

APPLICAN		ALS									
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MEETING	DETAILS	5									
Date	Tuesday 15 November 2022						Time	2:00-3:00pm			
Venue	Via TEAMS						Fees	\$1880 PAID			
PROPERTY DETAILS											
Description of proposed development Residential Flat Building consisting of approximately 29 units with basement parking for 14 car spaces											
Estimated cost of development \$10,000,000											
Lot No	10 & 11		DP	503890			Zone	B4 Mixed Use under SEPP (Gosford City Centre) 2018			
Address	80 Showground Road, GOSFORD NSW 2250										
ATTENDE	ES										
Council R	epresei	ntative	s								

NamePositionPhone NumberAntonia StuartTown Planner02 4306 7900Darren NorthWasteImage: Comparison of the state of the sta



John Noakes

Engineer

Brian Pike

Trees - Comments

Applicant Representatives

Name	Position / Company	Phone Number
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Rajlaxmi Kshirsagar	Portfolio Services	Rajlaxmi.kshirsagar@facs.nsw.gov.au
Tom Bingham	Project Architect, WMK Architecture	TBingham@wmkarchitecture.com

RECORD OF ADVICE

SUBJECT SITE

- Subject site is legally described as Lot 10 & 11 DP 503890 at No. 80 Showground Road, GOSFORD NSW 2250. The overall site area is 1214m² and is currently occupied by eight, single storey multi dwelling housing units (refer to Figure 1).
- The site is relatively flat, rectangular in shape, and located about 400 metres from Gosford railway station. The site is elevated above road level.
- The site is zoned B4 Mixed Use pursuant to the *State Environmental Planning Policy (Precincts Regional) 2021* (Gosford City Centre) (refer to Figure 2).
- The land or part of the land is between the flood planning area and the probable maximum flood (PMF) and is subject to flood related development controls (refer to Figure 3).
- The site is impacted by Acid Sulfate Soils Class 5.



• The existing footpath adjacent to the site on Showground Road is steep and non-compliant. There are set of stairs on the northern end which takes pedestrians down to the street level and couple of steps down to the vehicle crossover of adjoining property (refer to Figure 4).



Figure 1: Aerial view of subject site



Figure 2: Zoning map





Figure 3: PMF mapping





Figure 4: Infrastructure on Showground Road



PROPOSAL

- The proposal comprises a residential flat building consisting of a six (6) storey, twenty nine (29) unit residential flat development with basement parking for fourteen (14) vehicles.
- The proposed development will comprise affordable housing, comprising 15 x 1-bedroom units and 14 x 2-bedroom units.
- The proposed development is outside the controls within Chapter 2 Division 6 of the *State Environmental Planning Policy (Housing) 2021*, which allows LAHC to undertake development under Part 5 of the *Environmental Planning and Assessment Act (*EP & A Act).
- As the Capital Investment Value of the project is more than \$10 million, development consent will be sought via a development application to the Minister for Planning, Department of Planning & Environment pursuant to section 5.5 (b) of State *Environmental Planning Policy* (*Precincts—Regional*) 2021.

On 12 December 2022, and in response to concerns raised regarding waste servicing and engineering/ civil design matters at the meeting held on 15 November 2022, the applicant submitted three new options for the lower ground floor and waste servicing:

Option 1

The first concept involves a HRV garbage truck reversing onto site. This concept has the least impact on car parking and provides a truck parking bay adjacent to the driveway entrance.



Figure 5: Option 1



Option 2

The second concept involves a HRV manoeuvring on site and leaving in a forward direction. It results in a loss of 6 car parking spaces. It was noted by the applicant that accommodating another driveway ramp for additional car parking does not appear feasible given the width and slope of the site.



Figure 6: Option 2

Option 3

The third option involves the use of an MRV and results in the loss of only 1 car space.



Figure 7: Option 3



The abovementioned options were further reviewed by Council staff, and it is advised that Option 2 is preferred in term of waste servicing.

The following figures illustrate the site plan and elevation of the proposed development.



