessment is provided against the design criteria of the SEPP 65 Apartment Design Guide below	Yes
5.2.12 Building services and the streetscape	<p>All services will be screened from view and will not impact on the streetscape. A ground level substation may be required, and any location would be consistent with Ausgrid requirements and specifications.</p> <p>The building entry and all servicing area are treated with high quality building materials, and are integrated into the overall design of the building.</p>	Yes
5.2.13 Landscape design	Landscaping is proposed in accordance with the Landscape Plans prepared by Site Image, which have been prepared to provide appropriate screening and softening of the development, using appropriate species.	Yes
5.2.14 Site cover and deep soil zones 50% site cover, 15% deep soil	<p>The proposal has a site coverage of 716m², which is 55.7% of the site, and a deep soil zone of 302m² with minimum dimensions of 6m is provided which is 23.5% of the site.</p> <p>A minor variation to the site coverage is requested, as detailed below</p>	Part variation for site cover, addressed below

5.2.15 Front Fences 1.2m average height, maximum 1.4m, fencing over 1m to be 50% permeable	Front fencing is proposed to the street level courtyards, which is 1.8m high internally, for safety and security reasons, and lower externally relative to the street level and is setback behind a landscaped area. Along Beane Street the average fence height is 0.4m for the western section and 0.75m for the eastern section and along Gertrude Street the average height is 1.2m. Proposed fencing is partly elevated above the street level due to the slope along each frontage, which increases the effective fence height relative to the street, and these averages are 1.35m on Beane Street and 1.45m on Gertrude Street. The proposed front fencing clearly delineates the public and private domains, and is solid for the full height, for the safety and privacy of residents.	Variation, addressed below
5.2.16 Safety and Security	The proposal has been designed having regard to 'Safer by Design' principles and the requirements of the LAHC and having regard to the safety of future residents. A separate assessment is provided against CPTED principles and the proposal is consistent with the relevant requirements.	Yes
5.2.17 Building Exteriors Various requirements	The articulation and materiality of the building exterior exhibits architectural quality, and will contribute to the streetscape having regard to the desired building typologies under Gosford City Centre DCP. The proposal uses different external materials and colouring, together with fenestration and external balconies, which add architectural interest and breaks up the massing of the building.	
5.2.18 Public Artworks	The proposal has a floor space of less than 5,000m ² , and public artwork is not required.	N/A
5.2.19 Advertising and Signage	The proposal does not include advertising or signage.	N/A

The engineering related requirements of Part 7 – Access and Parking are addressed in the Traffic and Parking Report prepared by TEF Consulting, and submitted with the application. This assessment determines the proposal complies with, or is capable of complying with the relevant DCP requirements and also with relevant Australian Standards. Compliance with Part 7 relevant to planning considerations is provided below:

Part 7 – Access and Parking		
DCP Requirement	Proposed	Consistent
7.2 Pedestrian Access and Mobility	The proposal provides a clear pedestrian entry point from Beane Street with a large street number reinforcing the entry point. Direct barrier-free pedestrian access is provided from Beane Street to the residential lobby, and from the residential lobby to the communal open space area via a 1 in 20 walkway ramp, and all surfaces will be slip free and of durable materials. From the car parking	Yes

	area (which includes 7 disabled spaces) there is level access to the lifts, and then to the residential lobby and residential floors above, including 7 adaptable units.	
7.3 Vehicular Driveways and Manoeuvring areas various requirements	<p>Engineering considerations are addressed in Traffic and Parking Report, and the proposal is compliant with relevant Australian Standards and other relevant guidance documents.</p> <p>The proposed driveway is largely setback from the northern boundary, with a proposed landscaped area of variable width to provide planting screening to the adjoining property to the north, and to allow for the required driveway width to be provided within the first 6m of the property. While the driveway is not setback 1.5m from the boundary for the full length, the proposed landscaped area provides a good area for planting, and will provide screening to the adjoining property to the north. The driveway's compliance with sight distance requirements under AS/NZS 2890.1:2004 is addressed in the submitted Traffic and Parking Report, and on this basis the driveway meets required safety standards.</p> <p>Driveway width at footpath is 6m, rather than the maximum 5.4m width specified in the DCP, and this is also addressed in the Traffic Report. The proposed driveway is slightly wider to match the width of the ramp which was designed to enable simultaneous movements in opposite directions and also to comply with AS/NZS 2890.1:2004.</p> <p>The minor 600mm increase in driveway width will allow for the safe entry and exit of vehicles to and from the site, compliance with AS/NZS 2890.1:2004 and based on traffic engineering assessment, is not likely to affect the amenity of pedestrians. The visual impact of a slightly wider driveway will be minor, and will align with the width of the driveway within the site.</p>	Yes, and variation for driveway as addressed
7.4 On-Site Parking various requirements	<p>The number of car parking for the development is in accordance with the provisions of the Affordable Rental Housing SEPP, and the DCP car parking rates do not apply. The proposal complies with the SEPP requirements, which are a standard if met, cannot be used as a ground for refusal.</p> <p>Seven disabled car parking spaces are provided, which is 36.8% of the total car parking, and there is one disabled space for each adaptable unit.</p> <p>The car parking level is effectively underground at the street frontages, and a 3.1m floor to ceiling height is not required as the parking level has no potential for adaption to another use in the future.</p> <p>Parking is provided for 3 motor cycles and 18 bicycles, with 14 bicycle spaces provided in the basement and 4 spaces adjacent to the Beane Street pedestrian entry for</p>	Yes

	<p>visitors or short-term resident use. All spaces are covered, and the basement spaces are secured.</p> <p>Engineering considerations are addressed in Traffic and Parking Report, and the proposal is compliant with relevant Australian Standards and other relevant guidance documents</p>	
7.5 Site Facilities and Services various requirements	<p>Mailboxes are provided in an accessible location adjacent to the main entrance, and will be integrated into the appearance of the development.</p> <p>Communications structures, air conditioners and service vents will be located away from the street frontage, and will be appropriately located or screened so as to not result in visual impacts.</p> <p>Waste storage is provided on-site, with a communal bin storage room located adjacent to the lobby area, which is readily accessible for residents, and has separate external access for the movement of bins to the kerbside for collection. Part 7.5 of the DCP does not expressly require waste collection to occur on-site, and the location of waste collection is addressed separately in Part 8.6 of the DCP below.</p> <p>The proposed bin storage room is appropriately sized for the number of bins required, is well separated from residential units, and will be screened from public roads and adjoining properties.</p> <p>The proposal does not require a service dock or loading/unloading areas.</p> <p>The site has 2 street frontages for fire services and emergency vehicles.</p>	Yes

Part 8 – Environmental Management		
DCP Requirement	Proposed	Consistent
8.2 Energy Efficiency and Conservation	A BASIX Certificate is submitted with the application that demonstrates that with the commitments contained in the certificate, the proposed development is able to meet BASIX requirements, and is BASIX compliant. The development has also been designed to comply with the solar access and natural ventilation requirements of the SEPP 65 ADG.	Yes
8.3 Water Conservation	A BASIX Certificate is submitted with the application that demonstrates that with the commitments contained in the certificate, the proposed development is able to meet BASIX requirements, and is BASIX compliant.	Yes
8.4 Reflectivity	The proposal does not include large areas of glazing, and will not result in adverse glare impacts for surrounding properties.	Yes

<p>8.5 Wind Mitigation</p>	<p>The proposal does not propose a tall tower element, and maintains good side and rear setbacks to allow for the circulation of wind through the site and around the proposed building. The pre-DA discussions, and advice from Central Coast Council, did not identify the need for a specific Wind Effects Report, and this is consistent with the approach taken by the Council in their past assessment of similar scale development in the Gosford city centre area.</p>	<p>Variation, consistent with other similar developments</p>
<p>8.6 Waste and Recycling</p>	<p>A separate Waste Management Plan is submitted with the application addressing waste generation rates and sizing of bins, which comply with the DCP requirements, and the sizing and location of the bin storage area is also consistent with DCP requirements.</p> <p>The DCP does not provide any threshold for kerbside bin collection, and Part 8.6.4 states that</p> <p><i>Provision is to be made to allow collection of the waste either directly from the waste storage area, or by transfer to a waste collection point. The collection point will be:</i></p> <ul style="list-style-type: none"> <i>a where street frontage and WorkCover requirements permit, by placement of mobile bins in line at the kerbside, or</i> <i>b on-site, with access in accordance with the requirements of Council's Waste Control Guidelines.</i> <p><i>Where waste bins are to be transferred to the street for collection, the body corporate or a caretaker must be responsible for the movement of bins to their collection point prior to collection and returned on same day of collection.</i></p> <p>The site, with its dimensions and slope, does not have capacity for large waste vehicles to be able to access the basement level, or to be able to lift bins overhead within the basement level, and to accommodate on site basement waste collection would effectively remove all car parking, and would require considerable additional excavation and cost for further basement levels which would jeopardise the viability of the development and opportunities to provide needed affordable housing.</p> <p>Given the site constraints, the LAHC's requirement for bin collection is for kerbside collection, rather than other alternatives of waste trucks entering the site, in order to limit internal access to the site for safety and security reasons and to avoid trucks having to reverse across well used pedestrian pathways.</p> <p>The proposed kerbside collection of 360L mobile bins can be reasonably accommodated in Beane Street, to which the site has a frontage of 46m, which is adequate for the collection of waste bins as proposed. There are no visibility or sight distance issues in Beane Street which would prevent kerbside collection, and the short period of collecting bins, twice a week, would not unreasonably impact of car parking availability in the area, and with the communal use of larger bins the total</p>	<p>Yes, and waste collection location addressed further below</p>

	<p>number of bins to be collected would be more in keeping with that of a smaller scale development for which kerbside collection would be allowed under the Gosford DCP 2013.</p> <p>Further detail on the proposed waste collection arrangements are provided below.</p>	
8.7 Noise and Vibration	<p>The site is not impacted by adverse noise impacts, given the nature of surrounding development and land uses, and is removed from potential noise sources such as rail or traffic noise.</p> <p>The proposal is for residential development, consistent with surrounding development and development likely to occur in the future in both residential and mixed-use developments. The type of noise to be generated from the site is that associated with normal residential living, and would be subject to general domestic noise controls, as is the case for all residential properties.</p> <p>The application is supported by Construction Noise and Vibration Management Plan, prepared by Rodney Stevens Acoustic, which sets out noise and vibration mitigation measures to be implemented at the construction phase, in order to minimise impacts on surrounding properties and sensitive residential receivers.</p>	Yes

Part 9 – Residential Development Controls		
DCP Requirement	Proposed	Consistent
<p>9.1 Housing Choice and Mix Two-bedroom apartments are not to be more than 75% of the total mix.</p> <p>Up to 40% mix of studio and one-bedroom apartments is permitted within residential development owned by NSW Land and Housing Corporation.</p> <p>15% of dwellings as adaptable housing, and disabled parking required</p>	<p>The proposal provides 20 x 1 bedroom units (48.8% of dwellings), and 21 x 2 bedroom units (51.2%), based on local demand for LAHC accommodation, and also the demographic housing needs within the Central Coast and more locally in the North Gosford area. The proportion of 2 bedroom units complies with the DCP requirement, and the proportion of 1 bedroom units slightly exceeds the control for LAHC developments, by 4 units, as is addressed at 5.3.7 below.</p> <p>The proposal includes 7 adaptable units, which is 17% of the total number of dwellings, and complies with the DCP requirement. The layout of adaptable units has been assessed by an Access Consultant, with adjustments made to the architectural plans, and disabled car parking spaces are provided for each adaptable dwelling.</p>	Yes, and variation to proportion of 1 bedroom units addressed below
<p>9.2 Storage 6m² for 1 bedroom apartments and 8m² for 2 bedroom apartments, with at least 50% to be located within the apartment.</p>	<p>The proposal provides storage inside each unit, and additional secure storage is provided for each unit in storage areas on Level 1 adjacent to the lobby, and in the basement car parking level. The proposal complies with the storage requirements, and at least 50% of storage is provided within each unit.</p>	Yes

9.3 Multi-Dwelling Housing	The proposal is for a residential flat building, and not for multi dwelling housing	N/A
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Variations to Gosford City Centre DCP requirements, and support for the kerbside collection of waste are addressed below:

5.3.3 Street Wall Height

The proposal seeks a minor variation to part of the street wall height under the DCP.

Under Figure 8 of the DCP a street wall height of a minimum 6.0m and maximum 12.0m is required, as shown below.



Figure 24 - Extract from Fig. 8 of GCC DCP 2018 – Street Setbacks and Street Wall Heights

The required street wall height is between 6 - 12 metres, which is 2 to 4 residential storeys, and above which there is a requirement to set the building back further to create a podium element at the upper levels. The proposal provides street walls which are 4 stories in height, however due to the sloping nature of the site along both street frontages, and the need to internal accessibility, the street wall heights vary along each frontage, and are between 12.6m and 14.6m along Beane Street and between 12.6m and 14.0m along Gertrude Street.

The street wall height as proposed is only marginally over the requirement at the street corner, by 600mm, and in support of the street wall heights as proposed and a variation to the DCP requirement:

- The street wall heights vary along the street frontages due to the slope along each frontage, and are an average of 13.6m height along Beane Street and 13.3m along Gertrude Street. This is a minor increase in street wall height for the street elevations, and is required to maintain the same level for each floor, and to avoid having to step each

level along the street frontages which would impact on the design and appearance of the development and would compromise internal accessibility;

- The proposal provides a street wall element of 4 storeys, with a podium above, consistent with the intent of the DCP requirement. While the street wall height is slightly higher than the 12 m requirement, the proposal does provide the desired building typology for the Gosford City Centre area, noting that a number of recently approved residential flat buildings on R1 zoned land in Gosford City Centre, with the same setback/ street wall requirements, have podiums the equivalent of 5 or more stories in height ,built in some cases to the minimum street setback, and in some cases with no podium to the street. Examples of recently approved developments in Gosford City Centre with taller street wall elevations are shown in **Attachment 3**, and the street walls as proposed will be consistent with the form of development being established throughout the city centre area; and
- The variation to street wall height does not result in additional privacy or overshadowing impacts for surrounding properties, as is addressed separately in this Statement, and the taller street wall along the western side of the Beane Street frontage will provide a suitable transition to the future development of land to the west, which will have an equivalent street wall height in line with its commercial zoning and higher (14m) street wall height that applies under the DCP, as shown on sheet A014 of the architectural plans.

The overall street wall presentation to Beane Street and Gertrude Streets is consistent with the objective of the DCP street wall height requirement, which is to encourage a building typology which steps buildings back above the first 4 levels, in order to create a pedestrian friendly scale of development at the street level. The proposal provides a 4-level street wall, consistent with the DCP requirement and complies with the required DCP street setbacks. The variation is minimal at the dominant street corner of the building, and the continuation of this street wall alignment along the street frontages is consistent with the overall design and appearance of the development. A minor variation, on average, of between 1.3m and 1.6m the street wall heights will not result in adverse impacts on surrounding properties or on the overall appearance of the development.

5.3.4 Upper Podium Height

The proposal provides a 3 storey/ 11.3m high upper podium, which is a variation to the 2 storey/ 7m requirement in the DCP. The intent of the control is to modulate building setbacks according to building height, and particularly for taller towers, which have separate street wall, upper podium and tower elements above, and creates 3 separate building components, which is particularly relevant to sites with heights of 48m, 60m and higher, as are also allowed in some areas of the city centre.

The proposal provides a 3 storey upper podium level, as there is only one level above the required 2 storey upper podium level, and this level does not constitute a 'tower element', and from a design and appearance perspective the continuation of the lower upper podium for an additional storey relates in an integrated and consistent building form rather than resulting in a 'wedding cake' appearance of having the top most level considered as a tower element, and requiring further setback.

The provision of a 3 storey upper podium is consistent with the overall proportioning of the building, and the relationship between the street wall and upper podium elements, and will not result in additional building height, with the proposal remaining within the allowed building height allowed under GCC SEPP 2018. The upper podium treatment is also consistent with other recent development forms approved in the Gosford City Centre area, as detailed **Attachment 3**.

