

Modification of Development Consent

Section 4.55(2) of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning, I approve the modification of development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development



Keiran Thomas
Director
Regional Assessments

Sydney

2 December 2024

SCHEDULE 1

Application No.:	DA 22/11444
Applicant:	Cornerstone Development Management Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	60-64 Showground Road, Gosford Lots 1-4 SP 20095 and Lots 1-6 SP 20058
Modification:	DA 22/11444 Mod 1 Mixed use development consisting of health services facility & retail premises within a five-storey building with three levels of basement including a radiation oncology tenancy and parking, demolition and associated works.

SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 2 – Part A, Terms of Consent A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

Terms of Consent

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) generally in accordance with the SEE and Response to Submissions;
- (d) in accordance with the approved plans in the table below (except where modified by the conditions of this consent):

Survey Plan prepared by Bissett & Wright			
Drawing No.	Revision	Title	Date
1	-	Surface Detail Plan	27/05/2021
Architectural Plans prepared by Elevation Architecture			
Drawing No.	Revision	Title	Date
A-DA-00.01	D	Context & Locality Plans	12/12/2022
A-DA-00.02	B	GFA Calculations	22/12/2022
A-DA-01.01	D	Site Plan	22/12/2022
A-DA-01.02	B	Existing Survey	04/03/2022
A-DA-01.03	A	Demolition Plan	21/07/2022
A-DA-01.04	A	Excavation Plan	21/07/2022
A-DA-03.01	I	Floor Plan — Basement 4	10/05/2023
A-DA-03.02	F	Floor Plan — Basement 3	04/03/2022
A-DA-03.03	F	Floor Plan — Basement 2	04/03/2022
A-DA-03.04	G	Floor Plan — Basement 1	04/03/2022
A-DA-03.05	K	Floor Plan — Ground Floor	10/05/2023

A-DA-03.06	G	Floor Plan — First Floor	04/03/2022
A-DA-03.07	F	Floor Plan — Second Floor	04/03/2022
A-DA-03.08	F	Floor Plan — Third Floor	04/03/2022
A-DA-03.09	F	Floor Plan — Fourth Floor	04/03/2022
A-DA-03.10	J	Floor Plan — Fifth Floor	10/05/2023
A-DA-04.01	F	Roof Plan	22/12/2022
A-DA-09.01	G	Elevations — North	22/12/2022
A-DA-09.02	H	Elevations — East	10/05/2023
A-DA-09.03	G	Elevations — South	22/12/2022
A-DA-09.04	D	Elevations — West	01/02/2023
A-DA-10.01	G	A Section A	02/02/2023
A-DA-10.02	H	B Section B	02/02/2023
A-DA-10.03	G	C Section C	02/02/2023
Architectural Plans Prepared by TVS Architects			
Drawing No.	Revision	Title	Date
6245.A-DA-00.01	L	Cover Sheet	30/05/2024
6245.A-DA-00.02	F	GFA Calculations	01/05/2024
6245.A-DA-01.01	H	Site Plan	01/05/2024
6245.A-DA-01.02	H	Existing Survey	01/05/2024
6245.A-DA-01.03	E	Demolition Plan	01/05/2024
6245.A-DA-01.04	E	Excavation Plan	01/05/2024
6245.A-DA-03.02	K	Floor Plan – Basement 3	01/05/2024