Figure 8: Site Plan



Figure 9: South Elevation



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Figure 10: North Elevation



Figure 11: East Elevation





Figure 12: West Elevation

MEETING AGENDA

The following matters were raised by the applicant which have been covered in this advice:

- New vehicular access from Showground Road, expectation around the design of public pathway, and relocation of services underneath.
- Kerbside waste collection system, points for discussion:
 - Would kerbside collection for 25 x 240L bins be considered on Showground Road?

Council response: No. Notwithstanding the unacceptable amenity impact, there is inadequate space in the road reserve to ensure this can occur.

• Given the quantity of bins to be collected and the length of kerb required would twice weekly collection be considered?

Council response: No.

• Would the collection of 8 x 1100L bins from the kerbside be considered?

Council response: If there was an appropriate servicing location provided on site and a waste truck could appropriately service the area.



• Would a council garbage truck reverse onto the site to collect the bins from a holding area adjacent to the driveway?

Council response: Option 1 (Figure 5) provided above, demonstrates that there is inadequate lane width in which to safely reverse a Council waste truck into the site. Notwithstanding the lack of area in which to undertake this reversing manoeuvre safely within lane widths, the amount of traffic generation on Showground Road dictates that this manoeuvre is not appropriate in this locale.

PLANNING

s. 4.15 (1)(a)(i) of the *Environmental Planning and Assessment Act 1979*: Provisions of Relevant Instruments/ Plans/ Polices

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

Accessed here:

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

• Chapter 4 – Remediation of Land

Clause 4.6 (b) requires that consent not be granted until Council has considered whether the land is contaminated. If the land is contaminated, the Council needs to be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purposes for which the development is proposed to be carried out.

Details of the potential contamination of the subject site needs to be provided as part of the development application.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Accessed here: State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Any development application lodged with Council will need to be accompanied with a BASIX Certificate in accordance with the requirements of this SEPP. Please note, any BASIX certificate accompanying a development must have been issued no earlier than 3 months before the date on which the application is made.



State Environmental Planning Policy (Transport and Infrastructure) 2021

Accessed here: <u>State Environmental Planning Policy (Transport and Infrastructure) 2021</u> (Transport and Infrastructure SEPP)

The site is located within 90 metres of a classified Road (Racecourse Road) and is located approximately 50 metres west of the Gosford Rail Corridor.

• Clause 2.48 - Determination of development applications—other development

The proposal will require referral to AUSGRID pursuant to this clause.

• Clause 2.98 - Development adjacent to rail corridors

The proposal will require referral to Sydney Trains pursuant to this clause.

• Clause 2.100 - Impact of rail noise or vibration on non-rail development

Pursuant to subclause 3, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—

- a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,
- b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.
- Clause 2.119 Development with frontage to classified road

Clause 2.119 relates to development with frontage to a classified road and seeks to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads. Whilst it is acknowledged the site does not have a frontage to a classified road, given the proximity of the classified road and intensification of the site in terms of vehicle usage, it is recommended the application will be referred to Transport for NSW (TfNSW) (Formally RMS) for comments regarding the proposal.



State Environment Planning Policy No. 65 - Design Quality of Residential Apartment Development

Accessed here: <u>State Environment Planning Policy No. 65 - Design Quality of Residential</u> <u>Apartment Development</u>

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (SEPP 65) applies to the erection of a building where the building concerned is at least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2 metres above ground level (existing) that provide for car parking), and the building concerned contains at least 4 or more dwellings.

Subclause 28(2)(b) of SEPP 65 provides that the consent authority should take into consideration the design quality of the proposed development. The Design Verification Statement which accompanies the application is required to demonstrate consistency with the design quality principles.

A Design Verification Statement is required to demonstrate consistency with the design quality principles and is also required to meet the requirements of Clause 29 (2) of the *Environmental Planning and Assessment Regulation 2021* which requires a statement by the qualified designer, which must 'verify that he or she designed, or directed the design, of the development' and 'explain how the development addresses – (i) the design quality principles, and (ii) the objectives in Parts 3 and 4 of the Apartment Design Guide'. Please also ensure that the architectural plans accompanying the development application are referenced in the required Design Verification Statement.