The height of the upper podium will not result in adverse privacy or overshadowing impacts on surrounding properties, as is addressed separately, and the setbacks of the upper level are substantially consistent with the requirements of the ADG relating to visual privacy and building separation.

5.3.5 Site Cover

The proposal has a site coverage of 55.7%, which is a minor variation to the required 50% under the DCP, and the objectives of the control are to regulate building bulk, to ensure adequate setbacks and separation between buildings and to ensure adequate space is provided for communal open space, deep soil zones and landscaping. Notwithstanding the variation, the proposal complies with the allowed FSR for the development and the external walls of the building, which comprise the building bulk, comply with the requirements of the DCP and ADG relating to setbacks and building separation. The proposal also complies with DCP requirements for communal open space and more than the required amount of deep soil zone, with complying dimensions is provided.

The proposed site cover is appropriate for the site, given the proposal substantially complies with other DCP spatial requirements, and the site cover will be compatible with, and provide an appropriate transition to future development on the adjoining land to the west, which has potential site coverage of 60 – 75% under the DCP controls.

5.3.6 Front Fencing

The proposal provides fencing to the private open space courtyards at the street level on both frontages, which is above raised building elements, and relative to the footpath level, the top of the fencing will in part be greater than 1.2m above existing ground level. Additionally, solid fencing is proposed.

The proposed fencing will be setback 1.6m from Gertrude Street, and between 1.5m and 2.15m along Beane Street, and landscape planting is proposed in these setback areas to provide

screening to the fencing and to minimise any visual impact, as is shown in the landscape plan and building elevations on sheets A013 and A014 in the architectural plans.

The fencing is required to provide safety and privacy for residents of the street level units, in terms of restricting access from the street to private courtyards and the units themselves, and to ensure privacy within the private open space areas, and to prevent overlooking from the street into living and bedroom areas.

With the variable height of the fencing, and proposed planting between the fences and the streets, the height of the fencing as proposed is unlikely to result in adverse visual impacts on the streetscape, and at the dominant street corner of the building the fence level is compliant with the DCP control.

The fencing will retain opportunities for passive surveillance of the streets to occur through windows on each elevation, as shown on the architectural elevations, and further passive surveillance is available to the streets from windows and balconies on the residential levels located above the street level.

5.3.7 Housing Mix

Under Part 9.1 of the GCC DCP, up to 40% of 1-bedroom units is permitted within residential development owned by the NSW LAHC, and for all residential developments with more than 6 dwellings, up to a maximum of 75% 2-bedroom units. The proposal provides 48.8% 1-bedroom units and 51.2% 2-bedroom units, with a variation sought for the proportion of 1-bedroom units, and the proportion of 2-bedroom units complies with the DCP requirements.

The mix and proportion of unit sizes has been proposed to meet the affordable housing needs in Gosford. *Future Direction for Social Housing in NSW* is the key strategy guiding the redevelopment of land owned by the LAHC through Communities Plus. A key action of the strategy is to build more small, fit-for-purpose dwellings to match the needs of new and future tenants. Over the last 50 years the age and household structure of the NSW social housing tenant profile has changed, there are now more elderly and single person households. This has led to under-occupancy rate currently at 14%. The development has responded to this change and is providing a greater proportion of 1 and 2 bedroom social and affordable apartments, which responds to the local demand.

Data provided by LAHC indicates that to meet current social housing waiting list demand (as at 30 June 2019), for which there are published waiting times of 5 to 10 years and longer, that 958 x 0-1 bedroom dwellings (ie including bedsits) and 381 x 2 bedroom dwellings are required in the Gosford area. The number of 0-1 bedroom units required to meet housing demand is by far the most dominant area of housing need, being 54.7% of the total number of dwellings required, and is followed by 2 bedroom units which make up 21.7% of demand.

Also in support of the housing mix as proposed, it is evident through 2016 ABS census data that there is a significant imbalance on the Central Coast, and the North Gosford – Wyoming area in particular, between the number of single person household and the supply of 0-1 bedroom dwelling stock, as shown in the following figures.

Household size

North Gosford - Wyoming - Households (Enumerated)	2016			2011			Change
Number of persons usually resident	Number	%	Central Coast Council area %	Number	%	Central Coast Council area %	2011 to 2016
1 person	1,512	29.6	26.4	1,477	29.1	26.8	+36
2 persons	1,626	31.8	33.9	1,685	33.2	34.1	-58
3 persons	804	15.7	15.0	780	15.4	14.8	+24
4 persons	722	14.1	15.0	717	14.1	14.8	+6
5 persons	290	5.7	6.6	282	5.6	6.5	+8
6 or more persons	158	3.1	3.1	130	2.6	3.0	+28
Total classifiable households	5,114	100.0	100.0	5,071	100.0	100.0	+43

Source: Australian Bureau of Statistics, *Census of Population and Housing 2011 and 2016*. Compiled and presented by .id, the population

Figure 25 - Household Size **ABS/ Central Coast Community Profile (.idcommunity)**

Single and 2 person households are the dominant household size on the Central Coast, and the North Gosford - Wyoming statistical area, with a combined proportion of 60.3% of households for the Central Coast and 63.5% for North Gosford – Wyoming. The proportion of single and 2 person households is 26.4% and 33.9% respectively for the Central Coast and 29.6% and 31.8% respectively for North Gosford – Wyoming. The proportion of single person households in North Gosford – Wyoming is slightly higher than for the Central Coast, and the household proportions have remained consistent between the 2011 and 2016 census.

Number of bedrooms per dwelling

North Gosford - Wyoming - Households (Enumerated)	2016			2011			Change
Number of bedrooms	Number	%	Central Coast Council area %	Number	%	Central Coast Council area %	2011 to 2016
0 or 1 bedrooms	244	4.5	3.7	213	4.0	3.9	+31
2 bedrooms	985	18.0	18.1	959	18.2	18.8	+26
3 bedrooms	2,471	45.1	39.0	2,557	48.4	41.5	-86
4 bedrooms	1,091	19.9	25.7	1,051	19.9	25.1	+40
5 bedrooms or more	243	4.4	6.9	236	4.5	5.9	+7
Not stated	443	8.1	6.6	267	5.1	4.9	+176
Total households	5,477	100.0	100.0	5,283	100.0	100.0	+195

Source: Australian Bureau of Statistics, Census of Population and Housing 2011 and 2016. Compiled and presented by .id, the population

Figure 26 - Dwelling Size

ABS/ Central Coast Community Profile (.idcommunity)

While North Gosford - Wyoming and the wider Central Coast have a higher proportion of single and 2 person households, the existing housing stock in North Gosford- Wyoming comprises only 4.5% of dwellings with 1 bedroom (or bed sit), and 3.7% for the wider Central Coast, and there is a clear imbalance in the number of single person households (29.6%) compared to the dwelling stock with 0-1 bedrooms (4.5%). Single bedroom dwellings are occupied by both one and 2 person households, and this is likely to result in an even greater imbalance between household size and the availability of 0-1 bedroom housing stock in North Gosford - Wyoming and the wider Central Coast.

The Gosford Urban Design Framework (UDF) makes a number of recommendations for the future growth of Gosford, including Recommendation 5.3 - Diverse Housing, which encourages “more studio, one and two-bedroom dwellings” and has specific reference to redevelopment of properties by the NSW LAHC to achieve a range of housing types to support a greater population density for the City Centre. This is addressed further in Part 6.2 of this Statement, and the proposal delivers on the recommendation, redeveloping an underutilised LAHC property and increasing the stock of 1 and 2 bedroom dwellings.

The proposal seeks a minor variation in the proportion of 1 bedroom units provided by LAHC, from 40% to 48.8%, or 4 units, and the proportion of single bedroom units in the development is reasonable, and responds to LAHC housing demand and local demographic needs having regard to both household sizes and dwelling stock in the North Gosford - Wyoming and wider Central Coast areas, and is consistent with the Gosford UDF recommendations. Additionally, the variation is relatively minor, and the proposal maintains a general balance between both 1 bedroom and 2 bedroom units.

5.3.8 Kerbside Waste Collection

The application proposes kerbside collection of waste from Beane Street, and a separate Waste Management Plan is submitted with the application. Through the use of shared bins, and bins of a larger size, the development requires 8 x 360L mixed waste bins, 7 x 360L recycling bins and 2 x nominal 240L green waste bins, with other green waste removed by the landscaping maintenance contractor. Frequency of bin collection is twice weekly for mixed and recycling waste, as is provided for larger developments in the Gosford City Centre area, and once per fortnight for green waste. Adequate room exists along the Beane Street frontage for the collection of bins, as is shown on the architectural site plan (Sheet A005)

The GCC DCP 2018 does not specify thresholds for kerbside waste collection, which is different to Gosford DCP 2018 which applies to areas outside Gosford City Centre and allows kerbside collection of mobile garbage bins for 18 dwellings or less, unless there are special circumstances (refer Part 7.2.16.4 Gosford DCP 2013). Part 8.6.4 of GCC DCP 2018, which applies to the subject land, provides that waste collection point can be by placement of mobile bins at the kerbside, where street frontage and WorkCover requirements permit, and where the body corporate or caretaker must be responsible for the movement of bins to their collection point prior to collection and return on the same day of collection.

Discussions have been held with Council waste staff, both prior to and following the pre-DA meeting held on 1 November 2019. Council waste staff have raised and maintain concern that the number of units proposed is greater than the number of units for which kerbside collection would be allowed under Gosford DCP 2018 (18 units), and are concerned about the number of bins that would be placed at the kerb side, and about impacts of kerbside collection on car parking in the area.

The use of larger, shared bins, and with a twice weekly collection, reduces the number of bins that would be presented to Beane Street to 15 bins (8 mixed waste, 7 recycling), and potentially once per fortnight 17 bins if green waste bins are collected on the same day. The most common presentation of 15 bins to Beane Street would be similar to the number of bins presented by an 8 unit development (ie 8 x mixed waste bins and 8 x recycling bins), or at twice weekly collection for a 16 unit development, both of which would be allowed under Gosford DCP 2013, notwithstanding that it does not apply to the subject land. The fact the proposal has 41 units does not result in an unreasonable number of bins for kerbside collection, with the approach to waste storage and collection proposed in the application.

Relevant to the requirements of Part 8.6.4 of GCC DCP 2018, the site has sufficient frontage to Beane Street to provide for the collection of the number of bins proposed, while staying clear of the intersection with Gertrude Street and also maintaining some street frontage for on-street car parking, clear of the waste collection zone. The placement of 15 bins would occupy approximately 15m, which is the equivalent of up to 3 car parking spaces, and bin presentation and collection

would take place within a potential 3 hour window, twice a week, which is only a small part of each week. To ensure access for collection Council could also impose restricted parking during the collection windows, as is in place for several other developments in the Gosford City Centre area.

The potential short term loss of 3 car parking spaces, for a limited time each week, is unlikely to adversely impact on the overall availability of on-street car parking in the area, and noting that there is an existing driveway and crossover from Beane Street into the site that provides access to informal car parking, and is street frontage not currently available for on-street parking. This driveway will be removed under the proposal, creating an additional on-street parking space that does not currently exist, and would partly compensate for the short-term removal of parking during collection times.

The submitted traffic report from TEF Consulting addresses traffic conditions in Beane Street, and in particular relating to future kerbside waste collection. The report observes on page 17 that:

“Traffic volumes are very low on Beane Street in front of the site, well below the environmental road capacity (with a total of approximately 60veh/h and 40 veh/h in the morning and afternoon peak hours respectively). Such traffic flow levels allow for safe and efficient kerbside waste collection without any effect on existing traffic.

Existing developments on Beane Street currently rely on kerbside waste collection. These developments include

- 63 Beane Street,
- 53-55 Beane Street,
- 49-51 Beane Street and
- 45 Beane Street

An additional waste collection point on Beane Street will not result in any negative traffic and safety impacts”

On the basis of traffic engineering assessment undertaken, the kerbside collection of bins from Beane Street as proposed would not result in traffic or safety impacts.

The movement of bins for kerbside presentation and return to the on-site waste storage room would be undertaken by the building caretaker/ manager, and bins would be presented and returned from the kerbside after collection in a timely manner. Access grades from the waste room to the kerb side are consistent with Council’s minimum requirements, and will allow for the movement of bins to be carried out without the need for mechanical assistance.

The subject site, with its dimensions and slope, does not have capacity for large waste vehicles to be able to access the basement level, or to be able to lift bins overhead within the basement level, and to accommodate on site basement waste collection would effectively remove all car parking, and would require considerable additional excavation and cost for further basement levels which would jeopardise the viability of the development and opportunities to provide needed affordable housing.

Given the site constraints, the LHAC's requirement for bin collection is for kerbside collection, rather than other alternatives of waste trucks entering or reversing into the site, in order to limit internal access to the site for safety and security reasons and to avoid trucks having to reverse across well used pedestrian pathways.

In conclusion, the proposed kerbside waste collection as proposed is reasonable, and suitable for the site with its dimensions and slope, and will be consistent with the requirements of GCC DCP 2018. The site has adequate street frontage for kerbside collection, with a number of bins equivalent to a much smaller scale development, and kerbside collection can occur safely and without impacting on traffic in Beane Street. Kerbside collection will result in the short-term non-availability of 3 car parking spaces, which will not have a significant impact on on-street parking in the area, and some on-street parking will remain available in Beane Street even during the bin collection windows.

5.4 Other State Environmental Planning Policies

Other relevant State Environmental Planning Policies (SEPPs) applying to the land are SEPP 65 - Design Quality of Residential Apartment Development, SEPP – Building Sustainability Index (BASIX), SEPP (Infrastructure), SEPP 55 – Remediation of Land and SEPP (Vegetation in Non-Rural Areas).

5.4.1 SEPP 65 Design Quality of Residential Apartment Development

The application is accompanied by SEPP 65 Design Verification Statement from Stanton Dahl Architects which addresses compliance of the project with the design quality principles in the SEPP. The SEPP 65 *Apartment Design Guide* also applies to the proposal, and an assessment of how the proposal addresses the design criteria is provided below.

