



Andrew Biller
Metroplan Services
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NEWCASTLE NSW 2300

Email: andrewbiller@metroplanservices.com

Dear Mr Biller,

**Pre-Development Application Advice
60, 62-64 Showground Road, Gosford (Lots 1-4 on SP 20095 & Lots 1-6 on SP 20058)**

I refer to your pre-development application (Pre-DA) meeting held on 21 July 2021 in relation to the proposed mixed-use development comprising a medical centre, a residential flat building, and retail. Further to the advice provided to you during the meeting, I provide this written advice for your records.

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

- Pre-DA Planning Statement prepared by Metroplan Services dated 16 July 2021
- Architectural presentation prepared by Elevation Architecture dated 9 July 2021

The Department recommends the proposal be amended to address the key issues raised during the pre-DA meeting and in the advice below. 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.

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

The proposed development involves the construction of a six-storey mixed-use development comprising four levels of basement car parking, a medical centre, a residential flat building, and retail.

Zoning and Permissibility

The site is zoned B4 Mixed Use under State Environmental Planning Policy (Gosford City Centre) 2018 (Gosford SEPP). The objectives of zone B4 are:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage a diverse and compatible range of activities, including commercial and retail development, cultural and entertainment facilities, tourism, leisure and recreation facilities, social, education and health services and higher density residential development.
- To allow development in Point Frederick to take advantage of and retain view corridors while avoiding a continuous built edge along the waterfront.
- To create opportunities to improve the public domain and pedestrian links of Gosford City Centre.
- To enliven the Gosford waterfront by allowing a wide range of commercial, retail and residential activities immediately adjacent to it and increase opportunities for more interaction between public and private domains.
- To protect and enhance the scenic qualities and character of Gosford City Centre

The proposed development is defined as mixed-use development comprising a medical centre, a residential flat building, and retail. All uses are permitted with consent in the B4 zone.

Any site remediation of contaminated land 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 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. Based on the pre-DA meeting, the development is anticipated to have a capital investment value (CIV) in excess of \$10,000,000, but less than \$75,000,000.

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'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, clause 1.6 of the Gosford SEPP prescribes that the Minister for Planning is the consent authority for the development.

Statement of Environmental Effects

The Regulation requires 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 the impacts would be minimised or mitigated. 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 and consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed).

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 section.

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.
- Detail the nature and extent of any prohibitions that apply to the development.
- Provide details of the proposed use and particulars for development.
- Identify compliance with the development standards and controls applying to the site and provide a detailed justification for any non-compliances.
- Address the adequacy of the extent of floor space provided for commercial purposes and provide relevant justification.

Design Excellence

- A Design Excellence Statement (DES) should be provided that demonstrates how the proposal exhibits design excellence in accordance with Clause 8.3 of the Gosford SEPP and contributes to the natural, cultural, visual and built character values of Gosford City Centre.
- The Design Excellence Statement must address the nine design quality principles contained within the State Environmental Planning Policy – No. 65 Design Quality of Residential Apartment Development.
- The SEE must demonstrate compliance with the objectives, criteria and design guidance contained within the SEPP 65 Apartment Design Guide (ADG).

Built Form and Urban Design

- The SEE should demonstrate how the proposal is informed by the planning framework, including the Gosford SEPP and the Gosford Development Control Plan 2018 (Gosford DCP).
- The mapped maximum height of buildings (HOB) applying to the land is 18m. The development proposes an approximate 22.9m building height, seeking variation to the development standard. Clause 8.4(3) applies to the site, which allows a variation to the HOB, subject to meeting the requirements listed in (a) – (e).
- Clause 8.4(3)(b) requires that the City of Gosford Design Review Panel reviews the development. It is recommended that you contact the Panel Secretariat to arrange a Pre-DA meeting.
- Clause 8.4(2) applies to the site, as such FSR must not exceed the ratio calculated based on the formula provided.
- Setbacks (including front, rear and side setbacks) should comply with Chapter 5 of the Gosford DCP, noting that building separation and visual privacy requirements of the SEPP 65 Apartment Design Guide (ADG) will also apply to the residential component of the development.
- Side and rear setbacks of the residential component (inclusive of the balconies) do not comply with the building separation visual privacy requirements under Part 3F of the ADG, noting that future development opportunities on adjoining sites should be taken into consideration.
- The Gosford DCP requires a 3-4m ground level front setback with a 6-14m maximum street wall height. Above street wall, an additional 3m setback is required. Compliance with the front setback requirements should be achieved to provide articulation to the built form and reduce bulk and scale. Street wall height and setbacks should be clearly shown on the plans to demonstrate compliance.
- The Gosford DCP allows for a 600mm encroachment of balconies for 50% of the width of the building façade. The proposal does not currently comply with this control and amendments to achieve compliance is recommended.
- The Gosford DCP prescribes a maximum 50% site coverage for residential development. The proposal does not appear to comply with this due to the large building footprint proposed.