6245.A-DA-03.03	L	Floor Plan – Basement 2	10/05/2024
6245.A-DA-03.04	N	Floor Plan – Basement 1	30/05/2024
6245.A-DA-03.05	O	Floor Plan – Ground Floor	30/05/2024
6245.A-DA-03.06	L	Floor Plan – First Floor	30/05/2024
6245.A-DA-03.07	K	Floor Plan – Second Floor	30/05/2024
6245.A-DA-03.08	K	Floor Plan – Third Floor	30/05/2024
6245.A-DA-03.09	K	Floor Plan – Fourth Floor	30/05/2024
6245.A-DA-04.01	K	Roof Plan	01/05/2024
6245.A-DA-09.01	K	Elevations – North	30/05/2024
6245.A-DA-09.02	L	Elevations – East	30/05/2024
6245.A-DA-09.03	K	Elevations – South	30/05/2024
6245.A-DA-09.04	K	Elevations – West	30/05/2024
6245.A-DA-10.01	J	Section A	30/05/2024
6245.A-DA-10.02	J	Section B	30/05/2024
6245.A-DA-10.03	I	Section C	01/05/2024
6245.A-DA-22.01	F	North-Eastern Perspective	30/05/2024
6245.A-DA-22.02	F	Showground Road Perspective	30/05/2024
6245.A-DA-22.03	F	South-Eastern Perspective	30/05/2024
6245.A-DA-22.04	F	Showground Road Context	30/05/2024
Landscape Drawings by Terras Landscape Architects			
Drawing No.	Revision	Title	Date
01	F	Ground Floor	07/03/2022
02	F	Ground Floor Retaining Wall	07/03/2022
05	F	First Floor	07/03/2022

06	F	Creeper Wall	07/03/2022
07	F	Fifth Floor Garden	07/03/2022
08	F	Fifth Floor Garden	07/03/2022
11	F	Podium Roof Garden	07/03/2022
Landscape Drawings by Terras Landscape Architects			
Drawing No.	Revision	Title	Date
L01	M	Ground Floor Layout	30/05/2024
L02	M	Ground Floor Retaining Wall 1	30/05/2024
L03	M	Ground Floor Retaining Wall 2	30/05/2024
L04	M	Ground Floor Retaining Wall 2	30/05/2024
L05	M	First Floor Layout	30/05/2024
L06	M	Creeper Wall	30/05/2024
L07	M	Fourth Floor Layout	30/05/2024
L08	M	Fourth Floor Detail Layout	30/05/2024
L09	M	Precedent Images 1	30/05/2024
L10	M	Precedent Images 2	30/05/2024
L11	M	Planting Palette 1	30/05/2024
L12	M	Planting Palette 1	30/05/2024
L13	M	Soil Depth	30/05/2024
L14	M	Soil Specification	30/05/2024
Fire Services Plan Layout by Premium Fire Services			
Drawing No.	Revision	Title	Date
FS.01	A	Fire Services – Tenancy	19/12/2022
Erosion & Sediment Control Plan by ACOR Consultants (CC) Pty Ltd			
Drawing No.	Revision	Title	Date
E1	A B	Erosion & Sediment Control Cover Sheet & Notes	14/06/2022
E2	A B	Erosion & Sediment Control Plan	14/06/2022
E2	A B	Erosion & Sediment Control Plan	14/06/2022
Stormwater Plan by ACOR Consultants (CC) Pty Ltd			
Drawing No.	Revision	Title	Date
C1	B C	Cover Sheet & Notes	05/07/2022 16/05/2024
C2	B	Stormwater Management Plan – Basement 4	06/07/2022
C3 C2	B C	Stormwater Management Plan - Basement 3	05/07/2022 16/05/2024
C4 C3	B C	Stormwater Management Plan - Basement 2	05/07/2022 16/05/2024

C5 C4	B C	Stormwater Management Plan - Basement 1	05/07/2022 16/05/2024
C6 C5	B C	Stormwater Management Plan – Ground Floor	05/07/2022 16/05/2024
C7 C6	B C	Stormwater Management Details Sheet No.1	05/07/2022 16/05/2024
C8 C7	B C	Stormwater Management Details Sheet No.2	05/07/2022 16/05/2024
C10 C8	B C	Stormwater Detention Report	05/07/2022 16/05/2024
C11 C9	B C	Water Quality Report Sheet 1	05/07/2022 16/05/2024
C12 C10	B C	Water Quality Report Sheet 2	05/07/2022 16/05/2024
C13 C13	B C	Water Quality Report Sheet 3	05/07/2022 16/05/2024
C14 C12	B C	Flood Summary	05/07/2022 16/05/2024