Design Criteria	How the proposal addresses the criteria
Communal Open Space Communal open space minimum of 25% of the site 50% direct sunlight to communal open space for min. 2hrs, 9am-3pm mid-winter	The proposal provides a communal open space area of 330.12m ² , which is 25.7% of the site, which complies with the design criteria. The communal open space area has a northerly aspect and alignment, resulting in more than 50% direct sunlight to communal open space for at least 2hrs, between 9am-3pm mid-winter.
Deep Soil Zones For sites between 650m ² and 1,500m ² , 7% of site area, min width 3m.	The proposal has a deep soil area of 23.5% (302m ²) with a minimum width of 6m, which is significantly greater than the design criteria.
Visual Privacy Side & rear boundary setbacks	

<p><u>Habitable</u></p> <ul style="list-style-type: none"> • 6m up to 4 storeys • 9m 5-8 storeys 	<p>All building walls comply, apart from a small element on the western elevation on Levels 2 to 4, which has a minimum setback of 4.6m. Additionally, balcony elements on the northern and western elevation are located slightly forward of the main building alignment, with a setback of 5.6m to the boundaries.</p> <p>All building walls comply, apart from balcony elements on the northern and western elevation are located slightly forward of the main building alignment, with a setback of 8.4m to the boundaries.</p> <p>The variations to the ADG design criteria for balconies and the building element on the western elevation are minor, and assist with the overall articulation of the building. The variations do not give rise to additional privacy or overshadowing impacts for surrounding properties, and supporting information for the variations is provided below.</p>
<p>Solar & Daylight Access</p> <p>Living rooms and POS of 70% of apartments receive min 3hrs sunlight, 9am-3pm mid-winter.</p> <p>Max 15% apartments receive no direct sunlight, 9am-3pm mid-winter.</p> <p>4 hours min. solar access should be maintained to neighbours' solar collectors</p>	<p>70% (20 units) comply, and details are provided on Sheet A028 of the Architectural Plans.</p> <p>There are no units that receive no direct sunlight between 9am and 3pm mid-winter.</p> <p>Complies</p>
<p>Natural Ventilation</p> <p>Min 60% apartments naturally cross ventilated.</p> <p>Max 18m depth of cross-over or cross-through apartments.</p>	<p>63.4% (26 units) comply, and details are provided on Sheet A027 of the Architectural Plans</p> <p>All units have a depth of less than 18m.</p>
<p>Ceiling Heights</p> <p>Min 2.7m (hab), 2.4m (non-hab)</p>	<p>Min 2.7m floor levels are provided (3.1m floor to floor)</p>
<p>Apartment Size and Layout</p> <p>Min apartment size</p> <ul style="list-style-type: none"> • 1 Bed 50m² • 2 Bed 70m² <p>All habitable rooms are to have windows which are at least 10% of the room's floor area.</p> <p>Day light and air shall not be borrowed from other rooms.</p> <p>Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space)</p> <p>Bedrooms have a minimum dimension of 3m (excluding wardrobe space)</p>	<p>1-bedroom units range in size from 51.07m² to 61.76m² and 2-bedroom units range in size from 70.2m² to 81.14m².</p> <p>Complies with all requirements.</p> <p>The building has been designed to provide apartments that are well proportioned, functional and provide a good standard of amenity for residents. The development meets required natural ventilation and solar access requirements, and the sustainability requirements of BASIX. Apartments have been designed to accommodate household activities and needs relative to unit sizes, and will respond to an identified local demographic need.</p>

Living rooms or combined living/dining rooms have a minimum width of: 3.6m for studio and 1 bedroom apartments and 4m for 2 and 3 bedroom apartments The width of cross-over or cross-through apartments are at least 4m internally.	
Private Open Space Min balcony area/ depth <ul style="list-style-type: none"> 1 Bed – 8m²/ 2m 2 Bed – 10m²/ 2m 	1 bedroom unit balcony sizes range from 9.6m ² to 10.77m ² , with a minimum width of 2m, and the 2 bedroom unit balcony size is 14.56m ² with a minimum width of 2m. Additional small balcony areas are provided for 7 of the 10 apartments
Common Circulation Max 8 apartments off circulation core on a single level	The proposal has a maximum of 8 apartments serviced by the circulation core on Levels 2 to 4 and 4 apartments on Levels 5 to 7.
Storage <ul style="list-style-type: none"> 1 Bed – 6m³ 2 Bed – 8m³ 50% within apartment	The proposal provides storage inside each unit, and additional secure storage is provided for each unit in storage areas on Level 1 adjacent to the lobby, and in the basement car parking level. The proposal complies with the storage requirements, and at least 50% of storage is provided within each unit.

Side Setbacks

The ADG contains side setback criteria for habitable rooms/ balconies of 6m for building height up to 12m (4 storeys) and 9m for building height between 12m and 25m (5 to 8 storeys). The objective of these criteria is to achieve visual privacy between adjoining properties, and also serves to provide separation between buildings on adjoining properties. The ADG criteria are also adopted in the GCC DCP provisions.

The proposal has side/ rear setbacks as follows:

Building Level	ADG Setback	Setback	
		North	West
Up to 12m height	6m	5.6m – 6.0m	4.6m – 7.9m
12 – 25m height	9m	8.4m – 9.0m	8.545m – 8.945m

In support of the side setbacks as proposed, and minor variations to the ADG side setback criteria:

- The primary variations relate to balcony elements that are located 400mm forward of the building line in order to provide articulation and architectural interest to the building along the side elevations. The extent of variation for the balconies is minor, and relates to open building elements which do not contribute to additional building bulk. On the northern side, all walls of the building comply with the required setback criteria, and the balconies are located between 13.7m and 16.5m from the adjoining development to the north, which maintains reasonable building separation, and the minor departure will not give rise to any additional privacy impacts compared to a complying setback. The balcony variations

along the northern side will also not result in any additional overshadowing of adjoining properties compared to a complying development.

- On the western side there are bedroom elements on Levels 2 – 4 with angled walls setback a minimum of 4.6m from the side boundary, in order to provide additional solar access and amenity for those bedrooms. These elements of the building comprise a very small proportion of the overall western elevation, and have no openings along the western side, in order to maintain privacy for the adjoining land to the west. The north facing windows are setback 12.5m from the northern side boundary and do not have a line of sight to the adjoining development to the north. The angled walls add variation to the side elevation and would result in negligible, if any, additional overshadowing compared to a complying setback.
- On the western side there are minor balcony variations, as per the northern elevation, and the building wall on Levels 5 – 7 has a negligible 55mm variation to the side setback criteria which would not be perceptible and will not give rise to any additional impacts compared to a complying setback.
- In considering the minor variations to the ADG criteria, Planning Circular PS17-001 makes clear that the ADG is a guide containing design guidance and should not be applied as a set of strict development standards. The design of the proposal, including the minor variations, has been prepared in accordance with the SEPP 65 design quality principles and having regard to the objectives of the side setbacks design criteria. In particular, the proposal will maintain reasonable separation between adjoining properties/ buildings and will not give rise to adverse visual privacy impacts.

5.4.2 SEPP – Building Sustainability Index (BASIX)

A BASIX Certificate is submitted with the application that demonstrates that with the commitments contained in the certificate, the proposed development is able to meet BASIX requirements, and is BASIX compliant and is meets the requirements of the SEPP

5.4.3 SEPP (Infrastructure) 2007

The Infrastructure SEPP has development controls relating to external noise impacts, proximity to railway lines and traffic generation, which are applicable to all development applications.

The site and the proposal do not trigger any of the requirements in the Infrastructure SEPP, and in particular:

- Part 3 Division 15 Railways – The site is located 195m from land zoned for railway infrastructure, adjacent to Gosford Train Station to the west, and 230 from the closest railway track. This distance and separation does not require referral to Sydney Trains for ground disturbance, and would not require assessment of rail noise or vibration.
- Part 3 Division 17 Roads – The site is not located on a classified road, and is not located on or adjacent to a freeway, a tollway or a transitway or any other road with an annual

average daily traffic volume of more than 20,000 vehicles that would require assessment of road noise or vibration.

- Part 3 Division 17 Roads – The site does not have access to a classified road or to a road that connects to classified road within 90m, and the proposal is below the threshold required for referral to RMS (required for 300 or more dwellings).

5.4.4 SEPP 55 – Remediation of Land

SEPP 55 applies to all development and requires consideration and management of site contamination issues as part of the development assessment process.

A Detailed Site Investigation has been carried out by Consulting Earth Scientists, and is submitted in support of the application. The site investigation detected one fragment of bonded asbestos containing material (ACM) on the site surface, and no asbestos or ACM were detected in soil samples collected during drilling works in both field screening and laboratory analysis.

The report provides recommendations for further visual assessment of the site following clearing, to confirm that no further ACM are present on the site surface, and finds that based on investigation results there is a low risk that the site has been contaminated based on current or historic land use, and the site is likely to be suitable for the proposed high-density residential land use.

Full detail is provided in the submitted report.

5.4.5 SEPP (Vegetation in Non-Rural Areas) 2017

The proposal involves the removal of some trees on the site, which forms part of the application, and replacement planting is proposed in accordance with the submitted Landscape Plan. There is currently no Development Control Plan in place on the Central Coast that declares vegetation types in accordance with Part 3 (clause 9) of the SEPP, and the removal of trees on-site is supported by an Arborist's Report prepared by Koala Arbor Consulting Arborists. The subject land is not mapped as an area with biodiversity values under the NSW OEH Biodiversity Values Map and the removal of trees on the site would not require the approval of the Native Vegetation Panel.

5.4.6 Draft Remediation of Land SEPP

The Department of Planning and Environment has announced a Draft Remediation of Land SEPP, which will repeal and replace the current SEPP 55—Remediation of Land. The main changes proposed include the expansion of categories of remediation work which requires development consent, a greater involvement of certifying authorities particularly in relation to remediation works that can be carried out without development consent, more comprehensive guidelines for Councils and certifiers and the clarification of the contamination information to be included on Planning Certificates.

The proposed SEPP will retain the key operational framework of SEPP 55, and will also adopt an updated approach to the management of contaminated land.

6. OTHER IMPACTS AND CONSIDERATIONS

In addition to the matters identified in the assessment against planning controls in Part 5 of this Statement, the application has considered other potential impacts of development and other matters relevant to the proposal, which are addressed below.

6.1 Site Suitability

The site has been zoned to allow 8 storey residential development, and in particular development that provides a diversity of housing and supports the viability of Gosford City Centre and encourages greater use of the city's amenities.

The site is located within walking distance of the city centre heart, and the services provided in that area, and is within walking distance of both bus and train public transport. The site immediately adjoins land zoned B4 Mixed Use, which forms part of a larger mixed-use precinct, and has potential for mixed use or residential development up to 20 storeys in height and the site provides an opportunity to provide a transition between the adjoining commercial sites and other medium density housing located further to the east and north.

The site has an area of 1,284m² which is able to reasonably accommodate the proposed development, and enables a reasonable scale of development while maintaining separation from existing and future development on surrounding properties.

The site does not have any adverse environmental constraints, and impacts of bushfire, localised flooding and stormwater conveyance are able to be addressed through design and suitable mitigation measures.

6.2 Consideration of Gosford Urban Design Framework

The proposal has been designed with consideration of the Gosford Urban Design Framework (UDF) prepared by the NSW Government Architect's Office.

The UDF has been prepared to support the ongoing revitalisation of the regional city of Gosford, and takes a place-based approach to strengthen its role as the regional capital and benefit current and future residents of the entire Central Coast.

The proposal is consistent with the UDF vision for Gosford, which is about delivering Gosford as the regional capital and a smart hub, and with well-connected, well-designed and revitalised places with attractive lifestyles, safe neighbourhoods and greener places.

The site is located in the residential zone within the City North place area, which also contains Gosford Railway Station and Gosford Hospital, and has strong links to the Civic Heart. The UDF

contains a number of recommendations for housing a growing and diverse community living, working and visiting Gosford, including:

5.3. Diverse housing

Support the need for new homes in Gosford City Centre to support growing populations including hospital workers, students, aging, youth and Aboriginal communities including:

- more studio, one and two-bedroom dwellings
- variety of housing options including more affordable options to allow people to age in place
- encourage mixed use zones, medium density housing incentives or small lot construction

Work with LAHC to identify opportunities to redevelop existing properties and provide mechanisms for how to achieve/encourage a range of housing types within the study area to support a greater population density for the City Centre.

The proposal responds and delivers directly on this recommendation, being a LAHC redevelopment which will increase the amount and type of social affordable housing provided in the city centre, and in an appropriate location within walking distance of Gosford railway station and the city centre/ civic heart and the range of amenities and services provided.

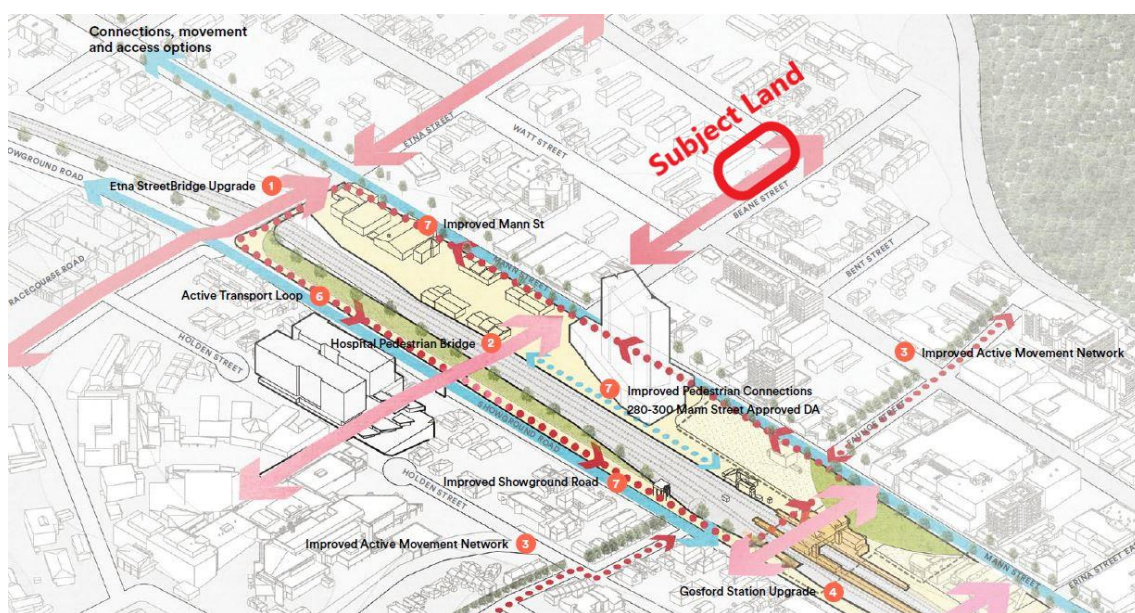


Figure 27 – Gosford UDF – City North - Connections, movement and access options

The City North area is noted for being surrounded by a system of open spaces, regional natural and recreational assets that add to the attractiveness of the area, with opportunities for a diversity of housing and building types to be provided in close proximity to the corner of Mann and Beane Streets where there are identified opportunities for new public open space and public development.

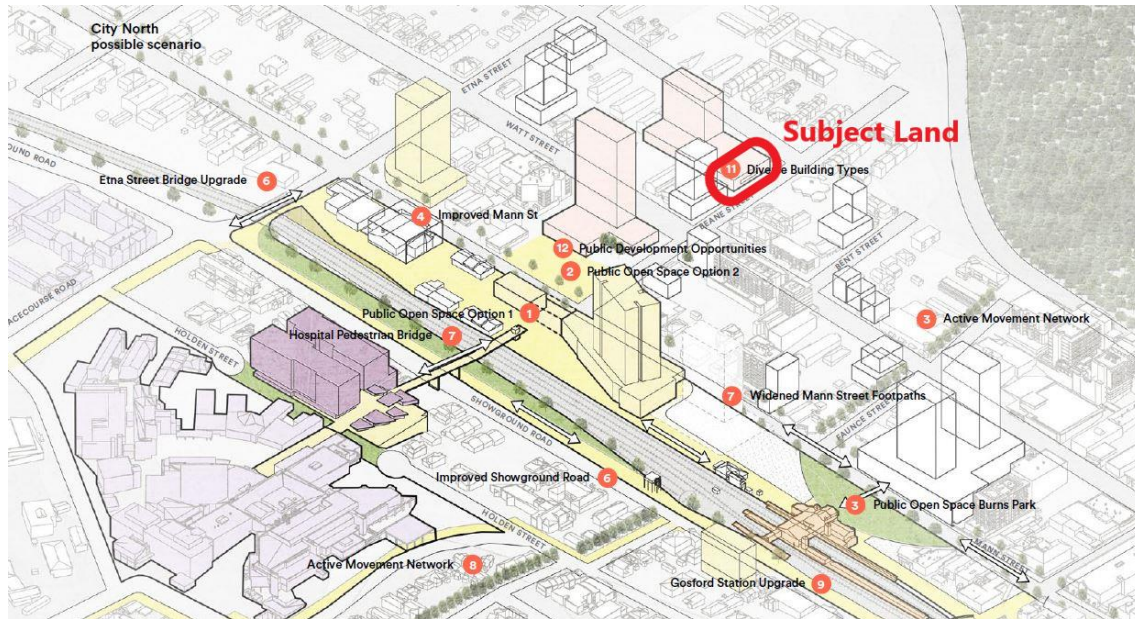


Figure 28 – Gosford UDF – City North – Possible Scenario

The proposal is consistent with the Gosford UDF overall, and specifically the intended development of the City North place area. The proposal provides additional housing, in a contemporary development form, which supports the growth of Gosford and is well located in relation to amenities, services and public transport.