Where the proposed development triggers the provisions of SEPP 65 there is an obligation for the design to have regard to the design principles and the associated apartment design guide.

The Apartment Design Guide: Tools for improving the design of residential apartment development (the ADG) provides objectives, design criteria and design guidance on how residential development proposals can meet the Design Quality Principles contained within Schedule 1 of SEPP 65, through good design and planning practice. The proposal will be reviewed having regard to the requirements of the ADG.

Accessed here: Apartment Design Guide.



State Environmental Planning Policy (Housing) 2021

Accessed here: State Environmental Planning Policy (Housing) 2021

The site is located within an 'accessible area' as defined by the Housing SEPP, as it is within 800m walking distance of a public entrance to Gosford Train Station. This proposal falls outside of the self-assessment provisions within Chapter 2 Division 6 of the Housing SEPP, and therefore NSW LAHC will be lodging a development application.

Chapter 2 Division 1 of the Housing SEPP provides the requirements for in-fill affordable housing. An assessment of the proposal against these requirements must be addressed in the required Statement of Environmental Effects (SEE).

The provision of car parking is required by cl. 18 (2) (f) of the SEPP as it relates to a development application made by a social housing provider:

(f) for a development application made by a social housing provider for development on land in an accessible area—

(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, or

(ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, or

(iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,

The proposed development will comprise affordable housing, comprising 15 x 1-bedroom units and 14 x 2-bedroom units resulting in a requirement for thirteen (13) car parking spaces in accordance with the SEPP. It is noted that the development scheme originally provided to Council proposed fourteen (14) car parking spaces, including four (4) accessible spaces, complying with this requirement:



Figure 13: Original car parking scheme presented for discussion



The amended scheme (Option 2) provided to Council and illustrated below proposed nine (9) car parking spaces including one (1) accessible space resulting in a 30.77% variation (four car spaces) to the non – discretionary development standard.



Figure 14: Option 2

The purpose of non- discretionary development standards is to set out standards for build-torent housing that — if complied with — prevent the consent authority from requiring more onerous standards for those matters.

In this case, Option 2 presented to Council, whilst is the preferred option in terms of waste servicing, will result in a lack of car parking which does not comply with this non- discretionary development standard.

Pursuant to <u>Section 4.15 (3)(a) of the Environmental Planning and Assessment Act 1979</u> if an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with the non-discretionary development standard, a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

In this case, it appears any variation to cl. 18 (2) (f) of the SEPP can be invoked by an environmental planning instrument that allows flexibility, and Council will consider any non-compliant car parking on merit.



It is recommended advice is sought as to the most appropriate pathway in seeking this variation should Option 2 be preferred.

Whilst Option 2 is preferred by Council staff in terms of waste servicing, in fact it presents as the only viable option, it is problematic in providing the required number of car parking spaces for the development. In its current form, Council staff do not support the variation to car parking proposed in Option 2.

Any variation to a requirement for car parking on this site must be accompanied by a Traffic and Parking Impact Report, prepared by an appropriately qualified professional. In addition, any variation must be accompanied by a robust planning discussion supported by evidence justifying any variation to the minimum amount of car parking required for this development in this location. Alternatively, the number of units in the development could be reduced, thereby reducing the amount of car parking required under the SEPP.

State Environmental Planning Policy (Planning Systems) 2021

Accessed here: State Environmental Planning Policy (Planning Systems) 2021

Private infrastructure and community facilities, including affordable housing, with an estimated cost of works exceeding \$5 million (but under \$10 million in the Gosford City Centre) is identified as Regionally Significant Development pursuant to schedule 6, cl. 5(b) of the SEPP, wherein the Hunter and Central Coast Regional Planning Panel will be the determination authority.

State Environmental Planning Policy (Precincts - Regional) 2021

Chapter 5 of this SEPP referred to the Gosford City Centre.