(e) generally in accordance with the following documents:

- (i) Access Report prepared by Lindsay Perry Access, Rev 1, dated 06 July 2022
- (ii) Acoustic Assessment prepared by RCA Australia, Rev 3, dated 16 December 2022
- (iii) Arborist Impact Assessment prepared by Michael Shaw Consulting Arborist, dated 03 August 2022
- (iv) ~~BASIX Certification, Certificate No. 1287197M_02, prepared by Chapman Environmental Services Pty Ltd, dated 20 July 2022~~
- (v) ~~BASIX Requirements Summary – Multi Dwelling, 60-64 Showground Road Gosford, NSW 2250, prepared by Chapman Environmental Services Pty Ltd (undated) (Nathers stamp)~~
- (vi) Construction Traffic Management Plan prepared by Northern Transport Planning and Engineering Pty Ltd, dated 30 July 2022
- (vii) ~~Design Excellence Statement prepared by Elevation Architecture~~ **TVS Architects, Rev-C D, dated 22 December 2022 21 May 2024**
- (viii) Electrical Infrastructure Report prepared by JHA Consulting Engineers, Rev A, dated 03 August 2022
- (ix) Energy Efficiency Statement prepared by CES Chapman Environmental Services (undated)
- (x) Geotechnical Investigations Report prepared by ~~D&N Geotechnical Pty Ltd~~ **BHM Geotechnical, dated 14 June 2024 21 May 2024**
- (xi) Gosford Heath Hub Operational Management Plan prepared by Cornerstone Group (undated)
- (xii) ~~Nathers Certificate Summary, Certificate No. 0007108300, prepared by Chapman Environmental Services Pty Ltd, dated 09 March 2022~~

- ~~○ Nathers Certificate Unit1, Certificate No. 0007108160-03, prepared by Chapman Environmental Services Pty Ltd, dated 09 March~~
 - ~~○ Nathers Certificate Unit 2, Certificate No. 0007108178-03, prepared by Chapman Environmental Services Pty Ltd, dated 09 March~~
 - ~~○ Nathers Certificate Unit 3, Certificate No. 0007108186-03, prepared by Chapman Environmental Services Pty Ltd, dated 09 March~~
 - ~~○ Nathers Certificate Unit 4, Certificate No. 0007108194-03, prepared by Chapman Environmental Services Pty Ltd, dated 09 March~~
 - ~~○ Nathers Certificate Unit 5, Certificate No. 0007108202-01, prepared by Chapman Environmental Services Pty Ltd, dated 09 March~~
 - ~~○ Nathers Certificate Unit 6, Certificate No. 0007108210-01, prepared by Chapman Environmental Services Pty Ltd, dated 09 March~~
 - ~~○ Nathers Certificate Unit 7, Certificate No. 0007108228-01, prepared by Chapman Environmental Services Pty Ltd, dated 09 March~~
- (xiii) Preliminary Site (Contamination) Assessment prepared by RCA Australia, Rev 0, dated 12 August 2022
- (xiv) Response to request for further information Letter prepared by Metroplan Services, dated 11 January 2023
- (xv) Response to Request for Information letter 'RE: 60-64 Showground Road Gosford – Proposed Integrated Health Hub Facility And Disability Accommodation – Additional Information' prepared by Metroplan Services dated 15 May 2023, including
- Attachment A – SEPP (Housing) 2021 Compliance Table – Clause 108(2)
 - Attachment B – Statement pursuant to Clause 5.28 Exceptions to Development Standards under State Environmental Planning Policy (Precincts Regional) 2021
 - Attachment C – Amended Architectural Drawings revisions I, K, J and F prepared by Elevation Architecture dated 10 May 2015
- (xvi) Statement of Environmental Effects prepared by Metroplan Services, Rev C, dated 12 August 2022 **as amended by Section 4.55(2) Modification letter prepared by Metroplan Services dated 31 May 2024.**
- (xvii) ~~Traffic Impact Assessment prepared by Northern Transport Planning and Engineering Pty Ltd, dated 11 January 2023~~ **Assessment of Parking and Traffic impacts prepared by Stanbury Traffic Planning Dated 15 May 2024.**
- (xviii) Utilities Report prepared by ACOR Consultants (CC) Pty Ltd, dated 29 July 2022
- (xix) Visual Impact Assessment prepared by Terras Landscape Architects, Rev A, dated 02 August 2022
- (xx) ~~Waste Management Plan for 60 And 62-64 Showground Road Gosford (Lots 1-4 On SP 20095 And Lots 1-6 On SP 20058) – Proposed Mixed Use Development Including Integrated Health Hub Facility And Specialist Disability Accommodation, dated August 2022~~ **Construction & Demolition Waste Management Plan prepared by Elephants Foot Group, Rev B, dated 6 September 2024.**
- (xxi) **Operational Waste Management Plan prepared by Elephants Foot Group, Rev C, dated 10 September 2024**

