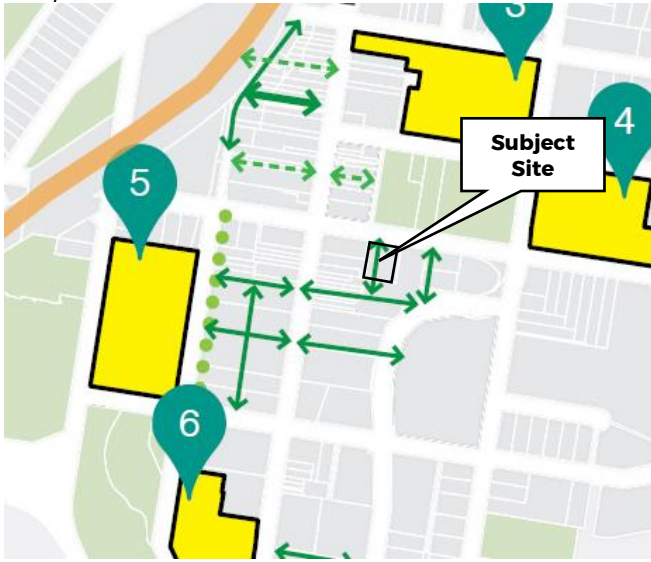
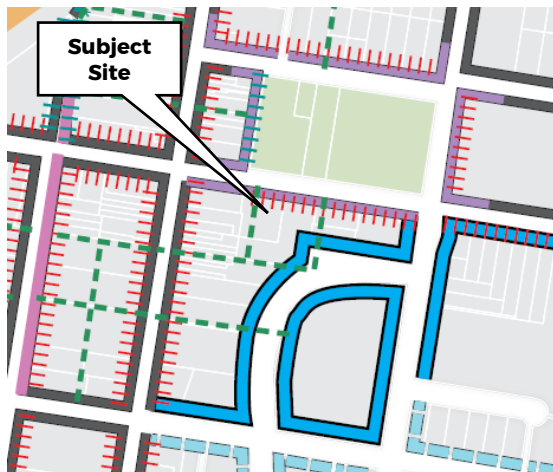
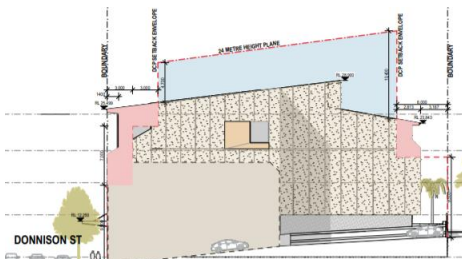
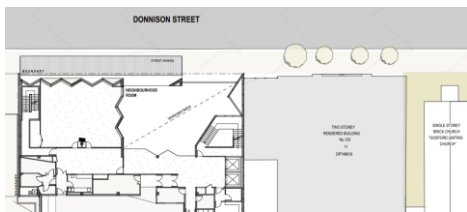


## COMPLIANCE ASSESSMENT AGAINST GOSFORD CITY CENTRE DEVELOPMENT CONTROL PLAN 2018

Part 3	Places and Character	Comments
3.3	<p><b>Civic Heart</b></p> <p><i>Objectives</i></p> <ol style="list-style-type: none"> <li>1. Protect view corridors to Presidents Hill and Rumbalara Reserve.</li> <li>2. Ensure excellent solar access and amenity to Kibble Park.</li> <li>3. Protect and promote the fine grain retail of Mann Street to facilitate an active and functional city spine.</li> <li>4. Ensure active and defined street frontages and frontages to all park edges.</li> <li>5. Promote a diversity of built form and high quality mixed use developments.</li> <li>6. Promote new commercial development in the core for job growth and to protect Gosford's role as a regional city and associated regional functions.</li> </ol>	<p><b>Complies</b></p> <p>The proposed development on the site will have an overall minimal effect on the nominated view corridors.</p> <p>The proposal will not detrimentally affect solar access to Kibble Park situated to the north of the site.</p> <p>The proposed development achieves the objectives for development in the 'Civic Heart' of Gosford through the delivery of a high quality design with diverse elevational treatment, and an activated main frontage to Donnison Street. Further, the proposal will generate employment opportunities and promote vibrancy within Gosford City Centre.</p>
Part 4	Public spaces	
4.1	<p><b>Pedestrian network</b></p> <p><i>Objectives</i></p> <ol style="list-style-type: none"> <li>a. Provide high pedestrian comfort for pedestrian amenity and safety.</li> <li>b. Retain and enhance existing through site links.</li> <li>c. Retain and develop lanes as useful and interesting pedestrian connections as well as for service access.</li> </ol>  <p><b>Figure 1: On-site public domain improvements</b> Source: DCP 2018</p>	<p><b>Does Not Comply - Variation to DCP sought.</b></p> <p>The DCP nominates 6m "open air" pedestrian link along the western side of the site. The proposal does not include provision for this link as it would limit the use of the land and not provide the orderly and economic redevelopment of the land. There is appropriate justification to vary this design control on planning and design merits including the potential safety issues, accessibility constraints and poor design outcome due to level changes and topographic conditions of the land.</p> <p>Further, given the topography of the site which slopes down from the rear to the Donnison Street frontage, it was not considered an appropriate design or warranted planning outcome to provide a pedestrian connection to a car park on balance of the consideration to provide the orderly and economic redevelopment of the land for a high quality civic building whilst achieving minimal overall environmental impact to the surrounding properties and public domain.</p>
4.4	<p><b>Views and vistas</b></p> <p><i>Objectives</i></p> <ol style="list-style-type: none"> <li>a. Enhance Gosford's unique identity and sense of place that is created by the current significant views and vistas, particularly those identified in Figure 4.</li> <li>b. Protect Gosford's character of visual openness with the surrounding landscape.</li> <li>c. Maintain and enhance significant view corridors from public spaces and streets to Brisbane Water and the</li> </ol>	<p><b>Complies.</b></p> <p>The proposed development has been carefully designed to ensure the significant views and vistas are not impacted upon.</p> <p>The proposed development preserves the existing view corridors whilst providing a high quality building with a strong civic presence with enhanced connectivity with Kibble Park.</p>

	<p>identified view corridors which afford views of the ridgelines of Rumbalara Reserve and Presidents Hill.</p> <p>d. Open up new significant views, where possible.</p>	<p>Refer to the Architectural Plans prepared by Lahznimmo Architects dated July 2021 held at <b>Appendix D</b>.</p>																																																		