6.3 Previous Uses

The previous uses of the site are documented in the Detailed Site Investigation prepared by Consulting Earth Scientists, and submitted in support of the application. The site (and other properties) was previously owned by a blacksmith, carpenter and sawmillier between 1911 and 1966, and since has been in the ownership of the NSW Housing Commission and subsequent state housing agencies. The Site Investigation observes the earliest available aerial photograph from 1954 shows a single structure on the site, likely to be a residential dwelling, and surrounding land use appears to be low density residential, with the exception of the land adjacent to the northern boundary of the site, which appeared to consist of a large commercial/ industrial structure.

Potential site contamination is addressed in the Detailed Site Investigation, which states that based on investigation results there is a low risk that the site has been contaminated based on current or historic land use, and the site is likely to be suitable for the proposed high-density residential land use

6.4 Access, Traffic and Parking

The application is supported by a Traffic and Parking Impacts Report, prepared by TEF Consulting, which addresses relevant traffic and parking considerations, along with Gosford City Centre DCP requirements.

6.5 Stormwater and Water Quality

The application is supported by stormwater management plans prepared by Quantum Engineers, which show the proposed stormwater management and treatment for the development, including a below ground onsite detention tank of 15.18m³, with stormwater filters, a below ground rainwater re-use tank of 32.85m³ and a car parking/ basement pump-out storage tank of 3.27m³, together with associated calculations and engineering design details.

6.6 Tree Removal and Landscaping

The application is supported by an Arboricultural Impact Assessment, prepared by Koala Arbor Consulting Arborists, which addresses the trees on the site, and those trees to be retained or removed, and with recommended protection measures for the retained trees. Several trees on the site are required to be removed as they are located within the development footprint, and particularly having regard to the *minimum* building setbacks prescribed for the site under Gosford City Centre DCP. Replacement landscaping is proposed in accordance with the submitted Landscape Plans, including replacement planting on the site and street trees on both Beane and Gertrude Streets.

6.7 Aboriginal and Historical Archaeology/ Heritage

The application is supported by an Aboriginal and Historical Due Diligence Assessment with Statement of Heritage Impact, prepared by AECOM, which has determined there are no registered aboriginal or historical sites present within the project area, and the overall archaeological sensitivity of land within the project area is considered to be low. The report also identifies the site does not contain any heritage items, and the closest item is the Mitre 10 Building, located 130m to the west on Mann Street. The report concludes that potential for impacts to Aboriginal or historical objects to occur during works is assessed as low, and recommendations are made for heritage induction of construction staff and for unexpected finds during construction.

6.8 Bushfire

The application is supported by a Bush Fire Assessment Report, prepared by Clarke, Dowdle & Associates, which assesses bushfire risk for the development, and makes recommendations for appropriate construction standards, including a BAL 12.5 construction for the building, maintenance of Asset Protection Zones, property access, an Emergency and Evacuation Management Plan and for water and utility services supply. The report concludes that with the recommended measures, the proposed development is deemed to meet with the deemed-to-satisfy provisions of *Planning for Bushfire Protection, 2006*.

6.9 Safer By Design Considerations

The design of the proposal has considered safer by design principles, as set out in *Crime Prevention Through Environmental Design* (CPTED), which is a strategy that aims to reduce crime by designing the built environment according to a set of guidelines. CPTED aims to discourage offenders by maximising the risk and effort of committing a crime, while minimising the benefits

and opportunities of committing that crime. CPTED also identifies ways to create a feeling of safety, leading to increased use of an area, which in turn improves natural surveillance and deters offenders.

The principles of CPTED include consideration of surveillance, access control, territorial reinforcement and space management relevant to crime prevention, which are addressed below.

- Surveillance – the proposal provides increased activation along both Beane Street and Gertrude Street, and the site is currently vacant and used for informal car parking with no active street surveillance. The proposal will increase passive surveillance along both street frontages, through ground level units and upper level units with balconies and windows to the streets, and with a prominent building entrance that is visible from the street. The proposal will also provide for passive surveillance within the site, with balconies and windows facing the communal open space area and the rear and side boundaries.
- Access Control – will be provided through secure access to the residential and car parking areas, with the residential entry being key controlled and access to the car parking area being by key pad to activate the secure roller shutter, and audio intercom will be provided at the front door and car parking area entries. Access to the communal open space area from Beane Street will be secured through fencing with a secure gate preventing open access from the street.
- Territorial Reinforcement - The design of the building is intended to connect with the existing streets and local character of the area, and the building entry is clearly defined and visible from the street. Areas of public and private domain will be clearly defined through the secure building entry from the street and to the car parking area, as well as through the use of fencing.
- Space Management – Through access control, only residents and admitted visitors will have access to the building and communal open space area, and passive surveillance is available to the communal areas. Each unit is provided with internal storage, together with lockable storage in the dedicated storage room on the ground level and in the basement car parking area, which will reduce risks of theft and avoid unplanned and unsightly storage in common areas or on balconies. Internally, the units are well designed, providing well-proportioned living areas with access to balconies, and privacy is maintained between units

6.10 Privacy Impacts

The design of the proposal has considered privacy impacts on surrounding properties, and seeks to minimise impacts through building design and setbacks.

On the eastern and southern elevations the proposal is separated from adjoining developments by road reserves, which increases building separation and reduces privacy impacts on these properties. On the eastern side, the building is located between 29 and 32 m from the adjoining townhouses and on the southern side is located between 23 and 26m from the front boundary of the B4 zoned land on the opposite side of Beane Street. These separations will not give rise to any unreasonable privacy impacts.

On the northern elevation, the proposal faces a 3 storey residential flat building, also owned by NSW LAHC, which is setback 8m from the common boundary between the properties. Building separation to the north is 14m at the lower levels, which is more than the SEPP 65 Apartment Design Guide visual privacy separation distance, and lower level balconies have solid balustrading to further assist privacy. Living areas and balconies on the lower levels face east, north and west, due to residential amenity requirements, and 50% are oriented to the north. On the upper levels, the outlook for living rooms and balconies will be over the top of the adjoining development to the north.

For the future potential redevelopment of the property to the north, the proposal would meet the SEPP65 visual privacy separation distances to building walls (6-9m), with greater setbacks to living room walls and windows, and with a minor variation of 400mm for balconies which will not lead to additional privacy impacts for the adjoining property. The future potential redevelopment of the adjoining land to the north is also likely to orient living and balcony areas to the north, west and east, to meet amenity and solar access requirements, and would be unlikely to have solely south facing living/ balcony areas, which is the elevation presenting to the subject land.

On the western elevation, which is to a medical centre on commercial zoned land, well setback from the subject land and screened by existing vegetation, there will be no privacy impacts as a result of the proposal. For the future potential redevelopment of the property to the west, the proposal would meet the SEPP65 visual privacy separation distances to building walls (6-9m), with greater setbacks to living room walls and windows. There is a minor variation of 400mm for balconies and 1.4m for an angled wall element on the lower levels, which will not lead to additional privacy impacts for the adjoining property, and noting the adjoining site is zoned B4 Mixed Use with potential to build to the side boundary on the lower levels, with a blank wall presentation. The proposal is unlikely to result in adverse privacy impacts on the future potential redevelopment of the adjoining land to the west, which will also need to maintain internal setbacks to address SEPP 65 visual privacy requirements.

Overall the proposal maintains reasonable separation to adjoining properties, for both existing and future development, and is unlikely to result in adverse privacy impacts on those properties.

6.11 Overshadowing Impacts

Shadow diagrams are provided as part of the submitted architectural plans, showing the mid-winter shadow impacts of the development at 9am, 12 noon and 3pm, and also including half hourly shadow analysis (view from the sun) for each half hour between 9am and 3pm mid-winter.

The shadow diagrams show that at 9am mid-winter the proposal will shadow Beane Street, the car parking area of the medical centre at 57-59 Beane Street and the front part of the residential flat building at 55 Beane Street to the south and south-west, and a small corner of the adjoining land to the east, at 1 Hills Street, which is a car parking area. By 12 noon mid-winter the proposal will shadow Beane Street and the front area and facade of the medical centre at 57-59 Beane Street, and will not overshadow any residential properties. At 3pm mid-winter the proposal shadows Beane Street, part of Gertrude Street and the front setback area of some townhouses at 63 Beane Street.

The majority of shadowing mid-winter is contained within road reserve areas, and the impact on surrounding residential development is negligible to minor, and does not impact on any areas of communal open space. For the residential flat building at 55 Beane Street to the south-west there will be shadowing at 9am of the front driveway area and front facade/ balconies, which are areas already likely to be partly shadowed by existing vegetation along the front boundary of that property, and by mid-morning there will not be overshadowing of the residential flat building. For the townhouses at 63 Beane Street there will be short-term shadowing of some front setback areas towards 3pm, and this shadowing does not appear to extend to the residential levels/ balconies, which are located above ground level.

The shadowing of the medical centre to the south is minor, impacting on the car parking area in the morning mid-winter and the front setback area and front façade at noon, with the majority of the site being unaffected by the development and maintaining mid-winter solar access. With potential redevelopment of 57-59 Beane Street in accordance with its B4 Mixed Use zoning the impacts of shadowing would be minor, and particularly with potential for ground floor commercial uses.

When considering the reasonableness of shadowing arising from the development, the proposal is fully compliant with the allowed (and expected) building height for the site and setbacks to the southern boundary, and the minor variation to street wall height and western side setbacks do not give rise to any additional adverse overshadowing for surrounding properties.

6.12 Visual and View Impacts

The subject land is located mid-slope of the urban area which rises between Mann Street and Henry Parry Drive to the east, and with Rumbulara Reserve rising steeply beyond that. The site is within a largely contained visual catchment, which includes the immediate surrounding area along Beane and Gertrude Streets, with some views towards the site from Watt Street, and also more distant views from Gosford Hospital and residential properties to the west of the railway line.

The site is not located in a sensitive visual location, and is not within an identified view corridor under Gosford City Centre DCP 2018. The proposal is consistent with the building height and form encouraged for the site under both the Gosford City Centre SEPP and DCP, and is surrounded by land to the west and south-west along Watt Street with considerably higher allowed building heights of up to 60m, and which will screen the development from distant views from the west. The development will sit below the ridgeline of Rumbulara Reserve when viewed from properties to the west, and will be consistent with the desired urban form for the locality having regard to the allowed planning controls.

Separate assessment has been carried out with respect to character in Part 5.2.4 of this Statement, including the visual relationship with existing and future development in the surrounding area, and the proposal will not result in adverse visual impacts and is consistent with the intended built form for the area as expressed through planning controls.

Consideration of view impacts arising from the development has been undertaken in accordance with the view sharing planning principle established by the Land and Environment Court in *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140.

This planning principle sets out a 4-step process to determine the significance of potential view loss, including assessment of views to be affected, considering from what part of the property the views are obtained, assessing the extent of the impact and assessing the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them.

There are no water views or panoramic views of Gosford City Centre from the land surrounding the subject land, due to the topography of the area, and also existing vegetation and development. Along Beane Street there is a vista looking west towards Gosford Hospital, development on the western side of the railway line and the wooded ridgeline beyond in the background. This is shown below:



Figure 29 – Vista along Beane Street looking west towards Gosford Hospital

Google Maps

There are no views through or across the subject land from surrounding properties, due to the topography of the area and existing vegetation and development. Within Gertrude Street, and more particularly for the adjoining sites to the north, there is a general outlook towards development on the southern side of Beane Street, which would not constitute 'views' and which is largely screened by other residential developments and existing trees, on the subject land, adjoining sites and within the Gertrude Street road reserve. Properties to the east, on the opposite side of Gertrude Street, are oriented to the north and south, away from the subject land, and there is a limited side outlook from balconies which is screened by existing vegetation on the subject land.

For residential properties to the south-east and south-west there are no significant views through the site, and the outlook from these properties is largely screened by existing vegetation, and from sites to the south and west, which are single storey commercial developments, there are no views that would be impacted.

When considering view impacts, the proposal is fully compliant with the allowed building height for the site, with largely complying setbacks and where there are minor variations to setbacks, these do not impact on any views from surrounding properties. Adjoining properties to the west and south-west also have higher allowed building heights compared to the subject land, and future development of these properties will be considerably taller than the subject proposal.

Having regard to the topography of the surrounding area, the nature of surrounding development and existing vegetation which screens the outlook from many properties, the proposal will not have an adverse impact on views from surrounding properties.

6.13 Social and Economic Impacts

The provision of more affordable and social housing is a key goal of the *Central Coast Regional Plan 2036*, and particularly the need for greater housing diversity in locations with good access to transport, health and community services.

The 3 key directions for housing under the Regional Plan are:

Direction 19: Accelerate housing supply and improve housing choice

Direction 20: Grow housing choice in and around local centres

Direction 21: Provide housing choice to meet community needs

Direction 21 of the Regional Plan specifically identifies that “*Social and affordable housing will be needed for people on low incomes and a variety of housing solutions will be developed for different parts of the region. Increasing the overall supply of housing will help to reduce upward pressure on the cost of housing*” and Actions 21.4 and 21.5 encourage housing diversity including studio, and one and two-bedroom dwellings, and planning responses to “*the discrete housing needs of each community, including for social and affordable housing.*”

The *Gosford Urban Design Framework* (UDF), which is the over-arching strategic document for the growth of Gosford City Centre, also makes specific reference to increasing the diversity of housing supply (as addressed in 6.2 above) and identifies the need to “*Work with LAHC to identify opportunities to redevelop existing properties and provide mechanisms for how to achieve/encourage a range of housing types within the study area to support a greater population density for the City Centre*”

The proposal responds to, and is consistent with each of these strategic directions and actions from the Regional Plan and UDF, and will increase housing supply and choice for affordable social housing, in a regional centre within walking distance to public transport, shops, services and amenities provided in the centre. Specifically, the proposal will address a demonstrated need for social housing in the Gosford City Centre area and involves the redevelopment of a LAHC property that has previously been used for social housing and is currently underutilised.

The proposal also responds to *Future Direction for Social Housing in NSW*, which is the key strategy guiding the redevelopment of land owned by the LAHC through Communities Plus. A key action of the strategy is to build more small, fit-for-purpose dwellings to match the needs of new and future tenants. Over the last 50 years the age and household structure of the NSW social housing tenant profile has changed, there are now more elderly and single person households, which has led to under-occupancy rate currently at 14%. Part 5.3.7 of the Statement addresses the demand for more smaller sized units, in response to an imbalance between housing stock and household size, and the demand for social housing in the Gosford area.

The proposal will result in a number of social benefits, both for future residents and for the wider growth of Gosford City Centre. In particular, the proposal will:

- Provide additional housing supply in Gosford City Centre, and contribute towards the growth of Gosford as a Regional City;
- Increase the supply and diversity of social housing in Gosford, providing an additional 41 units and in a higher-rise unit form that is not presently available within Gosford;

- Decrease housing stress and pressure for social housing tenants in Gosford;
- Respond to a demonstrated need for more smaller-sized units in the Gosford area, and a demonstrated need for additional affordable social housing, as demonstrated through LAHC data detailed in Part 5.3.7 of the Statement;
- Provide additional housing within walking distance of public transport services (both train and bus), shops, services, medical facilities and amenities provided in the Gosford City Centre;
- Provide quality residential accommodation for residents, in a contemporary form consistent with other residential flat buildings recently built in the Gosford City Centre, and with communal open space provided consistent with the SEPP 65 Apartment Design Guide and Gosford City Centre DCP 2018;
- Provide adaptable housing (and associated car parking) consistent with the requirements of Gosford City Centre DCP 2018; and
- The proposal is consistent with, and will implement relevant strategic documents including the *Central Coast Regional Plan 2036*, the *Gosford Urban Design Framework* and *Future Direction for Social Housing in NSW* and is consistent with both the *Gosford City Centre SEPP 2018* and the *Affordable Rental Housing SEPP 2009*, as is addressed separately in this Statement.

