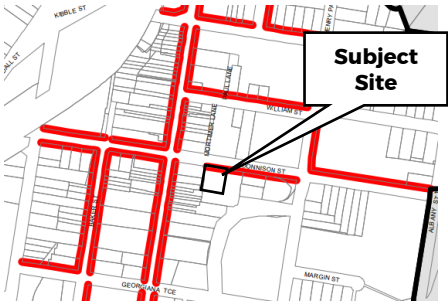


# COMPLIANCE ASSESSMENT AGAINST STATE ENVIRONMENTAL PLANNING POLICY (GOSFORD CITY CENTRE) 2018

Part 4		Principal Development Standards	Comments
4.3		<b>Height of Building</b> 24m	<b>Complies.</b>  The proposed development has a maximum building height of 20.9m and complies with the maximum 24m building height control.
4.4		<b>Floor Space Ratio</b> 4:1	<b>Complies.</b>  The proposed development has a FSR of 1.8:1 and complies with the maximum Floor Space Ratio (FSR) of 4:1.
Part 5		Miscellaneous Provisions	
5.6		<b>Architectural roof features</b>  <i>(1) The objectives of this clause are as follows— (a) to permit variations to maximum building height standards for roof features of visual interest, (b) to ensure that roof features are decorative elements and that the majority of the roof is contained within the maximum building height standard. (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent. (3) Development consent must not be granted to any such development unless the consent authority is satisfied that— (a) the architectural roof feature— (i) comprises a decorative element on the uppermost portion of a building, and (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and (iv) will cause minimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.</i>	<b>Not Applicable.</b>
5.10 (5)		<b>Heritage conservation</b>	<b>Complies.</b>  Clause 5.10 (5)(c) requires the consideration of impacts of the proposed development on the heritage significance of any nearby heritage items before granting consent to any development.  The analysis of impacts has been addressed in Section 5.1.5 of the Statement of Environmental Effects Report and concludes that there will be no detrimental impacts on the heritage significance of any nearby heritage items and further assessment via a heritage management document is not considered to be warranted.
5.10(7)		<b>Archaeological sites</b>	<b>Able to Comply.</b>  The site is not known to have archaeological significance and has <u>not</u> been identified on the heritage map as being of potential archeological significance. During excavation and construction all work will be

		carried out in accordance with applicable legislation requirements.
<b>Part 7</b>	<b>Additional local provisions – generally</b>	
7.1	<b>Acid Sulfate Soils</b>  <i>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</i>	<b>Complies.</b>  The site is located in Class 5 on the Acid Sulfate Soils Map.  An acid sulfate soil assessment was completed as part of the geotechnical investigation (Ref 1) prepared by Douglas Partners and the assessment concluded that acid sulfate soils are not present within the depth of investigation and therefore the proposed excavation works for the proposed development can be undertaken without reference to an acid sulfate soil management plan.  Further comment is provided in the Preliminary Site Investigation Report prepared by Douglas Partners dated 2 August 2018 held at <b>Appendix E</b> .  Section 5.4 of the Detailed Site Investigation for Contamination prepared by Douglas Partners dated 7 April 2021 held at <b>Appendix F</b> confirms that the proposed development can be undertaken without reference to an acid sulfate soil management plan.
<b>Part 8</b>	<b>Gosford City Centre</b>	
8.3	<b>Design Excellence</b>  <i>(1) The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Gosford City Centre.</i> <i>(2) This clause applies to development involving the erection of a new building or external alterations to an existing building.</i> <i>(3) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.</i> <i>In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—</i> <i>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</i> <i>(b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,</i> <i>(c) whether the development is consistent with the objectives of clauses 8.10 and 8.11,</i> <i>(d) any relevant requirements of applicable development control plans,</i> <i>(e) how the development addresses the following matters—</i> <i>(i) the suitability of the land for development,</i> <i>(ii) existing and proposed uses and use mix,</i> <i>(iii) heritage issues and streetscape constraints,</i> <i>(iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</i> <i>(v) bulk, massing and modulation of buildings,</i> <i>(vi) street frontage heights,</i>	<b>Complies.</b>  The objective of this clause is to deliver the highest standard of architectural and urban design and applies to development involving the erection of a new building.  The proposal exhibits a high quality architecturally designed civic building which will deliver a high-level standard of building, materials and details that will result in an enhanced amenity of the public domain, whilst appropriately addressing the streetscape and Kibble Park context.  Refer to the Design Excellence Statement prepared by Lahznimmo Architects for a detailed assessment of the relevant objectives of Clause 8.3 of the Gosford SEPP, held at <b>Appendix J</b> .