<b>Part 5</b>	<b>Built Form</b>																																																			
5.2	<p><b>Built form provisions</b></p> <p><i>Setback requirements as detailed in the DCP</i></p> <div></div> <p><b>Figure 2: Streetscape Summary</b> Source: DCP 2018</p> <table><tr><th colspan="5">Setbacks</th></tr><tr><th colspan="3">Front Setbacks and Street Wall Heights*</th><th colspan="2">Side setbacks</th></tr><tr><th></th><th>Setback at ground level</th><th>Street wall height (metres)</th><th>Up to street wall</th><th>Above street wall</th></tr><tr><td></td><td>3-4m</td><td>6 - 14</td><td>0m</td><td>6m</td></tr><tr><td></td><td>3-4m</td><td>6 - 14</td><td>3m</td><td>6m</td></tr><tr><td></td><td>0m</td><td>6 - 14</td><td>0m</td><td>6m</td></tr><tr><td></td><td>0m</td><td>6 - 9.5</td><td>0m</td><td>6m</td></tr><tr><td></td><td>2m</td><td>6 - 14</td><td>0m</td><td>6m</td></tr><tr><td></td><td>5-6m</td><td>6 - 12</td><td>3m</td><td>4.5m</td></tr><tr><td>Other streets</td><td>3-4m</td><td>6 - 12</td><td>3m</td><td>4.5m</td></tr></table> <p><b>Figure 3: Setback Controls</b> Source: DCP 2018</p> <p><i>Medium Site</i> &gt;= 2800 and &lt; 5600sqm; or &gt;36m primary street frontage</p>	Setbacks					Front Setbacks and Street Wall Heights*			Side setbacks			Setback at ground level	Street wall height (metres)	Up to street wall	Above street wall		3-4m	6 - 14	0m	6m		3-4m	6 - 14	3m	6m		0m	6 - 14	0m	6m		0m	6 - 9.5	0m	6m		2m	6 - 14	0m	6m		5-6m	6 - 12	3m	4.5m	Other streets	3-4m	6 - 12	3m	4.5m	<p><b>Does Not Comply - Variation to DCP sought.</b></p> <p><u>Street setback</u></p> <p>In accordance with Section 5.2 Built Form provisions, the maximum permissible street wall height ranges from 6m – 9.5m for the site and DCP 2018 recommends a front setback of a minimum of three metres is provided for the top level of the building.</p> <p>Rather the stepping back at the podium height of 9.5 metres, the street wall height is generally maintained at zero setback creating a minor encroachment into the desired building envelope (<b>Refer to Figure 4</b>). The minor variation to the street setback of the upper level can be supported on planning and design grounds for the following reasons:</p> <ul style="list-style-type: none"><li>• The front façade elevation provides appropriate articulation and diversity in elevational treatment through the use of the awning, void element and other differing design treatments that result in a human scale presentation, maintains access to sunlight along the main street frontage and will provide a built form outcome that is consistent with the future desired character of the street.</li><li>• The proposed development requires the delivery of a strong architectural expression appropriate for a Civic Building use and the minor encroachment provides significant benefits to the pedestrian amenity and provision of a more cohesive built form outcome with minimal overall impacts, which is in the public interest.</li></ul> <p><u>Side setback</u></p> <p>Whilst the subject site has a primary street frontage width of 37.73m to Donnison Street, the subject site area is 1,450m<sup>2</sup>. Therefore the site lends itself to the small site building nominated site requirements where side to side boundary building forms are encouraged.</p> <p>The upper level of upper floor has significant floorplate setbacks on the north west corner and north east corner which provide a distinctive elevational treatment at the street edges. These façade setbacks provide deep shaded reveals which are matched by another generous window reveal on the western elevation above the 9.5m wall height. These large façade elevation treatments on the upper floor ensure appropriate façade modulation and setbacks on the east and west boundaries. The setbacks which are situated at the</p>
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Front Setbacks and Street Wall Heights*			Side setbacks																																																	