The site has previously been used for social housing, and the proposal will provide renewed social housing on the site, in a contemporary form that responds to the need for this type of housing in Gosford. The location of the housing in a single development will assist management of the housing by LAHC and will provide a quality form of housing for future residents.

The proposal will result in positive economic impacts, providing additional affordable social housing that will support the wider growth of Gosford City Centre, and the services provided in the area. In the short term the proposal will provide construction jobs and investment in the local area and in the long term the proposal will maintain affordable social housing consistent with both state and local planning objectives.

7. SECTION 4.15 CONSIDERATIONS

The following assessment addresses the matters required to be considered under Section 4.15 of the *Environmental Planning & Assessment Act 1979*.

(1) *Matters for consideration—general*

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument

Comment: the proposal has been assessed against both the Gosford City Centre and Affordable Rental Housing SEPPs and other relevant State Environmental Planning Policies. The proposal is permissible in the zone, and complies with the required development standards, considerations and objectives of the Gosford City Centre and Affordable Rental Housing SEPPs, as detailed in Part 5 of the Statement, and no variation to development standards is required.

(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved)

Comment: There are no exhibited planning proposals which impact on the subject land or the proposal, and in consideration of the proposed draft Remediation of Land SEPP, the application is supported by a Detailed Site Investigation which finds that based on investigation results there is a low risk that the site has been contaminated based on current or historic land use, and the site is likely to be suitable for the proposed high-density residential land use.

(iii) any development control plan

Comment: the proposal has been assessed against Gosford City Centre DCP 2018, and is consistent with relevant DCP requirements, with variations that are addressed and substantiated in section 5.3 of the Statement, relating to street wall and upper podium heights, site cover, front fencing, driveway width and housing mix.

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

Comment: There is no planning agreement relevant to the subject land or the proposal.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates

Comment: There are no matters prescribed in the regulations that impact on the proposal.

- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

Comment: As detailed in the Statement, environmental impacts have been considered and addressed for the proposal, and in particular impacts on surrounding development, including privacy and overshadowing. The social and economic impacts of the proposal have been considered in this Statement, and are positive in terms of providing affordable housing, providing additional quality housing stock in the Gosford City Centre area that responds to social housing demand and local demographic needs, and being located in an area with good access to amenities, services well serviced by public transport.

- (c) *the suitability of the site for the development*

Comment: As detailed in the previous section, the site is considered to be suitable for the proposed development.

- (d) *any submissions made in accordance with this Act or the regulations*

Comment: This is a matter the Department will consider once the application has been notified.

- (e) *the public interest*

Comment: the proposal will result in the renewal of the site, additional affordable housing, and development that is consistent with the planning objectives and standards for the site and Gosford City Centre. The proposal provides quality affordable housing, in an appropriate location with good access to services and public transport, and responds directly to local housing needs and demand, and is in the public interest.

8. CONCLUSION

In conclusion, the proposal is a permissible use for the land, complying with the objectives and standards of both the Gosford City Centre and Affordable Rental Housing SEPPs, and is compliant with the Gosford City DCP, with minor substantiated variations that will not result in impacts on surrounding properties and are consistent with the development occurring throughout the Gosford City Centre area.

The proposal will provide additional affordable housing in the Gosford City Centre area that responds directly to local housing demand and social needs, and is appropriately located with good access to amenities and services in the city centre area as well as public transport services.

An assessment of the proposal has been carried out pursuant to Section 4.15 of the *Environmental Planning & Assessment Act 1979*, which supports the proposal, which will be of benefit to the community, will increase affordable social housing supply, is compatible with the character of the local area and will support the continued growth of the Gosford as a Regional City.

Attachment 1 – Pre-DA Advice



**Planning,
Industry &
Environment**

**Planning & Assessment
Regional Assessments**

Contact: Louise Starkey
Phone: (02) 4345 4410
Email: Louise.Starkey@planning.nsw.gov.au

Our Ref: GPDA002/2019

NSW Land and Housing Corporation
C/O Mr Logendra Pillay
McNally Management Pty Ltd
L12, 49 York Street
SYDNEY NSW 2000

Email: lp@mcnallymanagement.com.au

Dear Mr Pillay,

**Pre-Development Application Advice
56 Beane Street, Gosford (Lot 30 in DP1250970)**

I refer to your pre-development application (Pre-DA) meeting held on Friday 1 November 2019 in relation to a proposed residential flat building (for affordable housing) at the above site. I provide this written advice for your records.

This advice is based on the proposed development, as described by you, in:

- Pre DA documents received 5 September 2019:
 - Pre-DA Advice Request Form
 - Pre-DA Planning Submission and attachments prepared by Michael Leavy Consulting dated 5 September 2019
 - Preliminary architectural plans prepared by Stanton Dahl Architects and urban diagrams (date unknown)
 - Council correspondence in relation to flooding and drainage dated 21 August 2019 and waste servicing dated 25 July
 - Quantity Surveyor statement dated 2 September 2019
- Revised Pre-DA documents received 15 October 2019:
 - Revised Pre-DA Advice Request Form
 - Revised Pre-DA Planning Submission and attachments prepared by Michael Leavy Consulting dated 15 October 2019
 - Revised Preliminary architectural plans prepared by Stanton Dahl Architects dated 10 October 2019, urban diagrams and examples.
 - Land owners consent dated 15 October 2019.

Please note that this advice is preliminary in nature and that no detailed assessment of the site or proposed development has been undertaken. Should the development or any relevant planning policy change in any way prior to the lodgement of a development application (DA) then this advice may no longer be fully accurate or complete.

In preparing this advice, the Department has consulted Central Coast Council on the documents received on 5 September 2019. A copy of Council's Pre-DA advice is enclosed for your information.

Department of Planning, Industry and Environment
320 Pitt Street Sydney 2000 | GPO Box 39 Sydney 2001 | dpie.nsw.gov.au

Following lodgement of the DA and a detailed assessment, additional issues may arise that are not detailed in this letter and may require the proposed development to be modified or additional information provided. The determining authority may also determine that the proposed development cannot be supported on the site.

Proposed development

Your proposed development includes the following:

- construction of a part 7 and part 8 storey residential flat building (for affordable housing) comprising 41 social housing apartments;
- associated onsite carparking and site works, tree removal (where required), site preparation, earthworks, drainage, services and landscaping.

Zoning and Permissibility

The site is zoned R1 General Residential pursuant to State Environmental Planning Policy (Gosford City Centre) 2018 (Gosford SEPP). The objectives of the R1 zone are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that development is compatible with the desired future character of the zone.
- To promote best practice in the design of multi dwelling housing and other similar types of development.
- To ensure that non-residential uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for multi dwelling housing or other similar types of development.

The proposed development falls into the defined land-use “residential flat buildings”, which is permitted with consent in the zone.

Any site remediation of contaminated land (if required) is permitted with consent pursuant to Clause 8 of State Environmental Planning Policy No. 55 – Remediation of Land.

Any demolition of a building or work (if required) may be carried out but only with development consent pursuant to clause 2.7 of the Gosford SEPP.

Capital Investment Value

Any DA lodged with the Department must clearly state the capital investment value (CIV) of the proposed development. According to your pre-DA documentation, the development is anticipated to have a capital investment value (CIV) in excess of \$10,000,000.

Any future DA must be accompanied by a report from a qualified quantity surveyor providing a detailed calculation of the CIV of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate the applicable GST component of the CIV, an estimate of jobs that will be created during the construction and operational phases of the proposed development and certification that the information provided is accurate at the date of preparation.

Please refer to the Department of Planning, Industry and Environment’s planning circular PS 10-008 which describes what items must be included and excluded when calculating the CIV for development.

Consent Authority

Based on the estimated CIV, and pursuant to clause 1.6 of the Gosford SEPP 2018 and clause 20(2)(d) of State Environmental Planning Policy (State and Regional Development) 2011, the Minister for Planning and Public Spaces is the consent authority for the development.

Statement of Environmental Effects

The Regulation requires that all DAs, except for designated development, include a Statement of Environmental Effects (SEE).

A SEE must be submitted with the DA that fully describes the proposed development and includes an assessment of the potential environmental impacts associated with the development, how these impacts have been identified and how you will minimise these impacts.

The DA and SEE must be prepared in accordance with, and meet the minimum requirements of, Schedule 1 of the Regulation. The SEE must provide an assessment against all relevant environmental planning instruments, development control plans and plans applicable to the site and development. Where relevant, the SEE should also include:

- adequate baseline data
- consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed)
- measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment.

Any future DA and SEE should consider and address the planning advice and key issues listed below. The SEE must also address the relevant matters for consideration in accordance with section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

Planning Advice

The Department has provided planning advice below for your consideration, organised by key issue. Feedback on any specific request for advice is provided under the relevant key issue.

Statutory and Strategic Provisions

- Provide an assessment against relevant provisions, including (but not be limited to) those outlined in **Attachment A**.
- Demonstrate that the site is suitable for the proposed development.
- Demonstrate that the design of the development is compatible with the character of the local area.
- Detail the nature and extent of any prohibitions that apply to the development.
- Identify compliance with the development standards applying to the site and provide a detailed justification for any non-compliances.
- Provide a clause 4.6 objection for any non-compliance with applicable development standards in the Gosford SEPP (i.e. a written application that compliance with that development standard is unreasonable or unnecessary).

Design Excellence

- The proposal must exhibit design excellence in accordance with Clause 8.3 of the Gosford SEPP.
- A Design Excellence Statement (DES) should be provided that demonstrates how the proposal exhibits design excellence and contributes to the natural, cultural, visual and built character values of Gosford City Centre.

Built Form and Urban Design

- The SEE must address the height, bulk and scale of the proposed development, including consideration of the building layout, separation, massing, setbacks and the size of the proposed floor plates.
- Demonstrate how the proposal is informed by the Gosford Urban Design Framework (GANSW, 2018) and the Gosford Development Control Plan 2018 (DPE).
- Consider the objectives and character of residential areas described in Chapter 3 of the Gosford DCP:
 - *Objective 2: "Provide a diversity of housing, including higher density residential development in the city fringe to support the viability of the city centre and encourage 24-hour use of the city's amenities."*
 - *Character for residential areas: "The residential areas within the city fringe will provide for a diverse range of housing to accommodate an additional 10,000 residents over the next 25 years. New development will consist of medium to high density residential apartments to encourage increased housing within walking distance of the city centre."*
- The maximum height of building applying to the land is 24m.
- All building facades, including at and those above the street level, must be well articulated to be attractive in all view angles.
- The proposed Beane Street elevation is the primary street frontage and should be better articulated so as to address the primary street frontage. The current Beane Street elevation is considered to have minimal articulation, repetitive as opposed to varied material finishes and provides only limited casual surveillance for the street. Further design refinement should be considered to address these design issues.
- Investigate options to improve the design quality of the proposed development, considering improved building articulation and casual surveillance to Beane Street (for example by continuing or adding balconies). In addition, consider improved street activation, and interface with the street and material finishes that assist in reducing the visual bulky appearance of the development.
- Street wall heights along Beane and Gertrude Streets should comply with the Gosford DCP. Any variation to the controls should be accompanied but suitable justification.
- Consider the street wall transition between zones.
- Setbacks (including front, rear and side setbacks) should comply with the Gosford DCP and the setbacks required in the Apartment Design Guide that accompanies SEPP 65 concerning building separation and visual privacy.
- Demonstrate how any above-ground parking and services (including waste management, loading zones and mechanical plant) would be fully integrated into the design of the development. This includes how on-site car parking is provided wholly underground, or otherwise is not visible from, or minimises visual impacts to the street.
- Elevations are to be provided which include the adjoining properties to demonstrate how the scale of the proposed development will relate to its (current and future) surroundings.
- The proposal must demonstrate how the future development potential of adjoining properties would not be compromised by the proposal.
- Consideration should be given to possible design solutions that provide improved screening and visual amenity to the property north of the site, for example including a landscaped buffer between the northern property boundary and the proposed vehicular access.
- Where any plant/services are located on the roof should be disguised by architectural roof features.
- The mapped floor space ratio (FSR) applying to the site is 3:1. However, clause 8.13 of Gosford SEPP reduces this to 2:1 and State Environmental Planning Policy (Affordable Rental Housing) 2009 permits a bonus 0.5:1 FSR, providing a maximum 2.5:1 FSR for the development.
- Ensure the proposal has been designed following consideration of the Crime Prevention through Environmental Design (CPTED) strategies.

- The DA must provide justification as to how the proposed unit mix has been derived. This should be in the form of a market analysis that considers, but is not necessarily limited to, future demographics, proximity to public transport systems and the strategic or operational needs of NSW Land and Housing Corporation etc.
- The accessible ramp appears to dominate the ground plane on Beane Street. Consider options to improve its function, location and presence to the street.
- Consider architectural issues identified in Central Coast Council's advice dated 25 September 2019.
- The proposed communal open space area appears to offer limited amenity and is located away from building access points, near the carpark and its ventilation grilles. Investigate options to improve the proposed Communal Open Space area, including the resident access arrangements and environmental amenity.
- Consider options to improve the quantity and quality of private open space and landscaped areas for future residents.
- Give further consideration to the bin storage locations and consult with Council to ensure that the bin locations accord with Council requirements for waste collection.

Public Domain/Landscaping

- Outline the scope of public domain improvements, pedestrian linkages, street activation, and landscaping to be provided as a part of the proposal.
- Investigate options to improve the pedestrian connections to adjacent sites and streets.
- Demonstrate how the proposal would:
 - maximise permeability throughout the development and to adjoining sites
 - maximise street activation within the town centre
 - provide sufficient open space for future residents
 - provide access for people with disabilities
 - minimise potential vehicle, bicycle and pedestrian conflicts.
- Detailed landscaping plans must be submitted with the DA. The landscaping plans must include a planting schedule, planting locations, deep soil zones, pot sizes, densities and measures to protect existing trees to be retained.
- The proposed development should maximise the retention of good quality vegetation on the site. Details of any tree or vegetation removal (including justification) will be required. Should any trees be deemed to be significant, an arborist report may be required.
- Where street trees are identified for removal, investigate options to provide new street planting and street trees to ensure the character of the residential area is maintained and improved.
- The existing trees on the Gertrude Street frontage form part of the row of street trees which contribute to the green appearance of the street and will disguise the scale of the proposed building. Consider whether these trees could be retained or whether options to include street trees could be realised.
- Investigate options to improve the landscaping on Beane and Gertrude Street frontages.
- The location of the drive way prevents provision of any screen planting between the proposal and adjoining site to the north. Consider providing a landscaping buffer between the northern property boundary and the driveway to provide greater screening and amenity to the site and the northern property.

Visual Impacts

- Prepare a comprehensive Visual Impact Assessment and view analysis of the proposal to/from key vantage points depicting images of the proposal in the background of those views. Photomontages or perspectives should be provided showing the project.
- Demonstrate how the proposal respects and maintains key view corridors (for example to the ridgelines of Presidents Hill and Rumbalara Reserve) and street vistas.

Environmental and Residential Amenity

- Assess the environmental and residential amenity impacts associated with the proposal, including solar access, acoustic impacts, visual privacy, view loss, overshadowing, lighting impacts and wind impacts. A high level of environmental amenity must be demonstrated.
- Demonstrate how the proposal maintains solar access to surrounding development and the surrounding public domain.
- Include detailed shadow diagrams (A3) that show the expected shadows cast by the proposal at hourly intervals between 9am and 3pm (inclusive) on the 21 June (Mid-Winter Solstice) and at 9.00am, 12.00pm and 3.00pm on 21 December (Summer Solstice).
- The proposed development should achieve compliance with the minimum numerical requirements of the ADG. While the Department has not undertaken a detailed assessment of the proposal against the ADG at this preliminary stage, the proposal appears to contain non-compliances with the ADG.
- Demonstrate that the proposed development complies with SEPP 65 and the Apartment Design Guide (ADG) and ensure the proposal achieves a high level of environmental and residential amenity. The SEE must provide a detailed compliance table that clearly sets out how SEPP 65 and the ADG (design objectives, criteria and design guidance) have been addressed. Should the DA propose any variations these must be clearly identified and justified in the ADG compliance table.
- The DA must be accompanied by a design verification statement from a registered architect as defined in SEPP 65 that addresses those matters required to be verified by SEPP 65.