• Clause 5.5 Consent authority

For development that has a capital investment value of less than \$10 million—the Council is the consent authority. Please note, for development with an estimated cost of works up to \$5 million, the determining body will be the Local Planning Panel. For development with an estimated cost of works between \$5 to \$10 million, the determining body will be the Hunter and Central Coast Regional Planning Panel.

For development that has a capital investment value of not less than \$10 million but not more than \$75 million, the consent authority will be the Minister for Planning, or if the development has a capital investment value of not less than \$40 million and the Council objects to the development, the determining body will be the Independent Planning Commission.



• Clause 5.13 Zone objectives and Land Use Table

The Statement of Environmental Effects is required to address the objectives of the zone.

The subject site is zoned B4 Mixed Use where residential flat buildings are permitted with consent.

• Clause 5.25 Height of Buildings (HoB)

The applicable height control of 18 metres (identified 'P' on gazetted mapping) as contained within Clause 5.25 (2) of this SEPP. The proposed development exceeds this development standard, indicating a height of approximately 20.7 metres.

A section 5.28 of Regional Precinct SEPP 'Exceptions to development standards' to be applied at the time DA lodgement.

• Clause 5.26 Floor space ratio

The applicable FSR is 2:1 under Clause 5.26(2) of SEPP (Precincts – Regional) 2021. The proposed FSR is 1:7:1 and complies with this development standard.

• Clause 5.28 Exceptions to development standards

The proposal identifies a variation to the HoB development standard and therefore a variation under clause 5.28 of the SEPP is required to be provided with the development application. Clause 5.28 does not apply if clause 5.46 (5) is invoked.

• Clause 5.39 Acid sulfate soils

The area of the proposed works is mapped as potentially containing class 5 acid sulfate soils. Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land requires the preparation of an acid sulphate soils management plan (ASSMP). If required, the ASSMP is to accompany the development application in order to demonstrate how the acid sulphate soils on site will be managed.

• Clause 5.40 Flood Planning

The application must address this flooding risk to ensure Council is satisfied that the development is appropriate for the site:

a) is compatible with the flood hazard of the land, and



- b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
- c) incorporates appropriate measures to manage risk to life from flood, and
- d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
- e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- Clause 5.45 Design Excellence

The proposal must demonstrate how compliance is achieved with the provisions of Clause 5.45 (4) of the SEPP.

A design verification statement by a qualified and registered architect will be required to accompany the development application.

• Clause 5.46 Exceptions to height and floor space in Zones B3, B4 and B6

Exceptions to height limits can be applied under clause 5.46. This clause cannot be invoked in this instance give the dimensions pf the site.

• Clause 5.53 Key Vistas and View Corridors

The objective of this clause is to protect and enhance key vistas and view corridors in Gosford City Centre. Provide an assessment in your Statement of Environmental Effects as to how views and vistas are achieved by the proposed units and also how views and vistas are affected on neighbouring and adjacent properties.

s. 4.15(1)(a)(ii) of the *Environmental Planning and Assessment Act 1979:* Draft Environmental Planning Instruments

No draft Environmental Planning Instruments apply to this application.

s. 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*: Provisions of any development control plan

Gosford City Centre Development Control Plan 2018 (GCCDCP 2018)

Accessed <u>here</u>

• Clause 3.5 Character



The city fringe areas allow a range of uses including residential, employment, light industrial and retail to support the city centre.

• Clause 5.0 Built Form

The development controls for development can be found in clause 5.0. This clause covers building height, setbacks, and articulation, among other important design elements.

• Clause 7.0 Access and Parking

The DA needs to address the following sections of the DCP:

- 7.2 Pedestrian Access and Mobility.
- 7.3 Vehicular Driveways and Manoeuvring areas.
- Clause 7.4 On-site Parking

The proposal does not meet the required parking numbers for the expected land use (as per Option 2) as discussed elsewhere in this report. This shortage of required car parking is not supported.