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		<p>street corners, suitably address the public domain and demonstrate that the future development of adjoining properties are not compromised'</p> <p>Despite the proposed non complying side setbacks which result in minor encroachments into the desired building envelope, the proposal exhibits high design excellence with minimal overall impacts to the locality and results in a suitable and superior design outcome. The proposal is well below the relevant FSR and Height controls and does not pose any negative impacts or constraints to the redevelopment of the adjacent sites.</p>  <p><b>Figure 4: 3D Height Plane Analysis - West</b>  <b>Source: Architectural Plans prepared by Lahznimmo Architects</b></p>
5.2.3	<p><b>Active Street frontage</b></p> <p><i>1. Frontages labelled 'primary active frontage' on Figure 8 are to: a. Include active uses (for example, retail and business premises) at ground level facing the street for sites within the following character areas: City North, City South and Civic Heart. For sites in other areas, high quality residential with street address may be provided at ground level</i></p> <p><i>b. Maximise operable and glazed shop frontages, entries for all uses, active office uses such as reception and any other activities which provide pedestrian interest and activation</i></p> <p><i>c. Minimise blank walls (with no windows or doors), fire escapes, service doors, plant and equipment hatches</i></p> <p><i>d. Not include more than 12m of frontage dedicated to office use (retail, business and other active uses should be provided at ground level)</i></p> <p><i>e. Provide elements of visual interest</i></p> <p><i>f. Provide a high standard of architectural finish and detail</i></p> <p><i>g. Not contain vehicular access unless demonstrated to be the only suitable location on the property for such access.</i></p>	<p><b>Complies.</b></p> <p>The proposal provides a high level of activation and visual interest to Donnison Street.</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 with extensive glazing. A clear designated entrance is provided to the building. The proposed 'neighbourhood room' provides a weather protected environment, with tall mature Cabbage Tree palms, which acts to draw the public domain including Kibble Park into the building and provide visual interest and high connectivity.</p> <p>No vehicular access is proposed along the Donnison Street frontage to maximise activation along the site's key frontage and enhance overall pedestrian amenity and positive safety outcomes.</p>
5.2.7	<p><b>Awning</b></p> <p><i>1. Continuous street frontage awnings are to be provided for all new developments identified as active frontages in Figure 8.</i></p> <p><i>2. Awning dimensions should generally be:</i></p> <p><i>a. horizontal in form,</i></p> <p><i>b. minimum 2.4 metres deep (dependent on footpath width),</i></p> <p><i>c. minimum soffit height of 3.2m and maximum of 4 metres,</i></p> <p><i>d. steps for design articulation or to accommodate sloping streets are to be integral with the building design and should not exceed 700mm,</i></p>	<p><b>Partially Complies - deemed acceptable on planning and design merit.</b></p> <p>The proposal provides an awning extending from the western boundary to across part of the 'neighbourhood room' to provide a weather protected entry to the building.</p> <p>The proposed street awning does not extend fully to the east boundary of the site to reduce the overshadowing implications of the proposal to the 'neighbourhood room',</p>

	<p><i>e. low profile, with slim vertical fascias or eaves (generally not to exceed 300mm height), and</i></p> <p><i>f. set back from the kerb to allow for clearance of street furniture, trees, etc. (typically 1.2m).</i></p> <p><i>3. Awning design must match building facades, be complementary to those of adjoining buildings and maintain continuity.</i></p> <p><i>4. Wrap awnings around corners for a minimum 6m where a building is sited on a street corner.</i></p> <p><i>5. Vertical canvas drop blinds may be used along the outer edge of awnings along north-south streets. These blinds must not carry advertising or signage.</i></p> <p><i>6. Provide under awning lighting to facilitate night use and to improve public safety recessed into the soffit of the awning or wall mounted onto the building.</i></p>	<p>which includes landscaping of mature Cabbage Tree Palms.</p>  <p><b>Figure 5: Proposed Street Awning (Source: Architectural Plans prepared by Lahznimmo Architects)</b></p> <p>The redevelopment of the site provides a suitable design expression, positive visual impact to both the streetscape and the public domain despite the street awning not extending across the entire site frontage.</p> <p>Refer to Architectural Plans held at <b>Appendix D.</b></p>