Transport and Accessibility (Construction and Operation)

The SEE must be accompanied by a Traffic Report prepared in accordance with relevant guidelines. The report must:

- Assess the traffic impacts of the development on the surrounding local and classified road network using SIDRA or similar traffic model and specify any road upgrade works (local and classified) required to maintain acceptable levels of service.
- The assessment is 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.
- Estimate the total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips.
- Assess the adequacy of public transport, pedestrian and bicycle provisions to meet the likely future demand of the proposed development.
- Demonstrate the proposed road layout, access points, and car parking can comply with the relevant Australian Standards and Council requirements.
- Demonstrate that sufficient on-site car parking, loading/unloading, pedestrian and cycling facilities (including bicycle parking and end-of-trip facilities) would be provided for the development.
- Assess the impact of the proposal on car parking within the Gosford CBD during construction and operation of the proposed development.
- Describe the measures to be implemented to promote sustainable means of travel, including public transport use, pedestrian and bicycle linkages.
- Prepare a preliminary Construction Traffic Management Plan for the proposal and outline how construction traffic, public transport, bicycle and pedestrian impacts, and parking impacts would be appropriately managed and mitigated.
- Detail the public transport options and pedestrian links for future residents of the proposed development.
- Consider the road works, access and traffic comments in Central Coast Council's advice dated 25 September 2019.

Bushfire

- The site is mapped as bush fire prone land (Vegetation Buffer).

- The DA must be accompanied by a Bushfire Assessment Report that demonstrates compliance with the RFS publication 'Planning for Bush Fire Protection 2006' (or subsequent version).

Building sustainability and environmental performance

- Demonstrate how the proposal promotes energy efficiency.
- Demonstrate how the proposal meets the Water Sensitive Urban Design principles and incorporates Water Sensitive Urban Design practices.
- A valid BASIX Certificate for the proposed development must be submitted with the DA.

Heritage

- Assess any impacts on State and local heritage items, including conservation areas, natural heritage areas, relics, gardens, landscapes, views and trees and recommend mitigation and management measures where required.
- Prepare an aboriginal archaeology report in accordance with the relevant Office of Environment and Heritage (OEH) guidelines (if required).
- Should any aboriginal heritage items be identified that will be impacted, the proposed development will be classed as integrated development and require approval from the Heritage Division of the Department of Premier and Cabinet and/or the Department's Biodiversity conservation Division (formerly the Office of Environment and Heritage). An Aboriginal Heritage Cultural Assessment may be required and submitted with the DA.

Social & Economic Impacts

- The SEE must include an assessment of the social and economic impacts of the development, including consideration of any increase in demand for community infrastructure and services.

Public Benefit and Contributions

- Outline the contributions and proposed public benefits to be delivered as part of the proposal including details of any Voluntary Planning Agreement.

Noise and Vibration

- Prepare a noise and vibration assessment in accordance with the relevant EPA guidelines. This assessment must detail construction and operational noise impacts on nearby sensitive receivers and outline the proposed management and mitigation measures that would be implemented.

Contamination

- Provide details on present and previous land uses on site and adjoining land, and determine whether the present or any previous use is a potentially contaminating activity.
- Should a potentially contaminating activity be identified, prepare a contamination assessment for the site, by a qualified environmental consultant, and demonstrate that the site is suitable for the proposed development in accordance with the requirements of SEPP 55. If contaminated land is found on the site a remediation action plan will be required and must be submitted with the DA.

Biodiversity

- Assess any biodiversity impacts associated with the proposal.

Soil and Water

The DA should include a:

- Geotechnical assessment
- Acid Sulfate Soils Assessment
- Groundwater Assessment.

Utilities

- Assess the capacity of existing services and utilities and identify any upgrades required to facilitate the development
- Assess the impacts of the proposal on existing utility infrastructure and service provider assets and describe how any potential impacts would be managed.
- Chapter 5 of Gosford DCP provides details for substation locations. Substations must be provided wholly within the subject site, either internal to the development or suitably located and integrated within the architectural or landscaping design.
- Substations are to be designed in accordance with Ausgrid's requirements for distribution substations which are set out in their network standards NS117 and NS141 for kiosks, and NS113 and NS114 for chambers (or as updated from time to time). Substations within the street will not be accepted.
- Consult with Ausgrid regarding the organisations preferred substation location.

Stormwater, Drainage, Flooding and Water Quality

- The site is subject to overland secondary stormwater flows.
- A flood assessment report should accompany the DA.
- Assess the potential flooding impacts associated with the development and consider the relevant provisions of the NSW Floodplain Development Manual (2005), including the potential impacts of climate change, sea level rise and increase in rainfall intensity.
- Consider the flooding and drainage comments in Central Coast Council's Pre-DA Advice dated 25 September 2019.
- The site is affected by a drainage easement. Demonstrate consultation with Central Coast Council regarding the easements that affect the site and identify any impacts and mitigation measures required to facilitate the development, including any upgrades, realignment or 88B instruments required.
- Any adjustments and/or connections to the drainage easements that benefit Council will require formal approval under section 68 of the *Local Government Act 1993*.
- Permission in writing from the owners of adjoining properties will be required for any works affecting drainage for other properties.
- A section 307 certificate is required for the development.
- Consider drainage and water and sewer comments in Central Coast Council's Pre-DA Advice dated 25 September 2019.
- Assess water quality and hydrology impacts of the development, including any downstream impacts for both surface and groundwater and any impacts on natural processes and functions.
- Prepare a Water Cycle Management Plan Strategy demonstrating how stormwater would be appropriately managed in accordance with Council's requirements.

Easements, restrictions, staging and consents

- Provide details of all existing easements, restrictions or positive covenants applying to the land.
- Provide details regarding the staging of the proposed development.
- Consult with Central Coast Local Health District NSW Health to ensure Gosford Hospital's Strategic Helicopter Landing Site (and associated flight paths) are not adversely impacted by the proposal during construction or operation at any stage.

Construction and Operational Management Plans

- Prepare a preliminary Construction Management Plan for the proposed works and outline how construction impacts would be appropriately managed and mitigated.
- Demonstrate how public safety will be maintained during construction and operation, including any public safety measures that will be implemented.

Waste Management and Services

- A demolition, construction and operational waste management plan that details how demolition, construction and operational waste will be managed must be submitted.
- Chapter 8.6 of Gosford DCP provides development controls for waste and recycling. For further information refer to Council's Waste Control Guidelines.
- Consult with Central Coast Council directly regarding Council's waste services comments in Council's Pre-DA Advice dated 25 September 2019. Note that Council has identified it does not support the waste servicing arrangement as currently proposed. It is recommended that the applicant consult with Council directly to resolve the matter prior to lodgement. The SEE must detail any agreement reached with Council regarding waste servicing arrangements.
- The SEE should describe where the proposal has been designed or amended in response to Council's advice. Where amendments have not been made to address an issue, an explanation should also be provided.

Air Quality & Pollution

- Assess the construction and operational air quality impacts and ensure they meet Council and/or the Environment Protection Authority requirements.
- Clearly demonstrate whether any activities associated with the proposed development would be a scheduled activity as listed in Schedule 1 of the Protection of the Environment Operations Act 1997 (the POEO Act), or other legislative requirements administered by the EPA.

Building and Fire Safety

- The proposed development must comply with the Building Code of Australia (BCA), part of the National Construction Code, and any relevant Australian Standards.

Development Contributions

The following development contribution levies apply in Gosford City Centre:

- 2% Special Infrastructure Contribution (SIC), in accordance with Gosford City Centre SIC Ministerial Direction, Ministerial Determination and Order; and
- 1% local contribution, in accordance with Central Coast Council's 7.12 (former S94A) Contributions Plan Centre (Civic Improvement Plan 2007) for Gosford City Centre.

Certain development types are excluded from the payment of contributions. The applicant must review the contribution plans and provide details in the SEE regarding of the relevant contributions payable

Pre-DA Consultation

The Department has consulted with Central Coast Council on the proposal submitted on 5 September 2019. A copy of Council's advice dated 25 September 2019 is provided at **Attachment B**.

Prior to lodging the DA, it is strongly recommended that you consult with the following bodies to ensure that their requirements are fully understood and addressed:

- Central Coast Council
- Ausgrid
- Environment Protection Authority
- Heritage division of the NSW Department of Premier and Cabinet - (formerly known as Office of Environment and Heritage)
- NSW Department of Planning, Industry and Environment (Biodiversity and Conservation Division, NRAR, Office of Water)
- NSW Roads and Maritime Services
- NSW Rural Fire Service
- Transport for NSW

- Central Coast Local Health District NSW Health
- The local NSW Police Force Area Command

The SEE should describe where the proposal has been designed or amended in response to agency or Council comments. Where amendments have not been made to address an issue, an explanation should also be provided.

DA Lodgement

Any future DA should be lodged with attention to the Director - Regional Assessments and addressed to:

Level 3, 107 Mann Street, Gosford
PO Box 1148 - Gosford NSW 2250
Email: centralcoast@planning.nsw.gov.au

A copy of the 'DA form' and 'DA supplement: a guide to filling in your application' is provided at **Attachment C**. The applicant must submit at least 1x soft copy and 1x hard copy of the DA for assessment purposes. Please contact the Department at least 2 weeks prior to lodgement for confirmation of the number of additional hard copies (up to 4) required for exhibition locations.

Development Classification

A preliminary review of the site and proposed development has identified that:

- The proposal may be referred to the NSW Rural Fire Service for advice under the *Rural Fires Act 1997*.
- The proposal will be referred to Central Coast Council and may require approval under section 138 of the *Roads Act 1993*.
- The proposed development may be Nominated Integrated Development under the *Water Management Act 2000*.
- Should the proposal involve the remediation of contaminated land, this must be clearly identified in the development description of any DA, and may be classed as Advertised Development.

The applicant must determine whether the proposed development is also integrated development, requiring a specified permit or other types of approvals pursuant to Section 4.46 of the EP&A Act. In making this determination, the applicant should complete the integrated development questionnaire in the 'DA supplement: a guide to filling in your application' (refer **Attachment C**).

The applicant must also determine whether the proposal is also designated development, involving any development listed in Schedule 3 of the *Environmental Planning & Assessment Regulation 2000* (the Regulation), requiring the preparation of an Environmental Impact Statement (EIS).

The applicant must also identify whether any activities (or work) associated with the proposed development would be a scheduled activity (or work) as listed in Schedule 1 of the *Protection of the Environment Operations Act 1997* (the POEO Act), or any other legislative requirements administered by the Environmental Protection Authority.

The DA will be notified and/or publicly exhibited in accordance with the Gosford DCP and other legislative requirements.

Documents to be submitted with the DA

The DA and SEE must include all relevant documentation required under Schedule 1 of the Regulation and address the Planning Advice provided above. To assist the Department in assessing the impacts of your proposal, you may need to attach one or more environmental reports to your application. The DA should include any material aforementioned above, as well

as documents listed in **Attachment A** and **Attachment D** and a 3D digital model of the proposal satisfying the requirements listed in **Attachment E**.

Failure to submit the above information will result in the Department rejecting the DA.

DA Fees

The DA must be accompanied by the application fees specified in the *Environmental Planning and Assessment Regulation 2000*. All DA fees must be calculated and submitted in accordance with the Department of Planning and Environment's planning circular PS 13-002. The circular requires that a cost estimate of the proposed development be submitted with the DA along with the methodology used to calculate it. A detailed cost report must be prepared by a registered quantity surveyor and submitted with the DA.

Should any request be made for a reduction or exception to fees, this request must be in writing and justification should be provided in support of this request.

Other Information

Please note that following receipt and detailed assessment of the DA, additional issues may arise that are not detailed in this letter and may require the proposed development be modified and/or additional information provided. The determining authority may also determine that the proposed development cannot be supported. You will be advised of this as soon as possible following the lodgement of the DA.

Conclusion

It is recommended that the applicant consider the pre-DA advice provided and address the issues raised, through further investigations and design refinement, prior to lodgement of any future DA.

For further enquiries, please contact Louise Starkey on (02) 4345 4410 or Louise.Starkey@planning.nsw.gov.au

Yours sincerely



Silvio Falato
Team Leader
Regional Assessments

15/11/2019

Enclosed:

Attachment A: Policies, Plans Guidelines and DA Documents
Attachment B: Central Coast Council advice
Attachment C: DA form and DA supplement
Attachment D: DA Lodgement Checklist RFB
Attachment E: 3D model submission requirements

Attachment 2 – Pre-DA Response Matrix

Design Review (DA) 56-58 Beane St, Gosford

**ROOT
PARTNERSHIPS**

56 Beane St, Gosford

Project :

Item #	Source of comments	Description	Reference Document	Comments	Mono Response
1	DPIE 15/11/19	Pre-DA Advice	OS Report	Prepare OS Report in line with comments from DPIE	OS Report included in DA
2	DPIE 15/11/19	Pre-DA Advice	SEE	Prepare SEE in accordance with DPIE requirements	SEE Report included in DA
3	DPIE 15/11/19	Pre-DA Advice	SEE	Address planning advice in accordance with DPIE requirements	Refer to the SEE Report included in the DA
4	DPIE 15/11/19	Pre-DA Advice	DES	Provide Design Excellence Statement	Refer to the Design Excellence Statement included in the DA
5	DPIE 15/11/19	Pre-DA Advice	Built form (SEE)	Address Built form and urban design as per DPIE comments	Refer to the SEE Report included in the DA
6	DPIE 15/11/19	Pre-DA Advice	Built form	Objectives and character of residential areas of DCP	Refer to the SEE Report included in the DA
7	DPIE 15/11/19	Pre-DA Advice	Built form	Maximum building height of 24m	Refer to the SEE Report included in the DA
8	DPIE 15/11/19	Pre-DA Advice	Built form	Building facades to be attractive in all view angles	Refer to the SEE Report included in the DA
9	DPIE 15/11/19	Pre-DA Advice	Built form	Beane St elevation to be better articulated to address primary street frontage	The design has been revised to address this comment. Refer to the Architectural set included in the DA.
10	DPIE 15/11/19	Pre-DA Advice	Built form	Improve design quality to Beane St, street activation and interface with street and material finishes to reduce a bulky appearance.	The design has been revised to address this comment. Refer to the Architectural set included in the DA.
11	DPIE 15/11/19	Pre-DA Advice	Built form	Beane & Gertrude Streets wall heights should comply with DCP	Minor non-compliance (in part) addressed in SEE
12	DPIE 15/11/19	Pre-DA Advice	Built form	Street wall transition between zones	Refer to the SEE Report included in the DA
13	DPIE 15/11/19	Pre-DA Advice	Built form	Front, rear and side setbacks to comply with DCP and apartment design guide	Minor non-compliance (in part) addressed in SEE
14	DPIE 15/11/19	Pre-DA Advice	Built form	Above ground parking and services (waste management, loading zones and mechanical plant) to be fully integrated	Refer to the SEE Report included in the DA
15	DPIE 15/11/19	Pre-DA Advice	Built form	Provide elevations including adjoining properties	Refer to the SEE Report included in the DA
16	DPIE 15/11/19	Pre-DA Advice	Built form	Demonstrate how future adjoining properties won't be compromised	Refer to the architectural set, photo montage and the SEE Report included in the DA.
17	DPIE 15/11/19	Pre-DA Advice	Built form	Possible design solutions that improve screening and visual amenity to the north side of the site	Refer to the architectural set included in the DA.
18	DPIE 15/11/19	Pre-DA Advice	Built form	Plant/services located on the roof should be disguised	Refer to the SEE Report included in the DA
19	DPIE 15/11/19	Pre-DA Advice	Built form	FSR for site is 3:1 however SEPP reduces this to 2:1	Refer to the SEE Report included in the DA
20	DPIE 15/11/19	Pre-DA Advice	Built form	Ensure proposal designed to consider Crime Prevention through CPTED strategies	Refer to the SEE Report included in the DA
21	DPIE 15/11/19	Pre-DA Advice	Built form	Justify how unit mix derived through market analysis	Refer to the SEE Report included in the DA
22	DPIE 15/11/19	Pre-DA Advice	Built form	Improve accessible ramp through function, location and presence to street	Refer to the architectural set included in the DA
23	DPIE 15/11/19	Pre-DA Advice	Built form	Consider architectural issues identified in Central Coast Council's advice	Refer to the SEE Report included in the DA
24	DPIE 15/11/19	Pre-DA Advice	Built form	Investigate options to improve Communal Open space area	Refer to the SEE Report included in the DA
25	DPIE 15/11/19	Pre-DA Advice	Built form	Consider options to improve quantity and quality of private open space and landscape areas	Refer to the architectural set included in the DA
26	DPIE 15/11/19	Pre-DA Advice	Built form	Consider bin storage locations in accordance with Council requirements	Refer to the SEE Report included in the DA
27	DPIE 15/11/19	Pre-DA Advice	Public Domain	Outline scope of public domain improvements, pedestrian linkages, street activation and landscaping	Refer to the architectural set included in the DA
28	DPIE 15/11/19	Pre-DA Advice	Public Domain	Investigate options to improve pedestrian connections to adjacent sites and streets	Refer to the architectural set included in the DA
29	DPIE 15/11/19	Pre-DA Advice	Public Domain	Demonstrate: - Maximise permeability through the development and to adjoining sites - maximise street activation within the town centre - provide sufficient open space for future residents - provide access for people with disabilities - minimise potential vehicle, bicycle and pedestrian conflicts	Refer to the architectural set included in the DA
30	DPIE 15/11/19	Pre-DA Advice	Public Domain	Landscaping plans to include planting schedule, planting locations, deep soil zones, pot sizes, densities and measures to protect existing trees to be retained	Refer to the landscape plans included in the DA
31	DPIE 15/11/19	Pre-DA Advice	Public Domain	Maximise the retention of good quality vegetation on the site - any tree or vegetation removal will require justification.	Refer to the landscape plans included in the DA
32	DPIE 15/11/19	Pre-DA Advice	Public Domain	Investigate options to provide new street planting and street trees for those trees identified for removal	Refer to the landscape plans included in the DA