	<p>(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</p> <p>(viii) the achievement of the principles of ecologically sustainable development,</p> <p>(ix) pedestrian, cycle, vehicular and service access, circulation and requirements,</p> <p>(x) the impact on, and any proposed improvements to, the public domain.</p>	
8.4	<p><b>Exceptions to height and floor space in Zones B3, B4 and B6</b></p> <p><i>(2) Development consent may be granted to development on land to which this clause applies that results in a building with a floor space ratio that exceeds the floor space ratio shown for the land on the Floor Space Ratio Map if—</i></p> <p><i>(a) the site area of the development is less than 2,800 square metres or the building has a street frontage of 36 metres or less, and</i></p> <p><i>(b) the floor space ratio does not exceed the ratio calculated in accordance with <math>2 + (X \times 0.02):1</math>, where X is the percentage of the gross floor area of the building that is used for a purpose other than residential purposes.</i></p>	<p><b>Not Applicable.</b></p> <p>The proposal is well below with maximum Floor Space Ratio (FSR) of 4:1.</p> <p>The proposal is below with the maximum building height control of 24m.</p>
8.5	<p><b>Car parking in Zones B3 and B4</b></p> <p><i>(1) Development consent must not be granted for development on land in Zone B3 Commercial Core or Zone B4 Mixed Use that involves the erection of a new building or an alteration or addition to an existing building that increases the gross floor area of the building unless—</i></p> <p><i>(a) at least 1 car parking space is provided for every 75 square metres of the gross floor area of the building that is to be used for commercial activities, and</i></p> <p><i>(b) at least 1 car parking space is provided for every 40 square metres of the gross floor area of the building that is to be used for the purpose of retail premises.</i></p> <p><i>(2) Car parking that is required to be provided must be provided on site unless the consent authority is satisfied that the provision of car parking is adequately provided elsewhere.</i></p>	<p><b>Able to Comply.</b></p> <p>A Traffic Impact Assessment has been undertaken for the proposed development by The Transport Planning Partnership and provides a detailed assessment of the car parking provisions of the building's library and the multi-purpose hall components, in context of applicable car parking generation rates and available capacity for car parking to be met is surrounding public car parks. The analysis concludes that the proposed 21 car parking spaces located at the rear of the site adequately accommodates the car parking needs of the proposal with the use of public car parking located around the site. The proposed development provides suitable car parking provision in context of its location with good accessibility to public transport, amenities and services in a city centre location with a surrounding critical mass that is expected to grow with substantial future redevelopment.</p> <p>The Traffic Impact Assessment concludes that the library will generate a minor volume of traffic during the road network peaks, with visitor expected to arrive sporadically throughout the day and from various destinations, noting that there is no on-site visitor parking.</p> <p>Refer to the Traffic Impact Assessment prepared by The Transport Planning Partnership held at <b>Appendix N</b>.</p>
8.6	<p><b>Active street frontages</b></p> <p><i>(1) Development consent must not be granted to the erection of a building, or the change of use of a building, on land identified as "Active street frontage" on the Active Street Frontages Map unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.</i></p>	<p><b>Complies.</b></p> <p>The proposal provides a continuous active frontage to Donnison Street and delivers a building that creates active public spaces and enhanced connectivity with the public domain. A clear designated entrance is provided to the building. The proposed</p>

	<p>(2) Despite subclause (1), an active street frontage is not required for any part of a building that is used for any of the following—</p> <p>(a) entrances and lobbies (including as part of mixed use development),</p> <p>(b) access for fire services,</p> <p>(c) access for a back street or service lane,</p> <p>(d) vehicular access.</p> 	<p>'neighbourhood room' provides a weather protected environment, with tall mature Cabbage Tree palms (<i>Livistona australis</i>), which acts to draw the public domain including Kibble Park into the building.</p> <p>The existing provision of car parking spaces accommodated at the rear of the site and accessed via Henry Parry Drive has been maintained in the redevelopment to ensure that the entire frontage of the site can be activated and contribute to the vibrancy of Gosford City Centre.</p> <p>The design intentionally does not provide any vehicular access via Donnison Street for on-site car parking purposes as this option was considered to result in an undesirable planning outcome, which would cause a significant loss of the ground floor space in the building as well as detract from the achievement of providing a continuous active frontage and pedestrian footpath network along Donnison Street. The proposal will provide positive safety and civic outcomes for the community given its activated frontage along Donnison Street.</p>
8.7	<p><b>Non-residential ground and first floor of buildings in Zone B3</b></p> <p><i>Development consent must not be granted to the erection of a building, or the change of use of a building, on land in Zone B3 Commercial Core unless the consent authority is satisfied that the ground floor and first floor of the building will not be used for the purpose of residential accommodation.</i></p>	<p><b>Complies.</b></p> <p>The proposal does not include residential uses.</p>
8.10	<p><b>Solar access to key public open spaces</b></p> <p>(1) The objectives of this clause are—</p> <p>(a) to protect and enhance sun access to key public open spaces, and</p> <p>(b) to prevent adverse cumulative impacts of development.</p> <p>(2) Development consent may be granted to development if the development will not result in—</p> <p>(a) any more than 40 per cent of Kibble Park receiving less than 4 hours of sunlight between 9 am and 3 pm at the winter solstice, and</p> <p>(b) any more than 30 per cent of Leagues Club Field receiving less than 4 hours of sunlight between 9 am and 3 pm at the winter solstice.</p>	<p><b>Complies.</b></p> <p>Shadows cast from the development generally fall to the rear of the site.</p> <p>Kibble Park is located to the north of the site and therefore there are no adverse overshadowing impacts on this key open space area.</p> <p>The proposed development achieves compliance with Clause 8.10.</p> <p>Refer to the Shadow Diagrams, held at <b>Appendix D</b>.</p>
8.11	<p><b>Key Vistas and view corridors</b></p> <p>(1) The objective of this clause is to protect and enhance key vistas and view corridors in Gosford City Centre.</p> <p>(2) Development consent must not be granted to development unless the consent authority is satisfied that the development is consistent with the objectives of this clause.</p>	<p><b>Complies.</b></p> <p>The proposed development has no adverse impacts to any significant views and vistas in Gosford City Centre and achieves compliance with Clause 8.11.</p>

#### **MILESTONE (AUST) PTY LIMITED**