- 7.5 Site Facilities and Services: The DA needs to address the following sections of the DCP:
 - o Mailboxes;
 - o Communication structures, air conditioners and service vents;
 - Waste (garbage) storage and collection; and
 - Location requirements for waste storage areas and access.
- 8.0 Environmental Management
 - 8.3 Water Conservation: The proposed development needs to demonstrate implementation of best practice water saving infrastructure including provision of rainwater / storm water retention tanks.
 - o 8.4 Reflectivity: The DA needs to address the requirements of this Clause.
 - 8.6 Waste and Recycling: The DA needs to comply with the requirement of this Clause. A Waste Management Plan needs to be submitted with the DA. Additionally refer to waste section of this advice.



- 8.7 Noise and Vibration: The development needs to demonstrate the compliance with this Clause.
- 9.0 Residential Development Controls
 - 9.1 Housing Choice and Mix: The DA needs to demonstrate the compliance with the relevant controls of this Clause.
 - For residential apartment buildings on land with less than 20% slope, 15% of all dwellings (or at least one dwelling – whichever is greater) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes "preadaptation" design details to ensure visitability is achieved.
- 9.2 Storage: The DA needs to demonstrate the compliance with the following controls:
 - In addition to storage in kitchens, bathrooms and Bedrooms wardrobes. Storage is to be provided- 10m3 for 3+ bedroom apartments; and
 - At least 50% of the required storage is to be located within the apartment.

s. 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*: the likely impacts of the development

Crime and Safety Report

A report is required to ensure the proposal has been designed following consideration of the *Crime Prevention through Environmental Design* (CPTED) strategies relating to surveillance, access control, territorial reinforcement, and space management.

CPTED is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients (law, offender, victim or target, opportunity) from intersecting in time and space. Further information can be found on the NSW Police website.

CPTED refers to the principles specified under the *Crime Prevention and the Assessment of Development Applications* published by Department of Urban Affairs and Planning Guidelines for consideration under section 4.15 of the *Environmental Planning and Assessment Act 1979* as amended. Under this section, all councils are required to consider and implement CPTED principles when assessing Development Applications.



Social Impact Assessment

A Social Impact Assessment (SIA) is required when a development has any positive or negative impact to a particular group of people or the community as a whole. The SIA is intended to address the requirements of Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*. The SIA should identify and assess possible social and economic impacts of the proposal in the area and be prepared by a suitably qualified person.

Typically, an SIA should include an assessment of the local area including demographics and crime data, and consultation with the affected neighbourhood and interested stakeholders. It should outline all possible and perceived social impacts and how these will be mitigated. Additionally, please see comments in the social planning section of this advice.

Other Matters

Estimated cost of works

This <u>guide</u> explains how Council determines the 'estimated cost of works' and the application fees payable and is applicable to Development Applications, Construction Certificates and Complying Development Certificates

ENGINEERING

Waste Servicing Options

- The supplementary plans have been reviewed and it is considered not safe for the service vehicle to reverse into the basement as shown in Option 1 at this location. This option will not maintain lane discipline for service vehicles and is considered a potential high risk for all users of Showground Road.
- The third would be preferrable however given Council's policy for HRV's, this option is invalid.
- The Option 2 plan only details manoeuvring within the basement and the ingress/egress turning paths from the Showground Road carriageway haven't been detailed. The ingress/egress turning manoeuvring paths are essential to ensure lane discipline is maintained. The other issue that may be problematic is that Councils Contract service vehicle is rear loading and the waste bulk enclosure within the basement doesn't appear to be located to facilitate this operation.



• The three options provided to Council for comment do not address the treatment of the footway, retaining walls and services to provide two way width at the access crossing for standard vehicles and the garbage service vehicle. It is also noted that the supplementary plans also do not address the required head height for HRV, being 4 metres for onsite servicing.

Stormwater Management

• A stormwater management plan and design report (including a Water Cycle Management Plan) shall be prepared by a suitably qualified and experienced hydraulic/civil engineer and address water quantity and quality for the development and be submitted to council for review in accordance with Council's civil works design specification and AS 3500.3. The plan shall address On-site Detention/Retention in accordance with Council's CCC DCP.

<u>Earthworks</u>

• An earthworks plan shall be submitted if there are significant excavation/filling and regrading of the site.