Design Review (DA)
56-58 Beane St, Gosford

ROOT PARTNERSHIPS

Item #	Source of comments	Description	Reference Document	Comments	Mono Response
33	DPIE 15/11/19	Pre-DA Advice	Public Domain	Consider whether the existing trees on Gertrude St frontage could be retained or whether options to include street trees could be realised	Noted and best endeavours undertaken. Refer to the landscape plans included in the DA.
34	DPIE 15/11/19	Pre-DA Advice	Public Domain	Investigate options to improve the landscaping on Beane and Gertrude Street frontages	Refer to the landscape plans included in the DA.
35	DPIE 15/11/19	Pre-DA Advice	Public Domain	Consider providing a landscaping buffer between the northern property boundary and the driveway to provide greater screening and amenity to the site and the northern property	Refer to the architectural set included in the DA.
36	DPIE 15/11/19	Pre-DA Advice	Visual Impacts	Prepare a comprehensive Visual Impact Assessment and view analysis of the proposal to/from key vantage points depicting images of the proposal in the background of those views. Photomontages or perspectives should be provided showing the project	Refer to the photo montage and the SEE Report included in the DA.
37	DPIE 15/11/19	Pre-DA Advice	Visual Impacts	Demonstrate how the proposal respects and maintains key view corridors (for example to the ridgelines of Presidents Hill and Rumbalara Reserve) and street vistas	Refer to the SEE Report included in the DA.
38	DPIE 15/11/19	Pre-DA Advice	Environmental/Residential Amenity	Assess environmental and residential amenity impacts including solar access, acoustic impacts, visual privacy, view loss, overshadowing, lighting impacts and wind impacts	Refer to the architectural set included in the DA.
39	DPIE 15/11/19	Pre-DA Advice	Environmental/Residential Amenity	Demonstrate how the proposal maintains solar access to surrounding development and the surrounding public domain	Refer to the architectural set included in the DA.
40	DPIE 15/11/19	Pre-DA Advice	Environmental/Residential Amenity	Include detailed shadow diagrams showing the expected shadows at hourly intervals between 9am and 3pm (inclusive) on the 21 June (Mid-Winter Solstice) and at 9.00am, 12.00pm and 3.00pm on 21 December (Summer Solstice).	Refer to the architectural set included in the DA.
41	DPIE 15/11/19	Pre-DA Advice	Environmental/Residential Amenity	Achieve compliance with the minimum numerical requirements of the ADG	Refer to the architectural set included in the DA.
42	DPIE 15/11/19	Pre-DA Advice	Environmental/Residential Amenity	Demonstrate the development complies with SEPP 65 and the Apartment Design Guide (ADG) and ensure the proposal achieves a high level of environmental and residential amenity	Refer to the architectural set included in the DA.
43	DPIE 15/11/19	Pre-DA Advice	Environmental/Residential Amenity	The DA must be accompanied by a design verification statement from a registered architect as defined in SEPP 65 that addresses those matters required to be verified by SEPP 65	Refer to the SEPP 65 Design Verification Statement included in the DA.
44	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	SEPP must be accompanied by a Traffic Report prepared in accordance with relevant guidelines	Refer to the Traffic Report included in the DA
45	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	The report must assess the traffic impacts of the development on the surrounding local and classified road network using SIDRA or similar traffic model and specify any road upgrade works	Refer to the Traffic Report included in the DA
46	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	Include traffic and parking generated by existing and approved developments as well as that by the proposal, and consider car sharing facilities	Refer to the Traffic Report included in the DA. Car sharing facility not required for this size of development
47	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	Estimate total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips	Refer to the Traffic Report included in the DA
48	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	Assess the adequacy of public transport, pedestrian and bicycle provisions to meet the likely future demand of the proposed development	Refer to the Traffic Report included in the DA
49	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	Demonstrate the proposed road layout, access points and car parking can comply with the relevant Australian Standards and Council requirements	Refer to the Traffic Report included in the DA
50	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	Demonstrate that sufficient on-site car parking, loading/unloading, pedestrian and cycling facilities (including bicycle parking and end-of-trip facilities) will be provided	Refer to the Traffic Report included in the DA
51	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	Assess the impact of the proposal on car parking within the Gosford CBD during construction and operation of the proposed development	Refer to the Traffic Report included in the DA
52	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	Describe the measures to be implemented to promote sustainable means of travel, including public transport use, pedestrian and bicycle linkages.	Refer to the Traffic Report included in the DA
53	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	Prepare a preliminary Construction Traffic Management Plan for the proposal and outline how construction traffic, public transport, bicycle and pedestrian impacts, and parking impacts would be appropriately managed and mitigated	This will be completed once the Conditions of Consent for the development is issued.
54	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	Detail the public transport options and pedestrian links for future residents of the proposed development	Refer to the Traffic Report included in the DA

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Item #	Source of comments	Description	Reference Document	Comments	Mono Response
55	DPIE 15/11/19	Pre-DA Advice	Transport & Accessibility	Consider the road works, access and traffic comments in Central Coast Council's advice.	Refer to the Traffic Report included in the DA.
56	DPIE 15/11/19	Pre-DA Advice	Bushfire	The DA must be accompanied by a Bushfire Assessment Report that demonstrates compliance with the BPS publication 'Planning for Bush Fire Protection 2006' (or subsequent version).	Refer to the Bushfire Assessment Report included in the DA.
57	DPIE 15/11/19	Pre-DA Advice	Sustainability & Environmental	Demonstrate how the proposal promotes energy efficiency.	Refer to the SEPP 65 Design Verification Statement, Principle 5: Resource, Energy and Water Efficiency. Specific examples: - Ceiling fans are included in all living areas in lieu of air-conditioning units. - 6 star gas instantaneous hot water system - LED lighting in all units
58	DPIE 15/11/19	Pre-DA Advice	Sustainability & Environmental	Demonstrate how the proposal meets the Water Sensitive Urban Design principles and incorporates Water Sensitive Urban Design practices.	Water from the roof can be harvested for reuse for landscaping. 10,000L rainwater tank for irrigating the common landscape area.
59	DPIE 15/11/19	Pre-DA Advice	Sustainability & Environmental	A valid BASIX Certificate for the proposed development must be submitted with the DA.	Refer to the BASIX Certificate included in the DA.
60	DPIE 15/11/19	Pre-DA Advice	Heritage	Assess any impacts on State and local heritage items, including conservation areas, natural heritage areas, relics, gardens, landscapes, views and trees and recommend mitigation and management measures where required.	Refer to the Aboriginal and Historical Due Diligence Report included with the DA.
61	DPIE 15/11/19	Pre-DA Advice	Heritage	Prepare an Aboriginal archaeology report in accordance with the relevant Office of Environment and Heritage (OEH) guidelines (if required).	Refer to the Aboriginal and Historical Due Diligence Report included with the DA.
62	DPIE 15/11/19	Pre-DA Advice	Heritage	Should any Aboriginal heritage items be identified that will be impacted, the proposed development will be classed as integrated development and require approval from the Heritage Division of the Department of Premier and Cabinet and/or the Department's Biodiversity conservation Division (formerly the Office of Environment and Heritage). An Aboriginal Heritage Cultural Assessment may be required and submitted with the DA.	Noted. Refer to the Aboriginal and Historical Due Diligence Report included with the DA.
63	DPIE 15/11/19	Pre-DA Advice	Social/Economic	Include an assessment of the social and economic impacts of the development, including consideration of any increase in demand for community infrastructure and services.	Refer to the SEE Report included in the DA.
64	DPIE 15/11/19	Pre-DA Advice	Public Benefit/Contributions	Outline the contributions and proposed public benefits to be delivered as part of the proposal including details of any Voluntary Planning Agreement.	This development is 100% Social Housing. This development is much needed by the community due to the estimated 10 year waiting list for Social Housing applications.
65	DPIE 15/11/19	Pre-DA Advice	Noise & Vibration	Prepare a noise and vibration assessment in accordance with the relevant EPA guidelines, detailing construction and operational noise impacts on nearby sensitive receivers and outline the proposed management and mitigation measures that would be implemented.	Refer to the Acoustic Report included with the DA.
66	DPIE 15/11/19	Pre-DA Advice	Contamination	Provide details on present and previous land uses on site and adjoining land, and determine whether the present or any previous use is a potentially contaminating activity.	Refer to the Detailed Site Investigation Report included with the DA.
67	DPIE 15/11/19	Pre-DA Advice	Contamination	Potentially contaminating activity be identified, prepare a contamination assessment for the site, by a qualified environmental consultant, and demonstrate that the site is suitable for the proposed development in accordance with the requirements of SEPP55.	Refer to the Detailed Site Investigation Report included with the DA.
68	DPIE 15/11/19	Pre-DA Advice	Biodiversity	Assess any biodiversity impacts associated with the proposal.	Refer to the Detailed Site Investigation Report included with the DA.
69	DPIE 15/11/19	Pre-DA Advice	Soil & Water	Include geotechnical assessment.	Refer to the Detailed Site Investigation Report included with the DA.
70	DPIE 15/11/19	Pre-DA Advice	Soil & Water	Include Acid Sulphate Soils Assessment.	Refer to the Detailed Site Investigation Report included with the DA.
71	DPIE 15/11/19	Pre-DA Advice	Soil & Water	Include Groundwater Assessment.	Refer to the Detailed Site Investigation Report included with the DA.
72	DPIE 15/11/19	Pre-DA Advice	Utilities	Assess the capacity of existing services and utilities and identify any upgrades required to facilitate the development.	Refer to the Detailed Site Investigation Report included with the DA.
73	DPIE 15/11/19	Pre-DA Advice	Utilities	Assess the impacts of the proposal on existing utility infrastructure and service provider assets and describe how any potential impacts would be managed.	Ausgrid have issued a standard connection offer, whereby no sub-station is required.

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Item #	Source of comments	Description	Reference Document	Comments	Mono Response
74	DPIE 15/11/19	Pre-DA Advice	Utilities	Chapter 5 of Gosford DCP provides details for substation locations. Substations must be provided wholly within the subject site, either internal to the development or suitably located and integrated within the architectural or landscaping design.	Noted. No sub-station required.
75	DPIE 15/11/19	Pre-DA Advice	Utilities	Substations are to be designed in accordance with Ausgrid's requirements for distribution substations which are set out in their network standards NS117 and NS141 for kiosks, and NS113 and NS114 for chambers (or as updated from time to time). Substations within the street will not be accepted.	Noted. No sub-station required.
76	DPIE 15/11/19	Pre-DA Advice	Utilities	Consult with Ausgrid regarding the organisations preferred substation location.	Noted. No sub-station required.
77	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	The site is subject to overland secondary stormwater flows.	Refer to the Overland Flow Study included in the DA.
78	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	A flood assessment report should accompany the DA.	Refer to the Overland Flow Study included in the DA.
79	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	Assess the potential flooding impacts associated with the development and consider the relevant provisions of the NSW Floodplain Development Manual (2005), including the potential impacts of climate change, sea level rise and increase in rainfall intensity.	Refer to the Overland Flow Study included in the DA.
80	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	Consider the flooding and drainage comments in Central Coast Council's Pre-DA Advice dated 23 September 2019.	Refer to the Overland Flow Study included in the DA.
81	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	Demonstrate consultation with Central Coast Council regarding the easements that affect the site and identify any impacts and mitigation measures required to facilitate the development, including any upgrades, realignment or 888 instruments required.	Refer to Council correspondence regarding stormwater included in the DA.
82	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	Any adjustments and/or connections to the drainage easements that benefit Council will require formal approval under section 60 of the Local Government Act 1993.	Noted.
83	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	Permission in writing from the owners of adjoining properties will be required for any works affecting drainage for other properties.	Noted.
84	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	A section 307 certificate is required for the development.	Noted.
85	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	Consider drainage and water and sewer comments in Central Coast Council's Pre-DA Advice dated 25 September 2019.	Council comments noted and addressed.
86	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	Assess water quality and hydrology impacts of the development, including any downstream impacts for both surface and groundwater and any impacts on natural processes and functions.	Noted and addressed.
87	DPIE 15/11/19	Pre-DA Advice	Stormwater, Drainage, Flooding & Water Quality	Prepare a Water Cycle Management Plan Strategy demonstrating how stormwater would be appropriately managed in accordance with Council's requirements.	Refer to the Water Cycle Management Report included with the DA.
88	DPIE 15/11/19	Pre-DA Advice	Easements, restrictions, staging & consents	Provide details of all existing easements, restrictions or positive covenants applying to the land.	Refer to survey drawings included with the DA.
89	DPIE 15/11/19	Pre-DA Advice	Easements, restrictions, staging & consents	Provide details regarding the staging of the proposed development.	This development is intended to have a single stage CC. A detailed construction program is available upon request.
90	DPIE 15/11/19	Pre-DA Advice	Easements, restrictions, staging & consents	Consult with Central Coast Local Health District NSW Health to ensure Gosford Hospital's Strategic Helicopter Landing Site (and associated flight paths) are not adversely impacted by the proposal during construction or operation at any stage.	An email has been sent to Susan George of Health NSW, in which written advice has been requested to confirm that the proposed development does not interfere with helicopter flight paths to Gosford Hospital. No response has been received, however this will be followed up during the DA assessment.
91	DPIE 15/11/19	Pre-DA Advice	Construction & Operational Management plans	Prepare a preliminary Construction Management Plan for the proposed works and outline how construction impacts would be appropriately managed and mitigated.	Refer to the Construction and Operational Management Plan included with the DA.
92	DPIE 15/11/19	Pre-DA Advice	Construction & Operational Management plans	Demonstrate how public safety will be maintained during construction and operation, including any public safety measures that will be implemented.	Refer to the Construction and Operational Management Plan included with the DA.
93	DPIE 15/11/19	Pre-DA Advice	Waste Management & Services	A demolition, construction and operational waste management plan that details how demolition, construction and operational waste will be managed must be submitted.	Refer to the Waste Management Plan included in the DA.
94	DPIE 15/11/19	Pre-DA Advice	Waste Management & Services	Chapter 6.6 of Gosford DCP provides development controls for waste and recycling. For further information refer to Council's Waste Control Guidelines.	Noted. This DA is compliant with Gosford City Centre DCP, refer to the SEE included in the DA. Consultation with Council regarding the proposed waste collection strategy is also included in the DA.