5.2.9	<p><b>Above ground parking</b></p> <ol style="list-style-type: none"> <li><i>1. Car parking is to be provided wholly underground unless the determining authority is satisfied unique site conditions prevent achievement of parking in basements. The determining authority may require the provision of a supporting report (for example, a geotechnical report), prepared by an appropriately qualified professional as information to accompany a development application to the determining authority.</i></li> <li><i>2. On-site car parking provided at or above ground level is to have a minimum floor to floor height of over 3.5m so it can be adapted to another use in the future.</i></li> <li><i>3. On-site parking is to be accommodated underground, or otherwise fully integrated into the design of the building as illustrated in Figures 10 and 11. Where integration is not achieved, car-parking areas will count towards gross floor area for the purposes of calculating Floor Space Ratio.</i></li> <li><i>4. Any on site above ground parking should be 'sleeved' by a minimum 8m depth activation (commercial or residential use) facing any street as illustrated in Figure 11.</i></li> </ol>	<p><b>Complies.</b></p> <p>The proposed development does not include any on-site above ground car parking nor on-site basement parking. Car parking for 21 cars for the development is maintained to the rear of the site in an existing car park.</p> <p>The provision of any basement car parking on the site accessed via Donnison Street would hinder the attainment of Council's important civic outcomes relating to maximising street activation and enhancing pedestrian amenity along the main frontage of a key Gosford City Centre site.</p> <p>Refer to Traffic Impact Assessment prepared by The Transport Planning Partnership held at <b>Appendix N.</b></p>
5.2.13	<p><b>Landscape Design</b></p> <ol style="list-style-type: none"> <li><i>1. For all development applications, a landscape plan shall be submitted by a suitably qualified landscape architect that includes:</i> <ol style="list-style-type: none"> <li><i>(a) the planting schedule with numbers and species of plants including botanical and common names</i></li> <li><i>(b) the number and name including botanical and common names of mature trees on site,</i></li> <li><i>(c) the type, levels and details of paving, fencing, retaining walls and other details of external areas of the site, and</i></li> <li><i>(d) an outline of how landscaped areas are to be maintained for the life of the development.</i></li> </ol> </li> <li><i>2. All development proposals are to be designed to minimise the impact on significant trees on site, street trees and trees on adjoining land including remnant vegetation.</i></li> <li><i>3. Landscaped areas are to be irrigated with recycled water.</i></li> </ol>	<p><b>Complies.</b></p> <p>The proposal includes a semi-outdoor landscaped forecourt facing the Donnison Street frontage, identified as the 'neighbourhood room', which provides high quality landscaping and planting as well as paving and seating. Further, six new street trees are proposed to enhance the site's presentation and contribute to the canopy cover and vegetation planting in the Gosford City Centre.</p> <p>An additional landscaped area is provided at the rear of the site.</p> <p>Noting the current site conditions are devoid of any vegetation, the introduction of high quality landscaping including mature trees on the site and along the public footpath, will positively contribute to desirable visual impacts and biodiversity outcomes for Gosford City Centre.</p>

		Refer to the detailed Landscape Plans prepared by SMM Landscape Architects, dated July 2021 held at <b>Appendix O</b> .												