Traffic & Transport

The site fronts Showground Road in close proximity to the Gosford Railway Station, commuter car parking and the Gosford Hospital carpark. Gosford Railway Station, commuter car park and the Gosford Hospital carpark generate a significant volume of vehicular traffic and pedestrian movements within the section of Showground Road. It is essential that the proposed driveway access crossing provides two way ingress and egress vehicle movements has sufficient sight distance and offset splays in accordance with AS 2890.1:2004.

The future proposal must be supported by a Traffic Impact Assessment to address the following:

- Vehicular traffic and pedestrian generation upon the existing road and footpath network.
- Justification of the provided car parking spaces within development.
- Carparking and vehicle manoeuvring from the Showground Road carriageway into the basement area. Note: vehicle turning paths shall be detailed in accordance with AS 2890.1:2004.
- Service vehicle access and manoeuvring within the waste receptable area and turning paths details of ingress/egress service vehicles maintaining lane discipline within Showground Road.



Roadworks and Service Utilities

The section of Showground Road fronting this site has an elevated footway, retaining walls and a water main and sewer main which all may need re-alignment to accommodate the two way vehicle access crossing. The proposal will require preliminary engineering plans including a longitudinal section, cross sections, retaining walls details and service utility re-locations depths and alignments.

URBAN DESIGN

The proposal is subject to SEPP 65 and the Apartment Design Guide (ADG) and has been assessed against the nine Design Excellence principles in the SEPP and the City Centre Development Control Plan (CCDCP).

Context and Neighbourhood Character

- A six-level building is appropriate in this location and zoning. The site adjoins the much larger hospital to the south, and it is expected that the adjoining sites to the north and west will be redeveloped in a similar manner in the future.
- The proposal generally complies with setback controls in the ADG allowing generous deep soil areas and landscaping for screening and outlook to and from adjoining sites on the north and west.

Built Form and Scale

• There is some height non-compliance however this is considered minor and does not have detrimental impacts within the site or on adjoining sites. The top floor is set back and changes in material to disguise the bulk. The use of face brick, concrete and metal cladding provide visual variety and also break up and disguise the scale of the building.

<u>Density</u>

• Complies and is below the maximum.

<u>Sustainability</u>

• Must provide NatHERS or BASIX certification. The use of solar hot water and photovoltaic cells should also be considered.



<u>Landscape</u>

• Landscaping is acceptable. The retention of existing mature trees is particularly supported.

<u>Amenity</u>

- Units are well planned with the majority achieving complying solar access.
- It is noted that the balcony of Unit 103 is directly above the driveway. The option of extending the carpark roof to provide a larger outdoor area should be considered.

<u>Safety</u>

• The application has balconies and windows overlooking public spaces to provide surveillance.

Housing Diversity and Social Interaction

• Accessible units provide accommodation for a variety of occupants.

<u>Aesthetics</u>

• The application has setback the top level and using variation in material to further disguise the bulk and scale.

<u>Conclusion</u>

The proposal is considered to produce significantly superior better outcomes in terms of both amenity and urban design to many of the recently constructed RFBs in the LGA and subject to addressing the balcony of Unit 103 is strongly supported.

It is noted however that the requirement that a large rigid garbage truck can enter and exit the site in a forward direction may result in the inability to construct the proposal or if constructed will result in significant reduction in both residential amenity and urban design quality of the building and non-compliance with the ADG and CCDCP.