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Item #	Source of comments	Description	Reference Document	Comments	Mono Response
95	DPIE 15/11/19	Pre-DA Advice	Waste Management & Services	Consult with Central Coast Council directly regarding Council's waste services comments in Council's Pre-DA Advice dated 25 September 2019. Note that Council has identified it does not support the waste servicing arrangement as currently proposed. It is recommended that the applicant consult with Council directly to resolve the matter prior to lodgement. The SEE must detail any agreement reached with Council regarding waste servicing arrangements.	Refer to the correspondence with Council regarding waste collection, which is included in the DA.
96	DPIE 15/11/19	Pre-DA Advice	Waste Management & Services	The SEE should describe where the proposal has been designed or amended in response to Council's advice. Where amendments have not been made to address an issue, an explanation should also be provided.	Refer to the SEE Report included in the DA.
97	DPIE 15/11/19	Pre-DA Advice	Air Quality & Pollution	Assess the construction and operational air quality impacts and ensure they meet Council and/or the Environment Protection Authority requirements.	Noted
98	DPIE 15/11/19	Pre-DA Advice	Air Quality & Pollution	Clearly demonstrate whether any activities associated with the proposed development would be a scheduled activity as listed in Schedule 1 of the Protection of the Environment Operations Act 1997 (the POEO Act), or other legislative requirements administered by the EPA.	Refer to the SEE Report included in the DA.
99	DPIE 15/11/19	Pre-DA Advice	Building & Fire Safety	The proposed development must comply with the Building Code of Australia (BCA), part of the National Construction Code, and any relevant Australian Standards.	Refer to the BCA Report included in the DA.
100	DPIE 15/11/20	Pre-DA Advice	Pre-DA Consultation	Prior to lodging the DA, it is strongly recommended that you consult with the following bodies to ensure that their requirements are fully understood and addressed: <ul style="list-style-type: none"> Central Coast Council Ausgrid Environment Protection Authority Heritage division of the NSW Department of Premier and Cabinet - (formerly known as Office of Environment and Heritage) NSW Department of Planning, Industry and Environment (Biodiversity and Conservation Division, NRAR, Office of Water) NSW Roads and Maritime Services NSW Rural Fire Service Transport for NSW Central Coast Local Health District NSW Health Central Coast Justice, Safety, and Corrections Central Coast Police, Fire, and Rescue 	Pre-DA comments have been provided by Central Coast Council, which formed part of the pre-DA Advice, and separate consultation has been carried out with the Council's Waste Services Section, as addressed in the SEE Report included with the DA. Consultation with other agencies was not required due to the nature and scale of the development, and noting that the application may be referred to some agencies for comment, if required.
101	Council 25/9/19	Pre-DA Advice	Planning	The land is zoned R1 General Residential under SEPP (Gosford City Centre) 2018. The proposal is permissible with consent.	Refer to the SEE Report included in the DA.
102	Council 25/9/19	Pre-DA Advice	Planning	Address the requirements of the SEPP (Gosford City Centre) 2018, Gosford City Centre DCP 2018, SEPP (Affordable Housing) 2009, SEPP 65 & Appointment Design Guide. Compliance tables for each to be submitted with the application.	Refer to the SEE Report included in the DA.
103	Council 25/9/19	Pre-DA Advice	Planning	Mapped maximum building height 24 metres, maximum FSR 2.5:1 under SEPP (AHL).	Refer to the SEE Report included in the DA.
104	Council 25/9/19	Pre-DA Advice	Planning	A 3D model should be provided for loading into the Council 3D Digital model in accordance with the specification previously forwarded to the Department.	Refer to the 3D model provided in the DA.
105	Council 25/9/19	Pre-DA Advice	Planning	Shadow diagrams to be submitted for March/ September & June. Shadow diagrams may need to be submitted one (1) hourly between 9.00am & 3.00pm in the winter time.	Refer to the architectural set included in the DA.
106	Council 25/9/19	Pre-DA Advice	Planning	Visual impact assessment is required.	Refer to the photo montage and the SEE Report included in the DA.
107	Council 25/9/19	Pre-DA Advice	Planning	Concept Landscape Plan & Street Tree Planting plan to be included with DA.	Refer to the Landscape Plans included in the DA.
108	Council 25/9/19	Pre-DA Advice	Planning	Social impact assessment is required.	Refer to the SEE Report included in the DA.
109	Council 25/9/19	Pre-DA Advice	Planning	Identify any impact on development potential of adjoining site.	Refer to the SEE Report included in the DA.

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Item #	Source of comments	Description	Reference Document	Comments	Mono Response
110	Council 25/9/19	Pre-DA Advice	Engineering	Remove redundant vehicle access crossings and replace with new kerb & gutter and reinstatement of footway with turf & concrete footpath.	Noted. Refer to engineering plans.
111	Council 25/9/19	Pre-DA Advice	Engineering	The proposed vehicle crossing in Gertrude Street is to incorporate a minimum 2.5m wide footway formation within the road reserve that grades up towards the property boundary at 2% from the proposed layback before incorporating a 'rollover' in the design profile. This would result a higher level of the access driveway at the boundary which in turn would require changes to the grades and transitions for the driveway ramp. (The present plan that grades from the proposed layback down towards the property boundary is not supported.)	Noted. Refer to engineering plans.
112	Council 25/9/19	Pre-DA Advice	Engineering	The footway in Beane Street is to be formed at 2% from the kerb and gutter up to the property boundary for the full frontage of the site.	Noted. Refer to engineering plans.
113	Council 25/9/19	Pre-DA Advice	Engineering	Access ramps, driveways and car parking arrangements to comply with AS2890.	Noted. Refer to engineering plans.
114	Council 25/9/19	Pre-DA Advice	Engineering	Refer to waste vehicle requirements related to servicing.	Refer to the SEE Report and Waste Management Plan included in the DA.
115	Council 25/9/19	Pre-DA Advice	Engineering	The plans indicate that the Council footpath encroaches within the corner of the site near the intersection of Beane Street & Gertrude Street that will be affected by the proposed basement car park excavation. The footpath and pram ramp will need to be reconstructed.	Refer to the architectural set included in the DA.
116	Council 25/9/19	Pre-DA Advice	Engineering	A traffic report required to address the impact of the development on the surrounding road network, & compliance with AS2890 in relation to access and parking provisions.	Refer to the Traffic Report included with the DA.
117	Council 25/9/19	Pre-DA Advice	Engineering	The Gosford CBD Overland Flood Flow Study site is subject to overland secondary stormwater flows that enter the site once the capacity of the pipe system and/or sag inlet pit in Beane Street is exceeded. An unobstructed secondary stormwater flow path would need to be maintained/provided with the development which will need to be designed by a suitably qualified engineer competent in stormwater design at conceptual design stage to ensure it is workable. Preliminary design details of the secondary stormwater flow path will need to be provided with a development application.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
118	Council 25/9/19	Pre-DA Advice	Engineering	Fencing to convey secondary stormwater flows from the low point in Beane Street through the site.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
119	Council 25/9/19	Pre-DA Advice	Engineering	Habitable areas are to be a minimum of 0.5m above the 1% AEP secondary flow levels derived by the stormwater engineer.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
120	Council 25/9/19	Pre-DA Advice	Engineering	The non-habitable areas (e.g. garbage storage area) will need to be at a minimum level of the 1% AEP secondary flow levels derived by the stormwater engineer.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
121	Council 25/9/19	Pre-DA Advice	Engineering	Provide on-site detention to limit post development flows back to pre-development flows for all storms up to the 1% AEP storm event. A runoff routing method would need to be utilised in the design.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
122	Council 25/9/19	Pre-DA Advice	Engineering	Provide nutrient/pollution measures to achieve the reduction targets indicated in Chapter 6.7 of Council's Gosford DCP 2013.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
123	Council 25/9/19	Pre-DA Advice	Engineering	Provide retention of rainwater for reuse within the development site.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
124	Council 25/9/19	Pre-DA Advice	Engineering	Connection of stormwater into Council's drainage system will require formal approval under 568 of the Local Government Act.	Noted and will be done at CC stage
125	Council 25/9/19	Pre-DA Advice	Engineering	The development will need to comply with section 6.7.10 of Council's Gosford DCP213 in relation to structures adjacent to a Council stormwater pipeline / easement. Structures are not permitted over the pipeline and suitable clearance to the pipeline would be required to comply with a 3m wide easement to drainage centrally located over the pipeline alignment.	Noted

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Item #	Source of comments	Description	Reference Document	Comments	Mono Response
110	Council 25/9/19	Pre-DA Advice	Engineering	Remove redundant vehicle access crossings and replace with new kerbs & gutter and reinstatement of footway with turf & concrete footpath.	Noted. Refer to engineering plans.
111	Council 25/9/19	Pre-DA Advice	Engineering	The proposed vehicle crossing in Gerritude Street is to incorporate a minimum 2.5m wide footway formation within the road reserve that grades up towards the property boundary at 2% from the proposed layback before incorporating a 'roller' in the design profile. This would result a higher level of the access driveway at the boundary which in turn would require changes to the grades and transitions for the driveway ramp. (The present plan that grades from the proposed layback down towards the property boundary is not supported.)	Noted. Refer to engineering plans.
112	Council 25/9/19	Pre-DA Advice	Engineering	The footway in Beane Street is to be formed at 2% from the kerb and gutter up to the property boundary for the full footage of the site.	Noted. Refer to engineering plans.
113	Council 25/9/19	Pre-DA Advice	Engineering	Access ramps, driveways and car parking arrangements to comply with AS2890.	Noted. Refer to engineering plans.
114	Council 25/9/19	Pre-DA Advice	Engineering	Refer to waste vehicle requirements related to servicing.	Refer to the SEE Report and Waste Management Plan included in the DA.
115	Council 25/9/19	Pre-DA Advice	Engineering	The plans indicate that the Council footpath encroaches within the corner of the site near the intersection of Beane Street & Gerritude Street that will be affected by the proposed basement car park excavation. The footpath and pram ramp will need to be reconstructed.	Refer to the architectural set included in the DA.
116	Council 25/9/19	Pre-DA Advice	Engineering	A traffic report required to address the impact of the development on the surrounding road network, & compliance with AS2890 in relation to access and parking provisions.	Refer to the Traffic Report included with the DA.
117	Council 25/9/19	Pre-DA Advice	Engineering	The Gosford CBD Overland Flood Flow Study site is subject to overland secondary stormwater flows that enter the site once the capacity of the pipe system and or sag inlet pit in Beane Street is exceeded. An unobstructed secondary stormwater flow path would need to be maintained/provided with the development which will need to be designed by a suitably qualified engineer competent in stormwater design at conceptual design stage to ensure it is workable. Preliminary design details of the secondary stormwater flow path will need to be provided with a development application.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
118	Council 25/9/19	Pre-DA Advice	Engineering	Fencing to convey secondary stormwater flows from the low point in Beane Street through the site.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
119	Council 25/9/19	Pre-DA Advice	Engineering	Habitat areas are to be a minimum of 0.5m above the 1% AEP secondary flow levels derived by the stormwater engineer.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
120	Council 25/9/19	Pre-DA Advice	Engineering	The non-habitat areas (e.g. garage storage area) will need to be at a minimum level of the 1% AEP secondary flow levels derived by the stormwater engineer.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
121	Council 25/9/19	Pre-DA Advice	Engineering	Provide on-site detention to limit post development flows back to pre-development flows for all storms up to the 1% AEP storm event. A runoff routing method would need to be utilised in the design.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
122	Council 25/9/19	Pre-DA Advice	Engineering	Provide nutrient/pollution measures to achieve the reduction targets indicated in Chapter 6.7 of Council's Gosford DCP 2013.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
123	Council 25/9/19	Pre-DA Advice	Engineering	Provide retention of rainwater for reuse within the development site.	Noted. Refer to the Overland Flow Study and the Engineering Plans included in the DA.
124	Council 25/9/19	Pre-DA Advice	Engineering	Connection of stormwater into Council's drainage system will require formal approval under 568 of the Local Government Act.	Noted and will be done at OC stage.
125	Council 25/9/19	Pre-DA Advice	Engineering	The development will need to comply with section 6.7.10 of Council's Gosford DCP213 in relation to structures adjacent to a Council stormwater pipeline / easement. Structures are not permitted over the pipeline and suitable clearance to the pipeline would be required to comply with a 3m wide easement to drainage centrally located over the pipeline alignment.	Noted

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Item #	Source of comments	Description	Reference Document	Comments	Memo Response
143	Council 25/9/19	Pre-DA Advice	Waste	Swept turning path details to AS 2890.2 designed and certified by a practising Traffic Engineer overlaid onto architectural plans are required to demonstrate waste vehicle movements.	Kerb side waste collection is proposed. Refer to the SEE and Waste Management Reports included in the DA.
144	Council 25/9/19	Pre-DA Advice	Waste	The designated vehicle for servicing of multi-unit developments is a minimum 10.5m long, dual rear axle, rear loading HRV crossing the centre lines of the road.	Kerb side waste collection is proposed. Refer to the SEE and Waste Management Reports included in the DA.
145	Council 25/9/19	Pre-DA Advice	Waste	Waste vehicle entry to the site is to be forward in/ forward out without crossing the centre lines of the road.	Kerb side waste collection is proposed. Refer to the SEE and Waste Management Reports included in the DA.
146	Council 25/9/19	Pre-DA Advice	Waste	A minimum 4.0m vertical height clearance is required in all waste vehicle manoeuvring areas.	Kerb side waste collection is proposed. Refer to the SEE and Waste Management Reports included in the DA.
147	Council 25/9/19	Pre-DA Advice	Waste	Travel paths for residents to the waste storage enclosure to be clearly indicated.	Refer to the SEE and Waste Management Reports included in the DA.
148	Council 25/9/19	Pre-DA Advice	Waste	Kerbside collection of residential bins is non-compliant with current DCP requirements and is unsuitable for a development of the type and scale proposed.	Refer to the SEE and Waste Management Reports included in the DA.
149	Council 25/9/19	Pre-DA Advice	Waste	Waste Services is unable to support the residential waste storage/ waste servicing proposal as indicated on the drawings submitted.	Refer to the SEE and Waste Management Reports included in the DA.
150	Council 25/9/19	Pre-DA Advice	Waste	It is recommended a revised proposal in accordance with current DCP requirements be prepared.	Refer to the SEE and Waste Management Reports included in the DA.

Attachment 3 – Examples of Development in Gosford City Centre



20 Kendall Street, Gosford (6 storeys to the street)



8 Kendall Street, Gosford (5+ storeys to the street)



226 Gertrude Street, North Gosford (8 storeys to the street)



14 Batley Street, West Gosford (6-7 storeys to the street)



2 Wilhelmina Street, Gosford (7 storeys to the street)



13 Lynn Avenue, Point Frederick (7 storeys to the street)



7 Lynn Avenue, Point Frederick (equivalent height of 5 storeys to the street)



148A Albany Street, Point Frederick (Part 6 storeys to the street)



72 Donnison Street West, Gosford (5 storeys to the street)



10-14 Fielder Street, West Gosford (6 storeys to the street)



47 Beane Street, Gosford (6-7 storeys to the street)

Note: this site is zoned B4, but is located in close proximity to 56 Beane Street