5.2.14	<b>Site cover and deep soil zones</b>  <i>The maximum site cover for development is specified in the following table:</i> <table border="1"> <tr> <th>Zone</th><th>Commercial &amp; Mixed use</th><th>Residential</th></tr> <tr> <td>Commercial Core</td><td>100%</td><td>N/A</td></tr> <tr> <td>Mixed Use and Enterprise</td><td>75%</td><td>60%</td></tr> <tr> <td>All other zones</td><td>75%</td><td>50%</td></tr> </table>	Zone	Commercial & Mixed use	Residential	Commercial Core	100%	N/A	Mixed Use and Enterprise	75%	60%	All other zones	75%	50%	<b>Complies.</b>  The proposal will result in 77% site coverage.
Zone	Commercial & Mixed use	Residential												
Commercial Core	100%	N/A												
Mixed Use and Enterprise	75%	60%												
All other zones	75%	50%												
5.2.18	<b>Public Artworks</b>  <i>Major developments in the Gosford City Centre (over 5000sqm in floor space) are required to prepare a Public Art Plan as part of their development proposal.</i> 1. Public art is to respond to the particular site of the development as well as the city as a whole. 2. Provide well designed and visually interesting public art made by artists or organisations that are competent in the selected field. 3. Construct public art of materials that are hardwearing, resistant to vandalism and constructed to ensure minimal maintenance.	<b>Not applicable.</b>  The proposed development will have a total GFA less than 5,000m <sup>2</sup> and the requirement for a public art plan does not apply to the proposed development.												
<b>Part 7</b>	<b>Access and Parking</b>													
7.3	<b>Vehicular Driveways and Manoeuvring areas</b>  1. Driveways should be: a. provided from lanes and secondary streets rather than the primary street, wherever practical, b. located taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees, c. located a minimum of 6 metres from the perpendicular of any intersection of any two roads, and d. if adjacent to a residential development, setback a minimum of 1.5m from the relevant side property boundary.	<b>Complies.</b>  The proposal will involve servicing via the existing driveway located at the rear via Henry Parry Drive and no vehicle access is proposed from the site's main frontage along Donnison Street. The proposal achieves compliance with the objectives of the DCP to minimise the impact of new driveways on the quality of the public domain and pedestrian safety.  Refer to Traffic Impact Assessment prepared by The Transport Planning Partnership held at <b>Appendix N</b> .												
7.4	<b>On-site parking</b>  1. On-site vehicle and bicycle parking is to be provided in accordance with Table 2 of this chapter. 2. Car parking and associated internal manoeuvring areas provided over and beyond that required by this chapter is to be calculated towards gross floor area. 3. Car parking above ground is to have a minimum floor to ceiling height of 3.1m so it can adapted to another use in the future. ] 4. On-site parking must meet the relevant Australian Standard (AS 2890.1 2004 – Parking facilities, or as amended). 5. To accommodate people with disabilities, provide a minimum of 4% of the required parking spaces, or minimum of 2 spaces per development, (whichever is greater) as an appropriately designated and signed disabled parking spaces.	<b>Complies.</b>  The proposal includes the new line marking of 21 car parking spaces for staff and special visitors in car park at the rear, which is currently used for car parking by the subject site. Two of the car parking spaces are designated as accessible car parking spaces, which achieves compliance with the required provision for a minimum of two accessible car spaces per development.  A total of eleven (11) bicycle spaces are proposed for the development comprising bike racks along Donnison Street for six bicycles and five spaces in a secure storage room for staff including associated shower and locker facilities.  Refer to the Traffic Impact Assessment prepared by The Transport Planning Partnership held at <b>Appendix N</b> .												