WASTE MANAGEMENT

- Option 2 presented is preferred in terms of waste servicing.
- Any application providing on site waste serving must be supported by preliminary structural engineering specifications addressing how the building can be constructed so as to provide the required 4 metre clearance in height in this location.
- Council can agree to reduce the storage requirements by providing bulk bins and a twice weekly service in that area. It is advised the development proposed would require 3 x 1100 litre general waste bins and 3 x 1100 litres recycling bins noting manoeuvrability and access to all bins within the room must be detailed (waste services can provide these bins with easy access lids to avoid difficulties with large bin lids).
- The bulk waste storage is adequate.
- Further details on bin manoeuvring within the service area will be required and the waste methodology across the site will need to be provided.
- The area previously proposed for waste bin presentation could be better utilised for street tree planting or possibly a realignment of the footpath to allow improved setbacks or maybe an open garden/seated area within the development or existing foot path.
- Plans are to indicate a fully dimensioned mixed and recyclables waste storage room/enclosure sized to accommodate all mixed waste, recyclables waste and green waste containers.
- Consideration is required for provision of a nominal number of green waste mobile waste containers for future use with the introduction of a Council food organics and garden organics service i.e. FOGO. A nominal number of green waste FOGO mobile garbage bins would be provided for servicing at the kerbside with a Council side lift waste truck.
- The waste storage room/enclosure to be located to be readily accessible to the users of the premises and the wheel out/ roll out of waste containers to a suitable, designated servicing location.
- Swept turning paths for the selected vehicle to be designed and certified to AS 2890.2 and overlayed onto submission plans.
- Waste vehicle manoeuvring to be able to be safely undertaken without impacting on required car spaces or other vehicle movements when servicing of waste bins is undertaken.
- Submission of a detailed Waste Management Plan for site preparation, demolition, construction, use of premises and ongoing management of waste is required at lodgement.



WATER & SEWER

- Water and sewer are available to the land.
- The proponent will be required to replace the existing 100mm CICL water main to service the proposed building.
- Subject to any proposed civil work along Showground Road, the proponent will be required to identify the existing depth of Council sewer main and identify any impact to Councils sewer.
- Water and Sewer Developer Charges will be applicable for the proposed development.
- The proponent will be required to submit a S305 application and obtain the S307 Certificate prior to issue of Occupation Certificate.

TREES

- Preliminary Concept Plans show existing tree locations and provides an intention of trees to be removed and retained.
- As the works will impact many trees and the submitted plans indicate tree retention near new works, an Arboricultural Impact Assessment is required. An Arboricultural Impact Assessment Report provides technical comment on specific tree-related issues, particularly regarding the health, condition and significance of trees and includes recommended strategies for retaining and protecting trees close to proposed developments. An Arborist report must be prepared by a qualified arborist who has the experience and expertise in preparing such a report and is to consider the guidance provided within Australian Standard *Protection of trees on development sites AS 4970 2009.*
- Plans also indicate the removal of a northern neighbour's tree that would require written consent from the tree's owner, or any protection works, addressed in the documentation supporting the development application.

ENVIRONMENTAL HEALTH

- Provide an Operational Management Plan for the proposed development that includes a noise management plan. The noise management plan must include the noise control measures and recommendations of the acoustic report and any additional controls to mitigate noise impacts on the surrounding area.
- An Erosion and Sediment Control Plan ('ESCP') in accordance with Section 2.2 of the 'Blue Book' (Managing Urban Stormwater: Soils and Construction, Landcom, 2004). Section 9.2 of



the Blue Book provides guidance on preparing an Erosion and Sediment Control Plan for residential development.

The ESCP shall include proposed dune stabilisation works to be conducted on public land that meet the requirements of the Coastal Protection Act 1979 and the Code of Practice under the Coastal Protection Act 1979. At a minimum, the following information must be included in the ESCP:

- o a site survey which identifies contours and approximate grades and the direction(s) of fall;
- o locality of site and allotment boundaries;
- o location of adjoining road(s) and all impervious surfaces;
- existing vegetation and site drainage;
- o nature and extent of clearing, excavation and filling;
- o location and type of proposed erosion and sediment control measures;
- o location of site access and stabilisation of site access;
- o provision for the diversion of run off around disturbed areas;
- location of material stockpiles;
- o proposed site rehabilitation and landscaping;
- o staging of construction works, and
- maintenance program for erosion and sediment controls measures.

All design criteria and calculations used to size sediment and erosion control measures should be shown, and construction standard drawings are to be provided on each type of sediment and erosion control measure proposed.