Public Domain/Landscaping

- Outline the scope of public domain improvements, pedestrian linkages, street activation, and landscaping to be provided as part of the proposal and investigate options to improve the pedestrian connections to adjacent sites and streets
- Detailed landscaping plans must be submitted with the DA. Plans must include a planting schedule, planting locations, deep soil zones, pot sizes, densities and measures to ensure the retention of existing trees.

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

- Provide A3 sized shadow diagrams 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 SEE must contain a detailed numeric compliance table that clearly sets out how SEPP 65 and the ADG (design objectives, criteria and design guidance) have been addressed. Elevation shadow diagrams may also be requested to demonstrate that solar access can be achieved to living rooms and private open spaces of at least 70% of apartments.
- 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.

Acoustic Impacts

- State Environmental Planning Policy (Infrastructure) 2007 applies to the site due to its proximity to a railway corridor. An acoustic report is required to be submitted, demonstrating that the noise levels received within the residential development will not exceed the levels outlined in CI 87(3).

Transport and Accessibility (Construction and Operation)

- Submit a traffic report to assess potential traffic impacts of the proposed development on the surrounding road network using SIDRA or a similar traffic model and identify any road upgrade works that may be required to maintain acceptable levels of service. Details of public transport, pedestrian and bicycle provisions needed to meet likely future demand should be submitted
- Demonstrate sufficient on-site car parking, loading/unloading, pedestrian and cycling facilities have been provided. It is noted that any car parking over and above the prescribed rate is to be included into the calculation of Gross Floor Area (GFA).
- 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.

Universal Design

- The proposal will need to demonstrate that 20% of the total apartments incorporate the Livable Housing Guideline's silver level universal design features.
- Disabled access will need to be provided from the public domain to the main entrance of the building. Plans will need to demonstrate compliance with the relevant Australian Standards.

Building sustainability and environmental performance

- Demonstrate how the proposal promotes energy efficiency and how the proposal meets the Water Sensitive Urban Design principles and incorporates those 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).

Social and 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.

Construction 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.

Biodiversity

- Assess any biodiversity impacts associated with the proposal.

Soil and Water

- The DA should include geotechnical assessment, Acid Sulfate Soils assessment and groundwater assessment.

Utilities

- Assess the capacity of existing services and utilities and identify any upgrades required to facilitate the development.
- Chapter 5 of the Gosford DCP provides details for substation locations, which must be provided wholly within the subject site, either internal to the development or suitably located and integrated within the architectural or landscaping design.

Easements, restrictions, staging and site suitability

- Provide details of all existing easements, restrictions or positive covenants applying to the land.
- Demonstrate that the site is suitable for the proposed development, in accordance with the requirements of SEPP 55.

- Having regard to the Department's guideline on Safeguarding Strategically Important Helicopter Landing Sites in NSW, the Department requires an Aviation Impact Statement to assess the potential aviation impacts of the proposal (during construction and operation) including helicopter flight paths servicing Gosford Hospital.

Development Contributions

- Contributions in the Gosford City Centre include a 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.
- Provide details of any Voluntary Planning Agreements

DA Lodgement

Any future DA should be lodged via the NSW Planning Portal at

<https://www.service.nsw.gov.au/transaction/apply-online-development-application-da>

Development Classification

A preliminary review of the site and proposed development has identified that the proposal is local development, as it does not meet the requirements of regionally significant or State significant 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.

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 submit addressing those matters contained in **Attachments A**. 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.

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 and address the issues raised through further design refinement. It is a requirement that the Design Review Panel reviews the development. It is recommended that you contact the Panel Secretariat at centralcoast@planning.nsw.gov.au to arrange a Pre-DA meeting.