	<p>6. A Transport Management Plan is required to accompany development applications to justify any proposed variation to parking rates.</p> <p>7. Uncovered on-site parking areas, including the top of front building setbacks, are prohibited.</p> <p>8. Bicycle parking is to be in secure and accessible locations, with weather protection.</p> <p>9. The impact of any on-grade car parking must be minimised by:</p> <ul style="list-style-type: none"> <li>a. Locating parking on the side or rear of the lot away from the street frontage,</li> <li>b. Provision of fencing or landscape to screen the view of cars from adjacent streets and buildings,</li> <li>c. Allowing for safe and direct access to building entry points, or</li> <li>d. Incorporating car parking into landscape design of the site (such as planting between parking bays to improve views, selection of paving material and screening form communal and open space areas).</li> </ul> <p>10. Reference should be made to relevant guidance in Austroads Guides, Australian Standards, NSW Government Planning Guidelines for Walking and Cycling and NSW Roads and Maritime Services technical directions.</p>	
<b>Part 8</b>	<b>Environmental Management</b>	
8.2	<b>Energy Efficiency and Conservation</b>	<p><b>Complies.</b></p> <p>The building's design, construction and operation will integrate Ecologically Sustainable Development (ESD) including energy efficiency at best practice level.</p> <p>The ESD Statement prepared by Northrop dated 2 August 2021 (<b>Appendix P</b>) outlines the detailed strategies for the development on eight ESD themes including Energy Efficiency, On-site Renewable Energy, Occupant Wellbeing, Water Efficiency, Materials Impact, Transport Impact, Social Impact and Site Discharge.</p> <p>The proposed development has been designed with a strong commitment to ESD, exceeding many of the required statutory controls and achieves compliance with the required provisions of Section 8 of DCP 2018.</p>
8.3	<b>Water Conservation</b>	<p><b>Complies.</b></p> <p>Overall, the proposal will implement water saving measures to ensure efficient best practice management of water resources.</p> <p>The development has an integrated rainwater tank to store approximately 20,000L, diverted from the roof of the development. This rainwater will be used to irrigate landscaping as well as for toilet flushing purposes. Further, high efficiency water fittings and fixtures will be adopted for the building to minimise overall water consumption.</p> <p>The details of all proposed measures are within the ESD Statement prepared by</p>

		Northrop dated 2 August 2021 held at <b>Appendix P.</b>
8.4	<b>Reflectivity</b>	<p><b>Complies.</b></p> <p>The proposed development has been designed to achieve Environmentally Sustainable Development to limit energy consumption, including through its external glazing and by limiting light reflectivity.</p> <p>The proposal's façade design will not result in any unacceptable glare and achieve safety outcomes for pedestrians and drivers in Gosford City Centre.</p> <p>The proposed design is able to achieve compliance with all relevant sections of the Building Code of Australia and applicable building and design regulations.</p>
8.6	<b>Waste and Recycling</b>	<p><b>Complies</b></p> <p>The proposal will generate limited amounts of operational waste by virtue of its use as a library and through appropriate management by library administration and cleaners. Both general and recyclable waste will be appropriately deposited into the screened waste refuse store area stored on site and will be removed by Council on a weekly basis from the waste collection area adjacent to the loading dock.</p> <p>The handling of waste will have no negative impacts on the environment or the amenity for the users of the building and pedestrians within Gosford City Centre. The procedures for ongoing waste management will be subject to Council's sustainable practices through efficient storage and collection of waste and through the high quality designed waste facilities provided on site.</p> <p>Where practicable, waste during demolition and construction will be removed off site to a recycling facility or disposed of at an EPA approved licensed waste facility following classification.</p> <p>Refer to the Waste Management Plan prepared by SMEC Australia Pty Limited at <b>Appendix G.</b></p>
8.7	<b>Noise and Vibration</b>	<p><b>Complies.</b></p> <p>The proposal has been carefully designed to ensure noise impacts provide reasonable amenity to all occupants of the development as well as the locality during operation of the building as well as during construction.</p> <p>The site is currently surrounded by mostly non-residential receivers, with the nearest residential receiver located approximately 180m south at 127 Henry Parry Drive.</p> <p>Subject to the recommendations of Section 6 of the Acoustic Assessment prepared by</p>

		<p>Acoustic Logic dated 27 July 2021 being addressed in the final building design and during operations, the proposed development will achieve compliance with DCP 2018 and NSW Environmental Protection Authority Document - '<i>Noise Policy for Industry (NPfI) 2017</i>' in relation to noise emissions. There will be a negligible overall impact on the surrounding noise environment as a result of the development. All required mitigation and operation measures nominated in the Acoustic Assessment report will be addressed and complied with for the proposed development.</p> <p>Refer to the Acoustic Assessment prepared by Acoustic Logic dated 27 July 2021 held at <b>Appendix M</b>.</p>
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**MILESTONE (AUST) PTY LIMITED**