DA LODGEMENT REQUIREMENTS

Recommended/ Required Documentation

The following documentation is to be submitted with any Development Application, however given the consent authority is not Central Coast Council, it is recommended you seek further guidance from the Department of Planning and Environment in this regard:

- Architectural plans, including site plan, floor plans, elevations, sections and long sections. Provide dimensions, loading areas, and waste storage areas on floor plans
- Survey plan.
- Shadow Diagrams.
- Design Verification Statement.



- Statement of Environmental Effects.
- Quantity Surveyors Report.
- Traffic and Parking Impact Assessment.
- Water Cycle Management Plan/ Stormwater Management Plan
- BASIX Certificate.
- Arboricultural Impact Assessment.
- Preliminary Civil Engineering Plans.
- Erosion and Sedimentation Control Plan.
- Landscape Plan.
- Acoustic Report.
- Crime Prevention through Environmental Design (CEPTED) Report.
- Operational Management Plan (including timings, lighting, noise control, waste management, servicing, carparking and any other relevant information).
- BCA Report.
- Access Report.
- Services Plan.
- Waste Management Plan.
- Swept Turning Path Overlays for all intended vehicles (waste collection and vehicles in parking building)

The *Environmental Planning and Assessment Regulation 2021* (Regulation) requires certain applications for development to be in an approved form. The approved form is defined in Schedule 7 of that Regulation as a form approved by the Planning Secretary and published on the NSW Planning Portal. This <u>document</u> lists the mandatory documents and drawings that are part of the approved form.



This <u>Planning Circular</u> also advises councils, applicants and practitioners of updated requirements for development applications, complying development certificate applications and State significant development applications made under the *Environmental Planning and Assessment Act 1979*.

You may also wish to review Councils Guide for Applicants on Supporting Document Requirements, accessed here: <u>Supporting Document Guide</u>

NSW Planning Portal

Once registered, applicants can lodge and track their application from start to finish via their user dashboard. They'll also be notified when more information is required, or decisions have been made on their application. To view our FAQs, or to register, visit <u>NSW Planning Portal</u>

General members of the public are still able to track the progress of development applications submitted to Council through Council's e-planning portal: <u>DA Tracker</u>

Development Application Forms

When submitting your development application to Council via the NSW Planning Portal, you will be required to submit supporting documents with your application. Some of these will be forms provided by Council for you to fill in, including:

• Part B – <u>Application Detail and Owner(s) Consent Form</u>

Although a <u>written</u> version is not required by the determining authority the *Environmental Planning and Assessment Regulation 2021*, you can still submit the above-mentioned form.

ePlanning Tools

The Planning Enquiry tool within Central Coast Council's ePlanning Portal allows you to view the following information related to your property: land zone; bushfire status; flooding status; maximum building height; maximum floor space ratio; and minimum subdivision lot size. In addition, this tool can provide the Gosford LEP and DCP planning controls relevant to your proposed development: <u>Central Coast Council's ePlanning Portal</u>



NSW Department of Planning, Industry and Environment "Your Guide to the Development Application Process"

The guide explains the development assessment and construction approval process to help you in preparing and lodging assessment ready development applications (DAs) as well as explaining the next steps to get them building. The guide is now available at <u>Your Guide to the Development Application Process</u>

Fee Quote

Our Customer Service Staff will be able to provide you a fee quote for Development Application Fees and Construction Certificate Fees on 1300 463 954 or email at <u>ask@centralcoast.nsw.gov.au</u> <u>Disclaimer</u>

The information provided verbally and/or within the text of any document by Central Coast Council is for the purpose of assisting you with understanding the planning controls relating to your land and/or proposed development and the application process that may be applicable. It is recommended that anyone contemplating the carrying out of development or the purchasing of land in the Central Coast Local Government Area (LGA) obtain their own planning advice from a suitably qualified professional such as a town planner or private solicitor specialising in land use and/or planning law. Please note that Council is not able to recommend the name or contact details of such professionals.

Antonia Stuart Section Manager DEVELOPMENT ASSESSMENT PRE LODGEMENT

Date: 22 December 2022