- (b) Schedule 2 – Part B, Car Parking and Service Vehicle Layout, B7 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

Car Parking and Service Vehicle Layout

B7. Prior to the issue of any relevant construction certificate for car parking and service vehicle parking / loading / unloading areas, evidence must be submitted to the Certifier that the operational access and parking arrangements comply with the following requirements:

- (a) all vehicles can enter and leave the Site in a forward direction;
- (b) ~~228 (216 carparking spaces) on-site car parking spaces~~ **162 on-site parking spaces (156 car spaces, 4 Accessible car spaces and 2 van spaces)** are included for use during operation of the development, and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6;
- (c) ~~eight (8) of the above car parking spaces and one (1) visitors spaces are to be nominated for residential use only;~~
- (d) the swept path of the longest vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the Site, are in accordance with the latest version of AS 2890.2;
- (e) there is no conflict between swept paths and building features, including with respect to the boom gate, any ticket collection or parking payment point, waste collection vehicle access to or reversing from the refuse bay, and vehicle swept paths around the Main Switch Board (MSB) space into and out of the basement; and
- (f) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, has been addressed.

- (c) Schedule 2 – Part B, Car Parking and Service Vehicle Layout, B8 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

B8. Prior to the issue of any relevant Construction Certificate, the following design details for the secure bicycle parking and motorcycle parking, must be submitted to the Certifier for approval:

- (a) the provision of a minimum of ~~44~~ **28** bicycle parking spaces and ~~3~~ **9** motorcycle spaces within the basement;
- (b) the provision of a minimum of ~~7~~ **20** bicycle parking within the ~~front~~ **northern ground floor** setback of the development; ~~and~~
- (c) compliance of the layout, design and security of bicycle facilities with the minimum requirements of the latest version of *AS 2890.3:2015 Parking facilities – Bicycle parking*; ~~and~~
- (d) **the provision of 2 motorcycle spaces on the ground floor level.**

- (d) Schedule 2 – Part B, BASIX, B13 is deleted as per by the ~~struck-out~~ words / numbers as follows:

BASIX

~~B13. The BASIX Commitments and specifications outlined in the BASIX certificate shall be shown on the Construction Certificate plans. The plans are to be amended prior to the issue of a Construction Certificate.~~

- (e) Schedule 2 – Part B, Housing SEPP 2021, B14 is deleted as per by the ~~struck-out~~ words / numbers as follows:

Housing SEPP 2021

~~B14. Prior to the issue of any relevant Construction Certificate, appropriate plans and specifications demonstrating compliance of the development with the standards outlined in Schedule 4 of State Environmental Planning Policy (Housing) 2021, including clause 5(b) that at least on resident car parking space must be able to be increased 3.8m wide, are to be submitted to the Certifier for approval.~~

- (f) Schedule 2 – Part B, Amendments to Plans, B16 is deleted as per by the struck-out words / numbers as follows:

Amendments to Plans

~~B16. Prior to the issue of any relevant Construction Certificate, amended architectural plans must be submitted to the satisfaction of the Certifier demonstrating that each one bedroom unit is afforded with 6m³ of dedicated storage space and each two bedroom unit has 8m³ of storage space as required by the Apartment Design Guide.~~

- (g) Schedule 2 – Part B, Amendments to Plans, B17 is deleted as per by the struck-out words / numbers as follows:

~~B17. Prior to the issue of any relevant Construction Certificate, amended architectural and landscape plans must be submitted to the satisfaction of the Certifier demonstrating that the proposed transformer, and any other plant or similar servicing equipment, is set back at least 14m from the front property boundary.~~

- (h) Schedule 2 – Part E, Restriction on use, E26 is deleted as per by the struck-out words / numbers as follows:

Restriction on use

~~E26. Prior to commencement of occupation of any part of the development approved pursuant to this consent, or prior to the issue of an Occupation Certificate, the Applicant must execute an instrument under the Conveyancing Act 1919 (NSW), for the following restrictive covenants, with Council as the sole beneficiary and with the sole authority to release and modify the covenants, and which must be registered on the title of the site.~~

~~The independent living units are only to be occupied by :~~

- ~~(a) people who have a disability as defined by the provisions of State Environmental Planning Policy (Housing) 2021;~~
- ~~(b) people who live in the same household as with such people as defined in sub-clause (a) above; and~~
- ~~(c) staff employed to assist in the administration of, and provision of services to, housing provided in the development.~~

- (i) Schedule 2 – Part E, Restriction on use, E27 is deleted as per by the struck-out words / numbers as follows:

~~E27. The instrument required by condition E26, shall be prepared by the Applicant at its own expense, duly executed by the Applicant, or the owner of the property, and submitted to the Council for approval. The Applicant shall pay the costs of the instrument and provide proof of registration of the instrument to the Council, prior to occupation, or issue of an Occupation Certificate.~~

- (j) Schedule 2 – Part E, BASIX, E32 is deleted as per by the struck-out words / numbers as follows:

BASIX

~~E32. Pursuant to section 75 of the EP&A Regulation, it is a condition of this consent, that all the commitments listed in the BASIX certificate for the development are fulfilled. All work is to be satisfactorily completed prior to the issue of the Occupation Certificate.~~

- (k) Schedule 2 – Part F, Use of Medical Tenancy within Basement 3, F6 is added by the insertion of the **bold and underlined** words / numbers as follows:

Use of Medical Tenancy within Basement 3

F6. The tenancy located within basement 3 must not, at any time, be used for any purpose other than a radiation oncology clinic, unless development consent is obtained, or as otherwise agreed to by the Planning Secretary.

- (l) Schedule 2 – Appendix 1, Method of Electricity Connection, AN11 is added by the insertion of the **bold and underlined** words / numbers as follows:

Method of Electricity Connection

AN11. The method of connection will be in line with Ausgrid's Electrical Standard (ES)1 – 'Premise Connection Requirements.

- (m) Schedule 2 – Appendix 1, Overhead Powerlines, AN12 is added by the insertion of the **bold and underlined** words / numbers as follows:

Overhead Powerlines

AN12. There are existing overhead electricity network assets in Showground Rd.

Safework NSW Document – Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given to the positioning and operating of cranes and the location of any scaffolding.

The “as constructed” minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website, www.ausgrid.com.au. Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost. It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site.

- (n) Schedule 2 – Appendix 1, Underground Cables, AN13 is added by the insertion of the **bold and underlined** words / numbers as follows:

Underground Cables

AN13. There are existing underground electricity network assets in Showground Rd. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to

possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Safework Australia – Excavation Code of Practice, and Ausgrid’s Network Standard NS156 outlines the minimum requirements for working around Ausgrid’s underground cables.

End of modification

(DA 22/11444 - MOD 1)