For further enquiries, please contact Lauren Saunders on (02) 82751525 or lauren.Saunders@planning.nsw.gov.au

Yours sincerely



28/07/2021

Teresa Gizzi
Team Leader
Regional Assessments

Enclosed:

Attachment A: Policies, Plans Guidelines and DA Documents

Attachment B: DA Lodgement Checklist

ATTACHMENT A

Policies, Plans, Guidelines and DA Documents

The following guidelines may assist in the preparation of the DA and SEE. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.legislation.nsw.gov.au>

<http://www.shop.nsw.gov.au/index.jsp>

<http://www.australia.gov.au/publications>

<https://www.centralcoast.nsw.gov.au/council/news-and-publications/policies-and-codes>

Policies, Plans and Guidelines	
Statutory policies and plans	<ul style="list-style-type: none"> • Environmental Planning & Assessment Act 1979 • Biodiversity Conservation Act 2016 • State Environmental Planning Policy (Gosford City Centre) 2018 • State Environmental Planning Policy (Building Sustainability Index BASIX) 2004 • State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 • State Environmental Planning Policy (Coastal Management) 2018 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No.55 – Remediation of Land • State Environmental Planning Policy No 64 - Advertising and Signage • State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development & accompanying Apartment Design Guide • Draft State Environmental Planning Policy (Environment) • Central Coast Council's 7.12 (former S94A) Contributions Plan Centre (Civic Improvement Plan 2007) for Gosford City Centre • Gosford City Centre Special Infrastructure Contribution (Ministerial Direction, Ministerial Determination and Order).
Strategic plans	<ul style="list-style-type: none"> • Future Transport Strategy 2056 and supporting plans • State Infrastructure Strategy 2018-2038 • Central Coast Regional Plan 2036 • NSW Government Architect's Gosford Urban Design Framework 2018 • Gosford City Centre Transport Management and Accessibility Plan
Guidelines and policies	<ul style="list-style-type: none"> • Gosford City Centre Development Control Plan 2018 • City of Gosford Design Advisory Panel (CoGDAP) Guide for Proponents and Stakeholders (DPE, 2018) • Gosford City Centre Streetscape Design Guidelines (Oculus for Gosford City Council, 2011) • Central Coast Council's Civil Works Specifications • Central Coast Council's Gosford City Centre Developer Services Plan (DSP) • Central Coast Council's Gosford City Centre Water Servicing Strategy (Aug 2017) • Central Coast Council's Gosford City Centre Sewer Servicing Strategy (Mar 2017) • Central Coast Council's Gosford CBD Overland Flood Study • Central Coast Council's Voluntary Planning Agreements Policy for Gosford City Centre (adopted July 2017) • Central Coast Council's Draft Greener Places Strategy • Central Coast Council's Draft Biodiversity Strategy • Central Coast Council's Gosford Bike Strategy 2014 • NSW Planning guidelines for walking and cycling (DIPNR & RTA, 2004) • Planning for Bushfire Protection 2019 • Guide to Traffic Generating Developments (RMS, 2002), including Section 2 Traffic Impact Studies • Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development (Austroads, 2016) • Standards Australian AS2890 Parking Facilities Set

	<ul style="list-style-type: none"> • Cycling Aspects of Austroads Guides (2017) • Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land (DUAP) • Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011) • Statement of Heritage Impact Guide (OEH) • Design in context: Guidelines for infill development in the Historic Environment (NSW Heritage Office, 2005) • Managing Urban Stormwater – Soils & Construction Volume 1 (Landcom, 2004) • NSW Aquifer Interference Policy (2012) • Guidelines for Controlled Activities on Waterfront Land (2018) • Central Coast Council's Water Cycle Management Guidelines • Central Coast Council's Waste Control Guidelines • Interim Construction Noise Guideline (DECC, 2009) • Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA, 2005) • Better Placed: An integrated design policy for the built environment of New South Wales (GANSW, 2017) • Healthy Urban Development Checklist (NSW Health, 2009)
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The following Documents are to be submitted with any DA:

DA Documents
<ul style="list-style-type: none"> • Completed DA form • All of the information listed in Schedule 1, Part 1, Clause 2(5) of the Regulation. • All relevant documents contained within the DA lodgement checklist (refer Attachment B and a completed copy of the checklist). • Architectural Plans (A3) including landscape and public domain plans, detailed overshadowing diagrams, materials/colours schedule and cross ventilation diagrams • Storm water and drainage concept plans (A3) • Visual impact assessment • Traffic impact assessment • Compliance tables for all relevant development standards and planning controls • A table identifying the proposed land uses including a floor-by-floor breakdown of GFA, total GFA and site coverage • Water cycle management plan strategy • Contamination assessment • Access statement • Acoustic report • Geotechnical report • Erosion & sediment control plan • Design excellence statement • Aboriginal archaeology report (if applicable) • Flora and fauna report (if applicable) • Arborist report (if applicable) • Remediation action plan (if applicable) • Salinity assessment and management plan (if applicable) • Acid sulphate soil assessment (if applicable)